



Legislation Details (With Text)

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On agenda: 12/13/2021 **Final action:** 12/16/2021

Title: To amend Columbus City Codes Section 3303.16 in order to reaffirm the definition of a “Produce Stand” originally contained in Ordinance Number 1029-2021.

Sponsors: Priscilla Tyson

Indexes:

Code sections:

Attachments:

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|-------------------------|--------|
| 12/16/2021 | 1 | CITY CLERK | Attest | |
| 12/14/2021 | 1 | MAYOR | Signed | |
| 12/13/2021 | 1 | COUNCIL PRESIDENT | Signed | |
| 12/13/2021 | 1 | Columbus City Council | Approved | Pass |
| 12/6/2021 | 1 | Columbus City Council | Read for the First Time | |

BACKGROUND:

This ordinance reaffirms the definition of “Produce Stand” in City Codes Section 3303.16, which was amended by 1029-2021 in May of this year. Ordinance number 2019-2021, which was recently passed, inadvertently removed the definition of Produce Stand. No new or further code modifications are contained in this ordinance.

FISCAL IMPACT:

No funding is required for this legislation.

To amend Columbus City Codes Section 3303.16 in order to reaffirm the definition of a “Produce Stand” originally contained in Ordinance Number 1029-2021.

WHEREAS, it is necessary to reaffirm the definition of “Produce Stand” in City Codes Section 3303.16, which was amended by Ordinance Number 1029-2021 in May of this year; and

WHEREAS, ordinance number 2019-2021 inadvertently removed the definition of Produce Stand from City Code Section 3303.16; and

WHEREAS, it has become necessary in the usual daily operation of the Department of Building and Zoning Services to reaffirm the previous code change which had already been reviewed and passed as part of Ordinance 1029-2021; **NOW, THEREFORE**,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS

SECTION 1. That existing Section 3303.16 of the Columbus City Codes is hereby amended to read as follows:

3303.16 Letter P.

"Panel antenna" means the combination of a rectangular panel not to exceed two feet wide by six feet tall by six inches deep and any associated support structure used to facilitate wireless radio and telecommunication transmissions. This definition excludes lattice, guyed, dish or erector-style antennas.

"Parking space" means a rectangular area, exclusive of any driveway or other circulation area, accessible from a street, alley, or maneuvering area and designed for parking a motor vehicle.

"Parking lot" means any off-street area or facility which meets one of the following conditions:

1. Contains one or more parking, loading or stacking space for commercial, institutional or industrial use; or
2. Contains five or more parking spaces for any residential use.

"Pennant" means a flag or banner that is triangular in shape. (See "Banner," "Flag" and "String of pennants.")

Permanent Sign. See "Sign."

"Person" means, without limitation, a natural person, ~~his~~ the person's heirs beneficiaries, executors, administrators, or assigns, and also includes a corporation, partnership, an unincorporated society or association, or any other type of business or association, including respective successors or assigns, recognized now or in the future under the laws of the state or the city.

"Personal assistance" means supervision as required and services including help in walking, bathing, dressing, feeding, or getting in and out of bed.

"Pickup unit" means a building or portion thereof that, by design, permits customers to receive goods or services while remaining in a motor vehicle.

"Pitch" means the slope of a roof expressed in feet as a ratio of vertical rise to horizontal run.

"Pole cover" means a decorative enclosure that covers the structural support of a sign.

"Porch" means a roofed platform projecting from a building at an entrance and is separated from the building by the walls of the building, and is partially supported by piers, posts or columns. A porch may be open, enclosed or partially enclosed.

"Open porch" means a porch which is unenclosed (except possibly for screens) by anything higher than 36 inches above the floor except for the roof and roof supports.

"Portable building" means any building or vehicle designed with running gear permanently attached for transportation on the public streets and highways under its own power or towed behind another vehicle, arriving at the site, substantially ready for use, whether for residential, office, commercial or manufacturing use. Removal of packing and baffles; interconnection of two or more buildings or vehicles; and connection of or to utilities shall not be considered in determining whether a portable building is substantially ready for use. The towing hitch, wheels, axles, and other running gear may not be removed from a portable building preventing it from being portable.

Portable Sign. See "Sign."

"Portable storage container" means a non-permanent, non-habitable, self-contained structure of less than 169 square feet in size and eight feet in height designed for temporary placement on and subsequent removal from a parcel for the purpose of facilitating off-site storage.

"Premises" means land together with the buildings and structures thereon.

"Primary building frontage" means a building frontage that abuts a street listed as a primary street in the applicable overlay areas.

"Principal building" means a building in which the principal use of the property is conducted. All parcels containing at least one building shall be deemed to have a principal building.

"Private access" means driveway as defined and regulated in the parking chapter hereof.

"Private club" means a building and accessory facilities owned and operated by an association, a corporation, or a group of individuals established for the cultural, educational, ~~fraternal~~, recreational, or social enrichment of its members and not primarily for profit, and whose members pay dues and meet certain prescribed qualifications for membership.

"Private garage" means a building or portion of a building for the housing of motor vehicles as an accessory use permitted in a residential district or an apartment district and in which no service, work, trade, occupation, or business is carried on connected in any way with a motor vehicle as defined by Ohio Revised Code Section 4511.01.

"Private residence" means a place of usual or customary abode.

"Private roadway" means a privately owned and maintained strip of land designed, improved, and intended to be used for vehicular traffic.

"Produce Stand" means a stand that is an open and non-enclosed structure that is not a building and does not exceed 120

square feet in gross floor area for the display, sale, and/ or pickup of fresh, unprocessed vegetables or produce (as defined by Chapter 3717 of the Ohio Revised Code), flowers, orchard products, or ornamental crops. The stand shall not employ the use of appliances or mechanical refrigeration.

Projecting Sign. See "Sign."

Projector Graphic. See "Graphic."

Property Frontage. See "Frontage."

Property Owner. See "Owner."

"Public garage" means any building or portion of a building other than a private garage, for the housing of commercial or noncommercial motor vehicles.

"Public notice" of a hearing or proceedings means ten days notice of the time and place thereof printed (see "printed" in 101.03 Interpretation) in The City Bulletin.

"Public nuisance" means any structure which is permitted to be or remain in any of the following conditions:

(A) In a dilapidated, decayed, unsafe or unsanitary condition detrimental to the public health, safety, and welfare, or well being of the surrounding area; or

(B) A fire hazard; or

(C) Any vacant building that is not secured and maintained in compliance with Chapter 4513; or

(D) Land, real estate, houses, buildings, residences, apartments, or premises of any kind which are used in violation of any division of Section 2925.13, Ohio Revised Code.

"Public nuisance" also means any structure or real property which is not in compliance with any building, housing, zoning, fire, safety, air pollution, health or sanitation ordinance of the Columbus City Code or Columbus City Health Code, or any real property upon which its real property taxes have remained unpaid in excess of one year from date of assessment.

"Public police station" means all government police uses including but not limited to police stations and substations; police headquarters; community policing centers; police heliports; police administrative offices; and police academies.

"Public service announcement" means a temporary graphic display for the purpose of informing the public about events or activities involving the arts, or involving community service or not-for-profit organizations.

"Public-private setback zone" means an area between a principal building and a public street utilized for seating, outdoor dining, public art and/or other pedestrian amenities.

Public Sign. See "Public graphic" and "Sign."

"Public way" means an alley, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, lane, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk or other way in which a public entity has a proprietary right, or which is dedicated whether or not it has been improved.

SECTION 2. That the prior existing section 3303.16 of the Columbus City Codes is hereby repealed.

SECTION 3. That this ordinance shall take effect and be in force from and after the earliest period provided by law.