



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed

**File created:** 6/10/2008      **In control:** Rules & Reference Committee

**On agenda:** 10/20/2008      **Final action:** 10/22/2008

**Title:** To supplement and amend sections of Chapter 3355, "Community Scale Commercial Development," of the Columbus Zoning Code, in order to limit the parking lots that may be constructed in certain zoning areas to those with a commercial, and not a residential use.

**Sponsors:** Maryellen O'Shaughnessy, Kevin L. Boyce

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/22/2008	1	CITY CLERK	Attest	
10/21/2008	1	MAYOR	Signed	
10/20/2008	1	Columbus City Council	Approved	Pass
10/20/2008	1	COUNCIL PRESIDENT	Signed	
10/6/2008	1	Columbus City Council	Read for the First Time	
7/21/2008	1	City Clerk's Office	Sent back for Clarification/Correction	
7/21/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
6/13/2008	1	CITY ATTORNEY	Reviewed and Approved	
6/13/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
6/13/2008	1	City Clerk's Office	Sent back for Clarification/Correction	
6/13/2008	1	Dev Drafter	Sent to Clerk's Office for Council	
6/11/2008	1	Dev Drafter	Sent for Approval	
6/10/2008	1	Dev Drafter	Sent for Approval	
6/10/2008	1	DEVELOPMENT DIRECTOR	Reviewed and Approved	

**BACKGROUND:** This ordinance revises portions of Columbus Zoning Code Chapter 3355, which regulates C-3 Community Scale Commercial Development. The C-3 zoning district promotes community-scale commercial and retail uses where a business, profession, or service may be conducted.

The C-4 zoning district incorporates the permitted uses listed in 3355 under 3356.03. These changes will limit the parking lots that may be constructed in C-3 and C-4 zoning districts to those with a commercial, and not a residential, use.

**FISCAL IMPACT:** No funding is required for this legislation.

To supplement and amend sections of Chapter 3355, "Community Scale Commercial Development," of the Columbus Zoning Code, in order to limit the parking lots that may be constructed in certain zoning areas to those with a commercial, and not a residential use.

**WHEREAS,** this ordinance revises portions of Columbus Zoning Code Chapter 3355, which regulates C-3 Community Scale Commercial Development; and

**WHEREAS,** the C-3 zoning district promotes community-scale commercial and retail uses where a business, profession, or service may be conducted; and

**WHEREAS,** the C-4 zoning district incorporates the permitted uses listed in 3355 under 3356.03; and

**WHEREAS,** the existing provisions for dwelling units above commercial uses in the C-3 and C-4 districts may allow exclusively residential uses and parking without any other commercial use; and

**WHEREAS,** this revision will modify the C-3 and C-4 districts to require other commercial uses in addition to parking on the first floor below dwelling units; and

**WHEREAS,** the limit on parking lots in this section to those with commercial uses accurately reflects the inclusion of parking lots under the "commercial uses" of 3355.03(B); **now, therefore,**

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

**Section 1.** That the existing Section 3355.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3355.03 C-3 permitted uses**

The following are uses permitted in the C-3, Commercial District; however these are not meant to be exhaustive nor an exclusive listing. The Director has the authority to decide if an unnamed use is of similar enough character and nature to warrant inclusion into the C-3 district.

The North American Industry Classification System, or its successor document, is the reference document used to provide use families for this Chapter. The Director may use the current NAICS or its successor, as one document in making decisions as to the appropriateness of any future use permitted to be in the C-3, district.

A. All uses listed in C.C. 3351 and C.C. 3353.

B. Commercial uses including:

- Appliance Maintenance and Repair
- Armored Car, Investigation Guard and Security Services
- Art Dealers and Galleries
- Arts and Crafts
- Astrology, Fortune telling and Palm Reading
- Barber and Cosmetology Educational Training Facility
- Book, Newspaper and Magazine Stores (Unlimited size)
- Building Material and Supplies Dealers (No outside yards or storage)
- Butcher Shops, Fish, Meat, and Seafood Markets (Unlimited size)
- Cafes, Delicatessens and Restaurants (Unlimited size)
- Camera, Photo finishing and Photographic Supplies Stores
- Clothing and Clothing Accessories Stores
- Coin and Stamp Dealers
- Colleges
- Compact Disc, Music, Record and Video Stores (Includes rental)
- Computer and Software Stores
- Dry cleaning and Laundry Services
- Exercise and Health Facilities
- Fabric, Needlework, Quilting, Sewing and Piece Goods Stores
- Food and Beverage Stores
- Footwear and Repair
- Formal Wear and Costume Rental and Sales
- Funeral Homes and Services
- Game, Hobby and Toy Stores

Hardware Stores  
Jewelry Stores  
Locksmiths  
Luggage and Leather Goods Sales and Repair  
Musical Instrument and Supplies Stores  
News Dealers and Newsstands  
Parking Lots and Parking Garages as allowed in C.C. 3355.05  
Pet Day Care, Grooming, Pets and Supplies (No outside runs or boarding)  
Shoe Stores  
Tobacconist  
Window Treatment Stores  
C. Commercial uses, subject to the additional provisions of C.C. 3355.05, including:  
Adult and Child Day Care Centers  
Crematory  
D. Dwelling units, as allowed under C.C. 3355.05.

**Section 2.** That the existing Section 3355.05 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3355.05 C-3 district development limitations.**

A. Adult and child day care center shall provide a transportation plan submitted as part of the zoning clearance application. The plan shall include a description of the loading and unloading, parking and traffic circulation areas. The director of the department of public services or designee shall review the transportation plan, and may approve, modify, or disapprove the plan for safety reasons.

B. Crematory when in compliance with applicable provisions of the special permit requirements.

C. Dwelling units only when located above uses permitted in this district.

D. Parking lots and Parking Garages, (Both Private and Public)

1. Dwelling units are permitted above parking garages or parking lots only if the parking facilities are adjoining to one or more other uses listed in C.C. 3351, C.C. 3353, or C.C. 3355. The parking garage or parking lot shall be located within the same structure as these uses.

2. Required adjoining uses specified in subsection (D)(1) of this section must occupy the entire length of at least one property frontage as defined in C.C. 3303 except that driveways and pedestrian entrances to the parking lot or garage are permitted provided that said driveways and pedestrian entrances occupy no more than 20% of the length of that frontage.

**Section 3.** That the existing Section 3356.03 of the Columbus City Codes, 1959, is hereby amended to read as follows:  
3356.03 C-4 permitted uses.

The following are uses permitted in the C-4, Commercial District; however these are not meant to be exhaustive nor an exclusive listing. The Director has the authority to decide if an unnamed use is of similar enough character and nature to warrant inclusion into the C-4 district.

The North American Industry Classification System, or its successor document, is the reference document used to provide use families for this chapter. The Director may use the current NAICS or its successor, as one document in making decisions as to the appropriateness of any future use permitted to be in the C-4, district.

A. All uses listed in C.C. 3351, C.C. 3353 and C.C. 3355.

B. Commercial uses allowing dwelling units above the primary use, including:

Appliance Stores  
Automotive Accessories, Parts and Tire Stores  
Automobile and Light Truck Dealers  
Automobile Driving Training Facility  
Automotive Sales, Leasing and Rental  
Bars, Cabarets and Nightclubs  
Blood and Organ Banks  
Building Material and Supplies Dealers  
Caterers  
Check Cashing and Loans  
Community Food Pantry  
Consumer Goods Rental  
Discount Department Stores  
Electronics Stores  
Floor Covering Stores  
Furniture and Home Furnishings Stores  
General Merchandise Stores

Home Centers  
Household and Personal Goods Maintenance and Repair  
Linen and Uniform Supply  
Missions/Temporary Shelters  
Motorcycle, Boat, and Other Motor Vehicle Dealers  
Motor Vehicle Accessories and Parts Dealers  
Outdoor Power Equipment Stores  
Pawn Brokers  
Parking Lots and Parking Garages as allowed in C.C. 3356.05  
Recreational Vehicle Dealers  
Reupholster and Furniture Repair  
Sporting Goods and Outfitters Stores  
Supermarkets  
Truck, Utility Trailer, and RV (Recreational Vehicle) Sales, Rental and Leasing  
Used Merchandise Stores  
Vending Machine Operators  
Warehouse Clubs and Super Centers  
C. Commercial uses not allowing dwelling units above the primary use, including:  
Automotive Maintenance and Repair  
Bowling Centers  
Carpet and Upholstery Cleaning Services  
Drive-In Motion Picture Theaters  
Exterminating and Pest Control Services  
Farm Equipment and Supply Stores  
Garden, Landscaping and Nursery Centers and Sales  
Hotels and Motels  
Hospitals  
Janitorial Services  
Lawn and Garden Equipment and Supplies Stores  
Limousine and Taxi Service  
Paint and Wallpaper Stores  
Performing Arts, Spectator Sports and Related Industries  
Theaters, Dance Companies and Dinner Theaters  
D. Commercial uses not allowing dwelling units above the primary use and subject to the additional provisions of C.C. 3356.05, including:  
Animal Shelter  
Amusement Arcade  
Halfway House  
Veterinarians (Unlimited practice)  
E. Dwelling units, as allowed under C.C. 3356.05.

**Section 4.** That the existing Section 3356.05 of the Columbus City Codes, 1959, is hereby amended to read as follows:

**3356.05 C-4 district development limitations.**

- A. Animal Shelter or Animal Kennel.
1. All activities shall be conducted indoors.
  2. Buildings containing animals shall be located a minimum distance of one hundred (100) feet from a residential district.
  3. Waste products shall be located a minimum distance of one hundred (100) feet from a residential district and in compliance with Columbus Department of Health regulations.
- B. Amusement park or arcade when in compliance with applicable provisions of the Special Permit requirements.
- C. Dwelling units when located above uses contained in the C-1, C-2, and C-3, Commercial Districts and those specified in the C-4 Commercial District; however, dwelling units are not permitted in a building containing those specified C-4 Commercial uses nor are the specified C-4 Commercial uses permitted to be established in a building containing dwelling units.
- D. Halfway house when in compliance with applicable provisions of the Special Permit requirements.
- E. Parking lots and Garages, (Both Private and Public)
1. Dwelling units are permitted above parking garages or parking lots only if the parking facilities are adjoining to one or more other uses listed in C.C. 3351, C.C. 3353, C.C. 3355 or 3356.03(B). The parking garage or parking lot shall be located within the same structure as these uses.
  2. Required adjoining uses specified in subsection (E)(1) of this section must occupy the entire length of at least one property

frontage as defined in C.C. 3303 except that driveways and pedestrian entrances to the parking lot or garage are permitted provided that said driveways and pedestrian entrances occupy no more than 20% of the length of that frontage.

EF. Veterinarians (unlimited practice).

1. Open air confinement of animals shall not be allowed.
2. Outdoor therapeutic exercise areas or therapeutic equipment shall be located a minimum distance of one hundred (100) feet from a residential zoning district. Stables are not allowed.
3. Distance separation as required in this section is measured from the closest point on a parcel line containing the outdoor exercise area or therapeutic equipment and the closest point on a parcel line containing the zoning district or use it is to be separated from.

**Section 5.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.