

## **BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS**

**Section 1.** That Article XII, “Special Districts,” of Title 33, “Zoning,” of the Columbus City Codes, 1959, is hereby renamed to Article XII, “Restrictive and Limited Zonings”.

**Section 2.** That Article III, “Area Commissions,” of Title 33, “Zoning,” of the Columbus City Codes, 1959, is hereby renamed to Article III, “Special Districts,” consisting of Chapters 3321 through 3331, inclusive.

**Section 3.** That Chapter 3319 of the Columbus City Codes, 1959, is hereby moved to Article I, “Administration” inside Title 33, “Zoning”.

**Section 4.** That there is hereby created an Article II, “Historic Preservation,” in Title 31, “Planning and Platting,” of the Columbus City Codes, 1959, consisting of Chapters 3116 through 3119, inclusive.

**Section 5.** That the prior existing Chapter 3119, “Adequate Public Facilities” of the Columbus City Codes, 1959, is hereby repealed to be recreated, verbatim, as a new chapter.

**Section 6.** That the Columbus City Codes, 1959, are hereby supplemented by the enactment of a new Chapter 3119, “Historic Architectural Review Districts” consisting of twenty-six (26) sections oddly numbered 3119.01 through 3119.51 reading as follows:

### **Chapter 3119 Historic Architectural Review Districts Purpose and Organization**

#### **3119.01 Purpose.**

The purpose of this chapter and the commissions established herein is to create a design review process to:

- A. Preserve, stabilize and improve the compact and unique historic architectural review districts of the city;
- B. Promote the importance of historic preservation;
- C. Strengthen the economy of the city through the creation of new jobs;
- D. Improve the city’s tax base by encouraging reinvestment in historic buildings, and redevelopment of undeveloped land and parcels containing noncontributing structures;
- E. Protect the unique historic and architectural character of these designated districts for the enjoyment of city residents and visitors alike; and
- F. Study the problems and determine the needs of these districts in furthering preservation and compatible redevelopment.

Preservation and redevelopment will create another exciting residential, entertainment, office, retail and tourist district in the heart of the city, benefiting property owners, residents and visitors in particular, and all citizens in general, economically and aesthetically. These regulations are critical to the preservation and redevelopment process and to the protection of the beauty and identity of these unique districts.

This chapter shall conform to and apply provisions of Chapters 3116 and 3118, C.C.

#### **3119.03 Definitions.**

For the purposes of this chapter, the terms, phrases and words defined in C.C. 3116 and their derivations shall have the meaning given therein.

When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number, and words

in the masculine gender include the feminine and neuter. Definitions contained in Chapter 3303, C.C., and not in conflict with Chapter 3116, C.C., shall also apply.

### **3119.05 Duties.**

The duties of the following established commissions shall:

- A. To preserve, protect and enhance the unique architectural and the designated historical district;
- B. To consider applications pursuant to regulations and standards of Chapters 3116 and 3119, C.C., and the respective commission's guidelines and issue certificates therefor if appropriate;
- C. To study the problems and determine the needs of the city in furthering the purpose of preserving and redeveloping the designated historic district;
- D. To determine what legislation or policy, if any, is necessary to preserve and redevelop the respective historic district and to recommend the same to the mayor or council, whichever is appropriate;
- E. To prepare, adopt and publish guidelines consistent with the adopted plans and standards for the respective district pursuant to Chapter 3116, C.C., as applicable;
- F. To work with other preservation and architectural review commissions, the Columbus Landmarks Foundation, the Ohio Historic Preservation Office, city departments, business organizations, neighborhood groups and other interested organizations to advance the preservation and redevelopment of the respective historic district and other historic resources in the city;
- G. To advise the mayor and make recommendations on the conservation of city-owned structures and sites in the designated historic district and on any alteration or demolition of a city-owned property, right-of-way or park in the designated historic district;
- H. To assist the city in compliance with federal preservation regulations;
- I. To receive for review, comment and recommendation from the building services division copies of applications and notices of all public hearings related to rezonings, special permits, variances, demolitions and zoning appeals regarding property located wholly or partially within the designated historic district; and
- J. To provide for regular and special meetings to accomplish the purposes of paragraphs A. through I. herein.

### **3119.07 Organization.**

Unless otherwise specified, as soon as convenient after the members of each commission are appointed by the mayor, the commissions shall meet and organize by the election of a chairman and secretary. The commissions shall adopt rules of procedure and provide for regular and special meetings. A majority of the members appointed to and serving on each commission shall be required for official action and constitute a quorum. All commission meetings shall be open to the public. A record of proceedings shall be maintained and available for inspection. Notices of all commission meetings shall be published in the City Bulletin.

## **Brewery District**

### **3119.09 Brewery District commission - Creation, members and terms.**

The Brewery District commission is hereby established, consisting of seven (7) members appointed by the mayor and serving without compensation. Council recommends that appointments to the Brewery District commission be made from professionals and individuals such as, but not limited to, two (2) architects; one (1) representative of the Brewery Districts merchant's association and one (1) brewery district resident. Recommended membership may include, but shall not be limited to, architects, landscape architects, contractors, carpenters, engineers, archaeologists or public historians, developers, business owners, lawyers, or bankers. To the greatest extent possible members should at a minimum either own, rent, or have a business in the historic district.

Initially, two (2) members shall be appointed for a term of one (1) year; two (2) members shall be appointed for a term of two (2) years; and three (3) members shall be appointed for a term of three (3) years. All subsequent terms shall be for a period of three (3) years. A vacancy caused by death, resignation, or otherwise, shall be filled for the unexpired term in the same manner as the original appointment was made.

**3119.11 Brewery District created.**

There is hereby created in the city a historical district subject to architectural review to be known as the Brewery District, bounded and described as follows:

Bounded generally by Interstate-70 (I-70) on the north, Pearl Street on the east, Greenlawn Avenue on the south, and the Scioto River on the west and more specifically described as follows:

Beginning at the intersection of the eastern bank of the Scioto River and the south side of I-70;

Thence easterly along the south side of I-70 to Pearl Street;

Thence southerly along Pearl Street to Thurman Avenue;

Thence westerly along Thurman Avenue across High Street and continuing along Greenlawn Avenue to the Scioto River;

Thence northerly along the eastern bank of the Scioto River, to the south side of I-70, the place of beginning.

Within the Brewery District there are three architecturally distinct areas and one development district, which for architectural review purposes are to be known as the Northern Tier, Transitional Tier, Southern Tier and Whittier Peninsula bounded and described in C.C. 3321.

**3119.13 Brewery District - The Northern Tier.**

The boundary of the Northern Tier is described as beginning at the intersection of Short Street and the south side of Interstate-70 (I-70);

Thence easterly along the south side of I-70 to Pearl Street;

Thence southerly along Pearl Street to Sycamore Street;

Thence westerly along Sycamore Street jogging northerly along High Street to Sycamore Street and continuing westerly along Sycamore Street to Front Street;

Thence northerly along Front Street to Beck Street;

Thence westerly along the western extension of Beck Street to Short Street;

Thence northerly along Short Street to the south side of I-70, the place of beginning

**3119.15 Brewery District - The Transitional Tier.**

The boundary of the Transitional Tier is described as beginning at the intersection of Short Street and the western extension of Beck Street;

Thence easterly along said western extension of Beck Street to Front Street;

Thence southerly along Front Street to Sycamore Street; Thence easterly along Sycamore Street jogging southerly along High Street to Sycamore Street and continuing easterly along Sycamore Street to Pearl Street;

Thence southerly along Pearl Street to Frankfort Street;

Thence westerly along Frankfort Street to Bank Street;

Thence southerly along Bank Street to Kossuth Street;

Thence westerly along the western extension of Kossuth Street to the eastern boundary of the Conrail railroad tracks;

Thence northerly along the eastern boundary of the Conrail tracks to the eastern railroad spur and continuing northerly along said railroad spur to Sycamore Street;

Thence westerly along Sycamore Street to Short Street;

Thence northerly along Short Street to the western extension of Beck Street, the place of beginning.

### **3119.17 Brewery District - The Southern Tier.**

The boundary of the Southern Tier is described as beginning at the intersection of the eastern boundary of the Conrail railroad tracks and the western extension of Kossuth Street;  
Thence easterly along said western extension of Kossuth Street to Bank Street;  
Thence northerly along Bank Street to Frankfort Street;  
Thence easterly along Frankfort Street to Pearl Street;  
Thence southerly along Pearl Street to Thurman Avenue;  
Thence westerly along Thurman Avenue across High Street and continuing westerly along Greenlawn Avenue to the eastern boundary of the Conrail railroad tracks;  
Thence northerly along the eastern boundary of the Conrail railroad tracks to the western extension of Kossuth Street, the place of beginning.

### **3119.19 Brewery District - The Whittier Peninsula.**

The Whittier Peninsula consists of that area west of the Northern, Transitional and Southern Tiers which lies south of I-70, east of the Scioto River, and north of Greenlawn Avenue.

### **3119.21 Brewery District - Typical architectural characteristics.**

The Brewery District was first established in the early 1800s by German immigrants. It has since evolved into a diverse collection of historic houses, warehouses, and industrial structures, including the largest collection of late 19th century industrial buildings in Columbus. Portions of High Street are also contained within the Brewery District. Along this street there is a variety of historic commercial buildings of Italianate influence, as well as Italianate and One and one-half story cottage residences converted to office and commercial use. Pedestrian linkages across High Street and between High and Front Streets will greatly affect the future viability of the Brewery District. The diversity in architectural styles reflects the variety of land uses historically, and presently, found in the District. As a result of this diversity, the architectural characteristics have been organized into three separate tiers and one development district as follows:

A. Northern Tier. The architectural style of the Northern Tier is primarily late 19th century, warehouses and manufacturing buildings of brick-bearing construction. The building mass is large and generally three to five stories in height. Window treatments are generally double or triple hung with plain stone lintels accompanied by plain lug or slip sills. Other characteristic window treatments include flat or segmental arches. Flat roofs predominate. Brick sidewalks and period lighting are present throughout. Recent rehabilitation efforts have emphasized the historic features of existing architecture, in creating a pedestrian-oriented, mixed-use district.

B. Transitional Tier. This tier has a mixture of historic and new buildings and provides a transition from the dense "urban commercial" character of the Northern Tier to the open "urban residential" character of the Southern Tier. This tier is in a fragile state as a number of structures have undergone demolition and existing structures are subject to development pressures. Pedestrian-oriented redevelopment that is sensitive to the remaining historic structures will be critical.

C. Southern Tier. The architecture in the Southern Tier reflects the character and scale of neighboring German Village. Excellent examples of Gabled EII, Italianate, and One and one-half story cottage residences are present. Facade composition ranges from the vernacular to more ornate, high-style elements. Brick bearing wall construction dominates the district, with a smattering of frame constructed structures. The Gabled EII style is generally a two-story structure with a cross-gabled roof and chimney placement along the ridge line. Windows are typically double-hung and porches are commonly found along the long wing or the rear elevation. Additional treatments include attic vents, decorative shingles, and multiple wall treatments. The Italianate style architecture in the District is characterized by two-story structures with simple hipped roofs. Walls are typically smooth, with the exception of rusticated quoin details. Other typical architectural details include carved-stone lintels, hoodmoulds, decorative porches, bracketed cornices, and arched windows.

The One and one-half story cottages in the District are generally simple in composition with gabled roofs and double-hung windows with cut stone lintels and sills.

D. Whittier Peninsula. The Whittier Peninsula lies at the western edge of the Brewery District bordering the Scioto River. It is the largest, single, planning subarea and is largely a development district area. A comprehensive, coordinated, redevelopment of the Whittier Peninsula, will be necessary for public and private interests to create an area with a unique mix of natural open space, recreational facilities, downtown housing, neighborhood-supported commercial uses, and adequate, well-planned circulation.

E. Conformance and Compatibility Standards. All construction, reconstruction, alteration or demolition shall be in conformance to and compatible with the above characteristics; the regulations and standards contained in Chapters 3116; the Brewery District Plan as adopted and as may be amended from time to time; the Guidelines for the Brewery District to be adopted by the Commission, approved by Council and published pursuant to C.C. 3116.03; and such other standards as may be adopted by the Commission from time to time in conformity with C.C. 121.05.

## **German Village**

### **3119.23 German Village commission - Creation, members and terms.**

The German Village commission, consisting of seven (7) members, is hereby established. All members shall be appointed by the mayor and shall serve without compensation. Council recommends that appointments to the German Village commission be made from professions and individuals, such as, but not limited to, one (1) member of the administrative staff of the mayor, one (1) designee of council, one (1) architect and two (2) persons from a list of four (4) persons recommended by the German Village Society. Two (2) members shall be appointed for an initial term of one (1) year; two (2) members shall be appointed for an initial term of two (2) years; and three (3) members shall be appointed for an initial term of three (3) years. All subsequent terms shall be for a period of three (3) years. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term in the same manner as original appointments are made.

### **3119.25 German Village district created.**

There is hereby created in the city of Columbus a historical district subject to architectural review to be known as the German Village district (commonly referred to as "German Village") bounded and described as follows:

The area bounded generally by Pearl Street on the west; East Livingston Avenue on the north; Lathrop Street, Brust Street, Grant Avenue, Jaeger Street and Blackberry Alley the east; and by Nursery Lane on the south; being approximately two hundred thirty-two and one half (232-1/2) acres and being more particularly described as follows:

Beginning at the southeast corner of Pearl Street and relocated East Livingston Avenue;  
Thence easterly along relocated East Livingston Avenue and East Livingston Avenue to Lathrop Street;

Thence southerly along Lathrop Street to Beck Street;

Thence westerly along Beck Street to Brust Street;

Thence southerly along Brust Street to Sycamore Street;

Thence westerly along Sycamore Street to Grant Avenue;

Thence southerly along Grant Avenue to Frankfort Street;

Thence easterly along Frankfort Street to the fifteen (15) foot alley west of Ebner Street formerly known as Stelzer Alley and renamed as Grant Avenue by Ordinance 178-31; Thence southerly along said Grant Avenue to Kossuth Street;

Thence westerly along Kossuth Street to Jaeger Street; Thence southerly along Jaeger Street to Whittier Street; Thence easterly along Whittier Street to Blackberry Alley;

Thence southerly along Blackberry Alley to Nursery Lane, said Nursery Lane being an eighteen (18) - foot alley south of Thurman Avenue;

Thence westerly along Nursery Lane to Pearl Street; Thence northerly along Pearl Street to the southeast corner of Pearl Street and relocated East Livingston Avenue, the point of beginning.

### **3119.27 German Village - Typical architectural characteristics.**

The standard for typical German Village architecture is characterized by one and one-half (1-1/2) story brick houses with grey slate, gabled roofs pitched at approximately forty-five (45) degrees to the horizontal and two (2) or two and one-half (2-1/2) story brick houses with hip roofs of a similar character. Chimneys extending from the ridge line of a roof predominate. Most roofs have moderate overhangs with hanging gutters.

All facades of the houses are simple in composition, composed of areas of soft-burned red brick laid up in common header bond with brick areas exceeding the combined door and window areas. Doors and windows are located from the corner of a structure a distance as great as or greater than their width. Typical windows are double-hung with a height to width ratio of approximately two (2) to one (1) and a single vertical muntin in the center of each sash. Most windows and doors have cut stone lintels and sills with Roman-arch brick heads being employed above the smaller attic windows of the one and one-half (1-1/2) story houses. Many of the stone lintels contain incised relief of various designs on their faces. Doors are usually of panel design with an occasional use of glass and with a height to width ratio of approximately two and three-tenths (2.3) to one (1). Foundations are constructed of large cut stones laid in mortar.

Wrought iron fences, simple in character, bordering on the brick walks, which in most cases extend to the cut stone curbing of the street, are erected at the front of most of the properties. In some cases, the iron fence completely surrounds the property. The brick walks are laid in herringbone and basket weave patterns. Cut stone steps with carved stone cheek blocks are found at the front entrance of some of the larger houses.

The general scale of the structures within the German Village and their relationship, one (1) to another, is intimate. The typical house is approximately sixteen (16) feet to eighteen (18) feet by thirty (30) feet to forty (40) feet. Many houses are located at the front of a thirty (30) foot by ninety (90) foot lot.

All construction, reconstruction, alteration or demolition shall be in conformance to and compatible with the above guidelines for German Village adopted by the commission, approved by and published; such other standards as may be adopted by the Commission from time to time in conformity with C.C. 121.05; the Secretary of Interior's Standards for Rehabilitation and Preservation Projects; and the standards contained in Chapter 3116, C.C.

## **Italian Village**

### **3119.29 Italian Village commission - Creation, members and terms.**

The Italian Village commission is hereby established, consisting of seven (7) members. All members shall be appointed by the mayor and shall serve without compensation. Council recommends that appointments to the Italian Village commission be made from professions and individuals, such as, but not limited to, two (2) architects and three (3) persons from a list of five (5) recommendations made by the Italian Village Society. Recommended membership may include, but shall not be limited to, architects, landscape architects, contractors, carpenters, engineers, archaeologists or public historians, developers, business owners, lawyers, or bankers. To the greatest extent possible, members should at a minimum either own, rent, or have a business in the historic district. At a minimum, the majority of the appointed commissioners must own, rent, or have a business in the historic district. Two (2) members shall be appointed for an initial term of one (1) year; two (2) members shall be appointed for an initial term of two (2) years; and three (3) members shall be appointed for an initial term of three (3) years. Subsequent society recommendations should provide at least two (2) names for each society-recommended appointment. All subsequent terms shall be for a period of three (3) years.

Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term in the same manner as original appointments.

### **3119.31 Italian Village district created.**

There is hereby created in the city of Columbus a historical district subject to architectural review to be known as the Italian Village district (commonly referred to as “Italian Village”) generally bounded and described as follows:

On the north by Fifth Avenue, on the east by Penn Central railroad, on the south by the Innerbelt and on the west by North High Street.

### **3119.33 Italian Village - Organization.**

As soon as convenient, after the members are appointed by the mayor, the commission shall meet and organize by the election of a chairman and secretary. The commission shall adopt bylaws governing its procedure and provide for regular and special meetings. The commission shall take official action only by a vote of a majority of the members voting on the question on the table, during a public meeting at which there is a quorum. A quorum exists when a majority of the members appointed to and serving on the commission are physically present at the meeting. All commission meetings shall be open to the public. A record of proceedings shall be maintained and available for inspection. Notices of all commission meetings shall be published in the city bulletin.

### **3119.35 Italian Village - Issuance of certificate.**

(A) At the public hearing the commission shall issue a concept approval pending the submission of final construction drawings to be approved by the commission.

(B) At the public hearing the commission shall issue a certificate of appropriateness to the applicant if one of the following conditions applies:

(1) The alteration, construction, site improvement, or demolition is appropriate as defined by the architectural standards in C.C. 3116.11, 3116.12, 3116.13 or 3116.14, respectively, the pertinent typical architectural characteristics and such guidelines as the commission shall have adopted; or

(2) Although inappropriate such proposal due to unusual and compelling circumstances as defined in C.C. 3116.01 and by C.C. 3116.16 criteria affects only the subject structure and not the listed property or district generally and such certificate may be issued without substantial detriment to the public welfare and without substantial derogation from the intent and purpose of this chapter or of the chapter pertinent to the subject property; or

(3) Failure to issue such certificate will result in a substantial economic hardship for the applicant as defined in C.C. 3116.01 and by C.C. 3116.15 criteria and such certificate may be issued without substantial detriment to the public welfare and without substantial derogation from the intent and purpose of this chapter or of the chapter pertinent to the subject property; or

(4) The commission conducts a meeting at which a quorum is present, and the commission fails to approve or deny the application for certificate of appropriateness, unless the applicant requests a continuance; or

(5) Following the filing of a complete application, pursuant to C.C. 3116.06 and C.C. 3116.07, the commission fails to muster a quorum for two successive scheduled meetings of any kind, or for 45 calendar days following the filing of the completed application, whichever period is shorter.

(C) Approval of a certificate of appropriateness requires an affirmative vote by a majority of the members physically present and voting at a commission meeting. An affirmative vote by any fewer than a majority of the members physically present and voting at a commission meeting shall constitute a denial.

(D) If the proposed alteration will not affect any architectural feature of the structure or listed property, the commission may, without public hearing, review the application and issue a certificate of appropriateness subject to reasonable terms and conditions.

### **3119.37 Italian Village - Typical architectural characteristics.**

The standard for typical Italian Village architecture is characterized by two (2)- story brick houses with grey slate, hipped roofs or flat roofs. Chimneys extending from the ridge line of a roof predominate. Most roofs have moderate overhangs with hanging or box gutters.

All facades of the brick houses are simple in composition, composed of areas of soft-burned red brick laid up in common header bond with brick areas exceeding the combined door and window areas. Doors and windows are located from the corner of a structure a distance as great as or greater than their width.

Typical windows are double-hung with a height to width ratio of approximately two (2) to one (1) and a single vertical muntin in the center of each sash. Most windows and doors have cut stone lintels and sills with Roman-arch brick heads being employed above some. Many of the stone lintels contain incised relief of various designs on their faces. Doors are usually four (4) -panel design with an occasional use of glass. Foundations are constructed of large cut stones laid in mortar.

Wrought iron and stone fences, simple in character, bordering on the brick walks, which in most cases extend to the cut stone curbing of the street, are erected at the front of most of the properties. In some cases, the fence completely surrounds the property. Cut stone steps with carved stone buttresses are found at the front entrance of some of the larger houses.

The general scale of the structures within the Italian Village and their relationship, one to another, is intimate. The typical house is approximately twenty-five (25) feet by forty (40) feet. Many houses are located at the front of a thirty (30) foot by eighty (80) foot lot.

All construction, reconstruction, alteration or demolition shall be in conformance to and compatible with the above characteristics; the guidelines for Italian Village adopted by the commission, approved by council and published; such other standards as may be adopted by the commission from time to time in conformity with C.C. 121.05; the Secretary of Interior's Standards for Rehabilitation and Preservation Projects; and the standards contained in Chapter 3116. C.C.

## **Victorian Village**

### **3119.39 Victorian Village commission - Creation, members and term.**

The Victorian Village commission, consisting of nine (9) members, is hereby established. All members shall be appointed by the mayor and shall serve without compensation. Council recommends that appointments to the Victorian Village commission be made from professions and individuals, such as, but not limited to, one (1) architect; one (1) business person from the commercial area located in or adjacent to the district; one (1) designee of council; one (1) member of the administrative staff of the mayor; and five (5) members recommended by the Victorian Village Society, all five (5) of whom reside in, own a business with a building in, or own property in the Victorian Village. Three (3) members shall be appointed for an initial term of one (1) year; three (3) members shall be appointed for an initial term of two (2) years; and three (3) members shall be appointed for an initial term of three (3) years. All subsequent terms shall be for a period of three (3) years. Vacancies caused by death, resignation or otherwise, shall be filled for the unexpired term in the same manner as original appointments are made.

### **3119.41 Victorian Village district created.**

There is hereby created in the city of Columbus a historical district subject to architectural review to be known as the Victorian Village district (commonly referred to as "Victorian Village") bounded and described as follows:



Beginning at the intersection of the centerline of High Street and Fifth Avenue;  
Thence southerly along the centerline of High Street to the centerline of Goodale Street;  
Thence westerly along the centerline of Goodale Street to the centerline of Neil Avenue;  
Thence northerly along the centerline of Neil Avenue to the centerline of Buttles Avenue;  
Thence westerly along the centerline of Buttles Avenue to the centerline of Harrison Avenue;  
Thence northerly along the centerline of Harrison Avenue to the centerline of Fifth Avenue;  
Thence easterly along the centerline of Fifth Avenue to the point of beginning.

### **3119.43 Victorian Village - Typical architectural characteristics.**

The standard for typical Victorian Village architecture is characterized by two (2) and three (3) story brick houses with grey slate, hipped roofs, peaked roofs and some flat roofs. Chimneys extending from the ridge line of a roof predominate. Most roofs have moderate overhangs with hanging or box gutters, many embellished with ornamental art of the Victorian era.

Most facades of the brick houses are ornate in composition, composed of areas of soft-burned red brick, yellow or hard red facing brick laid up in common header bond with brick areas exceeding the combined door and window areas. Doors and windows are located from the corner of a structure to the middle of the structure or foyer indentation or a protruding of the structure, a distance as great as or greater than their width. Typical windows are double-hung with a height to width ratio of approximately two (2) to one (1) and a single vertical muntin in the center of each sash. Most windows and doors have cut stone lintels, some very ornate, and sills with Roman-arch brick heads or Roman-arch stone heads being employed above some. Many of the stone lintels contain incised relief of various designs on their faces. Doors are usually of four (4) -panel design with an occasional use of glass or double entry doors of similar pattern designs. Foundations are constructed of large cut stones laid in mortar. Soffits and/or eaves protrude with ornamentation and designs of various sizes and shapes.

Facades of frame houses are generally simple in composition, composed of areas of narrow horizontal wood siding, with frame areas exceeding the combined door and window areas. Doors and windows are located from the corner of a structure a distance as great as or greater than their width. Typical windows are double-hung with a height to width ratio of approximately two (2) to one (1) and a single vertical muntin in the center of each sash. Most windows and doors have carved lintels employed above. Many of the carved lintels contain incised relief of various designs on their faces. Doors are usually of four (4) -panel design with an occasional use of glass. Foundations are constructed of large cut stones laid in mortar.

Wrought iron or stone fences, simple in character, are erected at the front of many of the properties. Cut stone steps with carved stone buttresses are found at the front entrance of many of the larger houses.

The general scale of the structures within Victorian Village and their relationship, one to another, is intimate. The typical house is approximately twenty-five (25) feet by forty (40) feet. Many houses are located at the front of a thirty (30) foot by eighty (80) to one hundred (100) foot lot.

All construction, reconstruction, alteration or demolition shall be in conformance to and compatible with the above characteristics; the guidelines for Victorian Village adopted by the commission, approved by council and published; such other standards as may be adopted by the commission, approved by Council and published; such other standards as may be adopted by the commission from time to time in conformity with C.C. 121.05; the Secretary of Interior's Standards for Rehabilitation and Preservation Projects; and the standards contained in Chapter 3116, C.C.

## **Limitations, Restrictions and Severability**

### **3119.45 Limitation on issuance of building permit.**

Except in cases excluded by C.C. 3116.23, the Director or designee shall issue no permit for the construction, reconstruction, alteration or demolition of any structure or architectural feature now or hereafter in of these districts, unless the application for such permit shall first have been certified as appropriate under C.C. 3116.09 or as involving no architectural feature under C.C. 3116.05.

### **3119.47 Certificate required.**

Except in cases excluded by C.C. 3116.23, no person shall construct, reconstruct, alter, change the exterior color of or demolish any structure or architectural feature now or hereafter in of these districts without first applying for a certificate of appropriateness therefor and obtaining either such certificate of appropriateness or a certificate that no architectural feature is involved.

The applicant shall deposit his permit application with the secretary of the commission in the manner and form provided by Chapter 3116, C.C.

### **3119.49 Certificate required – Staff Approval.**

Each commission shall provide in its guidelines, or by resolution, that the historic preservation officer may administratively approve certain actions as defined by the commission. A certificate of appropriateness shall be issued to the applicant upon such an administrative approval. The commission shall identify and approve the construction, reconstruction, alteration, demolition or site improvement which the historic preservation officer staff may administratively approve and shall publish the list of staff approvable work items annually. The historic preservation officer or the applicant shall have the option of referring any application to the appropriate architectural review commission. Staff shall report all approvals to the commission at its regularly scheduled meetings.

### **3119.51 Certificate that no architectural feature is involved.**

If the historic preservation officer determines that no architectural feature is involved, it shall cause staff to endorse on the application or to issue a clearance.

**Section 7.** That section 3116.01 of the Columbus City Codes, 1959, is hereby amended to read as follows:

#### **3116.01 Definitions.**

For the purposes of Chapters 3116 to ~~3119~~ ~~3118, inclusive, and 3319 to 3331, C.C.~~, inclusive, terms, phrases and words defined in C.C. 3116.011 through 3116.019, inclusive, and their derivations shall have the meaning given therein.

When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, words in the singular number include the plural number and words in the masculine gender include the feminine and neuter. Definitions contained in Chapter 3303, C.C., and not in conflict with Chapter 3116, C.C., shall apply.

**Section 8.** That section 3116.011 of the Columbus City Codes, 1959, is hereby amended to read as follows:

#### **3116.011 Letter A.**

“Aggrieved third party” means any owner or resident of a lot within one hundred twenty-five (125) feet of the applicant's subject property or any area commission or neighborhood organization within whose jurisdiction the subject property lies.

“Alteration” means any material or visual change, other than normal maintenance and repair to the exterior of any structure located within those districts set out in Chapter 3119 ~~Chapters 3319 to 3331, C.C., inclusive~~, or to any listed property designated pursuant to Chapter 3117, C.C., or to the publicly accessible interior of any listed property which was listed in part, or in whole, because of the interior's historic or architectural significance.

(1) “Adverse alteration” means an alteration that destroys or damages one or more architectural features of the structure or listed property, or is inappropriate to the site or to the architectural characteristics of the district. An adverse alteration is identified by the commission using the standards contained within this chapter or adopted hereunder, pertinent typical architectural characteristics, and such guidelines now or hereafter developed for said listed property or district.

(2) “Interior alteration” means an alteration of an interior space that is publicly accessible and is reviewed only if the subject listed property was designated in part, or in whole, because of the interior's historic or architectural interior significance.

(3) “Minor alteration” means a change that has a minimal impact on a structure or listed property including, but not limited to, in-kind replacement or repair of deteriorated building elements and changes that affect only a small portion thereof.

(4) “Substantial alteration” means an alteration that has a major impact on the architectural features, characteristics or integrity of a structure or listed property including, but not limited to, changes in or additions to: windows, window frames, railings, porches, balconies, ornamentations, fencing and site improvements such as regrading and filling.

“Applicant” means any person or his representative who applies for a building or demolition permit or for a certificate of appropriateness therefor for construction, alteration or demolition of a listed property or structure.

“Appurtenance” means any structure or object subordinate to a principal structure or site located within a listed property or architectural review commission area and visible from the public right-of-way including, but not limited to, a bicycle rack, carriage house, display sign, fence, fixture, fountain, garage, outbuilding, pavilion, public artwork, statue, street furniture, shed, trellis, vending machine or similar item.

“Architectural feature” means the architectural treatment and general arrangement of such portion of:

(1) The exterior of a property as is designed to be exposed to public view; and

(2) The publicly accessible interior of any listed property which was listed in part, or in whole, because of the interior's historic or architectural significance; including kind, color and texture of the building material of such portion and type of all windows, doors, lights, signs and any other fixtures appurtenant to such portion.

“Architectural review commission” means one of the commissions created by Chapter 3119 ~~Chapters 3319 to 3331, C.C., inclusive~~.

“Area” means a specifically delineated geographic division of the city.

**Section 9.** That section 3116.012 of the Columbus City Codes, 1959, is hereby amended to read as follows:

### **3116.012 Letters B and C.**

"Board" when used without clarification means the board of commission appeals.

"Building inspector" means the officer charged with administration and enforcement of the Building Code, or his regularly authorized deputy.

"Case file" means the file created and maintained by the historic preservation officer for each property within a commission's jurisdiction that is the subject of an application containing said application; exhibits such as, but not necessarily limited to, affidavits, photographs, drawings, plans, material samples and cost estimates filed by applicant; audio tapes and/or summary minutes of pertinent commission meetings; official transcripts provided by applicant; the mediation record pursuant to C.C. 3116.10; and a chronological listing of action taken.

"Certificate of appropriateness" or "certificate" means a certificate issued by the commission to an applicant stating that the proposed construction, alteration or demolition of a structure, architectural feature or listed property pursuant to the application filed therefor is appropriate under the terms of the chapter pertinent thereto

and consistent with the architectural characteristics, guidelines and standards affecting same or due to unusual and compelling circumstances or substantial economic hardship does not require such consistency; and that, therefore, a permit can be issued therefor.

"Characteristics" means unique attributes or qualities of a property specifically pertaining to such property as set out in the City Codes.

"Clearance" means a determination by the City Historic Preservation Office that proposed work to be done on a property does not affect any architectural feature and therefore does not require a Certificate of Appropriateness.

"Columbus Register of Historic Properties" or "Columbus Register" means the city's record of listed properties.

"Commission" when used without clarification means the historic resources commission created by Chapter 3117, C.C., or the architectural review commissions created by Chapter 3119 ~~one of the chapters included within Chapters 3319 to 3331, C.C., inclusive~~, as the case may be, having jurisdiction over the application.

"Concept review" means an evaluation of a preliminary design or general plans for an alternation, new construction, demolition or site improvement.

"Construction" means the process of building, erecting or placing a structure, appurtenance or object within a listed property or district.

"Contributing property" (see C.C. 3116.017).

**Section 10.** That section 3116.013 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3116.013 Letters D, E and F.**

"Demolition" means the process of razing or removing all or a substantial portion, of a building, structure or appurtenance from a listed property or a district. The difference between "demolition" and "relocation" should be noted. "Demolition" is the broader term; "relocation" denotes moving a structure or appurtenance intact to another location.

"Department" unless otherwise specified means the department of development.

"Director" when used without clarification means the director of development or his or her designee.

"District" means either: (A) the architectural review commission area as set out in Chapter 3119 ~~one of the chapters numbered 3319 to 3331, C.C., inclusive~~, in which the property subject to the application is located; or (B) relative to listed properties under the historic resources commission in Chapter 3117, means ten (10) or more structures and/or sites grouped together in a geographically defined area possessing a significant concentration, linkage or continuity of structures, appurtenances or sites that are united by past events, aesthetics, plan, or physical development and where at least fifty (50) percent of the structures satisfy the requirements of C.C. 3117.05 in which the property subject to the application is located.

"Economic return" means a profit or increase in value from use or ownership of a site, structure, building, appurtenance or object that accrues from investment of capital or labor.

"Facade" means the face or front of a structure or any vertical surface thereof adjacent to a public way.

**Section 11.** That section 3116.017 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3116.017 Letters P, Q and R.**

"Property" means any structure, group, district or site subject to the provisions of Chapter 3117 or Chapter 3119 ~~3319 to 3331, C.C., inclusive~~.

A contributing property is at least forty (40) years of age or contributes to the architectural character or historical and architectural significance of a group or district. A noncontributing property is less than forty (40) years of age or does not make such a contribution.

“Register” when used without qualification means the Columbus Register of Historic Properties, the city's record of listed properties.

“Rehabilitation” means the act or process of returning a building, object, site, or structure to a state of utility through repair, remodeling or alteration that enables an efficient contemporary use while preserving those portions or features of the building, object, site or structure that are significant to its historical, architectural and cultural values.

“Relocation” means any change in the location of a structure or object from one setting to another.

“Restoration” means the act or process of accurately recovering the form and details of a building, object, site or structure and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

**Section 12.** That section 3116.02 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3116.02 Purpose.**

This chapter provides uniform definitions, requirements and procedures for Chapters 3117, 3118, and 3119 ~~3319 to 3331~~, inclusive.

**Section 13.** That section 3116.23 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3116.23 Exclusions.**

Nothing in this chapter shall be construed to prevent the construction, reconstruction, alteration or demolition of any structure or architectural feature in an historic district which the building inspector or housing inspector has designated as being in an unsafe or dangerous condition and required for the public safety pursuant to Chapter 4109 or 4709 ~~4545~~, C.C., respectively.

**Section 14.** That section 3116.24 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3116.24 Notice required from housing and building inspectors.**

The housing inspector and the building inspector shall send a copy of any notice issued pursuant to Chapter 4709 ~~4545~~, C.C., or Chapter 4109, C.C., respectively, for property in a listed property or district to the pertinent commission. Said commission shall have the right to appeal any notice so issued within thirty (30) days from receipt of said notice according to the procedures established in the Housing Code, Title 45, or the Building Code, Title 41.

**Section 15.** That section 3117.10 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3117.10 Exclusions and exemptions.**

(A) Nothing in this chapter shall be construed to prevent any ordinary maintenance or repair of an architectural feature which involves no change in material, design, arrangement, texture or color.

(B) ~~Those areas created by one of the chapters included within Chapters 3319 to 3331, C.C., inclusive, are exempt from the requirements of this chapter except that in~~ In the event the commission of such area any area created by Chapter 3119 is unable to exercise its powers to hear applications for certificates of appropriateness, clearance or any other certificates provided for by the City Codes because such provisions are found to be illegal or unconstitutional by a court of law, the historic resources commission shall exercise jurisdiction over listed properties therein and administer and enforce provisions of its particular chapter and of Chapters 3116, 3117 and 3118 therefor.

(C) Nothing in this chapter shall be construed to prevent the construction, reconstruction, alteration or demolition of any building or feature the department has designated as unsafe.

**Section 16.** That the Columbus City Codes, 1959, are hereby supplemented by the enactment of new Chapter 3124, "Adequate Public Facilities" consisting of twelve (12) sections oddly numbered 3124.01 through 3124.23 reading as follows:

## **Chapter 3124 Adequate Public Facilities**

### **3124.01 Definitions.**

"Commercial area," as used in this chapter, means a densely developed business area outside, as well as within, the central part of a municipality. The area contains land uses which attract a relatively heavy volume of nighttime vehicular and/or pedestrian traffic on a frequent basis.

"Fire official" means the fire chief or his or her designee.

"Intermediate area," as used in this chapter, means an area characterized by moderately heavy nighttime pedestrian activity such as in blocks having libraries, community recreation centers, large apartment buildings, or neighborhood retail stores.

"Level of Service D" means the measurement of a street intersection's capacity at which vehicles experience an average delay of 25.1 to 40.0 seconds.

"Planning standards" means the minimum level of facilities and services, as outlined in this chapter, that will be needed in an area proposed to be served by sewer facilities.

"Residential area," as used in this chapter, means residential developments or a mixture of residential and small commercial establishments, areas with single-family homes, town houses, and/or small apartment buildings.

"Use group" means the designations as used in the Ohio Basic Building Code.

### **3124.03 Adequate public facilities planning.**

Prior to city council's approval of any capital improvements program, capital improvements budget, or capital improvements program or budget amendment involving projects which would acquire right-of-way or initiate construction to extend the Big Run trunk, the Big Walnut/ Rickenbacker interceptor sewer, the Blacklick trunk or subtrunk, or the Hayden Run subtrunk, the department, in conjunction with community interests and other affected city divisions and departments, shall assemble information and take such action as may be necessary to provide for consideration before city council a report detailing the degree to which the planning standards for the facilities and services outlined in this chapter shall be met as the anticipated development in the area to be served by the new sanitary sewer line is built.

### **3124.05 Planning standards for sanitary sewers.**

The city assumes an average sanitary flow of one hundred thirty (130) gallons per capita per day. To provide for peak flows, this average flow is multiplied by a peaking factor of between 3.3 and 4.0, according to flow levels from a given area. The total design flow is determined by adding to the peak design flow an allowance for infiltration and inflow of one thousand nine hundred thirty-nine (1,939) gallons per acre per day. All sanitary sewer systems shall meet the requirements outlined in the division of sewerage and drainage's Sanitary Sewer Design Manual. Any deviation from these requirements shall require approval from the division of sewerage and drainage.

### **3124.07 Planning standards for potable water.**

To provide for an adequate supply of drinking water and fire flow, the city provides for an average daily flow of one hundred twenty (120) gallons of potable water per capita per day of total population projected to exist at buildout of development in conjunction with a design flow peaking factor of a 1.5 multiplier.

**3124.09 Planning standards for fire flows and hydrants.**

Minimum fire flows and hydrant spacing consistent with the fire division's standards shall be required.

The following standards shall apply:

- A. Fire flow within an industrial development area (Use Groups F and H) shall be a minimum of nine thousand (9,000) gallons per minute over and above the maximum daily requirements.
- B. Fire flow within a commercial, institutional, or educational development area (Use Groups R-1, A, B, E, I, M, and S) shall be a minimum of six thousand (6,000) gallons per minute over and above the maximum daily requirements.
- C. Fire flow within a multi-family development area (Use Groups R-2 and R-3) shall be a minimum of two thousand (2,000) gallons per minute over and above the maximum daily requirements.
- D. Fire flow within a single-family development area (Use Group R-4) shall be a minimum of one thousand (1,000) gallons per minute over and above the maximum daily requirements.
- E. Required fire flow for industrial, commercial, and institutional development may be reduced fifty (50) percent with the installation of an automatic sprinkler system.
- F. The fire official shall determine the boundaries of development areas in regard to the determination of required fire flows.
- G. Where a condition exists with more than one use group, the greater requirement shall be applied.
- H. Fire flows at or on the exact building site may be determined by using the Insurance Service Office (I.S.O.) Guide, December 1974, if the fire official determines said determination to be in the best interest of the city.
- I. Fire flow test results submitted to the fire prevention bureau shall be no more than one (1) year old. Regardless of the age of the fire flow test results submitted, the fire official, in his or her discretion, may require fire flow tests to be performed.

**3124.11 Planning standards for stormwater runoff.**

All stormwater management systems shall meet requirements as provided in the division of sewerage and drainage's Drainage Manual. Any deviations from these requirements shall require the approval from the division of sewerage and drainage.

Standards require construction of storm sewers to convey a two (2) year, twenty-four (24) hour storm event within the pipe and a five (5) year, twenty-four (24) hour storm event within the piped system. Development shall restrict the peak flow from a property to a two (2) year, twenty-four (24) hour storm event at a runoff coefficient (rational method) of 0.4, or limit the peak flow to the ability of the downstream stormwater system to convey the flow.

**3124.13 Planning standards for electric services.**

The city's goal is that the lighting system be designed to provide average maintained illumination values (measured in foot candles) on the street pavement according to the levels shown in the following chart:

Street Classification	Area Classification		
	Commercial Areas	Intermediate Areas	Residential Areas
Major	2.0	1.4	1.0
Collector	1.2	0.9	0.6
Local	0.9	0.6	0.4
Alleys	0.6	0.4	0.2

**3124.15 Planning standards for transportation.**

The goal of the city for the operation of its roadways is that they operate at or above the base engineering design standard, which is identified as Level of Service D. (Ord. 2576-97 (part).)

### **3124.17 Planning standards for refuse collection.**

It is the goal of the city to allocate one (1) new refuse collection route equivalent to one (1) eight (8) hour shift for every five hundred (500) to six hundred (600) new households expected to be serviced by the city's refuse collection division.

### **3124.19 Planning standards for parks and recreation.**

To ensure that adequate and appropriate land is set aside for development of parks, open space, and recreational facilities, it is the goal of the city that:

- A. Neighborhood parks be provided within one-half (1/2) mile of all residents and be located on a minimum of five (5) acres, where possible.
- B. Community parks be provided within two (2) miles of all residents and be located on a minimum of twenty (20) acres, where possible.
- C. Community recreation centers be provided within two (2) miles of all residents.
- D. The city accepts a level of service of no less than five and one-half (5.5) acres of parkland per one thousand (1,000) population.

### **3124.21 Planning standards for law enforcement.**

To maintain law and order, and to create and sustain a personal sense of safety and security among Columbus residents and businesses, the following goals for law enforcement apply:

- A. Priority 1 runs, including life-threatening situations such as armed robbery in progress, suicide attempt, officer in trouble, aggravated assault in progress, riot, and sex crime in progress, be dispatched in an average of 1.3 minutes, and total response time for Priority 1 runs, including dispatch time, average 6.3 minutes in all areas of the city.
- B. Priority 2 runs, including suspicious persons, car theft in progress, fights in progress drawing a crowd, property destruction, burglary in progress next door, man with a gun, bomb threat, accidents with injuries, be dispatched in an average of 4.6 minutes, and total response time for Priority 2 runs, including dispatch time, average 11.6 minutes in all areas of the city.
- C. Priority 3 runs, including accident with no or slight injuries, domestic dispute with no violence used or threatened, suspicious person in a vehicle, dead on arrival, burglary report, be dispatched to an officer within thirty (30) minutes. The city's goal is that an officer be at the scene of the incident within forty (40) minutes of initial request. Response to Priority 3 incidents depends on staffing and the number of higher priority calls for service pending.
- D. Priority 4 runs, including found property, parking violations, deliver message, loud music, simple assault report, shoplifting report, be dispatched to an officer within sixty (60) minutes. The city's goal is that an officer be at the scene of the incident within seventy (70) minutes of the initial request. Response to Priority 4 incidents depends on staffing and the number of higher priority calls for service pending.
- E. Priority 5 runs, including house checks, information calls, meet the officer, be dispatched when the district officer is available. The district officer responds as time permits.

If land is to be served by another police agency other than the city after annexation, the above levels of service still apply. Additionally, the city's goal is that services be provided by permanently assigned, full-time crews with staffing levels and training comparable to crews in Columbus.

### **3124.23 Planning standards for fire protection and emergency medical services.**

To provide for fire protection and emergency medical service and to create and sustain a personal sense of safety and security among Columbus residents and businesses, the following goals apply:

- A. Fire response time of less than four (4) minutes in all parts of the city.
- B. Emergency medical service response time of less than six (6) minutes in all parts of the city.



If land is to be served by a fire and emergency medical service provider other than by the city after annexation, the above levels of service apply. Additionally, the city's goal is that services be provided by permanently assigned, full-time crews with staffing levels and training comparable to crews in Columbus.

**Section 17.** That the prior existing Chapters 3321, 3325, 3327, 3331 of the Columbus City Codes, 1959, are hereby repealed.

**Section 18.** That this ordinance shall take effect and be in force from and after the earliest period provided by law.