



Legislation Details (With Text)

File #: 0424-2015 **Version:** 2

Type: Ordinance **Status:** Passed

File created: 2/3/2015 **In control:** Zoning Committee

On agenda: 2/23/2015 **Final action:** 2/25/2015

Title: To amend Ordinance #2516-92 (Z92-058), passed December 7, 1992, by repealing Section 3 in its entirety and replacing it with a new Section 3 thereby modifying the L-C-4 text in Subarea 2 to remove a maximum height restriction of 28 feet for parking lot lighting for property located at 3888 MORSE ROAD (43219) and to declare an emergency (Rezoning Amendment #Z92-058A).

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0424-2015_Development Text, 2. ORD0424-2015Attachments

Date	Ver.	Action By	Action	Result
2/25/2015	2	CITY CLERK	Attest	
2/24/2015	2	MAYOR	Signed	
2/23/2015	2	COUNCIL PRESIDENT	Signed	
2/23/2015	1	Zoning Committee	Amended to Emergency	Pass
2/23/2015	1	Zoning Committee	Approved as Amended	Pass

Rezoning Application Z92-058A

Ordinance #2516-92 (Z92-058), passed December 7, 1992, rezoned 127.06± acres from the R, Rural, R-2, Residential and L-C-4, Limited Commercial Districts, to the L-R, Limited Rural, L-C-3, Limited Commercial, L-C-4, Limited Commercial, L-AR-12, Limited Apartment Residential, L-ARLD, Limited Apartment Residential and CPD, Commercial Planned Development Districts. That legislation permits commercial and residential development having specific development standards in accordance with a registered subarea plan and development text that addressed permitted uses, access, setbacks, and other customary design commitments. This legislation will amend Ordinance #2516-92 (Z92-058), passed December 7, 1992, by repealing the development text in Section 3 and replacing it with a new development text thereby modifying the L-C-4 text for Subarea 2 to remove a maximum height restriction of 28 feet for parking lot lighting. While Section 3321.03 of the Columbus City Code still limits the maximum height for parking lot lighting to 28 feet, this amendment will allow the applicant to request a variance from the Board of Zoning Adjustment to permit the installation of light poles greater than 28 feet in height. The Building and Zoning Services Staff approves of the amendment. No other provisions of the ordinance are being changed.

CITY DEPARTMENTS' RECOMMENDATION: Approval.

To amend Ordinance #2516-92 (Z92-058), passed December 7, 1992, by repealing Section 3 in its entirety and replacing it with a new Section 3 thereby modifying the L-C-4 text in Subarea 2 to remove a maximum height restriction of 28 feet for parking lot lighting for property located at **3888 MORSE ROAD (43219) and to declare an emergency** (Rezoning Amendment #Z92-058A).

WHEREAS, Ordinance #2516-92 (Z92-058), passed December 7, 1992, rezoned 127.06± acres located at **3888 MORSE ROAD (43219)** from the R, Rural, R-2, Residential and L-C-4, Limited Commercial Districts, to the L-R, Limited Rural, L-C-3, Limited Commercial, L-C-4, Limited Commercial, L-AR-12, Limited Apartment Residential, L-ARLD, Limited Apartment Residential and CPD, Commercial Planned Development Districts; and

WHEREAS, it is necessary to modify the L-C-4 text of Ordinance #2516-92 (Z92-058), passed December 7, 1992 to remove the maximum height restriction of 28 feet for parking lot lighting in Subarea 2; and

WHEREAS, Section 3321.03 of the Columbus City Code still limits the maximum height for parking lot lighting to 28 feet, and this amendment will allow the applicant to request a variance from the Board of Zoning Adjustment to permit the installation of light poles greater than 28 feet in height; and

WHEREAS, all other aspects of the development text contained in Ordinance #2516-92 are unaffected by this amendment and remain in effect; and

WHEREAS, an emergency exists in the usual daily operation in the City of Columbus in that it is immediately necessary to pass this ordinance to begin construction as soon as possible for the immediate preservation of the public peace, property, health and safety; now, therefore:

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

SECTION 1. That existing Section 3 of Ordinance #2516-92 (Z92-058), passed December 7, 1992, be hereby repealed and replaced by a new Section 3 and reading as follows:

SECTION 3. That the ~~Regulation Administrator of the Development Regulation Division~~ **Director of the Department of Building and Zoning Services** be, and he is hereby authorized and directed to make the said changes on the said original zoning map ~~in the office of the Development Regulation Division~~ and shall register a copy of the approved CPD, Commercial Planned Development District and the L-R, Limited-Rural, L-C-3, Limited-Commercial, L-C-4, Limited Commercial, L-AR-12, Limited-Apartment Residential and L-ARLD, Limited-Apartment Residential Districts and Application among the records of the ~~Development~~ **Department of Building and Zoning Services** as required by Section 3311.12 and Section 3370.03 of the Columbus City Codes; said plans being titled: **"EXHIBIT A - SUBAREA PLAN," "EXHIBIT B - BUFFER PLAN," and "EXHIBIT C - SUBAREA 6C PLANTING PLAN,"** each signed by Jeffrey L. Brown, Attorney for the applicant, and dated November 30, 1992, and text titled, **"SUBAREA DEVELOPMENT STANDARDS; LIMITED NORTH OF MORSE,"** signed by Thomas M. Tepe, Jr., Attorney for the applicant, dated February 3, 2015, and reading as follows:

See Attachment ORD0424-2015_Development Text

SECTION 2. ~~That this ordinance shall take effect and be in force from and after the earliest period allowed by law.~~ **That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or 10 days after its passage if the Mayor neither approves nor vetoes the same.**