



**SERVICE COMMITTEE - MEL CLEMENS
MONDAY JULY 25, 2016**

**COMMITTEE MEETING: IMMEDIATELY FOLLOWING THE COM DEV
COMMITTEE MEETING**

**PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDSBURG, OH 43068**

President: DOUG JOSEPH

Ward Members: Ward I – Stephen M. Cicak
Ward II – Brett Luzader
Ward III – Marshall Spalding
Ward IV - Mel Clemens

At Large Members: Barth R. Cotner
Chris Long
Dan Skinner, Esq.

COMMITTEES:

Community Development: Chmn Skinner, Spalding, Cicak, Luzader
Safety: Chmn Long, Cicak, Luzader, Spalding
Service: Chmn Clemens, Luzader, Spalding, Cicak
Finance: Chmn Cotner, Long, Clemens, Skinner

* * * * *

Agenda is subject to amendment by Committee/Council at the time of the meeting.

All meetings of the Council shall be held in accordance with the general laws of Ohio pertaining to requirements for open meetings of public bodies.

If you wish to speak before City Council concerning a specific topic on the agenda, or about a specific topic not on the agenda, please complete a “Speaker Form” and give to the Clerk of Council. Forms are located in the wooden box on one of the bench seats in the atrium. Copies of the Rules of Discussion are available next to the wooden box.

*April Beggerow
Clerk of Council*

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes
 - a. Service Committee – Committee Meeting – July 11, 2016
4. Discussion
 - a. Ordinance Accepting an Unrecorded Deed of Easement (.525 Acre Water Easement) from the Reynoldsburg Center Limited Partnership
 - b. ORDINANCE ACCEPTING a RECORDED DEED OF EASEMENT (1.218 Acre Drainage Easement) FROM THE INN AT SUMMIT TRAIL. (First Reading 7/25/2016)
 - c. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1145 Special Exceptions. (Second Reading 7/25/2016).
 - d. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1196.09 Lighting of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1182 Exterior Lighting. (Second Reading 7/25/2016).
 - e. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Chapter 1171 General Requirements; Section 1180.12 Screening and Landscaping for Service Structures of Chapter 1180 Landscaping and Buffering Standards. (Second Reading 7/25/2016).
 - f. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1103.10 Certificate Required of Chapter 1103 Design Review Board; Chapter 1135 Title; Purpose; Interpretation; Chapter 1143 Zoning Certificate; Site Plan; Plot-Grade-Utility Plan; AND Chapter 1151 Amendments; AND Enacting Chapter 1177 Limited Overlay. (Second Reading 7/25/2016).
 - g. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1161.04 Commercial Districts of Chapter 1161 Zoning Districts; Section 1196.03 Overlay Areas of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1184 Planned Commercial Development. (Second Reading 7/25/2016).

- h. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1123.01 Improvements to be Paid for by Subdivider of Chapter 1123 Required Improvements; Chapter 1131 Definitions; Section 1161.03 Residential Districts of Chapter 1161 Zoning Districts; Chapter 1183 "PD" Planned Development District; AND Chapter 1187 Special Provisions for R-20 Townhouse District. (Second Reading 7/25/2016).
- i. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Section 1193.12 GRAPHICS of Chapter 1193 "HD" Historic Overlay District; Section 1196.11 GRAPHICS of Chapter 1196 Community Commercial Overlay; Repealing Chapter 1181 Signs; and Enacting Chapter 1181 Signs and Graphics. (Second Reading 7/25/2016).

CITY OF REYNOLDSBURG

SERVICE COMMITTEE - MEL CLEMENS **MONDAY JULY 11, 2016**

COMMITTEE MEETING: IMMEDIATELY FOLLOWING THE PREVIOUS **MEETING**

PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDSBURG, OH 43068

1. Call to Order

PRESENT: Clemens, Cicak, Luzader, Spalding
 ABSENT:

2. Approval of Agenda

Agenda stands approved.

3. Approval of Minutes

a. Service Committee – Committee Meeting – June 20, 2016

Minutes stand approved.

4. Discussion

a. Liquor Permit Request: Global Partners of Ohio 7616 LLC

Chief O'Neill: This is in regards to Global Partners of Ohio who operate the mini mart at the Valero Station at Main and Waggoner. Officer Bock did the investigation on this one. They're not changing the way they do business, the permit is C1 and C2 which is beer and wine in sealed containers. We went back and looked and we don't have any issues with this particular location or this particular ownership. He's got nothing in his criminal history that would indicate a problem and we don't have any recommendation for appealing this application.

Mr. Clemens: We'll just let it stand as it is?

Chief O'Neill: Yes.

Mr. Clemens: Are there any questions? Liquor Permit stands as it is.

b. ORDINANCE ACCEPTING a RECORDED DEED OF EASEMENT (1.218 Acre Drainage Easement) FROM THE INN AT SUMMIT TRAIL

Mr. Clemens: I understand there's a possible change being checked into?

Minutes Acceptance: Minutes of Jul 11, 2016 8:10 PM (Approval of Minutes)

Mr. Luzader: Yes, thank you Chairman Clemens. I had a discussion with the City Attorney, there's just a minor question that I had and he's going to check on it tomorrow and get back with me as soon as possible.

Mr. Clemens: Are there any other questions pertaining to this easement?

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
MOVER:	Mel Clemens, Ward IV	
SECONDER:	Stephen Cicak	
AYES:	Clemens, Cicak, Luzader, Spalding	

Water and Wastewater Department**Mike Root****614-322-4500 Phone****ORDINANCE REQUEST**

DATE: **July 25, 2016**

TO: **Service Committee**

RE: **ORDINANCE ACCEPTING AN UNRECORDED DEED OF
EASEMENT (.525 ACRE WATER EASEMENT) FROM THE
REYNOLDSBURG CENTER LIMITED PARTNERSHIP**

This easement is for a new watermain replacement for the Briarcliff/Aida Watermain Replacement Project.



ARSHOT
INVESTMENT
CORPORATION

107 South High Street • Third Floor • Columbus, Ohio 43215 • (614) 463-9730 • Fax (614) 463-1896

William J. Schottenstein
Thomas H. Schottenstein
Principals

June 30, 2016

Mr. Dan Havener
Development Director
City of Reynoldsburg
7232 E. Main St.
Reynoldsburg, OH 43068

Re: Reynoldsburg Center – Waterline Easement

Dear Dan,

Pursuant to your request, enclosed is the approved form of waterline easement executed on behalf of Reynoldsburg Center Limited Partnership. Once signed by city officials, please return a copy of the fully-executed instrument for our records. Thereafter, we would appreciate advance notice before work within the easement area is to begin, so that our tenants may plan accordingly.

If you require anything further in connection with this matter, please do not hesitate to contact me.

Sincerely,

A handwritten signature in dark ink, appearing to read 'J. Sugar', is written over a horizontal line.

Joseph A. Sugar
General Counsel

Enclosure

cc: Tom Schottenstein

Attachment: Briarcliff Aida Watermain Easment (1486 : Unrecorded Deed of Easement)

DEED OF EASEMENT- WATERLINE

KNOW ALL MEN BY THESE PRESENTS that REYNOLDSBURG CENTER LIMITED PARTNERSHIP, an Ohio limited partnership (hereinafter referred to as "Grantor"), for One Dollar (\$1.00) and other good and valuable consideration paid by the CITY OF REYNOLDSBURG, a municipal corporation located in the Counties of Franklin, Licking, and Fairfield, State of Ohio (hereinafter referred to as "Grantee"), the receipt of which is hereby acknowledged, does hereby grant to Grantee, a right of way and easement to construct, reconstruct, replace, operate, maintain and repair at any time or times hereafter, an underground waterline across, through and upon a parcel of land, situated in the City of Reynoldsburg, County of Franklin, State of Ohio, as more fully described in the legal description attached hereto as Exhibit "A" and made a part hereof.

Prior Instrument Reference: Instrument No. 201206290093504,
Franklin County Recorder's Office

Said grant includes the right, at all times, of ingress to and egress from said parcel.

Grantor reserves the right to use the easement parcel for any purposes not inconsistent with the rights granted to Grantee hereunder. Without limiting the foregoing, Grantor may construct private roads, drives, sidewalks and similar improvements across any portion of the easement parcel.

At all times while exercising its rights hereunder, Grantee shall use its best efforts to minimize any disruption of business being conducted on Grantor's property. Without limiting the foregoing, Grantee shall ensure that tenants or other occupants of Grantor's property are provided with uninterrupted access to their places of business on the property. If any damage to Grantor's property is caused by Grantee's exercise of its rights hereunder, Grantee, at its expense, shall promptly restore any disturbed areas as nearly as possible to the condition existing prior to occurrence of the damage.

To the extent permitted by the Constitution and Laws of the State of Ohio and the Charter and Ordinances of the City of Reynoldsburg, Grantee agrees to assume liability for claims, losses or damages asserted against Grantor, if it is determined subsequent to execution and delivery of this Deed of Easement that such claims, losses or damages are the result of the negligent act or omission of Grantee or its officials, employees, or other representatives, and such negligent act or omission is not otherwise subject to immunity pursuant to Ohio Revised Code Chapter 2744 or the common or other statutory laws of the State of Ohio.

All provisions hereof shall inure to the benefit of and be enforceable by and against the respective successors and assigns of Grantor and Grantee.

IN ACKNOWLEDGMENT WHEREOF, Thomas H. Schottenstein, as President of JSS, Inc., the general partner of Reynoldsburg Center Limited Partnership, represents that his signature placed hereon on this 29th day of June, 2016, is an authorized act and deed of the limited partnership.

Reynoldsburg Center Limited Partnership,
an Ohio limited partnership

By: JSS, Inc., its general partner

By: [Signature]
Thomas H. Schottenstein, President

STATE OF OHIO
COUNTY OF FRANKLIN

Before me, a Notary Public in and for the County and State, personally appeared Thomas H. Schottenstein, President of JSS, Inc., an Ohio corporation and general partner of Reynoldsburg Center Limited Partnership, who acknowledged that he did sign the foregoing instrument on behalf of Reynoldsburg Center Limited Partnership.



JOSEPH A. SUGAR, III
Attorney At Law
NOTARY PUBLIC
STATE OF OHIO
My Commission Has
No Expiration Date
Section 147.03 O.R.C.

[Signature]
Notary Public
My Commission Expires N/A

Prior to recordation, this document has been approved by:

[Signature]
Bradley L. McCloud, Mayor

[Signature]
James E. Hood, City Attorney

Instrument prepared by:
Matthew R. Roth
Reynoldsburg Assistant City Attorney
7232 E. Main Street
Reynoldsburg, OH 43068

WATER EASEMENT
0.525 ACRE

Situated in the State of Ohio, County of Franklin, City of Reynoldsburg, Section 7, Township 16, Range 20 and Section 12, Township 12, Range 21, Refugee Lands, being part of that 12.239 acre tract conveyed to Reynoldsburg Center Limited Partnership by deed of record in Official Record 14548G10 (all references refer to the records of the Recorder's Office, Franklin County, Ohio), and being more particularly described as follows:

BEGINNING in the easterly right-of-way line of Briarcliff Road, at the southwesterly corner of Lot 212 of that subdivision entitled Briarcliff No.2 of record in Plat Book 29, Page 26, the northwesterly corner of said 12.239 acre tract;

Thence North 88° 52' 32" East, with the northerly line of said 12.239 acre tract, the southerly line of Lots 212-208 of said Briarcliff No.2 and the southerly line of Lots 2-10 of that subdivision entitled Briarcliff No. 1 of record in Plat Book 28, Page 19, a distance of 914.69 feet to the westerly right-of-way line of Aida Drive, the southeasterly corner of said Lot 10, the northeasterly corner of said 12.239 acre tract;

Thence South 03° 11' 14" West, with said westerly right-of-way line, a distance of 25.07 feet;

Thence South 88° 52' 32" West, across said 12.239 acre tract, a distance of 915.31 feet to the easterly right-of-way line of said Briarcliff Road;

Thence North 04° 36' 04" East, with said easterly right-of-way line, a distance of 25.13 feet to the POINT OF BEGINNING, containing 0.525 acre, more or less.

EVANS, MECHWART, HAMBLETON & TILTON, INC.

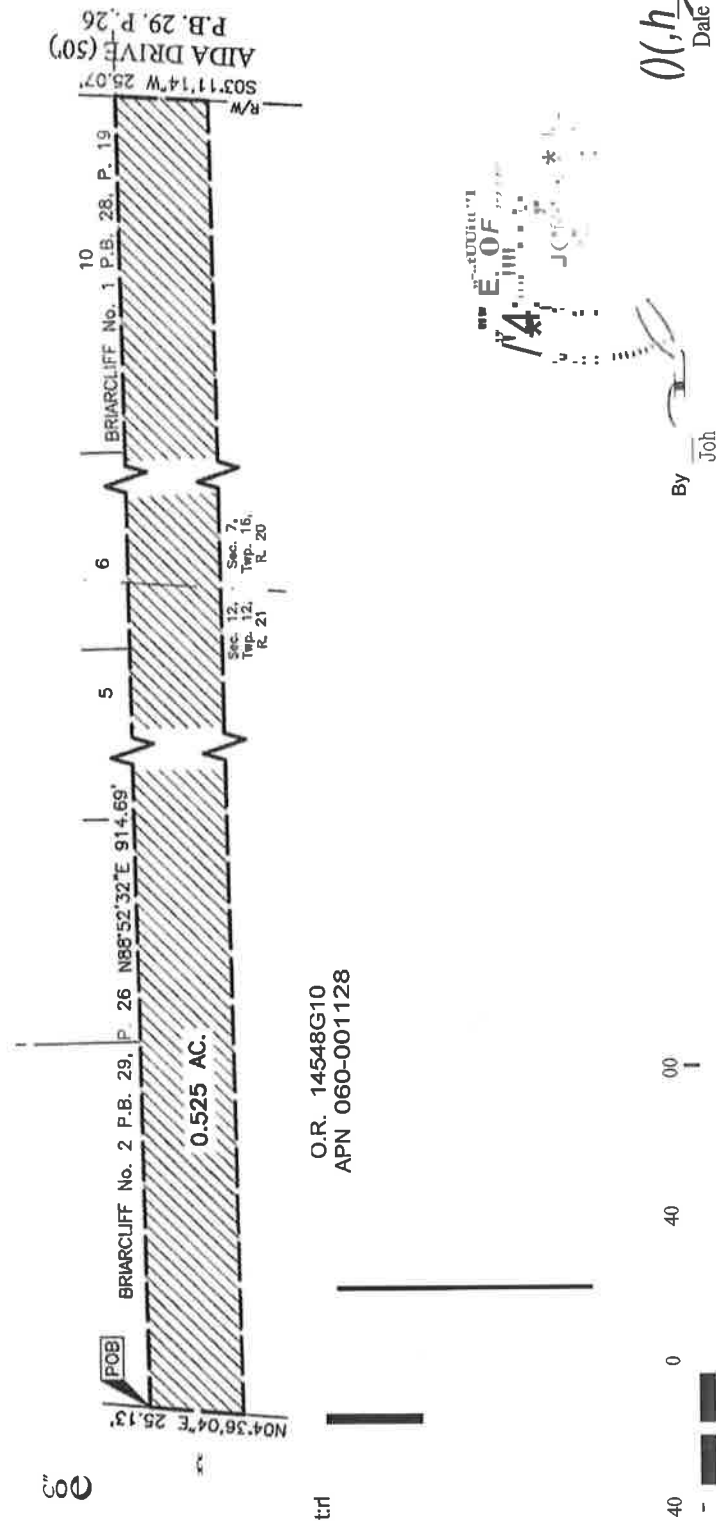


John C. Dodgion
Professional Surveyor No. 8069

JCD:jo
0 525 ac 20160263-VS-ESMT-WATR-OI.doc

Attachment: Briarcliff Aida Watermain Easment (1486 : Unrecorded Deed of Easement)

Engineer: McGraw-Hill Construction 5500 McGraw-Hill Road, Suite 3054 Phone: 814 775-4500 Toll free: 888 771-3648	SECTION 7, TOWNSHIP 16, RANGE 20 SECTION 12, TOWNSHIP 12, RANGE 21 REFUGEE LANDS CITY OF REYNOLDSBURG, COUNTY OF FRANKLIN, STATE OF OHIO	Date: June 03, 2016 Scale: 1" = 40' Job No. 2016-0263
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Development Department**Dan Havener****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6831 Phone****ORDINANCE REQUEST**

DATE: July 25, 2016**TO: Service Committee****RE: ORDINANCE ACCEPTING A RECORDED DEED OF EASEMENT
(1.218 acre drainage easement) FROM THE INN AT SUMMIT TRAIL.
(First Reading 7/25/2016)**

Deed of Easement See attached materials for detail.

TRANSFER NOT NECESSARY

Date

JUNE 8, 2016
M. A. Long

Licking County Auditor



201606080011696

Pgs: 6 \$60.00 T20160013620
06/08/2016 12:46PM BXSTIMSON
Bryan A. Long
Licking County Recorder

DRAINAGE EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT **THE INN AT SUMMIT TRAIL LIMITED**, an Ohio limited liability company, the Grantor, for and in consideration of the sum of One Dollar (\$1.00) and other good and valuable considerations to it by the **CITY OF REYNOLDSBURG, OHIO**, an Ohio municipal corporation, Grantee, whose address is 7232 E. Main Street, Reynoldsburg, Ohio 43068, the receipt whereof is hereby acknowledged, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, forever, a perpetual, non-exclusive easement for surface water drainage purposes, including the right to construct, maintain, use, repair and replace drainage tile, ditches, pipes, culverts, storm sewer lines, detention facilities and associated improvements for accepting, transporting, detaining and releasing surface water run-off in, upon and over the easement area described in Exhibit A ("Drainage Easement Area.")

This Easement is granted subject to the following terms and conditions:

1. Indemnification: Restoration of Property. Grantee by its acceptance of this Easement shall indemnify, defend and hold Grantor harmless against any claims, damages, losses or expenses arising as a result of Grantee's exercise of the rights granted by this Easement, but excepting any claims, damages, losses or expenses to the extent caused by the negligent acts or omissions of Grantor or Grantor's agents, employees or contractors, or others for whom Grantor is responsible.

If any damage to Grantor's property is caused by Grantee's exercise of its rights under this Easement, Grantee, at Grantee's expense, shall promptly restore any disturbed areas as nearly as possible to the condition existing prior to the occurrence of the damage.

2. Maintenance: No obstructions.

Grantor shall mow the Drainage Easement Area, but Grantee shall be responsible for all other stormwater and facilities maintenance of the drainage improvements, whether already existing as of the date of this instrument or installed in the future. Grantee shall be solely responsible for the costs of compliance with all Environmental Protection Agency requirements (including the stormwater maintenance program) and any other local, state, or federal laws and regulations, and shall keep the Drainage Easement Area in compliance.

Neither party shall obstruct the Drainage Easement Area such as to prevent its use by the other party, except as may be reasonably necessary in maintaining improvements thereto.

3. Title. Grantor covenants with Grantee that Grantor is the owner of the Easement Area described above and has full power to convey the rights conveyed by this Easement. Grantor warrants and will defend the same against the claims of all persons, subject, however, to (a) all legal highways, (b) easements, covenants and restrictions of record, (c) real estate taxes and assessments not yet due and payable and (d) zoning, building and other applicable laws, codes and regulations.

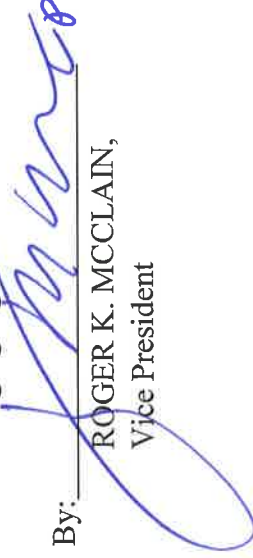
4. Supersedes Prior Easement. This easement is to replace an easement (the "Prior Easement") for storm retention purposes for a retention basin located generally south of Refugee Road, west of Old Summit Road and east of (Relocated) Refugee Road, provided to the city of Reynoldsburg (the "City" or "Grantee") by Summit Place L.P. in approximately 2006 as a part of the City's project to improve and straighten Summit Road. On information and belief, the Prior

Easement was delivered but lost before it could be recorded. There is no record of the Prior Easement in the Recorder's Office of Licking County, Ohio, or the records of the City Clerk for Reynoldsburg, Ohio. Therefore, the Prior Easement, if discovered or found, by agreement of the City, the Grantee therein and as a condition of the acceptance of the conveyance herein, Grantor, and the City of Reynoldsburg, Ohio, for themselves, their successors and assigns, agree the Prior Easement is hereby terminated, void, and no further force or effect and in no way is an encumbrance to the property of the Grantor herein. The easement conveyed herein hereby replaces, supersedes and supplants in all respects the Prior Easement as between Grantor, its predecessors in title, and Grantee, the City of Reynoldsburg, Ohio.

This Easement is for the mutual benefit of the parties, shall bind and inure to the benefit of both parties and their heirs, successors and assigns and shall run with the land. The recording of this easement with the Licking County Recorder shall constitute acceptance of all terms by Grantee.

THE INN AT SUMMIT TRAIL LIMITED,
an Ohio limited liability company

By: THE JERRY MCCLAIN CO., INC.,
an Ohio corporation
Member and Managing Agent

By: 
ROGER K. MCCLAIN,
Vice President

STATE OF OHIO
COUNTY OF LICKING, ss:

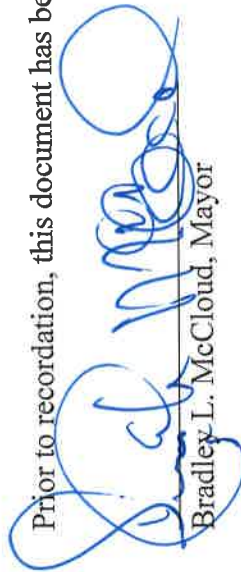
The foregoing instrument was acknowledged before me on this 27th day of May, 2016, by ROGER K. MCCLAIN as the Vice President of THE JERRY MCCLAIN CO., INC., an Ohio corporation, a Member and the Managing Agent of THE INN AT SUMMIT TRAIL LIMITED, an Ohio limited liability company, on behalf of the company.


NOTARY PUBLIC



ALLISON MACLEOD OWEN
Attorney at Law
Notary Public, State of Ohio
My Commission Expires 05-14-2019
Section 447.06 R.C.

Prior to recordation, this document has been approved by:



Bradley L. McCloud, Mayor



James E. Hood, City Attorney

This instrument prepared by:
Reese, Pyle, Drake & Meyer, P.L.L.
36 N. Second Street, P.O. Box 919
Newark, Ohio 43058-0919

DESCRIPTION FOR A 1.218 ACRE DRAINAGE EASEMENT

Situated in the State of Ohio, County of Licking, City of Reynoldsburg, being a part of Section 4, Township-16, Range-20, Refugee Lands and being a part of that 25.065 acre tract (Parcel Number 115-026616-00.001) as conveyed to SRJ Properties of Ohio LLC. as recorded in Instrument Number 200811260025348, all references being to those of record in the Recorder's Office, Licking County, Ohio, said 1.218 acre drainage easement being more particularly bounded and described as follows:

Beginning at an iron pin found marking the intersection of the southerly right-of-way of Refugee Road and the easterly right-of-way of Summit Road;

Thence along the southerly right-of-way of Refugee Road, **South 86°46'39" East, 457.56 feet** to a point;

Thence leaving said right-of-way across the SPJ Properties of Ohio LLC Property the following seven (7) courses and distances:

South 03°19'11" West, 47.90 feet to a point;

Southwesterly along the arc of a curve to the left (Radius = 396.00', Delta = 16°47'57", Arc length = 116.11') a chord bearing and distance of **South 83°53'50" West, 115.69 feet** to a point;

South 74°48'35" West, 249.85 feet to a point;

Southwesterly along the arc of a curve to the right (Radius = 82.00', Delta = 66°19'57", Arc length = 94.93') a chord bearing and distance of **North 71°20'10" West, 89.72 feet** to a point;

South 47°50'21" West 45.97 feet to a point;

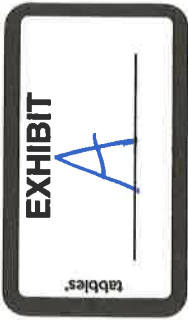
Southwesterly along the arc of a curve to the left (Radius = 600.00', Delta = 09°17'18", Arc length = 97.27') a chord bearing and distance of **South 02°46'29" East, 97.16 feet** to a point;

South 82°34'52" West 20.00 feet to a point on the easterly right-of-way of Summit Road;

Thence northerly along said right-of-way the following three (3) courses and distances:

Northwesterly along the arc of a curve to the right (Radius = 620.00', Delta = 10°44'19", Arc length = 116.20') a chord bearing and distance of **North 02°02'58" West, 116.03 feet** to a PK nail found;

North 03°19'11" East 106.73 feet to an iron pin found; and...



DESCRIPTION FOR A 1.218 ACRE DRAINAGE EASEMENT

Page 2

Northeasterly along the arc of a curve to the right (Radius = 32.50', Delta = 89°54'10", Arc length = 51.00') a chord bearing and distance of North 48°16'16" East, 45.92 feet to the Point of Beginning and containing 1.218 acres total, more or less, according to a survey conducted by Jobes Henderson and Associates, Inc. in September of 2015.

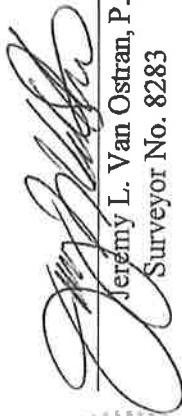
The bearings in the above description are based on the Ohio State Plane Coordinate System, South Zone.

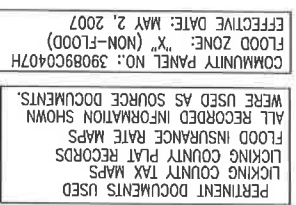
All iron pins set are 5/8" in diameter rebar by 30" in length with red identification caps marked "J&H, PS 8283".

Subject to all valid and existing easements, restrictions and conditions of record.

March 31, 2016
J-/2015/15214/02summitRd/survey/legals/EASEMENT




Jeremy L. Van Ostran, P.S.
Surveyor No. 8283




JEREMY VAN OSTRAN P.S. 8283



Curve Table				
Curve #	Length	Radius	Delta	CH BEARING
C1	118.11	356.00	016°47'57"	S85°53'07"W
C2	94.93	82.00	081°09'57"	N7°20'10"W
C3	97.27	600.00	008°17'10"	S2°46'29"E
C4	116.20	620.00	010°44'10"	N2°02'38"W
C5	51.00	32.50	009°41'10"	N48°18'10"E

LEGEND

○	DRILL HOLE FND.
○	QTY. DISK FND.
○	IRON PIN FND.
○	IRON PIPE FND.
○	IRON PIPE SET
○	WAG NAIL FND.
○	CONC. WAG FND.
○	NON. BOX FND.
○	NINE SPIKE FND.
○	P.K. NAIL FND.
○	P.K. NAIL SET
○	R.R. SPIKE FND.
○	SECTION COR. FND.
○	STONE FND.
○	1-BAY FND.

DRAINAGE EASEMENT SURVEY OF THE INN
SUMMIT ROAD
REYNOLDSBURG, OHIO

SURVEYOR NOTES:

JOB NUMBER 15214					
SPJ Properties of Ohio LLC Drainage Easement The Inn Summit Road					
 Jobs Henderson A FULL COMPANY 55 Grant Street Newark, Ohio 43055 PH: (740) 344-9451 www.jobs-henderson.com					
NEL.	PLAN ISSUE / REVISION	DATE	DRAWN	CHECKED	DATE
			AET	JLV	03/27/16
 HORIZONTAL SCALE IN FEET					
					

Planning Commission**Eric Snowden****7232 E. Main Street****Reynoldsburg OH 43068****Phone****ORDINANCE REQUEST**

DATE: July 25, 2016**TO: Mel Clemens, Ward IV Service Committee****RE: ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE
CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1145 Special
Exceptions. (Second Reading 7/25/2016).**

**ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF
REYNOLDSBURG, OHIO: Amending Chapter 1145 Special Exceptions**



**REYNOLDSBURG
PLANNING & ZONING DIVISION**

**STAFF REPORT:
PLANNING & ZONING CODE
AMENDMENT**

CODE SECTION: Chapter 1145 – Special Exceptions

BACKGROUND: Staff becomes periodically aware of provisions in the Planning and Zoning Code that need to be revised to make the intent of the Code more clear. Section 1145 primary regulates the approval process for special exception uses. Staff's view is that the proposed revision will clarify the process and make it more internally consistent.

SUMMARY OF MAJOR REVISIONS:

1145.04 STAFF REVIEW.

Staff proposed to revise this section to remove the requirement that special exceptions be reviewed by the Service Director and City Engineer. This provided for a basic engineering review before plot-grade-utility plans were required for new construction. Staff circulates agendas and plans for internal review by City staff, there is no need to prescribe this in code.

1145.05 ACTION BY THE BOARD.

Section 1139.05 standardizes the 60-day action rule for all items reviewed and approved by BZBA. This provision is no longer required.

1145.07 APPROVAL, REVOCATION.

Staff is proposing to heavily modify this section in order to clarify the manner in which special exception use permits will be approved by the BZBA and Council. Staff is proposing to replace the optional Council review process with a standardized, review process. The process will consist of a hearing after which Council will pass resolution confirming its decision at the next regular meeting. This will reduce the time applicants will spend waiting for the additional readings of legislation.

Staff is adding text that will provide a more detailed process for revocation of special exception use permits. The proposed text clarify that 6 month reviews by Staff are automatic and prescribe the Planning Administrator's actions in each case.

1145.08 TRANSFER, AMENDMENT, REAPPLICATION.

Staff is proposing to clarify the procedure for transfers of special exception use permits when businesses change ownership. The current code requires reapplication and approval by the BZBA. Many peer communities allow planning staff to transfer these types of permits administratively in cases where the operation of the use does not change. Staff believes this will lessen the unnecessary burden on the Board to review a new permit following a business rebranding or ownership change.

SECTIONS 1145.10 – 1145.18 SUPPLIMENTAL REQUIREMENTS

Section 1145.10 contained additional regulations for various types of special exceptions. Due to the length of this section, staff is proposing to break out each type of special exception into its own section number to make citation easier. Staff is also proposing to add Section 1145.18 which will enact some basic restrictions of childcare centers. The proposed regulations are commonly requested as conditions of approval of the BZBA.

CHAPTER 1145 - Special Exceptions

1145.03 APPLICATION.

(a) Any owner, agent of the owner, or lessee of a lot for which a special exception is proposed shall submit an application to the Board of Zoning and Building Appeals. An application for a special exception shall be submitted in writing on forms provided by the Zoning Officer and shall include the following:

- (1) Completed application form;
- (2) Name, address, and phone number of the lot owner and of the owner's designated agent;
- (3) Legal description of the lot;
- (4) ~~Zoning district of the lot;~~ Description of the zoning district and existing use of the lot;
- (5) Description of the zoning district and existing ~~use of the lot and~~ uses of adjacent lots;
- (6) A statement of the special exception listed in this ordinance for which the application is submitted. The application shall also include a description of the activities proposed on the site, including the goods and services, hours of operation, anticipated number of employees, nature and volume of delivery activity, and other information which will enable the Board to understand the nature of the proposed use and its potential impacts;
- (7) A plan of the proposed site and improvements showing the proposed location of all structures, parking and loading areas, streets and traffic accesses, open spaces, refuse and service areas, utilities, signs, yards, landscaping, and other relevant features;
- (8) A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots and with the Land Use Plan, including an evaluation of the effects on adjoining lots of such elements as traffic circulation, noise, glare, odor, fumes, vibration, and storm water, and any measures proposed to mitigate such effects;
- (9) A narrative addressing each of the applicable criteria set forth in the standards and requirements for all special exceptions (see 1145.09), and, as applicable, the supplementary requirements for special exceptions ~~(see 1145.10);~~
- (10) Such other information as the Board deems necessary to make a determination of the compliance of the proposed use with the applicable standards and regulations. Such additional information may include, but shall not be limited to:
 - A. Traffic impact analysis;
 - B. Storm water impact analysis;
 - C. Utility impact analysis.

(b) The Board may determine that additional studies or expert advice are necessary to evaluate a proposed special exception relative to the requirements of this Code. The Board shall advise the applicant if such studies or advice are required. The Board shall determine whether to accept the required studies as prepared by qualified professionals

engaged by the applicant or to require the applicant to deposit funds with the City as required to pay for such studies. The Board or City Council may vary any supplemental requirements it determines to be an unnecessary hardship on the property owner and in the best interest of the City.

1145.04 STAFF REVIEW.

~~The Zoning Officer shall distribute copies of the special exception application to the Service Director and to the City Engineer for review and comment and shall schedule the application for review by the Board of Zoning and Building Appeals. The Planning Administrator shall review the application for completeness and schedule the application for review by the Board of Zoning and Building Appeals.~~

1145.05 ACTION BY THE BOARD.

(a) The Board may request additional information it deems necessary to review the application for conformance with the standards and requirements applicable to the proposed special exception.

~~(b) The Board shall act upon the application within sixty (60) days after submittal unless a continuance of review is requested by the applicant.~~ The Board shall, after review of the application and any additional information presented, take action to:

- (1) ~~Recommend approval of~~ Approve the special exception, based upon findings of compliance with the standards and requirements of this Code and subject to conditions established by the Board to ensure compliance with the letter and intent of this Code; or
- (2) Deny the special exception, upon finding that the application does not comply with the provisions of this Code.

~~1145.07 NOTIFICATION AND ACTION BY CITY COUNCIL.~~

~~(a) Approval of a special exception shall be subject to approval by Council. After acting to approve a special exception, the Board shall immediately cause notice of its action to be transmitted to the Clerk of Council. Council may disapprove a special exception by finding upon its own consideration and review that any of the standards of this Code would be violated.~~

~~(b) Council may confirm approval of a special exception by resolution introduced at or before the first regular session of Council after notice of the granting of such permit is received and written notice via the printed copies of the Board meeting minutes. Failure of Council to introduce the resolution as required herein shall be considered confirmation of the action of the Board.~~

~~1145.08 ISSUANCE, REVOCATION, TRANSFER, AMENDMENT, REAPPLICATION.~~

~~(a) Zoning Certificate. Subsequent to approval by the Board, confirmation by Council, and compliance with all applicable conditions of such approval and of this Zoning Code, the Zoning Officer may issue a zoning certificate stating the special~~

exception and all conditions of its approval.

- (b) ~~Revocation. Approval of a special exception shall become null and void if:~~
- ~~(1) The applicant does not commence the construction for or operation of the special exception use within six (6) months of the date of the approval; or~~
 - ~~(2) The special exception use ceases for a period of six (6) months; or~~
 - ~~(3) The special exception is operated in a manner which violates any condition of the approval.~~

~~The owner of the property may, within six (6) months of the original approval, request that the Board issue an extension of time to establish the special exception.~~

~~The Zoning Officer shall notify the property owner and the Board if a special exception is determined to be operating in violation of any condition of its approval. The property owner shall discontinue such violation upon receipt of the notice.~~

~~The Board, upon determining that a violation may necessitate revocation of the approval, shall set a hearing date and shall notify the owner. Subsequent to the hearing, the Board shall take action to affirm, revoke, or amend the approval.~~

~~(c) Transfer of Approved Special Exception. Transfer of ownership of real property or a change in the lessee or lease hold interest requires a transfer of an approved special exception to ensure the special exception use has not changed. Property ownership, change in lessee, or leasehold interest is not a basis for denial of the transfer. A special exception may be transferred to a subsequent property owner by application to and approval of the Board of Zoning and Building Appeals. A majority vote of the Board is required to approve transfer of a special exception. Transfer of a special exception requires confirmation by Council. Council shall indicate its confirmation of the granting of a transfer of special exception by resolution introduced at or before the first regular session of Council after notice of the granting of such permit is received and written notice via the printed copies of the Board meeting minutes. Failure of Council to introduce the resolution as required herein shall be considered confirmation of the action by the Board. Action by the Board denying transfer of a special exception or terminating a special exception may be appealed to Council by written notice of appeal within twenty (20) days after the date of termination of the special exception. Council, may by a majority vote of its entire membership, transfer a special exception denied or reinstate a special exception which has been terminated.~~

~~(d) Amendment of Conditions. The owner of a property for which a special exception has been approved may request amendment of the conditions of approval. Amendment shall be accomplished according to the procedures, requirements, and standards of this ordinance applicable to approval of a new special exception.~~

~~(e) Re Application. Subsequent to disapproval of an application for a special exception, a period of at least one (1) year shall elapse before another application for the same special exception on the same site may be considered by the Board.~~

1145.07 APPROVAL, REVOCATION.

(a) Approval of a special exception shall be subject to approval by Council. Upon

recommendation of approval of a special exception use permit by the Board, the Planning Administrator shall cause notice of the Board's action to be transmitted to the Clerk of Council within seven (7) days. Upon receipt of notice of the Board's action, Council may elect to hold a public hearing on the special exception prior to its next regular meeting. If Council elects to hold a public hearing, the Clerk of Council shall notify the applicant, Planning Administrator and Board of the time and place the hearing shall be held. A resolution stating the decision of Council shall be introduced and passed at the next regular meeting following that public hearing. If Council elects not to hold a public hearing by its next regular meeting following notification of the Board's action, the decision of the Board shall be confirmed.

(b) Subsequent to approval by the Board, any action by Council, and compliance with all applicable conditions of such approval and of this Zoning Code, the Planning Administrator shall issue a zoning certificate stating the special exception and all conditions of its approval. The Planning Administrator may not issue the zoning certificate until the resolution passed by Council takes effect.

(c) Approval of a special exception shall become null and void if:

1. For new structures, the applicant does not commence the construction for the special exception use within one (1) year of the date of approval;
2. For existing structures or buildings, the applicant does not commence operation of the special exception use within six (6) months of the date of the approval;
or
3. The special exception use is operated in a manner which violates any condition of the approval.

(d) The Planning Administrator shall review all approved special exception use permit applications six (6) months after final action by Council and shall determine if the use is in operation and in compliance with all conditions of approval.

1. If the Planning Administrator finds the special exception use to be in operation and in compliance with the conditions of approval, he shall notify the Board and Council of such.
2. If he finds that construction has not begun, he shall record that information for an additional six (6) month review, and shall notify the Board and Council of such.
3. If he finds a use in an existing structure or building not to be in operation, the permit and zoning certificate shall be considered revoked and he shall notify the applicant, Board and Council of such. The applicant shall have the right to appeal that decision of the Planning Administrator to the Board and request the Board allow up to one additional six (6) month period to begin operation following the administrative appeal procedure.

(f) Whenever the Planning Administrator determines that a special exception use is being operated in a manner that violates any condition of the use's approved permit, the permit and zoning certificate shall be considered revoked. He shall notify the permit holder as such, who shall immediately discontinue operation of the use.

1. If this determination is made in conjunction with the six (6) month review

procedure for an approved permit, he shall also notify the Board and Council. The applicant shall have the right to appeal this determination of the Planning Administrator to the Board following the administrative appeal procedure. Upon appeal, the Board shall recommend upholding the revocation, re-approval of the permit or modification of the conditions of approval to the City Council. The Planning Administrator shall then forward that recommendation to City Council in accordance with subsection (a) of this section.

2. If this determination is made at any other time, he shall notify the Board. The applicant shall have the right to appeal this determination of the Planning Administrator following the normal administrative appeal procedure. Upon appeal, the Board shall have the power to uphold the revocation or reapprove the permit.

1145.08 TRANSFER, AMENDMENT, REAPPLICATION.

(a) Transfer of Approved Special Exception Use Permit. Transfer of ownership of real property or a change in the lessee requires a transfer of an approved special exception use permit to ensure the special exception use has not changed. Property ownership or change in lessee is not a basis for denial of the transfer. A special exception use permit may be transferred to a subsequent property owner or lessee by application to and approval of the Planning Administrator. The Planning Administrator shall review applications for transfer of special exception use permits with the standards of this chapter and any conditions of the original approval. Upon finding that the proposed use complies with those standards and conditions, the Planning Administrator shall issue a zoning certificate. Special exception use permits for uses that have not been in operation for a period of six (6) months, shall not be eligible for transfer. The Planning Administrator shall review all transferred special exception use permits (6) months after their approval, and take action in accordance with the review provisions of Section 1145.07.

(b) Amendment of Conditions. The conditions of an approved special exception use permit may be amended upon request of the property owner or tenant. Amendment shall be accomplished according to the procedures, requirements, and standards of this chapter applicable to approval of a new special exception use permit.

(c) Re-Application. Subsequent to disapproval of an application for a special exception, a period of at least one (1) year shall elapse before another application for the same special exception use at the location may be considered by the Board.

1145.10 SUPPLEMENTARY REQUIREMENTS FOR SPECIAL EXCEPTIONS.

In addition to the other requirements of this chapter, the following special exceptions shall meet additional requirements. The Board may vary any requirements it determines to be an unnecessary hardship on the property owner and in the best interest of the City.

(a) Gasoline Station, Alternative Fuel Station. The following regulations, in addition to those stated at 1145.09, shall apply to a gasoline station:

(1) Parking of employee vehicles, vehicles used in the operation of the business, vehicles awaiting servicing or return to customers after servicing,

- and vehicles held for disposal shall only be permitted in the locations approved on the site plan. Parking and storage of vehicles not related to the principal use of the site shall not be permitted.
- ~~(2) Vehicle sales, service, rental, or leasing shall not be permitted on the site unless specifically approved.~~
 - ~~(3) Retail sales of products other than vehicular fuels shall be permitted only within an enclosed structure which shall comply with all provisions of the district, including requirements for parking. Outdoor display, storage, or sale of goods shall not be permitted on the site unless specifically approved in the special exception use permit and in conformance with the supplementary standards for outdoor display, storage, and sale.~~
 - ~~(4) Temporary outdoor storage of discarded materials, vehicle parts, scrap and other waste prior to collection shall only be permitted within a storage area completely surrounded by a gated masonry wall six (6) feet in height or other screening approved by the Board. Such screening shall be set back from residential districts at least six (6) feet and landscaped according to the approved site plan.~~
 - ~~(5) Fuel pumps and canopies shall conform to all requirements of this ordinance with regard to height, setbacks, and signs.~~
 - ~~(6) Air compressor pumps (e.g., for tire inflation) and other outdoor equipment shall be identified on the site plan and shall be located in a manner which minimizes noise impacts on residential areas.~~
 - ~~(7) Curb cuts shall be limited to two (2) per site. On corner lots, curb cuts shall be limited to one (1) per street.~~
 - ~~(b) Drive thru Service. The following regulations, in addition to those stated at 1145.09, shall apply to special exception permits for a drive thru establishment:~~
 - ~~(1) Loudspeakers shall be located and designed, with volume and hours of operation controlled, in a manner to minimize noise impacts on nearby residential uses.~~
 - ~~(2) Lanes required for vehicle access to and waiting for use of a drive thru facility shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, to provide escape/abort lanes for vehicles desiring to leave the stacking lanes or to avoid disabled vehicles, and to minimize impacts on the use of other required parking or drives or on the use of abutting streets and hazards to pedestrians. The applicant shall provide a traffic study which documents to the satisfaction of the Board the projected vehicular use of the proposed facilities and evidence of compliance with the provisions of this Zoning Ordinance.~~
 - ~~(3) The Board may impose restrictions on the hours of operation in order to reduce inappropriate impacts on abutting uses and on street traffic and to ensure compatibility with normal vehicular activity in the district.~~
 - ~~(4) The applicant shall so design the site plan or otherwise provide assurances as to reduce the impacts of lighting, litter, noise, and exhaust resulting from the facility, especially impacts on nearby residential uses.~~
 - ~~(c) Outdoor Storage. The following regulations, in addition to those stated at~~

~~1145.09, shall apply to special exception permits for outdoor storage:~~

- ~~(1) Outdoor storage shall only be permitted in areas identified on the approved site plan. No such activity shall be located closer than fifty (50') feet to a residential zoning district boundary or road right of way abutting any residential zoning district or within ten feet of any road right of way. Such activities shall not occupy any required parking area or driveway;~~
 - ~~(2) Any outdoor storage area located closer than one hundred (100') feet to a residential district shall, if determined to be visible from such district, be screened by a landscape buffer strip or other means indicated on the approved site plan;~~
 - ~~(3) Illumination of outdoor storage areas shall be designed to prevent glare or direct light from the illumination source into residential areas;~~
 - ~~(4) Outdoor displays shall be maintained in a neat and orderly fashion. Signs shall comply with this Zoning Ordinance. Waste material shall be contained within a storage area completely surrounded by a gated masonry wall six (6) feet in height or other screening approved by the Board. Such screening shall be set back from residential districts at least six (6) feet and landscaped according to the approved site plan;~~
 - ~~(5) The site plan submitted with an application for a special exception use permit shall indicate the types of merchandise or materials to be stored, and, if applicable, any seasonal changes of merchandise or materials;~~
 - ~~(6) Outdoor repair, preparation, cleaning, assembly, disassembly, or other similar activities shall not be permitted unless the nature and location of such activity is specifically identified in the application and approved by the Board.~~
- ~~(d) Mini-storage Facility. The following regulations, in addition to those stated at 1145.09, shall apply to special exception permits for a mini-storage facility:~~
- ~~(1) All storage shall be within an enclosed building unless the nature and location of outdoor storage has been specifically approved by the Board in conformance with the supplementary regulations for outdoor sales, storage, or display;~~
 - ~~(2) Loading and unloading areas shall be paved and shall be located only as approved by the Board;~~
 - ~~(3) A minimum of five (5) parking spaces shall be provided near the leasing office. Sufficient space shall be provided in the paved lanes serving the storage units to accommodate on-site movement of vehicles and the parking and loading/unloading of the trucks, vans, trailers, and automobiles of persons using the units;~~
 - ~~(4) An on-site leasing office shall be provided;~~
 - ~~(5) Fencing of the perimeter shall be provided as determined by the Board in a manner which promotes security and presents an appropriate appearance to abutting properties;~~
 - ~~(6) A landscaped yard of at least twenty-five (25') feet in width shall be provided along any lot line of the subject site which abuts a residential area. This area shall not be covered by buildings, parking or drives;~~
 - ~~(7) Door openings facing residential areas shall not be permitted unless~~

- approved by the Board;
- (8) ~~Activities on the site shall be limited to the storage of property only. Other activities, such as the operation of tools, rummage sales, temporary residency, shall be prohibited unless specifically permitted by the Board;~~
 - (9) ~~Hours of operation shall only be as approved by the Board, after consideration of the impact of the proposed use upon the character, safety, and tranquillity of the neighborhood.~~
- (e) ~~Pawnbrokering, Bookmaking, Betting, Scheme/Game of Chance, Massage Establishment, Tattoo Establishment, Body Piercing Establishment, Adult Bookstore, Adult Motion Picture Theater, Adult Video Store. The following requirements, in addition to those stated at 1145.09, shall apply to special exceptions for pawnbrokering, bookmaking, betting, scheme/game of chance, massage establishment, body piercing establishment, tattoo establishment, adult bookstore, adult motion picture theater, adult video store: No such special exception shall be conducted within one thousand (1,000') feet of the property line of any church, day care facility, public or private school, public library, public park lands, or any premises that sell or distribute alcoholic beverages.~~
 - (f) ~~Junk Storage And Sales. The following requirements, in addition to those stated at 1145.09, shall apply to special exceptions for junk storage and sales: Junk storage and sales shall be effectively screened on all sides by walls, fences or plantings. Walls or fences shall be a minimum of eight feet in height with no advertising thereon. In lieu of such wall or fence, a strip of land not less than fifteen feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than six feet in height may be substituted. Storage of materials shall not exceed the height of the screening.~~
 - (g) ~~Indoor Storage Facility. The following regulations, in addition to those stated at Section 1145.09, shall apply to special exception permits for indoor storage facility:~~
 - (1) ~~A minimum of twenty percent (20%) of the floor area of any structure proposed to be used as an indoor storage facility shall be used for other uses permitted within the respective zoning district, unless otherwise specifically approved by the Board on the approved site plan.~~
 - (2) ~~All storage shall take place within an enclosed individual storage unit that is rented or leased on an individual basis. Storage shall be prohibited outside of the structure or within designated aisle areas with exception of vehicle and recreational vehicle storage areas clearly shown on the plan.~~
 - (3) ~~A rental or leasing office shall be required to be located on-site.~~
 - (4) ~~No more than one external garage door entrance shall be provided for each twenty storage units within the structure.~~
 - (5) ~~A landscaped yard of at least twenty five feet in width shall be provided along any lot line of the subject site which abuts a residentially zoned property. A reduction of this buffer may be approved by the Board if alternate means of screening are provided and specifically approved on the site plan.~~
 - (6) ~~Caretaker/residential units are prohibited.~~

- (7) ~~One parking space shall be located on the site for each seventy-five storage units, in addition to other required parking for all other uses on the site (see Section 1179.03).~~
- (h) ~~Wireless Telecommunication Facility. In recognition of the quasi-public nature of cellular and/or wireless telecommunication systems, it is the purpose of these regulations to: accommodate the need for cellular or wireless telecommunications towers and facilities for the provision of personal wireless/cellular services while regulating their location and number in the City of Reynoldsburg; minimize adverse visual effects of telecommunication towers and support structures through proper siting, design, and screening; to minimize the adverse impacts that telecommunication facilities may have on the health, safety and welfare of the City of Reynoldsburg; to avoid potential damage to adjacent properties from telecommunication tower and support failure; and to encourage the joint use of any new and existing telecommunication towers and support structures to minimize the number of such structures. The following requirements, in addition to those stated at 1145.09, shall apply to special exceptions for wireless telecommunication facilities:~~
- (1) ~~Special Application Requirements:~~
- A. ~~A site plan shall include the following:~~
- ~~1. The total area of the lot;~~
 - ~~2. The existing zoning of the site and all adjoining lots;~~
 - ~~3. All public and private right-of-way and easements located on the lot;~~
 - ~~4. The location of all existing buildings and structures on the lot; all buildings or structures and uses within 500 feet of the tower site; and the proposed location of the wireless/cellular communication tower and all wireless/cellular communication support structures including dimensions, heights, and, where applicable, the gross floor areas;~~
 - ~~5. The location and dimensions for all curb cuts, driving lanes, off-street parking spaces, grades, surfacing materials, drainage plans, illumination of the facility, and landscaping;~~
 - ~~6. The location of all proposed fences, screening and walls;~~
 - ~~7. Any other information as may be required by the Board.~~
- B. ~~A report prepared by a licensed professional engineer documenting the height, design, proof of compliance with nationally accepted structural standards, and a description of the tower's capacity, which shall include the number and types of antennae it can accommodate.~~
- C. ~~For the purpose of demonstrating the necessity for the erection of any new telecommunication tower, any applicant requesting permission to install a new tower shall provide evidence of written communication with all other wireless/cellular service providers who supply service within a one mile radius of the proposed facility requesting use of the other providers' towers for collocation of the applicant's antennae. The contacted provider shall be requested to respond in writing to the inquiry within thirty (30) days. The applicant's letter(s) as well as the~~

responses received shall be presented to the Board to demonstrate the need for a new tower.

- D. ~~The applicant shall also provide evidence of written communication with owners of nearby tall structures within a one mile radius of the proposed tower site, asking permission to install the wireless/cellular antennae on those structures. Tall structures shall include, but not be limited to: smoke stacks, water towers, buildings over fifty feet (50') in height, other communication towers, and roadway light poles.~~
- E. ~~The facility owner/operator shall present a maintenance plan demonstrating responsibility for the site.~~
- F. ~~The applicant shall provide a copy of a permanent easement or appropriate leasehold estate providing for access to the tower site. The access to the tower sight must be maintained regardless of other development that may take place on the site.~~
- G. ~~The communication company must demonstrate proof to the City that the company is licensed by the Federal Communications Commission (FCC).~~
- (2) ~~Requirements for Telecommunication Facilities. The requirements below, Items "A." through "O.", in addition to those stated at 1145.09, shall apply to wireless or cellular telecommunications facilities as special exceptions:~~
 - A. ~~Wireless or cellular telecommunication sites shall be located at least two hundred fifty (250') feet from any residential zoning district.~~
 - B. ~~The setback between the base of the tower or any guy wire anchors and any property line shall be located a distance which is at least forty percent (40%) of the tower's height or fifty (50') feet, whichever is greater.~~
 - C. ~~The maximum height of a telecommunication tower shall be 200 feet. The maximum height of the equipment building shall be thirty five (35') feet.~~
 - D. ~~Maximum size of an equipment building shall be seven hundred and fifty (750) square feet.~~
 - E. ~~The minimum lot size and area restriction shall be the same as permitted for any other use in the (M-1) Light Industrial District.~~
 - F. ~~A security fence eight (8') feet in height with barbed wire around the top shall completely surround the tower, the equipment building and any guy wires.~~
 - G. ~~Towers and antennae shall be designed to withstand wind gusts of at least one hundred (100) miles per hour.~~
 - H. ~~The tower shall be painted in a non-contrasting gray or similar color to minimize its visibility, unless otherwise required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA).~~
 - I. ~~No graphics advertising is permitted anywhere on the facility.~~
 - J. ~~Buffer planting shall be located around the perimeter of the security fence as follows: An evergreen screen shall be planted that consists of either a hedge or evergreen trees that shall provide a minimum of~~

~~seventy-five percent (75%) opacity year round.~~

- ~~K. The tower shall not be artificially lighted except to assure safety or as required by the FAA.~~
- ~~L. Warning signs shall be posted around the facility with an emergency telephone number of whom to contact in the event of an emergency.~~
- ~~M. The owner/operator of any telecommunications facility shall design such facility so that additional service providers may add their antennae, platforms, and associated hardware to the structure at a later date. The owner/operator shall negotiate in good faith with other providers for the collocation of others service provider's antennae at the facility, shall cooperate with the City of Reynoldsburg in identifying other wireless/cellular service providers for the purpose of negotiating sub-lease agreements for collocation of other service providers' antennae at the facility, and shall not interfere or hinder service providers from utilizing the facility.~~
- ~~N. Where possible, an antenna or tower for use by a wireless/cellular service providers shall be attached to an existing structure or building. A new wireless communication facility shall not be erected if there is a technically suitable space for wireless communication facility available on an existing wireless communication tower or other suitable structure within the applicant's search area. The applicant must demonstrate that a technically suitable location is not reasonably available on an existing structure or that bona fide efforts to negotiate location on structures have been rejected.~~
- ~~O. Any owner of a tower whose use will be discontinued shall submit a written report to the Board indicating the date on which such use shall cease. If at any time the use of the facility is discontinued for one hundred eighty (180) days (excluding any dormancy period between construction and the initial use of the facility), the Board may declare the facility abandoned. The tower owner and the owner of the property upon which the tower is located shall receive written instruction from the Board to either reactive the use within one hundred eighty (180) days or dismantle and remove the facility.~~
- ~~(3) If reactivation does not occur within said period, the City may thereafter proceed to move the facility and assess the costs of removal to the owner, as well as certify those costs to the County Auditor as a lien against the property.~~
- ~~(4) In addition to the foregoing requirements, the following standards, items A. through D., shall apply to wireless or cellular telecommunications facilities permitted on a property with an existing use:~~
 - ~~A. The existing use on the property may be any permitted use or lawful nonconforming use in the RI or GI Industrial District, and said use need not be affiliated with the wireless/cellular telecommunication provider.~~
 - ~~B. The telecommunication facility shall be fully automated and unattended on a daily basis, and~~
 - ~~C. The vehicular access to the equipment building shall, whenever~~

feasible, be provided along the circulation driveways of the existing use.

- D. ~~Subsequent to approval of a special exception for a telecommunication tower, the owner shall submit building permit applications to the City for any additional antennae proposed to be placed on the tower. Such permit applications may be approved by the Zoning Officer, except that he/she may refer such applications to the Board if he/she determines that such additions do not conform with the approved special exception.~~
- (i) ~~Similar Use Interpretations. The following regulations, in addition to all other provisions of this chapter, shall apply to uses requested to be interpreted as similar uses and requested for approval of a special exception:~~
- (1) ~~When an application for a zoning certificate is submitted for a use which, in the opinion of the Zoning Officer, is not listed as a permitted use or a special exception in any district, then the Zoning Officer shall refuse to issue a zoning certificate. The applicant may submit an application for a special exception for a similar use interpretation.~~
 - (2) ~~The Board shall consider the information submitted with regard to the use requested to be interpreted as a similar use and shall determine if such use is or is not similar based on the following standards:~~
 - A. ~~Such use is not listed in any other district as a permitted use;~~
 - B. ~~Such use has characteristics and impacts consistent with those of one or more of the permitted uses in the district; and such use has characteristics and impacts more consistent with those of the permitted uses of the district than with the permitted uses of any other district;~~
 - C. ~~The establishment of such use in the district will not significantly alter the nature of the district;~~
 - D. ~~Such use does not create dangers to health and safety and does not create offensive noise, vibration, dust, heat, smoke, odor, glare, traffic, or other objectionable impacts or influences to an extent greater than normally resulting from permitted uses listed in the district;~~
 - E. ~~Such use does not typically require site conditions or features, building bulk or mass, parking lots or spaces, or other requirements dissimilar from permitted uses; and the typical development of site and buildings for such use is compatible with those required for permitted uses and can be constructed in conformance with the standard regulations for height, lot dimensions, setbacks, and other provisions of the district.~~
 - (3) ~~The Board shall make a recommendation to City Council that a proposed use should be or should not be determined to be a similar use for the district. City Council shall consider the recommendation of the Board and shall determine that the proposed use either is or is not a similar use for the district. The effect of a determination that a proposed use is a similar use shall be to amend this Zoning Code to list the proposed use as a new special exception use for the district.~~
 - (4) ~~Subsequent to a determination by City Council that the proposed use is a similar use, the Board shall consider the application for a special exception and take action in the manner required by this ordinance.~~

1145.10 SUPPLEMENTARY REQUIREMENTS FOR SIMILAR USE INTERPRETATIONS.

The following regulations, in addition to all other provisions of this chapter, shall apply to uses requested to be interpreted as similar uses and requested for approval of a special exception:

(a) When an application for a zoning certificate is submitted for a use which, in the opinion of the Planning Administrator, is not listed as a permitted use or a special exception in any district, then Planning Administrator shall refuse to issue a zoning certificate. The applicant may submit an application for a special exception for a similar use interpretation.

(b) The Board shall consider the information submitted with regard to the use requested to be interpreted as a similar use and shall determine if such use is or is not similar based on the following standards:

1. Such use is not listed in any other district as a permitted use;
2. Such use has characteristics and impacts consistent with those of one or more of the permitted uses in the district; and such use has characteristics and impacts more consistent with those of the permitted uses of the district than with the permitted uses of any other district;
3. The establishment of such use in the district will not significantly alter the nature of the district;
4. Such use does not create dangers to health and safety and does not create offensive noise, vibration, dust, heat, smoke, odor, glare, traffic, or other objectionable impacts or influences to an extent greater than normally resulting from permitted uses listed in the district;
5. Such use does not typically require site conditions or features, building bulk or mass, parking lots or spaces, or other requirements dissimilar from permitted uses; and the typical development of site and buildings for such use is compatible with those required for permitted uses and can be constructed in conformance with the standard regulations for height, lot dimensions, setbacks, and other provisions of the district.

(c) The Board shall make a recommendation to City Council that a proposed use should be or should not be determined to be a similar use for the district. City Council shall consider the recommendation of the Board and shall determine that the proposed use either is or is not a similar use for the district. The effect of a determination that a proposed use is a similar use shall be to amend this Zoning Code to list the proposed use as a new special exception use for the district.

(d) Subsequent to a determination by City Council that the proposed use is a similar use, the Board shall consider the application for a special exception and take action in the manner required by this ordinance.

1145.11 SUPPLEMENTARY REQUIREMENTS FOR PAWNBROKERING, BOOKMAKING, BETTING, SCHEME/GAME OF CHANCE, MASSAGE ESTABLISHMENT, TATTOO ESTABLISHMENT, BODY PIERCING

ESTABLISHMENT, ADULT BOOKSTORE, ADULT MOTION PICTURE THEATER, ADULT VIDEO STORE USES.

The following requirements, in addition to those stated at 1145.09, shall apply to special exceptions for pawnbroking, bookmaking, betting, scheme/game of chance, massage establishment, body piercing establishment, tattoo establishment, adult bookstore, adult motion picture theater, adult video store: No such special exception for these uses shall be conducted within one thousand feet (1,000FT) of the property line of any church, childcare center, public or private school, public library, public park lands, or any premises that sell or distribute alcoholic beverages.

1145.12 SUPPLEMENTARY REQUIREMENTS FOR GASOLINE STATIONS.

The following regulations, in addition to those stated at 1145.09, shall apply to special use permits for gasoline stations:

(a) Parking of employee vehicles, vehicles used in the operation of the business, vehicles awaiting servicing or return to customers after servicing, and vehicles held for disposal shall only be permitted in the locations approved on the site plan. Parking and storage of vehicles not related to the principal use of the site shall not be permitted.

(b) Vehicle sales, service, rental, or leasing shall not be permitted on the site unless specifically approved.

(c) Retail sales of products other than vehicular fuels shall be permitted only within an enclosed structure which shall comply with all provisions of the district, including requirements for parking. Outdoor display, storage, or sale of goods shall not be permitted on the site unless specifically approved in the special exception use permit and in conformance with the supplementary standards for outdoor display, storage, and sale.

(d) Temporary outdoor storage of discarded materials, vehicle parts, scrap and other waste prior to collection shall only be permitted within a storage area completely surrounded by a gated masonry wall six feet (6FT) in height or other screening approved by the Board. Such screening shall be set back from residential districts at least six feet (6FT) and landscaped according to the approved site plan.

(e) Fuel pumps and canopies shall conform to all requirements of this ordinance with regard to height, setbacks, and signs.

(f) Air compressor pumps (e.g., for tire inflation) and other outdoor equipment shall be identified on the site plan and shall be located in a manner which minimizes noise impacts on residential areas.

(g) Curb cuts shall be limited to two (2) per site. On corner lots, curb cuts shall be limited to one (1) per street.

1145.13 SUPPLEMENTARY REQUIREMENTS FOR DRIVE-THRU SERVICE.

The following regulations, in addition to those stated at 1145.09, shall apply to special exception use permits for a drive-thru establishment:

(a) Loudspeakers shall be located and designed, with volume and hours of operation controlled, in a manner to minimize noise impacts on nearby residential uses.

(b) Lanes required for vehicle access to and waiting for use of a drive thru facility shall be designed to have sufficient length to accommodate the peak number of vehicles projected to use the facility at any one time, to provide escape/abort lanes for vehicles desiring to leave the stacking lanes or to avoid disabled vehicles, and to minimize impacts on the use of other required parking or drives or on the use of abutting streets and hazards to pedestrians. The applicant shall provide a traffic study which documents to the satisfaction of the Board the projected vehicular use of the proposed facilities and evidence of compliance with the provisions of this Zoning Code.

(c) The Board may impose restrictions on the hours of operation in order to reduce inappropriate impacts on abutting uses and on street traffic and to ensure compatibility with normal vehicular activity in the district.

(d) The applicant shall so design the site plan or otherwise provide assurances as to reduce the impacts of lighting, litter, noise, and exhaust resulting from the facility, especially impacts on nearby residential uses.

1145.14 SUPPLEMENTARY REQUIREMENTS FOR OUTDOOR STORAGE.

The following regulations, in addition to those stated at 1145.09, shall apply to special exception use permits for outdoor storage:

(a) Outdoor storage shall only be permitted in areas identified on the approved site plan. No such activity shall be located closer than fifty feet (50FT) to a residential zoning district boundary or road right-of-way abutting any residential zoning district or within ten feet of any road right-of-way. Such activities shall not occupy any required parking area or driveway;

(b) Any outdoor storage area located closer than one hundred feet (100FT) to a residential district shall, if determined to be visible from such district, be screened by a landscape buffer strip or other means indicated on the approved site plan;

(c) Illumination of outdoor storage areas shall be designed to prevent glare or direct light from the illumination source into residential areas;

(d) Outdoor displays shall be maintained in a neat and orderly fashion. Signs shall comply with the provisions of Chapter 1181. Waste material shall be contained within a storage area completely surrounded by a gated masonry wall six feet (6FT) in height or other screening approved by the Board. Such screening shall be set back from residential districts at least six feet (6FT) and landscaped according to the approved site plan;

(e) The site plan submitted with an application for a special exception use permit shall indicate the types of merchandise or materials to be stored, and, if applicable, any

seasonal changes of merchandise or materials;

(f) Outdoor repair, preparation, cleaning, assembly, disassembly, or other similar activities shall not be permitted unless the nature and location of such activity is specifically identified in the application and approved by the Board.

1145.15 SUPPLEMENTARY REQUIREMENTS FOR JUNK STORAGE AND SALES.

The following requirements, in addition to those stated at 1145.09, shall apply to special exceptions for junk storage and sales: Junk storage and sales shall be effectively screened on all sides by walls, fences or plantings. Walls or fences shall be a minimum of eight feet (8FT) in height with no advertising thereon. In lieu of such wall or fence, a strip of land not less than fifteen feet (15FT) in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than six feet (6FT) in height may be substituted. Storage of materials shall not exceed the height of the screening.

1145.16 SUPPLEMENTARY REQUIREMENTS FOR MINI-STORAGE FACILITIES.

The following regulations, in addition to those stated at 1145.09, shall apply to special exception permits for a mini-storage facility:

(a) All storage shall be within an enclosed building unless the nature and location of outdoor storage has been specifically approved by the Board in conformance with the supplementary regulations for outdoor sales, storage, or display;

(b) Loading and unloading areas shall be paved and shall be located only as approved by the Board;

(c) A minimum of five (5) parking spaces shall be provided near the leasing office. Sufficient space shall be provided in the paved lanes serving the storage units to accommodate on-site movement of vehicles and the parking and loading/unloading of the trucks, vans, trailers, and automobiles of persons using the units;

(d) An on-site leasing office shall be provided;

(e) Fencing of the perimeter shall be provided as determined by the Board in a manner which promotes security and presents an appropriate appearance to abutting properties;

(f) A landscaped yard of at least twenty-five feet (25FT) in width shall be provided along any lot line of the subject site which abuts a residential area. This area shall not be covered by buildings, parking or drives;

(g) Door openings facing residential areas shall not be permitted unless approved by the Board;

(h) Activities on the site shall be limited to the storage of property only. Other

activities, such as the operation of tools, rummage sales, temporary residency, shall be prohibited unless specifically permitted by the Board;

(i) Hours of operation shall only be as approved by the Board, after consideration of the impact of the proposed use upon the character, safety, and tranquility of the neighborhood.

1145.16 SUPPLEMENTARY REQUIREMENTS FOR INDOOR STORAGE FACILITIES.

The following regulations, in addition to those stated at Section 1145.09, shall apply to special exception permits for indoor storage facility:

(a) A minimum of twenty percent (20%) of the floor area of any structure proposed to be used as an indoor storage facility shall be used for other uses permitted within the respective zoning district, unless otherwise specifically approved by the Board on the approved site plan.

(b) All storage shall take place within an enclosed individual storage unit that is rented or leased on an individual basis. Storage shall be prohibited outside of the structure or within designated aisle areas with exception of vehicle and recreational vehicle storage areas clearly shown on the plan.

(c) A rental or leasing office shall be required to be located on-site.

(d) No more than one external garage-door entrance shall be provided for each twenty storage units within the structure.

(e) A landscaped yard of at least twenty-five feet (25FT) in width shall be provided along any lot line of the subject site which abuts a residentially zoned property. A reduction of this buffer may be approved by the Board if alternate means of screening are provided and specifically approved on the site plan.

(f) Caretaker/residential units are prohibited.

(g) One parking space shall be located on the site for each seventy-five (75) storage units, in addition to other required parking for all other uses on the site (see Section 1179.03).

1145.17 SUPPLEMENTARY REQUIREMENTS FOR WIRELESS TELECOMMUNICATION FACILITIES.

In recognition of the quasi-public nature of cellular and/or wireless telecommunication systems, it is the purpose of these regulations to: accommodate the need for cellular or wireless telecommunications towers and facilities for the provision of personal wireless/cellular services while regulating their location and number in the City of Reynoldsburg; minimize adverse visual effects of telecommunication towers and support structures through proper siting, design, and screening; to minimize the adverse impacts that telecommunication facilities may have on the health, safety and welfare of

the public; to avoid potential damage to adjacent properties from telecommunication tower and support failure; and to encourage the joint use of any new and existing telecommunication towers and support structures to minimize the number of such structures. The following requirements, in addition to those stated at 1145.09, shall apply to special exceptions for wireless telecommunication facilities:

(a) Special Application Requirements:

1. A site plan shall include the following:

A. The total area of the lot;

B. The existing zoning of the site and all adjoining lots;

C. All public and private right-of-way and easements located on the lot;

D. The location of all existing buildings and structures on the lot; all buildings or structures and uses within five hundred feet (500FT) of the tower site; and the proposed location of the wireless/cellular communication tower and all wireless/cellular communication support structures including dimensions, heights, and, where applicable, the gross floor areas;

E. The location and dimensions for all curb cuts, driving lanes, off-street parking spaces, grades, surfacing materials, drainage plans, illumination of the facility, and landscaping;

F. The location of all proposed fences, screening and walls;

G. Any other information as may be required by the Board.

2. A report prepared by a licensed professional engineer documenting the height, design, proof of compliance with nationally accepted structural standards, and a description of the tower's capacity, which shall include the number and types of antennae it can accommodate.

3. For the purpose of demonstrating the necessity for the erection of any new telecommunication tower, any applicant requesting permission to install a new tower shall provide evidence of written communication with all other wireless/cellular service providers who supply service within a one mile radius of the proposed facility requesting use of the other providers' towers for collocation of the applicant's antennae. The contacted provider shall be requested to respond in writing to the inquiry within thirty (30) days. The applicant's letter(s) as well as the responses received shall be presented to the Board to demonstrate the need for a new tower.

4. The applicant shall also provide evidence of written communication with owners of nearby tall structures within a one mile radius of the proposed tower site, asking permission to install the wireless/cellular antennae on those structures. Tall structures shall include, but not be limited to: smoke stacks, water towers, buildings over fifty feet (50FT) in height, other communication towers, and roadway light poles.

5. The facility owner/operator shall present a maintenance plan demonstrating responsibility for the site.

6. The applicant shall provide a copy of a permanent easement or appropriate leasehold estate providing for access to the tower site. The access to the tower sight must be maintained regardless of other development that may take place on the site.

7. The communication company must demonstrate proof to the City that the company is licensed by the Federal Communications Commission (FCC).

(b) The following additional regulations shall apply to wireless telecommunications facilities:

1. Wireless or cellular telecommunication sites shall be located at least two hundred fifty feet (250FT) from any residential zoning district.
2. The setback between the base of the tower or any guy wire anchors and any property line shall be located a distance which is at least forty percent (40%) of the tower's height or fifty feet (50FT), whichever is greater.
3. The maximum height of a telecommunication tower shall be two hundred feet (200FT). The maximum height of the equipment building shall be thirty five (35FT) feet.
4. Maximum size of an equipment building shall be seven hundred and fifty square feet (750FT).
5. The minimum lot size and area restriction shall be the same as permitted for any other use in the (M-1) Light Industrial District.
6. A security fence eight (8FT) feet in height with barbed wire around the top shall completely surround the tower, the equipment building and any guy wires.
7. Towers and antennae shall be designed to withstand wind gusts of at least one hundred miles per hour (100MPH).
8. The tower shall be painted in a non-contrasting gray or similar color to minimize its visibility, unless otherwise required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA).
9. No graphics advertising is permitted anywhere on the facility.
10. Buffer planting shall be located around the perimeter of the security fence as follows: An evergreen screen shall be planted that consists of either a hedge or evergreen trees that shall provide a minimum of seventy-five percent (75%) opacity year round.
11. The tower shall not be artificially lighted except to assure safety or as required by the FAA.
12. Warning signs shall be posted around the facility with an emergency telephone number of whom to contact in the event of an emergency.
13. The owner/operator of any telecommunications facility shall design such facility so that additional service providers may add their antennae, platforms, and associated hardware to the structure at a later date. The owner/operator shall negotiate in good faith with other providers for the collocation of others service provider's antennae at the facility, shall cooperate with the City in identifying other wireless/cellular service providers for the purpose of negotiating sub-lease agreements for collocation of other service providers' antennae at the facility, and shall not interfere or hinder service providers from utilizing the facility.
14. Where possible, an antenna or tower for use by a wireless/cellular service providers shall be attached to an existing structure or building. A new wireless communication facility shall not be erected if there is a technically suitable space for wireless communication facility available on an existing wireless communication tower or other suitable structure within the applicant's search area. The applicant must demonstrate that a technically suitable location is not reasonably available on an existing structure or that bona fide efforts to negotiate location on structures have been rejected.
15. Any owner of a tower whose use will be discontinued shall submit a written report to the Planning Administrator indicating the date on which such use shall cease. If at any time the use of the facility is discontinued for one hundred eighty (180) days (excluding any dormancy period between construction and the initial use of the facility),

the Board may declare the facility abandoned. The tower owner and the owner of the property upon which the tower is located shall receive written instruction from the Board to either reactive the use within one hundred eighty (180) days or dismantle and remove the facility.

16. If reactivation does not occur within said period, the City may thereafter proceed to move the facility and assess the costs of removal to the owner, as well as certify those costs to the County Auditor as a lien against the property.

17. In addition to the foregoing requirements, the following standards, items A. through D., shall apply to wireless or cellular telecommunications facilities permitted on a property with an existing use:

A. The existing use on the property may be any permitted use or lawful nonconforming use in the RI or GI Industrial District, and said use need not be affiliated with the wireless/cellular telecommunication provider.

B. The telecommunication facility shall be fully automated and unattended on a daily basis, and

C. The vehicular access to the equipment building shall, whenever feasible, be provided along the circulation driveways of the existing use.

D. Subsequent to approval of a special exception for a telecommunication tower, the owner shall submit building permit applications to the City for any additional antennae proposed to be placed on the tower. A new zoning certificate will not be required, unless the Planning Administrator determines that such additions do not conform with the approved special exception use permit.

1145.18 SUPPLEMENTARY REQUIREMENTS FOR CHILDCARE CENTERS.

In order to protect the health, safety, morals, and general welfare of children and families utilizing childcare centers, the following regulations, in addition to those stated at 1145.09, shall apply to special exception use permits for childcare centers:

(a) No special exception use permit for a childcare center shall be issued for a lot that is within one hundred fifty feet (150FT) of any industrial district.

(b) No special exception use permit for a childcare center shall be issued for a lot that is within one hundred fifty feet (150FT) of any lot or parcel with an approved gasoline station use, or which is likely to generate noxious fumes or vapor.

(c) All outdoor play areas shall meet the minimum requirements outlined by the State agency with oversight of childcare centers. No play area shall be located adjacent to a loading space, loading dock or other area where vehicles are likely to idle. No play area shall be constructed in a manner that allows children access to any electrical or telecommunications box/vault.

(d) No childcare center shall be permitted to operate between the hours of 7pm and 6am the following morning unless specifically approved by the Board or Council.

MINUTES

PLANNING COMMISSION THURSDAY, JULY 7, 2016 6:00 PM

**PLACE: COUNCIL CHAMBERS
7232 E. MAIN ST, REYNOLDSBURG, OH 43068**

A. CALL TO ORDER

PRESENT: McKenzie, Cullinan, Comeaux, Wren

ABSENT: Welday

2. APPROVAL OF MINUTES

1. Planning Commission – Regular Meeting – April 7, 2016

Minutes stand approved.

3. APPROVAL OF AGENDA

Agenda stands approved.

4. PUBLIC COMMENT

Chairman McKenzie: We have people speaking tonight. We ask you to take an oath. Please stand and raise your right hand. Do you swear or affirm that the testimony that you give in front of the Commission will be truthful? If so, answer, "I do." (Audible I do's.)

B. BUSINESS OF THE PLANNING COMMISSION

1. 1636 Graham Rd; Application #173912; Reynoldsburg United Methodist Church; Major Site Plan

Chairman McKenzie: Mr. Snowden, do you have a Staff Report?

Mr. Snowden: Mr. Chairman, I do. 1636 Graham Road This is for Phase One of the Reynoldsburg UMC Family Life Center, it is a Major Site Plan. Application: #173912. Location: Property is located on the east side of Graham Road between Palmer Road and Burkey Drive. Existing Zoning: S-1 - Special District. The request is for the review of a major site plan in order to construct a building addition and related improvements. Current Use: Semi-Public Use (Church). Applicant: Osborn Engineering. The applicant is requesting the Board review and approve a major site plan in order to construct an addition to an existing church building and expand the related parking facilities. The site, you will probably recall, was rezoned previously in 2016, in order to conform the Zoning District to S-1. At the request of Staff, the applicant conformed all of the parcels at the site to the S-1 Zoning District by action of the Commission and Council earlier this year. This proposed major site plan represents phase I of the applicants overall project. The applicant intends to return in September with a subsequent major site plan application for the proposed building. In this phase I project, the applicant proposes to add 52 parking spaces in a lot immediately

to the south of their existing front parking lot. Given that no building area is being added by this phase, the parking requirements for the existing building do not change. The applicant meets the minimum 5FT setback for all parking spaces, and has provided the required screening and interior lot landscaping for this new phase. So understand, in this case, they are proposing a new parking lot. Their existing parking lot does not comply with the Code because it was existing, and much of it was built before our current landscape code, and various parking regulations were enacted. But their new parking addition needs to comply with the interior lot landscaping. That is why they have the tree islands within that parking lot. In the S-1 District, the minimum setback for a parking lot is five foot from the public right-of-way. That is pretty short. In the Commercial Districts it is the same setback as the building, or twenty feet in some cases. This is a shorter one, but it is in compliance with the Code. Pedestrian Circulation - The applicant has shown a concrete walk from the proposed new ADA parking to proposed new drive. They have added five handicap spaces there, and they have added a concrete walk. In order to provide a clear pedestrian path, Staff recommends that applicant provide an internal crosswalk across the main east/west drive to allow access to the building. Staff also recommends that the proposed sidewalk be connected to the existing public sidewalk along the east side of Graham Road to create a clear pedestrian path. Landscaping & Buffering - The main landscaping issues are the following: they have a large number of trees that they are proposing to retain. All of the trees that are not in the way of the proposed building footprint, so that is positive. Secondly, since they have residential immediately to their south, they need to provide minimum screening there. They are providing minimum screening which complies with Section 1180.10. That consists of a three foot high earth and mound with shrubs, the smallest of those shrubs matures to a three foot height. That gives them six and a half feet to comply with the six foot regulation. Given that buffer, that permits the Commission to approve their proposed new driveway, the southern most driveway on the site, to be twenty-five feet from the existing lot line. If they did not have the required buffer, Section 1175.08 of the Zoning Code, would require a fifty foot setback for the drive. So, in this case, it is up to the discretion of the Commission, but they are meeting the letter of the Code to allow that lower setback for the single family. They have not shown it on there, but the reason that they are constructing that drive in that manner is to allow additional future parking expansion, on the site. With that, the Board should determine if the applicant has met all the criteria for major site plan review and approval as outlined in Section 1143.03(c) of the Zoning Code, and if the site plan as proposed will have a negative impact on the public health, safety, morals, comfort and general welfare. Staff finds the proposed site plan in compliance with those standards and recommends approval of the site plan on the following condition: That the applicant provide revised plans to Staff creating clear pedestrian path from sidewalk along Graham Road to the building entrance. Whether that means extending the current sidewalk, or providing a defined hatch crosswalk across those drives. With that, I will turn things back over to our Chairman, and I will be happy to answer any questions.

Chairman McKenzie: Ok, thank you. If any of you would like to address the Commission, this would be the time to do that. If you would, please give your name and address.

Mr. Greenway: My name is Jeff Greenway. I live at 2781 Country Brooke Lane, here in Reynoldsburg, and I have been the lead Pastor of Reynoldsburg United Methodist Church for

almost the last ten years. Our congregation has been a vital part of this community for 185 years, and we have had buildings on four different locations. The last three buildings that we have had, have all been built together on the present footprint, which is the round building in the front, the Sanctuary type looking building across the front, and the large worship center in the back. This is a proposal that we believe is going to be a hub for positive community impact. That is the goal of our church is to be a positive force in our community, especially to provide a place for children and youth to congregate in a healthy kind of way. We are very excited about what the future holds for us, and we think it is going to be good for Reynoldsburg. All of the technical questions that you will have are going to be answered by Brian Lundgren. But, I just wanted to be here. Our Site Director, Karen Wagonette, also the Chair of our Finance Committee, Ruth Noensactionous, we are whole heartedly behind this as a church, for our community. Thank you.

Mr. Snowden: Just let me clarify what I was saying. You see in this area, on the screen in front of you, they have modified this parking and they are adding drives going to the new southern parking lot. What I am saying is, taking that concrete walk which they are proposing along the south side of that, and basically having a defined path across there to the street, and then having a defined path across this drive to the building. Is that making sense? I think they are not being totally clear here with this building addition entrance is going to be, and that may not be fully developed yet, but I just feel we should have some sort of defined path from the public street to the building.

Mr. Lundgren: Brian Lundgren with Osborn Engineering. I am the Civil Engineer of record. 990 W. Third, Columbus, 43212. Eric did a great job summarizing the project. I will be happy to answer the questions. I believe the church is ok with that extension to the sidewalk along Graham Rd. The reason for not showing more detail on the connection to the future building is that we planned to address that when the future building plans were submitted with the next phase. We absolutely would need some sort of ADA connection shown to the new building. With that I would be happy to answer any questions you may have.

Mr. Snowden: Mr. Chairman, a good strategy in this case might be to require the applicant to extend that, or to have a defined crosswalk to the public street, as part of this phase, from that ADA. And then, address the ADA connection from the ADA parking, to the building, as part of the Phase Two. They are showing a proposed building footprint, but there are going to be parking islands, and walkways, to actually get you to the doors when that building is designed. That may be something, if we address the connection to the public street as part of this phase, since it is dealing with site work, and maybe address that at a secondary phase. The secondary phase is going to require a Major Site Plan approval again because of the size of it. They will be back to the Commission with the building architecture, design, so we will all be seeing each other again.

Chairman McKenzie: Any questions from Commissioners? This, by the way, is our first time for the Planning Commission to be dealing with a Major Site Plan review. I will have questions, maybe more for Mr. Snowden, than for you.

Mr. Comeaux: It looks like you are removing a few handicap spots from the overview that

Mr. Snowden has. So you are removing a few, are you adding any additional with the parking you have here. I know there is a ratio of occupancy, or a ratio of spaces to that.

Mr. Snowden: If I can respond to Mr. Comeaux; if you look here only these first two or three spaces are ADA, and these are general parking. What they are showing here is to go to five or six ADA at that location, and then remove the general parking to add the drive. You are removing one or two ADA spaces here. You have additional ADA here and here. To be clear, with our code for parking, this is a great learning opportunity for the Commission, our Code for parking, does not specifically require a number of ADA spaces. It simply states that everybody should comply with the ADA. It does not specifically require them. Ultimately it is on the property owner to comply with ADA's requirements. It is definitely something that I would like to revise in the future. It is something I think we should be more cognizant of, requiring enforcement, that is just my opinion and we can discuss that in the future.

Mr. Comeaux: I had not gotten that the hashing was indicative of the ADA spaces.

Mr. Snowden: It is indicative of the area in which it is required for.

Mr. Comeaux: So, you are adding another egress, another drive to leave the facility, but the ways to get into the facility are going to remain the same, is that correct? I know it is a tougher challenge to get people out than it is to get people in.

Mr. Lundgren: That is correct. So, as far as the existing access, there are no plans for modifications, so that would be in addition to.

Mr. Comeaux: And the only other question I have is kind of a procedural thing. You said there was an adjacent neighbor that had raised concerns, or praise, or something like that. I do not know what the nature of it was.

Mr. Greenway: Actually the Board and I had a meeting with our neighbor, Mrs. Barry, who is the neighbor to the south, and the reason we are putting the berms in is at her request. That was the major concern that she raised in that meeting with us.

Mr. Comeaux: Personally, I think that is a great way to handle it. If you have a problem with your neighbor, talk to your neighbor.

Mr. Snowden: I met with Mrs. Barry, and did encourage that meeting as well. It is great to see that it has come out with a positive resolution as far as we can tell.

Mr. Comeaux: Thank you. That is all the questions I have.

Mr. Cullinan: Back to the ADA spots, I assume you followed the State of Ohio for one to twenty-five.

Mr. Lundgren: Yes. The ADA Code tells you how many parking spaces you need, and then

this many ADA, and then this many accessible as well. When we submit the Utility Plan, obviously that would be reflected.

Mr. Cullinan: That's good.

Chairman McKenzie: If everyone else is done with questions, I do have a few. And, these may be for Mr. Snowden as well. So in regard to stormwater generation and amelioration, is that part of something that we can review in these site plans for a parking lot? It definitely increases your impervious surfaces. Also, the plans show additional parking areas, which are not definitively part of this project yet, but are drawn as proposed ones. And, if we approve the site plan, are we also approving those additional parking areas?

Mr. Snowden: Let me clarify. We are only approving the areas that are here and are listed as proposed asphalt, and shown on the main plan. I would interpret that as saying that the parking lot immediately to the south of the existing front parking lot, and the drives connecting that to the southern drive, and the southern drive. The fact that they are doing some master planning and sort of looking at the whole site and saying these are areas that couple be used for parking in the future, my interpretation is we are not improving that because it is not shown with the stormwater requirements, etc... It is just showing here as a conceptual area where it can go. We are only approving the lot to the south and the drives to it.

Chairman McKenzie: Alright.

Mr. Snowden: Mr. Chairman, if you recall, when the applicant first met with Staff, they said they were looking to do some master planning of the entire site. That is why Staff encouraged them to do the zoning district change, in order to conform the zoning and make that process a little bit easier. I think they have been going through the process of just looking at their entire site about what it can be used for. To specifically answer your question, we are approving that lot and the drives that are indicated as proposed on the main part of the plan.

Chairman McKenzie: In regard to runoff, our stormwater book, that is available online, is listed as 2008. Is that the most recent copy?

Mr. Snowden: As far as I know. Let's talk a little bit about stormwater. They are required to show stormwater on this preliminary Major Site Plan. A copy also goes to our City Engineer and to our Service Department. They are receiving and doing a basic review at this phase. So, we typically have not in the past, although we could, reviewed the actual calculations and determined if they are meeting the requirements. The reason we have not done that at this phase in the past, is because our Engineer is going to do that at the Plot Grade Utility Phase, which is the phase immediately following this approval this evening. And, if the Engineer does not approve a Plot Grade utility, the fact that the Planning Commission approved a Major Site Plan is irrelevant. They must have an approved Plot Grade Utility as well. When BZBA reviewed those, what they limited themselves to was making sure that some stormwater was indicated on the site. In this case they have shown you where the proposed

inlets were going to be and which way the flow is going on the main plan. They have also reviewed to determine if they have somewhere where they are proposing to accommodate. In this case they are proposing to accommodate it in the existing basin, and they have an expansion shown. So basically, the BZBA's view was that they were showing that they are accommodating it in some way, and we will rely on our Engineer to tell us that technical details as to whether that applies. I am not aware of other Planning Commissions that are doing an engineering level review at this phase. Typically they are looking to see if they have some game plan in place to address stormwater. If they do, the Commissions rely on their Engineering Staff, typically.

Chairman McKenzie: So generally, we would not be concerning ourselves with that. Since you are here, for your consideration, I am somewhat aware of that basin back there, and the bottom of it, this feature that is showing there at the bottom is concrete. It basically lets out onto property not owned by the church, to the south. And that concrete ends, so instead of reducing outflow of the stormwater from the church property, that concrete basin is really increasing it onto another property. I just some questions about that.

Mr. Lundgren: We are required to meet the current detention requirements. So based off our calculations, we will determine the current release rate. And then it is our responsibility. There are multiple ways of handling it. We could look at ways of handling it. We could look at parking lot storage, over sizing the storm sewer, modification of the stormwater basin. We have multiple options. As Eric was saying, in the next step, we get more into the detail and how we are going to meet those requirements.

Chairman McKenzie: Something I was concerned about and I was just treading to see where we can go on this, and also going to be part of the utility review, I'm sure, but the lighting on the property. So this light pollution, I don't know how the lighting of the current property is on. I know they are photo sensitive so that they are not on during the day. I do not know if they turn off during a certain time of night, or whether they are on all night. And for people concerned about light pollution, these practices know are going to motion sensitive parking lot lighting so that they only come on when there are people in the parking lot as well.

Mr. Lundgren: As far as this phase, we are only proposing the light pole bases, not the actual light poles. Our thought process was that until the building was selected as far as far as material type, it is difficult to include all of that. And typically that is right up through the new building. So, the lighting will be part of the Phase Two.

Chairman McKenzie: As I said, this is new for me and I was just looking at I saw the basis of the light poles on the plans and stuff. So, I am just questioning what the limits are of this proposal tonight.

Mr. Lundgren: What we wanted to do was not tear up the roadway. So, we put in a new road, and we have to put light poles, and they are on conduits. So the thought process was that we would install the bases with this project, and the lights would be installed with Phase Two.

Chairman McKenzie: That makes perfect sense. I just didn't know.

Mr. Snowden: Mr. Chairman, in the past, I am not aware of the Commission or BZBA being that specific about a light type, but they have typically approved a photometric as part of these. They have reviewed colors, materials, and so forth. But as far as requiring a specific type of on off system, I am not aware of that. It does not mean that we could not being given some specific reason. Just trying to understand the perimeters and what we are looking for.

Chairman McKenzie: What I am trying to understand to is what this Commission is looking for now on these site plans. The other questions I had, Mr. Comeaux had already asked. We are ready for a motion if anyone would like to propose a motion, if there are no other questions.

Mr. Comeaux: One other recommendation that Staff had was to provide revised plans respecting the pedestrian path and sidewalk along Graham Road and the building entrance. Is that something that you all are comfortable with? In that case, I make a motion that we accept this item with the proviso that they provide the Staff with revise plans showing a clear pedestrian path and sidewalk along Graham Rd., to the building entrance.

(Vote)

Mr. Snowden: To the applicant, page three of my Staff Report there has the next steps to continue the process. I know we have met several times, so you are aware of it. We will look forward to your Phase Two submission coming to the Commission. I will provide a Written Record of Action.

RESULT:	ADOPTED AS AMENDED [UNANIMOUS]
MOVER:	Jim Comeaux, Chairman, Design Review Board
SECONDER:	Justin Wren
AYES:	McKenzie, Cullinan, Comeaux, Wren
ABSENT:	Welday

2. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1145 Special Exceptions. (Second Reading 7/25/2016).

Chairman McKenzie: Several items that are very close to one another, which are the amended ordinances that Eric has prepared... Do you want to go through these one by one, or can we group them?

Mr. Snowden: Mr. Chairman, if I could just make a general statement about where we are at. So, the Commission may remember we went through and made a significant push beginning back in December and working through November and working through the Ordinances being adopted and taking effect in March, to move our Zoning Code forward, make a lot of basic nuts and bolts language type of changes to the Code. What I am coming with you tonight with, and these have been sent back to the Commission from City Council, are a series of Ordinances, some of which are still in the realm of changing language, but most of

them are really adding more tools to our tool box and making sure that we have the right Codes, tools, planning tools in place. Mr. Chairman, if it is ok. I will just state what each one is briefly, and then I can answer any additional questions. Would that be acceptable?

Chairman McKenzie: That would be fine. Is there anyone on the Commission that would prefer to do it one by one?

Mr. Snowden: Let me just give you a brief statement. The item listed as number three, Special Exception Uses, the main change there is that our transfer procedure is out of a broken procedure. Our procedure of transfers of Special Exceptions today, says if you are transferring, you get to start the process all over and get a new permit. For example, there was a business that had a Special Exception Use that operated on Friday, if they changed the name and had a new owner on Monday, a new Special Exception Use permit is required. That process takes approximately three months, at its longest. That does not really make a lot of sense when you have an entity that the only change is the name of the business. I have propose an administrative transfer procedure. I have also made some minor changes to how Council would review a Special Exception Use after BZBA's review, to speed up the process. Our process is taking upwards of ninety to one hundred and twenty days. Most communities, even with Council review, are reviewing these types of permits in sixty days. So, we needed to move things along a little bit. It really does not effect anything this Commission is doing, it really effects how City Council is approving Special Exception Uses. Again, in every Zoning District, you have permitted uses that are allowed by right, and you have Special Exception Uses that allowed with permission of BZBA and City Council. So it is really how people are getting authorized for their use.

Mr. Comeaux: So, a Special Exception, for instance, are we talking childcare center, we talking bars and restaurants.

Mr. Snowden: Childcare is a big one, bar/restaurants are in much of the City, gasoline stations. We have a very high number of Special Exceptions. Just as an example, the special uses in Columbus that require approval from the City Council and the Development Commission to get the use are excavating oil and natural gas, junk storage, shingle grinding, that type of really obnoxious where there are a lot of land use conflicts. We require a Special Exception Use for a drive thru. We require a Special Exception use permit anywhere where food and beverage are sold for consumption on site. We are doing a lot of them for uses that would be permitted uses everywhere else. That is why this has to be consistent and as streamlined as possible.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
AYES:	McKenzie, Cullinan, Comeaux, Wren	
ABSENT:	Welday	

3. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1196.09 Lighting of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1182 Exterior Lighting. (Second Reading 7/25/2016).

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
AYES:	McKenzie, Cullinan, Comeaux, Wren	
ABSENT:	Welday	

4. **ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Chapter 1171 General Requirements; Section 1180.12 Screening and Landscaping for Service Structures of Chapter 1180 Landscaping and Buffering Standards. (Second Reading 7/25/2016).**

Mr. Snowden: This amendment is very timely, given our Chairman's statements from a moment ago, these are some basic lighting standards for the entire city, limiting pole heights, prescribing how. These are actually to help this body. For example, I have added a regulation that said the color of the pole height shall match the architecture of the building, as determined by the Planning Commission in a Major Site Plan. So I am trying to give some guidance as to how we evaluate lighting. We have really no regulations for lighting outside of the Community Commercial Overlay, which is Main St., Brice Rd., and Livingston. The rest of the City, there are no regulations for lighting. So, I took those regulations, and applied them to the majority of the City. They will not apply to single and two family. These are for commercial, apartment complexes, that sort of thing. So that will help our review of Site Plans for exterior lighting compliance. This is a basic update of our temporary structures. Code, also made some basic updates o a definition to what is a generator, defined a generator, defined where a generator can be placed. I said that generators are going to be treated just like accessory structures. If they are within a certain distance of a lot line, they must be screened. The reason that I am applying the accessory structure regulations to generators is because we have folks that have tried to install generators in their side yard that are eight feet from their neighbors house and causing some conflict. These things, if they are in the back of a property, where they are on a large property, where there is nothing around them and there is really not a problem, but when they are adjacent to somebody else's property, there are a lot of conflicts. That is why I am defining that these are accessory structures. I just kind of cleared up how we are going to address them. Secondly, I clarified our code on landscaping requirements for service structures. The way that it was written, it applied to the entire city and you could argue that it required anyone who had any sort of service structure including a single family home with like a telephone box, or something in the back to screen it. That should not be necessary for single and two family, so I better defined what those regulations apply to in Chapter 1180.

Attachment: PC Minutes 7.7.16 (1404 : Amendments to the Zoning Code)

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
AYES:	McKenzie, Cullinan, Comeaux, Wren	
ABSENT:	Welday	

5. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1103.10 Certificate Required of Chapter 1103 Design Review Board; Chapter 1135 Title; Purpose; Interpretation; Chapter 1143 Zoning Certificate; Site Plan; Plot-Grade-Utility Plan; AND Chapter 1151 Amendments; AND Enacting Chapter 1177 Limited Overlay. (Second Reading 7/25/2016).

Mr. Snowden: Our Zoning Certificates and Plot Grade Utility Plans, a few minor changes. Chapter 1151 applies directly to this body. It flushes out the Charter on Zoning changes. However there are provisions within Chapter 1151, that did not comply with the Charter. I have updated them to clarify so that the Charter is paramount. It had to do with stating that if you had certain revisions, you could come back to the Planning Commission, without having to go to City Council first. The way that our Charter is written for rezonings or regulation changes to any zoning, it has to begin at City Council. We cannot through the Code create a different procedure than the Charter requires. I am enacting Chapter 1177, Limited Overlay. Limited Overlays are a tool that are used in rezoning. What they do is, they put special requirements on a particular property, something that a person that is rezoning can place on themselves, to address certain specifics of their site. An example of this is, at the Shoppes at East Broad, the developers rezoned to a zoning district where adult use was a permitted use, and then put a Limited Overlay on themselves to say that they would not allow adult use at the location. So it is a very site specific type of zoning. We have used these in the past, here in Reynoldsburg, but we did not have the Code defining the purpose, defining how you apply for them, defining how they should be used, and so I have added language modeled off the City of Columbus, to basically just say how these will be used in the future. They are there to provide, when there is no other way to address some unique characteristic of a site as part of a rezoning, a Limited Overlay is a useful tool. And, we need to say why we are doing things. We should not just do it as part of a rezoning.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
AYES:	McKenzie, Cullinan, Comeaux, Wren	
ABSENT:	Welday	

6. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1161.04 Commercial Districts of Chapter 1161 Zoning Districts; Section 1196.03 Overlay Areas of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1184 Planned Commercial Development. (Second Reading 7/25/2016).

Mr. Snowden: This item enacts a Planned Commercial Zoning District. We currently have one planned district, it is for large scale residential projects. A Planned Commercial District is a flexible mixed use district. The way things work today, for a commercial project, you re-zone to a commercial zoning district, then you must comply with all those zoning regulations, and get a site plan approved by the Planning Commission. With a Planned

Commercial District, you re-zone to your project. So, instead of rezoning to CC, where I have all these lists of tables of setbacks and regulations, with a Planned Commercial Development, I re-zone to a project. That means they would provide us with a plan, you would go through the process of re-zoning with that more detailed plan, get that approved by the Planning Commission and the City Council, and then they would get a Major Site Plan approved that dealt with the other details that were not dealt with as part of the original approval. This is modeled off our existing planned district. Our existing planned district was only for residential. I am saying it is for mixed use development. You re-zone to your project. So, the only thing you can build is for what you get approved for, that it is.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
AYES:	McKenzie, Cullinan, Comeaux, Wren	
ABSENT:	Welday	

7. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1123.01 Improvements to be Paid for by Subdivider of Chapter 1123 Required Improvements; Chapter 1131 Definitions; Section 1161.03 Residential Districts of Chapter 1161 Zoning Districts; Chapter 1183 "PD" Planned Development District; AND Chapter 1187 Special Provisions for R-20 Townhouse District. (Second Reading 7/25/2016).

Mr. Snowden: Since we had another planned district which was called Planned Development District, I had to change that to Planned Neighborhood District. It did not change any regulations to how a Planned neighborhood District works.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
AYES:	McKenzie, Cullinan, Comeaux, Wren	
ABSENT:	Welday	

8. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Section 1193.12 GRAPHICS of Chapter 1193 "HD" Historic Overlay District; Section 1196.11 GRAPHICS of Chapter 1196 Community Commercial Overlay; Repealing Chapter 1181 Signs; and Enacting Chapter 1181 Signs and Graphics. (Second Reading 7/25/2016).

Mr. Snowden: This completely repeals and enacts a new sign code. Our sign code had some major issues. What I am proposing in our new sign code is one, I am getting rid of a dual review. In some cases you had to be reviewed both by BZBA and DRB. I am going to let DRB take on all of our signage reviews. I have also stated when Staff will do reviews such as when a sign is refaced. Currently you have to go to DRB to reface a sign in a lot of the City. That is something that Staff should review and if there are questions about compliance with our design regulations, Staff and the applicant then refer that to the DRB for additional review. That is the big take away. It is not allowing people to have any more or less signage. Area requirements are still the same. I am just trying to clarify the process for getting signs approved. There were some cases where you are going for two meetings to get

signs approved here. That is taking too long for something that should not be our primary purpose. I know that is a lot of information, and I would be happy to answer any questions.

Chairman McKenzie: Mr. Comeaux.

Mr. Comeaux: Two questions, for the generators in particular, and then the mixed use development, you could have just started typing, or you might have looked at surrounding communities. Where did you look to pull some of that language?

Mr. Snowden: I did not pull a lot of language for the generator portion. Basically, I just stated that a generator is defined as this and shall be considered an accessory structure. The only thing I added, I said that if it is within a certain distance of a lot line, it must be screened. I did not model that off of any particular community, only off my own experience, and frankly we have had several individuals that actually tried to place this near a lot line in conflict with their neighbor. One of the goals of our zoning is to minimize land use conflict. So, if we can require a six foot setback and screening, that minimizes the conflict. Most other communities are treating them generally. The same as they treat their accessory structures.

Mr. Comeaux: On the mixed use development, which personally I think would be a really great thing, and I love the fact that it would be allowed to happen. Again, where did you look? Columbus might have a different approach than Pickerington, or Gahanna.

Mr. Snowden: I actually modeled that in terms of the process. And, I tailored it toward commercial by simply changing the uses that are listed as permitted uses. In the current planned district, which is going to become the neighborhood district, it says the uses are single family, two family, multi-family, residential care facility, and so on. I basically changed that to say your uses are retail sales, administrative business, professional office, label those out. And then I said, uses that are a special exception on the CC District, are special exceptions as well you could still get to a gas station if you wanted to. I also said multi-family was a permitted use, and I said multi-family in that where specifically approved. It is not an interchangeable use. You can not have a restaurant close and have that space become multi-family. It is only where this Commission and City Council specifically approved it. That is the thing to take away. This is not an end around to a multi-family complex. It is designed for a mix used development that has first floor retail and maybe an office component. It is not a way to get to traditional apartment complexes.

Chairman McKenzie: I need a clarification. How are you limiting the number of units in the multi-family?

Mr. Snowden: I put a specific limit.

Chairman McKenzie: I have read through these documents.

Mr. Snowden: Mr. Chairman, what I said specifically is that there are only where they are specifically approved by City Council and the Planning Commission. You are going to see

the whole project. You are going to see the site plan, the architecture, and everything, as part of the re-zoning. And you are going to do a major site plan to take care of the landscape plan and maybe a few other details. But, the point is that multi-family is only where it is designated. That gives us unlimited flexibility. The other thing to emphasize is, there is nothing that requires approval of this. If there was a product that had a large multi-family component that folks simply were not comfortable with, we are more than justified to not approve it. Let me see, I believe I did put an upper limit. If you look under Section 1184.04(c), which is packet page 63, I said that any multi-family component, the maximum for an entire district, would be twenty units per acre. So, that would be the maximum you could approve under this zoning district. The fact is, we are tying our hands. It is my personal opinion that there is no reason to have any requirement. The reason is because it is as specifically approved. You could say the maximum is one hundred units per acre. It does not change the fact that it has to be specifically approved by City Council, and the Planning Commission, and if a site is not able to hold that much, we are more than justified in turning down the project. That is the take away. We have even more control over this process than we have over our straight zoning process, because our straight zoning multi-family districts say you get eight, ten, or twelve units per acre. Right now, our AR-3 is no more than twelve units per acre. So, for me to say twenty units per acre, that is a lot higher than anything else we have. The main reason I put it in there is so that people would feel comfortable moving forward with this Planned District, understanding that it is not a back door to multi-family. It is for mixed use projects that might have a multi-family component. We are not required to approve any of them. But right now, having a second story apartment, over first floor retail, with an office component, is illegal in all of our zoning districts. So, I had to find somewhere where that could be allowed. Trying to put a tool in our tool box.

Chairman McKenzie: Off the subject, but chiding, slightly, we had talked before about formatting consistency, and documents before they are presented to us, and you did a lot better this time, but there are a lot in there.

Mr. Snowden: I spent a tremendous amount of time with it.

Chairman McKenzie: He and I are the two that are the most particular about this type of thing. Secondly, I went to the Public Hearing, I have been to all the Council meetings where you have been through this and stuff, and as I am reading through the document, the changes you have made to the Special Exception thing, where no the BZBA can only recommend approval, instead of approving them, really makes the document illogical. And, it also seems to extend the amount of time it will take for approval. For in the past, the BZBA has been able to approve Special Exceptions, correct, without going to Council?

Mr. Snowden: That is incorrect. The current code is inconsistent because it says that BZBA approves them, but that City Council has an optional review. That is still in place. I just used the term "recommend for approval" because ultimately BZBA is not making the final decision. Even if City Council is making no decision, they are still making a decision. I was just trying to be consistent. What I would really like, and what I am not able to advocate for at this time, given the current procedure, which is one or the other, either BZBA approves them all, and it is just done, or we reduce the overall number of Special Exceptions, and we

have City Council approve all of them. We are trying to find a middle path, and it is a very difficult situation.

Chairman McKenzie: I agree, but you have changed it to now that they can recommend approval. But then, everything else where they can stipulate, you still have a language where they can stipulate additional requirements and stuff. And, it would seem to me that it doesn't make much sense to only be able to recommend approval. Council, as you pointed out when Council asked about this, they can add stipulations and requirements as well, that the language should be consistently there that the BZBA may recommend stipulations, rather than just imposing these stipulations on them. It is because of that middle ground. It really only makes sense from the standpoint of efficiency or anything else, to either have Council do them all, or to have the BZBA have the authority. This middle ground type of stuff, even reading through it does not make much sense. They have the authority to deny, pending appeal. But, they can only recommend adoption, but they can also enforce additional requirements.

Mr. Snowden: You are probably correct in your statement. We probably should have used the language to recommend the conditions, but ultimately it does not change the fact that it is going to go to City Council one way or the other. Maybe I was a little inconsistent there, but it really is not changing the process that much. What it is changing is what I am requiring City Council to do in that code change, is make a decision by the next meeting of City Council, instead of sometimes these are taking an additional six weeks to get through City Council. That is the change.

Chairman McKenzie: How will you make them get through Council with just one reading?

Mr. Snowden: What I stated is that they are going to have a Public Hearing, prior to the next regular full Council meeting. And then at the next full Council meeting, they would introduce and pass a resolution confirming whatever decision they made at that hearing.

Chairman McKenzie: But, in the past, what they have been doing is labeling these things as ordinances. And, by doing that, it allows them to go through three readings.

Mr. Snowden: Only ceremonial resolutions are exempt from the three readings. So, an administrative resolution such as this, would still be required to go through three readings. By using the language, introduce and pass, and our City Attorney, Mr. Hood, and I spent hours working on this together. We found that that language meant they could do one of two things. They could either introduce the Resolution and pass it as an emergency off of one reading, or they could introduce it and pass it by waiving second and third reading. They are calling that rule suspension here. Having worked at another City Council, it is actually waive second and third reading. I am not telling them to do one or the other.

Chairman McKenzie: If they waive second and third reading, then the thirty day cooling off period is still in effect. Where, if you go with an emergency, there is no thirty days.

Mr. Snowden: You are correct and the reason I did not want to prescribe it that carefully was that I wanted to give Council some flexibility. I don't want to be telling them how to introduce and pass legislation. The idea was to try to put a shock clock on this to move things along. The point being, when these Special Exception are considered, most of the time folks had made up their mind by the first or second meeting. So, sitting through six total City Council meetings, between Committee and Council, does not really add anything to the process other than time. So, the idea is, let's have a hearing, let's get all the information out there, let's make a decision. It does not prevent City Council from reintroducing something if new information comes to light. There are many different ways that errors can be corrected, but the idea is to simply make a decision in a timely manner. If they are looking at it, they review it, it is approved or it is not. That is the concern that the applicants have, how long the process is taking. They would much rather hear that you apply thirty days before BZBA, you are approved through BZBA, and City Council will have a hearing by two weeks into the next month. Whereas, with the current process, it could be an additional six weeks, seven weeks depending on the calendar. That is not a great answer for a Planning Administrator to give to an applicant who may not fully understand the process. And, all we are doing is approving a use. We are making a decision as to whether the use is appropriate to the site.

Chairman McKenzie: Any other questions? If none, I will entertain a motion.

Mr. Comeaux: I will make the motion that we recommend to Council that these revisions be approved.

Mr. Snowden: Mr. Chairman, for procedural clarification, these are items three through nine on our agenda, and we are taking one vote.

Chairman McKenzie: That is correct.

Mr. Snowden: Those will be forwarded back to City Council two weeks for Monday. Any other comments or feedback from the Planning Commission is always welcome.

RESULT:	REFERRED TO COUNCIL [UNANIMOUS]	Next: 7/25/2016 7:30 PM
MOVER:	Jim Comeaux, Chairman, Design Review Board	
SECONDER:	Tyler Cullinan	
AYES:	McKenzie, Cullinan, Comeaux, Wren	
ABSENT:	Welday	

9. Rules of Commission Changes

Chairman McKenzie: Now we have the Rules of Commission Changes. This is something that I have been shepherding for several months now. Any questions or clarifications? If you remember, I did send out the last set of proposals at the end of May. I should point out that also on the revision for future changes to the Rules of the Commission, I did go for a unanimous vote. Mr. Snowden is opposed to that and would recommend that it be a simple majority. Correct?

Mr. Snowden: Mr. Chairman, and other Members of the Commission, I support all of the changes that you have proposed here. I think that you have improved the language and clarified and taken away problems we have had in the past. My only concern under Section 8.1 is adoption requires unanimous vote. Thinking long term, we have five members of the Commission, I don't think that the Commission should limit the majority from making a decision that is in the best interest of the Commission or City, because one person does not want a change. The nice part is, we have a great relationship between Staff and the Commissioners. All the Commissioners respect one another and the public. We all get along now, and we all play nice. But, what happens when, fifty years from now, one person doesn't like something, and everyone else is in support. That is why I don't think we should tie our hands. I agree with the Chairman's statement that it is better to discuss a Rules change at meeting one, and wait until the following meeting to implement a Rules change. We are already giving Rules changes a much a higher level of scrutiny, than we are giving any other decision that this body makes. And, that is why I feel that item is unnecessary. Ultimately, it is your decision.

Chairman McKenzie: If I may respond to that... I am not particularly, incredibly, I don't think it is important that we do that. I had set that out as a very high standard. With the five people here, I don't really think it is going to be much of a problem for the Rules. For other things, I don't think it would be. But, for the Rules, which really shouldn't be changing all that often, it is hard to see how they would have additional changes to them. If you think back to what happened with the proposal to change meeting times, the emails were sent out, the 6:30/7:30 start was basically stopped by Mr. Zollars who was sitting in the audience saying he did not like 7:30 meetings.

Mr. Snowden: There were others, Mr. Chair.

Chairman McKenzie: At least the ones that had replied all, that was the only one that I had seen. It does not seem to be that big of a thing to me, but at the same time, I have no problem at all with going to simple majority. It is not a big deal.

Mr. Comeaux: On that one point, the Planning Commission does not have control over how many members might be assigned to it in the future. So, if we set those Rules, and they were to expand the membership...

Mr. Snowden: Theoretically, Mr. Comeaux, if you had a Charter that said the Planning Commission shall now consist of twenty-five individuals... Again, that is not realistic, nine would be... Five is small, seven is common, nine is high.

Mr. Comeaux: My only point is, if there was someway to come up with a super majority, but a super majority of five is kind of silly. I think a simple majority would probably be my preference on that. Thank you.

Chairman McKenzie: You are welcome. Any other discussion on the points?

Mr. Cullinan: I think I could go either way.

Chairman McKenzie: Does anyone feel, although Mr. Cullinan said he was thinking about the compromise, does anyone want to go for the super majority?

Mr. Comeaux: I think simple majority should suffice for Rules. That would be my preference. I think it is pretty consistent with most Robert's Rules approaches.

Mr. Snowden: Mr. Chairman, I think the procedure you put in place where you are saying we are going to adopt these thirty days after they are proposed, is a good procedure. I know I said in my model Rules that I started out with seven days. Rather than adopt this now, would the Commission want to mull it over for thirty days?

Chairman McKenzie: As I said, the Commissioners have already had these for more than thirty days. The only discussion we are having here tonight is whether we will go with a simple majority for future changes to rules, or what was originally proposed. I don't think we have had anybody object to making that modification to the proposed changes, so I see no reason to hold this off for any additional time.

Mr. Wren: I will motion to approve the Rules of Commission Changes.

Chairman McKenzie: So, to be specific, you are motioning to approve all the proposed changes?

Mr. Wren: Sorry, with the simple majority.

Chairman McKenzie: With the one modification from unanimous vote to simple majority for future changes to the Rules of the Commission.

Mr. Snowden: Gentlemen, for clarity sake, the Charter already stipulates all decisions not otherwise prescribed of any board or commission, or by simple majority. So, I am going to recommend, if Mr. Wren wants to redo his motion, that we just say striking that particular sentence. We don't need to repeat, "by simple majority." That is already in the Charter. Is that acceptable Mr. Wren?

Mr. Wren: Yes.

Mr. Snowden: My recommendation would be that Mr. Wren make the motion to adopt the changes, striking the sentence in Section 8.1, "adoption requires unanimous vote", all other changes are in tact.

Chairman McKenzie: You are good with that?

Mr. Wren: Yes.

Mr. Comeaux: I will second.

Chairman McKenzie: Any further discussion? Mr. Snowden would you call the role?

Mr. Snowden: Thank you Mr. Chairman. Mr. Cullinan.

Mr. Cullinan: Yes.

Mr. Snowden: Mr. Wren.

Mr. Wren: Yes.

Mr. Snowden: Mr. Comeaux.

Mr. Comeaux: Yes.

Mr. Snowden: Dr. McKenzie:

Chairman McKenzie: Yes.

Mr. Snowden: Very well. I will incorporate that into the document and send out a revised version for everyone's review, hopefully as soon as possible.

Chairman McKenzie: With no further business before the Commission, I will close this meeting.

C. ADJOURNMENT

Chairman

Planning Administrator

Planning Commission**Eric Snowden****7232 E. Main Street****Reynoldsburg OH 43068****Phone****ORDINANCE REQUEST**

DATE: July 25, 2016**TO: Mel Clemens, Ward IV Service Committee****RE:** ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1196.09 Lighting of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1182 Exterior Lighting. (Second Reading 7/25/2016).

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Enacting Chapter 1182 Exterior Lighting; Amending Chapter 1196 Community Commercial Overlay



**REYNOLDSBURG
PLANNING & ZONING DIVISION**

**STAFF REPORT:
CODIFIED ORDINANCE
AMENDMENT**

CODE SECTION: Chapter 1182 & Various Sections – Exterior Lighting

BACKGROUND: Staff becomes periodically aware of provisions of the Planning & Zoning Code that require revision. Currently, there are no city-wide zoning regulations that prescribe development standards for exterior lighting. Staff proposes to enact Chapter 1182, which will provide standardized regulations for exterior lighting. Staff also proposed to repeal sections of Chapter 1196 that prescribe the same general standards for the Community Commercial Overlay.

SUMMARY OF MAJOR REVISIONS:

SECTION 1182.01 & 1182.02

These proposed sections will prescribe the general purpose and applicability of the exterior lighting regulations. The proposed regulations of this chapter will not apply to single and two-family dwellings.

SECTION 1182.03 – EXTERIOR LIGHTING REGULATIONS.

This proposed section will prescribe some basic exterior lighting regulations that shall apply city-wide. The proposed regulations are based upon those found in the Community Commercial Overlay. Staff proposes that no light be allowed to exceed 20FT in height. There is currently no uniform city-wide standard.

1196.09 - LIGHTING.

This proposed section of Chapter 1196 prescribes general lighting standards for the Community Commercial Overlay. Staff proposes to repeal the regulations contained in this section that will match the proposed regulations of Section 1182.03. Those regulations that apply specifically to the overlay will not be repealed.

CHAPTER 1182 – EXTERIOR LIGHTING

1182.01 PURPOSE.

The purpose of this chapter is to ensure that all exterior site and building lighting shall not affect the reasonable use and enjoyment of adjacent properties but provide minimum levels to enhance safety of individuals and property. Lighting standards shall also protect the safety and operation of vehicles on the public rights-of-way from levels of illumination that are emitted or reflected from light sources of an intensity sufficiently to constitute a safety hazard to vehicular movement.

1182.02 APPLICABILITY AND EXTENT.

Lighting standards shall apply to all lots except those developed with single or two family dwellings.

1182.03 EXTERIOR LIGHTING REGULATIONS.

(a) Exterior site lighting shall be designed, located, constructed and maintained to minimize light and reflected light trespass and spill over off the subject property. Glare shall be minimized from all light sources.

(b) The average horizontal illumination level on the ground shall not exceed three footcandles (3FC). The light level along a property line adjacent to a residentially-zoned or used property shall not exceed an average intensity of one-half footcandle (0.5FC).

(c) The height of parking lot lighting shall not exceed twenty feet (20FT) above grade and shall direct light downward, i.e. cut-off type fixtures. In conjunction with a major site plan review, the Planning Commission may require a lower standard based upon specific characteristics of the site.

(d) The color of parking lot lighting poles and other lighting infrastructure shall match or complement the colors the building's architecture as approved by the Design Review Board or the Planning Commission.

(e) For pedestrian areas decorative low light fixtures shall be used and the height of the fixture shall not exceed fourteen feet (14FT) above grade.

(f) Exterior building illumination shall be from concealed sources. Strobe or flashing lights and exposed neon lights are not permitted. Lighting fixtures shall not generate excessive light levels, cause glare, or direct light beyond the facades onto neighboring property, streets, or the night sky. The maximum illumination of any vertical surface or angular roof surface shall not exceed four footcandles (4FC).

(g) Security lighting shall be full cut-off type fixtures, shielded and aimed so that illumination is directed to the designated areas with the lowest possible illumination level to effectively allow surveillance.

(h) Lighting fixtures used to illuminate the area below a freestanding canopy shall be

recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.

1196.09 LIGHTING.

- ~~(a) Exterior lighting shall be designed, located, constructed and maintained to minimize light and reflected light trespass and spill over off the subject property.~~
- ~~(b) The average horizontal illumination level on the ground shall not exceed three footcandles. The light level along a property line adjacent to a residentially zoned or used property shall not exceed an average intensity of one-half footcandle.~~
- ~~(c) The height of parking lot lighting shall not exceed eighteen feet above grade and shall direct light downward, i.e. cut-off type fixtures.~~
- (d) Parking lot lighting shall match the color of the street lighting fixtures on East Main Street, color code RL3005.
- ~~(e) For pedestrian areas decorative low light fixtures shall be used and the height of the fixture shall not exceed fourteen feet above grade.~~
- ~~(f) Exterior building illumination shall be from concealed sources. Strobe or flashing lights and exposed neon lights are not permitted. Lighting fixtures shall not generate excessive light levels, cause glare, or direct light beyond the facades onto neighboring property, streets, or the night sky. The maximum illumination of any vertical surface or angular roof surface shall not exceed four footcandles.~~
- ~~(g) Security lighting shall be full cut-off type fixtures, shielded and aimed so that illumination is directed to the designated areas with the lowest possible illumination level to effectively allow surveillance.~~
- ~~(h) Lighting fixtures used to illuminate the area below a freestanding canopy shall be recessed so that the lens cover is recessed or flush with the bottom surface (ceiling) of the canopy. However, indirect lighting may be used where a shielded source of light is beamed upward and then reflected down from the underside of the canopy.~~
- (a) All lighting shall conform with the provisions of Chapter 1182, unless this section prescribes a different standard.
- (b) Parking lot lighting shall match the color of the street lighting fixtures on East Main Street, color code RL3005.
- (c) The height of parking lot lighting shall not exceed eighteen feet (18FT) above grade.

Planning Commission**Eric Snowden****7232 E. Main Street****Reynoldsburg OH 43068****Phone****ORDINANCE REQUEST**

DATE: July 25, 2016**TO: Mel Clemens, Ward IV Service Committee****RE:** ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Chapter 1171 General Requirements; Section 1180.12 Screening and Landscaping for Service Structures of Chapter 1180 Landscaping and Buffering Standards. (Second Reading 7/25/2016).

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1131 Definitions; Chapter 1171 General Requirements; and Chapter 1180 Landscaping and Buffering Standards



REYNOLDSBURG PLANNING & ZONING DIVISION

STAFF REPORT: CODIFIED ORDINANCE AMENDMENT

CODE SECTION: Various – Temporary & Service Structures

BACKGROUND: Staff becomes periodically aware of situations where modifications or additions to the Planning & Zoning Code of the City are appropriate. Staff is proposing to revise various sections in the Zoning Code that prescribe the location, duration and landscaping requirements for temporary structures such as construction trailers, generators and other minor utility structures.

SUMMARY OF MAJOR REVISIONS:

1131.02 DEFINITIONS

This section defines various terms used throughout the Code. Staff proposes to add a definition for service structure in order to use the term consistently throughout the Code.

1171.04 GENERAL REGULATIONS FOR LOTS AND YARDS

This section defines how various structures relate to the lot coverage regulations of the Code. Staff proposes to add a definition for generators in order to clarify their relationship to other structures, as well as to add a definition and basic regulation requiring utilities to be placed underground.

1171.005 GENERAL REGULATIONS FOR TEMPORARY USES AND STRUCTURES

This section prescribes regulations for the location of temporary structures, such as construction trailers. Staff proposes to revise the text to utilize the definitions for manufactured housing consistently. Staff also proposes to add subsection (c), to establish basic regulations for tents in conjunction with the provisions of Section 1171.07.

1180.12 SCREENING AND LANDSCAPING FOR SERVICE STRUCTURES

This section prescribes the standards for landscaping around service structures. Staff proposes to revise the text to be consistent with the definitions established in Chapters 1131 and 1171. The intent of this section is to require service structures location on commercial properties to be screened, but it could also be interpreted as requiring screening of any minor utility structures located on a single family lot to be screen as well. This requirement is not reasonable or practical to enforce. The proposed revision would remove this variant interpretation.

1131.02 DEFINITIONS.

Buildings, Terms relating to: (See also "Terms relating to Structures", "Terms relating to Floor Area")

(h) Building Permit. A permit issued by the Reynoldsburg ~~Department of Building Inspection~~Building Division, according to the provisions of ~~Part Thirteen – Building Code of the Codified Ordinances of the City of Reynoldsburg~~the Building Code of the City, for the construction, expansion, repair, demolition, or other alteration of a structure.

Structure, Terms relating to.

(e) Structure, Service. Structures not intended for storage or human habitation including, but not limited to, generators, propane tanks, dumpsters or waste enclosures, electrical transformers, utility vaults which extend above the surface, electrical and other equipment of elements providing the required utilities or other service to a building or a lot.

1171.04 GENERAL REGULATIONS FOR LOTS AND YARDS .

(i) Generators. A generator shall be considered part of a main building if attached to or installed within six feet (6FT) of a main building. A generator shall be considered part of an accessory structure if attached to or within three feet (3FT) of an accessory structure. All other generators shall be considered separate accessory structures. Based upon that classification, generators shall be subject to all lot coverage and setback requirements applicable to the main buildings or accessory structures.

(j) Service Structures. Service structures other than generators shall not be considered structures for the purposes of the lot coverage and setback regulations of this code unless they exceed two hundred square feet (200SF).

(k) Utilities. Unless exempted by Section 1127.09, all utility lines including water supply, sanitary sewer service, electricity, telecommunication, and gas, and their connections or feeder lines shall be placed underground. Unless otherwise dictated by the needs of the building, all utility connections shall be kept to the rear or the side of the building, out of view or screened.

1171.05 TEMPORARY CONSTRUCTION BUILDINGS AND USES GENERAL REGULATIONS FOR TEMPORARY USES AND BUILDINGS.

~~(a) Temporary Construction Buildings. Temporary buildings and construction trailers used in conjunction with construction work only may be permitted in any district during the period construction work is in progress, but such temporary buildings shall be removed upon completion of the construction work. Zoning certificates are required in all cases and all temporary construction buildings must comply with guidelines for Accessory Use, Accessory Structure as set forth in 1171.06. The temporary open storage of contractor's equipment and material shall be permitted on the site upon which buildings or structures are being erected or installed for the duration of the construction period. Storage of such equipment and material beyond the date of completion of the project shall be subject to a special permit authorized by the Board of Zoning and Building Appeals.~~

~~(b) Parking of House Trailers and Mobile Homes. Parking of a manufactured home, house trailer, or mobile home in a location other than a manufactured home park or house trailer park or mobile home park for longer than seventy-two (72) hours is prohibited in all zoning districts of the City. For the purposes of this section, the terms "manufactured home", "house trailer", and "mobile home" shall have the same meanings and definitions as defined in Section 4501.01(O) of the Ohio Revised Code and as defined in Section 3733.01(A) of the Ohio Revised Code.~~

Regulation of portable structures such as temporary construction trailers, temporary use trailers and portable classrooms is intended to provide for unusual

circumstances or the short term needs of the residents of the City, to preserve the quality of life in residential areas, to maximizes the safety and aesthetic appeal of the portable structures and temporary uses and minimizes the duration and intrusion of such structures.

(a) Manufactured and Mobile Homes. Manufactured or mobile homes shall only be constructed and maintained in accordance with the provisions of this section, and those of Chapter 1187. Parking of a manufactured home or mobile home on any lot for longer than seventy-two (72) hours is prohibited in all zoning districts. This regulation shall be subject to the following exceptions:

1. Lots in the MH Manufactured Housing District or with an approved mobile home park use.
2. Residential lots with an approved zoning certificate and active building permit for a new or altered manufactured home.
3. Commercial lots with an approved special exception use permit for auto sales with specific approval by the Board of Zoning and Building Appeals for recreational vehicles, mobile or manufactured home sales.

(b) Temporary Construction Uses and Buildings. Temporary buildings and construction trailers used in conjunction with construction work shall be permitted in any district during the period construction work is in progress. A zoning certificate is required and such temporary structures are subject to the regulations for accessory structures found in Section 1171.06. The temporary open storage of contractor's equipment and material shall be permitted on the site upon which buildings or structures are being erected or installed for the duration of the construction period. Any temporary construction building or storage must be removed from the project site within thirty (30) days of the completion of construction.

(c) Tents and Miscellaneous Structures. Tents and other temporary structures shall not require a zoning certificate if they meet the following criteria:

1. The tent is used as an accessory use to the residential use of the premises for such events as wedding receptions or private parties; or
2. The tent is an accessory to a community event or festival that is permitted under Section 1171.07; and
3. The tent is approved by the Fire District and Building Division.

1180.12 SCREENING AND LANDSCAPING FOR SERVICE STRUCTURES.

(a) ~~Service structures shall include but not be limited to propane tanks, dumpsters, electrical transformers, truck delivery, utility vaults which extend above the surface, electrical and other equipment or elements providing service to a building or a site. Service structures may be grouped together.~~ In order to properly screen service structures from the main building and neighboring lots, the following screening requirements shall apply:

- (1) Location of screening. Either a solid, opaque fence or wall or earth berm, with a continuous planting of evergreen plant material shall enclose any service structure on all sides, unless such structure must be frequently accessed in which case screening on all but one side is required. The average height of the screening fence or wall shall be one foot more than the height of the enclosed structure, but shall not exceed the maximum permitted height of fences and walls of the District.
- (2) Mechanical equipment and service functions associated with a building shall, to the maximum extent feasible, be incorporated into the overall design theme of the building and the landscape so that these functions are out of view from public ways and adjacent properties while allowing convenient access.
- (3) Plant material required for screening of service structures shall not count towards the fulfillment of other landscape requirements in this Section. No interior landscaping shall be required within an area screened for service structures.
- (4) Curbs to protect plant material. Whenever plant material is placed around any trash disposal unit or waste collection unit which is emptied or removed mechanically on a regular basis, a curb to contain the placement of the container shall be provided adjacent to the plant material. The curbing shall be at least one foot from the material and shall be designed to prevent possible damage to the plant material when the container is moved or emptied.
- (5) Service Structures shall be grouped together whenever possible.

(b) The provisions of this section shall not apply to service structures located on lots with single and two-family dwellings, except that any generator located within six feet (6FT) of any lot line shall be screened in accordance with this section.

Planning Commission**Eric Snowden****7232 E. Main Street****Reynoldsburg OH 43068****Phone****ORDINANCE REQUEST**

DATE: July 25, 2016**TO: Mel Clemens, Ward IV Service Committee****RE:** ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1103.10 Certificate Required of Chapter 1103 Design Review Board; Chapter 1135 Title; Purpose; Interpretation; Chapter 1143 Zoning Certificate; Site Plan; Plot-Grade-Utility Plan; AND Chapter 1151 Amendments; AND Enacting Chapter 1177 Limited Overlay. (Second Reading 7/25/2016).

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1103 Design Review Board; Chapter 1135 Title, Purpose, Interpretation; Chapter 1143 Zoning Certificate, Site Plan, Plot-Grade-Utility Plan; Chapter 1151 Amendments; and Enacting Chapter 1177 Limited Overlay



**REYNOLDSBURG
PLANNING & ZONING DIVISION**

**STAFF REPORT:
CODIFIED ORDINANCE
AMENDMENT**

CODE SECTION: Chapter 1151 & 1177 – District Amendment Process Clarification

BACKGROUND: Staff becomes periodically aware of provisions in the Codified Ordinances that need revision or the addition of text to make the intent of the Code more clear. Staff is proposing to clarify several procedures that relate to general to zoning district amendments to unify the review process for district amendments and site plans. Staff also proposes to enact Chapter 1177, to better clarify the procedures for the use of limited overlays.

SUMMARY OF MAJOR REVISIONS:

SECTION 1103.10 – CERTIFICATE REQUIRED

Staff proposed to add subsection (e) to this section, in order to clarify that Staff reviews all zoning applications for compliance with the design guidelines, and could require a certificate of appropriateness for an application that did not meet those guidelines, but is normally exempt from a certificate of appropriateness.

CHAPTER 1135 – TITLE; PURPOSE; INTERPRETATION

The purpose of this chapter is to define the general purpose of Zoning Code and explain the intent of the regulations. Staff proposes to add two sections to clarify the relationship between the Zoning Code, public facilities, and other planning documents of the City.

SECTION 1143.05 – STANDARDS FOR SITE PLAN REVIEW

Staff proposes to enact this section in order to clarify the relationship between development plans approved under the procedures for district amendments and subsequent site plan reviews.

SECTION 1151.01 – INITIATION OF AMENDMENTS

This section outlines the procedure to apply for a zoning district amendment. Staff proposes additional text to clarify that applications are made to the Planning Administrator and add a subsection clarifying the procedure for the Planning Commission to propose changes to the Zoning Map or Code directly to City Council.

SECTION 1151.06 - AMENDMENT OF DEVELOPMENT PLAN

The procedure for development plan amendments was not consistent with the provisions of the Charter for Zoning Code changes. Staff proposes to revise that text to make it clear that the same procedure is required.

SECTION 1151.07 – EFFECT OF APPROVAL

Staff is proposing to enact a new section clarifying the intent of development plan approvals and providing a deadline of two years for construction to commence on a project. If a project was not constructed in accordance with that two year deadlines, the zoning map change would revert the prevision zoning district.

SECTION 1151.08 – EXTENSION OF TIME

In order to implement the proposed Section 1151.07, Staff proposes this section, which outlines a procedure and standards for the Planning Commission to approve a time extension for a previously approved project. This would only give the Planning Commission to power to grant additional time for construction of a project that was previously approved by the Commission or Council and only in certain circumstances. The proposed section does not allow the Commission to modify any existing project approval. The Commission already has the power to grant time extensions for site plan approvals in certain circumstances.

CHAPTER 1177 – LIMITED OVERLAY

Staff proposes to enact this new chapter to better clarify the manner and purpose of limited overlays. Limited overlays, sometimes knowns as limitation texts, are tools that can be applied during the zoning district amendment review to allow applicants to address unique circumstances or characteristics that apply unique to their lot. Applicants can voluntarily restrict uses on their property, or apply additional development standards to a portion of their project. Limited overlays are commonly used in other cities, and have been used previously in the City of Reynoldsburg. However, Staff proposes to enact this new chapter to better clarify the procedure for enacting them.

1103.10 CERTIFICATE REQUIRED.

(a) A certificate of appropriateness must be obtained prior to commencing new construction or any exterior remodeling, reconstruction or other exterior building modifications of structures within the design review districts. The Planning Administrator shall not issue a zoning certificate prior to the Board's review and approval of a certificate of appropriateness in accordance with the provisions of this chapter.

(b) A certificate of appropriateness shall not be required in the case of normal and customary building maintenance activities that do not make changes to building material types or exterior colors.

(c) A certificate of appropriateness may not be required for projects in the design review districts that involve no changes to structures and qualify for minor site plan review under Section 1143. Projects of this type must not add any additional building material types or exterior colors.

(d) Signs on parcels within the design review districts shall be subject to the certificate of appropriateness requirements of Section 1181 of the Zoning Code.

(e) Administrative Design Review. The Planning Administrator shall review all zoning certificate applications for projects within the design review districts exempted from a certificate of appropriateness by this section or any other section of this Zoning Code, for compliance with the standards of Section 1103.12 and any design guidelines adopted by the Design Review Board or City Council. If in the professional opinion of the Planning Administrator, the proposed project does not meet those standards or design guidelines, a certificate of appropriateness from the Design Review Board shall be required.

1135.01 SHORT TITLE.

This Zoning Code, consisting of Ordinance 114-99, passed September 13, 1999, as amended, which comprises Titles Five through Nine of the Planning and Zoning Code, shall be known and cited as the Zoning Code ~~of 1999~~.

1135.05 RELATIONSHIP TO PLANNING POLICIES.

It is the intention of Council that this Zoning Code shall implement the planning policies adopted by the Planning Commission and City Council, as reflected in a land use plan, comprehensive plan and all other planning documents formally adopted by the Council. While the Council reaffirms its commitment that this Zoning Code and any amendment to it be in conformity with adopted planning policies, the Council hereby expresses its intent that neither this Zoning Code nor any amendment to it may be challenged on the basis of any alleged nonconformity with any planning document.

1135.06 RELATIONSHIP TO PUBLIC SERVICE FACILITIES.

Nothing in this Zoning Code shall be construed in a manner that would prevent the City of Reynoldsburg from constructing, repairing or maintaining public service facilities or other essential services within the City.

1143.05 STANDARDS FOR SITE PLAN REVIEW.

Site plans authorized by this chapter shall be reviewed for compliance with the following when applicable:

- (a) The development standards and requirements of the applicable zoning district;
- (b) The development standards and design guidelines of any overlay district;
- (c) The standards for design review contained in Section 1103.12;
- (d) Any development plan approved according the provisions of Chapter 1151;
and
- (e) Any other design guidelines adopted by the Planning Commission, Design Review Board or City Council.
- (f) The purpose and intent of the Zoning Code.

1143.06 CONDITIONS FOR SITE PLAN APPROVAL.

In accordance with the major site plan review procedure contained in this chapter, the Planning Commission may place such reasonable conditions on the approval of a major site plan that may be required to address the standards for review in Section 1143.05 or are consistent with the purpose and intent of the Zoning Code.

1143.07 SITE PLAN ADJUSTMENTS FOR ENGINEERING PURPOSES.

The City Engineer may approve such adjustments to an approved site plan as are required for engineering purposes such as proper function of utilities or to accommodate soil conditions. Such adjustments shall meet the following conditions:

- (a) The adjustment is required in order to ensure the life-safety, proper function of the site utilities or building, or to comply with the regulations of a State or Federal agency;
- (b) The adjustment is the smallest modification possible to correct the engineering issue;
- (c) The adjustment does not increase the impervious surface on the site more than one hundred square feet (100SF) over the original site plan approval;
- (d) The adjustment shall not be used to add any additional uses or tenants;
- (e) The adjustment does not increase the number of curb cuts on a public street;
and

_____ (f) The adjustment does not violate any specific condition of the original site plan approval.

CHAPTER 1151 – Amendments

1151.01 INITIATION OF AMENDMENTS.

(a) In conformance with the provisions of the City Charter of the City of Reynoldsburg, ordinances or resolutions establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code shall be initiated by a member of Council.

(b) Any person having an interest in property in the City may petition City Council to initiate such ordinance or resolution by making an application to the Planning Administrator. The Planning Administrator shall review the application for compliance with the provisions of this Chapter and forward it to the Clerk of Council. The Planning Commission or the Board of Zoning and Building Appeals shall make an advisory recommendation to City Council, pursuant to the provisions of Section 1151.03, with regard to initiating such ordinance or resolution.

(c) The Planning Commission may recommend amendments, revisions, changes, or repeals of zoning districts, uses, regulations, or other provisions of this Zoning Code. When the Planning Commission makes an advisory recommendation to City Council, the application requirements and fees shall not apply.

1151.02 PETITION FOR ZONING DISTRICT CHANGE WITH DEVELOPMENT PLAN.

When a person or persons having an interest in a lot or lots in the City petitions City Council for an amendment to the Zoning Code which involves changing the zoning district assigned to the lot(s), then such petition shall be made in the following form which shall be known as the development plan, unless such requirements are waived by City Council.

- (a) Correct legal description of the lot(s);
- (b) The names and addresses of the owners of lot(s) contiguous or directly across the street from the subject lot(s);
- (c) Existing topography at two foot (2'FT) contour intervals of the subject lot(s) and extending at least three hundred feet (300'FT) outside of the proposed lot, including lot lines, easements, street rights-of-way, existing structures, trees and landscaping features thereon;
- (d) The proposed vehicular and pedestrian traffic patterns;
- (e) The location of all existing and all proposed structures;
- (f) The proposed assignment of use and subdivision of land including private land and common land;

- (g) Preliminary plans of all structure types;
- (h) Deed restrictions and protective covenants;
- (i) A schedule for construction;
- (j) Traffic impact study;
- (k) Utilities impact study;
- (l) Drainage impact study;

(m) Such other relevant information as City Council may require to determine the propriety of initiating the ordinance for district change.

(n) Fees as established by this Code Section 1155. ~~When the Planning Commission makes an advisory recommendation to City Council which involves changing the zoning district of a lot or lot(s) by changing the district assigned to the lot(s), changing the boundaries of a district, or establishing a new district, the foregoing application requirements for a development plan shall not apply.~~

1151.03 PUBLIC HEARING AND REFERRAL TO PLANNING COMMISSION.

(a) In conformance with the Charter, subsequent to initiation by a member of Council of an ordinance or resolution establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code, the presiding officer of Council shall, immediately after the first reading of the ordinance or resolution, set a date for a public hearing before a joint meeting of Council and the Planning Commission, to be held not earlier than fifteen (15) days after the first reading.

(b) Immediately after the hearing, a copy of the ordinance or resolution establishing, amending, revising, changing, or repealing zoning districts, uses, regulations, or other provisions of this Zoning Code and, if applicable, the development plan, shall be referred to the Planning Commission. The Commission shall recommend such conditions or amendments with respect to the ordinance or resolution and, if applicable, the development plan, as it deems reasonable and necessary. Within thirty (30) days of referral, the Planning Commission shall return to the Clerk of Council the written recommendations of a majority of the members of the Commission.

1151.04 STANDARDS FOR PROPOSED DISTRICT CHANGES.

The Planning Commission and City Council shall give consideration to the following standards in making recommendations and taking action with regard to proposed district changes:

(a) The compatibility of the proposed zoning district and the features of the proposed development plan with the characteristics of the site and of the surrounding areas;

(b) The potential impacts of the proposed uses of the district in terms of traffic, storm water, utility demand, noise, and other impacts;

(c) The impacts of the proposed district and development plan on the health, safety, welfare, and morals of the community;

(d) The compatibility of the proposed district and development plan with ~~the elements of local plans applicable to the area~~ a comprehensive plan, or any area plans, to surrounding zoning districts, and to existing and planned land uses.

1151.05 ACTION BY COUNCIL.

(a) At the next meeting of Council subsequent to receiving the recommendations of the Commission, the ordinance or resolution shall be given its second reading.

(b) Council may adopt, deny, or adopt with modifications the recommendations of the Commission. A development plan, along with any conditions or amendments to the petition, shall, upon adoption by Council, become part of the district change and shall be deemed incorporated by reference into legislation amending the district. The development plan, conditions, and amendments shall bind any future development or use of the subject lots.

(c) A concurring vote of at least three fourths ($\frac{3}{4}$) of the membership of Council shall be necessary to pass any zoning ordinance or resolution which differs from the written recommendations of the Planning Commission, but in no event shall an ordinance or resolution be considered as having passed unless it receives at least a majority vote of the members of Council.

(d) After a proposed district change is denied by City Council, at least twelve (12) months shall elapse before another petition for a district change for the same lot(s) to the same district can be considered.

1151.06 AMENDMENT OF DEVELOPMENT PLAN.

A development plan may be amended following the same procedure and standards for approval of the original district amendment.

~~(a) At any time after the approval of a district change and a development plan, the owner may request a change in the development plan. Such request shall be filed with the Zoning Officer who shall schedule it for review by the Planning Commission. If the Commission finds the proposed change to be in substantial agreement with the previously approved development plan, it shall recommend the change to City Council. Council shall take action within a reasonable period of time to approve or deny the change.~~

~~(b) If the Commission finds the proposed change to represent a substantial departure from the intent of the previously approved development plan, the Commission shall, by majority vote, require that the applicant submit a new petition and development plan to City Council and follow the same procedure as the original approval.~~

1151.07 EFFECT OF APPROVAL.

(a) The development plan as approved by Council, shall constitute an amendment of the official Zoning Map and a supplement to the Zoning Code as it applies to the land included in the approved district amendment. The approval shall be for a period of two (2) years to allow the approval of a zoning certificate and building permit, if required.

(b) If a zoning certificate or building permit is not acquired within the two (2) year period, the approval shall become void and the lot or parcel shall revert to its last previous zoning district applied, except if an application for time extension is submitted and approved in accordance with Section 1151.08.

1151.08 EXTENSION OF TIME .

An extension of the time limit may be approved by the Planning Commission. Such approval shall be given upon a finding of evidence of reasonable effort toward the accomplishment of the original development plan within the time limit, and that such extension is not in conflict with the general health, safety and welfare of the public or the development standards of this Code.

CHAPTER 1177 – Limited Overlay

1177.01 PURPOSE.

The limited overlay is an alternative response to those situations where the minimum development standards of an underlying zoning district are deemed inadequate to protect or maintain compatibility of land uses.

The limited overlay is intended only for use where special circumstances or conditions apply to the subject parcel that do not apply generally to other parcels in the same underlying zoning district; and where such limitations will be beneficial to neighboring properties and to the public interest. It is intended that an applicant for zoning district amendment may voluntarily seek to commit the subject property and its owner to limitations and conditions not provided by the existing or proposed underlying zoning district, or even any other zoning district, by the establishment of a limited overlay.

A limited overlay may modify the application of the provisions of an underlying zoning district to a particular lot or parcel by:

- (a) Limiting the permitted uses;
- (b) Increasing one or more of the minimum development standards; and
- (c) Adding conditions for items not covered by the minimum standards, or any of the above.

All standards of the underlying district shall be applicable unless specifically superseded by the overlay in the ordinance establishing the limited overlay for the subject parcel.

1177.02 APPLICATION.

Any person desiring the establishment of a limited overlay on any lot proposed may file an application, in conformity with all the provisions of Chapter 1151 and the provisions of this chapter, with the Planning Administrator. Said application will be processed together with the application to amend the zoning district of the subject property and will be reviewed in the same manner as a district amendment application by the Planning Administrator, the Planning Commission and City Council.

1177.03 DEVELOPMENT PLAN.

In addition to the requirements of Chapter 1151, the applicant's development plan and text for the proposed limited overlay shall set out the means for addressing the above stated purpose and specifically identify the following:

- (a) Any limitation to be imposed on the normal range of permitted uses by the underlying zoning district;
- (b) Any increase in a minimum development standard for the underlying zoning

district;

(c) Any additional limitation or condition to be imposed and enforced; and

(d) The intended result to be obtained by any limitation or condition set out pursuant to the above.

The minimum standards of the underlying zoning district or any overlay district shall govern unless the development plan approved by Council specifically stipulates a more stringent standard. Said development plan shall be used only to increase standards and shall in no way be used or construed so as to grant a variance from or to decrease standards or requirements of the underlying zoning district.

The development plan shall set out each characteristic of the proposed limitations and conditions and shall be referenced in the body of the ordinance establishing a limited overlay for the subject lot.

1177.04 PROJECT SIZE.

There is no minimum or maximum size required for a lot or parcel to be subject to a limited overlay except that the special circumstances must apply to the entire parcel and it shall include at least one entire lot. An application may include more than one lot provided that all lots in a specific application are contiguous to each other. For the purposes of this section, lots separated only by a public highway, street, or alley are considered contiguous.

1177.05 PERMITTED USES.

In conformity with all other pertinent code provisions, within a limited overlay the premises or building may be used or a building may be erected which is arranged, intended or designed to be used for any one or more of the uses permitted by the underlying zoning classification unless the normal range of permitted uses is specifically limited in the development plan referenced in the ordinance passed by council, in which event, only the more limited use or range of permitted uses shall apply.

1177.06 STANDARDS FOR REVIEW.

Any use of a lot subject to a limited overlay shall meet or exceed each minimum development standard of the underlying zoning classification unless more limited standards are specifically identified in the limited overlay development plan referenced in the ordinance passed by council, in which event such more limited standards shall apply as promoting and maintaining the necessary uniformity of city planning.

(a) The limited overlay standards shall comply with the following criteria:

(b) Reasonably related to the accomplishment of specified goals in the planning process;

(c) Fair, protecting the legal rights for those affected;

(d) Understandable for those in the marketplace; and

(e) Simple for effective interpretation and enforcement by the Planning Administrator.

1177.07 COMPLIANCE WITH CONDITIONS OR LIMITATIONS.

Any use on a lot subject to a limited overlay shall conform to each condition or limitation specifically identified and imposed in the development plan referenced in the ordinance passed by Council.

1177.08 AMENDMENTS.

All general procedures of Chapter 1151 required for amending a zoning district will be applied to amendment of any limited overlay permitted use, standard, condition or limitation.

1177.09 MAP DESIGNATION.

Upon the establishment of a limited overlay on a particular lot or parcel by ordinance of Council, that overlay designation will be included with the designation of the underlying zoning district as part of the Official Zoning Map.

1177.10 AFFECT TO APPROVED DEVELOPMENT PLAN.

A development plan approved hereunder shall be binding upon the applicant and the applicant's heirs, and successors, and shall limit and control the issuance or validity of any site plan approval or zoning certificate.

1177.11 EXISTING LIMITED OVERLAYS.

Any limited overlay, limited planning overlay, or zoning limitation text approved according the procedures of Chapter 1151 prior to the date this chapter was enacted shall be considered a limited overlay. Any modification to a limited overlay approved prior to the date this chapter was in enacted shall conform to the provisions of this Chapter.

Planning Commission**Eric Snowden****7232 E. Main Street****Reynoldsburg OH 43068****Phone****ORDINANCE REQUEST**

DATE: **July 25, 2016****TO:** **Mel Clemens, Ward IV Service Department****RE:** ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1161.04 Commercial Districts of Chapter 1161 Zoning Districts; Section 1196.03 Overlay Areas of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1184 Planned Commercial Development. (Second Reading 7/25/2016).

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1161 Zoning Districts; Section 1196.03 Overlay Areas of Chapter 1196 Community Commercial Overlay; and Enacting Chapter 1184 PLANNED COMMERCIAL DEVELOPMENT.



REYNOLDSBURG PLANNING & ZONING DIVISION

STAFF REPORT: CODIFIED ORDINANCE AMENDMENT

CODE SECTION: Chapter 1184 – Planned Commercial Development District

BACKGROUND: Staff becomes periodically aware of situations where modifications or additions to the Planning & Zoning Code of the City are appropriate. Staff is proposing to enact a new Chapter 1184 – Planned Commercial Development District, to create a new pathway for unique comprehensively planned commercial and mixed-use developments to be reviewed and approved. The proposed chapter will create a zoning district that would allow types commercial development that would not be permitted in the traditional zoning districts.

CONCEPT: Planned development districts are an alternative type of zoning district. Traditional zoning districts typically include restrictions on buildable area, height, use, and other types of development standards. A planned development district reduces or removes those requirements, and in their place, requires a specific development approval process.

This means that an applicant can creatively design a site that might not meet the exact regulations of a particular zoning district, but is consistent with the character of the area and is supported by Planning Commission and City Council. Applicants and planning staff often find these types of development districts useful because they allow projects to receive approvals that might otherwise require a high number of confusing variances from code. Approving bodies (Planning Commission, Council) often like these types of districts because they allow for a comprehensive review of an entire project prior to approval.

SUMMARY OF MAJOR REVISIONS:

1184.02 - DEVELOPMENT PLAN REQUIREMENTS AND REVIEW PROCEDURES

This section outlines the requirements for a district amendment to Planned Commercial Development District. These requirements are in addition to the requirements of Chapter 1151.

1184.03 - SITE PLAN REVIEW

Following approval by Council, the applicant shall be required to submit a major site plan for review and approval by the Planning Commission. The site plan as submitted must comply with the development plan that was previously approved. Site

plan review can be conducted for the entire site, or for individual phases of the proposed project.

1184.04 - USE REGULATIONS AND DEVELOPMENT STANDARDS

This section prescribes the uses and development standards that would be required for all development in the proposed Commercial Planned Development District.

1184.05 - STANDARDS FOR DEVELOPMENT AND SITE PLAN REVIEW

This section prescribes the standards that the Planning Commission and City Council would use to review development plans and major site plans for the proposed Planned Commercial Development District.

1196.03 - OVERLAY AREAS

This section defines the limits of the Community Commercial Overlay District. Staff proposes to edit the section to more easily and clearly define the limits of the district. Staff also proposes to add text to clarify that properties that apply for and are approved for Planned Commercial Development District shall not be considered to be subject to the overlay.

1161.04 COMMERCIAL DISTRICTS.

(e) PCD Planned Commercial Development District. The Planned Commercial Development District permits comprehensively planned commercial and mixed-use developments approved using more flexible zoning techniques than permitted in other commercial districts, but subject to a development plan specifying the conditions of development.

CHAPTER 1184 – PLANNED COMMERCIAL DEVELOPMENT

1184.01 PURPOSE.

(a) The purpose of the Planned Commercial Development District is to permit comprehensively planned commercial and mixed-use developments approved by City Council and the Planning Commission using more flexible zoning guidelines and site design criteria than permitted in traditional districts.

(b) The suspension of traditional zoning provisions is intended to: encourage creative, high quality site design practices in the development of commercial and mixed-use sites; encourage the creation and preservation of attractive and useful open spaces; promote compatibility with and complement existing developments; protect adjoining properties from adverse impacts; promote safe and efficient pedestrian, bicycle, and vehicular movement; promote efficient layout of infrastructure; and promote protection or enhancement of natural and historic resources. It is not the purpose of the provisions of this Chapter to permit reduction in development standards without mitigating amenities or quality design which justify such reduction to the benefit of the residents and the community as a whole.

(c) In place of enforcing the traditional zoning provisions, City Council and the Planning Commission may exercise control through standards, design criteria, conditions, and agreements appropriate for the particular site, its surroundings, proposed uses which are sufficient to ensure effective and complete implementation of the development consistent with the development plan.

1184.02 DEVELOPMENT PLAN REQUIREMENTS AND REVIEW PROCEDURES.

The owner of a lot or lots seeking approval of a Planned Commercial Development District shall initiate such proposal according to the provisions of Chapter 1151. The following requirements and procedures shall apply to an application for a Planned Commercial Development District and shall be in addition to the requirements for an application for a zoning district amendment with development plan.

(a) Required Content of Development Plan. The applicant proposing a Planned Commercial Development District shall submit the information described below which, together with any other information, agreements, statements, or commitments required by the Planning Commission or City Council, shall constitute the development plan for the proposed Planned Commercial Development District.

- (1) Completed application form.
- (2) Name, address, and phone number of the owner of the lot or lots and, if applicable, of the owner's designated agent.
- (3) A list of the names and addresses of the owners (as appearing on the County Auditor's tax list) of all lots located within, contiguous to, and directly across the street from the property which is the subject of the application.
- (4) Legal description of the property, including a survey of the existing lot or lots to be included in the Planned Commercial Development District.

- (5) A description of the current zoning district(s) and the existing uses of the subject lot or lots.
- (6) Plan drawings and narrative descriptions of:
- A. The existing conditions of the site, including topography, soils, wetlands, streams and ditches, water bodies, retention facilities, other significant natural resources or features, historic or archaeological resources;
 - B. The proposed topography, water features, drainage features and improvements, and the treatment of significant natural, historic, or archaeological resources; a general plan for landscaping the entrances, major roads and major open spaces; a concept plan for the landscaping of individual structures;
 - C. The proposed locations and approximate dimensions of lots to be platted in the district, including a statement of the minimum widths and depths of proposed lots;
 - D. The nature and locations of the proposed use or uses to be established in the district;
 - E. The number and locations of structures, the number of dwelling units in each area of the proposed district, the number of dwelling units per structure, the approximate floor area proposed for each use and structure, and locations and approximate dimensions of any planned accessory uses such as outbuildings, pools, recreation structures, or parking structures; sketch or draft elevations of the proposed building(s) indicating maximum heights, anticipated style and materials of existing surfaces and other building features; the approximate or minimum dimensions of yards and setbacks;
 - F. The locations and approximate acreage(s) of common open space(s), and reserves;
 - G. The approximate locations, dimensions, and capacities of proposed public and private streets, significant curb cuts and intersections with public streets, parking and loading areas, numbers of parking spaces, facilities for pedestrians and bicycles, and the general concept for landscaping these facilities;
 - H. The approximate locations, dimensions, and capacities of proposed water lines, sanitary sewers, storm sewers, other major stormwater facilities;
 - I. A description of any variances to the Subdivision Regulations which may be necessary for the design and installation of improvements in the proposed district.
- (7) A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots, with the zoning districts of adjacent lots, and with the Land Use Plan and other plans of the City, including an evaluation of the impacts on adjoining lots and neighborhoods of traffic circulation, noise, glare, odor, fumes, vibration, and stormwater, and descriptions or illustrations of any measures designed to mitigate the impacts of the proposed uses.
- (8) A statement of the benefits anticipated to occur to the City and to the neighborhoods abutting the proposed development, including, as applicable,

increased landscaping, dedicated or preserved open spaces, dedication of city parkland or school sites, or other benefits.

(9) A narrative addressing each of the provisions set forth in 1184.04 Use Regulations and Development Standards.

(10) Anticipated time schedule for construction of the improvements and buildings, included any anticipate phases of development.

(11) Such other information as the Planning Commission shall deem necessary to make a determination of the compliance of the proposed development and uses with the applicable standards and regulations.

(b) Submittal, Review, Public Hearing, Recommendation, Action on District Change. Application submittal, review, public hearing, recommendation by the Planning Commission, and action by City Council shall be as required for district changes in Chapter 1151.

(c) Amendment of Development. A development plan approved under the provisions of this Chapter may be amendment in accordance with the general procedures for development plan amendment of Section 1151.06.

1184.03 SITE PLAN REVIEW.

Subsequent to approval of the district change for a Planned Commercial Development District, the applicant shall submit an application for major site plan review by the Planning Commission. The Planning Commission may conduct a major site plan review of the entire lot or parcel, or individual major site plan reviews for one or more phases of development of the project. In addition to the standards and requirements for major site plan review and approval, the subsequent major site plans shall be consistent with the development plan as approved by Council.

1184.04 USE REGULATIONS AND DEVELOPMENT STANDARDS.

The following shall be the minimum standards required for development in a Planned Commercial Development District. Additional requirements and conditions may be established by the Planning Commission and by City Council for approval of the district and the development plan. Such requirements and conditions may include but are not limited to: approved uses; width, height, yard requirements; density; arrangement and spacing of buildings and other structures; signs; parking; vehicular, pedestrian and bicycle circulation; landscaping; the construction of public improvements; and preservation of natural features or historic structures. Varied requirements and conditions may be applied to different areas of the development.

(a) Permitted Uses. The following uses may be permitted, as approved in the development plan, in a Planned Development District:

- (1) Retail store;
- (2) Personal service;
- (3) Administrative/business office;
- (4) Professional activities/office;
- (5) Eating or drinking establishment;
- (6) Drive-thru service; and
- (7) Multi-family dwelling.

The Planning Commission and City Council shall determine the appropriateness of each proposed use and feature of the development plan, giving consideration to the Standards for Review established in this Chapter and any other considerations deemed significant in determining the appropriate uses and character of development for the proposed district. The Commission and Council shall have the authority to deny approval for any proposed use which it determines to be inappropriate due to potential impacts, incompatibility with surrounding uses, or other reasons.

(b) Special Exception Uses. Unless listed as a permitted use in subsection (a) of this section, all uses classified as special exceptions in the CC Community Commerce District will be considered special exception in the Planned Commercial Development District. A special exception use permit will be required for those uses prior to approval of a subsequent major site plan for the proposed development.

(c) Special Provisions for Multi-family Dwellings. Multi-family dwellings may only be located within a Planned Commercial Development when specifically approved and the area they occupy may not be expanded without an amendment to the development plan. The maximum density of dwelling units for the overall Planned Commercial Development District and for each of its areas shall be as approved in the development plan, except that the density shall not exceed twenty (20) units per acre in any part of the district. In making a determination of the number of dwellings to be permitted in the district, consideration shall be given to the compatibility of the proposed dwelling density and the characteristics of the proposed lots and structures with the existing and projected surrounding dwelling density, additional uses, lots, and structures.

(d) Landscaping, Open Space and Protection of Features. Historic structures and sites, natural features such as watercourses, and other existing vegetation shall be identified in the development plan. The development plan and site plan shall indicate the design of planned improvements in a manner which protects, enhances, and appropriately incorporates such features into the overall site design. The Planning Commission or City Council may approve, amend, or deny the proposed treatments of such features. The development plan shall provide for landscaping and lawn areas compatible with the surrounding lots and parcels, establish screening of parking lots and spaces, provide an area or areas for outdoor recreation and relaxation available to residents of the development, and to provide public plazas or other open spaces consistent with the plans of the City. Compliance with the requirements of the City for the dedication of public areas, reserves or of other fees or considerations shall be minimum requirements for the approval of a Planned Commercial Development District.

(e) Parking. The detailed development plan shall comply with the parking requirements of this Zoning Code, except that the Planning Commission may approve a development with reduced parking requirements where a finding is made that the provisions are excessive or inappropriate for the combination of uses proposed, or that the provisions are satisfied by alternative methods clearly documented in the development plan.

(f) Building Spacing. In review of lot and yard dimensions and the spacing of buildings, the Planning Commission shall consider the spacing necessary for adequate light and air, fire and

emergency access, building configurations, energy-efficient siting, and the relationships of building sites to circulation patterns.

(g) Variances to the Subdivision Regulations. To the extent specifically provided in the Subdivision Regulations, the Planning Commission may vary the requirements for improvements as determined necessary and appropriate for the design and development of the Planned Commercial Development District.

1184.05 STANDARDS FOR DEVELOPMENT AND SITE PLAN REVIEW.

(a) Standards for Review. In reviewing and determining whether to recommend approval or disapproval of a Planned Commercial Development District, its development plan, or subsequent site plan, the Planning Commission and City Council shall consider, but shall not be limited to consideration of, the standards of Section 1151.04, Section 1103.12 and the following characteristics of the proposed development:

- (1) The comprehensive nature and design of the development plans, including appropriate and intentional design of the physical, aesthetic, and economic relationships among its parts.
- (2) The suitability of the site proposed for zoning as a Planned Commercial Development District, including its location, size, width, relationship to existing development in the community and in abutting communities, natural features, relationship to the Land Use Plan, and such other characteristics as the Planning Commission and City Council may deem important.
- (3) The anticipated effects of the proposed development upon the City and upon adjoining and proximate neighborhoods and properties, including the impacts of traffic, stormwater, noise, lighting, utilities, aesthetic values and other impacts.
- (4) The adequacy of planned roads, drives, parking, and loading areas to meet the projected demand for such facilities and to integrate with existing and planned facilities in the City.
- (5) The adequacy of planned pedestrian and bicycle facilities to meet the demand for such facilities, to integrate with existing and planned facilities in the City, and to promote use of such transportation modes.
- (6) The suitability of the location, dimensions, access to streets and utilities of each proposed lot within the district, given the nature of the use or uses proposed on each such lot, including the potential for future expansion of proposed structures.
- (7) The adequacy of utilities to serve the proposed development and the suitability of the proposed utility design within the district and in relation to the utility plans of the City and its utility providers.
- (8) The proper orientation and relationship of the proposed elements of the development with natural and historic features and resources both on and off site, the degree to which the development has been designed to protect and enhance such features and resources, and the measures taken to mitigate negative impacts on such features and resources both on and off site.
- (9) The relationships of the architectural and site design characteristics among the areas of the development and with surrounding properties.

- (10) The nature and extent of proposed landscaping, existing vegetation and land forms to be altered or retained, and of proposed screening.
- (11) The suitability of the proposed separations between uses and buildings, including any proposed setbacks or yards, given the nature of the use or uses so controlled and the relationships and impacts of one use upon another.
- (12) The suitability of the total acreage and total floor area proposed for each type of use, and the number and bulk of buildings proposed for each type of use.
- (13) The suitability of proposed property owner/tenant agreements, deed restrictions, protective covenants, and other legal statements or devices intended to provide for the future use, ownership, operation and maintenance of areas of the planned development and its improvement.
- (14) The projected traffic impacts, loading requirements, and the likely number of employees.
- (15) The ability of each proposed phase of the development, or of any group of phases, to meet the standards established in this Chapter.
- (16) Compliance with the Use Regulations and Development Standards of this Chapter, and, to the extent possible, determination of compliance with all other applicable local, state, and federal laws and regulations. In instances in which variances to existing regulations have been requested, such as to the Subdivision Regulations, the Commission shall consider the suitability of such variance and its impact on the proposed development.

(b) Professional Assistance in Review. The Planning Commission or City Council shall determine when studies or expert advice are necessary to evaluate the development plans for a proposed Planned Commercial Development relative to the requirements of this Chapter and shall advise the applicant if such studies are required. The City may accept the required studies prepared by qualified professionals engaged by the applicant or may require the applicant to provide to the City the funds required to pay for such studies.

1196.03 OVERLAY AREAS.

~~The boundaries of the Community Commercial Overlay are part of the Official Zoning Map. The overlay applies to any parcel that fronts Main Street from the western most boundary of the City extending east to the Historic Commercial Overlay, and extending east from the Historic Commercial Overlay to Taylor Road. The district shall also apply to areas of Brice Road from its intersection with East Main Street south to Rygate Drive, and from its intersection with Astor Avenue south to the southern boundary of the City, and on Livingston Avenue from the western most boundary of the City east to its intersection with Baldwin Road.~~

(a) The Community Commercial Overlay District shall apply to the following corridors:

1. Main Street between the western corporation limit and the east side of Taylor Road but not including lots or parcels within the Historical Overlay District as defined in Chapter 1193.
2. Brice Road from its intersection with East Main Street south to Rygate Drive, and from its intersection with Astor Avenue south to the southern corporation limit.
3. Livingston Avenue from the western corporation limit east to its intersection with Baldwin Road.

(b) Within the applicable corridors as defined in this section, the Community Commercial Overlay District shall apply to lots or parcels with the following characteristics:

1. Lots or parcels within commercial zoning districts as provided for in Section 1161.04, which have their primary frontage on an applicable street.
2. Lots or parcels within commercial zoning districts as provided for in Section 1161.04, which do not front any public street but are accessed from or integrated with the site improvements of a lot as defined above.

(c) The Community Commercial Overlay District shall not apply to any lot or parcel within a Planned Commercial Development District.

(d) The boundaries of the Community Commercial Overlay District are part of the Official Zoning Map. The Planning Administrator shall maintain a map showing the applicable lots or parcels as a supplement to the Official Zoning Map.

Planning Commission**Eric Snowden****7232 E. Main Street****Reynoldsburg OH 43068****Phone****ORDINANCE REQUEST**

DATE: July 25, 2016**TO: Mel Clemens, Ward IV Service Committee****RE:** ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1123.01 Improvements to be Paid for by Subdivider of Chapter 1123 Required Improvements; Chapter 1131 Definitions; Section 1161.03 Residential Districts of Chapter 1161 Zoning Districts; Chapter 1183 "PD" Planned Development District; AND Chapter 1187 Special Provisions for R-20 Townhouse District. (Second Reading 7/25/2016).

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1123 Required Improvements; Chapter 1131.02 Definitions; Chapter 1161 Zoning Districts; Chapter 1183 Planned Development District; and Chapter 1187 Special Provisions for Residential Uses



REYNOLDSBURG PLANNING & ZONING DIVISION

STAFF REPORT: CODIFIED ORDINANCE AMENDMENT

CODE SECTION: Chapter 1183 & Various Sections – Residential Zoning Districts

BACKGROUND: Staff becomes periodically aware of provisions of the Planning & Zoning Code that require revision. Prior to the adoption of the procedures for major site plan review and approval, several specialized zoning districts were enacted that required different types of approval beyond the normal district amendment procedure. Staff is proposing to revise various sections of code in order to remove references to this additional approval and clarify that major site plan approval is required for these developments. This will help standardize the review and approval procedures across various zoning districts.

SUMMARY OF MAJOR REVISIONS:

SECTION 1161.03 – RESIDENTIAL ZONING DISTRICTS

The section lists the various residential districts of the city and describes the type of development permitted there. One district, the R-20 Townhome District, is referenced throughout the Code but was not listed in this section. The proposed text additional remedies this.

SECTION 1181.05 – SPECIAL PROVISIONS FOR THE R-20 TOWNHOUSE DISTRICT

This section describes the special development standards and review procedures for this district. When this section was enacted, major site plan review and approval did not exist, so an additional review of a “detailed development plan” by the Planning Commission was required. Staff proposes to edit the section in order to remove these references. Any development or redevelopment in this district requires major site plan review by the Planning Commission and must be consistent with the development plan approved by Council.

CHAPTER 1183 – PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT

This section describes the special development standards and review procedures for this district. When this section was enacted, it was the only type of planned development permitted in the City. Staff is proposing to revise this section, in order to clarify that this district will be utilized for planned residential neighborhoods. This will allow other types of planned districts to be enacted in the future.

SECTION 1183.03 – SITE PLAN REVIEW

When this section was originally enacted, major site plan review and approval did not exist, so an addition review of a “detailed development plan” by the Planning Commission was required. Staff proposes to edit the section in order to remove these references. Any development or redevelopment in this district requires major site plan review and must be consistent with the development plan approved by Council.

SECTION 1187.06 & 1187.07 – RESIDENTIAL DEVELOPMENT STANDARDS

Staff is proposing to enact a new chapter, Section 1187.07, in order to provide some basic regulations for residential architectural appearance. This will include a front facade natural material requirement for new homes for which no other regulations exist. Staff then proposes to revise Section 1187.07, special regulations for multi-family dwellings. This will clarify the relationship between the two sections, but will not reduce or repeal any regulations current in place of multi-family dwellings.

1123.01 IMPROVEMENTS TO BE PAID FOR BY SUBDIVIDER.

(a) The owner of land who desires to subdivide it shall provide and pay the entire cost of improvements to such land as follows:

- (1) Before the construction of any building, street improvements shall consist of grading the right of way for full width; construction of permanent curbing and roadway; construction of drainage structures and appurtenances. Two roof drain openings shall be provided in the curb for each lot;
- (2) Sanitary sewers, including manholes, services and all appurtenances;
- (3) Water distribution system, including mains, services, valves, fire hydrants and all appurtenances;
- (4) Curbs and sidewalks on existing streets as determined by the City Engineer;
- (5) Storm sewers, including manholes, inlets and all appurtenances.

(b) All phases of the improvement shall be approved by the City Engineer and shall be constructed in accordance with City specifications.

(c) The City may require other improvements not listed in this section, if they are deemed necessary by the City Engineer for the protection of public health, safety or welfare.

(d) The city shall require a plot-grade-utility-plan approval for all residential subdivisions in accordance with the provisions of Chapter 1143.

1123.02 INSPECTION DURING INSTALLATION.

(a) The construction of all improvements shall be inspected by the City Engineer at the time of installation. Under no circumstances are such installations to be made without an inspector on the job. The City Engineer shall be notified three days before any construction work is begun.

(b) If any violation of, or noncompliance with, any of the provisions of this Chapter occurs, the City shall withhold the issuance of the occupancy permit until the violation or noncompliance is corrected.

~~1123.04 ACCESS ROADWAY CONSTRUCTION IN AR DISTRICTS.~~

~~All tracts having a zoning classification of AR-1, AR-2 or AR-3 shall have access roadways of not less than twenty-six feet in width and full width unobstructed access to a public street, alley or highway. The pavement shall be constructed on a properly prepared subgrade and shall consist of not less than six inches of portland cement concrete with integral curbing, or six inches of compacted aggregate base course and two inches of asphalt concrete surface course with portland cement concrete curbing or combined curb and gutter. Curbing may be eliminated to permit access to parking areas only.~~

~~1123.05 ACCESS ROADWAY ILLUMINATION.~~

~~All access roadways shall be illuminated. Accessway intersections shall be individually illuminated.~~

~~1123.06 WALKWAY ILLUMINATION IN AR DISTRICTS.~~

~~All walkways constructed in tracts having a zoning classification of AR-1, AR-2 or AR-3 shall be illuminated. Potentially hazardous locations, such as steps or stepped ramps, shall be individually illuminated.~~

~~1123.07 PARKING SPACES IN AR DISTRICTS.~~

~~All tracts having a zoning classification of AR 1, AR 2 or AR 3 shall be provided with at least two off-street parking spaces for each apartment unit. The minimum area for each parking space shall be 200 square feet and the pavement surface shall be portland cement concrete or asphalt concrete.~~

~~1123.08 DRAINAGE IN AR DISTRICTS.~~

~~All tracts having a zoning classification of AR 1, AR 2 or AR 3 shall be located on a well drained site, properly graded to insure rapid drainage. All drainage for buildings and the site are subject to the provisions and conditions approved by the City Engineer and Director of Public Service, so long as the same will not adversely affect adjacent property owners and/or premises owned by the City and dedicated for public use, or any drainage facilities that are not to be dedicated to the City for public use. The provisions of this section shall prevail notwithstanding the provisions of Section 941.06 of the Streets, Utilities and Public Services Code.~~

~~1123.09 UNDERGROUND TELEPHONE, ELECTRIC AND OTHER LINES IN AR DISTRICTS.~~

~~All telephone, electrical and other distribution lines in tracts having a zoning classification of AR 1, AR 2 or AR 3, and having private roadways, shall be installed in underground conduits. No overhead lines shall be permitted. All service, utility and fire hydrant placements shall be approved by the City Engineer and Director of Public Service and shall comply with City standards.~~

~~1123.10 CITY MAY REQUIRE OTHER IMPROVEMENTS.~~

~~Other improvements not listed in Sections 1123.04 through 1123.09, but deemed necessary by the City for the protection of public health, safety or welfare, shall be installed by the developer of a tract.~~

~~1123.11 DEPOSIT REQUIRED WITH IMPROVEMENTS PLAN.~~

~~A plots grading and utility plan shall be submitted to the Director of Public Service reflecting all improvements as set forth in Section 1123.04 through 1123.10. The plans shall be approved by the City Engineer and the Director of Public Service.~~

~~1123.12 COMPLIANCE REQUIRED TO OBTAIN OCCUPANCY PERMIT.~~

~~If any violation of, or noncompliance, with any of the provisions and stipulations as set forth in Sections 1123.04 through 1123.10 occurs, the City shall withhold the issuance of the occupancy permit until the violation or noncompliance is corrected.~~

1131.02 DEFINITIONS.

Buildings, Terms relating to: (*See also "Terms relating to Structures", "Terms relating to Floor Area"*)

(l) Traditional or Natural Materials. Building materials that are durable and historically used on structures within the City. This shall include: clay bricks, stone, cultured stone, stucco, wood or fiber cement board siding, or any other similar materials as approved by the Design Review Board or Planning Commission

~~(4)(m)~~ Wall, of a building. An external, vertical surface enclosing a portion of a building.

~~(m)(o)~~ Wall, front. That wall of a building which most nearly parallels the front lot line of the lot on which the building is located or, for the purpose of locating a wall sign on a space within a multi-occupant building, that wall which is declared by the ~~Zoning Officer~~ Planning Administrator to be the front wall, generally that wall which faces a common, central parking lot or drive.

~~**Development Plan, Detailed.** A development plan for a planned unit development district, amended with additional information as required by this Code, and approved by the City as the plan by which the uses and improvements in the district will be constructed.~~

Planned Development. A comprehensively designed residential or commercial development approved and regulated in a ~~PD Planned Development District according to a detailed development plan~~ Planned Neighborhood Development District or Planned Commercial Development District.

1161.03 RESIDENTIAL DISTRICTS.

(e) R-20 Townhouse District. The R-20 Townhouse District provides land for medium density townhome-style residential developments. Developments in the R-20 Townhouse District may be built along public or private streets and shall include integrated open space. Community water and sewage facilities are required.

~~(e)~~(f) AR-1 Multiple Family Residence District. The AR-1 Multiple Family Residence District provides land for multiple family dwellings whose development best serves the public welfare and the need for diverse housing. Community water and sewage facilities are required. Single-family and two-family dwellings are permitted in this District.

~~(f)~~(g) AR-2 Multiple Family Residence District. The AR-2 Multiple Family Residence District provides land for multiple family dwellings. Well developed community water and sewage facilities are required. Access to major thoroughfares, schools and open space is also required. Single-family and two-family dwellings are permitted in this District.

~~(g)~~(h) AR-3 Multiple Family Residence District. The AR-3 Multiple Family Residence District provides land for higher density multiple family dwellings. Well developed community water and sewage facilities are required. Access to major thoroughfares, schools and open space is also required. ~~One-family structures~~ Single-family and two-family dwellings are not permitted.

~~(h)~~(i) MH Manufactured Housing District. The MH Manufactured Housing District provides land for dwellings which are residential design manufactured homes, standard design manufactured homes, or mobile homes.

~~(i)~~(j) PND Planned Neighborhood Development District. The PND Planned Neighborhood Development District permits comprehensively planned residential developments approved using more flexible zoning techniques than permitted in other residential districts, but subject to a development plan specifying the conditions of development.

1187.05 SPECIAL PROVISIONS FOR R-20 TOWNHOUSE DISTRICT.

In any R-20 Townhouse District, the following design and construction standards shall apply:

(a) Yards and Parking. The applicant shall have the option of locating parking in either the front yard or rear yard of each row of townhouses, provided that the location of the parking shall not vary within a single contiguous row of townhouses.

- (1) Front Yard Parking. Where parking is provided in the front yard of the building, each townhouse lot shall have front, rear and side yards not less than the following:
 - A. The depth of the front yard shall not be less than thirty-eight (38) feet (38FT) for the dwelling and twenty-seven (27) feet (27FT) for a detached garage. Parking shall be permitted in the front yard.
 - B. A rear yard with a depth of not less than twenty feet (20FT) shall be provided for each dwelling. The rear yard shall not be used for parking purposes or open carports.
 - C. There shall be no side yard for a townhouse structure except if the structure is on an end lot where the side yard shall not be less than six feet (6FT).

- (2) Rear Yard Parking or Variance. ~~Where an applicant desires to locate parking in the rear yard of a building or desires to vary from the standards set forth in this chapter the following procedures shall apply:~~ Parking may be provided in a rear yard provided this is reviewed and approved by the Planning Commission in conjunction with a major site plan. The Planning Commission shall consider but not be limited to the consideration of setback, distances between buildings, location of building, yard space, traffic accessibility, roadway width and other such elements having a bearing on the overall acceptability of the site plan.

~~A. Applicant shall submit a preliminary and a detailed development plan for review and action by the Planning Commission. In determining the acceptability of the preliminary and detailed development plan, the Planning Commission shall consider but not be limited to the consideration of setback, distances between buildings, location of building, yard space, traffic accessibility, roadway width and other such elements having a bearing on the overall acceptability of such development plan. Upon action by the Planning Commission, the application and detailed development plan shall be forwarded to Council for final approval along with the recommendations of the Planning Commission.~~

~~B. If such detailed development plan is approved by Council, the development shall be permitted to go forward in conformance with the approved detailed plans.~~

- (3) Where there is head-in parking on a minor street there shall be no head-in parking on the other side of the street perpendicular from the head-in parking spaces, but there may be head-in parking on the other side of the street above or below the head-in parking spaces.
- (4) On a local street there may be head-in parking on both sides of the street directly across from each other.

(b) Location and Number of Units. In any townhouse development:

- (1) A maximum of eight (8) dwellings shall be allowed in each row of townhouses. When an end unit of a row house does not side on a street, an open space or court of at least twenty feet (20FT) in width shall be provided between it and the adjacent row of townhouses.
- (2) Where townhouse dwelling units are designed to face upon an open or common access court rather than upon a street, this open court shall be a minimum of forty

feet (40'FT) in width and such court shall not include vehicular drives or parking spaces or lots.

- (3) Townhouses shall be constructed up to side lot lines without side yards and no windows, doors, or other openings shall face a side lot line except that the outside wall of end units may contain such openings.

CHAPTER 1183 - "~~PD~~" Planned Neighborhood Development District

1183.01 PURPOSE.

(a) The purpose of the "~~PD~~" Planned Neighborhood Development District is to permit comprehensively planned residential developments approved by City Council and the Planning Commission using more flexible zoning guidelines and site design criteria than permitted in traditional districts.

(b) The suspension of traditional zoning provisions is intended to: encourage creative, high quality site design practices in the development of residential areas; encourage the creation and preservation of attractive and useful open spaces; promote compatibility with and complement existing developments; protect adjoining properties from adverse impacts; promote safe and efficient pedestrian, bicycle, and vehicular movement; promote efficient layout of infrastructure; and promote protection or enhancement of natural and historic resources. It is not the purpose of the planned development provisions to permit reduction in traditional lot sizes without mitigating amenities or quality design which justify such reduction to the benefit of the residents and the community as a whole.

(c) In place of enforcing the traditional zoning provisions, City Council and the Planning Commission may exercise control through standards, design criteria, conditions, and agreements appropriate for the particular site, its surroundings, and proposed uses, and sufficient to ensure effective and complete implementation of the development consistent with the development plan.

1183.02 DEVELOPMENT PLAN REQUIREMENTS AND REVIEW PROCEDURES.

The owner of a lot or lots seeking approval of a Planned Neighborhood Development District shall initiate such proposal according to the provisions for zoning amendments established in this Zoning Code and in the Charter. The following requirements and procedures shall apply to a petition for a Planned Neighborhood Development District and shall be in addition to the requirements for an application for a zoning district change with development plan as provided in Chapter 1151: ~~Amendments~~.

(a) Required Content of Development Plan. The applicant proposing a Planned Neighborhood Development District shall submit the information described below which, together with any other information, agreements, statements, or commitments required by the Planning Commission or City Council, shall constitute the development plan for the proposed Planned Neighborhood Development District.

- (1) Completed application form.
- (2) Name, address, and phone number of the owner of the lot or lots and, if applicable, of the owner's designated agent.
- (3) A list of the names and addresses of the owners (as appearing on the County Auditor's tax list) of all lots located within, contiguous to, and directly across the street from the property which is the subject of the application.
- (4) Legal description of the property, including a survey of the existing lot or lots to be included in the Planned Neighborhood Development District.
- (5) A description of the current zoning district(s) and the existing uses of the subject lot or lots.
- (6) Plan drawings and narrative descriptions of:
 - A. The existing conditions of the site, including topography, soils, wetlands, streams and ditches, water bodies, retention facilities, other significant natural resources or features, historic or archaeological resources;
 - B. The proposed topography, water features, drainage features and improvements, and the treatment of significant natural, historic, or

- archaeological resources; a general plan for landscaping the entrances, major roads and major open spaces; a concept plan for the landscaping of individual structures;
- C. The proposed locations and approximate dimensions of lots to be platted in the district, including a statement of the minimum widths and depths of proposed lots for dwelling;
 - D. The nature and locations of the proposed use or uses to be established in the district;
 - E. The number and locations of structures, the number of dwelling units in each area of the proposed district, the number of dwelling units per structure, the approximate floor area proposed for each use and structure, and locations and approximate dimensions of any planned accessory uses such as outbuildings, pools, recreation structures, or parking structures; sketch or draft elevations of the proposed building(s) indicating maximum heights, anticipated style and materials of existing surfaces and other building features; the approximate or minimum dimensions of yards and setbacks;
 - F. The locations and approximate acreage(s) of common open space(s), and reserves;
 - G. The approximate locations, dimensions, and capacities of proposed public and private streets, significant curb cuts and intersections with public streets, parking and loading areas, numbers of parking spaces, facilities for pedestrians and bicycles, and the general concept for landscaping these facilities;
 - H. The approximate locations, dimensions, and capacities of proposed water lines, sanitary sewers, storm sewers, other major stormwater facilities;
 - I. A description of any variances to the Subdivision Regulations which may be necessary for the design and installation of improvements in the proposed district.
- (7) A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots, with the zoning districts of adjacent lots, and with the Land Use Plan and other plans of the City, including an evaluation of the impacts on adjoining lots and neighborhoods of traffic circulation, noise, glare, odor, fumes, vibration, and stormwater, and descriptions or illustrations of any measures designed to mitigate the impacts of the proposed uses.
 - (8) A statement of the benefits anticipated to occur to the City and to the neighborhoods abutting the proposed development, including, as applicable, increased landscaping, dedicated or preserved open spaces, dedication of city parkland or school sites, or other benefits.
 - (9) A narrative addressing each of the provisions set forth in 1183.04 Use Regulations and Development Standards.
 - (10) A narrative addressing any proposed condominium or homeowners associations or other forms of organization proposed to own, manage, control or regulate all or parts of the development.
 - (11) Anticipated time schedule for construction of the improvements and buildings, included any anticipate phases of development.
 - (12) Such other information as the Planning Commission shall deem necessary to make a determination of the compliance of the proposed development and uses with the applicable standards and regulations.

(b) Submittal, Review, Public Hearing, Recommendation, Action on District Change. Application submittal, review, public hearing, recommendation by the Planning Commission, and action by City Council shall be as required for district changes in Chapter 1151: ~~Amendments.~~

1183.03 ~~DETAILED DEVELOPMENT PLAN OR PLANS~~ SITE PLAN REVIEW.

(a) ~~Required Content of Detailed Development Plan.~~ Subsequent to approval of the district change for a Planned Development District, the applicant shall submit the information described below which, together with any other information, agreements, statements, or commitments required in the ordinance approving the District and any additional information or modifications required by the Planning Commission, shall constitute the detailed development plan or plans for the Planned Development District. A detailed development plan of the Planned Development District or, as approved by the Planning Commission, detailed development plans for one or more phases of development of the District, shall be consistent with the contents of the approved development plan and with any conditions of such approval. The owner shall make applications for the review and approval of subdivision and for subdivision improvements as required by the Subdivision Regulations. Subject to agreement with the Planning Commission, such applications and approvals may be carried out concurrently with the applications, reviews, and approvals of the detailed development plan.

- (1) Completed application form, including the name, address, and phone number of the owner of the lot or lots and, if applicable, of the owner's designated agent.
- (2) A legal description, including a survey, of the phase(s) of the District which are the subject of the application.
- (3) Plan drawings and narrative descriptions of:
 - A. The proposed topography, water features, drainage features and improvements;
 - B. Treatment of natural, historic, and archaeological features;
 - C. Detailed landscaping plans describing the locations and types of landscaping to be installed for the entrances, major roads, open spaces, and other common areas;
 - D. The nature and locations of the proposed use or uses; the dimensions and acreage of all lots;
 - E. The locations of structures (including signs and fences requiring permits), number of dwelling units in each structure, floor area for each structure, locations and dimensions of accessory uses; elevations of all buildings, except not for single family residential dwellings if the elevation requirement is waived by the Commission; minimum dimensions of yards and setbacks;
 - F. Surveyed descriptions of the locations and dimensions of common open space(s), and preserves, together with such legal documentation as the Commission requires to describe and ensure the use and control of these areas;
 - G. The locations, dimensions, and capacities of proposed public and private streets, all curb cuts and intersections, parking and loading areas, numbers of parking spaces, facilities for pedestrians and bicycles;
 - H. The locations, dimensions, and capacities of proposed water lines, sanitary sewers, storm sewers, other major stormwater facilities;
- (4) Detailed plans, drawings, reports, and other information as required by the Subdivision Regulations for the review of subdivisions and improvements, together with information required to document and justify any requested variances to the provisions of the Subdivision Regulations.
- (5) Such other drawings, documents, agreements, covenants, or other information or materials which the Planning Commission may require to ensure the development

~~and maintenance of the district in a manner consistent with the provisions and intent of the ordinance approving the district and of this Zoning Code.~~

~~(b) Submittal. The owner shall submit twelve (12) copies of the detailed development plan to the Zoning Officer at least twelve (12) days prior to the Planning Commission meeting at which it is to be reviewed.~~

~~(c) City Staff Review. The Zoning Officer shall distribute the materials to appropriate city officials for review for compliance with all applicable requirements and for comments with regard to the Standards for Development Plan Review and any significant changes made between the approved development plan and the detailed development plan.~~

~~(d) Planning Commission Review. The Planning Commission shall review the detailed development plan and shall approve or disapprove it within 60 days after the regularly scheduled meeting at which the detailed development plan is first reviewed. Approval of the plan shall authorize the owner to proceed with the development in a manner consistent with the approval and with all other applicable regulations of the City.~~

Subsequent to approval of the district change for a Planned Neighborhood Development District, the applicant shall submit an application for major site plan review in accordance with the provisions of Chapter 1143. Major site plan review may be conducted for the entire site or for any phase of the site as deemed appropriate by the Planning Commission.

1183.04 USE REGULATIONS AND DEVELOPMENT STANDARDS.

The following shall be the minimum standards required for development in a Planned Neighborhood Development District. Additional requirements and conditions may be established by the Planning Commission and by City Council for approval of the district and the development plans. Such requirements and conditions may include but are not limited to: approved uses; width, height, yard requirements; density; arrangement and spacing of buildings and other structures; signs; parking; vehicular, pedestrian and bicycle circulation; landscaping; the construction of public improvements; and preservation of natural features or historic structures. Varied requirements and conditions may be applied to different areas of the development.

(a) Permitted Uses. The following uses may be permitted, as approved in the development plan, in a Planned Development District:

- (1) Single family dwellings;
- (2) Two-family dwellings;
- (3) Multiple family dwellings;
- (4) Public uses, semipublic uses, public service facilities, accessory uses, essential services;
- (5) Residential care facilities;
- (6) Non-commercial recreational uses, structures, and facilities, such as pools, tennis courts, playgrounds, and other similar uses provided for the use of residents of the development or for general public use.

The Planning Commission and City Council shall determine the appropriateness of each proposed use and feature of the development plan, giving consideration to the ~~Standards for Review~~standards established in ~~this Chapter~~Section 1183.05 and any other considerations deemed significant in determining the appropriate uses and character of development for the proposed district. The Commission and City Council shall have the authority to deny approval for any proposed use which it determines to be inappropriate due to potential impacts, incompatibility with the surroundings, or other similar reasons.

(b) **Density of Dwelling Units.** The maximum density of dwelling units for both the overall Planned Neighborhood Development District and for each of its areas shall be as approved in the development plan, except that the density of dwellings in the district shall not exceed five (5) units per acre and density shall not exceed ten (10) units per acre in any part of the district. In making a determination of the number of dwellings to be permitted in the district, consideration shall be given to the compatibility of the proposed dwelling density and the characteristics of the proposed lots and structures with the existing and projected surrounding dwelling density, lots, and structures.

(c) **Required Open Space and Protection of Features.** Historic structures and sites, natural features such as watercourses, wetlands, rock outcroppings, trees, and other vegetation shall be identified in the development plan. The development plan and detailed development plan shall indicate design of planned improvements in a manner which protects, enhances, and appropriately incorporates such features into the overall design. The Planning Commission or City Council may approve, amend, or deny the proposed treatments of such features. ~~The detailed development plan shall provide for landscaping and lawn areas to place the structures in a setting of yards and landscaping compatible with the surrounding neighborhoods, to establish screening of parking lots and spaces, to provide an area or areas for outdoor recreation and relaxation available to residents of the development, and to provide public open or recreation spaces consistent with the plans of the City.~~ Compliance with the requirements of the City for the dedication of public areas, reserves or of other fees or considerations, and the provisions of Chapter 1180 shall be minimum requirements for the approval of a Planned Neighborhood Development District.

(d) **Parking.** The detailed development plan shall comply with the parking requirements of this Zoning Code, except that the Planning Commission may vary such requirements where a finding is made that the provisions are excessive or inappropriate for the use proposed or that the provisions are satisfied by alternative methods clearly documented in the ~~Detailed development plan~~ major site plan.

(e) **Lot and Yard Dimensions, Building Spacing.**

- (1) Lot and yard dimensions shall be as established in the detailed development plan, except that no lot designed for a single family dwelling shall have a width of less than sixty five (65)-feet (65FT) or a depth of less than one hundred ten feet (110FT).
- (2) In locations where the Planned Neighborhood Development District abuts other zoning districts, the minimum area and widths of yards and setbacks within the proposed Planned Development District shall be no less than the minimums required for such abutting districts unless specifically varied by approval of the Planning Commission.
- (3) In review of lot and yard dimensions and the spacing of buildings, the Planning Commission shall consider the spacing necessary for adequate visual and acoustical privacy, adequate light and air, fire and emergency access, building configurations, energy-efficient siting, the relationships of building sites to circulation patterns, and the customary use of space surrounding residences ~~(particularly single family residences)~~ dwellings for outdoor activities and facilities such as patios and decks.

(f) **Variances to the Subdivision Regulations.** To the extent specifically provided in the Subdivision Regulations, the Planning Commission may vary the requirements for improvements

as determined necessary and appropriate for the design and development of the Planned Development District.

1183.05 STANDARDS FOR DEVELOPMENT PLAN REVIEW.

(a) Standards for Review. In reviewing and determining whether to recommend approval or disapproval of a Planned Development District, its development plan, and detailed development plan, the Planning Commission and City Council shall consider, but shall not be limited to consideration of, the following characteristics of the proposed development:

- (1) The comprehensive nature and design of the development plans, including appropriate and intentional design of the physical, aesthetic, and economic relationships among its parts.
- (2) The suitability of the site proposed for zoning as a Planned Development District, including its location, size, width, relationship to existing development in the community and in abutting communities, natural features, relationship to community plans, and such other characteristics as the Planning Commission and City Council may deem important.
- (3) The anticipated effects of the proposed development upon the City and upon adjoining and proximate neighborhoods and properties, including the impacts of traffic, stormwater, noise, lighting, utilities, aesthetic values and other impacts.
- (4) The adequacy of planned roads, drives, parking, and loading areas to meet the projected demand for such facilities and to integrate with existing and planned facilities in the City.
- (5) The adequacy of planned pedestrian and bicycle facilities to meet the demand for such facilities, to integrate with existing and planned facilities in the City, and to promote use of such transportation modes.
- (6) The suitability of the location, dimensions, access to streets and utilities of each proposed lot within the district, given the nature of the use or uses proposed on each such lot, including the potential for future expansion of proposed dwellings or the construction of typical decks or outbuildings.
- (7) The adequacy of utilities to serve the proposed development and the suitability of the proposed utility design within the district and in relation to the utility plans of the City and its utility providers.
- (8) The proper orientation and relationship of the proposed elements of the development with natural and historic features and resources both on and off site, the degree to which the development has been designed to protect and enhance such features and resources, and the measures taken to mitigate negative impacts on such features and resources both on and off site.
- (9) The relationships of the architectural and site design characteristics among the areas of the development and with surrounding properties.
- (10) The availability of recreation and open space sites and facilities (existing and proposed) for use by the residents of the proposed development.
- (11) The nature and extent of proposed landscaping, existing vegetation and land forms to be altered or retained, and of proposed screening.
- (12) The suitability of the proposed separations between uses and buildings, including any proposed setbacks or yards, given the nature of the use or uses so controlled and the relationships and impacts of one use upon another.
- (13) The suitability of the total acreage and total floor area proposed for each type of use, and the number and bulk of buildings proposed for each type of use.
- (14) The suitability of proposed condominium or homeowners association agreements, deed restrictions, protective covenants, and other legal statements or devices

- intended to provide for the future use, ownership, operation and maintenance of areas of the planned development and its improvement
- (15) If non-dwelling uses are proposed, the projected traffic impacts, loading requirements, and the likely number of employees.
 - (16) The ability of each proposed phase of the development, or of any group of phases, to meet the standards established in this Chapter.
 - (17) Compliance with the Use Regulations and Development Standards of this Chapter, and, to the extent possible, determination of compliance with all other applicable local, state, and federal laws and regulations. In instances in which variances to existing regulations have been requested, such as to the Subdivision Regulations, the Commission shall consider the suitability of such variance and its impact on the proposed development.

(b) Professional Assistance in Review. ~~The extent and complexity of certain applications for Planned Development Districts will require that the Planning Commission or City Council obtain review assistance, statements of opinion, and reports from qualified professionals such as civil engineers, planners, appraisers, architects, and attorneys. The Planning Commission or City Council shall determine when such studies or expert advice are necessary to evaluate the development plans for a proposed Planned Development relative to the requirements of this Chapter and shall advise the applicant if such studies are required. The City may accept the required studies prepared by qualified professionals engaged by the applicant or may require the applicant to provide to the City the funds required to pay for such studies.~~ The Planning Commission or City Council shall determine when studies or expert advice are necessary to evaluate the development plans for a proposed Planned Neighborhood Development relative to the requirements of this Chapter and shall advise the applicant if such studies are required. The City may accept the required studies prepared by qualified professionals engaged by the applicant or may require the applicant to provide to the City the funds required to pay for such studies.

1183.06 EXISTING PLANNED DEVELOPMENTS.

Any planned development approved according the procedures of Chapter 1151 and this Chapter prior to the date this section was enacted shall be considered a Planned Neighborhood Development District. Any modification to a planned development approved prior to the date this section was enacted shall conform to the provisions of this Chapter.

1187.06 SPECIAL PROVISIONS FOR AR-1, AR-2, AND AR-3 MULTIPLE FAMILY RESIDENCE DISTRICTS.

— ~~(a) Building Materials. All structures built in any AR District shall be constructed of a minimum of seventy-five percent (75%) traditional and natural materials. Traditional and natural materials shall consist of clay bricks (full or thin set if thin set corners must have full brick appearance), stone, cultured stone (samples must be provided) stucco, and wood or fiber cement board siding.~~

— ~~(b) Units Per Building. In all AR Districts the maximum number of dwelling units per building shall be four.~~

— ~~(c) Open Space. All major site plans for developments in the AR District shall contain at a minimum thirty percent (30%) open space (see Section 1131.02 Definitions).~~

(a) Purpose. Due to the unique challenges presented by multi-family dwellings, the purpose of this section is to provide design requirements that are applicable to all dwellings located in the AR-1, AR-2 and AR-3 multi-family residence districts. These regulations shall be in addition to the appearance standards for all dwellings listed in Section 1187.07

(b) Building Massing. The maximum number of dwelling units in all AR districts shall be four (4) per building.

(c) Building Design. Multi-family residential structures shall incorporate architectural design details and elements which provide visual character and interest, avoiding flat planar walls and “box-like” appearances through the use of courtyards, balconies, offset planes and levels, deeply recessed or projecting windows, sloping roofs, and landscaped yards. Building entrances to multi-family dwelling units shall convey a sense of individual identity for each dwelling unit.

(c) Site Design. For multi-family developments, areas for the storage of items and equipment used for maintenance of the property should be stored in an area that is integrated into the design of the building. The use of freestanding storage sheds shall be avoided

(d) Open Space. Each multi-family residential development shall include open space areas, provided and maintained for recreational use as follows:

1. Common open space shall be easily accessible and of sufficient size to be usable by residents. The minimum area for open space shall thirty percent (30%) of the lot or parcel.

2. Landscaping shall be integrated into the architectural scheme so as to accent and enhance appearance of the multi-family development.

(e) Lighting. In addition to the general lighting regulations for all site plans, pedestrian walkways shall be illuminated unless they are otherwise illuminated by parking lot lighting.

1187.07 RESIDENTIAL APPEARANCE STANDARDS.

(a) Purpose. The purpose of this section is to provide design requirements that are applicable to all dwellings located in residential districts. These requirements are designed to increase the quality of neighborhoods, to promote positive architectural appearance within residential areas, to encourage design flexibility and creativity, and to establish an interesting, aesthetically pleasing residential environment. It is also the intent of this section to promote durable, quality materials that will allow residential neighborhoods to endure and mature for future generations in the City. These requirements are minimum appearance requirements applicable to all dwellings in all districts, including Planned Neighborhood Development District, except as may be specifically approved by a development plan in that district. These guidelines shall also apply in the Historic Overlay District to the extent that they do not conflict with any adopted historic design guidelines.

(b) Applicability. New buildings and structures, exterior remodeling and exterior changes of or to an existing building for which compliance with this Zoning Code is required shall be subject to review for compliance with the design standards in this Section. However, the following buildings, physical improvements, and site developments are not subject to these standards:

1. Interior design and interior modifications to buildings or structures.
2. Remodeling projects that do not involve changes in the architectural style of the building or structure, such as window and door openings, handrails, and stairways.

(c) General Provisions.

1. The height and bulk of any proposed building and structure on the site should be in scale and in proportion with surrounding structures and not dominate the site or neighborhood. The exterior finish shall not have exposed rough lumber and shall have a minimum of a stucco application, wood or vinyl siding or similar material.

2. All required site plans shall meet or exceed the minimum development standards (i.e., setbacks, open space, lighting standards, minimum parking and loading spaces, and landscaping requirements) established in this Zoning Code.

3. Building elevations, design characteristics and other architectural and aesthetic features shall not be unsightly, undesirable, or obnoxious in appearance; shall create an orderly and aesthetically pleasing environment; and shall be harmonious and compatible with existing development in the area.

4. New development or remodeling shall be designed in such a way as to upgrade the appearance and quality of the area.

6. No continuous wall is allowed to extend for more than 40 feet (40FT) without a recess or change in plane. At least twenty-five percent (25%) of the front facade of any new single or two family dwelling shall be clad in natural material.

7. New accessory structures or building additions shall match the existing bulk, color, roof design, architectural treatment, and materials of the main structure on the site.

8. All utility lines and conduit lines shall be incorporated into the building and not permitted on the exterior of any building.

9. Window and door security gates or guards shall not be installed on the exterior of the structure.



REYNOLDSBURG PLANNING & ZONING DIVISION

STAFF REPORT: CODIFIED ORDINANCE AMENDMENT

CODE SECTION: Chapter 1183 & Various Sections – Residential Zoning Districts

BACKGROUND: Staff becomes periodically aware of provisions of the Planning & Zoning Code that require revision. Prior to the adoption of the procedures for major site plan review and approval, several specialized zoning districts were enacted that required different types of approval beyond the normal district amendment procedure. Staff is proposing to revise various sections of code in order to remove references to this additional approval and clarify that major site plan approval is required for these developments. This will help standardize the review and approval procedures across various zoning districts.

SUMMARY OF MAJOR REVISIONS:

SECTION 1161.03 – RESIDENTIAL ZONING DISTRICTS

The section lists the various residential districts of the city and describes the type of development permitted there. One district, the R-20 Townhome District, is referenced throughout the Code but was not listed in this section. The proposed text additional remedies this.

CHAPTER 1183 – PLANNED NEIGHBORHOOD DEVELOPMENT DISTRICT

This section describes the special development standards and review procedures for this district. When this section was enacted, it was the only type of planned development permitted in the City. Staff is proposing to revise this section, in order to clarify that this district will be utilized for planned residential neighborhoods. This will allow other types of planned districts to be enacted in the future.

SECTION 1183.03 – SITE PLAN REVIEW

When this section was originally enacted, major site plan review and approval did not exist, so an addition review of a “detailed development plan” by the Planning Commission was required. Staff proposes to edit the section in order to remove these references. Any development or redevelopment in this district requires major site plan review and must be consistent with the development plan approved by Council.

SECTION 1187.05 – SPECIAL PROVISIONS FOR THE R-20 TOWNHOUSE DISTRICT

This section describes the special development standards and review procedures for this district. When this section was enacted, major site plan review and approval did not exist, so an additional review of a “detailed development plan” by the Planning

Commission was required. Staff proposes to edit the section in order to remove these references. Any development or redevelopment in this district requires major site plan review by the Planning Commission and must be consistent with the development plan approved by Council.

SECTION 1187.06 & 1187.07 – RESIDENTIAL DEVELOPMENT STANDARDS

Staff is proposing to enact a new chapter, Section 1187.07, in order to provide some basic regulations for residential architectural appearance. This will include a front facade natural material requirement for new homes for which no other regulations exist. Staff then proposes to revise Section 1187.07, special regulations for multi-family dwellings. This will clarify the relationship between the two sections, but will not reduce or repeal any regulations current in place of multi-family dwellings.

1123.01 IMPROVEMENTS TO BE PAID FOR BY SUBDIVIDER.

(a) The owner of land who desires to subdivide it shall provide and pay the entire cost of improvements to such land as follows:

- (1) Before the construction of any building, street improvements shall consist of grading the right of way for full width; construction of permanent curbing and roadway; construction of drainage structures and appurtenances. Two roof drain openings shall be provided in the curb for each lot;
- (2) Sanitary sewers, including manholes, services and all appurtenances;
- (3) Water distribution system, including mains, services, valves, fire hydrants and all appurtenances;
- (4) Curbs and sidewalks on existing streets as determined by the City Engineer;
- (5) Storm sewers, including manholes, inlets and all appurtenances.

(b) All phases of the improvement shall be approved by the City Engineer and shall be constructed in accordance with City specifications.

(c) The City may require other improvements not listed in this section, if they are deemed necessary by the City Engineer for the protection of public health, safety or welfare.

(d) The city shall require a plot-grade-utility-plan approval for all residential subdivisions in accordance with the provisions of Chapter 1143.

1123.02 INSPECTION DURING INSTALLATION.

(a) The construction of all improvements shall be inspected by the City Engineer at the time of installation. Under no circumstances are such installations to be made without an inspector on the job. The City Engineer shall be notified three days before any construction work is begun.

(b) If any violation of, or noncompliance with, any of the provisions of this Chapter occurs, the City shall withhold the issuance of the occupancy permit until the violation or noncompliance is corrected.

~~1123.04 ACCESS ROADWAY CONSTRUCTION IN AR DISTRICTS.~~

~~All tracts having a zoning classification of AR-1, AR-2 or AR-3 shall have access roadways of not less than twenty-six feet in width and full width unobstructed access to a public street, alley or highway. The pavement shall be constructed on a properly prepared subgrade and shall consist of not less than six inches of portland cement concrete with integral curbing, or six inches of compacted aggregate base course and two inches of asphalt concrete surface course with portland cement concrete curbing or combined curb and gutter. Curbing may be eliminated to permit access to parking areas only.~~

~~1123.05 ACCESS ROADWAY ILLUMINATION.~~

~~All access roadways shall be illuminated. Accessway intersections shall be individually illuminated.~~

~~1123.06 WALKWAY ILLUMINATION IN AR DISTRICTS.~~

~~All walkways constructed in tracts having a zoning classification of AR-1, AR-2 or AR-3 shall be illuminated. Potentially hazardous locations, such as steps or stepped ramps, shall be individually illuminated.~~

~~1123.07 PARKING SPACES IN AR DISTRICTS.~~

~~All tracts having a zoning classification of AR-1, AR-2 or AR-3 shall be provided with at least two off-street parking spaces for each apartment unit. The minimum area for each parking space shall be 200 square feet and the pavement surface shall be portland cement concrete or asphalt concrete.~~

~~1123.08 DRAINAGE IN AR DISTRICTS.~~

~~All tracts having a zoning classification of AR-1, AR-2 or AR-3 shall be located on a well drained site, properly graded to insure rapid drainage. All drainage for buildings and the site are subject to the provisions and conditions approved by the City Engineer and Director of Public Service, so long as the same will not adversely affect adjacent property owners and/or premises owned by the City and dedicated for public use, or any drainage facilities that are not to be dedicated to the City for public use. The provisions of this section shall prevail notwithstanding the provisions of Section 941.06 of the Streets, Utilities and Public Services Code.~~

~~1123.09 UNDERGROUND TELEPHONE, ELECTRIC AND OTHER LINES IN AR DISTRICTS.~~

~~All telephone, electrical and other distribution lines in tracts having a zoning classification of AR-1, AR-2 or AR-3, and having private roadways, shall be installed in underground conduits. No overhead lines shall be permitted. All service, utility and fire hydrant placements shall be approved by the City Engineer and Director of Public Service and shall comply with City standards.~~

~~1123.10 CITY MAY REQUIRE OTHER IMPROVEMENTS.~~

~~Other improvements not listed in Sections 1123.04 through 1123.09, but deemed necessary by the City for the protection of public health, safety or welfare, shall be installed by the developer of a tract.~~

~~1123.11 DEPOSIT REQUIRED WITH IMPROVEMENTS PLAN.~~

~~A plots grading and utility plan shall be submitted to the Director of Public Service reflecting all improvements as set forth in Section 1123.04 through 1123.10. The plans shall be approved by the City Engineer and the Director of Public Service.~~

~~1123.12 COMPLIANCE REQUIRED TO OBTAIN OCCUPANCY PERMIT.~~

~~If any violation of, or noncompliance, with any of the provisions and stipulations as set forth in Sections 1123.04 through 1123.10 occurs, the City shall withhold the issuance of the occupancy permit until the violation or noncompliance is corrected.~~

1131.02 DEFINITIONS.

Buildings, Terms relating to: (*See also "Terms relating to Structures", "Terms relating to Floor Area"*)

(l) Traditional or Natural Materials. Building materials that are durable and historically used on structures within the City. This shall include: clay bricks, stone, cultured stone, stucco, wood or fiber cement board siding, or any other similar materials as approved by the Design Review Board or Planning Commission

~~(l)(m)~~ Wall, of a building. An external, vertical surface enclosing a portion of a building.

~~(m)(o)~~ Wall, front. That wall of a building which most nearly parallels the front lot line of the lot on which the building is located or, for the purpose of locating a wall sign on a space within a multi-occupant building, that wall which is declared by the ~~Zoning Officer~~ Planning Administrator to be the front wall, generally that wall which faces a common, central parking lot or drive.

~~**Development Plan, Detailed.** A development plan for a planned unit development district, amended with additional information as required by this Code, and approved by the City as the plan by which the uses and improvements in the district will be constructed.~~

Planned Development. A comprehensively designed residential or commercial development approved and regulated in a ~~PD Planned Development District according to a detailed development plan~~ Planned Neighborhood Development District or Planned Commercial Development District.

1161.03 RESIDENTIAL DISTRICTS.

(e) R-20 Townhouse District. The R-20 Townhouse District provides land for medium density townhome-style residential developments. Developments in the R-20 Townhouse District may be built along public or private streets and shall include integrated open space. Community water and sewage facilities are required.

~~(e)~~(f) AR-1 Multiple Family Residence District. The AR-1 Multiple Family Residence District provides land for multiple family dwellings whose development best serves the public welfare and the need for diverse housing. Community water and sewage facilities are required. Single-family and two-family dwellings are permitted in this District.

~~(f)~~(g) AR-2 Multiple Family Residence District. The AR-2 Multiple Family Residence District provides land for multiple family dwellings. Well developed community water and sewage facilities are required. Access to major thoroughfares, schools and open space is also required. Single-family and two-family dwellings are permitted in this District.

~~(g)~~(h) AR-3 Multiple Family Residence District. The AR-3 Multiple Family Residence District provides land for higher density multiple family dwellings. Well developed community water and sewage facilities are required. Access to major thoroughfares, schools and open space is also required. ~~One-family structures~~Single-family and two-family dwellings are not permitted.

~~(h)~~(i) MH Manufactured Housing District. The MH Manufactured Housing District provides land for dwellings which are residential design manufactured homes, standard design manufactured homes, or mobile homes.

~~(i)~~(j) PND Planned Neighborhood Development District. The PND Planned Neighborhood Development District permits comprehensively planned residential developments approved using more flexible zoning techniques than permitted in other residential districts, but subject to a development plan specifying the conditions of development.

CHAPTER 1183 - "~~PD~~" Planned Neighborhood Development District

1183.01 PURPOSE.

(a) The purpose of the "~~PD~~" Planned Neighborhood Development District is to permit comprehensively planned residential developments approved by City Council and the Planning Commission using more flexible zoning guidelines and site design criteria than permitted in traditional districts.

(b) The suspension of traditional zoning provisions is intended to: encourage creative, high quality site design practices in the development of residential areas; encourage the creation and preservation of attractive and useful open spaces; promote compatibility with and complement existing developments; protect adjoining properties from adverse impacts; promote safe and efficient pedestrian, bicycle, and vehicular movement; promote efficient layout of infrastructure; and promote protection or enhancement of natural and historic resources. It is not the purpose of the planned development provisions to permit reduction in traditional lot sizes without mitigating amenities or quality design which justify such reduction to the benefit of the residents and the community as a whole.

(c) In place of enforcing the traditional zoning provisions, City Council and the Planning Commission may exercise control through standards, design criteria, conditions, and agreements appropriate for the particular site, its surroundings, and proposed uses, and sufficient to ensure effective and complete implementation of the development consistent with the development plan.

1183.02 DEVELOPMENT PLAN REQUIREMENTS AND REVIEW PROCEDURES.

The owner of a lot or lots seeking approval of a Planned Neighborhood Development District shall initiate such proposal according to the provisions for zoning amendments established in this Zoning Code and in the Charter. The following requirements and procedures shall apply to a petition for a Planned Neighborhood Development District and shall be in addition to the requirements for an application for a zoning district change with development plan as provided in Chapter 1151: ~~Amendments~~.

(a) Required Content of Development Plan. The applicant proposing a Planned Neighborhood Development District shall submit the information described below which, together with any other information, agreements, statements, or commitments required by the Planning Commission or City Council, shall constitute the development plan for the proposed Planned Neighborhood Development District.

- (1) Completed application form.
- (2) Name, address, and phone number of the owner of the lot or lots and, if applicable, of the owner's designated agent.
- (3) A list of the names and addresses of the owners (as appearing on the County Auditor's tax list) of all lots located within, contiguous to, and directly across the street from the property which is the subject of the application.
- (4) Legal description of the property, including a survey of the existing lot or lots to be included in the Planned Neighborhood Development District.
- (5) A description of the current zoning district(s) and the existing uses of the subject lot or lots.
- (6) Plan drawings and narrative descriptions of:
 - A. The existing conditions of the site, including topography, soils, wetlands, streams and ditches, water bodies, retention facilities, other significant natural resources or features, historic or archaeological resources;
 - B. The proposed topography, water features, drainage features and improvements, and the treatment of significant natural, historic, or

- archaeological resources; a general plan for landscaping the entrances, major roads and major open spaces; a concept plan for the landscaping of individual structures;
- C. The proposed locations and approximate dimensions of lots to be platted in the district, including a statement of the minimum widths and depths of proposed lots for dwelling;
 - D. The nature and locations of the proposed use or uses to be established in the district;
 - E. The number and locations of structures, the number of dwelling units in each area of the proposed district, the number of dwelling units per structure, the approximate floor area proposed for each use and structure, and locations and approximate dimensions of any planned accessory uses such as outbuildings, pools, recreation structures, or parking structures; sketch or draft elevations of the proposed building(s) indicating maximum heights, anticipated style and materials of existing surfaces and other building features; the approximate or minimum dimensions of yards and setbacks;
 - F. The locations and approximate acreage(s) of common open space(s), and reserves;
 - G. The approximate locations, dimensions, and capacities of proposed public and private streets, significant curb cuts and intersections with public streets, parking and loading areas, numbers of parking spaces, facilities for pedestrians and bicycles, and the general concept for landscaping these facilities;
 - H. The approximate locations, dimensions, and capacities of proposed water lines, sanitary sewers, storm sewers, other major stormwater facilities;
 - I. A description of any variances to the Subdivision Regulations which may be necessary for the design and installation of improvements in the proposed district.
- (7) A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots, with the zoning districts of adjacent lots, and with the Land Use Plan and other plans of the City, including an evaluation of the impacts on adjoining lots and neighborhoods of traffic circulation, noise, glare, odor, fumes, vibration, and stormwater, and descriptions or illustrations of any measures designed to mitigate the impacts of the proposed uses.
 - (8) A statement of the benefits anticipated to occur to the City and to the neighborhoods abutting the proposed development, including, as applicable, increased landscaping, dedicated or preserved open spaces, dedication of city parkland or school sites, or other benefits.
 - (9) A narrative addressing each of the provisions set forth in 1183.04 Use Regulations and Development Standards.
 - (10) A narrative addressing any proposed condominium or homeowners associations or other forms of organization proposed to own, manage, control or regulate all or parts of the development.
 - (11) Anticipated time schedule for construction of the improvements and buildings, included any anticipate phases of development.
 - (12) Such other information as the Planning Commission shall deem necessary to make a determination of the compliance of the proposed development and uses with the applicable standards and regulations.

(b) Submittal, Review, Public Hearing, Recommendation, Action on District Change. Application submittal, review, public hearing, recommendation by the Planning Commission, and action by City Council shall be as required for district changes in Chapter 1151: ~~Amendments.~~

1183.03 ~~DETAILED DEVELOPMENT PLAN OR PLANS~~ SITE PLAN REVIEW.

(a) ~~Required Content of Detailed Development Plan.~~ Subsequent to approval of the district change for a Planned Development District, the applicant shall submit the information described below which, together with any other information, agreements, statements, or commitments required in the ordinance approving the District and any additional information or modifications required by the Planning Commission, shall constitute the detailed development plan or plans for the Planned Development District. A detailed development plan of the Planned Development District or, as approved by the Planning Commission, detailed development plans for one or more phases of development of the District, shall be consistent with the contents of the approved development plan and with any conditions of such approval. The owner shall make applications for the review and approval of subdivision and for subdivision improvements as required by the Subdivision Regulations. Subject to agreement with the Planning Commission, such applications and approvals may be carried out concurrently with the applications, reviews, and approvals of the detailed development plan.

- (1) Completed application form, including the name, address, and phone number of the owner of the lot or lots and, if applicable, of the owner's designated agent.
- (2) A legal description, including a survey, of the phase(s) of the District which are the subject of the application.
- (3) Plan drawings and narrative descriptions of:
 - A. The proposed topography, water features, drainage features and improvements;
 - B. Treatment of natural, historic, and archaeological features;
 - C. Detailed landscaping plans describing the locations and types of landscaping to be installed for the entrances, major roads, open spaces, and other common areas;
 - D. The nature and locations of the proposed use or uses; the dimensions and acreage of all lots;
 - E. The locations of structures (including signs and fences requiring permits), number of dwelling units in each structure, floor area for each structure, locations and dimensions of accessory uses; elevations of all buildings, except not for single family residential dwellings if the elevation requirement is waived by the Commission; minimum dimensions of yards and setbacks;
 - F. Surveyed descriptions of the locations and dimensions of common open space(s), and preserves, together with such legal documentation as the Commission requires to describe and ensure the use and control of these areas;
 - G. The locations, dimensions, and capacities of proposed public and private streets, all curb cuts and intersections, parking and loading areas, numbers of parking spaces, facilities for pedestrians and bicycles;
 - H. The locations, dimensions, and capacities of proposed water lines, sanitary sewers, storm sewers, other major stormwater facilities;
- (4) Detailed plans, drawings, reports, and other information as required by the Subdivision Regulations for the review of subdivisions and improvements, together with information required to document and justify any requested variances to the provisions of the Subdivision Regulations.
- (5) Such other drawings, documents, agreements, covenants, or other information or materials which the Planning Commission may require to ensure the development

~~and maintenance of the district in a manner consistent with the provisions and intent of the ordinance approving the district and of this Zoning Code.~~

~~(b) Submittal. The owner shall submit twelve (12) copies of the detailed development plan to the Zoning Officer at least twelve (12) days prior to the Planning Commission meeting at which it is to be reviewed.~~

~~(c) City Staff Review. The Zoning Officer shall distribute the materials to appropriate city officials for review for compliance with all applicable requirements and for comments with regard to the Standards for Development Plan Review and any significant changes made between the approved development plan and the detailed development plan.~~

~~(d) Planning Commission Review. The Planning Commission shall review the detailed development plan and shall approve or disapprove it within 60 days after the regularly scheduled meeting at which the detailed development plan is first reviewed. Approval of the plan shall authorize the owner to proceed with the development in a manner consistent with the approval and with all other applicable regulations of the City.~~

Subsequent to approval of the district change for a Planned Neighborhood Development District, the applicant shall submit an application for major site plan review in accordance with the provisions of Chapter 1143. Major site plan review may be conducted for the entire site or for any phase of the site as deemed appropriate by the Planning Commission.

1183.04 USE REGULATIONS AND DEVELOPMENT STANDARDS.

The following shall be the minimum standards required for development in a Planned Neighborhood Development District. Additional requirements and conditions may be established by the Planning Commission and by City Council for approval of the district and the development plans. Such requirements and conditions may include but are not limited to: approved uses; width, height, yard requirements; density; arrangement and spacing of buildings and other structures; signs; parking; vehicular, pedestrian and bicycle circulation; landscaping; the construction of public improvements; and preservation of natural features or historic structures. Varied requirements and conditions may be applied to different areas of the development.

(a) Permitted Uses. The following uses may be permitted, as approved in the development plan, in a Planned Development District:

- (1) Single family dwellings;
- (2) Two-family dwellings;
- (3) Multiple family dwellings;
- (4) Public uses, semipublic uses, public service facilities, accessory uses, essential services;
- (5) Residential care facilities;
- (6) Non-commercial recreational uses, structures, and facilities, such as pools, tennis courts, playgrounds, and other similar uses provided for the use of residents of the development or for general public use.

The Planning Commission and City Council shall determine the appropriateness of each proposed use and feature of the development plan, giving consideration to the ~~Standards for Review~~standards established in ~~this Chapter~~Section 1183.05 and any other considerations deemed significant in determining the appropriate uses and character of development for the proposed district. The Commission and City Council shall have the authority to deny approval for any proposed use which it determines to be inappropriate due to potential impacts, incompatibility with the surroundings, or other similar reasons.

(b) **Density of Dwelling Units.** The maximum density of dwelling units for both the overall Planned Neighborhood Development District and for each of its areas shall be as approved in the development plan, except that the density of dwellings in the district shall not exceed five (5) units per acre and density shall not exceed ten (10) units per acre in any part of the district. In making a determination of the number of dwellings to be permitted in the district, consideration shall be given to the compatibility of the proposed dwelling density and the characteristics of the proposed lots and structures with the existing and projected surrounding dwelling density, lots, and structures.

(c) **Required Open Space and Protection of Features.** Historic structures and sites, natural features such as watercourses, wetlands, rock outcroppings, trees, and other vegetation shall be identified in the development plan. The development plan and detailed development plan shall indicate design of planned improvements in a manner which protects, enhances, and appropriately incorporates such features into the overall design. The Planning Commission or City Council may approve, amend, or deny the proposed treatments of such features. ~~The detailed development plan shall provide for landscaping and lawn areas to place the structures in a setting of yards and landscaping compatible with the surrounding neighborhoods, to establish screening of parking lots and spaces, to provide an area or areas for outdoor recreation and relaxation available to residents of the development, and to provide public open or recreation spaces consistent with the plans of the City.~~ Compliance with the requirements of the City for the dedication of public areas, reserves or of other fees or considerations, and the provisions of Chapter 1180 shall be minimum requirements for the approval of a Planned Neighborhood Development District.

(d) **Parking.** The detailed development plan shall comply with the parking requirements of this Zoning Code, except that the Planning Commission may vary such requirements where a finding is made that the provisions are excessive or inappropriate for the use proposed or that the provisions are satisfied by alternative methods clearly documented in the ~~Detailed development plan~~ major site plan.

(e) **Lot and Yard Dimensions, Building Spacing.**

- (1) Lot and yard dimensions shall be as established in the detailed development plan, except that no lot designed for a single family dwelling shall have a width of less than sixty five (65)-feet (65FT) or a depth of less than one hundred ten feet (110FT).
- (2) In locations where the Planned Neighborhood Development District abuts other zoning districts, the minimum area and widths of yards and setbacks within the proposed Planned Development District shall be no less than the minimums required for such abutting districts unless specifically varied by approval of the Planning Commission.
- (3) In review of lot and yard dimensions and the spacing of buildings, the Planning Commission shall consider the spacing necessary for adequate visual and acoustical privacy, adequate light and air, fire and emergency access, building configurations, energy-efficient siting, the relationships of building sites to circulation patterns, and the customary use of space surrounding residences ~~(particularly single family residences)~~ dwellings for outdoor activities and facilities such as patios and decks.

(f) **Variances to the Subdivision Regulations.** To the extent specifically provided in the Subdivision Regulations, the Planning Commission may vary the requirements for improvements

as determined necessary and appropriate for the design and development of the Planned Development District.

1183.05 STANDARDS FOR DEVELOPMENT PLAN REVIEW.

(a) Standards for Review. In reviewing and determining whether to recommend approval or disapproval of a Planned Development District, its development plan, and detailed development plan, the Planning Commission and City Council shall consider, but shall not be limited to consideration of, the following characteristics of the proposed development:

- (1) The comprehensive nature and design of the development plans, including appropriate and intentional design of the physical, aesthetic, and economic relationships among its parts.
- (2) The suitability of the site proposed for zoning as a Planned Development District, including its location, size, width, relationship to existing development in the community and in abutting communities, natural features, relationship to community plans, and such other characteristics as the Planning Commission and City Council may deem important.
- (3) The anticipated effects of the proposed development upon the City and upon adjoining and proximate neighborhoods and properties, including the impacts of traffic, stormwater, noise, lighting, utilities, aesthetic values and other impacts.
- (4) The adequacy of planned roads, drives, parking, and loading areas to meet the projected demand for such facilities and to integrate with existing and planned facilities in the City.
- (5) The adequacy of planned pedestrian and bicycle facilities to meet the demand for such facilities, to integrate with existing and planned facilities in the City, and to promote use of such transportation modes.
- (6) The suitability of the location, dimensions, access to streets and utilities of each proposed lot within the district, given the nature of the use or uses proposed on each such lot, including the potential for future expansion of proposed dwellings or the construction of typical decks or outbuildings.
- (7) The adequacy of utilities to serve the proposed development and the suitability of the proposed utility design within the district and in relation to the utility plans of the City and its utility providers.
- (8) The proper orientation and relationship of the proposed elements of the development with natural and historic features and resources both on and off site, the degree to which the development has been designed to protect and enhance such features and resources, and the measures taken to mitigate negative impacts on such features and resources both on and off site.
- (9) The relationships of the architectural and site design characteristics among the areas of the development and with surrounding properties.
- (10) The availability of recreation and open space sites and facilities (existing and proposed) for use by the residents of the proposed development.
- (11) The nature and extent of proposed landscaping, existing vegetation and land forms to be altered or retained, and of proposed screening.
- (12) The suitability of the proposed separations between uses and buildings, including any proposed setbacks or yards, given the nature of the use or uses so controlled and the relationships and impacts of one use upon another.
- (13) The suitability of the total acreage and total floor area proposed for each type of use, and the number and bulk of buildings proposed for each type of use.
- (14) The suitability of proposed condominium or homeowners association agreements, deed restrictions, protective covenants, and other legal statements or devices

- intended to provide for the future use, ownership, operation and maintenance of areas of the planned development and its improvement
- (15) If non-dwelling uses are proposed, the projected traffic impacts, loading requirements, and the likely number of employees.
 - (16) The ability of each proposed phase of the development, or of any group of phases, to meet the standards established in this Chapter.
 - (17) Compliance with the Use Regulations and Development Standards of this Chapter, and, to the extent possible, determination of compliance with all other applicable local, state, and federal laws and regulations. In instances in which variances to existing regulations have been requested, such as to the Subdivision Regulations, the Commission shall consider the suitability of such variance and its impact on the proposed development.

(b) Professional Assistance in Review. ~~The extent and complexity of certain applications for Planned Development Districts will require that the Planning Commission or City Council obtain review assistance, statements of opinion, and reports from qualified professionals such as civil engineers, planners, appraisers, architects, and attorneys. The Planning Commission or City Council shall determine when such studies or expert advice are necessary to evaluate the development plans for a proposed Planned Development relative to the requirements of this Chapter and shall advise the applicant if such studies are required. The City may accept the required studies prepared by qualified professionals engaged by the applicant or may require the applicant to provide to the City the funds required to pay for such studies.~~ The Planning Commission or City Council shall determine when studies or expert advice are necessary to evaluate the development plans for a proposed Planned Neighborhood Development relative to the requirements of this Chapter and shall advise the applicant if such studies are required. The City may accept the required studies prepared by qualified professionals engaged by the applicant or may require the applicant to provide to the City the funds required to pay for such studies.

1183.06 EXISTING PLANNED DEVELOPMENTS.

Any planned development approved according the procedures of Chapter 1151 and this Chapter prior to the date this section was enacted shall be considered a Planned Neighborhood Development District. Any modification to a planned development approved prior to the date this section was enacted shall conform to the provisions of this Chapter.

1187.05 SPECIAL PROVISIONS FOR R-20 TOWNHOUSE DISTRICT.

In any R-20 Townhouse District, the following design and construction standards shall apply:

(a) Yards and Parking. The applicant shall have the option of locating parking in either the front yard or rear yard of each row of townhouses, provided that the location of the parking shall not vary within a single contiguous row of townhouses.

- (1) Front Yard Parking. Where parking is provided in the front yard of the building, each townhouse lot shall have front, rear and side yards not less than the following:
 - A. The depth of the front yard shall not be less than thirty-eight (38) feet (38FT) for the dwelling and twenty-seven (27) feet (27FT) for a detached garage. Parking shall be permitted in the front yard.
 - B. A rear yard with a depth of not less than twenty feet (20FT) shall be provided for each dwelling. The rear yard shall not be used for parking purposes or open carports.
 - C. There shall be no side yard for a townhouse structure except if the structure is on an end lot where the side yard shall not be less than six feet (6FT).
- (2) Rear Yard Parking or Variance. ~~Where an applicant desires to locate parking in the rear yard of a building or desires to vary from the standards set forth in this chapter the following procedures shall apply: Parking may be provided in a rear yard provided this is reviewed and approved by the Planning Commission in conjunction with a major site plan. The Planning Commission shall consider but not be limited to the consideration of setback, distances between buildings, location of building, yard space, traffic accessibility, roadway width and other such elements having a bearing on the overall acceptability of the site plan.~~
 - A. ~~Applicant shall submit a preliminary and a detailed development plan for review and action by the Planning Commission. In determining the acceptability of the preliminary and detailed development plan, the Planning Commission shall consider but not be limited to the consideration of setback, distances between buildings, location of building, yard space, traffic accessibility, roadway width and other such elements having a bearing on the overall acceptability of such development plan. Upon action by the Planning Commission, the application and detailed development plan shall be forwarded to Council for final approval along with the recommendations of the Planning Commission.~~
 - B. ~~If such detailed development plan is approved by Council, the development shall be permitted to go forward in conformance with the approved detailed plans.~~
- (3) Where there is head-in parking on a minor street there shall be no head-in parking on the other side of the street perpendicular from the head-in parking spaces, but there may be head-in parking on the other side of the street above or below the head-in parking spaces.

- (4) On a local street there may be head-in parking on both sides of the street directly across from each other.
- (b) Location and Number of Units. In any townhouse development:
 - (1) A maximum of eight (8) dwellings shall be allowed in each row of townhouses. When an end unit of a row house does not side on a street, an open space or court of at least twenty feet (20'FT) in width shall be provided between it and the adjacent row of townhouses.
 - (2) Where townhouse dwelling units are designed to face upon an open or common access court rather than upon a street, this open court shall be a minimum of forty feet (40'FT) in width and such court shall not include vehicular drives or parking spaces or lots.
 - (3) Townhouses shall be constructed up to side lot lines without side yards and no windows, doors, or other openings shall face a side lot line except that the outside wall of end units may contain such openings.

1187.06 SPECIAL PROVISIONS FOR AR-1, AR-2, AND AR-3 MULTIPLE FAMILY RESIDENCE DISTRICTS.

~~— (a) Building Materials. All structures built in any AR District shall be constructed of a minimum of seventy-five percent (75%) traditional and natural materials. Traditional and natural materials shall consist of clay bricks (full or thin set if thin set corners must have full brick appearance), stone, cultured stone (samples must be provided) stucco, and wood or fiber cement board siding.~~

~~— (b) Units Per Building. In all AR Districts the maximum number of dwelling units per building shall be four.~~

~~— (c) Open Space. All major site plans for developments in the AR District shall contain at a minimum thirty percent (30%) open space (see Section 1131.02 Definitions).~~

(a) Purpose. Due to the unique challenges presented by multi-family dwellings, the purpose of this section is to provide design requirements that are applicable to all dwellings located in the AR-1, AR-2 and AR-3 multi-family residence districts. These regulations shall be in addition to the appearance standards for all dwellings listed in Section 1187.07

(b) Building Massing. The maximum number of dwelling units in all AR districts shall be four (4) per building.

(c) Building Design. Multi-family residential structures shall incorporate architectural design details and elements which provide visual character and interest, avoiding flat planar walls and “box-like” appearances through the use of courtyards, balconies, offset planes and levels, deeply recessed or projecting windows, sloping roofs, and landscaped yards. Building entrances to multi-family dwelling units shall convey a sense of individual identity for each dwelling unit.

(c) Site Design. For multi-family developments, areas for the storage of items and equipment used for maintenance of the property should be stored in an area that is integrated into the design of the building. The use of freestanding storage sheds shall be avoided

(d) Open Space. Each multi-family residential development shall include open space areas, provided and maintained for recreational use as follows:

1. Common open space shall be easily accessible and of sufficient size to be usable by residents. The minimum area for open space shall thirty percent (30%) of the lot or parcel.

2. Landscaping shall be integrated into the architectural scheme so as to accent and enhance appearance of the multi-family development.

(e) Lighting. In addition to the general lighting regulations for all site plans, pedestrian walkways shall be illuminated unless they are otherwise illuminated by parking lot lighting.

1187.07 RESIDENTIAL APPEARANCE STANDARDS.

(a) Purpose. The purpose of this section is to provide design requirements that are applicable to all dwellings located in residential districts. These requirements are designed to increase the quality of neighborhoods, to promote positive architectural appearance within residential areas, to encourage design flexibility and creativity, and to establish an interesting, aesthetically pleasing residential environment. It is also the intent of this section to promote durable, quality materials that will allow residential neighborhoods to endure and mature for future generations in the City. These requirements are minimum appearance requirements applicable to all dwellings in all districts, including Planned Neighborhood Development District, except as may be specifically approved by a development plan in that district. These guidelines shall also apply in the Historic Overlay District to the extent that they do not conflict with any adopted historic design guidelines.

(b) Applicability. New buildings and structures, exterior remodeling and exterior changes of or to an existing building for which compliance with this Zoning Code is required shall be subject to review for compliance with the design standards in this Section. However, the following buildings, physical improvements, and site developments are not subject to these standards:

1. Interior design and interior modifications to buildings or structures.

2. Remodeling projects that do not involve changes in the architectural style of the building or structure, such as window and door openings, handrails, and stairways.

(c) General Provisions.

1. The height and bulk of any proposed building and structure on the site should be in scale and in proportion with surrounding structures and not dominate the site

or neighborhood. The exterior finish shall not have exposed rough lumber and shall have a minimum of a stucco application, wood or vinyl siding or similar material.

2. All required site plans shall meet or exceed the minimum development standards (i.e., setbacks, open space, lighting standards, minimum parking and loading spaces, and landscaping requirements) established in this Zoning Code.

3. Building elevations, design characteristics and other architectural and aesthetic features shall not be unsightly, undesirable, or obnoxious in appearance; shall create an orderly and aesthetically pleasing environment; and shall be harmonious and compatible with existing development in the area.

4. New development or remodeling shall be designed in such a way as to upgrade the appearance and quality of the area.

6. No continuous wall is allowed to extend for more than 40 feet (40FT) without a recess or change in plane. At least twenty-five percent (25%) of the front facade of any new single or two family dwelling shall be clad in natural material.

7. New accessory structures or building additions shall match the existing bulk, color, roof design, architectural treatment, and materials of the main structure on the site.

8. All utility lines and conduit lines shall be incorporated into the building and not permitted on the exterior of any building.

9. Window and door security gates or guards shall not be installed on the exterior of the structure.

Planning Commission**Eric Snowden****7232 E. Main Street****Reynoldsburg OH 43068****Phone****ORDINANCE REQUEST**

DATE: July 25, 2016**TO: Mel Clemens, Ward IV Service Committee****RE:** ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Section 1131.02 Definitions of Chapter 1131 Definitions; Section 1193.12 GRAPHICS of Chapter 1193 “HD” Historic Overlay District; Section 1196.11 GRAPHICS of Chapter 1196 Community Commercial Overlay; Repealing Chapter 1181 Signs; and Enacting Chapter 1181 Signs and Graphics. (Second Reading 7/25/2016).

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1131 Definitions; Chapter 1181 Signs; Chapter 1193 Historic District; and Chapter 1196 Community Commercial Overlay



REYNOLDSBURG PLANNING & ZONING DIVISION

STAFF REPORT: CODIFIED ORDINANCE AMENDMENT

CODE SECTION: Chapter 1181 – Signs and Graphics

BACKGROUND: Staff becomes periodically aware of provisions in the Planning & Zoning Code that have become outdated and require revisions. Staff is proposing to repeal the current Chapter 1181, and enacted a completely new version to address various inconsistencies in the Code.

SUMMARY OF MAJOR REVISIONS:

SECTION 1131.02 - DEFINITIONS

This section defines the various terms used throughout the Zoning Code. Staff is proposing to make minor revisions to several of the definitions in order to correctly reference the revised section numbers of Chapter 1181.

SECTION 1181.02 - ZONING SIGN PERMITS

This section describes the situations that require approval of signage. Staff's proposed version adds text to allow the Planning Administrator to deny zoning sign permits to business that do not have a valid zoning certificate and describes the relationship between this chapter and the design review procedures of the City. Subsection b(1) will allow the Design Review Board to approve comprehensive sign plans. Subsection b(3) defines Staff's role in review of permits that do not require a certificate of appropriateness.

SECTION 1181.03 – SIGNS REQUIRING PERMITS

This section lists the types of signs that require a zoning sign permit. This proposed section is mostly retained from the repealed version of Chapter 1181. The repealed version of Chapter 1181 prescribed two different sign regulations for temporary signs and banners. Staff is proposing to restrict all temporary signs and banners to an area of 32SF or less

SECTION 1181.04 – SIGNS NOT REQUIRING PERMITS

This section lists the types of signs that do not require a zoning sign permit. Staff proposed to revise this section to comply with recent case law.

1181.05 - PROHIBITED SIGNS

This section lists the types of signs that are prohibited. This proposed section is mostly retained from the repealed version of Chapter 1181.

SECTION 1181.06 - GENERAL SIGN REGULATIONS.

This section lists the types of signs that are prohibited. This proposed section is mostly retained from the repealed version of Chapter 1181. Staff has added new language clarifying how signs should be maintained in good repair and the procedures for addressing signage removal from businesses no longer in operation.

SECTION 1181.07 – SPECIAL PROVISIONS FOR THE S-1 SPECIAL DISTRICT

Signage challenges presented by the uses frequently located in this zoning district, Staff proposed to enact several provisions for given extra flexibility to community institutions located in this district. This would allow certain special signs, such as LED video boards and community banner locations to be designated as part of comprehensive sign plan review.

1131.02 DEFINITIONS.

Signs, Terms relating to:

- (a) Comprehensive Sign Plan. A plan or design illustrating the intended locations, dimensions, and other characteristics of signs on a lot, subject to the approval of the ~~Board of Zoning Appeals~~Design Review Board and conforming to the provisions of Chapter 1181.
- (b) Sign. A name, identification, emblem, symbol, trademark, flag, banner, pennant, description, display, or illustration which is directly or indirectly affixed to, painted upon, represented upon, or made visible in any manner whatsoever upon a building, manmade object, natural object, ground, structure, parcel, or lot, and which is designed, intended, or used to convey a message, announce, identify, make known, give direction, or direct attention to an object, product, place, activity, person, institution, organization, idea, concept, or business, and which is visible from an adjacent lot or street. Signs are further defined by the provisions of Chapter 1181 of this Code.
- (c) Sign, Area. The surface of a sign, subject to the provisions of this Code, and as further described at Section ~~1181.04(e)~~1181.05.
- (d) Sign, Building-mounted. A wall sign or projecting sign.
- (e) Sign, Face. A piece of weatherproof material designed to fit securely into a sign cabinet. A sign face shall be considered to be blank when it is either white, black, or another color that closely matches the sign cabinet or building architecture, and contains no letters, figures or other graphics. A blank face shall not include sign faces on internally illuminated cabinet signs that have been turned backwards or painted over.
- ~~(e)(f)~~ Sign, Ground. A sign permanently affixed to the ground but not to any other structure.
- ~~(f)(g)~~ Sign Height. The elevation of the highest part of a sign as determined by the ~~Zoning Officer~~Planning Administrator in conformance with Section ~~1181.04(e)~~1181.05.
- ~~(g)(h)~~ Sign, Illuminated. A sign which is made visible by electrical lighting, whether internally placed or externally placed and directed in a manner intended to illuminate the sign.
- ~~(h)(i)~~ Zoning Sign Permit. A document issued by the ~~Zoning Officer~~Planning Administrator authorizing the installation of a sign.
- ~~(i)(j)~~ Sign, Projected. A sign attached to the building of a wall having sign area or face mounted perpendicular or nearly perpendicular to the plane of the wall.
- ~~(j)(k)~~ Sign, Subdivision Neighborhood Entry. A sign, ~~not within the public right-of-way,~~ bearing the name of a neighborhood or residential subdivision.

~~(k)~~(l) Sign, Temporary. A sign or banner, subject to a zoning sign permit, which is installed or placed for a limited period of time.

~~(h)~~(m) Sign, Wall. A sign mounted to the wall of a building.

CHAPTER 1181—SIGNS

~~1181.01 PURPOSE AND APPLICABILITY.~~

~~The purpose of this Chapter is to provide regulations to control the type, design, size, time of display, location, maintenance, and other characteristics of signs in order to: protect the public health, safety, and welfare in all districts; promote clarity in sign communications; promote harmony between and among the physical characteristics of signs and the physical characteristics of surrounding land, structures, and other development features; and to promote attractive and orderly appearance in all districts. The provisions of this Chapter shall apply to all existing signs, to all signs erected or installed after the effective date of this Zoning Code, and to any sign which replaces an existing sign or component thereof.~~

~~1181.02 SIGN PERMITS.~~

~~Every sign, except those specifically exempted by the provisions of this Chapter, shall only be erected or installed subsequent to and in conformance with the provisions of a sign permit issued by the Zoning Officer. For the purposes of approving a sign in conformance with this Code, a sign permit shall have the same effect as a zoning certificate.~~

~~1181.03 SIGNS AUTHORIZED WITH PERMITS.~~

~~(a) Signs shall be permitted in the respective districts as established in "Table 1181: Permitted Signs" and as further provided in this Chapter.~~

~~(b) Signs in Residential Districts. Signs shall be permitted in residential districts as established in Table 1181 and in conformance with the following specific provisions:~~

~~(1) Subdivision Sign. Subject to a comprehensive sign plan as provided in subsection (d), one or more permanent ground signs bearing the name of a subdivision may be located on a lot or lots within a subdivision, as defined and approved under the Subdivision Regulations. All parts of such signs shall be durable, low-maintenance materials, appropriate for the proposed location and use, and shall be subject to a perpetual maintenance agreement approved by the City Attorney.~~

~~(2) Non-Residential Use Sign. A permitted use or special exception in a residential district (except for a single family dwelling, two-family dwelling, or home occupation) may be identified with ground signs or wall signs subject to a comprehensive sign plan as provided in subsection (d).~~

~~(c) Signs in Commercial and Industrial Districts. Signs shall be permitted in commercial and industrial districts as established in Table 1181 and in conformance with the following specific provisions:~~

~~(1) Wall Sign. A wall sign may be erected on the one wall of a~~

building which most nearly parallels a street, parking lot or service drive, as determined by the Zoning Officer. A wall sign shall be attached parallel to the building wall and shall not extend outward from the building wall more than fourteen inches (14"), except that a sign may be attached to a canopy, marquee or roof that projects beyond the building wall, provided that no part of such sign extends more than fourteen inches (14") beyond such roof, canopy or marquee. Where a building is located on a corner lot, wall signs may be permitted on both walls which parallel the intersecting streets.

____ (2) Ground Sign. See provisions in Table 1181.

____ (3) Projected Sign. A projected sign, including its mounting structure, shall be mounted upon and be perpendicular to the wall of a building and shall not extend beyond any other dimension of the wall. It shall not project more than four feet (4') from the wall, and shall not use a guy wire or angle iron support structure unless within the plane of the sign. Internal illumination is not permitted. A projected sign shall be located no less than nine feet (9') above the sidewalk or ground level and no closer than six feet (6') to a street pavement or curb. The applicant requesting a permit for a projected sign which extends over a public right-of-way shall sign a liability statement provided by the City.

____ (4) Banners. Banners are defined as being a long strip of cloth or other material used for decoration or advertising.

____ A. Banners are permitted only for the promotion of special events defined as grand openings, sales, now hiring or change of address if relocating within City limits. A grand opening occurs only when there is a change of tenant or owner that brings a new business to a site. All banners are subject to the following regulations:

____ 1. All banners shall be located only on the site where the event or grand opening occurs. They shall not be located in any public right-of-way that they would interfere with the safe movement of vehicular or pedestrian traffic.

____ 2. Only three (3) colors shall be used on any banner, including black and white. No banner shall exceed twenty five (25) square feet in size.

____ 3. All banners shall be safely secured to a building structure. Banners shall have ventilated faces to reduce wind load.

____ 4. Banners shall not be illuminated.

____ 5. A temporary sign permit is required for all banners. A scaled diagram/proof of the banner, a site plan showing the location of the banner and description of how the banner is to be ventilated and secured shall be submitted to the Zoning Administrator or designee. There will be a one time banner fee of twenty-five dollars (\$25.00).

____ 6. Banners may be erected for a maximum thirty (30) consecutive days one time annually.

____ B. Banners shall be permitted for businesses, churches, schools, and community or other public or semipublic (such as the chamber of commerce, civic club, registered non profit agencies) organizations. Banners for churches, schools, and community organizations shall be displayed under the guidelines set forth in subsection A.1. through A.6. hereof. Public and/ or semi-public organizations are exempt from the guidelines in section A. Public or semipublic organizations may have the twenty five dollar (\$25.00) banner fee waived by the Zoning Administrator or

designee.

~~C. Streamers and pennants are prohibited for reasons stated in Section 1181.05; for example, any display/device is prohibited which employs any part or element which evolves, rotates, whirls, spins, is animated, or otherwise makes use of motion to attract attention.~~

~~D. Temporary signs such as those for developments or seasonal business are permitted with a sign permit as described in Section 1181.03(e).~~

~~(d) Comprehensive Sign Plan Required.~~

~~(1) In order to promote careful and effective design of signs, to ensure safety, and to promote attractive coordination of signs with other structures within a site and surrounds, a comprehensive sign plan shall be required for the following:~~

~~A. A subdivision sign;~~

~~B. Businesses and developments abutting interstate highways;~~

~~C. A wall sign or ground sign on a lot in a residential district for which a permit is required;~~

~~D. A sign or signs having a total area of greater than one hundred (100) square feet on a lot in a commercial or industrial district for which a permit or permits are required.~~

~~(2) The comprehensive sign plan shall describe and illustrate the proposed locations, dimensions, colors, sign copy, landscaping, and other characteristics of the proposed signs.~~

~~(3) The Zoning Officer shall review each comprehensive sign plan for compliance with the provisions of this Code and shall, within fourteen (14) days of receipt, submit the plan with a report of his/her review to the Board of Zoning and Building Appeals. The Board shall, within thirty (30) days of receipt, review the plan and take action to approve, modify, or reject the plan.~~

~~(4) The Zoning Officer may only issue zoning approval for sign permits after approval of the comprehensive sign plan.~~

~~(e) Temporary Signs. The following temporary signs may only be erected subject to a sign permit:~~

~~(1) Temporary Signs for Developments. Signs indicating and promoting the development of land are permitted. The sign permit shall be effective for a maximum period of twelve (12) months and may be renewed at no additional sign fee cost upon a finding by the Zoning Officer that such renewal is warranted.~~

~~(2) Temporary Signs for Seasonal Businesses. Seasonal businesses which have been issued a temporary zoning certificate shall be allowed one (1) two-foot by three-foot realty type sign per frontage. Such sign shall comply with the ground sign setbacks for the zoning district.~~

~~(3) Temporary Signs for Grand Openings and Similar Events. A new business, within thirty (30) days of opening, may install one (1) temporary sign per frontage, not to exceed fifteen (15) square feet. The sign may be installed for a maximum of fifteen (15) days. The sign shall comply with the ground sign setbacks for the zoning district.~~

~~(4) Signs Prohibited. Signs prohibited pursuant to 1181.05 (c)(1) (4) may be authorized as temporary signs under this Section for a period of time not to exceed ten (10) days.~~

~~1181.04 SIGNS AUTHORIZED WITHOUT SIGN PERMITS.~~

~~The following signs may be erected and maintained without permits, provided that they comply with all provisions of this Code:~~

~~(a) A sign displaying the address and/or name of the occupant of the premises or a residential structure, and limited in size to one (1) square foot.~~

~~(b) A sign required or authorized for a public purpose by any law, statute or ordinance, including traffic control devices.~~

~~(c) A sign in the nature of a cornerstone, commemorative table, or historical marker, limited in size to nine square feet and not illuminated.~~

~~(d) A sign clearly in the nature of a decoration customarily associated with any national, local or religious holiday, limited to forty five (45) days in any one year and to be displayed for not more than forty five (45) consecutive days. Such a sign may be illuminated or animated, provided that no safety or visibility hazard is created. Such sign shall not contain an advertising message.~~

~~(e) A political sign or poster concerning a candidate or issue for election, to be displayed beginning not more than thirty (30) days prior to election, and to be removed no later than three (3) days after such election, subject to penalty. Yard signs shall not exceed six (6) square feet in area, shall not be illuminated, shall not create a safety or visibility hazard, and shall not be located upon or over a public right-of-way. All political signs or posters, other than yard signs, are exempted from the six (6) square feet in area restriction.~~

~~(f) A sign that indicates the sale, rental or lease of a particular structure or land area, to be limited in size to six square feet, with one sign allowed per street frontage.~~

~~(g) Temporary special event signs, including "open house signs" during the hours of an open house sales event, but not more than six (6) hours on any one day and no more than four (4) days in any thirty (30) day period. Such sign may be located in the street lawn of the public right-of-way provided the location does not obstruct the sight lines of drivers on the public street or exiting driveways of abutting properties.~~

~~(h) A window sign, including a temporary or permanent sign, poster, symbol, numerals or letters painted directly on a window, and other such identifications of the occupant, address, activity or use of the premises. Permanent window signs shall be limited to one such sign per window, and shall not exceed one fourth of the total area of the window, and in no case shall such a sign exceed ten (10) square feet. Temporary signs shall be limited to one (1) such sign per window, and shall be limited to four (4) square feet or less. Businesses operating twenty four hours each day or businesses operating less than twenty four (24) hours each day, but which operate after 10:00 p.m. shall arrange all window signs so as to permit a clear, unrestricted line of sight from the street to the inside of the business.~~

~~(i) Signs for the promotion of school, community service or church activities for a maximum period of thirty (30) days, limited to thirty two (32) square feet per sign and two (2) signs per site.~~

~~(j) One (1) projected sign that displays the name and/or address of the building occupant, which does not overhang the public right-of-way, and does not exceed one and one half (1") square feet in size, may be displayed by any use in any zoning~~

district.

~~———— (k) ——— Directional and/or informational signs located on business premises for the purpose of controlling traffic flow such as enter and exit signs, controlling traffic flow such as enter and exit signs, drive through signs and signs conveying service information to consumers. Such signs are to be mounted on a base or pole that is no more than three feet above grade and the signs are not to exceed six (6) square feet.~~

~~———— (l) ——— Product identification signs are gas pumps, vending machines and other consumer service machines and devices.~~

~~(Ord. 114 99. Passed 9 13 99.)~~

~~———— 1181.05 GENERAL SIGN REGULATIONS.~~

~~———— (a) ——— Permits, Fees, Inspections.~~

~~———— (1) ——— Except as otherwise provided in this Zoning Code, no sign shall be constructed or altered prior to the issuance of a valid sign permit. No sign permit issued hereunder shall be deemed to constitute permission or authorization to maintain an unlawful sign nor shall any permit issued hereunder constitute a defense in action to abate an unlawful sign.~~

~~———— (2) ——— Fees for sign permits shall be as established by Chapter 1155 of this Zoning Code. The amount of any fee for a sign permit shall be doubled if the installation of a sign or any supporting structural framework is commenced before a permit for such work is issued~~

~~———— (3) ——— Signs shall be inspected by the Zoning Officer for compliance with the provisions of this Zoning Code. If any sign is installed, erected, constructed or maintained in violation of any of the terms of this chapter, the Zoning Inspector shall notify the owner or lessee thereof in writing to alter such sign so as to comply with this chapter or to remove it.~~

~~———— (4) ——— The applicant shall submit drawings and specifications indicating the location, materials, full dimensions, manner of support, manner of fastening and weight of the sign. The applicant shall also complete an application form, provided by the Zoning Officer, signed by the owner or tenant of the lot on which the sign will be installed, and by the contractor who will erect the sign. Sufficient information shall be provided to enable the Zoning Officer and the Building Inspector to determine compliance with all applicable regulations.~~

~~———— (5) ——— Any person erecting, hanging, removing, or re-erecting any sign shall give bond in the sum of Five Thousand Dollars (\$5,000) with good and sufficient sureties, subject to the approval of the City Attorney. The bond shall be conditioned on the party paying any and all damages cause by or growing out of the erecting, hanging, or re-erecting of the sign in an insecure, improper, or careless manner or in violation of this Chapter or any other ordinance of the City or to any property owner other than the owner of the lot on which the sign is installed, whether the damage or injury is inflicted by the party or his or its agents, employees, or workmen. The bond shall be further conditioned on the party paying any and all damages that may happen to any person by reason of any faulty, improper, or careless installation of the sign, and conditioned also that the party save and indemnify and keep harmless the City against all liability, judgement, damages,~~

costs, and expenses which may in any way accrue against the City in consequence of the granting of such license, and will in all things strictly comply with the conditions of any permit which may be issued as provided in this Chapter.

~~_____ (6) _____~~ The owner or tenant of the lot on which the sign will be erected shall agree, on a form furnished by the Zoning Officer, to save the City harmless from any and all damages which may arise or grow out of the erection and maintenance of the sign or anything incident or pertinent thereto. The applicants shall further agree that they, their successors and assigns, shall defend at their own cost every suit in which the City shall be made party and prosecuted for the recovery of any such damages arising directly or indirectly from the construction or maintenance of any such sign, or anything incident or pertinent thereto, and that any such damages recovered from the City shall be held to be and shall be a first lien upon the real estate in connections with which the sign is erected.

~~_____ (b) _____~~ Requirements for all Signs.

~~_____ (1) _____~~ All signs shall be properly constructed and maintained to ensure that no safety hazard is created. All signs shall be constructed to withstand a wind pressure of thirty (30) pounds per square foot. All signs shall be built in conformity with the Ohio Basic Building Code and with the requirements of the Building Code of the City of Reynoldsburg, including requirements for permits and inspections for electrical installations.

~~_____ (2) _____~~ Except as otherwise provided in this Zoning Code, no sign or any part of any sign shall be placed in, over or extend into any public right-of-way, except publicly owned signs.

~~_____ (3) _____~~ The level of illumination emitted or reflected from a sign shall not be of an intensity sufficient to constitute a safety hazard to vehicular movement on any street from which the sign may be viewed, as determined by an average person. Illuminated signs shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming directly onto adjacent lots or streets.

~~_____ (4) _____~~ A sign shall be plainly marked with the name of the person who installs the sign.

~~_____ (c) _____~~ Measurement of Sign Area, Setback, Height.

~~_____ (1) _____~~ Sign Area.

~~_____ A. _____~~ The sign area shall include the face of all the display areas of a sign, including logos, stripes or combinations of colors and designs that extend the visual effect of the size of the sign, but shall not include the bracing, framing and structural supports of the sign, unless such supports are made part of the message or face of the sign.

~~_____ B. _____~~ Where a sign has two (2) or more display faces, the area of all faces of the sign shall be included in determining the area of the sign, unless two (2) display faces, joined back to back, are parallel to each other and are not more than twenty four (24) inches apart, or are attached in a V-angle of less than forty five degrees. For spherical signs, the sphere shall be bisected by an imaginary plane through the center of the sphere and the surface area of the half sphere shall be counted as the sign face.

~~_____ C. _____~~ The area of letters, numbers, emblems, logos, stripes or combinations thereof, mounted on a building wall or wall extension, shall be computed

by enclosing such a sign with the smallest single continuous perimeter around the letters, numbers or emblems.

_____ D. — For structures and uses having no direct frontage on public roads, as within shopping centers, frontage used for the calculation of permitted signs shall be based upon the front wall of the business structure, as determined by the Zoning Officer, whether or not it is on a common mall or sidewalk.

_____ (2) — Sign Height. The height of a sign shall be measured from the finished grade which shall be defined as that point where the grade line intersects the front wall of the building. The height of a sign may not be artificially increased beyond the permitted height by placement of the sign on an earth mound.

_____ (3) — Sign Setbacks. Signs shall be located in conformity with the side and rear yard requirements of the zoning district.

_____ (d) — Maintenance and Repair Required. If any sign is or becomes insecure or in danger of falling or otherwise unsafe, the owner thereof or the person maintaining it shall, upon receipt of written notice from the Zoning Officer or from the Building Inspector, proceed immediately to put the sign in a safe and secure condition or remove it. Every sign, and its supports, braces, guys, and anchors shall be kept in good repair. Every sign and its supporting and accessory parts shall, unless made of a non-corroding and weather resistant material, be properly painted at least once every two (2) years.

_____ (e) — Prohibited Signs. The following signs are prohibited, except as otherwise specifically permitted by other provisions of this Chapter:

_____ (1) — A pennant, streamer, balloon, or similar type device;

_____ (2) — A sign which employs any part or element which revolves, rotates, whirls, spins, is animated, or otherwise makes use of motion to attract attention;

_____ (3) — A sign illuminated by or having flashing or moving lights or other intermittent illumination;

_____ (4) — A beacon or searchlight, except for emergency purposes;

_____ (5) — A sign attached to, painted on, or placed on a motor vehicle, trailer, or other licensed or unlicensed vehicle or conveyance, self-propelled or otherwise, parked or used upon any lot, and which is visible from a public right-of-way, excepting an identification sign which is affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise;

_____ (6) — A sign which is otherwise conforming to the provisions of this Code, but which refers to a use or business which is no longer located on the same lot as the sign, or any sign which pertains to a time, event, or purpose which no longer applies. The owner of the sign or the owner of the lot shall be responsible to remove the sign face and install a blank face within 90 days after the use to which the sign relates vacates the lot or after the time, event, or purpose to which the sign relates ceases;

_____ (7) — A sign which projects from a building more than twelve inches (12"), except a theater marquee or an awning with the approval of the Board of Zoning and Building Appeals;

_____ (8) — A sign placed in a street, public right-of-way or easement, or other public property or on a utility pole or tree, except those established according to 1351.03(d);

_____ (9) — A sign, except a directional device required by Federal aeronautical authorities, placed, inscribed or supported upon a roof or upon any structure

which extends above the roof of any building;

_____ (10) — A sign located on a lot other than the lot which is the location of the business or use to which the sign pertains, except as otherwise provided by this Chapter;

_____ (11) — A sign which creates a traffic hazard by obstructing the view at any street intersection or by design resemblance to common traffic control devices by reason of color, shape or other characteristics, or by any other means;

_____ (12) — A sign having illumination which is so arranged or used in a manner causing annoying reflection or glare;

_____ (13) — A sign constructed of paper, cloth, cardboard, or materials determined by the Code Administrator to be insufficiently durable for the proposed location, use, or life expectancy of the sign;

_____ (14) — A sign which is created or changed by means of freehand lettering or writing with paint, chalk, or other material, including chalkboards or marker boards;

_____ (15) — A sign attached to a bench;

_____ (16) — A sign attached to a roof of a building or any portion of a sign which extends higher than the roof of the building or higher than any part of the facade of the building to which it is attached.

_____ (f) — Nonconforming Signs.

_____ (1) — Continuance. An existing sign that does not meet the requirements of this chapter shall be deemed a nonconforming sign which shall terminate by abandonment. A sign shall be considered abandoned when:

_____ A. — The sign is associated with an abandoned use.

_____ B. — The sign remains after the termination of a business. A business has ceased operations if it is closed to the public for at least ninety (90) consecutive days. Seasonal businesses are exempt from this time provision, except if such business is terminated.

_____ C. — The sign is not maintained, is not kept in repair and in a proper state of preservation, or if the sign and the immediately surrounding premises are not maintained by the owner or person in charge thereof in a clean, sanitary and inoffensive condition, free and clear of all obnoxious substances, rubbish and weeds.

_____ (2) — Removal of Abandoned Sign. Abandonment shall be determined by the Service Director or his or her designee, based upon the above criteria. Upon a finding that the sign is abandoned, the right to maintain and use such a sign shall terminate immediately. Physical removal of a sign may be accomplished pursuant to the nuisance abatement procedures and ordinances of the City.

_____ (3) — Relocation or Replacement. A nonconforming sign shall not be structurally relocated or replaced, unless it is brought into compliance with this chapter. Should any replacement or relocation take place without being brought into compliance, the sign shall be existing illegally. A nonconforming sign shall be maintained or repaired in accordance with the following:

_____ A. — The size and structural shape shall not be altered, except that a sign face may be replaced by the owner who owned the sign at the time it became nonconforming, or the owner's successor in interest.

_____ B. — If damage occurs to a sign to the extent of fifty percent (50%) or more of either the structure or the depreciated value of the sign, the sign shall be

~~brought into compliance. Where damage to the sign is less than fifty percent (50%) of the structure or its depreciated value, the sign shall be repaired within sixty (60) days.~~

PERMITTED SIGNS

	MAXIMUM NUMBER	MAXIMUM SIGN AREA	MAXIMUM HEIGHT**	MINIMUM (in feet)
	PER LOT	(in feet)	(in feet)	Front Side/R

Residential Districts**Subdivision Sign**

	(csp)	(csp)	5	10 (csp)
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Non Residential Use Sign

Wall Sign	(csp)	40	(na)	10 (na)
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Ground Sign	(csp)	40	5	10 (a)
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Commercial & Industrial Districts

(Subject to comprehensive sign plan review if total sign area exceeds 100 s.f. See 1181.03(d)).

Wall Sign (na)

Type A	(b)	(na)	40	(na)
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Type B	(b)	(na)	80	(na)
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Ground Sign 1 per frontage

Type A	50	10	10	(a)
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Type B	100	20	40	(a)
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Projected Sign	1 per building	5	(na)	6 (na)
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Banner	1 per address	32		
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Signs Permitted in All Districts**Temporary Signs**

(See temporary sign provisions at 1181.03(e).

Signs Authorized Without Permits

(See list of signs which do not require permits at 1181.04.

Notes:

(a) All signs required to comply with minimum side and rear setbacks of the district

or a greater setback as established in the comprehensive sign plan.

(b) Total area of wall signs shall not exceed:

for Type A Wall Signs: one (1) square foot per one (1) lineal foot of the length of the wall on which the signs are permitted to be attached; and

for Type B Wall Signs: two (2) square feet per one (1) lineal foot of the length of the wall on which the signs are permitted to be attached.

(na) Not applicable.

(csp) As established in comprehensive sign plan.

* See sign area is measurement at 1181.03(c)(1).

** See sign height is measurement at 1181.03(c)(2).

CHAPTER 1181 – Signs and Graphics

1181.01 PURPOSE AND APPLICABILITY.

The purpose of this Chapter is to provide regulations to control the type, design, size, time of display, location, maintenance, and other characteristics of signs in order to: protect the public health, safety, and welfare in all districts; promote clarity in sign communications; promote harmony between and among the physical characteristics of signs and the physical characteristics of surrounding land, structures, and other development features; and to promote attractive and orderly appearance in all districts. The provisions of this Chapter shall apply to all existing signs, to all signs erected or installed after the effective date of this Zoning Code, and to any sign which replaces an existing sign or component thereof.

1181.02 ZONING SIGN PERMITS REQUIRED.

(a) Every sign, except those specifically exempted by the provisions of this chapter, shall only be erected or installed subsequent to and in conformance with the provisions of a zoning sign permit issued by the Planning Administrator. The Planning Administrator shall not be required to issue a zoning sign permit to any use or business that does not have a valid zoning certificate or that is otherwise not in compliance with the Zoning Code, Building Code or Property Maintenance Code. For the purposes of approving a sign in conformance with this code, a zoning sign permit shall have the same effect as a zoning certificate.

(b) Design Review of Signage. In order to promote careful and effective design of signs, to ensure safety, and to promote attractive coordination of signs with other structures within a site and surroundings, signs located in the design review districts and signs requiring a permit in residential and special purpose districts shall also require design review.

(1) Comprehensive Sign Plan. Review of a comprehensive sign plan shall be required for special purpose and residential districts in accordance with the provisions of Table 1181. Review of a comprehensive sign plan shall be required in commercial and industrial districts where the amount of proposed signage exceeds two hundred square feet (200SF), otherwise it shall be optional.

A. Comprehensive sign plan review shall be subject to the procedures and provisions of Chapter 1103.

B. A comprehensive sign plan shall describe and illustrate the proposed locations, dimensions, colors, typeface, landscaping, building materials and other characteristics of all proposed signs including those that do not require a zoning sign permit.

C. The Design Review Board will be authorized but not required to approve comprehensive sign plans that increase sign area or add additional signs subject to the following provisions:

1) The total area of any sign may exceed the limits of Table 1181 by up to twenty-five percent (25%).

2) On parcels with a frontage of more than two hundred linear feet (200LF), the Board may approve up to one (1) additional ground sign.

3) The Board may approve additional wall signs, provided that the area of all wall signs does not exceed the total area prescribed in this subsection.

D. Following the approval of a comprehensive sign plan, the Planning Administrator may issue zoning sign permits for signs that conform to the approved plan.

(2) Minor Signage Review. Design review of new signage that does not qualify as a comprehensive sign plan, but is in excess of twenty five square feet in area (25SF) shall be termed a minor signage review and shall be subject to the procedures and provisions of Chapter 1103. The applicant shall be required to describe and illustrate the proposed locations, dimensions, colors, typeface, landscaping, building materials and other characteristics of signs that require a zoning sign permit.

(3) Administrative Design Review. Any new sign thirty two square feet (32SF) in area or less, any new sign face erected in an existing sign cabinet, any temporary sign and banners, or a sign not requiring a permit on a lot within the design review districts will not require a certificate of appropriateness from the Design Review Board. The Planning Administrator shall review all applications for a zoning sign permit exempted from a certificate of appropriateness by this section for compliance with standards of Section 1103.12 and any design guidelines adopted by the Design Review Board or City Council. If, in the professional opinion of the Planning Administrator, the proposed signage does not meet those standards or design guidelines, a certificate of appropriateness from the Design Review Board shall be required.

1181.03 SIGNS REQUIRING PERMITS.

(a) Signs shall be permitted in the respective districts as established in "Table 1181: Permitted Signs" and as further provided in this Chapter.

(b) Signs in Residential and Special Districts. Signs shall be permitted in residential and special districts as established in Table 1181 and in conformance with the following specific provisions:

(1) Neighborhood Entry Sign. One or more permanent ground signs may be located on a lot or lots within a subdivision or multi-family dwelling development. All such signs shall be subject to a perpetual maintenance agreement and shall not be internally illuminated.

(2) Non-Residential Use Sign. A permitted use or special exception in a residential or special district (except for a single family dwelling, two-family dwelling, or home occupation) may be identified with ground signs or wall signs. The total amount of signage approved as part of comprehensive sign plan for such uses shall not exceed two hundred fifty square feet (250SF) in area and shall be externally illuminated.

(c) Signs in Commercial and Industrial Districts. Signs shall be permitted in commercial and industrial districts as established in Table 1181 and in conformance with the following specific provisions:

(1) Building Mounted Signage.

A. Wall Sign. One wall sign may be erected on the wall of a building which most nearly parallels a street, parking lot or service drive, as determined by the Planning Administrator. A wall sign shall be attached parallel to the building wall

and shall not extend outward from the building wall more than fourteen inches (14IN). A sign may be attached to a canopy, marquee or roof that projects beyond a structure provided that no part of such sign extends more than two feet (2FT) beyond such roof, canopy or marquee. Where a building is located on a corner lot, wall signs may be permitted on both walls which parallel the intersecting streets.

B. Projecting Sign. One projecting sign, including its mounting structure, may be mounted upon and be perpendicular to the wall of a building and shall not extend beyond any other dimension of the wall. It shall not project more than four feet (4FT) from the wall, and shall not use a guy wire or angle iron support structure unless within the plane of the sign. A projected sign shall be located no less than eight feet (8FT) above the sidewalk or ground level and no closer than six feet (6FT) to a street's pavement or curb. Any applicant requesting a permit for a projecting sign which extends over a public right-of-way shall provide for a hold-harmless agreement with the City.

C. Awnings. Awnings may be permitted in addition to or in lieu of a wall sign. Where awnings are used as the primary sign identification, the standards for wall signs shall apply. All new awnings, or changes to awning colors in the design review districts shall be subject to a certificate of appropriateness. Removal and replacement of awning materials that does not involve changes to the awning support structures shall be considered a sign face change. Changes to awning lettering that involve no material or color changes shall not require a zoning sign permit. Awning lettering may not exceed twelve inches (12IN) in height unless approved in conjunction with a certificate of appropriateness.

(2) Ground Signage. See provisions in Table 1181.

(d) Temporary Signs and Banners. The following signs may only be erected subject to a temporary zoning sign permit:

(1) Development Signs. Temporary signs on vacant lots or lots with vacant buildings.

A. A temporary zoning sign permit shall be required for each display of a temporary sign of this type. A diagram/proof of the temporary sign and a site plan showing the location of the temporary sign are required to obtain a permit. The application and supplementary documents shall be submitted to the Planning Administrator for review.

B. A temporary zoning sign permit shall be effective for a maximum period of one (1) year from the date of issue.

C. Signs shall be no more than thirty-two square feet (32SF) in area.

D. Only one temporary sign of this type will be permitted per lot or development, unless the lot or area to be developed exceeds two hundred seventeen thousand, eight hundred square feet (217,800SF) or is a corner lot. In that case, two (2) signs will be permitted.

(2) Banners. Banners may be displayed for the promotion of a grand opening, sale, community activity or special event.

A. A banner permit shall be required for each display of a banner. A scaled diagram/proof of the banner and a site plan showing the location of the banner are required to obtain a permit. The application and supplementary documents shall be submitted to the Planning Administrator for review.

B. Banners may be erected for a maximum twenty-one (21) consecutive days.

C. No more than two (2) banner permits can be issued for a location in one (1) calendar year.

D. No banner shall exceed thirty-two square feet (32SF) in size.

E. Only one (1) banner is permitted per address, per application period.

F. All banners shall be located only on the site where the event or grand opening occurs.

G. Banners shall be safely secured to a building structure. Banners located within a yard shall be staked securely.

H. Banners shall not be illuminated.

1181.04 SIGNS NOT REQUIRING PERMITS.

The following signs may be erected and maintained without permits, provided that they comply with all provisions of this Code:

(a) A sign required or authorized for a public purpose by any law, statute or ordinance, including traffic control devices.

(b) A wall mounted sign or blade sign that does not exceed six square feet (6SF) in area. Such signs shall not be internally illuminated and shall consist of no more than two (2) colors.

(c) A temporary sign not exceeding six square feet (6SF) in area. Such signs shall not be illuminated in any manner, shall not be affixed to any public utility, pole, tree, or natural object, nor create a safety or visibility hazard. Signs of this type may not exceed two feet (2FT) in height from the finished grade. In commercial or industrial districts, signs of this type shall be limited to one (1) per tenant or (3) per lot/site, whichever is less.

(d) In commercial or industrial districts, one (1) sandwich board style sign, which may not exceed ten square feet (10SF) or three feet (3FT) in height. Such signs shall not be placed further than ten feet (10FT) from main wall of the building or tenant space and shall not block any public or private walkway. Sandwich board style signs of this type shall be exempt from the provisions of Section 1181.05(f) & (l), but may only be placed on a permanent surface.

(e) Window signage, including a temporary or permanent sign, poster, symbol, numerals or letters painted directly on a window. Window graphics shall be limited to one (1) such sign per window, and shall not exceed one-fourth (1/4) of the total area of the window, and in no case shall such a sign exceed ten square feet (10SF). Temporary signs shall be limited to one (1) such sign per window, and shall be limited to four square feet (4SF) or less. In order to promote public safety, businesses which operate between the hours of 10:00 p.m. and 6 a.m. the following morning, shall arrange all window signs

so as to permit a clear, unrestricted line of sight from the public street to the interior of the business.

(f) Flags displayed in a manner customarily associated with flags.

1181.05 PROHIBITED SIGNS.

The following signs are prohibited, except as otherwise specifically permitted by other provisions of the Zoning Code:

- (a) A pennant, streamer, balloon, or similar type device;
- (b) A sign which employs any part or element which revolves, rotates, whirls, spins, is animated, or otherwise makes use of motion to attract attention;
- (c) A sign illuminated by or having flashing or moving lights or other intermittent illumination;
- (d) A beacon or searchlight, except for emergency purposes;
- (e) A sign attached to, painted on, or placed on a motor vehicle, trailer, or other licensed or unlicensed vehicle or conveyance, self-propelled or otherwise, parked or used upon any lot, and which is visible from a public right-of-way, excepting an identification sign which is permanently affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise;
- (f) A sign placed in a street, public right-of-way or easement, or other public property or on a utility pole or tree unless otherwise exempt by this chapter.
- (g) A sign placed, inscribed or supported upon a roof or upon any structure which extends above the roof of any building;
- (h) A sign located on a lot other than the lot which is the location of the business or use to which the sign pertains, except as otherwise provided by this chapter;
- (i) A sign which creates a traffic hazard by obstructing the view at any street intersection or by design resemblance to common traffic control devices by reason of color, shape or other characteristics, or by any other means;
- (j) A sign having illumination which is so arranged or used in a manner causing annoying reflection or glare;
- (k) A sign constructed of paper, cloth, cardboard, or materials determined by the Planning Administrator to be insufficiently durable for the proposed location, use, or life expectancy of the sign;
- (l) A sign which is created or changed by means of freehand lettering or writing with paint, chalk, or other material, including chalkboards or marker boards;
- (m) A sign attached to a bench;
- (n) A sign attached to a roof of a building.
- (o) A sign trimmed from, created with, or attached to landscape material.
- (p) A sign which appears to change and is caused by any method other than physically removing and replacing the sign or its components.
- (q) Any other temporary sign not authorized by this chapter.

1181.06 GENERAL SIGN REGULATIONS.

(a) Measurement of Sign Area, Setback, Height.

(1) Sign Area.

A. The sign area shall include the face of all the display areas of a

sign, including logos, stripes or combinations of colors and designs that extend the visual effect of the size of the sign, but shall not include the bracing, framing and structural supports of the sign, unless such supports are made part of the message or face of the sign.

B. Where a sign has two (2) or more display faces, the area of all faces of the sign shall be included in determining the area of the sign, unless two (2) display faces, joined back-to-back, are parallel to each other and are not more than twenty-four inches (24IN) apart, or are attached in a V-angle of less than forty-five degrees. For spherical signs, the sphere shall be bisected by an imaginary plane through the center of the sphere and the surface area of the half sphere shall be counted as the sign face.

C. The area of letters, numbers, emblems, logos, stripes or combinations thereof, mounted on a building wall or wall extension, shall be computed by enclosing such a sign with the smallest single continuous perimeter around the letters, numbers or emblems.

D. For structures and uses having no direct frontage on public roads, as within shopping centers, frontage used for the calculation of permitted signs shall be based upon the front wall of the business structure, as determined by the Planning Administrator, whether or not it is on a common mall or sidewalk.

(2) Sign Height. The height of a sign shall be measured from the finished grade which shall be defined as that point where the grade line intersects the front wall of the building. The height of a sign may not be artificially increased beyond the permitted height by placement of the sign on an earth mound.

(3) Sign Setbacks. Signs shall be located in conformity with the side and rear yard requirements of the zoning district.

(4) Sign Colors. No sign requiring a permit under the provisions of this chapter shall contain more than four (4) colors, including black and white. Where a corporate logo is used, the logo shall count as one of the four (4) colors. Where a multi-tenant sign is present, no individual sign face panel may contain more than four (4) colors.

(b) Requirements for all Signs.

(1) All signs shall be properly constructed and maintained to ensure that no safety hazard is created. All signs shall be constructed to withstand a wind pressure of thirty pounds per square foot (30LB/SF). All signs shall be built in conformity with the requirements of the Building Division.

(2) Except as otherwise provided in this Zoning Code, no sign or any part of any sign shall be placed in, over or extend into any public right-of-way.

(3) The level of illumination emitted or reflected from a sign shall not be so intense as to constitute a safety hazard to vehicular movement on any street from which the sign may be viewed, as determined by an average person. Illuminated signs shall be constructed and maintained so that the source of illumination is shielded or otherwise prevented from beaming directly onto adjacent lots or streets.

(4) All signs shall be plainly marked with the name of the person or company that installed the sign.

(c) Maintenance and Repair Required.

(1) The owner of a sign shall repair, support, clean, repaint, or perform any maintenance service necessary to maintain the reasonable and proper appearance and condition of the sign. Whenever the Planning Administrator determines a sign to be in need of repair, support, cleaning, repainting or other maintenance, he/she may issue a notice to the sign owner to complete the needed repairs or maintenance.

(2) All sign face panels shall be intact and free from cracks. No sign shall be permitted to exist without an intact face panel. Whenever the Planning Administrator determines that a sign face is cracked or not intact, he/she may issue a notice to the sign owner to replace the sign face.

(3) If the Planning Administrator or Building Official determines that the existing condition of the sign creates an immediate hazard to the public health, safety or welfare, he/she shall issue a notice to the owner requiring the sign to be removed immediately.

(d) Nonconforming Signs.

An existing sign that does not meet the requirements of this chapter shall be deemed a nonconforming sign. A nonconforming sign shall not be structurally relocated or replaced, unless it is brought into compliance with this chapter. A nonconforming sign shall exist and be maintained in accordance with the following:

(1) The size and shape of the sign structure shall not be altered, except that sign face panels may be replaced.

(2) If damage occurs to a sign to the extent of sixty percent (60%) or more of either the structure or its replacement cost at the time of destruction, the sign shall be brought into compliance with the provisions of this Zoning Code.

(e) Abandoned Signs and Sign Faces.

(1) A sign or sign face shall be considered abandoned when:

A. The sign or sign face remains after the discontinuance of a use. A use is considered to be discontinued if it is closed to the public for at least ninety (90) consecutive days.

B. The sign or sign face is not maintained in accordance with the provisions of this Chapter and the owner of the sign has not complied with notices to maintain the reasonable and proper appearance and condition of the sign.

(2) Whenever the Planning Administrator determines that a sign has been abandoned as defined in this chapter, the right to maintain and use such a sign shall terminate immediately. Physical removal of a sign may be accomplished pursuant to the nuisance abatement procedures and ordinances of the City.

(3) Whenever the Planning Administrator determines that a sign face is abandoned as defined in this chapter but the existing sign conforms to this Code, he/she may issue a notice to the sign owner to remove the abandoned panel and replace it with a blank. This shall not apply to signs maintained on lots that do not have any existing structure.

(4) Whenever the Planning Administrator determines that a sign face in a multi-tenant sign is abandoned as defined in this chapter but other panels on the sign are not abandoned, he/she may issue a notice to the sign owner to remove the abandoned

panel and replace it with a blank.

1181.07 SPECIAL SIGN REGULATIONS FOR THE S-1 SPECIAL DISTRICT.

The S-1 Special District permits many public and semi-public uses, such as City and other government buildings, schools, semi-public institutions, places of worship, parks and other similar uses, that are important to the civic fabric of the Reynoldsburg community. Recognizing the unique characteristics of this district, the following special provisions shall apply:

(a) Signage erected as part of an athletic or recreation facilities shall not require a zoning sign permit as long as it is not constructed within ten feet (10FT) of any lot line.

(b) One ground sign per site shall be permitted to include an electronic video board no larger than thirty-two square feet (32SF) and shall not be required to be externally illuminated. Such signage shall be subject to comprehensive sign plan review and approval.

(c) Each site in this district shall be permitted to designated two locations where non-commercial banners and temporary signs may be displayed. Banners placed in such locations shall not be subject to the normal permitting procedure for banners and temporary signs. The location of display shall be subject to comprehensive sign plan review and approval. Any frame or support structure for these types of temporary signs or banners shall be subject to the approval of the Planning Administrator and shall not violate any other provision of this Chapter.

Table 1181 PERMITTED SIGNS.

	<u>Maximum number</u>	<u>Maximum area (SF)</u>	<u>Maximum height (FT)</u>	<u>Minimum front setback (FT)</u>
<u>Residential & Special Purpose Districts</u>				
<u>Neighborhood Entry</u>	<u>Per sign plan¹</u>	<u>Per sign plan¹</u>	<u>5</u>	<u>10</u>
<u>Non-Residential Use</u>				
<u>Wall</u>	<u>Per sign plan¹</u>	<u>50</u>	<u>N/A</u>	<u>10</u>
<u>Ground</u>	<u>Per sign plan¹</u>	<u>50</u>	<u>5</u>	<u>10</u>
<u>Commercial & Industrial Districts</u>				
<u>Building Mounted</u>				
<u>Type A</u>	<u>1 per frontage²</u>	<u>Per formula: A³</u>	<u>N/A</u>	<u>0 - 80</u>
<u>Type B</u>	<u>1 per frontage²</u>	<u>Per formula: B⁴</u>	<u>N/A</u>	<u>80+</u>
<u>Ground</u>	<u>1 per frontage²</u>	<u>50</u>	<u>10</u>	<u>10</u>
<u>Projecting</u>	<u>1 per frontage²</u>	<u>8</u>	<u>N/A</u>	<u>6</u>
<u>Comprehensive Sign Plan review required for total sign areas greater than 200SF.</u>				

Signs Permitted in All DistrictsTemporary Signs & Banners as permitted in Section 1181.03(d).Signs authorized without permits as listed in Section 11813.04.**Table Notes:**

1) Residential and special purpose district signs shall be subject to approval of a comprehensive sign plan according to Section 1181.02. Commercial and industrial district signs shall be subject to a comprehensive sign plan approval if the total proposed sign area is greater than 200 square feet (200SF) – see Section 1181.02.

2) Permitted sign frontage includes the one wall of a building which most nearly parallels a street, parking lot or service drive, as determined by the Planning Administrator. For buildings with double frontage, one wall sign is permitted for each frontage. Multi-tenant buildings shall be permitted one sign for each tenant.

3) Sign Area Formula “A”: The maximum permitted area of a wall sign shall be one square foot (1SF) per every one lineal foot (1LF) of the length of wall or tenant space width on which the sign is permitted to be attached.

4) Sign Area Formula “B”: The maximum permitted area of a wall sign shall be two square feet (2SF) per every one lineal foot (1LF) of the length of wall or tenant space width on which the sign is permitted to be attached.

1193.12 GRAPHICS.

Next to the streetscape development guidelines, business identification signage can be the singular most effective element that visually contributes or detracts from the overall image of the district. The quality of a business sign is most often indicative of the character of a business. The following are general requirements for all businesses in the Historic Commercial Overlay (HCO).

(a) General Standards.

~~(9) A certificate of appropriateness will be required for all refaced cabinet style signage.~~

1196.11 GRAPHICS.

~~(f) Face changes in existing cabinet style signs are required to be approved by the Design Review Board.~~