

CITY OF OBERLIN, OHIO

ORDINANCE No. 14-65 AC CMS

AN ORDINANCE APPROVING AMENDMENTS TO THE CITY OF OBERLIN ZONING CODE RELATED TO PARKING OF RECREATIONAL AND COMMERCIAL VEHICLES AS WELL AS OTHER PARKING REGULATIONS IN CHAPTER 1321, 1349, AND 1357

WHEREAS, the Oberlin Planning Commission has reviewed the subject of recreational vehicles and commercial vehicle parking and regulations related thereto; and

WHEREAS, the Oberlin Planning Commission has also reviewed other parking regulations contained in various Chapters of the Zoning Code; and

WHEREAS, an amendment to Chapters 1321, 1349 and 1357 is considered to be desirable to establish updated regulations related to recreational vehicle, commercial vehicle, and other parking regulations; and

WHEREAS, the Oberlin Planning Commission has approved the ordinance; and

WHEREAS, this Council has held a public hearing concerning the proposed regulations.

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 Chapters 1321, 1349 and 1357 of the Codified Ordinances of the City of Oberlin, Ohio related to recreation vehicle, commercial vehicle, and other parking regulations as set forth in "Exhibit A" attached hereto and incorporated herein by reference, are hereby approved and adopted by the Council of 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.

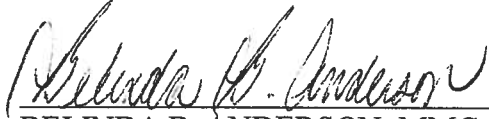
SECTION 3. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading: November 17, 2014

2nd Reading: December 1, 2014

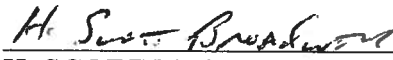
3rd Reading: December 15, 2014 (Effective in 30 days)

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL

POSTED: 12/16/2014



H. SCOTT BROADWELL
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 01/14/2015

EXHIBIT A

(a) Section 1349.02(k) - Recreational Vehicles.

The present regulations in this subsection are hereby repealed and replaced with the regulations noted below:

- (i) In residential districts. A single recreational vehicle as defined herein per dwelling unit may be parked or stored in a residential district provided that:
- (1) **the parking or storage of a recreational vehicle must be in a garage or similar enclosed structure or the rear yard area of a residential lot;**
 - (2) **any recreational vehicle parked or stored in the rear yard of a residential lot be located on an improved surface (including gravel) as referenced in Section 1349.02(d) of the Zoning Code, and shall be adequately screened from view by landscaping or fencing or walls that create an opaque barrier;**
 - (3) **for any recreational vehicle parked or stored in a rear yard area of a residential lot, the recreational vehicle shall be located a minimum setback distance of 3.0 feet from any side or rear lot line;**
 - (4) **any recreational vehicle shall not be used for living or sleeping purposes unless a permit has been issued by the Oberlin Police Department. A maximum of six (6) permits may be issued for a property in one calendar year. Each permit is valid for a maximum of four (4) consecutive days;**
 - (5) **fixed connections to electricity, water, sanitary or gas services are not permitted.**
 - (6) **parking of a recreational vehicle on a City street overnight is prohibited.**
 - (7) **a recreational vehicle may only be parked in a driveway for loading or unloading purposes for a period of not more than twelve (12) hours in any consecutive thirty (30) day period; and**
 - (8) **a recreational vehicle may be parked in a driveway for loading or unloading purposes under (7) above and only in that part of the driveway located outside of the public street right-of-way.**

(b) Parking of Commercial Vehicles.

- (i) **Definition of Commercial Vehicles:** The definition of a “commercial vehicle” contained in Section 1321.97 of the Zoning Code is hereby amended as noted below:

Section 1321.97 Vehicle, Commercial

“Commercial vehicle” means a motorized vehicle other than a passenger car, passenger van (**with a seating capacity of less than 16 passengers**) or recreational vehicle used by a household for non-commercial personal or family transportation, for recreation or for van pooling or ride-sharing use. Commercial vehicles include commercial trucks, buses, commercial vans, tractors, semitrailers, **utility trucks**, motorized farm vehicles, earth-moving equipment, **construction trailers, flatbed trailers, pole trailers, horse/livestock trailers, and construction equipment including but not limited to backhoes, excavators, motorized cranes, portable cranes, well drilling rigs, etc.**

(ii) Section 1349.02(l) Parking of Commercial Vehicles

Staff also recommends that regulations in Section 1349.03(l) related to the parking of commercial vehicles be amended as noted below:

Parking of Commercial Vehicles

In residential districts.

It is recommended that this regulation be revised as follows (changes shown in bold):

No commercial vehicle as defined **under Section 1321.97 of the Zoning Code** and weighing more than 8,000 pounds unloaded may be parked or stored in a residential district other than in a completely enclosed garage except for loading or unloading household belongings between 6:00 a.m. and midnight for the purpose of moving a personal residence or for deliveries, repairs, of construction, maintenance or service calls. **Alternatively such commercial vehicles may be parked on an improved surface (including gravel) in the rear yard area of the lot, shall be setback a minimum distance of 3.0 feet from any side or rear lot line, and shall be screened from view of abutting residential properties by an opaque barrier (fencing or landscaping).**

In commercial districts.

It is recommended that the regulations in this subsection be amended to read as follows (changes shown in bold):

No commercial vehicle as defined herein may be parked or stored in a commercial district other than in a completely enclosed garage or in **an off-street parking facility open to the public** unless it is used in a business located on the same premises or is being parked temporarily by a customer, supplier, contractor or visitor or for loading, unloading, moving or construction, maintenance or repair of the premises.

The parking or storage of an unhitched semi-trailer or tractor is prohibited.

The parking or storage of commercial vehicles with refrigeration equipment within 50 feet of a residential zoning district is prohibited.

(c) Other Recommended Parking Code Changes.

Chapter 1349 is hereby amended as follows:

(i) Section 1349.01(e) Variances

Delete: Procedures for approval of parking variances shall otherwise be the same as provided for in this Chapter for all variance approvals.

Replace with: **Notice of the variance request shall be sent by regular mail to all property owners within 200 feet of the property in question at least fourteen (14) days prior to the Planning Commission meeting.**

(ii) Section 1349.01(l) Illumination

Reference is added to the site illumination standards contained in Section 1357.10(c)(9) of the Zoning Code as noted below:

Illumination. Uses required herein to provide over four (4) parking spaces or one or more loading spaces shall provide, for such spaces are intended to be commonly used at night, lighting facilities that **comply with the regulations contained in Section 1357.10(c)(9) of the Code.**

(iii) Section 1349.02(d) Surface of Parking Areas

This subsection is hereby amended to provide for pervious parking surfaces which surfaces have environmental benefits.

The proposed change is noted below:

All other uses: Asphalt, concrete, brick, paving block or similar durable, dustless ~~impervious~~ surface **including pervious pavement surfaces installed and maintained in accordance with industry and manufacturers' standards.**

(iv) Section 1349.02(e) Marking

All off-street parking spaces for uses required to provide over four (4) spaces shall be marked by durable painted lines, **thermoplastic or similar markings**, curbs or other means that clearly designate individual spaces.

- (v) Section 1349.03 Table 3 – Off Street Parking Spaces for Residential and Lodging Uses.

This “Table” outlining the required number of off-street parking spaces for residential and lodging uses is hereby amended by adding standards for a “bed and breakfast inn:”

Lodging (b)(d)	Maximum Spaces Required per Dwelling/Lodging Unit
Bed and Breakfast Inn	1(g)
	(g) plus 2 spaces for the host dwelling unit.

- (vi) Section 1349.03 Table 4 – Off-Street Parking Spaces for Nonresidential and Non-lodging Uses.

- (vii) Section 1357.10(c)(3)(2) is hereby amended to read as follows:

“In all areas, the Planning Commission ~~should be authorized~~ has the authority to permit the construction of less parking than required by Section 1349.03 Table 4 . . .”

- (viii) Section 1357.10(c)(3)(3) of the Code be deleted, and replaced with:

“Any request by a property owner for construction of more parking spaces than specified under Section 1349.03 Table 4 of the Code requires the submission of an application to the Planning Commission for approval. Such an application is to include documentation supporting the request based on industry standards, practices and experience. In any event, surface parking areas shall not exceed one hundred and twenty-five percent (125%) of the Code’s required minimum number of off-street parking spaces.”

- (ix) Section 1357.10(c)(5) Bicycle Facilities.

- B. The current subsection is hereby deleted and replaced with the following:

A minimum of one bicycle space is required for every 2,500 sq. ft. of gross floor area for retail and restaurant use; one bicycle space is required for every 5,000 sq. ft. of gross floor area for office space over 10,000 sq. ft. of gross floor area; one bicycle space is required for every 5,000 sq. ft. of gross floor area for places of entertainment, places of worship, hospitals, community facilities and institutional uses including colleges; and one bicycle space is required for 4 dormitory beds at a college.

- The following subsection is hereby amended to read as follows:

E. Location of Bicycle Parking shall be:

- * **convenient, near entrances to the building, have street access, and not interfere with normal pedestrian and motor vehicle traffic;**
- * **reasonably illuminated and clearly visible from the street;**
- * **designed so that bicyclists do not need to travel over stairs or other obstacles to access bicycle parking;**
- * **on the same lot as the use or within fifty (50) feet of the lot as the use or within fifty (50) feet of the lot if on other private property;**
- * **a minimum width of two (2) feet, length, of six (6) feet, and a minimum overhead clearance of seven (7) feet. An aisle width of five (5) feet between each row of bicycle parking is required. Each space is to be accessible without moving another bicycle.**

Section 1349.03 Tables 3 and 4 is hereby amended to cross-reference that bicycle parking standards are also applicable to multiple-family residential, college and other institutional uses other than in the downtown district defined under Section 1349.01(d) of this Code.