



ORDINANCE NO. 01-2013

AN ORDINANCE ADOPTING CHAPTER 1169 VILLAGE COMMERCIAL AS A ZONING DISTRICT

WHEREAS, the Planning & Zoning Commission drafted and approved for Village Council consideration a new zoning district; and

WHEREAS, The intent of the Village Commercial District is to improve economic viability and to provide a greater mix of uses with an emphasis on historic preservation and traditional development patterns. Utilization of the district is intended to foster pedestrian-oriented development that will enhance Downtown Johnstown as a community focal point. It is intended to discourage auto-oriented uses, uses with fleet parking, commercial storage and other uses that would detract from the visual quality and scale of the district. Its goal is to foster appropriate development standards to preserve historic character by promoting the re-use of existing buildings when compatible with the district and the addition of suitable infill development.

NOW, THEREFORE, BE IT ORDANED BY THE COUNCIL OF THE VILLAGE OF JOHNSTOWN, COUNTY OF LICKING, STATE OF OHIO; A MAJORITY OF THE MEMBERS CONCURRING THAT:

Section 1.

Additions to the Zoning Ordinance are shown in grey and deletions are ~~struck~~.

Section 2.

1169.01 PURPOSE

The intent of the Village Commercial District is to improve economic viability and to provide a greater mix of uses with an emphasis on historic preservation and traditional development patterns. Utilization of the district is intended to foster pedestrian-oriented development that will enhance Downtown Johnstown as a community focal point. It is intended to discourage auto-oriented uses, uses with fleet parking, commercial storage and other uses that would detract from the visual quality and scale of the district. Its goal is to foster appropriate development standards to preserve historic character by promoting the re-use of existing buildings when compatible with the district and the addition of suitable infill development.

1169.02 PERMITTED USES

The following uses shall be permitted in the Village Commercial District.

(1) Retail. Retail stores engaged in selling merchandise or rendering services incidental to the sale of the goods, including the buying and processing of goods for resale or repair.

- a. Food and catering activities
- b. Apparel

- c. Home furnishings
- d. Arts, crafts and antiques
- e. Sporting Goods

(2) Eating and drinking establishments. Eating and drinking establishments that are commercial establishments engaged in furnishing meals on a fee basis.

- a. Restaurants (excluding drive thru establishments)
- b. Bars and taverns
- c. Ice cream parlors
- d. Coffee shops
- e. Bagel shops
- f. Delicatessens and sandwich shops

(3) Administrative, business and professional offices.

(4) Medical and dental offices.

(5) Personal and consumer services.

- a. Barbers
- b. Beauty salons and shops
- c. Tanning salons
- d. Pedestrian-only ATMs
- e. Tailors and pressing shops
- f. Print shops and copy centers
- g. Photography and framing shops

(6) Institutional.

- a. Government offices
- b. Libraries and museums
- c. Community theaters

(7) Religious. Churches, temples or other places of worship.

(8) Child care. Kindergarten, childcare, or daycare in accordance with all applicable state provisions.

(9) Parks and public plazas. Parks, public plazas, playgrounds, play fields or other related park uses.

(10) Bed and breakfast establishments. Bed and breakfast establishments with a resident manager/owner providing eight or fewer guest units.

(11) Dwellings. One-family through four-family dwelling units, excluding residences in detached accessory structures (i.e. carriage house units) and/or residences in conjunction with structures containing other permitted Village Commercial District uses provided the dwellings are not located on the first floor.

(12) Outdoor patios. Outdoor seating areas, including but not limited to outdoor dining and restaurant patio spaces in conjunction with other permitted Village Commercial District uses.

(13) Dance, aerobic, exercise, gymnastics, and related studios.

1169.03 CONDITIONAL USES

The following uses shall be conditional uses within the Village Commercial District:

(1) Hotel and motel facilities. Hotels, motels and other boarding facilities, including bed and breakfasts as not otherwise noted in division (B)(10) of this section.

(2) Recreation centers.

(3) Lodges, banquet halls, and private clubs.

(4) Parking lots. Stand-alone parking lots not in conjunction with other permitted and/or conditional Village Commercial District uses.

(5) Open-air markets. Farmer's markets or other outdoor markets.

(6) Butcher Shop and Slaughter House

(7) Funeral Homes

1169.04 DEVELOPMENT STANDARDS

The following standards for arrangement and development of land and buildings are required before occupying any building.

(1) Lot area. There shall be no minimum lot area; however, lot size shall be adequate to meet all applicable development standards. No land may be subdivided or combined into lots greater than 21,780 square feet (0.5-acre).

(2) Lot width. Lots shall be a minimum of 60 feet in width with a minimum frontage of 60 feet along a public street.

(3) Front yard. All lots shall have a minimum front yard setback of 2 feet and maximum of 12 feet.

(4) Side yard. All lots shall have a minimum side yard of 0 feet with a total of side yards of five feet. Minimum side yards for parking with direct access onto an alley shall be 0 feet.

(5) Rear yard. All lots shall have a minimum rear yard of 5 feet and maximum of 12 feet. Minimum rear yards for parking with direct access onto an alley shall be 0 feet. A structure to be serviced from the rear shall have a service court, alleyway or combination thereof not less than forty feet wide. A rear yard shall not be required on structures whose rear wall is fireproof and contains no windows, doors or other openings, except that a rear yard of 40 feet is always required should such Village Commercial District lots rear abut any residential lot

(6) Height. No dwelling structure shall exceed 35 feet in height. Maximum height for other structures shall not exceed a safe height as determined by the Fire Chief and as reviewed and approved by the Planning and Zoning Commission.

(7) Lot coverage. Combined square footage of all primary and accessory structures and impervious surfaces shall not exceed 80% of the lot area, unless otherwise approved by the Planning and Zoning Commission.

(8) Parking. A traffic and parking system plan shall be required that details points of ingress and egress into the property, parking areas with the number of parking spaces, access drives and pedestrian walkways, shown. The plan shall be so designed as to minimize conflict points between pedestrians and vehicular movements.

(9) Outdoor trash systems shall be sufficient to prevent any overflow and screening shall be provided to enclose such containers and hide them from view. Trash systems must be located at the rear of the building to prevent a negative impact on pedestrian travel.

(10) Storm drainage and runoff collection shall be sufficient to prevent any standing water.

(11) Outdoor storage and display of merchandise on public sidewalks shall be prohibited.

(12) Sidewalks must be installed where missing.

(13) Utilities. During the rehabilitation of a building, all reasonable efforts should be made to relocate existing permanent utility lines to the rear of the building out of view from the street or underground.

Section 3. It is found and determined that all formal actions of this Village Council concerning and relating to the recommendation of adoption of this Resolution were approved in an open meeting of this Village Council and that meetings resulted in such formal action where meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code and the Charter for the VILLAGE OF JOHNSTOWN.

Date of Introduction / First Reading: January 8, 2013

Date of Second Reading / PUBLIC HEARING: January 22, 2013

Date of Third Reading / Passage: February 5, 2013

By: David Keck

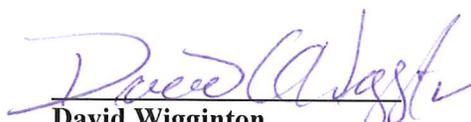
Effective Date: February 5, 2013


Sean Staneart, Mayor

ATTEST TO:

APPROVED AS TO FORM:


Lisa Rawson
Clerk of Council


David Wigginton
Law Director

