AGENDA

Agenda, Bay Village City Council                                    Date: December 12, 2016
Committee Meeting                                      Time: 7:30 p.m.
Conference Room
Paul Koomar, President of Council, Presiding

ANNOUNCEMENTS

COMMITTEE OF THE WHOLE

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent

FINANCE & CLAIMS COMMITTEE – Clark

Annual Appropriation Ordinance

PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske

Updated Draft of Codified Ordinance Chapter 1158

Request of Bethesda-on-the-Bay Lutheran Church to replace their banners on poles along Wolf Road.

PUBLIC IMPROVEMENTS, STREETS/SEWERS/DRAINAGE COMMITTEE-Henderson

RECREATION & PARKS IMPROVEMENT COMMITTEE-Mace

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

Carillon Clock Tower Chimes

AUDIENCE

MISCELLANEOUS

CAHOON MEMORIAL PARK TRUSTEES

Bay Village Kiwanis - Bay Days 2017

Set up for Bay Days, Wednesday, June 28, 2017
Set up for Bay Days, Thursday, June 29, 2017
Bay Days Friday, June 30, 2017
Bay Days Saturday, July 1, 2017
Bay Days Monday, July 3, 2017
Bay Days Tuesday, July 4, 2017
Fireworks Tuesday, July 4, 2017
Rain Date at the discretion of the Cahoon Memorial Park Trustees
City of Bay Village

Council Minutes, Committee Session  December 5, 2016
Conference Room  7:40 p.m.
Paul Koomar, President of Council, Presiding

Also Present:  Mayor Ebert, Finance Director Mahoney, Assistant Finance Director Popovich, Recreation Director Enovitch, Community Services Director Selig, Police Chief Spaetzel, Fire Chief Lyons, Operations Manager Landers.

AUDIENCE

The following audience members signed in this evening: Suzanne Graham, Lydia DeGeorge, Jeff Gallatin, Jerrie Barnett, Bob Sprague, Liam Nigro, Dick Majewski, Samuel J. Gmetro, R. Tuneberg, Denny Wendell.

COMMITTEE OF THE WHOLE

ANNOUNCEMENTS

Mayor Ebert advised that in regard to the resolution to be introduced by Council this evening for the rehabilitation of the Knickerbocker Apartments by Bay Inter-Faith Housing, the project will be a major, multi-million dollar conversion.  The efficiency apartments will be converted to one bedroom apartments, central air conditioning for the apartments will be installed, and a glass atrium congregation area will be created.  Major interior, exterior and elevator access work is included in the project.

The City will provide a crosswalk to the CVS Drugstore and the sidewalk next to the former gasoline station will be lighted.  The application will be submitted February 16, 2017, with the award to be announced June 14, 2017.  Construction will commence April, 2018 with completion in June, 2019.

The City’s Master Plan is referenced in their planning.  A zoning letter has been submitted as part of the application, indicating the zoning to be multi-family, high rise zoning.  Mr. Ebert distributed plans to the members of Council.

Mr. Vincent asked if the apartments are rented to the tenants on an annual lease basis.  Mr. Ebert stated that he would assume the lease arrangements are annual.  Mr. Tadych asked if all the churches that were included in the Bay Inter-faith Housing Group originally are associated with this project.  Mr. Ebert stated that all of the churches in Bay Village, 100%, are included.

Discussion followed regarding the wording in the resolution in regard to the pedestrian crosswalk to CVS Drugstore.  After considerable discussion, it was concluded that the wording in the resolution pertaining to the crosswalk is correct.
Committee Meeting of Council  
December 5, 2016

Mrs. Lieske asked about the reference to the Master Plan in the Resolution. Mr. Ebert stated that when meeting with the developers they are looking at what is being done in Bay Village to actually help the seniors. The new Master Plan will be ready at the time their project begins in June of 2017.

Mr. Mace asked Mr. Ebert to comment further on the updated zoning letter submitted. Mr. Ebert stated that the developers just wanted to make sure the apartments are in an area that is zoned properly. No rezoning is required for the renovation. The letter has been submitted that the zoning remains the same; there will be no zoning change. Any improvements concerning the crosswalk or sidewalk doesn’t include rezoning. It is all part of the City’s responsibility.

Mayor Ebert informed Council of plans to hold a City Planning Session on Saturday, January 14, 2017 from 9 a.m. to 3 p.m. at LaCentre in Westlake. Mr. Ebert stated that years ago the City used to have planning meetings held off-site. They invited all of the department directors to give a report of what they plan to do in the coming year. The Chairmen and Vice-Chairmen of the Commissions and Boards will be invited to give a presentation and request any changes in legislation they feel are necessary for their work. Reports of the Committees of Council will also be included as part of the day long session.

Mr. Ebert stated that he has put together a proposal for improvements to the pump stations which he will submit to the Council for inclusion in the Capital Budget for 2017. Mr. Ebert noted that the improvements are necessary as soon as possible.

The Longbeach Pump Station tour will be held at 4:30 p.m. on Monday, December 12, 2016.

Mr. Mace asked if it will be possible to get clarification from Bob Greytak, Consulting Engineer. The work that was done in May speaks of the Lake Road Pump House. We have had various numbers for that pump house, ranging from $850,000 down to $150,000 or $200,000 and what needs to be done for the pump house. And, now, it is being identified as the Huntington – Long Beach Pump House. It should be the same pump house that we are talking about, and if that is the case, we should not lose sight of the work that has already been done on Mr. Henderson’s Public Improvements Committee, making sure we are aware of the whole process going forward.

Mr. Koomar noted that there is a pump station on Lake Road at Glen Park. Mr. Mace stated that he doesn’t know if that is a supplement to the Lake Road Pump House or in addition to. Mr. Koomar stated that station is an addition to the west end pump stations because that lift station takes flow back as far as the pool and the Dwyer Memorial Center, Lake Road residences, Dover Center residences, Russell, Bruce and Douglas residences, to Douglas then north down Douglas to Lake Road, and down to Glen Park. The other pump houses serve the west end of the City, Wards 3 and 4, taking the flow across town.

Mr. Ebert noted that Service Department employee Joe Janke will be at the Longbeach Pump Station during the tour to answer any questions. Mr. Ebert added that under consideration also is the purchase of a back-up pump.

ENVIRONMENT, SAFETY AND COMMUNITY SERVICES COMMITTEE-Vincent
Deer Culling Operation 2016-2017

**Mr. Vincent** called upon Police Chief Spaetzel to comment on the deer culling operation plan under consideration and to begin this month.

Chief Spaetzel stated that he is meeting with representatives of the City of Avon Lake on Tuesday, December 6, 2017 to discuss their plan for deer culling in Walker Road Park. Letters have been sent out to residents bordering the park. Prior to the actual operation, police will go door to door on those properties that abut the park and let them know that the deer culling operation will occur that day.

Chief Spaetzel has done preliminary work on the Deer Management Plan. The Animal Control Officer, when hired, will be involved in that plan. Council will be asked to consider participation in a fly-over to count deer which will be authorized by the City of Avon Lake and held the first week of March. Sharing in this exercise with Avon Lake will result in cost savings for the City of Bay Village.

Mr. Vincent noted that deer culling can potentially begin this weekend, but it is hoped that there will be snow to encourage the deer to respond to feeding.

**Power Outages**

Mr. Vincent stated that he has been in contact with The Illuminating Company in regard to all of the power outages that have occurred in the City of Bay Village. Karen Kirsh, Manager External Affairs of FirstEnergy Service Company will be present at an Environment, Safety and Community Services Committee Meeting to be held on Monday, December 12 at 5:30 p.m. to provide details on what has been done and what will be done to address these outages. Mr. John Skory, President of The Illuminating Company will also be at the Environment, Safety and Community Services Committee Meeting.

Mr. Tadych asked if Ms. Kirsh and Mr. Skory have said anything about providing a maintenance plan that shows how they maintain the equipment that they have. Mr. Vincent stated that they will have a map of 40 or 50 residences that have experienced power outages and these Illuminating and FirstEnergy officials have been informed that the City would like to see a plan. Mr. Tadych stated that he would like to see a maintenance plan on the transformers. Mrs. Lieske added that her power on Lincoln went out this past weekend for four hours during the middle of the night. Mr. Vincent noted that if it is a planned outage notification should have been received prior to the outage. Mr. Ebert stated that the power used to be interrupted on the west end considerably due to a transformer failure at a substation in Avon Lake. Squirrels would get in the substation and cause the transformers to fail. Mr. Henderson stated that when they passed a certain service failure rate after outages were tracked for some time, the company eventually replaced the wires with hard equipment. This occurred in Ward 4 after residents did a good job of tracking and reporting their outages.

Mr. Vincent stated that prior to Hurricane Sandy there were frequent power outages. After the hurricane the outages stopped for some time, but now they are occurring again. It is hoped that
the President of the Illuminating Company can give information at the Environment, Safety and Community Services Committee meeting on December 12.

**PLANNING, ZONING & PUBLIC GROUNDS & BUILDINGS COMMITTEE-Lieske**

Marco’s Pizza Project, 25523 Eaton Way. – Extension of time for Planning Commission to review plans.

Mrs. Lieske will enter a motion at the Regular Meeting of Council this evening to extend the time for the Planning Commission to review plans for the proposed Marco’s Pizza Project at 25523 Eaton Way. An additional 60 days is being requested, ending on March 2, 2017.

**Updated Draft of Codified Ordinance Chapter 1158**

Mr. Koomar advised that Mr. Ebert has asked him to present Chapter 1158 to Council at this time. Mr. Ebert explained that a developer is coming in with a plan for townhouses on the former Shell property on Wolf Road, on the property that was rezoned for attached housing in 2010. The developer will soon make a presentation to the Planning Commission. The plan has less density than prior development plans, and the artist drawings of the proposed development show character that is consistent with Bay Village. The new Chapter 1158 has had great pains taken to look at density, green space and setbacks. The new Chapter 1158 needs to pass sooner rather than later because this development would be the first one subject to all of the new regulations. If it doesn’t get passed, the control would not be there. Mr. Ebert stated he would recommend looking at Chapter 1158, and since the Planning Commission has signed off on it he would recommend moving it forward before the end of the year. The code must be in place at the time the developer files the application.

Mr. Koomar stated that he attended the Master Plan session on December 2 and spoke with Glen Coyne, Executive Director of the Cuyahoga County Planning Commission. Mr. Coyne said that one of the things they were looking at is what their recommendations were going to be and it is clear that they are going to recommend attached housing and housing options. Mr. Koomar suggested getting Chapter 1158 in place for this proposed development, and go back once the new Master Plan is presented and take a look at it for what could be done to update the zoning reference. Mr. Ebert is correct in stating that we want to get it passed for a starting point for the new development. The best time line for the developer is sometime in March, but the plans will be submitted to the Planning Commission well before March. The Master Plan meeting also discussed Clague Road and other areas and what they will come up with as a final recommendation.

Mr. Tadych asked if there is a date the developer would like to start the townhouse development. Mr. Ebert stated he has not received a date yet. Mr. Koomar stated that he would like to have a meeting with the developer in the next week or two. Mr. Ebert noted that with this project, and the Knickerbocker Project there is a lot of positive work going on in Bay Village. Once this townhouse project goes in, the City will then know what this type of development looks like and there will be an influence to pass development on the west side of Cahoon Creek.
Mr. Koomar noted that having the public meetings in place gives an opportunity to provide valuable input from residents.

Mr. Vincent stated that one of the things he likes about the legislation is that it requires the developer to come to City Hall and present to anyone who wants to hear about the development, what it looks like, and see the plans. In 2013 there was no plan and we expected people to approve without a plan.

Mr. Tadych asked how much acreage is at the site. Mr. Vincent stated that he thought it is in the neighborhood of one acre.

SERVICES, UTILITIES & EQUIPMENT COMMITTEE-Tadych

Bailey Communications Contract Renewal Update

**Finance Director Mahoney** stated that in 2007, 2008 and 2009 Bailey Communications cost was going up five percent a year. If we were to take the 2009 cost of $31,000 and forward that out to 2017 that would be about a $35,000 rate. Considering the price that they were going with of $33,000 per year, that is a fair price. To answer the various questions Council brought up at the last review:

- Hiring a part time employee versus an outside contractor – Mrs. Mahoney stated that Bailey has a team of professionals that can help Bay Village. One person is not going to be able to have as much experience as the whole team of Bailey. Mrs. Mahoney gave the example that today her computer was broken and Bailey spent over two hours with her on the telephone. That type of service is not included in these hours. That is all extra help-desk assistance.

- Was the RFP geared to Bailey specifically? – Mrs. Mahoney stated that anybody who works with the City is going to need to have experience, especially with LEEDS and the Sundance system. Price comparison with other cities indicates that our price is fair, if not a little better than Westlake’s and Cuyahoga Falls.

Mr. Koomar stated that when he was in City Hall for the Master Plan meeting he had a chance to talk to the representative from Bailey Communications. He got the sense that with the new phone system that is going in at the municipal buildings they have added responsibility.

**Assistant Finance Director Ruth Popovich** addressed Council stating that one of the issues that came up with Kris Oswald, the representative from Bailey Communications when Mrs. Mahoney and Ms. Popovich discussed what was driving the increase, is the housing of the Cisco Network Switches at Bailey Communications to have product on hand at Bailey Communications that is staged for Bay Village which will then allow them 24/7 response in four hours. That is one of the components that they put in the initial contract, but when they sat down and talked to them it really wasn’t explicit. They did ask Mr. Oswald to make some verbiage changes in the contract.

Mrs. Mahoney stated that the new telephones will be dependent on the computers working. If the computers are down, the phones will be down.
Ms. Popovich added that the current phone system is not run through our networks. The Voice
over IP will definitely run through our network. So now, if something occurs with our phones it
is strictly with Warwick Communications, and Bailey doesn’t have anything to do with it. They
will now. Bailey has worked with TTX in other locations, so they are familiar with the
engineering staff and the project coordinator. Since October of this year, Kris Oswald has been
feeding them information and they actually came out last week and did a walk-through of the
two data points.

Mrs. Lieske asked the back-up plan if the phones are dependent upon the computers working and
if, for some reason, there is some type of catastrophe or emergency. Does someone have a cell
phone with a number to be put on the web site in the event of an emergency if the phones are
down?

Chief Spaetzel stated that in the case of an emergency 9.1.1. and the telex system are separate.
The 9.1.1. system will always operate, unless there are two catastrophes.

Mrs. Lieske asked how the need to communicate with people would be met if the systems were
done, rather than tie up the 9.1.1. for Police and Fire. What is the plan if the phones are down for
six to eight hours?

Mrs. Mahoney stated that they will keep land lines, one at Fire and one or two at the Police
Department, not dependent on the computers.

Mr. Koomar stated that if there were a communication breakdown he is assuming that the
Ready/Notify notification would be used to give appropriate instructions to residents. Mrs.
Lieske suggested that the sign boards could also be used. She asked if there is some type of
communication plan and suggested it be updated based on the new telephone system.

Ms. Popovich stated that also in the contract is the network switches that Bailey
Communications will house and have an inventory on hand for Bay Village to be able to respond
to a network switch down within four hours, 24/7.

Mr. Tadych asked if that is the $7,000 inventory. Ms. Popovich stated it is the inventory. Mr.
Tadych asked if they have this inventory in place already, so it is not just for Bay Village, but for
anyone who has that type of a switch. Ms. Popovich stated that is correct.

Mr. Henderson stated that the first paragraph of the contract states that Bailey Communications
will be on site at Bay Village every Tuesday and every other Thursday for four hours which is
312 hours. The difference of the 360 hours annually is time that they spend staging computers at
their office or work at their offices, not being physically on site in Bay Village.

Mr. Mace asked if Bay Village receives an allocation of those hours. Mrs. Mahoney stated that
at the end of the year they report on how many hours they have actually spent with Bay Village.

Mr. Vincent asked if Bailey Communications invoices the City of Bay Village for extra hours.
Mrs. Mahoney stated that they do not, extra hours are included in the contract.
Mr. Vincent asked if they exceed the 360 hours in the contract, can they bill the City a per hour rate, such as $120 per hour. Mrs. Mahoney stated that they could bill the City for hours in excess.

Mr. Vincent asked if they have ever billed the City for extra hours. Mrs. Mahoney stated that at one point they were working on a contract like that. Ms. Popovich stated that they will bill us for the product, for example, when there was a cabling accident in the Police Department. They came in and did some recabling and put in some switches. They will bill us for the product, but not the hours.

Mr. Tadych stated that the contract presented four or five weeks ago had an overtime amount on it. There is no overtime amount in this contract. Ms. Popovich stated that on that previous contract they were trying to get the cost down and so the consideration was can we reasonably reduce the number of hours. We have gone back to this contract being reviewed this evening with our original hours and the cost that came in initially.

Mr. Tadych asked the name of the President of Bailey Communications. Ms. Popovich stated the President of Bailey Communications is Larry Bailey.

Mr. Henderson asked if it is advised to do a three year contract, noting that Council had discussed a one year option as well. He stated that the reason he asked is going back to the RFP, it is surprising that none of the other companies that had expressed interest anecdotally chose to respond to the RFP, which concerns him. He would expect IT to be a relatively liquid market and it is surprising that we did not receive any interest. He is curious about the thoughts about a one contract, and going to bid with a formalized RFP process, rather than locking in a three year contract with this company.

Ms. Mahoney stated that she thinks there is probably a certain niche with city government work, especially with the LEEDS system. If we put out an advertised bid versus the RFP process, Mrs. Mahoney cannot imagine getting a better response.

Ms. Popovich stated that the other issue with an RFP they wonder about is that all of the companies they sent an RFP to are companies that contacted us. We can’t vouch for the fact that they are state contract. If they are not a listed vendor on the state purchasing, e.g., this past year we purchased twelve computers city-wide. We get those through Bailey Communications, but Bailey is a state purchasing contractor for Cisco, for IT services, and for HP product. When Bailey Communications purchases on our behalf we are getting the state purchasing cost on the computer. In other words, we are getting the government rate on the computers. We can go with Dell, because Dell also offers the government price. If we do that, we always ask Bailey Communications to look at the specifications on the equipment to make sure it is going to meet our needs. That is one of the things that Mrs. Mahoney and Ms. Popovich talked about, is that they don’t know about the other companies. Ms. Popovich stated that she knows Meritech is and Meritech is one of the companies they sent an RFP to. There is a company out of Akron, and one out of Westlake. Ms. Popovich stated that the only way she can address Mr. Henderson’s question is if she calls them and asks them if there is any particular reason they did not choose to
respond. The last time we bid the other vendor that came in was $14,000 more than Bailey Communications.

Mr. Tadych stated that he thinks Bailey Communications is quite capable. That is not part of the issue. The issue is the dollars. Mr. Tadych stated that the only contact he had with Bailey Communications was during the Medical Marijuana webinar Council attended and Bailey couldn’t get it working. The participants listened to a radio presentation for an hour instead of a webinar. And, even the second time they did it, it didn’t come up right away either. Mr. Tadych stated that was the only contact he had with Bailey and it was not what he would call successful.

Mr. Koomar noted that webinars are dependent on who is putting it on and what system they are using.

Ms. Popovich stated that our current contract with Bailey Communications is three years. The contract prior to that was one year. The City of Bay Village has been with Bailey Communications since 2007.

Mr. Koomar stated that with the new telephone system he would not mind staying with the same IT vendor and make sure everything is up and running and functional. Mr. Ebert commented that Bailey Communications has been very responsive at any time of day or when any situation arises. They know the system and our computers very well. He strongly recommended acceptance of the contract, and after this contract to bid it out.

Mr. Henderson stated he appreciates the detail provided by the Finance Department.

Mr. Tadych stated that he would defer to another member of his committee to introduce the legislation for the Bailey Communications contract. Mr. Mace will introduce the ordinance at the Regular Meeting of Council to be held this evening.

Mr. Ebert stated that there will be a motion for an Executive Session for the Cahoon Memorial Park Trustees this evening, as well as in the Regular Meeting of Council. They are one and the same issues, but include Cahoon Memorial Park property.

There being no further discussion, the meeting adjourned at 8:15 p.m.

__________________________________   ______________ ________________
Paul Koomar, President of Council         Joan Kemper, Clerk of Council
To make appropriations for the current and other expenditures of the City of Bay Village for the fiscal year 2017.

NOW, THEREFORE, be it ordained by the Council of the City of Bay Village, State of Ohio:

Section 1: That to provide for the current expenses and other expenditures of the City of Bay Village during the fiscal year ending December 31, 2017, the following sums be and they are herby set aside and appropriated from the funds herein specified as follows, to wit:

Section 2: That there be appropriated transferred and advanced from the following funds and as further detailed in the Schedules attached hereto as Exhibit "A" and Exhibit "B" and incorporated herein:

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<th>Fund Activity</th>
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CITY OF BAY VILLAGE, OHIO
ORDINANCE NO. 16-84 First Reading - November 21, 2016 amended by reading
By: Clark
### Capital Project Fund Group - 400

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</tr>
<tr>
<td><strong>400 Total Capital Project Fund Group</strong></td>
<td>$</td>
<td>-</td>
<td>220</td>
<td>$</td>
<td>440,580</td>
<td>$</td>
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</table>

### Enterprise Fund Group- 500

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>520 Pool</td>
<td>$227,100</td>
<td>$123,000</td>
<td>$10,000</td>
<td>-</td>
<td>$360,100</td>
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<tr>
<td>580 Sewer</td>
<td>828,675</td>
<td>1,527,375</td>
<td>75,000</td>
<td>-</td>
<td>2,431,050</td>
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<tr>
<td><strong>500 Total Enterprise Fund Group</strong></td>
<td>$1,055,775</td>
<td>$1,650,375</td>
<td>$85,000</td>
<td>-</td>
<td>$2,791,150</td>
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</table>

### Internal Service Fund Group - 600

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>600 Health Insurance</td>
<td>$ -</td>
<td>$1,276,070</td>
<td>$ -</td>
<td>-</td>
<td>$1,276,070</td>
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<tr>
<td>601 General Insurance</td>
<td>-</td>
<td>170,970</td>
<td>-</td>
<td>-</td>
<td>170,970</td>
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</tr>
<tr>
<td>602 Workers Compensation</td>
<td>140,000</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>140,000</td>
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<tr>
<td><strong>600 Total Internal Service Fund Group</strong></td>
<td>$140,000</td>
<td>$1,447,040</td>
<td>$ -</td>
<td>-</td>
<td>$1,587,040</td>
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</table>

### Trust Fund Group - 800

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>801 Unclaimed Monies</td>
<td>$ -</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>-</td>
<td>$500</td>
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<tr>
<td>810 Cahoon Park</td>
<td>-</td>
<td>-</td>
<td>$71,900</td>
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<td>$71,900</td>
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<tr>
<td>820 Cahoon Memorial</td>
<td>-</td>
<td>3,300</td>
<td>-</td>
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<td>3,300</td>
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<tr>
<td>830 Cahoon Library</td>
<td>-</td>
<td>9,800</td>
<td>-</td>
<td>-</td>
<td>9,800</td>
<td></td>
</tr>
<tr>
<td>840 Waldeck</td>
<td>-</td>
<td>6,200</td>
<td>-</td>
<td>-</td>
<td>6,200</td>
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<tr>
<td>860 Dwyer</td>
<td>-</td>
<td>5,000</td>
<td>-</td>
<td>-</td>
<td>5,000</td>
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<tr>
<td><strong>800 Total Trust Fund Group</strong></td>
<td>$ -</td>
<td>$96,700</td>
<td>$ -</td>
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### Deposit Fund Group - 900

<table>
<thead>
<tr>
<th>Fund #</th>
<th>Fund Activity</th>
<th>Personal Service</th>
<th>Other</th>
<th>Capital Improvement</th>
<th>Transfers/ Advances</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>930 Building Deposits</td>
<td>$ -</td>
<td>$30,000</td>
<td>-</td>
<td>-</td>
<td>$30,000</td>
<td></td>
</tr>
<tr>
<td>931 Security Deposits</td>
<td>-</td>
<td>22,000</td>
<td>-</td>
<td>-</td>
<td>22,000</td>
<td></td>
</tr>
<tr>
<td><strong>900 Total Deposit Fund Group</strong></td>
<td>$ -</td>
<td>$52,000</td>
<td>$ -</td>
<td>-</td>
<td>$52,000</td>
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</table>

### Grand Total All Funds

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund to Parks and Recreation</td>
<td>$446,200</td>
<td>$446,200</td>
</tr>
<tr>
<td>General Fund to Community Gym</td>
<td>$8,555</td>
<td>$8,555</td>
</tr>
<tr>
<td>General Fund to Street Construction</td>
<td>$425,000</td>
<td>$425,000</td>
</tr>
<tr>
<td>General Fund to Cahoon Income</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td>General Fund to Cahoon Trust</td>
<td>$2,000</td>
<td>$2,000</td>
</tr>
<tr>
<td>General Fund to Cahoon Library</td>
<td>$10,000</td>
<td>$10,000</td>
</tr>
<tr>
<td>General Fund to Bay Family Services</td>
<td>$45,011</td>
<td>$45,011</td>
</tr>
<tr>
<td>General Fund to Accrued Benefits</td>
<td>$30,000</td>
<td>$30,000</td>
</tr>
<tr>
<td>General Fund to Fire Pension</td>
<td>$50,000</td>
<td>$50,000</td>
</tr>
<tr>
<td><strong>Total Transfers</strong></td>
<td>$1,041,766</td>
<td>$1,041,766</td>
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</table>

### Itemized list of Transfers and Advances by Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total Advances and Advance Repayments</td>
<td>$ -</td>
<td>$ -</td>
</tr>
<tr>
<td><strong>Total Transfers and Advances</strong></td>
<td>$1,041,766</td>
<td>$1,041,766</td>
</tr>
</tbody>
</table>
Section 3: That the City Director of Finance be and is hereby authorized and directed to draw warrants against the appropriations set forth upon presentation of proper vouchers.

Section 4: That all expenditures within the fiscal year ending December 31, 2017, shall be made in accordance with the code accounts set forth above, and shall be made within the appropriations herein provided ("Appropriations" as used means the total amount appropriated for an individual fund).

Section 5: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6: This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare for the reason that it is necessary in the current operation of the City, and therefore shall take effect immediately upon its enactment and approval by the Mayor.

PASSED:

PRESIDENT OF COUNCIL

CLERK OF COUNCIL

MAYOR
### EXHIBIT "A"
**SCHEDULE OF BUDGETS BY DEPARTMENT FOR GENERAL FUND**

<table>
<thead>
<tr>
<th>Department</th>
<th>Personal Service</th>
<th>Other</th>
<th>Equipment Replacement</th>
<th>Transfers</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Council</td>
<td>$61,600.00</td>
<td>$8,650.00</td>
<td>-</td>
<td>-</td>
<td>$70,250.00</td>
</tr>
<tr>
<td>Clerk of Council</td>
<td>$56,890.00</td>
<td>$975.00</td>
<td>-</td>
<td>-</td>
<td>$57,765.00</td>
</tr>
<tr>
<td>Mayor</td>
<td>$135,400.00</td>
<td>$7,350.00</td>
<td>$1,000.00</td>
<td>-</td>
<td>$143,750.00</td>
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<tr>
<td>Law</td>
<td>$113,780.00</td>
<td>$112,350.00</td>
<td>-</td>
<td>-</td>
<td>$226,130.00</td>
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<tr>
<td>Finance</td>
<td>$287,790.00</td>
<td>$32,200.00</td>
<td>$1,200.00</td>
<td>-</td>
<td>$321,190.00</td>
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<tr>
<td>Taxation</td>
<td>-</td>
<td>$200,000.00</td>
<td>-</td>
<td>-</td>
<td>$200,000.00</td>
</tr>
<tr>
<td>General Administration</td>
<td>$193,700.00</td>
<td>$476,782.00</td>
<td>-</td>
<td>$1,041,766.00</td>
<td>$1,712,248.00</td>
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<tr>
<td>Civil Service</td>
<td>-</td>
<td>$20,150.00</td>
<td>-</td>
<td>-</td>
<td>$20,150.00</td>
</tr>
<tr>
<td>Planning Commission</td>
<td>$5,200.00</td>
<td>$800.00</td>
<td>-</td>
<td>-</td>
<td>$6,000.00</td>
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<tr>
<td>Zoning Board of Appeals</td>
<td>$2,500.00</td>
<td>$700.00</td>
<td>-</td>
<td>-</td>
<td>$3,200.00</td>
</tr>
<tr>
<td>Service</td>
<td>$1,914,660.00</td>
<td>$1,960,850.00</td>
<td>$10,500.00</td>
<td>-</td>
<td>$3,886,010.00</td>
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<tr>
<td>Fire</td>
<td>$1,339,560.00</td>
<td>$99,250.00</td>
<td>$14,000.00</td>
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<td>$1,452,810.00</td>
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<td>Police</td>
<td>$2,812,789.00</td>
<td>$306,550.00</td>
<td>$17,000.00</td>
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<td>$3,136,339.00</td>
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<tr>
<td>Central Dispatch</td>
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<td>-</td>
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<td>$128,000.00</td>
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<tr>
<td>Building</td>
<td>-</td>
<td>$285,500.00</td>
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<td>-</td>
<td>$285,500.00</td>
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<tr>
<td>Architecture Board of Review</td>
<td>-</td>
<td>$25.00</td>
<td>-</td>
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<td>$25.00</td>
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<tr>
<td>Community Services</td>
<td>$230,500.00</td>
<td>$14,650.00</td>
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<td>-</td>
<td>$245,150.00</td>
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<tr>
<td><strong>GRAND TOTAL</strong></td>
<td><strong>$7,154,369.00</strong></td>
<td><strong>$3,620,682.00</strong></td>
<td><strong>$43,700.00</strong></td>
<td><strong>$1,041,766.00</strong></td>
<td><strong>$11,860,517.00</strong></td>
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## SCHEDULE OF CAPITAL PROJECTS AND EQUIPMENT APPROPRIATIONS BY FUND

<table>
<thead>
<tr>
<th>Fund</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Equipment Replacement (240)</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Computer Replacements</td>
<td>22,290.00</td>
<td></td>
</tr>
<tr>
<td>Fire - Medic 12</td>
<td>240,000.00</td>
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<tr>
<td>Fire - SCBA</td>
<td>225,000.00</td>
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</tr>
<tr>
<td>Police - Cars 1122 and 1124</td>
<td>90,000.00</td>
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<tr>
<td>Police - CAD/RMS System</td>
<td>14,575.00</td>
<td></td>
</tr>
<tr>
<td>Community Services - Van</td>
<td>25,000.00</td>
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</tr>
<tr>
<td>Service - Bucket Truck</td>
<td>175,000.00</td>
<td></td>
</tr>
<tr>
<td>Service - Truck 70 - Pickup with plow</td>
<td>32,000.00</td>
<td></td>
</tr>
<tr>
<td>Service - Front End Loader</td>
<td>175,000.00</td>
<td></td>
</tr>
<tr>
<td>Service - #514 Mower</td>
<td>14,000.00</td>
<td></td>
</tr>
<tr>
<td>Service - Welder and Pressure Washer</td>
<td>18,000.00</td>
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<tr>
<td><strong>Total Equipment Replacement (240)</strong></td>
<td></td>
<td>1,030,865.00</td>
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<tr>
<td><strong>Street Construction (270)</strong></td>
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<tr>
<td>Street Improvements (Including Crack Sealing)</td>
<td>700,000.00</td>
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<tr>
<td>Lake/Columbia Pedestrian Signalization</td>
<td>50,000.00</td>
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<tr>
<td><strong>Total Street Construction (270)</strong></td>
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<td>750,000.00</td>
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<tr>
<td><strong>Public Improvement (490)</strong></td>
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<tr>
<td>Cahoon Park Sign Board</td>
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<tr>
<td><strong>Total Public Improvement (490)</strong></td>
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<td>10,000.00</td>
</tr>
<tr>
<td><strong>Infrastructure Improvement (494)</strong></td>
<td>QUEENSWOOD BRIDGE (FROM 2016)</td>
<td>132,000.00</td>
</tr>
<tr>
<td><strong>Municipal Building Improvements (495)</strong></td>
<td>Light Replacements City Hall/Service Garage</td>
<td>14,000.00</td>
</tr>
<tr>
<td>HVAC City Hall</td>
<td>14,000.00</td>
<td></td>
</tr>
<tr>
<td>Clague Park Electrical</td>
<td>4,100.00</td>
<td></td>
</tr>
<tr>
<td>Clear Span for Topsoil</td>
<td>15,000.00</td>
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</tr>
<tr>
<td>Community House Gutters ($7200 from 2016)</td>
<td>8,000.00</td>
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</tr>
<tr>
<td>Community House Engineering/Design ADA Ramp</td>
<td>8,480.00</td>
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</tr>
<tr>
<td>Reese Park Bathroom</td>
<td>25,000.00</td>
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</tr>
<tr>
<td>Dwyer - Windows</td>
<td>10,000.00</td>
<td></td>
</tr>
<tr>
<td>Dwyer - Generator</td>
<td>50,000.00</td>
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</tr>
<tr>
<td>Dwyer - Kitchen</td>
<td>150,000.00</td>
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</tr>
<tr>
<td><strong>Total Municipal Building Improvements (495)</strong></td>
<td>296,580.00</td>
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<tr>
<td><strong>Sewer (580)</strong></td>
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<td></td>
</tr>
<tr>
<td>Lake Road Sewer Cleaning and Filming</td>
<td>40,000.00</td>
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</tr>
<tr>
<td>Computer Model Clague/Lake (Engineering)</td>
<td>20,000.00</td>
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<tr>
<td><strong>Total Sewer (580)</strong></td>
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<td>60,000.00</td>
</tr>
<tr>
<td><strong>GRAND TOTAL</strong></td>
<td></td>
<td>2,281,445.00</td>
</tr>
</tbody>
</table>

*Subject to acceptance of grant funding
AN ORDINANCE
AMENDING CODIFIED ORDINANCE SECTION 1158
REGARDING ATTACHED RESIDENCE DISTRICT, AND
DECLARING AN EMERGENCY

SECTION 1. That Codified Ordinance Section 1158 which presently reads as follows:

CHAPTER 1158
Attached Residence District

1158.01 Intent.
1158.02 Development plans.
1158.03 Building and occupancy permits.
1158.04 Permitted buildings, structures and uses.
1158.05 Accessory buildings, structures and uses.
1158.06 Definitions.
1158.07 Area and height regulations.
1158.08 Yard and related requirements.
1158.09 Parking requirements.
1158.10 Street and access requirements.
1158.11 Open space requirements.
1158.12 Landscape planting and design.
1158.13 Other site improvements.
1158.14 Maintenance and use of public and common areas.
1158.15 Solid waste disposal.
1158.16 Compliance with code.

1158.01 INTENT.
An Attached Residence District and its regulations are established in order to achieve, among others, the following purposes:

(A) To regulate bulk and location of buildings in relation to the land in order to obtain proper light, air, privacy and usable open spaces on each zoning lot appropriate for the district; and

(B) To regulate density and distribution of population in accordance with a plan to avoid congestion and to maintain adequate services; and

(C) To protect the desirable characteristics of both existing and planned residential development, to maintain stability; and

(D) To promote the most desirable and beneficial use of the land based on the Master Plan and directed to bring about the eventual conformity with said Master Plan as it may be amended.

(Ord. 74-51. Passed 7-1-74.)
1158.02 DEVELOPMENT PLANS.

Preliminary and final development plans shall be required for all proposed development in an Attached Residence District.

(A) Preliminary Plans:

(1) Plan Requirements:
   (a) Survey. A survey of the property and topography, showing the land owned and proposed for development.
   (b) Buildings. The locations, size, height and use of all main and accessory buildings and their general design and color.
   (c) Streets. The proposed pattern of vehicular circulation, including estimated traffic volumes, service access and relationship to existing streets.
   (d) Utilities. Evidence of adequacy of all required utilities and services.
   (e) Parking. General layout and estimate of spaces provided, both open and enclosed.
   (f) Miscellaneous. Other site improvement, including general drainage pattern.

(2) Submittal of Plans:
   (a) Presentation of preliminary plans shall be made concurrently with the Building Department (to file an application for construction) and to the Planning Commission.
   (b) A nonreturnable application fee in the amount of $10 per dwelling unit shall accompany application in the Building Department.
   (c) Planning Commission shall submit plans to the appropriate departments within the City for their comments, i.e. Fire, Police and Service.

(3) Approval of Plans:
   (a) If preliminary plans are not acceptable to the Planning Commission, based on the requirements and intent of this chapter, a revised preliminary may be submitted.
   (b) If preliminary or revised preliminary plans are acceptable to the Planning Commission with slight modification, final plans, including such modifications, may be submitted.

(B) Final Development Plans:

(1) Plan Requirements:
   (a) Site Plan. All items submitted for preliminary approval, with modifications as requested.
   (b) Utilities Plan. Detailed drawings of all required utilities, including water, sewers and underground electric and telephone systems.
   (c) Fire Protection Plan. Water mains, hydrants and other appurtenances.
   (d) Landscape Plan. Landscaping, buffers, drainage and grading.
   (e) Miscellaneous. Construction schedule and disposition program and any other information specifically required by the Planning Commission.

(2) Submittal of Plans:
(a) Presentation of final plans shall be made to the Planning Commission.

(b) Planning Commission shall submit plans to the appropriate departments within the City for their comments, i.e., Fire, Police, Service, and Building

(c) When development given preliminary approval is to be constructed in two or more phases, final plans shall be submitted separately for each phase, prior to scheduled construction.

(3) Approval of Plans:

(a) If final plans are not acceptable to the Planning Commission, based upon the requirements and intent of this chapter, revised final plans may be submitted.

(b) Only when final or revised final plans are acceptable to the Planning Commission without modification, shall final approval be given.

(Ord. 74-51. Passed 7-1-74.)

1158.03 BUILDING AND OCCUPANCY PERMITS.

(A) No building permit for the improvement of a parcel or a portion thereof or for the erection of any building shall be issued for any building or structure in an Attached Residence District unless and until a final development plan has been approved by the Planning Commission in accordance with the provisions of this Chapter. If and when any proposed final development plan has been so approved, the Building Commissioner shall then issue the necessary building and other permits upon payment of the required fees and compliance with applicable codes.

(B) An occupancy permit shall be issued by the Building Commissioner if the use qualifies under the various restrictions of the Planning and Zoning Code and the inspections required by Chapter 1304 of the Codified Ordinances have been made and the work approved.

(C) Occupancy permits will not be granted until all required improvements, including landscaping, are completed in compliance with this chapter.

(Ord. 74-51. Passed 7-1-74.)

1158.04 PERMITTED BUILDINGS, STRUCTURES AND USES.

In an Attached Residence District, the following buildings, structures and uses are permitted: Attached Residences including townhouses, four-plexs and other multiple dwellings having separate private entrances.

(Ord. 74-51. Passed 7-1-74.)

1158.05 ACCESSORY BUILDINGS, STRUCTURES AND USES.

The following accessory buildings, structures and uses are permitted on a lot in the Attached Residence District:

(A) Automobile storage facilities including enclosed garages.

(B) Recreation facilities, such as swimming pools, sauna baths and tennis courts, for the exclusive use of residents and their guests.

(C) Landscape features including gardens, fountains, sidewalks, lawns, patios, decorative walls and fences.
(D) Master radio and television antenna, air conditioning and ventilation equipment and necessary utility equipment as permitted under this chapter.

(E) Any building, structure or use customarily accessory or incidental to a permitted use, on special permit.

(Ord. 74-51. Passed 7-1-74.)

1158.06 DEFINITIONS.

The various area and height regulations of the area to be developed are defined in this section and scheduled in the following section.

(A) Land Area Per Dwelling Unit. "Land area per dwelling unit," means the minimum area required within a development area for each dwelling unit.

(B) Gross Floor Area of Dwelling Unit. The minimum gross area of all the floors of a dwelling unit, excluding the whole area of garages and one-half the area of balconies, porches.

(C) Maximum Height. "Maximum height" refers to the height to which any main building may be constructed above the designed finished grade at center of front elevation.

(D) Dwelling Unit. "Dwelling unit," means a space within a dwelling comprising a living room, a dining room, kitchen, and a sleeping room or rooms, storage closets and space and equipment for bathing and toilet facilities, all used by one family.

(Ord. 74-51. Passed 7-1-74.)

1158.07 AREA AND HEIGHT REGULATIONS.

Land and buildings shall be used in an Attached Residence District and buildings shall be designed, erected, altered, moved or maintained in such District in accordance with the following:

(A) Development Area. The minimum development site in an Attached Residence District shall be 5 acres.

(B) Density. The density of development for Attached Residences shall not exceed 6 dwelling units per acre.

(C) Height of Buildings. Attached Residences shall exceed neither two and one-half (2-1/2) stories nor 30 feet in height.

(D) Attached Residences per Building. Eight dwelling units, or a lesser number may be attached one to another by common or adjoining walls and shall be regarded as constituting a single building (but not as a single dwelling unit). All measurements of residences so attached shall be made as a single building. No building shall exceed 240 feet in length.

(E) Gross Floor Areas of Dwelling Units. Schedule as follows:

Dwelling Unit Minimum Area (Sq. Ft.)
2 bedroom unit  1,200
3 bedroom unit  1,400
4 bedroom unit  1,600

(F) Restrictions on Units. One-bedroom units are specifically not permitted. The total units shall be divided so that approximately one-third contains two bedrooms, one-third contains three bedrooms, and the remaining one-third may consist of the builder's choice of any mix of approved number of bedrooms.

(Ord. 74-51. Passed 7-1-74.)
1158.08 YARD AND RELATED REQUIREMENTS.

In an Attached Residence District, the following yard and related requirements shall be observed:

(A) Frontage Requirement. Frontage at each entrance to the development shall be at least one hundred feet wide including a minimum buffer of 30 feet on each side of the paved access, except that frontage at pedestrian entrances need not exceed 50 feet in width including minimum buffers of 20 feet on each side of the walk.

(B) Building Line Setbacks. Placement and erection of all buildings shall be 50 feet from the property line adjoining a dedicated street.

(C) Minimum Yards. No building or structure, except as provided in (E) below, may be placed or erected within 40 feet of any site boundary, except that when such boundary is a present or planned dedicated street, the 50 feet setback as set forth in C.O. 1158.08(B) shall apply.

(D) Distances Between Buildings. The minimum distance between any 2 adjacent buildings shall be determined by the relationships between their respective main walls according to the requirements of Schedule 1158.08(D) where:

\[ B = \text{the combined Base Factor of 2 adjacent buildings} = 40 \text{ feet} \]
\[ H = \text{the combined Height Factor} = 5 \text{ feet per 10 feet of combined building height} \]
\[ L = \text{the combined Length Factor of two adjacent buildings} = \text{One foot per 10 feet of combined main wall length} \]

CROSS REFERENCES
See diagram 1 (insert)

MINIMUM DISTANCES BETWEEN BUILDINGS

Main Walls Do Not Overlap
Within 0º - 180º Main Walls Overlap
Within 0º - 180º

Schedule 1158.08(D) - MINIMUM DISTANCES BETWEEN BUILDINGS
Where MAIN WALLS of Adjacent Buildings: Within Degrees of Parallel: Minimum Requirement
Overlap

0º - 30º \[ B + H = L \]
30º - 60º \[ B + H + \frac{1}{2}L \]
60º - 120º \[ B + H \]
120º - 150º \[ B + H \frac{1}{2}L \]
150° - 180°  B + H + L
DO NOT Overlap
  0° - 30°  ½ (B + H)
30° - 60°  ¾ (B + H)
60° - 120°  B + H
120° - 150°  ¾ (B + H)
150° - 180°  ½ (B + H)

(E) Distances from Accessory Uses to Main Buildings or Boundaries. The minimum
distances from any Attached Residence to parking areas, driveways, walks and recreation areas
and to the development area boundaries, as set forth below, are intended as desirable criteria and
are to be applied in the site planning insofar as possible:

Minimum Distances (Feet)
From Dwelling
Accessory Use:     Main Wall    End Wall    From Boundary Line
Surface Garage    40*       30*       20
Open Parking Areas 20      20        20
Private Drives 30   10       20
Walks (Public Use) 15      10        20
Recreation Areas (Active Play) 40  30  40

* or attached to building

The minimum distances set forth in the above schedule are intended to be applied to:

(1) The main wall, meaning any exterior wall containing the principal
windows of a living, dining or sleeping room or rooms.

(2) The end wall, meaning any exterior wall, other than a main wall,
containing minor windows of a dining or sleeping room, or principal or minor windows of a
kitchen or bathroom, or a blank surface.

(3) Private drives at all locations except at the garage entrance or main
entrance of the dwelling served.

(4) Walks used by the public at all locations except at the entrance to the
dwelling served.

(5) Recreation areas, meaning areas used for active play.

(F) Private Area. Each Attached Residence shall have a private area of not less than
200 square feet at an entrance and differentiated as such by approved patios, screens, walls and
plantings.

(G) Projections of Building Features:

(1) Intent. A projection is that part or feature of a building which extends
outside of the enclosing walls and makes the enclosed space more usable. It is intended that
certain features may project into required yards, but they shall be regulated as herein set forth so
that they will not substantially interfere with the reception of sun, light and air on adjacent lots.

(2) Types of Projecting Features.
The following definitions shall apply to the terms used in the section:
a. Architectural Feature. A belt course, balcony, bay window, cornice, chimney, solid overhang, or shading device.
b. Entrance Feature. A platform, landing, steps, terrace or other features not extending above the level of the floor of the first floor level of a building.
c. Shelters, Enclosed. An enclosed entry or porch.
d. Shelters, Unenclosed. An entrance hood or open but roofed porch.

(3) Projection Limitations. Building features may project into required front and side yards of a dwelling, but shall not project more than set forth in the following schedule:

<table>
<thead>
<tr>
<th>Projecting Feature</th>
<th>Maximum Projection Into</th>
</tr>
</thead>
<tbody>
<tr>
<td>Architectural</td>
<td>4 Ft.</td>
</tr>
<tr>
<td>Entrance</td>
<td>5 Ft.</td>
</tr>
<tr>
<td>Shelters, enclosed</td>
<td>None</td>
</tr>
<tr>
<td>Shelters, unenclosed</td>
<td>4 Ft.</td>
</tr>
</tbody>
</table>

(Ord. 74-51. Passed 7-1-74.)

1158.09 PARKING REQUIREMENTS.

(A) The parking of automobiles and other motor vehicles on private or public streets within an Attached Residence District is prohibited. All automobile parking lots shall be screened from adjoining streets and properties by the planting of shrubbery or the construction of a decorative fence or wall. Parking areas shall be permitted at convenient locations throughout the development except that:

(1) No parking areas or access drives shall be constructed within 20 feet of any Attached Residence building.
(2) No parking area shall be closer than 20 feet from the side or rear property line abutting a street.
(3) Landscaped islands and planting areas shall be designed so that no more than eight parking spaces shall be contiguous.

(B) Off-street parking shall be provided in an Attached Residence District as follows:

(1) Resident Parking. Two spaces per unit, at least one of which shall be an immediately attached garage having at least 280 square feet of usable floor space; and
(2) Guest Parking. One space per unit.

(C) In view of the desire to preserve natural open space within the development, off-street parking shall not exceed minimum requirements pursuant to C.O. 1158.09(B) by more than 20%.

(Ord. 74-51. Passed 7-1-74.)

1158.10 STREET AND ACCESS REQUIREMENTS.

(A) All proposed streets and access within an Attached Residence District shall be in accord with an approved overall plan conducive to the safe and efficient access and circulation of automobiles and safety and service vehicles.
(B) All vehicular pavement in an Attached Residence District shall be constructed in accordance with the standards established by the City of Bay Village.

(C) Circulation and access shall be designed according to the following criteria:
   (1) Dedicated Streets. No dedicated street shall extend more than 1,200 feet without juncture with another dedicated street.
   (2) Dedicated Cul-de-Sacs. Dedicated cul-de-sacs shall not exceed 600 feet in length nor provide direct or indirect access to no more than 30 units.
   (3) Private Drives. Private drives shall be no more than 600 feet in length and provide direct or indirect access to no more than 30 units.
   (4) Private Cul-de-Sacs. Nondedicated cul-de-sacs and court arrangements shall not extend more than 300 feet from a dedicated right-of-way nor provide direct or indirect access to more than 15 units.
   (5) Individual Driveways. No individual driveway shall be more than 50 feet in length nor provide access to more than two units.

(D) Services to the building shall be separate from pedestrian and vehicular circulation routes.

(E) A comprehensive walkway system adequately separated from vehicular circulation shall be provided.
(Ord. 74-51. Passed 7-1-74.)

1158.11 OPEN SPACE REQUIREMENTS.
   (A) Open Space as used in this Chapter means that portion of the total acreage not devoted to buildings and pavement. Open Space includes the spaces between buildings, required yards and setbacks, landscaped buffers and lawn areas, tennis courts, swimming pools or other recreational improvements.

   (B) No less than 60%, of the total acreage shall be devoted to open space.
(Ord. 74-51. Passed 7-1-74.)

1158.12 LANDSCAPE PLANTING AND DESIGN.
   All development within an Attached Residence District shall be landscaped according to a landscape plan accepted as part of the Final Development Plan. Plantings, walls, fencing and screens shall be so designed and located as to optimize privacy and aesthetic quality without encroaching upon required automobile sight distances. Natural wooded areas shall be preserved whenever possible.
(Ord. 74-51. Passed 7-1-74.)

1158.13 OTHER SITE IMPROVEMENTS.
   In an Attached Residence District the following other site improvements shall be required:
   (A) Water Supply. An adequate source of potable water shall be brought to the Attached Residence District from the City of Cleveland Water System and must be approved by the City of Bay Village, the City of Cleveland and the State of Ohio.
(B) Sewer System. The Landowner shall at its sole expense construct a sanitary sewage system meeting all requirements of the City of Bay Village, title of which is recognized by Council by the acceptance of dedication of the street. Plans and specifications must be approved by the City of Bay Village Sanitary Engineering Department and the State Department of Water and Health.

(C) Electric and Telephone Systems. Plans and specifications must be approved by the appropriate utilities serving this area.

(D) Fire Protection. Plans and specifications must be approved by the Fire Prevention Bureau. (Ord. 74-51. Passed 7-1-74.)

1158.14 MAINTENANCE AND USE OF PUBLIC AND COMMON AREAS.

(A) As a condition to approval of a proposed development under provisions of this Chapter, plans for the care, maintenance, use and disposition of all public and common area, if any, shall be approved by the City Planning Commission providing for:

(1) The public dedication and acceptance for maintenance by the City of property found by the Council to be of benefit to the general public, or

(2) The retention of property in common ownership of the individual owners through appropriate legal means with appropriate legal provisions to insure continuous maintenance and use for the purpose intended.

(B) All areas proposed for dedication to the City must be acceptable as to size, shape, location and improvement and shown by the applicant to be of benefit to the general public. Title of all land dedicated to public use shall be unencumbered at the time of conveyance and all areas shall be fully improved by the applicant, as required by the City Planning Commission, including all utilities, public walkways and streets through or abutting the property.

(C) For all areas proposed for common ownership by the residents, all rights of development other than for the use specified in the approved Final Development Plan shall be subject to approval of the City. However, each proposal for such use, including parking areas, private access ways, private parks and recreational facilities, and common service facilities shall be accompanied by appropriate legal documents which provide for the management and maintenance of common facilities. Legal instruments providing for dedications, covenants, home associations and subdivision controls shall:

(1) Place title of common property in a form of common ownership by the owners and/or residents of the area, e. g., a duly constituted and legally responsible home association, cooperative, etc.

(2) Appropriately limit the use of common property.

(3) Place responsibility for management and maintenance of common property. Council, at its discretion may require the applicant to obtain City services, for maintenance of commonly held properties where the public health, safety and/or welfare may require.

(4) Place responsibility for enforcement of covenants.

(5) Permit the subjection of each lot to assessment for its proportionate share of maintenance costs.
(D) All common property shall be fully improved by the applicant, as required by the Council, including all utilities, public walkways and streets through or abutting the property.

(E) The use, condition and maintenance of all common properties shall comply with City ordinances and existing regulations in all respects.

(Ord. 74-51. Passed 7-1-74.)

1158.15 SOLID WASTE DISPOSAL.
Arrangements for the performance of rubbish and garbage collection and removal shall be set forth in writing and subject to City approval. Any subsequent modification of said arrangements shall be presented to the City for review.

(Ord. 74-51. Passed 7-1-74.)

1158.16 COMPLIANCE WITH CODE.
(A) All rules and regulations contained in the Codified Ordinances of the City of Bay Village shall be applicable except those which are specifically excepted by C.O. 1158.01 through 1158.16.

(B) Noncompliance with the provisions of this Chapter shall be subject to penalty as set forth in C.O. 1123.99.

(Ord. 74-51. Passed 7-1-74.)

be and the same is amended to read:

CHAPTER 1158
Attached Residential District

1158.01 Intent.
1158.02 Qualifying Condition.
1158.03 Permitted Buildings and Structures.
1158.04 Development Requirements.
1158.05 Review and Approval.
1158.06 Compliance with Code.

1158.01 INTENT.
The Attached Residential District and its regulations are established to achieve the following purposes:

(A) To provide alternative housing choices to accommodate current residents as they enter new life phases;
(B) To support the goals and recommendations of the City’s 1999 Master Plan and the Retail Improvement Strategy relative to housing options, redevelopment and infill;
(C) To protect the desirable characteristics of both existing and planned residential development, to maintain stability;
(D) To provide an appropriate transitional use between single family residential and non-residential uses;
To enhance the vibrancy of the City’s central core business district; and
To offer a viable redevelopment option to ensure the City’s continued sustainability.

1158.02 QUALIFYING CONDITION.
Consistent with the intent, this district shall only be established in locations specifically identified in the current approved Master Plan for the City of Bay Village and the 2004 Retail Improvement Strategy as development, redevelopment or infill sites for townhouse, condominium or multiple family residential. Properties located along arterial or collector streets adjacent to retail and service uses may also lend themselves to the uses permitted in this district.

1158.03 PERMITTED BUILDINGS AND STRUCTURES.
(A) Principal Uses: The principal uses in this district shall be limited to townhouses, as defined in Section 1121.47A and two-family dwellings, as defined in Section 1121.48.
(B) Accessory Uses: Accessory buildings, structures and uses including, but not limited to, the following are permitted on any lot in the Attached Residential District:

1. Recreation facilities, such as swimming pools (See Section 1349.01), clubhouses, sauna baths and tennis courts, for the exclusive use of residents and their guests.
2. Landscape features including gardens, fountains, sidewalks, lawns, patios, decorative walls and fences.
3. Detached garages.

1158.04 DEVELOPMENT REQUIREMENTS.
The requirements of this section shall be the minimum standards for development within the District. If any requirement of this section conflicts with other provisions of the City of Bay Village Zoning Code, the provisions of this section shall apply.

(A) Spatial Requirements: The following requirements, specified in Table 1158-4, shall apply to any development within the District:

<table>
<thead>
<tr>
<th>TABLE 1158-4 Spatial Requirements</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minimum site area (sq. ft.)</td>
</tr>
<tr>
<td>0'</td>
</tr>
<tr>
<td>Minimum site width (feet)</td>
</tr>
<tr>
<td>Density (units per gross acre)</td>
</tr>
<tr>
<td>Front yard³</td>
</tr>
<tr>
<td>Rear yard³</td>
</tr>
<tr>
<td>Side</td>
</tr>
<tr>
<td>Interior</td>
</tr>
<tr>
<td>Street</td>
</tr>
<tr>
<td>Min. separation between ends of buildings</td>
</tr>
<tr>
<td>Maximum building height (feet)</td>
</tr>
<tr>
<td>Stories</td>
</tr>
<tr>
<td>Maximum lot coverage (percent)</td>
</tr>
<tr>
<td>--------------------------------</td>
</tr>
<tr>
<td>Minimum finished livable floor area (square feet)</td>
</tr>
<tr>
<td></td>
</tr>
</tbody>
</table>

1 There is no required minimum area for a townhouse development; provided, the gross density shall not exceed the equivalent of 10 units per gross acre. A minimum lot size of 5,500 square feet per dwelling unit shall be required for two-family dwellings.

2 If at least 50 percent of the lots on the same side of the street and within the same block as the subject property contain a principal building, the minimum front yard setback, measured from the front lot line, shall be the average of the setbacks established by those principal buildings within 200 feet on either side of the subject property (not including corner lots where the front setback is on the intersecting street).

3 Front and rear yard setback requirements shall be met for each two-family or townhouse unit.

(B) Architectural Features: A projection is that part or feature of a building which extends outside of the enclosing walls and makes the enclosed space more usable. It is intended that certain features may project into required yards, but shall be regulated as provided in Table 1158-4a so they will not substantially interfere with the reception of sun, light and air on adjacent lots or impede emergency access.

<table>
<thead>
<tr>
<th>Table 1158-4a Projections into Required Yard Setbacks</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Architectural Feature</strong></td>
</tr>
<tr>
<td></td>
</tr>
<tr>
<td>Accessory structures, detached</td>
</tr>
<tr>
<td>Accessible ramps, wheelchair lifts and similar structures</td>
</tr>
<tr>
<td>Air conditioning units, generators and other mechanical equipment</td>
</tr>
<tr>
<td>Arbors, trellises and pergolas (attached to principal building)</td>
</tr>
<tr>
<td>Awnings and canopies</td>
</tr>
<tr>
<td>Balconies (uncovered)</td>
</tr>
<tr>
<td>Bay windows</td>
</tr>
<tr>
<td>Chimneys</td>
</tr>
<tr>
<td>Eaves and gutters</td>
</tr>
<tr>
<td>Fences and walls</td>
</tr>
</tbody>
</table>
### Table 1158-4a Projections into Required Yard Setbacks

<table>
<thead>
<tr>
<th>Architectural Feature</th>
<th>Allowed Projections into a Required Yard</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Front Yard</td>
</tr>
<tr>
<td>Paved patios and similar at-grade structures (not including driveways and sidewalks), un-roofed and unenclosed</td>
<td>4 ft.</td>
</tr>
<tr>
<td>Porches, decks and stoops, uncovered and unenclosed</td>
<td>4 ft.</td>
</tr>
<tr>
<td>Stairways (not including steps to main floor entry) and below-grade stairwells</td>
<td>None</td>
</tr>
<tr>
<td>Window wells and egress windows, below grade</td>
<td>3 ft.</td>
</tr>
</tbody>
</table>

**Footnotes:**

1. Any covered or roofed porch, deck, patio, stoop or similar structure shall be considered part of the principal building and shall comply with the required setbacks for the principal building.

(C) **Open Space:** For townhouse developments, those areas of the site not covered by buildings, structures or pavement shall remain as open space. At a minimum, at least 40 percent of the total project site for townhouses shall be retained as open space, in accordance with the following:

1. Open space shall meet the following standards:
   a. Provide spaces for the common use of all residents of the townhouse development or sufficient yards adjacent to each unit for the use of the residents of those units;
   b. Common open space areas shall be centrally located or distributed throughout the development to provide convenient access in close proximity to all residents;
   c. Preserve significant natural features on the site, including mature trees;
   d. The Planning Commission may reduce the open space requirement, based on a finding that one or more of the following conditions exists:
      i. The subject site abuts or is directly across the street from a public park or similar dedicated public open space area;
      ii. The site is adjacent to a dedicated non-motorized trail or pathway that provides access for pedestrians and cyclists to City parks in relative proximity to the subject site; or
      iii. The proposed development will provide one or more natural preserves and/or common activity areas for its residents that are of significant size and configuration to fulfill the spirit and intent of the open space requirement.

(D) **Common Areas:**
(1) For all areas proposed for common ownership in any residential development within the District, rights of development other than for the use specified in the approved final development plan shall be subject to approval of the Planning Commission. The use of common areas such as, but not limited to: open space, parking areas, private streets and alleys, recreational facilities, and common service facilities shall be restricted by appropriate legal documents, which provide for the management and maintenance of all common facilities. Legal instruments providing for dedications, covenants, home owners association and subdivision controls shall:
   a. Place title of common property in a form of common ownership by the owners and/or residents of the area, e. g., a duly constituted and legally responsible home owners association, cooperative or similar legal entity.
   b. Appropriately limit the use of common property.
   c. Assign responsibility for management and maintenance of common property.
   d. Place responsibility for enforcement of covenants.
   e. Permit the subjection of each dwelling unit to assessment for its proportionate share of maintenance costs.

(2) All common property shall be fully improved by the applicant prior to issuance of an occupancy permit, including all utilities, landscaping, lighting, walkways and streets through or abutting the property; provided, the chief building official may issue an occupancy permit prior to completion of landscaping if it is determined that weather conditions prevent timely completion of the landscaping and a financial guarantee is posted to assure that all improvements will be completed within 120 days of receiving the occupancy permit.

(3) The use, condition and maintenance of all common properties shall comply with City ordinances and existing regulations in all respects.

(E) Streets and Access: All proposed streets and access within the District shall ensure efficient access and circulation of all vehicles and safe movement of non-motorized conveyances and pedestrians. The design and layout of streets and walkways within the development shall be established by the Planning Commission; provided, at a minimum, the following requirements shall be met:

   (1) Dedicated Streets. Dedicated streets shall not extend more than 1,200 feet without intersecting another dedicated street.
   (2) Dedicated Cul-de-Sacs. Dedicated cul-de-sacs shall not exceed 600 feet in length nor provide direct or indirect access to more than 30 units.
   (3) Private Streets. Private streets shall not exceed 600 feet in length without intersecting another private or dedicated street, nor provide direct or indirect access to more than 30 units.
(4) **Private Cul-de-Sacs.** Non-dedicated cul-de-sacs and court arrangements shall not extend more than 300 feet from a dedicated right-of-way nor provide direct or indirect access to more than 15 units.

(5) **Alleys.** Access to units, garages or parking areas may be from alleys; provided, the alley meets City design standards and connects on both ends to a public or private street.

(6) **Access to Perimeter Streets.** Townhouse units may front upon any public street abutting the boundaries of the project site; provided, all vehicular access shall be via interior public or private streets and individual driveways shall not be permitted along the perimeter street.

(7) **Walkways.** A walkway system shall be provided along perimeter streets abutting the District and on both sides of interior streets within any development. The walkways shall be ramped at all street intersections to provide handicapped accessibility and shall be separated from the adjacent dedicated or private street by a grass strip at least four feet wide.

(F) **Parking:** Off-street parking shall be provided in accordance with the following requirements:

1. Two spaces shall be provided for each dwelling unit, plus an additional .25 spaces per townhouse unit for visitors;
2. At least one of the required parking spaces per unit shall be within a garage attached to the unit which it serves;
3. Parking spaces shall be a minimum dimension of 20 feet long by 9 feet wide;
4. All parking spaces shall be hard-surfaced (asphalt or concrete) and striped; and
5. Parking areas and detached garages or carports shall not be permitted in any front or side yard and shall be set back at least 10 feet from any adjoining side or rear lot line; provided, if a garage or carport faces and is accessed from an alley, the minimum building setback shall be 20 feet from the rear lot line.

(G) **Landscaping:** For all residential development in the District, except a single building containing a two-family dwelling on one (1) lot, a landscape plan, prepared by a landscape architect registered in the State of Ohio, shall be submitted for Planning Commission approval in accordance with the following minimum requirements:

1. Front yard landscaping shall contain at least one shade tree for each dwelling unit with a minimum caliper of two and one-half (2½) inches and one ornamental tree for each two units. Shrubbery and/or other low plant material at least 24 inches high at time of planting and approved by the Planning Commission shall be installed along the foundation of each unit.
2. A perimeter buffer meeting the following minimum requirements shall be installed along the side and rear property boundaries for townhouse developments abutting property zoned First Residence or Third Residence:
   a. Minimum width of 10 feet;
   b. Equivalent of one (1) tree per 50 feet or fraction of buffer zone length, at least one-third (1/3) of all trees shall be evergreen trees. At the time of planting, deciduous trees shall be a minimum of two and one-half (2 ½) inch caliper and evergreens shall be at least six (6) feet tall;
c. Three (3) foot high continuous sight-obscuring screen composed of plant material, berms, walls, fences or any combination approved by the Planning Commission;
d. If berms are used for any part of the buffer, they shall contain one (1) shrub for every 10 feet of berm length in addition to the requirements of subsection (2)b. All required plant material shall be placed on the top or side slope of the berm facing the exterior property line;
e. If a wall or fence is used for any part of the buffer, a minimum of one (1) shrub for every 10 feet of wall or fence shall be placed along the exterior side in addition to the requirements of subsection (2)b. At least half of all shrubs shall be a minimum of 24 inches high at the time of planting;
f. All areas within the buffer strip not containing trees, shrubs or planting beds shall be planted with grass and other living ground cover; and
g. In order to promote better design and a more natural appearance, the required trees and other plant material need not be uniformly spaced. Clusters or groupings of plant material may be permitted; provided, the intent of the buffer strip to provide separation and screening from adjoining uses is achieved.

(3) Landscaped islands shall be provided within parking areas to reduce the visual impact of parking upon the development. At a minimum, a landscaped island at least nine (9) feet wide and 180 square feet in area shall separate each eight (8) contiguous parking spaces. Each island shall contain trees and/or other living plant material to provide visual relief and physical separation of parking spaces.

(4) Screening shall be provided around all outdoor trash dumpsters, as follows:
   a. Solid sight-obscuring fence or wall six (6) feet high;
   b. Enclosed on all sides and not containing any openings other than a gate for access which shall be closed at all times when not in use;
   c. The fence or wall shall be constructed of masonry, treated wood or other material approved by the Planning Commission if determined to be attractive, durable, weather resistant, rust proof and easily maintained. Chain link and barbed wire fences are not permitted.

(H) Building Materials and Design Standards: Exterior design of all principal and accessory buildings shall complement the character of the adjacent neighborhood with respect to building materials, details, roof pitch, setbacks and scale. However, at a minimum, the following standards shall apply, unless a modification is permitted, as specified in Section 1158.05 H:
      a. Primary: At least 80 percent of the building exterior shall consist of:
         i. brick and tile masonry (or synthetic equivalent),
         ii. native stone (or synthetic equivalent),
         iii. hardie-plank or equivalent, and/or
         iv. wood siding.
      b. Accent: No more than 20 percent of any façade may consist of:
         i. pre-cast masonry (for trim and cornice elements only),
ii. gypsum reinforced fiber concrete (GFRC – for trim elements only),
iii. metal (for beams, lintels, trim elements and ornamentation only), and/or
iv. split-faced block (for piers, foundation walls and chimneys only).

(2) Building Facades. Long, monotonous building planes shall be avoided. The front façade of each row of townhouse units within a single building shall be articulated using means such as, but not limited to: offsetting the front setback of individual units; using gables; recessing front entries; varying colors and materials on each unit; using a variety of window sizes and styles and/or incorporating columns, dormers, overhangs or other architectural elements. In addition, the following requirements shall be met:

a. Transparency: Windows and doors shall comprise at least 25 percent of the front façade and the street side façade for units abutting a public street.

b. Front entry: Each dwelling unit shall have a front door facing a street or public open space that is accessed from a stoop or porch.

   i. a stoop shall have a minimum depth of four feet and a minimum area of 24 square feet;

ii. a front porch must be at least eight feet deep, with a width equal to at least 40 percent of the width of the dwelling unit;

c. Roofs:

   i. Pitched roofs shall have at least a 4:12 but not more than a 12:12 pitch. Mechanical equipment located on the roof shall be on the back half of the building and screened on all sides so as not to be visible as observed from the sidewalk or pavement edge of the street.

   ii. Flat roofs shall be enclosed by a parapet which shall be high enough to conceal mechanical equipment as observed from the sidewalk or pavement edge of the street.

1158.05 REVIEW AND APPROVAL

(A) Pre-application Meeting: Prior to submitting an application for rezoning to or development plan approval, the applicant shall conduct a meeting with surrounding property owners for the purpose of explaining the proposed development and soliciting comments and suggestions relative to the proposal. It is suggested that such meeting be conducted as a work session to obtain feedback that can be incorporated into the design and layout of the proposed project prior to formally submitting an application.

(B) Application: Applications for rezoning property to an District shall be submitted in compliance with Bay Village Charter 7.6.

(C) Development Plan: The development plan shall contain, at a minimum, the information specified in Section 1129.01.

(D) Planning Commission Review: The complete application and all required documents shall be forwarded to the Planning Commission for review and approval under Chapter 1129. The applicant shall attend the review meeting and present the proposed project to the Commission.

(E) City Council Action: Upon receiving the Planning Commission recommendation regarding the rezoning, the City Council shall vote to approve or disapprove the change
in zoning, District; provided, any approval by Council shall be subject to Section 7.6 of the City Charter.

(F) **Review Standards:** The development plan shall be approved upon a finding that the plan meets the following standards:

1. The development plan complies with all requirements of this chapter, all applicable requirements of this ordinance and all other applicable laws and regulations.
2. The site is designed in a manner that is harmonious, to the greatest extent possible, with the character of the surrounding area.
3. The site is designed in a way that minimizes impacts upon adjacent property and mitigates the potential negative effects of traffic, noise, and glare to the maximum extent reasonably possible.
4. The development plan shall be found to be consistent with the Intent and Applicability provisions of this chapter, as stated in Sections 1158.01 and 1158.02, respectively.
5. Unless a more specific design standard is required by the city through a different ordinance, all uses and structures subject to development plan review shall comply with the following:

   a. **Traffic Circulation.** The number, location and size of access points, and internal vehicular and pedestrian circulation routes shall be designed to promote safe and efficient access to and from the site, and circulation within the site. In reviewing traffic features, the number, spacing, and alignment of existing and proposed access points shall be considered relative to their impact on traffic movement on abutting streets and adjacent properties.

   b. **Stormwater.** Stormwater detention and drainage systems shall be designed so the removal of surface waters will not adversely affect neighboring properties or public stormwater drainage systems. Unless impractical, stormwater shall be removed from all roofs, canopies and paved areas by underground surface drainage system.

   c. **Landscaping.** The landscape shall be preserved in its natural state, insofar as practicable, by minimizing unnecessary tree and soil removal, and any grade changes shall be in keeping with the general appearance of neighboring developed areas. Landscaping, buffers and greenbelts, as required by this chapter, shall adequately screen proposed buildings from surrounding property.

   d. **Lighting.** Lighting shall be designed to minimize glare on adjacent properties and public streets. Where necessary, screening shall be provided to shield abutting residential properties from headlights and glare.

   e. **Utility Service.** All utility service shall be underground, unless impractical.

   f. **Exterior Uses.** Outdoor storage areas, parking areas, trash receptacles, heating and cooling units and similar accessory areas shall be located to
have a minimum negative effect on adjacent properties, and shall be screened, if reasonably necessary, to ensure compatibility with surrounding properties.

g. Emergency Access. All buildings and structures shall be readily accessible to emergency vehicles.

h. Water and Sewer. Water and sewer installations shall comply with all city specifications and requirements.

1158.06 COMPLIANCE WITH CODE.

(A) All rules and regulations contained in the Codified Ordinances of the City of Bay Village shall be applicable except those which are specifically excepted by C.O. 1158.01 through 1158.16.

(B) Noncompliance with the provisions of this Chapter shall be subject to penalty as set forth in C.O. 1123.99.

and present Section 1158 is hereby repealed.

SECTION 2. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of any committee that resulted in those formal actions were in meetings open to the public in compliance with law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare, wherefore this ordinance shall be in full force and take effect immediately upon its passage and approval by the Mayor.

PASSED:

____________________________
PRESIDENT OF COUNCIL

____________________________
CLERK OF COUNCIL

APPROVED:

____________________________
MAYOR

11/30/16 LL
1179.09 AUXILIARY DESIGN ELEMENTS.

(A) City Council may authorize the Review Committee to adopt rules governing the display of Auxiliary Design Elements for activities, having regard to the limitations established by this Section and the character of the activity and of the surroundings in which it is located.

(B) Rules may be enacted for the following Auxiliary Design Elements, subject to the limitations established for each sign:

1. Awnings, canopies, and marquees are permitted for all activities in all areas. However, any letters over 3 inches in height which are displayed on an awning or canopy are debited against the items of information allowance established by Section 1179.04. A single identifying double-faced name plate sign may be suspended from a canopy, at right angles to an establishment or store unit. Dimensions of such a sign shall be no greater than 12 inches high and 74 inches wide and shall be centered at the symmetrical center line of the canopy ceiling. Such signs shall be surface mounted to the underside of the canopy.

2. Temporary window signs are permitted for all except industrial activities in all areas. They may not exceed 15% of the area of the window in which the they are displayed and must be attached to the inside of the window. Temporary window signs are not debited against the items of information allowance established by 1179.04. ("Temporary" for purposes of this Chapter is considered to be 30 days.)

(C) Permitted are the following types of illumination and mechanical movement for all activities in all areas, subject to the limitations indicated in this Section:

1. Colored light. White is the only color of light which is permitted for institutional activities or in areas designated as residential or within 500 feet of such areas.

2. Mechanical movement refers to animation, revolution, movement up and down, or movement sideways. Signs which move mechanically may be permitted only for motion picture theaters, amusement and recreation services, or as permitted in areas of special control. Windblown devices such as pennants, spinners, and streamers are not permitted for any activity.

3. Flashing signs which consist of a light which is intermittently on and off are prohibited.

4. Banners are prohibited except by permission of Council.

5. Illuminated surface colors. Internal illumination. i.e. a light source concealed or contained within the sign, and which becomes visible in darkness through a translucent surface.

6. Indirect illumination, i.e. a light source not seen directly.

7. Floodlight illumination, provided that the flood light or spotlight is positioned so that none of the light shines onto an adjoining property or in the eyes of pedestrians or motorists.

8. Neon tube illumination, i.e. a light source supplied by a neon tube which is bent to form letters, symbols, or other shapes.