

BRUNSWICK CITY PLANNING & ZONING COMMITTEE

Agenda

DECEMBER 14, 2020

6:10 PM

or immediately following Finance Committee Meeting

1. Discussion Items

ORD. NO. 102-2020 - An ordinance amending Section 1242.02(32)(e) of the Codified Ordinances of the City of Brunswick - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 103-2020 - An ordinance amending Section 1250.05(g) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 104-2020 - An ordinance amending Section 1252.05(g) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 105-2020 - An ordinance amending Section 1254.03(j) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the R-M Medium Density Residential District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 106-2020 - An ordinance amending Section 1258.03(i) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 107-2020 - An ordinance amending Section 1256.04(g) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the C-N Neighborhood Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 108-2020 - An ordinance amending Section 1260.04(h) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the C-G General Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 109-2020 - An ordinance amending Section 1261.04(g) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a

conditionally permitted use in the GW-C Gateway Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 110-2020 - An ordinance amending Chapter 1286 of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 111-2020 - An ordinance establishing Sections 1274.08(a)(1) and (2) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 112-2020 - An ordinance amending Section 1288.05(c) of the Codified Ordinances of the City of Brunswick by reducing the maximum building height. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 113-2020 - An ordinance establishing Section 1270.10(a)(5) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 114-2020 - An ordinance adopting the design guidelines for the Joint Development Overlay District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

ORD. NO. 115-2020 - An ordinance establishing Chapter 1290 of the Codified Ordinances of the City of Brunswick creating the overlay district. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

2. General Discussion
3. Adjournment

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 102-2020** - An ordinance amending Section 1242.02(32)(e) of the Codified Ordinances of the City of Brunswick - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In order to further define the minimum square footage necessary for a single family dwelling, Section 1242.02(32)(e) has been amended to include this calculation shall be determined by livable space from the main entrance or street level above.

PURPOSE AND EXPLANATION: As several new subdivisions are proposed within the city, further clarification is needed regarding the manner in which minimum square footage is measured for a single family dwelling.

IMPLEMENTATION

SCHEDULE: First reading on December 14th; then referred back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

Recommend adoption of the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 102-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1242.02(32)(e) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1242.02(32)(e) of the Codified Ordinances is hereby amended to read as follows:

“(e) Single Family Dwelling: A dwelling consisting of a single dwelling unit only, separated from other dwelling units by open space. Minimum square footage of a single family dwelling shall be determined by livable space from main entrance or street level above. Same as “single family detached dwelling.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 103-2020** - An ordinance amending Section 1250.05(g) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, Administration/Grant Aungst)

BACKGROUND: In order to clarify how minimum floor area is calculated for a single family dwelling in the R-R Rural Residential District, Section 1250.05(g) has been amended to state minimum floor area, which minimum square footage of a single family dwelling shall be determined by livable space from the main entrance or street level above.

PURPOSE AND EXPLANATION: As several new subdivisions are proposed within the city, further clarification is needed regarding the manner in which minimum square footage is measured for a single family dwelling in the R-R District.

IMPLEMENTATION

SCHEDULE: First reading on December 14th; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Adopt the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 103-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1250.05(g) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1250.05(g) of the Codified Ordinances is hereby amended to read as follows:

“(g) Minimum Floor Area, which minimum square footage of a single family dwelling shall be determined by livable space from main entrance or street level above:

- (1) With a full basement: 1,100 square feet
- (2) Without a full basement: 1,300 square feet”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 104-2020** - An ordinance amending Section 1252.05(g) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In order to clarify how minimum floor area is calculated for a single family dwelling in the R-L Low Density Residential District, Section 1252.05(g) has been amended to state minimum floor area, which minimum square footage of a single family dwelling shall be determined by livable space from the main entrance or street level above.

PURPOSE AND EXPLANATION: As several new subdivisions are proposed within the city, further clarification is needed regarding the manner in which minimum square footage is measured for a single family dwelling in the R-L District.

IMPLEMENTATION SCHEDULE: First reading on December 14th; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Adopt proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 105-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1254.03(j) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY REMOVING CONVALESCENT CARE FACILITIES AS A CONDITIONALLY PERMITTED USE IN THE R-M MEDIUM DENSITY RESIDENTIAL DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1254.03(j) is hereby deleted in its entirety.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 105-2020** - An ordinance amending Section 1254.03(j) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the R-M Medium Density Residential District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In keeping with the recommendations of the Comprehensive Plan Update, Section 1254.03(j) of the Codified Ordinances of the City of Brunswick shall be removed in its entirety, which allowed convalescent care facilities as a conditionally permitted use in the R-M Medium Density Residential District.

PURPOSE AND EXPLANATION: In order to regulate the number of convalescent care facilities within the city, the elimination of Section 1254.03(j) is proposed.

IMPLEMENTATION SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Adopt the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 105-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1254.03(j) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY REMOVING CONVALESCENT CARE FACILITIES AS A CONDITIONALLY PERMITTED USE IN THE R-M MEDIUM DENSITY RESIDENTIAL DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1254.03(j) is hereby deleted in its entirety.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 106-2020** - An ordinance amending Section 1258.03(i) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In order to regulate the location of new and/or used vehicle sales in the C-H Highway Interchange Commercial District, Section 1258.03(i) is amended to limit this use to parcels with frontage on Center Road within the C-H District.

PURPOSE AND EXPLANATION: In keeping with the recommendations of the Comprehensive Plan Update, Section 1258.03(i) of the Codified Ordinances of the City of Brunswick is amended to limit the location of new and/or used vehicle sales to parcels with frontage on Center Road within the C-H District.

IMPLEMENTATION

SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

Adopt the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 107-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1256.04(g) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY REMOVING CONVALESCENT CARE FACILITIES AS A CONDITIONALLY PERMITTED USE IN THE C-N NEIGHBORHOOD COMMERCIAL DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1254.04(g) is hereby deleted in its entirety.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 107-2020** - An ordinance amending Section 1256.04(g) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the C-N Neighborhood Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In keeping with the recommendations of the Comprehensive Plan Update, Section 1256.04(g) of the Codified Ordinances of the City of Brunswick shall be removed in its entirety, which allowed convalescent care facilities as a conditionally permitted use in the C-N Neighborhood Commercial District.

PURPOSE AND EXPLANATION: In order to regulate the number of convalescent care facilities with the city, the elimination of Section 1256.04(g) is proposed.

IMPLEMENTATION SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Adopt the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 107-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1256.04(g) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY REMOVING CONVALESCENT CARE FACILITIES AS A CONDITIONALLY PERMITTED USE IN THE C-N NEIGHBORHOOD COMMERCIAL DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1254.04(g) is hereby deleted in its entirety.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 108-2020** - An ordinance amending Section 1260.04(h) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the C-G General Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In keeping with the recommendations of the Comprehensive Plan Update, Section 1260.04(h) of the Codified Ordinances of the City of Brunswick shall be removed in its entirety, which allowed convalescent care facilities as a conditionally permitted use in the C-G General Commercial District.

PURPOSE AND EXPLANATION: In order to regulate the number of convalescent care facilities within the city, the elimination of Section 1260.04(h) is proposed.

IMPLEMENTATION

SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Adopt the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 108-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1260.04(h) OF THE
CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY
REMOVING CONVALESCENT CARE FACILITIES AS A
CONDITIONALLY PERMITTED USE IN THE C-G GENERAL
COMMERCIAL DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1260.04(h) is hereby deleted in its entirety.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest
period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 109-2020** - An ordinance amending Section 1261.04(g) of the Codified Ordinances of the City of Brunswick by removing Convalescent Care Facilities as a conditionally permitted use in the GW-C Gateway Commercial District. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In keeping with the recommendation of the Comprehensive Plan Update, Section 1261.04(g) of the Codified Ordinances of the City of Brunswick shall be removed in its entirety, which allowed convalescent care facilities as a conditionally permitted use in the GW-C Gateway Commercial District.

**PURPOSE AND
EXPLANATION:**

In order to regulate the number of convalescent care facilities within the city, the elimination of Section 1261.04(g) is proposed.

IMPLEMENTATION

SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

**FINANCIAL
INFORMATION:**

**FINANCIAL
SUMMARY:**

**RECOMMENDED
ACTION:**

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Adopt the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 109-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1261.04(g) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY REMOVING CONVALESCENT CARE FACILITIES AS A CONDITIONALLY PERMITTED USE IN THE GW-C GATEWAY COMMERCIAL DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1261.04(g) is hereby deleted in its entirety.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 110-2020** - An ordinance amending Chapter 1286 of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In order to regulate the density and location of multifamily development, Section 1286.02(a) has been amended to require a minimum site area of twenty acres. Additionally, Section 1286.03(a) has been amended to eliminate rental units. Furthermore, Section 1286.03(e)(1)) has been amended to eliminate multifamily buildings with central hallways with a maximum of 12 dwelling units per building. Regarding excluded areas for multifamily development to reserve street frontage around key intersections for retail, office or other commercial uses, Section 1286.05(b) has been amended to include the intersection of West 130th Street and Laurel Road.

PURPOSE AND EXPLANATION: The proposed text amendments are in accordance with the recommendations of the Comprehensive Plan Update.

IMPLEMENTATION SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No

Suspension of Rules No

If emergency or suspension of the rules, why the request?
Adoption of the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 110-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING CHAPTER 1286 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1286.02(a) of the Codified Ordinances is hereby amended to read as follows:

“(a) Minimum lot area: ~~Two-acre~~Twenty-acre minimum site area ~~—(87,120 square feet), and 5,440 square feet per unit (8 acres per unit).~~”

SECTION 2: That Section 1286.03(a) of the Codified Ordinances is hereby amended to read as follows:

“(a) Unit Types. Notwithstanding the definition in Chapter 1242, multifamily residential dwellings may include a variety of unit types, including but not limited to attached, detached, townhouse, patio and similar unit types. Multifamily dwellings may also include a variety of unit types, including fee simple, footprint and condominium ~~and rental units.~~”

SECTION 3: That Section 1286.03(e)(1) of the Codified Ordinances hereby amended to read as follows:

“(1) ~~Multifamily buildings with central hallways shall have a maximum of 12 dwelling units per building.~~ Attached or townhouse-type dwellings shall have a maximum of 62 units attached in a single building.”

SECTION 4: That Section 1286.04(b) of the Codified Ordinances is hereby amended to read as follows:

“(b) Each multifamily development shall provide common open space equal to ~~30~~35 percent of the development area, excluding right-of-way. As used in this Chapter, common open space includes outdoor areas or enclosed recreational areas designed for use by all of the residents, and their guests, of a multifamily complex. Common open space includes lawns and other landscaped areas, natural areas, paved terraces and sitting areas and indoor or outdoor recreation areas. Common open space excludes all areas within 20 feet of a building wall, vehicle parking or circulation areas, and individually controlled land. Common open space in excess of the above minimum may be considered for park and recreation credits as provided in Chapter 1232.”

SECTION 5: That Section 1286.05(b) of the Codified Ordinances is hereby amended to read as follows:

“(b) Excluded Areas. In order to reserve the street frontage around key intersections for retail, office or other commercial uses, multifamily dwellings are prohibited within the C-G District within 500 feet of the following intersections:

Pearl Road and Boston Road
Pearl Road and Grafton Road
Pearl Road and Center Road
Pearl Road and Laurel Road
Pearl Road and Sleepy Hollow Road
Center Road and Hadcock Road/Maxwell Boulevard
Center Road and N. Carpenter Road
Center Road and S. Carpenter Road
Center Road and W. 130th Street
W. 130th Street and Laurel Road”

SECTION 6: That Section 1286.06(b)(3) of the Codified Ordinances is hereby amended to read as follows:

“(3) Non-multifamily uses shall occupy a minimum of 2530 percent ~~the total~~ of total floor area of the mixed use development.”

SECTION 7: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 111-2020** - An ordinance establishing Sections 1274.08(a)(1) and (2) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Section 1274.08(a)(1) is proposed to reduce the building setback to 75 feet from all residential property lines for educational institutions and governmentally owned and/or operated buildings in a residential district, but shall not include sports fields. Additionally, Section 1274.08(a)(2) is proposed to allow construction trailers to be located a minimum of 50 feet from a neighboring residential property line during construction period only. A permit must be obtained from the Division of Building.

PURPOSE AND EXPLANATION: The proposed legislation will provide appropriate setbacks for educational institutions, governmentally owned and/or operated buildings, and construction trailers in a residential district.

IMPLEMENTATION SCHEDULE: First reading on December 14, 2020; then referred back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No

Suspension of Rules

No

If emergency or suspension of the rules, why the request?

Recommend adoption of the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 111-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE ESTABLISHING SECTIONS 1274.08(a)(1) AND (2) OF
THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1274.08(a)(1) of the Codified Ordinances is hereby established to read as follows:

“(1) For educational institutions and governmentally owned and/or operated buildings in residential districts, all structures and activity areas shall be located at least 75 feet from all residential property lines. This shall not include sports fields.”

SECTION 2: That Section 1274.08(a)(2) of the Codified Ordinances is hereby established to read as follows:

“(2) Construction trailers in residential districts shall be permitted to be located a minimum of 50 feet from a neighboring residential property line during the construction period only. A permit must be obtained from the Division of Building.”

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 112-2020** - An ordinance amending Section 1288.05(c) of the Codified Ordinances of the City of Brunswick by reducing the maximum building height. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: Legislation is proposed to reduce the existing 65 ft. height to 30 feet for buildings in the S-R Senior Residence District.

PURPOSE AND EXPLANATION: In order for new buildings in the S-R Senior Residence District to be compatible with existing surrounding structures, the height shall be reduced to 30 feet.

IMPLEMENTATION SCHEDULE:

First reading on December 14, 2020; then referred back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Recommend adoption of the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 112-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE AMENDING SECTION 1288.05(c) OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK BY REDUCING THE MAXIMUM BUILDING HEIGHT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1288.05(c) of the Codified Ordinances is hereby amended to read as follows:

“(c) Maximum building height: ~~65~~30 feet.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 113-2020** - An ordinance establishing Section 1270.10(a)(5) of the Codified Ordinances of the City of Brunswick. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In order to regulate commercial, industrial, and residential subdivision project signs, the creation of Section 1270.10(a)(5) of the Codified Ordinances of the City of Brunswick is proposed. For commercial or industrial development, project signs shall not be erected prior to issuance of a building permit and must be removed upon issuance of a certificate of occupancy. Project signs for a residential subdivision shall be removed upon 80% occupancy of the development.

PURPOSE AND EXPLANATION: In order to regulate the duration of project signs erected within the city, time limitations are proposed.

IMPLEMENTATION SCHEDULE: First reading on December 14, 2020; then referred back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Recommend adoption of the proposed legislation.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 113-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE ESTABLISHING SECTION 1270.10(a)(5) OF THE
CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1270.10(a)(5) of the Codified Ordinances is hereby established to
read as follows:

“(5) For commercial or industrial development, project signs shall not be
erected prior to issuance of a building permit and must be removed upon issuance
of a certificate of occupancy. Project signs for a residential subdivision shall be
removed upon 80% occupancy of the development.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest
period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 114-2020** - An ordinance adopting the design guidelines for the Joint Development Overlay District. - **1st Reading** (To be brought from Planning & Zoning Committee, Administration/Grant Aungst)

BACKGROUND: A Joint Development Overlay District (JDOD) is proposed for the four existing shopping centers within the city, as per attached Exhibit "A", which shall be added as Appendix I to Title 6 of the Zoning Code. The Zoning Map shall also be updated by the City Engineer designating JDOD-1, JDOD-2, JDOD-3, and JDOD-4, as per the attached Design Guidelines.

PURPOSE AND EXPLANATION: As recommended by the Comprehensive Plan Update, the Joint Development Overlay District Design Guidelines are proposed.

IMPLEMENTATION

SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Recommend adoption of the proposed legislation.

**ADDITIONAL
INFORMATION:**

APPENDIX I

JOINT DEVELOPMENT OVERLAY DISTRICT (JDOD) DESIGN GUIDELINES

- JDOD.1 Purpose.**
- JDOD.2 General design regulations.**
- JDOD.3 Conditionally Permitted and prohibited uses**
- JDOD.4 Site development**
- JDOD.5 Vehicular circulation and access.**
- JDOD.6 Landscaping**
- JDOD.7 Location, orientation, size and shape of buildings.**
- JDOD.8 Exterior renovation or alterations of existing structures.**
- JDOD.9 Building materials.**
- JDOD.10 Outdoor storage and displays.**
- JDOD.11 Supplemental requirements**
- JDOD.12 Signs**

JDOD.1 Purpose.

The purpose of the Joint Development Overlay District (JDOD) regulations is to assist with the development and redevelopment of land and structures to be compatible with the environment and to protect the quality of the urban environment in those locations where the characteristics of the area are of significant public value and are vulnerable to damage by development permitted under conventional zoning and building regulations. These regulations shall be administered as per Chapter 1290, Overlay Districts, of this Zoning Code. Mixed use development, as outlined in Section 1286.06, is highly encouraged.

JDOD.2 General Design Regulations.

The Planning Commission shall use these regulations in their review of development applications in areas designated as Joint Development Overlay Districts on the official Zoning Map of the City of Brunswick.

The Planning Commission shall have the authority to interpret and apply these regulations on a case by case basis and have no binding authority to consider a previous decision or case when making decisions on individual cases that may be in front of them for review and approval.

Pursuant to Section 1278.0(h), during the course of reviewing a site plan, the Planning Commission or City Council may find that the assistance of a qualified consultant is necessary to fully determine the effects of the proposal. The applicant shall pick the consultant, subject to Planning Commission approval, and shall bear the costs of the consultant.

The following Joint Development Overlay Districts (JDOD) have been established:

JDOD-1	K-Mart Plaza: 3301 - 3303 Center Road and 1259 North Carpenter Rd.
JDOD-2	Brunswick Plaza: 1480 Pearl Road
JDOD-3	Laurel Square Plaza: 1733 Pearl Road
JDOD-4	Hickory Ridge Plaza: 1055 through 1085 Pearl Road

JDOD.3 Permitted and conditionally permitted uses.

- (a) Permitted Uses: Townhomes, single-family attached units, single-family detached residential units, apartments (including studio apartments), work-live units, flats, home offices above garages, retail below apartments and hotels.
- (b) Hotels, as described below, shall be permitted in the JDOD-1 District only in the following instances:
 - (1) Hotels, has the same meaning set forth in Section 3731.01 of the Ohio Revised Code, subject to the exceptions set forth in Section 3731.03 of the Revised Code, and shall be permitted in the Overlay District with the following requirements:
 - (2) Any such hotel may not have guest rooms that are directly accessible from outside the building;
 - (3) Any such hotel must include an indoor dining area in which at least breakfast is served to guests (other than through vending machines) for consumption on the premises at tables, booths and/or counters.
 - (4) Any such hotel must include a minimum of 4,000 square feet of meeting/ banquet space separate
 - (5) Any such hotel must include an indoor swimming pool;
 - (6) Any such hotel must include a fitness center; and
 - (7) Any such hotel must include a business center or typical business center amenities, such as printers, fax machines, copiers, etc.
- (c) There are no conditionally permitted uses in the Joint Development Overlay Districts.

JDOD.4 Site Development.

- (a) Density: The maximum density permitted for residential units is 6.5 units per acre. The maximum density permitted for commercial development is 15 units per floor, per acre, with a maximum of two floors per acre.
- (b) Parking areas shall be treated to minimize the visual impact of parked cars, as viewed from the public right-of-way and adjacent properties, through the use of plantings, as required in Chapter 1282 Landscaping and Screening.
- (c) Minimum parking requirements established in Table 1276-1 of Chapter 1276 Parking and Site Design shall also be the maximum parking requirements, in order to reduce the amount of impervious surface.

- (d) Shared parking with adjacent properties is encouraged.
- (e) All trash/recycling receptacles shall be contained in a dumpster enclosure constructed of materials comparable to the building or stored inside the building.
- (f) Lighting shall comply with Section 1276.14.
- (g) Outdoor Activities. Outdoor eating areas may encroach into the sidewalk, but must leave a minimum of 8 feet width clear for walking. Outdoor eating areas are encouraged to establish an edge to the eating area through the use of moveable bollards, plantings, or a fence with a maximum height of 2 feet, 6 inches.

JDOD.5 Vehicular Circulation and Access.

- (a) Provide for the safe and functional movement of vehicles and pedestrians both on and off-site.
- (b) Give consideration to the location of existing access points, adjacent to and directly across the street from the site.
- (c) Vehicular circulation between parcels is encouraged. Provisions for circulation between adjacent parcels should be provided through coordinated or joint parking systems to minimize curb cuts along the street.
- (d) Pursuant to Section 1278.09(d), pedestrian access shall be supplied to provide safe pedestrian connections between buildings and parking areas, recreation areas, transit shelters, street, and other destinations. Walks shall be provided between buildings and the street.

JDOD.6 Landscaping.

- (a) Landscaping shall be installed pursuant to Chapter 1282 Landscaping and Screening.
- (b) Interior landscape islands shall be installed in large existing parking lots in compliance with Section 1282.08(b) to break up the “sea of asphalt” and reduce the amount of impervious surface.

JDOD.7 Location, orientation, size and shape of buildings.

- (a) Preserve the linear continuity of buildings by placing primary building facades parallel to the street. The traditional regional character of the surrounding area should be used as a guide for establishing an appropriate architectural style. The ground floor level should be highly animated and provide visual interest and human scale. The roof lines should be varied. Brick or stone should be considered as a unifying material or element that is common to Joint Development Overlay District buildings. A variety of colors for materials should be used, but those colors should be chosen as part of an overall palette, so that facades relate to each another.

- (b) New and remodeled buildings should be compatible with their surroundings. Architectural style, bulk, shape, massing, scale and form of new and remodeled buildings, and the shape between and around buildings should be consistent with the character of the area and be in harmony with neighboring buildings, pursuant to Section 1278.08.
- (c) All buildings shall provide a pedestrian entrance oriented to the street.

JDOD.8 Exterior renovation or alterations of existing structures.

- (a) The removal or alteration of historic materials or distinctive architectural features should be avoided when possible.
- (b) Architectural elements shall be sensitively designed to reflect detailing associated with the particular style of building.
- (c) The design elements and scale of a building addition shall be compatible with design elements of the principal structure, in particular, building materials and colors, roof lines, shapes, and window proportions and alignment.

JDOD.9 Building materials.

(a) Building walls:

1. Walls facing a public street or parking area shall be designed in small sections to break up the appearance of a long horizontal wall. Overlay District facades should use building elements such as canopies or projections to break up the appearance of a long wall. Alternately, changes in material or color can be used to break up the appearance of a long wall.
2. Buildings shall be clad appropriately to suggest an enduring and regional character. Brick, stone, precast concrete, cement siding, smooth finish premium vinyl siding, and stucco are among the materials that may be used. Precast concrete should be used in the manner of stone but panels should not be embossed with brick or stone patterns. Split-face block is discouraged, particularly on front and side elevations, unless it is an accent material. When split-face block is used, alternating coursing, varied block size, and change in material depth should be used to give the appearance of stone.
3. Standard modular brick is encouraged, but brick face dimensions of up to four (4) inches x twelve (12) inches are permitted.
4. Stucco or EIFS systems are permitted 4 feet above finish floor level. If stucco is used as a primary material, it shall incorporate changes in depth, plane and other architectural features to add detail and interest to a facade and to avoid the appearance of a monolithic wall.
5. Metal and other appropriate regional materials may be used as accent materials.
6. All walls facing a public street or parking area shall be animated by a change in color, material, fenestration, or change in the depth of material.
7. Brick or stone shall be laid in a true bonding pattern (no stack bond allowed).

8. The maximum length of a facade that faces a public street or parking area that is “blank”, meaning of one contiguous material and color without fenestration, accents, or change in material, color, or plane, is 20 linear feet.
 9. All facades shall be animated with changes in material and/or color. Additionally, designs of facades with a base, middle, and top are encouraged.
 10. Glass storefronts to encourage window shopping should be maximized.
- (b) Building elements. Lintels in masonry walls should be articulated with elements such as brick soldier courses, stone, or precast concrete.
- (c) Windows and doors.
1. Windows shall be of square or vertical proportion.
 2. Clear glass shall be the primary glass used at ground level on street facades.
- (d) Building roofs, parapets, and cornices.
1. Roofs may be pitched and flat or a combination thereof.
 2. If roofs are flat, elevations facing the street should incorporate a cornice to top the building. Cornices may be projected brick, stone, precast courses, or molded fiberglass. They should be scaled appropriately to the building mass and be a minimum of one foot in height.
- (e) Building height. Buildings of two and three stories are encouraged. The building height for the primary building mass shall be no less than 20 feet. Canopies shall be designed to provide architectural enhancement.

JDOD.10 Outdoor storage and displays.

- (a) No commercial product display, sales or other activities may be conducted within a required front yard setback area without Planning Commission approval.
- (b) Outdoor storage shall be screened from view from all streets (including Interstate 71) and from adjacent residential districts. Screening may include building walls, solid fences, mounds, landscaping or any combination thereof which forms a year-round solid screen.

JDOD.11 Supplemental Requirements.

Planning Commission Modification. The Planning Commission may modify the strict requirements of this Chapter if it finds that privacy, light and openness are improved because of skillful design in the arrangement of buildings, open spaces, landscaping or other site features. The Commission may also require wider yards where an adjoining building is near a lot line, and such features as fences and plantings to protect adjoining residences.

JDOD.12 Signs.

All signage shall comply with the requirements in Section 1270.05 – Table B. Plaza identification monument signs shall not exceed 20 feet in height.

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 114-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE ADOPTING THE DESIGN GUIDELINES FOR THE JOINT
DEVELOPMENT OVERLAY DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the Design Guidelines, as attached hereto as Exhibit "A", for the Joint
Development Overlay District, are hereby adopted as Appendix I to Title 6 of the
Zoning Code.

SECTION 2: That the City Engineer is directed to update the Zoning Map by designating the
properties identified in the Design Guidelines as JDOD-1, JDOD-2, JDOD-3 and
JDOD-4.

SECTION 3: That this Ordinance shall take effect and be in force from and after the earliest
period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Acting Clerk of Council
Holly Quellos

PROPOSED LEGISLATION



DATE: 12/14/2020

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Grant Aungst

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 115-2020** - An ordinance establishing Chapter 1290 of the Codified Ordinances of the City of Brunswick creating the overlay district. - **1st Reading** (To be brought from Planning & Zoning Committee, *Administration/Grant Aungst*)

BACKGROUND: In order to provide additional land use controls within a zoning district, Chapter 1290 entitled Overlay District has been created. An Overlay District is superimposed over existing zoning districts. Property within an Overlay District is also subject to the provisions of its underlying zoning designation; provided, where the provisions of the Overlay District are more restrictive than the underlying zoning designation, the provisions of the Overlay District shall apply.

PURPOSE AND EXPLANATION: As recommended by the Comprehensive Plan Update, an Overlay District has been established.

IMPLEMENTATION SCHEDULE: First reading on December 14, 2020; then refer back to the Planning Commission for a public hearing.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

Recommend adoption of the proposed legislation.

**ADDITIONAL
INFORMATION:**

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 115-2020

BY: Mr. Delsanter, Mr. Hanek, Mr. Ousley

AN ORDINANCE ESTABLISHING CHAPTER 1290 OF THE CODIFIED ORDINANCES OF THE CITY OF BRUNSWICK CREATING THE OVERLAY DISTRICT.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Chapter 1290 of the City of Brunswick Codified Ordinances titled “Overlay District” is hereby established to read as follows:

“1290.01 PURPOSE.

The purpose of Overlay District regulations is to assist with the development of land and structures to be compatible with the environment and to protect the quality of the urban environment in those locations where the characteristics of the area are of significant public value and are vulnerable to damage by development permitted under conventional zoning and building regulations. Overlay Districts are established to provide additional land use controls and are superimposed over existing zoning districts. Property within an Overlay District is also subject to the provisions of its underlying zoning designation; provided, however, where the provisions of the Overlay District are more restrictive than the provisions of the underlying zoning designation, the provisions of the Overlay District shall apply. Overlay Districts are intended to serve one or more of the following purposes:

- (a) To implement land use and urban design recommendations and standards set forth in neighborhood or corridor area plans, which plans have been adopted as part of the City's Comprehensive Plan;
- (b) To provide uniformity in the design standards applicable to arterial corridors having varied underlying zoning;
- (c) To provide uniform standards for mitigating the impact of intensive commercial uses adjacent to low density residential uses;
- (d) To protect the public and property owners from blighting influences which might be caused by application of conventional land use regulations to properties and areas having sensitive environmental qualities;
- (e) To protect the public from unsafe buildings or unstable land which would be caused by uncontrolled development;
- (f) To prevent significant damage to the economic value and efficiency of operation of existing properties and/or new developments due to the interdependence of their visual and functional relationships;
- (g) To protect the public from blighting influences in areas of high public investment which have added substantial value to a neighborhood; and
- (h) To provide for the protection of special features in the natural and built environment.

1290.02 EFFECT OF UNDERLYING ZONE DESIGNATION.

All of the provisions of the underlying zone district shall be in full force and effect, unless such provisions are specifically varied by the provisions of the applicable Overlay District; provided, however, an Overlay District shall not be used to add to the specific permitted uses in the underlying district.

1290.03 IDENTIFICATION.

The location of all Overlay Districts shall be shown on the Zoning Map of the City of Brunswick as an Overlay superimposed in specific areas over existing zones.

1290.04 ESTABLISHMENT OF OVERLAY DISTRICTS.

City Council may, from time to time, create Overlay Districts as defined and containing the characteristics, as set forth in Section 1290.01. The procedure for creating Overlay Districts shall be the same as those for approving a map amendment as set out in Section 6.02 of the City Charter.

1290.05 GUIDELINES.

The Planning Commission shall prepare, pursuant to this Chapter, Overlay District Development Guidelines. The Overlay District Development Guidelines shall describe in words and/or illustrations the special and distinctive characteristics which are to be protected and the development features which will be reviewed for impact within an Overlay District. The Overlay District Development Guidelines shall be recommended to City Council, which after adoption, shall be considered a part of the Zoning Ordinance when the application is for a property within an Overlay District.

1290.06 CLASSIFICATION.

Overlay Districts shall be classified by categories, according to the provisions and qualifications as described in Section 1290.07. The findings and purpose statement and characteristics identified in Section 1290.07 shall be used to determine areas appropriate for designation.

1290.07 JOINT DEVELOPMENT OVERLAY DISTRICT (JDOD).

(a) Findings and Purposes. A joint development overlay district (JDOD) is identified as one of the corridors listed in the City's Comprehensive Plan, or a similar area, that is experiencing an increased demand for commercial uses. It is important that the visual appearance and composition of these areas be maintained in order to put forth a positive image of Brunswick

at these important locations in the City. It is in the interest of the City to protect and enhance the built features of such joint development corridors by:

- (1) Preventing the deterioration of property and the extension of blighting conditions.
 - (2) Revitalizing and protecting private investment which improves and stimulates the economic vitality and social character of the area.
 - (3) Enhancing the aesthetic and architectural compatibility within neighborhoods and commercial areas.
- (b) Characteristics. JDOD, as herein defined, shall be found to contain at least one of the following characteristics:
- (1) Function as a destination area in the City of Brunswick;
 - (2) Possess mixture of residential and nonresidential uses;
 - (3) Exhibit a current trend or potential for the further conversion of residential uses to nonresidential uses; and
 - (4) Contain a mixture of residential and nonresidential zoning classifications within the corridor.
- (c) Guidelines. Guidelines for the JDOD are located in Appendix I of this Zoning Code.

1290.08 DEVELOPMENT APPROVALS REQUIRED.

(a) The guidelines and regulations of this Chapter shall only apply to the proposed addition or improvement unless the addition or improvement results in a square footage that is greater than fifty percent (50%) of the square footage of the existing structure or building. If the proposed addition or improvement exceeds fifty percent (50%) of the square footage of the existing building or structure, then the entire property shall be brought into compliance with these guidelines and regulations.

(b) No alteration or change shall be made to any property within an Overlay District, except as exempted by Section 1290.09 until approvals have been given by the Planning Commission. No Building or Zoning Permit shall be issued for any site improvement, construction, reconstruction, alteration or demolition of any structure now or hereafter in an Overlay District, unless approvals have been issued by the Planning Commission.

(c) Minor building improvements may be administratively reviewed and approved by the Community & Economic Development Director for compliance with the guidelines. Any improvement which is not in compliance with the guidelines or is determined by the Community & Economic Development Director to be beyond the scope of minor building improvements will be forwarded to the Planning Commission for review.

Minor building improvements shall include the following:

- (1) Fences, arbors, and pergolas
- (2) Siding, roofing, and window replacement
- (3) Façade alterations which are minor in scale
- (4) Signage

1290.09 EXEMPTIONS.

The following are exempt from the provisions of this chapter:

- (a) Any permit determined by the Community & Economic Development Director to be necessary for the immediate public health or safety.
- (b) Any residential permits for rear decks, pools or accessory structures.
- (c) Permits for interior alterations and repairs.
- (d) Permits for construction of public utilities in the public right-of-way.
- (e) Maintenance of property as described in Section 1290.11.

1290.10 APPLICATION PROCEDURES.

Any application submitted for review as provided for by this Zoning Code shall be in accordance with the following procedures:

(a) Submission to the Planning Commission. Application for Planning Commission action shall be submitted to the Planning & Zoning Coordinator on a Site Plan Review Application. Each application shall be accompanied by the payment of the required fee as specified in Section 1216.01, which shall not be refundable.

(b) Data Required with Application. In order for an application to be reviewed and approved, the applicant shall submit drawings, photographs, specifications and material samples as outlined below. A minimum of twelve (12) sets of drawings and color renderings and one material sample shall be submitted. Any approvals for development within this district shall be required to submit a traffic impact study unless this requirement is specifically waived by the Community & Economic Development Director or City Engineer. These items shall accurately represent the proposed alterations or additions and new construction. The following are the submission requirements:

- (1) Alterations to existing buildings.
 - A. Photographs of existing conditions.
 - B. Drawings indicating any changes to the physical appearance.
 - C. An outline describing work and the procedures to be performed.
 - D. Material samples and manufacturer's literature for major materials and products to be incorporated in the proposed design.
- (2) New buildings.
 - A. Photographs of the proposed site and adjoining buildings.
 - B. Site plan and elevation drawings showing the design, indicating drives, roads, parking, walks, walls, fences, landscaping, doors, windows, decoration, materials, finishes and other features accurately representing the proposed design.
 - C. Material samples and manufacturer's literature for major materials and products to be incorporated in the proposed design.
- (3) Additions to existing buildings.
 - A. Photographs of the existing building and adjoining buildings.
 - B. Site plan and elevation drawings showing the design, indicating drives, road, parking, walks, walls, fences, landscaping, doors, windows, decoration, materials, finishes and other features

- accurately representing the proposed design.
 - C. Material samples and manufacturer's literature for major materials and products to be incorporated in the proposed design.
 - (4) Demolition and moving.
 - A. Photographs of the existing building in detail and as it sits on the site.
 - B. A written request from the owner indicating reasons for the demolition or moving.
- (c) Review and Action by the Planning Commission.
 - (1) The criteria contained in the Overlay District Development Guidelines shall be used by the Planning Commission to guide their decision. These criteria shall be in addition to the zoning regulations for the property, although if there is a conflict between the zoning regulations and the criteria of this Chapter, the criteria of this Chapter shall apply. The Overlay District Development Guidelines shall be considered a part of the Zoning Ordinance once it is approved as set forth in Section 1290.05.
 - (2) The Planning Commission shall determine whether the proposed change will be appropriate to the preservation of the environmental, architectural or historic character of the Overlay District pursuant to the criteria included in the Overlay District Development Guidelines.
 - (3) The Planning Commission shall review the application at one or more of its regular meetings, and within forty-five (45) days of such item's first appearance on the agenda, approve, approve with modification or disapprove the application. For demolition of a building, the Commission shall follow the guidelines as set forth in Section 1468 of the Codified Ordinances of the City of Brunswick.
 - (4) Approvals by the Planning Commission shall be valid for one year from the date of final action and shall be automatically revoked if construction has not begun within one year after the date of the Commission's approval.

1290.11 MAINTENANCE.

Nothing in this chapter shall be construed to prevent the ordinary maintenance or repair of any property within an Overlay District, nor shall anything in this Chapter be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Chief Building Official and/or Community & Economic Development Director is required for the public safety because of an unsafe, insecure or dangerous condition.”

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Acting Clerk of Council
Holly Quellos