

SUBMITTED FOR REVIEW BY PLANNING COMMISSION AND CITY COUNCIL

Prepared: December 13, 2016

Revised: January 26, 2017 to include "USTEB changes

As we are all aware, in January 2016, the Building and Zoning Divisions shifted from the Department of Development to the Department of Public Service and Engineering. Gahanna Codified Ordinance Section 1100 has been reviewed to determine necessary changes to accommodate that shift.

The offices of Council, Legal, Development and Service began a year-long process to review code section 1100. We found that revisions fell into four basic categories:

- 1) Necessary changes due to the shift of Building and Zoning to the Department of Public Service and Engineering;
- 2) Necessary corrections due to typographical errors, process changes (for example: changing the wording to require the applicant to submit 2 hard copies and one digital instead of 10 hard copies), simple solutions to problems that we have encountered, etc.;
- 3) Complicated rework of the code to reflect current/future philosophical beliefs;
- 4) A comprehensive review/rework of the code to make it cohesive and easier to follow.

Due to time limitations and the possible need for outside assistance to accomplish items number 3 and 4 above, we chose to bring revisions in 2016 that address items number 1 and 2 only. We will work on items number 3 and 4 in the future.

Due to the massive amount of code that we are asking you to review, we have created the following summary that highlights the areas that we've revised. Please refer to the full revised code document if you desire to see the changes in context.

CODE SECTION	CHANGE
Global Change	Changed the "AR" abbreviation to "MFRD"
Global Change	Removed the specific reference of the 2004 edition of " The Latest Illustrated Book of Development Definitions " to, instead, be the "...most recent edition..."
Global Change	Adds " or their designee " to "Planning and Zoning Administrator"
Global Change	Changed the word " Municipality " to "City"

Global Change	Changed the word " point " to "arrow" when it follows the word " <u>North</u> " and is explaining what needs to be on a plat.
Global Change	All gender-specific references are changed to be non-gender-specific.
Global Change	The word " <u>Planning</u> " has been added in front of "Commission"
Global Change	Changed " <u>Planning Commission Clerk</u> " to " <u>Clerk of Council</u> "
Global Change	Corrected grammatical errors. Changed some wording to make sections easier to understand and/or to be more consistent in wording.
Global Change	Changed the abbreviation " <u>PD</u> " to " <u>PUD</u> "
Global Change	Changed " <u>Drive-In</u> " to " <u>Drive-Thru</u> "
Global Change	Changed " <u>Manufacturing District</u> " to " <u>Office, Commerce and Technology District</u> "
Global Change	Removed reference to " <u>cellular phone antennas</u> "
1101.02 (b) Definitions	<p>Changed the wording as follows:</p> <p>(b) Except where specifically defined herein, all words used in this <u>Zoning</u> Ordinance shall carry their customary meanings. Words used in the present tense include the future; the plural includes the singular; the word "lot" means the word "plot" the word "shall" is intended to be mandatory; "occupied" or "used" shall be considered as though followed by the words "or intended, arranged or designed to be used or occupied".</p>
1101.05 Improvements	<p>Changed the wording as follows:</p> <p>"Improvements" means street pavements, with or without curb and gutter, sidewalks, <u>trails</u>, water mains, sanitary and storm sewers.</p>
1101.06 In-Lieu Fees	<p>Changed the wording as follows:</p> <p>"In-lieu fees" means fees paid by a private individual or party to the City to compensate for the mandatory land dedication provisions of the Subdivision Regulations <u>this Ordinance requirements of the City Subdivision Regulations</u> when such land dedication is determined to be inappropriate or unacceptable.</p>
1101.09 Mandatory Land Dedication	<p>Changed the wording as follows:</p> <p>"Mandatory land dedication" means a municipal requirement that privately owned land is dedicated to the City for the a public purpose. This could include, but would not be limited to, of providing space for park, recreational and open space facilities and activities.</p>
1101.17 Right-of-Way	<p>Changed the wording as follows:</p> <p>"Right-of-way" means (1) a strip of land acquired by reservation, dedication, prescription, or condemnation and intended and intended to be occupied by a street, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer, or other similar uses; (2) generally, the right of one to pass over the property of another (easement.) (Ord. 0147-2011. Passed 8-1-11.)</p>

1105.02 Preliminary Plat Filing	Adds the option for applicable city staff to say that a plat does not meet their requirements and require resubmission instead of it only being the Planning and Zoning Administrator.
1105.02 (d) Preliminary Plat Filing	Requesting copies of all " <u>current</u> " deed covenants in addition to proposed.
1105.03 (d) Preliminary Plat Approval	<p>Changed the wording as follows:</p> <p>(d) <u>Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application at which time the applicant shall present and explain the design concept of the proposed development; staff comments and administrative comments shall be made public; and the Planning Commission shall receive any comments or concerns pertaining to the proposed development from the general public. Notice of such public hearing shall include place, time, date and nature of such applied for in a newspaper of general circulation in the City twice during the two weeks prior to the public hearing.</u></p> <p><u>Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</u></p> <p><u>Where the subject of such public hearing involves fifty (50) or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required.</u></p> <p>Before approving or denying an application for preliminary plat approval, the Commission shall hold at least one public hearing at which time the applicant shall present and explain the design concept of the proposed development; staff comments and administrative comments shall be made public; and the Commission shall receive any comments or concerns pertaining to the proposed development from the general public. Notice of such public hearing shall be published in one or more newspapers of general circulation within the City first at least fourteen days and second at least seven days in advance of the public hearing and shall state the place, time, date and purpose of such hearing. Further, the Clerk shall send notification by ordinary mail of the public hearing to the contiguous property owners of the area described in the preliminary plat. The failure of delivery of such notice shall not invalidate any such preliminary plat filing. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</p>
1105.03 (f) Preliminary Plat Approval	<p>Changed wording as follows:</p> <p>(f) <u>After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken which shall contain the motion as carried by the Planning Commission to include any conditions. A copy of the Record of Action shall be forwarded to the Planning and Zoning Administrator or their designee, the City Engineer, and the Director of Development.</u></p> <p>After action by the Commission on an application for preliminary plat approval as provided for in this chapter, the Clerk shall record the action taken as follows:</p> <p>(1) If the application was approved, three copies of the approved preliminary plat shall be stamped "Approved by Planning Commission in an Official Meeting Held (date)"</p>

	<p>with the Following Additional Provisions: (List or attach any provisions or contingencies. If none, so note)" and shall sign same attesting to action taken.</p> <p>(2) If the application was denied, three copies of the disapproved preliminary plat shall be stamped "Disapproved by Planning Commission in an Official Meeting Held (date) for the Following Reasons: (List or attach the specific reasons for denial)" and shall sign same attesting to action taken.</p> <p>One copy of the signed preliminary plat shall be forwarded to the applicant, one to the Planning and Zoning Administrator, and one copy shall be retained in the permanent files of the Commission.</p>
1105.05 (d) Final Plat Approval	Changes the time that Planning Commission has to consider an application for final plat approval from " 23 " days to " <u>30</u> " days.
1105.05 (f) Final Plat Approval	<p>Changed the wording as follows:</p> <p>(f) After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken which shall contain the motion as carried by the Planning Commission to include any conditions. A copy of the Record of Action shall be forwarded to the Planning and Zoning Administrator or their designee, the City Engineer, and the Director of Development.</p> <p>After action by the Planning Commission on an application for final plat approval as provided for in this chapter, the Clerk shall record the action taken as follows:</p> <p>(1) If the application was recommended for approval by Council, five copies of the recommended final plat shall be stamped "RECOMMENDED FOR APPROVAL BY PLANNING COMMISSION IN AN OFFICIAL MEETING HELD (date)" and shall sign same attesting to action taken. One copy of the signed final plat shall be forwarded to the Clerk of Council, one copy to the Director of Planning and Development, one copy to the City Engineer, one copy to the Planning and Zoning Administrator, and one copy shall be retained in the permanent files of the Planning Commission. The Clerk shall send the applicant written notification of Planning Commission action by ordinary mail.</p> <p>(2) If the application was denied, three copies of the disapproved final plat shall be stamped "DISAPPROVED BY PLANNING COMMISSION IN AN OFFICIAL MEETING HELD (DATE) FOR THE FOLLOWING REASONS: (List or attach the specific reasons for denial)" and shall sign same attesting to action taken. One copy of the signed final plat shall be forwarded to the applicant, one to the Planning and Zoning Administrator, and one copy shall be retained in the permanent files of the Planning Commission.</p>
1105.06 (a)(3) Action by Council	<p>Changed the wording as follows:</p> <p>The granting of the application shall be contradictory to existing City development standards, zoning ordinances or the master development plans of the City.</p>

1105.06 (b) Action by Council	<p>Changed the wording as follows:</p> <p>(b) In the event an application for final plat approval is denied by Council the specific reasons for such action shall be documented and made a part of the permanent file.</p>
1106.04 Approval of Application by Planning and Zoning Administrator	<p>Changed the wording as follows:</p> <p>An application for a subdivision without plat shall be <u>reviewed by appropriate City staff and</u> approved by the Planning and Zoning Administrator <u>or their designee</u> without action by Planning Commission within seven <u>ten</u> working days of the application date provided the Planning and Zoning Administrator <u>or their designee</u> shall certify the resulting parcels are in full and complete compliance with all applicable provisions of the Planning and Zoning Code and the application is for a subdivision resulting in one of the following:</p>
1106.05 Applications Referred to Planning Commission	<p>Changed the wording as follows:</p> <p>The Planning Commission shall act upon an application for subdivision without plat within twenty-one <u>30</u> days after receipt of the application from the Planning and Zoning Administrator <u>or their designee</u> and shall approve such application provided:</p>
1106.09 (a) Action on Applications to be Recorded	<p>Changed the wording as follows:</p> <p>(a) The Clerk shall maintain a record file of all applications for subdivision without plat including all action taken on each application. After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken, which shall contain the motion as approved by the Planning Commission and to include any conditions.</p>
1107.01 (d) Required Improvements	<p>Changed the wording as follows:</p> <p><u>Pedestrian Facilities</u> (sidewalk <u>and/or multi-use trail as directed by the City Engineer</u>) on both sides of the street, plus curbs and sidewalks/<u>multi-use trail</u> on existing streets, if feasible as <u>directed by the City Engineer</u>.</p>
1107.03 Bond, Fees and Insurance	<p>Increases the maintenance bond from 5% to 10%.</p>
	<p>Changes the maintenance period from 2 years to 1 year.</p>
	<p>Eliminates a \$100 record drawing fee and adds a \$2,500 plus \$150/acre as-built drawing deposit that is refunded if as-built drawings are provided to the City.</p>
	<p>Allows a certified check to be submitted in lieu of a cash maintenance bond and changes the time when the money is deposited from “at the time energization is requested” to “<u>prior to construction</u>”</p>
	<p>Removes the phrase that states that Council determines the amount that the developer must submit to cover inspection and plan review costs and adds that the amount is “<u>as required on the Engineering Fee Schedule</u>”</p>
1108.01 (f) General Requirements	<p>Added the following:</p>

	<u>Sidewalks shall be installed for any new proposed development, or redevelopment of a property where sidewalks do not currently exist. Multi-use trail may be required in areas that are identified by the City as areas identified for regional trail systems/connections.</u>
1108.03 (a) (12) Final Development Plan Filing	Changed the wording as follows: (12) List of adjacent <u>contiguous</u> property owners for notification.
1108.03 (a) (13) Final Development Plan Filing	Deleted the following: (13) Reduced site plan suitable for showing on an overhead projector.
1108.03 (b) (3) Final Development Plan Filing	Changed the wording as follows: Setback calculations (if needed) <u>necessary when commercial abuts residential.</u>
1108.04 (d) Actions by the Planning Commission	Changed the wording as follows: <p>“Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application at which time the applicant shall present and explain the design concept of the proposed development; staff comments and administrative comments shall be made; and the Planning Commission shall receive any comments or concerns pertaining to the proposed development from the general public. Notice of such public hearing shall include place, time, date and nature of such applied for in a newspaper of general circulation in the City during the calendar week prior to the public hearing.</p> <p>Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</p> <p>Where the subject of such public hearing involves fifty (50) or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required.</p> <p>Before approving or denying an application for Final Development Plan approval, the Commission shall hold at least one public hearing at which time the applicant shall present and explain the design concept of the proposed development; staff comments and administrative comments shall be made; and the Commission shall receive any comments or concerns pertaining to the proposed development from the general public. Notice of such public hearing shall be published in one or more newspapers of general circulation within the City at least seven days in advance, of the public hearing and shall state the place, time, date and purpose of such hearing.</p> <p>Further, the Clerk shall send notification by ordinary mail of the public hearing to the contiguous property of the area described in the Final Development Plan. The failure of delivery of such notice shall not invalidate any such Final Development Plan filing. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.”</p>
1109.02 (b) (8) Streets	Changes the wording as follows:

	(8) Sidewalks (residential), four <u>five</u> -foot minimum width; (commercial), to be as approved by the Engineer.
1109.04 (a) Water Distribution Systems	Changes the wording as follows: (a) Plans of proposed water distribution systems shall be submitted to the Director of Public Service one week in advance of a regularly scheduled meeting . All plans must show pipe sizes, locations of valves, fire hydrants and other appurtenances. Such installation and materials shall be in conformity with Municipal standards.
1109.07 (c) Drainage	Changed the requirement to submit a master grade plan to the " <u>City Engineer</u> " instead of the " Mayor "
1109.08 (c) Public Areas	Changes the wording as follows: (c) <u>Staff Evaluation of Land Dedication</u> . The mandatory land dedication shall be evaluated by the appropriate City staff to determine whether such dedication is acceptable as appropriate sites for parks and recreational facilities. A three-tier process is to be used by the City in evaluating the proposed land dedication. A written report for each assessment shall be forwarded to the Planning Commission <u>and the Clerk of Council</u> with the application.
1123.02	Changed the wording as follows: 1123.02 ACCESSORY USE STRUCTURE BUILDING. "Accessory <u>building</u> use structure" means a subordinate <u>building</u> structure, either attached to or separate from the main building, the use of which is incidental to that of the main building or to the main use of the premises.
1123.11 Calendar Week	Added the following: <u>1123.11 CALENDAR WEEK.</u> <u>A week beginning with Sunday and ending with Saturday.</u>
1123.22 Family Care Home	Changed the wording as follows: "Family care home", "family model home", "group home", "adult family facility" or "community residence" means a dwelling unit that provides room and board, personal care and habilitation services and supervision for individuals, exclusive of staff, who are mentally-retarded <u>cognitively impaired</u> , developmentally disabled, physically handicapped or aged (over sixty years of age) persons, who are able to be integrated into a family type setting and who do not require institutional care or treatment. This category shall be licensed by and/or has accountability to the State of Ohio or any other governmental agency that regulates the type of use involved. This category does not include nursing homes, hospitals, rest homes, boarding or lodging houses, homes with up to three foster children, half-way houses for individuals released from incarceration, or facilities for drug abuse rehabilitation programs. "Family care homes" are permitted uses in all residential zoning districts within the City.

1123.38 Lot	<p>Changed the wording as follows: "Lot" means a portion of a subdivision or other parcel of land intended as a unit for transfer of ownership. Lot means a parcel of land occupied or capable of being occupied by one building, and the accessory buildings or uses customarily incident to it, including such open spaces as are required by the Zoning Ordinance.</p>
1123.45 Parking Space	<p>Changed the wording as follows: "Parking space" means the area of 200 square feet required for parking one automobile, which in this Zoning Ordinance is held to be an area ten feet wide and twenty feet long not including passageways.</p>
1123.47 Plat	<p>Changed the wording as follows: "Plat" means a map plan or layout of a subdivision indicating the location and boundaries of individual properties of a tract or parcel of land.</p>
1123.48 Pothole	<p>Added the following: <u>1123.48 POTHOLE</u> <u>"Pothole" means a depression or void in a pavement surface caused by wear or subsidence.</u></p>
1123.54 Sign	<p>Changed the wording as follows: "Sign" means any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind. means any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public, but not including any flag, badge or insignia of any government or government agency, or of any civic, charitable, religious patriotic, fraternal or similar organization.</p>
1123.57 Street	<p>Changed the wording as follows: "Street" means the entire width between the boundary lines of every way open to the use of the public as a thoroughfare for purposes of vehicular travel. a public way which affords principal means of access to abutting properties.</p>
1123.59 Street	<p>Deleted the following: 1123.59 USTEB. <u>"USTEB" means "use, building or structure" in the sense of all three words used together. (Ord. 21-90. Passed 2-20-90.)</u></p>
1127.08 Appeal of Administrative Orders	<p>Changed the wording as follows: <u>The Board of Zoning and Building Appeals shall have the power to hear and decide appeals in accordance with the Charter of the City of Gahanna.</u></p>

	<p>The Board of Zoning and Building Appeals shall have the power to overrule any official action of the Planning and Zoning Administrator when, in its opinion, such action has been contrary to the intent and spirit of this Zoning Ordinance and for such purposes may make null and void any zoning certificate issued or any action taken by such Planning and Zoning Administrator by notifying such Planning and Zoning Administrator and the principal interested party or parties in writing.</p>
<p>1131.03 Public Hearing Advertisement</p>	<p>Changed the wording as follows: "1131.03 PUBLIC HEARING ADVERTISEMENT. Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application, notice of which shall include place, time, date and nature of such applied for in a newspaper of general circulation in the <u>Municipality City</u> during the calendar week prior to the public hearing. <u>Written</u> notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. <u>The failure of delivery of said notice shall not invalidate any such application.</u> The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</p> <p><u>Where the subject of such public hearing involves fifty (50) or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required."</u></p>
<p>1131.05</p>	<p>Changed the wording as follows: 1131.05 REASONS FOR GRANTING TO BE SPECIFIED. ACTION BY PLANNING COMMISSION.</p> <p><u>After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken which shall contain the motion as carried by the Planning Commission to include any conditions. The applicant for any such variation granted by the Planning Commission, after a duly advertised hearing, shall be sent a record of action.</u></p>
<p>1133.02 Posting of Property; Publication of Notice</p>	<p>Changed the wording as follows: The Commission shall hold at least one public hearing and notice shall be published in one or more newspapers of general circulation within the City twice during the two weeks prior to the public hearing and shall state the place, time, date and purpose of such hearing. Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application, notice of which shall include place, time, date and nature of such applied for in a newspaper of general circulation in the City twice during the two weeks prior to the public hearing.</p> <p>Further, the Clerk shall send notification by ordinary mail of the place, time, date and purpose of the public hearing to the property owners contiguous to and directly across the street from the subject property to the street addresses of such owners. The failure of delivery of such notice shall not invalidate any such zoning or rezoning. The names and addresses of all owners entitled to notice of the public hearing shall be furnished by the applicant.</p>

	<p><u>Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</u></p> <p><u>Where the subject of such public hearing involves fifty (50) or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required.</u></p> <p><u>The applicant shall be responsible for posting one sign per public street frontage of the property or properties proposed for a zoning change. The sign(s) shall be consistent with diagram in Figure 1, Zoning Change Sign, attached to original Ordinance 135-97. The information on the sign(s) shall be approved by the Zoning Division prior to the installation of the sign(s). The sign(s) shall be installed not less than fourteen (14) days prior to the scheduled date of the public hearing and shall be removed within seven days after final Council action on the zoning or rezoning. New zonings on annexation shall not be required to be posted only if the proposed zoning is in accordance with Section 1133.08(a).</u></p> <p>The Commission shall hold at least one public hearing and notice shall be published in one or more newspapers of general circulation within the City twice during the two weeks prior to the public hearing and shall state the place, time, date and purpose of such hearing. Further, the Clerk shall send notification by ordinary mail of the place, time, date and purpose of the public hearing to the property owners contiguous to and directly across the street from the subject property to the street addresses of such owners. The failure of delivery of such notice shall not invalidate any such zoning or rezoning. The names and addresses of all owners entitled to notice of the public hearing shall be furnished by the applicant.</p> <p>The applicant shall be responsible for posting one sign per public street frontage of the property or properties proposed for a zoning change. The sign(s) shall be consistent with diagram in Figure 1, Zoning Change Sign, attached to original Ordinance 135-97. The information on the sign(s) shall be approved by the Zoning Department prior to the installation of the sign(s). The sign(s) shall be installed within seven days after the zoning change application is submitted to the City and shall be removed within seven days after final Council action on the zoning or rezoning. New zonings on annexation shall not be required to be posted only if the proposed zoning is in accordance with Section 1133.08(a)."</p>
1133.03 Public Hearing	<p>Changed the wording as follows:</p> <p>(2) At such hearing, the applicant shall present a statement addressing the following criteria and adequate evidence in such form as the Planning Commission, and subsequently City Council, may require, aiding the <u>Planning</u> Commission in its deliberation on the issue. The</p>

	development department staff shall provide an administrative report that includes comments from both the Zoning Division and the Economic Development Division.
1133.04 (a) Decision of Planning Commission	<p>Changed wording as follows: "After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken which shall contain the motion as carried by the Planning Commission to include any conditions. A copy of the Record of Action shall be forwarded to the Planning and Zoning Administrator or their designee, the City Engineer, and the Director of Development.</p> <p><u>If the Planning Commission is in favor of the applicant's request to change, the Clerk of Council shall submit the recommendation to Council in writing, and Council shall accompany the same by an ordinance.</u></p> <p>After public hearing and consideration of the case, if the Planning Commission is in favor of the applicant's request to change, it shall submit its recommendation to Council in writing, and shall accompany the same by an ordinance."</p>
1133.07	<p>Changed the title as follows: 1133.07 Department of Planning and Development Amendments <u>City Initiated Amendments</u></p>
1135.01 Districts Established	Deleted the word " District " from the abbreviation of each district.
	<p>Added abbreviations for: <u>OG-1</u> Olde Gahanna Single Family Residential <u>OG-2</u> Olde Gahanna Mixed Use Neighborhood <u>OG-3</u> Olde Gahanna Recreation</p>
	Changed " PIPD-Planned Industrial Park District " to " <u>PID-Planned Industrial Development</u> "
	Changed the abbreviation for the Restriced Institutional District from " RI-District " to " <u>RID</u> "
1136.04 (a) (7) Conditional Uses	<p>Changed the wording as follows: Kennels, excluding those required by State licensed DVMs in the practice of animal medicine and those required by the City in the administration of local, County and State code enforcement. The term "kennel" as used herein means the keeping of five or <u>than five (5)</u> animals who are at least three months of age for pleasure, profit, breeding or exhibiting.</p>
1136.04 (a) (8) Conditional Uses	<p>Added the following: <u>Bed and Breakfast Inn</u></p>
1137.04 (a) (3) Conditional Uses	<p>Changed the wording as follows: Kennels, excluding those required by State licensed DVMs in the practice of animal medicine and those required by the City in the administration of local, County and State code</p>

	enforcement. The term “kennel” as used herein means the keeping of five or more than five (5) animals who are at least three months of age for pleasure, profit, breeding or exhibiting.
1137.04 (a) (4) Conditional Uses	Added the following: <u>Bed and Breakfast Inn</u>
1139.04 (a) (2) Conditional Uses	Added the following: <u>Bed and Breakfast Inn</u>
1141.04 (a) (2) Conditional Uses	Added the following: <u>Bed and Breakfast Inn</u>
1145.01 (a) (2) Conditional Uses	Added the following: <u>Bed and Breakfast Inn</u>
1145.02 (a) (2) Conditional Uses	Added the following: <u>Bed and Breakfast Inn</u>
1145.06 Yard Requirements	<p>Changed the wording as follows: 1145.06 YARD REQUIREMENTS.</p> <p>Each lot shall have a front, rear and two side yards of not less than the following depths or widths:</p> <ul style="list-style-type: none"> (a) Depth of front yards shall be not less than twenty-five feet (25') measured from the right-of-way line of the street or streets upon which it fronts. (b) Depth of the rear yard shall be not less than twenty-five feet (25') measured from the rear property line. A permitted unattached accessory “USTEB” use structure shall be located to the rear of the dwelling. An unattached accessory “USTEB” use structure may be placed no closer than five feet (5') to the rear property line and shall not exceed fifteen feet (15') in height. A permitted attached accessory “USTEB” use structure shall be treated as an addition. However, an attached accessory “USTEB” use structure may project into the rear yard a distance of not more than ten feet (10'). (c) Each side yard width shall be not less than five feet (5').
1149.03 (m) Development Standards	<p>Changed the wording as follows:</p> <p>“(m) <u>Garage Facilities.</u> Each multi-family building may have garage facilities to accommodate automobiles, however, such facility shall not be greater in square footage than one third of the total floor area of each residential unit.</p> <p>(1) — Each dwelling unit in a two-family residential structure shall have a minimum of two off-street parking spaces, one of which shall be in a garage located on the same lot as the dwelling and sized to accommodate a minimum of one automobile. Such facility shall not be greater in square footage than one third of the total floor area as defined in Section 1123.23.</p> <p>(2) — Each single car garage in a two-family residential structure shall have a driveway from the street to the garage which has a minimum width of ten feet. If a two-car</p>

	<p>garage is provided, or if two single car garages are immediately adjacent separated only by a common wall, the minimum drive width shall be eighteen feet. The driveway surface area located between the street right of way and the garage entry shall not be used for one of the required parking spaces.</p> <p>(3) Open parking or storage of any trailer, boat, recreational vehicle, airplane or glider, excess of forty eight hours shall not be permitted within an MR-1 Residential District.</p> <p>Each residence shall have garage facilities to accommodate a minimum of two automobiles, however, such facility shall not be greater in square footage than 800 square feet or one third of the total floor area as defined in Section 1123.23, which structure shall be located on the same lot as the dwelling. For driveway width, refer to Chapter 1163.</p>
1150.02 (o) Definitions	<p>Added the following:</p> <p>(p) <u>“Storefront”</u>: The front side of a store or store building facing a street.</p>
1150.03 Olde Gahanna Zoning Districts Created	<p>Deleted the following:</p> <p>1150.03 OLDE GAHANNA ZONING DISTRICTS CREATED.</p> <p>(a) <u>Olde Gahanna Single family Residential Zoning.</u> There is hereby created Olde Gahanna Single family Residential Zoning.</p> <p>(1) <u>North:</u> Generally bounded by Carpenter Road on the north, to and including both sides of Shull Avenue on the east, to Town Street on the south, to Shepard Street on the west, to Walnut Street on the South, to Short Street on the west.</p> <p>(2) <u>South:</u> Generally bounded by the East/West Alley north of Clark Street on the north, to Big Walnut Creek on the west, to Friendship Park on the south, to the Municipal Service Complex on the east.</p> <p>(b) <u>Olde Gahanna Mixed Use Neighborhood District.</u> There is hereby created Downtown Mixed Use Neighborhood Zoning generally bounded by Big Walnut Creek to the west, south to the east/west alley north of Clark Street; Sycamore Run to the east to Ogden Alley then west to Shepard, then north on Shepard to Walnut, then west to High Short then north to Carpenter Road.</p> <p>(c) <u>Olde Gahanna Recreation.</u> There is hereby created Olde Gahanna Recreation Zoning.</p> <p>(1) <u>Part A.</u> Generally bounded by Ridenour Road on the west; Gahanna Municipal Golf Course to the north; Big Walnut Creek to the east, and U. S. Route No. 62 to the south; excepting out certain parcels as follows: 025-001900-80, 025-001900-90 and the Mifflin Township Cemetery.</p> <p>(2) <u>Part B.</u> Generally bounded by Discovery Park on the north, including the following Tax ID Parcels: 025-000942-00, 025-000951-00, 025-000952-00, 025-000958-00, 025-000953-00 025-000869-00; Big Walnut Creek to the East, including Friendship Park, and City-owned property north of Friendship Park west of Sycamore Run.</p>
1150.04 (b) (1) Olde Gahanna Single Family District	<p>Changed the wording as follows:</p> <p>(b) <u>Conditional Uses:</u> <u>In a single family dwelling district designated as an OG-1 district, the following use shall be permitted upon approval of the Planning Commission. In a single family</u></p>

	residential area of this chapter only those uses approved by Planning Commission shall be allowed as a conditional use as determined on a case by case basis <u>A two-family use consistent with code section 1150.08(d).</u>
1150.06 (a) Olde Gahanna Recreation District	Changed the wording as follows: (a) <u>Permitted Uses. Only the uses included under the following listed numbers or as otherwise specified in this district shall be permitted in the Olde Gahanna Recreation District:</u>
1150.06 (b) Olde Gahanna Recreation District	Changed the wording as follows: (b) <u>Conditional Uses. The following may be considered, but must first be approved by Planning Commission:</u>
1150.08 (c) General Development and Improvement Standards	Changed the wording as follows: (c) All commercially used property within the <u>Olde Gahanna</u> Mixed Use District shall comply with the following standards:
1150.08 (e) (7) General Development and Improvement Standards	Changed the wording as follows: <u>Density. Any density more than eighteen (18) units per acre or which exceeds this average maximum density of eighteen (18) units per acre shall require a condition use. Allowable density shall be limited by the availability of on-site parking. A minimum of one (1) parking space shall be required for one (1) bedroom units. Units with two (2) bedrooms or more shall be required to provide a minimum of two (2) parking spaces.</u>
1150.09 New Construction	Changed the wording as follows: New building projects shall be sensitive to historic preservation and have similar massing and building form as that of neighboring buildings. Projects shall have good context by successfully relating to and enhancing adjacent structures and open spaces. Projects shall encourage pedestrian safety, activities, and accessibility. All potentially visible building facades shall be addressed architecturally and functionally. For creekside projects Special emphasis shall be placed on creating functional, people-oriented facades along Big Walnut Creek.
1150.10 (c) (3) Site Planning	Changed the wording as follows: Driveways and entrances to parking lots shall be perpendicular to the right of way. If Planning Commission <u>the City Engineer</u> would determine that a right in right out drive is necessary, no variance is required but shall be made a part of any final development plan.
1150.10 (c) (5) Site Planning	Changed the wording as follows: More than one curb cut on a development will not be permitted unless the City Engineer determines that an additional curb cut provides for the appropriate traffic flow. Corner lots may have one curb cut per frontage.
1150.11 (b) (13) Signs	Changed the wording as follows:

	Only one (1) wall sign is permitted per storefront per tenant
1150.13 Action on Applications to be Recorded	Deleted the following: 1150.13 ACTION ON APPLICATIONS TO BE RECORDED. The Planning Commission shall maintain a record of all applications for a certificate of appropriateness including all action taken on each application.
1151.01 Purpose and Intent	Changed the wording as follows: 1151.01 PURPOSE AND INTENT. (a) Planned Districts shall include residential, commercial, corporate mixed-use, industrial and residential commercial mixed use subdistricts: Planned Residential District (PRD), Select Commercial Planned District (SCPD), Planned Corporate Mixed-Use District (PCD), Planned Industrial District (PID), and Planned Residential Commercial Mixed Use District (PRCD), <u>and Planned Unit Development (PUD).</u>
1151.07 (a) Publication of Notice and Posting of Property	Changed wording as follows: <u>Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application, notice of which shall include place, time, date and nature of such applied for in a newspaper of general circulation in the City twice during the two weeks prior to the public hearing.</u> <u>Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</u> <u>Where the subject of such public hearing involves fifty (50) or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required. Notice of public hearing on an application for a planned zoning district shall be published in one or more newspapers of general circulation within the Municipality first at least fourteen days and second at least seven days in advance of the public hearing and shall state the place, time, date, and purpose of such hearing. Further, the Clerk of the Planning Commission shall send notification by ordinary mail of the public hearing to the contiguous property owners of the area described in the zoning change application.</u>
1151.15 (g) Planned Unit Development Districts	Changed the wording as follows: <u>Publication of Notice and Posting of Property.</u> (1) <u>Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application, notice of which shall include place, time, date and nature of such applied for in a newspaper of general circulation in the City twice during the two weeks prior to the public hearing.</u> <u>Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses</u>

	<p><u>of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</u></p> <p><u>Where the subject of such public hearing involves fifty (50) or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required.</u></p> <p>Notice of public hearing on an application for planned unit development zoning shall be published in one or more newspapers of general circulation within the Municipality first at least fourteen days and second at least seven days in advance of the public hearing and shall state the place, time, date, and purpose of such hearing. Further, the Clerk of the Planning Commission shall send notification by ordinary mail of the public hearing to the contiguous property owners of the area described in the zoning change application.</p>
1151.15 (q) (4) Planned Unit Development Districts	<p>Changed the wording as follows:</p> <p>(4) <u>Accessory Use Structure</u> “USTEB”. An unattached accessory “USTEB” use structure shall be located to the rear of the dwelling. An unattached accessory “USTEB” use structure may be placed no closer than ten feet to the rear property line. An unattached accessory “USTEB” use structure shall not exceed fifteen feet in height. An attached accessory “USTEB” use structure shall be treated as an addition. However an attached accessory “USTEB” use structure may project into the rear yard a distance of not more than ten feet or be located any closer than 15 feet to the rear property line.</p>
1152.01 (c) Residential Overlay District (ROD)	<p>Changed the wording as follows:</p> <p>(c) <u>Overlay Zoning District.</u> The ROD District is intended as an overlay zoning district, to be used only in conjunction with the existing ER-1, ER-2, SF-1, SF-2, SF-3 and MR-1 Residential Zoning Districts, which shall be known as the base zoning district when the ROD is used. The development standards of the base district shall apply unless they are in conflict with the provisions of this section, in which case, the provisions of this section shall apply.</p> <p>In recommending the approval of the use of the ROD Zoning District, the Planning Commission shall find that at least one of the following conditions exists as it relates to the subject property:</p>
1152.02 (b) Limited (L) Overlay District	<p>Changed the wording as follows:</p> <p>(b) <u>Applicable Zoning Districts.</u> The Limited Overlay District may be used in combination with all zoning districts other than single and two family residential.</p>
1152.02 (d) Limited (L) Overlay District	<p>Changed the wording as follows:</p> <p><u>Development Plan.</u> In addition to filing such application, the applicant shall <u>may be required to</u> provide a signed and dated development plan composed of the text and a site plan(s) for the Limited Overlay proposed, setting out the means for addressing the above stated purpose and specifically identifying the following:</p>
1153.01 (a) (1) SO Suburban Office and Institutional District	<p>Added the following:</p> <p><u>731 Advertising.</u></p>

	<p>732 Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies.</p> <p>7383 News syndicates.</p> <p>736 Private employment agencies.</p>
1153.01 (b) (2) SO Suburban Office and Institutional District	<p>Deleted the following:</p> <p>Administrative and business. Administrative offices primarily engaged in general administration, supervision, purchasing, accounting and other management functions.</p> <p>Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customer.</p> <p>731 Advertising.</p> <p>732 Consumer credit reporting agencies, mercantile reporting agencies, and adjustment and collection agencies.</p> <p>7383 News syndicates.</p> <p>736 Private employment agencies.</p>
1153.01 (b) (5) SO Suburban Office and Institutional District	<p>Deleted the following:</p> <p>864 Civic, social and fraternal associations.</p>
1153.01 (b) (6) SO Suburban Office and Institutional District	<p>Added the following:</p> <p><u>Public administration.</u></p> <p>93 Public finance, taxation and monetary policy.</p> <p>94 Administration of human resource programs.</p> <p>95 Administration of environmental quality and housing programs.</p> <p>96 Administration of economic programs.</p> <p>97 National security and international affairs.</p>
1153.01 (b) (7) SO Suburban Office and Institutional District	<p>Deleted the following items:</p> <p>Public administration.</p> <p>93 Public finance, taxation and monetary policy.</p> <p>94 Administration of human resource programs.</p> <p>95 Administration of environmental quality and housing programs.</p> <p>96 Administration of economic programs.</p> <p>97 National security and international affairs.</p>
1153.01 (c) (2) SO Suburban Office and Institutional District	<p>Added the following:</p> <p><u>Front yard. A front yard of sixty feet shall be required.</u></p>
1153.01 (c) (6) SO Suburban Office and Institutional District	<p>Changed the wording as follows:</p> <p><u>Parking regulations. See 1167.15(b) for parking setback requirements.</u> Parking standards and requirements, as specified in Chapter 1163, shall be met for all uses in this district.</p>

1153.02 (a) (3) NC Neighborhood Commercial District	Added the following: <u>Business and professional offices. Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customers. Professional offices engaged in providing tangible and intangible services to the general public involving both persons and their possessions.</u>
1153.02 (a) (4) NC Neighborhood Commercial District	Added the following: <u>Day care centers.</u> <u>8322 Day care centers, adult and handicapped.</u> <u>8351 Day care centers, child.</u>
1153.02 (b) (1) NC Neighborhood Commercial District	Deleted the following: Business and professional offices. Business offices carrying on no retail trade with the general public and having no stock of goods maintained for sale to customer. Professional offices engaged in providing tangible and intangible services to the general public involving both persons and their possessions.
1153.02 (b) (4) NC Neighborhood Commercial District	Deleted the following: Day care centers. 8322 Day care centers, adult and handicapped. 8351 Day care centers, child.
1153.02 (c) (3) NC Neighborhood Commercial District	Added the following: <u>Front yard. A front yard of sixty feet shall be required.</u>
1153.02 (c) (7) NC Neighborhood Commercial District	Changed the wording as follows: <u>Parking regulations. See 1167.15(b) for parking setback requirements.</u> Parking standards and requirements, as specified in Chapter 1163, shall be met for all uses in this district.
1153.03 (a) (3) Personal and Consumer Services	Deleted the Following: 729 Miscellaneous personal services.
1153.03 (a) (4) CC Community Commercial District	Added the following: <u>Day care centers.</u> <u>8322 Day care centers, adult and handicapped.</u> <u>8351 Day care centers, child.</u>
1153.03 (b) (3) Conditional Uses	Added the following: 729 Miscellaneous personal services, except 7299, massage parlors, employing no State Medical Board of Ohio licensed therapists, which shall be prohibited.

1153.03 (b) (4) CC Community Commercial District	Deleted the following: Day care centers: 8322 Day care centers, adult and handicapped; 8351 Day care centers, child;
1153.03 (c) (3) CC Community Commercial District	Added the following: <u>Front yard. A front yard of sixty feet shall be required.</u>
1153.03 (c) (7) CC Community Commercial District	Changed the wording as follows: <u>Parking. See 1167.15(b) for parking setback requirements.</u> Parking standards and requirements, as specified in Chapter 1163, shall be met for all uses in this district.
1153.05 (c) (3) CS Community Service District	Added the following: <u>Front yard. A front yard of sixty feet shall be required.</u>
1153.06 (d) (1) PCC Planned Commercial Center District	Changed the wording as follows: <u>Intensity of use.</u> Land shall not be covered more than twenty percent by structure, open storage or display and service areas. The total land covered by the above and parking and drives shall not be more than eighty percent of the land area.
1153.06 (d) (3) PCC Planned Commercial Center District	Added the following: <u>Front yard. A front yard of sixty feet shall be required.</u>
1153.06 (d) (6) PCC Planned Commercial Center District	Changed the wording as follows: <u>Parking. See 1167.15(b) for parking setback requirements.</u> Parking standards and requirements, as specified in Chapter 1163, shall be met for all uses in this district.
1155.06 (d) (1) Landscaping and Screening	Changed the wording as follows: <u>Interior Parking Lot Landscaping Standards.</u> (1) These standards may be found in Section 1163.08. <u>Given the amount of truck travel and parking associated with warehouse/industrial uses, these uses may be exempted from the 5% interior landscaping requirement. The 5% requirement may be planted elsewhere on the site.</u>
1157.04 Procedure	Changed the wording as follows: 1157.04 PROCEDURE. (a) A parcel may be zoned to a Planned Industrial Park District with or without a development plan. The procedure shall be the same as in typical rezoning, requiring Council to act upon the recommendation of the Planning Commission. as advised by the Development Department and the Deputy Director of Public Service/City Engineer. (b) The applicant shall not proceed with construction prior to final approval by the Development Department and the Deputy Director of Public Service/City Engineer. of both the preliminary development plan and that specific phase being considered. Any construction that takes place pursuant to preliminary plan

	<p>(b) All off-street parking areas including spaces, driveways, aisles and circulation drives shall be graded and maintained so that water does not unreasonably accumulate on such areas nor flow or drain onto adjacent public or private property. All such surfaced areas shall be maintained <u>kept in a proper state of repair</u> and free of chuck holes <u>potholes</u>, litter, glass, nails <u>or other hazardous</u> or other dangerous materials.</p> <p>(c) Stormwater retention requirements shall be provided as required by Sections 1193.02 through 1193.07.</p>
1163.06 (b) Lighting, Striping and Traffic Control	<p>Changed the wording as follows:</p> <p>(b) Any parking area with ten or more off-street parking spaces shall be striped and <u>the striping</u> maintained in good condition to be clearly visible with lines four inches wide to indicate parking space limits.</p>
1163.09 (b) Limitations of Parking in Residential Districts	<p>Changed the wording as follows:</p> <p><u>Recreational Vehicles includes but is not limited to: Camping Trailers or Other Trailers. As of March 1, 1991 one camping trailer or other trailers, including boat, cargo, horse or other similar trailers may be parked or stored only if the trailer is parked on pavement.</u></p> <p><u>(1) CAMPER TRAILER. A folding or collapsible vehicular structure, mounted on wheels but without its own power, designed as a temporary living quarters for travel, camping, recreation and vacation uses, which is not encompassed in the definition of travel trailer.</u></p> <p><u>(2) MOTOR BUS. Any motor vehicle having motor power designed and used for carrying more than nine passengers.</u></p> <p><u>(3) MOTOR HOME. A self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, cooking and consuming of food and for sleeping.</u></p> <p><u>(4) RECREATIONAL TRAILERS. Any form of device, equipment, or machinery on wheels, or a single wheel, that is intended to be pulled by a motor vehicle, whether or not attached to a motor vehicle. This shall include every vehicle designed and utilized for the sole purpose of transporting any boat, auto, snowmobile, recreational habitation, and the like, which does not have motive power, but is designed to be drawn by another vehicle.</u></p> <p><u>(5) TRAVEL TRAILER. A non-self-propelled recreational vehicle, including a tent type fold out camping trailer as defined in R.C. §4517.01(S).</u></p> <p><u>(6) TRUCK CAMPER. A non-self-propelled recreational vehicle, without wheels for road use but with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreation and vacation use, and designed to be placed upon and attached to a motor vehicle. Truck camper does not include truck covers, which consist of walls and roof, but do not have floors and facilities for using same as a dwelling.</u></p> <p><u>(7) WATERCRAFT. This term shall include, but is not limited to, any of the following when used or capable of being used for transportation on the water:</u></p> <p><u>(a) A boat operated by machinery either permanently or temporarily affixed.</u></p> <p><u>(b) A sailboat other than a sailboard.</u></p> <p><u>(c) An inflatable, manually propelled boat having a hull identification number meeting the requirements of the United States Coast Guard.</u></p> <p><u>(d) A canoe or row boat.</u></p>
1163.09 (c) Limitations of Parking in Residential Districts	<p>Changed the wording as follows:</p> <p><u>Inoperable Automobiles. Not more than one wrecked or disassembled or otherwise inoperable motor vehicle with flat tires, missing plates or expired validation sticker, or with excessive body damage, or a</u></p>

	<p>broken or shattered windshield shall be allowed per one dwelling unit. Such vehicles may be parked or stored only for a period not to exceed seventy-two hours and such parking or storage space. The vehicle shall be covered with a product specifically designed for vehicles shall be enclosed by structure, fence or otherwise protected so that the vehicle cannot be entered upon or seen from an adjacent lot or street public right-of-way.</p>
1163.99 Penalty	<p>Changed the wording as follows: Any person, firm or corporation violating any provision, amendment or supplement of this chapter, or failing to obey any lawful order of the Planning and Zoning Administrator or their designee Zoning Officer issued in pursuance thereof, shall be deemed guilty of a minor misdemeanor and upon conviction thereof, shall be fined not more than fifty dollars (\$50.00).</p> <p>Each and every day during which such violation of any provision, amendment or supplement of this chapter occurs, or each and every day during which there is a failure to obey any lawful order of the Planning and Zoning Administrator or their designee, Zoning Officer may be deemed a separate offense.</p>
1165.07 Temporary Signs	Revised permitted height of feather banners; Revised Olde Gahanna Zoning Classifications to match zoning map.
1165.08 Permanent Signs	Revised Olde Gahanna Zoning Classifications to match zoning map.
1165.13 (e) (1) (a) Enforcement Provisions	<p>Changed wording as follows: City removal of hazardous signs. Signs which the Planning and Zoning Administrator or their designee, Chief Building Official, Department of Public Service and Engineering staff, or City Police Department officers find upon public rights-of-way or property, or which wherever located present an immediate and serious danger to the public because of their unsafe condition may be immediately removed without prior notice and shall be fined not less than twenty-five dollars (\$25.00) per sign.</p>
1167.08 (b)	<p>Deleted the following: (b) — All commercial properties with outdoor storage, display and sales of merchandise occurring on the date of passage of this section, shall have six months from the effective date of the ordinance to apply for a conditional use permit.</p>
1167.09	<p>Changed wording as follows: 1167.09 CONSTRUCTION MATERIAL STORAGE IN <u>ANY RESIDENCETIAL</u> DISTRICTS.</p> <p>In any Residencetial District, the storage of construction materials on any one lot shall be limited to the quantity of material required for the construction of the dwelling unit or units proposed for such lot, provided the plans for such dwelling unit or units have been previously approved by the Chief Building Official.</p>

1167.14 Lot Area and Yard Space Preserved	<p>Changed wording as follows: The lot area and yard space required for “USTEB” an accessory use structure shall be maintained during its life and shall not be reduced below the minimum requirement, occupied by another accessory use structure “USTEB”, or counted as yard space for any other accessory use structure “USTEB”.</p> <p>(a) Yards Required Open. The yard space required for a “USTEB” an accessory use structure shall, during its life, remain free of all uses or occupancy except as follows:</p>
1167.15 Building Lines Established	<p>Changed the wording as follows: (a) <u>Required Setback.</u> An accessory use structure “USTEB” of land, except parking, shall locate no closer to a street right of way than the established building line.</p>
1167.17	<p>Changed the wording as follows: 1167.17 ACCESSORY “USTEB” USE STRUCTURE PERMITTED. An Accessory “USTEB” Use Structure shall be permitted in association with a principal Use Structure, provided that the area of the accessory shall be twenty-five percent or less of the gross floor area of the principal use structure except in residential districts where the provisions of Section 1167.14 shall apply.</p> <p>(a) <u>Accessory “USTEB” use structure Defined.</u> An accessory “USTEB” use structure shall be defined as subordinate but incidental to and in association with, and which is customarily required or provided for the principal use structure “USTEB”.</p> <p>(b) <u>Required Location in Residential Zoning District.</u> In any residential zoning district as listed in Chapters 1139, 1141, 1143 and 1147, unattached and accessory “USTEB” use structure buildings shall be on the same lot as the principal “USTEB” use structure and located subject to the development standards of the zoning district in which it is located, shall be located to the rear of the dwelling.</p> <p>(c) <u>Required Location in Other Zoning Districts.</u> In any zoning district except a residential zoning district, accessory uses or structures shall be on the same lot as the principal “USTEB” use structure and located subject to the Development Standards of the zoning district in which it is located.</p>
1167.19 Public Nuisance Regulations	<p>Changed the wording as follows: (a) <u>Prevention of Nuisance.</u> Every accessory use structure “USTEB” subject to the provisions of this Zoning Ordinance shall be located, arranged and operated in accordance with the following provisions so that it will not interfere with the development and enjoyment of adjacent property.</p>
1167.20 (b) Property Perimeter Requirements	<p>Changed the wording as follows: (b) Unless noted differently below, when a zoning classification abuts another zoning classification a minimum landscape with a buffer zone of three feet minimum height and width is required, which shall contain materials to achieve the opacity required, as follows (requirements can go both ways on zones):</p>
1169.02 Public Hearing Advertisement	<p>Changed the wording as follows:</p>

	<p><u>Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application, notice of which shall include place, time, date and nature of such applied for in a newspaper of general circulation in the City during the calendar week prior to the public hearing.</u></p> <p><u>Written notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The failure of delivery of such notice shall not invalidate any such application. The names and addresses of all property owners entitled to notice of the public hearing shall be furnished by the applicant.</u></p> <p><u>Where the subject of such public hearing involves fifty (50) or more of the property owners of the City, then written notice to owners of the hearing, as provided in the preceding paragraph, shall not be required.</u></p> <p>Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application, notice of which shall include place, time, date and nature of such applied for in a newspaper of general circulation in the Municipality during the calendar week prior to the public hearing. Notice of said hearing shall also be mailed by ordinary mail to the street addresses of contiguous property owners of the property for which said hearing is being held. The names and addresses of all property owner entitled to notice of the public hearing shall be furnished by the applicant.</p>
1169.04 (d) Actions of the Planning Commission	<p>Added the following:</p> <p><u>(d) After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken which shall contain the motion as carried by the Planning Commission to include any conditions.</u></p>
1171.02 (a) Permits	<p>Changed the wording as follows:</p> <p>(a) No new fence shall be erected without an approved permit, which must clearly be displayed during construction. Replacement of a fence shall be allowed without a fence permit provided materials, height and location do not vary from existing fence <u>and the placement is conforming to the current code.</u></p>
1171.02 (c) Permits	<p>Added the following:</p> <p><u>(c) It is the responsibility of the applicant to verify all applicable deed restrictions. If the required information regarding deed restrictions has been misrepresented, the permit shall be revoked and the fence shall be removed.</u></p>
1171.03 (j) (1) (C) Fence Standards	<p>Changed the wording as follows:</p> <p>“C. Spacing between vertical members of a <u>wood or vinyl</u> fence shall not exceed one and three quarter inches (1¾”) in width.”</p>
1171.03 (j) (1) (F) Fence Standards	<p>Added the following:</p> <p><u>F. Spacing between vertical members of a decorative metal fence shall be no more than four inches (4”) and any gate shall have no opening greater than one-half inch (1/2”) within eighteen inches (18”) of the release mechanism.</u></p>

1173.02 (b) Definitions	<p>Changed wording as follows:</p> <p>(b) “Portable temporary storage unit” shall mean a transportable unit designed and used primarily for temporary storage of building materials (before they are utilized for building purposes); household goods; and other such materials for use on a limited basis only on residential property. Such unit shall not be considered an accessory use structure “USTEB” as defined in Chapter 1123 Definitions. Job trailers or tool sheds sited in conjunction with a building project shall not be regulated by Chapter 1173.</p>
1173.07 (a) Construction Waste Receptacles	<p>Changed wording as follows:</p> <p>1173.07 CONSTRUCTION WASTE RECEPTACLES.</p> <p>(a) Construction waste receptacles may be located on residential property in conjunction with a valid building permit for a building or site improvement project, or for home improvement projects that do not require a building permit such as roof, siding or window replacement. No more than one (1) construction waste receptacle may be located on a single-family residential property at one time. In the case of a two-family, or multi-family dwelling, no more than one unit per address shall be permitted.</p>
1175.05 (e) General Development Standards	<p>Changed the wording as follows:</p> <p>(e) Meals. Only one meal shall be served to each guest of the bed and breakfast inn and that meal shall be breakfast. The sale and consumption of alcoholic beverages to paying guests is prohibited in a bed and breakfast inn.</p>
1175.05 (i) General Development Standards	<p>Changed the wording as follows:</p> <p>(i) Guest Register. A guest register listing the name, address and phone number of all paying guests shall be maintained by the owner/manager for a period of 12 months and shall be made available for inspection by City officials.</p>
1177.03 (a) Standards	<p>Changed the wording as follows:</p> <p>(a) Home occupations meeting the regulations of this chapter shall only be permitted in the Single Family Residential Zoning Districts ER-1, ER-2, SF-1, SF-2, SF-3, R-4, Planned Residential Districts PRD and PRCD; multi family districts, MRI, AR MFRD; and Olde Gahanna Downtown Single Family Residential, and Olde Gahanna Mixed Use Neighborhood Downtown Multi-Family Districts.</p>
1177.05 (a) Applications Forwarded to Planning Commission	<p>Changed the wording as follows:</p> <p>(a) The Planning Commission shall act upon a home occupation application within twenty-one 30 days of the public hearing. Before approving or denying the application before it, the Planning Commission shall hold at least one public hearing on such application, notice of which shall include place, time, date and nature of such applied for in a newspaper of general circulation in the City during the calendar week prior to the public hearing. Said public hearing shall be advertised in a newspaper of general circulation during the calendar week prior to the public hearing. The Planning Commission may approve a home occupation permit only if the following criteria are met:</p>

1177.06 Home Occupation Approval	<p>Changed the wording as follows: 1177.06 HOME OCCUPATION APPROVAL.</p> <p>(a) The Planning and Zoning Administrator <u>or their designee</u> shall issue a Home Occupation Permit after such home occupation application is approved by the Zoning Administrator or the Planning Commission. <u>After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken, which shall contain the motion as carried by the Planning Commission to include any conditions.</u></p> <p>(b) The Council Office shall maintain a record file of all applications for home occupations including all action taken on each application. The Clerk <u>of Council</u> shall advise the <u>Planning</u> Commission of any application approved by the Planning and Zoning Administrator <u>or their designee</u> under the provisions of Section 1177.04 at the first regular meeting of the <u>Planning</u> Commission following such approval action.</p>
1179.02 Definition	<p>Changed wording as follows: As used in this chapter, "satellite earth station" means an antenna of any greater than one (1) meter in diameter, any shape or description designed for the purpose of receiving microwave transmissions directly or indirectly from satellites.</p>
1181 Person Wireless Service Facilities	<p>This entire section has been removed from the document that you are reviewing since revisions to this section were recently adopted by ORD-0068-2016.</p>
1193.07 (a) (1) (D) Stormwater System Design Criteria	<p>Changed wording as follows: Hydraulic analysis of all culverts shall be performed per Federal Highway Administration, Report No. FHWA IP 85-15, Hydraulic Design Series No. 5, "Hydraulic Design of Highway Culverts" September 1985. Culverts shall be designed to easily convey the 10-year design storm. Headwater depth shall not be within 12" of the final pavement (lowest point in road) elevation for the 50-year storm.</p>
1193.07 (c) (1) Stormwater System Design Criteria	<p>Changed the wording as follows: (1) The major storm floodway and floodway fringe for natural streams shall be as defined by the U.S. Army Corps of Engineers, the U.S. Department of Housing and Urban Development or the Ohio Department of Natural Resources, where such determinations have been made <u>Federal Emergency Management Agency (FEMA).</u></p>
1197.05 (b) Certificate of Appropriateness Required	<p>Changed the wording as follows: (b) (1) A Certificate of Appropriateness for signage shall require that have all work <u>be</u> completed within that twelve months <u>period of date of issuance.</u></p> <p>(2) A Certificate of Appropriateness for landscaping with regard to new construction shall require have all work <u>to be</u> completed within twelve months from date of occupancy. Any dead plant material shall be immediately removed and replaced at least by the next planting season. A Certificate of Appropriateness for landscaping on remodeling, reconstruction or other building modification shall <u>require</u></p>

	<p>have that all landscaping be completed within twelve months of final inspection.</p> <p>(3) Any Certificate of Appropriateness which becomes invalid shall require the applicant to reapply.</p>
1197.06 (b) Planning Commission Action	<p>Changed the wording as follows:</p> <p>(b) The Planning Commission shall review each application and approve, approve with modifications or conditions or disapprove such application within forty-five days of the meeting unless said requirement is waived by the applicant. <u>After action by the Planning Commission on the application, the Clerk of Council shall mail to the applicant a Record of Action taken which shall contain the motion as carried by the Planning Commission to include any conditions.</u> Upon approval by the <u>Planning</u> Commission, the Planning and Zoning Administrator <u>or their designee</u> shall issue a Certificate of Appropriateness to the applicant within fifteen 14 days thereafter. Upon disapproval by the <u>Planning</u> Commission, the Planning and Zoning Administrator <u>or their designee</u> shall not issue a Certificate of Appropriateness for such project.</p>
1197.09 (a) (1) (H) Design Review District Standards	<p>Changed the wording as follows:</p> <p>H. Facades: Are all visible building facades addressed architecturally and contextually. For <u>projects adjacent to Big Walnut Creek</u> creekside projects, special emphasis shall be placed on creating people-oriented facades along Big Walnut Creek.</p>
1197.09 (c) (2) (B) Design Review District Standards	<p>Changed wording as follows:</p> <p>B. Other devices. Other screening devices may be necessary to protect adjacent property values depending on the development's problems and secondary impacts and should be evaluated by the Planning Commission on a case-by-case basis.</p>
1197.09 (d) (1) (A) Design Review District Standards	<p>Changed the wording as follows:</p> <p>(d) <u>Office, Commerce & Technology (DRD-4).</u></p> <p>(1) <u>Parking.</u> (Other than Chapter 1163 of the Codified Ordinances.)</p> <p>A. Parking in office, commerce and technology developments shall accommodate manufacturing employees and not degrade the appearance of the development and the general area.</p> <ol style="list-style-type: none"> 1. Distance. The maximum length from the parking area to the main manufacturing structure should not exceed 600 feet. <ol style="list-style-type: none"> a. Adequate walkways and landscaped islands should be distributed throughout the office, commerce and technology development. These should emphasize the use of perimeter and central landscape features and easily observe patterns of circulation. 2. Lighting. The devices that illuminate the parking area of the office, commerce and technology facility should be of decorative nature to ensure visual interest as well as compliance with lighting requirements. Metal halide lighting shall be encouraged.

	<p>3. Access. The office, commerce and technology facility should be limited in number of accesses but well defined to all traffic. Use of decorative directional signage should be utilized to minimize problems with vehicular traffic. Entrance and exit lanes should be separated by a median of twenty feet which should contain dense vegetation and trees.</p> <p>4. Location. The Planning Commission should be concerned with the location of the proposed parking area and the screening design that will minimize visual contact with the general public. Parking areas should be behind the office, commerce and technology facility.</p>
1197.09 (d) (2) (B) Design Review District Standards	<p>Changed the wording as follows: B. Aesthetics. Ponds streams or other waterways are encouraged in office, commerce and technology developments to promote aesthetic qualities that otherwise may not be present in the development. Minimizing externalities such as noise, pollution, and refuse that are associated with manufacturing processes should be accomplished to preserve land values and to maintain the aesthetics rural nature of the City community. More aggressive measures may be required to protect the natural environment from manufacturing facilities. The piping of natural watercourses shall be discouraged.</p>
1197.09 (f) Design Review District Standards	<p>Changed the wording as follows: (f) Residential Districts with Future Conditional Uses (DRD-6).</p>
1197.11 Action on Applications to be Recorded	<p>Deleted the following: 1197.11 ACTION ON APPLICATIONS TO BE RECORDED. The Planning Commission shall maintain a record of all applications for a Certificate of Appropriateness including all action taken on each application.</p>