

COMMITTEE

**COLUMBUS CITY COUNCIL**

I Certify Compliance with Title 39

As of (Date) \_\_\_\_\_

INTRODUCED BY

Ordinance No. \_\_\_\_\_

Authorized Signature

DATE OF FIRST READING

Resolution No. \_\_\_\_\_

**CITY ATTORNEY:** This ordinance has been reviewed by the City Attorney's Office as to its form and legality only.

30 Day \_\_\_\_\_ Emergency \_\_\_\_\_

By: \_\_\_\_\_ Date: \_\_\_\_\_

FLOOR ACTION  
(Clerk's Office Only)

**AUDITOR'S CERTIFICATE**

I hereby certify that there is in the treasury, or anticipated to come into the treasury, and not appropriated for any other purpose, the amount of money specified hereon, to pay the within ordinance.

Date: \_\_\_\_\_ No.: \_\_\_\_\_

Fd No. \_\_\_\_\_ Div.No. \_\_\_\_\_ Ch.: \_\_\_\_\_

By: \_\_\_\_\_ Amt: \_\_\_\_\_

City Auditor or Deputy Auditor

**EXPLANATION OF LEGISLATION**

**DEPARTMENT OF DEVELOPMENT  
BACKGROUND:**

Two planning overlays, unique to Morse Road and a portion of North High Street, were developed and approved in 2002. Though named for specific geographies, the 'Morse Road Planning Overlay' and 'High Street North of Morse Road Planning Overlay' contain provisions that may be applicable to other roadways and corridors. To avoid the proliferation of unique, geography-specific names as additional overlay districts are created, the Planning Division is seeking to rename the overlays with generic titles: 'Regional Commercial Overlay' and 'Community Commercial Overlay'. In addition, the language within the text of each overlay will be made generic to simplify the application and enforcement of the overlay provisions, enable future overlay areas to be created and ensure consistency in the zoning code.

**FISCAL IMPACT: None**

David Hall (645-6556)

Contact: For Questions – Phone  
On this Legislation

Approved (Division Head)

Approved (Department Head)

**TITLE (BRIEF DESCRIPTION)**

To modify Chapter 3372, "Planning Overlay", of the Columbus Zoning Code (Title 33) by renaming the 'Morse Road Planning Overlay' and 'High Street North of Morse Road Planning Overlay' with generic titles in order to apply their standards to additional corridors and/or areas, thereby creating a three-tiered structure of overlay districts.

MAYOR'S ACTION

COUNCIL ACTION

**WHEREAS**, the Columbus City Council adopted Urban Commercial Overlay legislation in 1999 to protect, re-establish and retain the unique aesthetic and architectural characteristics of urban commercial corridors; **and**

**WHEREAS**, the Columbus City Council subsequently adopted the Morse Road Planning Overlay and High Street North of Morse Road Planning Overlay in 2002 to sustain and promote pedestrian-friendly, safe and aesthetically pleasing development along Morse Road and a portion of North High Street; **and**

**WHEREAS**, all three overlays contain provisions that are applicable to additional roadway corridors and/or intersections; **and**

**WHEREAS**, the Morse Road Planning Overlay and High Street North of Morse Road Planning Overlay, unlike the Urban Commercial Overlay, contain specific references to geographic areas in their titles and codified text; **and**

**WHEREAS**, removing the specific geographic references contained in the Morse Road Planning Overlay and High Street North of Morse Road Planning Overlay will enable the Planning Division to apply the overlays to additional districts, simplify the application and enforcement of the overlay provisions and ensure consistency in the zoning code; **now, therefore,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**Section 1.** That the existing Section 3372.601 of the Columbus City Codes, 1959, is hereby amended to read as follows:

Building Frontage: "Building frontage" means the side, or facade, of a building closest to and most nearly parallel to an abutting street.

Building Frontage, Primary: "Primary building frontage" means a building frontage that abuts a street listed as a primary street in the applicable Overlay Areas subsection of this chapter in the Columbus Thoroughfare Plan.

Building Frontage, Secondary: "Secondary building frontage" means a building frontage that abuts an alley or a street not listed as a primary street in the applicable Overlay Areas subsection of this chapter in the Columbus Thoroughfare Plan.

Building Rear: "Building rear" means the wall or plane opposite the primary building frontage. For a building on a corner lot, the building rear is the wall or plane opposite the wall or plane containing the principal building entrance.

Drive-Thru: "Drive-thru" means a building or portion thereof that, by design, permits of a building designed for customers to receive goods or services while remaining in a motor vehicle.

Parking Lot: "Parking lot" means any off-street public or private area, under or outside of a building or structure, designed and used for the temporary storage of motor vehicles.

Principal Building: "Principal building" means a building in which the principal use of the property is conducted. All parcels containing at least one building shall be deemed to have a principal building. A parcel may contain more than one principal building.

Public-Private Setback Zone: "Public-private setback zone" means an area between a principal building and a public street right-of-way line utilized for seating, outdoor dining, public art and/or other pedestrian amenities.

Reconstruction: "Reconstruction" means the replacement or rebuilding of a building, premises or structure.

Setback: "Setback" means the distance between a lot line or right-of-way line and a building, structure, defined outdoor area serving as the primary activity, parking lot, or vehicular circulation area building, structure or parking lot and any lot line or street right-of-way line.

**Section 2.** That the existing Section 3372.603 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3372.603 Purpose.**

The purpose of the Urban Commercial Overlay (UCO), consisting of Columbus City Code Sections 3372.601 through 3372.699, inclusive, is to regulate development in specifically designated areas in order to protect, re-establish and retain the unique architectural and aesthetic characteristics of older, urban commercial corridors. Such corridors are typically characterized by pedestrian-oriented architecture, building setbacks ranging from 0-10 feet, rear parking lots, commercial land uses, a street system that incorporates alleys and lot sizes smaller than 0.5 acre. The provisions of the UCO are intended to encourage pedestrian-oriented development featuring retail display windows, reduced building setbacks, rear parking lots, and other pedestrian-oriented site design elements. Where applied, UCO standards generally require full compliance for new construction, partial compliance for exterior building additions and alterations and minimal or no compliance for routine maintenance and the replacement in-kind of materials.

**Section 3.** That the existing Section 3372.605 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3372.605 Overlay Areas. Designated Areas.**

The boundaries of designated UCO areas are part of the Official Zoning Map and described in separate sections beginning with C.C. 3372.650 and ending with C.C. 3372.699. For the purposes and requirements of an Urban Commercial Overlay area, the term “primary street” means:

Third Avenue  
Fourth Street  
Fifth Avenue  
Fifth Street  
Broad Street  
Cleveland Avenue  
Front Street  
Indianola Avenue  
High Street  
Hudson Street  
Lane Avenue  
Livingston Avenue  
Long Street  
Main Street  
Mt. Vernon Avenue  
Parsons Avenue  
Summit Street

**Section 4.** That the subchapter entitled “High Street: North of Morse Road Planning Overlay”, codified as part of Chapter 3372, “Planning Overlay” of the Columbus Zoning Code (Title 33), be re-titled to “Community Commercial Overlay”.

**Section 5.** That the existing Section 3372.800 of the Columbus City Codes, 1959, is hereby repealed.

**Section 6.** That the existing Section 3372.801 of the Columbus City Codes, 1959, is hereby repealed.

**Section 7.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.801, which reads as follows:

**3372.801 Definitions.**

Building Frontage: “Building frontage” means the side, or facade, of a building closest to and most nearly parallel to an abutting street.

Building Frontage, Primary: “Primary building frontage” means a building frontage that abuts a street listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Building Frontage, Secondary: “Secondary building frontage” means a building frontage that abuts an alley or a street not listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Drive-Thru: “Drive-thru” means a building or portion thereof that, by design, permits customers to receive goods or services while remaining in a motor vehicle.

Setback: “Setback” means the distance between a lot line or right-of-way line and a building, structure, defined outdoor area serving as the primary activity, parking lot, or vehicular circulation area.

**Section 8.** That the existing Section 3372.802 of the Columbus City Codes, 1959, is hereby repealed.

**Section 9.** That the existing Section 3372.803 of the Columbus City Codes, 1959, is hereby repealed.

**Section 10.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.803, which reads as follows:

**3372.803 Purpose.**

The Community Commercial Overlay is established to apply additional and specific standards germane to the development pattern and community directions for certain commercial corridors. Such corridors are typically characterized by pedestrian-oriented and/or vehicular-oriented architecture, building setbacks ranging from 20-40 feet, commercial land uses and lot widths of at least 50 feet.

The overlay standards are intended to achieve the following objectives:

Establish, reinforce and enhance the character and pedestrian-oriented development patterns of quasi-urban commercial corridors;

Implement appropriate building and parking setback standards that accommodate redevelopment and establish continuity and consistency along the corridors; and

Promote development that features landscaping, façade transparency, rear parking lots, user-friendly access, and appropriately scaled lighting and signage.

**Section 11.** That the existing Section 3372.804 of the Columbus City Codes, 1959, is hereby repealed.

**Section 12.** That the existing Section 3372.805 of the Columbus City Codes, 1959, is hereby repealed.

**Section 13.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.805, which reads as follows:

**3372.805 Overlay Areas.**

The boundaries of the Community Commercial Overlay areas are part of the Official Zoning Map and shall be described in separate sections beginning with C.C. 3372.850 and ending with C.C. 3372.899. For the purposes and requirements of a Community Commercial Overlay area, the term “primary street” means:

High Street

**Section 14.** That the existing Section 3372.806 of the Columbus City Codes, 1959, is hereby repealed.

**Section 15.** That the existing Section 3372.807 of the Columbus City Codes, 1959, is hereby repealed.

**Section 16.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.807, which reads as follows:

**3372.807 Applicability and Extent**

(A) Routine maintenance and in-kind replacement of materials are exempt from the provisions herein.

(B) The placement or replacement, construction or reconstruction, of a building is subject to all the provisions herein.

(C) The expansion of a building's gross floor area by more than fifty (50) percent is subject to all the provisions herein.

(D) The extension or expansion of a building towards a public street is subject to all the provisions herein.

(E) The exterior alteration, enhancement, or reconfiguration of a building frontage, other than that listed above, is subject to all applicable provisions that the director determines can reasonably be met.

(F) The construction or installation of a parking lot, graphic, exterior lighting, fence, or other accessory structure is subject to all the applicable provisions herein.

**Section 17.** That the existing Section 3372.808 of the Columbus City Codes, 1959, is hereby repealed.

**Section 18.** That the existing Section 3372.809 of the Columbus City Codes, 1959, is hereby repealed.

**Section 19.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.809, which reads as follows:

**3372.809 Setback Requirements.**

(A) Along a primary street, the setback for a building or structure shall be twenty-five (25) feet, plus or minus two (2) feet; however, a maximum of one-third (1/3) the overall width of such building or structure may be located up to five (5) feet in advance of and/or up to fifteen (15) feet beyond the twenty-five (25) foot line.

(B) Along a street that is not a primary street, the setback for a building or structure shall be a minimum of ten (10) feet and a maximum of twenty-five (25) feet.

(C) The setback for a building or structure from an interior lot line shall be a maximum of fifty (50) feet at the front building line.

(D) The setback for a parking lot along a primary street shall be a minimum of twenty-five (25) feet and a minimum of five (5) feet along any other public way.

(E) The setback for any vehicular circulation area, such as a drop-off drive, along a primary street shall be a minimum of ten (10) feet.

(F) When the primary activity occurs predominantly outside of a structure, such as a car sales lot, miniature golf facility, or mulch sales, the setback for such activity shall be a minimum of twenty-five (25) feet along a primary street; and a minimum of ten (10) feet along any other public way or along a lot line that borders (disregarding alleyways) a residentially-zoned or used property. In lieu of the tree planting requirement of section C.C.3372.807(A), such setback area shall be landscaped and planted with at least one (1) shade tree and three (3) evergreen shrubs per thirty (30) lineal feet, or fraction thereof.

**Section 20.** That the existing Section 3372.810 of the Columbus City Codes, 1959, is hereby repealed.

**Section 21.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.810, which reads as follows:

**3372.810 Accessibility.**

(A) A minimum five (5) foot wide public sidewalk shall be provided along each street (excluding alleys) and extending the breadth of the lot and connecting to the sidewalks on adjacent properties, with the interior edge of a sidewalk along a primary street being located at least eight (8) feet from the curb.

(B) A pedestrian walkway shall be provided from the public sidewalk to a primary entrance.

(C) A primary building frontage shall incorporate a primary operable pedestrian entrance door that provides access to the users.

(D) A pedestrian walkway shall be provided from a parking lot to a building entrance.

(E) Additional curb cuts along a primary street will not be permitted unless the director of public service determines that a new curb cut is the only means available to provide vehicular access to the site and that the proposed curb cut location meets all city standards and requirements.

**Section 22.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.811, which reads as follows:

**3372.811 Design Standards.**

(A) A principal building shall be oriented to face and nearly parallel a primary street.

(B) The width of a principal building(s), including any significant architectural appurtenances thereto, along a primary building frontage shall be a minimum of sixty (60) percent of the lot width; except for a building serving a primary activity that occurs predominantly outside a structure.

(C) The height of a building shall be a minimum of sixteen (16) feet above grade.

(D) A building frontage that exceeds a width of fifty (50) feet shall incorporate articulation and offset of the wall plane to inhibit a large expanse of blank wall and add interest to the façade.

(E) For a primary building frontage of a commercial use, a minimum of forty (40) percent of the area between the height of two (2) feet and ten (10) feet above grade shall be in clear window glass that permits a full, unobstructed view of the interior to a depth of at least four (4) feet. For the secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of ten (10) feet.

(F) Any drive-thru pickup window or canopy shall be attached to the principal building and be located at the rear or side of the building.

(G) Any roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening must be architecturally compatible with the rooftop and the aesthetic character of the building.

(H) Backlit awnings are not permitted.

**Section 23.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.812, which reads as follows:

**3372.812 Landscaping and Screening.**

(A) The front yard shall be planted with live vegetation and a shade tree(s), except for paved areas expressly designed for vehicular and pedestrian use. The number of shade trees required is determined by the rate of one (1) tree per fifty (50) lineal feet, or fraction thereof, of frontage.

(B) Screening shall be provided along a lot line that borders (disregarding alleyways) a residentially-zoned or used property. A screen, such as a fence or evergreen plants, shall maintain a minimum seventy-five (75) percent opacity and permanently obstruct the view to a height of six (6) feet.

(C) A parking lot or vehicular circulation area shall be screened from all abutting public streets with a decorative wall or fence (excluding chain link), or a continuous row of shrubs to a minimum height of three (3) foot high (two (2) feet at time of planting) and a maximum height of five (5) feet. Screening must be maintained to provide opacity of not less than seventy-five (75) percent. Mounding may be used in conjunction with landscaping provided the slope is no greater than a four to one (4:1) ratio. In general, the standards for parking lot screening in section C.C.3342.17(c), applies.

(D) In addition to other landscaping requirements, shade trees shall be provided in and around a parking lot at a rate of one (1) tree for every ten (10) parking spaces, or fraction thereof. For parking lots of over forty (40) spaces, at least half the trees shall be located

within the interior of the parking lot. A minimum soil area of one-hundred (100) square feet shall be provided for each tree.

(E) At the time of planting, a new shade tree shall have a minimum two (2) inch caliper trunk and new shrubs for screening shall have a minimum height of two (2) feet. All plants and landscaped areas shall be maintained in a neat and healthy condition. Replacement plants must be planted no later than the next planting season; and shall also meet the size requirements herein.

(F) Any dumpster or ground-mounted mechanical equipment shall be located at the rear of the building and screened from public view to the height of the dumpster/equipment.

**Section 24.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.814, which reads as follows:

**3372.814 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. Area lighting fixtures shall direct light downwardly, i.e. cut-off type fixtures.

(B) The average horizontal illumination level on the ground shall not exceed two (2) 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 (1/2) footcandle.

(C) The height of any source of exterior area lighting shall not exceed eighteen (18) feet above grade.

(D) For pedestrian, architectural, or period type fixtures, low light levels shall be used and the height of the fixture shall not exceed fourteen (14) feet above grade.

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

(F) Security lighting shall be from 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.

(G) 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.

**Section 25.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.815, which reads as follows:

**3372.815 Parking and Circulation.**

(A) A parking lot or stacking space is not permitted between the principal building and a public street right-of-way line.

(B) A parking lot shall be located at the rear of the principal building; however, up to half the number of parking spaces provided may be located at the side of the building.

(C) The director may reduce the required number of off-street parking spaces by up to fifty (50) percent after giving due consideration to the following factors:

- (1) Type of land use/development;
- (2) Hours of operation;
- (3) Pedestrian traffic and accessibility;
- (4) Availability of transit service;
- (5) Opportunities for shared parking;
- (6) Availability of on street parking;
- (7) Availability of other public parking;
- (8) Elimination of arterial curb cuts; and

(9) Recommendation from the area commission.

(D) The director may reduce the required number of loading spaces after giving due consideration to the following factors:

- (1) Frequency and time of deliveries;
- (2) Necessary size and nature of delivery vehicles;
- (3) Impact on adjoining streets or alleys; and
- (4) Neighborhood character.

**Section 26.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.816, which reads as follows:

**3372.816 Graphics.**

(A) In addition to all other code provisions, any new graphic or sign, other than a like-kind replacement for maintenance reasons, is subject to all the provisions of this section.

(B) The following types of signs are not permitted: projecting, roof-mounted, monopole, co-op, rotating, signs with flashing messages or bare bulbs, changeable copy signs, signs on backlit awnings, off-premise signs, billboards, and bench signs.

(C) A graphic or sign for a commercial use shall comply with provisions, in particular the Table of Elements, as they pertain to a Commercial Planned Development District (CPD); i.e. using a mass factor of two (2) to determine the allowable graphic area.

(D) Ground Sign. Only one ground sign is permitted per development parcel; however it may include the names of all the major tenants of that parcel. Only a monument type ground sign is permitted. The sign base shall be integral to the overall sign design and compliment the design of the building and landscape. The setback for a ground sign shall be a minimum of fifteen (15) feet. The height of a ground sign shall not exceed six (6) feet above grade.

(E) Wall Sign. Multiple wall signs, including those for individual tenants, are permitted on the primary building frontage provided the aggregate graphic area does not exceed the allowable graphic area for its building frontage. Each tenant is permitted a wall sign of a size determined by the wall area corresponding to its individual frontage provided the aggregate graphic area of all individual tenant signs does not exceed the allowable graphic area for its corresponding building frontage. For a use fronting on more than one (1) street, a wall sign with a maximum area of thirty (30) square feet is permitted on the secondary building frontage.

(F) The following signs are permitted in addition to the uses' primary sign:

(1) Drive-thru menu board(s) with a total graphic area not to exceed twenty (20) square feet;

(2) Temporary window signs with a total graphic area not to exceed ten (10) square feet provided they are not displayed for more than twenty (20) consecutive days and no more than five (5) times within a period of a year; and

(3) Signs associated with identifying the sale of gasoline with a graphic area not to exceed five (5) square feet.

(G) When indirectly lighting a ground sign, the light source shall be screened from motorist view.

**Section 27.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.860, which reads as follows:

**3372.860 High Street Community Commercial Overlay**

The provisions of the Community Commercial Overlay shall apply to properties that front along High Street from Morse Road/Rathbone Avenue north to the City of Worthington corporation line.

**Section 28.** That the subchapter entitled “Morse Road Planning Overlay”, codified as part of Chapter 3372, “Planning Overlay” of the Columbus Zoning Code (Title 33), be re-titled to “Regional Commercial Overlay”.

**Section 29.** That the existing Introduction to the subchapter entitled “Morse Road Planning Overlay”, of the Columbus City Codes, 1959, is hereby repealed.

**Section 30.** That the existing Section 3372.900 of the Columbus City Codes, 1959, is hereby repealed.

**Section 31.** That the existing Section 3372.901 of the Columbus City Codes, 1959, is hereby repealed.

**Section 32.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.901, which reads as follows:

**3372.901 Definitions.**

Building Frontage: “Building frontage” means the side, or facade, of a building closest to and most nearly parallel to an abutting street.

Building Frontage, Primary: “Primary building frontage” means a building frontage that abuts a street listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Building Frontage, Secondary: “Secondary building frontage” means a building frontage that abuts an alley or a street not listed as a primary street in the applicable Overlay Areas subsection of this chapter.

Drive-Thru: “Drive-thru” means a building or portion thereof that, by design, permits customers to receive goods or services while remaining in a motor vehicle.

Setback: “Setback” means the distance between a lot line or right-of-way line and a building, structure, defined outdoor area serving as the primary activity, parking lot, or vehicular circulation area.

**Section 33.** That the existing Section 3372.902 of the Columbus City Codes, 1959, is hereby repealed.

**Section 34.** That the existing Section 3372.903 of the Columbus City Codes, 1959, is hereby repealed.

**Section 35.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.903, which reads as follows:

**3372.903 Purpose.**

The purpose of the Regional Commercial Overlay is to create a safe, aesthetically pleasing, economically viable, and pedestrian friendly atmosphere along certain commercial corridors. Such corridors are typically characterized by vehicular-oriented architecture, large off-street parking lots, building setbacks greater than 30 feet, strip-commercial land uses, a street system that incorporates frontage roads and lot sizes greater than 0.5 acre.

The Regional Commercial Overlay is established to meet the following objectives:

A. To establish consistent and appropriate setbacks to improve the traffic safety and aesthetics of the corridor.

B. To reduce the amount and improve the visual quality of surface parking adjacent to public right-of-ways.

C. To create safe pedestrian access on and between lots and to public right-of-ways.

D. To establish safe access to lots and encourage adequate internal circulation, through shared access and appropriate spacing between entrances.

E. To create a defined "edge" along public right-of-ways through consistent screening of adjacent surface parking lots and to provide landscaping in the interior of parking lots.

F. To provide non-hazardous lighting of lots.

**Section 36.** That the existing Section 3372.904 of the Columbus City Codes, 1959, is hereby repealed.

**Section 37.** That the existing Section 3372.905 of the Columbus City Codes, 1959, is hereby repealed.

**Section 38.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.905, which reads as follows:

**3372.905 Overlay Areas.**

The boundaries of the Regional Commercial Overlay areas are part of the Official Zoning Map and shall be described in separate sections beginning with C.C. 3372.950 and ending with C.C. 3372.999. For the purposes and requirements of a Regional Commercial Overlay area, the term “primary street” means:

Morse Road

**Section 39.** That the existing Section 3372.906 of the Columbus City Codes, 1959, is hereby repealed.

**Section 40.** That the existing Section 3372.907 of the Columbus City Codes, 1959, is hereby repealed.

**Section 41.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.907, which reads as follows:

**3372.907 Applicability and Extent.**

A. Applicability: The standards contained in the Regional Commercial Overlay apply as follows:

1. The placement, construction, or reconstruction of a building is subject to all provisions herein.
2. The expansion of a building’s gross floor area by more than fifty (50) percent is subject to all provisions herein.
3. The construction or installation of a parking lot or exterior lighting is subject to any provisions herein that are directly applicable to the specific improvements.
4. Routine maintenance and in-kind replacement of materials are exempt from the provisions herein.

B. Extent:

The standards contained in the Overlay are in addition to the regulations of the underlying zoning districts and the general requirements contained in the Columbus Zoning Code. Where a specific Overlay standard is imposed, it is to be followed in lieu of a general provision of the Zoning Code; where the Overlay does not address a required standard and it is otherwise contained in the Zoning Code, the Zoning Code standard must be followed.

C. Variances:

The Board of Zoning Appeals (BZA) may approve a variance to any of the standards contained herein.

**Section 42.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.908, which reads as follows:

**3372.908 Site Redevelopment.**

A. For sites that contain more than one (1) lot, with each lot being ten acres or more and developed under common standards for signage, lighting, landscaping, parking, access and/or circulation, a master plan must be submitted to, and approved by, the Columbus Development

Commission. The master plan must address the standards and requirements described in Sections 3372.909 through 3372.915. For sites along Morse Road, master plan must also address the standards contained in the Morse Road Design Study.

**Section 43.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.909, which reads as follows:

**3372.909 Setback Requirements.**

A. The setback for building or structure along a primary street shall be a minimum of 20 feet when a parking lot is not located in front of the building. The front yard must be live vegetation, but may include pedestrian access and signs.

B. The setback for a parking lot along a primary street shall be a minimum of (10) feet. Parking lot setbacks are measured from abutting service roads when a service road is not part of the street right-of-way.

C. A lot or premises of two (2) acres or less, which has a single use, is limited to two (2) rows of parking spaces and one (1), two (2)-way maneuvering aisle in front of a building. The remaining parking must be located behind the front building façade.

D. A lot or premises of more than two (2) acres must be designed and organized to create shared parking opportunities and clearly define pedestrian circulation. Parking must be minimized in front of buildings.

**Section 44.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.910, which reads as follows:

**3372.910 Accessibility.**

A. Access points, curb cuts, shared driveways, parking layouts, and adjustments to the spacing requirements denoted in this Section must receive approval from the director of public service.

B. A pedestrian walkway must be provided along the front of a building that contains multiple tenants.

C. A pedestrian walkway must be provided from a public sidewalk to a building's primary entrance.

D. A pedestrian walkway must be provided from a parking lot to a building entrance.

E. A minimum of two hundred fifty (250) feet must be provided between curb cuts on separate lots or to public streets, as measured from pavement edge to pavement edge.

F. Curb cuts on isolated corner lots must be one hundred twenty-five (125) feet from major intersections, as measured from pavement edge to pavement edge. A corner lot is considered isolated if due to property size, minimum spacing standards cannot be achieved and where joint access that meets minimum spacing standards cannot be obtained or is undesirable in terms of conflicting land uses or traffic volumes. When joint access becomes available that addresses these concerns, then the property owner must close the permitted driveway.

G. A lot may be permitted two (2) curb cuts, when the curb cuts are spaced a minimum of six hundred (600) feet apart as measured from pavement edge to pavement edge, and when minimum spacing standards from adjacent access or public streets are met.

H. A lot that contains a building with drive-thru service may have two (2), one (1)-way curb cuts depending on site layout, location of adjacent access, and whether adjacent access is available and may be shared.

I. A lot that cannot be accessed from a service road or which cannot meet the provisions of subsections (E) or (F) or cannot be accommodated by shared access may be allowed one (1) curb cut.

J. Direct access and curb cuts to a street for an out lot developed within a shopping center under the same ownership will not be allowed unless otherwise approved by the director of public service.

K. As new development or redevelopment occurs shared curb cuts with adjoining lots must be provided, unless otherwise approved by the director of public service.

**Section 45.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.912, which reads as follows:

**3372.912 Landscaping and Screening.**

The intent of the requirements contained below is to provide adequate screening of parking lots, to create a defined "edge" along streets within the overlay boundaries, and to provide interior parking lot landscaping.

Tree plantings, landscaping, and screening are required along street frontages and in the interior of parking lots; the following standards are required:

A. Species must be installed and maintained as follows:

1. Deciduous trees must be a minimum of two and one-half (2.5) inches in caliper, as measured four (4) feet from top of soil level;
2. Ornamental trees must be a minimum of two (2) inches in caliper, as measured four feet from top of soil level;
3. Tree canopies must be maintained at a minimum of eight (8) feet from the ground;
4. Hedges and shrubs may be deciduous or evergreen but must be a minimum of twenty-four (24) inches in height and width with an expected height of thirty-six (36) inches within three (3) years; and
5. All plants and landscaped areas must be maintained in a neat and healthy condition. Replacement plants must be planted no later than the next planting season; and must also meet the size requirements herein.

B. A surface parking lot of six thousand (6,000) square feet or more or which contain twenty (20) or more parking spaces, must include five (5) percent of the parking lot in interior landscaping.

C. Landscaped islands must be installed within the interior of a parking lot in accordance with the following standards:

1. One landscape island is required for every twenty (20) parking spaces. If a site, due to its size and configuration, cannot meet this standard, two (2) landscape peninsulas may be substituted for one (1) landscape island;
2. All landscaped islands must have a minimum width of five (5) feet; and
3. Landscaped islands do not need to be uniformly spaced, but must be contained within and dispersed throughout the interior of a parking lot. Landscaped islands that define a main entranceway and separate parking areas can count towards the required five (5) percent interior landscaping.

D. A tree must be planted within the interior of a parking lot at a ratio of one (1) tree for every ten (10) parking spaces. All trees must be planted within a landscape island or peninsula.

E. A minimum three (3)-foot high continuous row of planted shrubs must be planted to screen surface parking lots from a public street to an overall opacity of seventy-five (75) percent when in leaf. Ornamental plantings, in addition to the above requirement, are not prohibited. Such row of shrubs cannot exceed two hundred (200) lineal feet without incorporating one or more of the following changes in treatment:

1. A different species of shrub;
2. A masonry pier with a minimum height of forty-eight (48) inches. The "Morse Road Stone" (Native Ohio Limestone, horizontally coursed with flush raked mortar joints. Any caps on walls or piers should be continuous natural stone caps.) must be used as the masonry material;

3. A three-foot masonry wall. The "Morse Road Stone" (Native Ohio Limestone, horizontally coursed with flush raked mortar joints. Any caps on walls or piers should be continuous natural stone caps) must be used as the masonry material; or

4. Access drive, that is compliant with all standards herein.

The following shrub species are recommended. They have been selected based on their aesthetic appearance, mature height and hardiness.

<u>Scientific Name</u>	<u>Common Name</u>
<u>Berberis thunbergii atropurpurea 'rose glow'</u>	<u>Rosey Glow Barberry</u>
<u>Cornus sericea 'kelseyi'</u>	<u>Compact Redosier Dogwood</u>
<u>Euonymus alata 'Compacta'</u>	<u>Dwarf Burningbush</u>
<u>Juniperus chinensis 'Sea Green'</u>	<u>Sea Green Juniper</u>
<u>Myrica pensylvanica</u>	<u>Northern Bayberry</u>
<u>Viburnum carlesii</u>	<u>Koreanspice Viburnum</u>
<u>Viburnum x juddii</u>	<u>Judd Viburnum</u>
<u>Viburnum x burkwoodii 'Mohawk'</u>	<u>Mohawk Viburnum</u>
<u>Spiraea x bumalda 'Anthony Waterer'</u>	<u>Anthony Waterer Spiraea</u>
<u>Syringa meyeri 'Palibin'</u>	<u>Miss Kim Lilac</u>

F. An auto dealership\* is not required to landscape, plant trees, or otherwise screen areas used solely for new and used automobile display and inventory areas, but must maintain perennial plantings or a minimum twenty-four (24) inch high continuous hedge or shrub on any perimeter, which faces or abuts a public street. Employee and customer parking must be landscaped, planted and screened to the standards of this section. Areas used for the storage of cars awaiting repair must be screened to the standards of this section if they abut a public street. All display, inventory, parking, and storage areas must be clearly delineated on a site plan.

\* Means the use of any building, lot, or other premise for the display and sale of new or used automobiles generally but may include light trucks or vans, and which may include any vehicle preparation or repair work conducted as an accessory use.

G. Loading areas that are visible from a public right-of-way must be fully screened by structures and/or landscaped to a minimum height of six (6) feet and to a minimum of ninety (90) percent opacity.

H. A dumpster must be fully screened on three sides to a minimum height of six (6) feet or a height equal to that of the dumpster, which ever is greater and must maintain a minimum ninety (90) percent opacity. The open side must not be viewable from a public right-of-way or be oriented toward a contiguous residential use or district. All measurements are from established grade.

**Section 46.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.914, which reads as follows:

**3372.914 Lighting.**

A. For general lighting, including parking lots, cut-off down lighting is required. For less intense pedestrian lighting, globe lighting may be used provided the level is no more than four thousand (4,000) lumens per fixture. All lights must be directed or shielded so as to avoid off-site light spillage.

B. All external outdoor lighting fixtures, which are being used for the same purpose, within a given development must be from the same or similar manufacturer's type to insure aesthetic compatibility.

C. Parking lot lighting must be in accordance with the following standards:

1. Light fixtures must not exceed twenty (20) feet above grade when located on a lot or premise of two (2) acres or less;

2. Light fixtures must not exceed twenty-eight (28) feet above grade when located on a lot or premise of more than two (2) acres;

3. When located within twenty-five (25) feet of a residential district the height of a light fixture must not exceed fourteen (14) feet above grade; and

4. In parking lots, lights must be placed in parking lot islands or on a solid base to protect both lights and vehicles from possible damage.

D. All on-site utilities, within a new development or a fifty (50) percent or greater expansion of a building's gross floor area, must be underground.

E. Gasoline service station canopy lighting must be recessed within a canopy and use an opaque shield around the sides of a light.

F. Searchlights are prohibited.

**Section 47.** That the Columbus City Codes, 1959, is hereby supplemented by the enactment of new Section 3372.950, which reads as follows:

**3372.970 Morse Road Regional Commercial Overlay**

The provisions of the Regional Commercial Overlay shall apply to all properties indicated on Exhibit A, "Boundary of the Morse Road Planning Overlay", as contained in Ordinance No. 1535-02.

In addition to the standards and requirements imposed by the RCO, development and redevelopment within the Morse Road Regional Commercial Overlay must also adhere to the standards and requirements of the Morse Road Design Study.

**Section 48.** That this ordinance shall take effect and be in force from and after the earliest period provided by law.