

VILLAGE OF YELLOW SPRINGS, OHIO

ORDINANCE 2019-38

REPEALING SECTION 1260.03 “DRIVEWAY STANDARDS, ACCESS EASEMENTS, PARKING AND STORAGE” OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1260.03 “DRIVEWAY STANDARDS, ACCESS EASEMENTS, PARKING AND STORAGE”

WHEREAS, Section 1260.03 of the Codified Ordinances of the Village of Yellow Springs, Ohio provides the requirements for storing junk vehicles and inoperable vehicles on private property; and

WHEREAS, Village Council has determined it would be in the best interest of the Village to adopt a new section entitled “Driveway Standards, Access Easements, Parking and Storage” to keep the enforcement of junk cars within the Yellow Springs Police Departments jurisdiction via the General Offenses code;

NOW, THEREFORE, COUNCIL FORTHE VILLAGE OF YELLOW SPRINGS, OHIO, HEREBY ORDAINS THAT:

Section 1. Section 1260.03 entitled “Driveway Standards, Access Easements, Parking and Storage” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new 1260.03 entitled “Driveway Standards, Access Easements, Parking and Storage” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth in Exhibit A with new language underlined and **bolded** and deleted language in ~~striketrough~~, which is attached hereto and incorporated herin.

Section 4 This ordinance shall take effect and be in full force at the earliest date permitted by law.

Brian Housh, President of Council

Passed: 12-2-2019

Attest: _____

Judy Kintner, Clerk of Council

ROLL CALL

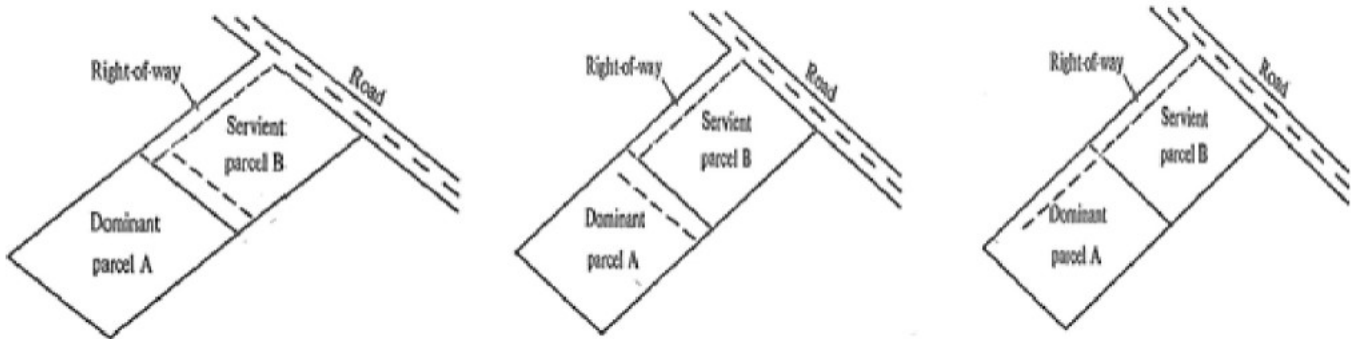
Brian Housh __Y__ Marianne MacQueen __Y__ Kevin Stokes _Y__

Lisa Kreeger _Y__ Kineta Sanford _ABSENT__

EXHIBIT A

1260.03 DRIVEWAY STANDARDS, ACCESS EASEMENTS, PARKING AND STORAGE.

(a) On a legally zoned lot, there shall be no more than one driveway, unless the lot is part of a Planned Unit (PUD) or Pocket Neighborhood Development (PND). If the frontage of the lot will be located along an access easement, the access easement shall be recorded on the deed of all properties which are subject to the easement and shall clearly specify the party or parties that shall be responsible for the maintenance of the easement area. An additional curb cut for a second driveway shall only be permitted if the lot frontage exceeds by 15 feet the minimum lot frontage requirement of the respective zoning district. The access easement shall provide lot frontage at least equal to the minimum required lot frontage of that zoning district (see diagram).



The Village of Yellow Springs shall have no responsibility for maintenance of the private drive and/or turn-around.

- (1) All driveways shall be constructed and subsequently maintained to meet the following standards:
 - A. A driveway must commence at a dedicated road.
 - B. Shall be a minimum width of 15 feet constructed with a base substantial enough to support vehicles to 40,000 pounds gross vehicle weight (GVW).
 - C. Curb cuts and driveway aprons must be made of concrete per Village of Yellow Springs Public Works Department standards.
 - D. Residential access driveways shall be at least three feet from side property lines and construction shall ensure that drainage is sloped away from adjacent properties.
 - E. Utility easements for storm, sewer, water, electric and gas are to be maintained along the back and side yard property lines as it was in the original subdivision.
 - F. Free from overhead obstructions to a height of 13 feet 6 inches and side-to-side obstructions to a width of 8 feet from the center line of the driveway.
 - G. Any incline, decline, dip, hump and/or curve must take into consideration the turning radius, ground clearance, and traveling envelope of all vehicles to include emergency vehicles.
 - H. Addresses for properties on private drives or road access easements must be clearly marked and visible from the public street.
- (2) Any driveway in excess of 1,000 feet in length shall, in addition to the conditions/standards outlined in division (a)(1) of this section, be required to also meet the following conditions:
 - A. Have a vehicle pull-off near the mid-point, and additional pull-offs for every 500 feet thereafter.
 - B. Have a turnaround at the end suitable for use by emergency vehicles.
- (3) Driveway connections crossing drainage swales must conform to Greene County specifications complete with concrete headwalls as called for by Sections 816 and 817 of the Greene County Subdivision Regulations, as amended. Should the driveway require a culvert, pipe or bridge, no zoning

permit will be issued until a recommendation is received from the Village of Yellow Springs Public Works Department. It is recommended that a pre-manufactured culvert, pipe or bridge be used. If a custom design is used, then it must be designed by a professional engineer and approved by the Village of Yellow Springs Public Works Department before construction.

(b) Outdoor Storage. Outdoor storage of merchandise, equipment, supplies, products or other materials shall only be permitted in those districts and under the conditions specifically authorized by this code. Storage of household items in Residential Districts is permitted in the rear yard only and if not in violation of other laws (nuisance, litter and trash).

(c) Recreational Vehicle Parking. It shall be unlawful for any person to park or cause to be parked any mobile home or recreational vehicle on any street, alley, highway, or other public place in the Village, except for the expeditious loading and unloading of the vehicle. This provision shall not prohibit the temporary occupancy for periods up to 72 hours of a recreational vehicle; provided the recreational vehicle contains sleeping accommodations, is parked on a lot in a Residential District, and is for the use of the owner of that lot or guests of the owner.

(d) Storage and Repair of Vehicles.

(1) The repair, restoration and maintenance of vehicles in any Residential District shall be conducted entirely within an enclosed building, except for those activities that can be and are completed in less than seven days. All such repair shall take place on private property and may not be conducted within the public right-of-way.

~~—(2) It shall be unlawful for the owner, tenant or lessee of any building or lands within the Village to permit the open storage or parking of any inoperable motor vehicle, machinery or equipment, or parts thereof, outside of an enclosed garage or enclosed building, for a period of more than 48 hours. An inoperable motor vehicle for purposes of this subsection shall include motor vehicles which, by reason of dismantling, disrepair or other cause, are incapable of being propelled under their own power, or are unsafe for operation on the streets and highways of this state because of the inability to comply with the State Motor Vehicles and Traffic Code, or do not have a current license and registration, as required for operation by the State Motor Vehicles and Traffic Code.~~

(32) It shall be unlawful for the owner, tenant or lessee of any lot or building in a Residential District to permit the open storage or parking outside of a building of semi-truck tractors and/or semi-truck trailers, bulldozers, earth carriers, cranes or any other similar equipment or machinery, unless parked for purposes of construction being conducted on that lot.