

Ordinance No. 71-72Passed December 18, 19 72

ORDINANCE NO. 71-72
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN JOHN DAVIS ON THE 18th DAY OF DECEMBER, 1972.

AN ORDINANCE AMENDING ORDINANCE NO. 15-61, THE VILLAGE OF CENTERVILLE, OHIO, KNOWN AS THE "ZONING ORDINANCE OF CENTERVILLE, OHIO, 1961" TO ESTABLISH AMENDED PROCEDURES FOR BUSINESS 1 AND BUSINESS 2 DISTRICTS.

THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

SECTION 1. That Section 15, Business Uses and Requirements, of Ordinance ~~15-61~~ is hereby amended as follows:

[The Business Uses specifically stated or implied below are permitted in the Districts indicated in Figure 2, when complying with the requirements specified in Figures 2, 3 and 4, subject to the provisions of Paragraph C, herein.]

Upon a finding by the Planning Commission that the public health, safety, morals and general welfare of the City will not be substantially adversely affected by the establishment of such of the uses permitted in paragraphs A and B hereof as may be proposed for a tract of land, the Planning Commission shall recommend approval to the City Council. The Council shall approve the recommendation by a majority vote of its entire membership, otherwise the request is denied. Upon approval by Council of the use or uses listed in paragraphs A and B hereof, the Council shall authorize the City Manager to issue a Zoning Certificate.

In considering whether the proposed Local Business Use or Roadside Business Use will or will not have a substantially adverse effect upon the public health, safety, morals or general welfare of the City, the Commission shall require the owner or owners of the site for which the use is proposed with such of the following as the Commission deems essential for its determination.

1. Development Plan

- a. The Development Plan shall show building lines established so that no building or structure shall be erected on any tract within the Local Business District or the Roadside Business District except in conformity with the provisions of Figure 2 hereof.
- b. The Development Plan shall show compliance with the parking requirements set forth in Figure 3 hereof.
- c. The Development Plan shall show compliance with the loading and unloading berths requirements set forth in Figure 4 hereof.
- d. The Development Plan shall show proposed signs, lighting, landscaping and screening as required by subsection 4 and 6 hereof.

2. Subdivision Plat - A Preliminary Drawing shall be submitted to the Planning Commission with the application for a Zoning Certificate for a proposed use of a tract of land in the Local Business District or the Roadside Business District. If applicable, same shall show compliance with the requirements of the Subdivision Regulations of the City, Ordinance 9-1959 as amended.

Ordinance No. 71-72 continuedPassed 19

3. Other authority approval - Any other authority approval required when applicable, including but not limited to, State Department of Health, State Highway Department, and such approval shall accompany the application unless said approval cannot be obtained until after Council action in which event, said approval must be submitted to the Planning Commission within six months after Council's Approval of the use. If said other authority approval is not submitted within said six month period, the Planning Commission shall cause the City Manager or his designated agent to serve the applicant with a notice to show cause why the Zoning Certificate previously issued should not be revoked. Upon the issuance of such notice, a hearing thereon shall be held before the Planning Commission and the Planning Commission may, if no good cause for the failure to obtain said other authority approval is shown, order the revocation of the Zoning Certificate. Any party agrieved by the action of the Planning Commission may appeal to the Council in the manner provided in Section 30H.
4. Outdoor Signs and Lighting - The location, effect, arrangement and size of all outdoor signs and lighting fixtures proposed to be erected or installed shall be subject to the approval of the Planning Commission and the Preliminary Drawing shall show the location, effect, arrangement and size of all proposed outdoor signs and lighting fixtures.
5. Architectural Control - Architectural plans of the building and structures proposed to be constructed shall be subject to the approval of the Planning Commission and a copy of said plans shall be submitted with the application for the Zoning Permit.
6. Landscaping and Screening - The Development Plan shall include landscaping and/or screening of a type approved by the Planning Commission, to screen the proposed business use and any parking area from adjoining residence property.

The remainder of Section 15, as amended, commencing with Paragraph A remains unchanged.

SECTION 2. This ordinance shall become effective from and after the earliest date allowed by law.

PASSED this 18th day of December, 1972.

/s/ Paul C. Hoy
Mayor of the City of Centerville,
Ohio

ATTEST:

/s/ Marilyn J. McLaughlin
Clerk of the Council of the
City of Centerville, Ohio

C E R T I F I C A T E

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 71-72, passed by the Council of the City of Centerville, Ohio, on the 18th day of December, 1972.

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

Department of Law
Robert N. Farquhar
Municipal Attorney

/s/ Marilyn J. McLaughlin
Clerk of the Council