APZ 05-2015

CHAPTER 1181
Wilson Bridge Road Overlay District
September 18, 2015 Draft

1181.01 PURPOSE

The purpose of this Chapter is to facilitate implementation of the Wilson Bridge Road Corridor Study (Res. 18-2011), which promotes the redevelopment of the Wilson Bridge Road Corridor into a mixed use area that will generate new economic growth within the City. These requirements are intended to foster development that strengthens land use and economic value; to encourage a mix of uses; to enhance the livability of the area; to augment pedestrian and bicycle connections; and to promote construction of high-quality buildings and public spaces that help create and sustain long-term economic vitality.

1181.02 DISTRICT BOUNDARIES

There is hereby created the Wilson Bridge Road Corridor Overlay District (WBOD) which shall include all parcels with access from Wilson Bridge Road and Old Wilson Bridge Road, between the Olentangy River to the west, and the railroad to the east. The WBOD shall also include properties adjacent to N. High St., from I-270 to Caren and Highland Avenues, but shall exclude any parcels owned by the City that are used for parkland purposes. Properties currently in the Architectural Review District shall also be subject to the provisions in Chapter 1177. In the event of conflict between the standards of the Architectural Review District and the standards of the WBOD, the more restrictive standards shall apply.

1181.03 DEFINITIONS.

The definitions in Section 1101.01 and Chapter 1123 of the Planning and Zoning Code shall apply to those terms used in this chapter, with the addition of the following terms. All defined terms are capitalized.

(a) "Building Frontage" means the line of that face of the building nearest the front line of the lot.

(b) "Impervious Surface" means a hard surface area that prevents or substantially impedes the natural infiltration of water into the underlying soil, resulting in an increased volume or velocity of surface water runoff.

(c) "Parapet" means a low wall barrier at the edge of a roof or structure which may serve to prevent falls over the edge or serve as a stylistic feature.

(d) "Setback" means the minimum distance from a property line to where a Building may be built.

(e) "Setback Area" means the area between the property line and required Setback.

1181.04 GENERAL PROVISIONS

(a) Ordinary repair or maintenance and interior alterations not in conflict with the provisions herein are exempt.

(b) The following improvements shall subject property to the provisions herein:

(1) Construction of a new building or a change to the character of an existing building;

(2) Expansion of a building's gross floor area based on the following:

A. If the expansion area is less than 25% of the existing building's area at the date of adoption of this Chapter, only the expansion area shall comply with this Chapter;

B. If the expansion area is 25% or more of the existing building's area, the entire building shall comply with this Chapter;

(3) Construction, alteration or expansion of parking facilities;

(4) Addition or alteration of landscaping, exterior lighting, fencing, or other accessory structures; and

(5) Construction, alteration and installation of signage.

(c) Redevelopment and/or change of use proposals in the WBOD shall be a minimum of 3 acres of land and 200' of frontage along the Right-of-Way.

(d) The owner of a tract of land proposing improvements that are subject to the provisions in Subsection (b) shall submit an application for review to the Director of Planning and Building in accordance with Section 1181.07.

1181.05 DEVELOPMENT STANDARDS

(a) Site Layout.

(1) Setbacks. Buildings and parking should be set back to provide a buffer between the sidewalk and building, with some variations in the Building Setback Line encouraged throughout the WBOD.

A. Buildings 50,000 square feet in area or less shall be located between 5' and 20' from adjacent Right-of-Way Lines. Buildings greater than 50,000 square feet in area shall be located at least 20' from adjacent Right-of-Way lines.

B. Buildings on properties abutting properties in "R" districts shall not be located closer than 50' to the property line. Parking facilities and access drives on

properties abutting properties in "R" districts shall not be located closer than 25' to the property line.

C. Setback areas in front of retail uses shall be primarily hardscaped, and may be used for outdoor dining and other commercial activities. Residential units with individual entries may include landscaping, walkways, porches, raised planters, walls and fences.

(2) Right-of-Way Dedication. Dedication of Right-of-Way may be required to accommodate public improvements.

(3) Screening. All development on parcels abutting properties in "R" districts shall be permanently screened in the setback area with the combination of a solid wall or fence and landscape screening. The wall or fence shall be at least 6' in height and maintained in good condition without any advertising thereon. Supporting members for walls or fences shall be installed so as not to be visible from any other property which adjoins or faces the fences or walls. This shall not apply to walls or fences with vertical supporting members designed to be identical in appearance on both sides.

Landscape screening shall consist of one of the following options at a minimum:

A. One large evergreen tree with an ultimate height of 40' or greater for every 20 linear feet, plus one medium evergreen tree with an ultimate height of 20' to 40' for every 10 linear feet. Evergreen trees shall be at least 6' in height at the time of planting. Shrubs and ornamental grasses shall be incorporated into the setback area as to complement the tree plantings. A minimum of one shrub or ornamental grass, at least 24" in height, shall be provided for every 5 linear feet. Shrubs and grasses may be planted in clusters and do not need to be evenly spaced.

B. One large deciduous tree with an ultimate height of 50' or greater for every 25 linear feet, plus one medium deciduous tree with an ultimate height of 20' to 40' for every 15 linear feet. Shrubs and ornamental grasses shall be incorporated into the setback area as to complement the tree plantings. A minimum of one shrub or ornamental grass, at least 24" in height, shall be provided for every 5 linear feet. Shrubs and grasses may be planted in clusters and do not need to be evenly spaced.

(4) Equipment. Exterior service, utility, trash, and mechanical equipment shall be located to the rear of buildings if possible and screened from view with a wall, fence or landscaping. Such equipment shall be completely screened from view. Materials shall be consistent with those used in the building and/or site. Equipment located on buildings shall match the color of the building.

(5) Tract Coverage. A maximum of 50% of the property shall be covered with impervious surfaces.

(6) Pedestrian Access. Sidewalks, Recreation Paths or a combination of both, with a minimum width of 5' shall be provided along all Rights-of-Way. A pedestrian walkway with a minimum width of 5' shall be provided from the public sidewalk to primary building entrances, and from parking lots to building entrances.

(7) Drive-in Commercial Uses. Drive-in Commercial Uses shall be oriented so that the drive through is not between the primary street frontage and the building.

(b) Buildings. Building design should enhance the character of the WBOD. A diversity of architectural styles is encouraged to provide visual interest and add to the overall appeal of the corridor.

(1) Design.

A. A principal building shall be oriented parallel to Wilson Bridge Road, or as parallel as the site permits, and should have an operational entry facing the street.

B. The height of a building shall be a minimum of 18' for flat roof buildings measured to the top of the parapet, or 12' for pitched roof buildings measured to the eave. Maximum building height shall be per Section 1181.06 of the Code. Building Frontage that exceeds a width of 50' shall incorporate articulation and offset of the wall plane to prevent a large span of blank wall and add interest to the facade.

C. Roof-mounted mechanical equipment shall be screened from view on all four sides to the height of the equipment. The materials used in screening must be architecturally compatible with the rooftop and the aesthetic character of the building.

D. Extensive blank walls that detract from the experience and appearance of an active streetscape should be avoided.

E. Details and materials shall be varied horizontally to provide scale and three-dimensional qualities to the building.

F. Entrances shall be well-marked to cue access and use, with public entrances to a building enhanced through compatible architectural or graphic treatment.

G. When designing for different uses, an identifiable break between the building's ground floors and upper floors shall be provided. This break may include a change in material, change in fenestration pattern or similar means.

H. Where appropriate, shade and shadow created by reveals, surface changes, overhangs and sunshades to provide sustainable benefits and visual interest should be used.

(2) Materials.

A. Any new building or redevelopment of a building façade should include, at a minimum, 40% of materials consisting of full set clay bricks, stone, cultured stone, wood or fiber cement board siding. Samples must be provided.

B. Long-lived and sustainable materials should be used.

C. The material palette should provide variety and reinforce massing and changes in the horizontal or vertical plane.

D. Especially durable materials on ground floor façades should be used.

E. Generally, exterior insulation finishing systems (EIFS), are not preferred material types.

F. A variety of textures that bear a direct relationship to the building's massing and structural elements to provide visual variety and depth should be provided.

G. The color palette shall be designed to reinforce building identity and complement changes in the horizontal or vertical plane.

(3) Windows and Doors.

A. Ground-floor window and door glazing shall be transparent and non-reflective. Above the ground floor, both curtain wall and window/door glazing shall have the minimum reflectivity needed to achieve energy efficiency standards. Non-reflective coating or tints are preferred.

B. Walls adjacent to the primary building frontage, shall have the pattern of window glass continued from the primary building frontage a minimum distance of 10'.

C. Windows and doors shall be recessed from the exterior building wall, except where inappropriate to the building's architectural style.

D. For a primary building frontage of a commercial use, a minimum of 30% of the area between the height of 2' and 10' above grade shall be in clear window glass that permits a full, unobstructed view of the interior to a depth of at least 4'.

(c) Landscaping. There shall be landscaping that complements other site features and creates relief from buildings, parking areas and other man-made elements.

(1) Natural Features: Natural Features shall not be removed, damaged, altered or destroyed without approval per the procedures in Section 1181.07. All healthy trees 6" caliper or larger shall be retained, or replaced with total tree trunk equal in diameter to the removed tree, and this shall be documented as part of an approved Natural Features preservation plan and/or landscape plan. In the event the Municipal Planning Commission determines that full replacement would result in the unreasonable crowding of trees upon the Lot, or that such replacement is not feasible given site conditions, a fee of $450.00 per caliper inch of trees lost and not replaced on such property shall be paid in cash to the City for deposit in the Special Parks Fund. Such deposits shall be used for reforestation on public property.

(2) Drought tolerant, salt tolerant, non-invasive, low maintenance trees and shrubs should be utilized.

(3) Deciduous trees shall be a minimum of 2" caliper at the time of installation; evergreen trees shall be a minimum of 6' in height at the time of installation; and shrubs shall be a minimum of 24" in height at the time of installation.

(4) Street trees shall be provided.

(5) Parking lot landscaping shall be required per the provisions in Chapter 1171.

(6) Seasonal plantings should be incorporated into the landscape plan.

(7) The approved landscape plan must be maintained across the life of the development.

(d) Lighting. All exterior lighting shall be integrated with the building design and site and shall contribute to the night-time experience, including façade lighting, sign and display window illumination, landscape, parking lot, and streetscape lighting.

(1) The average illumination level shall not exceed 3 footcandles. The light level along a property line shall not exceed 0 footcandles.

(2) The height of parking lot lighting shall not exceed 15' above grade and shall direct light downward. Parking lot lighting shall be accomplished from poles within the lot, and not building-mounted lights.

(3) For pedestrian walkways, decorative low light level fixtures shall be used and the height of the fixture shall not exceed 12' above grade.

(4) Security lighting shall be full cut-off type fixtures, shielded and aimed so that illumination is directed to the designated areas with the lowest possible illumination level to effectively allow surveillance.

(e) Signs.

(1) General

A. All new signs, including sign face replacement, shall be subject to the provisions herein.

B. The provisions in Chapter 1170 shall apply to all signs in the WBOD unless otherwise stated in this section.

C. Exterior lighting fixtures are the preferred source of illumination.

(2) Freestanding Signs

A. There shall be no more than one freestanding sign on parcels less than 2 acres in size, and no more than two freestanding signs on parcels 2 acres in size or greater.

B. Freestanding signs shall be monument style and no part of any freestanding sign shall exceed an above-grade height of 10‘. Sign area shall not exceed 50 square feet per side, excluding the sign base. The sign base shall be integral to the overall sign design and complement the design of the building and landscape.

C. Freestanding signs may include the names of up to eight tenants of that parcel.

D. Light sources shall be screened from motorist view.

(3) Wall-mounted Signs

A. Each business occupying 25% or more of a building may have one wall sign and one projection sign. Wall-mounted signs shall not exceed 40 square feet in area, and projection signs shall not exceed 12 square feet in area per side.

B. Businesses occupying 25% or more of a building on a parcel abutting more than one Right-of-Way may have a wall sign facing each Right-of-Way.

C. Businesses occupying 25% or more of a building abutting the I-270 Right-of-Way may have a wall sign facing each Right-of-Way. Such signs may have a non-illuminated background up to 200 square feet in area. The graphic portion of such signs shall not exceed 100 square feet in area.

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D. Wall-mounted and projection signs shall be designed appropriately for the building, and shall not be constructed as cabinet box signs or have exposed raceways.

(f) Parking.

(1) Design. Surface parking shall be located to the rear or side of the buildings on the site. If parking is located on the side of the building, parking shall not exceed 2 rows of parking with a drive aisle between, shall not exceed 60' of street frontage, shall be located no closer to the Right-of-Way than the building, and shall be screened from view from the Right-of-Way.

(2) Non-residential Uses. Parking shall be adequate to serve the proposed uses, but shall in no case exceed 120% of the parking requirement in Section 1171.01**.**

(3) Residential Uses. There shall not be less than one parking space per Dwelling Unit.

(4) Bicycle Parking. Bicycle parking should be provided and adequate to serve the proposed uses.

(5) Structured Parking. Structured parking shall be permitted and encouraged within the WBOD, and shall meet all other standards as outlined in this chapter.

(g) Public Spaces. A minimum of one Public Space Amenity as approved by the Municipal Planning Commission shall be required for every 5,000 square feet of gross floor area of multi-family dwellings, commercial or industrial space that is new in the WBOD. Public Space Amenities are elements that directly affect the quality and character of the public domain such as:

(1) An accessible plaza or courtyard designed for public use with a minimum area of 250 square feet;
(2) Sitting space (e.g. dining area, benches, or ledges) which is a minimum of 16 inches in height and 48 inches in width;
(3) Public art;
(4) Decorative planters;
(5) Bicycle racks;
(6) Permanent fountains or other Water Features;
(7) Decorative waste receptacles;
(8) Decorative pedestrian lighting; and
(9) Other items approved by the Municipal Planning Commission.

1181.06 ESTABLISHMENT OF WILSON BRIDGE ROAD CORRIDOR ZONING DISTRICTS

The following zoning districts are established for use in the WBOD:

(a) "WBD-1" Medium Density Residential: An area along the WBOD that allows for medium density residential housing, offering a variety of housing styles and pricing options that complement the residential and architectural patterns and styles in the City.

(1) Permitted Uses: Multi-family dwellings, Home Occupations, Public uses, Essential services and Accessory uses.

(2) Maximum Building Height: Three stories except buildings on the south side of Wilson Bridge Road between Westview Drive and McCord Park should be limited to 2 ½ stories and 30'.

(3) Density: The maximum number of dwelling units allowed per acre for development within the WBD-1 shall be 14, with a desired number between 10 and 14 dwelling units.

(b) "WBD-2" Professional Office: Areas to promote small to medium sized office uses. A variety of office types and styles are encouraged to promote flexibility and adaptability.

(1) Permitted Uses: Office uses, Essential services and Accessory uses.

(2) Conditional Use: Public uses and Semi-public uses.

(3) Maximum Building Height: 3 stories, except buildings on the south side of Wilson Bridge Road between Westview Drive and McCord Park should be limited to 2 ½ stories and 35'.

(c) "WBD-3" Mixed Use: An area along the WBOD that allows for a mix of retail and office uses both vertically and horizontally. Retail uses are encouraged for the first floor of multi-floor developments. Pedestrian facilities and public spaces are encouraged. Some residential uses may be incorporated in this area.

(1) Permitted Uses: Uses listed in Chapter 1147 of the Codified Ordinances as permitted uses in the following districts: "C-1" Neighborhood Commercial, "C-2" Community Shopping Center, and "C-3" Institutions and Offices.

(2) Conditional Uses: Residential Uses, Hotels, Motels and Drive-in Commercial Uses.

(3) Maximum Building Height: 4 stories for properties south of Wilson Bridge Rd; 5 stories for properties north of Wilson Bridge Rd.

(d) "WBD-4" Office: Areas along the WBOD that allows for large-scale office development and redevelopment, with such product offering prominent freeway visibility and serving local, regional and national tenants.

(1) Permitted Uses: Office uses, Animal Hospitals, Essential services and Accessory uses.

(2) Conditional Uses: Hotel, Public uses and Semi-public uses.

(3) Maximum Building Height: 6 stories except buildings abutting the Wilson Bridge Rd. right-of-way should be limited to 3 stories.

(e) "WBD-5" Office/High Density Residential: An area of high density office development either as a single use or as a use mixed with multi-family housing. The residential use includes a variety of high density multi-family housing such as condominiums, apartments and townhomes.

(1) Permitted Uses: Permitted uses within the WBD-4 Office District.

(2) Conditional Uses: Multi-family uses as part of the office building structure. No detached multi-family structures are permitted.

(3) Maximum Building Height: 6 stories.

(4) Density: The maximum number of dwelling units allowed per acre for development within the WBD-5 District shall be 20.

1181.07 PROCEDURES FOR REVIEW

(a) Existing Development Modifications. The City staff may approve site and building changes that conform to the Design Standards for the WBOD. Such modifications shall be limited to the addition or modification of lighting, fencing, landscaping, accessory structures and wall signs; and the modification of freestanding signs. Staff approval under this subsection may be used for all properties in the WBOD, regardless of the existence of an approved plan for the property per Chapters 1173, 1175 or 1181.

(b) Redevelopment/New Development. Shall apply to improvements such as construction of a new building; expansion of a building's gross floor area; construction, alteration or expansion of parking facilities; and construction/installation of freestanding signs. Additionally, requested improvements that do not conform to this Chapter may be subject to the provisions herein.

(1) Pre-application. The applicant may request review and feedback from City staff and the Municipal Planning Commission prior to preparing a Preliminary Plan. No discussions, opinions, or suggestions provided shall be binding to the applicant, or the City, or be relied upon by the applicant to indicate subsequent approval or disapproval by the City.

(2) Preliminary Plan.

A. The owner of a tract of land located in the WBOD shall submit to the Municipal Planning Commission for its review, a preliminary plan for the redevelopment and/or change of use of such tract of land. At the time of filing of the

preliminary plan, the applicant shall pay a fee of $350.00, no part of which shall be refundable.

B. The Preliminary Plan submittal shall include the following:
   1. A legal description and vicinity map showing the property lines, streets, existing Zoning, and land uses within 300' of the area proposed for development;
   2. Names and addresses of owners, developers and the registered land surveyor, engineer or architect who made the plan;
   3. Date, north arrow and total acreage of the site;
   4. A topographical survey of all land included in the application and such other land adjoining the subject property as may be reasonably required by the City. The topographical survey shall show two foot contours or contours at an interval as may be required by the Municipal Planning Commission to delineate the character of the land included in the application and such adjoining land as may be affected by the application. Elevations shall be based on North American Vertical Datum of 1988 (NAVD88). In lands contiguous to or adjacent to the flood plain of the Olentangy River, existing contours shall be shown in accordance with the elevations set forth in Chapter 1105;
   5. Existing Structures, parking and traffic facilities, Easements and public Rights-of-Way on the subject property as well as within 300' of the proposed area;
   6. Existing sanitary and storm sewers, water mains, culverts and other underground facilities within the tract and in the vicinity, indicating pipe size, grades and exact locations;
   7. The location of Natural Features and provisions necessary to preserve and/or restore and maintain them to maintain the character of the surrounding neighborhood and community;
   8. A tree preservation plan showing all existing trees 6" caliper or larger;
   9. A preliminary grading plan;
   10. Preliminary design and location of Structures, Accessory Structures, streets, drives, traffic patterns, Sidewalks or Recreation Paths, parking, entry features, site lighting, landscaping, screening, Public Space Amenities and other features as required by the City;
   11. The proposed provision of water, sanitary sewer and surface drainage facilities, including engineering feasibility studies or other evidence of reasonableness of such facilities;
   12. Parcels of land intended to be dedicated or temporarily reserved for public use, or reserved by deed covenant, and the condition proposed for such covenants and for the dedications;
   13. Proposed Easements;
   14. Proposed number of Dwelling Units per acre;
   15. Proposed uses, including area of land devoted to each use;

16. Proposed phasing of development of the site, including a schedule for construction of each phase;
17. Homeowners or commercial owners' association materials;
18. A written narrative describing the project; and
19. Any additional information as required by the Municipal Planning Commission and the City Council.

C. The Municipal Planning Commission may approve, approve with modifications, or disapprove the Preliminary Plan based on its conformance with the ordinances of the City.

(3) Final Plan.

A. Upon determination by the Municipal Planning Commission that the proposed WBOD application as shown by the preliminary plan conforms to the requirements of this Chapter and all applicable requirements of this Zoning Ordinance, the proponents shall prepare and submit a Final Plan, which plan shall incorporate any changes or modifications required or suggested by the Commission. At the time of filing the Final Plan for review by the Municipal Planning Commission, the applicant shall pay a fee of $200, no part of which shall be refundable.

B. The Final Plan submittal shall include the following:
   1. An updated construction schedule;
   2. All items required in the Preliminary Plan, revised as necessary to meet the approval;
   3. Proposed final design and location of Structures, Accessory Structures, streets, drives, Sidewalks or Recreation Paths, parking, entry features, site lighting, landscaping, screening and other features as required by the City;
   4. Evidence that the applicant has sufficient control over the land to undertake the proposed development; and
   5. Covenants and other restrictions which will be imposed upon the use of the land, Buildings, and Structures, and a copy of any bylaws.

C. For any development involving the extension of utilities, the owner shall also submit conceptual utility drawings containing the following information:
   1. The pipe size, slope, manholes and location of the sanitary sewer system;
   2. The size, shape and slope for all pipes, channels and basins of the storm sewer system with accompanying storm drainage calculations;
   3. The size and location of water lines and fire hydrants; and
   4. Street or drive grades, cross sections, elevations and contours at two foot intervals.

   If a conceptual utility plan is required, the applicant shall pay a fee of $100.00 per acre for each acre in the development; however, such fee shall not be less than $300.00 for the purposes of reviewing such utility plans.

D. If the final plan is found to comply with requirements set forth in this Chapter and other applicable provisions of this Zoning Ordinance, the Commission shall submit such plan with its report and recommendations to the City Council which shall hold a public hearing on the WBOD plan.

E. Following a public hearing, the Council may approve by Ordinance the final plan as submitted by the Commission or may approve modification of the plan if the modification is consistent with the intent and meaning of this Chapter and is in substantial conformity with the Final Plan as approved by the Commission.

(4) Requested modifications to the approved Final Plan shall be reviewed according to the following:

A. City Staff. The City staff may approve design modifications that are required to correct any undetected errors or that are consistent with the purpose of the approved Final Plan. Such modifications shall be limited to:

1. Minor adjustments in location of Building footprints and parking lots, provided the perimeter required Yards remain in compliance;
2. Minor adjustments in Building height;
3. Minor modifications in Structure design and materials, and lighting provided there is the same general appearance; and
4. Minor modifications of landscaping, including substitution of materials.

B. Municipal Planning Commission. The Municipal Planning Commission shall review modifications other than those listed in the above section, and any of the above modifications as recommended by City staff.

1. Should the Municipal Planning Commission find that such modification keeps the essential character of the Final Plan, and otherwise meets the provisions of the Planning and Zoning Code, the Municipal Planning Commission may approve such modification.
2. Should the Municipal Planning Commission find that such modification does not otherwise meet the provisions of the Planning and Zoning Code, or requires further review, the Municipal Planning Commission shall forward a recommendation of approval or denial to the City Council for consideration.

C. City Council. Following a public hearing, Council may approve by resolution the amendment to the Final Plan as submitted by the Commission, may approve modification of the plan if the modification is consistent with the intent and meaning of this Zoning Ordinance or may deny the amendment.

(5) Appeal. Any person, firm or corporation, or any officer, department, board or agency of the City who has been aggrieved or affected by any decision of the Municipal Planning Commission or City staff involving an application for the

WBOD, or any member of the City Council, whether or not aggrieved or affected, may appeal such decision to the City Council by filing notice of intent to appeal within seven days of the date of the decision, and filing a petition with the Clerk of Council within fifteen days from the date of the decision and setting forth the facts of the case. The City Council shall hold a public hearing on such appeal not later than thirty days after such petition has been filed with the Clerk of Council. The City Council, by an affirmative vote of four of its members, shall decide the matter on the merits of the case after giving due consideration to the deliberations and decisions of the Municipal Planning Commission and the City Council's decision shall be final.

(6) Expiration. In the event the applicant receiving approval of a WBOD plan does not receive the required permits within 18 months of the date of approval, the City shall require the applicant to show cause why such approval should not be revoked. If the Commission determines that the best interests of the City will not be served by the applicant continuing to hold the approval, the Commission shall hold a hearing to revoke the approval.

(7) Guarantee of Natural Features Work. Prior to beginning construction, the owner or developer shall provide a bond, letter of credit acceptable to the City, or a certified check, guaranteeing the work of preserving and/or restoring and maintaining Natural Features. The bond, letter of credit or check shall be in an amount equal to the estimated cost of the work of preserving and/or restoring and maintaining Natural Features, and the same shall be released upon acceptance of the Natural Features work by the City and upon the furnishing by the owner or developer of an additional bond or letter of credit acceptable to the City, or a certified check in an amount equal to ten percent (10%) of the estimated cost of the Natural Features work to guarantee maintenance of the Improvements and the Natural Features work for a period of one year following the completion of construction.

(8) The owner or developer shall, prior to beginning construction, deposit with the Director of Finance a sum of money as prescribed by the City Engineer to defray the cost of inspection and whatever engineering services may be required**,** and expense incurred by the City in the installation of any public improvements. Should the amount of such deposit be insufficient to pay the cost thereof, the developer shall immediately, upon demand, deposit such additional sums as are estimated by the Director to be necessary. Upon completion and acceptance of the improvement, any unexpended balance remaining from such deposit or deposits shall be refunded.

(9) Interpretation of Uses: When a proposed land use is not explicitly listed herein, the Municipal Planning Commission shall determine whether it is reasonably included in the definition of a listed use, or that the proposed use meets the

following criteria to the extent that it should be treated as a permitted use in that district:

(1) The use is not specifically listed in any other WBOD.
(2) The use is generally consistent with the intent of the WBOD and this Chapter.
(3) The use will not impair the present or potential use of other properties within the same district or bordering districts.
(4) The use has no greater potential impact on surrounding properties than those listed in the district, in terms of aesthetics, traffic generated, noise, potential nuisances, and other impacts related to health, safety and welfare.
(5) The use will not adversely affect the relevant elements of the Wilson Bridge Road Corridor Study.

(c) Notice of Hearings. Notice of all Municipal Planning Commission hearings in Section 1181.07 shall be as follows:

(1) The property in question is to be posted with a placard stating the date and location of the hearing. At this hearing, any party may appear in person or by attorney.

(2) Notice of the time, place and purpose of the public hearing shall be given by mailing or e-mailing a notice not less than ten days prior to the date of the public hearing to owners of property contiguous to and directly across the street from such parcel or parcels.

(3) The meeting agenda shall be posted on the City of Worthington website prior to the meeting.

(4) The failure to notify as provided in this section shall not invalidate any decision made hereunder.

1181.08 COORDINATION WITH OTHER PROVISIONS OF PART 11, PLANNING AND ZONING CODE

For any applicable procedures or requirements not contained or referenced in this Chapter, procedures and requirements contained elsewhere in Part 11 of the Codified Ordinances shall govern. In the event any procedures or requirements contained in this Chapter conflict with procedures or requirements contained elsewhere in Part 11 of the codified Ordinances, the procedures or requirements contained within this Chapter shall govern.

1141.01 DIVISION INTO DISTRICTS

The City is hereby divided into districts under five general categories which shall be known as: Open Area Districts, Residential Districts, Commercial Districts, Industrial Districts *and Wilson Bridge Road Corridor Districts.*

1141.06 WILSON BRIDGE ROAD CORRIDOR DISTRICTS

Refer to Section 1181.06 of the Codified Ordinances for the Wilson Bridge Road Corridor Districts.

1107.01 VARIATIONS BY COUNCIL ACTION.

On recommendation of the Municipal Planning Commission, or on its own initiative, Council may, by Ordinance, permit variations from the standards established in the Planning and Zoning Code with regard to the approval of a Subdivision, Development Plan, Planned Use District or WBOD plan in order to afford justice and address practical difficulties to interested persons. Council may by Resolution permit variations from the standards established in the Planning and Zoning Code with regard to the approval of an amendment to a Development or WBOD plan. Once Council grants a variation or exception, the approval of the same by the Board of Zoning appeals is not required.

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Proposed Zoning

- WBD-1 - Medium Density Residential
- WBD-2 - Professional Office
- WBD-3 - Mixed Use
- WBD-4 - Office
- WBD-5 - Office/High Density Residential

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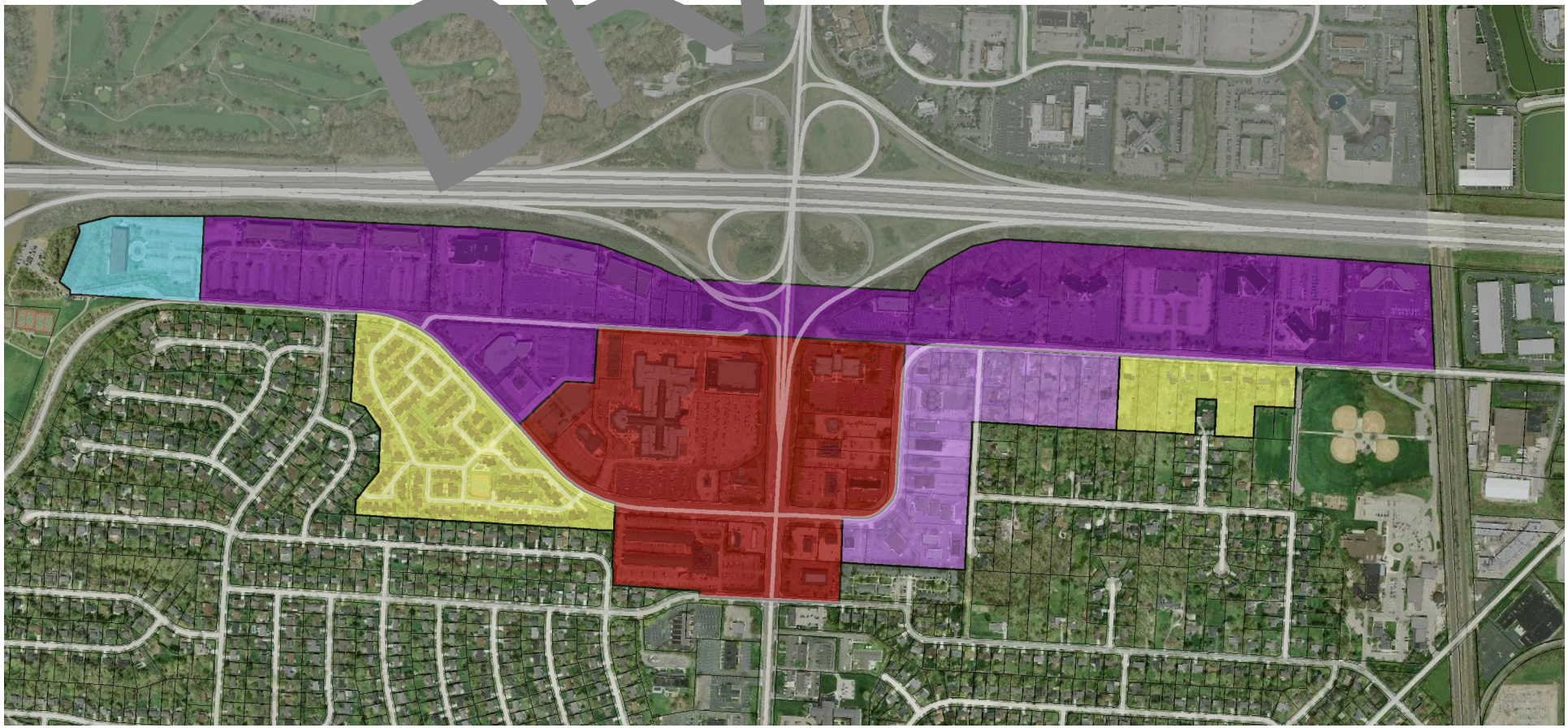

Worthington PLANNING & BUILDING