

ORDINANCE NO. 10 -17
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Belinda Kenley ON THE 19th
DAY OF June, 2017.

AN ORDINANCE AMENDING ORDINANCE NO. 14-08, CHAPTER 1216 OF THE CENTERVILLE MUNICIPAL CODE, THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF CENTERVILLE, OHIO, TO AMEND THE REGULATIONS FOR TEMPORARY SEASONAL GARDEN CENTERS.

WHEREAS, on the 15th day of December, 2008, the City of Centerville enacted the Unified Development Ordinance (UDO) to establish zoning regulations and to provide for its administration, enforcement and amendment and which has been subsequently amended; and

WHEREAS, the City Council directed the City Manager to conduct an annual review of the UDO to assure consistency with previous ordinances, to update it to reflect current policies and to eliminate duplicity; and

WHEREAS, revision of Section 9.05 of the Unified Development Ordinance, which addresses regulations for temporary seasonal garden centers in the UDO, is recommended at this time:

WHEREAS, the amendment is in harmony with the City of Centerville's comprehensive plan, *Create the Vision*; and

WHEREAS, all requirements of Chapter 713 of the Ohio Revised Code, with regard to the adoption of the UDO and/or amendments thereto by the Planning Commission and subsequent action of the City Council have been met.

NOW, THEREFORE, the Municipality of Centerville hereby ordains:

Section 1. Ordinance Number 14-08 passed on the 15th day of December, 2008 and as subsequently amended, be, and the same hereby is revised as follows with new language to be added in *bold italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

By amending Article 9, Development Standards, as follows:

Article 9.05(A)(8) – Temporary Seasonal Garden Centers

8. Temporary seasonal outdoor retail sale of garden and landscaping plants and materials including bagged soil, fertilizer, and mulch (Temporary Garden Center). Natural holiday decorations such as Christmas trees are included in this use.
- a. A maximum of one (1) Temporary Garden Center may be conducted on a premises ~~at any one time and a maximum of two (2) Temporary Garden Centers may be permitted~~ in any calendar year.
 - b. A Temporary Garden Center may be conducted on a premises for a period of time not to exceed ~~90~~ **180** consecutive days at which time this temporary use shall be removed and the premises restored.
 - c. ~~A second temporary Garden Center may be conducted after sixty (60) days has lapsed from the first Temporary Garden Center.~~
 - d. A Temporary Garden Center may display a maximum of 32 square feet of ground signs, wall signs, or combination thereof in association with the business. No more than three (3) total signs are permitted. Such signs may be temporary in their placement and construction. All other signs shall be prohibited.

Section 2: This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 19th DAY OF June, 2017.


Mayor of the City of Centerville, Ohio

ATTEST:


Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 10-17, passed by the Council of the City of Centerville, Ohio on the 19th day of June, 2017.


Clerk of Council

Approved as to form and consistency with existing ordinances, the charter and constitutional provisions.

Department of Law
Scott Liberman
Municipal Attorney