



City Council
Monday May 23, 2016

Regular Meeting: 7:30 PM

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

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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

REYNOLDSBURG City Council
Regular Meeting
Council Chambers, 7323 East Main Street
May 23, 2016 *** 7:30 PM

1. Call to Order
2. Roll Call
3. Invocation - Councilman Barth Cotner
4. Pledge of Allegiance
5. Approval of Minutes
 - a. City Council – Regular Meeting – May 9, 2016
 - b. City Council – Special Meeting – May 16, 2016
6. Approval of Agenda
7. Community Comments and Requests
8. Communications
 - a. Clerk of Court Report
9. Reports
 - a. Community Clean- up Day Poster Contest Awards
10. LEGISLATION REQUIRING ONE READING
 - a. RESOLUTION AUTHORIZING PARTICIPATION IN ODOT WINTER CONTRACT (018-17) AND DECLARING AN EMERGENCY.
--- Long. Safety Committee.
 - b. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (7088 E. Main Street; Proposed Use – Commercial Recreation Facility); Applicant, Viktor Prozapas AND DECLARING AN EMERGENCY. --- Clemens. Service Committee.
11. LEGISLATION FOR FIRST READING
 - a. ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: Amending Chapter 1145 Special Exceptions.
--- Clemens. Service Committee.
 - b. 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.
--- Clemens. Service Committee.

REYNOLDSBURG City Council
Regular Meeting
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- c. 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. --- Clemens. Service Committee.

- d. 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. --- Clemens. Service Department.

- e. 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. --- Clemens. Service Department.

- f. 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. --- Clemens. Service Committee.

- g. 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. --- Clemens. Service Committee.

12. LEGISLATION FOR SECOND READING

- a. RESOLUTION TO WAIVE THE PROVISION OF SECTION 971.16 OF THE CITY'S CODIFIED ORDINANCES FOR THE 2016 TOMATO FESTIVAL. (First Reading 5/9/2016). --- Skinner. Community Development Committee.

REYNOLDSBURG City Council
Regular Meeting
Council Chambers, 7323 East Main Street
May 23, 2016 *** 7:30 PM

13. LEGISLATION FOR THIRD READING

- a. ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2016 FIREWORKS DISPLAY. (Second Reading 5/09/2016.)
--- Long. Safety Committee.
- b. ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6549 E. Livingston Avenue; Proposed Use – Childcare Center); Applicant, Mark Jones, Sr.. (Second Reading 5/09/2016). --- Clemens. Service Committee.
- c. ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH EMH&T FOR THE ENGINEERING, PLANS, ADVERTISING, AND TO PREPARE BID DOCUMENTS FOR THE PAINTING OF THE LIVINGSTON HOUSE. (Second Reading 5/09/2016). --- Cotner. Finance Committee.

ADJOURNMENT

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
May 9, 2016

President Doug Joseph called the meeting to order at 7:30 PM

PRESENT: Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding, Joseph

ABSENT:

Invocation - Councilman Brett Luzader

Approval of Minutes

a. City Council – Regular Meeting – April 25, 2016

Minutes stand approved.

Approval of Agenda

Agenda stands approved.

Community Comments and Requests

Communications

None

Reports

None

Motions

MOTION TO ACCEPT THE REPORT OF THE AD HOC COMMITTEE AND AMEND THE COUNCIL RULES OF PROCEDURE.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

LEGISLATION REQUIRING ONE READING

43-16

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT BETWEEN THE CITY OF REYNOLDSBURG AND FRATERNAL ORDER OF POLICE, CAPITAL CITY LODGE NO. 9 AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

Minutes Acceptance: Minutes of May 9, 2016 7:30 PM (Approval of Minutes)

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
May 9, 2016

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Chris Long, At Large
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

44-16

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTIONS 160.02 "AUTHORIZED POSITIONS, PERSONNEL, CLASSIFICATION AND PAY GRADE" SUBSECTION (A) "ADMINISTRATIVE"; SUBSECTION (D) "HUMAN RESOURCES DEPARTMENT"; AND SUBSECTION (E) "PARKS & RECREATION DEPARTMENT", AND 160.03 "SALARY SCHEDULE" SUBSECTION (D) "SEASONAL EMPLOYEE" OF CHAPTER 160 EMPLOYEE COMPENSATION, AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Stephen Cicak, Ward I
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

45-16

ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE CITY OF REYNOLDSBURG, OHIO: SECTION 160.03 "SALARY SCHEDULE" SUBSECTION (A) "FULL TIME EMPLOYEES" AND SUBSECTION (B) "SENIOR POLICE MANAGEMENT" OF CHAPTER 160 EMPLOYEE COMPENSATION AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Mel Clemens, Ward IV
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

46-16

ORDINANCE AUTHORIZING THE MAYOR TO REIMBURSE ETNA TOWNSHIP FOR CONSTRUCTION SERVICES ON THE TAYLOR ROAD/PALMER ROAD PROJECT; APPROPRIATING FUNDS THEREFORE; AND DECLARING AN EMERGENCY. --- Cotner. Finance Committee.

Minutes Acceptance: Minutes of May 9, 2016 7:30 PM (Approval of Minutes)

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
May 9, 2016

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Marshall Spalding, Ward III
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

LEGISLATION FOR FIRST READING

A RESOLUTION TO WAIVE THE PROVISION OF SECTION 971.16 OF THE CITY'S CODIFIED ORDINANCES FOR THE 2016 TOMATO FESTIVAL. (FIRST READING 5/9/2016). --- Skinner. Community Development Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/16/2016 7:30 PM
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LEGISLATION FOR SECOND READING

ORDINANCE AUTHORIZING MAYOR TO ENTER INTO CONTRACT FOR 2016 FIREWORKS DISPLAY. (SECOND READING 5/09/2016.) --- Long. Safety Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/16/2016 7:30 PM
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ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT - (6549 E. LIVINGSTON AVENUE; PROPOSED USE – CHILDCARE CENTER); APPLICANT, MARK JONES, SR.. (SECOND READING 5/09/2016). --- Clemens. Service Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/16/2016 7:30 PM
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ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH EMH&T FOR THE ENGINEERING, PLANS, ADVERTISING, AND TO PREPARE BID DOCUMENTS FOR THE PAINTING OF THE LIVINGSTON HOUSE. (SECOND READING 5/09/2016). --- Cotner. Finance Committee.

RESULT:	REFERRED TO COMMITTEE	Next: 5/16/2016 7:30 PM
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LEGISLATION FOR THIRD READING

47-16

ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF REYNOLDSBURG ADOPTED BY ORDINANCE NO. 131-95 ON NOVEMBER 27, 1995 AND AS SUBSEQUENTLY AMENDED - 1636 GRAHAM ROAD, REYNOLDSBURG, OHIO, FROM R-2/R-3 SINGLE FAMILY RESIDENCE DISTRICT TO S-1 SPECIAL DISTRICT, APPLICANT, REYNOLDSBURG UNITED METHODIST CHURCH. (SECOND READING 4/25/2016). --- Clemens. Service Committee.

Minutes Acceptance: Minutes of May 9, 2016 7:30 PM (Approval of Minutes)

MINUTES REGULAR MEETING
REYNOLDSBURG CITY COUNCIL
May 9, 2016

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Mel Clemens, Ward IV
SECONDER:	Brett Luzader, Ward II
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

48-16

ORDINANCE AUTHORIZING CITY AUDITOR TO REMOVE EQUIPMENT FROM THE CITY'S FIXED ASSET LIST. (SECOND READING 4/25/2016). --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Barth R. Cotner, At Large
SECONDER:	Dan Skinner, At Large
AYES:	Clemens, Cotner, Long, Skinner, Cicak, Luzader, Spalding

Adjournment

Doug Joseph, President of Council

April L. Beggerow, Clerk of Council

Minutes Acceptance: Minutes of May 9, 2016 7:30 PM (Approval of Minutes)

MINUTES SPECIAL MEETING
REYNOLDSBURG CITY COUNCIL
May 16, 2016

President Doug Joseph called the meeting to order at 8:00 PM

PRESENT: Clemens, Long, Cicak, Luzader, Spalding, Joseph

ABSENT: Cotner, Skinner

Approval of Agenda

Agenda stands approved.

LEGISLATION REQUIRING ONE READING

49-16

ORDINANCE AUTHORIZING THE AUDITOR TO PAY SALARY ADJUSTMENTS FOR THE YEAR 2016 FOR ELIGIBLE EMPLOYEES COVERED BY CHAPTER 160 AND DECLARE AN EMERGENCY. --- Cotner. Finance Committee.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Chris Long, At Large
SECONDER:	Stephen Cicak, Ward I
AYES:	Clemens, Long, Cicak, Luzader, Spalding
ABSENT:	Cotner, Skinner

Adjournment

Doug Joseph, President of Council

April L. Beggerow, Clerk of Council

Minutes Acceptance: Minutes of May 16, 2016 8:00 PM (Approval of Minutes)

Clerk of Court**Leslie Clark****7232 E. Main Street****Reynoldsubrg OH 43068****614-322-6852 phone****Memo****DATE: May 23, 2016****TO: City Council****CC:****RE: CLERK OF COURT MONTH ENDING APRIL 2016**

I am submitting monies collected from the courts held on April.7, 14, 21 and 28. I am also submitting monies collected during the same period pursuant to City Ordinance Nos. 146-94 and 104-02.

Fines&Waivers/Bond Costs/Bond Forfeitures Order In	(#110.4512)	\$12,249.00
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Court Costs & Misc. Costs Assessed	(#110.4510)	\$16,394.00
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Sub-Total (To General Revenue Fund)		\$28,643.00
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Computerization Needs Fund	(#211.4510)	\$ 1,830.00
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Enforcement & Education Fund	(#293.4616)	\$ 50.00
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Sub-Total		\$ 1,880.00
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Total Amount Submitted		\$ 30,523.00
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Street/Stormwater Department**Keith Kundtz****614-322-5800 Phone****RESOLUTION REQUEST**

DATE: **May 23, 2016****TO:** **Safety Committee****RE:** RESOLUTION AUTHORIZING PARTICIPATION IN ODOT WINTER
CONTRACT (018-17) AND DECLARING AN EMERGENCY.

Emergency/Suspension: Emergency**Reason For Emergency:** Financial needs of the City's government

ODOT requires that the resolution be passed and sent to them no later than Friday, May, 27th, 2016. If this is not passed by then, we will be unable to participate in their winter salt delivery.

RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT WINTER CONTRACT (018-17) FOR ROAD SALT

WHEREAS, the City of Reynoldsburg, Franklin County Ohio (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual winter road salt bid (018-17) in accordance with Ohio Revised Code 5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon award of the contract by the Director of ODOT it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of (2000) two thousand tons of Sodium Chloride (Road Salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract’s effective period of October 1, 2016 through March 31, 2017; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement it will do so by written, emailed request by no later than Wednesday, June 1, 2016. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

	(Authorized Signature) _____ Approval Date
	(Authorized Signature) _____ Approval Date
	(Authorized Signature) _____ Approval Date
	(Authorized Signature) _____ Approval Date
	(Authorized Signature) _____ Approval Date

**THIS RESOLUTION MUST BE UPLOADED TO THE WINTER SALT PARTICIPATION WEBSITE
BY NO LATER THAN FRIDAY, MAY 27, 2016.**

PLEASE NOTE: THE DEPARTMENT WILL NOT ACCEPT TYPED SIGNATURES. PARTICIPATION AGREEMENTS SUBMITTED WITH TYPED SIGNATURES WILL BE INVALID AND INELIGIBLE FOR APPROVAL. YOU CANNOT SUBMIT A WORD DOCUMENT VERSION OF THIS PARTICIPATION AGREEMENT. NO EXCEPTIONS.

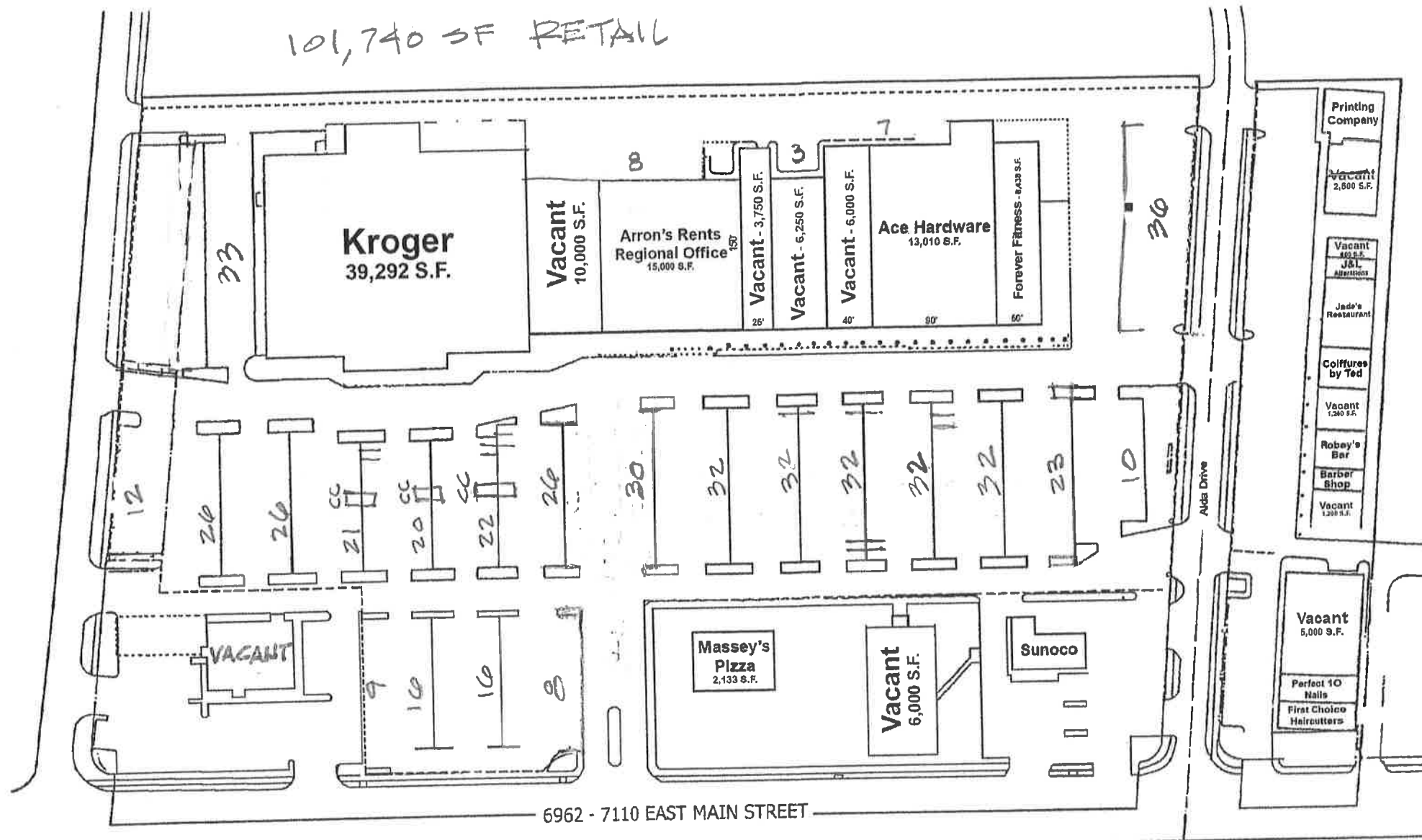
Board of Zoning and Building Appeals**Eric Snowden****7232 E. Main Street****Reynoldsburg OHIO 43068****Phone****ORDINANCE REQUEST**

DATE: May 23, 2016

TO: Eric Snowden, Planning Administrator Service Committee

RE: ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT -
(7088 E. Main Street; proposed use - Commercial Recreation Facility);
applicant, Viktor Prozapas AND DECLARING AN EMERGENCY.

7088 E. Main St.; Application #173147: Applicant Viktor Prozapas; Business: Adrenaline
Trampoline Park; Special Exception Use

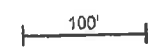


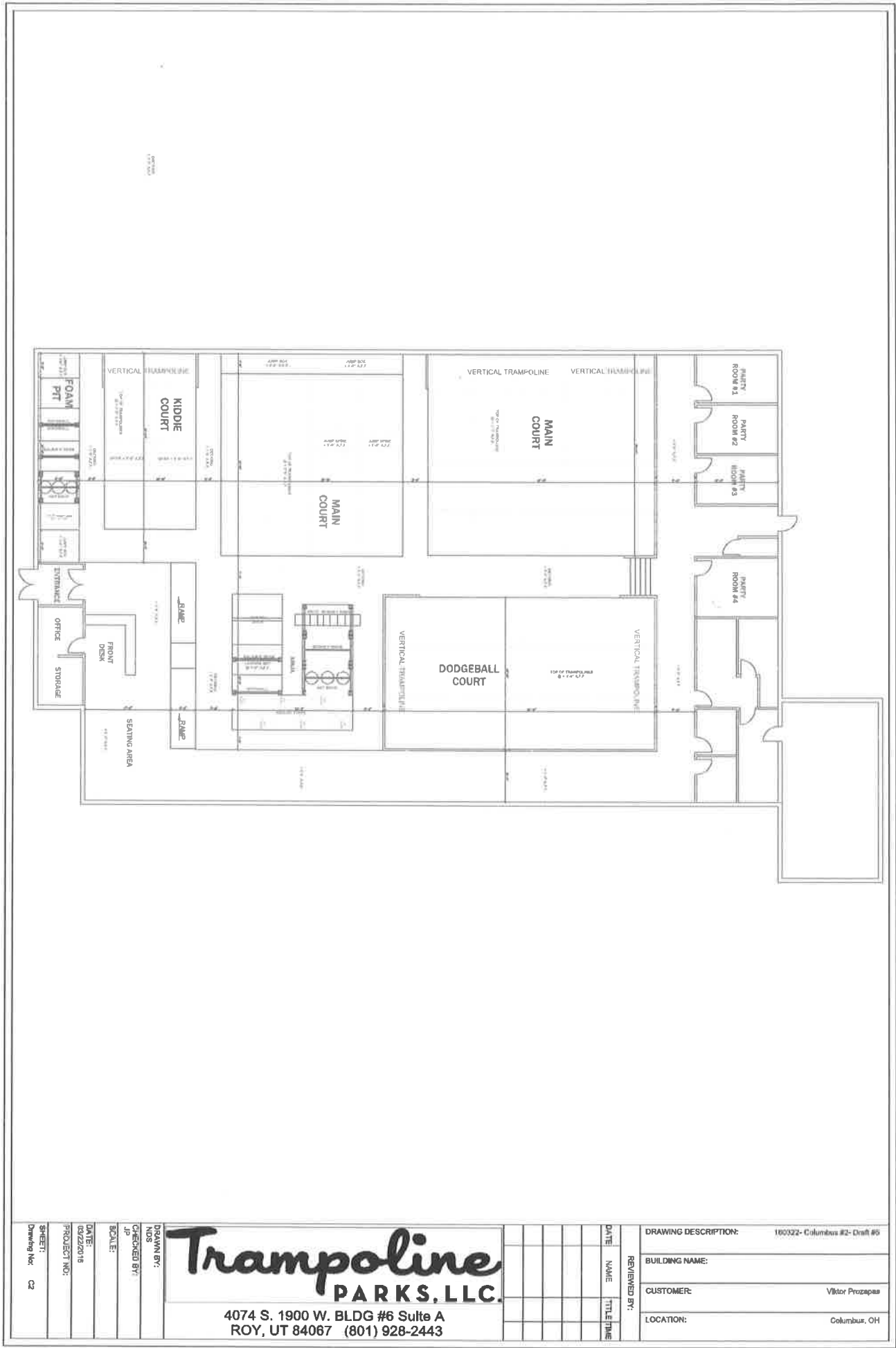
513 TL. SP. S

101,740 ÷ 1/200 SF.
= 509 SP. REQ'D.

Reynoldsburg Center

Reynoldsburg, Ohio





Adrenalin Trampoline Park LLC
3708 Fishinger Boulevard
Hilliard, OH 43026
Phone (614) 537-9441

March 28, 2016

Subject: Adrenalin Trampoline Park – Description of Activities

Ace Hardware is currently located at 7088 E Main St. Reynoldsburg, Ohio. The Ace Hardware at this present location is set to be shut down by April 30, 2016.

The Ace Hardware is located in the Reynoldsburg Center, the 7000 block of East Main Street, which includes: Aaron’s, Kroger, Forever Fitness and Masseys Pizza.

Behind the center, there are residential homes, separated by a steel fence. The front of the Center is all commercial use.

We are proposing to use the existing Ace Hardware to develop The Adrenalin Trampoline Park.

Attachment: 7088 E. Main St.; Application #173147 (1428 : 7088 E. Main St.; Applicant Viktor Prozapas)

Adrenalin Trampoline Park LLC
3708 Fishinger Boulevard
Hilliard, OH 43026
Phone (614) 537-9441

March 28, 2016

Subject: Adrenalin Trampoline Park – Description of Activities

Trampoline Parks have become incredibly popular in last 5 years. For the City of Reynoldsburg, Adrenalin would make a great addition as it offers a huge variety of activities for kids and adults such as: dodge ball, jumping, exercising for any age, birthday parties and local corporate events.

Hours of Operation: Monday - Thursday 11am-9pm
 Friday - Saturday 11am- 11pm
 Sunday 10am-8pm.

Anticipated number of employees: 25 people.

The main bulk of our staffing with High School Students, as it will offer our young students an opportunity to find a job nearby, close to their home.

The Adrenalin Trampoline Park is a sport/recreational activity, great for any age. It is a destination spot, a place for people from our Surrounding Reynoldsburg neighborhoods. We have seen in our other park, our guests tend to travel some distance to be part of the wholesome family fun.

On average over 2,000 people visit the Adrenalin Trampoline Park, in Hilliard every week. Adrenalin will more traffic to this Plaza which has 60% vacancy.

There is a strong possibility with the amount of people and attention the Trampoline Park brings, it may bring new businesses to the Plaza, thereby reducing the amount of open vacancies currently carried.

Attachment: 7088 E. Main St.; Application #173147 (1428 : 7088 E. Main St.; Application #173147: Applicant Viktor Prozapas)

Adrenalin Trampoline Park LLC
3708 Fishinger Boulevard
Hilliard, OH 43026
Phone (614) 537-9441

March 28, 2016

Subject: Adrenalin Trampoline Park – Narrative of Proposed Use.

The existing use of 7088 E Main St. Reynoldsburg, Ohio – is a retail store with a huge (frontal) parking lot, located in the Shopping Plaza.

Trampoline Parks provide a wholesome environment on the surrounding businesses and communities. Our Adrenalin Trampoline Park will revitalize the Shopping Plaza, which is currently 60% vacant. It is a wonderful place for kids and adults to exercise and have an overall fun family experience.

Layout and plans of existing space won’t be changed and new trampoline park will go in same space. It will not have any effect on any adjacent lots or traffic because there is easy access and exit to the shopping plaza and a lot of the spaces are empty.

Attachment: 7088 E. Main St.; Application #173147 (1428 : 7088 E. Main St.; Application #173147: Applicant Viktor Prozapas)

Adrenalin Trampoline Park LLC
3708 Fishinger Boulevard
Hilliard, OH 43026
Phone (614) 537-9441

March 28, 2016

Subject: Adrenalin Trampoline Park
 Section 1145.09 “Standards and Requirements for all special exceptions.”

- A. The Adrenalin Trampoline Park will be in harmony with the existing character of the district and the nearby affected districts and shall not change the essential character of the districts;
- B. The Adrenalin Trampoline Park will not adversely affect the use of the adjacent property;
- C. The Adrenalin Trampoline Park will not adversely affect the health, safety, morals or welfare of persons residing or working in the neighborhood;
- D. The Adrenalin Trampoline Park will be served adequately by public facilities and services such as, but not limited to, roads, police, and fire protection, storm water facilities, water, sanitary sewer and schools;
- E. The Adrenalin Trampoline Park shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted uses of the district;
- F. The Adrenalin Trampoline Park shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;
- G. The Adrenalin Trampoline Park will comply with the applicable specific provisions and standards of this Code;
- H. The Adrenalin Trampoline Park shall be found to meet the definition and intent of a use specifically listed as a special exception in the District in which it is proposed to be located, except as otherwise providing by this Zoning Code.

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

DATE: May 23, 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.**

**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, approval 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 their final approval 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.

(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 tranquility 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 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 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.

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

DATE: May 23, 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.**

**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: May 23, 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.

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: May 23, 2016**TO: Mel Clemens, Ward IV Service Department****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.

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 of 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: May 23, 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.

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: May 23, 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.

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.

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

DATE: May 23, 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.

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.

(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.~~

Parks & Recreation**Donna Bauman****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6878 Phone****ORDINANCE REQUEST**

DATE: May 23, 2016**TO:** Community Development Committee**RE:** A RESOLUTION TO WAIVE THE PROVISION OF SECTION 971.16
OF THE CITY'S CODIFIED ORDINANCES FOR THE 2016 TOMATO
FESTIVAL. (First Reading 5/9/2016).

Requesting permission to waive the provision for section 971.16 of the codified ordinances for the 2016 Tomato Festival, as was waived in 2012, 2013, 2014, and 2015. The Beer Garden will be operational from 5pm-10pm on Friday, August 19, 2016 and from Noon-10pm on Saturday, August 20, 2016. The area will be completely enclosed with patrons being able to see the stage and entertainment. The Tomato Festival Board of Directors will gather and obtain all necessary permits required, follow all training requirements and will work closely with the Reynoldsburg Police Department and the administration to assure that all security measures meet the highest standards as they did during the 2015 Tomato Festival. Please see attached map for proposed Beer Garden.



Service Department**Bill Sampson****7232 E. Main Street****Reynoldsburg OH 43068****614-322-6884 Phone****ORDINANCE REQUEST**

DATE: May 23, 2016**TO: Safety Committee****RE: ORDINANCE AUTHORIZING MAYOR TO ENTER INTO
CONTRACT FOR 2016 FIREWORKS DISPLAY. (Second Reading
5/09/2016).**

The amount of \$27,850, which is approximately a 5.8 percent increase over the last three years, and the funding for the fireworks was included in the 2016 Service Department budget (account #5303- Community Events). Pyrotecnico is on the approved vendor list and we request that competitive bidding be waived.

REYNOLDSBURG FIREWORKS DISPLAY CONTRACT

THIS CONTRACT AND AGREEMENT, for the sale and display of fireworks made and concluded this _____ day of _____, 2016, by and between **Pyrotecnico** of New Castle, Pennsylvania, and the **City of Reynoldsburg**, a chartered municipal corporation formed under the laws of the State of Ohio, hereinafter referred to as ("City").

WITNESSETH: For and in consideration of the mutual covenants herein contained and other valuable consideration in hand paid, receipt of which is hereby acknowledged, and of the terms and conditions hereinafter mentioned, the parties to this contract do mutually and severally agree to perform their several and respective covenants and to guarantee terms, conditions, and payments of this contract.

1. Pyrotecnico agrees to sell, furnish, and deliver unto City fireworks to be exhibited in accordance with the programs set forth in the "Proposal for City of Reynoldsburg" in which are attached hereto and incorporated by reference into this contract as if fully restated.

2. Said fireworks to be furnished for display on the following date **July 1, 2016**, provided the weather permits a display. It being mutually understood and agreed that should inclement weather prevent the presentation of said display on said date, the date of **July 2, 2016** will be the "**rain date**" of the event. It being mutually understood and agreed that should inclement weather prevent the presentation of said display on said "**rain date**", a meeting of the parties will be held to discuss the postponement date(s). It is agreed to and understood by the parties hereto that in the event the fireworks have been taken out and set up before the inclement weather and with good weather prevailing, then such exhibition of fireworks must be carried out in the safest manner without any deductions whatever from the hereinafter named compensation.

3. If, due to the occurrence of a contingency as described above, with the aforementioned dates it is in Pyrotecnico's professional opinion with a reasonable degree of certainty, impossible or impracticable to present the display at the dates and times specified, Pyrotecnico and the City will confer with a view towards reaching a mutually satisfactory postponement date. In the event that the mutually satisfactory postponement date is beyond the date following the scheduled exhibition and Pyrotecnico personnel and equipment are required to return to their original point of origin, then the City shall be obligated to pay an additional charge of 15% of the contract price for transportation and travel of material and personnel back to the display site. In the event a mutually satisfactory postponement date cannot be determined, or if once determined, that postponement date must, due to any such contingency, be likewise postponed, then and in such event the City shall have no obligation to pay the remaining balance of the sum to be paid hereunder, and the deposit previously made by the City shall be returned to the City forthwith, less any and all reasonable expenses incurred by Pyrotecnico in anticipation of presenting such display, including, but not limited to, costs associated with set-up and takedown of equipment, and transportation of materials and Pyrotecnico personnel.

4. Pyrotecnico agrees to furnish unto the City one or more trained (pyrotechnic) personnel to present the said display. The City agrees to procure and furnish a suitable place to display said fireworks, and to secure all applicable police, fire, local, state, and federal governmental permits, licenses, and approvals.

5. The City agrees to indicate that Pyrotecnico is the organization responsible for exhibiting the fireworks on the said date in all advertisements, billings, and public relations materials.

6. The City agrees to furnish to Pyrotecnico ample police and fire protection for the protection of its property and the firing of the exhibition without interference from the public.

7. The City agrees to furnish and set up restraining lines pursuant to the instructions supplied by Pyrotecnico and in compliance to all rules, orders, and regulations of the National Fire Protection Association.

8. The City agrees to furnish adequate protection and security of the exhibition grounds to preclude all individuals other than those authorized by Pyrotecnico from entering the security area. No personal property of any kind, including but not limited to motor vehicles shall be allowed within the "safe zone". Prior to, during, and immediately following the display, the City shall be solely responsible to furnish and set up restraining lines for keeping all persons (except the trained personnel and their designated help) out of the danger area and behind the safety zone lines. This paragraph does not eliminate Pyrotecnico's obligation to provide security at all times, once the fireworks are inside the City or Township.

9. The City agrees to furnish to Pyrotecnico the sum of \$27,850 (the "Contract Price") paid as follows: a. 50% of the Contract Price due upon the signing of the contract; b. the balance of the Contract Price due within ten (10) days of completion of the Fireworks exhibition. The City agrees to pay interest at the rate of 1.5% per month on any delinquent balance of the Contract Price until paid in full. Payment shall be made by certified check or otherwise as agreed by Pyrotecnico to Pyrotecnico at P.O. Box 149, New Castle, Pennsylvania 16103. Furthermore, in the event the City fails to perform its obligations and responsibilities as set forth herein and it becomes necessary for Pyrotecnico to enforce its rights by hiring an attorney, the City shall be responsible for all attorneys' fees and costs incurred by Pyrotecnico to collect said sums.

10. Pyrotecnico agrees to name the City of Reynoldsburg and Truro Township as additional insured on a Ten Million Dollar (\$10,000,000) non-waste liability insurance coverage and supply the City with evidence of said coverage.

11. The City agrees to indemnify Pyrotecnico and hold its shareholders, directors, officers, employees, agents, representatives, and insurers harmless from any and all demands, claims, causes of action, judgments or liability (including the cost of suit and reasonable costs of experts and attorneys) arising from damage to or destruction of property (including real and personal) or bodily or personal injuries (including death) whether arising in tort, contract, or otherwise, that occur directly or indirectly from (a) the **gross negligence** or **willful misconduct** of the City or its employees, agents, contractors, or representative, or (b) the failure of the City to comply with its obligations and responsibilities as set forth herein.

12. Pyrotecnico agrees to indemnify the City and hold its employees, officials, agents, representatives, and insurers harmless from any and all demands, claims, causes of action, judgments or liability (including the cost of suit and reasonable costs or experts

and attorneys) arising from damage to or destruction of property (including real and personal) or bodily or personal injuries (including death), whether arising in tort, contract, or otherwise, that occur directly or indirectly from the **gross negligence** or **willful misconduct** of Pyrotecnico or its employees, agents, contractors, or representatives.

13. Pyrotecnico agrees to notify Truro Township Fire Department (TTFD) immediately when the vehicle carrying the fireworks arrives in the City of Reynoldsburg. Pyrotecnico agrees to furnish a 24 hour guard, at their sole cost, with the vehicle during the time it is in the City of Reynoldsburg or Truro Township. Pyrotecnico agrees to inspection of fireworks mortar racks that are encased in wood, if deemed necessary by TTFD, then wood will be replaced with undamaged lumber. Pyrotecnico agrees to secure, fireworks mortar racks and cakes, to the ground according to specification and jurisdictional authority. Pyrotecnico agrees to furnish and employ an electronic firing system. Pyrotecnico agrees to furnish and employ protective clothing required by the Ohio Fire Code and NFPA 1123. Pyrotecnico agrees to furnish a letter to TTFD stating that all mortars to be used for the exhibition are made of approved material, of sufficient strength, length and durability to cause shells to be propelled to a safe altitude as required by Ohio Fire Code and NFPA 1123.

14. Neither party, under any circumstances, shall be entitled to recover any consequential, incidental, exemplary, special, and/or punitive damages from the other party to this agreement, including, without limitation, loss of income, business or profits.

15. In the event of fire, flood, Acts of God, or other causes beyond the control of Pyrotecnico, which prevents the delivery of said materials, the parties hereto release each other from any and all performances of the covenants herein contained and from damages resulting from the breach thereof.

16. The parties agree that in any action on or relating to the contract, that exclusive jurisdiction and venue are hereby vested in the Franklin County Court of Common Pleas, Franklin County, Columbus, Ohio.

17. If any provision of the contract is held to be illegal, invalid or otherwise unenforceable, then (a) the same shall not affect other terms or provisions of this contract and (b) such terms or provisions shall be deemed modified to the extent necessary to render such term or provision enforceable and the rights and obligations of the parties shall be construed and enforced accordingly, preserving to the fullest extent the intent and agreements of the parties set forth herein.

18. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same Agreement.

19. This contract and the "Proposal for City of Reynoldsburg" constitutes the entire agreement between the parties hereto, and there are no other understandings, either oral or written, regarding to the subject matter hereof.

IN WITNESS THEREOF, the undersigned executed this contract by and through their duly authorized representatives whose names appear below.

City of Reynoldsburg

By _____,

Bradley L. McCloud, Mayor

Date _____

Witness

Pyrotecnico

By _____

Print Name _____

Date _____

Witness

This contract was prepared by and is hereby approved as to form by:

James E. Hood
Reynoldsburg City Attorney

FISCAL OFFICER'S CERTIFICATION

IN TESTIMONY WHEREOF, the said parties hereunto set their hand the day and year first written above. It is hereby certified that both at the time of the making of this contract or order and at the date of the execution of this certificate, the amount of \$27,850.00 required to pay this contract or order has been appropriated for the purpose of this contract or order and is in the treasury or in the process of collection to the credit of the _____ fund free from any other previous encumbrances.

City of Reynoldsburg

Richard Harris, Auditor

Attachment: Fireworks Contract 2016 (1380 : 2016 Fireworks Contract)

Service Committee**Mel Clemens****Phone****ORDINANCE REQUEST**

DATE: **May 23, 2016****TO:** **Service Committee****RE:** ORDINANCE APPROVING SPECIAL EXCEPTION USE PERMIT -
(6549 E. Livingston Avenue; proposed use - Childcare Center); applicant,
Mark Jones, Sr..(Second Reading 5/09/2016).

6549 E. Livingston Ave.; Application #172916; Applicant: Mark Jones, Sr.; Business Name:
The Jones School; Special Exception use

CITY OF REYNOLDSBURG
 Department of Development
 Planning & Zoning Division
 7232 East Main Street
 Reynoldsburg, Ohio

Section 1139
BOARD OF ZONING & BUILDING APPEALS
APPLICATION

Application #: 172716
 Permit #:
 Date Submitted: 2/17/16
 Fee Amount: \$350.00
☒ Paid: Visa

I. PROPERTY INFORMATION	
Property Address: <u>6549 E LIVINGSTON AVE, REYNOLDSBURG, OH 43068</u>	
II. PROPERTY OWNER OF RECORD	
Property Owner Name(s): <u>E.V. Bischoff Co</u>	
Contact Email: <u>JHEKMAN@EVBCO.COM</u>	Contact Phone Number: <u>614-221-4736</u>
III. BUSINESS INFORMATION (IF APPLICABLE)	
Business Name: <u>THE JONES SCHOOL</u>	Contact Name: <u>MARK JONES SR</u>
Contact Phone Number: <u>330-398-8737</u>	Contact Email: <u>JONES-MARK@THEJONESCHOOL.COM</u>
Description of Use: <u>CHILD CARE CENTER</u>	
IV. APPLICANT INFORMATION	
Applicant Name: <u>MARK JONES SR</u>	Applicant Address: <u>4011 DUNBY ST, WILLETTSVILLE, OH 43083</u>
Applicant Phone Number: <u>330-398-8737</u>	Applicant Email: <u>JONES-MARK@THEJONESCHOOL.COM</u>
☐ Property Owner	☐ Business Owner/Tenant
☐ Contractor	☐ Architect/Engineer
PROJECT INFORMATION	
CHECK AND DESCRIBE IF APPLY:	
Variance (☐ Non-Residential (\$450) / ☐ Residential (\$100)):	
☒ Special Exception Use (\$350): <u>Childcare Center</u>	
☐ Major Site Plan Review (\$500):	
☐ Other:	
Applicant shall submit <u>nine (9)</u> copies of application and materials to the Planning Administrator. Please review the attached sections of the Zoning Code and note the items you are responsible for submitting with this application.	
Applicant Signature: <u>[Signature]</u>	Date: <u>02-16-2016</u>

Additional Notes:	**OFFICE USE ONLY**	BZBA Meeting	City Council Meeting
	<u>Zoning Information</u>	Date: <u>2/17/16</u>	Date:
	Zoning District: <u>CC</u>	☐ Approved as Submitted	☐ No Action Taken
	☐ Historic District	☐ Approved w/ Conditions	☐ Approved as Submitted
	☒ CC Overlay	☐ Tabled	☐ Approved w/ Conditions
	☐ Denied	☐ Denied	
	<u>Other Board Approval</u>	Planner Initials: _____ Date: _____	Clerk of Council Initials: _____ Date: _____
	☐ DRB		



THE JONES SCHOOL

The Jones School LLC,
6549 E. Livingston Ave
Reynoldsburg, OH 43068
330-398-8737

February 15, 2016

The City of Reynoldsburg Zoning Department
7232 E. Main St
Reynoldsburg, OH 43068
614-322-6802

Proposed Operations

The Jones School LLC. Is an company dedicated to providing Childcare Services to the local communities for which it's schools are located. The Jones School is proposing to operate within the Blacklick Plaza from 6:00am to 6:00pm. The Jones School will be providing these services to children from 6weeks to school age will be in the center for a majority of the day. There will also be before care from 6:00am to 7:00am and after care from 3:00pm to 6:00pm for the school age children between the ages of 5 to 11 years of age.

The Jones School is planning some seasonal proگرامing during spring break, summer break, and winter break for the school age children. Those programs are in the planning stages but we are working on them right now and they should be going into the finalization in the coming weeks. We want to ensure the families in the community have a place to bring their children when the schools are closed to keep their children engaged.

Thank you for your time on this matter.

Sincerely,

Mark A. Jones Sr.
President and Owner
The Jones School LLC.



THE JONES SCHOOL

The Jones School LLC,
6549 E. Livingston Ave
Reynoldsburg, OH 43068
330-398-8737

February 15, 2016

The City of Reynoldsburg Zoning Department
7232 E. Main St
Reynoldsburg, OH 43068
614-322-6802

To Whom it May Concern,

Herein are the details surrounding The Jones School's application for Special Exception Uses for the address of 6549 E. Livingston Ave, Reynoldsburg, OH 43068 located within the Blacklick Plaza. The Jones School is an Early Learning Center that will be providing Childcare/Daycare services to the Reynoldsburg community as well as the surrounding areas. Please see the below as it applies to prescribed information of Section 1145 and 1145.09.

Section 1145

1. **Description of the existing use of the lot and of adjacent lots;** *the existing use of the lot was previously Glorious Kids and Little Angles prior to that. The use of the space to be occupied by The Jones School has been in use as a Childcare Center in the Blacklick Plaza since at least 2003. The store rooms directly adjacent to 6549 are the Callos Staffing Company and a 1,200 s.f Vacant unit .*
2. **The application shall 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 uses and its potential impacts;** *The activities that will be performed on the site will be Childcare/ Early Education services. The Jones School will be providing services and care for children ranging from 6weeks old to 11 years old. The hours of operation will be 6am to 6pm Monday through Friday. The anticipated number of employees will be solely dependent upon enrollment into the center. However previously the center was rated for upwards to 98 children. This will allow for the hiring of 5 to 15 employees depending on ratios and enrollment. There will be deliveries to the location depending on structure of the food*



THE JONES SCHOOL

service operation there may be deliveries from vendors like Sysco, GFS, or Single Source however; initially deliveries may come from a local catering vendor as meals for the Childcare Center may be catered in. The Jones School also plans to host community events targeted at drawing Reynoldsburg residents to the Blacklick Plaza for family friendly activities in coordination with the other family friendly businesses now located in Blacklick Plaza and those targeted by Blacklick Plaza. The new food and beverage operations, the planned Amphitheater and the Community Garden all currently in place or planned by the Blacklick Plaza will be central to our becoming a part of the Reynoldsburg Community

3. **A plan for 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 area, utilities, signs, yards, landscaping, and other relevant features;** *The plan for this site is to be used for The Jones School. Since it has been a day care center for over a decade, there will not need to be any internal improvements initially however there will be some permits requested to make some improvements to the Food Prep Area to make the Childcare Center more self-sustaining. There is no dedicated parking area in the front of the Daycare as it is general parking available to the entire shopping plaza. Parking is thought to be extensive. The Loading area is located in the rear of the building directly off of the Kitchen. The Owner of Blacklick has made a substantial improvement to the rear of the shopping center to isolate any vehicular traffic away from any possible pedestrian traffic and has eliminated the circular traffic pattern that you find in most shopping center further discouraging any traffic to the south of the Center. The only exterior improvements that will be made will be to the display sign above the proposed location and on the sign that is located approximately 15ft. from E. Livingston Ave. There will be no signs other than a now enrolling signs that will be placed out for 3 to 4 weeks preceding the opening of the center and 3 to 4 weeks after the centers opening only if it is permissible by the City of Reynoldsburg and the EV Bishoff Company. There will be some improvements that will be done to the rear(south) of the building directly behind the daycare center to further improve the existing green space for the children to enjoy recreation within the parameters of the Department of Job and Family Services.*
4. **A narrative statement discussing the compatibility of the proposed use with the existing uses of adjacent lots including and 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;** *If the special exception is granted The Jones School would be compatible with the existing uses of adjacent lots as it is occupying a space that was previously utilized for a childcare center over the last 13 years. It will add value to the area as it will provide a quality childcare center that will become a staple in the Reynoldsburg community. The center will not take away from the luster of the plaza. It will also draw more foot traffic in the plaza*



THE JONES SCHOOL

which will be beneficial to the economy as a whole. This will draw business for the existing restaurants and the stores located within the plaza. Families that choose the childcare center for their children will see that there are restaurants, a Laundromat, and convenience store as well as other businesses that may useful to them. So the compatibility factor is that by putting a quality business in the plaza will bring more business into the area. As it applies to traffic circulation and noise the busy times for the childcare center will between 6:00am and 8:00am for the morning hours and 4:00pm to 6:00pm for the evening hours because that is generally when parents drop-off and pick-up. The noise will be at a minimum except for the time when children are outside for recess and noise will still be at a minimum as it applies to the front of the building because the recess area will be in the green space that will be located in the rear of the building. There will be no effects to the other adjacent lots as it applies to glare, odor, fumes, and vibrations due to the fact that there will be not machining or any other such work being conducted in the space nor will there be any major renovations conducted in the space. If there are any major renovations done there will be plenty of notice as to those renovations and most of the renovations will be done during the evening hours or weekends where there are not children in the area and when traffic in the plaza is at its lowest. As for the effects on the storm water we will not be changing the landscape of the current parking lot or any other areas that affect running of the storm water.

5. **A narrative addressing each of the applicable criteria set forth in section 1145.09:**
- The proposed use shall be in harmony with the existing or intended character of the district and nearby affected districts and shall not change the essential character of the districts;**
 - The proposed use shall not adversely affect the use of adjacent property;**
 - The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood;**
 - The proposed use shall be served adequately by public facilities and services such as, but not limited to roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools;**
 - The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted use of the district;**
 - The proposed use shall be in accord with the general and specific objectives, and the purpose and intent of this Zoning Code and the Land Use Plan and any other plans and ordinances of the City;**
 - The proposed uses complies with the applicable specific provisions and standards of this Code;**
 - The proposed use shall be found to meet the definition and intent of a use specifically listed as a special exception in the district in which it is proposed to be located, except as otherwise provided by this Zoning Code.**



THE JONES SCHOOL

The Jones School would like to convey to the zoning department that the proposed use of the 6549 E. Livingston shall be in harmony with the existing character of the district and nearby affected districts and shall not change the essential character of the districts. The proposed use shall not adversely affect the use of adjacent property as The Jones School is an Early Learning Center that has minimal foot traffic, and is a business that does not promote loitering in the common spaces of the plaza. Due to the nature of the business its financial impact will be great but its presence in the plaza will be hardly noticed as it applies to noise etc. The proposed use shall not adversely affect the health, safety, morals, or welfare of persons residing or working in the neighborhood. The proposed use of the space will actually increase their pride in the community as The Jones School is a professional Early Learning Program what will be actively involved in the community by hosting community events that will foster an environment where the residents will find resources, and good wholesome fun. With the proposed improvements of the Blacklick plaza The Jones School plans to be a major supporter in the use of the Amphitheater and the outdoor recreations space to ensure that the Blacklick plaza is a premiere area for the City. The proposed use shall be served adequately by public facilities and services such as but not limited to roads, police and fire protection, storm water facilities, water, sanitary sewer, and schools. The proposed use shall not impose a traffic impact upon the public right-of-way significantly different from that anticipated from permitted use of the district. The Jones School's presence in the proposed space will not in any way impact the public right-of-way in any way that will be negative or that will adversely affect the traffic patterns or uses in the area.

Thank you for your time on this matter and we hope that the results of this review are favorable as it applies to The Jones School LLC. being granted the special exception to do business within your community.

Sincerely,


 Mark A. Jones Sr.
President and Owner
 The Jones School LLC.

AERIAL VIEW OF BLACKCLICK PLAZA



Parks & Recreation**Donna Bauman****7232 E. Main Street****Reynoldsburg OHIO 43068****614-322-6878 Phone****ORDINANCE REQUEST**

DATE: **May 23, 2016****TO:** **Finance Committee****RE:** Ordinance Authorizing the Mayor to Enter into Contract with EMH&T for the Engineering, Plans, Advertising, and to Prepare Bid Documents for the Painting of the Livingston House. (Second Reading 5/09/2016).

Authorize Mayor to enter into contract with EMH&T , 5500 New Albany Rd., Columbus, OH 43054, for engineering, plans, prepare bid document, supply bid documents for distribution, advertise for bids, and preparation of bid tabs for the painting of the Livingston House.



DONNA BAUMAN
DIRECTOR
 (614) 322-6879 voice
 (614) 322-6880 fax
dbauman@ci.reynoldsburg.oh.us

MEMORANDUM

DATE: May 11, 2016
TO: City Council
CC: Mayor Brad McCloud
RE: Livingston House

During the April 18, 2016 Finance Committee Meeting a discussion was held regarding changing the paint color of the Livingston House. The Livingston House Society Members approached me in January 2015 regarding returning the house to its original color of white with green shutters. A vote was held in March of 2015 and the members present voted 10-8 in favor of changing the color to white.

Council felt that the vote held in 2015 was not a "good representation" of the membership and suggested that a new vote be taken and per Councilman Clemens "if they vote white with green shutters, then it's white". The Parks and Recreation Department mailed ballots to 55 members and gave a deadline of 5pm on May 5.

It was brought to our attention that two members who joined in January 2016 were not on the mailing list. Those two individuals were given the option of sending their vote to Ms. Sandra Boller, HR Director, or they could stop in and pick up a paper ballot. They chose to send their vote to Ms. Boller.

The final number of active members was changed to 57. The breakdown is as follows:
 31 votes for white with green shutters
 18 votes for the current red color
 1 voter abstained
 2 votes for white came in after the May 5 deadline
 5 members did not vote

The Parks and Recreation Commission cast their vote as well with the following outcome:
 4 votes in favor of white with green shutters
 1 vote for the current red color

Therefore it is recommended that we honor the request of the Livingston House Society and the Parks and Recreation Commission and paint the house white and add green shutters.

The members of the Livingston House Society are the individuals who passionately maintain the legacy of Alexander Livingston. These members host Pioneer Day every year in June

with no monetary assistance from the City of Reynoldsburg. The members take care of providing tours of the house when a member of the public requests a showing. The Livingston House members see to it that the house receives a “spring cleaning” every year. The members clean the home or as took place this past spring, they paid an individual to perform the cleaning. Members of the society assist in caring for the flower beds at the Livingston House. Members are also included when any restoration has taken place inside the home; such as the bathroom restoration that took place in early 2016.

Please feel free to contact me with any questions.

Thank you.