

ORDINANCE NO. 684 AC CMS

AN ORDINANCE PROVIDING FOR PLANNED RESIDENTIAL DEVELOPMENT WITH OPEN SPACES IN ADDITION TO OTHER ZONING ORDINANCES OF THE CITY OF OBERLIN.

WHEREAS, the City of Oberlin has various plans under the zoning ordinances for the redevelopment and development of residential areas in the City of Oberlin; and

WHEREAS, there is at present no provision for the development of residential areas in which the number of dwelling units therein is governed by the aggregate density of the same; and

WHEREAS, the City of Oberlin wishes to encourage the development of residential areas incorporating imagination and innovation in the arrangement of buildings and related open space; the maximum feasible utilization of existing topography and of desirable features of the natural landscape; and the inclusion of varied dwelling unit types, densities, and site arrangements as part of an integrated and coordinated whole in a particular development area; and

WHEREAS, this ordinance is established for the purpose of providing alternative procedures and standards under which development areas designed to satisfy the objectives above will be reviewed and action taken thereon by the City of Oberlin.

NOW, THEREFORE, be it ordained by the Council of the City of Oberlin, Lorain County, Ohio, ~~XXX~~ members elected thereto concurring:  
a majority of

SECTION 1. The following are the purposes established by the Council of the City of Oberlin to guide a developer in planning a residential area and to use as a standard by which the planning commission of the City of Oberlin shall use in reviewing the plans submitted by the developer.

- A. The overall plan should be comprehensive, embracing both land and buildings and their relationship to each other.
- B. The proposed development should not adversely affect either the City or the adjoining property but should enhance the appearance and desirability of the area.
- C. Architectural and design harmony within the development and between the development and surrounding neighborhood should be attained.
- D. The adjoining property should be protected from noise and from loss of light and air.
- E. Adequate and well located open space and off-street parking areas should be provided.
- F. A system for the safe and efficient flow of both pedestrian and vehicular traffic should be provided and should be properly related to the existing and planned public street system. The development should be located so as to minimize congestion on public streets and highways in its vicinity.

- G. Diverse functional elements of the plan should be well integrated, properly oriented, and related to the topographic natural landscape features of the site.
- H. If the development is to be done in more than one phase or project, each phase or project should be able to stand on its own merits.
- I. High density residential development should be located:
  - 1. So as to prevent added traffic from passing through intervening low density neighborhoods.
  - 2. Near permanent park land, or open space, or shall generate its own open space.

SECTION 2. Applicability. This ordinance shall apply to all developments in which three or more dwelling units are developed as part of a single plan. The development may consist of one or more multiple family dwelling units or it may be a planned and coordinated development of single family dwelling units, two family dwelling units, or any combination of single family, two family, and multiple family dwelling units.

This ordinance is an additional method whereby the development of land may occur and is not a restriction or a modification of any of the existing ordinances providing for the development.

SECTION 3. Development Standards. In order to qualify under this ordinance, a development must meet the following minimum standards:

- A. Permitted Uses. A building or premises shall be used only for the following purposes:
  - 1. One family and two family dwellings.
  - 2. Multiple family dwellings and semi-attached and attached (town houses), single family dwellings.
  - 3. Accessory uses or buildings customarily incident to the above uses, including recreation areas such as, but not limited to, golf courses, swimming pools, tennis courts, community and/or storage buildings.
- B. Minimum Site Size. The minimum site size, measured from the inside of the street right-of-way, shall be determined according to the following schedule:
  - 1. For land included within the boundaries of the City of Oberlin as of the effective date of this ordinance, the minimum site size of a Planned Residential Development, shall be determined according to the intended use of the land, as follows:

Intended Use of the Land.

Minimum Site Size

Three or more single family dwelling units	1 acre
Two or more two family dwelling units	1 acre
Multiple family dwelling units	25,000 sq. ft.
Any combination of single family, two family, and multiple family dwellings	3 acres

2. For land not included or only partially included within the boundaries of the City of Oberlin, as of the effective date of this ordinance, the minimum site size including that part which is out side of the City of Oberlin shall be 5 acres.

C. Width of Site. The site shall have at least 100 feet of frontage abutting a street. On corner lots, the required 100 foot frontage shall be provided along each street.

D. Front Yard. The building or buildings located closest to an existing public street shall be 60 feet from the centerline of the street. If an existing front yard pattern has been established in the area within 200 feet of the Planned Residential Development, which differs from the 60 foot requirement from the centerline of the street, This plan which has been previously established may be adopted and approved with the consent of the planning commission and the City Council.

E. Side and Rear Yards. Side and rear yards of not less than 15 feet shall be maintained at the boundaries of the Planned Residential Development. For buildings of more than two stories, side and rear yards shall be increased by 5 feet for each story over the second.

F. Permitted Density. Density requirement will be applied to a Planned Residential Development on an aggregate basis. However, the following minimum number of square feet shall be provided for each dwelling unit of the type indicated:

<u>Dwelling Unit Types</u>	<u>Minimum Number of Area Square Feet Per Dwelling Unit</u>
Single family	11,250
Two family	6,000
Town houses & two story multiple family dwellings	3,000
Three or more story multiple family dwellings	2,500

In calculating density requirements, if parking is placed below ground level, either beneath the building or beneath suitably landscaped usable open space, a bonus equivalent to 500 square feet of lot area added to the actual area to be used in calculating the number of units permitted thereon will be granted for each parking space so located.

G. Building Coverage. A maximum of 25% of the total lot area may be covered by buildings. If required off-street parking is included within the building, a maximum of 35% of the total lot area may be covered by buildings.

H. Usable Open Space. A minimum of 30% of the total area within a Planned Residential Development shall be devoted to open air re-

creational uses and other open space. Useable open space shall be defined as that space open to the sky suitable for active or passive recreation and not devoted to off-street parking and public or private streets or public streets rights-of-way. This space shall be indicated on the plan and shall not be used for future building.

- I. Off-Street Parking. Off-street parking spaces shall be provided in accordance with the Off-Street Parking Ordinance No. 620 AC CMS. Spaces for a number of buildings may be provided collectively so long as they are easily accessible to the buildings served.
- J. Utility Systems. Utility systems and service facilities shall be located underground.
- K. Minimum Room Size. All dwellings shall have rooms which meet the requirements of Chapter 27 of the Regional Dwelling House Code, (Regional Planning Commission, Cleveland, Ohio, 1966), as follows:

<u>Space Use (Separate Rooms)</u>	<u>Area</u>	<u>Least Dimension</u>
Living Room	160 sq. feet	11 feet
Dining Room	80 sq. feet	8 feet
Bed Room (1st.)	120 sq. feet	9 feet
Bed Room (Additional)	80 sq. feet	8 feet
Kitchen	60 sq. feet	3 feet-4 inches
<u>Combined Rooms</u>	<u>Area</u>	<u>Least Dimension</u>
Living-Dining	180 sq. feet	12 feet
Dining-Kitchen	110 sq. feet	6 feet
Living-Sleeping	220 sq. feet	12 feet

SECTION 4. Procedure. A developer may submit on an informal basis a development plan showing the proposed location and components of the development which, if constructed, would be subject to the requirements of this ordinance.

The Planning Commission will meet with the developer on an informal basis and discuss this proposed development plan.

A formal application for approval of the development plan shall be initiated by the developer by filing with the City Manager five copies of the following material which shall constitute a Development Plan.

1. A plot plan to scale, showing the development area and the area lying outside the boundaries of the development area to a distance of 200 feet including the names of the property owners thereof abutting streets, indicating the north point, the gross area of the development, in square feet and acres, and the number of dwelling units and showing the following, identified by use:

- a. Location of existing and proposed structures and accessory uses and structures such as swimming pools, playground areas, garages, storage and community buildings, and their size, in square feet, and height.
- b. Location and layout of all parking and loading areas (interior and exterior), number of parking spaces provided; gross area devoted to parking; and indicating plans for illuminations, if any.
- c. Location and amount of area devoted to usable open space.
- d. Location and width of any existing or proposed public or private streets, drives, and sidewalks.
2. The legend of the plot plan shall include:
  - a. Title of plot plan
  - b. Name, address, and telephone number of applicant.
3. A preliminary sketch showing the utilities plan with statements of the sources of the water supply, the storm water drainage, sewage, gas, telephone, electricity, street signs, and so forth should be submitted in preliminary form in order that the Planning Commission can check out the feasibility of connecting with the existing utilities and determine the location proposed by the Developer to see if it meets the overall plan of the City. Likewise, the public and private streets, drives, sidewalks, and parking areas should be submitted in sketch form in order to inform the Planning Commission.
4. Floor plans, to scale, of all structures other than single family detached dwellings shall be included in information furnished to the City Manager.
5. Description of facilities for the collection and disposal of garbage and trash shall be submitted.
6. Elevations, to scale, of all structures other than detached single family dwellings from all sides, showing exterior construction materials, size of windows, etc., shall be submitted.
7. A preliminary landscaping plan taking into account the existing trees and other existing landscape features.
8. A preliminary sketch plan showing existing topography and proposed grades, and proposed locations and type of structures.
9. A statement showing the approximate cost of the project, Proposed covenants running with the land, deed restrictions (including those with respect to use of common land) and other covenants, restrictions or easements proposed to be recorded and a detailed plan and covenant for the maintenance of the common ground.
10. A development schedule indicating the approximate date on which development will begin, annual accomplishment, and approximate date of completion.

11. If the applicant wished to subdivide the parcel into two or more lots, he shall (a.) indicate the dimensions and sizes of all proposed lots; (b.) the proposed method of insuring that open space continues in perpetuity; (c.) documents, agreements, controls, or other forms drawn by a member of the Bar setting forth the means by which such open space shall be maintained.
  12. Any other information which the applicant wishes to present or the Planning Commission may require because of unusual circumstances or site features of a particular proposal.
- B. The City Manager shall, within three working days, convey copies of the Development Plan as follows:
- 2 copies to the Chairman of the Planning Commission.
  - 1 copy to the Director of Public Works and the City Engineer for review and report.
  - 1 copy to the City Solicitor for review as to legal sufficiency.
  - 1 copy to the City Manager's office for review and filing.

The City Solicitor will, within two weeks, provide the Planning Commission with a statement as to legal compliance and the City Manager will, within two weeks, provide a report from the Director of Public Works and the City Engineer containing their recommendations.

C. Report to Council.

1. Within thirty (30) days after a development plan has been filed with the City Manager, the Commission shall evaluate the plan and reports required and shall furnish to the Council its detailed report and recommendations with respect to the said development plan. The report of the Planning Commission shall include:
  - a. A finding as to whether the City or the adjacent property will be adversely affected.
  - b. A finding as to whether the Development Plan complies with the development standards prescribed in this ordinance.
  - c. A recommendation that the development plan be approved or disapproved. A copy of said report of the Planning Commission shall be furnished to the applicant and if a recommendation is made that the development plan be disapproved, said report of the Planning Commission shall state the instances in which said plan failed to meet this ordinance and the reasons for not recommending the approval of the development plan.

PASSED: 3/2/70 1st reading  
ATTEST: 4/6/70 2nd reading 5/18/70 3rd reading

*Arthur D. Brown*  
CLERK OF COUNCIL

*Arthur D. Brown*  
CHAIRMAN OF COUNCIL

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