

ORDINANCE NO. 310-2023

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES, ADDITION OF CHAPTER 1185.06, UPTOWN COMMERCIAL OVERLAY DISTRICT, AND THE REMOVAL OF CHAPTER 1327 OF PART THIRTEEN OF THE BUILDING CODE

WHEREAS, the Village of Plain City Council have determined that comprehensive updates to Chapter 1327 of Part Thirteen of the Plain City Building Code are required; and

WHEREAS, Chapter 1327 of Part Thirteen of the Plain City Building Code sets forth procedures and regulations related to the Uptown Plain City Historic District; and

WHEREAS, the Village Council desires to enact Chapter 1185.06, Uptown Commercial Overlay District, of Title Seven of Part Eleven of the Planning and Zoning Code, in order to implement updated procedures and regulations as it pertains to new and existing commercial structures within the Uptown Commercial Overlay District and for Chapter 1185.06 to succeed Chapter 1327 in scope and regulation; and

WHEREAS, with the enactment of Chapter 1185.06, the Uptown Plain City Historic District Chapter 1327 is deemed unnecessary and, as such, is subject to removal from the Building Code; and

WHEREAS, the Village Council has determined the need to amend the Building Code of the Codified Ordinances by removing Chapter 1327 and replacing said Chapter with the enactment of Chapter 1185.06, Uptown Commercial Overlay District, to Part Eleven, Title Seven of the Planning and Zoning Code, as presented, which said amendment is attached hereto and incorporated herein as Exhibit A.

NOW THEREFORE BE IT ORDAINED by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

Section 1. Council hereby amends the Codified Ordinances by removing Chapter 1327 of Part Thirteen of the Building Code and by enacting Chapter 1185.06 of Part Eleven, Title Seven of the Planning and Zoning Code, as presented, which said amendment is attached hereto and incorporated herein as Exhibit A.

Section 2. It is found 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 that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3. This Ordinance shall be effective from and after the earliest period provided by law.

Passed: January 22, 2024.

Attest: Austin Pheasant
Clerk of Council

Jody Carney
Mayor

First reading: January 8, 2024

Vote: ___ yea ___ nay ___ abstain

Second reading: January 22, 2024

Vote: 5 yea ___ nay ___ abstain

Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from January 23, 2024 to February 8, 2024 at the Office of the Clerk of Council located at 800 Village Boulevard; all being in the Village of Plain City, Ohio and the Village of Plain City Website at www.plain-city.com.

Date: January 23, 2024

Austin Pheasant
Clerk of Council

EXHIBIT A

CHAPTER 1185.06

Uptown Commercial Overlay District

1185.01 Overlay districts and regulations adopted

1185.02 Corridor Development Overlay District

1185.03 Central Development Overlay District

1185.05 Wellhead Protection Overlay District

1185.05 Resource Protection Overlay District

1185.06 Uptown Commercial Overlay District

1185.06 UPTOWN COMMERCIAL OVERLAY DISTRICT

- (a) Purpose. The purpose of the Uptown Commercial Overlay District is to provide requirements to ensure that new or existing commercial structures exteriors maintain a historical characteristic that reflects the predominant theme within the Uptown Commercial Overlay District. The goal is to guide new or redevelopment of the Uptown Commercial District to keep or create a historic feel for residents and visitors. To be pedestrian friendly and create an atmosphere that is welcoming with small town charm.
- (1) Multi-family buildings with 4 (four) or more units and commercial buildings with second and thirds story residential units shall be considered "commercial structures".
- (b) District Boundaries. The Uptown Commercial Overlay District shall consist of lots with a commercial use, having frontage along one or more of the following access corridors:
- (1) W. Main Street:
- A. North side of street, starting at 320 W. Main Street and properties to the east.
 - B. South side of street, starting at 313 W. Main Street and properties to the east.
- (2) E. Main Street:
- A. North side of street, starting at 222 E. Main Street and properties to the west.
 - B. South side of street, starting at 231 E. Main Street and properties to the west.
- (3) N. Chillicothe Street:
- A. West side of street, starting at 202 N. Chillicothe Street and properties to the south.
 - B. East side of street, starting at 189 N. Chillicothe Street and properties to the south.
- (4) S. Chillicothe Street:

- A. West side of street, 224 S. Chillicothe Street and properties to the north.
 - B. East side of street, 221 S. Chillicothe Street and properties to the north.
- (c) Permitted and Conditional Uses.
- (1) Permitted and conditional uses shall be consistent with the provisions of the Zoning Ordinance and the use districts as determined by the official Zoning Map.
 - (2) Second and third story multi-family residential development as approved by the Planning and Zoning Commission.
- (d) Procedure. Any exterior change or modification to an existing commercial structure, property or new commercial construction within the Uptown Commercial Overlay District shall require the following:
- (1) Planning and Zoning Commission Review and Zoning Permit are required for the following activities:
 - A. New buildings.
 - B. Building additions.
 - C. Replacing of existing exterior wall or roofing materials.
 - D. Relocation, addition, or resizing of any windows or doors.
 - E. Demolition of primary structures or portion(s) of.
 - F. Addition or replacement of exterior staircases or fire escapes.
 - G. Addition of outdoor dining or entertainment area related accessories or structures including, but not limited to: seating, tables, platforms, stages, beverage or food serving structures.
 - H. Addition of new hard surfaces including, but not limited to: concrete, asphalt, pavers.
 - I. Addition of parking areas.
 - (2) Minor Site Plan and Zoning Permit Applications are required for the following activities:
 - A. Painting of any exterior wall, trim or decorative feature.
 - B. Replacing window or doors, without the changing the existing size.
 - C. Addition, replacement or removal of awnings.
 - D. Addition or replacement of exterior lighting.
 - E. Addition or replacement of accessory structures which includes, but not limited to: Fences, gates, sheds, free-standing decorative features, patios, decks.
 - F. Addition or replacement of mechanical or equipment screening.
 - G. Exterior change or modification that is not visible from the public right-of-way.
- (e) Design Standards and Guidelines. Architectural characteristics shall reflect the predominant theme within the Uptown Commercial Overlay District. New and existing commercial structures shall be compatible with the following criteria:
- (1) New infill construction.
 - A. If for any reason, any existing building that is destroyed or demolished, and the parcel is located with the 100 blocks of the north

or south sides of West Main Street or the 100 block of the west side of North Chillicothe Street, new construction shall comply with the following criteria:

- i. New building shall abut the adjoining buildings as did the previous building.
- ii. Front building line shall be the same as the adjoining buildings.
- iii. New building shall be a minimum of 2 (two) stories in height and a maximum of 3 (three) stories in height, but not to exceed 35 (thirty-five) feet.
- iv. New building shall meet the requirements from 1185.06 and be compatible with adjoining buildings.

(2) Exterior Walls.

- A. All new construction, additions, or renovation of an existing commercial building, shall only utilize exterior wall materials such as brick, stone, masonry, glass or wood for exterior walls.
- B. Front Façade. Buildings which have exterior walls facing a public street. Buildings which are on corner lot of two intersecting streets, each exterior wall facing a public street will constitute a front façade.
 - i. Renovation of an existing building with brick façade, shall retain a minimum of 75% of a brick front façade.
 - ii. New construction or additions that have front façades, shall have a minimum of 75% brick façade.
 - iii. Commercial buildings with two or more stories shall have a horizontal feature that visually separates each story. Cornices or an inlay of a contrasting color of brick or other permitted material.
 - iv. Windows on the front façade shall have decorative architectural elements, or a combined ornamented/structural lintels and sills.

(3) Painted Surfaces.

- A. Permitted paint colors shall be from the Sherwin Williams "America's Heritage - Historical Exterior Colors" collection.
- B. Choose a limited number of colors that relate well to each other when painting a building. In most instances, two accent colors in addition to the main wall color are sufficient to highlight any façade. The major accent color should be compatible with the wall color and tie the upper and lower facades together. The minor accent should enhance small details. Recommended applications of the three colors are as follows:
 - i. Main color on exterior walls
 - ii. Major accent color on majority of trim cornices, bulkheads, window frames and sashes.
 - iii. Minor accent color on small decorative details, doors and storefront frames.

- iv. Keep the appearance of a building with multiple storefronts unified through consistent treatment of the upper and lower facades. Each storefront should relate to the overall building by using the same wall color and major accent color, but may express an individual identity by using a compatible minor accent color and appropriate signs or awnings.

(4) Awnings.

- A. Awnings cover materials shall be fabrics such as cotton, duck, polyester, canvas, or acrylic.
- B. Awnings shall have a minimum 8 (eight) feet clearance height above the sidewalk.
- C. Awnings on first level store fronts shall have a maximum projection over the sidewalk of 5 (five) feet.
- D. Awnings on second or third story level shall have a maximum projection of 3 (three) feet.
- E. Awning slope shall be 15 to 45 degrees.
- F. Awning valance maximum width is 12 (twelve) inches.
- G. If a building has multiple store fronts, all awnings shall be the same design and build. Each store fronts awning can be a different color to distinguish a separate user.
- H. If a business store front extends into an adjoining building, the awning design and build may be the same, but the awning shall have a break where the two separate buildings connect. Single awning cannot extend onto an adjoining building.

(5) Lighting. General street lighting is provided by the Uptown pole lights. If exterior building lighting is used, lighting shall be compatible with the following criteria;

- I. Lighting fixtures shall be a design that is complimentary to the style, character, scale, and design of the building and surrounding buildings.
- J. Directional lighting shall not be directed toward other properties or vehicle and pedestrian traffic.
- K. Flashing, harsh or colored lighting is prohibited.
- L. Use light fixtures that direct light upward and shield the light source from the viewer when providing external illumination for signs.

(6) Accessory Structures. All accessory structures shall reflect the predominant theme and complement the primary structure and surrounding area.

- M. Accessory structures and uses shall be consistent with the provisions of Planning and Zoning Code 1183.05.
- N. Fences shall be consistent with the provisions of Planning and Zoning Code 1183.12.

(f) Signs

- (1) Sign Permit Required. All permanent and temporary signs require Sign Permit and approval.

- A. Permanent signs include: Wall mounted, projecting, awning, canopy, monument, ground, painted, murals, and window signs (painted or vinyl).
- (2) Sign Design. Architectural characteristics shall reflect the predominant theme within the Uptown Commercial Overlay District.
- A. Encouraged to retain historic signs that are important to the character of a building, such as: painted wall signs, symbolic signs, signs that identify a building's original owner or the date of a building's construction.
 - B. Choose sign types that are visible to both motorists and pedestrians.
 - C. Sign colors shall be compatible with the permitted colors in section 1185.06(e)(2)(A).
 - D. Sign colors shall be limited to 4 (four) compatible colors.
- (3) Sign Location and Size. Location and size requirements are as otherwise listed in the Zoning Ordinance with the exception of the following:
- A. Monument signs are only permitted within the Uptown Commercial Overlay District as long as the following criteria is met:
 - i. Building front setback is a minimum of 15 (fifteen) feet from right of way.
 - ii. Only one Monument sign permitted per single building or lot.
 - iii. Monument sign is not greater than 24 (twenty-four) square feet.
 - iv. Monument sign has a minimum 8 (eight) foot front setback.
 - v. Monument sign has a maximum height is 4 (four) feet.
 - vi. Monument sign shall not be located in such a way that it obscures traffic control signs, obstructs the view of approaching or intersecting traffic, or interferes with the visibility or safety of vehicles or pedestrians entering, leaving or crossing public rights of way.
 - vii. Existing residential structures within the Uptown Commercial Overlay District that have approved and permitted commercial uses, shall only be permitted either a projecting sign or monument sign only if the property meets 1185.06(f)(3)(A).
- (g) Residential Structures.
- (1) Existing residential structures within the Uptown Commercial Overlay District that are approved for a permitted commercial use, shall maintain the exterior appearance of a residential structure. Architectural characteristics shall reflect the predominant theme within the Uptown Commercial Overlay District and similar surrounding structures.
- (h) Appeals.
- (1) Appeals to the Board of Zoning Appeals may be taken by any person directly aggrieved, or by any officer of the Municipality affected by any decision of the Zoning Administrator.

(2) Any applicant whose application herein is not approved by the decision of the Planning and Zoning Commission, may appeal the decision as provided in Ohio R.C. 2506.