



New Albany Planning Commission Agenda
Monday, June 6, 2022 7:00pm

Members of the public must attend the meeting in-person to participate and provide comment at New Albany Village Hall at 99 West Main Street. The meeting will be streamed for viewing purposes only via the city website at <https://newalbanyohio.org/answers/streaming-meetings/>

I. Call To Order

II. Roll Call

III. Action of Minutes: None.

IV. Additions or Corrections to Agenda

Swear in All Witnesses/Applicants/Staff whom plan to speak regarding an application on tonight's agenda. "Do you swear to tell the truth and nothing but the truth".

V. Hearing of Visitors for Items Not on Tonight's Agenda

VII. Cases: None.

VIII. Other Business

- Engage New Albany Strategic Plan Addendum Workshop
- Planning and Zoning Code Updates Workshop
- Design Guidelines and Requirements Update Workshop

IX. Poll members for comment

X. Adjournment



To: Planning Commission
From: Community Development Department
Re: Hamlet Development Standards, Codified Ordinance and Design Guidelines and Requirements Updates
Date: May 31, 2022

Throughout the Engage New Albany public outreach process, the planning team heard from the community about the need for more housing types for all life stages and the desire, especially from residents north of State Route 161, for more active and walkable destinations. In response, the Engage New Albany Strategic Plan, adopted in 2021, includes the hamlet development concept to introduce walkable retail and commercial uses that are integrated with residential area.

After an initial proposal in late 2021, New Albany city council directed city staff to further study the hamlet concept to determine the best application of it in New Albany. The planning team for this project included city staff as well as the city landscape and urban design consultants, MKSK. Beginning in January 2022, the planning team worked collaboratively to create multiple hamlet development scenarios which included different site layouts, land use compositions, densities and various other factors in order to determine the most ideal hamlet development pattern for New Albany.

Based on a review of relevant literature and several case studies of similar developments in other communities, the planning team developed a list of essential components for a hamlet development in New Albany. Together, these components contribute to the creation of a development with strong character and a sense of place that fits within the existing character of New Albany. The essential components of a New Albany hamlet include the following:



Compact, walkable neighborhood pattern – A key feature of hamlets is walkability, which is achieved through more compact development patterns, connected streets and pathways, and pedestrian-oriented design of blocks and buildings.



Central, organizing public space framed by streets and buildings – Public space is at the heart of a New Albany hamlet. This can take the form of an activated open space, plaza, or square. This space should be bordered on at least a couple sides by streets and buildings to frame the public space and create a center of activity for the hamlet.



Active ground floor uses – A vibrant pedestrian experience in a hamlet is achieved through various means, including by creating an active first floor. In mixed-use buildings, the ground floor should be occupied by restaurants, shops, service businesses, and other similar uses that promote pedestrian activity throughout the day.



Prioritization of streets, sidewalks, and pedestrian/bike connections – A connected mobility network of streets, sidewalks, and leisure trails is an essential component to move people to, from, and within a hamlet.



Contains a mix of two or more uses – By incorporating more than one land use, a hamlet can become a community destination rather than simply a development. A mix of uses creates a multi-functional place where people can live, work, shop, explore, relax, and more.



Memorable architecture, public spaces, and placemaking elements – Components of the public realm, such as architecture, signage, public spaces, site furnishings, and public art should be utilized in a New Albany hamlet to create a strong sense of place.



Emphasizes a discipline of materiality – New Albany is known for its high-quality development and a hamlet should be no exception. A hamlet should utilize materials that are of a uniquely New Albany vernacular.



Integrated parking on-street and behind buildings – Parking should be intermixed with the rest of the built environment in a hamlet. Streetscape design can include on-street parking spaces, which provides a buffer between vehicular traffic and the pedestrian realm. Larger surface parking areas that are adequately screened and located behind buildings can blend seamlessly with the rest of a development.



Context sensitive design that leverages surroundings – A New Albany hamlet is not a cookie cutter development, but rather is a bespoke place with a character that is distinctly New Albany. By utilizing the surrounding context and natural features in the site design, a hamlet can become seamlessly embedded into the community.

Using these essential components, the planning team prepared a preferred development scenario and associated development standards as follows. These development standards build upon the original development standards found in the Engage New Albany Strategic Plan by adding recommendations for residential density, commercial and residential space ratios, and building heights.

DEVELOPMENT STANDARDS

The planning team tested various development scenarios to arrive at a preferred site plan (see p. 17), which then informed the creation of the following development standards. These new standards deviate slightly from the original hamlet development standards included in the Engage New Albany Strategic Plan (found on p. 74) because the hamlet concept has been further studied and its application in New Albany better defined. The following standards outline important requirements for any proposed hamlet development.

1. The gross density of a hamlet development is not to exceed six (6) dwelling units per acre.
2. A hamlet development should be comprised of about 75% developed land to 25% open space.
3. A hamlet development should include a ratio of approximately 200 square feet of commercial uses for every 1 dwelling unit to ensure a vibrant mixed-use development. Commercial uses include administrative, business, and professional offices; retail stores; restaurants; and personal services.
4. Ground floor and commercial uses in a hamlet should be complementary in nature with other uses on-site to encourage consistent activity, rather than at peak times.
5. Buildings may not be taller than 55 feet in height around the civic green, at least 250 feet from Central College Road and SR 605/New Albany-Condit Road, nor taller than 40 feet at the perimeter.
6. Public streets within a hamlet should be lined by buildings, with exceptions for limited drives, public spaces, and properly screened parking.
7. Parking must be integrated throughout the site through on-street parking on public streets, surface parking located behind primary buildings, and structured parking. Surface parking shall incorporate landscape screening.
8. Garages shall face the rear of lots. No garage doors may be visible from primary streets.
9. Drive locations should be kept to a minimum and the placement of buildings should encourage pedestrian activity.
10. Anyone seeking to build a hamlet development must submit a parking model to demonstrate sufficient parking is provided for the mix of residents, employees, and visitors to the site; shared parking among complementary uses is encouraged on the site and the installation of excess parking is discouraged.
11. A hamlet development proposal should submit an overall master plan for the area showing how it fits together appropriately in terms of connectivity, site layout, uses, and aesthetics.
12. A hamlet development is expected to go through the Planned Unit Development (PUD) rezoning process. The city's Architectural Review Board (ARB) should review final development plans.
13. A hamlet development proposal must reference the applicable chapters of the New Albany Design Guidelines & Requirements (DGRs).

The planning team proposes to add a hamlet focus area to the Engage New Albany strategic plan as an addendum. The focus area will include these essential components, development standards, and background. Based on these development standards, the planning team proposes to update the following sections of city code in order to provide requirements for hamlet development proposals in the future.

Chapter 1157 –ARD Architectural Review Overlay District

In order to be consistent with the proposed development standards, this section of code was updated to require Hamlet final development plans to be reviewed by the Architectural Review Board who will make a recommendation to the Planning Commission.

Chapter 1187 – Subdivision Regulations

City staff proposes to relocate parkland and open space requirements from this section of code to C.O. 1165 (General Development Standards). This change is designed to ensure that requirements for dedication of parkland and open space are triggered with hamlet developments.

Chapter 1165 – General Development Standards

Prior to this code update, there were no parkland and open space requirements specifically for hamlet developments. The code update requires hamlets to provide a combined parkland and open space amount of 25% as recommended in the proposed development standards. In addition, the code change provides clarity to existing sections of the parkland and open space code and contemplates different types of open space amenities that may be provided in a hamlet development including but not limited to plazas and courtyards.

New Albany Design Guidelines and Requirements Section: Residential Outside Village Center

Staff proposes to update this section of the Design Guidelines and Requirements in order to provide clarity on the requirements for single family and multi-family development products.

During the June 6th Planning Commission meeting, city staff as well as MKSK will be in attendance to workshop these updates with the board.

Please feel free to contact city staff if you have any questions.

CHAPTER 1157 ARD ARCHITECTURAL REVIEW OVERLAY DISTRICT¹

1157.01 ADOPTION.

There is hereby adopted and incorporated by reference, the New Albany Design Guidelines and Requirements, as if set out at length herein.

(Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.02 PURPOSE.

- (a) The City of New Albany contains numerous architectural and environmental assets that establish an environmental character. This environmental character is directly linked to the economic, social, historical and cultural health and well being of the community. The purpose of the Architectural Review District is to protect and preserve these assets, by regulating the architectural characteristics of structures and their surroundings, as well as the preservation and protection of buildings of architectural or historical significance throughout the City. The Architectural Review District has also been created to recognize, preserve and enhance the architectural and historical character of the community and to prevent intrusions and alterations within the established zoning districts which would be incompatible with their established character.
- (b) The Architectural Review District is an Overlay District. This means that the requirements of this chapter are requirements which must be met in addition to the established requirements and standards of the base district over which the Architectural Review District is placed.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.03 DEFINITIONS.

As used in this chapter, the following words shall be defined as:

- (a) "Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a certificate of appropriateness in order to undertake an environmental change within the District.
- (b) "Board" means the Architectural Review Board of the City of New Albany.
- (c) "Certificate of Appropriateness" means a certificate authorizing any environmental change within the Architectural Review District.
- (d) "Design Guidelines and Requirements" means the building, construction and design standards that apply to any environmental change within the City of New Albany. The Design Guidelines and Requirements shall have the force and effect of law.
- (e) "District" means the Architectural Review Overlay District.

¹Cross reference(s)—Historic Village District - see P. & Z. Ch. 1135

(f) "Environmental change" means new construction or alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure.

(g) "Hamlet" or "Hamlet Area" means that area defined as a Hamlet in the Strategic Plan of the City of New Albany. ~~(Reserved)~~

(h) "Preserve" or "preservation" means the process, including maintenance, or treating of an existing building to arrest or slow future deterioration, stabilize the structure, and provide structural safety without changing or adversely affecting the character or appearance of the structure.

(i) "Owner" means the owner of record, and the term shall include the plural as well as the singular.

(j) "Village Center" or Village Center Area" means that area defined as the Village Center in the Village Center Strategic Plan of the City of New Albany.

(Ord. 10-98. Passed 8-4-98; Ord. 12-99. Passed 10-5-99; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.04 DISTRICT BOUNDARIES.

The Architectural Review District shall consist of all zoning districts in the City of New Albany and shall apply to all environmental changes: private, municipal, and to the extent municipal design review is not pre-empted by state or federal law, all other government environmental changes.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.05 ARCHITECTURAL REVIEW BOARD.

- (a) The Architectural Review Board is hereby established and shall consist of seven (7) members, any two (2) of which may be members of the New Albany Planning Commission.
- (b) All members shall be appointed by Council for terms of three (3) years. Initial term lengths shall be staggered so as to provide continuity of membership on the Board. Initially, two (2) persons shall be appointed to one-year terms, two (2) members shall be appointed to two-year terms, and three (3) members shall be appointed to three-year terms. Thereafter, all members shall be appointed to three-year terms.
- (c) Except in special circumstances outlined in this paragraph, all members shall be residents of the City of New Albany. At least two (2) members of the Architectural Review Board shall be professionals in the following fields: architecture, landscape architecture, city planning, interior design, industrial design, engineering or other allied design professions. If no residents within the Municipality of New Albany who are members of these professions wish to serve on the Architectural Review Board, then applicants from the unincorporated area of Plain Township who are in these professions may be appointed. Each time a Township resident's term expires, Council shall advertise to determine if a municipal resident is qualified and desires to take the seat. Council shall select a qualified municipal resident for membership over a qualified Township resident.
- (b) All members shall be appointed by Council for terms of three (3) years. Initial term lengths shall be staggered so as to provide continuity of membership on the Board. Initially, two (2) persons shall be appointed to one-year terms, two (2) members shall be appointed to two-year terms, and three (3) members shall be appointed to three-year terms. Thereafter, all members shall be appointed to three-year terms.
- (c) Except in special circumstances outlined in this paragraph, all members shall be residents of the City of New Albany. At least two (2) members of the Architectural Review Board shall be professionals in the following fields: architecture, landscape architecture, city planning, interior design, industrial design, engineering or

other allied design professions. If no residents within the Municipality of New Albany who are members of these professions wish to serve on the Architectural Review Board, then applicants from the unincorporated area of Plain Township who are in these professions may be appointed. Each time a Township resident's term expires, Council shall advertise to determine if a municipal resident is qualified and desires to take the seat. Council shall select a qualified municipal resident for membership over a qualified Township resident.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.06 CERTIFICATE OF APPROPRIATENESS REQUIRED.

No environmental change shall be made to any property within the City of New Albany until a certificate of appropriateness (COA) has been properly applied for, and issued by staff or the Board. No building permit or zoning permit shall be issued for any major or minor environmental change now or hereafter in the Architectural Review District or subject to the architectural review process, unless a certificate of appropriateness has been issued. In cases where a standard is not required by the zoning text or code, then a "no permit required" certificate may be issued by staff.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.07 MAJOR AND MINOR ENVIRONMENTAL CHANGES.

Environmental changes are divided into two (2) categories as follows:

Major	Minor
<ul style="list-style-type: none">• New construction• Alterations which change, modify, reconstruct, remove or demolish any exterior features of an existing structure that are not considered to be minor modifications• Demolition• Building additions• The addition of signage• Changes to nonconforming signs• New, relocated and expanded parking lots• Patios, porches and other defined outdoor areas used for dining or other commercial activities• Multiple minor changes may be defined as a major change, as determined by the Community Development Department• Similar changes as determined by the Community Development Department• Hamlet Area Final Development Plan	<ul style="list-style-type: none">• Addition or deletion of awnings or canopies• Replacement of windows and doors• Gutters• Skylights• Solar panels• Satellite dishes• Face changes to otherwise conforming signs• Changes to paint and siding colors• Changes in materials but not in appearance• Re-roofs• Landscape modifications• The construction of sports fields and associated bleachers, fences, dugouts and like facilities not requiring a commercial building permit, as approved by the Community Development Department• Modifications to off-street parking and loading areas• Accessory buildings• Fences• Walls• Decks• Porches• Patios (residential)• Swimming pools and spas• Similar changes as determined by the Community Development Department

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(Ord. O-08-2011. Passed 5-17-11.)

1157.08 PROCEDURE FOR CERTIFICATE OF APPROPRIATENESS.

- (a) The application for a certificate of appropriateness shall be made on such forms as prescribed by the staff of the City of New Albany, along with such plans, drawings, specifications and other materials as may be needed by staff or the Board to make a determination.
- (1) The materials that may be required include but are not limited to:
- A. A dimensioned site plan showing existing conditions including all structures, pavement, curb-cut locations, natural features such as tree masses and riparian corridors, and rights-of-way.
 - B. A dimensioned site plan showing the proposed site change including structures, pavement, revised curb-cut locations and landscaping.
 - C. Illustration of all existing building elevations to scale.
 - D. Illustrations of all proposed building elevations to scale.
 - E. Samples of proposed building materials.
 - F. Color samples for proposed roof, siding, etc.
- (2) For review of signage, the following submittal requirements apply:
- A. Illustrations of all existing site signage including wall and ground.
 - B. Illustrations of proposed signage to scale.
 - C. A dimensioned site plan showing location of existing ground mounted signs.
 - D. A dimensioned site plan showing the proposed location of ground mounted signs.
 - E. Samples of proposed sign materials.
 - F. Color samples of proposed sign(s).
 - G. Proposed lighting plan for sign(s).
- (b) (1) Any major environmental change, or zoning change, to any property located within the Village Center Area, requires a certificate of appropriateness from the Architectural Review Board. Applicants shall file an application for a Certificate of Appropriateness at least thirty (30) days prior to the Architectural Review Board meeting.
- (2) In the case of a Certificate of Appropriateness application for a property in a Planned Unit Development (PUD) Zoning District within the Village Center Area, the Architectural Review Board shall review the proposal and make a recommendation to the Planning Commission at the time of rezoning or the preliminary development plan. After the preliminary development plan, any alterations, modifications or other environmental changes to the zoning requirements of a Planned Unit Development within the Village Center require a Certificate of Appropriateness issued by the Planning Commission.
- (3) In the case of a Certificate of Appropriateness application for a property in a Hamlet Area, the Architectural Review Board shall review the proposal and make a recommendation to the Planning Commission at the time of final development plan. After the final development plan, any alterations, modifications or other environmental changes to the zoning requirements for a Hamlet Area will be subject to the review and approval of the Planning Commission.

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- (c) Any major environmental change to a property located outside the Village Center Area, requires a certificate of appropriateness issued by the City Manager's designee.
 - (d) Any minor environmental change requires a Certificate of Appropriateness issued by the City Manager's designee.
 - (e) Any major or minor environmental change which requires a waiver to the requirements of this chapter requires a Certificate of Appropriateness to be issued by the Architectural Review Board.
 - (f) Upon review of the application for a certificate of appropriateness, the ARB or staff member shall determine whether the proposed environmental change promotes, preserves and enhances the architectural and historical Architectural Review District, set forth in Section 1157.02. As a part of its review, the ARB or staff member will ensure that, at a minimum, the proposed environmental change complies with the criteria set forth in Section 1157.08 and the design Guidelines and Requirements incorporated into this section by reference. Upon completion of its review, the ARB or staff member will issue or deny a certificate of appropriateness to the applicant.
 - (g) In determining the appropriateness of specific environmental change, the Board shall conduct a public meeting on the project and/or solicit input from staff members or other consultants to the Municipality.
- (Ord. 12-99. Passed 10-5-99; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.09 CRITERIA FOR EVALUATION OF APPLICATION FOR CERTIFICATION OF DESIGN APPROPRIATENESS.

In considering the appropriateness of any proposed environmental change, including landscaping or exterior signage, the Architectural Review Board or City staff member shall consider the following, as a part of its review:

- (a) The compliance of the application with the Design Guidelines and Requirements. The proposed environmental change is to comply with the Design Guidelines and Requirements of the City, incorporated by reference.
- (b) The visual and functional components of the building and its site, including but not limited to landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.
- (c) The distinguishing original qualities or character of a building, structure, site and/or its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural or environmental features should be avoided when possible.
- (d) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance inconsistent or inappropriate to the original integrity of the building shall be discouraged.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be created with sensitivity.
- (f) The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials. Cleaning methods that will damage building materials should be avoided.
- (g) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired. Additions to the least significant and least visible of historic properties should be given priority over other designs.

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- (h) Where, prior to the effective date of the Design Guidelines and Requirements (September 20, 2007), certificates of appropriateness have been previously issued for 33.3% of the total number of approved homes within a residential PUD, a certificate of appropriateness which differs from the applicable Design Guidelines and Requirements may be issued for additional homes/new house elevations within such PUD. Provided however that any such additional homes/new house elevations which deviate from the Design Guidelines and Requirements shall utilize previously-approved architectural features consistent with those of homes already permitted within such PUD, and shall also comply with any architectural-feature provisions set forth in the applicable zoning text. In such cases:
- (1) The request for use of the same architectural features shall be made as part of the certificate of appropriateness application. The request should include a written description of the feature proposed with addresses and photos of the copied architectural features; however, additional information may be required for review. Several architectural features may be proposed for one house on a single request/application. Each request will be evaluated individually on a house-by-house basis.
 - (2) For the purposes of this division (h), "architectural feature" shall mean the elements of the house, not approved by a variance, that contribute to the house style, which may include the mixing of architectural features from different architectural styles. Examples of such architectural features include pediments, window styles and details, eave details, door details, porches, etc. However, shutters shall not be undersized for the windows with which they are associated.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. 01-2008. Passed 2-5-08; Ord. O-08-2011. Passed 5-17-11.)

1157.10 DEMOLITION OF STRUCTURES.

In cases where an applicant applies for a certificate of appropriateness to demolish a structure, the ARB or staff member shall grant the demolition and issue a certificate of appropriateness when at least one of the following conditions prevails.

- (a) The structure contains no features of architectural and historic significance to the character of the individual precinct within which it is located.
- (b) There exists no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.
- (c) Deterioration has progressed to the point where it is not economically feasible to restore the structure.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.11 MAINTENANCE.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any property within the Architectural Review District, nor shall anything in this chapter be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Zoning Inspector is required for the public safety because of an unsafe, insecure or dangerous condition.

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

1157.12 WAIVERS.

Any person or entity owning or having an interest in property that seeks to perform an environmental change may file an application to obtain a waiver from the requirements of this chapter in conformance with the criteria standards, and procedures set forth in Chapter 1113.

(Ord. O-08-2011. Passed 5-17-11.)

1157.13 APPEALS.

The Architectural Review Board shall hear and decide appeals from any decisions or interpretations made by City staff under this chapter. Any such appeal shall be in conformance with the criteria standards and procedures set forth in Chapter 1113.

(Ord. O-08-2011. Passed 5-17-11.)

1157.99 PENALTY.

- (a) Whoever constructs, reconstructs, alters, or modifies any exterior architectural or environmental feature now or hereafter within the Architectural Review District in violation of this chapter, shall be subject to the penalties specified in Section 1109.99.
- (b) Any individual or individual property owner that demolishes a structure within the Architectural Review District in violation of this chapter shall be subject to a fine of up to ten thousand dollars (\$10,000.00).
- (c) Any partnership, association, business entity, etc. that demolishes or causes the demolition of a structure within the Architectural Review District in violation of this chapter shall be subject to a fine of up to fifty thousand dollars (\$50,000.00).

(Ord. 10-98. Passed 8-4-98; Ord. 26-2007. Passed 8-21-07; Ord. O-08-2011. Passed 5-17-11.)

CHAPTER 1187 SUBDIVISION REGULATIONS¹

1187.01 DEFINITIONS.

The following words and phrases when used in this chapter shall have the meaning here described.

- (a) "Easement" means a grant by property owner(s) to another party or parties for a specific use of a described portion of property.
- (b) "Improvements" means street pavements, with or without curbs and/or gutters, sidewalks, water mains, sanitary and storm sewers, stormwater management facilities, erosion and sedimentation measures, grading and shaping, street lights, landscaping, screening and buffering and other related matters normally associated with the development of land into development sites.
- (c) "Lot" means a division of land and described on a recorded subdivision plat or recorded deed by metes and bounds description.
- (d) "Minor commercial subdivision" means a commercially zoned parcel, with an approved Final Development Plan or equivalent plan, with public road frontage, which does not involve the opening, widening or extension of a public street and does not involve more than five (5) lots after the original tract has been completely subdivided.
- (e) "Plat" means a map of a subdivision described by accurate distances and bearings.
- (f) "Right-of-way" means the width between property lines of a street, roadway, easement.
- (g) "Subdivision" means the division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll, into two (2) or more parcels, sites, or lots, any one of which is less than five (5) acres for the purpose, whether immediate or future, of the transfer of ownership provided, however, that the division or partition of land into parcels of more than five (5) acres not involving any new streets or easements of access, or the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempt. The improvement of one or more parcels of land for residential, commercial or industrial structures or groups of structures involving the division or allocation of land for the opening, widening or extension of any street or streets, except for private streets serving industrial structures, the division or allocation of land as open spaces for common use by owners, occupants or lease holders or as easements for the extension and maintenance of public sewer, water, storm drainage or other public facilities.

(Ord. 77-91. Passed 10-15-91; Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

¹Cross reference(s)—Plat and subdivision defined - see ORC 711.001;

Plat and contents - see ORC 711.01 et seq.;

Lot numbering and revision - see ORC 711.02, 711.06, 711.28 et seq.;

Plat acknowledgment and recording - see ORC 711.06;

Engineer to approve plats; inspection of streets and acceptance - see Ohio 711.08, 711.09;

Plat approval by planning authority; minimum lot area - see ORC 711.09;

Violations of rules and regulations - see ORC 711.102

1187.15 SUBDIVISION STANDARDS, PARKLAND DEDICATION.

- (a) ~~Land Dedication.~~ The basic mandatory land dedication with each plat shall be twenty four hundred (2,400) square feet per dwelling unit. Such area shall constitute ground, location facilities/equipment (per requirements of division (c) of this section suitable for municipally owned and operated parks, recreation facilities and open space as reviewed and approved by the Parks and Trails Advisory Board and the Planning Commission and approved by the Council. Although encouraged, such land dedication need not be located within the area of such plat. Where a developer owns multiple parcels of development ground within the Municipality, it shall be permissible for such developer to make a park dedication for its current and future development. If such dedication is made, no parks shall be required in future development by such developer, its successors and assigns until such park dedication has been utilized through the development of dwelling units at a ratio of twenty four hundred (2,400) square feet of such park dedication per dwelling unit.
- (b) ~~Provisions of Private Recreation Facilities.~~ If the resulting parkland dedication is determined to be of insufficient size or inappropriately located, or if public ownership and operation of such recreational areas is not feasible, the Municipality may request that an applicant plan for the provision of privately financed and owned recreational facilities. A public access easement shall be provided to the Municipality. Such privately owned open space shall be subject to the technical assessment provision of this section.
- (c) ~~Technical Assessment.~~ The following suitability and quality criteria shall be used to provide an assessment and recommendation relative to the appropriateness of proposed land dedication or area/facility, i.e., playground, park, recreational area/facility and open space. The criteria to be used shall include, but not be limited to the following:

(1) ~~Minimum size for each service level:~~

Playgrounds	2 acres
Neighborhood Parks	5 acres
Playfields	10 acres
Community Parks	40 acres

(2) ~~Suitability of the following for the proposed use.~~

- A. ~~Soils and geology.~~
- B. ~~Topography and drainage.~~
- C. ~~Location and impact of designated floodways and floodway fringe areas.~~
- D. ~~Extent of natural vegetation and tree cover. Preservation of wooded areas is a top priority.~~
- E. ~~The degree of access of proposed area to pedestrians and vehicles, where appropriate. Public accessibility is a top priority.~~

(3) ~~The proposed recreational facilities and site improvement to be made.~~

(4) ~~A schedule indicating how actual construction of the proposed park/open space and improvements are to be phased in relationship with the overall project.~~

(5) ~~How both ownership and maintenance of such areas is to be undertaken.~~

(6) ~~Residences must be within one thousand two hundred (1,200) feet of playground equipment and a Pocket Park or a larger size park.~~

~~The Community Development Department will conduct a review of the proposed land dedication or private facility/area or open space and include a recommendation in the staff report.~~

~~(d) **Fees In Lieu of Land Dedication.** Mandatory land dedications may be waived when Council has adopted a motion establishing a priority for payment in lieu fees instead of accepting land dedications. Such in-lieu fees shall be designated for a specific community wide park, recreational or open space use. Such community wide use shall benefit the current and future residents.~~

~~(1) Nothing in this section or any other section shall preclude the subdivider from transferring to the Municipality, land for public use, or expending in-lieu funds in excess of the mandatory requirements.~~

~~(2) The in-lieu fees shall be established by resolution of Council as based upon the average value per acre of the total gross site prior to construction or improvements. To calculate this estimate, the total value of the development, as determined by an appraisal, shall be divided by the total gross acreage of the development. The resulting figure shall be the averaged value of the development on a per-acre basis.~~

~~(3) The appraisal shall be conducted, completed and submitted to the Municipality prior to final plat approval. The appraisal shall be prepared by a certified appraiser approved by the Municipality and paid for by the applicant. The appraisal shall be reviewed and approved by Council.~~

~~(4) Should the Village have concerns about the appraisal provided by the developer's appraiser, a separate appraiser may be retained by the Village to provide the appraisal for the site.~~

~~(e) **Prohibition.**~~

~~(1) No permits for construction or improvements will not be issued by the Municipality for the subject subdivision until such land dedication or payment of fees in-lieu land dedications are conveyed to and accepted by Council.~~

~~(2) Applications for zoning and/or building permits for construction or improvements will not be accepted by the Municipality for the subject site or subdivision until such land dedication or payment of fees in-lieu land dedications are conveyed to and accepted by Council.~~

~~(f) **Effective Period.** The land dedication and payment of in-lieu fees required by this section shall be conveyed to the Municipality following approval by Council of the final plat and within sixty (60) days of such approval by Council.~~

~~(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07; Ord. 42-2007. Passed 12-18-08.)~~

1187.16 SUBDIVISION STANDARDS, OPEN SPACE.

~~(a) In addition to the parkland dedication requirements in Section 1187.15, in residential developments of two (2) acres or more, a minimum of twenty percent (20%) of the gross developed land area shall be common open space. Wet and dry stormwater basins shall not be considered open space.~~

~~(b) Publicly and privately owned parks and open space must be accessible by roadway or public access easement.~~

~~(c) The technical assessment in Section 1187.15(c) shall apply to the evaluation of the suitability of the proposed open space.~~

~~(d) Fees in lieu dedication of land for open space shall be established by the same method as the parkland fees in-lieu of dedication in Section 1187.15(d).~~

~~(Ord. 31-2007. Passed 8-21-07; Ord. 42-2007. Passed 12-18-08.)~~

1187.17 SUBDIVISION STANDARDS, GENERAL.

Features of any proposed subdivision not specifically set out or provided for herein, shall be at least equal to the generally accepted good practice existing at the time such subdivision is proposed. Conformity to the applicable standards of the Franklin County Subdivision Regulations, not in conflict herewith, promulgated by the Mid-Ohio Regional Planning Commission, of which this Municipality is a contributing member, shall be deemed satisfactory compliance with this section.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.18 FEE IN-LIEU OF SIDEWALK AND TRAIL CONSTRUCTION.

- (a) Council Approval Required . Council shall have the authority to approve applications for a fee in-lieu of sidewalk and/or trail construction.
- (b) Criteria for Approval . A fee payment in-lieu of sidewalk or trail may be permissible when a sidewalk or trail is found by Council to be not appropriate due to one of the following conditions:
 - (1) Sidewalk and/or trail construction is impracticable due to topographical conditions or site constraints;
 - (2) Sidewalks and/or trails do not exist in the area, there is not a likelihood for sidewalks and/or trails to be constructed in the near future, and that a fee in-lieu would better serve the community than a sidewalk or trail installed in the required location.
- (c) Calculation of Fees In-Lieu of Sidewalk or Trail Installation . The in-lieu fees shall be based upon the current cost of constructing sidewalks and/or trails in their required locations. The applicant shall provide a construction cost estimate, paid for by the applicant, to the Community Development Department a minimum of fifteen (15) working days prior to the council meeting at which the applicant desires his application to be heard. The submitted estimate shall be reviewed by the Village Engineer. The estimate shall be evaluated based on three (3) current quotes/estimates for construction materials and other information as needed. The estimate information shall then be reviewed and approved by Council.
- (d) Effective Period . The payment of in-lieu fees required by this section shall be conveyed to the Village of New Albany following approval by Council of the fee in-lieu and within sixty (60) days of receiving notice of such approval by Council.
- (e) Permits Issued . Permits for construction or improvements will not be issued by the Municipality for the subject development until payment of fees in-lieu sidewalk and/or dedications are conveyed to and accepted by the Village.

(Ord. 31-2007. Passed 8-21-07.)

1187.19 CONSTRUCTION DRAWINGS.

- (a) All construction drawings shall be on a horizontal scale of one inch to fifty (50) feet, and a vertical scale of one inch to five (5) feet. The sheet size shall be twenty-two (22) inches by thirty-six (36) inches. Sheet material shall be mylar with a minimum thickness of 0.03 mils.
- (b) Upon approval and acceptance of all improvements, the original construction drawings for the improvements shall be revised to reflect the actual construction. All drawings, including the master grade plan or reproductions thereof on mylar, shall become the property of the Municipality and shall be on file in the office of the Municipal Engineer.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.20 VARIANCES.

In cases where it is deemed that hardships, topography or other factual deterrent conditions prevail, variations and exceptions from the dimensional standards and improvement requirements, as set forth in these regulations, may be requested of the Planning Commission, but must be approved by Council.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07.)

1187.21 FEES.

Council shall have the authority to establish a schedule of fees for the filing, review and processing of applications. Council may periodically review the fee structure and make adjustments as deemed appropriate. Fees are non-refundable and shall be paid in full at the time of filing. Fees shall be set by separate ordinance.

(Ord. 31-2007. Passed 8-21-07.)

1187.22 MINOR COMMERCIAL SUBDIVISIONS.

- (a) Notwithstanding anything to the contrary, approval without a plat of a minor commercial subdivision may be granted by the Community Development Director or designee if the proposed minor subdivision of a parcel of land meets all of the following conditions:
 - (1) A final development plan according to Chapter 1159 or an equivalent plan has been approved by the Planning Commission;
 - (2) The proposed subdivision is located along an existing public road, has frontage along a public street and involves no opening, widening or extension of any street;
 - (3) No more than five (5) lots are created after the original parcel has been completely subdivided;
 - (4) The proposed subdivision is not contrary to other subdivision, zoning, and other applicable regulations; and
 - (5) The property has been surveyed and a survey drawing, legal description of the property and other information as may be pertinent or required for appropriate action are submitted with the application.
- (b) If approval is given under these provisions, the Community Development Director or designee shall, within ten (10) working days after submission, approve such proposed minor subdivision and, upon presentation of a conveyance for said parcel, shall stamp "Approved by New Albany; No Plat Required", and the authorized representative of the Commission shall sign the conveyance.
- (c) For the purpose of this section, "original parcel" means the parcel existing as of the effective date of this section of the Subdivision Regulations (February 20, 2007).

(Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

1187.23 SUCCESSION IN GOVERNMENT.

All references herein to officers or departments existing under Village government shall also refer to those officials or departments succeeding to the same or similar function upon advancement to city status.

(Ord. 77-91. Passed 10-15-91; Ord. 08-2007. Passed 2-20-07; Ord. 31-2007. Passed 8-21-07.)

CHAPTER 1165 GENERAL DEVELOPMENT STANDARDS¹

1165.01 DEFINITIONS.

- (a) "Accessory structure" shall be defined as a subordinate structure or surface, located on the same lot as a principal building/structure, which is incidental to the use of the principal building/structure. Accessory structure are categorized into two (2) groups: Detached Structures or Recreational Amenities.
- (b) "Architectural Features" are defined as cornices, canopies, eaves, pilasters, stairs, sills or other similar features.
- (c) "Building Service Features" are defined as egress window pits, mechanical pits, mechanical units and generators, and similar features.
- (d) "Deck" shall be defined as an accessory structure and is further defined as a horizontal platform supported by any combination of posts, beams, foundations, and/or joists with or without handrails, steps or terraces.
- (e) "Detached Structures" are defined as detached garages, enclosed, accessory buildings larger than two hundred (200) square feet, pool houses, and other structures not considered to be Recreational Amenities located in a residentially zoned district.
- (f) "Elevated surface" shall be defined as an artificial rise or elevation above the natural grade of the surrounding ground created with earth, rock, wood or other material.
- (g) "Recreational Amenities" are defined as buildings which are two hundred (200) square feet or less. any sized deck, patio, fireplaces, pergolas, gazebo and similar located in a residentially zoned district.
- (h) "Side Yard" shall be defined as the area measured from a side lot line to the required side yard setback line extending from the front lot line to the rear lot line.
- (i) "Open Sided Structure" shall be defined as a free-standing, unheated structure unenclosed except for a structural system supporting a roof, and screen panels which may be used to enclose the open spaces between structural elements. An open-sided structure includes but may not be limited to a gazebo, tent, pergola, canopy or trellis.

(j) "Hamlet" or "Hamlet Area" means that area defined as a Hamlet in the Strategic Plan of the City of New Albany.

(Ord. O-27-2019 . Passed 9-17-19.)

¹Editor's note(s)—Ord. O-27-2019 , passed September 17, 2019, in effect repealed the former Chapter 1165, and enacted a new Chapter 1165 as set out herein. The former Chapter 1165 pertained to similar subject matter and derived from Ord. 20-90. Passed 6-19-90; Ord. 72-92. Passed 12-15-92; Ord. 29-2001. Passed 8-21-01; Ord. 27-2007. Passed 8-21-07; Ord. 06-2009. Passed 3-17-09; Ord. O-08-2011. Passed 5-17-11.

Cross reference(s)—Gasoline service station defined - see P. & Z. 1105.02;
Home occupation defined - see P. & Z. 1105.02

1165.02 BUILDING REQUIREMENTS.

- (a) Frontage Required. No building, structure, or improvement shall be constructed or altered unless its lot fronts on a publicly dedicated and improved street or thoroughfare within the Municipality.
 - (b) Front Yard Requirements. All front yard space shall be maintained in accordance with at least one (1) of the following provisions:
 - (1) Landscaped by lawns, shrubbery, trees or other plantings. Such planting shall be maintained in a neat and orderly state.
 - (2) In all districts, driveways may be located in front yards; if needed in rear yards, rear yard access is permitted off of alleys. In districts where single-family residences are not a permitted use, front yard setbacks may also be used for parking areas, consistent with the regulations of Chapter 1167.
 - (c) Corner Lots. Lots fronting on more than one street shall provide the required front yard on both streets.
 - (d) Architectural Features Encroachment. May project into a setback no more than three (3) feet with a minimum of two (2) feet maintained to any adjoining lot line.
 - (e) Building Service Features Encroachment. May project into a setback no more than five (5) feet with a minimum of two (2) feet maintained to any adjoining lot line.
 - (f) Rural Setbacks. All buildings should respect the setbacks of all rural designated roads established in the [VillageCity's](#) Strategic Plan.
- (Ord. O-27-2019 . Passed 9-17-19.)

1165.03 HEIGHT.

Height regulations specified in the various zoning districts shall not apply to chimneys, tanks, cupolas, domes, spires, or similar structures attached provided that the height of all structures and buildings, including those mentioned above, shall not constitute a hazard to safe landing and take-off of aircraft from an established airport.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.04 ACCESSORY USES OR STRUCTURES.

- (a) Detached Structures. Shall comply with the following requirements:
 - (1) Area. For lots less than one acre, a structure may have an area up to eight hundred (800) square feet; for lots between one (1) acre and two (2) acres, a structure may have an area up to one thousand two hundred (1,200) square feet, and for lots larger than two (2) acres may have an area up to one thousand six hundred (1,600) square feet.
 - (2) Location.
 - A. Shall not project beyond any front elevation of the primary structure or located within the front yard;
 - B. Shall be located at least ten (10) feet from the primary structure and any other detached accessory structures situated on the same lot; and
 - C. Shall not be located within an easement.
 - D. Shall be located ten (10) feet from any side lot line.

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- E. Shall be located thirty (30) feet from any rear lot line.
- (3) Height. Shall not exceed the height of the primary structure and in no case shall exceed twenty-five (25) feet in height.
 - (4) Materials. All finished roof surfaces, except for flat roofs, shall be metal, seal-tab asphalt shingles, slate or wood shingles. All other finished surfaces must be complementary to the primary structure and be wood, brick, composite siding, or any combination thereof.
 - (5) Number. Only two detached accessory structures shall be permitted as regulated by this section. Recreational Amenities are exempt from the number limitation in this section.
 - (6) Lot Coverage. All detached structures shall follow the lot coverage requirements found in the property's PUD or residential zoning district. R-1 zoned districts shall have a maximum twenty percent (20%) lot coverage for accessory structures.
 - (7) No detached accessory structure shall be erected or constructed prior to the erection or construction of the principal or main building, except in conjunction with the same.
 - (8) Drainage Improvements. Additional drainage improvements and or direct connections to the storm sewer system may be required, subject to the approval of the City Manager or designee.
- (b) Recreational Amenities. Shall comply with the following requirements:
- (1) Materials. All finished roof surfaces, except for flat roofs, shall be metal, seal-tab asphalt shingles, and slate or wood shingles. All other finished surfaces must be wood, brick, stone, composite siding, screen, or any combination thereof.
 - (2) Lighting. Illumination of the open-sided structure exterior is prohibited. Illumination within the structure shall not exceed seventy (70) foot-candles measured at a horizontal plane three (3) feet above the finished floor.
 - (3) Location.
 - A. Shall not project beyond any front elevation of the primary structure or located within the front yard except an open, uncovered porch/paved terrace may project into the required front yard for distance of no greater than fourteen (14) feet.
 - B. Shall not be located within an easement.
 - C. Shall not be located nearer to any side or rear property line than ten (10) feet, except uncovered porch/paved terrace may be located up to five (5) feet away from any side or rear property line.
 - (4) Height. All Recreational Amenities are limited to one (1) story; and the height to the top of the highest roof ridge beam, or to the highest point of any other roof form, from the finished floor shall not exceed fifteen (15) feet.
 - (5) No recreational amenities shall be erected or constructed prior to the erection or construction of the principal or main building, except in conjunction with the same.
 - (6) Additional Restrictions for Recreational Amenities.
 - A. Deck Restrictions. Decks shall comply with the following requirements, in addition to the requirements above in Section 1165.04(b):
 1. The area below a deck which exceeds more than two (2) feet above grade at any point within six (6) feet of the deck's perimeter shall be screened;
 - (i) Second story decks, which are decks with a minimum of seven (7) feet of headroom from the ground to the deck, are exempt from this requirement.

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2. Decks which encroach into the required rear yard shall have no walls or roof planes, or permanently attached benches, seats, or other structures of any kind, weatherproof or not, except a guardrail which may be up to forty-two (42) inches in height above the top of the deck. The handgrip portion of the rail shall not be more than three and one-half (3½) inches in width, if the handgrip is flat.
 3. All decks shall be attached or contiguous to the principal structure or principal building;
- B. Open-Sided Structure Restrictions. An open-sided structure must meet the following minimum design criteria, in addition to the requirements above in Section 1165.04(b):
1. Measurement. The area of all open-sided structures shall be measured post-to-post.
 2. Grading. If the open-sided structure is built on a mound, deck, or other elevated surface, the height of this elevated surface at its highest point above grade shall be added to the height of the structure to determine the overall height of the open-sided structure measured.
 3. Lot Coverage. All open sided structures shall be subject to and included in the lot coverage requirements found in the property's PUD or residential zoning district. R-1 zoned districts shall have a maximum twenty percent (20%) lot coverage for accessory structures.
- C. Drainage Improvements. Additional drainage improvements and or direct connections to the storm sewer system may be required, subject to the approval of the City Manager or designee, if more than fifty percent (50%) of the rear yard buildable area is occupied by Recreational Amenities. For the purposes of this section rear yard buildable area is defined as the interior lot area bounded by the rear yard setback line, the side yard setback lines, and rear of the principle structure.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.05 MINIMUM FLOOR AREA REQUIREMENTS.

No single-family residential dwelling shall have floor area of less than one thousand two hundred (1,200) square feet. No two-family dwelling shall have floor area of less than eight hundred fifty (850) square feet for each family. No multiple family dwelling shall have a floor area of less than eight hundred (800) square feet for each family.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.06 CONNECTIVITY.

The following regulations shall apply to all new development. For the purposes of this section, "new development" shall be any construction involving the replacement of an existing primary structure, construction on a site currently without a primary building or when a commercial parking area is being repaved or constructed.

(a) Sidewalks.

1. Sidewalks are required along all public rights-of-way unless a leisure trail is required. The minimum sidewalk width shall be five (5) feet or greater as determined by the width of existing sidewalks.
2. Sidewalks shall be constructed per the [Village-City](#) standard and made of concrete, brick, stone, simulated stone, or simulated brick. The design and installation of sidewalk paving materials other than concrete shall be in accordance with manufacturer recommendations and are subject

to [Village-City](#) Engineer and Community Development Department approval. Simulated materials shall correctly simulate appearance of brick or stone.

(b) Leisure Trails.

1. Leisure trails shall be constructed along streams and roads in accordance with the [Village's-City's](#) Strategic Plan or as otherwise required.
2. Leisure trails shall be asphalt and have a minimum width of eight (8) feet unless otherwise specified by the Community Development Department. All leisure trails shall be constructed per the [Village-City](#) standard.

(c) Fees In-Lieu of Sidewalk and Trail Construction. Where special circumstances exist for sidewalk and trail construction as required in divisions (a) and (b) of this section, a fee in-lieu may be considered according to the procedure in Section 1187.18.

- (d) Where there are open spaces between buildings, excluding single-family and town homes, pedestrian connections shall be established between rear parking areas and the sidewalk in front of the building.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.07 HOME OCCUPATIONS.

Home occupations or professions shall be regulated as permitted, accessory, or conditional uses pursuant to Chapters 1129 through 1139. A home occupation shall comply with the following standards:

- (a) The use shall be clearly incidental and secondary to residential use of the dwelling and not more than fifteen (15) percent of dwelling unit floor area is devoted to the home occupation.
- (b) The home occupation shall not generate greater traffic volume than is normal for a residential neighborhood.
- (c) Not more than one person, other than immediate family residing at the premises, shall be employed in such occupation.
- (d) External indication of such home occupation shall be limited to one non-illuminated sign, not more than two (2) square feet, attached flat against the structure.
- (e) The sale of products, stock, or commodities shall be limited to those produced on the premises.
- (f) Any need for parking generated by conduct of the home occupation shall meet off-street parking requirements of this Zoning Code, and shall not be located in any front yard.
- (g) No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal sense off the lot, if the occupation is conducted in a single-family residence; or outside the dwelling unit if conducted in other than a single-family residence.
- (h) No home occupation shall be conducted from any accessory building on the lot.

In particular, a home occupation shall consist primarily of rendering specific personal services, such as those performed by a seamstress, member of the clergy, physician, dentist, lawyer, engineer, architect, accountant, artist, or private teacher. The home occupation shall be performed by the occupant of the premises and shall include employment of not more than one non-resident of the premises.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.08 GASOLINE SERVICE STATION.

Gasoline service stations, or retail establishments selling gasoline as an ancillary activity, are listed as conditional and permitted uses in the C-1, C-2, and C-3 zoning districts. In addition to the requirements of the district in which the gasoline service station is located, and other provisions of this chapter, such establishments shall be subject to the following requirements:

- (a) Minimum Lot Size. Twenty thousand (20,000) square feet.
- (b) Minimum Building or Structure Size. The building shall have an enclosed area of not less than eight hundred (800) square feet if any service is offered on or from the premises other than the delivery of gasoline, diesel fuel or oil for use as vehicle fuel or lubrication. If a gasoline service station offers no service other than the delivery of gasoline, diesel fuel or oil into vehicles, the enclosed area of the building shall not be less than six hundred (600) square feet. No such limited gasoline service station may offer to provide lubrication, oil changes, repairs, or other equipment installation.
- (c) Minimum Frontage. The lot on which a gasoline service station is located shall have frontage of not less than one hundred fifty (150) feet along a dedicated and improved street designated as not less than minor arterial status on the New Albany Thoroughfare Plan. If a gasoline service station is located on the corner of two (2) or more intersection streets, it shall have one hundred fifty (150) feet of frontage on each intersecting streets.
- (d) Location. No gasoline service station shall be located on any lot within two hundred (200) feet of any zoning district where residences are permitted.
- (e) Setbacks. The pump island setback in a gasoline service station, which shall be the minimum location for pumps dispensing fuel or oil products, shall be forty (40) feet from any right-of-way of any street, and forty (40) feet from any adjoining property line. Any building located on such premises shall be located not less than fifty (50) feet from the right-of-way of any street.
- (f) Driveways and Parking Areas. Driveways and parking areas shall be paved and properly drained. The landscaping of areas along the perimeter of the lot is required, pursuant to Chapter 1171.
- (g) Parking. Gasoline service stations shall be subject to the parking and loading provisions of Chapter 1167. In addition, no inoperable or damaged motor vehicle shall be parked outside a gasoline service station building in excess of seventy-two (72) hours. Parking areas shall be located not closer than five (5) feet to the main building.
- (h) Outside Storage. Outside storage shall be in accordance with the following requirements:
 - (1) All vending machines, except ice machines and telephone booths, shall be located inside the main building.
 - (2) Only one (1) permanent or one (1) portable display rack for oil, antifreeze, or other automotive products shall be permitted on each pump island. No such rack shall be located closer than twenty-five (25) feet to the street right-of-way line or adjoining property line. All other displays or merchandise outside the main building is prohibited.
 - (3) All hydraulic hoists, oil pits, lubricants and greasing, and other repair equipment shall be enclosed completely within the main building.
- (i) Signs. All signs used in connection with gasoline service stations shall be in conformance with the regulations for general retail and commercial uses as specified in Chapter 1169.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.09 MODEL HOME STANDARDS.

Residential model homes and temporary lot sales offices are newly-constructed homes or temporary structures placed in a newly-constructed subdivision and used by a homebuilder or developer to display home styles and lot availability in a subdivision to promote the sale of new housing units. The model home or sales office may be staffed and furnished.

- (a) When making its decision to approve, disapprove or approve with conditions an application for a residential model home, the Planning Commission shall consider that the model home:
 - (1) Is appropriately located within the community and sited so that it is easily accessible without creating a nuisance or hazard to nearby properties.
 - (2) Is integrated into the residential character of the neighborhood with external lighting in conformity with customary residential lighting.
 - (3) Is approved with a limited duration which shall be determined by the Planning Commission after consultation with the applicant. Extensions of time may be granted by the Planning Commission, but decisions must be based on the same criteria as outlined in this section.
 - (4) Is identified by no more than one sign which shall be in compliance with regulations governing signage.
 - (5) Shall not be used as a general real estate brokerage office where the sale of properties not owned or previously owned wholly or in part by the applicant occurs.
- (b) The Planning Commission shall also consider and may set conditions on the following as part of its decision to allow a residential model home:
 - (1) Hours of operation.
 - (2) Number and types of employees; and maximum number of employees to be on the site at any one (1) time.
 - (3) Provisions for parking for employees and customers.
 - (4) Size, lighting, content and location of signage (no internally lighted signage shall be permitted).
 - (5) Landscaping and screening.
 - (6) The use of temporary sales offices (i.e., manufactured homes, mobile homes or trailers) on the site of a newly constructed subdivision shall be discouraged.
- (c) In addition to the above-listed criteria for model homes, permission to occupy a temporary sales office for the purpose of home and lot sales within a newly constructed subdivision shall be granted only if the following conditions are met:
 - (1) Such facility is located on a main arterial roadway or highway.
 - (2) Such facility is substantially screened by the use of landscaping and/or mounding.
 - (3) Such facility shall not create a nuisance to surrounding properties.
 - (4) Such other conditions as the Planning Commission deems appropriate.
 - (5) Sales offices in trailers or mobile homes are permitted for a duration of twelve (12) months. Users of such facilities may apply to the Planning Commission for an extension of an additional twelve (12) months.

(Ord. O-27-2019 . Passed 9-17-19.)

1165.10 PARKLAND AND OPEN SPACE DEDICATION REQUIREMENTS

- (a) Land Dedication . The following parkland and open space requirements shall be used to determine basic mandatory land dedication with each type of new development listed below. These requirements shall not apply to existing lots and/or homes that are being improved or reconstructed

<u>Development Type/Zoning</u>	<u>Parkland Dedication</u>	<u>Open Space Requirement</u>
<u>(1) Residential</u>	<u>2,400 square feet per dwelling unit</u>	<u>In residential developments of two (2) acres or more, a minimum of twenty percent (20%) of the gross developed land area shall be common open space.</u>
<u>(2) Commercial</u>	<u>Exempt from parkland and open space dedication requirements.</u>	
<u>(3) Hamlets</u>	<u>Combined twenty-five percent (25%) of the gross developed land area shall be dedicated as common parkland and open space requirement.</u>	

Such area shall constitute ground, location facilities/equipment (per requirements of division (c) of this section suitable for municipally-owned and operated parks, recreation facilities and open space as reviewed and approved by the Parks and Trails Advisory Board and the Planning Commission and approved by the Council. Although encouraged, such land dedication need not be located within the area of such proposed development. Where a developer owns multiple parcels of development ground within the Municipality, it shall be permissible for such developer to make a open space/parkland dedication for its current and future development. If such dedication is made, no open space/parklands shall be required in future development by such developer, its successors and assigns until such park dedication has been utilized through the development of dwelling units at the required a ratios of twenty four hundred (2,400) square feet of such park dedication per dwelling unit.

Wet and dry stormwater basins shall not be considered parkland or open space.

- (b) Provisions of Private Recreation Facilities . If the resulting parkland or open space dedication is determined to be of insufficient size or inappropriately located, or if public ownership and operation of such recreational areas is not feasible, the Municipality may request that an applicant plan for the provision of privately financed and owned recreational facilities. A public access easement shall be provided to the Municipality. Such privately-owned parkland or open space shall be subject to the technical assessment provision of this section.
- (c) Parkland and Open Space Technical Assessment: The following suitability and quality criteria shall be used to provide an assessment and recommendation relative to the appropriateness of proposed land dedication or area/facility, i.e., playground, park, recreational area/facility, and open space. The criteria to be used shall include, but not be limited to the following:

- (1) Minimum size for each service level:

<u>Playgrounds</u>	<u>2 acres</u>
<u>Neighborhood Parks</u>	<u>5 acres</u>
<u>Playfields</u>	<u>10 acres</u>
<u>Community Parks</u>	<u>40 acres</u>

- (2) Suitability of the following for the proposed use.

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- A. Soils and geology.
- B. Topography and drainage.
- C. Location and impact of designated floodways and floodway fringe areas.
- D. Extent of natural vegetation and tree cover. Preservation of wooded areas is a top priority.
- E. The degree of access of proposed area to pedestrians and vehicles, where appropriate. Public accessibility is a top priority.
- (3) The proposed recreational facilities and site improvement to be made.
- (4) A schedule indicating how actual construction of the proposed park/open space and improvements are to be phased in relationship with the overall project.
- (5) How both ownership and maintenance of such areas is to be undertaken.
- (6) Residential development as categorized in C.O. 1165.10(a)(1) must be within one thousand two hundred (1,200) feet of playground equipment and a Pocket Park or a larger size park for development categorized in C.O. 1165.
- The Community Development Department will conduct a review of the proposed land dedication or private facility/area or open space and include a recommendation in the staff report.
- (7) Types of open space permitted within Hamlet developments include, but are not limited to, one or more of the following amenities: courtyards, pocket plazas, tennis courts, plazas, greens, squares, or greenways. Where appropriate, open space areas may be constructed of permanent materials and be permanently integrated into the design of the development. Open spaces shall be designed, landscaped, and furnished to be consistent with the character of the development. Conservation easements, wetlands, and similar environmentally sensitive areas may count toward the required open space.
- (d) Fees In-Lieu of Parkland and Open Space Land Dedication: Mandatory land dedications may be waived when Council has adopted a motion establishing a priority for payment in lieu fees instead of accepting land dedications. Such in-lieu fees shall be designated for a specific community wide park, recreational or open space use. Such community wide use shall benefit the current and future residents.
- (1) Nothing in this section or any other section shall preclude the developer from transferring to the Municipality, land for public use, or expending in-lieu funds in excess of the mandatory requirements.
- (2) The in-lieu fees shall be established by resolution of Council as based upon the average value per acre of the total gross site prior to construction or improvements. To calculate this estimate, the total value of the development, as determined by an appraisal, shall be divided by the total gross acreage of the development. The resulting figure shall be the averaged value of the development on a per-acre basis.
- (3) The appraisal shall be conducted, completed and submitted to the Municipality prior to final plat approval. The appraisal shall be prepared by a certified appraiser approved by the Municipality and paid for by the applicant. The appraisal shall be reviewed and approved by Council.
- (4) Should the VillageCity have concerns about the appraisal provided by the developer's appraiser, a separate appraiser may be retained by the VillageCity to provide the appraisal for the site.
- (e) Prohibition .
- (1) No building permits for construction or improvements of homes will ~~not~~ be issued by the Municipality for the subject site or subdivision ~~subdivision~~ until such land dedication or payment of fees in-lieu land dedications are ~~conveyed to and~~ accepted by Council and conveyed to the City.

~~(2) Applications for zoning and/or building permits for construction or improvements will not be accepted by the Municipality for the subject site or subdivision until such land dedication or payment of fees in-lieu land dedications are conveyed to and accepted by Council.~~

- (f) Effective Period: The land dedication and payment of in-lieu fees required by this section shall be conveyed to the Municipality following approval by Council of the final plat and within sixty (60) days of such approval by Council.

(Ord. 77-91. Passed 10-15-91; Ord. 31-2007. Passed 8-21-07; Ord. 42-2007. Passed 12-18-08.)



NEW ALBANY, OHIO

RESIDENTIAL OUTSIDE
VILLAGE CENTER

DESIGN GUIDELINES & REQUIREMENTS

SECTION 5

(AMENDED JUNE 2022)



High style designs incorporate specific architectural elements.



Buildings should be oriented toward primary streets and sidewalks.

I. Overview

This section applies to all residential development in New Albany that is outside of the Village Center. Standards for new residential buildings located outside the Village Center vary little from the standards used within that district. The goals in both areas are the same: creation of high-quality new buildings that enhance the character and livability of New Albany.

A. Site Characteristics

The siting of a building on a lot is an important design feature, as are elements such as orientation to the lot boundaries; setback from the public right-of-way; spaces between buildings; driveways and parking areas; landscaping and open space; and connections to other parts of the neighborhood and community.

A great deal of the attractiveness and high quality of the physical character of New Albany is due to careful design that blends all these elements into a harmonious composition. This arises from the fact that the spaces between and around buildings can be as important as the buildings themselves.

As in the choice of architectural style, traditional practice suggests workable ways in which both the man-made and the natural settings in New Albany can be treated to work hand-in-hand with the community's architecture.

New Albany's zoning requirements have a significant impact on site design. Refer to the New Albany Zoning Ordinance when beginning project planning, and always confer as early as possible with staff about a planned project.

In addition to zoning requirements, the following guidelines apply to site planning for all residential buildings outside the Village Center.

1. Asphalt, brick, stone, or simulated stone driveway pavers are appropriate surfaces for driveways and parking areas.
2. Parking areas and garage sites should be located at the rear of lots.
3. In addition to creating a setback, as defined in the Zoning Ordinance, a new building's site shall take account of precedent set by adjacent and/or nearby buildings, including the size, shape, and scale of spaces between the buildings. Consistency with traditional practice and with existing developed sites is the most appropriate.
4. Lot sizes may vary in size, and creation of appropriate green spaces between buildings is encouraged. Excessively large or excessively small spaces between buildings shall be avoided.
5. Buildings should face onto open spaces and natural corridors. A road is often best used to create an edge along these spaces.
6. For townhouses and apartment buildings, front setbacks should be appropriate to the setting, building type, architectural style and relationship to the surrounding buildings.



No garage doors face this street, enhancing the feel of a traditional streetscape.



Primary elevations should face public streets and open spaces.



Vernacular designs often include interesting elements and details.



These historic shutters are operable and made to fit the window opening.

II. Single-Family

A. Building Characteristics

Single-family homes are the most common residential building type in New Albany, and therefore have a significant impact on the visual quality of the community. The key to successful design of homes and accessory structures is a thorough understanding of traditional design practices as illustrated in the “American Architectural Precedent” section of these standards, as well as in *A Field Guide to American Houses*. This information, as well as the guidance provided by the “Guiding Principles” section and additional information sources outlined in Section 1, will provide a sound basis for creative design of new structures.

B. Design

1. Buildings shall be in one of the architectural styles described in the “American Architectural Precedent” section of these standards. The only permitted exception is in the case of individual lots of record existing prior to 1990. In such cases, any traditional American architectural style may be employed, provided that such architectural style is similar to that of an existing home within a radius of one-quarter of a mile. No such homes utilizing this exception shall be constructed without first obtaining a Certificate of Design Appropriateness pursuant to Codified Ordinances of New Albany. Properties utilizing this exemption shall not be required to comply with requirements of the Design Guidelines and Requirements which are inconsistent with the architectural style proposed.

2. Building designs shall not mix elements from different styles. Designs must be accurate renderings of traditional historical styles. The number, location, spacing, and shapes of window and door openings should be the same as those used in traditional historical styles.

3. Garages and outbuildings shall be clearly secondary in character, by means of a simplified design compatible with that of the primary structure. Garages may be attached or detached and must have single-bay doors no greater than ten feet in width. Side load garages on corner lots should be designed to minimize their visual impact. Side load garage doors facing a public street must be set back at least 20 feet from all portions of the front façade of the house.

4. Side or rear vehicular entry into garages is strongly encouraged. If garage doors face the primary street, the facade of the garage shall be set back a minimum of ten feet from all portions of the principal facade of the primary building.

5. Over-use of elements such as shutters, cupolas, and roof balustrades shall be avoided. Such elements may be employed only when they are common elements of specific architectural styles. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

6. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed and located so as to minimize their visibility and visual impact.

C. Form

1. Building forms shall follow forms depicted in the “American Architectural Precedent” section and in A Field Guide to American Houses. Building forms shall be appropriate for the particular architectural style being employed, as shown in the examples given in the sources cited above.

2. Massing of building forms (the way in which forms are fit together to create a complete composition) shall be consistent with traditional practice as depicted in the cited sources.

3. Orientation of main building facades, those with the primary entrances, shall be toward the primary street on which the building is located.

4. All building elevations shall be designed in a manner consistent with the selected architectural style. Refer to Guiding Principle #1 regarding design of all elevations of a building. Random mixing of exterior materials shall be avoided.

5. Particular attention shall be paid to correct proportions of building walls; gable and roof surface slopes; window and door openings; and window sash and glass panes. Proportions illustrated in the “American Architectural Precedent” and in the book A Field Guide to American Houses shall be observed.



This building is oriented toward the street, with the wing containing a side-load garage secondary in character to the house



Here the large main mass predominates, with smaller forms used for the wings.



Historic entrances and windows were carefully proportioned and finely detailed.

D. Scale

1. New building designs shall exhibit the same sense of scale as was typical of the traditional architectural style selected for that building. Significant variance from traditional scale shall be avoided.

2. Building scale shall be controlled by careful attention to width of facades and to floor-to-floor heights on exterior walls. In general, the architectural styles selected as appropriate for New Albany are of modest or intimate scale rather than large or grand. In some cases, a larger scale for buildings designed in the Colonial Revival and Georgian Revival styles may be appropriate and will be considered on a case-by-case basis.

E. Height

1. Building height may vary between a minimum of 1.5 and a maximum of 2.5 stories. The number of stories is measured at the main entrance to the building. Walk-out basements do not count toward building height. All half-stories must have the appearance of being occupiable through the use of windows, dormers, or other architectural elements, unless otherwise appropriate for the proposed architectural style.

2. Entrances to the first floor of a building shall be a minimum of two feet above grade.

3. The height of garages, wings, dependencies, and detached structures shall not exceed the height of the roof peak of the main portion of the building.

F. Materials

1. The materials of which new buildings are constructed shall be appropriate for and typical of materials traditionally used in the architectural style in which the building is constructed. In general, wood siding and brick are preferred exterior materials. The use of alternate materials such as hardi-plank, vinyl, and other modern materials may be appropriate when they are used in the same way as traditional materials would have been used. This means that the shape, size, profile, and surface texture of alternate materials must exactly match historical practice when these elements were made of wood. Especially close attention must be paid to details such as cornerboards, window and door trim, soffits and eaves, and porch trim to ensure a correct match to traditional wood elements. Use of façade materials other than brick or wood requires review by the Architectural Review Board.

2. Exterior material selection shall be guided by examples given in the "American Architectural Precedent" section and in A Field Guide to American Houses.

3. Exposed concrete foundation walls are not permitted.
4. All exposed exterior chimneys shall be constructed of brick. Wood, artificial siding and stucco, as well as fireboxes that utilize cantilevered floor joist construction, are not permitted on chimneys.
5. Skylights must not be visible from the public right-of-way.
6. Historically, true divided-light wood window sash were the only ones available for multi-paned windows. Today most people prefer to simulate the divided-light look. However, great care must be taken to ensure that the divided-light look and the proportions of the window panes are correct. The only acceptable form of this window is one in which the glass panes have vertical proportions (height greater than width) and correctly-profiled muntins with an internal spacer that gives the appearance of a muntin extending through the glass. In addition, there must be an offset between the upper and lower sash to give the window a double-hung appearance. No snap-in or flat muntins will be approved. New windows must be made of wood and may have either vinyl or aluminum cladding on the exterior.
7. Another appropriate option is to use true wood or clad one-over-one windows. The window sash need not be operable if it correctly simulates a double-hung appearance.
8. When a window design has been selected for a building, the same design must be used on all elevations. Use of other window designs as “accent” windows must be appropriate for the architectural style of the building.



This historic true divided-light window illustrates correct vertical proportions for window panes.



Multi-family buildings often follow traditional architectural design practices.



This entrance serves multiple apartments and is clearly visible to pedestrians.

II. Multi-Family

This section applies to all non-single family, detached residential development.

A. Design

1. Buildings shall be in one of the architectural styles described in the “American Architectural Precedent” section of these standards. A building’s design must be derived from examples of traditional American architecture that was built in a scale appropriate to that of the proposed new building. High quality, simple designs are encouraged.

2. Building designs shall not mix elements from different styles. Designs must be accurate renderings of traditional historical styles. The number, location, spacing, and shapes of window and door openings shall be the same as those used in traditional historical styles.

3. Buildings that do not have individual entrances to residential units shall follow traditional practice by employing distinctive central entrances that facilitate pedestrian access.

4. Garages and outbuildings shall be clearly secondary in character, by means of a simplified design compatible with that of the primary structure. Garages may be attached or detached and must have single-bay doors no greater than ten feet in width.

5. Garage doors may not face toward the primary street.

6. Over-use of elements such as shutters, cupolas, and roof balustrades shall be avoided. Such elements may be employed only when they are common elements of specific architectural styles. When shutters are employed, even if they are non-operable, they must be sized and mounted in a way that gives the appearance of operability.

7. Elements such as meter boxes, utility conduits, roof and wall projections such as vent and exhaust pipes, basement window enclosures, and trash containers shall be designed and located so as to minimize their visibility and visual impact.

B. Form

1. Building forms shall follow forms depicted in the “American Architectural Precedent” section and in A Field Guide to American Houses. Building forms shall be appropriate for the particular architectural

style being employed, as shown in the examples given in the sources cited above.

2. Massing of building forms (the way in which forms are fit together to create a complete composition) shall be consistent with traditional practice as depicted in the cited sources. Use of traditional “U,” “E,” and “H” shapes, which maximize admission of natural light to the building interior, is encouraged.

3. Orientation of main building facades, those with the primary entrances, shall be toward the primary street on which the building is located. When “U,” “E,” and “H” building shapes are used, entrances may also be on non-primary facades but must open onto courtyard areas that have sidewalks connected both to the internal system of walks and to walks along public streets.

4. All building elevations shall be designed in a manner consistent with the selected architectural style. Refer to Guiding Principle #1 regarding design of all elevations of a building. Random mixing of exterior materials shall be avoided.

5. Maximum building length should not exceed 160 feet unless otherwise found appropriate to the building design, context, scale and massing.

6. Particular attention shall be paid to correct proportions of building walls; gable and roof surface slopes; window and door openings; and window sash and glass panes. Proportions illustrated in the “American Architectural Precedent” and in the book *A Field Guide to American Houses* shall be observed.

C. Scale

1. New building designs shall exhibit the same sense of scale as was typical of the traditional architectural style selected for that building. Significant variance from traditional scale shall be avoided.

2. Building scale shall be controlled by careful attention to width of facades and to floor-to-floor heights on exterior walls. In general, the architectural styles selected as appropriate for New Albany are of modest or intimate scale rather than large or grand. In some cases, a larger scale for buildings designed in the Colonial Revival and



This U-shaped building has a landscaped courtyard to connect the building to the street.



Three story buildings are appropriate for townhouses and apartment buildings.



When a courtyard is located within the recessed wings of a building, the entire courtyard may be at least two feet above grade.

Georgian Revival styles may be appropriate and will be considered on a case-by-case basis.

D. Height and Length

1. Building height may vary between a minimum of 1.5 and a maximum of three stories. In general, a minimum height of two stories is most appropriate for townhouse and apartment building types and is encouraged. The number of stories is measured above grade at the primary entrance to the building. Walk-out basements do not count toward height. All half-stories must have the appearance of being occupiable through the use of windows, dormers, or other architectural elements, unless otherwise appropriate for the proposed architectural style.

2. Entrances to the first floor of a building shall be a minimum of two feet above grade. In cases where a building has courtyards recessed within wings of the building, the entire courtyard may be placed at least two feet above the surrounding grade and entrances may be located at the grade of the courtyard.

3. The height of garages, wings, ells, dependencies, and similar portions of a building shall not exceed the height of the roof peak of the main portion of the building.

E. Materials

1. The materials of which new buildings are constructed shall be appropriate for and typical of materials traditionally used in the architectural style in which the building is constructed. In general, wood siding and brick are preferred exterior materials. The use of alternate materials such as hardi-plank, vinyl, and other modern materials may be appropriate when they are used in the same way as traditional materials would have been used. This means that the shape, size, profile, and surface texture of alternate materials must exactly match historical practice when these elements were made of wood. Especially close attention must be paid to details such as cornerboards, window and door trim, soffits and eaves, and porch trim to ensure a correct match to traditional wood elements. Use of façade materials

other than brick or wood require approval by the Architectural Review Board.

2. Exterior material selection shall be guided by examples given in the “American Architectural Precedent” section and in A Field Guide to American Houses.

3. Exposed concrete foundation walls are not permitted.

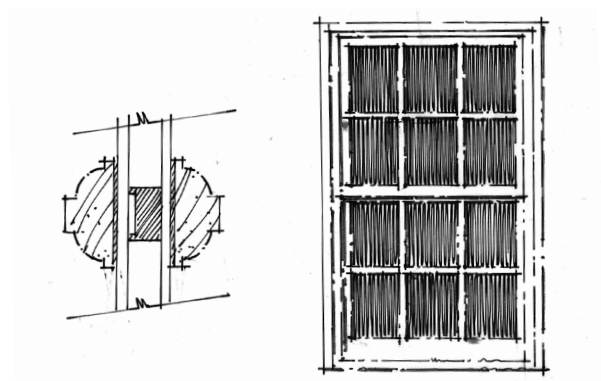
4. All exposed exterior chimneys shall be constructed of brick. Wood, artificial siding and stucco, as well as fireboxes that utilize cantilevered floor joist construction are not permitted on chimneys.

5. Skylights must not be visible from the public right-of-way.

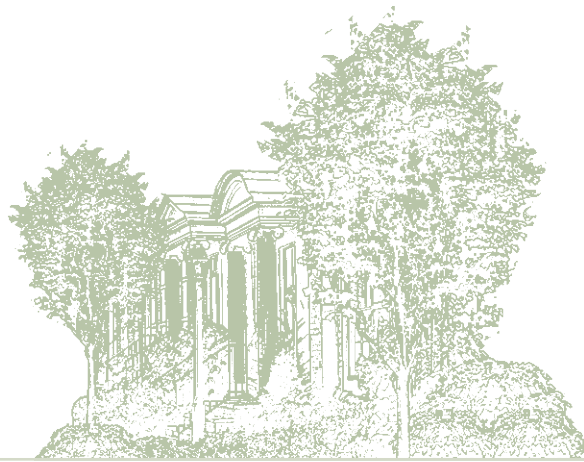
6. Historically, true divided-light wood window sash were the only ones available for multi-paned windows. Today most people prefer to simulate the divided-light look. However, great care must be taken to ensure that the divided-light look and the proportions of the window panes are correct. The only acceptable form of this window is one in which the glass panes have vertical proportions (height greater than width) and correctly-profiled muntins with an internal spacer that gives the appearance of a muntin extending through the glass. In addition, there must be an offset between the upper and lower sash to give the window a double-hung appearance. No snap-in or flat muntins will be approved. New windows must be made of wood and may have either vinyl or aluminum cladding on the exterior.

7. Another appropriate option is to use true wood or clad one-over-one windows. The window sash need not be operable if it correctly simulates a double-hung appearance.

8. When a window design has been selected for a building, the same design must be used on all elevations. Use of other window designs as “accent” windows must be appropriate for the architectural style of the building.



Good quality new windows can simulate traditional through-the-glass muntins.



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PHOTO CREDITS & DRAWINGS

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