

ORDINANCE NO. 18-16
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Belinda Kenley ON THE 17th DAY OF October, 2016.

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 SIGNS AND DEFINITIONS.

PREAMBLE

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

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

WHEREAS, revision of Sections 9.51 and 11.02 of the Unified Development Ordinance regulations for signs and definitions is recommended at this time:

WHEREAS, the amendments are 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:

9.51 Sign Standards

D. General Provisions

9. Sign Location with Respect to Frontages: Sign area permitted by virtue of a premises having lot frontage or building frontage shall be located only along that frontage which generated the permitted sign area, *unless otherwise noted in Article 9.51 of the UDO.*

18. Ground Signs

- b. Lot Frontage. Ground signs shall generate sign area based upon lot frontage on a public right-of-way of at least 50 feet in width. Corner lots and through lots shall have only one lot frontage *for the calculation of permitted ground sign area.*
 - c. Landscaping Requirements. A permanent ground sign shall require a single continuous landscaped area to be maintained beneath the sign in accordance with the following standards:
 - i. The minimum landscaped area shall be equal to the area of the sign face.
 - ii. The landscaped area shall include all points where the sign structural supports attach to the ground.
 - iii. Where the required landscaped area is adjacent to a paved surface accessible to vehicular traffic, a raised non-mountable curb suitable to prevent the encroachment of vehicles shall be required. The minimum distance between the face of any required curb and any part of the sign shall be 30 inches.
 - iv. ~~The landscaped area shall include living plantings aesthetically located and maintained.~~ *The landscaping shall frame or accent the sign in an aesthetically pleasing manner with a mixture of shrubs and ground cover plants.* The use of concrete, asphalt, or any other paved surface inside the required landscaped area beneath the sign shall be prohibited.
- 22. Signs at Unoccupied Buildings or Tenant Spaces. Any sign face identifying a business no longer in operation at a subject location shall be removed no later than 45 days from the date the business vacates the building or tenant space, or by a scheduled date approved by the City Planner.**

G. Signs Permitted for Business, Industrial, or Other Non-Residential Uses (Excluding the Architectural Preservation District)

2. Ground or Projecting Signs.

d. A property owner may exchange the permitted ground sign for a wall sign(s) provided:

v. ~~A Department of Development Special Approval and a~~ A sign permit shall be required before a ground sign may be exchanged for a wall sign.

3. Wall Signs

d. In cases where a building has more than one public street frontage, the permitted wall sign area may be distributed across multiple public street frontages. However, *no more than 50% of the total permitted wall sign area may be located on one or more secondary frontage(s).* ~~at least 50% of the total permitted wall sign area shall be located on the building frontage used to calculate the total permitted wall sign area.~~

H. Signs Permitted for the Architectural Preservation District (APD)

7. Signs for Business, Other Non-Residential, or Mixed Business and Residential Uses (APD)

c. Temporary *and Daily Display* Signs (APD)

i. A ~~temporary sign~~ *daily display sign* shall be a ground sign.

ii. A ~~temporary ground~~ *daily display* sign shall not exceed 6 square feet in sign face area ~~and 12 square feet in sign area.~~

iii. A ~~temporary ground~~ *daily display* sign shall be a maximum of 4 feet in height.

iv. A ~~temporary ground~~ *daily display* sign shall be located ~~on~~ *near* the front porch or stoop ~~within 15 feet of the front door or on a level, paved surface~~ *outside of the public right-of-way* ~~within 15 feet of the main business entrance into the building, and in a manner that does not conflict with existing pedestrian and vehicular paths of travel.~~

v. A ~~temporary ground~~ *daily display* sign shall be displayed only during the normal hours of operation of a business.

- vi. The sign type, design, materials, and color shall be in *general* accordance with the Permitted Temporary Ground Signs *standards* established in the Design Review Criteria.
- vii. *A Sign Permit shall not be required.*
- viii. ~~iii. In-lieu of a *daily display sign* the permitted temporary ground sign, the BAR City Planner may approve a temporary ground or wall sign subject to the following requirements:~~
 - ~~1) The BAR must approve any temporary sign.~~
 - 1) ~~2) Only one temporary sign may be displayed a maximum of 30 days in each evenly divided half of a calendar year for a business on a premises.~~
 - 3) ~~A temporary sign shall be either a ground or a wall sign.~~
 - 2) ~~4) A temporary ground signs shall have a maximum height of six feet.~~
 - 3) ~~5) A temporary wall sign shall not mask, cover or conceal any window or significant architectural feature of a building.~~
 - 4) ~~6) A temporary sign shall not exceed 12 square feet in sign face area or 24 square feet in sign area.~~
 - 7) ~~The sign type, design, materials, and color shall be in accordance with the Temporary Sign Design, Material, and Color Guidelines established in the Design Review Criteria. *The sign material shall be composed of an opaque, durable material and properly secured so as to prevent detachment from the sign posts or building wall.*~~
- ~~viii. If a permitted temporary sign violates any provisions of this UDO, the property or business owner will not be issued a Certificate of Zoning Compliance for another temporary sign for a period of six months following the sign's removal.~~
- ~~ix. A Certificate of Zoning Compliance shall not be issued to any applicant who has an outstanding violation of the UDO.~~
- ix. *Illumination of a temporary or daily display sign shall be prohibited.*

By amending Article 11, Definitions as follows:

11.02 Definitions

Sign Area - The total area in square feet of all the visible information-conveying surface area(s) of a sign including all localized background(s), but excluding all material(s) not conveying significant visual information and whose major function is providing structural support for the sign. ~~An irregular-shaped~~ Sign surface area shall be measured by calculating the surface area of a simple ~~plane or solid~~ *square, rectangle, or circle* which approximates the size and shape of the sign surface area. The area of individual elements of a sign placed against a non-localized background (such as letters placed against a wall or window) shall be measured by calculating the area of the smallest single *square, rectangle, or circle* which would completely enclose all elements of the sign. *Minor protrusions which account for five percent or less of the total sign area as measured herein shall not be included in the calculated sign area. See Figure 11.3 below.*

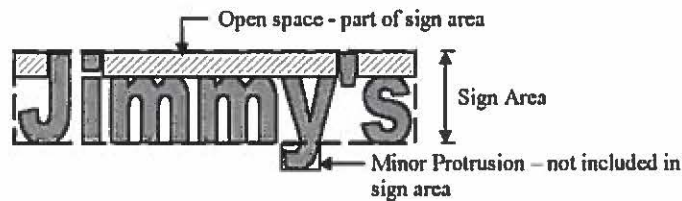


Figure 11.3: Measuring Sign Area

Re-number existing Figure 11.3 on 11-48.

Sign, Daily Display – *An A-frame or similar style, pedestrian-oriented sign placed in close proximity to the main entrance of a business and displayed solely during normal business hours.*

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

PASSED THIS 17th DAY OF October, 2016.


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. 18-16, passed by the Council of the City of Centerville, Ohio on the 17th day of October, 2016.



Clerk of Council

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

Department of Law
Scott Liberman
Municipal Attorney