

City of Oberlin, Ohio

ORDINANCE No. 11- 56 AC CMS

AN ORDINANCE APPROVING AMENDMENTS TO SECTION 1357.08 OF THE CITY OF OBERLIN ZONING CODE RELATED TO THE COMPOSITION AND APPOINTMENT OF DESIGN REVIEW SUBCOMMITTEE MEMBERS, AND TO SECTION 1357.03(B) RELATED TO CONSIDERATION OF APPLICATIONS SUBJECT TO DESIGN REVIEW

WHEREAS, the Oberlin Planning Commission has reviewed the Design Review Subcommittee and regulations related thereto; and

WHEREAS, the Oberlin Planning Commission has recommended to City Council that the Zoning Code be amended related to the composition and appointment of Design Review Subcommittee members, and the time period for the Subcommittee to forward a recommendation to the Commission on applications before it; and

WHEREAS, amendments to Chapter 1357 is considered to be desirable in order to provide an effective and more efficient design review process for applicants, and to encourage improved urban design in Oberlin.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That the proposed amendments to Section 1357.03(b) and Section 1357.08 of the Zoning Code of the City of Oberlin, Ohio, related to the Design Review Subcommittee and regulations applicable thereto, as set forth in “Exhibit A” attached thereto and incorporated herein by reference, are hereby approved and adopted by the City of Oberlin.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect immediately upon passage.

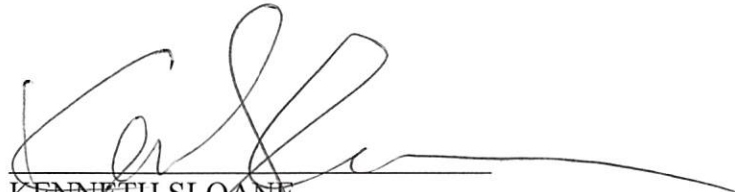
PASSED: 1st Reading – August 22, 2011
 2nd Reading – September 6, 2011
 3rd Reading – September 19, 2011 (A) (Effective in 30 days)

ATTEST:



BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL

POSTED: 09/07/2011



KENNETH SLOANE
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 10/19/2011

EXHIBIT A

SECTION 1357.03 SUBMITTAL, REVIEW AND APPROVAL PROCESS

(b) Design Review Procedures

- (1) Applicability. Site plan applications which involve any of the following shall be submitted for design review in addition to the other review requirements of this Ordinance:
 - (A) In commercial and industrial districts, including C-1, C-2, C-3, O and M-1, and in the PD District, any new construction, substantial renovation, exterior alteration or expansion of a building, or of any sign for which a permit is required, except temporary signs.
 - (B) In residential districts, including R-1A, R-1B, R-1, R-2, and in the PD District, any new construction, substantial renovation, or expansion of a multifamily, public or institutional building, or of any sign for which a permit is required, except temporary signs.
 - (C) In residential districts, including R-1A, R-1B, R-1 and R-2 and in the PD District, any new subdivision which creates more than five new lots.
 - (D) Any substantial change, as determined by the Director of Planning and Development, to a site plan previously reviewed by the Design Review Subcommittee.
 - (E) Any site plan application for which the Planning Commission determines the necessity of a recommendation from the Design Review Subcommittee.

- (2) Transmittal to Subcommittee of the Planning Commission. At the time a site plan application is received, the Director of Planning and Development shall determine if design review is required to comply with this ordinance. If design review is required, the Director of Planning and Development shall submit the application to the Design Review Subcommittee of the Planning Commission.

- (3) Review by Subcommittee of the Planning Commission. . The Subcommittee of the Planning Commission shall meet to review the application and shall submit a recommendation to the Planning Commission in a timely manner. The time for submittal of a recommendation shall not exceed twenty-one (21) days from the date of application unless agreed to by the applicant., The Design Review Subcommittee of the Planning Commission may determine that professional assistance in the form of additional studies or expert advice is necessary to evaluate a proposed design plan for conformance to the requirements of this ordinance. The Subcommittee shall advise the Planning Commission if such professional assistance is required. If the Commission concurs, the applicant shall be so advised within five (5) days of , that decision, and will be required to deposit funds with the City as required to pay for such professional assistance to be performed by a qualified architectural consultant engaged by the City.

Upon receipt of the required funds from the applicant, the Director of Planning and Development shall direct the architectural consultant to perform a study of the proposed design for compliance with the standards of this Ordinance. Such consultation and assistance shall be strictly advisory and neither the Board nor the Planning Commission shall be bound by the architectural consultant's opinions or recommendations.

(Ord. 96-82 AC. Passed 9-16-96.)

The Design Review Board shall review the site plan application with regard to the provisions of 1357.06(l) and (m). The Board may also comment upon other elements of the site plan which are related to the provisions of 1357.06(l) and (m).

(Ord. 97-35 AC. Passed 4-21-97.)

The Planning Commission shall not approve, disapprove, or modify a site plan application until it has received and considered the recommendation of the Subcommittee except that, if the recommendations of the Board are not submitted to the Planning Commission in compliance with the time limits stated above, the Commission may either extend the time limit or may proceed to take action without such recommendation.

(Ord. 96-82 AC. Passed 9-16-96.)