



CITY OF PATASKALA

ORDINANCE 2017-4282

Passed May 1, 2017

AN ORDINANCE TO AMEND SECTION 1117.15 OF THE CODIFIED ORDINANCES OF THE CITY OF PATASKALA AND REPEAL ALL OTHER ORDINANCES AND PARTS OF THE ORDINANCES IN CONFLICT THEREWITH.

WHEREAS, the proposed amendment would establish the need for a development payment in-lieu fund and revise the existing requirements for sidewalk installation.

WHEREAS, Council initiated the amendment pursuant to Section 1217.02, and

WHEREAS, a public hearing was held by Council on April 3, 2017 pursuant to Section 1217.11, and

WHEREAS, the amendment was on file for public examination for a minimum of 30 days preceding the Council public hearing pursuant to Section 1217.12, and

WHEREAS, Council hereby determines that all applicable procedures required by Chapter 1217 of the Codified Ordinances have been followed, and that notice was given and a public hearing was held as required by Section 1217.11 of the Codified Ordinances, and Council hereby adopts the recommendation of the City Planning and Zoning Commission as provided for in Section 1217.13 of the Codified Ordinances;

WHEREAS, the Council of the City of Pataskala has determined that it is necessary to amend the Zoning Code of the Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF ALL MEMBERS ELECTED OR APPOINTED THERETO CONCURRING, THAT:

Section 1: That Section 1117.15 be amended in the Codified Ordinances of the City of Pataskala to read as found in Exhibit A.

Section 2: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of

Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 3: This Ordinance shall become effective from and after the earliest period allowed by the Charter of the City of Pataskala.

ATTEST:


Kathy M. Hoskinson, Clerk of Council


Michael W. Compton, Mayor

Approved as to form:

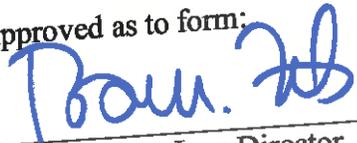

Brian M. Zets, Law Director

EXHIBIT A

1117.15 PUBLIC SIDEWALKS

All public sidewalks shall conform with the following requirements:

- (a) Public sidewalks shall be required on both sides of the street in all residential subdivisions where the lot width is 100 feet or less.
- (b) Public sidewalks may be required by the City Administrator or their designee where the predominant lot width is greater than 100 feet (refer to 1117.15(f) for exceptions).
- (c) Public sidewalks and any associated improvements shall be required along the road frontage of all arterial and collector streets. These sidewalks shall be in the form of either concrete sidewalks or asphalt paths, as required by the City Administrator or their designee, or as required by the Comprehensive Plan and constructed to the current specifications of the City of Pataskala.
- (d) Public sidewalks and any associated improvements shall be required on one or both sides of a streets where commercial lots exist or are proposed for platting.
- (e) Public sidewalks may, at the discretion of the City Administrator or their designee, be required for industrial lots.
- (f) The City Administrator or their designee shall reserve the right to waive the right to waive the requirement for installation of public sidewalks and associated improvements where the improvement would not be compatible with surrounding or adjacent development. The developer shall contribute to a fund established by Council for the purpose of development payment in-lieu if the requirement for the public sidewalk and associated improvements is waived.
- (g) Public sidewalks should be placed at least five (5) feet from the back of the curb and shall be no closer than one (1) foot inside the right-of-way.
- (h) Public sidewalks and any associated improvements shall be constructed to the current specifications of the City of Pataskala.
- (i) Public sidewalks shall conform with the existing alignment in all areas when abutting to an existing sidewalk.
- (j) The installation location requirement may vary in special conditions such as when crossing bridges, etc. upon approval of the City Administrator or their designee.

EXHIBIT B – REDLINE

1117.15 PUBLIC SIDEWALKS

All public sidewalks shall conform with the following requirements:

- (a) Public sidewalks shall be required on both sides of the street in all residential subdivisions where the lot width is 100 feet or less.
- (b) Public sidewalks may be required by the ~~Planning and Zoning Commission~~ City Administrator or their designee where the predominant lot width is greater than 100 feet (refer to 1117.15(f) for exceptions).
- (c) Public sidewalks and any associated improvements shall be required along the road frontage of all arterial and collector streets ~~for residential, commercial and industrial subdivisions~~. These sidewalks shall be in the form of either ~~four (4) foot~~ concrete sidewalks or ~~six (6) foot~~ asphalt paths, as required by the ~~Director of Planning~~ City Administrator or their designee, or as designated in the ~~proposed Comprehensive Master Plan~~ and constructed to the current specifications of the City of Pataskala.
- (d) Public sidewalks and any associated improvements shall be required on one or both sides of a street where commercial lots exist or are proposed for platting. ~~, dependent upon the nature of the area.~~
- (e) Public sidewalks may, at the discretion of the ~~Planning and Zoning Commission~~ City Administrator or their designee, be required for industrial lots.
- (f) The ~~Planning and Zoning Commission~~ City Administrator or their designee shall reserve the right to waive ~~or require~~ the requirement for installation of public sidewalks and associated improvements ~~requirement~~ where the improvement would ~~either~~ not be compatible with a surrounding or adjacent ~~neighborhood development, or would be in the best interest of the general public~~. The developer shall contribute to a fund established by Council for the purpose of development payment in-lieu if the requirement for the public sidewalk and associated improvements is waived.
- (g) Public sidewalks shall be ~~four (4) feet in width, a minimum of four (4) inches in depth and~~ should be placed at least five (5) feet from back of curb and ~~The outside edge however,~~ shall be no closer than one (1) foot inside the right-of-way.
- (h) ~~Public All four (4) foot~~ sidewalks and any associated improvements shall be constructed to the current specifications of the City of Pataskala. ~~of Portland Cement Concrete or other acceptable material. All six (6) foot asphalt paths shall be constructed of 404 Asphaltic Concrete or other acceptable material as approved by the Director of Planning.~~
- (i) All new Public sidewalks shall conform with the existing alignment in all areas when abutting to an existing sidewalk.
- (j) The installation location requirement may vary in special conditions such as when crossing bridges, etc. ~~upon approval of the City Administrator or their designee.~~