AGENDA
PIQUA CITY COMMISSION
WORKSESSION
THURSDAY, SEPTEMBER 13, 2012
7:30 P.M. – COMMISSION CHAMBER – 2nd FLOOR
201 WEST WATER STREET
PIQUA, OHIO 45356

CALL TO ORDER

ROLL CALL

CITY COMMISSION WORKSESSION

1. Detached Sign Regulations (Attachments in packet)
2. Code Enforcement (Presentation)
3. US 36 Corridor Beautification Project (Presentation)
4. Adjournment

City Commission - Work Session
Information Packet

MEETING DATE	September 13, 2012
TOPIC	Paul Sherry High Rise Pole Sign
SUBMITTED BY	Chris Schmiesing, City Planner
	Development Department
BACKGROUND	Paul Sherry RV Inc., Paul Sherry Jeep Chrysler Dodge Inc., and the used car lot located between the two, are three separate businesses/uses occupying three separate tracts, or lots. Each of the business occupies multiple parcels, all of which are owned by Shertel Company Inc. The Piqua zoning code, like many zoning codes, treats a sign as an accessory use of a lot. For the accessory use to be permissible it must be incidental and subordinate to a principal use of the same lot. While the subject sign is accessory to the RV dealership (it is located on the same lot), it is not accessory to the Jeep Chrysler Dodge vehicle sales use (the sign and the dealership are located on a different lots). Because the sign advertises for the Jeep Chrysler Dodge vehicle sales lot it is defined as being an off-premise sign. An off-premises permanent detached sign is not a permitted use in the Piqua zoning code. In addition, when a permanent off-premise sign has a display area that is larger than the display area allowed for a permissible detached sign type it is defined as being a billboard. In this case the existing sign display area is 6 times larger than the permissible display area, and the display area of the proposed sign is 3 times larger than the permissible display area. Therefore, the existing sign structure, and the proposed sign structure, is a billboard. The Piqua zoning code prohibits billboards. Since the adoption of the sign code updates in 2007 the subject sign structure has existed as a nonconforming use of the premises. As is typical with many sign codes, there are provisions in the Piqua zoning code that require a nonconforming sign to be brought into conformance with the current standards whenever the existing sign structure is to be altered or rebuilt. The purpose of this provision is quite simple – to, over time, bring signs that fail to conform to the adopted community standards into conformance. The current adopted standards do include provisions to allow a high rise pole sign up to 80 feet in height with a display area up to 200 square feet when the sign is located on the same lot as the use to which the sign is accessory, and when the lot is located within 1,500 feet of the centerline of Interstate 75. The proposed Paul Sherry sign alterations, as presented, do not conform to the referenced standards.
ATTACHMENTS	Jim Sherry email communication received 8/20/2012 Zoning code sections 154.096 Definitions (Billboard and Off-Premises), 154.099 Prohibited Signs; 154.101 Permanent; Detached Signs, and 154.106 Nonconforming Signs and Structures

From: Jim Sherry [mailto:jim.sherry@sherrychrysler.com]
Sent: Tuesday, August 28, 2012 12:24 PM
To: John Martin; Bill Vogt; Joe Wilson; Judy Terry; Lucy Fess; Gary Huff; Bill Murphy; Bill Lutz; Amy Havenar; Stacy Wall; Chris Schmiesing; Kathy@kathyhenneteam.com; k.sherman@piquaareachamber.com; Cynthia A. Holtzapple; hanesr@piqua.org
Subject: Paul Sherry Sign See attachments

To whom it may concern,

Paul Sherry Chrysler Dodge Jeep Ram & RVs has been locally owned and operated since the beginning of its existence. Starting in 1968, the Sherry family has consistently supported the city of Piqua and our residents, not only with tax dollars and payroll, but also by contributing to a number of local organizations including youth sports programs, Piqua High School, the Piqua Chamber of Commerce, and many more!

The June 29 windstorm severely damaged both public and private property in Piqua and the surrounding area. Paul Sherry Chrysler Dodge Jeep Ram & RV was no exception. Among the many assets that were damaged was our renowned I-75 sign. As most local residents have noticed our sign has been dysfunctional for some time now. But after the June 29 windstorm we have been presented with the opportunity to resurrect our I-75 presence by erecting new state of the art signage. This will attract new business from outside Piqua, which will filter more revenue to local businesses and thus enhancing all.

The current condition of the sign suggests that Paul Sherry is suffering or no longer in business. We have heard many customer comments such as "your I-75 sign is not reflective of how well your business is operating," or worse "I thought Paul Sherry went out of business." As any business owner will tell you, these comments and mindsets are a difficult hurdle to jump.

The proposed I-75 sign consists of a smaller, more concise display than the current Paul Sherry I-75 sign, and will help Paul Sherry achieve long term success. The current damaged Paul Sherry sign is 1260 sq ft, the new proposed Paul Sherry sign is less than half the area at 601 sq ft (see attached photos and dimensions). However, the City of Piqua zoning code states that this billboard sign is a prohibited sign type, and has ordered a "cease and desist" on the rebuilding of the sign. On Thursday, September 13, 2012 we are attending a work session to request an appeal, and we are asking for support from the Piqua community.

Looking forward, Paul Sherry has been gaining momentum in the both the car and RV industry, with no plans of slowing down. It's important to know that our success is not ours alone, but shared with the entire community. We are currently pursuing the hire of Piqua residents for a variety of tasks that recent success has provided us with. The proposed sign will assist in the addition of new local jobs and help secure the jobs of current Piqua residents.

We look forward to the opportunity to show our city of the positive impact we can have, and we appreciate all support for our cause from the Piqua community. The new I-75 sign will add to our pride, enthusiasm, and commitment to our business and community.

Respectfully,

The Sherry Family
Paul Sherry Employees

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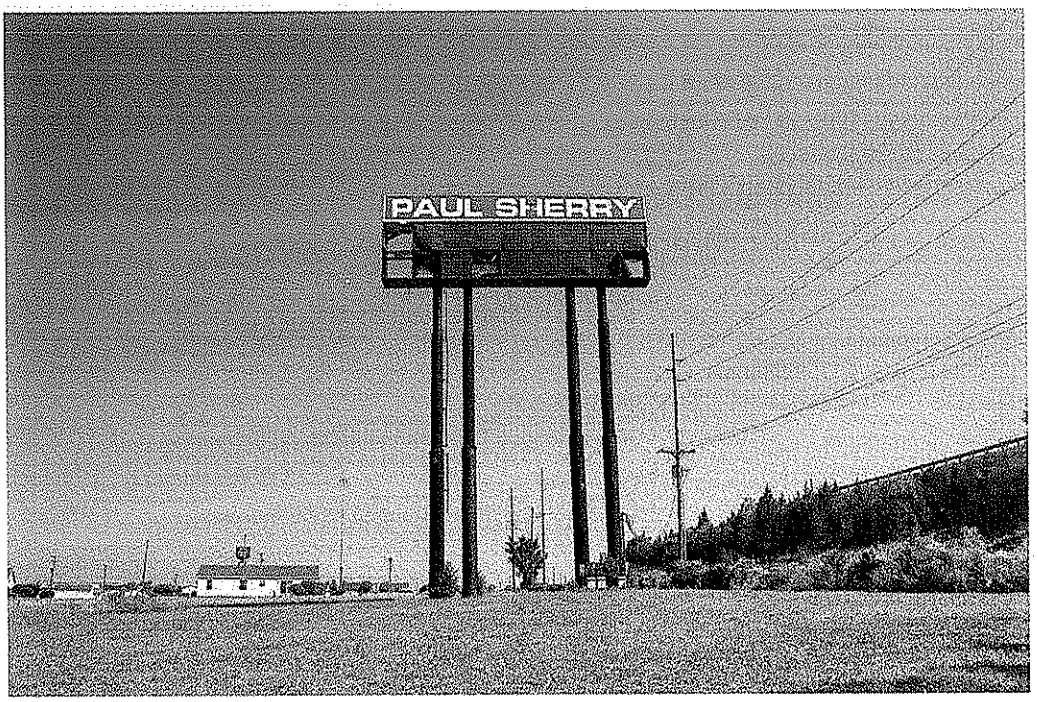

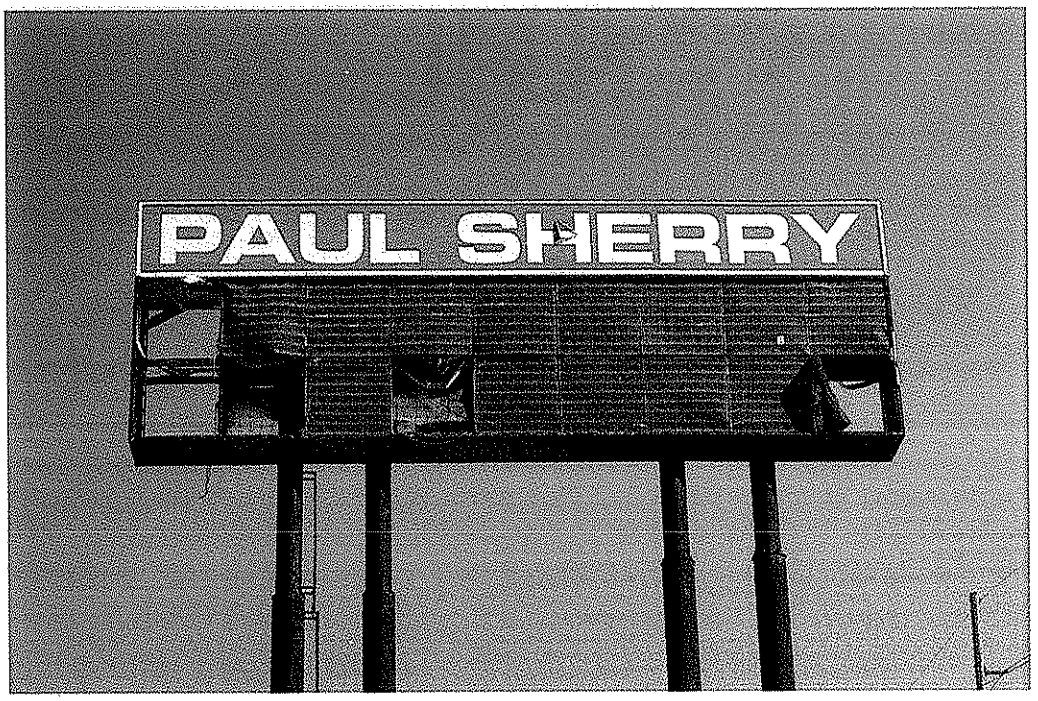

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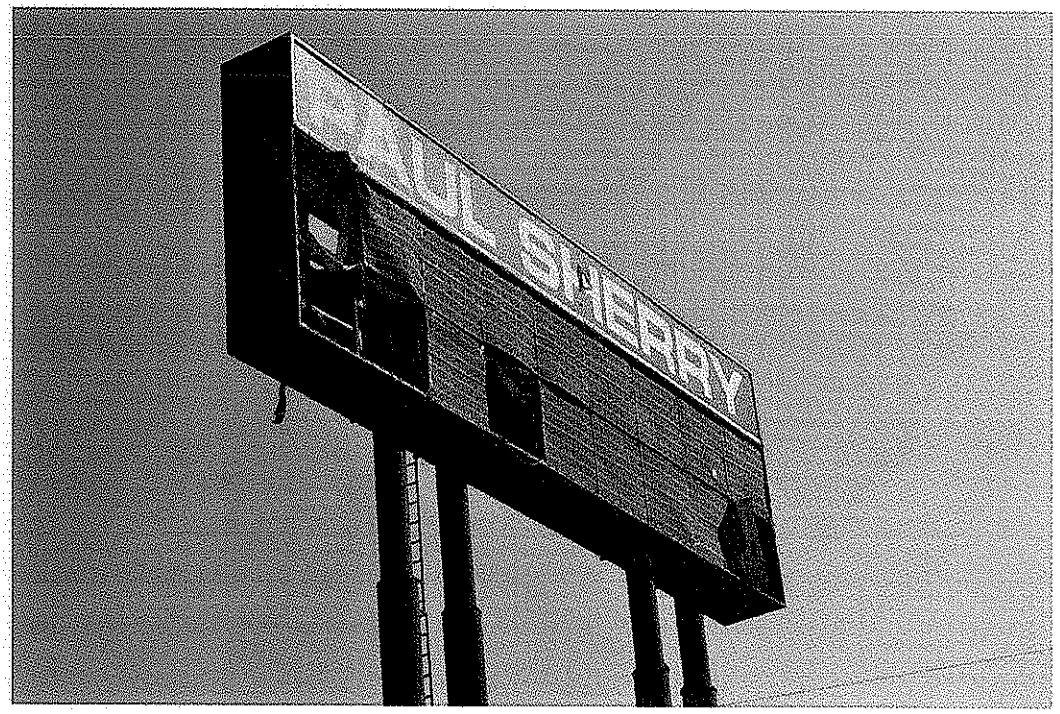

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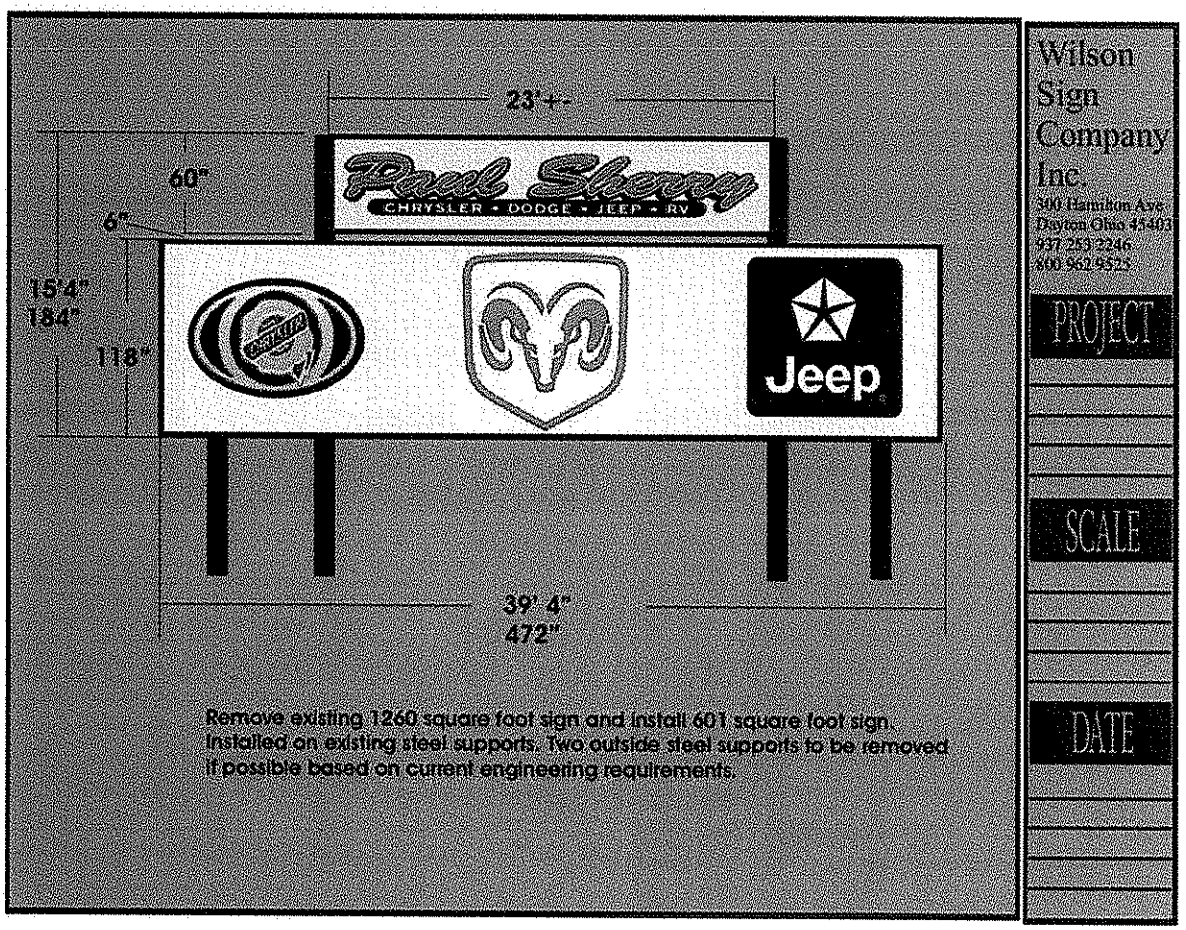

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CITY OF PIQUA, OHIO - CODE OF ORDINANCES

§ 154.096 DEFINITIONS AND EXHIBITS.

BILLBOARD. An off-premise sign with a display area larger than the display area allowed for an off-premise sign listed as an authorized accessory use in a particular use group.

OFF-PREMISE SIGN. A sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages not appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

ON-PREMISE SIGN. A sign erected, maintained or used in the outdoor environment for the purpose of the display of commercial or noncommercial messages appurtenant to the use of, products sold on, or the sale or lease of, the property on which it is displayed.

§ 154.099 PROHIBITED SIGNS.

The following signs shall be prohibited unless specifically authorized by the provisions stated in §§ 154.099 through 154.103:

(A) Abandoned sign.

(B) Aerial sign.

(C) Animated sign.

(D) Bench sign.

(E) Billboard.

(F) Flashing sign.

(G) Illegal sign.

(H) Obscene sign.

(I) Obsolete sign.

(J) Portable sign.

(K) Roof sign.

(L) Trailer sign.

(M) Vehicle sign.

CITY OF PIQUA, OHIO - CODE OF ORDINANCES

§ 154.101 PERMANENT; DETACHED SIGNS.

(A) *Intent*. The intent of this section is to recognize the rights of an individual to display noncommercial messages protected by the First Amendment, to recognize the individual or entity who desires to display a permanent commercial message in conjunction with a permitted land use, and to provide the time, place, and manner limitations allowing certain detached sign types for this purpose. It is further intended to recognize the negative affect oversized and misplaced permanent signs can have on the attractiveness of a community, including the deterioration of the natural environment, the clutter freestanding signs contribute to the landscape, the distractions and obstructions this sign type may cause to motorist, and the hazards that the aforementioned concerns may cause. Thus, this section is intended to establish regulations that allow permanent detached signs without their becoming a nuisance to the community.

(B) *Permitted permanent detached sign types*. Any of the detached sign types indicated, with a message type the same as the message type heading under which the sign type is listed, shall be permitted as an accessory use to a lawfully established principal, special or nonconforming use conducted on the premise, subject to the limitations included in this code.

(1) *Noncommercial message*.

(a) *On-premise*.

1. Canopy sign.

2. Ground sign.

3. Monument sign.

4. Pole sign.

(2) *Commercial message*.

(a) *On-premise*.

1. Canopy (freestanding) sign.

2. Ground sign.

3. Monument sign.

4. Pole sign.

(b) *Off/on-premise*.

1. Ground sign.

2. Monument sign.

CITY OF PIQUA, OHIO - CODE OF ORDINANCES

(C) *Height, area, and setback regulations.*

(1) General requirements for primary permanent detached signs.

Sign Type	Maximum Height	Maximum Sign Area	Minimum Lot Area	Minimum Setback from Front Lot Line	Minimum Setback from Side and Rear Lot Lines
Canopy (detached) sign	20 feet	1 sq. foot per lineal foot of the width of the canopy face to which the sign will be attached, not to exceed 50 sq. feet	N/A	10 feet	5 feet
Ground sign; monument sign	8 feet	25 sq. feet	< 1 acre	2 feet	5 feet
Ground sign; monument sign	12 feet	50 sq. feet	1 acre or more	10 feet	5 feet
Pole sign	8 feet	25 sq. feet	< 1 acre	2 feet	5 feet
Pole sign	20 feet	50 sq. feet	1 acre or more	10 feet	5 feet

(2) General requirements for primary secondary permanent detached signs.

Sign Type	Maximum Height	Maximum Sign Area	Minimum Lot Area	Minimum Setback from Front Lot Line	Minimum Setback from Side and Rear Lot Lines
Ground sign; monument sign; pole sign	4 feet	6 sq. feet	N/A	2 feet	5 feet

(D) *Other regulations.*

(1) *Location.*

(a) Primary and secondary permanent detached signs shall be permitted in any yard fronting a street, or a parking lot, drive through lane, or service drive on the same lot, subject to the general requirements

established by this section of the code and provided the sign face is oriented towards the same street, parking lot, drive through lane, or service drive to which it is adjacent.

(b) Primary and secondary permanent detached signs shall be accessible by maintenance vehicles from the lot occupied by the use to which the sign is accessory.

(2) *Number of signs.*

(a) The maximum allowable number of primary permanent detached signs shall be as follows:

1. Each lot shall be permitted one ground sign or monument sign per street frontage contiguous to the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided no other primary detached sign type as described by § 154.101(D)(2)(a)(2), exist on the same lot.

2. Each lot shall be permitted one pole sign per lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided no other primary detached sign type as described by § 154.101(D)(2)(a)(1), exist on the same lot.

3. Each lot with multiple business establishments shall be permitted to utilize each ground sign, monument sign, or pole sign permitted in accordance with § 154.101(D)(2)(a)(1) or (2), as a joint identification sign, and may increase the total sign area by 10 square feet for each primary message added to the sign, provided no sign area shall exceed 100 square feet.

4. Each lot shall be permitted one canopy (detached) sign per street frontage contiguous to the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory.

5. In addition to, but not in lieu of, the permanent detached sign allowance provided by § 154.101(D)(2)(a)(1) and (2) of this code, each lot within 1,500 feet of the centerline of Interstate 75 shall be permitted one pole sign per lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided the sign face area does not exceed 200 square feet, the sign height does not exceed 80 feet, and the minimum setback to all lot lines is 20 feet. This sign may be used as a joint identification sign.

6. Each lot shall be permitted two ground signs or monuments signs for each drive through lane located on the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory, provided the sign face area of each sign does not exceed 32 square feet and the height of the signs do not exceed eight feet.

7. Each subdivision shall be permitted two ground signs or monument signs per entrance street to the subdivision, provided the signs are located on a lot contiguous to the lot or lots occupied by the subdivision to which the sign is accessory, and provided no other primary detached sign type exist on the same lot.

8. When a structure or business location to be advertised for sale or lease or rental has an obsolete detached sign on the same lot as and accessory to the structure or business for sale or lease or rental, one

obsolete detached sign shall be permitted to be used to advertise the business for sale or lease or rental, and no temporary off/on-premise commercial message sign shall be permitted for this purpose.

(b) The maximum allowable number of secondary permanent detached signs shall be as follows:

1. Each lot shall be permitted one ground sign, monument sign, or pole sign for each drive opening from a street frontage, service drive, or parking lot facility located on the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory.

2. Each lot shall be permitted two ground signs, monument signs, or pole signs per drive through lane located on the lot or lots occupied by the same principal, special, or nonconforming use to which the sign is accessory.

(3) *Landscaping*. Each freestanding sign permitted, shall be effectively landscaped with living plant material to be maintained in good condition at all times. The minimum landscaped area shall include the base of all freestanding signs, and extend in all directions at least three feet beyond all sign faces and supporting structures. Exposed foundations and pole supports must be constructed or encased with a finished material such as brick, stone, or wood, or be screened with evergreen plantings.

§ 154.106 NONCONFORMING SIGNS AND STRUCTURES.

(A) *Illegal and nonconforming signs.*

(1) *Illegal signs*. All illegal signs shall be removed in accordance with this section. The enforcing officer or designee shall issue an order for the sign to be removed. If any illegal sign has not been removed after 30 days following the issuance of an order, the city shall cause the sign to be removed and the cost of such removal shall be assessed to the property owner's tax records.

(2) *Nonconforming signs*. All signs that do not conform to the standards of this subchapter shall be brought into conformity under any of the following conditions:

(a) Upon any change in the use of the property for which such property was intended at the time this subchapter became effective.

(b) Upon the discontinuance of the present use of the property for a period of more than six months.

(c) Upon any alterations to the existing sign structure, including altering, rebuilding, enlarging, extending, or relocating. The repainting or re-facing of existing nonconforming signs shall not be considered an alteration as long as the re-facing complies with the general regulations section of this code.

(d) Except as otherwise specifically provided, nothing in this subchapter shall require the removal or discontinuance of an existing nonconforming permanent sign which is attached to the property and not altered, rebuilt, enlarged, extended, or relocated.