

RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

ORDINANCE NO. 44-2016

TO AMEND UDO §4.06(C)(7) – PREPARATION OF STAFF REPORT; UDO §6.01(B)(6) – BUILDING SETBACK – RESIDENTIAL DISTRICTS; UDO §6.03(B) – GENERAL REQUIREMENTS; AND UDO §6.08(C) – MINIMUM SITE LIGHTING CRITERIA; RELATIVE TO THE UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, staff has proposed amendments to the Unified Development Ordinance including the preparation of staff reports, building setbacks in a Residential Community Development District, parking and driveway requirements, and site lighting criteria;

WHEREAS, the Board of Zoning and Planning has reviewed and recommended the proposed amendments at its September 19, 2016 meeting;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Upper Arlington, Ohio:

SECTION 1. That Council hereby waives the requirement of Section 731.19 of the Ohio Revised Code that this Ordinance contain the entire section of the Unified Development Ordinance that is being amended.

SECTION 2. That UDO §4.06(C)(7) – Preparation of Staff Report is hereby amended to read as follows:

(7) Preparation of staff report: The Director of Community Development shall prepare its staff report providing an analysis of the proposal and a recommendation. The Director shall consider comments from the TRC in formulating its recommendation. The application and written report shall be forwarded to BZAP ~~three (3) working~~ two (2) calendar days prior to the meeting at which BZAP will consider the application.

SECTION 3. That UDO §6.01(B)(6) – Building setback – Residential districts is hereby amended to read as follows:

(6) Building setback - Residential districts: The building setback line shall be established from the edge of the right-of-way or the edge of an access easement. It shall be equal to the building setbacks listed in Table 5-E unless otherwise platted, in which case the platted setback shall take precedence as the minimum standard. The setbacks in the RCD, Residential Community Development District, shall be established by development standards approved by the Board of Zoning and Planning and City Council, and shall take precedence in all cases over the platted setback.

Building setback - Commercial, office and planned mixed use districts: The building setback line shall be established from the edge of the right-of-way or the edge of an

access easement. It shall be equal to the building setbacks listed in Table 5-G and shall take precedence in all cases over the platted setback.

SECTION 4. That UDO §6.03(B) – General Requirements is hereby amended to read as follows:

(B) *General requirements:* The following general requirements apply:

(1) *Parking, stacking and loading space required:* When any building or structure is erected, modified, enlarged, or increased in capacity, or any open use is established, modified, or enlarged, the requirements of this section shall be met. For enlargements, modifications, or increases in capacity, the requirements of this section shall apply only to such enlargements, modifications, or increases in capacity. ~~In the planned mixed use district the amount of parking provided shall not exceed three (3) spaces per one thousand (1,000) gross square feet of development.~~ In other cases of mixed use occupancy, the minimum number of parking, stacking, and loading spaces shall be the cumulative total of individual use requirements unless otherwise specified (Table 5-G, Commercial Development Standards).

(G) *Design standards:* For the purposes of this section, non-residential shall mean all commercial, office and institutional properties and uses. The term shall further include multi-family residential dwellings consisting of four (4) units or more. The following design standards shall apply to both residential and non-residential properties and uses, unless otherwise indicated:

(1) *Design:* Parking facilities shall be designed and constructed to allow unobstructed movement into and out of each parking space without interfering with fixed objects or vehicles; minimize delay and interference with traffic on public streets and access drives; and maximize sight distances from parking lot exits and access drives. All off-street parking spaces in parking lots shall have access from parking lot driveways and not directly from streets.

(2) *Screening:* Screening for non-residential properties and uses shall be provided per Subsection 6.07(K), landscaping, screening, and buffering.

~~(3) *Minimum distances and setbacks:* No part of any parking area for more than five vehicles shall be closer than four feet to any dwelling, school, hospital, or other institution for human care located on an adjoining lot, unless screened by a suitable solid wall or fence, provided that parking areas for motor vehicles, including trucks and buses, shall also comply with the provisions of Section 6.07, landscaping, screening and buffering.~~

~~(4) *Lighting:* Lighting for non-residential properties and uses shall be provided per Section 6.08, on-site lighting.~~

~~(5) — Yard requirements: Subject to the limitations of Tables 5 E and 5 G, off street parking spaces may occupy all or any part of any required side or rear yard and up to forty percent (40%) of any required court. However, in no event, shall any required front yard or the side yard along the side street in the case of a corner lot be occupied by such parking space.~~

(a) *Residential driveways:*

- To ensure the location of driveway flares in front of the subject property, a driveway shall maintain a minimum three (3) feet setback from the (continued) side property line at the street, unless there is a shared driveway.
- A driveway shall be six (6) feet or more from another driveway, except for a common drive serving two (2) adjoining lots, which uses a common driveway apron.
- A driveway serving a residence shall have a minimum throat width of ~~ten (10)~~ eight (8) feet and a maximum throat width of eighteen (18) feet. Shared residential drives shall not exceed a combined throat width of twenty-four (24) feet.
- A driveway shall consist of an approved impervious material (i.e. concrete, asphalt, concrete pavers, etc.) Permeable pavement materials such as porous asphalt or concrete, modular or permeable pavers, or similar products, may be approved subject to review and approval by the Director of Community Development.
- ~~• A driveway expansion utilized or dedicated as a parking stall shall be located behind the front building line and shall maintain a minimum 3' setback from the property line. The Director of Community Development may permit parking stalls to be constructed in the required front yard if all the following criteria are met: 1) The property does not have a garage or has a one-car garage with no capacity to expand; 2) The property has a width of sixty-five (65) feet or less; and 3) The property has limited access to the rear yard and would not allow access to a detached garage.~~
- Residential properties, not located in the Upper Arlington Historic District, may be permitted to install one (1) dedicated parking space forward of the front building setback line, subject to approval of a certificate of zoning compliance (CZC) which demonstrates compliance with the following five (5) conditions:
 - 1) The dedicated parking space shall maintain a minimum setback of ten (10) feet from the public right-of-way line and three (3) feet from the side property line;
 - 2) Evergreen and perennial landscaping shall be required to screen the outer perimeter of the parking space to a minimum fifty percent (50%) opacity during all seasons of the year;
 - 3) The parking space must be parallel and continuous to the existing driveway;

4) Front yard development coverage shall not exceed twenty-five percent (25%) and overall site development coverage shall not exceed the limits set forth in Table 5-F; and

5) The dedicated parking space and access throat area shall not exceed a total of two hundred fifty (250) square feet.

- Residential parking spaces shall not be occupied by recreational vehicles, commercial vehicles, boats, or trailers, unless in compliance with Subsection 6.09(D)(5).

~~• Evergreen landscaping shall be required to screen the parking stall to a minimum fifty percent (50%) opacity as viewed from the street. The parking stall shall be installed parallel to the driveway and shall not be located in front of the residence.~~

- The driveway flare shall be a minimum distance of thirty-two (32) feet from a street intersection.

SECTION 5. That UDO §6.08(C) – Minimum site lighting criteria is hereby amended to read as follows:

(C) *Minimum site lighting criteria:* All outdoor lighting shall meet the following standards:

(1) *0.5 footcandles minimum maintained:* As measured at grade in all parking and loading areas and pedestrian pathways, actual site measurement compliance shall not drop below this stated minimum. For design purposes, the light loss factor (LLF) shall be calculated per current Illuminating Engineering Society of North America (IESNA) standards.

~~(a) 0.7 LLF for incandescent, metal halide, and mercury vapor lamp sources.~~

~~(b) 0.8 LLF for fluorescent and sodium lamp sources.~~

(F) *Non-essential illumination:* All non-essential lighting ~~should~~ shall be turned off by 10:00 11:00 p.m. or when not in use. The use of timers or motion sensors is encouraged. Public spaces that are frequented at night should stay illuminated until closed.

(G) *Energy efficiency and Dark Skies:* In order to promote energy efficiency and Dark Skies, light-emitting diode (LED) and induction lighting ~~should~~ shall be considered before incandescent, halogen, florescent, ~~mercury vapor~~ or high pressure sodium lamp fixtures. Narrow band amber LED (NBALED), Phosphor-converted amber LED (PCALED), Filtered LED, Low Temperature (1800K-2700K) white LED or Low-Pressure Sodium (LPS) are all encouraged.

SECTION 6. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: October 24, 2016

President of Council

ATTEST: _____
City Clerk

I, Ashley Ellrod, City Clerk of Upper Arlington, Ohio, do hereby certify that the above is a true and correct copy.

City Clerk

CERTIFICATE OF POSTING

I, Ashley Ellrod, City Clerk of the City of Upper Arlington, Ohio, do hereby certify that publication of the foregoing was made by posting a true copy of Ordinance No. 44-2016 at the most public place in said corporation as determined by the Council, the Municipal Building, 3600 Tremont Road, for a period of ten (10) days commencing October 25, 2016.

City Clerk of the City of Upper Arlington

Vote Slip

Sponsor: Mr. Adams
Date Introduced: October 10, 2016

Legal Ad:
Newspaper:

Reading Date(s): October 10, 2016: October 24, 2016

Voting Aye: Unanimous
Voting Nay:
Abstain:
Absent:

Date of Passage: October 24, 2016

City Council Conference Session/Other Review: October 3, 2016

Other: Thirty Day Clause;

