



Regular Council Meeting
Tuesday, June 21, 2022 - 6:30 PM
AGENDA

1. Call to Order
2. Roll Call
3. Invocation - Mr. Barnard
4. Pledge of Allegiance
5. Action on Minutes
 - a. May 31, 2022 Special Council
 - b. June 7, 2022 Regular Council
6. Citizen comments on matters not on the agenda
7. Council Committee reports
 - a. **Planning & Zoning:** Met 6/14/22; Next 6/28/22 @ 6:30 pm Council Chambers
 - b. **Design Review Board:** Next 7/17/22 @ 5:00 pm Council Chambers
 - c. **Safety & Service:** Next 7/5/22 @ 5:00 pm Council Chambers
 - d. **Finance:** 6/21/22; Next 7/19/22 @ 5:00 pm Council Chambers
 - e. **Economic Development:** Next 7/1/22 @ 10:00 am Admin conference room
 - f. **Park & Rec:** 6/21/22; Next 7/19/22 @ 10:00 am Admin conference room
 - g. **Tree Commission:** Next 6/28/22 @ 5:00 pm Council Chambers
 - h. **Events Committee:** Next 6/30/22 @ 5:00 pm Admin Conference Room
8. Director Reports
 - a. Police
 - b. Finance
9. Tabled Legislation
 - a. **RESOLUTION 2022-21** A RESOLUTION ESTABLISHING A TREE REMOVAL PERMIT FEE FOR THE CITY OF JOHNSTOWN
10. Public Hearings of Legislation
 - a. **ORDINANCE 12-2022** AN ORDINANCE AMENDING SECTION 1179 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES
 - b. **RESOLUTION 2022-24** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MKSK FOR PROFESSIONAL PLANNING SERVICES
11. Introduction of Legislation
 - a. **ORDINANCE 13-2022** AN ORDINANCE AMENDING SECTION 1177 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

- b. **ORDINANCE 14-2022** AN ORDINANCE ESTABLISHING A SPECIAL USE DISTRICT IN THE CITY OF JOHNSTOWN AND APPROVING ASSOCIATED SECTION 1170 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

12. Other Business

13. Executive Session to consider the employment of a public employee

14. Adjourn

Next Council Meeting July 5, 2022



Special City Council
Tuesday, May 31, 2022 - 6:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Special City Council Meeting for May 31, 2022 at 7:10 PM.

2. Roll Call

Present - Mayor Chip Dutcher, Doug Lehner, Marvin Block, Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman
Absent - None

Staff present - Jack Liggett - Interim City Manager, Sean Staneart - Assistant City Manager, Rusty Smart - Deputy Chief of Police, Bailey Morlan - City Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Lewie Main, Elizabeth Whipple

3. Public Comments

1. Elizabeth Whipple; 100 N. Main Street

- Concerned that not enough attention is being paid to how they will reform the way this council works in relation to the constituents and more specifically what happened with the Chief; said that was appalling. Council allowed petty vindictiveness to override the public safety of this community by firing the Police Chief when there is a nationwide shortage of police officers; who would replace him.

Interim City Manager Jack Liggett said they have had a number of perspective chiefs call about the opening; the city is working with HR on a list of requirements and a procedure for hiring.

- Said this looks like pettiness and asked if the city was going to explain their decision to people.

Jack Liggett said it was not pettiness, the city has procedures that were left out. Ms. Whipple asked what procedures; some discussion on capital improvement requests and budget. Mr. Liggett added that at this point chief has resigned, it was an agreed separation. Further explanation of procedures for budget requests. Ms. Whipple asked what would be done going forward to ensure this doesn't happen again. Mr. Liggett said Finance Committee will work to clear up procedures although there has never been a problem with that procedure before.

- Asked if they understand the optics of suddenly finding this reason to come to a

mutual separation during this investigation about how Marvin Block was or was not talking about him (Abe Haroon) and his wife. Mr. Block said that is another key, it was all unfounded according to an independent investigation.

Councilman Barnard asked if an employer lets you go, do you want the employer laying out all the baggage on it? He knows the residents want to hear all the reasons but Abe has rights, he doesn't want everything laid out, if we do that, is it going to help or hurt his future employment? You have to take in what the public wants to know and the rights and laws in the State of Ohio. Ms. Whipple said so then you need a Freedom of Information (FOI) request? Mr. Barnard said however you want to do it, but they are under certain guidelines they cannot violate. Mayor Dutcher said they are limited at this particular time in what they can say and when there is an opportunity down the road, she can file the FOI and she can get it all; there were a number of things. Abe did some great things and some things he is unhappy with and that will just have to stand for now, they want to be fair to Abe and his future employment.

No further comments by the public.

Mayor Dutcher said he had items to share:

1. The Council Clerk is creating a calendar for him and all members will have access; all of his meetings will be posted.
2. Representative Fraizer called to inform that in the bill going before the Ohio House of Representatives tomorrow for Capital Budget items, Johnstown will be receiving funds for two items. a) \$250,000 for the splash pad and b) \$150,000 for the amphitheater. We have never received State Capital dollars before, this is a first for Johnstown and he credited Bailey Morlan and publicly thanked Representative Fraizer.
3. Attended a meeting last week, the Welcome Intel Task Force, highlighted items: a) Licking County has joined MORPC b) Licking County Planning has added some staff, American Structurepoint is doing a county wide study on water and sewer. c) the county will also be starting a housing study.

4. Discussion - Comprehensive Plan

Council members and staff discussed presentations given by planning firms Crossroads and MKSK to develop a new Strategic Plan for the City of Johnstown. Council members discussed city priorities and a basis for what is wanted. Both firms expressed that based on presentations and questions earlier, they could write up proposals. Both firms to email example Strategic Plans that would be helpful for council review.

Plans and bullet points for review by council are due by Friday for review and discussion at the next council meeting.

5. Other Business

1. Design Review Board; keep open until Friday, readvertise.
2. Four engineering firms to presentation June 7th
3. City staff is working on a Future Land Use map; when completed it will go to zoning and council.
4. Jack to get pricing from Egan and Associates on doing a full aquifer study on existing well fields to see what the maximum withdrawal is. Depending on findings, if water is there, may need to reengineer the water plant

6. Adjourn

ACTION: Marvin Block moved to adjourn; Sharon Hendren seconded and all were in favor.

AYES: Chip Dutcher, Doug Lehner, Marvin Block, Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman

NOES: None

ABSTAIN: None

Passed 7 - 0

Meeting adjourned at 7:50 pm.

Next Council Meeting June 7, 2022



Regular Council
Tuesday, June 7, 2022 - 7:30 PM
MINUTES

1. Call to Order

Mayor Chip Dutcher called to Order the City of Johnstown Regular Council Meeting for June 7, 2022 at 8:03 PM.

2. Roll Call

Present - Mayor Chip Dutcher, Doug Lehner, Marvin Block, Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman
Absent - None

Staff present - Jack Liggett - Interim City Manager, Rusty Smart - Interim Chief of Police, Dana Steffan - Finance Director, Bailey Morlan - City Planner, Jim Blair - Zoning Inspector, Teresa Monroe - Clerk of Council

Public present - Lewie Main, Troy Hendren/Monroe Township Trustee, Kent Mallet/Newark Advocate, Darlene Magold/etch, Brian Kinzelman/MKSK, Kyle May/MKSK, Chris Hermann/MKSK, Tom Mochty/Woolpert, Paul Denney/Woolpert, James McNaley/Prime Engineering, Adam Rothermel//Prime Engineering

3. Invocation - Mayor Dutcher

4. Pledge of Allegiance

5. Action on Minutes

a. May 4, 2022 Regular Council

b. May 17, 2022 Special Work Session

ACTION: Marvin Block moved to approve en bloc; Doug Lehner seconded and the vote was as follows:

AYES: Donald Barnard, Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren

NOES: None

ABSTAIN: None

Passed 7 - 0

6. Citizen comments on matters not on the agenda

1. Lewie Main; 132 N. Main Street

- Requests reimbursement of \$424.65 for damage to his lawn mower caused by improper installation of meter pit and shut off valve stem. Explanation of damage.
- Stated his meter pit is eighteen feet away from the water line to his home with two ninety degree turns, has lost water pressure to his house.

Jack Liggett said he has had the new street Superintendent go out and within the next two to three weeks they will excavate and those meter pits will be lowered. They will also inspect the plumbing to see how it is tied in.

7. Council Committee reports

- Planning & Zoning:** Met 5/24/22; Next 6/14/22 @ 6:30 pm Council Chambers
Reviewed Concord East Preliminary Plat. Reviewed PUD.
- Design Review Board:** Met 5/10/22 Update given last meeting; Next 7/17/22 @ 5:00 pm
Council Chambers
- Safety & Service:** 6/7/22 Cancelled; Next 7/5/22 @ 5:00 pm Council Chambers
- Finance:** Next 6/21/22 @ 5:00 pm Council Chambers
- Economic Development:** 6/3/22 Cancelled; Next 7/1/22 @ 9:00 am Admin conference
room
- Park & Rec:** Next 6/21/22 @ 10:00 am Admin conference room
- Tree Commission:** 5/24/22 Cancelled; Next 6/28/22 @ 5:00 pm Council Chambers
- Events Committee:** Met 6/2/22; Next 6/30/22 @ 5:00 pm Admin Conference Room

8. Director Reports

- Service Departments: Water, Wastewater, Street
Jack Liggett reviewed the director's reports included in the packet.

Ryan Green thanked Jack and everyone involved for checking out a potential water leak they had in Rolling Meadows, was taken care of quickly. Asked if there was anything being done with emptying trash at the parks with heavier use. Jack Liggett said starting this weekend, trash will be emptied on Friday, Saturday and Sunday.

Discussion on the part-time mechanic's work on city vehicles, potential for a vehicle lift added to the budget. Marvin Block asked if work to police cruisers could be added; discussion on time restraints as he is currently part-time and works five days per week, five days a week.

b. Manager Reports

Jack Liggett provided updates:

1. The pressure for water and sewer is going to be greater than what their initial upgrades accounted for, he is working with Jacob's engineering to see what it would take to get the water plant from a one million gallon facility to a two million gallon facility under the contract, giving a total of three million gallons. He will get all the numbers and report to council.
2. Successful bid from Law on the E. Jersey Street project, should start mid-July.
3. Concern on the yield to pedestrian signs installed at Concord Road at the bike path; the Licking Park District said the trail has been set up for pedestrians to yield to traffic with stop signs for pedestrians at road crossings. Working on the issue, if signs need to be removed he will do so.
4. The stream study for the wastewater upgrade will start mid-June, this needs to be done before they start plant design.
5. Edward's Road project has been completed; Monroe Township will berm the edges, should be done end of week.

9. Tabled Legislation - None

10. Public Hearings of Legislation

- a. **ORDINANCE 11-2022** AN ORDINANCE GRANTING A NONEXCLUSIVE FRANCHISE TO OHIO POWER COMPANY , ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN, AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES, AND PUBLIC PLACES OF THE CITY OF JOHNSTOWN, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE DISTRIBUTION OF ELECTRIC ENERGY TO THE CITY OF JOHNSTOWN, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION OF THE SAME WITHIN, THROUGH, OR ACROSS SAID CITY OF JOHNSTOWN, STATE OF OHIO, SUBJECT TO THE CITY'S CODIFIED ORDINANCES INCLUDING THE CITY'S COMPREHENSIVE RIGHT OF WAY CHAPTER.

Second reading. Renewal of an agreement the city has had for twenty years, Law Director has reviewed, ensured that the city's Right of Way ordinance would not be affected.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Ryan Green moved to approve; Sharon Hendren seconded and the vote was as follows:
AYES:	Don Barnard, Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren
NOES:	None
ABSTAIN:	None

Passed 7 - 0

b. **RESOLUTION 2022-20** A RESOLUTION TO APPROVE AN AMMENDMENT TO THE EMPLOYEE HANDBOOK

A discrepancy was found on shift differential between departments. This balances all departments to make them all the same.

Mr. Barnard asked how often differential rates should be reviewed. Jack Liggett said this is relatively new but thinks at least every three years they should look at wage scales. Mr. Barnard said at least; with the change in economy they should stay on top of it.

Discussion on effective date relative to the pay period start date, decision to make retroactive to June 5, 2022. Shift differential was left in place for police, this will catch up the utility departments. Jon Merriman asked if they could make another change; he would like to entertain the change of going from \$0.25 to \$1.25 and \$0.50 to \$1.50 instead of just making it \$1.00. Jack Liggett said that would also bring the police department up; council was in favor. The clerk asked for clarification on the edit, if Saturday and Sunday were staying \$1.00 or all going to \$1.50, Mr. Merriman said yes all of it. Jack Liggett said he understood that if you worked Saturday or Sunday first shift, you still get a \$1.00, second shift gets \$1.25 and third shift gets \$1.50 where before any weekend shift was \$1.00. The clerk edited the resolution as she understood Councilman Merriman; second shift \$0.25 to \$1.25, third shift \$0.50 to \$1.50 and Saturday/Sunday \$0.50 to \$1.50.

Public Hearing: There were no comments either for or against the legislation.

ACTION:	Marvin Block moved to approve as amended; Jon Merriman seconded and the vote was as follows:
AYES:	Jon Merriman, Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren, Don Barnard
NOES:	None
ABSTAIN:	None

Passed 7 - 0

c. **RESOLUTION 2022-21** AN ORDINANCE ESTABLISHING A TREE REMOVAL PERMIT FEE FOR CITY OF JOHNSTOWN

This resolution will establish a tree removal permit fee. Ordinance 08-2022 established that a tree removal permit is needed for any commercial or large development project before receiving a zoning certificate; the ordinance also states that council needs to set a fee amount for the permit. City Planner Bailey Morlan said she worked with city attorneys and looked at what other municipalities charged and recommends the \$50.00 plus \$20.00 per additional tree amount. Discussion on how the process would work, the caliper of trees and

a dollar amount to be charged. Council expressed desire to send the resolution back to the Tree Commission for further review.

ACTION: Chip Dutcher moved to table; Donald Barnard seconded and the vote was as follows:
AYES: Ryan Green, Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren, Don Barnard, Jon Merriman
NOES: None
ABSTAIN: None

Motion to Table Passed 7 - 0

- d. **RESOLUTION 2022-22** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH LAW GENERAL CONTRACTING FOR THE EAST JERSEY STREET REHABILITATION PROJECT

An acceptable bid for the project was received and was just under the engineers estimate, an Ohio Public Works funded project along with the city, the dollars will not be released until the first part of July.

Public Hearing: There were no comments either for or against the legislation.

Mayor Dutcher said this will be a great improvement to that part of our city. Mr. Barnard asked if they would be fixing sidewalks. Mr. Liggett said with this project there will be some minor lowering to level out the street, all water services will be replaced running under the road and sidewalks on both sides of the street all the way to the trailhead, this is a major undertaking and a \$1.3 million dollar project.

ACTION: Marvin Block moved to approve; Jon Merriman seconded and the vote was as follows:
AYES: Marvin Block, Mayor Dutcher, Doug Lehner, Sharon Hendren, Don Barnard, Jon Merriman, Ryan Green
NOES: None
ABSTAIN: None

Passed 7 - 0

11. Introduction of Legislation

- a. **ORDINANCE 12-2022** AN ORDINANCE AMENDING SECTION 1179 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

This legislation came recommended by the Planning and Zoning Commission and makes edits to PUD Chapter 1179. Public Hearing and Vote June 21, 2022.

12. Other Business

1. **Motion:** Mr. Block moved that council instruct the manager to enter into a contract with MKSK and engineer consulting company to be EMH&T. Mr. Merriman seconded the motion.

Mr. Liggett asked if it would not be wise to get a proposal first to know what numbers we are talking about, a cost and where we will pay for it from. Mr. Barnard said he supports this but does agree that they need to see the cost. Mr. Liggett asked if council had come up with a scope. Mr. Barnard asked for Sean Staneart's input. Mr. Staneart said they heard costs would be \$100,000 to \$150,000; he would add in services not to exceed those numbers, they would need to identify funds and in discussion with the Finance Director, he would say there is a good probability that the funds are there. As far as scope; his understanding is that council is asking them to provide a Strategic Plan with landscape design, an architectural component, as well as engineering and would be in the \$125,000 to \$150,000 range.

Brian Kinzelman with MKSK recommended that they go through the scoping exercise with staff to see what is needed immediately and longer term and cost that out, it would have options and a schedule to it then could present that to council. MKSK and staff will work with calendars to have a meeting in order to send information by next Thursday for council review prior to the next meeting.

Mr. Block withdrew his motion.

2. Lewie Main; 132 N. Main Street

- Discussion and questions on previously passed Ordinance 08-2022.
- Discussion and questions on Resolution 2022-21 tabled by Council. Council continued clarification that this permit applies commercial not residential.

13. Adjourn

ACTION:	Sharon Hendren moved to adjourn; Doug Lehner seconded and all were in favor.
AYES:	Mayor Dutcher, Doug Lehner, Marvin Block, Sharon Hendren, Ryan Green, Donald Barnard, Jon Merriman
NOES:	None
ABSTAIN:	None

Passed 7 - 0

Meeting adjourned at 9:06 pm

Next Council Meeting June 21, 2022



Director's Report May 2022

Training

Department members completed a 2-hour training on Evidence collection and submission, Instructed by Officer Carrie Hook.

State-mandated continued professional training (CPT):

- Ethics, diversity, domestic violence, hate crimes, mental health, crisis intervention, restraints, and various other training options.

Officer Hargraves completed an 8-hour Armorer training

Officer Rodriguez completed 40 hours of Crisis Intervention Team (CIT)

Sergeant Hatfield has completed Public Safety Leadership Academy (PSLA). The academy is eleven weeks, and he received a perfect score on his capstone project about School Resource Officers.

Social Media

Facebook

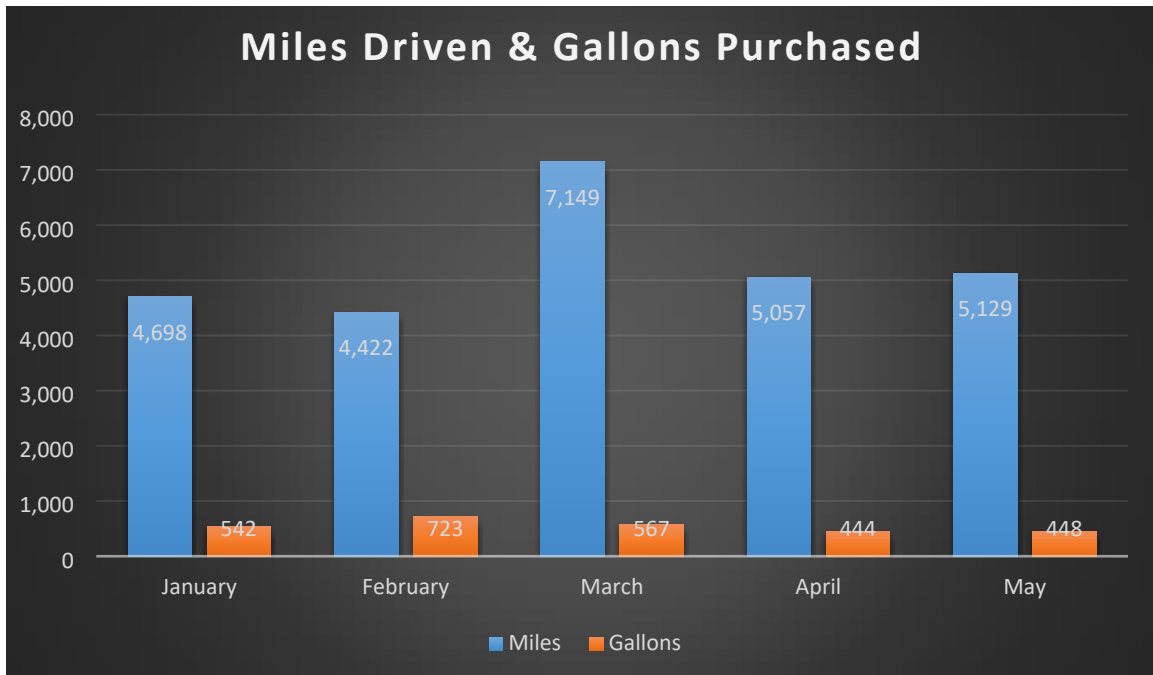
People reached: 32,677

Post engagements: 19,660

New Followers: 105

Total Followers: 5,472

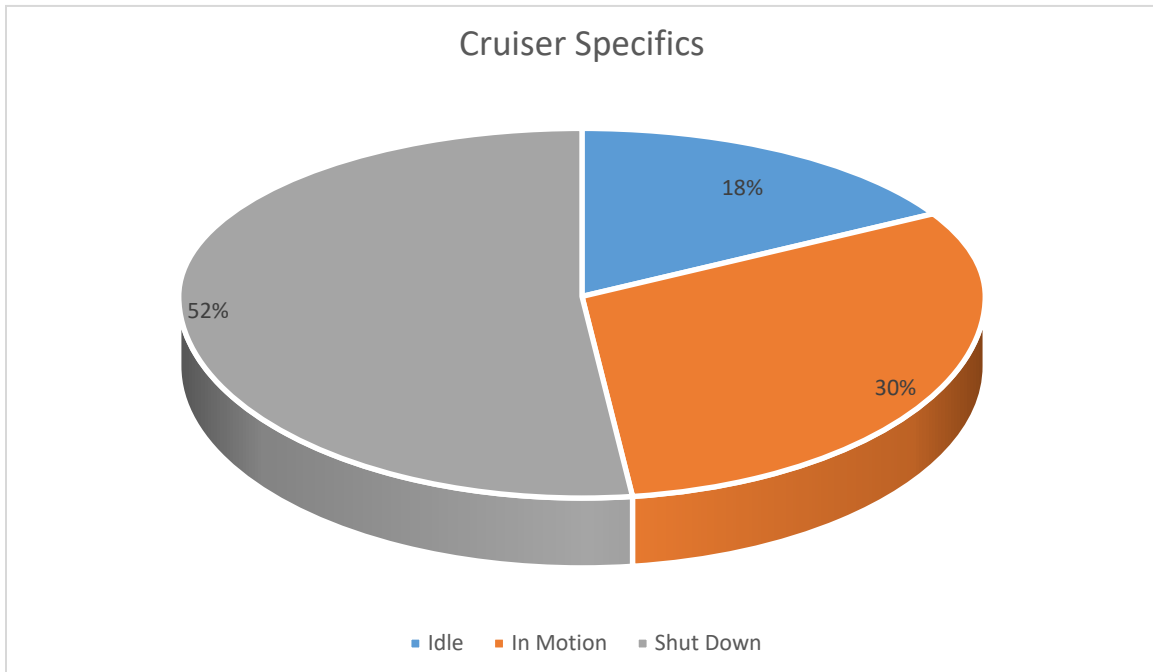
Fuel & Miles



Fleet

All marked patrol cars drove a total of 5,129 miles within the City of Johnstown. The below graph illustrates how police cars are used in Johnstown.

1. Idling time: 389 hours
2. Total time in motion: 656 hours
3. Engine off: 1,137



****Idle time accounts for stops and traffic signals, vehicle stops, and service calls, etc. anytime a vehicle stops while running****

Each patrol car stopped approximately 1,519 times in May, and each officer drove 37 miles per shift. The daily average driving time for a vehicle was 1 hour 55 minutes.

Statistics

Motor Vehicle Accidents: 7

Thefts: 7

Domestic Violence: 7

Traffic Stops: 86

Citations: 29

OVI's: 0

Arrests: 4

Alarms: 15

Assist with other agencies: 3

Vandalism: 8

Juvenile Complaints: 7

Overdose: 0

Suicide Threat: 0

Trespassing: 0

Warrants: 2

Assaults: 1

911 Hang-ups & Misdial: 16



RESOLUTION 2022-21

**A RESOLUTION ESTABLISHING A TREE REMOVAL PERMIT FEE FOR
THE CITY OF JOHNSTOWN**

WHEREAS, the City Council established a requirement for a tree removal permit in Ordinance 08-2022; and

WHEREAS, it is the intent of the City Council to have applicants pay for the cost of review services and not the City of Johnstown taxpayers; and

WHEREAS, On June 14, 2022, by a 4-0 vote, the Tree Commission recommended this resolution to City Council for consideration; and

WHEREAS, as stated in Section 1127.09, Council, by resolution, shall establish a schedule of fees, charges and expenses and a collection procedure for Zoning Certificates, Certificates of Compliance and other matters pertaining to this Zoning Ordinance. The schedule of fees shall be posted in the office of the Zoning Inspector and may be altered and amended only by Ordinance of Council; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO; A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section 1. City Council herein approves the following fee schedule; amended fees are highlighted

2022 Planning & Zoning Department Fee Schedule

Lot Split	\$100 plus \$50 per new lot created by lot split
Preliminary Plat	\$1,500 plus \$100 per lot (single family) OR \$750 plus \$50 per acre or partial acre (non-single-family) subdivision plat
Final Plat	\$2,000 plus \$100 per lot (single family) OR \$1,000 plus \$50 per acre or partial acre (non-single-family) subdivision plat
Re-plat	\$300 plus cost of postage and advertising*
Street, Storm water, Sanitary and Water Plan Review and Inspection	\$7,500 initial deposit plus costs incurred for review and inspection
Commercial Site Plan Review & Inspection	\$7,500 initial deposit plus costs incurred for review and inspection
Conditional Use	\$150 plus cost of postage and advertising*
Variance (single family)	\$200 plus cost of postage and advertising*
Variance (non-single family)	\$500 plus cost of postage and advertising*
Non-Conforming Use (single family)	\$200 plus cost of postage and advertising*
Non-Conforming Use (non-single family)	\$500 plus cost of postage and advertising*
Zoning Map Amendment	\$500 plus cost of postage and advertising*

Zoning Text Amendment	\$500 plus cost of postage and advertising*
Zoning Appeal	\$150 plus the cost of postage and advertising *
Home Occupation	\$150 plus cost of postage and advertising*
Zoning Certificate (REQUIRED for all new construction [including garages], additions or modifications to or change of use of ANY structure)	\$75 (single family) OR \$150 (non-single family)
Preliminary Planned Unit Development Plan	\$1,500 plus \$100 per lot (single family) OR \$750 plus \$50 per acre or partial acre (non-single-family) subdivision plat
Final Planned Unit Development Plan	\$2,000 plus \$100 per lot (single family) OR \$1,000 plus \$50 per acre or partial acre (non-single-family) subdivision plat
Improvements Inspection for Planned Unit Developments	\$7,500 initial deposit plus costs incurred for review and inspection
Certificate of Appropriateness	\$300
Occupancy Certificate (single family)	\$75
Occupancy Certificate (multiple family)	\$75 per unit
Occupancy Certificate (all others)	\$250
Sign Permit	\$100 plus \$0.50 per sq ft of sign facing
Temporary Sign Permit	\$50 (which includes a \$25 refundable deposit if the sign is timely removed)
Garage Sale Permit	\$5 per day - limited to three (3) sales per year at any given address
Fence Permit	\$30 (single family) OR \$100 (non-single family)
Curb Cut	\$75
Sidewalk	\$75
Sidewalk Sign	\$30
Deck	\$30
Shed	\$30
Site Drainage Review & Inspection Fee	\$0.20 per sq ft of impervious surface area on site
Re-Inspection (all types)	\$30
Permit Modification (all types)	\$50
Flood Development Permit	\$300 plus \$10 per acre or partial acre
Demolition Permit (non-single family)	\$1,000 per structure (which includes a \$500 refundable deposit, if requested, following inspection to ensure lot is timely restored to green space)
Demolition Permit (single family)	\$700 per structure (which includes a \$500 refundable deposit, if requested, following inspection to ensure lot is timely restored to green space)
Maps	\$5 per copy
Zoning Code	\$25 per copy
Annexation Review	\$50 per acre or partial acre proposed to be annexed

Food Trucks	\$10 per day, \$50 per month or \$200 per year
Tree Removal Permit	\$100 per 6"-12" tree \$200 per 12"-18" tree \$300 per 18"- 24" tree \$400 per 24" - 36" tree \$1,000 per 36"+ tree

Section 2. Any resolution or portion thereof in conflict with the provisions of this resolution is hereby repealed.

Section 3. It is found and determined that all formal actions of this City Council concerning and relating to the recommendation of adoption of this Resolution were approved in an open meeting of this City Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the CITY OF JOHNSTOWN

Date of Introduction: June 7, 2022 TABLED

Public Hearing/Vote: June 21, 2022

Effective:

By: _____

Mayor Chip Dutcher

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

CITY OF JOHNSTOWN



ORDINANCE 12-2022

AN ORDINANCE AMENDING SECTION 1179 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

WHEREAS, Section 1179 of the City of Johnstown Codified Ordinances (the “Codified Ordinances”) governs the Planned Unit Development district (PUD) in the City of Johnstown; and

WHEREAS, The City of Johnstown is growing and requires updates to the district standards to ensure high quality development that upholds the characteristics of the community; and

WHEREAS, On May 24, 2022, by a 5-0 vote, the Planning and Zoning Commission recommended for City Council consideration amending Section 1179 of the Codified Ordinances; and

WHEREAS, after review of all uses, the Council of the City of Johnstown desires to amend Codified Ordinance Section 1179 Planned Unit Development (PUD) District.

NOW THEREFORE, be it ordained by the Council of the CITY OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 1179 is amended; changes and edits as shown attached to this ordinance,

Section 2. It is found and determined that all formal actions of this City Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this City Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the City OF JOHNSTOWN.

Date of Introduction: June 7, 2022

Public Hearing/Vote: June 21, 2022

Effective:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

SECTION 1179
Single Family Planned Residential District (SFPRD)

1179.01 PURPOSE.

The City, recognizing that with increased urbanization and population growth comes increased demands for well-organized residential areas which take into account unique natural features, historic preservation, contemporary land use concepts, and a balanced residential environment, hereby provides for the Single Family Planned Residential District to promote the variety and flexibility of land development for single family residential purposes that are necessary to meet these demands while still preserving and enhancing the health, safety and general welfare of the residents of Johnstown.

1179.02 APPLICATION.

The owner of any parcel consisting of ten (10) acres or greater, may submit an application for change in the zoning under the provisions of this Article of the Zoning Ordinance.

1179.03 - PERMITTED USES.

Within the Single Family Planned Residential District (SFPRD) the following uses, developed in strict compliance with the approved development plan and standards, shall be permitted:

- a) Single family dwelling.
- b) Accessory buildings and accessory uses incidental to the principal building or use.
- c) Non-residential uses of a religious, cultural, educational, or recreational nature or character to the extent that they are designed and intended to serve the residents of the Single Family Planned Residential District. Said facilities may be designed to serve adjoining neighborhoods or residents if they are located in such proximity to the major thoroughfares as to permit access without burdening residential streets.
- d) Temporary non-residential structures such as construction trailers and temporary buildings of a non-residential character may be used incident to construction work on the premises or on adjacent public projects or during the period while a permanent structure is being constructed. The user of said structure shall obtain a permit for such temporary use, which permit shall be valid for six (6) months and may be renewed at the discretion of the zoning inspector on finding of reasonable progress toward completion of the permanent structure or project. The zoning inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply. The fees for such permit and renewals thereof shall be established by the Johnstown City Council. Said temporary structure shall be removed not later than ten (10) days after expiration of said permit, and/or the issuance of the Zoning Certificate of Compliance regarding such permanent structure. In no event shall such temporary structure be utilized for any residential use.
- e) Golf course community that includes a public or private golf course with all buildings and club houses incident thereto, integrated with residential uses permitted by this Section 1179.03. The golf course shall be subsidiary to the primary residential use of the property.

1179.04 CONDITIONAL USES.

Within this zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Planning & Zoning Commission pursuant to the provisions of Section 1131 of this Ordinance. Conditionally permitted uses shall be considered and declared abandoned if said use or uses are not commenced within one (1) year or are discontinued for a period in excess of two (2) years. Unless

the Conditional Use Permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land or structure wherein the same is located or upon which the same is granted shall void the Conditional Use Permit and the subsequent owner(s) or his agent shall be required to re- apply for a continuation and/or modification of such use(s) to the Planning & Zoning Commission. A designation by the Planning & Zoning Commission that a permit is permanent and shall run with the land does not affect the right of authorities to revoke the permit for failure to comply with conditions imposed.

a) Multi-family development in accordance with Section 1151

b) Home occupation in association with a permitted dwelling, and in accordance with Section 1173

a)c) Commercial uses in accordance with Section 1169

b)d) Model Homes, the same being defined as residential-type structures used as sales offices by a builder/developer and to display the builder/developer's product. The same may be furnished within, since its purpose is to display to prospective buyers the builder/developer's features (such as exterior siding treatments, roofing materials, interior trim, moldings, floor coverings, etc.) in the environment of a completed home, and may be staffed by the builder/developer's sales force. Model homes shall be subject to the following restrictions:

1. Lighting: All exterior lighting must be "downlighting", so that absolutely no light shall be cast onto adjoining residential properties. All off-street parking areas must be illuminated. All exterior lighting shall be extinguished at the closing time of the model home, except that which is in character with those found on surrounding homes.
2. Parking: All model homes shall provide off- street paved parking for the public. The driveway of the model home may be utilized for not more than two (2) parking spaces.
3. Termination of Use: The use of model homes within a residential subdivision, or within any single phase of a multi-phase subdivision, shall terminate when zoning certificates of compliance have been issued for ninety percent (90%) of the lots therein. The model home must be returned to its original state of a single family dwelling including, but not limited to, architecture, garage, landscaping, driveway and sidewalks.

e)e) Borrow Pit, unless included as a designed wet pond or dry basin in the approved development plan and standards. Otherwise, a borrow pit may be permitted subject to the conditions and restrictions imposed by the Planning & Zoning Commission, provided that it is less than 10,000 square feet in size, in accordance with the following regulations, and provided that such excavation and required rehabilitation shall be completed within one (1) year from the date of issuance of a Certificate of Zoning Compliance.

1. The applicant shall clearly state, in the application, their intentions as to rehabilitation of the excavation.
2. No excavation shall be made from the banks or beds of Raccoon Creek or any other such stream or waterway designated as necessary to the Flood Control Program of Licking County and no excavation shall be permitted closer than two hundred (200) feet of either bank of the above named rivers and creeks.
3. Yard Requirements. An excavation shall be located one hundred (100) feet or more and back-filled to one hundred and fifty (150) feet from a street right-of-way line. Excavation shall be no closer than fifty (50) feet to a property boundary line, except with the written consent of said adjacent property owner.
4. No plants or equipment for processing of extracted materials or other ancillary operations shall be permitted.
5. Rehabilitation Plan - Extraction shall be permitted only from areas for which there is a Rehabilitation Plan approved by the Planning & Zoning Commission. All such Rehabilitation Plans shall include the following:
 - a. A grading plan showing existing contours in the area to be extracted and proposed future contours showing the topography of the area after completion.

Such plans shall include the surrounding area within five hundred (500) feet of the property boundary line, drawn to an appropriate scale with contour lines at intervals of five (5) feet or less.

- b. Existing and proposed drainage of the area.
- c. Details of regrading and revegetation of the site during and at conclusion of the operation.
- d. The banks of all extraction, when not back-filled, shall be sloped at a grade of not less than two (2) feet horizontal to one (1) foot vertical. This slope shall be maintained twenty (20) feet beyond the water line if such exists.
- e. Soil banks shall be graded to a level suiting the existing terrain.
- f. All banks and extracted areas shall be surfaced with at least six (6) inches of suitable soil, except exposed rock surfaces, and shall be planted or seeded with trees, shrubs, legumes or grasses and maintained until the soil is stabilized.
- g. When any extraction has been completed, such area shall either be left as a permanent spring-fed lake or the floor thereof shall be filled and leveled in such manner as to prevent the collection and stagnation of water and to provide proper drainage without excessive soil erosion, and shall otherwise comply with these requirements.
- h. An area to be rehabilitated as a permanent spring-fed lake shall be in compliance with the requirements of Section 21.05 and the provisions of this section. In the event of a conflict between the provisions of Section 21.05 and the provisions of this section, the more restrictive provisions shall control.
- i. An area to be rehabilitated by refilling and grading shall utilize only clean fill, and the use of scrapped wood, tree stumps or construction debris as fill material is prohibited.
- j. All equipment shall be removed within seven (7) days of the completion of the extraction of materials.

1179.05 PROHIBITED USES.

Within the Single Family Planned Residential District the following uses shall be prohibited:

- a) Any use not specifically authorized by the express terms of this Article of the Zoning Ordinance.
- b) Outdoor storage of inoperable, unlicensed or unused motor vehicles for a period exceeding 48 hours is prohibited. Said vehicles if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.
- c) No trailer of any type, no boats, no motor homes and no equipment of any type shall be parked in front of the front building line on any parcel within this district for more than twenty-four (24) hours in any ten (10) day period. If a dwelling is located on said lot the building line shall be considered to be the front wall of the dwelling even if said dwelling is located behind the minimum building line established by this code or the restrictions on the plat or subdivision.
- d) No sales trailers of any type shall be permitted
- e) Telecommunications towers.

1179.06 PROCEDURE.

In addition to any other procedures set out in this Ordinance, all applications for amendments to the zoning map to rezone property to this district shall follow the procedures hereinafter set forth:

- a) Application - One or more of the owners or authorized representative of property within an area of contiguous property located within the City may request that the zoning map be amended to include such area in the Single Family Planned Residential District in accordance with the provisions of this Ordinance.

1. The applicant is encouraged to engage in informal consultations with the Planning & Zoning Commission prior to formal submission of a development plan and request for an amendment to the zoning map, it being understood that no statement by officials of the city shall be binding upon either.
- b) Development Plan - ~~Fifteen (15) copies of the development plan, together with one (1) electronic version on compact disk in Adobe (.pdf) format, One electronic development plan in PDF format~~ or such other format as is acceptable to the Planning and Zoning Department, shall be submitted with the application, which plan shall include in the text and map form:
 1. The size and location of the property proposed to be rezoned to this Single Family Planned Residential District.
 2. The general development character of the property proposed to be rezoned to this Single Family Planned Residential District, including the limitations or controls to be placed on residential and related uses, with probable lot sizes, minimum setback requirements and other development features including landscaping.
 3. Architectural design criteria for all structures and criteria for proposed signs with proposed control procedures.
 4. A lighting plan conforming to the requirements and standards as set forth below.
 - a. A site plan showing location of all exterior light fixtures, controllers and transformers.
 - b. Property boundaries, building location(s), parking lot layout, pedestrian paths, adjacent right-of-way, north arrow and scale.
 - c. Specifications and drawings or photographs for all exterior light fixture types, poles, conduit and appurtenant construction.
 - d. Lamp wattage of all proposed luminaires.
 - e. Information that indicates a minimum light level of 0.5 footcandles at grade in all vehicular use areas and connecting pedestrian paths.
 - f. Cut sheets for all proposed exterior light fixtures and poles.
 - g. Any other information and data reasonably necessary to evaluate the required lighting plan.
 - h. General requirements.
 1. All exterior fixtures shall be full cut-off fixtures.
 2. No portion of a lamp, reflector, lens, or refracting system may extend beyond the housing or shield so as to be visible from off-site or cause disabling glare.
 3. All light fixtures shall be directed downward. Uplighting is prohibited, except for accent lighting for buildings or signs, which may be approved as part of a development plan.
 4. Exterior residential lights are exempt from subsections 1), 2) and 3) above when the initial lumen output does not exceed 2850 lumens (equivalent to a 150 watt incandescent lamp).
 5. All outdoor light poles shall be constructed of metal, fiberglass or finished wood.
 6. No exposed neon lighting, exposed neon look-alike lighting, exposed light emitting diode (LED) lighting or other exposed tube or tube-type lighting shall be permitted. This prohibition shall extend to and include, but not be limited to, all exterior signage, and signage or other accents placed in a window.
 - i. Maximum height requirements. The total height of exterior lighting fixtures shall not exceed a maximum height of twenty (20) feet measured from the finished grade established not closer than fifteen (15) feet to the lighting fixture.

- j. Light pollution standards.
 1. Lighting required exclusively for the illumination of entrance/exit access drives and pedestrian ways from the public right-of-way shall be permitted to illuminate to the far limit of the right-of-way.
 2. Artificially produced light that strays beyond property boundaries shall be considered a public nuisance when intensity levels exceed the following maximum illumination levels at or beyond five (5) feet into the adjoining property:

MAXIMUM LIGHT POLLUTION ILLUMINANCES		
RECEIVING AREA CLASSIFICATION	MAXIMUM HORIZONTAL (FOOTCANDLES) AT GRADE BEYOND THE PROPERTY LINE	MAXIMUM VERTICAL (FOOTCANDLES) AT THE STRUCTURE HEIGHT
Residential	0.4	0.8
Office and Business	2.0	2.0
Industrial	2.0	2.0
Note: When two differing area classifications abut, the lower light level value shall take precedence along the common boundary		

- k. Measurement.
 1. Light levels shall be measured in footcandles with a direct reading, portable light meter. Readings shall be taken only after the cell has been exposed long enough to take a constant reading.
 2. Measurements shall be taken at a height of three and one-half (3.5) feet above the ground.
 3. Light uniformity ratios.
 - a. For any one luminary, the light uniformity ratio shall comply with the following ratio: maximum to minimum: 10:1.
 - b. The average light uniformity ratio for all luminaires located on a site shall comply with the following ratio: average to minimum 4:1.
- l. Exemptions. The following luminaires are exempt from the provisions of this section:
 1. Luminaires required by the Ohio Building Code that operate only in an emergency mode.
 2. Outdoor light fixtures that produce light directly from fossil fuel, such as kerosene lanterns or gas lamps.
 3. Residential low-voltage lighting in residential zoning districts and holiday lighting.
 4. Illuminated poles for governmental or institutional flags.
 5. Lighting required by federal regulation such as, but not limited to communication towers or airports.
- m. In addition to the provisions of this section, all exterior lighting fixtures shall be installed in conformity with all other applicable provisions of this resolution.
5. The proposed provisions for water, sanitary sewer and surface drainage with engineering feasibility studies or other evidence of reasonableness.
6. The proposed traffic patterns showing public and private streets and other transportation facilities, including their relationship to existing conditions, topographically and otherwise.

7. The relationship of the proposed development to existing and probable uses of surrounding areas during the development timetable.
 8. Location of schools, parks and other facility sites, if any.
 9. The proposed time schedule for development of the site including streets, buildings, utilities and other facilities.
 10. If the proposed timetable for development includes developing the property proposed to be rezoned to this Single Family Planned Residential District in phases, all phases to be developed after the first shall be fully described in textual form in a manner calculated to give City officials definitive guidelines for approval of future phases. Each phase, including the first, shall include a minimum of ten (10) acres of property or the whole property, whichever is smaller.
 11. The ability of the applicant or applicants to carry forth the development plan by control of the property proposed to be rezoned to this Single Family Planned Residential District and the engineering feasibility of the development plan.
 12. Specific statements of divergence from the development standards in Title Seven - Zoning Standards and Special Provisions and/or this Article, or existing city regulations or standards, and the justification therefor. Unless a variation from these development standards is specifically approved the same shall be complied with.
 13. Evidence of the applicant's ability to post a bond if the plan is approved assuring completion of public service facilities to be constructed within the project by the developer.
 14. A site plan at a scale not smaller than one inch (1") equals one hundred feet. Such site plan shall clearly indicate:
 - a. The net density and gross density of the proposed development.
 - b. The design concept of the location, shape, size, and height of existing and proposed buildings.
 - c. The existing and proposed landscape.
 - d. Parking areas.
 - e. Floor areas and elevations of typical units.
 - f. Location and description of adjacent buildings within two hundred (200) feet from the boundary of the proposed development.
 - g. The location and amount and status of required open space.
 - h. Such other material data as may be necessary to evaluate the health, safety and welfare and determine compliance with this Article 1179.
- c) Criteria for Approval - In approving an application for a Single Family Planned Residential District the reviewing authorities shall determine:
1. If the proposed development is consistent in all respects with the purpose, intent and general standards of this Zoning Ordinance.
 2. If the proposed development is in conformity with the comprehensive plan or portion thereof as it may apply.
 3. If the proposed development advances the general welfare of the City and the immediate vicinity.
 - 3.4. The existing and proposed utility services are adequate for the proposed population densities and nonresidential uses proposed.
- d) Review Procedure - The completed application shall be submitted to the Planning and Zoning Department. Failure to submit a complete application shall result in a refusal of acceptance. The City Planner shall transmit the complete application package to the City Engineer for review, at the price of the applicant. A public hearing shall be held by the Planning and Zoning Commission not more than thirty (30) days from the date of final approval by the City Engineer. The notification requirements for such hearing shall be as set forth in Section 6.05 of this Ordinance.

e) Action by Planning and Zoning Commission - The Commission will provide its recommendation to either approve, approve with conditions, or deny the application to Council within thirty (30) days of the public hearing, unless otherwise requested by the Applicant. Council will schedule a public hearing on the development plan on its agenda for consideration in accordance with Council rules. Council may approve the development plan; approve the development plan with modifications or conditions; or disapprove the development plan. Council may adopt the modifications and conditions, if any, recommended by the Planning and Zoning Commission, in whole or in part, and may add its own modifications and conditions.

f) Effect of Approval - The development plan as approved by the Johnstown City Council shall constitute an amendment to the Zoning Ordinance as it applies to the property included in the approved amendment. The approval shall be for a period of two (2) years to allow the preparation of plats required by the City of Johnstown. Where the property is to be developed in phases, plans for phases subsequent to the first phase shall be submitted in accordance with the timetable in the approved development plan. Any approved plats shall be properly recorded.

g) Expiration - If no construction has begun within two and one-half years after approval is granted, the approval shall be void and the land shall revert to the Rural Residential (RR) District.

h) Extension of Time or Modification - An extension of the time limit or a minor change to the approved development plan may be approved by the Johnstown City Council. Such approval shall be given only upon a finding of the purpose and necessity for such change or extension and evidence of reasonable effort toward the accomplishment of the original development plan, and that such change or extension is not in conflict with the general health, welfare and safety of the public or development standards of the district.

1. No extension of time shall be granted except on application filed with the City not later than ninety (90) days before the expiration of the then current time limit.
2. Unless approved by a unanimous Ordinance of all the members elected to the Johnstown City Council, adopted at a public meeting, the following shall not be considered to be a minor change to the approved development plan:
 - a. A change in the use or character of the development;
 - b. An increase in overall lot coverage of structures and off-street parking;
 - c. An increase in the density;
 - d. An increase in the problems of traffic circulation and public utilities;
 - e. A reduction in approved open space;
 - f. A reduction of off-street parking and loading space;
 - g. A reduction in required pavement widths;
 - h. A reduction of the acreage in the planned development;
 - i. Any other departure from the approved development plan which is deemed not to be in substantial compliance with the approved development plan.

i) Plat Required - In the Single Family Planned Residential District, no use shall be established or changed and no structure shall be constructed or altered until the required subdivision plat has been prepared and recorded in accordance with these regulations. The subdivision plat shall be in accord with the approved development plan and shall include:

1. Site arrangement, including building setback lines and space to be built upon within the site; water, fire hydrants, sewer, all underground public utility installations, including sanitary sewers, surface drainage and waste disposal facilities; easements, access points to public rights-of-way, parking areas and pedestrian ways; and property reserved for non-highway service use with indication of the nature of such use.
2. Deed restrictions, covenants, easements and encumbrances to be used to control the use, development and maintenance of the property, the improvements thereon, and the activities of occupants, including those applicable to areas within the tract to be developed for non-residential uses.

3. In the event that any public service facilities not to be otherwise guaranteed by a public utility have not been constructed prior to recordation of the plat, the owner of the project shall post a performance bond in favor of the appropriate public officers in a satisfactory amount assuring expeditious completion of said facilities within one (1) year after the recording of said plat. In no event, however, shall any zoning permit be issued for any building or use until such time as the facilities, including but not limited to water, sanitary sewer and surface drainage improvements, and public and private streets, for the phase in which the building or use is located are completed.

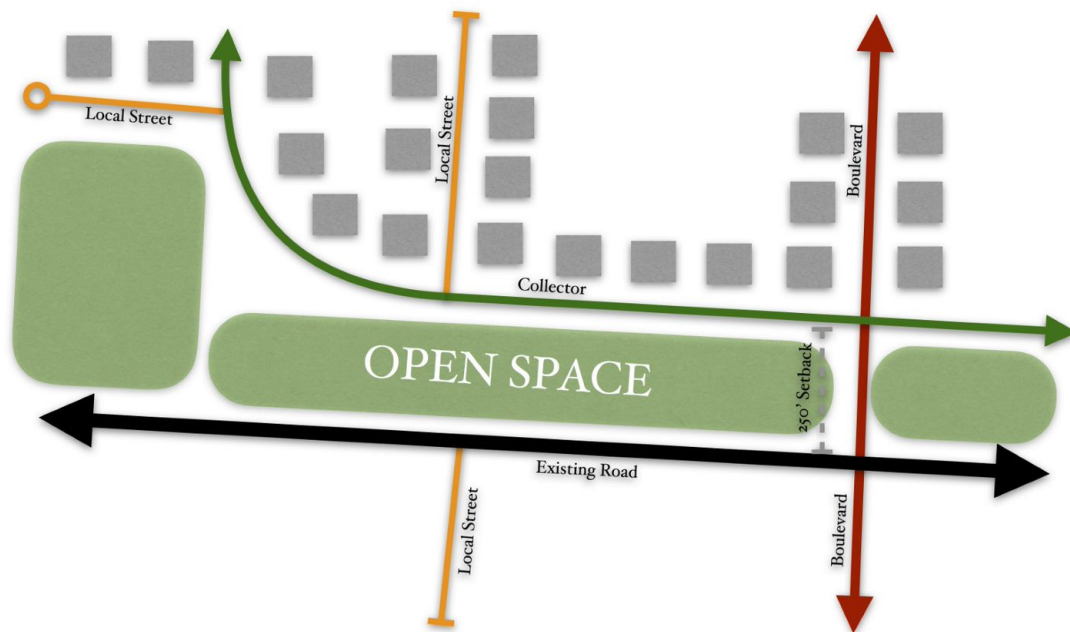
h) Administrative Review - All plats, construction drawings, restrictive covenants and other necessary documents shall be submitted to the City Manager or their designated technical advisors for administrative review to insure substantial compliance with the development plan as approved.

1179.07 DEVELOPMENT STANDARDS.

In addition to any other provisions of this Ordinance the following standards for arrangement and development of lands and buildings are required in the Single Family Planned Residential District.

- a) Intensity of Use - The maximum density shall be one unit per gross acre of area within the area to be developed.
- b) Open Space - At least fifty percent (50%) of the total gross acreage of the Single Family Planned Residential District must be devoted to open space. Open space shall be designated upon the development plan as "Maintained Passive Open Space", "Recreational Open Space" and "Unmaintained Passive Open Space" upon the basis of the definitions, purposes, requirements and conditions set forth in this Ordinance, excepting that, notwithstanding anything to the contrary, public or private golf courses, with all buildings and club houses incident thereto, may be designated as "recreational open space" when integrated into a golf course community as permitted by this section. Such open space shall be designed to provide active recreation, passive recreation, the preservation of natural site amenities or any combination thereof. Any buildings, structures and improvements to the open space must be appropriate to the uses which are authorized for the open space, having regard to its topography and unimproved condition. The open space shall be of a size, shape and location which is conducive to use by residents of the property within the Single Family Planned Residential District. Public utility and similar easements, rights-of-way for streets and roads, and right-of-ways for water courses and other similar channels are not acceptable for common open space dedication unless such land or right-of-way is usable as a trail or similar purpose and has been approved by the Zoning Commission. Storm water retention or detention facilities are acceptable for dedication as Maintained Passive Open Space, provided such facilities do not exceed ten percent (10%) of the total open space required. The responsibility for the maintenance of all open spaces shall be specified by the developer in writing before approval of the development plan. The open space reserved in a Single Family Planned Residential District shall be dedicated to, and permanently owned by, a homeowners' association that shall have title to the land for the use of each owner who buys property within the development. Such open space shall be used only for the purposes for which it is designated upon the approved development plan, and in accordance with the approved development plan. The legal articles relating to the organization of the homeowners' association are subject to review and approval by the Zoning Commission and shall provide adequate provisions for the perpetual care and maintenance of all common areas. Such legal articles shall be inserted into the chain of title of the land within the Single Family Planned Residential District. All open space shall be prohibited from further subdivision or development. This shall be done by placement in a reserve and notation on the final plat or by other declaration or agreement in the chain of title to such property, the same to be in a form acceptable to the city attorney.

- c) Lot Width - There shall be a lot width of seventy-five (75) feet or more at the front line of the dwelling, and such lot shall have access to and abut on an adjoining approved street or road for a distance of sixty (60) feet or more.
- d) Lot Depth - There shall be a lot depth of one hundred thirty-five (135) feet or more extending from the front line of the lot to the rear line of the lot.
- e) Side Yard Setback - No building or structure shall be located closer than twelve and one half (12 1/2) feet to any side lot line, and the total of the side yards shall be twenty-five (25) feet or more.
- f) Building Setback - No building or use shall be located closer to the right-of-way line or centerline of the adjacent public or private road than thirty (30) feet and shall have a minimum rear setback of thirty (30) feet.
- g) Rear Yard Requirement - No structure shall be located closer than thirty-five (35) feet to the rear line of any lot. Children's play sets shall be exempt from this restriction if located at least five (5) feet from the rear line.
- h) Maximum Lot Coverage - On no lot or parcel in this zoning district shall buildings be constructed which cover more than twenty-five percent (25%) of the lot area.
- h)i) Access – A minimum of two forms of ingress and egress are required unless approved by the Planning and Zoning Commission.
- i)j) Landscaping – Reference Section 1183 for landscaping standards. Landscape plans shall be submitted with the subdivision plat and shall be subject to approval in the same manner required of the subdivision plat. All such landscaping shall be maintained and kept in accordance with the landscape plan as submitted, and such maintenance and upkeep shall be the responsibility of the owner of such yard, space or area. All vacant lots shall be kept seeded or maintained in such manner as to prevent erosion of the property and excess drainage onto adjoining lands.
- j)k) Parking - Off street parking shall be provided, at the time of construction of the main structure or building, with adequate provisions for ingress and egress according to the development plan. In preparing and approving the parking plan the provisions of Section 1175 of this Ordinance shall, when appropriate, be incorporated.
- k)l) Signs – Signs shall comply with Section 1177. Signs permitted in SR-1, SR-2, UR-1 and UR-2 districts are permitted in PUD districts.
- l)m) Building Height Limits - No building in this district shall exceed thirty-five (35) feet in height measured from finished grade established not closer than fifteen (15) feet to the exterior wall of the structure. Barns, silos, grain handling conveyors, church spires, domes, flag poles and elevator shafts, are exempted from any height regulation and may be erected to any safe height.
- m)n) Building Dimensions - Dwellings shall have a total living area of not less than the minimum set forth below:
 - a. Single-story dwellings - 1,600 square feet;
 - b. Two-story dwellings - 1,800 square feet;
 - c. One and one-half story dwellings - 1,000 square feet ground level, 600 square feet additional level;
 - d. Bilevel, split-level - 1,750 square feet.
- n)o) Transportation Network - The roadway system within the Single Family Planned Residential District shall follow a hierarchy system of roadway design. Main entrances shall be boulevard style with a landscaped median connected to collector streets and then local streets. There shall be a buffer of 250' from the main entrance for the first single family structure. No single family structure shall back up to an existing roadway and shall face the boulevard, collector or local street.



- o)p) _____ The Planning & Zoning Commission and/or the Johnstown City Council may impose special additional conditions relating to the development with regard to type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space; and any other pertinent development characteristics.

1179.08 GOLF COURSE COMMUNITY DEVELOPMENT STANDARDS; CRITERIA FOR APPROVAL.

Except as hereinafter provided, the following development standards for arrangement and development of a Single Family Planned Residential District involving a golf course community shall be in addition to the provisions of Section ~~1179.07~~ 1179.07 and any other provisions of this Ordinance. The following criteria for approval of a Single Family Planned Residential District involving a golf course community shall be in addition to the provisions of Section 1179.06 and any other provisions of this Ordinance.

a) Development Standards:

1. Relationship to Section 1179.07: The entire golf course community shall be developed in accordance with Sections 1179.07 a) and b), except that, notwithstanding anything contained in Section 1179.07 b) to the contrary:
 - a. The golf course, in its' entirety, shall be designated as "recreational open space" on the development plan. The portion of the open space that is intended to be used as a golf course shall be so identified on the development plan and may be leased to a secondary entity for the development of the golf course, but the use shall remain as open space in perpetuity and shall not be conveyed by the homeowner's association to any entity other than the city, if such conveyance is mutually agreed. If the golf course is leased, and the golf course use is abandoned for a continuous period of two (2) years or more, the possession of the golf course, including all buildings, structures and improvements, shall revert to the homeowner's association. Unless conveyance

- to the city occurs, the perpetual care and maintenance of the golf course shall be the ultimate responsibility of the homeowner's association.
- b. Additional open space, beyond that which must otherwise be provided, shall be required if access to the golf course area by residents of the golf course community is restricted or requires payment of a fee, other than mandatory fees uniformly applied and imposed on all property owners within the golf course community as an incident of their ownership of property within the golf course community (i.e., home owner's association fees, assessments, etc.). This open space shall be in addition to the area of the golf course, provided, however, that such additional open space shall not be required to exceed ten percent (10%) of the total gross acreage of the non-golf course portion of the golf course community.
 - c. All open space, including the golf course area of the open space, shall be prohibited from further subdivision or development.
 - d. Sub-sections 1179.08 a)(1)(a) and (c) shall be implemented by a placement of the golf course area of the open space in a reserve and notation on the final plat, or by other declaration or agreement in the chain of title to such property, the same to be in a form acceptable to the village attorney.
2. Single Family Portions: Single family areas of a golf course community shall be developed in compliance with the development standards set forth in Sections 1197.07 c) through p) inclusive.
 3. Multi-Family Portions: Multi-family areas of a golf course community shall be developed in compliance with the development standards set forth in Section 1151.
 4. Building and Club House Setback from Residential Lots: All buildings and club houses of the golf course shall be located not less than two hundred (200) feet from any residential lot line.
- b) Criteria for Approval: In approving an application for a Single Family Planned Residential District involving a golf course community, the reviewing authority shall determine, in addition to the criteria for approval set forth in Section 1179.06 c):
1. That the proposed development will preserve and enhance the health, safety and general welfare of the inhabitants of Johnstown.
 2. That the proposed golf course community will not have an adverse effect upon adjacent property, the character of the neighborhood, traffic conditions, parking or utility facilities.
 3. That the proposed golf course community will be constructed, arranged, and operated so as not to interfere with the present use of the neighboring property.
 4. That the proposed golf course community will be served adequately by essential public facilities and services, such as highways, streets, parking spaces, drainage structures, water and sewers, or that the persons or agencies responsible for the establishment of the golf course community will provide adequately for such facilities and services.
 5. That the proposed golf course community will not result in the destruction, loss, or damage of any natural, scenic or historic feature of significant importance.



RESOLUTION 2022-24

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT
WITH MKSK FOR PROFESSIONAL PLANNING SERVICES**

WHEREAS, the City of Johnstown Council desires to hire planning firm MKSK for professional services specific to the creation of a City Strategic/Comprehensive Plan, and;

WHEREAS, City Council and staff have reviewed the scope of services and seek a Strategic/Comprehensive Plan with landscape design, an architectural component and engineering; and

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF JOHNSTOWN, STATE OF OHIO, AND THE MAJORITY OF THE MEMBERS ELECTED THERETO CONCURRING THAT:

Section One: The City of Johnstown authorizes the City Manager or designee to enter into a contract with MKSK for the creation of a City Strategic/Comprehensive Plan not to exceed a cost of \$200,000.00.

Section Two: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that meetings of any of its committees that resulted in such formal action were meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter of the CITY OF JOHNSTOWN.

Date of Introduction/ Public Hearing/Vote: June 21, 2022

Effective: June 21, 2022

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan Ashrawi, Law Director

CITY OF JOHNSTOWN



ORDINANCE 13-2022

599 S. Main Street
Johnstown, Ohio 43031
Telephone: 740-967-3177
Fax: 740-967-6415

AN ORDINANCE AMENDING SECTION 1177 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

WHEREAS, Section 1177 of the City of Johnstown Codified Ordinances (the “Codified Ordinances”) governs the Sign rules and regulations in the City of Johnstown; and

WHEREAS, The City of Johnstown is growing and requires updates to the sign rules and regulations to ensure high quality signage that upholds the characteristics of the community; and

WHEREAS, On June 14, 2022, by a 4-1 vote, the Planning and Zoning Commission recommended this ordinance to City Council for consideration; and

WHEREAS, after review of all uses, the Council of the City of Johnstown desires to amend Codified Ordinance Section 1177 Signs.

NOW THEREFORE, be it ordained by the Council of the CITY OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 1177 is amended; changes and edits as shown attached to this ordinance,

Section 2. It is found and determined that all formal actions of this City Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this City Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the City OF JOHNSTOWN.

Date of Introduction: June 21, 2022

Public Hearing/Vote: July 5, 2022

Effective:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

CHAPTER 1177 Signs

- [1177.01](#) Purpose.
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CROSS REFERENCES

Power to regulate billboards and signs - see Ohio R.C. 715.65

Sign defined - see P. & Z. [1121.02\(a\)\(64\)](#)

1177.01 PURPOSE.

The purpose of this chapter is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs and outdoor signs of all types. It is intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community and preserve the scenic and natural beauty of designated areas. It is further intended to reduce sign or advertising distraction and obstruction that may contribute to traffic accidents, reduce hazards that may be caused by signs overhanging or projecting over public rights of way, provide more open space and curb the deterioration of the natural environment and enhance community development.

1177.02 DEFINITIONS.

- a) "Arm Sign" means a sign whose face is suspended from a support arm at a right angle from a ground mounted pier, pillar, column, or pole. The face of such sign shall not be more than three (3) feet from the ground.
 - 1. "Awning Sign" means a sign painted, stamped, perforated, stitched, or otherwise applied on the valance of an awning. [Awnings must be at least nine \(9\) feet above ground level.](#)
- b) "Banner sign" means a [non-rigid cloth, plastic or canvas temporary sign typically related to a special event or promotion. For the purposes of this Article, the term "banner" shall not include official flags of public entities, or civic, philanthropic, educational or religious organizations.](#)
- b)c) ["Billboard" means an off-premises sign that is more than two-hundred \(200\) square feet in area.](#)
- e) ~~"Building" means any structure designed or intended for the support, enclosure, shelter or protection of animals, chattels or property.~~

- d) "Building Frontage" means the width of the facade of the building, including any overhang that faces the principal street or contains the main entrance. If a building is divided into units, the building unit frontage shall be the width of that unit, as measured from the party wall centerlines, on the frontage of the building. The frontage of a lot shall be the number of linear feet the lot abuts on the principal street. For structures and uses having no direct frontage on public roads, as within shopping centers, frontage shall be counted as the intersection of the building line onto adjacent drives or parking areas.
- e) "Building Marker Sign" means a sign indicating the name and address of a building; or the name of an occupant thereof, and the practice of a permitted occupation therein.
- f) "Canopy" means a structure separate from, but associated by use with the principal building, which is supported independently by posts or columns, is open on all sides, and is intended only for shelter or ornamentation. An awning or a marquee is not a canopy.
- g) "Canopy Sign" means a sign that is mounted, painted, or otherwise applied on or attached to a freestanding canopy or structural protective cover over an outdoor service area. An awning or a marquee is not a canopy. Canopy must be at least nine (9) feet above ground level.
- h) "Changeable copy sign" means a permanent sign in which the material or message composing the sign, in whole or in part, is manually or mechanically changeable, either digitally or through physical placement of message. This definition does not include digital display signs.
 - 1. "Electronic message center sign" means a changeable copy sign that utilizes computer generated, digital technology, or some other electronic means of changing copy, either manually or on a programmed interval.
- i) "Directional sign" means any sign which indicates the direction or specific location of an institution, organization or business, which does not include advertising or any information regarding product lines or services offered.
- f) "Dwelling" means a permanent building used primarily for human habitation by one or more families but does not include mobile homes.
- j) "Flashing sign" means a sign or graphic which in any manner, as a whole or in part, physically changes in light intensity or gives the appearance of such change.
- k) "
- l) "Freestanding sign" means a sign which is wholly independent of any building for support and can have design elements that include "changeable copy sign" attributes.
 - 1. "Ground Monument sign" means a freestanding sign supported from the ground and not attached to any building.
 - 2. "Pole sign" means a freestanding sign supported by one or more poles at the base of the sign wherein the poles are exposed and not part of the superstructure of a monument sign.
- g) Freestanding Sign" means any sign supported wholly or in part by some structure other than the building or buildings housing the business to which the sign pertains, or any sign which projects more than five feet from the side of the building to which it is attached.
- m) "Identification Sign" means a sign giving only the nature, logo, trademark or other identifying symbol, address, or any combination of the name, symbol, and address of a building, business, development, or establishment.

- h)n) “Joint Identification sign” means a sign intended to provide the identity or name, for two or more uses within one building or on one property or the name of the building or its address for property occupied by two or more businesses.
- i)o) “Incidental Sign” means a sign permitted without need for a sign permit.
- j) “Lot” means a parcel of land intended for transfer of ownership, development, improvement and/or dedication.
- k)p) “Marquee Sign” means a sign designed to have changeable copy, either manually or electronically.
- h)q) “Monument Sign” means a free-standing sign, generally having a low profile where the base of the sign structure is on the ground or a maximum of thirty-six inches (36") above the lowest point of the ground adjacent to the sign such that the sign has the appearance of a solid base. No sign shall interfere with sight distance for any public or private road.
- m)r) “Multitenant Sign” means an identification sign for a commercial site with multiple tenants, displaying the names of each tenant on the site. Mural” means a large picture or graphic generally free of a written message that is painted, screen printed, or attached adhered onto a canvas like material directly and flush to an exterior building surface and identifies a commercial establishment. Murals are intended to be viewed by pedestrians and drivers at a distance. Mural can also mean an artistic expression not representative to commercial identification, when defined as such by the Planning and Zoning Commission.
- n)s) “Neon Sign” means an illuminated sign affected by a colorless, odorless light source consisting of a neon or gas tube that is bent to form letters, symbols, or other shapes.
- t) “Non-conforming Sign” means any sign lawfully installed prior to the effective date of this Code, or any subsequent amendment thereto, which does not meet the current applicable standards for compliance.
- u) “Off-premises sign” means any sign that identifies or provides information related to a good, service or event that is not located on the property where such sign is located.
- e)v) “Permanent sign” means a sign that is not temporary.
- w) “Pole Sign” means a sign that is mounted on a freestanding pole or other support so that the bottom edge of the sign face is six feet or more above grade. “Portable sign” means a sign designed or constructed in such a manner that it can be moved or relocated without involving any structural or support changes and is not physically attached to any part of a building or the ground. Portable signs shall include:
 1. “Trailer sign” meaning a sign that is constructed on a chassis intended for the mounting of wheels, thereby permitting the sign to be moved.
 - 1.2. “Folding portable sign” meaning a sign constructed of wood or other durable material which can be folded or collapsed for ease of transport.
- p)x) “Projecting/Blade Sign” means a ~~two-sided double-faced~~ sign which projects more than 18 inches from the building wall to which it is attached.
- e)y) “Pylon Sign” means a freestanding sign other than a pole sign, permanently affixed to the ground by supports, but not having the appearance of a solid base.
- e)z) “Real Estate Sign, Off-Site” means a readily removable sign announcing the proposed sale or rental of property other than the property upon which the sign is located and providing directions to the subject property.

- s)aa) “Real Estate Sign, on-site” means a sign announcing the sale or rental of the property upon which the sign is located.
- t)bb) “Residential Sign” means a sign that does not contain information or advertising for any business, commodity, service, entertainment, product, or other attraction
- cc) “Right-of-way” means a strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting and drainage facilities, and may include special features required by the topography or treatment, such as grade separation, landscaped areas, viaducts and bridges.
- u)dd) “Roof sign” means any sign erected upon or completely over the roof of any building.
- v)ee) “Sidewalk Sign” mean a movable sign not secured or attached to the ground or surface upon which it is located.
- w)ff) “Sign” means any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge or insignia of any government or government agency, or of any civic, charitable, religious, patriotic, fraternal or similar organization. Separated letters or printing located on a building spelling the name of the establishment and the goods sold on the premises do not constitute a "sign" for purposes of this section.
- x)gg) “Sign Alteration” means any change of copy, sign face, color, size, shape, illumination, position, location, construction, or supporting structure of any sign.
- hh) “Sign Area” means the entire area within a continuous perimeter, enclosing the extreme limits of sign display, including any frame or border. Curved, spherical, or any other shaped sign face shall be computed on the basis of actual surface area. The copy of signs composed of individual letters, numerals, or other devices shall be the sum of the area of the smallest rectangle or other geometric figure encompassing all of said letters or devices. The calculation for a double-faced sign shall be the area of one face only. Double-faced signs shall be constructed so that the perimeter of both faces coincide and are parallel and not more than 24 inches apart.
- y)ii) “Skyline Sign” means a sign mounted to the upper most horizontal architectural band of a building to identify the name of the building of primary tenant. In Historical Districts, architecturally or historically significant Skyline-type signs shall take precedence over a newly-requested similar sign. Skyline signs are intended to be viewed by pedestrians and motorists from a distance and serve as an icon for the building.
- jj) “Suspended Sign” means a sign that is suspended, parallel, or perpendicular from a building wall, roof, facade, canopy, marquee, or porch by means of brackets, hooks, or chains and the like.
- kk) “Temporary sign” means a sign that is designed to be used only temporarily and is not intended to be permanently attached to a building, structure or the ground., The timeframes and types of signs that are defined as ‘temporary’ are listed under 34.08.
- z)ll) “Vending machine sign” means a permanent sign installed by the manufacturer on a fuel pump, vending machine, or similar outdoor object.
- aa)mm) “Wall Sign” means a sign mounted flat against and projecting no more than 3 inches from, or painted on the wall of, a building or structure with the exposed face of the sign in a plane parallel to the face of the wall. This does not include window signs.

- ~~bb)nn)~~ “Window Sign” means a sign that is applied to or attached to the exterior or interior of a window or located in such manner within a building that it is visible from the exterior of the building through a window but excludes merchandise in a window display.
- ~~ee)oo)~~ “Variance” means a modification of the strict terms of the relevant regulations where such modifications will not be contrary to the public interest and were owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

1177.03 PERMITS REQUIRED.

Unless otherwise stated herein, all signs shall require a permit, and approval of the zoning inspector. If a sign requiring a permit under the provision of this chapter is to be placed, constructed, erected, or modified on a lot, the owner of the lot shall secure a sign permit prior to the construction, placement, erection, or modification of such a sign in accordance with the requirements of Section 1177.06. No signs shall be erected in the public right of way in accordance with Section 1177.05 and the permit requirements of Section 1177.03 unless approved by the zoning inspector.

1177.04 DESIGN, CONSTRUCTION AND MAINTENANCE.

All signs shall be designed, constructed and maintained in accordance with the following standards:

- a) All signs shall comply with applicable provisions of the Basic Ohio Building Code at all times.
- b) Except for flags, temporary signs, and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be permanently attached to the ground, a building or another structure by direct attachment to a rigid wall, frame, or structure. The use of unprotected cardboard, paper, or wood products as sign material shall be prohibited.
- ~~b)c)~~ All signs approved pursuant to this section shall be constructed of a durable material, and shall be professional in appearance. As used in this section, professional appearance means, at minimum, that the sign is designed or manufactured by a graphic artist or sign company or is computer-generated.
- ~~e)d)~~ All signs shall be maintained in good structural condition and in good repair in compliance with all Building and Electrical Codes, and in conformance with this code, at all times.
- e) Signs must be neat and clean so as not to appear damaged, unappealing, or unnecessarily worn.
- ~~d)-~~

1177.05 SIGNS IN THE PUBLIC RIGHT OF WAY.

No signs shall be allowed in the public right of way except for the following (unless otherwise approved by the zoning inspector):

- a) Permanent Signs. Permanent signs including:
 - 1. Public signs erected by or on behalf of a governmental body to post legal notices, identify public property, convey public information, and direct or regulate pedestrian or vehicular traffic.
 - 2. Bus stop signs erected by a public transit company.

3. Informational signs of a public utility regarding its poles, lines, pipes or facilities.
 4. Awning, projecting and suspended signs projecting over a public right of way and in conformity with the conditions of Table 1189B of this chapter.
 5. Signs of civic organizations or special events posted on the community sign or on the [villageCity](#) entrance signs.
 6. Sandwich board signs as approved by the zoning inspector.
- b) Temporary Signs. Temporary signs meeting the requirements for placement in the public right of way as set forth in 1177.06.

1177.06 TEMPORARY SIGNS.

- a) A permit for a temporary sign may be issued by the Zoning Inspector following review and approval of a temporary sign application and may be for a period of up to one year.
- b) A temporary sign permit shall be issued only for signs meeting the following requirements:
 1. Development Sign. A temporary development sign advertising the sale of platted lots in a subdivision provided that not more than one such sign may be permitted whether such sign is at the entrance to the subdivision or within the subdivision. Any such sign may also be utilized to advertise the sale or lease of multi-family units, or store or office space in commercial developments. Such signs shall be limited to a maximum area of thirty-two square feet when located on parcels of two acres or more and a maximum area of eight square feet when located on parcels of less than two acres. Other limitations shall include a maximum height of ten feet, and a minimum setback of fifteen feet from established rights of way, unless there is no land between the right of way and the facade of the structure, in which case the sign must not be a safety hazard and must be located at the closest point to the structure.
 2. Sign Promoting Non-Commercial Campaign or Event. A sign for the promotion of a school, church, non-profit or community campaign or event of a noncommercial purpose. The sign may be displayed for no more than 60 days straight and removed for at least 30 days straight. All temporary sign structures must be removed during the 30-day removal period. The sign may not exceed thirty-two (32) square feet per side.
 3. Temporary Sign for Business. When there is a legitimate delay, as determined by the Zoning Inspector, in the construction or preparation of a permanent sign for a business, a temporary sign may be displayed for a period of 90 days or until the new sign is erected, whichever is less. Such sign shall be proportional in scale to the frontage of the building, but in any case, shall not exceed thirty-two (32) square feet.
 4. Grand Opening Banner. A grand opening banner is permitted to call attention to a new business or institutional use and is allowed in any zone in which the commercial, industrial, or institutional use is permitted. Maximum size is thirty-two (32) square feet. The banner shall not be displayed for more than fifteen (15) days. Only one grand opening banner shall be allowed per street frontage for the business or use. The banner must be securely fastened to the building and may not project above the roofline or interfere with access for the building.

5. Going Out of Business Signs. A going out of business banner is permitted for any zone in which a commercial, industrial, or institutional use is permitted. Maximum size is thirty-two (32) square feet. The banner shall not be displayed for more than sixty (60) days. Only one going out of business banner shall be allowed per street frontage for the business or use. The banner must be securely fastened to the building and may not project above the roofline or interfere with access for the building.
- c) A temporary sign that is approved pursuant to this section may only be displayed on the premises to which the sign is applicable. Unless otherwise specifically authorized by these regulations or by the Zoning Inspector, only one temporary sign may be displayed per business at any time.
- d) All temporary signs approved pursuant to this section shall be non-illuminated, shall be constructed of a durable material, and shall be professional in appearance. As used in this section, professional appearance means, at minimum, that the sign is designed or manufactured by a graphic artist or sign company or is computer-generated. The use of unprotected cardboard, paper, or wood products as sign material shall be prohibited. There shall be no limitation in the number of colors for a temporary sign, but the specific colors to be used in the sign shall be approved by the Zoning Inspector. The use of fluorescent, dayglo, and neon colors is prohibited.
- ~~d)e)~~ Hand drawn/painted temporary signs are not permitted.
- e)f) Temporary signs shall not be attached to trees or utility poles or placed in a position that would obstruct or impair traffic or in any manner create a hazard or disturbance to the health, safety, or welfare of the public. If placed on the side of a property where there is a sidewalk, the sign shall be located on the back side of the sidewalk (that is, on the opposite side of the sidewalk from the roadway). If placed on the side of a property where there is no sidewalk, the sign shall be located at least eight feet from the edge of the roadway.
- ~~f)g)~~ Home sale signs pursuant to Chapter 709 of the Codified Ordinance of the VillageCity of Johnstown.

1177.07 SIGNS EXEMPT FROM REGULATION UNDER THIS CHAPTER.

- a) The following signs shall be exempt from regulation under this chapter, except as provided in this section:
 1. Signs erected by or pursuant to the authorization of a governmental body, including legal notices, warning notices, traffic signs, directional signs, informational signs or regulatory signs.
 2. Signs that are customarily associated with residential uses and that are not of a commercial nature, including the name and address of occupants, signs on mailboxes, or paper tubes, etc. (Limited to an area of four square feet or less.)
 3. Official signs of a noncommercial nature erected by public utilities to identify line or facility locations or to advise or warn the public.
 4. Flags of any governmental or nonprofit organization provided:
 - A. such flags are not being displayed in conjunction with a commercial promotion or as an advertising device;
 - B. not more than three such flags are being displayed at the same time;
 - C. any such flag does not exceed 60 square feet in area; and

- D. any such flag flown from a standard flag pole attached to a building, with the height of the pole not to exceed 15 feet above ground level; or from a freestanding standard flag pole not to exceed a height of 25 feet above ground level. Mini flags typically displayed during government holidays shall be exempted.
5. Any sign inside a building, provided that the sign is not attached to a window or door and that the sign is not legible from the lot line of the lot or parcel on which such sign is located. For the purposes of this section, a sign that rests against a window, a sign that is separated from the window by a bumper pad, or a sign that is placed within two inches of the window through the use of a hanging device, shall be considered to be attached to the window. Any sign that is considered to be attached to a window shall be regulated by the provisions contained in Section 1177.13 Sign Table.
6. ~~Works of art that do not include a commercial message.~~
7. Signs that are posted upon property to guide or direct traffic, to identify restricted or public parking areas, or to warn the public against trespassing or danger from animals. The signs shall not contain any commercial advertising. However, entrance or exit signs are only permitted when the driveway is not obvious or otherwise identifiable with a particular business or activity. Entrance and exit signs, directional signs, and parking area signs shall require a permit to assure that the style, size, and location are consistent with the requirements of this chapter. (Limited to an area of four square feet.)
8. Signs painted on or otherwise attached to a vehicle regularly operated in the pursuance of a day-to-day business or activity of an enterprise, provided that the vehicle is not parked in a location that is visible to the public and for a period of time that indicates that the purpose of locating the vehicle in that location is principally for advertising rather than transport.
9. Signs that are not visible from public streets or legible from adjacent properties.
10. Signs authorized by the [VillageCity](#) Manager on any governmental property.
- b) The following temporary signs shall be exempt from regulation under this chapter provided each such sign satisfies the requirements set forth in subsection hereof:
 1. Temporary for sale, rental or lease signs provided they are placed within the front yard setback. For corner lots, one sign may be placed along each section of road frontage. Lender, mortgage, or any other ancillary signage is prohibited.
 2. Political signs and signs or posters indicating candidates or issues on the public ballot.
 3. Temporary Contractor Signs. Signs announcing the names of contractors for any short term or temporary work such as home improvements, new construction, remodeling and the like is permitted during the actual construction period, provided that such signs shall be located only on the parcel of land being developed, not in the public right-of-way.
 4. Temporary off-site real estate signs that announce the date and time of a real estate open house provided the signs be placed no earlier than 6:00 am and removed four (4) hours after the conclusion of the open house. A maximum of one sign per open house is allowed at anyone change of direction. All temporary

real estate open house signs must contain broker contact information. All riders count towards total sign area.

- c) Unless otherwise provided, all temporary signs referred to in subsection (b) hereof shall be limited to not more than six square feet in sign area. Any such temporary sign shall be removed or replaced after thirty days if the sign has become damaged or has deteriorated, by the weather or otherwise, to the point where the sign cannot be read from the street or the sign has or appears to have become detached, in whole or in part, from its sign posts or supporting structure. All such temporary signs shall be removed within seven (7) days after the property to which the sign relates has been sold, rented, or leased, or the promotion, activity, or election to which the sign relates has been conducted. Signs referred to in subsection (b) hereof, if placed on roadways with sidewalks, shall be placed on the opposite side of the sidewalk from the roadway. In the case of roadways with no sidewalks, the signs shall be located no closer than eight (8) feet from the edge of the road. In no case shall any of the signs referred to in this subsection constitute a safety hazard.

1177.08 SIGNS PROHIBITED UNDER THIS CHAPTER.

All signs not expressly permitted under this chapter or exempt from regulation in accordance with the previous section are prohibited in the [VillageCity](#). Such signs include, but are not limited to:

- a) Beacons/searchlights.
- a)b) [Billboards](#)
- b)c) [Banner signs, streamers, and pennants](#).
- e) ~~Pennants~~.
- d) Inflatable signs, figures and tethered balloons.
- e) Portable signs with internal illumination and changeable copy.
- e)f) [Trailer signs](#)
- f)g) Any sign that, by reason of size, location, shape, content, coloring, or manner of illumination, constitutes a traffic hazard or a detriment to traffic safety. Any sign that substantially interferes with the view necessary for motorists to proceed safely through intersections, or to enter onto or exit from public streets, private roads, or driveways. Any sign that obstructs the view of any authorized traffic sign, signal, or device.
- g)h) Any sign that uses the words "STOP", "SLOW", "CAUTION", "DANGER", or otherwise has a design, color, shape, size, or location that could cause it to be confused with official traffic signs or other signs erected by governmental agencies.
- h)i) Any sign that revolves, or is animated, or that utilizes movement or apparent movement to attract the attention of the public. This prohibition shall include, but not be limited to, propellers, discs, banners, pennants, streamers, and animated display boards.
- i)j) Any sign with lights that flash, move, rotate, or flicker.
- j)k) Any sign that is placed on or affixed to a vehicle or trailer and that is parked in a location that is visible to the public and for a period of time that indicates that the purpose of locating the vehicle in that location is principally for advertising rather than transport.
- k)l) Any sign that is located within any public right-of-way, except publicly-owned or publicly-authorized signs (for example, traffic control signs and directional signs); or any sign (other than a publicly-owned or publicly-authorized sign) that is attached, affixed, or painted on any utility pole, light standard, tree, rock, or other natural feature. This

prohibition shall not apply to subdivision signs that are authorized to be placed in the landscaped median of a public or private street.

- ~~h)m)~~ Any roof signs or signs that extend above the roof line of a building.
- ~~m)n)~~ Any painted advertising on a building wall or roof, excepting murals of a noncommercial nature.
- ~~n)o)~~ Any sign that identifies or advertises an activity, business, product, or service that is no longer in existence, sold, produced, etc.
- ~~o)p)~~ Any illuminated tubing or strings of lights outlining property lines, open sales areas, rooflines, doors, windows, edges of walls, trees, or other landscaping. This prohibition shall not apply to holiday lighting.
- ~~p)q)~~ Any sign that exhibits statements, words, or pictures of an indecent, obscene, or pornographic nature.
- ~~q)r)~~ Any sign that obstructs or interferes with any window, door, sidewalk, or fire escape.
- ~~r)s)~~ Pylon Signs
- ~~s)t)~~ Any abandoned sign or any sign that advertises a business or product no longer existing or sold on the premises. Whenever a business is discontinued all signs shall be removed within forty-five (45) days. A sign that advertises a business, enterprise, or other activity that is closed for the off-season, not to exceed 270 consecutive days, shall not be considered an abandoned sign. See 1177.11 Nonconforming Signs
- ~~t)u)~~ Any sign that communicates a commercial message about a business, service, commodity, accommodation, attraction, or other enterprise or activity that exists, or is conducted, sold, offered, maintained, or provided at a location other than the premises where the sign is located, unless approved by the zoning inspector as a sidewalk sign.
- ~~u)v)~~ Any sign or sign structure that is structurally unsafe.
- ~~v)w)~~ Any sign that, through the use of flashing or sequential lights, lighting elements, or other automated method, results in movement, the appearance of movement, or change of sign image or text. Changing image signs do not include otherwise static signs where illumination is turned off and back on not more than once every 24 hours. The prohibition does not apply to electronic gas station fuel price signage.
- ~~x)~~ Pole signs

1177.09 CONDITIONAL SIGNS

- a) Non-commercial murals are conditionally permitted upon approval of the location and design by the Planning and Zoning Commission.
- ~~a)b)~~ Churches and schools in all districts are conditionally permitted to have electronic messaging signs

1177.1009 VARIANCES FROM SIGN REQUIREMENTS.

Notwithstanding any other chapter or section of the Codified Ordinances to the contrary, any application submitted under this chapter which requests a variance to allow deviation from the strict interpretation of the regulations established by this chapter shall be heard by the Planning Commission. A variance may be considered by the zoning inspector for the relocation of existing locally significant and/or historical signs that contribute to the character of the community.

- a) Application. Separate or additional application for a variance under Chapter 1133 Variances shall not be required. Rather, the application required by this section shall, in addition to the requirements set forth, clearly indicate that the applicant is

seeking a variance to allow deviation from the strict interpretation of the requirements established by this chapter.

- b) Fee. No additional fee beyond that established by [VillageCity](#) Council should be required for applications that include requests for a variance.
- c) Criteria. In considering a request for a variance, the Planning Commission shall, in addition to the criteria and requirements established by this chapter, apply the criteria set forth in Chapter 1133 to the extent those criteria are consistent with the criteria established by this chapter.
- d) Approval. Approval of an application under this Chapter shall be deemed an approval for any variance requests necessary to such approval. In these instances, however, where the granting or denial of an application is based upon the granting or denial of a variance request, the Planning Commission shall separately set forth its findings of fact, conclusions and reasoning relative to its determination.

1177.10 GENERAL PERMIT PROCEDURES.

The following procedures shall govern the application for, and the issuance of, all sign permits under this chapter.

- a) Applications. All applications for the sign permits of any kind shall be submitted to the Zoning Inspector on an application form with the application specifications and materials as published by the Planning and Zoning Office.
- b) Fees. Each application for a sign permit shall be accompanied by the applicable fees, which shall be established by the [VillageCity](#) Council from time to time by ordinance.
- c) Completeness. Within seven days of receiving an application for a sign permit the Zoning Inspector shall review it for completeness. If the Inspector finds that it is complete, the application shall then be processed. If the Inspector finds it incomplete, the Inspector shall, within such seven-day period, send the applicant a notice of the specific ways in which the application is deficient, with appropriate reference to the applicable sections of this chapter.
- d) Submission Requirements. The following materials must be included with the completed application forms. Examples are available from the Planning and Zoning Office.
 - 1. Site Plan. A site plan drawn to an appropriate scale which shows the proposed location of the sign as well as all other significant site features such as rights of way, topography, existing vegetation, and adjacent buildings and properties which may be affected by the proposal.
 - 2. Elevation. An elevation of the proposed sign and its mounting system that includes an accurate rendering of the proposed graphic design, typography, color, and materials used for construction. For window, wall or building signs this drawing should include a complete elevation of the building face on which the sign will be attached.
- e) Action. After processing a complete application, the Zoning Inspector will review for compliance of Chapter 1177 within 7 days and if found to be in compliance:
 - 1. Will forward monument signs to the Design Review Board at their next regularly scheduled meeting,
 - 2. Shall approve said application for all other signs.

4.3. If the application requires a variance [from the Zoning Code](#), the Zoning Inspector shall forward the application to the Planning Commission for review at its next available meeting.

- f) Appeal. Any party aggrieved or affected by a decision of the Planning Commission involving a sign application may appeal to Council. The appeal shall follow the procedures established in Chapter 1137. Such appeal shall be submitted to the [VillageCity](#) Clerk no later than ten days after the decision of the Commission is filed with the [VillageCity](#) Clerk or sent to the applicant by personal service or by deposit in the U.S. Mail, postage prepaid, return receipt requested, whichever shall last occur.

1177.11 NONCONFORMING SIGNS AND SIGNS WITHOUT PERMITS.

- a) Any previously legally existing sign, but which by reason of its size, height, location, design, construction, or erection is not in conformance with the requirements of this chapter, shall be considered a Nonconforming Sign.
- b) Nonconforming signs must be brought into compliance with the requirements of this Section when any proposed change to sign face would be undertaken. This would include, but not be limited to changes in the message, typography, graphic design, sign material or mounting system, excluding the required maintenance necessary to keep the sign in good repair in its existing condition. In no way shall this Section (or Section 1177.99 Violations) be interpreted to mean that the general repair and maintenance of nonconforming signs is prohibited. It is the intent that such signs are permitted to be maintained as long as it is not replaced or the design, logo or content is not altered or as long as the use does not change.
- c) A nonconforming sign may not be replaced by another nonconforming sign except where changed conditions beyond the control of the owner render the signs repair.

1177.12 DRIVE-THROUGH, MENU BOARD SIGNS.

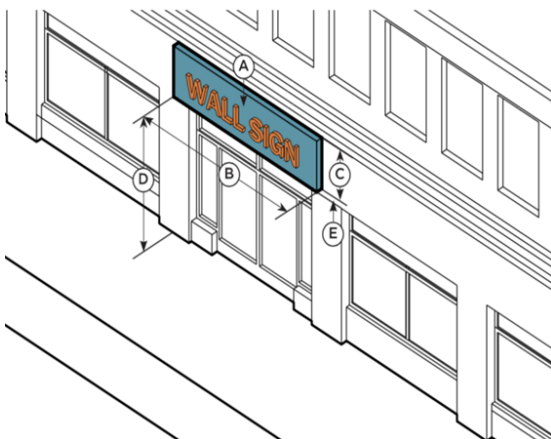
Drive-through menu board signs include freestanding, pole, pylon, and monument menu board signs. A drive-through menu board sign is permitted only when all of the following conditions are fulfilled:

- a) The sign is located on the property to which it refers;
- b) The sign is not visible from the public right-of-way;
- c) The sign is single-face only and does not exceed thirty- two square feet in size;
- d) The sign is not placed in front of the building setback line.

1177.13 PERMANENT SIGNS

[Particular types of permanent sign types shall be permitted in specific zoning districts as cited in Section 1177.14 of this Ordinance. Permanent signs shall also be subject to the following requirements:](#)

A. Wall Sign

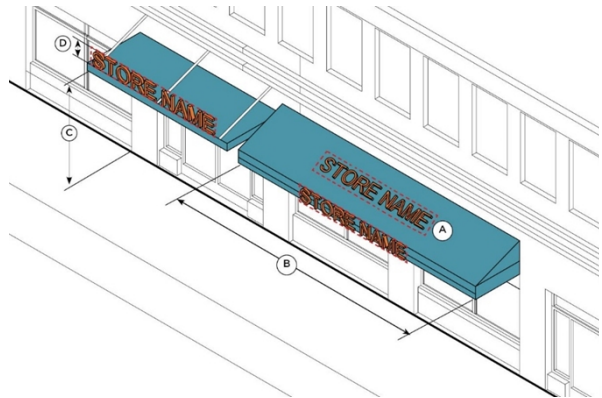


2. Standards

- a. Sign should align with a building's entablature, and placed to fit harmoniously with horizontal molding, friezes, sills, or other ornament.
- b. Wall signs must generally be placed no higher than the windowsills of the second floor
- c. Wall signs may be placed under the windowsills of upper stories by special permit.
- d. Information displayed should be limited to business name, address, and logo. Additional information is prohibited.

1. Dimensions

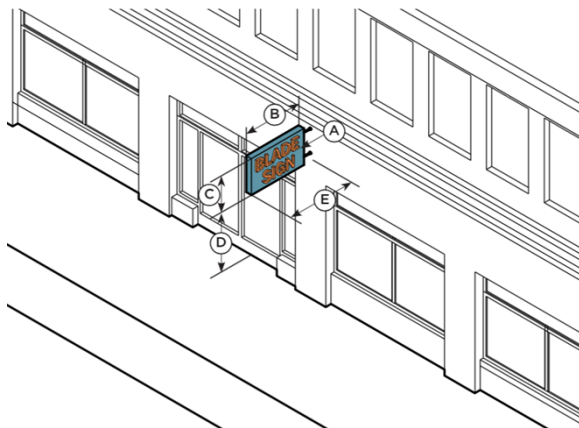
B. Canopy/Awning Sign



2. Standards

1. Signage located on the sloping portion of an awning is only permitted for storefronts where the typical area for a wall sign is missing.
2. Signage is prohibited on upper story awnings and on the side of awnings with closed ends.
3. Information type is limited to business name, logo, and a address. Additional information is prohibited.
4. Awning signs shall not be internally illuminated or backlit.

C. Projecting Sign



2. Standards

- a. Sign may be oriented at a 45-degree angle from a building corner.
- b. A projecting sign must be at least 25 feet from any other projecting sign.
- c. When located over driveways or alleys, Projecting signs shall have a minimum clear height of 16 feet.

D. Window Sign

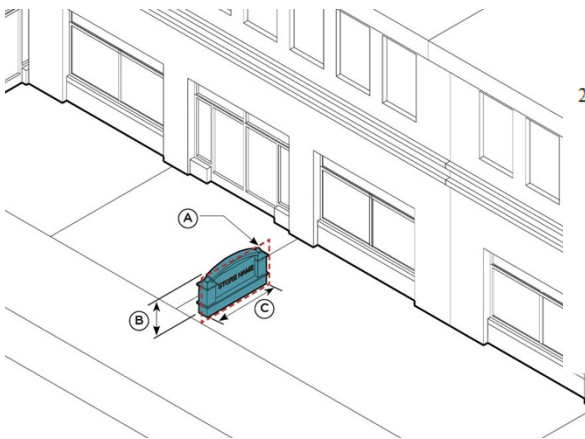


Commented [BM1]: Add "A window sign will be measured in its entirety"

2. Standards

- a. Window signs must be applied directly to inside of the windows glass, at or above eye level, and have a transparent background.
- b. Information type is limited to business name, logo, hours of operations, and product types.
- c. Additional information and signs that flash or blink intermittently are prohibited.
- d. Applied plastic or vinyl cut letters are strongly discouraged.
- e. A window sign cannot be illuminated.

E. Monument Sign



2. Standards

- a. The location, height and other characteristics of freestanding signs must meet the requirements of this Article.
- b. No portion of any freestanding ground sign shall be erected over the street right-of-way.
- c. Freestanding ground signs, where permitted, shall be designed and constructed so as to be compatible with the design and materials of the structure with which the sign is associated.

1177.143 SIGN TABLE.

Sign Type	UR-1	UR-2	AR-1
General Provisions	1. Unless otherwise stated in a specific district, neon signs shall not be permitted.	1. Unless otherwise stated in a specific district, neon signs shall not be permitted.	1. Unless otherwise stated in a specific district, neon signs shall not be permitted.
	2. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted.	2. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted.	2. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted.
	3. The maximum total square footage of all signs on any lot will be calculated as 1.5 square foot of signage per 100 square feet of gross lease area.	3. The maximum total square footage of all signs on any lot will be calculated as 1.5 square foot of signage per 100 square feet of gross lease area.	3. The maximum total square footage of all signs on any lot will be calculated as 1.5 square foot of signage per 100 square feet of gross lease area.
	4. Changeable copy signs are not permitted.	4. Changeable copy signs are not permitted.	4. Changeable copy signs are not permitted.
	5. Animated signs are not permitted.	5. Animated signs are not permitted.	5. Animated signs are not permitted.
Residential ¹	1. Permitted with no commercial message.	1. Permitted with no commercial message.	1. Permitted with no commercial message.
	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.
Incidental ²	1. Not permitted.	1. Not permitted.	1. Not permitted.
Monument	1. Not permitted.	1. Not permitted.	1. Not permitted.
Building Marker ³	1. Permitted.	1. Permitted.	1. Permitted.
	2. Maximum size is (6) square feet.	2. Maximum size is (6) square feet.	2. Maximum size is (6) square feet.

	3. Must be cut or etched into stone, masonry bronze or similar material.	3. Must be cut or etched into stone, masonry bronze or similar material.	3. Must be cut or etched into stone, masonry bronze or similar material.
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Sign Type	UR-1	UR-2	AR-1
Canopy/ Awning	1. Not permitted.	1. Not permitted.	1. Not permitted.
Identification ⁴	1. Permitted.	1. Permitted.	1. Permitted.
	2. Only name and address permitted.	2. Only name and address permitted.	2. Only name and address permitted.
	3. Maximum size is to be 4 square feet.	3. Maximum size is to be 4 square feet.	3. Maximum size is to be 4 square feet.
Marquee ⁵	1. Not permitted.	1. Not permitted.	1. Not permitted.
Projecting ⁵	1. Not permitted.	1. Not permitted.	1. Not permitted.
Wall Sign	1. Not permitted.	1. Not permitted.	1. Not permitted.
Window Signs.	1. Not permitted.	1. Not permitted.	1. Not permitted.
Sidewalk Signs.	1. Not permitted.	1. Not permitted.	1. Not permitted.

Sign Type	GCC-1	GCC-2	LM
General Provisions	1. Unless otherwise stated in a specific district, neon signs shall not be permitted. This does not include “OPEN” signs less than 3 square feet in size.	1. Unless otherwise stated in a specific district, neon signs shall not be permitted. This does not include “OPEN” signs less than 3 square feet in size.	1. Unless otherwise stated in a specific district, neon signs shall not be permitted. This does not include “OPEN” signs less than 3 square feet in size.
	2. The maximum total square footage of all signs on any lot will be calculated as 1.5 square foot of signage per 100 square feet of gross lease area.	2. The maximum total square footage of all signs on any lot will be calculated as 1.5 square foot of signage per 100 square feet of gross lease area.	2. The maximum total square footage of all signs on any lot will be calculated as 1.5 square foot of signage per 100 square feet of gross lease area.
Residential ¹	1. Permitted with no commercial message.	1. Permitted with no commercial message.	1. Permitted with no commercial message.
	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.

Sign Type	GCC-1	GCC-2	LM
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Incidental ²	1. Permitted with no commercial message.	1. Permitted with no commercial message.	1. Permitted with no commercial message.
	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.
	3. Maximum height is 4 feet.	3. Maximum height is 4 feet.	3. Maximum height is 4 feet.
	4. Maximum number is 4 per lot.	4. Maximum number is 4 per lot.	4. Maximum number is 4 per lot.
Monument	1. Permitted. Internal illumination is permitted.	1. Permitted. Internal illumination is permitted.	1. Permitted. Internal illumination is permitted.
	2. Maximum size is 50 square feet (A).	2. Maximum size is 50 square feet (A).	2. Maximum size is .0025 square feet for each square foot of building size with a maximum size of 150 square feet. Any business 20,000 square feet or less may have up to a 50 square foot sign (A).
	3. Maximum height is 15 feet (B).	3. Maximum height is 15 feet (B).	3. Maximum height is 1 foot for every 2 foot setback from edge of pavement with a 17 feet max. The maximum base height is 5 feet from the natural grade (B).
	4. Maximum number is one per lot.	4. Maximum number is one per lot.	4. Maximum number is one per lot.
Building Marker ³	1. Permitted.	1. Permitted.	1. Permitted.
	2. Maximum size is (6) square feet.	2. Maximum size is (6) square feet.	2. Maximum size is (6) square feet.
	3. Must be cut or etched into stone, masonry bronze or similar material.	3. Must be cut or etched into stone, masonry bronze or similar material.	3. Must be cut or etched into stone, masonry bronze or similar material.
	1. Permitted.	1. Permitted.	1. Permitted.
	2. Maximum size is 6 square feet or 25% of the surface area of the	2. Maximum size is 6 square feet or 25% of the surface area of the	2. Maximum size is 6 square feet or 25% of the surface area of the

Canopy/ Awning	canopy, whichever is less (A) . Sign is limited to valance face only.	canopy, whichever is less (A) . Sign is limited to valance face only.	canopy, whichever is less (A) . Sign is limited to valance face only.
	3. Shopfront width is maximum width allowed (B)	3. Shopfront width is maximum width allowed (B)	3. Shopfront width is maximum width allowed (B)
	4. 8' minimum clearance (C)	4. 8' minimum clearance (C)	4. 8' minimum clearance (C)
	5. Letter height minimum 5" and maximum 10" (D)	5. Letter height minimum 5" and maximum 10" (D)	5. Letter height minimum 5" and maximum 10" (D)
	3. The maximum number is one per business.	3. The maximum number is one per business.	3. The maximum number is one per business.

Sign Type	GCC-1	GCC-2	LM
Canopy (Cont.)	4. Maximum number of colors is one in addition to the canopy color.	4. Maximum number of colors is one in addition to the canopy color.	4. Maximum number of colors is one in addition to the canopy color.
Identification ⁴	1. Permitted.	1. Permitted.	1. Permitted.
	2. Only name and address permitted.	2. Only name and address permitted.	2. Only name and address permitted.
	3. Maximum size is to be 4 square feet.	3. Maximum size is to be 4 square feet.	3. Maximum size is to be 4 square feet.
Marquee ⁵	1. Permitted as secondary to primary sign.	1. Permitted as secondary to primary sign.	1. Permitted as secondary to primary sign.
	2. Electronic scrolling marquee are permitted with maximum letter height not to exceed 6".	2. Electronic scrolling marquee are permitted with maximum letter height not to exceed 6".	2. Electronic scrolling marquee are permitted with maximum letter height not to exceed 6".
Projecting ⁵	1. Permitted.	1. Permitted.	1. Permitted.
	2. Maximum size is 10 square feet (A) . Maximum length is 6 feet (B) . Maximum height is 4 feet (C) .	2. Maximum size is 10 square feet (A) . Maximum length is 6 feet (B) . Maximum height is 4 feet (C) .	2. Maximum size is 10 square feet (A) . Maximum length is 6 feet (B) . Maximum height is 4 feet (C) .
	3. Maximum number is one per business.	3. Maximum number is one per business.	3. Maximum number is one per business.

	4. Maximum <u>clearance height</u> is 8 ⁴ feet <u>(D)</u> . Maximum projection is 6 feet <u>(E)</u> .	4. Maximum clearance is 8 feet <u>(D)</u> . Maximum projection is 6 feet <u>(E)</u> .	4. Maximum clearance is 8 feet <u>(D)</u> . Maximum projection is 6 feet <u>(E)</u> .
Wall Sign	1. Permitted. Internal illumination prohibited.	1. Permitted. Internal illumination prohibited.	1. Permitted. Internal illumination prohibited.
	2. Maximum size is 1.5 square feet/lineal feet of building frontage <u>(A)</u> .	2. Maximum size is 1.5 square feet/lineal feet of building frontage <u>(A)</u> .	2. Maximum size is 1.5 square feet/lineal feet of building frontage <u>(A)</u> .
	3. Maximum width is 80% façade length <u>(B)</u> . Maximum height is 4 feet <u>(C)</u>	3. Maximum width is 80% façade length <u>(B)</u> . Maximum height is 4 feet <u>(C)</u>	3. Maximum width is 80% façade length <u>(B)</u> . Maximum height is 4 feet <u>(C)</u>
	4. 8' minimum clearance <u>(D)</u> and 7 inch maximum projection <u>(E)</u>	4. 8' minimum clearance <u>(D)</u> and 7 inch maximum projection <u>(E)</u>	4. 8' minimum clearance <u>(D)</u> and 7 inch maximum projection <u>(E)</u>
	5 ³ . Maximum number is one per building.	5 ³ . Maximum number is one per building.	5 ³ . Maximum number is one per building.

Sign Type	GCC-1	GCC-2	LM
Window Signs	1. Window signs are permitted in the first floor windows only.	1. Window signs are permitted in the first floor windows only.	1. Window signs are permitted in the first floor windows only.
	2. Window signs shall not exceed 25 ⁵⁰ % per individual of the window area <u>(A)</u> .	2. Window signs shall not exceed 25 ⁴⁰ % per individual of the window area <u>(A)</u> .	2. Window signs shall not exceed 25 ⁴⁰ % per individual of the window area <u>(A)</u> .
	3. Maximum length is 4 feet, maximum height is 4 feet	3. Maximum length is 4 feet, maximum height is 4 feet	3. Maximum length is 4 feet, maximum height is 4 feet
	4 ³ . Neon window signs, which advertise products sold by a business or services given, are not permitted.	4 ³ . Neon window signs, which advertise products sold by a business or services given, are not permitted.	4 ³ . Neon window signs, which advertise products sold by a business or services given, are not permitted.
Sidewalk Signs	1. Permitted.	1. Permitted with variance.	1. Permitted with variance.
	2. Maximum of 10 square feet per side.	2. Maximum of 10 square feet per side.	2. Maximum of 10 square feet per side.
Arm Signs	1. Arm signs shall not exceed eight (8) sq. ft.	1. Arm signs shall not exceed eight (8) sq. ft.	1. Arm signs shall not exceed eight (8) sq. ft.

	Maximum height shall not exceed six (6) feet. Bottom of sign panels should maintain a minimum three (3) feet clearance from grade.	Maximum height shall not exceed six (6) feet. Bottom of sign panels should maintain a minimum three (3) feet clearance from grade.	Maximum height shall not exceed six (6) feet. Bottom of sign panels should maintain a minimum three (3) feet clearance from grade.
	2. All arm signs shall be located a minimum of five (5) feet behind any right- of-way.	2. All arm signs shall be located a minimum of five (5) feet behind any right- of-way.	2. All arm signs shall be located a minimum of five (5) feet behind any right- of-way.
	3. A ten (10) foot side-yard setback shall be required if the side lot line abuts a residential district	3. A ten (10) foot side-yard setback shall be required if the side lot line abuts a residential district	3. A ten (10) foot side-yard setback shall be required if the side lot line abuts a residential district

Sign Type	SR-1	SR-2	OS & FP
General Provisions	1. The maximum number of colors in any sign is three.	1. The maximum number of colors in any sign is three.	1. The maximum number of colors in any sign is three.
	2. Unless otherwise stated in a specific district, neon signs shall not be permitted.	2. Unless otherwise stated in a specific district, neon signs shall not be permitted.	2. Unless otherwise stated in a specific district, neon signs shall not be permitted.
	3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted.	3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted.	3. Unless otherwise stated in a specific district, internal illumination of a sign is not permitted.
	4. The maximum total square footage of all signs on any lot is 6 square feet.	4. The maximum total square footage of all signs on any lot is 6 square feet.	4. The maximum total square footage of all signs on any lot is 6 square feet.
	5. Changeable copy signs are not permitted.	5. Changeable copy signs are not permitted.	5. Changeable copy signs are not permitted.
	6. Animated signs are not permitted.	6. Animated signs are not permitted.	6. Animated signs are not permitted.

Sign Type	SR-1	SR-2	OS & FP
Residential ¹	1. Permitted with no commercial message.	1. Permitted with no commercial message.	1. Permitted with no commercial message.
	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.

Incidental ²	1. Permitted with no commercial message.	1. Permitted with no commercial message.	1. Permitted with no commercial message.
	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.	2. Maximum size is 4 square feet.
	3. Maximum height is 4 feet.	3. Maximum height is 4 feet.	3. Maximum height is 4 feet.
	4. Maximum number is 4 per lot.	4. Maximum number is 4 per lot.	4. Maximum number is 4 per lot.
Monument	1. Not permitted.	1. Not permitted.	1. Not permitted.
Building Marker ³	1. Permitted.	1. Permitted.	1. Permitted.
	2. Maximum size is (6) square feet.	2. Maximum size is (6) square feet.	2. Maximum size is (6) square feet.
	3. Must be cut or etched into stone, masonry bronze or similar material.	3. Must be cut or etched into stone, masonry bronze or similar material.	3. Must be cut or etched into stone, masonry bronze or similar material.
Canopy/ Awning	1. Not permitted.	1. Not permitted.	1. Not permitted.
Identification ⁴	1. Permitted.	1. Permitted.	1. Permitted.
	2. Only name and address permitted.	2. Only name and address permitted.	2. Only name and address permitted.
	3. Maximum size is to be (4) square feet.	3. Maximum size is to be (4) square feet.	3. Maximum size is to be (4) square feet.
Marquee ⁵	1. Not permitted.	1. Not permitted.	1. Not permitted.
Projecting	1. Not permitted.	1. Not permitted.	1. Not permitted.
Wall Sign	1. Not permitted.	1. Not permitted.	1. Not permitted.
Window Signs	1. Not permitted.	1. Not permitted.	1. Not permitted.
Sidewalk Signs	1. Not permitted.	1. Not permitted.	1. Not permitted.
Deviations	1. Not permitted.	1. Not permitted.	1. Not permitted.

NOTES:

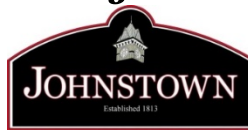
1. No commercial message allowed on sign, except for a commercial message drawing attention to an activity legally offered on the premises.
2. No commercial message of any kind allowed on sign if such message is legible from any location off the lot on which the sign is located.
3. May include only building name, date of construct, historic data on historic site; must be cut or etched into masonry, bronze or similar material.
4. Only address and name of occupant allowed on sign.
5. If such sign is suspended or projects are above a public right of way; the issuance and continuation of a sign permit shall be condition on the sign owner obtaining and maintaining in force liability insurance for such a sign in such amount as the [VillageCity](#)

Council may reasonably from time to time determine, provided that the amount of such liability insurance shall be at least \$500,000 per occurrence per sign.

1177.99 VIOLATIONS.

Any of the following shall be a violation of this chapter and shall be subject to the enforcement remedies and penalties provided by this chapter, the Zoning Ordinance and by State law:

- a) To install, create, erect, or maintain any sign in a way that is inconsistent with any plan or permit governing such sign or the lot on which the sign is located.
- b) To install, create, construct, or maintain any sign requiring a permit without such permit.
- c) To fail to remove any sign that is installed, created, erected, or maintained in violation of this chapter, or for which the sign permit has lapsed.
- d) Each day of continued violation shall be considered a separate violation when applying the penalty portions of this chapter.
- e) Where signs are not in keeping with the provisions of this chapter, signs may be removed at any time as deemed by the [VillageCity](#).
- f) Whoever violates any provision of this chapter shall be guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00). Each day that such violation continues shall constitute a separate offense.



AN ORDINANCE ESTABLISHING A SPECIAL USE DISTRICT IN THE CITY OF JOHNSTOWN AND APPROVING ASSOCITED SECTION 1170 OF THE CITY OF JOHNSTOWN CODIFIED ORDINANCES

WHEREAS, The City of Johnstown wishes to establish a special use district for government and public uses within the City; and

WHEREAS, Section 1170 of the City of Johnstown Codified Ordinances (the “Codified Ordinances”) will govern the Special Use (SU) district in the City of Johnstown; and

WHEREAS, the Special Use district will regulate the location and standards for such uses and structures, such as school buildings, government buildings, and public parks; and

WHEREAS, On June 14, 2022, by a 5-0 vote, the Planning and Zoning Commission recommended for City Council consideration the establishment of a Special Use district and Section 1170 of the Codified Ordinances; and

WHEREAS, after review of all uses, the Council of the City of Johnstown desires to establish a Special Use district and create Section 1170 to govern said district.

NOW THEREFORE, be it ordained by the Council of the CITY OF JOHNSTOWN, Licking County, Ohio as follows:

Section 1. That Section 1170 is established; as shown attached to this ordinance,

Section 2. It is found and determined that all formal actions of this City Council concerning and relating to the recommendation of adoption of this Ordinance were approved in an open meeting of this City Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the City OF JOHNSTOWN.

Date of Introduction: June 21, 2022

Public Hearing/Vote: July 5, 2022

Effective:

By: _____

Chip Dutcher, Mayor

ATTEST TO:

APPROVED AS TO FORM:

Teresa Monroe, Clerk of Council

Yazan S. Ashrawi, Law Director

CHAPTER 1170 Special Use SU District

1170.01 Purpose

“*Special use*” as used throughout this Ordinance, means facilities classified as main and accessory uses as listed in Section 1170.02. The SU District and regulations are established to regulate the location and standards for such uses and structures so as to ensure their proper functioning in consideration of traffic, access, and general compatibility adjacent areas

1170.02 Permitted Uses

Buildings and land within the SU District shall be utilized only for one (1) of the uses set forth in the following schedule:

MAIN BUILDINGS / USES

Institutional and/or Educational:

Government and public buildings, police/fire/EMS stations and buildings, public parks, museums, preschools, primary and secondary public, private or parochial schools.

Public Owned Cemeteries:

ACCESSORY BUILDINGS / USES

Parking areas, playgrounds, signs

Signs, maintenance facilities

1170.03 Development Standards

The area or parcel of land for a special use shall not be less than that required to adequately provide for the main building, accessory buildings and uses, off-street parking, setbacks, yards and open spaces to accommodate the facility and maintain the character of the neighborhood. Development plans must reference Chapter 1183 Landscaping and provide a minimum of 25% open space. The suitability of the area or parcel of land for a specified conditional special use shall be approved by the Planning and Zoning Commission through review of the Development Plan, pursuant to Section 1170.05 below.

1170.04 Yard Regulations

A. Front Yards

The front yard setback shall be not less than the largest required front yard setback for any adjacent zoning district.

B. Side and Rear Yards

The yards for each building or structure in the SU District shall be specified in the required Development Plan. If the proposed special use is located adjacent to a non-residential zoning district, then the side and rear yards shall be not less than the largest yard required in that district. If side or rear yards are adjacent to a district where single-family residential uses are a permitted use, the side and rear yards shall be not less than seventy-five (75) feet.

1170.05 Approval by Planning and Zoning Commission

A Development Plan shall be submitted for land proposed to be zoned into the SU District. Such Development Plan shall include all the information and material required pursuant to Section 1127 of this Ordinance. In making its recommendation to the City Council on the proposed placement of land into the SU District, the Planning and Zoning Commission may propose modification to the Development Plan as submitted.

1170.06 Conformity with Development Plan

The construction of all buildings and development of the site within the SU District shall be in conformity and compliance with the Development Plan as approved by the Planning and Zoning Commission and City Council. Any subsequent environmental change or change in use on the property shall require an amendment to the Development Plan and approval by the Planning and Zoning Commission.

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