

City of Upper Arlington®

**Discussion Sessions Regarding The City's Neighborhood
Compatibility Ordinance**

August, 2021



Introduction

Over the past few years, an increasing number of homeowners have expressed concerns about residential development in the City of Upper Arlington. Specifically, some residents perceive that some new home construction or renovation projects are incompatible with the character or style of existing homes in their neighborhoods.

To address these concerns, the City of Upper Arlington updated its Residential Design Standards, which are a component of its Unified Development Ordinance (UDO), in 2019. Two sections of these Residential Design Standards (shown below) are relevant to this topic:

7.17.A -- Purpose and intent: The purpose of these standards is to encourage residential investment and infill redevelopment to maintain and expand the property values in Upper Arlington, while also protecting the character of the residential neighborhoods by ensuring that new development blends in and is compatible with existing and prominent neighborhood characteristics. These standards are in addition to all other standards and requirements of the Unified Development Ordinance.

7.17.B(1) -- Neighborhood compatibility: The proposed design shall be consistent and compatible with prominent characteristics existing in the neighborhood, with particular consideration and focus on the characteristics existing on the same block (both sides of the street within two intersecting streets) or cul-de-sac as the subject property. Such characteristics include: parcel or homesite width and configuration, architectural style and materials, heights and massing, front yard setbacks, roof pitch and shape, garage location, amount of impervious surface, and other defining features of the neighborhood and with an emphasis on the block. Review for compatibility shall be based on all characteristics.

Although some believe the neighborhood compatibility section of the UDO (above) provides sufficient guidance to protect the interests of existing residents and the character of the City's outstanding residential neighborhoods, others do not believe this. To better understand the range of views on this topic and to identify opportunities for the City to address concerns, a series of seven discussion group sessions involving 69 residents were held from May 7, 2021 through May 25, 2021. The Appendix presents a map showing the locations of the households that participated in this process.

After a brief presentation from City staff, written exercises and small-group conversation was used to encourage civil conversation on this topic. Six of these sessions were moderated by Orië Kristel, Ph.D., a third-party researcher and meeting facilitator, and one session was moderated by City staff.

This memo presents a review of the key findings extracted from these discussion sessions and ends with the identification of potential actions the City might wish to explore regarding this matter.

Positive Perceptions Of The City's Neighborhood Compatibility Ordinance

Codification of the City's interest in preserving neighborhood character. The City's concern for character, consistency, and compatibility was mentioned frequently by discussion participants as a positive aspect of the ordinance. Some participants mentioned the specifications around design (materials, style) and form (massing, height) that exist to help preserve the character of neighborhoods. The character of neighborhoods seems to involve both design and form, with consistency and compatibility referring to their perception of whether houses look like they "fit" in the neighborhood. Discussion participants appreciated the ordinance's reflection of their concern about how the neighborhood looks as a whole. The preservation of neighborhood character is believed to contribute to the value of homeowner property and, relatedly, to play an important role in attracting new residents to live in the City.

Provides needed guidance while leaving room for personal choice. Some participants believed the residential design standards were appropriately specific and easy to understand. Others mentioned feeling assured that if these residential design standards were followed, their own development projects could proceed. A few stated that they appreciated that these residential design standards were written in a way to avoid "cookie cutter" houses and neighborhoods where everything looks the same.

Third-party architect review of residential development plans. Participants often mentioned the benefit of the City engaging an outside party to review and advise on proposed building plans. This third-party architect is knowledgeable of the City's UDO and provides an impartial opinion that the City can then use as it works with the parties involved in residential projects.

Informs residents about development and provides opportunities to voice concerns. Some mentioned they like how the UDO specifies that neighbors will be informed of demolition and construction activities that are scheduled to occur near them, as well as the procedures to follow if residents wish to share opinions, questions, or concerns with the City.

An opportunity to protect home and property values. A few mentioned that the code "appears to provide a reasonable level of consistency" for property values and has the potential to increase property values.

Negative Perceptions Of The City's Neighborhood Compatibility Ordinance

Inconsistent or subjective application of the neighborhood compatibility ordinance.

Many session participants remarked that the neighborhood compatibility design standards do not appear to be applied consistently or (relatedly) are applied subjectively. As one participant put it, *"What are the parameters that define 'compatible'?"* Multiple discussants said the ordinance allows for too much room for interpretation by the City.

Multiple discussants questioned the area or radius within which the idea of neighborhood compatibility should be assessed. *"Is it a block, a neighborhood, etc.?"* Relatedly, some participants commented there was *"no protection for defined neighborhoods (such as Canterbury)"*. These participants typically did not think the neighborhood compatibility ordinance should be applied in the same manner to all neighborhoods within the City, because different neighborhoods likely have different characteristics or styles that should be promoted and/or protected.

Lastly, some participants expressed concern that the ordinance's use of the word "should" means that the neighborhood compatibility design standards are suggestions instead of requirements or obligations.

Some residential development projects make neighborhoods appear less recognizable.

Development that is perceived as altering the neighborhood's character make some residents uncomfortable, by making them feel as if their neighborhood has or will become less familiar. In other words, residents' views of their neighborhood can change when many homes beside their own reflect styles that are perceived to be very different. For example, multiple participants mentioned that newly constructed farmhouse style homes looked out-of-place in a neighborhood that primarily features ranch housing. As one participant noted, *"I don't believe [the ordinance] goes far enough to protect the interests of current residents and to protect the overall character of neighborhood homes."*

Also, some participants said their own sense of belonging might be affected by residential development that does not conform to their expectations: *"The sense of community is stronger when the homes are similar,"* or *"I don't have anything in common with the new bigger homeowners."* This culminates in one participant's warning: *"If the neighborhood changed drastically, we'd probably move."*

Some residential development projects threaten the neighborhood aesthetic. In some cases, participants thought new residential developments were allowed to use siding materials that made the home itself look *"cheap and flimsy."*

Perceived cost implications of residential redevelopment. Participants also mentioned potential impacts of residential redevelopment on the perceived affordability of housing in

their neighborhood. Examples of this include a perception that residents who want to move elsewhere in the City are being priced out, that residents' property taxes may increase due to nearby residential development, or that residents' home values may decrease due to nearby residential development.

Others are concerned that when existing housing stock is torn down and replaced with larger, more expensive, homes, the City will become unaffordable for first-time homebuyers. *"When you can't have your kids buy into the neighborhood, that's a community issue."*

Desire for a more expansive, inclusive review process. Some participants shared their belief that the desires of developers, builders, and new homeowners are prioritized over the desires of current City residents. Some thought the notification that is sent to nearby neighbors should be sent to more nearby neighbors. And a handful of participants felt that their involvement with residential development in their neighborhood can only be reactive rather than proactive, because they are notified after development has begun. Perhaps it can somehow be proactive.

Perceptions that the neighborhood compatibility standards are too restrictive. Some participants said the ordinance was too restrictive, in that it limits the freedom of homeowners and designers to do what they want with their property. They also expressed concern about the power given to neighbors to voice concerns about properties that ultimately do not belong to them. Another participant responded that the ordinance's restrictions threatened the development of needed additional housing in the area.

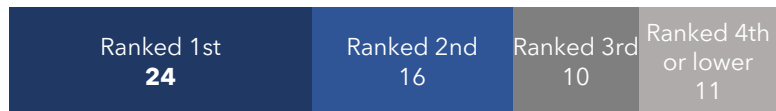
Perceptions that the neighborhood compatibility standards are not restrictive enough. Some participants perceived the ordinance as not containing enough restrictions on what can be built and where it can be built. Participants mentioned various aspects of development in which they wanted to see more limitations: on the materials used, on the scale of new homes relative to lot sizes, on construction duration, and on the height of new builds and additions. Of these, building height was most often mentioned as a design element that participants would like to see the neighborhood compatibility ordinance be more specific about.

Identifying Prioritized Values In The Context Of Residential Development

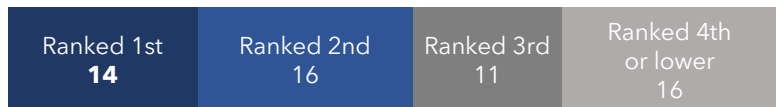
Each participant was asked to review a handful of statements that describe different values that homeowners might have in the context of residential development, and to rank each value statement according to how important it is to him or her.¹

Most participants (40) responded that “each house in my neighborhood should look like it belongs” is a value that is first or second most important to them. This aligns with much of the preceding conversations. Concerns about potentially being unable to afford to stay in their neighborhood were also highly prioritized.

“I want each house in my neighborhood to look like it belongs here”



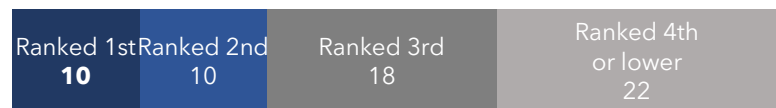
“I want to stay in my neighborhood for a long time (I don’t want to be priced out)”



“I want to have the ability to change my house or add on to my house”



“I want to sell my house for as much as I can”



Conclusion

Although the discussion session participants shared a number of positive comments about the City’s neighborhood compatibility ordinance and its interpretation/application, multiple negative comments were also heard. City staff have reviewed this summary report and are identifying specific areas that can be further examined for action it can take in an effort to begin responding to concerns about the compatibility of new and renovated houses in residential neighborhoods across the City.

¹ A few participants wrote in their own value statements, which were reviewed by the research team. For the purpose of this analysis, each of these “other” responses was recategorized into one of the four value statements to which it was most similar.



Date: Friday, August 6, 2021

To: Steven Schoeny, City Manager

From: Chad D. Gibson, AICP, Community Development Director

RE: Residential Design Standards – UDO Article 7.17

Introduction

The purpose of this memorandum is to summarize the input received from a series of community discussion group sessions held in May of this year, and to recommend some new administrative steps designed to enhance the effectiveness of the City's Neighborhood Compatibility Ordinance – UDO Article 7.17 – and how it is applied relative to replacement homes and large additions.

Brief History

In April of 2019, Upper Arlington City Council passed Ordinance 10-2019, resulting in various amendments to UDO Article 7.17. These amendments were recommended to Council by the Board of Zoning and Planning, following a public hearing and review process. The goal was to strengthen existing neighborhood compatibility regulations, while striking a balance between contemporary redevelopment and existing neighborhood character. Relative to new build/replacement homes, the addition of third-party architectural review, the required advance notification of adjacent property owners, and inclusion of street trees were notable changes resulting from this legislation. Since new houses can typically take a year or more to design and construct, we are only just starting to see the results of these code changes materialize.

Competing Interests and City Response

Staff believes the ordinance is working well and the 2019 changes are making a positive impact. However, feedback received from some community members indicates that more work is needed to refine and enhance the process. Two potentially competing Master Plan objectives – *'preserve residential neighborhoods'* and *'maintain and improve the existing housing stock'* – are at the root of this topic.

In response, the City recently hosted a series of discussion forums facilitated by an independent professional consultant. These forums were well received, providing an opportunity for community members on different sides of the issue to share their thoughts. These discussions highlighted some general themes (see the preceding report from Illuminology for additional detail):

Positive perceptions of the City's Neighborhood Compatibility Ordinance:

- Codification of the City's interest in preserving existing neighborhood character
- Provides needed guidance while leaving room for personal choice



- Third-party architect review of residential development plans
- Informs residents about development and provides opportunities to voice concerns
- An opportunity to protect home and property values, privacy, add trees

Negative Perceptions of the City’s Neighborhood Compatibility Ordinance:

- A belief that application of the neighborhood compatibility ordinance can be inconsistent or subjective
- Some residential development projects make neighborhoods appear less recognizable, threaten aesthetics
- Perceived cost/affordability implications of residential redevelopment, impacts on property taxes
- Desire for a more expansive, inclusive review process for all parties
- Perceptions that the neighborhood compatibility standards are too restrictive
- Perceptions that the neighborhood compatibility standards are not restrictive enough

Housing Trends

It is noteworthy that construction activity and reinvestment in Central Ohio is continuing at an historic pace in 2021. The Upper Arlington housing market has been directly impacted, with median home prices approaching \$600,000 and most sales occurring less than 10 days from going on the market. Of the City’s approximately 14,500 total housing units, recent trends show roughly 30 new houses are constructed annually, at an average cost near \$1M. While these new homes represent a tiny fraction of the overall housing stock, they have an immediate impact on a neighborhood and garner significant attention. In an effort to enhance transparency and represent a clear picture of this pattern, a GIS map has been added to the City’s website to show recent new home construction: <https://arcgis.uaoh.net/portal/apps/MapJournal/index.html?appid=3f139680a35748ba9e084f63afd58a92>

Next Steps

While the discussion sessions revealed concerns and affirmed competing interests relative to the Neighborhood Compatibility Ordinance, it also showed that a complete overhaul is not needed. However, Staff believes there is an opportunity to clarify and enhance application of the existing ordinance through a series of administrative steps that can occur in the short term.

Some of the recommended changes to be implemented via policy are listed below:

- Expanding the notification radius of neighbors (from 100’ to 200’)
- Requiring property owners to place “Ready for a Change?” signage at the property
- Creating and publishing a policy guidebook supplement to UDO Article 7.17 to provide clarity on residential design standards
- Incorporating illustrative diagrams and graphics within the guidebook to enhance understanding of the requirements and intent of UDO Article 7.17

Once these steps have been implemented this fall, Staff will monitor the effectiveness of these administrative amendments in the coming year, to be followed by an update to Council on whether they are having the desired effect or if any code changes might be appropriate.

The following page features a draft outline of the proposed City Manager Policy on Neighborhood Compatibility that is a direct result of valuable community input. When implementing this policy, Staff intends to deny those applications which do not conform. Staff hopes to enact this policy in the fall of 2021.

City of Upper Arlington Residential Design Standards Policy Document Outline

- **Overview**
 - Residential Design Standards and Neighborhood Compatibility – Purpose/Objectives
 - New Home Permitting Process
 - Department/Division review
 - Third party architect review
 - Notification and signage requirements
 - Street tree requirements
 - Appeal process
 - Role of public input and comment
 - Best practices for community outreach
- **Guidance/Policy**
 - Purpose/Applicability – When do these standards apply?
 - Area of focus (block/street)
 - Characteristics that will be reviewed and how they will be assessed
 - Lot characteristics and home siting
 - Parcel/home site width and configuration
 - Impervious surface
 - Front setbacks (and all setbacks)
 - Privacy (adjacent home location, balconies, and landscaping)
 - Architecture
 - Style
 - Materials
 - Façade articulation and blank elevations
 - Varied elevations (adjacent homes cannot be the same)
 - Form
 - Height
 - Number of stories
 - Step-back requirement if adjacent homes are single-story
 - Massing
 - Roof pitch, shape, and eaves
 - Garage location (including snout houses)
 - Neighborhood Characteristics
 - Identification and description of neighborhoods
 - Predominant lot characteristics, architecture, and form by neighborhood
- **References**
 - City’s Master Plan and Study Area Plans
 - River Ridge / Kingsdale West Study

Appendix

The map displayed on this page shows the location of the residential households that participated in this process.

