

RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON
STATE OF OHIO

ORDINANCE NO. 10-2019

TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE (U.D.O.), PART 11 OF THE UPPER ARLINGTON CODIFIED ORDINANCES, BY AMENDING U.D.O. SECTION 7.17- RESIDENTIAL DESIGN STANDARDS

WHEREAS, the City has a legitimate interest in protecting the quality and character of its residential neighborhoods, while also encouraging reinvestment and redevelopment of the housing stock of the City;

WHEREAS, The City's interest in preserving residential neighborhoods is Objective 1 of Chapter 2-Land Use, of the 2013 City of Upper Arlington Master Plan;

WHEREAS, staff has proposed amendments to the Unified Development Ordinance (UDO) Section 7.17- Residential Design Standards, in order to better protect existing residential neighborhoods and to encourage redevelopment, and to do so in a way that strikes a balance between redevelopment and the existing character of the City's neighborhoods and their residents;

WHEREAS, the Board of Zoning and Planning reviewed and recommended the proposed amendments at its March 4, 2019 meeting;

WHEREAS, in response to review and discussion at multiple City Council meetings, including significant public input, the proposed amendments to UDO Section 7.17 have been updated into a proposed final form as contained in this April 22, 2019 Version of Ordinance 10-2019;

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

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

SECTION 2. That U.D.O. §7.17, Part 11 of the Upper Arlington Codified Ordinances, shall hereby be amended to read as follows:

§ 7.17 - RESIDENTIAL DESIGN STANDARDS

(A) *Purpose and intent:* The purpose of these standards is to encourage Residential investment and infill redevelopment is encouraged to maintain and expand the property values in Upper Arlington, while also protecting the character of the residential neighborhoods by ensuring that new development blends in and is

compatible with existing and prominent neighborhood characteristics. These standards are in addition to all other standards and requirements of the Unified Development Ordinance. In the design of new single family homes, major additions that exceed fifty percent (50%) of the total square footage, building footprint, or livable area of the existing structure, and for detached garages over four hundred (400) square feet in area, the following standards shall apply:

(B) *Applicability:* The following standards apply to the design of new single-family homes, major additions that exceed fifty percent (50%) of the total existing square footage, second story additions, additions over 1,000 square feet, detached garages over four hundred (400) square feet in area, any proposed modification of a Contributing Structure whereby its historical significance is materially compromised, and newly created or modified parcels.

- (1) *Neighborhood compatibility:* ~~New single family homes, major additions and detached garages~~ The proposed design shall be consistent and compatible with prominent characteristics existing in the neighborhood, with particular consideration and focus on the characteristics existing on the same block (both sides of the street within two intersecting streets) or cul-de-sac as the subject property. Such characteristics include: relative to character, site layout, parcel or homesite width and configuration, architectural styles and materials, heights and massing, front yard setbacks, roof pitch and shape, garage location, front door orientation, amount of impervious surface, and other defining features of the neighborhood and with an emphasis on the block. Review for compatibility shall be based on all characteristics.



New infill single-family homes shall be consistent with neighborhood characteristics.

- (2) *Elevations and floor plans:* Houses with identical or similar building elevations and/or floor plans shall not be located on adjacent lots or directly across the street from each other. Hip roof forms, or similar roof forms or designs, and/or varied upper floor setbacks should be used to break-up overall massing, where appropriate. Where existing adjacent homes have lower massing profiles, roof forms and designs with lower profiles should be employed, and should be set back from existing wall planes. The height of new homes and proposed additions should be compatible with the other homes in the neighborhood, with particular consideration and focus on homes on the same block and with the totality of the other applicable design standards required under the Unified Development Ordinance. Number of stories, size of the lot, and proposed distance from neighboring homes may be considered in determining compatibility.
- (3) *Façade articulation:* Building façades shall be articulated through the use of color, arrangement, or change in materials to emphasize the façade elements. The

planes of the exterior walls may be varied in height, depth or direction. Design elements and detailing shall be continued completely around the structure; blank elevations are prohibited. Such design elements shall include window treatments, trim detailing, and exterior wall materials.

- (4) *Privacy*: The location of the house on the lot, windows, orientation, building height, and location of on-site open spaces must be designed in such a manner as to preserve the privacy of existing adjacent homes and development. Second floor balconies proposed adjacent to an existing one-story single-family home shall be set back at least double the minimum side yard setback.
- (5) *Snout houses*: The front elevation of new homes shall not be dominated by attached garages. Where possible the garages of new homes shall be side- or rear-loaded.
- (6) *Notification*: The property owner shall provide written notice of the pending construction of a new single-family residence to all property owners within 100 feet of the subject property. Such notice shall be hand-delivered or sent by postal mail prior to the submittal of a Building Permit application. Proof of notification shall accompany the Building Permit application.
- (7) The Director of Community Development (or designee) may request additional information in order to determine compliance with these standards, including but not limited to: streetscape renderings with adjacent homes, field specific measurements or material samples.
- (8) *Third-party Architectural Review*: Upon the submission of a Building Permit application, the Director of Community Development (or designee) may forward a copy of the proposed site plan and elevations to a third-party architectural design firm, to be assigned by the City Manager, for review. The third-party architectural design firm shall review the proposed plans and provide the Director of Community Development a recommendation as to compliance with these standards, which may include recommended changes to the plans so that compliance can be achieved. Such recommendations are not binding, but may be considered by the Director of Community Development in determining compliance with these standards.
Any individual entitled to notice pursuant to subsection (B)(6), and any individual who submits a Building Permit application, may request that the Director of Community Development refer such proposal to the third-party architectural design firm for review and recommendations as to compliance with these standards. The Director of Community Development shall determine if such third-party architectural review is necessary.
- (9) *Director of Community Development Determination*: Upon review of all materials submitted, including any additional information provided pursuant to subsection (B)(7), and including any recommendations (if any) from the third-party architectural design firm, as described in subsection (B)(8), the Director of Community Development shall determine compliance with these standards.
- (10) *Appeal to BZAP*: If the Director of Community Development (or designee) determines that these standards are not met by the Building Permit application (or

by preliminary review), the applicant may appeal such determination to the Board of Zoning and Planning (BZAP). If an appeal is filed, the applicant shall notify all property owners within 100 feet of the subject property of the time and place of the hearing at least 10 days prior to the hearing. The notice provided under this section is for informational purposes only. Receipt of the required notice under this section does not make the recipient an Aggrieved party and does not confer any right to participate in the appeal to BZAP or to appeal any decision of BZAP on such appeal. Only persons meeting the definition of "Aggrieved" in UDO Section 2.02 shall be considered Aggrieved.

(11) *Street Trees*: For all new homes, street trees shall be installed per Article 6.07, which requires one street tree to be planted (or retained) for each 25 feet of lot frontage. All existing on-site healthy trees shall be preserved to the fullest extent reasonable, unless directed otherwise by the City Forester.

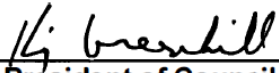
SECTION 3. That if any provision or section of this Ordinance, or the application thereof, is held invalid, such invalidity shall not affect the other provisions or applications of this Ordinance, which can be given effect without the invalid provisions or applications, and to this end the provisions and sections of this ordinance are hereby declared severable.

SECTION 4: That the City Manager, Finance Director, and the City Attorney are hereby authorized to take all actions necessary to implement and administer this Ordinance.

SECTION 5: That this Ordinance is enacted pursuant to the home rule powers of the City of Upper Arlington as set forth at Article XVIII, Section 3, of the Ohio Constitution.

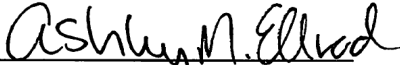
SECTION 6. That this Ordinance shall take effect at the earliest date allowed by law.

PASSED: April 22, 2019



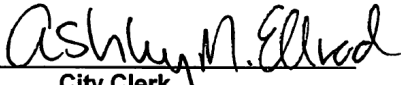
President of Council

ATTEST:



City Clerk

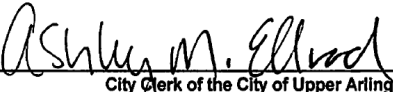
I, Ashley Ellrod, City Clerk of Upper Arlington, Ohio,
do hereby certify that the above is a true and
correct copy.



City Clerk

CERTIFICATE OF POSTING

I, Ashley Ellrod, City Clerk of the City of Upper
Arlington, Ohio, do hereby certify that publication
of the foregoing was made by posting a true copy
of Ordinance No. 10-2019 at the most public place
in said corporation as determined by the Council,
the Municipal Building, 3600 Tremont Road, for a
period of ten (10) days commencing April 23, 2019.



City Clerk of the City of Upper Arlington

Vote Slip

Sponsor: Mr. Close
Date Introduced: March 25, 2019

Legal Ad:
Newspaper:

Reading Date(s): March 25, 2019: April 22, 2019

Voting Aye: Unanimous
Voting Nay:
Abstain:
Absent:

Date of Passage: April 22, 2019

City Council Conference Session/Other Review:
March 18, 2019: April 8, 2019
Other: Thirty Day Clause