

CITY OF OBERLIN, OHIO

ORDINANCE No. 19-21 AC CMS

AN ORDINANCE AMENDING PART 13, TITLE FIVE – ZONING ORDINANCE TO ADD CHAPTER 1330 “I”/INSTITUTIONAL DISTRICT REGULATIONS

WHEREAS, the Comprehensive Plan of the City of Oberlin indicates that an “institutional zoning district” should be adopted: and

WHEREAS, an “I”/Institutional District would better address the needs of various kinds of institutional uses (College, schools, government facilities, etc.) and provide reasonable buffers between more intensive institutional uses and residential neighborhoods; and,

WHEREAS, the Oberlin City Planning Commission has been working on drafting regulations for a new “I”/Institutional District for several years and recently completed draft regulations; and,

WHEREAS, the Planning Commission voted unanimously to recommend to City Council that the draft regulations attached in Exhibit A be approved; and,

WHEREAS, Oberlin City Council has held a public hearing as required by law.

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 Part 13, Title Five of the City of Oberlin Codified Ordinances be amended to add new Chapter 1330 “I”/Institutional District Regulations attached hereto as Exhibit A.

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: April 1, 2019

2nd Reading: April 15, 2019 (P), June 17, 2019 (A)

3rd Reading: July 1, 2019

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 07/01/2019

EFFECTIVE DATE: 07/31/2019

CHAPTER 1330
“I” Institutional District

- 1330.01 Purpose; Regulations established**
- 1330.02 Permitted uses**
- 1330.03 Conditional uses**
- 1330.04 Height regulations**
- 1330.05 Area regulations**
- 1330.06 Accessory buildings**

1330.01 PURPOSE, REGULATIONS ESTABLISHED.

The regulations set forth in this chapter, or set forth elsewhere in this Zoning Ordinance, when referred to in this chapter, are the district regulations in the “I” Institutional District.

An Institutional District and regulations are established in order to achieve, among others the following purposes:

- (a) To provide civic, educational, religious, and welfare facilities in locations for the general safety, convenience, comfort, and welfare, and
- (b) To protect these public and semipublic facilities and institutions from the encroachment of other uses and to protect adjoining residential uses from possible injurious effects, and
- (c) To provide an environment for the proper functioning of institutional and public facilities in relation to a well-considered community plan.

1330.02 PERMITTED USES.

Buildings and land shall be used, and buildings shall be designed, erected, altered, moved or maintained only for the following uses and in conformity with the standards set forth herein:

- (a) A building or premises shall be used only for the following purposes:
 - (1) Colleges, universities and theological schools, including their buildings owned or leased for administrative and faculty offices, classrooms, laboratories, chapels, auditoriums, performing arts or concert halls, lecture halls, libraries, student and faculty centers including dining, drinking or eating and snack facilities, dormitories and other living quarters including student apartments, book stores, museums, recreational facilities, playgrounds, athletic fields, outdoor performance and concert venues, other forms of open space, ice arenas, stadia or other spectator seating

facilities, gymnasias and swimming pools, laundry and heating/cooling plants or facilities and other uses required to fulfill an institution's mission with the exception of the conditional uses listed in Section 1330.03.

Colleges or trade schools operated for profit are not permitted.

- (2) Hospitals and clinics, including dormitories for hospital staff.
- (3) Public school or private school having a curriculum the same as ordinarily given in a public elementary school or public high school and having no rooms regularly used for housing or sleeping purposes.
- (4) Religious facilities such as churches, temples, and other places of worship; parochial schools; rectories or convents; and related uses.
- (5) Other institutions providing social, cultural, educational, and health services to member agencies, organizations and individuals or to the general public. Examples include: libraries, museums, schools and educational services and community services providers not elsewhere classified.
- (6) Recreational facilities, playgrounds, athletic fields, ice arenas, stadia, gymnasias, swimming pools, etc., or by a college, university or school.
- (7) Parking garages and surface parking areas associated with a permitted use.
- (8) Festivals, fairs celebration events and farmers markets operated by a not-for-profit organization subject to any special event permits required by the City.

(b) Similar Uses. Any other use not listed above and determined as a "similar use" by recommendation of the Planning Commission and approved by City Council.

1330.03 CONDITIONAL USES

- (a) The following uses shall be reviewed and approved or denied as conditional uses:
 - 1) Outdoor agricultural activities including the planting, maintenance, and harvesting of plants.

1330.04 HEIGHT REGULATIONS.

No principal building and no components such as penthouses, water tanks, antennae or other mechanical appurtenances located on or constituted as an integral part of such building shall exceed eight (8) stories or 120 feet in height.

Open parking structures shall be limited to five (5) levels or sixty (60) feet in height. Stair towers, penthouses or limited architectural features shall not exceed ten (10) feet above the parking structure.

1330.05 AREA REGULATIONS.

- (a) Area Regulations. The area of parcel of land for a permitted use shall not be less than required to provide a site for the main and accessory buildings, parking and other accessory uses, yards and open space to accommodate the facility and to maintain the character of the neighborhood in accordance with the following general criteria:
 - (1) Buildings shall not cover more than fifty percent (50%) of the total land area. Stadia or other open seating structures or facilities, as well as parking structures, shall not be included in calculating land area covered.
 - (2) Surface parking areas, parking structures, driveways and walkways shall not exceed twenty-five –percent (25%) of the total land area.
 - (3) Remaining area shall be landscaped, and not more than fifty percent (50%) of that remaining area shall be used for outside recreational purposes.

- (b) Yard Regulations.
 - (1) Front Yards. There shall be a front yard of not less than thirty (30) feet from the front lot line or less than sixty (60) feet from the centerline of the street; except on the streets where uniform front yards have hitherto been maintained by buildings erected on one-half or more of the frontage of the block, in such cases the uniform front yard shall be continued. On corner lots, the required front yard shall be provided on each street. Accessory buildings shall not be placed nearer the street line than the building of primary use.
 - (2) Side and Rear Yards. Where two (2) or more contiguous lots under one ownership abut, a side yard setback from the “common” or “internal” side lot line(s) shall not be required provided that the owner submits documentation confirming that the lots will not be conveyed individually in the future.

There shall be side and rear yards provided as described below:

Use	Setback (feet)	Setback Adjoining Residential District (feet)
College buildings, offices, classrooms, dorms, student occupied apartments, libraries, hospitals or clinics,	30	50

public/private/parochial schools, churches, temples government buildings		
Laundry, heat/cooling plants	50	100
Stadia, arenas, pools	100	150
Recreational areas	40	80
Open parking areas	20	25
Open parking structures or garages	25	50
Other Uses	As determined by the Planning Commission	

1330.06 ACCESSORY BUILDINGS

Accessory buildings shall be located no closer to the street line and side or rear lot lines than the building of primary use.