

## University Area Planning Overlay

### 3372.500 - Incorporation.

Pursuant to C.C. 3372.01 the university planning overlay development standards, enacted by Ordinance No. 1216-87, are hereby incorporated into the Zoning Code to implement community directions, the council-approved plan for this special area, and modified to implement the University District Planning Study, report to city council, dated February 28, 1991.

(Ord. 2054-92.)

### 3372.501 - Purpose.

The university planning overlay superimposed development standards over those contained in the various zoning districts within a unique part of the city, the university commission area, to protect the quality of that area. Later deficiencies were identified and modifications offered in the study. This subchapter implements those standards, modifications and guidelines and facilitates understanding, compliance and enforcement of them to achieve the following purposes:

- A. Preserve, stabilize and improve neighborhoods throughout the university area.
- B. Encourage diversity of population as important to the preservation of the university area by providing housing opportunities for a variety of lifestyles and ownership patterns.
- C. Promote the use of original contributing buildings in the university impact district.
- D. Improve the physical appearance of the university area.
- E. Address the high density of the university impact district by development standards and guidelines to improve parking availability, refuse storage capacity, open space provisions, and compatibility of new construction with existing dwellings.
- F. Promote the unique cultural and architectural character of the university area for the enjoyment of residents and visitors alike.
- G. Protect public investment in the Ohio State University through higher development standards and guidelines in the university impact district.

(Ord. 2054-92.)

### 3372.502 - Definitions.

For the purpose of this subchapter the following definitions shall apply: definitions contained within this section; definitions contained in C.C. 3116.011 to 3116.019, inclusive, excepting only those exclusively applicable to architectural review commission areas or historic preservation listed properties; and definitions contained in Chapter 3303, C.C., and not in conflict with Chapter 3116, C.C. or this subchapter.

- A. "Average cornice/eave height" means the result obtained by adding the existing cornice or eave heights, as measured from the respective finished grade line, of each principal residentially zoned and used building on each of five contiguous lots on each side of the subject lot on the same side of the street (disregarding any intersecting right-of-way 60 feet or less) and having frontage on the same street; then dividing the sum by the number of buildings measured. For calculation purposes, the cornice/eave height for a mansard-type roof or other double-pitched roof shall be the point where the roof pitch changes.

- B. "Balcony" means a platform projecting from a wall of a building. A balcony has a railing or balustrade and is differentiated from a porch in that it is either cantilevered or supported by brackets and serves as a small, open outdoor space.
- C. "Calculated floor area" means the gross floor area of all spaces, including attics, basements, cellars and crawl spaces, with a floor to ceiling height of six feet or more. Spaces and areas not included are: (1) a space obstructed by structural members, such as roof trusses; (2) the basement of an original contributing building being substantially rehabilitated, unless such space is designed or intended to be inhabited; (3) an open, covered or enclosed exterior or interior stairway (a stairway includes steps, landings, and 12 square feet of floor area per floor), lift, or other means of access from one story to another; (4) a garage or accessory building; and (5) any nonenclosed space outside the exterior walls such as, but not limited to, a porch (including screened), terrace, balcony, walkway, or deck.
- D. "Certificate of approval" means a certificate issued by the review board to an applicant stating that the proposed construction, alteration or site improvement is appropriate under the terms of the interim development guidelines of this subchapter and subsequent adopted development guidelines.
- E. "Change of use" means an increase or decrease in the number of dwelling units in a building from the number of dwelling units of record.
- F. "Contributing building" means a building determined by the review board to exhibit the architectural elements and/or lot position common to the original neighborhood character of the area, arranged in relationships reflective of that character. Although typically found in buildings built before 1950, elements of this neighborhood character may be found in successive generation buildings built to the standards of this overlay. The university neighborhood is characterized by, but not limited to: solid square building mass, two and one-half story buildings with raised first floor, ground floor porch, facade present with porch subordinate, narrow vertical windows, predominately brick material, high roof pitch with dormers and chimneys, main entry from the street, and uniform setbacks.
- G. "Cornice/eave" means a projecting building element at the top of an exterior building wall or the under part of a sloping roof overhanging a wall.
- H. "Deck" means an open and nonroofed platform supported from the ground by piers or posts. A deck's flooring shall allow passage of air and water.
- I. "Dumpster" means a cubic yard container for storing refuse as approved by the director of public service.
- J. "Finished grade line" means a reference plane established by averaging the finished ground level elevation at ten-foot intervals along a line five feet from and parallel to that portion of the foundation wall of the building and any extension thereof that faces a public street.
- K. "Floor area ratio" means the proportion between the floor area of a building(s) and its lot area. Floor area ratio is calculated by dividing the total calculated floor area by the lot area. No portion of any right-of-way shall be considered as part of the lot area.
- L. "Impact district" means the university impact district as bounded in C.C. 3372.504.
- M. "Lot area" means that area of a lot as bounded by its lot lines.
- N. "Landscaped area" means that area required to be planted with grass and/or other live vegetation.
- O. "Noncontributing building" means a building determined by the review board to exhibit architectural elements and/or lot position uncharacteristic of the original neighborhood character, arranged in relationships that are not in harmony with that character. Although typically found in buildings built after 1950, in some instances pre-1950 buildings may have been radically altered to the point of non-contributing status. Examples of intrusive, incompatible elements found in the area include, but are not limited to: massive building; facades obliterated

by decking, stairs, and multilevel porches; stairs located in the front setback; minimal or blank facade treatment; side entrances; imitation mansard-type roof or shallow-pitched roof; first floor level at or below grade; varying cornice height; varying setbacks; front-yard parking; suburban-type deck substituting as a front porch; exposed wood elements; and uncharacteristic building materials.

- P. "Porch" means a roofed projection from a building, separated from the rest of the building by its walls, and partially supported by foundation, piers, posts or columns. A porch serves as an open, well-defined area for use as an outdoor room and when required, has a railing or balustrade. A ground floor porch is accessed from either the building's interior or by steps from grade. A porch serving the second floor is accessed from either a building's interior or by stairs located behind the building line.
- Q. "Original contributing building" means a contributing building that is the first building to have been built on the originally-platted lot. Most original buildings were built prior to 1950.
- R. "Review board" means the university area review board.
- S. "Study" means University District Planning Study, report to city council, dated February 28, 1991.
- T. "Substantial rehabilitation" means a rehabilitation of a building which meets the following criteria: (1) documentation that the total construction cost, which consists of current project cost plus any cost attributable to rehabilitation of the building within two years prior to the current application, shall exceed 50 percent of the appraised value of that building, as determined from county tax records; and (2) determination shall be made that such efforts will considerably extend the utility of the building through repair, replacement, alteration or improvement which may include, but is not limited to: structural elements; mechanical, electrical, and plumbing systems; building elements (such as foundation, walls, roof, windows, or doors) and their components; and architectural elements and features (such as porches, dormers, chimneys, gutters or ornamentation).
- U. "Terrace" means a nonroofed outdoor platform serving as the roof of the structure below.
- V. "Total calculated floor area" means the combined calculated floor area of all buildings on a lot.
- W. "Walkway" means an exterior and open pedestrian circulation path either at grade or at any floor level. A walkway may be covered or uncovered, embraced by or extending from the building, and either is cantilevered, supported from the ground by piers or posts, or lies on the ground.

(Ord. 2054-92.)

3372.503 - University area.

The university area planning overlay applies to the university area, which means the university commission area as bounded in C.C. 3111.07.

(Ord. 2054-92; Ord. 1671-01 § 1.)

3372.504 - University impact district.

- (A) The University District Planning Study, Report to city council and the Plan for High Street support the need to implement appearance control within a specific portion of the University Area. This area is hereby designated as the University impact district, hereafter referred to as the impact district, and is bounded as follows:

Beginning at the centerline intersection of High Street and Arcadia Avenue; thence easterly along Arcadia Avenue approximately 257 feet; thence southerly to Dodridge Street and continuing along Pearl Street to Hudson Street; thence easterly to East Avenue; thence southerly to Kinnear Alley (the east/west alley between Hudson and Tompkins Streets); thence westerly to Pearl Street; thence southerly along Pearl Street and an imaginary extension thereof, to the east/west alley just south of Northwood Avenue;

Thence easterly along said alley crossing Indianola Avenue and continuing along Northwood Avenue to Fourth Street; thence northerly to Alden Avenue; thence easterly to the north/south alley just east of Fourth Street;

Thence southerly to Chittenden Avenue; thence westerly to Fourth Street; thence southerly to Ninth Avenue; thence westerly to Summit Street; thence southerly to Eighth Avenue; thence westerly to Indianola Avenue; thence southerly to Seventh Avenue; thence westerly to Courtland Avenue; thence southerly to Fifth Avenue;

Thence westerly to Wall Street; thence northerly to King Avenue;

Thence westerly to a point 255 feet west of Perry Street; thence northerly to an imaginary extension of Eighth Avenue; thence easterly along said extension and Eighth Avenue to the north/south alley just west of Neil Avenue; thence northerly to Ninth Avenue; thence easterly to Neil Avenue; thence northerly to Tenth Avenue; thence easterly to Highland Street; thence northerly to the east/west alley just south of Eleventh Avenue; thence easterly along said alley to Wall Street; thence northerly to Eleventh Avenue; thence easterly to High Street;

Thence northerly to Lane Avenue; thence westerly to Wall Street; thence northerly along Wall Street, and any imaginary connective extensions thereof, to Kinnear Alley; thence continuing northerly along the rear property line of parcels fronting High Street to a point 130 feet north of the centerline of North Street; thence easterly approximately 183 feet to the centerline of High Street; and thence northerly to the intersection of High Street and Arcadia Avenue, the place of beginning.

- (B) All parcels, or portions thereof, within the impact district are subject to the review and approval provisions herein, under regulations for the University impact district, and as administered by the University Area review board.

(Ord. 2054-92; Ord. 681-02 § 1.)

3372.505 - F.A.R. subarea.

An F.A.R. subarea is a specific area within an apartment-residential district that is regulated by a floor area ratio to ensure compatibility of development and an appropriate density based upon its proximity to the Ohio State University. F.A.R. subareas are:

- A. F.A.R. subarea #1 is bounded as follows:

Beginning at the intersection of the north/south alley east of Indianola Avenue and the east/west alley south of East Eighteenth Avenue; thence easterly along said alley to the alley west of Summit Street; thence southerly along said alley to East Seventeenth Avenue; thence easterly along Seventeenth to Summit; thence northerly along Summit to Eighteenth; thence easterly along Eighteenth to the alley east of Summit; thence southerly along said alley to the alley south of Eighteenth; thence easterly along said alley to the alley west of North Fourth Street; thence northerly along said alley to Eighteenth; thence easterly along Eighteenth to the alley east of Fourth;

Thence southerly along said alley to its terminus at Chittenden Avenue;

Thence westerly along Chittenden to the alley west of Summit;

Thence northerly along said alley to North Fourteenth Avenue; thence easterly along Fourteenth to Summit; thence northerly along Summit a distance of 655 feet to the southern

property line of a lot with parcel number 010-42246; thence westerly along the southern property line of lots on the south side of Sixteenth Avenue to Indianola; thence northerly along Indianola to Sixteenth; thence easterly along Sixteenth to the east property line of Lot 44 of Indianola Forest Addition subdivision; thence northerly along the east property line of Lots 44 and 50 of Indianola Forest Addition subdivision to Seventeenth; thence westerly along Seventeenth to the alley east of Indianola; thence northerly along said alley to the alley south of Eighteenth, the place of beginning.

B. F.A.R. subarea #2 is bounded as follows:

Beginning at the intersection of North Fourth Street and Alden Avenue; thence easterly along Alden to the alley east of Fourth;

Thence southerly along the alley east of Fourth to East Norwich Avenue;

Thence westerly along Norwich to Fourth;

Thence northerly along Fourth to Alden, the place of beginning.

(Ord. 2054-92.)

3372.506 - Zoning map.

The boundaries of the University Area Planning Overlay, as indicated in this sub-chapter and initially contained in Ordinance 1216-87, including all subsequent amendments, shall be indicated on the Official Zoning Map.

(Ord. 2054-92; Ord. 179-03 § 10.)

3372.507 - Submission of calculations.

All calculations and documentation necessary to show conformance with applicable standards and guidelines of this subchapter shall be submitted to the department with the permit application. When optional standards are available, the applicant shall indicate which option is used. When applicant determines the building line by using the average setback of adjacent buildings, the setback and building and porch footprint of said buildings shall be shown on the site plan. With the exception of single-family dwellings, all calculations and documentation necessary to show conformance with applicable standards and guidelines of this subchapter shall be certified as to their accuracy by an Ohio-registered architect or engineer.

(Ord. 2054-92; Ord. 1272-01 § 1 (part); Ord. No. 0455-2010, § 85, 4-5-2010)

3372.508 - Method of calculation.

In all mathematical calculations, resultant fractions of less than one-half shall be rounded to the nearest integer. Fractions of one-half or more shall be rounded to the next higher integer. Except that in computing the number of dwelling units permitted, a resultant fraction shall be ignored.

(Ord. 2054-92.)

3372.509 - Parking variance.

A property owner who suffers an involuntary destruction of 50 percent or more of a building not original to the lot may suffer a hardship that supports a variance to the parking requirement for a replacement building. Involuntary destruction means destruction due to fire, earthquake or other natural

disaster, but not due to demolition by neglect or other act or omission by the owner. In the event the hardship is established, a variance for new construction of a replacement building that allows either a floor area equal to that of the destroyed building or as determined by a maximum floor area ratio of eight-tenths, whichever is less, and provides the maximum number of parking spaces the lot can accommodate, shall be deemed to meet the objectives of this subchapter.

(Ord. 2054-92.)

3372.510 - Exemption of parking space loss due to refuse storage requirement.

- A. Any owner of property zoned apartment-residential and of residential use in the university area who provides a refuse storage receptacle or cubic yard container (dumpster) as required by Title 13 C.C. and thereby loses one or more existing, required parking spaces will be exempt from the necessity of replacing such lost space if on or before January 1, 1995, the owner notifies the director by affidavit of his name, the property's address, the number of legal parking spaces lost due to compliance with C.C. 1303.12, and the number of legal parking spaces remaining. Said document shall be retained in the department for future reference in a manner similar to board of zoning adjustment's variance retention files.
- B. This exemption shall be valid only for so long as: a sufficient refuse storage receptacle or cubic yard container is provided on site; there is no new construction of habitable floor area of 200 square feet or more; and there is no change of use in or upon said premises.

(Ord. 377-95; Ord. 1272-01 § 1 (part); Ord. No. 0357-2009, §§ 7, 12, 4-6-2009; Ord. No. 0455-2010, § 86, 4-5-2010)

#### General Regulations for the University Area

3372.520 - Application.

Within the university area the standards set out in C.C. 3372.520 to 3372.522, inclusive, shall apply in addition to requirements in Chapters 3332, 3333 and 3342 or in place of provisions therein which conflict with provisions hereof; to all construction of habitable floor area of 200 square feet or more or a change of use in residential or apartment-residential districts. In construction of an addition, the standards herein shall apply to both the existing building and the addition.

When any other Zoning Code standard conflicts with a standard in Chapter 3372, the standard in Chapter 3372 shall govern. Nothing in these regulations shall be construed to prohibit compliance with any regulations related to handicapped accessibility.

(Ord. 2054-92.)

3372.521 - Supplemental parking requirements.

- A. No parking or maneuvering shall be permitted in any required side yard or required landscaped area or between any building and any public street.
- B. Each parking space shall be no less than eight feet wide and 18 feet long.
- C. Stacked parking shall be allowed provided that no parking space is blocked by more than one other parking space, except when C.C. 3372.564(C) applies.
- D. Paving and striping shall delineate parking spaces by width and length to identify legal parking spaces.

- E. Each parking area shall be separated from any required yard or landscaped area by a continuous eight-inch high curb or other permanent barrier such as bollards or a wall. The barrier shall prohibit vehicular access but may allow for stormwater drainage and pedestrian access, including wheelchair and handicapped.

(Ord. 2054-92.)

3372.522 - Compatibility.

A building's front facade shall include a pedestrian entrance and give the appearance of a primary orientation toward said street through the sizing, placement and treatment of windows and doors.

(Ord. 2054-92.)

Regulations for R2-F and R-4 Residential Districts

3372.540 - Application.

Within the university area the standards set out in C.C. 3372.540 to 3372.545, inclusive, shall apply in addition to requirements in Chapters 3332, 3321 and 3312 or in place of provisions therein which conflict with provisions hereof; to all construction of habitable floor area 200 square feet or more or a change of use in R-2F or R-4 residential districts. In construction of an addition, the standards herein shall apply to both the existing building and the addition.

(Ord. 2054-92; Ord. No. 1792-2011, § 1(Attach. 1), 12-12-2011)

3372.541 - Landscaped area and treatment.

At least ten percent of the lot area shall be planted and maintained with grass and/or other live vegetation and located behind the most rear portion of the principal residential building.

(Ord. 2054-92.)

3372.542 - Maximum lot coverage.

A building including any rear or side porch or roofed stairs but excluding any balcony, walkway, deck, front porch, carport or garage, shall cover no more than 25 percent of the lot area.

(Ord. 2054-92.)

3372.543 - Building lines.

- A. Minimum Setback. The minimum distance from any building to the street right-of-way line shall be as established in the underlying zoning district, except where a building is to be erected or extended on the subject lot and there are other buildings within the block; then the building line shall be established by averaging the setbacks of the nearest building on each side of the subject lot.
- B. Maximum Setback. No building shall be farther from the front property line than a distance equal to 110 percent of the minimum setback.

(Ord. 2054-92.)

3372.544 - Maximum floor area.

The maximum total calculated floor area permitted on any lot shall be no greater than that determined by a 0.40 floor area ratio.

(Ord. 2054-92.)

3372.545 - Height.

- A. Other than a chimney, no portion of a building shall be higher than 35 feet from the finished grade line of the lot.
- B. The majority of the front principal cornice/eave of a building shall be at a height within ten percent of the average cornice/eave height, as defined in C.C. 3372.502(A). Calculations shall be certified by an Ohio registered architect, engineer or surveyor.

(Ord. 2054-92.)

Regulations for Apartment-Residential Districts

3372.560 - Application.

Within the university area the standards set out in C.C. 3372.560 to 3372.571, inclusive, shall apply in addition to requirements in Chapters 3333, 3321 and 3312 or in place of provisions therein which conflict with provisions hereof; to all construction of habitable floor area 200 square feet or more or a change in use in apartment-residential districts. A two-family dwelling is governed by the standards and guidelines of Chapter 3372 rather than in accordance with the area standards of C.C. 3332.14 as specified in C.C. 3333.055. A three-family or four-family dwelling is governed by the standards and guidelines of Chapter 3372 rather than in accordance with R-4 standards as specified in C.C. 3333.035. In construction of an addition, the standards herein shall apply to both the existing building and the addition.

Exception: In the case of a change of use within an original contributing building that does not involve an addition or an increase in legal occupants, the new use need only comply with those parking, landscaping and floor area requirements that the director determines the site can accommodate. The applicant shall submit a notarized affidavit regarding the current or previous use and occupancy history of the building.

(Ord. 377-95; Ord. No. 1792-2011, § 1(Attach. 1), 12-12-2011)

3372.561 - Density.

- A. The number of dwelling units permitted on any lot or parcel shall not exceed one dwelling unit for each 700 square feet of lot area.
- B. Any new use of a residence requiring a rooming house license shall house no more than one occupant for each 400 square feet of lot area.

(Ord. 2054-92.)

3372.562 - Landscaped area and treatment.

- A. To maximize the amount of landscaped area, any area not used for building, required parking, required driveway or maneuvering area, refuse storage and access area, pedestrian walkway, patio,

deck, porch, bicycle storage, or for the placement of utility or mechanical equipment, shall be planted with grass and/or other live vegetation, including at least five percent of the lot area so planted and located behind the most rear portion of the principal residential building(s).

- B. A shade tree of no less than two and one-half inch caliper shall be planted in the rear yard for up to ten parking spaces provided. An additional such tree shall be planted for each additional ten or fewer parking spaces provided.
- C. The proposed removal of a tree ten inch caliper or greater, within the proposed building footprint or required parking area, shall be reviewed by the review board so alternative design options that retain the tree can be explored.

Each tree of ten inch caliper or greater that is not located in the proposed building footprint or required parking area, shall be retained. However, after consultation with the city forester, the director may determine it is in the best public interest such tree be removed.

The removal of any tree ten inch caliper or greater requires the planting of two shade trees, no less than two and one-half inch caliper each, on the lot. These replacement trees are in addition to the requirements of C.C. 3372.562(B).

- D. Landscaped areas and trees shall be maintained in a neat and healthy condition.

(Ord. 377-95.)

3372.563 - Maximum lot coverage.

A building or combination of buildings, including any rear or side porch or roofed stairs but excluding any balcony, walkway, deck, front porch, carport or garage, shall cover no more than 30 percent of the lot area; however, an additional five percent of lot coverage shall be permitted conditioned upon all other requirements, including parking, landscaping and refuse storage having been accommodated.

Exception: The substantial rehabilitation of an original contributing building involving an increase in floor area or a change of use, or a project replacing a noncontributing building not original to the lot shall cover no more than 40 percent of the lot area.

(Ord. 2054-92.)

3372.564 - Parking.

- A. No more than 35 percent of any lot area shall be devoted to the parking and maneuvering of vehicles. Exception: An application permitted to exceed a floor area ratio of 0.66 shall be permitted a parking area greater than 35 percent of lot area, provided a layout is used that accommodates the required parking and maneuvering in the smallest area possible, as determined by the department of public service.
- B. Required parking spaces shall be provided as determined by utilizing the following formula:

[total calculated floor area -  (#d.u.* × 300)]  _____	× .66 = minimum spaces required
200	

Exception: For substantial rehabilitation of an original contributing building involving an increase in floor area or a change of use, required parking spaces shall be provided as determined by utilizing the following formula: (For the purposes of this formula, the total calculated floor area in excess of an amount determined by a 0.80 floor area ratio shall not be considered.)

[total calculated floor area -  (#d.u.* × 360)]  _____	$\times .66 = \text{minimum spaces required}$
240	
*(#d.u. means the number of dwelling units)	

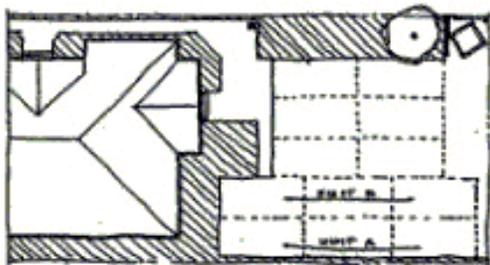
Exception to the formulas: Other than for a residence requiring a rooming house license, the total number of parking spaces required need never exceed the product of four parking spaces times the number of dwelling units.

- C. In addition to stacked parking two cars deep, stacked parking three -cars-deep shall also be permitted, but limited to a rate of one such occurrence for every five parking spaces required. Each such triple-stacked stall shall correspond to a dwelling unit of 1,000 square feet in calculated floor area or greater and shall be marked to indicate that dwelling unit.

Example layout:

Units A & B exceed 1,000 square feet

12 spaces required = two triple-stacked occurrences permitted



- D. Screening to a height no less than three feet above the parking lot grade and otherwise in compliance with Chapter 3312, Parking Lot Screening, shall only be required between a parking lot and a street right-of-way, except as in, Chapter 3321.05, Vision Clearance; or in the case of an apartment complex or multiple dwelling development, between its parking lot and an adjoining single-family or two-family use.

(Ord. 2054-92; Ord. 1272-01 § 1 (part); Ord. No. 0128-2009, § 1, 2-9-2009; Ord. No. 1792-2011, § 1(Attach. 1), 12-12-2011)

3372.565 - Building lines.

A. Front Setback.

- (1) **Minimum Setback.** The minimum distance from any building to the street right-of-way line shall be as established in the underlying zoning district, except where a building is to be erected or extended on the subject lot and there are other buildings within the block; then the building line shall be established by averaging the setbacks of the nearest building on each side of the subject lot.
- (2) **Maximum Setback.** No building shall be farther from the front property line than a distance equal to 110 percent of the minimum setback.

B. Rear Setback. The minimum setback from the rear lot line shall be at least two feet.

Exception: A dumpster shall require no setback from the rear or side lot line.

(Ord. 2054-92.)

3372.566 - Building separation and size.

- A. No habitable building, defined as a space or combination of spaces enclosed by a common exterior perimeter wall and under a separate roof, shall be closer than ten feet to any other habitable building on the same lot.
- B. More than one building may be permitted on a lot.
- C. No building shall exceed 10,200 square feet of calculated floor area.

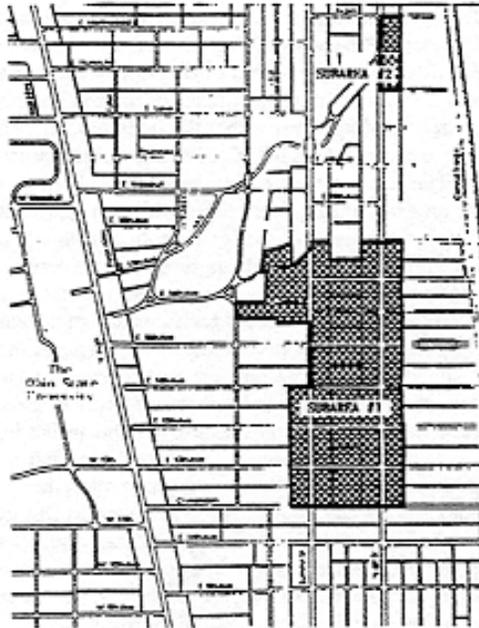
(Ord. 2054-92.)

3372.567 - Maximum floor area.

A. The maximum total calculated floor area permitted for any lot shall be the lesser of (1) and (2) below.

- (1) An amount determined by a floor area ratio of:
  - (a) For substantial rehabilitation of an original contributing building involving an increase in floor area or a change of use:
    - 0.80;
    - 0.60 in F.A.R. subarea 1 or 2; or
    - an amount equal to twice the floor area of the original building, whichever is less;
  - (b) For a project that replaces a noncontributing building not original to the lot:
    - 0.80;
    - 0.60 in F.A.R. subarea 1 or 2;
  - (c) For all others:
    - 0.60;
    - 0.50 in F.A.R. subarea 1 or 2; or
- (2) An amount determined by multiplying the "square footage of an average lot" on that street times a floor area ratio that is twice that permitted for the subject lot as determined in (1) above. The "square footage of an average lot" shall be determined by adding the square footage of originally-platted lots of record having primary frontage on the same street and within 200 feet,

including across rights-of-way, of each side of the subject lot, then dividing that sum by the total number of lots so summed.



Map of F.A.R. subareas

- B. For the complete use of brick on all exterior walls and gables, excluding foundation, windows, and trim, new construction projects shall be permitted an additional floor area equal to ten percent of the allowable floor area ratio as determined in A above. The total calculated floor area permitted on a lot shall not exceed an amount as determined by a 0.80 floor area ratio.

(Ord. 2054-92.)

3372.568 - Height.

- A. The mean between the cornice/eave and the highest roof point of a building shall be no higher than 35 feet from the finished grade line of the lot. Other than a chimney, no portion of a building shall be higher than 40 feet from the finished grade line of the lot.
- B. The majority of the front principal cornice/eave of a building shall be either at a height between 17 to 23 feet above the finished grade line; or at a height within ten percent of the average cornice/eave height, as defined in C.C. 3372.502(A). Calculations shall be certified by an Ohio registered architect, engineer or surveyor.

(Ord. 2054-92.)

3372.569 - Refuse storage.

Adequate refuse storage facilities shall be provided for each dwelling unit on a lot. These standards shall apply in addition to or in place of requirements in Chapter 1303. When a standard in Chapter 1303 conflicts with a standard in this chapter, the standard in Chapter 3372 shall govern.

- A. A refuse storage facility or dumpster shall be provided on-site and shall not be located in any front yard, required side yard, required landscaped area or required parking area.

- B. An area large enough to accommodate the required refuse storage facility or dumpster and access thereto shall be designated for each lot. A concrete pad shall be provided for each dumpster.
- C. Limited location waiver. The requirement for storing refuse on-site may be temporarily waived if, after consultation with the refuse division administrator, the director determines the following conditions are met: After such waiver is obtained, the originally designated refuse storage area may be landscaped provided it retains the capability to serve as an area for a refuse storage facility in the future. The director may cancel such waiver at any time for good cause or at the request of either property owner. Within 30 days of receipt of notice of cancellation, the owner of the property without a refuse storage facility on-site shall provide a refuse storage facility on-site in conformance with this subchapter.
  - 1. That required storage facilities will be provided for occupants' use on a lot no more than 30 feet from the subject lot;
  - 2. That there is sufficient storage capacity to accommodate both lots' requirements; and
  - 3. An affidavit of agreement executed by owners of both properties, serving as evidence of such arrangement, is submitted to the department.
- D. Screening of a dumpster is not required.

(Ord. 377-95; Ord. No. 0455-2010, § 87, 4-5-2010)

## Regulations for the University Impact District

### 3372.580 - University Area review board

- (A) Creation, Members, and Term. Established by Ordinance 2054-92, the University Area review board, hereafter referred to as the review board, shall consist of seven members appointed by the mayor to serve without compensation. Council recommends that appointments to the review board include: three registered architects designated by the American Institute of Architects; one designee of the Columbus apartment association who owns property within the impact district; one designee of the University community business association who is a merchant or owner of a retail business or property within the impact district; one designee of the University Area commission; and after consultation with each of the above organizations, one at-large member, who may include one engaged in the livelihood of architectural design, history, or preservation; construction; property management; or real estate.

The term of membership shall be for three years, except for the initial terms of one year for two members and two years for another two members. A vacancy shall be filled in the same manner as the original appointment was made.

- (B) Organizations rules of procedure, and meetings. the review board shall meet and organize by the electing officers, adopting rules of procedure, and providing for regular and special meetings. A quorum of four members is necessary for official action. The review board shall hold regularly scheduled meetings and may call for special meetings. All meetings shall be open to the public and notice of scheduled meetings published in the City Bulletin. The department shall staff the meetings and maintain a record of the proceedings.
- (C) Duties. The duties of the review board are:
  - (1) To preserve, protect and enhance the urban environment and neighborhood characteristics of the University Area;
  - (2) To hear, decide, and take action on all applications for a certificate of zoning clearance and applicable permits or registrations, and when appropriate, issue a certificate of approval thereon;

- (3) To review applications for a zoning change, variance, or special permit that may cause a stated guideline to apply and to forward comments to the appropriate decision-making body; and
  - (4) To develop and promulgate guidelines pertaining to compatibility and appearance as necessary to clarify development objectives and enhance the development guidelines herein.
- (D) Jurisdiction. The review jurisdiction of the review board applies to all properties within the impact district.

(Ord. 681-02 § 3 (part).)

3372.581 - Certificate of approval.

- (A) Required. Within the impact district, no person shall undertake any work, including the construction or exterior alteration of a building or structure, a change on or to the site, and the installation of a graphic or curb cut, that requires a certificate of zoning clearance, registration certificate, building permit, or installation permit without first obtaining a certificate of approval from the review board. A certificate of approval is not required for the razing of a building or for normal exterior maintenance or repair work that does not result in a change in material, design, dimensions, shape, or arrangement.
- (B) Application, review, and delegation of authority. To be heard at a regularly scheduled meeting of the review board, a complete application for a certificate of approval must be submitted to the department at least ten days prior to the meeting. The application must indicate compliance with all applicable zoning and building code standards and/or include a statement of hardship if seeking a variance. Upon presentation of the application to the review board by the applicant or his representative, the review board will decide if the proposed application is in compliance with the guidelines in accordance with principles of good design.

However, by a unanimous affirmative vote, the review board may delegate its authority to the director or his/her designee to issue certificates of approval for: (a) projects which fully comply with the guidelines herein, and any subsequent guidelines; or (b) for items and designs previously reviewed and judged appropriate by the review board or its predecessor. This provision shall not be so construed that previously approved project designs are automatically approved for any other application. The applicant always has the option to have his application reviewed by the review board.

- (C) Issuance. Following a determination that the objectives and intent of all applicable guidelines herein, and any subsequent guidelines, are met in accordance with the provisions herein, the review board will issue a certificate of approval. A motion to approve a certificate of approval application must receive four affirmative votes to pass. A certificate of approval is valid for one year from the date of issuance, unless other limits are stated as a condition of the certificate.

In the event of concurrent jurisdiction with the Historic Resources Commission (HRC), a certificate of appropriateness from the HRC is required before the review board considers the project for conformance with this subchapter.

(Ord. 681-02 § 3 (part).)

3372.582 - Appeal.

Appeal of findings and determinations of the review board based on a claim of substantial economic hardship may be taken to the board of commission appeals. Appeal for any reason other than substantial economic hardship may be made to the courts.

(Ord. 681-02 § 3 (part).)

3372.583 - Issuance of zoning clearance, registration, or permit.

When a certificate of approval is required, a valid certificate must accompany an application for a certificate of zoning clearance, registration certificate, building permit, or installation permit before the department issues such certificate or permit.

(Ord. 681-02 § 3 (part).)

3372.584 - Zoning change, variance, or special permit.

Within the impact district, an application for a zoning change, variance, or special permit that may cause a stated guideline to apply, as determined by the department, shall be reviewed by the review board prior to being heard by the approving body. The review board shall consider such application and forward any comments to the appropriate decision-making body.

(Ord. 681-02 § 3 (part).)

3372.585 - Development and design guidelines.

To further the objective of compatible development within the impact district, an application for a certificate of approval is subject to and evaluated upon the guidelines herein and any amplifications thereto adopted by the review board. Though the following guidelines assist the applicant and the review board to arrive at an appropriate proposal, they may not address or be applicable to every situation, and therefore, special circumstances may suggest variations that could yield an equally compatible project.

(1) Specific guidelines for dwellings within residentially zoned districts:

- (a) The overall length of a building shall be no more than two and one-half times the building's overall width.
- (b) The first floor above grade shall be no less than two and one-half feet and no more than three and one-half feet above the finished grade line; or the facade should be designed to give the appearance of a first floor height within these limits. This requirement is not intended to preclude gentle grade changes or ramping to permit handicapped accessibility.
- (c) The pitch of a principal building's main roof shall be no shallower than eight units vertical to 12 units horizontal. A gambrel, mansard, or variation thereof shall not be permitted.
- (d) At least one-third of the front facade area (width times the height of the exposed wall area enclosing any living space-excluding gable) shall be visually and physically unobstructed by any porch or portion thereof. The width of a front porch shall not exceed 90 percent of the width of the building's front facade. No porch shall be permitted above the second story. A porch roof shall give the appearance of being separate and secondary to the main roof.
- (e) Exclusive of any roof overhang, no portion of a front porch or terrace may extend into the front setback more than eight feet. A balcony may extend into the front setback no more than four feet. Exterior stairs to any floor other than the first floor shall not be permitted within the front setback area. A first floor deck shall not be permitted in the front yard.
- (f) Window and window elements, excluding basement windows, shall have vertical proportions of three units vertical to two units horizontal, or greater. Windows and doors shall constitute no less than 20 percent of the building's front facade.
- (g) No more than two predominant wall materials, excluding foundations, gables, and windows/doors with associated trim, shall be used on a building. The same material treatment shall be used around the entire building. Horizontal lap siding shall have a narrow exposure. Natural wood tones are uncharacteristic and any exposed wood elements, other than flooring, shall be either painted or stained opaquely with a coordinated color.

- (h) A rear deck, rear patio, or combination thereof, shall cover no more than 200 square feet of lot area.
- (2) Specific guidelines for the High Street corridor:
- (a) As referenced in the document University/High Street Development & Design Guidelines, 1/01, and any subsequent revisions or amendments thereto.
- (3) General guidelines:
- (a) Context and Visual Compatibility. A new building or any addition or alteration to an existing building shall be compatible and appropriate with its own integrity and with that of surrounding contributing buildings, public ways, and places to which it is visually related in terms of: placement, setback and orientation; scale, size and height; massing, proportions and shape; directional expression and alignment, rhythm of building spacing, rhythm of building shape, porches and other projections; relationship of solids to voids in facades; proportion of facade openings; and relationship of materials, texture and color.
  - (b) Site Treatment. Consideration shall be given to the following elements regarding appropriateness and compatibility with the area: setback and yards; lot coverage and outbuildings; parking; landscaping; outdoor space (e.g., patio, deck, or recreational area); walkway; fence or wall; refuse storage facility; lighting; and alleyscape. In addition, the following shall be considered:
    - 1. Where practical, significant site features should be respected and retained including, but not limited to, brick or stone walls, decorative stanchions, mature trees and existing landscaping features.
    - 2. Landscaping should include foundation plantings and appropriate grass or ground cover of yard areas. On corner lots, plantings are desirable along all portions of the foundation visible from the street.
    - 3. Front yard landscaping should include one tree of at least two and one-half inch caliper for every 50 feet of frontage or no less than one such tree per lot.
    - 4. Paved surfaces (e.g., concrete, brick, or stone) should be provided to accommodate pedestrian travel from public walkways and parking areas to the building.
    - 5. On-site parking should be designed and executed so as to upgrade both the appearance of the property and pedestrian and vehicular traffic safety in the immediate neighborhood.
    - 6. New curb cuts should not be constructed for properties that have access from an alley or other existing route or where characteristically inappropriate.
    - 7. Lights used to illuminate a parking lot should be selected and arranged so as to direct and reflect the light away from any adjacent property or public way.
  - (c) Building. A new building or any addition or alteration to an existing building shall be compatible and appropriate with its own integrity and with that of surrounding contributing buildings, public ways, and places to which it is visually related in terms of: platform; body (e.g., shape, size, proportions, stories, or projections); roofs (e.g., cornice/eaves, dormers, or chimneys); porches; doors and entryways; fenestration; materials; ornamentation, trim and detailing; and other elements such as storm or screen doors and windows, skylights, awnings, mechanical equipment, mailboxes, and colors. In addition the following shall be considered:
    - 1. Elements of a non-habitable building, including, but not limited to, a garage, utility shed, porch, or exterior stair, should be compatible and/or consistent with the existing streetscape. A porch, including its roof and balustrade, should be in keeping with the residential character of the area.

2. Building appurtenances and projections, including, but not limited to, a porch, stoop, bow or bay window, awning, exterior stair, light fixture, or signage, should be in scale with the total composition of the building itself and the character of the area.
  3. Generally an addition should meet the same guidelines as new construction, but should respond specifically to the building of which it is a part. An addition should not overpower the original building and should be added in an unobtrusive way. The connection of the addition to the original building should be designed so that it does not detract from either.
  4. Nothing in these guidelines is intended to constrain handicapped accessibility. All lifts or ramps shall be designed with sensitivity to the building's design.
- (d) Graphics. A sign's design, size, location, material, lighting, and color should complement the building's design and reflect the nature of the surrounding area.

(Ord. 681-02 § 3 (part).)

### Regulations for University Area Review

3372.590 - Application.

Repealed by Ord. 681-02.

3372.591 - University area review board.

Repealed by Ord. 681-02.

### Severability and Penalty

3372.598 - Severability.

The provisions of this subchapter shall be deemed severable; and, if any provision shall be held unconstitutional by a court of competent jurisdiction such decision shall not impair any remaining provision.

(Ord. 2054-92.)

3372.599 - Penalty.

Whoever makes site improvements or constructs, reconstructs or alters any building or architectural feature now or hereafter in the university area in violation of C.C. 3372.500 to C.C. 3372.590, inclusive, shall be deemed guilty of a misdemeanor and shall be fined not less than \$500.00 nor more than \$25,000.00.

(Ord. 2054-92.)

### Urban Commercial Overlay