NEW ALBANY
COMMUNITY CONNECTS US

# ORDINANCE O-35-2026

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEW ALBANY BY AMENDING THE ZONING MAP TO REZONE 0.3+/- ACRES OF LAND GENERALLY LOCATED TO THE SOUTHEAST OF AND ADJACENT TO STATE ROUTE 161, FROM AGRICULTURAL (AG) TO LIMITED GENERAL EMPLOYMENT (L-GE) FOR AN AREA TO BE KNOWN AS "BEECH INTERCHANGE SOUTHEAST EXPANSION TOO ZONING DISTRICT" AS REQUESTED BY MBJ HOLDINGS LLC, C/O AARON UNDERHILL, ESQ.**

**WHEREAS,** council of the city of New Albany has determined that it is necessary to rezone certain property located within the city to promote orderly growth and development of lands; and

**WHEREAS,** the New Albany Planning Commission and New Albany City Council on separate occasions have held public hearings and received public input into the amendment of the zoning ordinance; and

**WHEREAS,** pursuant to the application by MBJ Holdings LLC, c/o Aaron Underhill, Esq., the planning commission has reviewed the proposed ordinance amendment and recommended its approval unanimously.

**NOW, THEREFORE, BE IT ORDAINED** by council for the city of New Albany, counties of Franklin and Licking, state of Ohio, that:

**Section 1.** Council hereby amends the zoning ordinance map of the city of New Albany to change the zoning classification of the following described site:

A. A 0.3 +/- acre site within Licking County, generally located to the southeast of and adjacent to State Route 161, from its current zoning of Agriculture (AG) to Limited General Employment (L-GE).

B. The zoning district's limitation text and boundary map are hereby attached and marked Exhibit A.

**Section 2.** It is hereby found and determined that all formal actions of this council concerning and relating to the adoption of this legislation were adopted in an open meeting of council, and that all deliberations of the council and or any of its committees that resulted in such formal action were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

**Section 3.** Pursuant to Article 6.07(B) of the New Albany Charter, this ordinance shall become effective thirty (30) days after adoption.

**CERTIFIED AS ADOPTED this _____ day of _____, 2026.**

**Attest:**

Sloan T. Spalding
Mayor

Jennifer H. Mason
Clerk of Council

**Approved as to form:**

Benjamin S. Albrecht
Law Director

| **Legislation dates:** | |
|---|---|
| Prepared: | 11/20/2026 |
| Introduced: | 12/01/2026 |
| Revised: | |
| Adopted: | |
| Effective: | |

**Exhibit A - O-35-2026**

# BEECH INTERCHANGE SOUTHEAST EXPANSION TOO ZONING DISTRICT

## LIMITATION (L-GE) TEXT

**September 24, 2026**

The Beech Interchange Southeast Expansion Zoning District Too (hereinafter, the "Zoning District") consists of 0.3+/- acres located to the southeast of the interchange at State Route 161 and Beech Road. A portion of the subject property contains pavement for Lucille Lynd Road and is burdened by a highway easement providing the general public with vehicular access through it, while the remainder is adjacent to a development site on the north that is zoned with L-GE use and development rights in the Beech Interchange Southeast Expansion Zoning District. Despite the completion of several annexations of surrounding land over the past two decades, it has only recently been discovered that this small tract remains unincorporated. It is now in the process of being annexed to the City. This application seeks to provide the 0.3-acre property with the same zoning rights as apply to adjacent property to the north.

I. Zoning Designation: L-GE, Limited General Employment District

II. Permitted Uses: The permitted and conditional uses contained and described in the Codified Ordinances of the City of New Albany, GE, General Employment District, Sections 1153.02 and 1153.03, provided that conditional uses are approved in accordance with Chapter 1115, Conditional Uses. The following uses from these code sections shall be prohibited:

A. Industrial product sales (See Section 1153.03(a)(1));
B. Industrial service (See Section 1153.03(a)(2));
C. Mini-warehouses (See Section 1153.03(a)(4)(c)). For purposes of clarification, this prohibition only applies to such facilities that are made available for rental to the general public;
D. Personal service (See Section 1153.03(b)(2)) and retail product sales and service (See Section 1153.03(b)(3)), except that such uses shall be allowed as accessory uses to a permitted use in this Zoning District;
E. Vehicle services (See Section 1153.03(b)(4));
F. Radio/television broadcast facilities (See Section 1153.03(c)(1));
G. Sexually-oriented businesses (See Section 1153.03(c)(3)); and
H. Off-premises signs (See Section 1153.03(c)(2)).
I. Data center uses, except when all of the following conditions are met:

1. The data center use is associated with and is operated as part of (or in support of) another permitted use or conditional use that is operating within the Zoning District and the data center use is not operated primarily to serve uses, users, or consumers that are not directly associated with such operational use(s) within the Zoning District;

2. The data center use or uses occupy no more than 20% of the total gross square footage of primary buildings located within the Zoning District; and

3. The data center use or uses shall not be issued a certificate of zoning compliance unless and until certificates of zoning compliance and occupancy permits have been issued by the City for those portions of the primary buildings within the Zoning District from which permitted or conditional uses other than data centers are or will be operated.

III. Lot and Setback Commitments:

A. Lot Coverage: There shall be a maximum lot coverage in this Zoning District of 75%.

B. Setbacks:

1. Lucille Lynd Road: There shall be a minimum pavement and building setback of 50 feet from the existing centerline of Lucille Lynd Road.

2. Elimination of Setbacks: In the event that a parcel located within this Zoning District and an adjacent parcel located within or outside of this Zoning District (a) come under common ownership or control, (b) are zoned to allow compatible non-residential uses, and (c) are combined into a single parcel, then any minimum building, pavement, or landscaping setbacks set forth in this text as they apply to common property lines shall no longer apply with respect to these parcels.

IV. Architectural Standards:

A. Service and Loading Areas: Service areas and loading areas shall be screened in accordance with the Codified Ordinances unless otherwise provided in this text.

B. Building Design:

1. Building designs shall not mix architectural elements or ornamentation from different styles.

2. Buildings shall be required to employ a comparable use of materials on all elevations.

3. The number, location, spacing, and shapes of windows and door openings shall be carefully considered. Primary entrances to buildings

shall be made sufficiently prominent that they can be easily identified from a distance.

4. For office buildings and complexes, achieving a human or pedestrian scale is of less concern. When achieving such a scale is desired, it may be achieved by careful attention to width of facades, size and spacing of window and door openings, and floor to floor heights on exterior walls.

5. All elevations of a building that are visible from a public right-of-way shall receive similar treatment in terms of style, materials, and design so that such elevations are not of a lesser visual character than any other.

6. Use of elements such as shutters, cupolas, dormers, and roof balustrades shall be avoided in building designs that are not based on traditional American architectural styles. Such elements may be employed only when they are common elements of a specific style, and this style shall be replicated in its entirety. 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, located, or screened so as to minimize their visibility and visual impact from off-site. Solar energy systems shall be excluded from the requirements of this section.

8. Accessory or ancillary buildings, whether attached or detached, shall be of similar design, materials and construction as the nearest primary structure. Fenestration themes that employ windows, panels and piers that are consistent with the architectural vocabulary of the building are encouraged. Accessory structures, generators, storage tanks, trash receptacles or any other similar improvement must be located behind a building façade that does not front on a public right-of-way.

C. Building Form:

1. All building elevations shall be designed to be compatible with each other and to reflect a consistent design approach.

2. Gable or hip roofs shall be avoided unless a building design replicates a traditional American architectural style that employs such roof forms. In non-stylistic contemporary designs, low or flat roofs may be employed. Roof visibility shall be minimized.

D. Materials:

1. Exterior wall finishes: Exterior building materials shall be appropriate for contemporary suburban designs and shall avoid overly reflective surfaces. Traditional materials such as, but not limited to, wood, stone, brick, and concrete shall be permitted, and contemporary materials such as, but not limited to, aluminum, metal, glass, stucco, or cementitious fiberboard (e.g., hardiplank or equivalent) shall be permitted on buildings not employing traditional styles. Architectural precast concrete panels and/or poured-in-place concrete tilt-up panels shall be permitted. The use of reflective or mirrored glass shall be prohibited.

2. Prefabricated metal buildings and untreated masonry block structures are prohibited. Notwithstanding the foregoing, ancillary structures built and operated for the purpose of enclosing equipment and which are not occupied by tenants or persons on a regular basis may be constructed using pre-engineered metal.

3. Generally, the quantity of materials selected for a building shall be minimized.

4. Loading docks are not required to have the same degree of finish as a main entry unless they are visible from a public right-of-way.

5. Complete screening of all roof-mounted equipment shall be required on all four sides of buildings with materials that are consistent and harmonious with the building's façade and character. Such screening shall be provided in order to screen the equipment from off-site view and to buffer sound generated by such equipment.

6. Additional Standards for Uses Not Governed by DGRs: Buildings that are constructed to accommodate certain uses are not governed by the City's Design Guidelines and Requirements (DGRs). For example, buildings that are constructed for the operation of data centers, warehousing and/or distribution uses are not subject to the DGRs and can present challenges in meeting the community standard for architectural design. Such buildings are necessarily large and typically include long walls that together form a square or rectangular box. The goal for the development of buildings that are not subject to the DGRs is to balance the practical needs of these buildings with the desire to provide exterior designs that are attractive and complimentary to the architecture that will be found elsewhere in this Zoning District.

Architecture by its nature is a subjective medium, meaning that the adoption of strict objective standards in all instances may not provide the best means for achieving appropriate design. In recognition of this fact, the standards set forth herein provide guidelines and suggestions for

designing buildings that are not subject to the DGRs in an effort to set expectations for the quality of architecture that will be expected for these structures. On the other hand, these standards are meant to allow for some flexibility to encourage innovative design provided that the spirit and intent of these provisions are met.

In conjunction with an application for a certificate of appropriateness for each building or structure in this Zoning District that is not subject to or governed by the DGRs, the applicant shall be required to submit to the City illustrations of the proposed exterior design of the building or structure for review and approval by the Design Review Committee contemplated in Section 1157.08(a)(1)(D) of the City Code. In designing such buildings, the user or applicant shall consider the following, which are intended to set a level of expectation for the quality of design:

a. Architectural design for all portions of a building or structure that are visible from a public right-of-way (excluding public rights-of-way whose primary purpose is to accommodate truck traffic or service loading areas) shall meet the community standard in terms of quality while considering the unique nature of the use(s) that will be found therein.

b. Uninterrupted blank wall facades shall be prohibited to the extent that they are visible from a public right-of-way. Design variations on long exterior walls shall be employed in order to create visual interest. Examples of such design variations include, but are not limited to, the use of offsets, recesses and/or projections, banding, windows, and/or reveals; scoring of building facades; color changes; texture or material changes; and variety in building height.

c. The use of one or more architectural or design elements may be used to soften the aesthetics of the building, such as but not limited to canopies, porticos, overhangs, arches, outdoor patios, community spaces, or similar devices.

d. Contemporary exterior designs, while not required, shall be encouraged in order to create architecture that does not look aged or dated even many years after the facility is built.

e. Landscaping and/or the use of existing vegetation shall be utilized where appropriate to enhance the aesthetics of the building and to lessen its visual impact when viewed from public rights-of-way.

V. Access, Parking, Site Circulation, and Traffic Commitments:

A. Vehicular Access: The developer shall work with the City Manager or

their designee to determine the need for appropriate timing and phasing of street improvements to serve this Zoning District in accordance with a traffic study being coordinated by the City and the developer. Subject to other provisions in this text, on public rights-of-way which exist on the date of this text the number, locations, and spacing of curbcuts shall be determined and approved by the City Manager or their designee in consultation with the developer at the time that a certificate of appropriateness is issued for a project in this Zoning District.

B. Parking and Loading: Parking and loading spaces shall be provided for each use per Chapter 1167 of the Codified Ordinances of the City of New Albany.

C. Private Roads: Any creation of private roads is subject to staff approval.

D. A sidewalk shall be installed along Lucille Lynd Road. It shall be constructed of concrete and shall be 5 feet in width.

VI. Buffering, Landscaping, Open Space, and Screening: The following landscaping requirements shall apply to this Zoning District:

A. Tree Preservation: Standard tree preservation practices will be in place to preserve and protect trees during all phases of construction, including the installation of snow fencing at the drip line.

B. Stormwater Management: Wet and dry stormwater basins shall conform to the standards set forth in Section 1171.08 of the Codified Ordinances unless other design solutions are found to be appropriate. Other design solutions may be appropriate if the City Landscape Architect finds that an alternative design, shape, and appearance is appropriate in particular relationship to streetscape and other site design considerations. One or more stormwater basins may be shared to serve some or all development within this Zoning District and/or within the Beech Interchange Southeast Zoning District and/or within the Beech Interchange Southeast Zoning District located near or adjacent to this Zoning District, so as to eliminate the need for each parcel to have its own on-site basin. Where shared stormwater basins are proposed, they shall be reviewed and approved by City staff without the requirement to be reviewed as part of a final development plan. Installation of stormwater basins shall include simultaneous installation of screening, buffering, and other aesthetic enhancements near the basins.

C. Street Trees: A street tree row shall be established along any private roads and shall contain one (1) tree for every thirty (30) feet of street frontage. Minimum street tree size at installation shall be three (3) caliper inches. All street trees that are not installed prior to infrastructure acceptance shall be bonded to guarantee installation. The City Landscape Architect may approve deviations to the caliper requirements on a case-by-case basis.

D. Parking Areas: Within this Zoning District, there shall be no less than one (1) tree planted for every ten (10) parking spaces located therein. At least five percent

(5%) of the vehicular use area shall be landscaped or green space (or treed areas). Parking lots shall be designed to accommodate parking lot islands with tree(s) at the end of parking aisles.

E. Minimum On-Site Tree Sizes: Unless otherwise set forth herein, minimum tree size at installation shall be no less than two and one half (2 ½) inches in caliper for shade trees, six (6) feet in height for evergreen trees, two (2) inches in caliper for ornamental trees, and thirty (30) inches in height for shrubs. Caliper shall be measured six (6) inches above grade.

VII. Lighting:

A. All parking lot and private driveway lighting shall be cut-off type fixtures and down cast. Parking lot lighting shall be from a controlled source in order to minimize light spilling beyond the boundaries of the site.

B. All parking lot lighting shall be of the same light source type and style. Building, pedestrian, and landscape lighting may be incandescent or metal halide.

C. All parking lot light poles shall be black or New Albany green and constructed of metal. Light poles shall not exceed thirty (30) feet in height.

D. Uplighting of buildings shall be prohibited. Landscape uplighting from a concealed source shall not be permitted.

E. No permanent colored lights or neon lights shall be used on the exterior of any building.

F. All new electrical utilities that are installed in this Zoning District shall be located underground.

G. All other lighting on the site shall be in accordance with City Code.

H. Street lighting must meet the City Standards and Specifications.

I. Solar Panels may be incorporated and installed as appropriate.

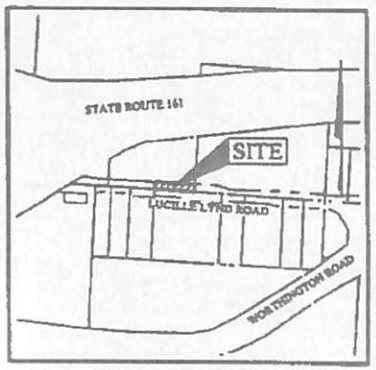
VIII. Signage: All signage shall conform to the standards set forth in Chapter 1169 of the Codified Ordinances of the City of New Albany.

IX. Utilities: All new utilities installed solely to serve this Zoning District shall be installed underground.

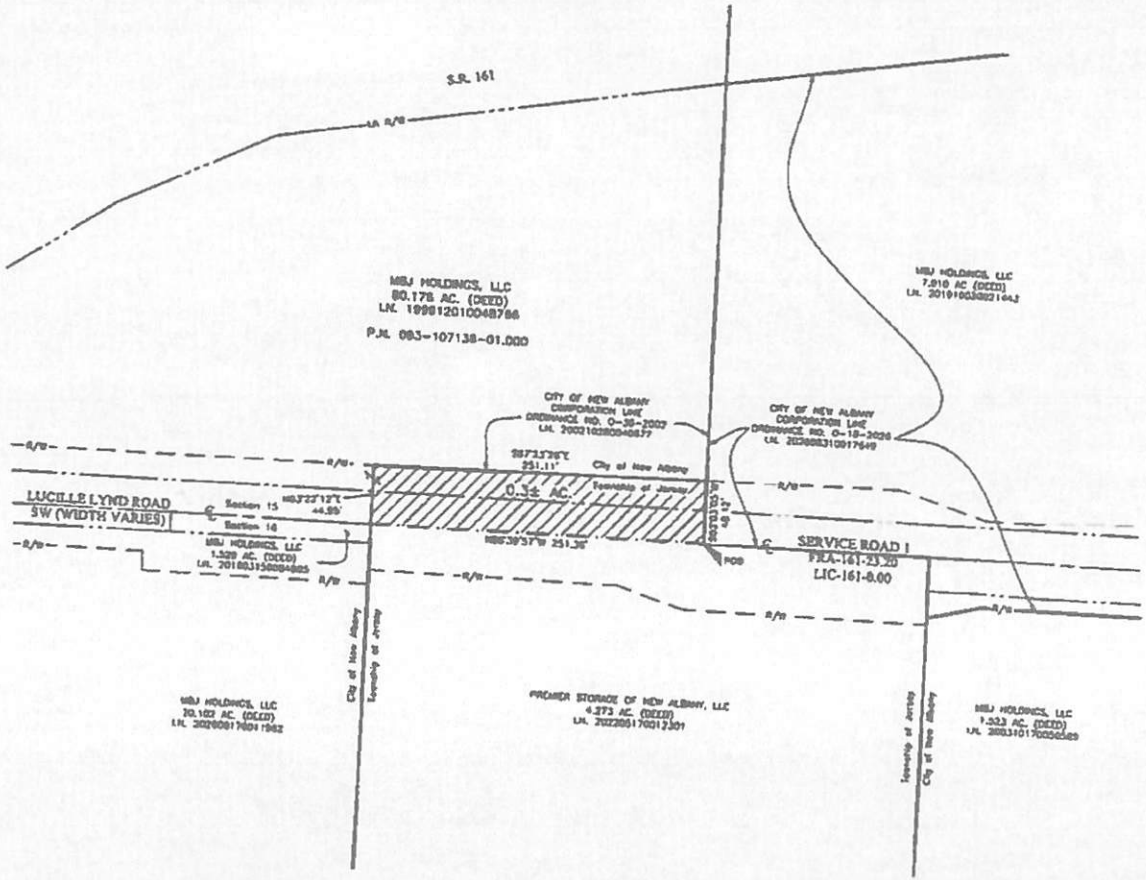
X. Noise Regulations: The Codified Ordinances currently contain provisions relating to sound which are broad, meaning that noise impacts are evaluated on a site-specific basis. Generally, the goal is to ensure that overall sound levels on a property following

development will not impose material negative impacts on neighboring property owners. The City intends to begin evaluating potential updates to the Codified Ordinances to provide more objective standards for evaluating potential and existing sound impacts. Following approval of this zoning, the applicant will work diligently with the City to identify best practices to mitigate sound impacts from new development within this Zoning District, which shall include consultation and coordination with experts to be hired by the City. Should the Codified Ordinances be updated at the time when the first building permit application is filed for development in any portion of the Zoning District, then such development shall comply with those updated standards. In the event that the Codified Ordinances have not been updated by that time, then as a condition of building permit issuance the applicant for this zoning application and the City staff shall negotiate and execute an agreement, to be signed by the City Manager and a representative of the applicant, which details sound mitigation measures and requirements to be applied to the site. Once such an agreement is signed, its contents shall constitute an addendum to the approved zoning text and the standards set forth therein shall become requirements for the Zoning District which are enforceable in the same manner as other zoning requirements. Ultimately, each new user is responsible for maintaining and mitigating noise levels in accordance with such an agreement.

# ZONING EXHIBIT 0.3± ACRES




LOCATION MAP AND BACKGROUND DRAWING
NOT TO SCALE




Proposed Annexation
of 0.3 ± acres to the City of New Albany

The within map marked exhibit "B" and made a part of the petition of annexation filed with the Board of Commissioners of Licking County Ohio, on _____, 20___ under Chapter 709 of the Ohio Revised Code, is submitted as an accurate map of the territory in said petition described under the requirements of said Chapter 709 of the Ohio Revised Code

_____
Agent for Petitioners

The Board of County Commissioners of Licking County, Ohio, having received a petition bearing the signed names and addresses of the parties interested in the annexation to the City of New Albany Ohio of the territory shown thereon and having given due consideration to the prayer of said petition, do hereby grant the same

Board of Licking County Commissioners

Petition Received _____, 20__ _____
Commissioner

Petition Approved _____, 20__ _____
Commissioner

_____
Commissioner

Transferred this ___ day of _____, 20___ upon the duplicates of this office

Containing _____ acres
Transfer Fee _____

_____
Licking County Auditor

Received for Record _____, 20___, at _____ (AM-PM) and recorded _____, 20___, in plat cabinets, pockets, etc. in Plat Book Volume ___, Page ___

Plat Fee _____
Ordinance, etc. Fee _____

_____
Licking County Recorder

Council for the City of New Albany, Ohio, by ordinance _____ passed _____, 20___, and approved by the mayor on _____, 20___, did accept the territory shown hereon for annexation to the City of New Albany, Ohio, a municipal corporation.

Attest _____
Clerk, City of New Albany

AREA TO BE ANNEXED
0.3± ac

PROPOSED CITY OF NEW ALBANY CORPORATION LINE

EXISTING CITY OF NEW ALBANY CORPORATION LINE

Contiguity Note:
Total perimeter of annexation area is 595.54 feet, of which 344.15 feet is contiguous with the City of New Albany giving 57.7% perimeter contiguity

0 60
SCALE (in feet)

By _____ Date
Heather L. King
Professional Surveyor No. 8307
hking@emht.com

EMHT
Evans, Mechwart, Hambleton & Tilton, Inc.
Engineers • Surveyors • Planners • Scientists
5500 New Albany Road, Columbus, OH 43054
Phone: 614.775.4500 Toll Free: 888.775.3648
emht.com

Date: August 28, 2026
Scale: 1" = 60'
Job No: 2026-0516
Sheet: 1 of 1

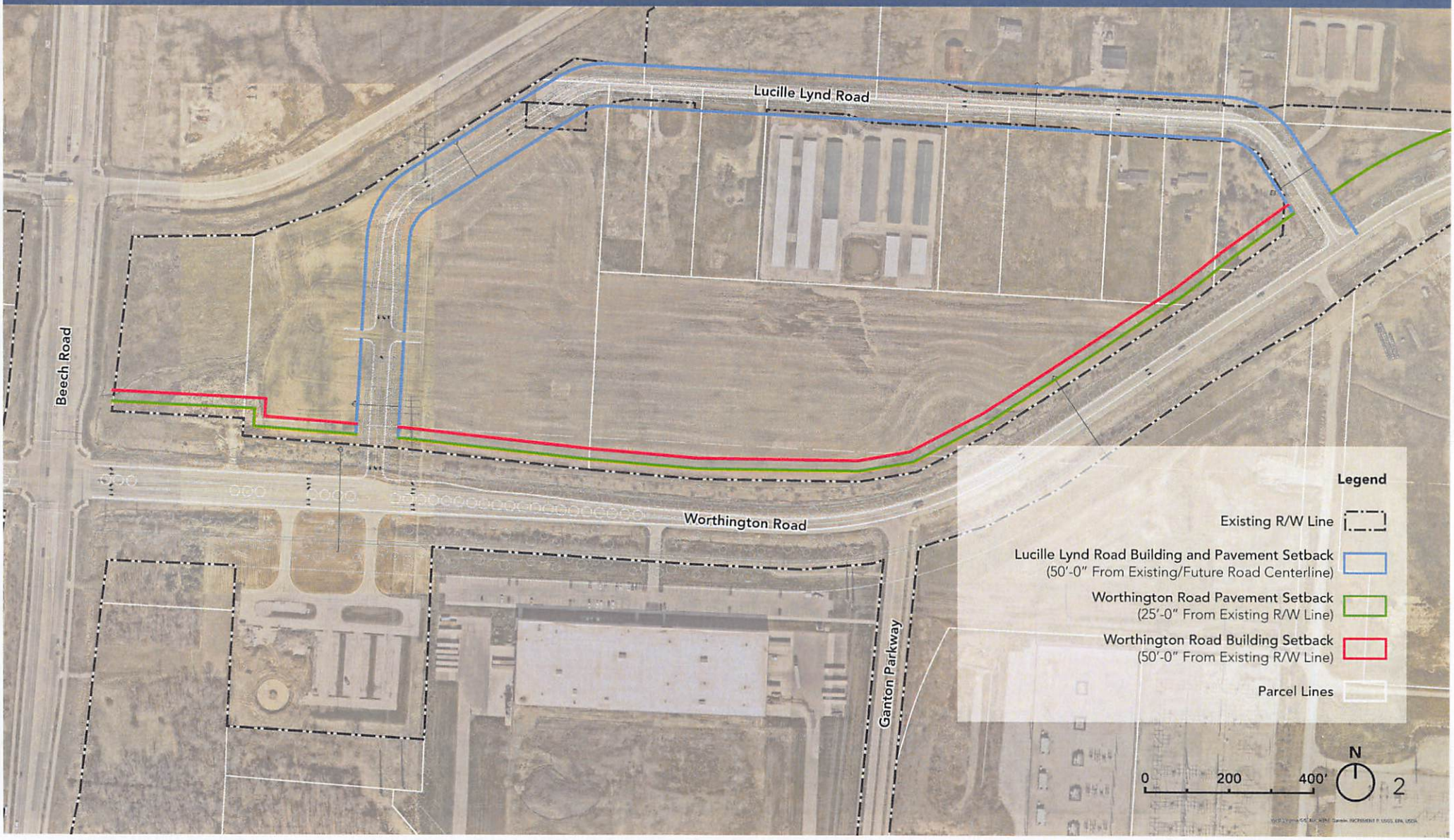
REVISIONS

| MARK | DATE | DESCRIPTION |
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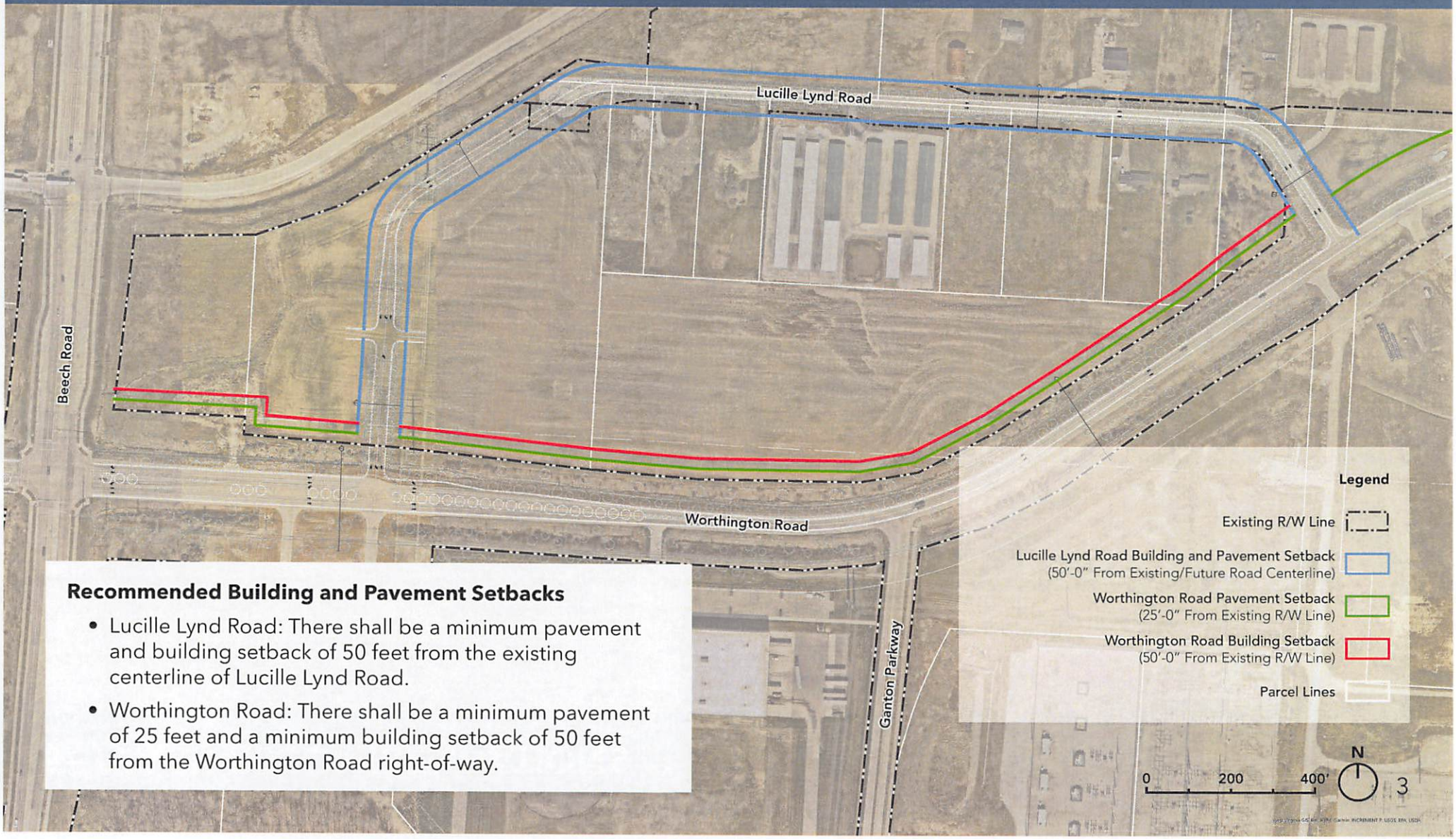
# WORTHINGTON RD / LUCILLE LYND RD IMPROVEMENTS



# SETBACK RECOMMENDATIONS



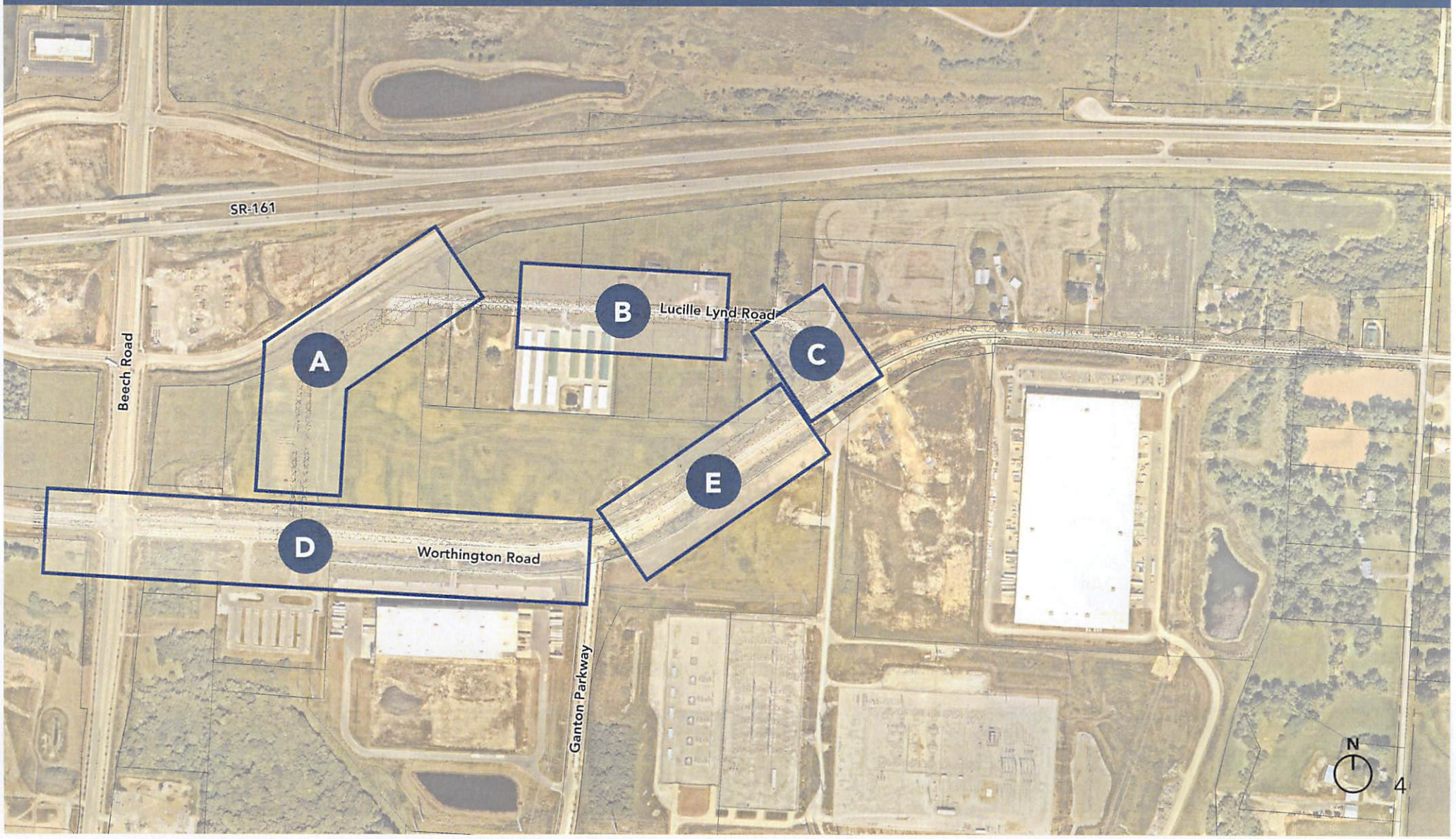
# SETBACK RECOMMENDATIONS



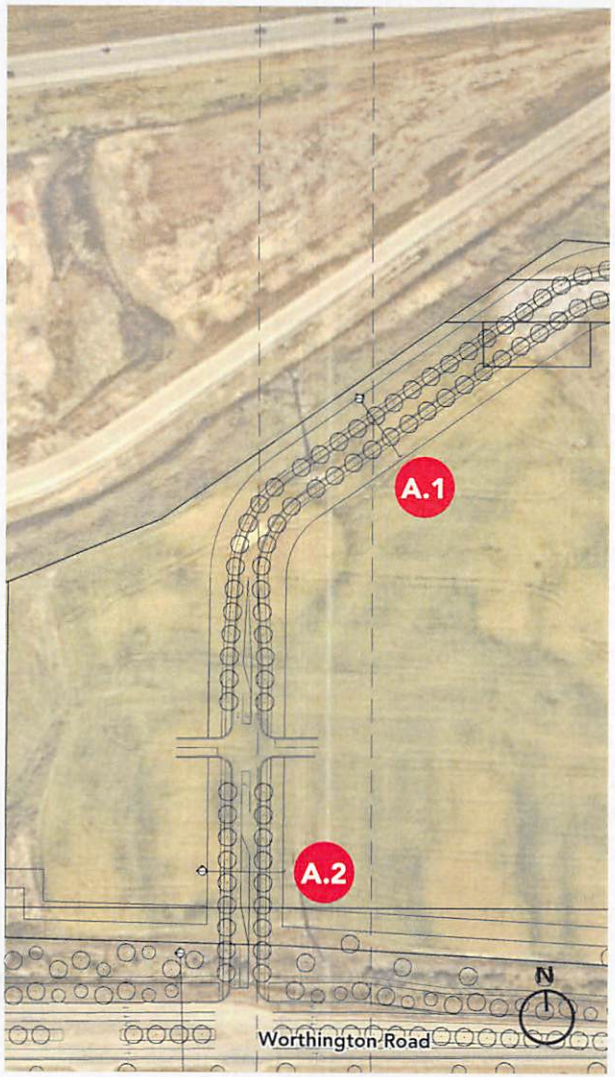

**Recommended Building and Pavement Setbacks**

- Lucille Lynd Road: There shall be a minimum pavement and building setback of 50 feet from the existing centerline of Lucille Lynd Road.
- Worthington Road: There shall be a minimum pavement of 25 feet and a minimum building setback of 50 feet from the Worthington Road right-of-way.

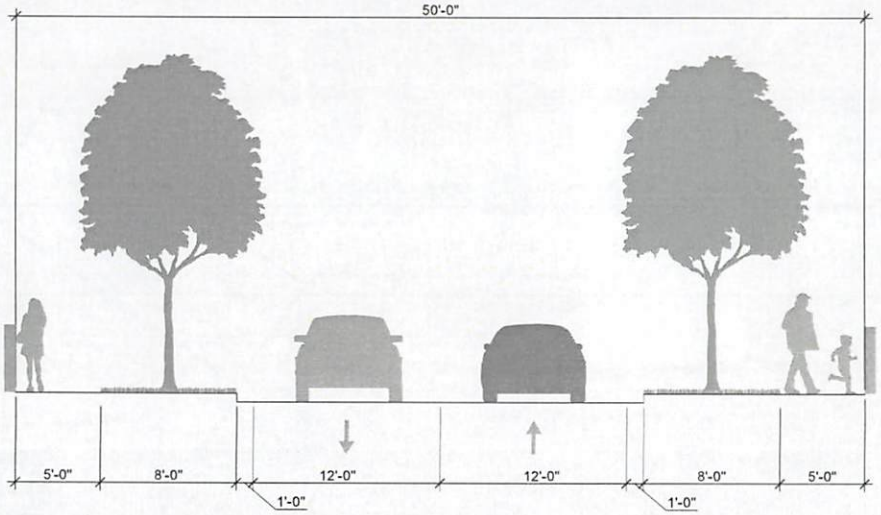
# STUDY AREA ROAD SEGMENTS



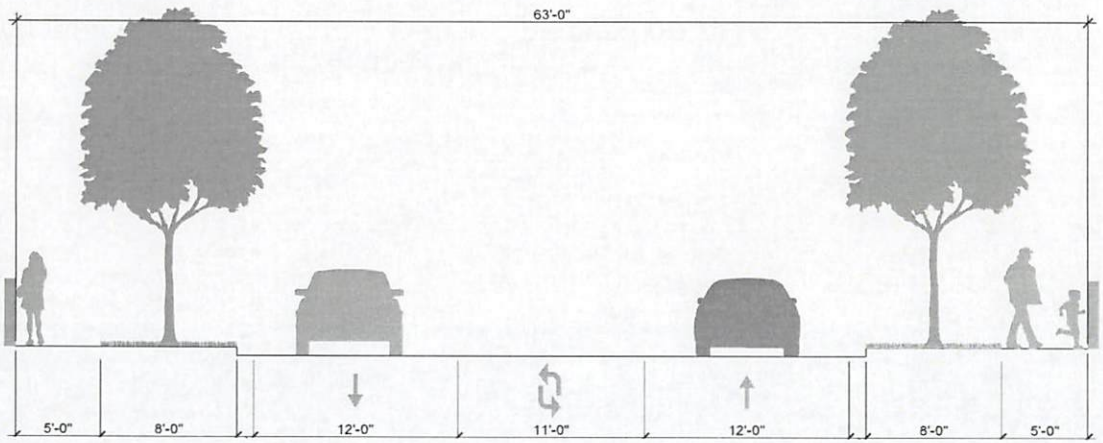
# A. NEW LUCILLE LYND ROAD



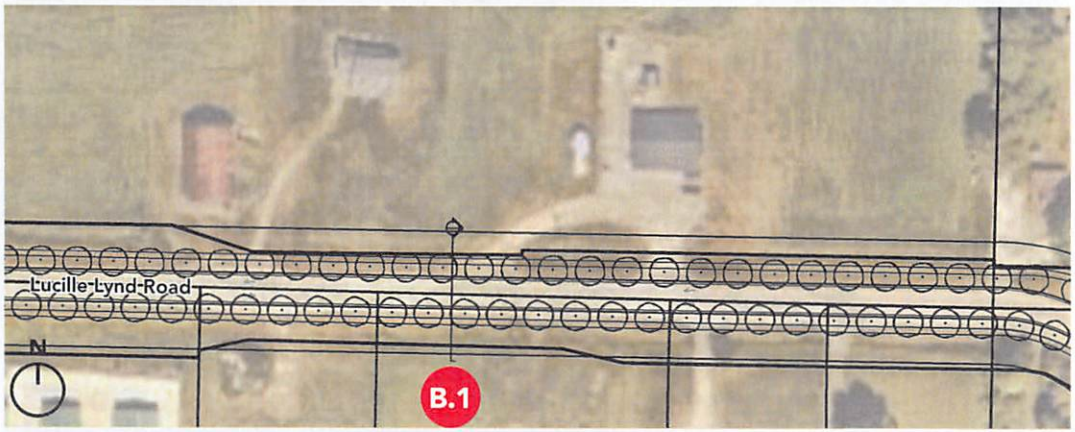

## A.1 TRANSITION TO OLD LUCILLE LYND ROAD TYPICAL SECTION

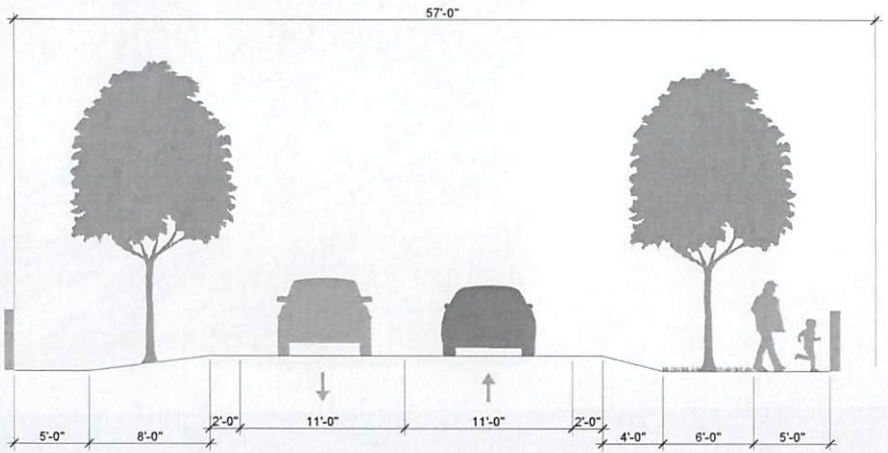



## A.2 INTERSECTION ENTRY TYPICAL SECTION



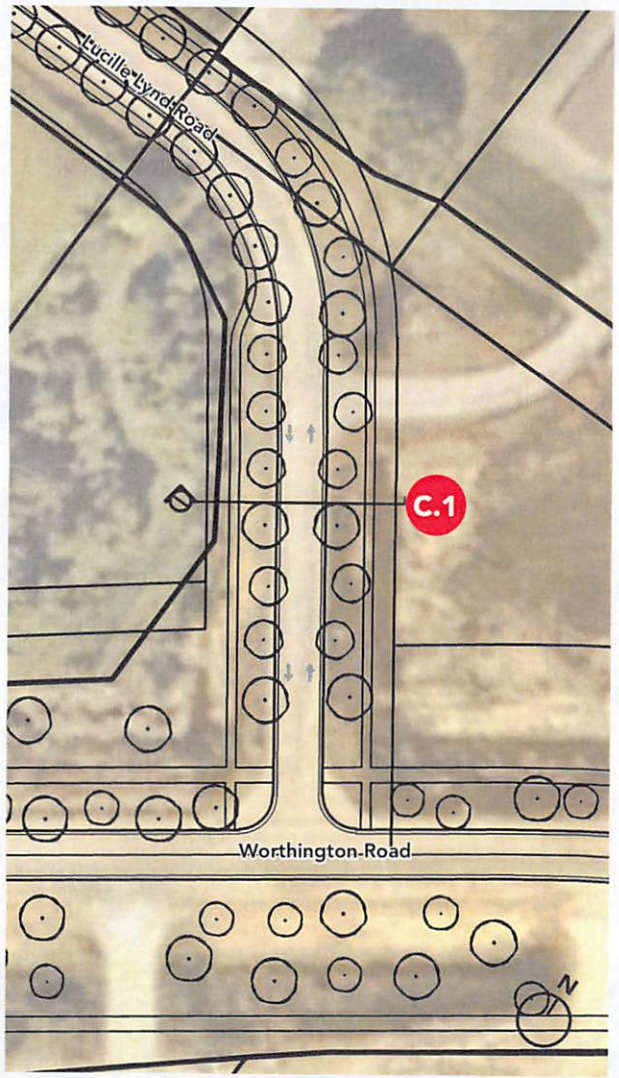
# B. OLD LUCILLE LYND ROAD



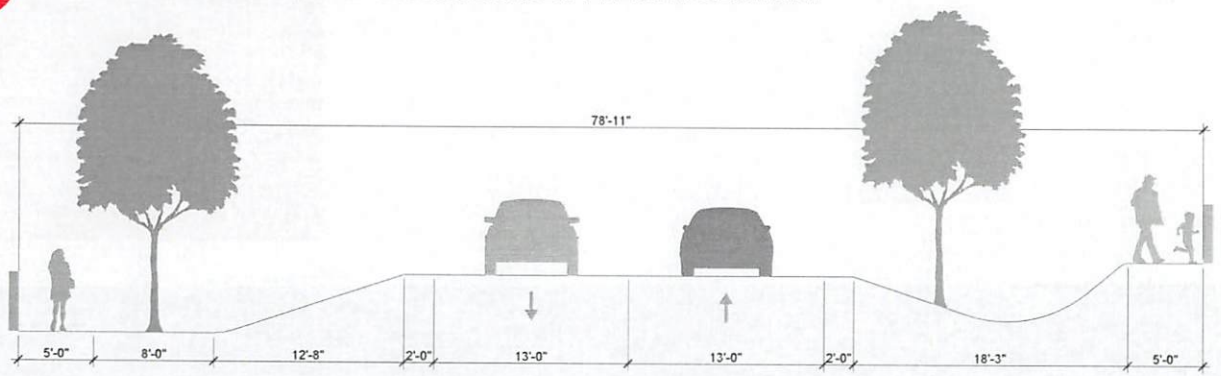




**B.1** **OLD LUCILLE LYND ROAD TYPICAL SECTION**

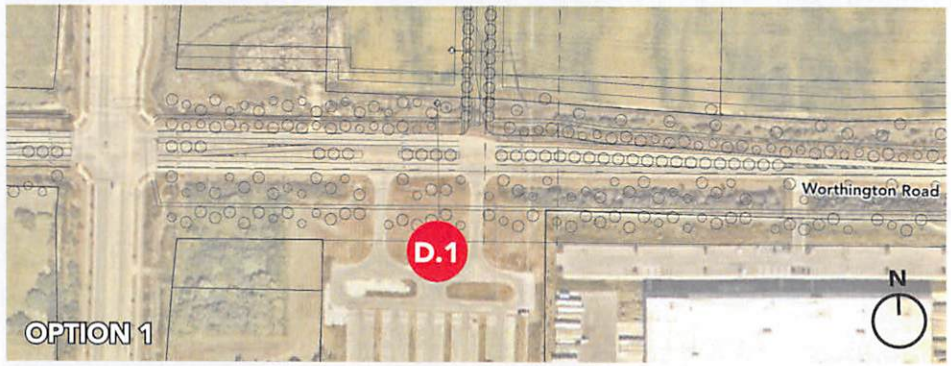
# C. OLD LUCILLE LYND ROAD INTERSECTION

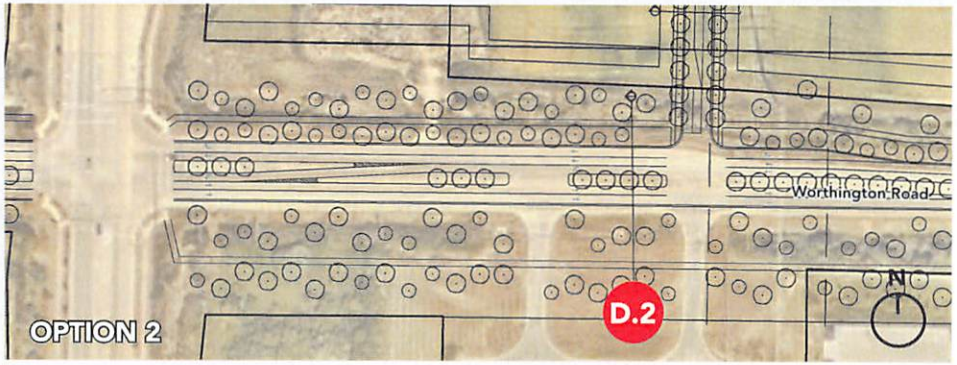



**C.1 OLD LUCILLE LYND ROAD INTERSECTION TYPICAL SECTION**

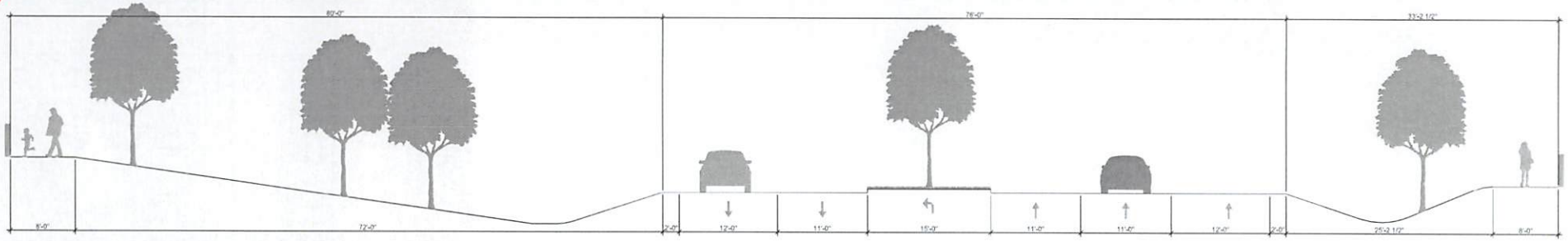


# D. BEECH ROAD / WORTHINGTON ROAD INTERSECTION

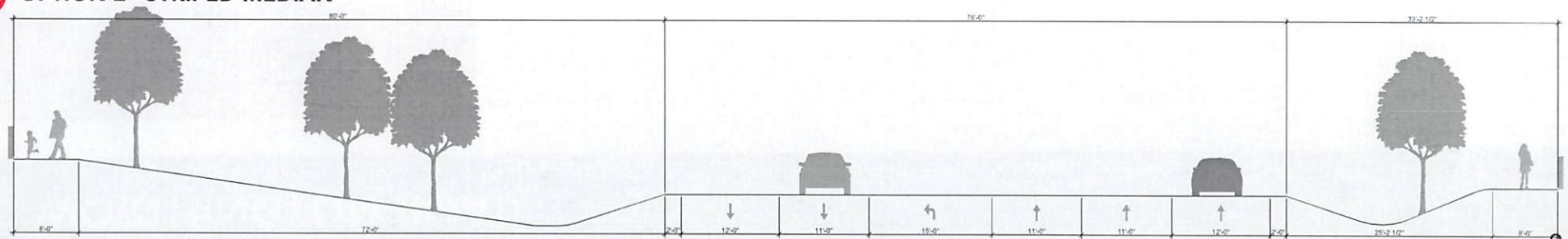


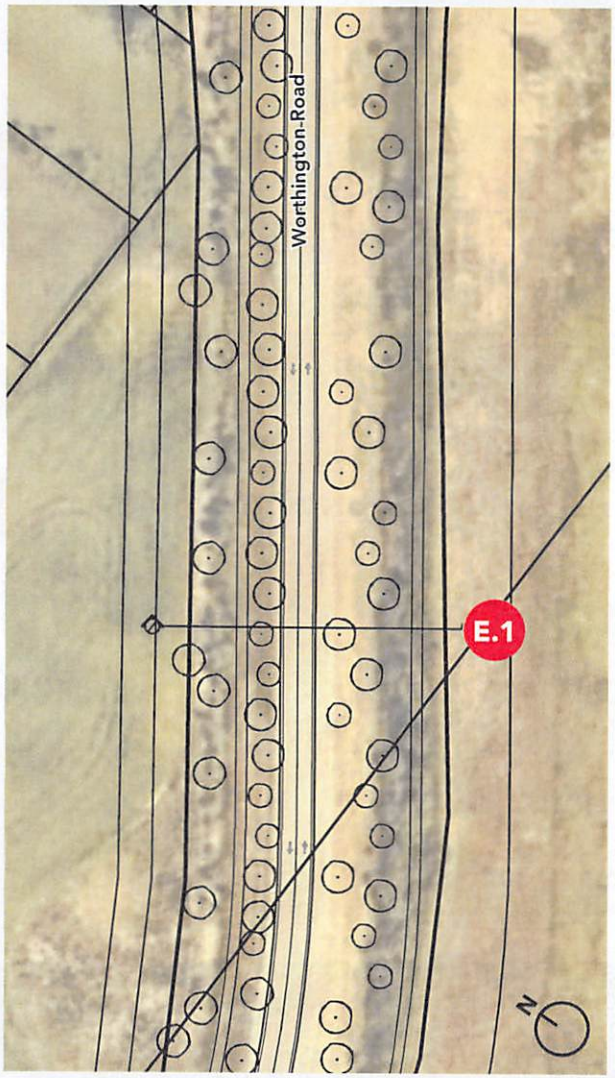

## D.1 OPTION 1 - LANDSCAPE MEDIAN



## D.2 OPTION 2 - STRIPED MEDIAN



# E. WORTHINGTON ROAD




**E.1 WORTHINGTON ROAD TWO-LANE TYPICAL SECTION**

