

ORDINANCE NO. 2017-13

**AN ORDINANCE REPEALING SECTION 1126.01-OFF STREET PARKING AND LOADING REGULATIONS, SECTION 1126.03- SIGN REGULATIONS, AND SECTION 1126.13 LANDSCAPE REQUIREMENTS, WITHIN CHAPTER 1126-SPECIAL PROVISIONS OF THE CODIFIED ORDINANCES OF THE CITY OF HURON, AND DECLARING AN EMERGENCY**

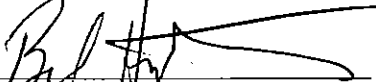
BE IT ORDAINED BY THE COUNCIL OF THE CITY OF HURON, OHIO:

**SECTION 1.** That Section 1126.01-Off-Street Parking and Loading Regulations, Section 1126.03-Sign Regulations, and Section 1126.13-Landscape Requirements of Chapter 1126-Special Provisions within the Planning and Zoning Code of the Codified Ordinances of the City of Huron, Ohio **WHICH CURRENTLY READ AS FOLLOWS (Exhibit "A")** , shall be and hereby are, repealed.

**SECTION 2.** That, Sections 1126.01- Off Street Parking and Loading Regulations, 1126.03-Sign Regulations, and 1126.13-Landscape Requirements of the Codified Ordinances of the City of Huron, Ohio are **REPEALED**.

**SECTION 3.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including O.R.C. §121.22.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare; **WHEREFORE** this Ordinance shall take effect immediately upon its adoption.

  
Brad Hartung, Mayor

ATTEST:

  
Clerk of Council

ADOPTED: MAY 09 2017

**CHAPTER 1126  
Special Provisions**

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| <p>1126.01 Off-street parking and loading regulations.<br/>                 1126.02 Motels and motor hotels.<br/>                 1126.03 Sign regulations.<br/>                 1126.04 Service stations and garages.<br/>                 1126.05 Planned development projects.<br/>                 1126.06 Performance standards.<br/>                 1126.07 Planned mobile home residential developments.<br/>                 1126.08 Bed and Breakfast Residence Overlay Zone.<br/>                 1126.09 University Park Planned Industrial Development Project Overlay Zone.</p> | <p>1126.10 River Park Planned Industrial Development Project Overlay Zone.<br/>                 1126.11 Planned Office Development Project Overlay Zone.<br/>                 1126.12 The Western Planned Commercial Strip Shopping Center Overlay Zone.<br/>                 1126.121 Basin District Overlay Zone. (Repealed)<br/>                 1126.13 Landscape requirements.<br/>                 1126.14 Regulations governing adult cabarets and adult oriented businesses and their employees.</p> |
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**CROSS REFERENCES**

- Automotive repair defined - see P. & Z. 1121.07  
 Motel and motor hotel defined - see P. & Z. 1121.05  
 Sign defined - see P. & Z. 1121.04  
 Conformance with performance standards - see P. & Z. 1121.06(p)  
 Nonconformity of performance standards - see P. & Z. 1121.07(e)

**1126.01 OFF-STREET PARKING AND LOADING REGULATIONS:**

(a) Off-Street Loading Space. In any district, in connection with any building or part thereof, hereafter erected or altered which is to be occupied by manufacturing, stores, warehouses, goods display, retail commercial, wholesale commercial, market, hotel, hospital, mortuary, laundry, dry cleaning or other uses requiring the receipt or distribution by truck of materials or merchandise, there shall be provided and maintained, on the same lot with such buildings, off-street loading space in accordance with the following schedule:

<u>Floor Area of Building (Sq. Ft.)</u>	<u>Total Number of Off-Street Loading Spaces</u>
Less than 10,000	0
Over 10,000 to 20,000	1
Over 20,000 to 40,000	2
Over 40,000 to 60,000	3
Over 60,000 to 80,000	4
Over 80,000 to 100,000	5

When the floor area of the building exceeds 100,000 square feet, the number of off-street loading spaces shall be determined by the Board of Building and Zoning Appeals.

Each loading space shall be not less than ten feet in width, twenty-five feet in length and fourteen feet in height.

Such loading space may occupy all or any part of any required yard, provided, no space shall be closer than fifty feet to any other lot located in any R District, unless wholly within a completely enclosed building or unless enclosed on all sides by an acceptable fence or wall or other enclosure maintained in good condition, not less than six feet in height.

(b) Off-Street Parking Space. In all districts, except B-2, in connection with every industrial, business, institutional, recreational, residential or any other use, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the requirements herein.

(c) Parking and Loading Access. There shall be adequate provision for ingress and egress to all parking spaces. Where a lot does not abut on a public or private alley or easement of access, there shall be provided an access drive not less than eighteen feet in width in all other cases, leading to the parking or storage areas or loading or unloading spaces required hereunder in such manner as to secure the most appropriate development of the property in question, but, except where provided in connection with a use permitted in an R District, such easement of access or access drive shall not be located in any R District.

(d) Floor Area Defined. For the purposes of applying the requirements for off-street parking or loading spaces herein, "floor area", in the case of offices, merchandising or service types of uses, means the gross floor area used or intended to be used by tenants, or for service to the public as customers, patrons, clients or patients, including areas occupied by fixtures and equipment used for display or sales of merchandise. It shall not include areas used principally for nonpublic purposes, such as storage, incidental repair, processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of stores or buildings, for toilet or rest rooms, for utilities, or for dressing rooms, fitting or alteration rooms.

(e) Number of Parking Spaces Required. The number of off-street parking spaces required shall be as set forth in the following:

	<u>Parking Spaces Required</u>
Automotive or machinery sales and service garages	One for each 800 square feet floor area
Banks, business and professional offices	One for each 400 square feet floor area
Bed and breakfast residence	One for each guest room, plus two for the resident owner-manager

	<u>Parking Spaces Required</u>
Boat rack storage	.43 for each boat space
Bowling lanes	Five for each lane
Churches and schools	One for each eight seats in an auditorium or one for each seventeen classroom seats; whichever is greater
Dance halls and assembly halls without fixed seats, exhibition halls except church assembly rooms in conjunction with auditorium	One for each 100 square feet of floor area used for assembly or dancing
Dwelling unit:	
One bedroom or efficiency	1.5 for each unit
Two bedroom or three bedroom	2.0 for each unit
Four bedroom or more	2.5 for each unit
Funeral homes, mortuaries	Four for each parlor, or one for each fifty square feet of floor area
Furniture and appliance stores, household equipment or furniture repair shop of over 1,000 square feet floor area	One for each 400 square feet of floor area
Hospitals	One for each two beds
Hotels, lodging houses	One for each two bedrooms
Manufacturing plants, research or testing laboratories, bottling plants of over 1,000 square feet in area	One for each two employees on the maximum working shift, or for each 1,200 square feet of floor area, whichever is greater
Medical or dental clinics	One for each 200 square feet of floor area
Motels and motor hotels	One space for each living/sleeping unit
Restaurants, beer parlors and clubs of over 1,000 square feet in area	One for each 200 square feet of floor area
Retail stores, shops, etc. of over 2,000 square feet floor area	One for each 150 square feet of floor area
Sanitariums, convalescent homes, childrens' homes	One for each six beds
Sports arenas, auditoriums, assembly halls other than schools	One for each six seats
Wet-slipped boat dockage/storage	.75 for each boat space

Wholesale establishments or warehouses	<u>Parking Spaces Required</u> One for each three on maximum shift or for each 3,000 square feet of floor area, whichever is greater
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In the case of any building, structure or premises, the use of which is not specifically listed herein, the provisions for a use which is so listed and to which such use is similar or comparable in regard to generality of parking demand shall apply.

(f) Development and Maintenance of Parking Areas. Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and an automobile or trailer sales lot, shall be developed and maintained in accordance with the following requirements:

- (1) Off-street parking areas for more than five vehicles shall be effectively screened on each side which adjoins or faces premises situated in any R District, or institutional premises, by an acceptable fence or wall or other screening, maintained in good condition. Such screening shall be not less than four feet or more than six feet in height and shall not have any advertising thereon. In any R District, the space between such screening and the nearest side lot line or the front lot line shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition.
- (2) No part of any parking area for more than five vehicles shall be closer than ten feet to any dwelling, school, hospital or other institution for human care located on an adjoining lot, unless screened by an unpierced masonry wall. If not in an R District but adjoining such District, that part of the parking area within fifty feet of any R District shall not be located within twenty-five feet from the established street right-of-way line.  
(Ord. 1990-20. Passed 11-26-90.)
- (3) Any off-street parking area for more than five vehicles, in any district, shall be surfaced with an asphaltic or Portland cement binder pavement so as to provide a durable and dustless surface, shall be graded and drained to dispose of all surface water accumulated within the area, and shall be arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles.  
(Ord. 1993-7. Passed 5-24-93.)
- (4) Any lighting used to illuminate any off-street parking area shall be arranged so as to reflect the light away from adjoining premises in any R District.

(g) Modifications. The Board may authorize on appeal a modification, reduction or waiver of the foregoing requirements, if it should find that, in the particular case appealed, the peculiar nature of the residential, business, trade, industrial or other use, or the exceptional shape or size of the property or other exceptional situation or condition, would justify such action.

(h) Joint Use of Facilities.

(1) Not more than fifty percent (50%) of the off-street parking facilities required under this section for a theater, bowling lanes, dance hall or an establishment for the sale and consumption on the premises of food, alcoholic beverages or refreshments, and up to one hundred percent (100%) of such facilities required for a church by public off-street parking facilities or by off-street parking provided for certain other kinds of buildings or uses specified in subsection (h)(2) hereof, which are not normally open, used or operated during the principal operating hours of theaters, churches or the aforesaid establishments; and not more than fifty percent (50%) of the off-street parking facilities required under this section for certain buildings or uses specified in subsection (h)(2) hereof, may be supplied by such facilities provided for theaters, churches or other aforesaid establishments, provided that a properly drawn legal instrument is executed by the parties concerned for the joint use of the off-street parking facilities, which instrument, duly approved as to form and manner of execution by the Director of Law, shall be filed with the application for a building permit.

(2) Buildings or uses not normally open, used or operated during the principal operating hours of theaters, churches or other of the aforesaid establishments are defined as banks, business offices, retail stores, personal service shops, household equipment or furniture shops, clothing or shoe repair or service shops, manufacturing buildings and similar uses. (Ord. 1990-20. Passed 11-26-90.)

**1126.03 SIGN REGULATIONS**

(a) Purpose. The purpose of this section is to promote the public health, safety and welfare, to protect property values, to enhance and preserve the physical appearance of the community and to reduce distractions and physical hazards by the regulation and control of the erection, placement and maintenance of signs within the corporate limits of the City.

(b) Definitions. For the purpose of this section, "sign" means any device or display located outdoors in view of the general public and designed to inform the public or to advertise or to promote a product or service.

(1) Sign type - based on design or location.

- A. "Ground signs" are designed to be self-supporting, without attachment to a building or other supporting structure. They may be supported by one or more poles or posts, with or without bracing, or may be freestanding, depending for stability upon their weight and base area and/or projection of a support, or supports, into the earth.
- B. "Projecting signs" means flat or V-shaped signs designed to project at right angles from the face of the building to which they are fastened.
- C. "Roof signs" means single or double-faced signs mounted upon the roof structure of a building. This also includes signs painted or displayed directly upon the roof surface.
- D. "Suspended signs" means banners or framed signs supported by suspension between two fixed objects.
- E. "Wall signs" means flat signs mounted upon the face of a wall or painted upon a wall or window surface.
- F. "Awning signs" means signs painted upon a cloth, plastic or metal surface supported by a metal frame fastened to the front of a building and designed to be raised to a position flat against the building when not in use.
- G. "Canopy signs" means signs mounted or placed upon a cloth, plastic or metal surface supported by a metal frame fastened to a building at one end and supported by legs or posts at the other.
- H. "Marquee signs" means signs mounted upon or integral with a covered framework of permanent nature projecting from the face of a building above an entrance and open on three sides.

- I. "Street clock signs" means advertising messages displayed upon the surface of a clock mounted upon the face of a building or upon the adjacent sidewalk and designed primarily to attract the attention of pedestrian traffic.
  - J. "Time-temperature signs" are designed to project current information on time and temperature through the display of illuminated figures.
  - K. "Illuminated signs" means signs in which all or a portion of the message is outlined by fluorescent tubes, low-wattage lamps or other low brightness sources or by floodlighting the surface of the sign.
  - L. "Flashing signs" means signs, other than time-temperature signs, in which intermittent flashing of lights is used to accentuate the sign message.
  - M. "Portable signs" means any signs designed to be transported, including but not limited to signs with wheels removed; with chassis or support constructed without wheels; designed to be transported by trailer or wheels; converted to A- or T-frame signs; attached temporarily or permanently to the ground, a structure or other signs; mounted on a vehicle for advertising purposes, parked and visible from the public right of way, except signs identifying the related business when the vehicle is being used in the normal day-to-day operations of that business; menu and sandwich boards; searchlight stands; and air or gas-filled balloons or umbrellas used for advertising.
- (2) Sign type - based on purpose or usage.
- A. "Advertising signs" indicate the source or promote the use of a product or service.
  - B. "Air markers" means signs or groups of signs painted on a large roof or the side of a tall structure to give aeronautical or geographic information to the pilot of passing aircraft.
  - C. "Building identification signs" show the name and date of erection of the building upon which they are displayed. They are usually cut into a masonry surface or constructed of bronze or other durable material.
  - D. "Bulletin boards" means signs, usually of the ground or wall type, located on the grounds of a public, charitable or religious institution for informational purposes.
  - E. "Contractor's sign" means temporary signs located at a construction site to inform the public of the name of the project, name of contractor, name of engineer and similar data.
  - F. "Directional signs" means off-premises signs directing traffic to a given site, premises or facility.
  - G. "Election signs" means temporary signs advocating the candidacy of a certain individual or group or the passage or defeat of a political issue.
  - H. "Geographical area signs" designate the location of a group of related sites or activities such as Chaska Beach, Huron Plaza or Sawmill Creek Industrial Park.
  - I. "House identification signs" means small signs showing a resident's name and street number.



- J. "Professional occupation signs" means small signs listing the profession or occupation of a building resident.
  - K. "Real estate signs" means temporary signs indicating the availability for sale of the premises upon which located.
  - L. "Temporary signs" means signs fabricated of paper, cardboard, plywood, fabric or other light, impermanent material intended to be displayed unchanged. Such signs are limited to special event purposes and for a period not to exceed thirty days in advance of and eight days after the campaign or activity for which they were erected.
  - M. "Safety signs" means any signs approved by the City, State or Federal Government, or any board, commission or subdivision thereof, for the warning, guidance or protection of the public, and particularly includes all traffic signs and devices.
  - N. "Special event signs", means temporary signs announcing an event to be held in the immediate vicinity of the location of the sign.
  - O. "Warning signs" means private signs warning of the dangers of trespass upon the premises where placed.
- (3) "Person" means any individual, corporation, company, partnership, association or organization.
  - (4) "Sign area" means the gross area required to enclose the sign message, including any symbols, borders or embellishments. For double-faced signs, only one side is considered in determining sign area. If the individual characters of a wall sign are widely spaced across the face of a building, the gross area of the sign may be considered as twice the sum of the net areas of the characters.
- (Ord. 2011-34. Passed 10-11-11.)

(c) Permits. Subject to the exceptions noted herein, no sign shall be erected, placed or maintained within the City limits without first obtaining a sign permit from the Zoning Inspector and paying the required fee. Signs containing electrical components also shall be subject to the provisions of the City Electrical Code and the permit fees required thereunder.

- (1) Exceptions. Permits are not required for the following types and sizes of signs, but they are otherwise subject to all pertinent provisions of this section:
  - A. Christmas greetings and decorations.
  - B. Building identification, house identification, professional occupation or election signs not exceeding nine square feet in area and located on the premises of the sign owner.
  - C. Bulletin board, real estate, and advertising signs of the wall or ground type, not exceeding six square feet in area and located on the premises of the sign owner.
  - D. Contractor's signs not exceeding twenty square feet in area and located on the construction site.
  - E. Safety signs.
- (2) Application. Application for a sign permit shall be made upon forms provided by the Zoning Inspector, and shall contain or have attached thereto the following information or exhibits:
  - A. Name, address and telephone number of the applicant.
  - B. Location and identification of the structure, building or parcel of ground upon which the sign is to be placed.

- C. A site plan showing the location of the proposed sign in relation to all existing buildings and driveways, proposed buildings and driveways, all right-of-ways, and adjacent driveways on abutting properties.
  - D. Two prints or drawings of plans and specifications, showing details of construction, sign area and method of mounting or attachment.
  - E. Name and address of person responsible, for design and erection of the sign.
  - F. Consent of the owner of the premises upon which the sign is to be erected or placed, if different from the applicant.
  - G. Any electrical permit required.
  - H. Such additional information or documents as the Zoning Inspector shall require. At his option, this may include a certificate from a registered engineer or architect approving the design and construction method.
- (3) Permit issuance and renewal. The Zoning Inspector shall review the permit application and related documents, and shall examine the proposed site of erection. If he finds that the requirements of this section have been met, and that the proposed sign is appropriate to its proposed setting, he may issue a sign permit. If the work authorized under the permit is not completed within six months of its issuance, it shall become null and void. Sign permits, with the exception of portable and temporary sign permits, shall be issued for initial periods of five years, and shall be automatically renewable for similar periods upon determination by the Zoning Inspector that the sign is being maintained in accordance with the provisions of this section and of the permit itself. Permits for portable and temporary signs shall be limited to a period of thirty days. There shall be no more than two portable or temporary sign permits issued per business per calendar year and the permits cannot run consecutively.
- (4) Appeals. If an application is refused by the Zoning Inspector, the applicant may appeal the decision to the Board of Building and Zoning Appeals. The Board may reverse the decision of the Zoning Inspector or grant a variance from specific provisions of this section if it finds that such action will not be contrary to the public interest and that a literal application of it will result in undue hardship on the applicant.
- (5) Fees. Fees for all signs, including temporary and portable, shall be that prescribed by the City Council in Section 1321.12 of the Codified Ordinances.
- (6) Signs for nonconforming use areas. In nonconforming use areas, the Board of Building and Zoning Appeals may grant permits for signs appropriate to the actual use of the premises but shall exercise special consideration for the impact and effect of the sign on nearby areas of conforming use.
- (7) Inspection, correction and removal. If the Zoning Inspector finds that any sign is unsafe or insecure or not maintained in accordance with the requirements of this section, he shall issue written notice to the permit holder directing its correction or removal. If the notice is not complied with within three days of receipt, the Zoning Inspector shall initiate legal process to remove the sign or to enforce compliance. If the sign presents an immediate peril to persons or property, the requirement of notice is waived and the sign may be summarily removed.

- (8) Penalties. Failure to comply with a legal order for correction or removal shall be punishable by a fine not exceeding one hundred dollars (\$100.00) plus assessment of court costs and costs of sign removal.
- (9) Existing signs. Signs not conforming to this section but which were legal when erected may be continued in use under a special nonconforming permit. This authorization shall not extend beyond the time that the sign requires removal, replacement, relocation or major repair or renovation costing at least half the amount required for a new sign of similar size and construction. Nonconforming permits are subject to payment of initial and renewal fees as specified in subsection (c)(5) hereof.
- (10) Letter of authorization. In lieu of the formal permit procedure, the Zoning Inspector may issue a letter of authorization for a sign intended for short-term use, not to exceed ninety days. Restrictions and requirements shall be noted in the letter, and the sign shall be removed promptly at the expiration of the authorized period. A fee of five dollars (\$5.00) shall be charged for each letter of authorization.
- (11) Conditional use signs. Sign permits issued as conditional uses in subsection (d) hereof shall be approved by the Board. It is intended that the Board of Building and Zoning Appeals shall have broad powers in considering novel and unusual designs and in granting waivers or variances from the strict letter of the regulations whenever it appears that such action will serve the public interest and will be consistent with the broad intent and purpose of this section.
- (12) Signs and sign structures on properties for uses, buildings, or businesses that have been closed and/or abandoned for a period of forty-five (45) days shall be removed from the premises. This includes all sign poles, sign frames, sign foundations, and all other sign appurtenances related to the aforementioned sign. (Ord. 2012-31. Passed 7-24-12.)

(d) Authorized Sign Types by Zoning District. The following table indicates by use of the letter "Y" the types of signs permitted within each zoning district. If followed by a numeral, this indicates the maximum size of the sign in square feet for this permitted use. The letter "C" indicates a conditional use, which requires approval of the Board of Building and Zoning Appeals. A blank space indicates a non-allowable use.

A single sign may fall into several type designations, all of which must be permitted uses within the zoning district in which the sign is to be located. For example, a ground-mounted real estate sign may be permitted in a residential district but only if not illuminated. Further, placement of real estate signs shall be limited to the property or parcel actually being advertised for sale and shall not exceed the maximum square footage allowed in the chart.

Size limitations, in square feet, are shown in subscripts. No bulletin board or contractor's sign in a residential zone shall exceed five feet in any dimension; with the exception of election signs, no other sign in a residential zone shall exceed three feet in any dimension; letters on a sign in a residential zone shall not exceed five inches in height.

Type of Sign	R-1	R-1A	R-2	R-3	B-1	B-2	B-3	I-1	I-2	P-1
Ground	Y	Y	Y	Y	Y24	Y24	Y24	Y100	Y100	Y30
Projecting					Y10	Y10	Y10	Y15	Y15	
Roof					C	C	C	C	C	
Suspended					C	C	C	C	C	
Wall	Y	Y	Y	Y	Y30	Y30	Y100	Y120	Y120	
Awning					Y12	Y12	Y12			
Canopy					Y20	Y20	Y20			
Marquee					Y20	Y20	Y20			
Street Clock					Y4	Y4	Y4			
Time-Temp					Y15	Y15	Y15			
Illuminated				Y	Y	Y	Y	Y	Y	Y
Flashing										
Portable					10	10	10	10	10	10
Advertising					Y	Y	Y	Y	Y	Y
Air Marker					C	C	C	Y	Y	
Bldg. Ident.					Y5	Y5	Y5	Y5	Y5	
Bulletin Brd.			Y15	Y15	Y20	Y20	Y25			
Contractor's	Y15	Y15	Y15	Y15	Y20	Y20	Y25	Y30	Y30	Y20
Directional					Y4	Y4	Y4	Y5	Y5	
Election	Y9	Y9	Y9	Y9	Y9	Y9	Y9	Y9	Y9	
Geographic Area	C	C	C	C	C	C	C	C	C	
House Ident.	Y3	Y3	Y3	Y3	Y4		Y4			
Professional	Y3	Y3	Y3	Y3	Y4	Y4	Y4			
Real Estate	Y6	Y6	Y6	Y6	Y6	Y6	Y6	Y8	Y8	Y6
Temporary	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
Safety	Y4	Y4	Y4	Y4	Y4	Y4	Y4	Y4	Y4	
Warning	Y3	Y3	Y3	Y3	Y4	Y4	Y4	Y6	Y6	Y4
Special Event	Y3	Y3	Y3	Y3	Y	Y	Y	Y	Y	

(e) General Requirements. The following general requirements shall apply to all sign installations:

- (1) Design.
  - A. Signs shall be designed, constructed, fastened or anchored to withstand a wind pressure of forty pounds per square foot applied from any direction to the projected surface of the sign.
  - B. Safety glass shall be used for all glass surfaces.
  - C. Overall height of a sign shall not exceed eight (8) feet above adjacent or highway levels unless required for adequate visibility or traffic clearance, in which case the Board of Appeals shall consider and approve the adjusted height after conferring with the Fire Chief and Police Chief.
  - D. Ground clearance shall not be less than eight feet for any sign extending over a pedestrian right of way or fifteen feet for a sign extending over a vehicular way.
  - E. Total area of signs erected or displayed on a given premises shall not exceed two square feet for each lineal foot of street frontage.
- (2) Location.
  - A. No sign shall be erected, located or maintained in such manner as to obstruct free use of any door, window, fire escape or other safety exit.
  - B. No sign shall be erected, located or maintained in a location where it interferes with free vision of traffic approaching any intersection of streets, roads, alleys, private drives or other vehicular ways; not where it may interfere with, obstruct the view, or be confused with an authorized traffic sign or safety device. Words, phrases or symbols which may confuse traffic shall be avoided.
  - C. The City Council has full review and approval authority for any sign erected in the median of Rt. #6 between the walk-over bridge and Williams Street.
- (3) Other requirements.
  - A. The size, message content and conspicuity of all signs shall be appropriate for their intended use, and shall be compatible with the neighborhood wherein located. Use of any obscene or objectionable wording or subject matter is expressly prohibited.
  - B. All signs shall be maintained in a sightly manner by regular cleaning, painting or repairing as necessary.
  - C. If this section is more or less restrictive than other legal regulations, such as federal or state laws governing signs along highways or regulations of the Design Review Committee for signs in the urban renewal area, the more restrictive regulation shall govern.

(f) Special Requirements. The following special requirements shall apply only to specific types of signs, as indicated.

- (1) Projecting signs shall not extend more than five feet from the wall to which they are attached nor closer than three feet from the street curb line.
- (2) Roof signs, where permitted, shall not extend more than five feet above the roof surface to which attached.
- (3) Illuminated signs shall be designed and located so as to prevent glare or discomfort to the users of adjacent properties.
- (4) Street clocks and time-temperature signs shall be maintained and regulated so as to provide only accurate information.
- (5) Portable signs served with electricity shall be located no more than six feet from a permanent metal-conduited weatherproof electric outlet box from which service is provided to the sign. Portable signs shall only be permitted where they are provided with securely affixed letters. Portable signs shall not be permitted where they have red, green or yellow lights, moving parts, and/or directional messages like "stop", "turn" or "exit". Portable signs shall only be permitted where their total area is ten square feet or less.

(g) Severability. If any subsection within these sign regulations is held invalid or unconstitutional by any court of competent jurisdiction, such subsection shall be held to be a separate, distinct and independent provision and such holding shall not affect the validity of the remaining subsections thereof.

(Ord. 2011-34. Passed 10-11-11.)

**1126.13 LANDSCAPE REQUIREMENTS:**

**(a) Landscaping Plan Required.**

- (1) In all applications for a subdivision, a zoning permit, a zoning variance, approval of a conditional use, a planned development project, a condominium project or any other such case where a site plan or development plan is to be filed, such plans include a landscaping plan indicating the accurate location, trunk diameter and type (name) of each tree currently located on the site that is of at least two-inch trunk diameter, or more, the diameter being measured twenty-four inches above the ground.
- (2) All trees on the site that are of six-inch diameter or more shall be preserved in the development of the parcel except for those trees that:
  - A. Are within public rights of way or utility easements;
  - B. Are within the ground coverage of a proposed structure or within ten feet of such structure;
  - C. Are within automotive driveways or within three feet of the outside edge of such driveway, and/or
  - D. Are, in the judgment of the Planning Commission, severely damaged or diseased, or interfere with utility lines.
- (3) Where new tree planting is required by the provisions of this Zoning Ordinance, such shall be indicated on the landscaping plan, indicating location, trunk diameter and type of tree.
- (4) Where new trees are required by the terms of this Ordinance, the applicant/owner shall plant such new trees as indicated on the approved landscaping plan no later than one year after the issuance of the building permit or, in the case of a subdivision plat or development plan, of the approval of the new plat or plan.
- (5) For each six-inch tree removed from the site, not exempted in subsection (a)(2) hereof, for which there is no replacement planted within the one-year period specified above, the owner/applicant shall be found in violation of this Ordinance and assessed a fine of five hundred dollars (\$500.00) for each tree, these fines to be used by the City to plant trees on public property and/or rights of way.
- (6) For every six-inch diameter tree removed in the course of development or construction, including those exempted in subsection (a)(2) hereof, a new tree shall be planted on the site having a trunk diameter of not less than two inches.

**(b) Landscaping Standards.**

- (1) In development planning, it is required that every effort be made in laying out the streets and locations of structures, drives, parking areas and walks to avoid destruction of heavily wooded areas, tree groups of over three-inch trunk diameter and individual trees of six-inch trunk diameter or more.

- (2) Trees, existing, new or a combination of existing and new, shall be provided, of not less than two-inch trunk diameter measured twenty-four inches above the ground, of types included on a list of approved species adopted by the Planning Commission, to result in a total of two inches of trunk diameter for each of the following new site area units in the site, or portion thereof:

<u>Square Feet</u>	<u>District</u>
1,000	R Districts
1,000	Planned Development Projects
2,400	B Districts
3,600	I Districts
2,400	M Districts

- (3) Inside B District parking lots, R-3 District parking lots and in all planned development project parking facilities, one tree of not less than two-inch trunk diameter shall be provided, occupying with its associated ground cover the area of one parking space, for every six parking spaces in the lot, spaced evenly throughout the parking lot area.
- (4) No new tree plantings shall be required if the aggregate trunk diameters of the existing trees to remain, of trees two inches in diameter or more, meet or exceed the above requirements.  
(Ord. 1990-20. Passed 11-26-90.)