

**AMENDED ORDINANCE NO. 04-24**

By: Sam Marcellino

**An Ordinance To Amend Sections 1220.02, 1220.06, 1220.07, 1223.03, 1226.12, 1230.61, 1254.03, 1254.05, 1254.09, 1254.10, 1254.11, 1254.13, 1260.05, 1262.02 and 1262.04 of the Codified Ordinances of the City of Bexley, Planning and Zoning Code To Repeal Sections 1254.05, 1254.12 of the City’s Codified Ordinances and Enact New Sections 1254.05 and 1254.12, and to Amend the Zoning Classification and Official Zoning Map for All Property Located in the Commercial Service (CS) District and Certain Property in the Low Density Multifamily Residential (R-12) District to Mixed-Use Commercial (MUC) and Livingston Avenue District (LA) Overlay.**

**WHEREAS**, the Joint Livingston Avenue Plan, adopted by Council via Ordinance 20-22, detailed long-term goals and urban development principles for the commercial portion of the Livingston Avenue corridor, including enhanced pedestrian spaces; development of new structures to the street frontage; encouraging mixed-use commercial and affordable and market rate housing; relocating parking to the rear of properties; and encouraging rear access roads and consolidated curb cuts, among other recommendations; and

**WHEREAS**, the City wishes to further incorporate the provisions of the Livingston Avenue Plan into the commercial zoning district along Livingston Avenue; and

**WHEREAS**, zoning and overlay districts allow for unique and appropriate development opportunities that are harmonious with surrounding uses and in keeping with adopted plans and strategies of the City; and

**WHEREAS**, City Council has determined that it is in the interest of the city and the health, safety and welfare of the residents, property owners, public and city to amend the existing Planning and Zoning Code and Official Zoning Map as specified herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY:**

**Section 1.**

That Section 1220.02(l), (q), (t) and (u) Powers and Duties of the Bexley Codified Ordinances are hereby amended as follows:

1220.02 POWERS AND DUTIES.

The Board of Zoning and Planning review shall be applicable to all zoning districts within the City of Bexley. The BZAP shall have the following powers and duties under the provisions of this Zoning Ordinance:

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(l) To hear and decide appeals from, and to review final orders, adjudications, or decisions made by the Zoning Officer, ~~or~~ the Architectural Review Board, **or the Tree and Public Garden Commission** in accordance with 1226.18.

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(q) To hear, review and determine Certificates of Appropriateness regarding new development, alterations or additions in the MS, LA and CP zoning districts and for any applications in all zoning districts that require a variance, conditional use, or a change in zoning district.

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(t) To consider the recommendations of the Architectural Review Board **and the Tree and Public Garden Commission** in making its determination.

(u) To remand any application to the Architectural Review Board **or the Tree and Public Garden Commission** for its consideration, additional consideration and recommendation to BZAP or for final determination by ARB on issues identified by the BZAP for a Certificate of Appropriateness.

**Section 2.**

That Section 1220.06(c) and (d) General Review Procedures of the Bexley Codified Ordinances is hereby amended as follows:

1220.06 GENERAL REVIEW PROCEDURES.

(c) Except in the Main Street District **and the Livingston Avenue District**, the Board, in the performance of its duties, shall not attempt to prescribe the style of architecture so long as the architectural style and design under consideration meet the standards set forth above and may be based upon a recommendation of the Architectural Review Board as requested by the Board of Zoning and Planning. Within the Main Street District, the Board shall base its approval on review of the MS District ~~s~~Standards, ~~and~~ the ~~m~~Main Street Design Guidelines **and any other guidelines or standards applicable to the MS District by ordinance or resolution of Council. Within the Livingston Avenue District, the Board shall base its approval on review of the LA District Standards, the Main Street Design Guidelines and any other guidelines or standards applicable to the LA District by ordinance or resolution of Council.**

(d) For applications within the Main Street District, **the Livingston Avenue District and the Mixed Use Commercial District, and the Commercial Service District** that impact the streetscape and street trees within the public right-of-way, the Bexley Tree and Public Gardens Commission (TPGC) shall review such plans and make a recommendation to the Board. For those parts of an application involving landscape features on the subject property but outside the public right-of-way, the Board may elect to have such plans reviewed by the TPGC for their recommendation.

**Section 3.**

That Section 1220.07 Main Street District, Livingston Avenue District and Campus Planning District Review of the Bexley Codified Ordinances is hereby amended as follows:

**1220.07 MAIN STREET DISTRICT, LIVINGSTON AVENUE DISTRICT AND CAMPUS PLANNING DISTRICT REVIEW.**

The Main Street District is an overlay district that was established, to regulate certain requirements in the underlying zoning districts (sub-districts) that are within and subject to the Main Street District, and to control, encourage and regulate the character, design, placement and relationship of buildings, structures and spaces within the boundaries of the entire Main Street District. The Main Street District includes zoning standards in Section 1254.13. Deviation from these minimum zoning standards will require granting of a variance by the BZAP pursuant to Section 1226.11.

**The Livingston Avenue District is an overlay district that was established, to regulate certain requirements in the underlying zoning districts (sub-districts) that are within and subject to the Livingston Avenue District, and to control, encourage and regulate the character, design, placement and relationship of buildings, structures and spaces within the boundaries of the entire Livingston Avenue District. The Livingston Avenue includes zoning standards in Section 1254.12. Deviation from these minimum zoning standards will require granting of a variance by the BZAP pursuant to Section 1226.11.**

The Campus Planning District was established to regulate certain uses and area requirements in the Campus Planning District, which includes Zone 1, primarily consisting of the Capital University campus, and Zone 2, which is a sub-district of and subject to the Main Street District.

(a) Review. No building, structure or space within the Main Street District, **Livingston Avenue District** or the Campus Planning District shall be constructed, reconstructed, altered, moved, extended, razed, enlarged or changed in external appearance unless and until the plans and specifications for such building, structure or space, including the landscape plan for the premises on which it is or will be located (if relevant), have been approved by the Board of Zoning and Planning. The BZAP, in reviewing the plans and specifications for the building, structure or space for which approval is necessary, shall

examine the site plan, and all other factors relevant to the request in application, which may include the location of uses within and the arrangement and massing of the buildings and structures on the premises, building height, building elevation, lighting, signage, parking, the landscape plan and materials, and the impact of the site and design elements of the project upon the appearance and environment of the Main Street District, **Livingston Avenue District** or the Campus Planning District and neighboring properties. The BZAP will also consider the architectural style and building composition (including design elements such as entrances, storefronts, upper stories and mechanical screening), and exterior building materials and color, based upon a recommendation of the Architectural Review Board as requested by the BZAP. The Board, in deciding whether to approve an application under this section, shall determine that the site and design plans for such buildings, structures and spaces as proposed by the applicant are in keeping with the purpose and intent of the Main Street District **and Livingston Avenue District**, the applicable sub-district and the design guidelines contemplated by ~~subsection (b) and (c)~~ hereof, or with the purpose and intent of the Campus Planning District, the applicable zone and the campus plans contemplated by ~~subsection (de)~~ hereof, and that such plans would not have a substantial detrimental impact on neighboring properties. The design and site plan review contemplated by this section does not include the right to approve or disapprove proposed or existing uses or changes to the interior of an existing building or structure which do not change the external appearance of a building or site. Permitted or Conditional Uses **and Special Permits** within the districts and applicable sub district or zone are governed by Chapter 1252 and Chapter 1254 and Section 1226.13, variances for non-permitted uses and non-use (area) variances are governed by Sections **1226.11 and 1226.12**, and nonconformities ~~ing uses~~ are governed by Sections 1226.01 to 1226.05, inclusive. Projects involving only interior changes to existing buildings and structures are subject to standard City plan review and building permit procedures.

(b) Main Street **and Livingston Avenue** District Regulations, Standards and Design Guidelines. In addition to the regulations and standards of the Main Street District **and the Livingston Avenue District** provided for in Chapter 1254, the Board may from time to time adopt and publish design guidelines for the Main Street District, including Zone 2 of the Campus Planning District **and the Livingston Avenue District**. Design guidelines may cover matters such as site planning, landscaping and screening, building design and materials, signage, parking, lighting and use of the public right-of-way, not otherwise regulated by Chapter 1254. Such guidelines shall be subject to review and approval by Council. Within the Main Street District, the Board shall base its approval on review of the MS District standards and the Main Street Design Guidelines. **Within the Livingston Avenue District, the Board shall base its approval on review of the LA District**

**Standards, the Main Street Design Guidelines and any other plans or design guidelines approved by Council.** The design guidelines shall guide the Board in its review and determination of applications in the Main Street District **and the Livingston Avenue District**, however the Board may approve an application that it determines, based upon the context and circumstances, meets the standards and the overall intent of the Main Street Design Guidelines **and the Main Street District and Livingston Avenue District.**

(c) **Campus Planning District Plans.** In addition to the regulations and uses of the Campus Planning District provided for in Chapter 1254, the Board may from time to time adopt and publish plans for the Campus Planning District, covering matters such as campus development, site planning, landscaping and screening, building design and materials, signage, parking, lighting, use of the public right-of-way and impact upon the neighboring properties; provided, however, that such plans shall be subject to review and approval by Council. The plans shall guide the Board in its review and determination of applications in the Campus Planning District, however the Board may approve an application that it determines, based upon the context and circumstances, meets the overall intent of the Campus Planning District Plans and Campus District Uses and Regulations.

(d) **Delegation of Authority.** The Board may delegate to a qualified employee or agent the authority to review and approve, without further review and approval by the Board, plans with respect to changes to existing buildings, structures or spaces, involving compliance with provisions of Chapter 1254 and the design guidelines expressly designated by the Board as being subject to delegated review as provided in this subsection. The staff may decline to review an application and submit it to the Board for its review, and an applicant whose plans have been reviewed by the staff may, upon request, have the plans reviewed by the BZAP.

(e) No person shall construct, reconstruct, alter, move, extend, raze, enlarge or change the external appearance of any building, structure or space within the Main Street District **or the Livingston Avenue District** in violation of this chapter, including, without limitation, any condition imposed by the Board in its approval of an application.

(f) In the event any building, structure or space located within the Main Street District **or Livingston Avenue District** is changed, or any construction occurs within the District, in violation of any of the provisions of this chapter or any condition imposed by the Board in its approval of an application, then in addition to the penalty provided in Section 1220.99, the City may institute an appropriate action or proceeding to restrain, correct or abate any such violation or to require compliance with the provisions of this chapter.

**Section 4.**

That Section 1223.03 Powers and Duties of the Bexley Codified Ordinances is hereby amended as follows:

**1223.03 POWERS AND DUTIES.**

The Architectural Review Board has the following responsibilities:

(a) To hear, review and approve, approve with conditions, modify or disapprove applications for Certificates of Appropriateness regarding new development, alterations or additions in the R-1, R-2, R-3, R-6, R-12, MUC (except in the Main Street District **(MS)** and the Livingston Avenue District **(LA)** overlays), ~~CS~~, GS and OS zoning districts where no variance, conditional use or zoning change is required.

(b) To timely hear, review and provide a recommendation to the Board of Zoning and Planning for Certificates of Appropriateness regarding new development, alterations or additions in the MS, LA and CP zoning districts and for any applications in all zoning districts that require a variance, conditional use or a change in zoning district.

(c) To hear, review and approve, approve with conditions, modify or disapprove **or make recommendations on** applications for Certificates of Appropriateness on remand from the Board of Zoning and Planning following its granting of a variance or conditional use as directed by the BZAP.

(d) To maintain a high character of community development, and to ensure the compatibility of new development.

(e) To protect public health, safety, convenience and welfare.

(f) To protect real estate within the City from impairment or destruction of value.

(g) To preserve buildings, structures and sites of historic significance as part of the City's most important cultural, educational and economic assets.

(h) To regulate the design, use of materials, finish grade lines, dimensions, orientation and location of all main and accessory buildings to be erected, moved, altered, remodeled or repaired, through the granting of a Certificate of Appropriateness.

(i) To make recommendation to City Council on design policies, procedures and guidelines, such as the Main Street Design Guidelines.

(j) To make recommendations to the City Council on policies and ordinances that may encourage preservation of buildings, structures and sites of historic significance.

(k) To review and determine the demolition or removal of existing structures.

(Ord. 29-16. Passed 11-15- 16; Ord. 08-20. Passed 7-14-20.)

(l) To require landscape plans for any proposed projects involving the construction of a primary building or structure, and to require Tree and Public Gardens Commission review and approval of the same.

**Section 5.**

That Section 1226.12 Conditional Uses of the Bexley Codified Ordinances is hereby amended as follows:

**1226.12 CONDITIONAL USES.**

The Board of Zoning and Planning shall have the power to approve applications for Conditional Uses specified in Chapters 1252 and 1254. The proposed use shall be approved if, ~~and only if,~~ it meets the intent of this Zoning Code ~~and the intent of the zoning district in which the property is located,~~ fits harmoniously with adjacent uses and structures and complies with all other provisions of this Zoning Code. The Board of Zoning and Planning has no obligation to approve a **one or more** Conditional Uses for any property. This Zoning Code assumes that conditionally permitted uses are not appropriate unless an applicant proves that the use **or uses** will not be detrimental to the public health, safety, or general welfare of the City or the neighborhood in which it is proposed. ~~Such uses shall only be approved if the applicant proves all the following factors are met.~~ **The following factors shall be considered and weighed by the Board when making a determination upon a Conditional Use:**

- (a) The use is consistent with the goals and policies of any adopted plans of the City of Bexley, including, but not limited to, the Main Street **Design** Guidelines.
- (b) The use will not have a negative impact on the neighboring land uses and the larger community because of the differences between the proposed use and existing uses in the community.
- (c) The use will not be hazardous to or have a negative impact on existing or future surrounding uses.
- (d) The property and any proposed modifications meet or satisfy the lot/yard or height requirements in the code and other general code provisions including landscape requirements, parking standards, and storm drainage requirements as existing or as may be adopted, except that BZAP may grant minor area variances necessary for the proposed conditional use.
- (e) The use does not create an undue burden on existing public facilities and services such as street, utilities, schools or refuse disposal.
- (f) The use is consistent with and/or furthers the City's economic goals and will not decrease property values or have a negative economic impact.
- (g) The use is in character, ~~and~~ keeping and compatible with the adjacent structures and uses **or uses permitted or conditionally permitted in the zoning classification.**
- (h) Any proposed construction will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

**Applications for any construction permits necessary for the operation of the Conditional Use must be filed within 1 year of approval. The Zoning Officer shall have the discretion and authority to delay the requirement to obtain a construction permit by up to one year if an application for extension is received before the requirement for the filing of a construction permit expires.**

An approved Conditional Use must be substantially operational within 2 years of its approval. ~~Applications for any construction permits necessary for the operation of the Conditional Use must be filed within 1 year of approval.~~ **BZAP shall have the discretion and authority to grant an extension of a Conditional Use permit if an application for extension is received before the Conditional Use permit expires.** A Conditional Use permit may be revoked by BZAP if the Board finds the conditions of approval of the existing Conditional Use permit are not met or maintained, the property ceases to be operated as an approved Conditional Use, or the continuance of the Conditional Use would pose a substantial risk to the public health, safety and welfare. A Conditional Use permit shall not be revoked without providing notice to the permit holder and the opportunity to be heard. A Conditional Use permit shall automatically expire if it ceases operation for more than one year.

**Section 6.**

That Section 1230.61 Multifamily Dwelling is hereby amended as follows:

"Multifamily dwelling" means a building consisting of three or more dwelling units including condominiums, with various arrangements of entrances and party walls, ~~other than~~ **including one or more townhouses.**

**Section 7.**

That Section 1254.03, Mixed Use Commercial District (MUC) is hereby amended as follows:

**1254.03 MIXED USE COMMERCIAL DISTRICT (MUC).**

The purpose of this District designated by the symbol "MUC" in this zoning code and on the official zoning map is to allow and encourage a strong local shopping and business center in the City. Mixed-use development should be allowed and encouraged. Intersections, in particular, provide opportunities for mixed-use development that is integrated vertically and horizontally with adjacent properties and uses. Goals of the District include encouraging redevelopment with infill, new forms of mixed-use residential, commercial, office and pedestrian-oriented retail development, increasing



development of residential spaces ~~within mixed-use projects~~ to provide additional support for retail oriented activities and supporting the ~~movement~~ **creation of complementary commercial, offices, retail and residential uses individually or in combination in the District above retail.** Development standards within the District should be flexible to promote appropriate redevelopment while preserving and enhancing the unique character of the District through the adoption and application of design guidelines.

**Section 8.**

That Section 1254.05 Commercial Service (CS) is hereby repealed and that new Section 1254.05 titled Livingston Avenue District (LA) is hereby enacted as follows:

**1254.05 LIVINGSTON AVENUE DISTRICT (LA).**

**The Livingston Avenue District designated by the symbol "LA" in this Zoning Code and on the official zoning map, is an overlay district, the purpose of which is to facilitate the implementation of plans and vision for the revitalization of the City's mixed-use corridor and business area on Livingston Avenue. The LA District is intended to permit a diverse mix of individual and mixed land uses. Livingston Avenue District development applications are reviewed according to section 1254.12 and Council approved plans that affect the LA District including the Joint Livingston Avenue Plan, to promote redevelopment while creating a unique character of Livingston Avenue.**

**Section 9.**

That Section 1254.09, Identification of Uses is hereby amended as follows:

**1254.09 IDENTIFICATION OF USES.**

Uses specifically listed for one district but not included in another are intentionally omitted from the latter; uses specifically listed as Conditional Uses but not included as permitted uses are intentionally omitted as permitted uses. Uses not specifically defined in this Zoning Code carry their customary meanings. Questions of definition pertaining to uses allowed **and similar uses which may also be allowed** shall be decided by the Board of Zoning and Planning based on the intent of this Zoning Code and the intent of any district in question. Uses not listed as permitted or conditional in the following table **and uses that have not been determined by BZAP to be similar uses** are prohibited. Permitted uses are designated by "P" and Conditional Uses by "C" below.

**The following are designated as permitted and conditionally permitted uses in Bexley Zoning Districts as follows:**

USES	MUC	GC	CP: ZONE 1	CP: ZONE 2	OS
Retail sales to include general merchandise, food, apparel and accessories, home furnishings and equipment, drug stores, gift and specialty shops, sporting goods, office supplies and hardware	P	P	-	P	-
Retail services to include photographic studios, dry cleaners, barber and beauty shops, and small item repair services	P	P	-	P	-
Retail sales providing a special convenience service	-	<u>C</u>	-	-	-
Automotive repair	-	C	-	-	-
Automotive service stations / car wash	-	<u>C</u>	-	-	-
Restaurant	P	C	-	P	-
Tavern	P	-	-	P	-
Beverage / liquor store	C	-	-	C	-
Administrative, business, professional and similar office uses	P	P	-	P	-
Essential services	P	P	P	P	P
Accessory structures	P	P	P	P	P
Outdoor facility in association with other permitted use as specified in Main Street Design Guidelines	P	-	-	-	-
Outdoor facility in association with permitted use	<u>C</u>	C	-	-	-
Drive-through or outdoor facility in association with a	C	-	-	-	-

USES	MUC	GC	CP: ZONE 1	CP: ZONE 2	OS
non-food permitted use other than outdoor display					
Hotel or motel	C	-	-	C	-
Commercial parking lot	C	C	-	C	-
Other commercial or office uses similar to permitted uses and fulfilling intent of the district	C	C	-	C	-
Bed and Breakfast	C	-	-	C	-
Public uses	C	C	C	C	P
Quasi-public uses	C	C	-	C	P
Public service facility	C	C	C	C	C
Commercial amusement and recreation	C	C	-	-	-
Funeral homes	C	C	-	C	-
Campus uses	-	-	P	P	-
<del>R-6 permitted uses (see Chapter 1252)</del>	-	-	<del>P</del>	-	-
<del>R-12 permitted uses (see Chapter 1252)</del>	-	-	<del>P</del>	-	-
<b>Dwelling units on all or any portion of first floor, including multi-family dwellings</b>	C		<u>C</u>	C	€
<b>Dwelling units above first floor, including multi-family dwellings</b>	P		<u>C</u>	P	€
<b>Single-family or Two-family dwellings</b>	-	-	P	-	-
Institutional uses associated with campus uses	-	-	C	-	-
P = Permitted Use; C = Conditional Use					

The following are designated as Conditional Uses in the Livingston Avenue District (LA) overlay and supplement the uses or supersede any conflicting permitted or conditional uses in the underlying zoning district.

USES	LA
Retail sales providing a special convenience service	C
Automotive repair	C
Automotive service stations/car wash	C
Tavern	C
Drive through in association with food service, where permitted by Bexley City Charter	C
P = Permitted Use; C = Conditional Use	

**Section 10.**

That Section 1254.10 District Regulations of the Bexley Codified Ordinances is hereby amended as follows:

**1254.10 DISTRICT REGULATIONS.**

The following district regulations are hereby adopted as minimum regulations and shall apply uniformly to each class or kind of structure or land, except as hereinafter provided:

ZONING DISTRICT	MINIMUM LOT REQUIREMENTS	MINIMUM YARD REQUIREMENTS	MAXIMUM HEIGHT OF PRINCIPAL BUILDING	MINIMUM HEIGHT OF PRINCIPAL BUILDING
MUC	Not applicable	Front - 0 feet minimum, 15 feet maximum Rear - 10 feet minimum Side - No district requirement For areas in the Main Street District, none specified, but must be approved by the Board of Zoning and Planning under	3 stories; for the Main Street District see MS District regulations below	

ZONING DISTRICT	MINIMUM LOT REQUIREMENTS	MINIMUM YARD REQUIREMENTS	MAXIMUM HEIGHT OF PRINCIPAL BUILDING	MINIMUM HEIGHT OF PRINCIPAL BUILDING
		Section 1254.13 and the Main Street Design Guidelines		
CS	Area <del>10,000 square feet</del> Width <del>100 feet</del>	Front <del>10 feet minimum, 20 feet maximum</del> Rear <del>25 feet minimum</del> Side: <del>No district requirement</del>	<del>3 stories, and shall not exceed 45 feet</del>	
GC	Area - 10,000 square feet Width - 100 feet	Front - 10 feet minimum Rear - 25 feet minimum Side - No district requirement	2 stories, and shall not exceed 30 feet	
CP: ZONE 1	Not applicable, except R-6 and R-12 permitted uses continue to be subject to requirements of R-6 and R-12, respectively, and all others must be approved by the Board of Zoning and Planning as set forth in Chapter 1220.	Front - 10 feet minimum Rear - 25 feet minimum Side - 8 feet minimum, except R-6 and R-12 permitted uses continue to be subject to requirements of R-6 and R-12, respectively  Minimum setbacks shall be established by the Board of Zoning and Planning from the outer edge of the campus district where	50 feet within 100 feet of the district boundary, except R-6 and R-12 permitted uses continue to be subject to requirements of R-6 and R-12, respectively. All others must be approved by the Board of Zoning and Planning as set forth in Chapter 1220.	

ZONING DISTRICT	MINIMUM LOT REQUIREMENTS	MINIMUM YARD REQUIREMENTS	MAXIMUM HEIGHT OF PRINCIPAL BUILDING	MINIMUM HEIGHT OF PRINCIPAL BUILDING
		adjacent to other uses, in keeping with respective setbacks for similar uses.		
CP: ZONE 2	None, but all others must be approved by the Board of Zoning and Planning as set forth in Chapter 1220	Front - 5 feet maximum Rear - 25 feet minimum Side - No district requirement For areas in the Main Street District, none specified, but must be approved by the Board of Zoning and Planning under Section 1254.13 and the Main Street <b>Design Guidelines</b>	50 feet for areas in the Main Street District, as in CP: Zone 1 for all others	
OS	Area - 5 acres Width - none	Front - 30 feet minimum Rear - 20 feet minimum Side - 20 feet minimum	3 stories or 45 feet, but with adequate yards may be waived with a special permit from the BZAP.	
MS	See applicable sub-district	Front - see Chapter 1254.13 Rear - 15 feet minimum Side - No district requirement	3 stories; up to 5 stories with special permit; except west of Sheridan Ave. and south of Main St. 5 stories and up to 7 stories with a special permit.	2 stories except west of Sheridan Ave. and south of Main St. shall be 3 stories

**Section 11.**

That Section 1254.12 Commercial Service Design Standards is hereby repealed and replaced with Section 1254.12 Livingston Avenue District (LA) Design Standards as follows:

**1254.12 LIVINGSTON AVENUE DISTRICT (LA) DESIGN STANDARDS.**

The purpose of the Livingston Avenue District (LA) Design Standards is to apply standards designed for the Livingston Avenue corridor overlay district, the purpose of which is to facilitate the implementation of plans and vision for the City's mixed-use area on Livingston Avenue. The design standards are intended to establish, reinforce, enhance and unify the character and pedestrian-oriented amenities and development patterns of mixed-use commercial corridors; implement appropriate building standards that accommodate redevelopment and establish continuity and consistency along the corridors; and promote development that features pedestrian amenities, landscaping, façade transparency, rear parking lots, quality architecture, and appropriately scaled lighting.

The Livingston Avenue District Design Standards outlined in Chapter 1254.12, supersede design standards for all areas contained in the Livingston Avenue District overlay, regardless of underlying zoning district.

CATEGORY	DESIGN STANDARDS
Applicability	<p>a. The placement, construction, or reconstruction of a principal building and/or the alteration of its site, is subject to all standards and requirements of the Livingston Avenue (LA) Design Standard.</p> <p>b. The extension or expansion of a building towards a public street is subject to all the applicable provisions herein.</p> <p>c. Exterior alteration of a primary building frontage is subject to applicable provisions of Section 1254.12 below.</p> <p>d. The construction or installation of a new parking lot, graphic, exterior lighting, fencing, landscaping, or other accessory structure is subject to all the applicable provisions herein.</p>
Buildings	<p>e. A principal building shall be oriented to address and be nearly parallel to a primary street. Nearly parallel means within 15 degrees of being parallel.</p> <p>f. The minimum building setback along public rights-of-way is eighteen (18) feet from the curb. The maximum building setback is thirty (30) feet from the curb, except where a Public-Private Setback Zone is provided. Where a Public-Private Setback Zone is provided, a maximum setback of forty (40) feet from the curb is permitted for up to 50% of the building</p>

CATEGORY	DESIGN STANDARDS
	<p>frontage, provided that a major portion of such setback shall be used to create outdoor pedestrian spaces and landscape features.</p> <p><b>g. The width of a principal building along a primary building frontage shall be a minimum of eighty (80) percent of the lot width. For those properties with a conditional use for a drive-thru, BZAP may permit the drive-thru width to count toward this minimum primary building frontage requirement as a condition of the use.</b></p> <p><b>h. A principal building shall have its main front door facing and directly accessed from Livingston Avenue. This can include placement of the door at the corner of the building frontage and angled to address both Livingston Avenue and the side street or an adjacent area of the site.</b></p> <p><b>i. A principal building shall have four-sided architecture utilizing consistent design and materials on each side.</b></p> <p><b>j. A building frontage that exceeds a width of 50 feet shall include vertical piers or other vertical visual elements to break the plane of the building frontage. The vertical piers or vertical elements shall be spaced at intervals of 15 feet to 35 feet along the entire building frontage. The use of windows and design features shall be used to break up large expanses of building walls on all exposed sides of a building.</b></p> <p><b>k. For a primary building frontage of a commercial use, a minimum of 60 percent of the area between the height of two feet and ten 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 feet. For the secondary building frontage, the pattern of window glass shall continue from the primary building frontage a minimum distance of ten feet.</b></p> <p><b>l. For any new installation or replacement of upper story windows, the new/replacement windows must be clear/non-tinted glass.</b></p> <p><b>m. At least 30% of the second and third floor building frontages (as measured from floor to ceiling) must be window glass. This requirement may be waived if historic documentation (e.g. historic photos) from when the building was first constructed can be provided that shows a different percentage of window glass was used on the second and third floor building frontages. In such cases, the historic percentage must be maintained.</b></p> <p><b>n. All roof-mounted mechanical equipment shall be screened from public view to the height of the equipment. The design, colors and materials used in screening shall be architecturally compatible with the rooftop and the aesthetic character of the building.</b></p> <p><b>o. No outdoor vending machines shall be located as to be visible from Livingston Avenue or any side street.</b></p> <p><b>p. Backlit awnings are not permitted.</b></p>



CATEGORY	DESIGN STANDARDS
<p><b>Pedestrian realm, landscaping and screening</b></p>	<p><b>q. Sidewalks are required along all public streets. Sidewalks shall be clear of obstructions and align with adjacent sidewalks.</b></p> <p><b>r. The recommended minimum width of public sidewalks on Livingston Avenue is twelve feet (12'), however protrusions into the public right-of-way and sidewalks for outdoor pedestrian seating and other landscape features are encouraged, provided that a minimum clear sidewalk width of eight feet (8') is maintained.</b></p> <p><b>s. Landscape plantings, features, and pedestrian amenities shall be developed to create and accent pedestrian areas, and to soften the use of hardscape within the pedestrian zone.</b></p> <p><b>t. Street trees shall be required along all street frontages. The minimum number of shade trees required is determined by the formula of one tree per 30 lineal feet, or fraction thereof, of frontage.</b></p> <p><b>u. At the time of planting a new shade tree shall have a minimum 2.5 inch caliper trunk and new shrubs for screening shall have a minimum height of 24 inches, and be maintained at that height or greater.</b></p> <p><b>v. In areas without a grass tree lawn, a 2' accent strip shall be installed adjacent to the curb line.</b></p> <p><b>w. For all street tree planting beds, a 6' wide tree well with a minimum exposed space of 60 square feet shall be provided and edged in limestone curbing.</b></p> <p><b>x. Landscape plantings shall be developed to break up expanses of pavement within off-street parking areas.</b></p> <p><b>y. All such landscape plantings and features shall be properly maintained, weeded, and watered, and any loss of plant materials shall be replaced in keeping with the approved landscape plan, or within minor modification to the landscape plan according to City Staff approval. The installation and operation of an irrigation system may be required for any planting area. In such cases, the irrigation system must remain operable.</b></p> <p><b>z. The use of landscape features such as pedestrian furniture, decorative railings, tree guards, trash receptacles, bollards and similar such accessories shall reference the Joint Livingston Avenue Plan.</b></p> <p><b>aa. A fence shall be provided along a lot line that borders a residentially zoned or used property at a height of 8 feet, as per the requirements in Section 1264.05.</b></p> <p><b>bb. A surface parking lot or vehicular circulation area shall be screened from all abutting public streets with a minimum 4-foot solid masonry or stone wall; or a minimum 4-foot decorative metal tube or solid metal bar fence (excluding chain link, wire mesh or other similar material), with a minimum 3-foot wide landscaped area along the parking lot side of the fence.</b></p>

CATEGORY	DESIGN STANDARDS																
	<p>cc. Landscaping is needed for surface parking lots in order to further screen parking from the view of public rights-of-way, provide mitigation for stormwater through reducing, slowing and cooling runoff, and to create visual relief from large pavement areas. This landscaping might be in well-designed border plantings that frame the lot or within landscape beds large enough to sustain successful plant growth.</p> <p>dd. Dumpsters shall be located behind the principal building and be screened from public view on all 4 sides, to the height of the dumpster.</p> <p>ee. Ground-mounted mechanical equipment shall be located behind the principal building and be screened from public view. Materials and design for ground-mounted screening shall be a masonry wall one foot taller than the utility/mechanical unit it screens and be compatible with the building materials and architectural design.</p>																
Lighting	<p>ff. The height of any parking lot light pole/fixture shall not exceed 18 feet above grade.</p> <p>gg. When located within 25 feet of a residential district the height of a light fixture shall not exceed 14 feet above grade.</p> <p>hh. All lighting must use cut-off type fixtures, to limit glare, and avoid directing light onto neighboring property, streets, or toward the night sky.</p>																
Parking and circulation	<p>ii. Paved areas for vehicular use, including parking, stacking and circulation aisles are not permitted between the principal building and a street right-of-way line. This standard does not apply to existing buildings unless they are expanded by fifty (50) percent or more in gross floor area.</p> <p>jj. Additional curb cuts are not permitted.</p> <p>kk. The maximum number of off-street parking spaces shall be one stall per 200 square feet of net floor area (5 per 1000), except for institutional uses.</p> <p>ll. Minimum parking ratios are as established below:</p> <table border="1" data-bbox="451 1371 1235 1822"> <thead> <tr> <th data-bbox="451 1371 938 1465">Land Use</th> <th data-bbox="938 1371 1235 1465">Required Spaces (per 1,000 sq. ft.)</th> </tr> </thead> <tbody> <tr> <td data-bbox="451 1465 938 1535">Destination Retail (10,000 sf +/-)</td> <td data-bbox="938 1465 1235 1535">4.0</td> </tr> <tr> <td data-bbox="451 1535 938 1604">Entertainment &amp; Restaurants</td> <td data-bbox="938 1535 1235 1604">4.0</td> </tr> <tr> <td data-bbox="451 1604 938 1650">Food Market</td> <td data-bbox="938 1604 1235 1650">4.0</td> </tr> <tr> <td data-bbox="451 1650 938 1696">Other Retail</td> <td data-bbox="938 1650 1235 1696">3.0</td> </tr> <tr> <td data-bbox="451 1696 938 1743">Office – ground floor</td> <td data-bbox="938 1696 1235 1743">2.5</td> </tr> <tr> <td data-bbox="451 1743 938 1789">Office – upper floors</td> <td data-bbox="938 1743 1235 1789">2.0</td> </tr> <tr> <td data-bbox="451 1789 938 1822">Housing</td> <td data-bbox="938 1789 1235 1822">1.0 per unit</td> </tr> </tbody> </table>	Land Use	Required Spaces (per 1,000 sq. ft.)	Destination Retail (10,000 sf +/-)	4.0	Entertainment & Restaurants	4.0	Food Market	4.0	Other Retail	3.0	Office – ground floor	2.5	Office – upper floors	2.0	Housing	1.0 per unit
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CATEGORY	DESIGN STANDARDS
	<p>mm. Every on-street parking space along the frontage of the property shall count as half a space toward the minimum required parking. This total will be rounded down to the nearest whole number.</p> <p>nn. The provision of rear alley access will reduce the minimum required parking by two spaces.</p> <p>oo. For parcels without rear alley access, the minimum required parking will be reduced by two spaces for each rear cross-access agreement, up to a maximum of four spaces (one cross-access easement to each side adjoining property).</p> <p>pp. Shared parking agreements are allowed subject to the following standards:</p> <ol style="list-style-type: none"> <li>1. A reciprocal written agreement has been executed by all the parties concerned that assures the joint use of such common parking, a copy of which has been submitted to and is acceptable to the Commission.</li> <li>2. The BZAP may require the applicant to provide a parking study with all information deemed necessary to its decision-making on a shared parking arrangement.</li> <li>3. Parking spaces to be shared must not be reserved for individuals or groups.</li> <li>4. Uses sharing a parking facility do not need to be contained on the same lot, but each use shall be a maximum of 500 feet from the closest parking space in the lot providing the shared spaces. A waiver of the maximum allowable distance between the use and associated shared parking may be approved by the BZAP with written justification and supporting information provided by the applicant.</li> <li>5. Uses sharing a parking facility shall provide for safe, convenient walking between uses and parking, including safe, well-marked pedestrian crossings, signage, and adequate lighting.</li> <li>6. Up to 30% of the parking spaces required for the predominant use on a site may be shared with other uses operating during the same time of day and days of the week. The predominant use is considered to be that which requires the most parking of those sharing the parking facilities.</li> <li>7. Up to 75% of the parking spaces required predominantly evening uses may be shared with predominantly daytime uses.</li> <li>8. Up to 75% of the parking spaces required for uses exclusively in operation during the weekend may be shared with uses predominantly in operation on weekdays.</li> </ol> <p>qq. Bicycle parking shall be provided at the ratios as follows: A minimum of two bicycle spaces shall be provided for uses with over 10 vehicle</p>

CATEGORY	DESIGN STANDARDS
	parking spaces. Additional spaces shall be provided at a rate of one bicycle parking space per additional 10 vehicle parking spaces up to a maximum of 12 bicycle parking spaces.

**Section 12.**

That the design standards for curbing in the Mixed Use Commercial District in Section 1254.11 and the Main Street District in Section 1254.13 be amended to change the standards from granite curbing to limestone curbing as follows:

Section 1254.11 Mixed Use Commercial (MUC) Design Standards, subsection (q.) is hereby amended as follows:

- q. For all street tree planting beds, a minimum exposed space of 60 square feet shall be provided and edged in ~~granite~~ limestone curbing.

Section 1254.13 Main Street District (MS) Design Standards, subsection (w.) is hereby amended as follows:

- w. For all street tree planting beds, a minimum exposed space of 60 square feet shall be provided and edged in ~~granite~~ limestone curbing.

**Section 13.**

That Section 1260.05 District Requirements of the Bexley Codified Ordinances is hereby amended as follows:

**1260.05 DISTRICT REQUIREMENTS.**

(a) General Commercial Zoning District. Each storefront or single-user occupied building shall have a combination of two of the following as their primary and secondary signs: a wall sign, an awning sign, or a window sign. The maximum number of business name signs shall be two per business on the front or side (or combination) of the building and one sign in the rear.

The aggregate area of all signage on a building may have an area equivalent to two square feet of sign area for each lineal foot of building frontage, but such aggregate area shall not exceed eighty (80) square feet, with a minimum allowance of thirty (30) square feet regardless of lineal front footage. The width of the building shall be determined by measuring that portion of the building that fronts onto the street as determined by the front yard building setback of the Zoning Code.

- (1) Freestanding signs. Freestanding signs are prohibited.

(2) Projecting signs. Each business may have one projecting sign on the front of the building, provided that no freestanding sign is used. The maximum size for a projecting sign shall be twelve (12) square feet in area on any one side and the total display area of the projecting sign shall not exceed twenty-four (24) square feet. The horizontal projection shall not exceed four (4) feet in length.

(3) Permanent window signs. Permanent window signs shall meet all the requirements of this District pertaining to wall signs.

(4) Temporary window signs. Temporary window signs shall not require a permit if the following requirement is met: a temporary window sign shall not exceed an area of twenty-five percent (25%) of the size of the window in which it is placed, but the maximum allowable coverage for all window signs on any one business is fifty square feet.

(5) Wall sign. Each business may have not more than one wall sign on the front, one wall sign on each side and one wall sign on the rear of the building in which it is located. However, those businesses that are located on a lot that abuts a residential zoning district shall not be allowed to erect a wall sign on that side of the building facing such residential district without first receiving special permission therefore from the Board of Zoning and Planning.

The aggregate area of all wall signs for any single business may be equivalent to one square foot of sign area for each lineal foot of width of the building or part of a building occupied by such business, but such aggregate area shall not exceed sixty (60) square feet. The width of the building shall be determined by measuring that portion of the building that fronts onto the street as determined by the front yard building setback of the Zoning Code.

(6) Awning signs. Each business shall be allowed to have signs including the business name and logo of up to six (6) square feet or 25% of the area of each approved awning canopy, whichever is less, on up to 2 integrated building awnings. The combined allowed awning signs shall be considered as one sign for the purposes of determining the overall number of allowed signs, but all individual square footage shall be calculated as a portion of the total limit.

~~—(b) Commercial Service Zoning District. Each storefront or single-user-occupied building shall have a combination of two of the following as their primary and secondary signs: a freestanding sign, a wall sign, a projecting sign, an awning sign, or a window sign. The maximum number of business name signs shall be two per business on the front or side (or combination) of the building and one sign in the rear.~~

~~—The aggregate area of all signage on a building may have an area equivalent to two square feet of sign area for each lineal foot of building frontage, but such aggregate area shall not exceed eighty (80) feet, with a minimum allowance of thirty (30) square feet regardless of lineal front footage. The width of the building shall be determined by~~

measuring that portion of the building that fronts onto the street as determined by the front yard building setback of the Zoning Code.

—(1) Freestanding signs. Freestanding signs are prohibited.

—(2) Ground-mounted signs. No ground-mounted sign, including its frame and structure, shall exceed thirty (30) square feet in area on any one side. In addition, the total display area of all freestanding signs on any one property shall not exceed sixty (60) square feet. Neither the vertical nor the horizontal measurements of any freestanding sign shall exceed eight (8) feet in length. Only one ground-mounted sign shall be permitted for each building. No new freestanding pole signs shall be permitted. Those that exist become non-conforming signs. Existing pole signs can be replaced with ground-mounted signs. Ground-mounted (monument) signs shall be placed perpendicular to the street and placed a minimum of three (3) feet behind the right-of-way line. Freestanding signs shall not obstruct pedestrian or vehicular visibility. Ground-mounted signs shall have the base screened on all four sides by landscaping.

—(3) Projecting signs. Each business may have one projecting sign on the front of the building, provided that no freestanding sign is used. The maximum size for a projecting sign shall be twelve (12) square feet in area on any one side and the total display area of the projecting sign shall not exceed twenty-four (24) square feet. The horizontal projection shall not exceed four (4) feet in length.

—(4) Permanent window signs. Permanent window signs shall meet all requirements of this District pertaining to wall signs.

—(5) Temporary window signs. Temporary window signs shall not require a permit if the following requirement is met: a temporary window sign shall not exceed an area of twenty-five percent (25%) of the size of the window in which it is placed, but the maximum allowable coverage for all window signs on any one business is fifty square feet.

—(6) Wall signs. Each business may have not more than one wall sign on the front, one wall sign on each side and one wall sign on the rear of the building in which it is located. However, those businesses that are located on a lot that abuts a residential zoning district shall not be allowed to erect a wall sign on that side of the building facing such residential district without first receiving special permission therefor from the Board of Zoning and Planning. The aggregate area of all wall signs for any single business may have an area equivalent to two square feet of sign area for each lineal foot of building frontage of the part of a building occupied by such business, but such aggregate area for all wall signs shall not exceed sixty (60) square feet, with a minimum allowance of thirty (30) square feet regardless of lineal front footage. The width of the building shall be determined by measuring that portion of the building that fronts onto the street as determined by the front yard building setback of the Zoning Code.

~~—(7) Awning signs. Each business shall be allowed to have signs including the business name and logo of up to six (6) square feet or 25% of the area of each approved awning canopy, whichever is less, on up to 2 integrated building awnings. The combined allowed awning signs shall be considered as one sign for the purposes of determining the overall number of allowed signs, but all individual square footage shall be calculated as a portion of the total limit.~~

**(be) Planned Unit Development District.** Signage in these Districts for new construction of the PUD development shall be included in the detailed development plan as required by Section 1256.08 of the Zoning Code.

No initial signage shall be erected for PUD developments without first being approved by Council. No signage shall be erected or modified for existing PUD developments without first being approved by the Board of Zoning and Planning. Approval of signage in these Districts shall be granted only after it has been found that:

(1) The proposed signage is appropriate for the site and is warranted by the design and other amenities incorporated in the sign plan.

(2) The proposed signage will not be detrimental to other residents of the City and surrounding areas, or to the public facilities and services in the City and surrounding areas.

**(cd) Open Space Zoning District.** No sign shall be erected in this District without first being approved by the Board of Zoning and Planning. Approval of a sign in this District shall be granted only after it has been found that:

(1) The proposed sign is appropriate for the site and is warranted by the design and other amenities incorporated in the sign plan.

(2) The proposed sign will not be detrimental to other residents of the City and surrounding areas, or to the public facilities and services in the City and the surrounding areas.

**(de) Residential Zoning Districts.** No permanent sign shall be erected in residential districts without first being approved by the Board of Zoning and Planning. Approval of a sign in these districts shall be granted only if the sign complies with the following:

(1) Signs shall be permitted where six or more dwelling units constitute one development or project; each development shall be limited to one sign located at the principal entrance.

(2) Permitted signs shall be incorporated into architectural or landscaping features.

(3) Sign types shall be only those permitted in this code.

(4) No sign face shall exceed twelve square feet in area on any one side.

(5) Display shall be limited to the name, address and purpose of the address and/or a readily recognizable symbol pertaining to the development.

(6) The proposed sign is appropriate for the site and is warranted by the design and other amenities incorporated in the Sign Plan.

(7) The proposed sign shall not be detrimental to other residents of the City and surrounding areas or to the public facilities and services in the City and surrounding areas.

(ef) Mixed Use Commercial District. Signage in this District shall be subject to the Main Street Design Guidelines and any applicable Main Street District (MS) or Livingston Avenue District (LA) Design Standards as recommended adopted from time to time by the Board of Zoning and Planning and approved by Council. In the event that provisions of the Main Street Design Guidelines relating to signage cease to be in effect or are unenforceable for any reason, signage in this District shall be subject to subsection 1260.04 5(ba) of this section.

(fg) Campus Planning District. No permanent sign shall be erected in this District without first being approved by the Board of Zoning and Planning, unless it complies with a campus signage program approved by the Board of Zoning and Planning Signage in Zone 2 of the Campus Planning District shall also be subject to the Main Street Design Guidelines.

SIGNAGE STANDARDS - DISTRICTS		
SIGNAGE TYPE	GC	CS
Freestanding Sign	Prohibited	Max 30 sf per side / 60 sf total for all on same site Max 1 per building
Projecting Sign	Max 12 sf per side	Max 12 sf per side
Permanent Window Signs	1 sf/lineal foot, max. 60	2 sf/lineal foot, max. 60
Temporary Window Signs	Max. 25% of window, 25 sf total per business	Max 25% of window, 25 sf. Total per business
Wall Signs	1 sf/lineal foot, max. 70	2 sf/lineal foot, max. 70
Awning Signs	Max. 6 sf	Max. 6 sf



SIGNAGE STANDARDS - DISTRICTS				
SIGNAGE TYPE	GC		CS	
TOTAL ALLOWED	2 sf/lineal foot, max. 80		2 sf/lineal foot, max. 80	
	PUD	OS	MS/LA/MUC	CP
	As per submitted development plan. For modifications to an existing PUD, as warranted as determined by BZAP	As warranted for the use as determined by the BZAP	In accordance with Main Street <b>Design Guidelines and any MS or LA Design Standards</b>	In accordance with Campus Signage Plan, and also Main Street <b>Design Guidelines</b> for Zone 2

**Section 14.**

That Section 1262.02 Minimum Number of Spaces Required of the Bexley Codified Ordinances is hereby amended as follows:

**1262.02 MINIMUM NUMBER OF SPACES REQUIRED.**

A minimum number of off-street parking spaces shall be provided in accordance with the following schedule:

USE	REQUIRED OFF-STREET PARKING SPACES
(a) Residential in districts R-1, R-2, R-3 and R-6	2 spaces per dwelling unit
(b) Residential in district R-12	1.5 spaces per dwelling unit
(c) Residential in district MUC	1 space per dwelling unit
(d) High-intensive commercial uses, including eating and drinking places, barber and beauty shops, quick service food stores, cafeteria and similar uses	One space per 250 square feet of net floor area

USE	REQUIRED OFF-STREET PARKING SPACES
(e) Low-intensive commercial uses, including home furnishings and large item display establishments	One space per 500 square feet of net floor area
(f) Special commercial uses with unique parking characteristics, e.g. hotel, theater or bowling alley	Based on substantiated user estimates, but in no case less than one space per 500 square feet of net floor area
(g) Retail sales, service or office uses, not classified above	One space per 300 square feet of net floor area
(h) Public and quasi-public uses	One per 5 seats in any public assembly area, or 1 space per 400 square feet of net floor area if no assembly area exists.

(i) Main Street District. Notwithstanding the foregoing, the minimum number of parking spaces for uses within the Main Street District shall be determined in accordance with the Main Street District Design Standards, Chapter 1254.13.

**(j) Livingston Avenue District. Notwithstanding the foregoing, the minimum number of parking spaces for uses within the Livingston Avenue District shall be determined in accordance with the Livingston Avenue District Design Standards, Chapter 1254.12.**

(kj) Campus Planning District. The minimum number of parking spaces in the Campus Planning District shall be determined by the Board of Zoning and Planning, based on appropriate accommodation of uses pursuant to long range planning strategies developed by the institutions in cooperation with each other and the City.

(lk) Planned Unit Development District. The minimum number of parking spaces in a Planned Unit Development District shall be determined by the Board of Planning and Zoning based on the particular mix of uses and circumstances of each PUD application. The standards outlined in this chapter shall serve as a general guide allocating PUD parking minimums, with possible reductions made for the potential sharing of parking and utilization of cross-access easements.

**Section 15.**

That Section 1262.04 Location of Off-Street Parking of the Bexley Codified Ordinances is hereby amended as follows:

**1262.04 LOCATIONS OF OFF-STREET PARKING.**

Required off-street parking spaces shall be located subject to the following provisions:

(a) Spaces shall be located on the same lot as the structure or use served, except as permitted in the MUC District by the Main Street **Design Guidelines**, or in the Main

**Street District (MS) Design Standards and Livingston Avenue District (LA) Design Standards which shall supersede any conflicting provisions in the Main Street Design Guidelines or are based on an overall parking plan in the CP or PUD Districts.**

(b) No spaces, aisles, or any portion of a driveway that does not access a rear yard parking space or garage shall be located in the front yard in an R-1, R-2, R-3, R-6, R-12 or OS District.

(c) In the GC ~~and CS~~ Districts, parking spaces and aisles in the front yard must be set back ten feet to provide room for a landscape buffer of a minimum 8' in width. This setback may be reduced with appropriate screening approved by the Board of Zoning and Planning.

(d) In residential districts or on any lot directly adjoining a residential district, all off-street parking areas with three or more spaces shall be separated from an adjacent residential property by a yard space of ten feet or more, or by appropriate screening approved by the board or commission having jurisdiction.

(e) In residential districts, all off-street parking areas with two or less spaces shall be separated from adjacent residential property by a yard space of three feet or more or by appropriate screening approved by Zoning Officer.

**Section 16.**

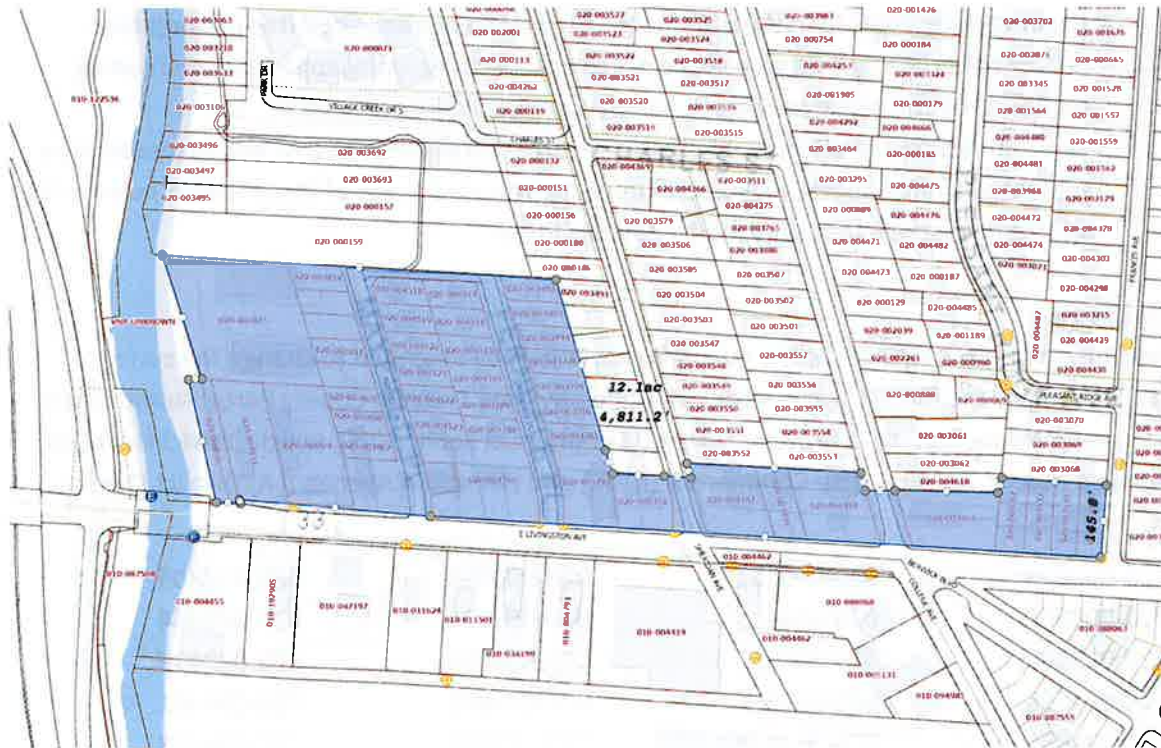
That the current zoning map of the City of Bexley is hereby amended to change the zoning classification of the following properties identified by their Franklin County Parcel Numbers and in the map below that were previously zoned Commercial Service (CS), which District has been repealed herein, to Mixed Use Commercial (MUC) and Livingston Avenue (LA) District Overlay.

020-002924	020-000351	020-003783	020-003805
020-003807	020-003066	020-003786	020-003064
020-003808	020-003067	020-003802	020-003499
020-004696	020-003537	020-003803	020-004491
020-004851	020-003539	020-003804	020-004497

That the current zoning map of the City of Bexley is hereby amended to change the zoning classification of the following properties identified by their Franklin County Parcel Numbers and in the map below that were previously zoned Low Density Multi-Family Residential (R-12) to Mixed Use Commercial (MUC) and Livingston Avenue (LA) District Overlay. The parcels are further identified by the map attached as "Exhibit A."

020-003781	020-003813	020-003778	020-004516
020-004523	020-003814	020-003779	020-004517
020-003809	020-003815	020-003780	020-004518
020-003810	020-003492	020-003789	020-004519
020-003811	020-003493	020-004514	020-004520
020-003812	020-003494	020-004515	020-004521
			020-004522

All other zoning classifications and designations shall remain unchanged.



**Section 17.**

That the Zoning Officer is directed to make the change on the original zoning map in the City and the City Administration is directed to create a new Zoning Map in accordance with Section 16.


**Section 18.**

Should any provision of this Ordinance be declared by a court to be unconstitutional or invalid, such decision shall not affect the validity of the ordinance as a whole, or any part thereof, other than the part declared unconstitutional or invalid.

**Section 19.**

That this ordinance shall go into effect and be in force from and after the earliest period allowed by law.

Passed: Mar 26, 2024

  
\_\_\_\_\_  
Monique Lampke, President of Council

Attest:   
\_\_\_\_\_  
Matt McPeek, Clerk of Council

Approved: March 26, 2024  
  
\_\_\_\_\_  
Mayor Ben Kessler

4857-1281-2448v1

First Reading: January 9, 2024  
Second Reading: January 23, 2024  
Third Reading: February 13, 2024





# Ordinance 04-24: Proposed MUC/LA Zoning Map













# City of Bexley

## Board of Zoning and Planning

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### **Decision and Record of Action – January 25, 2024**

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The City of Bexley Board of Zoning and Planning took the following action at this meeting:

**Application No.:** Amended Ord. No. 04-24  
**Applicant:** City of Bexley  
**Location:** Livingston Avenue (LA) Overlay and update CS to MUC

**Request:** Recommendation to Bexley City Council on Amended Ordinance No. 04-24, An Ordinance To Amend Sections 1220.02, 1220.06, 1220.07, 1223.03, 1226.12, 1230.61, 1254.03, 1254.05, 1254.09, 1254.10, 1254.11, 1254.13, 1260.05, 1262.02 and 1262.04 of the Codified Ordinances of the City of Bexley, Planning and Zoning Code To Repeal Sections 1254.05, 1254.12 of the City's Codified Ordinances and Enact New Sections 1254.05 and 1254.12, and to Amend the Zoning Classification and Official Zoning Map for All Property Located in the Commercial Service (CS) District and Certain Property in the Low Density Multifamily Residential (R-12) District to Mixed-Use Commercial (MUC) and Livingston Avenue District (LA) Overlay.

**Motion:** The following motion was to recommend approval of Amended Ordinance 04-24, was made by Mr. Schick, and seconded by Mr. Klinger:

To recommend to Council the adoption of Amended Ordinance 04-24, with the following additional recommendations: 1) that Council investigate basing multi-family residential parking requirements on a per bedroom as opposed to per unit basis; 2) that references to "Main Street Guidelines" be corrected to "Main Street Design Guidelines"

**Vote:** Mr. Schick, Mr. LeVine, Mr. Klingler, Mr. Eshelbrenner and Chairman Marsh voting yes; Mr. Turner voting no; motion passed.

**Result:** The Board affirmed to recommend approval of Amended Ordinance 04-24

