

TITLE TWO - Uses Permitted by District

- Chap. 1105 A Agricultural District.
- Chap. 1106 RR-1 Rural Residence District.
- Chap. 1107 RS-5 Low-Density, Single Family Residence District.
- Chap. 1108 RS-8 Medium-Density, Single-Family Residence District.
- Chap. 1109 RFBH Factory-Built Housing Residence District.
- Chap. 1111 RM-12 Low-Density, Multi-Family Residence District.
- Chap. 1112 RM-20 Medium-Density, Multi-Family Residence District.
- Chap. 1113 CN-2 Neighborhood Commercial District.
- Chap. 1114 RM-44 High-Density, Multi-Family Residence District.
- Chap. 1115 RM-44A High-Density, Multi-Use District.
- Chap. 1116 CO-1 Commercial Office District.
- Chap. 1117 CN-1 Neighborhood Commercial District.
- Chap. 1118 CC-2 Community Commercial District.
- Chap. 1119 EC-1 Educational Campus District.
- Chap. 1120 CB-10 Central Business District.
- Chap. 1121 CH-1 Highway Commercial District.
- Chap. 1122 CI-1 Intensive Commercial District.
- Chap. 1123 RDP Research and Development Park District.
- Chap. 1124 M-1 General Manufacturing District.
- Chap. 1125 M-2 Heavy Manufacturing District.
- Chap. 1126 G Green Space, Park and School District.
- Chap. 1127 OFP Flood Plain Overlay District.
- Chap. 1128 OHP Historic Preservation Overlay District.
- Chap. 1129 OPD-H Planned Development Housing Overlay District.
- Chap. 1130 CC-2A Shopping Center District.
- Chap. 1131 UCOD Urban Commercial Overlay District.
- Chap. 1132 UCED Urban Commercial Entryway Overlay District.
- Chap. 1133 DMC Downtown Medical Campus District.
- Chap. 1135 Requirements for Specific Uses.
- Chap. 1140 PD Planned Development District.
 - Chap. 1141. UPOD Unified Plan Overlay District.
- Chap. 1142. EECPOD Eastern Edge Corridor Plan Overlay District.

CHAPTER 1105

A Agricultural District

- 1105.01 Purpose.**
- 1105.02 Principal uses permitted.**
- 1105.03 Provisional uses permitted.**
- 1105.04 Conditional uses permitted.**
- 1105.05 Accessory uses.**
- 1105.06 General provisions.**
- 1105.07 Special provisions.**

1105.01 PURPOSE.

The purpose of this district is to provide for areas of open space or of managed growth in which agricultural uses of land may establish or continue until such time as the City is able to provide municipal services required of urban development. In some areas agricultural uses may be the ultimate preferred development. Upon the provision of municipal services, the City or a property owner may initiate rezoning of property for uses consistent with the intended use of the property in the future. Accordingly, A districts are illustrated on the Zoning Map as to their future intended land use by the designations of either A (for agricultural use) A-R (for residential use), A-C (for commercial use), or A-I (for manufacturing use).

1105.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Agricultural use.
- (b) Dwelling, farm.

1105.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Composting operation, provided it shall be located a minimum of 1320 feet from an R district boundary.
- (b) Stable or kennel, subject to the requirements of Chapter 1135.
- (c) For an agricultural use with hogs, a certificate from the Clark County Combined Health District shall be obtained.
(Ord. 03-288. Passed 8-19-03.)

1105.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Cemetery or mausoleum, subject to the requirements of Chapter 1135.
- (b) Club, subject to the requirements of Chapter 1135.
- (c) Communication tower or satellite receiving device, subject to the requirements of Chapter 1135.
- (d) Dwelling, family home or day-care home, provided the dwelling existed as a farm dwelling on the effective date of this ordinance. The resident family need not maintain and operate, own, nor have a leasehold interest in the farm of which the original farm dwelling was a part.
- (e) Public utility or public use.
- (f) Recreation camp.

1105.05 ACCESSORY USES.

The accessory uses as regulated in the RR-1 district shall be permitted. However, the following accessory uses shall meet the requirements noted:

(Ord. 02-177. Passed 4-16-02.)

- (a) Roadside stand for the sale of produce grown on the premises, provided the following conditions are met:
 - (1) The maximum floor area shall be 600 square feet.
 - (2) The stand shall be located no closer than the required setback from a street as established in Chapter 1150.
 - (3) Vehicular access to the stand shall be from an existing principal entrance to the farm or farm dwelling.

1105.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the general requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1105.07 SPECIAL PROVISIONS.

None.

CHAPTER 1106

RR-1 Rural Residence District

1106.01 Purpose.

1106.02 Principal uses permitted.

1106.03 Provisional uses permitted.

1106.04 Conditional uses permitted.

1106.05 Accessory uses permitted.

1106.06 General provisions.

1106.07 Special provisions.

1106.01 PURPOSE.

The purpose of this district is to provide for areas of a rural residential character. Such areas may be established similar in nature to subdivisions established in unincorporated areas. Accordingly, new local street pavements may be constructed to a width of 24 feet with berm and side ditches as permitted in Section 1211.02 of Part 12, Subdivision Regulations, of the Codified Ordinances of Springfield.

1106.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Adult family home.
- (b) Day-care home, type B.
- (c) Dwelling, single-family detached.
- (d) Family home.

1106.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Accessory apartment, subject to the requirements of Chapter 1135.
- (b) Religious institution, subject to the requirements of Chapter 1135.

1106.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Club, subject to the requirements of Chapter 1135.
- (b) Communication tower or satellite receiving device as an accessory use that cannot meet the requirements of section 1106.05(a) below. However, refutable evidence shall be presented to demonstrate that communications are substantially impaired when meeting the requirements of section 1106.05(a). In addition, a communication tower or satellite receiving device

shall meet the requirements of Chapter 1136.

- (c) Day-care home, type A.
- (d) Public utility or public use, subject to the requirements of Chapter 1135.
- (e) School, generalized private instruction for kindergarten through twelfth grade students.
- (f) Community Center, subject to the requirements of Chapter 1135.

1106.05 ACCESSORY USES PERMITTED.

The accessory uses permitted in this district may include but are not limited to those listed below; provided, however, under no circumstance shall any mechanical or vehicular body repairs, painting, pulling of engines or the maintenance of vehicles other than those owned by the occupant of the premises be permitted.

- (a) Communication tower or satellite receiving device, provided it shall meet the following requirements:
 - (1) It shall not be located in the area between the street and the building line; side yard where abutting a lot in a R district; nor on the roof of any building. This limitation shall not apply to a satellite receiving device two (2) feet or less in diameter or to an electronic receiving antenna.
 - (2) A tower shall be set back from another lot in a R district a distance of 20 percent of the tower's height or the distance between the tower base and guy wire anchors, whichever is greater.
 - (3) It shall comply with the requirements of Chapter 1135.
- (b) Essential service which routes electrical, gas, telephone, water or cable TV service and includes distribution lines consisting of cables, wires or pipes and associated line hardware such as transformers, relays and shut-off valves.
- (c) Fence as regulated by Chapter 1156.
- (d) Garage.
- (e) Greenhouse or conservatory.
- (f) Home occupation as regulated by Chapter 1135.
- (g) Parking, off-street, as regulated by Chapter 1153.
- (h) Pet shelter, not including a kennel.
- (i) Recreational use and facility, including but not limited to a swimming pool, tennis court, gazebo, open or enclosed patio, deck, balcony or similar structure for recreational purposes.
- (j) Sign as regulated by Chapter 1155.
- (k) Storage building with a maximum floor area of 120 square feet for the storage of wood, lumber, gardening equipment or other materials and equipment exclusively for the use of the residents of the premises and provided that only one (1) such building shall be permitted on a lot. A storage building for commercial purposes, other than for a home occupation, shall be prohibited.

1106.06 GENERAL PROVISIONS

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1106.07 SPECIAL PROVISIONS

None.

CHAPTER 1107

RS-5 Low-Density, Single-Family Residential District

1107.01 Purpose.

1107.02 Principal uses permitted.

1107.03 Provisional uses permitted.

1107.04 Conditional uses permitted.

1107.05 Accessory uses permitted.

1107.06 General provisions.

1107.07 Special provisions.

1107.01 PURPOSE.

The purpose of this district is to provide for single-family residential development consistent with the single-family residential character of lower density residential development in the city. Development within this district is expected to have a neighborhood orientation; therefore, parks, schools, religious institutions and neighborhood commercial facilities are expected to be located in close proximity to residential development. Compatibility of development in this district should be encouraged, and related non-residential uses and structures should be planned and designed to be in character with the scale and pattern of the residential development.

1107.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Adult family home.
- (b) Day-care home, type B.
- (c) Dwelling, single-family detached.

(d) Family home.

1107.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Accessory apartment, subject to the requirements of Chapter 1135.

1107.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Club, subject to the requirements of Chapter 1135.
- (b) Day-care home, type A.
- (c) Public utility or public use, subject to the requirements of Chapter 1135.
- (d) Religious institution, subject to the requirements of Chapter 1135.
- (e) School, generalized private instruction for kindergarten through twelfth grade students.
- (f) Daycare center, subject to the requirements of Chapter 1135.
- (g) Community center, subject to the requirements of Chapter 1135.

(Ord. 09-93; 09-94. Passed 4-14-09.)

1107.05 ACCESSORY USES PERMITTED.

The accessory uses as regulated in the RR-1 district shall be permitted.

(Ord. 02-177. Passed 4-16-02.)

1107.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1107.07 SPECIAL PROVISIONS.

If a tract of land 10 acres or greater in area is being subdivided or resubdivided into lots, it may be developed with a minimum average lot size of 8,400 square feet; minimum lot sizes of 7,200 square feet; and minimum lot widths of 60 feet. For the purpose of meeting the average lot size requirement, lots with more area than 10,000 square feet shall be calculated as having 10,000 square feet.

CHAPTER 1108

RS-8 Medium-Density, Single-Family Residence District

1108.01 Purpose.

1108.02 Principal uses permitted.

1108.03 Provisional uses permitted.

1108.04 Conditional uses permitted.

1108.05 Accessory uses permitted.

1108.06 General provisions.

1108.07 Special provisions.

1108.01 PURPOSE.

The purpose of this district is to provide for the development of small lot single-family dwellings and to preserve the character of existing small lot subdivisions in the city. This district represents a relatively high density for single-family development, thus dwellings in this district should be in close proximity to all city services and facilities, especially parks, schools and recreational facilities. Special attention should be given to landscaping and site development in this district. Special provisions of this district are designed to permit dwellings with no side yard to accommodate single family attached dwellings.

1108.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Adult family home.
- (b) Day-care home, type B.
- (c) Dwelling, single-family detached.
- (d) Family home.

1108.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Duplex, provided it shall be developed in accordance with the dimensional requirements of the RM-12 district and that the minimum lot area is 8,700 square feet and the minimum lot area per unit is 4,350 square feet.
- (b) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135.

1108.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Club, subject to the requirements of Chapter 1135.
- (b) Day-care home, type A.
- (c) Public utility or public use, subject to the requirements of Chapter 1135.
- (d) Religious institution, subject to the requirements of Chapter 1135.
- (e) School, generalized private instruction for kindergarten through twelfth grade students.
- (f) Museums consisting of an architecturally significant house listed on the National Register of Historic Places and located in a city-designated historic district or in a historic district listed on the National Register of Historic Places; together with specific, approved, related commercial operations to serve museum patrons (such as, by way of example, a museum store).

(Ord. 02-272. Passed 7-9-02.)

- (f) Daycare center, subject to the requirements of Chapter 1135.

- (g) Community center, subject to the requirements of Chapter 1135.

(Ord. 09-93; 09-94. Passed 4-14-09.)

1108.05 ACCESSORY USES PERMITTED.

The accessory uses as regulated in the RR-1 district shall be permitted. In lieu of a 120 square foot storage building, there may be a storage building of not more than 64 square feet for each duplex unit.

(Ord. 02-177. Passed 4-16-02.)

1108.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1108.07 SPECIAL PROVISIONS.

(a) If a tract of land 10 acres or greater in area is being subdivided or resubdivided into lots, it may be developed with a minimum average lot size of 5,000 square feet and with minimum lot sizes of 4,000 square feet. For the purpose of meeting the average lot size requirement, lots with more area than 7,500 square feet shall be calculated as having 7,500 square feet. Lots less than 5,000 square feet in area shall be developed with one (1) wall of a dwelling unit having a zero (0) side yard.

(b) Development with two or more provisional uses, conditional uses, or a combination of uses on a lot larger than two (2) acres shall be approved by the Planning Board and the City Commission in the same manner as amendments to the Springfield Zoning Code, meeting the procedural requirements of Chapter 1174. The plan shall be submitted in the manner and with the information described as follows:

- (1) A conceptual plan of the development showing, at a minimum, the following:
 - A. Size of the tract to be developed.
 - B. Existing topographic features of the land, including drainage ways, wooded areas and contours.
 - C. General location of uses.
 - D. General location of any public uses, if any.
 - E. Traffic circulation patterns within the development.
 - F. Methods of buffering the development from adjacent uses.
 - G. General treatment of signage for the development.
 - H. Anticipated accommodation for stormwater management.
 - I. Means of waste disposal.
- (2) The conceptual plan is intended to be a guide for the development. Building permits shall be evaluated by the Community Development Director or his designee for compliance with the guidelines of the plan and the requirements of the development standards. Permit applications which do not meet the guidelines of the plan and the requirements of the standards shall be denied. Amendment of the plan shall be accomplished in the same manner as its original approval.
- (3) In its review of the proposed development, the Planning Board and the City Commission shall make specific finding of fact relative to the following criteria:
 - A. That the development will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or officially planned uses of the general vicinity and that such use will not change the essential character of the same area.
 - B. That the development will not be hazardous or disturbing to existing or officially planned future neighboring uses from the standpoint of noise, lights, congestion or traffic generation which would be incompatible with the neighborhood environment.
 - C. That the development will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services.
 - D. That the development will not involve uses, activities and conditions of operation that will be detrimental to any persons, property, or the general welfare.
 - E. Will have vehicular approaches to the property which shall be so designed as not to create and interfere with traffic on surrounding public thoroughfares.

(Ord. 03-244. Passed 7-8-03.)

CHAPTER 1109

RFBH Factory-Built Housing Residence District

1109.01 Purpose.

1109.02 Principal uses permitted.

1109.03 Provisional uses permitted.

1109.04 Conditional uses permitted.

1109.05 Accessory uses permitted.

1109.06 General provisions.

1109.07 Special provisions.

1109.01 PURPOSE.

The purpose of this district is to provide for the placement of factory-built homes within parks for factory-built housing or upon individually subdivided lots with a lot size smaller than that allowed in other districts permitting single-family dwellings. The RFBH district also provides a location for the placement of homes which do not have a minimum building width of 20 feet.

1109.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Adult family home.
- (b) Day-care home, type B.
- (c) Dwelling, single-family detached.
- (d) Family home.

1109.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135.

1109.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Club, subject to the requirements of Chapter 1135.
- (b) Day-care home, type A.
- (c) Public utility or public use, subject to the requirements of Chapter 1135.
- (d) Religious institution subject to the requirements of Chapter 1135.
- (e) School, generalized private instruction.
- (f) Community center, subject to the requirements of Chapter 1135.

(Ord. 09-94. Passed 4-14-09.)

1109.05 ACCESSORY USES PERMITTED.

The accessory uses as regulated in the RR-1 district shall be permitted.

(Ord. 02-177. Passed 4-16-02.)

1109.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six.

1109.07 SPECIAL PROVISIONS.

A factory-built housing development shall be subject to the following special provisions:

- (a) In no instance shall an area zoned RFBH be less than 10 acres nor consist of less than 25 sites for factory-built homes.
- (b) A setback of 40 ft. shall be provided for all factory built dwellings from an RFBH district boundary.
- (c) Parks for factory-built homes shall comply with the requirements of the Ohio Administrative Code, Chapter 3701-3727.
- (d) Parks and subdivisions for factory-built homes shall be screened from abutting RS districts according to Subsection 1161.02(i), Screening. It shall be the responsibility of the lot owners in a subdivision to maintain the screen along the boundary of the district coincident to the lot lines.
- (e) Parks for factory-built homes shall be subject to the Special; Provisions of Subsection 1108.07(b).

CHAPTER 1111

RM-12 Low-Density, Multi-Family Residence District

1111.01 Purpose.

1111.02 Principal uses permitted.

- 1111.03 Provisional uses permitted.**
- 1111.04 Conditional uses permitted.**
- 1111.05 Accessory uses permitted.**
- 1111.06 General provisions.**
- 1111.07 Special provisions.**

1111.01 PURPOSE.

The purpose of this district is to provide for areas of high density single-family residential development and for low-density, multi-family residential development. Dwellings in this district should have good access to all city services and facilities.

1111.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Adult family home.
- (b) Day-care home, type B.
- (c) Duplex.
- (d) Dwelling, multi-family low-rise.
- (e) Dwelling, single-family detached.
- (f) Family home.

1111.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Accessory apartment, subject to the requirements of Chapter 1135.
- (b) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135.
- (c) Nursing home, subject to the requirements of Chapter 1135.
- (d) Religious institution, subject to the requirements of Chapter 1135.
- (e) Rooming house, provided the minimum lot area per rooming unit shall be 2725 square feet.

1111.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Bed and breakfast establishment when operated by the resident who also is the owner.
- (b) Cemetery or mausoleum, subject to the requirements of Chapter 1135.
- (c) Club, subject to the requirements of Chapter 1135.
- (d) Day-care center.
- (e) Day-care home, type A.
- (f) Group home.
- (g) Halfway house, provided a maximum of eight (8) parolees shall reside on the premises.
- (h) Public utility or public use, subject to the requirements of Chapter 1135.
- (i) School, generalized private instruction.
- (j) Emergency housing, provided the minimum lot area shall be 750 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (k) Community center, subject to the requirements of Chapter 1135.

(Ord. 09-94. Passed 4-14-09.)

1111.05 ACCESSORY USES PERMITTED.

The accessory uses as regulated in the RS-8 district shall be permitted. In lieu of a 120-square foot storage building, there may be a storage building of not more than 64-square feet for each apartment unit. In addition, a storage building for maintenance of the property by the owner of the lot shall be permitted.

(Ord. 02-177. Passed 4-16-02.)

1111.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1111.07 SPECIAL PROVISIONS.

Development with two or more principal uses or buildings on a lot larger than two (2) acres or with a multifamily dwelling or dwellings of more than 24 units regardless of the size of the lot shall be subject to the Special Provisions of Subsection 1108.07(b).

CHAPTER 1112

RM-20 Medium-Density, Multi-Family Residence District

1112.01 Purpose.

- 1112.02 Principal uses permitted.**
- 1112.03 Provisional uses permitted.**
- 1112.04 Conditional uses permitted.**
- 1112.05 Accessory uses permitted.**
- 1112.06 General provisions.**
- 1112.07 Special provisions.**

1112.01 PURPOSE.

The purpose of this district is to provide for the development of medium-density, low-rise multi-family housing in areas suitable for this density. This district is particularly well suited to locations adjacent to neighborhood activity centers, but it should have good access to all city services and facilities.

1112.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Dwelling, low-rise multi-family.

1112.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Accessory apartment, subject to the requirements of Chapter 1135.
- (b) Adult family home subject to the dimensional requirements of the RS-8 district.
- (c) Day-care home, type B, subject to the dimensional requirements of the RS-8 district.
- (d) Duplex, subject to the dimensional requirements of the RM-12 district and provided the minimum lot area shall be 5,000 square feet and the minimum lot area per unit shall be 2,000 square feet.
- (e) Dwelling, single-family detached, subject to the dimensional requirements of the RS-8 district.
- (f) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135 and the dimensional requirements of the RM-12 district and provided the minimum lot area per unit shall be 1,800 square feet.
- (g) Family home, subject to the dimensional requirements of the RS-8 district.
- (h) Fraternity/sorority house, provided the minimum lot area shall be 545 square feet times the maximum permitted occupant load.
- (i) Nursing home, subject to the requirements of Chapter 1135.
- (j) Religious institution subject to the requirements of Chapter 1135.
- (k) Rooming house, provided the minimum lot area per rooming unit shall be 2,000 square feet.

1112.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Adult family home.
- (b) Bed and breakfast establishment when operated by the resident who also is the owner.
- (c) Cemetery or mausoleum, subject to the requirements of Chapter 1135.
- (d) Club, subject to the requirements of Chapter 1135.
- (e) Day-care center.
- (f) Day-care home, type A.
- (g) Group home.
- (h) Emergency housing, provided the minimum lot area shall be 500 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (i) Halfway house, provided a maximum of eight (8) parolees shall reside on the premises.
- (j) Public utility or public use, subject to the requirements of Chapter 1135.
- (k) School, generalized private instruction.
- (l) Community center, subject to the requirements of Chapter 1135.

(Ord. 09-94. Passed 4-14-09.)

1112.05 ACCESSORY USES PERMITTED.

The accessory uses as regulated in the RM-12 district shall be permitted.

(Ord. 02-177. Passed 4-16-02.)

1112.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1112.07 SPECIAL PROVISIONS.

Development with two or more principal uses or buildings on a lot larger than two (2) acres or with a multifamily dwelling or dwellings of more than 24 units regardless of the size of the lot shall be subject to the Special Provisions of Subsection 1108.07(b).

CN-2 Neighborhood Commercial District

- 1113.01 Purpose.**
- 1113.02 Principal uses permitted.**
- 1113.03 Provisional uses permitted.**
- 1113.04 Conditional uses permitted.**
- 1113.05 Accessory uses permitted.**
- 1113.06 General provisions.**
- 1113.07 Special provisions.**

1113.01 PURPOSE.

The purpose of this district is to provide for the development of pedestrian-oriented uses that serve the small-scale retail, service, office, and entertainment needs of one or more fully developed residential neighborhoods, a residential area of approximately 5,000 to 15,000 persons. Stores, offices and other businesses in this district should generally be useful to the majority of the neighborhood residents within walking distance, as well as the specialty needs of the community as a whole. Large-scale grocery and retail are not appropriate uses. Small-scale retail, service, and restaurant establishments should constitute the primary uses in this district. The district is intended to accommodate a physical pattern of development often found along village main streets and in neighborhood commercial areas of older cities.

This district also serves as a mixed-use transitional area between high intensity central business district uses and residential uses. Light production, manufacturing, and assembly uses are permitted at appropriate transitional areas as conditional uses. Civic and neighborhood-oriented uses, as well as some residential, should be secondary functions of buildings in this district. All uses should be relatively nuisance-free to surrounding residents and not detract from the residential purpose and character of the surrounding neighborhood. Access to this district should be directly from an arterial or collector street.

(Ord. 07-131. Passed 5-15-07.)

1113.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Financial institution.
- (b) Grocery store, including specialty foods such as bakery and delicatessen goods (limited to maximum of 5,000 SF per store).
- (c) Personal service establishment. (Ord. 14-113. Passed 5-13-14.)
- (d) U.S. postal station.
- (e) Videotape rental store.
- (f) Copy service establishment.
- (g) Meeting Hall.
- (h) Optical, prosthetics, medical and dental supply store, limited to retail sales.
- (i) Pharmacy limited to the retail sale of drugs and pharmaceutical products (limited to maximum of 5,000 SF per store).
- (j) Museum and art gallery.
- (k) Office use allowed in the CO-1 District.
- (l) Retail establishment (including a restaurant, does not include a drive-in restaurant), except those uses listed as conditional uses (limited to maximum of 5,000 SF per business).

(Ord. 07-131. Passed 5-15-07.)

1113.03 PROVISIONAL USES PERMITTED.

- (a) Dwelling located above the ground floor of another principal use allowed in this district, provided the density shall not exceed one (1) dwelling unit per 1,000 square feet of lot area for mixed-use buildings and 1,800 square feet for residential use buildings.
- (b) Duplex, subject to the dimensional requirements of the RM-12 district and provided the minimum lot area shall be 5,000 square feet and the minimum lot area per unit shall be 2,000 square feet.
- (c) Dwelling, single-family detached, subject to the dimensional requirements of the RS-8 district.
- (d) Dwelling, zero lot line or attached, subject to the requirements of Chapter 1135 and the dimensional requirements of the RM-12 district and provided the minimum lot area per unit shall be 1,800 square feet.
- (e) Religious institution subject to the requirements of Chapter 1135.

(Ord. 07-131. Passed 5-15-07.)

1113.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Day-care center.
- (b) Public utility and public use, subject to the requirements of Chapter 1135.
- (c) Emergency housing, provided the minimum lot area shall be at least 300 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (d) Laundromat.
- (e) Laundry and dry cleaning pick-up and delivery services establishment.
- (f) School, specialized or general private instruction.

- (g) Commercial recreational use.
- (h) Theater (limited to maximum of 5,000 SF total theater space per building).
- (i) Club
- (j) Building construction and assembly.
- (k) Communication station, center, and studio (not including a tower).
- (l) Manufacture, compounding, processing, treatment assembling of articles or components from previously prepared materials such as, but not limited to, bone, canvas, cellophane, cement, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather (except a tannery), metal, paper, plastics, precious or semi-precious metals or stones, rubber, shells, textiles, tobacco, wax, wire, wood (except logging camps, sawmills, and planing mills), and yarns.
- (m) Wholesale trade and warehouse establishment.
- (n) Retail establishment in excess of 5,000 square feet (including a restaurant, does not include a drive-in restaurant).
- (o) Manufacture, processing and packaging of food and kindred products except grain milling and processing, stockyards and slaughter houses.
- (p) Dwelling located on the ground floor of another principle use, provided the density shall not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (q) Hotel.
- (r) Parking, non-accessory. All parking must be screening using urban screening. Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10 percent opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).
 - (Ord. 07-131. Passed 5-15-07.)
- (s) Community center, subject to requirements of Chapter 1135.
 - (Ord. 09-94. Passed 4-14-09.)

1113.05 ACCESSORY USES PERMITTED.

The accessory uses permitted in this district may include but are not limited to the following:

- (a) Storage space for a principal use, provided the space shall not exceed 40 percent of the total floor area for the principal use and all accessory uses, including the storage space.
 - (Ord. 07-131. Passed 5-15-07.)

1113.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

(Ord. 07-131. Passed 5-15-07.)

1113.07 SPECIAL PROVISIONS.

- (a) Development of a lot larger than two (2) acres shall be subject to the Special Provisions of Subsection 1108.07(b).
 - (Ord. 07-131. Passed 5-15-07.)

CHAPTER 1114

RM-44 High Density Multi-Family Residence District

- 1114.01 Purpose.**
- 1114.02 Principal uses permitted.**
- 1114.03 Provisional uses permitted.**
- 1114.04 Conditional uses permitted.**
- 1114.05 Accessory uses permitted.**
- 1114.06 General provisions.**
- 1114.07 Special provisions.**

1114.01 PURPOSE.

The purpose of this district is to establish areas for the development of high density high-rise and low-rise multi-family dwellings and group living quarters. Additionally, it is intended that this district be located near an arterial street for proper access. Due to the different types of uses permitted within the district, careful attention to site design and development is expected to assure that all uses are mutually compatible.

1114.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Day-care home, type B.
- (b) Dwelling, low-rise multi-family.

1114.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Fraternity/sorority house, provided the minimum lot area shall be 330 square feet times the maximum permitted occupant load.
 - (b) Nursing home, subject to the requirements of Chapter 1135.
 - (c) Religious institution, subject to the requirements of Chapter 1135.
 - (d) Rooming house, provided the minimum lot area per rooming unit shall be 1000 square feet.
 - (e) Family home, subject to the dimensional requirements of the RS-8 district.
 - (f) Adult Group Home, subject to the dimensional requirements of the RS-8 district.
- (Ord. 04-71. Passed 3-9-04.)

1114.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Adult group home, provided the minimum lot area shall be at least 300 square feet for each resident.
- (b) Bed and breakfast establishment when operated by the resident who also is the owner.
- (c) Dwelling, high-rise multi-family, subject to the requirements of Subsection 1151.01(b) and provided that the lot shall have frontage upon an arterial street identified on the Land Use Plan map.
- (d) Club, subject to the requirements of Chapter 1135.
- (e) Day-care center.
- (f) Day-care home, type A.
- (g) Emergency housing, provided the minimum lot area shall be 300 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (h) Group home, provided the minimum lot area shall be at least 300 square feet each resident.
- (i) Halfway house, provided a maximum of eight (8) parolees shall reside on the premises.
- (j) Public utility or public use, subject to the requirements of Chapter 1135.
- (k) Retail and service establishments listed as permitted uses in the CN-1 district, provided they are located on the ground level or below in a high-rise multi-family dwelling.
- (l) School, generalized and specialty private instruction.
(Ord. 06-442. Passed 12-19-06.)
- (m) Community Center, subject to the requirements of Chapter 1135.
(Ord. 09-94. Passed 04-14-09.)

1114.05 ACCESSORY USES PERMITTED.

The accessory uses as regulated in the RM-12 district shall be permitted.

(Ord. 02-177. Passed 4-16-02.)

1114.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1114.07 SPECIAL PROVISIONS.

Development with two or more principal uses or buildings on a lot larger than two (2) acres or with a multifamily dwelling or dwellings of more than 24 units regardless of the size of the lot shall be subject to the Special Provisions of Subsection 1108.07(b).

CHAPTER 1115

RM-44A High-Density, Multi-Use District

1115.01 Purpose.

1115.02 Principal uses permitted.

1115.03 Provisional uses permitted.

1115.04 Conditional uses permitted.

1115.05 Accessory uses and structures permitted.

1115.06 General provisions.

1115.01 PURPOSE.

The purpose of this district is to allow for the incremental development of agricultural land to residential property. The minimum size of an RM-44A District shall be 150 acres.

1115.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Any use or structure permitted in the A, RS-5, RS-8, RM-12, RM-20, or RM-44 districts, provided that any structure more than three stories in height shall be located at least 200 feet from any lot line.
(Ord. 02-177. Passed 4-16-02.)

1115.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Any provisional use or structure permitted in the A or RM-44 districts.
(Ord. 02-177. Passed 4-16-02.)

1115.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Any conditional use or structure permitted in the A or RM-44 districts.
(Ord. 02-177. Passed 4-16-02.)

1115.05 ACCESSORY USES AND STRUCTURES PERMITTED.

The accessory uses as regulated in the A and RM-44 districts shall be permitted.

(Ord. 02-177. Passed 4-16-02.)

1115.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

CHAPTER 1116

CO-1 Commercial Office District

1116.01 Purpose.

1116.02 Principal uses permitted.

1116.03 Provisional uses permitted.

1116.04 Conditional uses permitted.

1116.05 Accessory uses permitted.

1116.06 General provisions.

1116.07 Special provisions.

1116.01 PURPOSE.

The Commercial Office District (CO-1) is intended to provide specific areas where office uses, compatible businesses, apartments, and certain public and semi-public uses may be developed. The CO-1 District is useful as a transitional zone between residential and more intensive commercial or industrial areas. Access to this district should be directly from an arterial or collector street and not through a residential district.

1116.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Club.
- (b) Copy service establishment.
- (c) Hospital.
- (d) Meeting Hall.
- (e) Nursing home.
- (f) Office use, except for the following:
 - (1) Drive-in facility.
 - (2) Animal clinic.
- (g) Optical, prosthetics, medical and dental supply store, limited to retail sales.
- (h) Pharmacy limited to the retail sale of drugs and pharmaceutical products.
- (j) Photographic studio.
- (k) Financial institution.
- (l) Family home.

(Ord. 03-245. Passed 7-8-03.)

1116.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Barber shop and styling salon when located within the same building of a principal use and having its access to the main entrance or to a central corridor of the building.
- (b) Dwelling located above the ground floor of another principal use allowed in this district, provided the density shall not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (c) Florist shop when located within the same building of a principal use and having its access to the main entrance or to a central corridor of the building.
- (d) Religious institution subject to the requirements of Chapter 1135.
(Ord. 05-238. Passed 9-20-05.)

1116.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Communication station and studio subject to the requirements of Chapter 1135. No communication tower may be located on the same lot with a station or studio.
 - (b) Day-care center.
 - (c) Drive-in facility associated with a financial institution.
 - (d) Emergency housing, provided the minimum lot area shall be at least 300 square feet for each permanent resident and 200 square feet times the maximum permitted occupant load for guests.
- (Ord. 02-177. Passed 4-16-02.)
- (e) Funeral home subject to the requirements of Chapter 1135.
 - (f) Group care facility, provided the minimum lot area shall be at least 300 square feet for each occupant.
 - (g) Helipad or helistop in conjunction with a hospital.
 - (h) Laundromat.
 - (i) Laundry and dry cleaning pick-up and delivery services establishment.
 - (j) Public utility or public use, subject to the requirements of Chapter 1135.
 - (k) Restaurant (does not include a drive-in restaurant).
 - (l) Retail sale of merchandise as an accessory use in conjunction with an office of a professional person, provided the retail floor areas shall not exceed 10 percent of the total floor area. The areas of the retail floor area shall include all that space of a room or rooms in which merchandise is displayed.
 - (m) School, specialized private instruction.
 - (n) Museum together with specific, approved, related commercial operations to serve museum patrons (such as, by way of example, a museum store).
 - (o) Art gallery together with specific, approved, related commercial operations to serve art gallery patrons (such as, by way of example, retail sale of art and framing studio.)
 - (p) Personal services establishment.
- (Ord. 05-238. Passed 9-20-05; Ord. 14-113. Passed 5-13-14.)
- (q) Community center, subject to the requirements of Chapter 1135.

1116.05 ACCESSORY USES PERMITTED.

(a) Nonresidential uses. For nonresidential uses permitted in this district, there may be any accessory use provided that:

- (1) Fences are erected according to Chapter 1156.
- (2) Off-street parking and loading are provided according to Chapters 1153.
- (3) Retail sale of merchandise shall be regulated as provided in Section 1116.04 above.
- (4) Signs are erected according to Chapter 1155.
- (5) Storage space shall not exceed 40 percent of the total floor area.

(b) Residential uses. For residential uses permitted in this district, the accessory uses as regulated in the RM-44 District, Chapter 1114, shall be permitted.

1116.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1116.07 SPECIAL PROVISIONS.

Development of a lot larger than two (2) acres shall be subject to the Special Provisions of Subsection 1108.07(b).

CHAPTER 1117

CN-1 Neighborhood Commercial District

1117.01 Purpose.

1117.02 Principal uses permitted.

1117.03 Provisional uses permitted.

1117.04 Conditional uses permitted.

1117.05 Accessory uses permitted.

1117.06 General provisions.

1117.07 Special provisions.

1117.01 PURPOSE.

The purpose of this district is to provide for the development of uses which meet the day-to-day needs of one or more fully developed residential neighborhoods, a residential area of approximately 5,000 to 15,000 persons. Stores, offices and other businesses in this district should be useful to the majority of the neighborhood residents and be economically supported by the residents and not by the community as a whole. A grocery store or grocery store/drugstore combination is favored as the principal tenant in this district. All uses should be relatively nuisance-free to surrounding residents and not detract from the residential purpose and character of the surrounding neighborhood. Access to this district should be directly from an arterial or collector street and not through a residential district.

1117.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Bakery, limited to the retail sale of goods produced on premises.
- (b) Financial institution.
- (c) Gift shop.
- (d) Grocery store, including specialty foods such as bakery and delicatessen goods.
- (e) Personal service establishment.
(Ord. 14-113. Passed 5-13-14.)
- (f) U.S. postal station.
- (g) Videotape rental store.

1117.03 PROVISIONAL USES PERMITTED.

None.

1117.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Day-care center.
- (b) Drive-in facility for a financial institution.
- (c) Drugstore, including the sale of a variety of goods, provided the total floor area shall not exceed 20,000 square feet.
- (d) Filling station, provided no part of the operation, including drives and other ancillary spaces, shall be located within 100 feet of a R district boundary.
- (e) Game room.
- (f) Office, provided:
 - (1) No office use shall occupy more than 1,800 square feet of floor area;
 - (2) The floor area of all office uses within an area zoned CN-1 shall not exceed 15 percent of the total floor area within the district;
 - (3) The location of a building for an office use shall be located as not to diminish convenient access to retail and other businesses located on a lot or separate tract.
- (g) Public utility and public use, subject to the requirements of Chapter 1135.
- (h) Restaurant (including a drive-in restaurant).
- (i) School, specialized private instruction.
- (j) Service station with grocery sales with or without a drive-thru or pick-up window showing specific site plans for the proposed use.

The determination by the Board to permit such use shall specify that the setback from adjacent R districts shall not be less than 100 feet unless the Board finds that a lesser setback requirement together with such fencing, landscape, and land use, as shall be required by such Board, will provide the necessary protection and screening to adjacent R districts. In no event, however, shall such setback be less than fifty (50) feet from any lot in an R district and it shall apply to the principal structure and any portion of the property used in conjunction with the principal use. In its findings, the Board shall require an appropriate agreement for maintenance of any landscaping and/or fencing required by the Board.

1117.05 ACCESSORY USES PERMITTED.

The accessory uses permitted in this district may include but are not limited to the following:

- (a) Storage space for a principal use, provided the space shall not exceed 40 percent of the total floor area for the principal use and all accessory uses, including the storage space.

1117.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1117.07 SPECIAL PROVISIONS.

(a) In no instance shall an area zoned CN-1 be less than two (2) acres nor more than 10 acres. (For purposes of this requirement, the total area shall include the area of all contiguous tracts of land and all tracts of land separated by streets. The area of all streets included within or separating tracts of land within the district shall be excluded).

(b) Development of a lot larger than two (2) acres shall be subject to the Special Provisions of Subsection 1108.07(b).

CHAPTER 1118

CC-2 Community Commercial District

1118.01 Purpose.

1118.02 Principal uses permitted.

1118.03 Provisional uses permitted.

1118.04 Conditional uses permitted.

1118.05 Accessory uses permitted.

1118.06 General provisions.
1118.07 Special provisions.

1118.01 PURPOSE.

The purpose of this district is to provide locations for the development of community shopping and business areas which serve a major segment of the community population. In addition to a variety of retail goods and services, these areas may typically feature a number of large traffic generators that require access to major thoroughfares. While these areas are usually characterized by indoor operations, certain permitted uses may have limited outdoor activities as specified. Access to this district should be directly from an arterial or collector street and not through a residential district.

1118.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following permitted uses:

- (a) Business service establishment, except a drive- in facility.
- (b) Club.
- (c) Food locker.
- (d) Meeting hall.
- (e) Museum and art gallery.
- (f) Office use allowed in the CO-1 District.
- (g) Personal service establishment, except a drive- in facility.
(Ord. 14-113. Passed 5-13-14.)
- (h) Retail establishment (including a restaurant), except those uses listed as conditional uses.
- (i) Theater.
- (j) Financial Institution.
- (k) Hotel or motel.
(Ord. 06-217. Passed 6-13-06.)

1118.03 PROVISIONAL USES PERMITTED.

None.

1118.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Animal specialty service, veterinary clinic, and animal hospital. Such uses shall be subject to the following requirements:
 - (1) The facility shall have no outside runs.
 - (2) Animals shall not be housed outside nor shall cages be stored outside.
 - (3) The building housing the facility shall be sound proofed to minimized the transmission of sound outside the walls of the building. A minimum sound transmission coefficient of 40 shall be maintained.
 - (4) All facilities shall be constructed and maintained in such a manner so as to prevent the emission of noxious or offensive odors.
- (5) The facility shall be limited to the care of small domestic animals.
- (b) Automobile and truck oriented use.
- (c) Cemetery.
- (d) Day-care center.
- (e) Commercial recreational use.
- (f) Dwelling located above the ground floor of another principal use allowed in this district, provided the density does not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (g) Funeral home subject to the requirements of Chapter 1135.
- (h) Public utility or public use.
- (i) Religious institution.
- (j) School, specialized private instruction.
- (k) Emergency housing, provided there shall be at least 300 square feet of lot area for each permanent resident and 200 square feet for each guest.
- (l) Drive-in facility for a financial institution.
- (m) Mini-warehouse or self-storage facilities subject to the following requirements:
 - (i) Such mini-warehouse or self-storage facilities must be located at the rear of a lot used for other CC-2 purposes.
 - (ii) The lot on which such use is permitted must have frontage on a thoroughfare as the same is shown on the adopted Thoroughfare Plan of The City of Springfield, Ohio, and entrance and exit to such use shall be from such thoroughfare.
 - (iii) All drives and parking areas serving the use shall have a paved surface such as asphalt, concrete, or like material.
 - (iv) Any such use on a lot located within 150 feet of or abutting a lot having a residential use in an R district shall be screened in accordance with the requirements of Section 1161.02(h) of this Zoning Code.
 - (v) There shall be one (1) off-street parking space for each 3,000 square feet of storage and such off-street parking shall be subject to Section 1158.02(b) of this Zoning Code.
- (n) Community Center, subject to the requirements of Chapter 1135.
(Ord. 09-94. Passed 4-14-09.)

1118.05 ACCESSORY USES PERMITTED.

The accessory uses permitted in this district may include but are not limited to the following:

- (a) Storage space, provided the space shall not exceed 40 percent of the total floor area for the principal use and storage area.

1118.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1118.07 SPECIAL PROVISIONS.

Development of a lot or separate tract larger than two (2) acres shall be subject to the Special Provisions of Subsection 1108.07(b).

CHAPTER 1119

EC-1 Educational Campus District

1119.01 Purpose.

1119.02 Principal uses permitted.

1119.03 Provisional uses permitted.

1119.04 Conditional uses permitted.

1119.05 Accessory uses permitted.

1119.06 General provisions.

1119.07 Special provisions.

1119.01 PURPOSE.

The purpose of this district is to establish appropriate areas for the development of educational campuses.

1119.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Any use or structure permitted in the RM-20 district and as hereinafter modified, except halfway houses.
(Ord. 03-244. Passed 7-8-03.)
- (b) Institutional structures owned by a college or university and used for academic and related purposes, including the recreation, housing and feeding of students and guests of the college or university.
 - (1) Such structures shall front either on a public street or permanent open public space or on a common yard or outer court or private court or private drive, which drive is paved to a width of at least twenty (20) feet if two-way, or twelve (12) feet if one-way. The aforementioned yards, courts, or open spaces shall be at least twenty-five (25) feet in width and every structure facing such shall be within fifty (50) feet of a public street or a private drive (minimum dimensions listed above).
 - (2) Such structures abutting on a street designated as primary or secondary on the Thoroughfare Plan shall have a setback of twenty-five (25) feet or to any other established line, whichever is less. On streets not so designated as primary or secondary where the college or university erecting the structure owns property for a distance of 100 feet along one (1) side of the street right of way on both sides of the property to be built upon, or owns all of the street frontage within the block along the side of the street to be built upon, the front yard setback shall be not less than twenty (20) feet for fifty percent (50%) of the site along any one (1) street. On the remaining fifty percent (50%) of such frontage, the structure may project to the street right of way. Where the college or university does not own the above-sited frontages, a setback of twenty (20) feet along the front yard and fifteen (15) feet along the street side line of a corner lot shall be required.
(Ord. 03-244. Passed 7-8-03.)
 - (3) There shall be a minimum distance of fifteen (15) feet maintained between such structures and twenty-five (25) feet, or one-half (1/2) the height of the institutional structure, whichever is greater, between such structures and noninstitutional structures.
 - (4) There shall be provided for or available to each such structure, hereinafter erected, off-street parking facilities as follows:
 - A. One (1) parking space, as hereinafter defined, for every six (6) students, which structure is designed to serve at any one (1) time, except that in the case of stadiums, sports arenas, theaters, churches and other places of assembly open to the public, one (1) parking space shall be provided or available for each ten (10) seats, counting as one (1) seat each twenty (20) inches of seating facilities where pews, benches or similar seating facilities are employed. Where the number of parking spaces is determined by the student capacity, as set forth above, then in the event the college or university does not permit over twenty-five percent (25%) of the student body to operate and own motor vehicles, the number of parking spaces required shall be determined as follows:
 - (i) One (1) parking space for each faculty member and other employee of the university or college. Duplication of parking facilities shall not be required in connection with the erection of several such structures, provided such parking facilities are available within the distance prescribed in subsection (b)(4)C. hereof.
 - B. Each off-street parking space must meet the requirements of Section 1153.05. Parking spaces available along private streets or roads which do not obstruct traffic shall be considered as qualifying for off-street parking.
(Ord. 02-177. Passed 4-16-02.)
 - C. Off-street parking facilities shall be within 1,600 feet of the structure they are to serve and shall be of a permanent type, except that in the case of stadiums or sports arenas such facilities may be of a temporary nature if on an open field owned by the college or university owning the stadium or sports arena served.

- (5) Wherever the provisions of this section are inconsistent with those of any other more restrictive section, the provisions thereof shall govern.

1119.03 PROVISIONAL USES PERMITTED.

The provisional uses as regulated in the RM-20 district shall be permitted.

1119.04 CONDITIONAL USES PERMITTED.

The conditional uses as regulated in the RM-20 district shall be permitted, with the exception that halfway houses shall not be permitted in this district.

1119.05 ACCESSORY USES AND STRUCTURES PERMITTED.

The accessory uses as regulated in the RM-12 district shall be permitted.

1119.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Titles Four, Five, and Six.

1119.07 SPECIAL PROVISIONS.

None.

CHAPTER 1120

CB-10 Central Business District

1120.01 Purpose.

1120.02 Principal uses permitted.

1120.03 Provisional uses permitted.

1120.04 Conditional uses permitted.

1120.05 Accessory uses permitted.

1120.06 General provisions.

1120.07 Special provisions.

1120.01 PURPOSE.

The Central Business District is intended to be the high intensity, compact, pedestrian oriented shopping, office, service, and entertainment area of the community. Development and redevelopment within this district should be compact to intensify usable commercial spaces while increasing the availability of open spaces, plazas, or pedestrian ways. The district is intended to accommodate a wide range of retail, office, and service uses. Automobile and truck oriented uses, as defined in this code, are not permitted except as otherwise provided. Consolidated off-street loading and service facilities should be provided wherever practical with access to be provided from public service alleys or courts. It is intended that on-street parking facilities be publicly provided and off-street accessory parking be allowed only as a conditional use. Residential development above the ground floor in this district is encouraged as a provisional use.

1120.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Business service establishment, except a drive-in facility.
 - (b) Hotel and motel.
 - (c) Meeting hall.
 - (d) Office use allowed in the CO-1 district.
 - (e) Personal service establishment, except a drive-in facility.
 - (f) Museum and art gallery.
 - (g) Retail establishment other than a drive-in facility.
 - (h) Theater.
 - (i) Financial institution.
 - (j) Restaurant.
 - (k) Dwelling, Single-Family Attached.
- (Ord. 18-209. Passed 8-14-18.)

1120.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Residential development above the ground floor.
(Ord. 02-177. Passed 4-16-02.)
- (b) Microbottler, provided that the following conditions are met:
 - (1) The production and packaging area shall not exceed 15,000 square feet.

- (2) Microbottlers shall provide a tap room of at least 500 square feet that is oriented to the street or main pedestrian entrance of the building.
- (3) The tap room shall be open for business at least ten (10) hours each week.
(Ord. 15-41. Passed 2-17-15.)

1120.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Day-care center.
- (b) Club.
- (c) Commercial recreational use.
- (d) Drive-in facility for a financial institution.
- (e) Off-street parking and loading subject to the provisions of Chapters 1153.
- (f) Public utility or public use subject to the requirements of Chapter 1135.
- (g) Religious institution.
- (h) School, specialized private instruction.
- (i) Community center, subject to the requirements of Chapter 1135.

1120.05 ACCESSORY USES PERMITTED.

The accessory uses permitted in this district may include but are not limited to the following:

- (a) Storage space, provided the space shall not exceed 40 percent of the total floor area for the principal use and storage area.

1120.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1120.07 SPECIAL PROVISIONS.

None.

CHAPTER 1121

CH-1 Highway Commercial District

1121.01 Purpose.

- 1121.02 Principal uses permitted.**
- 1121.03 Provisional uses permitted.**
- 1121.04 Conditional uses permitted.**
- 1121.05 Accessory uses permitted.**
- 1121.06 General provisions.**
- 1121.07 Special provisions.**

1121.01 PURPOSE.

The Highway Commercial District (CH-1) is intended for the location of uses which cater to the motoring public. Accordingly, this district is appropriate in locations along highways, expressways or other major thoroughfares.

1121.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Automobile and truck-oriented use
 - (b) Commercial recreational facility
 - (c) Community center
 - (d) Daycare center
 - (e) Financial institution
 - (f) Hotel or motel
 - (g) Office
 - (h) Restaurant
 - (i) Retail
 - (j) Theater
 - (k) Wholesale trade and warehouse establishment
- (Ord. 16-101. Passed 4-12-16.)

1121.03 PROVISIONAL USES PERMITTED.

None.

1121.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Public utility or public use.
- (b) School, specialized private instruction.
- (c) Used merchandise store, including an antique store and flea market. Small new items such as trinkets may be sold in conjunction with used merchandise up to 50 percent of gross sales.

(Ord. 03-244. Passed 7-8-03.)

1121.05 ACCESSORY USES PERMITTED.

There may be any accessory use.

1121.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1121.07 SPECIAL PROVISIONS.

Development of a lot or separate tract larger than two (2) acres shall be subject to the Special Provisions of Subsection 1108.07(b).

CHAPTER 1122

CI-1 Intensive Commercial District

1122.01 Purpose.

1122.02 Principal uses permitted.

1122.03 Provisional uses permitted.

1122.04 Conditional uses permitted.

1122.05 Accessory uses permitted.

1122.06 General provisions.

1122.07 Special provisions.

1122.01 PURPOSE.

The Intensive Commercial District (CI-1) is intended to provide areas for those sales and service functions and businesses whose operations are typically characterized by outdoor display, storage and/or sale of merchandise, by repair of motor vehicles, by outdoor commercial amusement and recreational activities, and by activities or operations conducted in buildings or structures not completely enclosed. Special attention must be directed toward buffering the negative aspects of these uses upon any residential use. Access to this district should be directly from an arterial or collector street and not through a residential district.

1122.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Automobile and truck oriented use.
- (b) Club.
- (c) Carpet and rug cleaning establishment.
- (d) Contractor, special trade--office, yard, and pre-assembly yard.
- (e) Consignment shop.
- (f) Equipment rental agency.
- (g) Farm implement dealer.
- (h) Floor covering store.
- (i) Hardware and building supply store.
- (j) Lumber yard.
- (k) Marine equipment and supply.
- (l) Meeting hall.
- (m) Museum and art gallery.
- (n) Office use allowed in the CO-1 District.
- (o) Plant nursery and florist shop.
- (p) Repair shop.
- (q) Restaurant.
- (r) Storage building.
- (s) Storage for commercial vehicles and equipment.
- (t) Personal service establishment.

(Ord. 14-113. Passed 5-13-14.)

- (u) Wholesale trade and warehouse establishment.

1122.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Funeral home subject to the requirements of Chapter 1135.

- (b) Veterinary clinic and animal hospital, provided they shall comply with the requirements of Chapter 1135.
- (c) Manufacturing use engaged in light manufacturing, including compounding, assembly and/or processing of articles, provided:
 - (1) The floor area of the principal use shall not exceed 5,000 square feet,
 - (2) The lot on which the use is located shall not be contiguous to a lot with a use owned or operated by the same person,
 - (3) A person intending to establish such use can demonstrate compliance with the performance standards of Chapter 1161 through certification by a registered professional engineer or other qualified person, and
- (d) The following uses shall be prohibited:
 - A. Chemicals and allied products, manufacture of.
 - B. Disposal, reduction or dumping of dead animals or offal.
 - C. Explosives, manufacture of.
 - D. Grain processing.
 - E. Leather tanning.
 - F. Meat packing.
 - G. Radioactive waste storage or disposal.
 - H. Rubber and plastics, manufacture of.
 - I. Sawmills.
- (d) Retail establishment, other than listed, when associated with the uses allowed in this district and provided that not more than 40 percent of the total ground floor area shall be devoted to the retail display of merchandise.

1122.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Sexually oriented business provided it shall not be located within 500 feet of an R district, public park, religious institution, or school nor within 100 feet from a bar, cocktail lounge or tavern or another sexually oriented business. No alcoholic beverage shall be served on the premises.

(Ord. 19-85. Passed 3-26-19.)

- (b) Commercial recreational use.
- (c) Dwelling located above the ground floor of another principal use permitted in this district, provided the density shall not exceed one (1) dwelling unit per 1,800 square feet of lot area.
- (d) Manufacturing use engaged in light manufacturing, including compounding, assembly and/or processing of articles, where the floor area of the principal use exceeds 5,000 square feet but not more than 15,000 square feet.
- (e) Laundry, cleaning, and garment services, including dry-cleaning plants, carpet and upholstery cleaning establishments, and other uses listed in Industry Group 721 of the Standard Manufacturing Classification Manual.
- (f) Public utility or public use.
- (g) Schools, specialized private instruction.

1122.05 ACCESSORY USES PERMITTED.

Any accessory use shall be permitted.

1122.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1122.07 SPECIAL PROVISIONS.

None.

CHAPTER 1123

Research and Development Park District (RDP)

- 1123.01 Purpose.**
- 1123.02 Principal uses permitted.**
- 1123.03 Provisional uses permitted.**
- 1123.04 Conditional uses permitted.**
- 1123.05 Accessory uses permitted.**
- 1123.06 General provisions.**
- 1123.07 Special provisions.**

1123.01 PURPOSE.

The purpose of this district is to provide areas for the location of office and research facilities in conjunction with production and/or assembly of prototype products. The requirements of this district are intended to provide protection from the adverse impacts of uses within the district upon adjacent properties. The types of uses permitted within this district with the restrictions placed upon them make this district suitable for location near residential districts. Access to this district should be directly from an arterial or collector street and not through a residential district. Hotels, motels and similar uses should be located peripheral to the district or in other locations that do

not adversely effect the setting and quality of the uses within the district.

1123.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Data processing and computer operation.
- (b) Merchandise and product display center, but not including the retail sale of merchandise.
- (c) Office use allowed in the CO-1 district.
- (d) Research, testing and experimental laboratory.

1123.03 PROVISIONAL USES.

A lot or building may be occupied by the following provisional uses:

- (a) Manufacture and assembly of a prototype established in conjunction with and not exceeding the area of a research, testing and experimental laboratory.
- (b) Warehousing, storage and distribution facility established in conjunction with and not exceeding the area of a principal use listed in this district.

1123.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Communication station, center, studio or tower, subject to the requirements of Chapter 1136.
- (b) Day-care center, provided it is located within the building of another principal use listed in this district.
- (c) Heliport and helistop, provided it is not located within one-quarter (1/4) mile of an R district.
- (d) Hotel, motel, and convention center and a restaurant in association with these uses.
- (e) Public utility or public use, subject to the requirements of Chapter 1135.
- (f) School, generalized and specialized private instruction above the 12th grade level.

1123.05 ACCESSORY USES PERMITTED.

There may be any accessory use.

1123.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1123.07 SPECIAL PROVISIONS.

- (a) In no instance shall an area zoned RDP be less than 10 acres.

(b) A request to rezone land to an RDP district shall be accompanied by a plan for development of the park, meeting the procedural requirements of Chapter 1174 and accompanied by the following:

- (1) A conceptual master plan for the park showing, at a minimum, the following:
 - A. Size of the tract to be rezoned and developed as a research and development park.
 - B. Existing topographic features of the land, including drainage ways, wooded areas and contours.
 - C. General location of uses, with a minimum of 60 percent of the park area designated for office and/or research uses.
 - D. General location of any public uses, if any.
 - E. Traffic circulation patterns within the park.
 - F. Methods of buffering the research park from adjacent uses.
 - G. General treatment of signage for entrance ways to the park.
 - H. An illustration of entrances to the park.
 - I. Anticipated accommodation for stormwater management.
 - J. Means of waste disposal.
- (2) Development standards for the particular park addressing such things as the use of building materials, fencing, lighting, landscaping, outside storage, setbacks and lot coverage to ensure compatibility of design within the research park and to minimize the adverse effects of the development of one lot on another. The development standards may fulfill, in part, features of the conceptual master plan and shall become part of the restrictive covenants of the park.
- (c) The conceptual master plan is intended to be a guide for the development of a research development park. Building permits requested for construction within the park shall be evaluated by the Community Development Director or his designee for compliance with the guidelines of the master plan and the requirements of the development standards. Permit applications which do not meet the guidelines of the plan and the requirements of the standards shall be denied. Amendment of the plan and/or standards shall require amendment of the ordinance zoning the park, pursuant to Chapter 1174.

CHAPTER 1124

M-1 General Manufacturing District

1124.01 Purpose.

- 1124.02 Principal uses permitted.**
- 1124.03 Provisional uses permitted.**
- 1124.04 Conditional uses permitted.**
- 1124.05 Accessory uses permitted.**
- 1124.06 General provisions.**
- 1124.07 Special provisions.**

1124.01 PURPOSE.

The purpose of this district is to provide for the development of most types of manufacturing firms and related uses. Regulations are designed to protect adjacent residential and non-manufacturing districts. Access to this district should be directly from an arterial or collector street and not through a residential district.

1124.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Building construction and assembly.
- (b) Club, limited to use by a labor union.
- (c) Communication station, center, and studio (not including a tower).
- (d) Manufacture, compounding, processing, treatment and assembling of articles or components from previously prepared materials such as but not limited to bone, canvas, cellophane, cement, cloth, cork, feathers, felt, fiber, fur, glass, hair, horn, leather (except a tannery), metal, paper, plastics, precious or semi-precious metals or stones, rubber, shells, textiles, tobacco, wax, wire, wood (except logging camps, sawmills, and planing mills), and yarns.
- (e) Manufacture of chemicals and allied products, except fertilizer manufacturing and alcohol plants.
- (f) Manufacture, processing and packaging of food and kindred products except grain milling and processing, stockyards and slaughter houses.
- (g) Printing and publishing establishment.
- (h) Railroad switching, storage, freight yard and maintenance facility.
- (i) Truck maintenance facility, including truck repair, fueling and washing.
- (j) Truck transfer facility, not including solid waste transfer.
- (k) Research, testing and experimental laboratory.
- (l) Wholesale trade and warehouse establishment.

1124.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

- (a) Communication tower, subject to the requirements of Chapter 1136.
- (b) Residence of the proprietor, caretaker or watchman when located on the premises of the commercial or manufacturing use.

1124.04 CONDITIONAL USES PERMITTED.

A lot or building may be occupied by the following conditional uses:

- (a) Cementitious concrete batch/mix plant.
- (b) Heliport and helistop.
- (c) Public utility or public use.
- (d) School, specialized private instruction.
- (e) Solid waste transfer station (except a rock or aggregate crushing or recycling plant), provided the operation is totally enclosed within a building.

(Ord. 06-375. Passed 10-17-06.)

- (f) Sexually oriented business, provided it shall not be located within 500 feet of an R district, public park, religious institutions, or school nor within 100 feet from a bar, cocktail lounge or tavern or another sexually oriented business. No alcoholic beverage shall be served on the premises.

(Ord. 19-85. Passed 3-26-19.)

- (g) Automobile-oriented use.

(Ord. 06-375. Passed 10-17-06.)

1124.05 ACCESSORY USES PERMITTED.

There may be any accessory use.

1124.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1124.07 SPECIAL PROVISIONS.

None.

CHAPTER 1125

M-2 Heavy Manufacturing District

1125.01 Purpose.

1125.02 Principal uses permitted.

1125.03 Provisional uses permitted.

1125.04 Conditional uses permitted.

1125.05 Accessory uses permitted.

1125.06 General provisions.

1125.07 Special provisions.

1125.01 PURPOSE.

The purpose of this district is to provide for heavy or intense industries and related uses. The district is designed primarily for manufacturing uses and activities which have external effects which could have an impact on adjacent less intense uses. Access to this district should be directly from an arterial or collector street and not through a residential district.

1125.02 PERMITTED USES.

A lot or building may be occupied by the following principal uses:

- (a) Any manufacturing use not listed as a provisional or conditional use in this district, except the following uses which shall be prohibited:
 - (1) Demolition dump.
 - (2) Disposal, reduction or dumping of dead animals or offal.
 - (3) Explosives manufacturing.
 - (4) Fertilizer manufacturing.
 - (5) Paper mill.
 - (6) Production of Portland cement.
 - (7) Radioactive waste storage or disposal site.
- (b) Public utility or public use.

1125.03 PROVISIONAL USES PERMITTED.

A lot or building may be occupied by the following provisional uses:

None.

1125.04 CONDITIONAL USES PERMITTED.

A lot or building may be used for the following conditional uses:

- (a) Alcohol plant.
- (b) Animal food plant.
- (c) Extraction subject to the requirements of Chapter 1135.
- (d) Salvage yard subject to the requirements of Chapter 1135.
- (e) Production of stone, clay, and glass material.
- (f) Rock and aggregate crushing and recycling plant.
- (g) Stockyard or slaughter house.
- (h) Tannery. (Ord. 03-244. Passed 7-8-03.)
- (i) Sexually oriented business, provided it shall not be located within 500 feet of an R district, public park, religious institutions, or school nor within 100 feet from a bar, cocktail lounge or tavern or another sexually oriented business. No alcoholic beverage shall be served on the premises.

(Ord. 19-85. Passed 3-26-19.)

1125.05 ACCESSORY USES PERMITTED.

There may be any accessory use.

1125.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1125.07 SPECIAL PROVISIONS.

None.

CHAPTER 1126

G Green Space, Park, and School District

- 1126.01 Purpose.**
- 1126.02 Principal uses permitted.**
- 1126.03 Provisional uses permitted.**
- 1126.04 Conditional uses permitted.**
- 1126.05 Accessory uses permitted.**
- 1126.06 Dimensional requirements.**
- 1126.07 General provisions.**
- 1126.08 Special provisions.**

1126.01 PURPOSE.

The purpose of this district is to provide and maintain lands for open space and for essential public service.

1126.02 PRINCIPAL USES PERMITTED.

A lot or building may be occupied by the following principal uses:

- (a) Open space in any form of undeveloped land.
- (b) Publicly owned and operated parks and recreation areas.
- (c) Public service facilities or specific uses that are determined by the City Commission to be necessary or incidental to the operation of the City or any of its departments.
- (d) Schools.

1126.03 PROVISIONAL USES PERMITTED.

None.

1126.04 CONDITIONAL USES PERMITTED.

None.

1126.05 ACCESSORY USES AND STRUCTURES PERMITTED.

There may by any accessory use.

1126.06 DIMENSIONAL REQUIREMENTS

None.

1126.07 GENERAL PROVISIONS.

Any development of land under this section shall be approved by the City Commission after recommendation of the Planning Board having jurisdiction.

(Ord. 03-288. Passed 8-19-03.)

1126.08 SPECIAL PROVISIONS.

None.

CHAPTER 1127

OFP Flood Plain Overlay District

- 1127.01 Statutory authorization; findings of fact; purpose and objectives.**
- 1127.02 Definitions.**
- 1127.03 General provisions.**
- 1127.04 Administration.**
- 1127.05 Provisions for flood hazard reduction.**
- 1127.06 Board of Zoning Appeals and variance procedure.**

1127.01 STATUTORY AUTHORIZATION; FINDINGS OF FACT; PURPOSE AND OBJECTIVES.

(a) **Statutory authorization.** ARTICLE XVIII, Section 3, of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens. Therefore, the City Commission of the City of Springfield, State of Ohio, does ordain as follows:

(b) **Findings of fact.**

- (1) The flood hazard areas of the city are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety, and

general welfare.

(2) Uses that are inadequately elevated, floodproofed, or otherwise protected from flood damage also contribute to the flood loss.

(c) **Statement of purpose.** It is the purpose of this chapter to promote the public health, safety and general welfare, and to minimize public and private losses due to flood conditions in specific areas by provisions designed to:

- (1) Protect human life and health;
- (2) Minimize expenditure of public money for costly flood control projects;
- (3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- (4) Minimize prolonged business interruptions;
- (5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- (6) Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
- (7) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions.

(d) **Methods of reducing flood losses.** In order to accomplish its purposes, this chapter includes methods and provisions for:

- (1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- (2) Requiring that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- (3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- (4) Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and,
- (5) Preventing or regulating the construction of flood barriers which will unnaturally divert flood waters or which may increase flood hazards in other areas.

1127.02 DEFINITIONS.

Unless specifically defined below, words or phrases used in this chapter shall be interpreted so as to give them the meaning they have in common usage and to give this chapter its most reasonable application.

- (a) (1) **Accessory structure** means a structure on the same lot with and of a nature customarily incidental and subordinate to the principal structure.
- (2) **Appeal** means a request for review of the Community Development Director or his designee's interpretation of any provision of this chapter or a request for a variance.
- (3) **Area of shallow flooding** means a designated AO or AH zone on a community's Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.
- (4) **Area of special flood hazard** means the land in the floodplain subject to a one percent or greater chance of flooding in any given year. Areas of special flood hazard are designated by the Federal Emergency Management Agency as Zone A, AE, AH, AO, A1 30, and A99.
- (b) (1) **Base flood** means the flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the one hundred (100) year flood.
- (2) **Basement** means any area of the building having its floor (below ground level) on all sides.
- (c) Reserved.
- (d) (1) **Development** means any man made change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.
- (e) Reserved.
- (f) (1) **Federal Emergency Management Agency (FEMA)** means the agency with the overall responsibility for administering the National Flood Insurance Program.
- (2) **Flood or flooding** means a general and temporary condition of partial or complete inundation of normally dry land areas from:
 - (A) the overflow of inland or tidal waters, and/or
 - (B) the unusual and rapid accumulation or runoff of surface waters from any source.
- (3) **Flood Insurance Rate Map (FIRM)** means an official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.
- (4) **Flood Insurance Study** means the official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, and floodway boundaries, and the water surface elevations of the base flood.
- (5) **Floodway** means the channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than one (1) foot.
- (g) Reserved.
- (h) (1) **Historic structure** means any structure that is:
 - (A) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
 - (B) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered

historic district;

- (C) Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or
 - (D) Individually listed on the inventory of historic places maintained by the City of Springfield whose historic preservation program has been certified by the Ohio Historic Preservation Office.
- (i) Reserved.
- (j) Reserved.
- (k) Reserved.
- (l) (1) **Lowest floor** means the lowest floor of the lowest enclosed area (including basement). An unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, is not considered a building's lowest floor, provided that such enclosure is built in accordance with the applicable design requirements specified in this chapter for enclosures below the lowest floor.
- (m) (1) **Manufactured home** means a structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle".
- (2) **Manufactured home park** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent. This definition shall exclude any manufactured home park as defined in Section 3733.01 of the Ohio Revised Code, for which the Ohio Public Health Council has exclusive rule making power.
- (3) **Manufactured home subdivision** means a parcel (or contiguous parcels) of land divided into two or more manufactured home lots for sale. This definition shall exclude any manufactured home park as defined in Section 3733.01 of the Ohio Revised Code, for which the Ohio Public Health Council has exclusive rule making power.
- (n) (1) **New construction** means structures for which the "start of construction" commenced on or after the initial effective date of the City's Flood Insurance Rate Map, and includes any subsequent improvements to such structures.
- (o) Reserved.
- (p) Reserved.
- (q) Reserved.
- (r) (1) **Recreational vehicle** means a vehicle which is (A) built on a single chassis, (B) 400 square feet or less when measured at the largest horizontal projection, (C) designed to be self-propelled or permanently towable by a light duty truck, and (D) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.
- (s) (1) **Start of construction** means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.
- (2) **Structure** means a walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.
- (3) **Substantial damage** means damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred. Substantial damage also means flood related damage sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on the average, equals or exceeds 25 percent of the market value of the structure before the damage occurred.
- (4) **Substantial improvement** means any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include:
 - (A) Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a development permit by the local code enforcement official and which are the minimum necessary to assure safe living conditions;
 - (B) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure"; or
 - (C) Any improvement to a structure which is considered new construction.
- (t) Reserved.
- (u) Reserved.
- (v) (1) **Variance** means a grant of relief from the standards of this chapter consistent with the variance conditions herein.
- (2) **Violation** means the failure of a structure or other development to be fully compliant with this chapter.

1127.03 GENERAL PROVISIONS.

- (a) **Lands to which this chapter applies.** This chapter shall apply to all areas of special flood hazard within the jurisdiction of the City as identified by the Federal Emergency Management Agency referenced in Section 1127.03(b), including any additional areas of special flood hazard annexed by the City.
- (b) **Basis for establishing the areas of special flood hazard.** The areas of special flood hazard have been identified by the Federal

Emergency Management Agency in a scientific and engineering report entitled "Flood Insurance Study for the City of Springfield, Ohio." This study, with accompanying Flood Boundary and Floodway Maps and/or Flood Insurance Rate Maps dated December 3, 1987, and, for areas annexed by the City, the "Flood Insurance Study for Clark County, Ohio (Unincorporated areas)," with accompanying Flood Boundary and Floodway Maps and/or Flood Insurance Rate Maps dated July 2, 1987. These studies and maps, and any revisions thereto, are hereby adopted by reference and declared to be a part of this chapter. The Flood Insurance Study is on file at the Community Development Department, 76 East High Street, Springfield, Ohio.

(c) **Compliance.** No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of this chapter and all other applicable regulations which apply to uses within the jurisdiction of this chapter, unless specifically exempted from filing for a development permit as stated in Section 1127.04(b).

(d) **Abrogation and greater restrictions.** This chapter is not intended to repeal, abrogate, or impair any existing easements, covenants, or deed restrictions. However, where this chapter and another chapter, easement, covenant, or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

(e) **Interpretation.** In the interpretation and application of this chapter, all provisions shall be:

- (1) Considered as minimum requirements;
- (2) Liberally construed in favor of the governing body to accomplish the regulation's intended purpose; and,
- (3) Deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of this chapter is in conflict with a state law, such state law shall take precedence over the chapter.

(f) **Warning and disclaimer of liability.** The degree of flood protection required by this chapter is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man made or natural causes. This chapter does not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. This chapter shall not create liability on the part of the City, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on this chapter or any administrative decision lawfully made thereunder.

1127.04 ADMINISTRATION.

(a) **Establishment of development permit.** A Development Permit shall be obtained from the Director of Community Development or his designee before construction or development begins within any area of special flood hazard established in Section 1127.03(b). Application for a Development Permit shall be made on forms furnished by the Director of Community Development and may include, but not be limited to: site specific topographic plans drawn to scale showing the nature, location, dimensions, and elevations of the area in question; existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing. The following information is required:

- (1) Elevation in relation to mean sea level of the lowest floor, including basement, of all proposed structures located in areas of special flood hazard where base flood elevation data are utilized from any source;
- (2) Elevation in relation to mean sea level to which any proposed nonresidential structure will be floodproofed in accordance with Section 1127.05(b)(2) where base flood elevation data are utilized from any source;
- (3) Certification by a registered professional engineer or architect that the floodproofing methods for any nonresidential structure meet the floodproofing criteria in Section 1127.05(b)(2) where base flood elevation data are utilized from any source;
- (4) Description of the extent to which any watercourse will be altered or relocated as a result of the proposed development and certification by a registered professional engineer that the flood carrying capacity of the watercourse will not be diminished.
- (5) Certification by a registered professional engineer, architect, or surveyor of the structure's as-built lowest floor or floodproofed elevation.

(b) **Exemption from filing a development permit.** An application for a Development Permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$1,000. Any proposed action exempt from filing for a Development Permit is also exempt from the standards of this chapter.

(c) **Designation of the flood damage prevention chapter administrator.** The Community Development Director or his designee is hereby appointed to administer and implement this chapter by granting or denying development permit applications in accordance with its provisions.

(d) **Duties and responsibilities of the Community Development Director or his designee.** The duties and responsibilities of the Director of Community Development or his designee shall include but are not limited to:

- (1) **Permit review.**
 - (A) Review all development permit applications to determine that the permit requirements of this chapter have been satisfied.
 - (B) Review all development permit applications and all other necessary permits submitted which have been received from those federal, state or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the Department of the Army under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act.
- (C) Review all development permit applications to determine if the proposed development is located within a designated floodway. Floodways are delineated in the Flood Boundary and Floodway Map or the Flood Insurance Rate Map of the Flood Insurance Study. Floodways may also be delineated in other sources of flood

information. If the proposed development is located within a designated floodway, assure that the encroachment provision of Section 1127.05(c)(1) is met.

(D) Inspect all development projects before, during, and after construction to ensure proper elevation of the structure and to ensure compliance with all provisions of this chapter.

(2) **Use of other base flood elevation and floodway data.** Areas of special flood hazard where base flood elevation data have not been provided by the Federal Emergency Management Agency in accordance with Section 1127.03(b) are designated as Zone A on the Flood Insurance Rate Map. Within these areas, the Community Development Director shall obtain, review and reasonably utilize any base flood elevation and floodway data available from a federal, state, or other source, including data obtained under Section 1127.05(b)(6) in order to administer Section 1127.05(b)(1) and (2); and where floodway data are available, administer Section 1127.05(c).

(3) **Information to be obtained and maintained by the City.** Where base flood elevation data are utilized within areas of special flood hazard on the City's or the County's Flood Insurance Rate Map, regardless of the source of such data, the Community Development Director or his designee shall:

(A) Obtain and record the actual elevation (in relation to mean sea level) of the lowest floor, including basement, of all new or substantially improved structures, and record whether or not such structures contain an enclosure below the lowest floor;

(B) For all new or substantially improved floodproofed nonresidential structures:

(i) obtain and record the actual elevation (in relation to mean sea level) to which the structure was floodproofed; and,

(ii) maintain the floodproofing certification required in Section 1127.04(a)(3).

(C) Maintain for public inspection all records pertaining to the provisions of this chapter, including base flood elevation data, Flood Insurance Rate Maps and Flood Boundary and Floodway Maps, variance documentation, Conditional Letters of Map Revision, Letters of Map Revision, Letters of Map Amendment, and as-built elevations.

(4) **Alteration of watercourses.**

(A) Notify adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, prior to any alteration or relocation of a watercourse, and submit evidence of such notification to the Federal Emergency Management Agency. A watercourse is considered to be altered if any change occurs within its banks.

(B) Maintain engineering documentation required in Section 1127.04(a)(4) that the flood carrying capacity of the altered or relocated portion of said watercourse will not be diminished.

(C) Require that necessary maintenance will be provided for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished.

(5) **Interpretation of flood boundaries.** Make interpretations, where needed, as to the exact location of the boundaries of the areas of special flood hazard (for example, where there appears to be a conflict between a mapped boundary and actual field conditions). Where a map boundary and field elevations disagree, the elevations delineated in the flood elevation profile from the Flood Insurance Study shall prevail. The person contesting the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1127.06.

(6) **Alteration of community boundaries.** Upon occurrence, notify FEMA in writing whenever the boundaries of the City have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the City's Flood Insurance Rate Map accurately represent the City's boundaries, include within such notification a copy of a map of the City's suitable for reproduction, clearly delineating the new corporate limits or the new area for which the City has assumed or relinquished floodplain management regulatory authority.

1127.05 PROVISIONS FOR FLOOD HAZARD REDUCTION.

(a) **General Standards.** The following standards apply in all areas of special flood hazard including those where base flood elevation data have been provided. Where a structure, including its foundation members, is elevated on fill to at least one (1) foot above the base flood level, the requirements for Section 1127.05(a)(1) and (2) are satisfied.

(1) **Anchoring.**

(A) All new construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy.

(B) All manufactured homes, not otherwise regulated under the Ohio Revised Code pertaining to manufactured home parks, shall be anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors.

(2) **Construction materials and methods.**

(A) All new construction and substantial improvements shall be constructed with materials resistant to flood damage;

(B) All new construction and substantial improvements shall be constructed using methods and practices that minimize flood damage; and

(C) All new construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

(3) **Utilities.** The following standards apply to all water supply, sanitary sewerage and waste disposal systems not otherwise regulated by the Ohio Revised Code:

(A) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of flood waters into the systems;

(B) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,

(C) On site waste disposal systems shall be located to avoid impairment to them or contamination from them during flooding.

(4) Subdivision proposals.

- (A) All subdivision proposals, including manufactured home subdivisions, shall be consistent with the need to minimize flood damage;
- (B) All subdivision proposals, including manufactured home subdivisions, shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- (C) All subdivision proposals, including manufactured home subdivisions, shall have adequate drainage provided to reduce exposure to flood damage; and
- (D) All subdivision proposals, including manufactured home subdivisions, shall meet the specific standards of Section 1127.05(b) (6).

(5) Standards in areas of special flood hazard without base flood elevation data. In all areas of special flood hazard identified as Zone A on the Flood Insurance Rate Map where base flood elevation data are not available from any source, including Section 1127.04(d)(2), the following provisions apply:

- (A) New construction and substantial improvement of any residential (including manufactured homes), commercial, industrial, or other nonresidential structure shall have the lowest floor, including basement, elevated to the flood of record or at least two feet above the highest adjacent natural grade, whichever is greater.

(b) Specific standards. In all areas of special flood hazard where base flood elevation data have been provided as set forth in Section 1127.03(b), Section 1127.04(d)(2), or Section 1127.05(b)(6), the following additional provisions are required:

(1) Residential construction.

- (A) New construction and substantial improvement of any residential structure shall have the lowest floor, including basement, elevated to at least one (1) foot above the base flood elevation.
- (B) In AO zones new construction and substantial improvements shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number on the City's or the County's Flood Insurance Rate Map, or at least two feet if no depth number is specified, and adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

(2) Nonresidential construction.

- (A) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall either have the lowest floor, including basement, elevated to or above the level of the base flood elevation; or, together with attendant utility and sanitary facilities, shall:
 - (i) be floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of at least one (1) foot above the base flood elevation;
 - (ii) have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 - (iii) be certified by a registered professional engineer or architect that the design and methods of construction are in accordance with accepted standards of practice for meeting the standards of this subsection. Such certification shall be provided to the official as set forth in Section 1127.04(a)(3).
- (B) In AO zones new construction and substantial improvements shall either have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number on the City's or the County's Flood Insurance Rate Map (at least two feet if no depth number is specified); or be floodproofed to that level consistent with the floodproofing standards of Section 1127.05(b)(2)(A), and adequate drainage paths shall be provided around structures on slopes, to guide floodwaters around and away from proposed structures.

(3) Accessory structures.

- (A) A relief to the elevation or dry floodproofing standards may be granted by the Board of Zoning Appeals for accessory structures (e.g., sheds, detached garages) containing no more than 576 square feet and a value of no more than \$ 10,000 dollars. Such structures must meet the encroachment provisions of Section 1127.05(c) and the following additional standards:
 - (i) they shall not be used for human habitation;
 - (ii) they shall be constructed of flood resistant materials;
 - (iii) they shall be constructed and placed on the building site so as to offer the minimum resistance to the flow of flood waters;
 - (iv) they shall be firmly anchored to prevent flotation;
 - (v) service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the level of the base flood elevation; and,
 - (vi) they shall meet the opening requirements of Section 1127.05(b)(5).

(4) Manufactured homes and recreational vehicles. The following standards shall apply to all new and substantially improved manufactured homes not subject to the manufactured home park requirements of Section 3733.01, Ohio Revised Code.

- (A) Manufactured homes shall be anchored in accordance with Section 1127.05(a)(1)(B).
- (B) Manufactured homes shall be elevated on a permanent foundation such that the lowest floor of the manufactured home is at or above the base flood elevation.

These standards shall also apply to all recreational vehicles that are either (i) located on sites for 180 days or more, or (ii) are not fully licensed and ready for highway use.

(5) Enclosures below the lowest floor. The following standards apply to all new and substantially improved residential and nonresidential non-basement structures which are elevated to at least one (1) foot above the base flood elevation using pilings, columns, posts, or solid foundation perimeter walls with openings sufficient to allow unimpeded movement of flood waters. Fully enclosed areas below the lowest floor that are useable solely for parking of vehicles, building access or storage in an area other than a basement and which are subject to flooding shall be designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must:

- (A) Be certified by a registered professional engineer or architect; or,
- (B) Must meet or exceed the following criteria:
 - (i) a minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided.
 - (ii) the bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- (6) **Subdivisions and large developments.** In all areas of special flood hazard where base flood elevation data have not been provided in accordance with Section 1127.03(b) or Section 1127.04(d)(2), the following standards apply to all subdivision proposals, including manufactured home subdivisions, and other proposed developments containing at least 50 lots or 5 acres (whichever is less):
 - (A) The applicant shall provide base flood elevation data performed in accordance with standard engineering practices;
 - (B) If Section 1127.05(b)(6)(A) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 1127.05(a) and Section 1127.05(b).

(c) Floodways.

- (1) **Areas within floodways.** The Flood Insurance Study referenced in Section 1127.03(b) identifies a segment within areas of special flood hazard known as a floodway. Floodways may also be delineated in other sources of flood information as specified in Section 1127.04(d)(2). The floodway is an extremely hazardous area due to the velocity of flood waters which carry debris, potential projectiles, and cause erosion. The following provisions apply within all delineated floodway areas:
 - (A) Prohibit encroachments, including fill, new construction, substantial improvements, and other development unless a hydrologic and hydraulic analysis performed in accordance with standard engineering practices demonstrates that the proposed encroachment would not result in any increase in flood levels during the occurrence of the base flood discharge.
 - (B) If Section 1127.05(c)(1)(A) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 1127.05(b).
 - (C) Any encroachment within the floodway that would result in an increase in base flood elevations can only be granted upon the prior approval by the Federal Emergency Management Agency. Such requests must be submitted by the Community Development Director or his designee to the Federal Emergency Management Agency and must meet the requirements of the National Flood Insurance Program.
- (2) **Areas without floodways.** In all areas of special flood hazard where the Flood Insurance Study provides base flood elevation data as set forth in Section 1127.03(b), but no floodways have been designated, the following provisions apply:
 - (A) New construction, substantial improvements, or other development (including fill) shall only be permitted if it is demonstrated that the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the water surface elevation of the base flood more than 1 (one) foot at any point.
 - (B) If Section 1127.05(c)(2)(A) is satisfied, all new construction and substantial improvements shall comply with all applicable flood hazard reduction provisions of Section 1127.05.

1127.06 BOARD OF ZONING APPEALS AND VARIANCE PROCEDURE.

- (a) **Appeal Board.**
 - (1) The Board of Zoning Appeals as established by the City of Springfield shall hear and decide appeals and requests for variances from the requirements of this chapter.
 - (2) The Board of Zoning Appeals shall hear and decide appeals when it is alleged there is an error in any requirement, decision, or determination made by the Director of Community Development or his designee in the enforcement or administration of this chapter.
 - (3) Those aggrieved by the decision of the Board of Zoning Appeals or any taxpayer, may appeal such decision to the Clark County Court of Common Pleas, as provided in Chapter 2506 of the Ohio Revised Code.
 - (4) In passing upon such applications, the Board of Zoning Appeals shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of this chapter, and:
 - (A) the danger that materials may be swept onto other lands to the injury of others;
 - (B) the danger to life and property due to flooding or erosion damage;
 - (C) the susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner;
 - (D) the importance of the services provided by the proposed facility to the community;
 - (E) the availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
 - (F) the necessity to the facility of a waterfront location, where applicable;
 - (G) the compatibility of the proposed use with existing and anticipated development;
 - (H) the relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
 - (I) the safety of access to the property in times of flood for ordinary and emergency vehicles;
 - (J) the expected heights, velocity, duration, rate of rise, and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and,
 - (K) the costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.
 - (5) Upon consideration of the factors of Section 1127.06(a)(4) and the purposes of this chapter, the Board of Zoning Appeals may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.
 - (6) The Community Development Director or his designee shall maintain the records of all appeal actions and report any variances

to the Federal Emergency Management Agency upon request.

(b) Conditions for variances.

- (1) Variances may only be issued where due to physical characteristics of the property compliance with the requirements of this chapter creates an exceptional hardship. Increased cost or inconvenience of meeting the requirements of this chapter do not constitute an exceptional hardship.
- (2) Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- (3) Variances shall only be issued upon a determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.
- (4) Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items Section 1127.06(a)(4)(i-xi) have been fully considered. As the lot size increases beyond one half acre, the technical justification required for issuing the variance increases.
- (5) Variances may be issued for the repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and the variance is the minimum necessary to preserve the historic character and design of the structure.
- (6) Variances shall only be issued upon:
 - (A) a showing of good and sufficient cause;
 - (B) a determination that failure to grant the variance would result in exceptional hardship to the applicant;
 - (C) a determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in this chapter, additional threats to public safety, extraordinary public expense, nuisances, fraud on or victimization of the public as identified in Section 1127.06(a)(4), or conflict with existing local laws or ordinances; and,
 - (D) a determination that the structure or other development is protected by methods to minimize flood damages.
- (7) Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

CHAPTER 1128

OHP Historic Preservation Overlay District

1128.01 Purpose.

1128.02 Map designations.

1128.01 PURPOSE.

The purpose of this district is to identify on the Zoning Map those areas designated as Historic Districts pursuant to Chapter 1321.

1128.02 MAP DESIGNATION.

All Historic Districts established pursuant to Chapter 1321 shall be portrayed on the Zoning Map as an OHP Historic Preservation Overlay District, overlaid on the underlying zoning, in order to alert interested parties.

CHAPTER 1129

OPD-H Planned Development Housing Overlay District

1129.01 Purpose.

1129.02 Intent.

1129.03 Applicability.

1129.04 General Requirements.

1129.05 Requirements for areas less than two acres.

1129.06 Preliminary OPD-H plan.

1129.07 Preliminary OPD-H plan approval.

1129.08 Report of City Planning Board.

1129.09 Changes in an approved preliminary OPD-H plan.

1129.10 Final OPD-H plan.

1129.11 Final OPD-H plan of portion.

1129.12 Final plan approval.

1129.13 Changes in an approved final OPD-H plan.

1129.14 Building permits.

1129.01 PURPOSE.

The OPD-H Planned Development Housing Overlay District is established to permit flexibility in the use and design of structures and land in situations where conventional development may be inappropriate and where modifications of requirements of the underlying zone will not be contrary to the intent and purpose of the Zoning Code, inconsistent with the Land Use Plan, nor harmful to the neighborhood.

1129.02 INTENT.

The intent of the OPD-H district regulations is to:

- (a) Provide flexibility in architectural design, placement and clustering of buildings, use of open space, provision of traffic circulation facilities and parking, and related site and design considerations;
- (b) Encourage the preservation and best use of existing landscape features through development sensitive to the natural features of the surrounding area;
- (c) Promote efficient land use with smaller networks of utilities and streets;
- (d) Encourage and preserve opportunities for energy efficient development;
- (e) Promote an attractive and safe living environment that is compatible with surrounding residential developments; and
- (f) Provide an alternate method for redeveloping older residential areas and to encourage infill development.

1129.03 APPLICABILITY.

Housing in planned developments shall be permitted in R districts as follows:

- (a) For development of land of two (2) acres or more.
- (b) For development of land less than two (2) acre where such development is more appropriate and more efficient than conventional development because of environmentally sensitive areas, existing natural features or scenic assets, the amount of land available for infill development, or because of the age of existing development in the vicinity. (See Section 1129.05 for standards relating to developments of less than two (2) acres).

1129.04 GENERAL REQUIREMENTS.

All planned developments shall meet the following criteria:

- (a) **Land uses.** Any residential use and combinations of land uses are permitted. Combinations of land uses may include single-family, multi-family, group care facilities and commercial uses. However, commercial uses shall not be permitted in planned developments on land less than two (2) acres in area. Golf courses are allowable commercial uses on residentially zoned property as part of an OPD-H.
(Ord. 02-414. Passed 10-29-02.)
- (b) **Variations.** Variations in the requirements of the underlying district may be permitted. However, setbacks required by the Ohio Basic Building Code, legislated by the State of Ohio, or the Ohio Residential Code For One-, Two-, and Three-Family Dwellings, as specified in Chapter 1303 of Part 13 Building Code of the Codified Ordinances of Springfield, Ohio, whichever is applicable, shall be provided.
- (c) **Dwelling unit density.** The dwelling unit density, based upon the land area minus public and/or private street right-of-way area, if any, may be computed on the basis of that permitted for the least restrictive use allowed in the underlying district.
- (d) **Streets.** Planned developments shall make provision for the extension of streets, if any.
- (e) **Storm water management.** The planned development shall comply with the requirements for storm water management, including the provision of detention or retention basins. The developer shall submit a legally binding instrument setting forth the procedures to be followed in maintaining the areas and the means for financing maintenance costs. Generally, such costs shall be shared by all owners of property located within the planned development, with unpaid costs becoming a lien against individual properties.
- (f) **Open space.** Except in a conventional subdivision, planned developments shall be provided with open space for recreational purposes and to enhance the general character of the area. In the event the open space land is to be retained under private ownership, the developer shall submit a legally binding instrument setting forth the procedures to be followed in maintaining the areas and the means for financing maintenance costs as with storm water detention or retention basins in Subsection (e) above.
- (g) **Dedication of land for public use.** All proposed dedications of land for public use, including those to be dedicated for recreational use, shall be approved in writing by appropriate departments of the City before the approval of the plan by the City Commission. All land dedications for public use shall conform to the requirements of city ordinances.
- (h) **Ownership.** At the time of approval of a preliminary OPD-H plan, the developer must submit evidence of ownership of the property to be developed or show evidence of a legally binding executed option agreement for purchasing all the property.
- (i) **Schedule of completion.** A developer or sponsor of a planned development shall submit a signed statement generally describing the proposed development and setting forth an intended time schedule for the completion of various phases.
- (j) **Other requirements.** Other conditions may be imposed as deemed necessary to fulfill the purpose and intent of this chapter. Such conditions may include but are not limited to planting screens, fencing, construction commencement and completion dates, lighting, operational controls, improved traffic circulation, highway access restrictions, yards, and parking requirements.

1129.05 REQUIREMENTS FOR AREAS LESS THAN TWO (2) ACRES.

An OPD-H plan for an area containing less than two (2) acres shall in addition to or in lieu of the requirements of Section 1129.04 above, meet the following requirements:

- (a) The density and design of the OPD-H shall be compatible in use, size and type of structure, relative amount of open space, traffic circulation and general layout with adjoining land uses, and shall be integrated into the neighborhood.
- (b) Multi-family structures located adjacent to existing single-family dwellings shall be sited, landscaped and screened by natural features and plant materials to harmoniously integrate the planned development with the surrounding neighborhood.
- (c) The development shall not overburden existing streets and utilities.

- (d) The development shall not adversely affect views, light and air, property values and privacy of neighboring properties any more than would a conventional development.
- (e) Commercial uses shall be prohibited.

1129.06 PRELIMINARY OPD-H PLAN.

The owner of land who wishes to develop his property according to the provisions of this chapter, shall submit to the City Clerk six (6) copies of a preliminary OPD-H plan and application for preliminary approval. The preliminary OPD-H plan for the use and development of the area of land shall list all requested variations from requirements of the underlying district in which the tract of land is located. The preliminary OPD-H plan may show a range of dimensions and need not have the specificity of the final plan. The application shall be accompanied by the following:

- (a) A location map affixed to the plan.
- (b) A preliminary OPD-H plan of the proposed development drawn to an appropriate scale, showing:
 - (1) Existing and proposed topographic contours at two (2) foot intervals or less.
 - (2) Location of the uses and topography at two (2) foot contours within 100 feet of the proposed development.
 - (3) Location of existing and proposed streets, including points of connection.
 - (4) Location of existing and proposed utilities, including points of connection.
 - (5) Location of storm water management facilities.
 - (6) Proposed uses of the land.
 - (7) Number of dwelling units proposed for the planned development.
 - (8) Proposed general arrangement of the buildings.
 - (9) Location and area of proposed open spaces either to be held in common or publicly, and whether to be used for active recreational purposes or only as an environmental amenity.
- (10) Sketches to show the general design of building, types and the character of the development.
- (11) Legal description of the tract of land for the planned development.
- (12) Parking provisions.
- (13) Loading facilities, if any.
- (14) Proposed landscaping.
- (15) Storm drainage.
- (16) Such other information as is necessary to ascertain compliance with the requirements of this chapter.

1129.07 PRELIMINARY OPD-H PLAN APPROVAL.

Approval of a preliminary OPD-H plan shall be by ordinance according to the procedures set forth in Chapter 1174, Amendments. Approval of the zoning of the land to an OPD-H district shall constitute approval of the preliminary plan. A preliminary OPD-H plan shall be valid for no more than 24 months, unless specifically provided otherwise in the OPD-H ordinance. If no building permit has been issued for the development within the 24 month period, the area of land to which the OPD-H ordinance applies shall be considered for possible rezoning by the City to remove the OPD-H designation.

1129.08 REPORT OF CITY PLANNING BOARD.

Upon completion of review of the preliminary OPD-H plan of the planned development, the Planning Board shall recommend either approval or denial of the plan and shall make a written report of its findings to the City Commission to substantiate its recommendation. The findings shall address the following: that the variations in setbacks, lot area requirements, building heights, building types, sizes of buildings, the combination of land uses, and traffic flow will be in the public interest, in harmony with the purposes of this code and other building regulations of the City and will not adversely affect nearby properties.

(Ord. 03-288. Passed 8-19-03.)

1129.09 CHANGES IN AN APPROVED PRELIMINARY OPD-H PLAN.

Material changes in an approved preliminary OPD-H plan shall be subject to the same procedures for approval as for the original approved plan. A material change is any change in the principal use or character of the development from the use or uses shown on the preliminary OPD-H plan and any dimensional change beyond the ranges specified on the preliminary plan. Any other changes are considered minor changes and may be approved by the Planning and Development Director.

1129.10 FINAL OPD-H PLAN.

All R-4 and OPD-H plans currently in force at the time this ordinance is adopted shall be considered final OPD-H plans, and continue in full force and effect. Applications for approval of new final OPD-H plan shall meet all the requirements of the preliminary OPD-H plan and include the following:

- (a) Detailed plans and specifications of the planned development.
- (b) Building elevations and floor plans for all structures.
- (c) Details of materials to be used for exterior construction.
- (d) A landscape plan including screening and buffering, if necessary, between the proposed and existing development.

1129.11 FINAL OPD-H PLAN OF PORTION.

After preliminary approval of the entire planned development is given, a final plan of a portion within the planned development may be approved if:

- (a) The portion is more than two (2) acres in size.
- (b) The plan of the portion meets all requirements of a final plan.

- (c) The dwelling unit density within the portion does not exceed the dwelling unit density allowable for the least restrictive use for that area under existing zoning.
- (d) The portion can function as an independent development unit with adequate access, services, utilities, open space, etc.
- (e) The developer subdivides and improves all public rights-of-way necessary to support the portion.
- (f) The remaining portion is not left as an undevelopable remnant.

1129.12 FINAL PLAN APPROVAL.

Final approval of any OPD-H plan shall be by administrative review. Approval shall be based on compliance with an approved preliminary OPD-H plan and any modifications required by the Planning Board having jurisdiction and City Commission at the time the land was zoned to OPD-H. After approval of the final plan, permits may be issued to carry out the approved plan.
(Ord. 03-288. Passed 8-19-03.)

1129.13 CHANGES IN AN APPROVED FINAL OPD-H PLAN.

Material changes in an approved final OPD-H plan shall be subject to the same procedures for approval as for the original approved plan. A material change is any change in the principal use or character of the development from the principal use or uses shown on the final OPD-H plan and any dimensional change specified on the final plan. Any other changes are considered minor changes and may be approved by the Planning and Development Director.

1129.14 BUILDING PERMITS.

The final plan, or parts of the final plan as finally approved, shall be filed in the Building Official's office and building permits may be issued only for structures conforming to the OPD-H plan. In the event commercial uses are approved as a part of a planned development, no building permit for a commercial use shall be issued until Certificates of Occupancy for a minimum of 25 percent of the housing units planned for the area (or approved portion) have been issued or unless 25 percent of the housing units planned for the area (or approved portion) will be constructed simultaneously. (Separate building permits shall be obtained by the developer for the construction of housing and commercial uses where separate buildings are to be used.)

CHAPTER 1130

CC-2A Shopping Center District

1130.01 Purpose.

1130.02 Principal uses permitted.

1130.03 Provisional uses permitted.

1130.04 Conditional uses permitted.

1130.05 Accessory uses permitted.

1130.06 General provisions.

1130.07 Special provisions.

1130.08 Signs and outdoor advertising.

1130.09 Prohibited uses.

1130.01 PURPOSE.

The purpose of this district is to provide locations for planned shopping centers. Access should have the same conditions as the CC-2 District.

1130.02 PRINCIPAL USES PERMITTED.

Same as in CC-2 District, except as hereinafter modified.

1130.03 PROVISIONAL USES PERMITTED.

None.

1130.04 CONDITIONAL USES PERMITTED.

Same as in CC-2 District, except as hereinafter modified.

1130.05 ACCESSORY USES PERMITTED.

Same as in CC-2 District, except as hereinafter modified.

1130.06 GENERAL PROVISIONS.

All principal and accessory uses and structures permitted within this district shall be subject to the requirements of Title Four and Title Five and to the supplemental requirements of Title Six, where applicable.

1130.07 SPECIAL PROVISIONS.

(a) Development of a lot or separate tract larger than two (2) acres shall be subject to the special provisions of Subsection 1108.07(b).

All CC-2A tracts shall consist of not less than two (2) acres, or else be continuous to a tract presently zoned CC-2A.

(b) The owner shall submit to the Planning Board having jurisdiction for its review a preliminary plan for the use and development of such tract of land. The Planning Board shall investigate and ascertain whether the location, size, access, and other general characteristics of the proposed plan comply with the following conditions:

- (1) The plan shall provide for the development of an integrated shopping area with adequate and properly arranged vehicular access points and parking facilities which will be safe to use and will have no adverse effects upon the adjoining or surrounding development.
 - (2) When the development plan is found to comply with the requirements set forth in this section and other applicable provisions of this Zoning Code, the Planning Board shall submit such plan with its report and recommendation together with the required application by the proponents for the necessary change in the zoning classification of the site of the proposed shopping area to the City Commission which shall hold a public hearing on both the development plan and application for a change in zoning.
 - (3) The City Commission shall take into consideration the recommendation from the Planning Board on both the rezoning and the development plan in making its decision in establishing the CC-2A zone. If such rezoning is approved, the ordinance shall include the development plan and any amendments thereto.
 - (4) After the development plan has been approved by the City Commission and in the course of carrying out this plan, adjustments or re-arrangements of vehicular access buildings and building additions may be requested by the proponents, such adjustments or re-arrangements shall be authorized by motion of the City Commission after being recommended by the City Planning Board.
- (c) No building or structure shall be located less than fifty (50) feet from any lot in any R District, nor less than ten (10) feet from any district other than a CC-2A District. Except as otherwise provided in this Zoning Code, no building or structure shall be located less than twenty (20) feet from any street right-of-way. The shopping area shall be permanently screened, except for necessary sight clearances at entrances and exits, from all adjoining properties located in any R District by a solid wall or compact evergreen hedge not less than four (4) feet or over seven (7) feet in height. The shopping area shall also be permanently screened from all properties in any R District located across the street and within ninety (90) feet from any such shopping area by a solid wall or compact evergreen hedge not less than three (3) feet in height. The walls or hedges shall be properly and permanently landscaped and maintained. Additional requirements may be imposed to reduce or eliminate the effect that the shopping area may have on adjoining properties.
- (d) All ground area occupied by all the buildings shall not exceed twenty-five percent (25%) of the total area of the lot or tract.

(e) For a building or a group of buildings constituting a shopping center, one parking space shall be provided for each 222.2 square feet of gross floor area. For a business located in a separate building from the shopping center and on a tract of land under two (2) acres in area and under separate ownership, the number of parking spaces required for the business shall be in accordance with the parking requirements of Section 1153.02.

(f) Notwithstanding any other requirements of this Zoning Code, for a building or a group of buildings constituting a shopping center of at least 10,000 square feet, there shall be provided one (1) off-street loading or unloading space for each 20,000 square feet or fraction thereof of aggregate floor space. At least one-third (1/3) of the space required shall be sufficient in area and vertical clearance to accommodate trucks of the tractor-trailer type.

(Ord. 03-288. Passed 8-19-03.)

1130.08 SIGNS AND OUTDOOR ADVERTISING.

The sign provisions of Section 1155.05 (g) shall apply.

1130.09 PROHIBITED USES.

The following uses shall not be permitted in a CC-2A District:

(a) Billboards.

(Ord. 11-242. Passed 9-13-11.)

CHAPTER 1131

UCOD Urban Commercial Overlay District

1131.01 Purpose.

1131.02 Intent.

1131.03 General requirements.

1131.01 PURPOSE.

The UCOD Urban Commercial Overlay District is established to protect, re-establish, and retain the unique aesthetic and architectural character, including retail display windows, side and rear parking, minimal setbacks, and pedestrian-oriented site design, prevalent in central city commercial areas.

1131.02 INTENT.

The intent of the UCOD Urban Commercial Overlay District is to:

- (a) Promote an attractive and safe commercial and living environment that is compatible with existing historic structures;
- (b) Encourage pedestrian-oriented site design;
- (c) Encourage investment in compatible designed development, including retail display windows, side and rear parking, minimal setbacks, and other features of traditional urban design.

1131.03 GENERAL REQUIREMENTS.

All UCOD Urban Commercial Overlay District new construction shall meet the following criteria:

- (a) **Maximum Setback.** The distance between the principal building or structure and the public street right-of-way line shall not exceed ten (10) feet. Buildings on street corners shall comply with this maximum setback for both frontages.
- (b) **Building Standards.**
 - (1) Building facades facing public streets shall incorporate a main entrance door on the primary street.
 - (2) For commercially-used property, at least sixty (60) percent of each building façade facing public streets, between the height of two (2) feet and nine (9) feet above the sidewalk grade, shall be window glass.
 - (3) Building façades shall be a minimum of two (2) stories [twenty (20) feet] in height. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story.
 - (4) Structures more than fifty (50) feet wide shall incorporate vertical elements into their façade design.

CHAPTER 1132

UCED Urban Commercial Entryway Overlay District

1132.01 Purpose.

1132.02 Intent.

1132.03 All UCED Urban Commercial Entryway Overlay District.

1132.01 PURPOSE.

The UCED Urban Commercial Entryway Overlay District is established to unify the appearance of new commercial signs and structures in entryways along designated state routes, recalling through materials the historic context of the city.

(Ord. 04-131. Passed 4-20-04.)

1132.02 INTENT.

The intent of the UCED Urban Commercial Entryway Overlay District is to:

- (a) Promote an attractive commercial environment that is compatible with existing historic structures.
- (b) Make signage more uniform in size and type throughout the entryway corridor.

(Ord. 04-131. Passed 4-20-04.)

1132.03 ALL UCED URBAN COMMERCIAL ENTRYWAY OVERLAY DISTRICT.

New commercial construction shall meet the following criteria:

- (a) **Signage.** Regardless of the sign size provisions applying in the underlying zone, a free-standing sign shall be permitted with the following allowance:

Maximum area: 99 square feet per sign face (may be double-faced).

Maximum Height: 26 feet above the height of the nearest street grade.

- (b) **Building Standards.**

- (1) Commercial building facades facing public streets shall be constructed of brick.
 - (2) No loading docks or trash storage bins shall be visible from the entryway state route.

(Ord. 04-131. Passed 4-20-04.)

CHAPTER 1133

DMC Downtown Medical Campus District

1133.01 Purpose.

1133.02 Intent.

1133.03 Applicability.

1133.04 Principal uses permitted.

1133.05 Accessory uses permitted.

1133.06 General provisions.

1133.07 Special provisions.

1133.01 PURPOSE.

The DMC Downtown Medical Campus District is intended to provide for the development of hospital and specialized medical services in a central location for residents of the City and surrounding communities. Hospitals, health care, medical offices, and related uses for convenience to hospital activities are appropriate in the DMC Zone.

(Ord. 06-91. Passed 3-14-06.)

1133.02 INTENT.

The intent of the DMC District is to encourage and foster the planning, design and construction of a well-functioning, attractive medical campus environment that: (a) provides an appropriate setting for both initial and long term capacity for delivering high quality healthcare services to the City, community and the region; (b) provides flexibility in architectural design, placement and clustering of buildings, use of open space, provision for traffic circulation facilities and parking, and related site and design considerations; (c) enhances the downtown area and is an anchor for continued investment in redevelopment and renewal of the downtown area and its adjacent neighborhoods; and (d) ensures sufficient flexibility and future capacity in the design and placement of campus facilities to best meet the future evolution of healthcare and ancillary services to the City, community and the region.

(Ord. 06-91. Passed 3-14-06.)

1133.03 APPLICABILITY.

The DMC District shall have a minimum size of 40 acres except in those situations where the City Planning Board determines that a lesser minimum size is appropriate taking into consideration the purpose and intent as described in Sections 1133.01 and 1133.02.

(Ord. 06-91. Passed 3-14-06.)

1133.04 PRINCIPAL USES PERMITTED.

The following principal uses are permitted in a DMC District:

- (a) Assisted Living Facility.
- (b) Daycare Facility (Child and Adult).
- (c) Educational Facility, including, but not necessarily limited to:
 - (1) Classrooms;
 - (2) Dormitories;
 - (3) Laboratories;
 - (4) Medical library;
- (d) Financial institution or branch banking facility internal to main building. Indoor or stand-alone outdoor ATM or similar automated banking facility;
- (e) Helipad or helistop in conjunction with hospital;
- (f) Hospital;
- (g) Ambulatory Surgery Center;
- (h) Mental Health Facility;
- (i) Skilled Nursing Facility;
- (j) Outpatient Services;
- (k) Imaging Center;
- (l) Long Term Care Facility;
- (m) Medical Office Building;
- (n) Clinic;
- (o) Dialysis Center;
- (p) Dental Facility;
- (q) Urgent Care Facility;
- (r) Hospice;
- (s) Hyperbaric Tre Center;
- (t) Laboratories;
- (u) Home Care Office Space;
- (v) Pharmacy;
- (w) Health Center;
- (x) Reproductive Health Services Center;
- (y) Diagnostic Services;
- (z) Alternative Medicine Center;
- (aa) Medical, optical, dental and prosthetic supply store;
- (bb) Medical or Administrative Office and/or Building;
- (cc) Religious institution;
- (dd) Medical Research Facility including, but not necessarily limited to, animal research to support Hospital services;
- (ee) Wellness/Rehabilitation Centers;
- (ff) Parking Facility or Public Transportation Facility;
- (gg) Bookstore having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (hh) Flower shop having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (ii) Food service having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (jj) Gift shop having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (kk) Laundry and Dry Cleaning having its public access to the main entrance or to a central corridor of the hospital or other principal use facility;
- (ll) Conference Center for hospital related/education purposes;
- (mm) Patient and patient family overnight accommodations;

(nn) The foregoing list of permitted uses is not intended to be exhaustive of all uses permitted within the DMC Downtown Medical Campus District and any other use supportive, complimentary or compatible with a medical campus area is permitted.
(Ord. 06-91. Passed 3-14-06.)

1133.05 ACCESSORY USES PERMITTED.

- (a) Central Utility Plant;
- (b) Emergency and patient drop-off areas;
- (c) Garage for:
 - (1) Ambulances;
 - (2) Grounds equipment;
 - (3) Maintenance of principal and/or accessory use;
- (d) Medical Support Materials Warehouse;
- (e) Public Transportation Area;
- (f) Receiving Docks;
- (g) Skywalks over private property;
- (h) Skywalks over public streets when approved by the Department of Community Development;
- (i) Storage facilities (records, films, linens, equipment, supplies).
- (j) Information technology and communications systems.

(Ord. 06-91. Passed 3-14-06.)

1133.06 GENERAL PROVISIONS.

Except as otherwise provided in Section 1133.07, all principal and accessory uses and structures permitted within this district shall be subject to Title IV and Title V and to the supplemental requirements of Title VI, where applicable.
(Ord. 06-91. Passed 3-14-06.)

1133.07 SPECIAL PROVISIONS.

None.

(Ord. 06-91. Passed 3-14-06.)

CHAPTER 1135

Requirements for Specific Uses

1135.01 Uses and requirements.

1135.02 Accessory apartment.

1135.03 Cemetery and mausoleum.

1135.04 Clubs.

1135.05 Repealed by Ord. 06-425, passed 12-5-06.

1135.06 Repealed by Ord. 06-425.

1135.07 Repealed by Ord. 06-425.

1135.08 Repealed by Ord. 06-425, passed 12-5-06.

1135.09 Repealed by Ord. 06-425, passed 12-5-06.

1135.10 Repealed by Ord. 06-425, passed 12-5-06.

1135.11 Repealed by Ord. 06-425.

1135.12 Repealed by Ord. 06-425.

1135.13 Repealed by Ord. 06-425.

1135.14 Repealed by Ord. 06-425, passed 12-5-06.

1135.15 Separability.

1135.16 Dwellings, zero lot line or attached.

1135.17 Extraction.

1135.18 Funeral homes.

1135.19 Home occupation.

1135.20 Kennel, veterinarian clinic, and animal hospital.

1135.21 Nursing home.

1135.22 Public utility or public use.

1135.23 Religious institution.

1135.24 Salvage yard.

1135.25 Satellite receiving device.

1135.26 Animals.

1135.27 Cargo containers.

1135.01 USES AND REQUIREMENTS.

The following uses are listed as provisional uses, accessory uses or special exceptions in various districts in this code. These uses are required to meet the requirements of this chapter in addition to the requirements of the districts in which the uses are allowed. If there is a conflict between the requirements of this chapter and the requirements of the districts in which the uses are allowed, the most

restrictive requirements shall govern.

1135.02 ACCESSORY APARTMENT.

- An accessory apartment within an owner-occupied, single family dwelling shall be subject to the following specific requirements:
- (a) The accessory apartment shall consist of a separate dwelling unit from the single-family dwelling.
 - (b) Not more than one accessory apartment may be established within a single-family dwelling.
 - (c) The owner of the dwelling within which an accessory apartment is located must occupy at least one of the dwelling units as the owner's permanent residence.
 - (d) The accessory apartment and the principal dwelling shall be under the same ownership.
 - (e) The dwelling within which the accessory apartment is contained shall have the appearance of a single-family dwelling. An entrance for the accessory apartment shall not face a street, unless the entrance existed as a utility entrance to the original dwelling prior to the establishment of the accessory apartment.
 - (f) No addition to the single-family dwelling for an accessory apartment shall increase the original floor area of the dwelling by more than 10 percent.
 - (g) One off-street parking space shall be provided for the accessory apartment. This space shall be in addition to the existing required off-street parking spaces for the single-family dwelling.
 - (h) The accessory apartment shall not contain more than 30 percent of the dwelling's total floor area, be larger than 800 square feet, nor have more than two (2) bedrooms. However, the minimum floor area shall conform to the requirements of the *OBOA One, Two & Three Family Dwelling Code*, as specified in Chapter 1303 of Part 13--Building Code of the *Codified Ordinances of Springfield*.
 - (i) The right to have an accessory apartment shall cease upon transfer of title to the property, and the right to maintain an accessory apartment in no way authorizes establishment of the dwelling as a duplex.
 - (j) A notarized affidavit from the owner verifying that he is the legal resident of one of the dwelling units on the premises and that one of the occupants in the other dwelling unit is elderly or handicapped shall be submitted to the City prior to issuance of an accessory apartment zoning certificate. Furthermore, the owner shall, as a requirement of continuance of the accessory apartment, submit a notarized affidavit by January 31 each year, certifying compliance with this requirement.
 - (k) The effective period of the permit shall be for three (3) years. At the end of every three (3) year period, renewal of the accessory apartment zoning certificate shall be granted only after completion of a routine housing inspection verifying that the property remains the principal residence of the owner and that all of the conditions of this code have been met.

1135.03 CEMETERY AND MAUSOLEUM.

A cemetery and mausoleum shall be subject to the following specific requirements:

- (a) Any new cemetery shall be located on a site containing not less than 20 acres or five (5) acres for a pet cemetery.
- (b) All interments and structures including but not limited to a mausoleum, permanent monuments or maintenance buildings shall be set back not less than 35 feet from all property lines.
- (c) All access shall be provided from a primary or secondary arterial street identified on the Land Use Plan.
- (d) The cemetery shall be screened from view of any abutting residential district by meeting the requirements of Subsection 1161.02(h).
- (e) Approval shall be contingent upon a satisfactory drainage plan approved by the City Engineer.
- (f) Cemeteries and mausoleums allowed only as a conditional use shall have adequate off-street stacking spaces provided for funeral processions.
- (g) No burial plots shall be permitted in a flood plain.

1135.04 CLUBS.

A club shall be subject to the following specific requirements:

- (a) Information that specifies whether it is nonprofit or for profit, its purpose and activities, number of members, and its officers shall be submitted and included with the zoning certificate for the club.
- (b) Use of the facilities shall be limited to the members and their guests.
- (d) A listing of anticipated peak times and activities and anticipated expansion of the facilities shall be submitted.
- (e) All structures and facilities shall comply with the following dimensional requirements:
 - (1) Minimum lot area: 30,000 square feet
 - (2) Minimum yards:
 - A. Front yard--100 feet
 - B. Side yard--30 feet
 - C. Rear yard--50 feet
- (f) Clubs requiring more than 20 parking spaces shall be located on and have its only access to a street with a minimum pavement width of 40 feet.
- (g) Parking facilities shall not be located closer than 20 feet from a side or rear lot line where abutting an R district and shall be screened from view of the abutting R district by meeting the requirements of Subsection 1161.02(h).
- (h) The following requirements shall be applicable to specific uses in association with a club.
 - (1) **Driving range.** In R districts, outdoor lighting shall not be installed for its use during nighttime hours.
 - (2) **Swimming pools.**
 - A. An outdoor pool shall be enclosed by a six (6) foot high fence or wall to prevent uncontrolled access.
 - B. A pool shall be subject to the yard requirements of this section.
 - C. A pool located within an R district or within 100 feet of a lot in an R district shall be screened from view according to the requirements of Subsection 1161.02(h).

1135.05 THROUGH 1135.14 REPEALED BY ORDINANCE NO. 06-425, PASSED 12-5-06.

1135.15 SEPARABILITY.

Should any section, clause, paragraph, sentence, item, phrase, or provision of this Ordinance be declared by a Court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

1135.16 DWELLINGS, ZERO LOT LINE OR ATTACHED.

A zero lot line dwelling or townhouse shall be subject to the following specific requirements:

- (a) Where an abutting lot has been developed with a principal building having a setback of more than zero (0) feet but less than 10 feet from the side lot line in common, the zero lot line dwelling shall be located so there is a minimum of 10 feet to the adjacent principal building. An easement from the abutting lot owner shall be secured prior to the issuance of a building permit to ensure that a zero (0) or ten 10 foot separation is retained.
- (b) No portion of a wall, roof, or appurtenance along the zero side yard shall project over the lot line. Openings in the wall shall be prohibited.
- (c) Legal provision shall be made for permanent access for the maintenance of the exterior portion of the proposed building wall located upon the lot line and for other common elements such as driveways. A permanent 10 foot maintenance easement to provide such access shall be secured prior to issuance of a building permit.
- (d) Each end unit of a townhouse shall have one (1) side yard of a minimum of ten 10 feet.
- (e) Each dwelling unit shall be provided with a separate building access and with separate utility service from the street.

1135.17 EXTRACTION.

Extraction shall be subject to the following specific requirements:

- (a) A license to operate shall be obtained from the Department of Natural Resources (DNR). Failure to maintain said license shall constitute abandonment.
- (b) An application for such operation shall set forth the following information (compare to DNR requirements):
 - (1) Name of the owner or owners of land from which removal is to be made.
 - (2) Name of the applicant making request for such a permit.
 - (3) Name of the person or corporation conducting the actual removal operation.
 - (4) Location, description and size of the area from which the removal is to be made.
 - (5) Type of resources or materials to be removed.
 - (6) Proposed method of removal and whether or not blasting or other use of explosives will be required.
 - (7) Description of equipment to be used.
 - (8) Anticipated ending date for extraction and the method of rehabilitation and reclamation of the area.
 - (9) The means that will be used to prevent the deposition of mud and debris from trucks on public streets and highways.
 - (10) The means of controlling fugitive dust from the extraction.
 - (11) Certification that all state and federal regulations can and will be met.
- (f) Extraction shall not occur within 1,000 feet of an R District.
- (g) Extraction shall not occur within 100 feet of abutting property or a street.
- (h) The applicant shall demonstrate that such operations will not be detrimental to the vicinity or surrounding properties.
- (i) The banks of an extraction site less than five (5) feet deep, shall be sloped at a grade of not less than three (3) feet horizontal to one (1) foot vertical, and such banks shall be surfaced with at least six (6) inches of suitable soil and seeded with a vegetative cover to prevent erosion.
- (j) Whenever the floor of an extraction site is more than five (5) feet below the grade of the site's perimeter or the site contains more than three (3) feet of water, the site shall be completely enclosed by a barrier consisting of a fence on not less than a six (6) foot high mound of earth planted with suitable dense planting or other suitable material sufficient in either case to prevent persons from entering the site. Such mound shall be located at least 25 feet from any street, road, highway or boundary of the quarry property.
- (k) All quarrying, blasting, drilling or mining shall be carried out in a manner and on such scale as to minimize dust, noise and vibrations and to prevent adversely affecting the surrounding properties. A blasting permit shall be obtained from the Springfield Fire Division for all blasting that is done.

1135.18 FUNERAL HOMES.

Funeral homes shall be subject to the following specific requirements:

- (a) Funeral homes shall be located with access to a secondary or primary arterial street as identified on the Land Use Plan Map.
- (b) Sufficient off-street automobile parking and assembly area shall be provided for vehicles to be used in a funeral procession. The assembly area shall be provided in addition to the required off-street parking area.
- (c) The site shall have a minimum frontage of 120 feet and a minimum lot area of 40,000 square feet.
- (d) Loading and unloading areas used by ambulances, hearses or other such service vehicles and located within an R district or within 100 feet of a lot in an R district shall be [obscured] screened from view according to the requirements of Subsection 1161.02(h).

1135.19 HOME OCCUPATION.

A home occupation shall be subject to the following specific requirements:

- (a) The home occupation shall be operated solely within the dwelling unit or an accessory building to the dwelling unit. One person not a resident of the premises may be employed to assist in the home occupation. However, nothing in these provisions

shall prevent persons who do not reside on the premises from assisting in those aspects of a home occupation that are off-premises.

- (b) Those home occupations that occupy more than 10 percent of the floor area of a dwelling unit shall be subject to the provisions of the Ohio Basic Building Code. Floor area shall be construed as that area of a dwelling unit bounded by the exterior walls or fire walls of the dwelling unit (refer to the *Ohio Basic Building Code*, as regulated in Chapter 1303 of Part 13--Building Code of the *Codified Ordinances of Springfield*).
- (c) There shall be no external alteration of the residential appearance of a dwelling. However, an entrance which provides direct access to the home occupation may be constructed in a wall of the dwelling that does not face a street.
- (d) There shall be no direct selling or leasing of stocks of merchandise, supplies or products on premises. A person may pick up an order made by prior arrangements.
- (e) There shall be no disturbance such as noise, vibration, electrical interference, smoke, dust, odor, heat or glare beyond the lot lines or beyond the confines of the dwelling unit if the unit is part of a two-family or multi-family dwelling.
- (f) There shall be no exterior display; exterior storage of merchandise, inventory, equipment, or materials; window display, including a sign visible from outside the dwelling; sign (except as otherwise provided in Subsection 1155.06(b)(2)(A); house calls after 10:00 p.m. or before 7:00 a.m.; nor other indication from the exterior that a dwelling or accessory building is being used in part for any use other than that of a dwelling or accessory building for purely residential purposes.
- (g) There shall be no toxic; explosive; flammable; combustible; corrosive; etiologic; or radioactive materials, used or stored on the premises, except that which is generally used for domestic purposes.
- (h) At the dwelling of the home occupation, the use; parking or storage of such equipment and vehicles as tractors; semi-truck tractors or trailers; heavy equipment such as construction equipment; and commercially licensed vehicles with six (6) wheels or more shall be prohibited. Commercially licensed vehicles with fewer than six (6) wheels shall be parked in adequate sized off-street parking spaces which meet the requirements of this code. However, not more than one-third (1/3) of the (required) front yard shall be used for parking or be surfaced with impervious material.
 - (i) The required number of off-street parking spaces for the dwelling unit to which the home occupation is accessory, shall be provided. The home occupation shall not reduce nor render unusable, areas provided for required off-street parking.
 - (j) No more than two (2) persons may avail themselves of the services provided by a home occupation at any one time. However, classes for generalized or specialized private instruction for more than two (2) but not more than 10 individuals may be permitted if authorized as a conditional use by the Board of zoning appeals in accordance with the procedures of section 1172.05.
- (k) The following uses and activities shall be prohibited:
 - (1) Ambulance service.
 - (2) Animal service, including a veterinarian establishment; animal grooming business; kennel; or establishment for the boarding of animals.
 - (3) Appliance repair shop for large appliances such as but not limited to clothes washers and dryers; cooking ranges; refrigerators and freezers; and dishwashers.
 - (4) Barber shop.
 - (5) Beauty parlor, including a manicurist and cosmetologist.
 - (6) Limousine service involving more than two (2) limousines.
 - (7) Machine shop.
 - (8) Office of a person in a healing profession
 - (9) Painting of vehicles, trailers, or boats.
 - (10) Tattoo parlor.
 - (11) Vehicle and motorized equipment repair, including parts sales or detailing; vehicle washing; and large and small engine repair.
 - (12) Welding shop.
- (l) A Certificate of Zoning Approval shall be obtained from the Director of Community Development or his authorized representative prior to establishing a home occupation. Home occupations shall, on occasion, be subject to inspection to determine compliance with these provisions.

1135.20 KENNEL, VETERINARIAN CLINIC, AND ANIMAL HOSPITAL.

A kennel, veterinarian clinic, or animal hospital shall be subject to the following specific requirements:

- (a) Dimensional requirements:
 - (1) Minimum lot area: 20,000 square foot
 - (2) Minimum yards:
 - Front--50 feet
 - Side--40 feet
 - Rear--50 feet
- (b) All structures shall be located a minimum of 200 feet from an R district.
- (c) Except in an AG district, there shall be no outdoor animal pen or dog run.
- (d) Services shall be administered within a fully enclosed building.

1135.21 NURSING HOME.

A nursing home shall be subject to the following specific requirements:

- (a) A nursing home shall access an arterial street as identified on the Land Use Plan Map or on a street pavement wider than 30 feet.
- (b) Dimensional requirements:
 - (1) Minimum lot area: 600 square feet of lot area per each bed.
 - (2) Minimum yards:
 - Front yard--40 feet
 - Side yard--30 feet

Rear yard--25 feet

- (3) The maximum permitted building coverage shall be 40 percent.

1135.22 PUBLIC UTILITY OR PUBLIC USE.

Public utilities shall be subject to the following conditions and standards:

- (a) Site standards for essential services and utility uses:

- (1) Utility substations shall be located at least 100 feet from an R district boundary.
- (2) The site shall access an arterial street as identified on the Land Use Plan Map or on a street pavement wider than 30 feet.
- (3) All proposed uses and facilities located within 100 feet of an R district boundary shall be contained within buildings or structures.

(4) A landscaped berm at least five (5) feet in height shall be required in all yards abutting an R district or street.

- (b) Location of utility lines:

- (1) Such use shall not affect the general plan.
- (2) Such use shall not endanger the health and safety of residents or workers in the area.
- (3) The location of the use shall provide for minimal visual impact and shall not impair the use of surrounding properties.
- (4) The use of utility corridors shall be encouraged, using existing utility line or transportation right-of-way for various transmission uses.

(5) The alignment shall follow the topography to minimize any effects to the terrain.

(6) There shall be minimal vegetative clearance for soil erosion control.

- (c) Installation of underground utilities:

- (1) All new extensions of electrical and communications distribution and service facilities, equipment and lines carrying less than 34,500 volts, hereafter constructed or installed shall be placed underground, unless special permission to construct said facilities above ground is granted, as hereinafter provided.
- (2) All relocations of existing overhead electrical and communications distribution and service poles supporting lines carrying less than 34,500 volts, required to be relocated by reason of change of grade or alignment, or the widening of the street within which such overhead facilities exist, shall, upon relocation, be placed underground, unless special permission to reconstruct said facilities above ground is granted, as hereinafter provided. This provision shall apply only as to those streets within an area of the city declared by the City Commission to be an underground utility district.
- (3) Overhead electrical and communications distribution and service poles supporting lines carrying less than 34,500 volts shall not be installed to support overhead facilities, where such installation would duplicate an existing pole line within an entire city block.

(4) Electric and communication service wires or cables to any new building or structure shall be placed underground.

- (5) Exceptions:

- A. Poles used exclusively for street lighting.
- B. Overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extended from one location on the building to another location on the same building or to an adjacent building on the same lot or parcel without crossing any street.
- C. Equipment appurtenant to underground facilities, such as surfaced-mounted transformers, pedestal-mounted transformers, pedestal-mounted terminal boxes, and meter cabinets and concealed ducts.
- D. Transformers, switching boxes, terminal boxes, meter cabinets, pedestals, ducts and other facilities necessarily appurtenant to such underground and street lighting facilities may be placed above ground within the street or other public place as appropriate.
- E. All facilities reasonably necessary to connect underground facilities to existing or permitted overhead or above ground facilities.
- F. Overhead electric transmission and distribution feeder lines and overhead communication long distance, trunk and feeder lines, existing or new.

1135.23 RELIGIOUS INSTITUTION AND COMMUNITY CENTER.

A religious institution shall be subject to the following specific requirements:

- (a) A religious institution or community center shall be located with access to an arterial street as identified on the Land Use Plan map or on a street pavement wider than 30 feet.

- (b) The following dimensional requirements shall be applicable only to the construction of a new building:

- (1) Minimum lot area: 40,000 square feet.
- (2) Minimum yards: Two and one-quarter (2.25) feet of horizontal distance shall be provided for each one (1) foot of building height measured between the nearest point of any lot line and the nearest point from which the height is measured.

(Ord. 09-94. Passed 4-14-09.)

1135.24 SALVAGE YARD.

A salvage yard shall be subject to the following specific requirements:

- (a) No operation shall be permitted closer than 1,000 feet to any R district.
- (b) All outdoor storage shall be conducted entirely within an enclosed fence, wall or other solid screen. Solid gates shall be provided at driveway areas. Such enclosures shall be constructed on or inside the front, side and rear lot lines and shall be constructed in such a manner that no outdoor storage or salvage operations shall be visible from an adjacent property, street or highway. Storage, either temporary or permanent, between such fence or wall and any property line is expressly prohibited. Junk or salvage materials shall not form part of the fence, be piled higher than the height of the fence, nor be placed against the fence.
- (c) For fire protection, an unobstructed firebreak eight (8) feet in width shall be maintained around the entire salvage yard.

- (d) The storage of rags, paper and similar combustible waste shall not be closer than 100 feet to any property line, unless enclosed in a masonry building of not less than four-hour fire resistive construction.

1135.25 SATELLITE RECEIVING DEVICE.

A satellite receiving device in R Districts shall be subject to the following specific requirements:

- (a) The device shall not be located in the area between the street and the building line; in the side yard where abutting a lot in an R district; nor on the roof or attached to the side of any building, except for a device less than two (2) feet in diameter.
- (b) The device shall be securely mounted to withstand high winds as determined by the Chief Building Official or his designee.
- (c) The device shall not be located within utility easements or otherwise interfere with city utilities unless approved by the City Engineer.

1135.26 ANIMALS.

Livestock and animals shall be allowed on parcels only as follows:

- (a) Domestic dogs, domestic cats, fish, and honeybees (*apis mellifera*) may be kept on parcels of any size.
 - (1) Requirements for bee hives:
 - a. Each parcel is permitted up to two hives.
 - b. Hives shall be placed in rear yards only.
 - c. All hives shall be registered with the Ohio Department of Agriculture and shall comply with all requirements set forth in ORC Chapter 909.
 - d. Hives must be screened:
 1. With a minimum six (6) foot high flyway barrier around hives.
 2. The flyway barrier shall consist of a solid wall, fence, dense vegetation, or combination thereof.
 3. The flyway barrier shall extend ten (10) feet beyond the hive in each direction along the ground.
 - (b) All other livestock and non-carnivorous animals shall only be kept on parcels three acres or more. Livestock and non-carnivorous animals kept on parcels of three acres or more shall be kept in an appropriately fenced area.
 - (1) Structures for fowl or small animals shall not be less than 100 feet distant from every abutting property line in an R district, while structures for horses, cattle, sheep, goats, and other large livestock shall be not less than 200 feet from every abutting property line in an R district.
 - (c) Carnivorous animals, other than domestic dogs, domestic cats, and fish, are not permitted in the city, except as part of a licensed circus or exhibition.
- (Ord. 17-243. Passed 10-10-17.)

1135.27 CARGO CONTAINERS.

- (a) Definition. As used in this section, "cargo container" shall mean a standardized, reusable weatherproof fully enclosed box-like structure constructed with doors, originally designed for the shipment or storage of freight or other goods, and commonly designed for or is capable of being mounted on a railroad car, a chassis or bogie for movement by truck, and/or a ship.

(Ord. 04-132. Passed 4-20-04.)

- (b) Cargo containers may not be used for warehouse/storage as the primary use of a property.

(Ord. 04-132. Passed 4-20-04.)

- (c) Cargo containers 120 square feet or smaller in size may be used as temporary structures. As such, they may not be placed in front or side yard required setbacks.

(Ord. 04-132. Passed 4-20-04.)

- (d) Cargo containers exceeding 120 square feet are allowed in residentially zoned districts only if in active use for the storage of construction materials for ongoing permitted construction, or for a maximum period of seven consecutive days in association with the relocation of the contents of a residential structure.

(Ord. 04-132. Passed 4-20-04.)

- (e) Cargo containers exceeding 120 square feet are allowed in commercially zoned districts only as a conditional use. They may not be located in any setback required by zoning, nor be placed upon required parking, nor may their combined area exceed 7% of the floor area of the permanent structures on the site. They cannot be stacked.

(Ord. 04-132. Passed 4-20-04.)

- (f) Cargo containers exceeding 120 square feet are allowed as accessory uses in industrially zoned districts. They may be stacked two high.

(Ord. 04-132. Passed 4-20-04.)

CHAPTER 1136

Wireless Communication Facilities

(Chapter enacted through Ordinance No. 06-425, passed December 5, 2006.)

- 1136.01 Purpose and Objectives.**
- 1136.02 Definitions.**
- 1136.03 Conditional use permit required.**
- 1136.04 Applications for conditional use permit.**
- 1136.05 General contents of application.**
- 1136.06 Technical certifications.**
- 1136.07 Required demonstrations.**
- 1136.08 Review of application.**
- 1136.09 Standards for facilities.**
- 1136.10 Permit to be granted.**
- 1136.11 Effect of granting permit.**
- 1136.12 Continuing obligations of holder of permit.**
- 1136.13 Required insurance.**
- 1136.14 Fees and deposit.**
- 1136.15 Removal of facility.**
- 1136.16 Assurance of removal.**

1136.01 PURPOSE AND OBJECTIVES.

In order to ensure that the placement, construction, and modification of wireless telecommunications facilities protects the City's health, safety, public welfare, environmental features, the nature and character of the community and neighborhood and other aspects of the quality of life specifically listed elsewhere in this chapter, the City hereby adopts an overall policy with respect to a conditional use permit for wireless telecommunications facilities for the express purpose of achieving the following goals:

- (a) Implementing an application process for person(s) seeking a conditional use permit for wireless telecommunications facilities;
- (b) Establishing a policy for examining an application for and issuing a conditional use permit for wireless telecommunications facilities that is both fair and consistent;
- (c) Promoting and encouraging, wherever possible, the sharing and/or co-location of wireless telecommunications facilities among service providers;
- (d) Promoting and encouraging, wherever possible, the placement, height and quantity of wireless telecommunications facilities in such a manner, including but not limited to the use of stealth technology, to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless telecommunications facilities.
- (e) Making available to residents an appropriate level of wireless communication services while employing the least visually and physically intrusive means that are not technologically or commercially impracticable under the facts and circumstances.

1136.02 DEFINITIONS.

For purposes of this chapter, and where not inconsistent with the context of a particular section, the defined terms, phrases, words, abbreviations, and their derivations shall have the meaning given in this section. When not inconsistent with the context, words in the present tense include the future tense, words used in the plural number include words in the singular number and words in the singular number include the plural number. The word "shall" is always mandatory, and not merely directory.

- (a) **"Wireless Telecommunication Accessory Facility or Structure"** means an accessory facility or structure serving or being used in conjunction with wireless telecommunications facilities, and located on the same property or lot as the wireless telecommunications facilities, including but not limited to, utility or transmission equipment storage sheds or cabinets.
- (b) **"Commercial Impracticability"** or **"Commercially Impracticable"** means the inability to perform an act on terms that are reasonable in commerce; the cause or occurrence of which could not have been reasonably anticipated or foreseen and that jeopardizes the financial efficacy of the project. The inability to achieve a satisfactory financial return on investment or profit, standing alone, shall not deem a situation to be "commercially impracticable" and shall not render an act or the terms of an agreement "commercially impracticable."
- (c) **"Completed Application"** means an application that contains all information and/or data necessary to enable an informed decision to be made with respect to an application.
- (d) **"FAA"** means the Federal Aviation Administration, or its duly designated and authorized successor agency.
- (e) **"FCC"** means the Federal Communications Commission, or its duly designated and authorized successor agency.
- (f) **"Height"** means, when referring to a tower or structure, the distance measured from the pre-existing grade level to the highest point on the tower or structure, even if said highest point is an antenna or lightening protection device.
- (g) **"NIER"** means non-ionizing electromagnetic radiation.
- (h) **"Propagation study"** means a report showing the transmission characteristics of the proposed Wireless Telecommunications Facility which includes such information as the City shall require.
- (i) **"Personal Wireless Facility"** means a "Wireless Telecommunications Facility" used in the provision of "Personal Wireless Services."
- (j) **"Personal Wireless Services"** or **"PWS"** or **"Personal Telecommunications Service"** or **"PCS"** shall have the same meaning as defined and used in the 1996 Telecommunications Act.
- (k) **"Telecommunication Site."** See definition for "Wireless Telecommunications Facilities."
- (l) **"Conditional Use Permit"** means the official document or permit by which an applicant is allowed to construct and use wireless telecommunications facilities as granted or issued by the City.
- (m) **"State"** means the State of Ohio.
- (n) **"Stealth"** or **"Stealth Technology"** means to employ methods to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless telecommunications facilities by using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances.

- (o) "**Telecommunications**" means the transmission and/or reception of audio, video, data, and other information by wire, radio frequency, light, and other electronic or electromagnetic systems.
- (p) "**Telecommunications Structure**" means a structure used in the provision of services described in the definition of "Wireless Telecommunications Facilities."
- (q) "**Wireless Telecommunications Facility**" includes a "Telecommunications Structure", "Telecommunications Site" and "Personal Wireless Facility" and means a structure, facility or location designed, or intended to be used as, or used to support antennas or other devices for transmitting or receiving wireless signals. A "Wireless Telecommunications Facility" includes, without limit, antennas and towers of all types and kinds and structures, whether installed on or in existing structures such as a multi-story building, church steeple, silo, water tower, sign or other structures, or constructed free standing, including all related facilities such as cabling, equipment shelters and other structures associated with the site. It is a structure and facility intended for transmitting and/or receiving radio, television, cellular, paging, 911, personal telecommunications services, commercial satellite services, microwave services and services not licensed by the FCC. "Wireless Communication Facility" does not include structures used exclusively for the City's fire or police or exclusively for private, noncommercial radio and television reception, private citizen's bands, amateur radio and other similar noncommercial telecommunications where the height of the facility is below the height limits set forth in this chapter.

1136.03 CONDITIONAL USE PERMIT REQUIRED.

- (a) No wireless telecommunications facility shall be constructed within the City unless and until a conditional use permit shall have been issued authorizing such construction unless the City Manager or designee has issued a written determination that the proposed Wireless Telecommunications Facility has no appreciable impact under subsection (c) below.
- (b) Any wireless communication facility lawfully constructed within the City prior to the adoption of this ordinance, is a non-conforming use, unless and until a conditional use permit shall have been issued with respect to such wireless communication facility.
- (c) If the City Manager determines, based on a written request (application), that due to the size, location and similar characteristics and due to the operating characteristics of the proposed facility, the proposed facility will have no appreciable visual or other impact upon the neighborhood in which it is to be located and no detrimental effect on existing telecommunication broadcasting and receiving, the City Manager may issue a written determination to that effect. The application for a determination of no appreciable impact shall be accompanied by such information as the City Manager may require to evaluate the impact of the proposed wireless telecommunications facility. The City Manager may require the applicant for a determination of no appreciable impact to provide all or a portion of the information specified in Sections 1136.05 and 1136.06 of this Chapter. An application for a determination of no appreciable impact shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information. Such a determination shall not be made with respect to a proposed new tower.
- (d) A conditional Use Permit shall not be required for location of a Wireless Telecommunication facility in the City's rights of way. Such facilities must conform to the City's ordinances rules and procedures governing the rights of way.

(Ord. No. 12-8. Passed 1-17-12.)

1136.04 APPLICATIONS FOR CONDITIONAL USE PERMIT.

- (a) Applications for a conditional use permit shall be submitted to the Department of Community Development on such forms as the City Manager shall prescribe.
- (b) An application for a conditional use permit for wireless telecommunications facilities shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information. The landowner, if different than the applicant, shall also sign the application. At the discretion of the City, any false or misleading statement in the application may result in denial of the application without further consideration or opportunity for correction.
- (c) Applications not meeting the requirements stated herein or that are otherwise incomplete may be rejected by the City.

1136.05 GENERAL CONTENTS OF APPLICATION.

All applications for a conditional use permit with respect to a wireless communication facility shall contain the following:

- (a) Conditional Use Application (Section 1172.05);
- (b) Co-location of a wireless telecommunications facility on existing structure
 - (1) Documentation that demonstrates the need for the wireless telecommunications facility to provide service primarily and essentially within the City. Such documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites;
- (2) A plot plan shall indicate all building and land uses within two hundred (200) feet of the proposed facility. Aerial photos and/or renderings may augment the plot plan.
- (3) The location of the nearest residential structure;
- (4) The location, size and height of all proposed and existing antennae and all appurtenant structures;
- (5) The number, type and design of the tower(s) and antenna(s) proposed and the basis for the calculations of the tower's capacity to accommodate multiple users. The applicant shall list the location of every tower, building, or structure within a reasonably proximity that could support the proposed antenna;
- (6) A description of the proposed antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;

- (7) A "Zone of Visibility Map" which shall be provided in order to determine locations from which the antenna may be seen;
 - (8) Pictorial representations of "before" and "after" views from key viewpoints both inside and outside of the City, as may be appropriate, including but not limited to state highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents. Guidance will be provided concerning the appropriate key sites at a pre-application meeting, if requested by the applicant.
- (c) Telecommunications Structures: In addition to the general contents for co-location set forth in subsection (b) above, an applicant for a new telecommunication structure shall also submit,
- (1) The type, locations and dimensions of all proposed and existing landscaping, and fencing;
 - (2) A comprehensive report inventorying existing towers and other suitable structures within 4 miles of the location of any proposed new tower, unless the applicant can show that some other distance is more reasonable;
 - (3) The make, model and manufacturer of the tower and antenna(s);
 - (4) An assessment of the visual impact of the tower base, guy wires and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.
 - (5) Proof of the availability of the insurance required under Section 1136.13 and the removal bond required under Section 1136.15.
 - (d) If applicant petitions recognition of no appreciable impact under Section 1136.03(c), then please submit a statement of no appreciable impact directed to City Manager.
 - (e) Technical Certification data according to Section 1136.06 below.
 - (f) Statement of demonstration of necessity according to conditions set forth in Section 1136.07 below.

1136.06 TECHNICAL CERTIFICATIONS.

All applications for a conditional use permit with respect to a wireless communication facility shall contain, the following, each certified by an engineer or other professional licensed as appropriate to that item:

- (a) A topographic and geomorphologic study and analysis taking into account the subsurface and substrata, and the proposed drainage plan, assuring the stability of the proposed wireless telecommunications facilities on the proposed site.
- (b) The frequency, modulation and class of service of radio or other transmitting equipment;
- (c) The actual intended transmission and the maximum effective radiated power of the antenna(s);
- (d) The direction of maximum lobes and associated radiation of the antenna(s);
- (e) Certification that the NIER levels at the proposed site are within the threshold levels adopted by the FCC;
- (f) Certification that the proposed antenna(s) will not cause interference with other telecommunications devices;
- (g) A copy of the FCC license applicable for the intended use of the wireless telecommunications facilities;

1136.07 REQUIRED DEMONSTRATIONS.

The application shall contain demonstrations that the granting of the application will further the objectives stated in Section 1136.01 above. Such demonstrations shall include:

- (a) A demonstration the need for the wireless telecommunications facility to provide service primarily and essentially within the City. Such demonstration shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites;
- (b) In the case of a new tower, a demonstration that the proposed facility has been sited and designed so as to employ the least visually and physically intrusive means that are not commercially impracticable under the facts and circumstances. Such report must include evidence that fair and thorough consideration was given to the following:
 - (1) Sharing an existing tower or other facility with another provider,
 - (2) Locating the facility atop or within an existing structure,
 - (3) Locating the facility upon publicly owned land,
 - (4) Making any new tower accessible to co-location of additional antennas of other providers,
 - (5) Locating the facility so as to minimize the impact upon the following types of Zoning Districts in the following order:
 - (A) Historical Districts,
 - (B) Single Family Residential Districts,
 - (C) Multi-Family Residential Districts,
 - (D) Commercial Districts,
 - (E) Manufacturing and Industrial Districts,
 - (6) Minimizing the height of towers and other structures,
 - (7) Employing camouflage or other stealth technology.
- (c) A demonstration of the ability of any proposed new tower to accommodate future demand for at least five additional commercial applications, such as future co-locations, without causing interference. This requirement may be waived, provided that the applicant demonstrates that the provisions of future shared usage of the tower is not technologically feasible, is commercially impracticable or creates an unnecessary and unreasonable burden, based upon:
 - (1) The foreseeable number of FCC licenses available for the area;
 - (2) The kind of wireless telecommunications facilities site and structure proposed.
- (d) Agreements between providers limiting or prohibiting co-location shall not be accepted as a valid basis for a claim of commercial impracticability or hardship. An assertion that the proposed site is the only site under option or lease shall not be accepted as a valid basis for a claim of commercial impracticability or hardship.

1136.08 REVIEW OF APPLICATION.

- (a) The City Manager shall designate such persons as the City Manager deems appropriate to review, analyze, and evaluate applications and supporting materials. The City Manager may, at his discretion, delegate or designate other official agencies of the City or consultants employed by the City to accept, review, analyze, evaluate and make recommendations with respect to granting or not

granting, recertifying or not recertifying or revoking conditional use permits for wireless telecommunications facilities.

(b) If after review of the "Zone of Visibility Map" submitted under Section 1136.05 (b)(7) above, the City determines that the proposed facility is likely to have adverse visual or aesthetic impact, the City may require the applicant to perform a balloon test at the applicant's expense, described as follows:

- (1) The applicant shall arrange to fly, or raise upon a temporary mast, a minimum of a 3 foot in diameter brightly colored balloon at the maximum height of the proposed new tower.
- (2) The dates, (including a second date, in case of poor visibility on the initial date) times and location of this balloon test shall be advertised by the applicant 7 and 14 days in advance of the first test date in a newspaper with a general circulation in the City.
- (3) The applicant shall inform the City, in writing, of the dates and times of the test, at least 14 days in advance.
- (4) The balloon shall be flown for at least four consecutive hours sometime between 7:00 a.m. and 4:00 p.m. on the dates chosen. The primary date shall be on a weekend, but in case of poor weather on the initial date, the secondary date may be on a weekday.

1136.09 STANDARDS FOR FACILITIES.

A conditional use permit for a wireless communication facility will be granted only when the facility complies with the following standards:

- (a) The base and all related facilities and structures of the proposed wireless telecommunications facilities will be effectively screened from view.
- (b) All utilities at the site shall be installed underground and in compliance with all laws, ordinances, rules and regulations of the City, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.
- (c) Access roads, turn-around space and parking have been provided to assure adequate emergency and service access.
- (d) Maximum use of existing roads, whether public or private, shall be made to the extent practicable.
- (e) Road construction shall minimize ground disturbance and the cutting of vegetation.
- (f) Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.
- (g) Any new tower to be constructed on the site shall be no higher than necessary, and in no case, higher than one hundred ninety feet (190) above existing grade.
- (h) Wireless telecommunications facilities shall not be artificially lighted or marked, except as required by law.
- (i) Towers shall be galvanized and painted with a rust-preventive paint of a noncontrasting gray or similar color to harmonize with the surroundings and shall be maintained in accordance with the requirements of this chapter.
- (j) All wireless telecommunications facilities and antennas shall be fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:
 - (1) All antennas, towers and other supporting structures, including guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and
 - (2) Transmitters and telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.
- (k) Wireless telecommunications facilities shall contain a sign no larger than 4 square feet located near the base of the tower in order to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities and shall contain the name(s) of the owner(s) and operator(s) of the antenna(s), as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. The sign shall not be lighted, unless lighting is required by applicable law, rule or regulation. No other signage, including advertising, shall be permitted.
- (l) All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from any residential property line a minimum of a distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 50% of the height of the tower or structure.
- (m) All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from any nonresidential property line a minimum of a distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 25% of the height of the tower or structure.

1136.10 PERMIT TO BE GRANTED.

A conditional-use permit with respect to a wireless telecommunications facility shall be granted when

- (a) All of the following criteria (1) through (4) are met:
 - (1) The City reasonably determines that granting the application will serve the objectives set forth in Section 1136.01 above;
 - (2) The City reasonably determines that the applicant has clearly and convincingly demonstrated the matters required by Section 1136.07 above;
 - (3) The application shows compliance with the standards set forth in Section 1136.09 above; and
 - (4) The application demonstrates compliance with other applicable provisions of the Zoning Code.
- (b) Or, if the conditional use permit application is for the modification of an existing tower or base station that does not substantially change the physical dimensions of the tower or base station and involves a collocation of new transmission equipment or removal of transmission equipment or replacement of transmission equipment, then a conditional-use permit shall be granted for the collocation, removal, and/or replacement.

(Ord. 12-176. Passed 06-05-12.)

1136.11 EFFECT OF GRANTING PERMIT.

A permit granted under Section 1136.10 above shall entitle the holder to construct a wireless telecommunication facility upon the

issuance of a building permit obtained from the Chief Building Official, and to operate the facility for a period of five (5) years from the date of issuance, subject to compliance with the provisions of Section 1136.12 below.

1136.12 CONTINUING OBLIGATIONS OF HOLDER OF PERMIT.

The holder of a permit granted under Section 1136.10 above shall:

- (a) Maintain the facility in continuous operation. "Continuous operation" means that the facility has not been inactive for a period in excess of sixty (60) consecutive calendar days, unless such inactivity has been caused by an Act of God, or force majeure, and repair or reconstruction has commenced within such sixty (60) day period;
- (b) Operate and maintain the facility in accordance with the terms of the application, and any applicable license issued by the FCC;
- (c) Maintain in full force and effect the liability and other insurance required under the terms of Section 1136.13;
- (d) Negotiate in good faith for the shared use of any tower by other wireless service providers in the future, and shall:
 - (1) Respond within 60 days to a request for information from a potential shared-use applicant;
 - (2) Allow shared use of the new tower if another telecommunications provider agrees in writing to pay reasonable charges. The charges may include, but are not limited to a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance financing, return on equity less depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference.
- (e) Failure to abide by the conditions outlined above may be grounds for revocation of the conditional use permit for the facility.

1136.13 REQUIRED INSURANCE.

(a) A holder of a conditional use permit for wireless telecommunications facilities shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the conditional use permit in amounts as set forth below:

- (1) Commercial General Liability covering personal injuries, death and property damage: \$1,000,000 per occurrence; \$2,000,000 aggregate;
- (b) The Commercial General Liability insurance policy shall specifically include the City and its officers, boards, employees, committee members, attorneys, agents and consultants as additional named insureds.
- (c) The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with a Best's rating of at least A.
- (d) The insurance policies shall contain an endorsement obligating the insurance company to furnish the City with at least 30 days prior written notice in advance of the cancellation of the insurance.
- (e) Renewal or replacement policies or certificates shall be delivered to the City at least 15 days before the expiration of the insurance that such policies are to renew or replace.
- (f) Before construction of a permitted wireless telecommunications facilities is initiated, but in no case later than 15 days after the granting of the conditional use permit, the holder of the conditional use permit shall deliver to the City a copy of each of the policies or certificates representing the insurance in the required amounts.

1136.14 FEES AND DEPOSIT.

- (a) At the time that a person submits an application for a conditional use permit for a new tower, such person shall pay a non-refundable application fee of \$5,000.00 to the City. If the application is for a conditional use permit for co-locating on an existing tower or other suitable structure, where no increase in height of the tower or structure is required, the non-refundable fee shall be \$2,000.00. At the time that a person submits an application for a determination of no appreciable impact, such person shall pay a non-refundable fee of \$1,000.00 to the City.
- (b) No application fee is required in order to rectify a conditional use permit for wireless telecommunications facilities, unless there has been a visible modification of the wireless telecommunications facility since the date of the issuance of the existing conditional use permit for which the conditions of the conditional use permit have not previously been modified. In the case of any modification, the fees provided in division (a) shall apply.
- (c) In addition to the non-refundable application fee set forth in subsection (a) above, as required, an applicant shall deposit with the City funds sufficient to reimburse the City for all reasonable costs of consultant and expert evaluation and consultation to the City in connection with the review of any application, including the construction and modification of the site, once permitted. The initial deposit shall be \$8,500.00. The placement of the \$8,500.00 with the City shall precede the pre-application meeting. The City will maintain a separate escrow account for all such funds. The City's consultants/experts shall invoice the City for services in reviewing the application, including the construction and modification of the site, once permitted. If at any time during the process this escrow account has a balance less than \$2,500.00, the applicant shall immediately, upon notification by the City, replenish the escrow account so that it has a balance of at least \$5,000.00. Such additional escrow funds shall be deposited with the City before any further action or consideration is taken on the application. In the event that the amount held in escrow by the City is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the applicant.

(Ord. No. 12-8. Passed 1-17-12.)

1136.15 REMOVAL OF FACILITY.

The City may require that a telecommunication facility be removed upon the occurrence of any of the following events:

- (a) The facility was not constructed in accordance with any applicable permit,
- (b) The facility has deteriorated from lack of maintenance or other cause so that it has become a danger to public safety,
- (c) More than ninety days have elapsed since the expiration of the facility's conditional use permit and no application for renewal is pending,
- (d) The facility has been inactive for a period of at least ninety (90) consecutive calendar days,
- (e) The holder of the conditional use permit has not fulfilled the holder's continuing obligations under Section 1136.12 above.

1136.16 ASSURANCE OF REMOVAL.

- (a) In order to assure the prompt removal of a wireless communication facility when required by the City in accordance with Section 1136.15 above, the City shall require the holder of a conditional use permit to maintain in full force and effect a removal bond. A removal bond shall:
 - (1) Be written by a surety company authorized to do business in the State;
 - (2) Be in an amount sufficient to pay the cost of removal of the facility, and not less than \$75,000;
 - (3) Provide that upon written notice from the City Manager to the surety company and the holder that the City has caused the removal of the facility, the surety shall pay to the order of the City the City's cost of removal of the facility, up to and including the maximum amount of the bond.

- (b) In the event that the bond required under subsection (a) above is unavailable or insufficient to pay the City's cost of removal, the City may issue an assessment in the amount of its removal costs against the parcel or parcels of real estate upon which the facility was located, in accordance with law.

CHAPTER 1140

PD Planned Development District

1140.01 Purpose.

1140.02 Definitions.

1140.03 Lands eligible for inclusion in a PD district.

1140.04 PD ordinance and master development plan design.

1140.05 The application for rezoning as a PD district.

1140.06 Procedure for review and and approval of PD district preliminary master development plans and establishment of a PD district.

1140.07 Implementation of the PD ordinance.

1140.08 Administration of the PD ordinance.

1140.01 PURPOSE.

- (a) This Chapter establishes the procedures for review and adoption of Planned Development (PD) districts. A Planned Development: (1) is a concept which requires land to be under unified control, planned and developed as a whole in a single development or in an approved, programmed series of developments; (2) is governed by a PD Ordinance which becomes the zoning regulation for the land to which the PD Ordinance is applied and may also include subdivision regulations to govern the land; (3) includes principal and accessory structures substantially related to the character of the development itself and the surrounding area of which it is a part; and (4) is a concept which, when implemented, allows for development according to comprehensive and detailed plans which may include not only streets, utilities, building sites, and the like, but also site plans for all buildings as intended to be located, constructed, used, and related to each other, and detailed plans for other uses and improvements on the land.

- (b) The purpose of the PD district is to provide for zoning and subdivision regulation of Planned Developments to allow more flexible design of single use residential, commercial or industrial uses developments as well as allow modern integrated developments of mixed residential, commercial, industrial, recreational or agricultural uses, with such Planned Developments regulated so as to be in substantial conformity with the Clark County Comprehensive Land Use Plan (commonly known as the Crossroads Plan) adopted by the City, with the City's Thoroughfare Plan and with the purposes established in Section 1101.02 of the Springfield Zoning Code, and so as to not have substantially adverse effects on neighboring areas which outweigh the benefits to the community derived from the Planned Development. In addition, the regulation of Planned Developments under this Chapter is intended to further the following purposes:

- (1) To provide flexibility in architectural design, placement and clustering of buildings, use of open space, provision of traffic circulation facilities and parking, and related site development considerations;
- (2) To provide for the preservation and best use of existing landscape features and environment characteristics through development sensitive to and protective of the natural features of the PD district and the surrounding area in a harmonious fashion;
- (3) To promote efficient land use with smaller networks of utilities and streets;
- (4) To provide a more flexible zoning mechanism to facilitate redeveloping older residential areas and to encourage infill development;
- (5) To enable the creation of a more desirable environment than would be possible through application of the regulations in the City's conventional zoning districts;
- (6) To provide a comprehensive planning process and an integrated body of regulation for zoning and subdivision control of each Planned Development;
- (7) To provide for more usable and suitably located recreation facilities, open spaces and other public, private and common

- amenities than would otherwise be provided under conventional land use development regulation;
- (8) To combine and coordinate architectural styles, building forms and building relationships within Planned Developments;
 - (9) To provide for appropriate land covenants, easements and financial assurances and security to ensure completion of public improvements, completion of construction of Planned Development phases, long term maintenance of common areas and other amenities in Planned Developments, long term maintenance and preservation of Planned Development features intended to mitigate adverse effects on neighboring areas and areas within the Planned Development and preservation of the attributes of the Planned Development necessary to integration of the uses permitted therein;
 - (10) To provide for the integration of diverse uses in a manner that will allow the uses to complement each other and that will promote convenience of access to various uses by the community within and near the Planned Development;
 - (11) To provide aesthetically pleasing development which will foster a livable environment in the Springfield community and which will promote the public welfare;
 - (12) To provide a flexibility in zoning and subdivision regulation that will incentivise developers to opt for pursuing a planned development subject to more comprehensive municipal regulation, even though the developer may incur increased early development costs associated with undertaking the PD district planning process.

1140.02 DEFINITIONS.

The following definitions shall be applicable to this Chapter, unless a contrary meaning is indicated by the text:

- (a) **Applicant.** An applicant is a person who files a petition for a zoning amendment to establish a PD district under this Chapter. A person who holds a contractual right to become the owner of a freehold estate in land proposed to be made subject to a PD Ordinance adopted under this Chapter may be an applicant. All owners of freehold estates in the lands proposed to be made subject to the PD Ordinance adopted under this Chapter must be co-applicant parties to the application made under this Chapter.
- (b) **Buffer.** A buffer is a landscaped area, fence, wall or other barrier along the perimeter of a PD district boundary, between land use categories within a PD district, or between incompatible uses within a PD district.
- (c) **Common Open Space.** Common open space is an area of land, an area of water, or a combination of land and water within a PD district which is for the benefit of or open to use by multiple occupants of the PD district.
- (d) **Compatibility.** The ability of land a use to coexist with surrounding land uses in a stable fashion over time such that none of the uses are subjected to substantially adverse effects which outweigh the benefits to the community derived from the uses being permitted to exist in proximity to each other and which will not result in an existing lawful use becoming impractical as a result of its proximity to the proposed new use.
- (e) **Gross Density.** Gross Density for residential uses is the total number of dwelling units divided by the total number of acres designated for residential uses within the perimeter boundaries of a PD district. Gross density for non-residential uses is determined by the floor area ratio.
- (f) **Master Development Plan.** A Master Development Plan is the set of documents describing the attributes of a Planned Development, including:
 - (1) The PD Ordinance to govern the Planned Development, which shall include the zoning regulations to govern the Planned Development, which shall include standards by which the Planning Board will administer the PD Ordinance, which may include subdivision regulations which, as to the Planned Development, will be in addition to and which, to the extent they vary from the subdivision regulations in Part Twelve of the Codified Ordinances, shall supersede the subdivision regulations in Part Twelve of the Codified Ordinances and which shall include an amendment to the Zoning Map of Springfield, Ohio;
 - (2) A plot plan of subdivision characteristics and other attributes of the Planned development (the Master Development Plan plat map is not the same as the plat submitted for subdivision approval);
 - (3) Any declaration of land covenants required to accomplish the purposes of this Chapter as pertaining to the Planned Development;
 - (4) Any conveyance of easements or other interests in real estate required to accomplish the purposes of this Chapter as pertaining to the Planned development;
 - (5) Any financial assurances and security or other mechanisms required to accomplish the purposes of this Chapter as pertaining to the Planned Development; and
 - (6) Any other required conditions relating to use, location and bulk of building, density of development, common open space, and public facilities within the Planned Development.
- (g) **Net Commercial Acreage.** Net Commercial Acreage is the total number of acres within the perimeter boundaries of a PD district, excluding areas devoted to streets, rights-of-way, easements, lakes, public, private and common open space, recreation, and other permitted non-commercial and office uses.
- (h) **Net Office Acreage.** Net Office Acreage is the total number of acres within the perimeter boundaries of a PD district, excluding areas devoted to streets, rights-of-way, easements, lakes, public, private and common open space, recreation, and other permitted non-office uses.
- (i) **Net Industrial Acreage.** Net Industrial Acreage is the total number of acres within the perimeter boundaries of a PD district, excluding areas devoted to streets, rights-of-way, easements, lakes, public, private and common open space, recreation, and other permitted non-industrial uses.
- (j) **Net Residential Acreage.** Net Residential Acreage is the total number of acres within the perimeter boundaries of a PD district, excluding areas devoted to streets, rights-of-way, easements, lakes, public, private and common open space, recreation, and other permitted non-residential uses.
- (k) **Preliminary Master Development Plan.** A Preliminary Master Development Plan is a Master Development Plan proposed by the applicant and made a part of the application, as required by this Chapter, to be submitted to the Planning Board for their consideration.
- (l) **Substantial Construction.** Substantial construction is achieved at the point in development when all required permits necessary to

build a Planned Development phase have been obtained and actual construction of public improvements, or stormwater management systems on the Planned Development phase is either complete or in active progress.

- (m) **Undeveloped Area.** Undeveloped area is the area within a PD district where agriculture or recreation uses in open areas may be continued.

1140.03 LANDS ELIGIBLE FOR INCLUSION IN A PD DISTRICT.

(a) A PD district shall be comprised only of contiguous lands forming a single, cohesive area to be developed as a unit, either at one time or in phases. No PD district may surround an island of land not included as part of the PD district.

(b) No PD district shall be established unless all owners of freehold estates in the lands included within the proposed PD district have given their consent, in writing, to the establishment of the proposed PD district and to their lands being made subject to the PD Ordinance to be adopted by the City Commission and to the terms of the Master Development Plan related thereto and unless all such owners have provided all legally binding instruments the City Commission finds are necessary to the enforcement of long term obligations imposed under the said PD Ordinance and Master Development Plan.

1140.04 PD ORDINANCE AND MASTER DEVELOPMENT PLAN DESIGN.

(a) This section is intended to provide guidance to the City staff in assisting applicants wishing to petition for establishment of a PD district and to provide guidance to the Planning Board in its consideration of and adjustment of a Preliminary Master Development Plan and in designing a PD Ordinance to be recommended to the City Commission, if a PD district is to be recommended.

(b) The Planning Board shall consider the following matters in reviewing and adjusting a Master Development Plan and designing a PD Ordinance to be recommended to the City Commission:

- (1) Whether the proposed PD district meets the qualifications of Section 1140.03.
- (2) What permitted uses are appropriate for the proposed PD district;
- (3) Compliance with stormwater regulations;
- (4) Conformance to density policies established by the Clark County Comprehensive Land Use Plan or by the City Commission;
- (5) The location and sizing of buildings so as to provide adequate light and ventilation to protect the health of the occupants and users of the Planned Development;
- (6) The location and sizing of buildings so as to provide necessary access for fire apparatus and other emergency vehicles;
- (7) The location and sizing of buildings so as to provide a reasonable degree of privacy for residents and occupants of the Planned Development;
- (8) Establishing appropriate setback and yard requirements for the proposed Planned Development;
- (9) Ingress and egress for the proposed Planned Development from and to public thoroughfares and traffic circulation within the proposed PD district and avoidance of overburdening existing public thoroughfares;
- (10) Establishing appropriate open space for recreation and to establish an attractive environment that is beneficial to the public health, safety and welfare;
- (11) Determine whether appropriate land will be dedicated to public use for public roadways, public utilities, public recreation facilities and public parks;
- (12) The location and sizing of public utilities within the proposed PD district to ensure adequate service within the proposed PD district and to avoid overburdening existing public utilities;
- (13) The use of and design of buffers within and on the boundary of the proposed PD district to separate uses and to mitigate substantially adverse effects on property within the proposed PD district and on property in neighboring areas and compliance of buffers with Chapter 1156 of the Springfield Zoning Code;
- (14) The provision of adequate parking, the location of parking facilities and whether off-street parking should be permitted which deviates from the requirements of Chapter 1153 of the Springfield Zoning Code;
- (15) The grouping of buildings and the variety and design of building types;
- (16) The compatibility of land uses within the proposed PD district and the compatibility of land uses permitted in the proposed PD district with lawful land uses existing in neighboring areas;
- (17) The impact of land uses within the proposed PD district on environmental features of the proposed PD district which are to be preserved and on environmental features in neighboring areas;
- (18) The need for limitation on land uses within the proposed PD district in furtherance of the purposes of this Chapter and the compatibility of land uses within the proposed PD district and with land uses in neighboring area;
- (19) The form of ownership interests intended for the Planned Development;
- (20) Access to public transportation systems;
- (21) The location and design of landscaping within the proposed PD district and compliance with Chapter 1158 of the Springfield Zoning Code;
- (22) The location and design of signs within the proposed PD district and compliance with Chapter 1155 of the Springfield Zoning Code;
- (23) The appropriate size for subdivision lots within the proposed PD district for the various uses permitted within the proposed PD district;
- (24) Every lot within the proposed PD district is required to have access to a public thoroughfare either directly or by means of a private road;
- (25) Streets within the proposed PD district, public or private, are required to conform to the minimum requirements of Part Twelve of the Codified Ordinances and to the specifications for public roadway structures adopted by the City Engineer, whether the roadway is public or private, but alleys may deviate from the minimum requirements of Part Twelve of the Codified Ordinances if the City Fire Chief determines that such deviation will not prevent access to abutting properties by fire apparatus;
- (26) How is development of the proposed PD district to be completed in progressive phases and whether the proposed schedule

- development of the PD district is practical and will accomplish build out of phases of the Planned Development within a reasonable time;
- (27) What land covenants, easements, other interests in real estate and financial assurances and security are necessary to ensure completion of public improvements, completion of construction of the Planned Development phases, long term maintenance of common areas and other amenities in the Planned Development, long term maintenance and preservation of Planned Development features intended to mitigate adverse effects on neighboring areas and areas within the Planned Development and preservation of the attributes of the Planned Development necessary to integration of the uses permitted in the proposed PD district;
 - (28) What precautions are to be taken to preserve environmental attributes of the proposed PD district which are to be retained and on environmental features in neighboring areas;
 - (29) What standards should the PD Ordinance contain to govern exercise of Planning Board discretion in administering the PD Ordinance and approving modifications to the Master Development Plan over time; and
 - (30) What uses should be specifically prohibited within the proposed PD district.

1140.05 THE APPLICATION FOR REZONING AS A PD DISTRICT.

- (a) The applicant seeking to have land rezoned as a PD district shall submit to the Planning and Zoning Administrator six (6) copies of a PD Rezoning Application which shall include the following:
- (b) An opinion of an attorney at law, licensed to practice in Ohio, which is addressed to The City of Springfield, Ohio and upon which the City may rely, containing a good and sufficient legal description of the lands which are the subject of the application [as required in subdivision (c)(3) of this Section] and stating all owners of freehold estates in such lands. If one or more applicants is a holder of a contractual right to become an owner of a freehold estate in such lands, then the application shall also include a true copy of the document establishing such contractual right and an opinion of an attorney at law, licensed to practice in Ohio, which is addressed to The City of Springfield, Ohio and upon which the City may rely, verifying that the said document is legally binding on the parties thereto in accordance with the terms of such document.
- (c) A Preliminary Master Development Plan which shall include the following exhibits:
 - (1) A statement of objectives for the Planned Development, describing:
 - A. The general purpose of the proposed Planned Development;
 - B. The general character of the proposed Planned Development;
 - C. The proposed permitted and prohibited uses for the proposed PD district; and
 - D. The rational supporting the assumptions and choices made by the applicant.
 - (2) A vicinity map drawn to a scale to show an area of no less than one thousand (1,000) feet surrounding the proposed PD district (a larger area may be required if the Planning Board determines that information on a larger vicinity is needed to properly review the application) showing the location of the proposed Planned Development in relation to:
 - A. Existing streets and thoroughfares, showing the location and size of all existing utilities facilities, including drainage, water, sewer, electrical, and fire hydrants;
 - B. Existing public and private facilities, including but not limited to, schools, recreation areas, public utility facilities, stormwater detention facilities and police and fire stations;
 - C. Existing zoning and existing land uses on the proposed PD district site and on surrounding areas; and
 - D. Existing easements on the proposed PD district site;
 - (3) A boundary survey plat map and good and sufficient legal description of the lands which are the subject of the application (such legal description being compliant with the requirements of the Clark County, Ohio County Engineer for conveying interests in real estate).
 - (4) A topographic survey using the most recent United States Geological Service topographic survey if more detailed topographic information is not available.
 - (5) A site analysis map drawn to the same scale as the Preliminary Master Development Plan plat map, described below, which shall indicate flood prone areas, areas with slopes greater than five percent (5%), areas of soils which are marginally suited for development purposes and a tree survey (including tree cover, existing vegetation and other natural areas of significance as indicated in an accompanying Natural Area Inventory prepared by an ecologist or similarly trained environmental specialist).
 - (6) A Preliminary Master Development Plan plot plan drawn to a scale suitable to clearly depict the following characteristics of the proposed PD district (the scale for the vicinity map being a minimum standard):
 - A. Proposed land uses within the proposed PD district and their location;
 - B. Proposed lot sizes within the proposed PD district, indicated either by lot lines drawn in their proposed location or a statement on the face of the Preliminary Master Development Plan concerning proposed lot sizes, including minimum lot sizes;
 - C. Proposed building setbacks defining the distance buildings will be set back from:
 - (i) Property lines surrounding the proposed PD district;
 - (ii) Proposed and existing streets and alleys, identified as either public or private;
 - (iii) Other proposed buildings;
 - (iv) The center line of ditches, streams, creeks and the high water line of lakes and ponds;
 - (v) Lot lines within the proposed PD district; and
 - (vi) Other man-made or natural features which would be affected by building encroachment.
 - D. Proposed maximum height of buildings within the proposed PD district;
 - E. Proposed common open spaces, the intended purposes and uses of such common open spaces, their location and size and the parameters limiting use of such common open spaces;
 - F. Arterial and collector streets and thoroughfares, if any, and point(s) of connection for access roads to the Planned

Development;

- G. Local access streets and interior circulation roadways, paths and trails, public and private, vehicular and pedestrian, within the proposed PD district;
 - H. Proposed common outside storage areas, their location and size and the parameters limiting use of such common storage areas;
 - I. Proposed lot lines within the proposed PD district;
 - J. Proposed Buffers and their location, design and a maintenance plan; and
 - K. Undeveloped areas.
- (7) A table showing proposed acreage for each category of land use within the proposed PD district.
 - (8) A table showing gross density and net residential, commercial, office, and industrial acreage.
 - (9) A statement concerning proposed floor area ratios (percent of lot in relation to building floor area) and the maximum building and impervious surface coverage expressed as a percent of the front yard, rear yard, and total site area for residential and nonresidential uses within the proposed PD district.
 - (10) A proposed utility service plan pertaining to sanitary sewers, storm drainage, potable water supply, street lighting, energy supply, telecommunications and data transmission showing general locations of major water and sewer lines, lift stations, and indicating whether gravity or forced systems are planned as well as locations of other major utility infrastructure. Utility infrastructure shall be identified as either public or private.
 - (11) A proposed sign plan identifying the location, size and type of signs to be placed on the Planned Development.
 - (12) A description of each development stage of the proposed Planned Development, if the proposed PD district is to be developed in phases.
 - (13) A proposed construction/development schedule for the Planned Development and each phase thereof.
 - (14) Proposed deed and easement documents for public infrastructure within the PD district and proposed easement documents for proposed common areas, ingress and egress rights-of-way for lots within the proposed PD district and such other conveyance documents necessary to establish permanent rights needed by owners and occupants of the proposed Planned Development.
 - (15) Proposed land covenants necessary to provide for permanent protection of rights of land owners within the proposed PD district, to provide for long term enforcement of conditions intended to protect the interests of land owners in neighboring areas and to provide for permanent protection of land features and characteristics of the proposed Planned Development.
 - (16) A draft proposed PD Ordinance in a format prescribed by the Planning and Zoning Administrator and approved by the Law Director.
 - (17) Proposed financial assurances and security or other mechanisms necessary to effectively ensure completion of public improvements, completion of construction of Planned Development phases, long term maintenance of common areas and other amenities in the proposed Planned Development, long term maintenance and preservation of Planned Development features intended to mitigate adverse effects on neighboring areas and areas within the proposed Planned Development and preservation of the attributes of the proposed Planned Development necessary to integration of the uses permitted therein accomplish the purposes of this Chapter as pertaining to the proposed Planned Development.

(d) At any time during the application review process, the Planning Board may require the applicant to supplement its application to provide such additional data as the Planning Board may require to evaluate the character and impact of the proposed PD district.

1140.06 PROCEDURE FOR REVIEW AND APPROVAL OF PD DISTRICT PRELIMINARY MASTER DEVELOPMENT PLAN AND ESTABLISHMENT OF A PD DISTRICT.

- (a) The provisions of Chapter 1174 shall govern the establishment of a PD district under this Chapter; provided, however:
 - (1) The plot plan and data pertaining to neighboring property required in Subsections 1174.01(a)(1) and (2) may be provided separately along with an application which may be made part of the Preliminary Master Development Plan.
 - (2) The requirement of Subsection 1174.01(b)(3) will be satisfied by compliance with the Preliminary Master Development Plan requirement at Subsection 1140.05(c)(1).

(b) Preapplication Conference. Prior to the submission of an application for the establishment of a PD district, the applicant (along with such consultants and professional advisors as the applicant chooses to attend) shall meet with the Planning and Zoning Administrator (along with such other City staff members which the Planning and Zoning Administrator deems appropriate) for the purpose of assisting the applicant in submitting a complete and compliant application for consideration by the Planning Board. Upon receiving a request for a preapplication conference from a prospective applicant, the Planning and Zoning Administrator shall schedule a preapplication conference at City Hall to be held within twenty five (25) days of the prospective applicant's request for a preapplication conference. The prospective applicant may request, in writing, that the preapplication conference be scheduled for a later date. The applicant shall have prepared and shall have delivered to the Planning and Zoning Administrator at least six (6) copies of the following data at lease five (5) days prior to the scheduled preapplication conference date:

- (1) A sketch plan of the proposed PD district;
- (2) A statement of the total number of acres in the proposed PD district;
- (3) A statement of the number and type of structures and lots; the number of acres to be occupied by each type of use in the proposed PD district;
- (4) A statement explaining the objectives of the proposed Planned Development and the uses to be included within the proposed PD district;
- (5) The known deviations from subdivision regulations to be sought; the known plans for private utilities, amenities, and/or roadways.

Notwithstanding the foregoing, the applicant may, at the applicant's option, submit a complete draft PD district application in lieu of the above mentioned five items.

(c) In the event the applicant fails to submit the above mentioned data to the Planning and Zoning Administrator at least five (5) days prior to the scheduled preapplication conference, the Planning and Zoning Administrator shall reschedule a preapplication conference for a date after the above mentioned data has been delivered to the Planning and Zoning Administrator, but no later than thirty (30) days after the above mentioned data has been delivered to the Planning and Zoning Administrator.

(d) After the initial preapplication conference, the Planning and Zoning Administrator may schedule such additional preapplication conferences as the Planning and Zoning Administrator finds to be necessary to enable the applicant to submit a complete and compliant application for consideration by the Planning Board.

(e) When an application to establish a PD district is in good order, complete and compliant with the requirements of Section 1140.05, it shall be submitted to the Planning Board pursuant to Section 1174.02 of the Springfield Zoning Code. A applicant may waive, in writing, the 45 day deadline for consideration of a zoning amendment petition by the Planning Board.

(f) After the Planning Board's due consideration of an application for establishment of a PD district, the Planning Board shall prepare and submit to the City Commission a written report of its findings which form the basis of the Planning Board's recommendation and shall make its recommendation on such application to the City Commission by:

- (1) Recommending adoption of the PD district to which the applicant has consented, in writing as required in this Chapter, and tendering to the City Commission a PD Ordinance to establish the PD district; or
- (2) Forwarding to the City Commission a PD Ordinance to establish the PD district to which the applicant has consented, in writing as required in this Chapter, but recommending that the PD district proposed in the forwarded PD Ordinance not be established.

(g) In the event the City Commission considers a PD Ordinance which is materially different from the PD Ordinance recommended by the Planning Board, the applicant must consent, in writing, to such modified PD Ordinance (as required in this Chapter) and the considered PD Ordinance shall be adopted only by the affirmative vote of at least four members of the City Commission.

1140.07 IMPLEMENTATION OF THE PD ORDINANCE.

(a) After adoption of a PD Ordinance by the City Commission, the owners of lands within the PD district shall record with the Clark County, Ohio County Recorder an affidavit notifying the public that the lands described in the PD Ordinance have been made subject to the PD Ordinance. The affidavit shall be in a form approved by the Law Director.

(b) After adoption of a PD Ordinance by the City Commission, the owners of lands within the PD district shall also record with the Clark County, Ohio County Recorder such other deeds, easements declarations of land covenants and such other conveyances of interests in real property as the PD Ordinance requires.

(c) After adoption of a PD Ordinance by the City Commission, the applicant shall forthwith deliver to the City proof acceptable to the City Manager and Law Director that such financial assurances, security and other mechanisms as are required under the PD Ordinance are in place, properly funded and enforceable.

(d) No building permit shall be issued for any construction within a PD district until after the applicant has achieved full and complete compliance with the requirements of subdivisions (a), (b) and (c) of this Section, as specified in the PD Ordinance.

(e) In the event that a Planned Development or a phase of a Planned Development is not under substantial construction within twenty four (24) months after the commencement date for the relevant portion of the Planned Development, as specified in the Development Schedule adopted in the PD Ordinance; then, upon a determination by the City Commission that the PD Ordinance should not be amended to allow an extension of time to commence substantial construction of the relevant portion of the Planned Development, the Planning Board shall proceed to consider whether such lands included in the said portion of the Planned Development should be rezoned and shall make its recommendation to the City Commission.

1140.08 ADMINISTRATION OF THE PD ORDINANCE.

(a) The Planning Board shall administer each PD Ordinance in accordance with the standards for such administration established in the PD Ordinance and shall administer such PD Ordinance in a manner consistent with accomplishing the purposes of this Chapter set forth in Section 1140.01. Administration of a PD Ordinance may include modification of the Master Development Plan; provided such modification is in compliance with the standards for administration established in the PD Ordinance and is consistent with accomplishing the purposes of this Chapter set forth in Section 1140.01.

- (1) Property owners seeking a modification of the Master Development Plan governing their land may file a written request for modification with the Planning Board describing the modification requested and providing all data needed by the Planning Board to determine whether such requested modification can be approved under the standards established in the PD Ordinance governing such land.
- (2) The Planning Board shall consider a request for modification only when all owners of freehold estates in the subject land have joined in making the request.
- (3) The Planning Board may require that a request be supplemented with such additional data as the Planning Board determines is necessary to determine whether a requested modification should be granted.
- (4) The Planning board shall grant the requested modification if the Planning Board is able to find that the requested modification is in compliance with the standards for administration established in the PD Ordinance and is consistent with accomplishing the purposes of this Chapter set forth in Section 1140.01.

(b) In the event that all or a portion of a Planned Development is rezoned, as provided for in Section 1140.07(e) or otherwise, the Planning Board shall direct the Planning and Zoning Administrator to submit an affidavit to the Clark County, Ohio County Recorder giving notice to the public that the relevant portion of the Planned Development is no longer subject to the PD Ordinance. The affidavit shall be in a form approved by the Law Director.

(c) Notwithstanding the terms of subdivision 1140.08(a), above, the Board of Zoning Appeals shall perform the functions delegated to it under Chapter 1172 in matters pertaining to a PD district.

CHAPTER 1141

UPOD Unified Plan Overlay District

1141.01 Purpose.

1141.02 General requirements.

1141.01 PURPOSE.

(a) This chapter is intended to implement the Unified Plan for Downtown Springfield adopted by the Springfield City Commission in Resolution No. 5509, adopted May 15, 2007. The Unified Plan for Downtown Springfield adopts a uniform development standard approach to land use and zoning regulation. Uniform development standard land use regulations allow market demands to determine the mix of uses within the constraints of the building design standards of the community. The Unified Plan establishes zones of building type and allows building owners to determine the uses.

(b) This chapter includes both required and recommended unified development standards. All required zoning regulations must be complied with. Landowners are specifically encouraged to comply with recommended district uses, design standards, and economic development objectives.

(c) The policy objectives intended to be achieved by the imposition of the UPOD Urban Commercial Overlay District are to:

- (1) Unite all downtown developments into a single plan
- (2) Create a unified development standard for downtown
- (3) Protect the character of existing downtown residential neighborhoods
- (4) Provide guidance to the private market
- (5) Establish shared goals for future zoning downtown
- (6) Achieve unified and valuable design that is feasible and flexible for developers
- (7) Achieve unified and valuable development downtown that is feasible and flexible for the City of Springfield over time
- (8) Assist in future transportation, corridor planning, and transportation demand management downtown
- (9) Promote pedestrian activity downtown
- (10) Create incentives for downtown development
- (11) Motivate a vibrant and diverse downtown economy
- (12) Encourage the construction of a vibrant and diverse downtown activity center
- (13) Inspire the community to protect historically significant structures and reuse existing structures

(d) This chapter is intended to further and protect the public health, safety, convenience, comfort, prosperity, and general welfare of the Springfield community. This chapter is further intended to enhance and protect property values in downtown Springfield and prevent impairment and destruction of property values.

(Ord. 15-42. Passed 2-17-15.)

1141.02 GENERAL REQUIREMENTS.

All UPOD Unified Plan Overlay District new construction shall meet the following required design and development criteria for the land use district in which it is located and all new construction is encouraged to conform to the following recommended design and development criteria for the land use district in which it is located:

(a) Downtown Mixed Use UPOD District

(1) Required

- A. Maximum Setback: 5 feet
 - i. Setback applies to all wall surfaces. Buildings can have varying "setbacks" that form entrances, atriums, urban parks, express structural elements, create special exhibit areas, planters, etc.
- B. Floor Area Ratio: 10
- C. Building Standards:
 - i. Building facades facing public streets shall incorporate a main entrance door on the street. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
 - ii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3 to 9 feet (See Graphic: Window Glass and Transparency).
 - iii. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open (See Graphic: Window Glass and Transparency).
 - iv. Building façades shall be a minimum of two (2) stories [thirty (30) feet] in height from the nearest street grade. If the

building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story. This may be accomplished by extending the façade to a height of thirty (30) feet.

- v. Structures more than fifty (50) feet wide shall incorporate vertical elements, such as, but not limited to, windows and columns, into their façade design (See Graphic: Vertical Element).

D. Parking:

- i. Parking must be provided in rear of building. In locations where a "rear" yard fronts a street or is visible within 150 feet of a street, all parking must be screened using urban screening (See Graphic: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10 percent opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).

- ii. Off-Street Parking is not required for individual uses.

C. Exterior Materials:

- i. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone and plaster/stucco.
- ii. Materials used on exterior walls and roofs shall not be more than 30 percent highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.
- iii. Exterior materials may artificially simulate natural materials that they are not.
- iv. Prohibited exterior materials for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material, shall be prohibited on visible elevations. Visible elevations are those elevation visual from a public street or parking area.
- v. Exterior lighting.
- vi. Exterior building lighting shall be required for new buildings.

(2) Recommended

- A. Recommended Uses: Mixed use of consumer, restaurant, and service retail, office, institutional, medical, recreational, and residential
- B. Building Standards:
- i. Transparent, or even open, first floor encouraged.
- ii. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged as protection to pedestrians.
- iii. Rooftops should include architectural rooflines, such as cornices or exterior molding (See Graphic: Roofline).
- iv. Residential uses should include outdoor balconies.
- v. Outdoor seating is recommended for food service uses.
- vi. Outdoor seating must be of metal, natural stone, or brick material.
- vii. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- viii. Outdoor seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of 4 feet [requires approval of Community Development Department according 902.01(c)].

C. Exterior Lighting:

- i. Ornamental or decorative lights mounted with brackets is recommended.
- ii. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.
- iii. Down lighting should be used to reinforce circulation corridors.
- iv. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged to serve as backdrops for signage, graphics or other features that would change with time.

D. Signage:

- i. Signs should fit the character of downtown but also encourage creativity.
- ii. Externally illuminated emblem signs should be used.
- iii. Projecting signs are encouraged.
- iv. Internally illuminated signs are discouraged.

(b) Retail Mixed Use UPOD District

(1) Required

- A. Maximum Setback: 5 feet
- i. Setback applies to all wall surfaces. Buildings can have varying "setbacks" that form entrances, atriums, urban parks, express structural elements, create special exhibit areas, planters, etc.
- B. Floor Area Ratio: 10
- C. Building Standards:
- i. Building facades facing public streets shall incorporate a main entrance door on the street. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- ii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3-9 feet (See Graphic: Window Glass and Transparency).
- iii. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open (See Graphic: Window Glass and Transparency).
- iv. Building façades shall be a minimum of two (2) stories [thirty (30) feet] in height from the nearest street grade. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural

detail to appear to have a second story. This may be accomplished by extending the façade to a height of thirty (30) feet.

- v. Canopies, awnings, roof and floor overhangs, and colonnades are required for retail, services, and food uses as protection to pedestrians.
- vi. Structures more than fifty (50) feet wide shall incorporate vertical elements, such as, but not limited to, windows and columns, into their façade design (See Graphic: Vertical Element).

D. Parking:

- i. Parking must be provided in rear of building. In locations where a "rear" yard fronts a street or is visible within 150 feet of a street, all parking must be screened using urban screening (See Graphic: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10% opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).

- ii. Off-Street Parking is not required for individual uses.

E. Outdoor Seating:

- i. Outdoor seating is required for food service uses.
- ii. Outdoor seating must be of metal, natural stone, or brick material.
- iii. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- iv. Outdoor seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of 4 feet [requires approval of Community Development Department according 902.01(c)].

F. Exterior Materials:

- i. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone and plaster/stucco.
- ii. Materials used on exterior walls and roofs shall not be more than 30 percent highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.
- iii. Exterior materials may artificially simulate natural materials that they are not.
- iv. Prohibited exterior materials for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material, shall be prohibited on visible elevations. Visible elevations are those elevation visual from a public street or parking area.

G. Exterior lighting:

- i. Exterior building lighting shall be required for new buildings.
- ii. Ornamental or decorative lights mounted with brackets and emblem sign lights shall be used.
- iii. Down lighting shall be used every 50 foot to reinforce circulation corridors.

(2) Recommended

A. Recommended Uses: Consumer, restaurant, and service retail

B. Building Standards:

- i. Transparent, or even open, first floor encouraged.
- ii. Rooftops should include architectural rooflines, such as cornices or exterior molding (See Graphic: Roofline).
- iii. Residential uses should include outdoor balconies.

C. Exterior lighting:

- i. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.

D. Signage:

- i. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged to serve as backdrops for signage, graphics or other features that would change with time.
- ii. Signs should fit the character of downtown but also encourage creativity.
- iii. Projecting signs are encouraged.
- iv. Externally illuminated emblem signs are encouraged.
- v. Internally illuminated are permitted.

(c) Open Space

(1) Required

A. Allowable Uses

- i. Green Space
- ii. Public Art
- iii. Public Recreation
- iv. Temporary structures with conditional use permit

(d) Residential Zoning OVERLAY: Design and Development Standards

(1) Required

A. See RS-8 (Chapter 1108)

(e) Office Mixed use Zoning UPOD District

(1) Required

A. Maximum Setback: 5 feet

- (i) Setback applies to all wall surfaces. Buildings can have varying "setbacks" that form entrances, atriums, urban parks, express structural elements, create special exhibit areas, planters, etc.

B. Floor Area Ratio: 10

C. Building Standards:

- i. Building facades facing public streets shall incorporate a main entrance door on the street. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- ii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3 to 9 feet (See Graphic: Window Glass and Transparency).
- iii. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open (See Graphic: Window Glass and Transparency).
- iv. Building façades shall be a minimum of two (2) stories [thirty (30) feet] in height from the nearest street grade. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story. This may be accomplished by extending the façade to a height of thirty (30) feet (See Graphic: Window Glass and Transparency).
- v. Structures more than fifty (50) feet wide shall incorporate vertical elements, such as, but not limited to, windows and columns, into their façade design (See Graphic: Vertical Element).

D. Parking:

- i. Parking must be provided in rear of building. In locations where a "rear" yard fronts a street or is visible within 150 feet of a street, all parking must be screened using urban screening (See Graphic: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10% opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsections 1156.01 and 1161.02(h).
- ii. Off-Street Parking is not required for individual uses.

E. Outdoor Seating:

- i. Outdoor seating is required for food service uses.
- ii. Outdoor seating must be of metal, natural stone, or brick material.
- iii. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- iv. Outdoor seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of 4 feet [requires approval of Community Development Department according 902.01(c)].

F. Exterior Materials:

- i. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone and plaster/stucco.
- ii. Materials used on exterior walls and roofs shall not be more than 30% highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.
- iii. Exterior materials may artificially simulate natural materials that they are not.
- iv. Prohibited exterior materials for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material, shall be prohibited on visible elevations. Visible elevations are those elevation visual from a public street or parking area.

G. Exterior lighting:

- i. Exterior building lighting shall be required for new buildings.
- ii. Ornamental or decorative lights mounted with brackets and emblem sign lights shall be used.

(2) Recommended

A. Recommended Uses: Office, institutional, medical and employment activity center mixed uses to include consumer, restaurant, and service retail

B. Building Standards:

- i. Transparent, or even open, first floor encouraged.
- ii. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged as protection to pedestrians.
- iii. Rooftops should include architectural rooflines, such as cornices or exterior molding (See Graphic: Roofline).
- iv. Residential uses should include outdoor balconies.

C. Exterior lighting:

- i. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.
- ii. Down lighting should be used to reinforce circulation corridors.

D. Signage:

- i. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged to serve as backdrops for signage, graphics or other features that would change with time.
- ii. Signs should fit the character of downtown but also encourage creativity.
- iii. Externally illuminated emblem signs should be used.
- iv. Projecting signs are encouraged.
- v. Internally illuminated signs are discouraged.

(f) Arts And Cultural Mixed Use UPOD District

(1) Required

- A. Maximum Setback: 10 feet
- i. Setback applies to all wall surfaces. Buildings can have varying "setbacks" that form entrances, atriums, urban parks, express structural elements, create special exhibit areas, planters, etc.
- B. Floor Area Ratio: 10

C. Building Standards:

- i. Building facades facing public streets shall incorporate a main entrance door on the street. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- ii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3 to 9 feet (See Graphic: Window Glass and Transparency).
- iii. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open.
- iv. Building façades shall be a minimum of two (2) stories [thirty (30) feet] in height from the nearest street grade. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story. This may be accomplished by extending the façade to a height of thirty (30) feet.

D. Parking:

- i. Parking must be provided in rear of building. In locations where a "rear" yard fronts a street or is visible within 150 feet of a street, all parking must be screened using urban screening (See Graphic: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10 percent opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).

- ii. Off-Street Parking is not required for individual uses.

E. Outdoor Seating:

- i. Outdoor seating is required for food service uses as a primary use.
- ii. Outdoor seating must be of metal, natural stone, or brick material.
- iii. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- iv. Outdoor seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of 4 feet [requires approval of Community Development Department according 902.01(c)].

- v. Residential uses shall include outdoor balconies.

vi. Exterior Materials:

- vii. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone and plaster/stucco.
- viii. Materials used on exterior walls and roofs shall not be more than 30 percent highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.
- ix. Exterior materials may artificially simulate natural materials that they are not.
- x. Prohibited exterior materials for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material, shall be prohibited on visible elevations. Visible elevations are those elevation visual from a public street or parking area.

F. Exterior lighting:

- i. Exterior building lighting shall be required for new buildings.
- ii. Ornamental or decorative lights mounted with brackets and emblem sign lights shall be used.

(2) Recommended

- A. Recommended Uses: Mixed use of cultural, recreational, consumer, restaurant, and service retail, institutional, and residential
- B. Building Standards:

- i. Transparent, or even open, first floor encouraged.
- ii. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged as protection to pedestrians.
- iii. Rooftops should include architectural rooflines, such as cornices or exterior molding (See Graphic: Roofline). The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).

C. Exterior lighting:

- i. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.
- ii. Down lighting should be used to reinforce circulation corridors.

D. Signage:

- i. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged to serve as backdrops for signage, graphics or other features that would change with time.
- ii. Signs should fit the character of downtown but also encourage creativity.
- iii. Externally illuminated emblem signs are encouraged.
- iv. Internally illuminated signs are discouraged.

(g) Transitional Downtown Mixed Use UPOD District

(1) Required

- A. Maximum Setback: 10 feet
 - i. Setback applies to all wall surfaces. Buildings can have varying "setbacks" that form entrances, atriums, urban parks, express structural elements, create special exhibit areas, planters, etc.
- B. Floor Area Ratio: 3
- C. Building Standards:
 - i. Building facades facing public streets shall incorporate a main entrance door on the street. Building entrances may include

doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

- ii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3 to 9 feet (See Graphic: Window Glass and Transparency).
- iii. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open.
- iv. Building façades shall be a minimum of two (2) stories [twenty (20) feet] in height from the nearest street grade. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story. This may be accomplished by extending the façade to a height of twenty (20) feet. Structures more than fifty (50) feet wide shall incorporate vertical elements, such as, but not limited to, windows and columns, into their façade design (See Graphic: Vertical Element).

D. Parking:

- i. Parking must be provided in rear of building. In locations where a "rear" yard fronts a street or is visible within 150 feet of a street, all parking must be screened using urban screening or if 1/4 mile from core block evergreen is screening permitted (See Graphic: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10 percent opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).
- ii. Shared parking must be used wherever possible.
- iii. No off-street parking is required for nonresidential uses unless such uses exceed [3,000] square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of [3,000] square feet.

E. Exterior Materials:

- i. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone and plaster/stucco.
- ii. Materials used on exterior walls and roofs shall not be more than 30 percent highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.
- iii. Exterior materials may artificially simulate natural materials that they are not.
- iv. Prohibited exterior materials for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material, shall be prohibited on visible elevations. Visible elevations are those elevation visual from a public street or parking area.

F. Exterior lighting:

- i. Exterior building lighting shall be required for new buildings.
- ii. Ornamental or decorative lights mounted with brackets and emblem sign lights shall be used.

(2) Recommended

- A. Recommended Uses: Mixed use of consumer, restaurant, and service retail, office, institutional, medical, recreational, and residential
- B. Building Standards:
 - i. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged as protection to pedestrians.
 - ii. Outdoor seating is encouraged for food service uses.
 - iii. Outdoor seating must be of metal, natural stone, or brick material.
 - iv. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
 - v. Outdoor seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of 4 feet [requires approval of Community Development Department according 902.01(c)].
 - vi. Residential uses should include outdoor balconies.

C. Exterior lighting:

- i. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.
- ii. Down lighting should be used to reinforce circulation corridors.

D. Signage:

- i. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged to serve as backdrops for signage, graphics or other features that would change with time.
- ii. Signs should fit the character of downtown but also encourage creativity.
- iii. Projecting signs are encouraged.
- iv. Externally illuminated emblem signs are encouraged.
- v. Internally illuminated signs are discouraged.

(h) Transitional Retail Mixed Use UPOD District

(1) Required

- A. Maximum Setback: 10 feet
 - i. Setback applies to all wall surfaces. Buildings can have varying "setbacks" that form entrances, atriums, urban parks, express structural elements, create special exhibit areas, planters, etc.
- B. Floor Area Ratio: 3
- C. Building Standards:
 - i. Building facades facing public streets shall incorporate a main entrance door on the street. Building entrances may include

doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

- ii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3 to 9 feet (See Graphic: Window Glass and Transparency).
- iii. Building façades shall be a minimum of two (2) stories [twenty (20) feet] in height from the nearest street grade. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story. This may be accomplished by extending the façade to a height of twenty (20) feet.

D. Parking:

- i. Parking must be provided in rear of building. In locations where a "rear" yard fronts a street or is visible within 150 feet of a street, all parking must be screened using urban screening or if 1/4 mile from core block evergreen is screening permitted (See Graphic: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10% opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).
- ii. Shared parking must be used wherever possible.
- iii. No off-street parking is required for nonresidential uses unless such uses exceed 3,000 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 3,000 square feet.

E. Exterior Materials:

- i. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone and plaster/stucco.
- ii. Materials used on exterior walls and roofs shall not be more than 30% highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.
- iii. Exterior materials may artificially simulate natural materials that they are not.
- iv. Prohibited exterior materials for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material, shall be prohibited on visible elevations. Visible elevations are those elevation visual from a public street or parking area.

F. Exterior lighting:

- i. Exterior building lighting shall be required for new buildings.

(2) Recommended

A. Recommended Uses: Consumer, restaurant, and service retail

B. Building Standards:

- i. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open.
- ii. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged as protection to pedestrians.
- iii. Structures more than fifty (50) feet wide shall incorporate vertical elements, such as, but not limited to, windows and columns, into their façade design (See Graphic: Vertical Element).
- iv. Rooftops should include architectural rooflines, such as cornices or exterior molding (See Graphic: Roofline).
- v. Outdoor seating is encouraged for food service uses.
- vi. Outdoor seating must be of metal, natural stone, or brick material.
- vii. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- viii. Outdoor seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of 4 feet [requires approval of Community Development Department according 902.01(c)].
- ix. Residential uses should include outdoor balconies.

C. Exterior lighting:

- i. Ornamental or decorative lights mounted with brackets and emblem sign lights should be used.
- ii. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.
- iii. Down lighting should be used to reinforce circulation corridors.

D. Signage:

- i. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged to serve as backdrops for signage, graphics or other features that would change with time.
- ii. Signs should fit the character of downtown but also encourage creativity.
- iii. Projecting signs are encouraged.
- iv. Externally illuminated emblem signs are encouraged.
- v. Internally illuminated signs are allowed

(i) Transitional Office Mixed Use UPOD District

(1) Required

- A. Maximum Setback: 10 feet
 - i. Setback applies to all wall surfaces. Buildings can have varying "setbacks" that form entrances, atriums, urban parks, express structural elements, create special exhibit areas, planters, etc.
- B. Floor Area Ratio: 3
- C. Building Standards:
 - i. Building facades facing public streets shall incorporate a main entrance door on the street. Building entrances may include

doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

- ii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3 to 9 feet (See Graphic: Window Glass and Transparency).
- iii. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open (See Graphic: Window Glass and Transparency).
- iv. Building façades shall be a minimum of two (2) stories [twenty (20) feet] in height from the nearest street grade. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story. This may be accomplished by extending the façade to a height of twenty (20) feet.

D. Parking:

- i. Parking must be provided in rear of building. In locations where a "rear" yard fronts a street or is visible within 150 feet of a street, all parking must be screened using urban screening or if 1/4 mile from core block evergreen is screening permitted (See Graphic: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10 percent opacity by including, at a minimum, one masonry post once every 10 feet. The materials for screening and their placement shall comply with the requirements of Subsection 1156.01 and 1161.02(h).
- ii. Shared parking must be used wherever possible.
- iii. No off-street parking is required for nonresidential uses unless such uses exceed 3,000 square feet of gross floor area, in which case off-street parking must be provided for the floor area in excess of 3,000 square feet.

E. Exterior Materials:

- i. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone and plaster/stucco.
- ii. Materials used on exterior walls and roofs shall not be more than 30 percent highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.
- iii. Exterior materials may artificially simulate natural materials that they are not.
- iv. Prohibited exterior materials for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material, shall be prohibited on visible elevations. Visible elevations are those elevation visual from a public street or parking area.
- v. Exterior building lighting shall be required for new buildings.
- vi. Ornamental or decorative lights mounted with brackets and emblem sign lights shall be used.

(2) Recommended

A. Recommended Uses: Office, institutional, and medical

B. Building Standards:

- i. Transparent, or even open, first floor encouraged.
- ii. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged as protection to pedestrians.
- iii. Structures more than fifty (50) feet wide shall incorporate vertical elements, such as, but not limited to, windows and columns, into their façade design (See Graphic: Vertical Element).
- iv. Outdoor seating is encouraged for food service uses.
- v. Outdoor seating must be of metal, natural stone, or brick material.
- vi. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- vii. Outdoor seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of 4 feet [requires approval of Community Development Department according 902.01(c)].
- viii. Residential uses should include outdoor balconies.

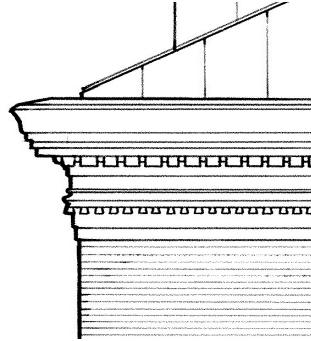
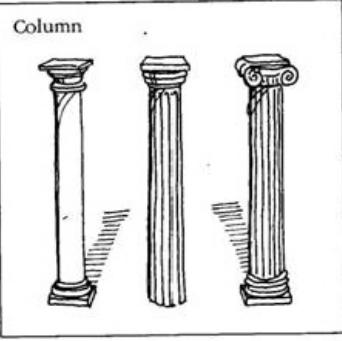
C. Exterior lighting:

- i. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.
- ii. Down lighting should be used to reinforce circulation corridors.

D. Signage:

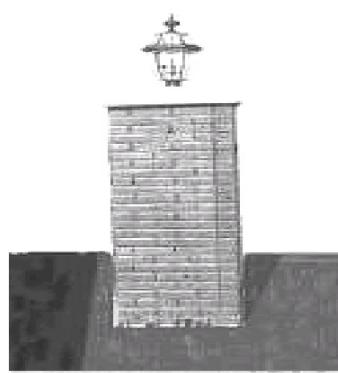
- i. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged to serve as backdrops for signage, graphics or other features that would change with time.
- ii. Signs should fit the character of downtown but also encourage creativity.
- iii. Externally illuminated emblem signs are encouraged.
- iv. Internally illuminated signs are discouraged.

(Ord. 07-130. Passed 5-15-07; Ord. 15-42. Passed 2-17-15.)



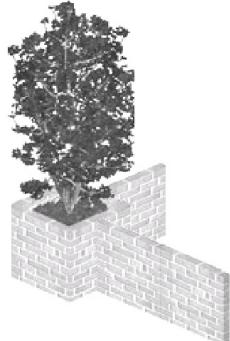
Graphic: Vertical Element

Graphic: Roofline



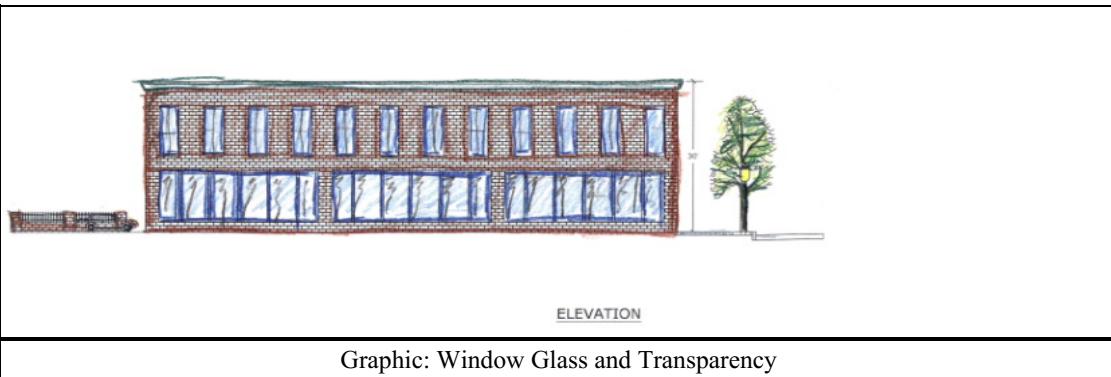
Graphic: Urban Screening

Graphic: Urban Screening



Graphic: Urban Screening

Graphic: Urban Screening



Graphic: Window Glass and Transparency

ECPD Eastern Edge Corridor Plan Overlay District

1142.01 Purpose and application.

1142.02 Definitions.

1142.03 General Requirements.

1142.04 Tables and Graphics.

Maps

1142.01 PURPOSE AND APPLICATION.

(a) This chapter is intended to implement the Eastern Edge Corridor Plan for East National Road adopted by the Springfield City Commission in Resolution 143-08. The Eastern Edge Corridor Plan creates a cohesive and interjurisdictional comprehensive land use plan for the East National Road Corridor that aims to grow contextually and geographically advantageous development, respect the history and character of the area, provide best management for transportation safety and demand by maintaining independent, through interlocking development segments from the corridor's urban core to the rural edge. The Eastern Edge Corridor Plan recommends a uniform development standard approach to land use and zoning regulation. Land uses are guided by a future land use map and physical site and building layout is determined by transect-based zoning standards. The Plan requires that all new large-scale developments along the Eastern Edge Corridor be zoned and planned as planned developments. Small-scale developments in the Corridor Plan area may be developed according to the standardized zoning.

(b) This chapter includes both required and recommended development standards. All required zoning regulations shall be complied with. Landowners are specifically encouraged to comply with recommended district uses, design standards, and economic development objectives. Provisions of this are activated by "shall" when required; "should" when recommended; and "may" when optional. Section 1142.02 contains regulatory language that is integral to this Code. Those terms not defined in section 1142.02 shall be accorded their commonly accepted meanings. Where in conflict, numerical metrics shall take precedence over graphic metrics.

(c) The policy objectives intended to be achieved by the imposition of the Eastern Edge Overlay District are to:

- (1) Provide a tool to encourage and restrict development in a manner that is consistent with Future Land Use, Corridor Plan Goals, and infrastructure capacity
- (2) Be general enough to allow some flexibility, but strong enough to influence development patterns
- (3) Maintain independent, interdependent, interlocking development segments from the corridor's urban core to the rural edge
- (4) Consider all affected jurisdictions' needs and visions
- (5) Guide and encourage contextually and geographically advantageous new development by creating intended growth sectors and providing guidance for development in each sector
- (6) Encourage and support successful development types in districts with business expansion and retention
- (7) Respect the areas' historic and natural character
- (8) Provide best management for transportation safety and demand
- (9) Develop incentives for the reuse or redevelopment of properties
- (10) Conform physical design proposals to community goals and social and economic policies

(d) GEOGRAPHIC SCOPE: The Geographic Scope of this Chapter is the East National Road Corridor from Spring Street in Springfield to Titus Road in Springfield Township. This Overlay divides the East National Road Corridor into four unique transect zones as outlined in Table 1: Transect Zone Geographic Description.

(e) This chapter is intended to further and protect the public health, safety, moral, convenience, comfort, prosperity, and general welfare of the Springfield community. This chapter is further intended to enhance and protect property values in downtown Springfield and prevent impairment and destruction of property values.

1142.02 DEFINITIONS.

For the purposes of this chapter the following definitions are applied herein.

- (a) (1) **Avenue (AV):** a thoroughfare of high vehicular capacity and low to moderate speed, acting as a short distance connector between urban centers, and usually equipped with a landscaped median.
- (b) (1) **Bicycle Lane (BL):** a dedicated lane for cycling within a moderate-speed vehicular thoroughfare, demarcated by striping.
- (2) **Bicycle Route (BR):** a thoroughfare suitable for the shared use of bicycles and automobiles moving at low speeds.
- (3) **Bicycle Trail (BT):** a bicycle way running independently of a vehicular thoroughfare.
- (4) **Bioswale:** an extended rain garden that may run the length of the block.
- (5) **Block Face:** the aggregate of all the building façades on one side of a block.
- (6) **Boulevard (BV):** a thoroughfare designed for high vehicular capacity and moderate speed, traversing an urbanized area. Boulevards are usually equipped with slip roads buffering sidewalks and buildings.
- (7) **Buffer:** Areas between parcels, lots, or different zoning districts set aside to mitigate visual, light or noise nuisances. May be an earthen berm or any natural material like trees or shrubs or otherwise mandated by this document or the various jurisdictions.
- (8) **Building Line:** A line defining the minimum front, side, and rear yard requirement.
- (9) **Bus Rapid Transit:** A rubber tire system with its own right-of-way or dedicated lane along at least 70% of its route providing transit service that is faster than a regular bus.
- (c) (1) **Civic:** The term defining not-for-profit organizations dedicated to art, culture, education, recreation, Government, transit, or municipal parking.
- (2) **Civic Building:** A building operated by not-for-profit organizations dedicated to art, culture, education, recreation, government, transit, or municipal parking.

- (3) **Civic Parking Reserve:** Parking structure or parking lot within a quarter-mile of the site that it serves.
 - (4) **Civic Space:** An outdoor area dedicated for public use.
 - (5) **Civic Zone:** Designation for public sites dedicated for civic buildings and civic space.
 - (6) **Common Yard:** A planted private frontage wherein the façade is set back from the frontage line. It is visually continuous with adjacent yards.
 - (7) **Configuration:** The form of a building based on its massing, private frontage, and height.
 - (8) **Corridor:** A lineal geographic system incorporating transportation and/or greenway trajectories.
 - (9) **Covenant:** A legally binding written promise or pledge.
 - (10) **Cross Access:** A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.
- (d) (1) **Deed Restriction:** A legal restriction on the use of land contained in the deed to the property.
- (2) **Density:** The number of dwelling units within a standard measure of land area.
- (3) **Density, Gross:** The number of dwelling units per acre of the total land to be developed, including public ways and open space.
- (4) **Density, Net:** The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses.
- (5) **Development Standards:** Standards controlling the size of structures and the relationships of structures and uses to each other and to open spaces and lot lines. Development standards include but are not limited to regulations controlling maximum height, minimum lot area, minimum lot frontage, minimum size of yards and setbacks, maximum lot coverage, and maximum density.
- (6) **Disposition:** The placement of a building on its lot.
- (e) (1) **Earth Berm:** A low, usually linear mound of earth covered with grass or other landscape materials used to define, screen, protect, and/or enhance the appearance of a particular space or area of land.
- (2) **Effective Parking:** The amount of parking required for Mixed Use after adjustment by the shared parking factor.
- (3) **Elevation:** An exterior wall of a building not along a frontage line.
- (f) (1) **Final Plan:** A completed and full set of plans, drawings, data, and any and all other materials needed to evaluate and review a subdivision's conformance with local subdivision regulations and which follow the approved preliminary plan as well as conformance with other applicable regulations.
- (2) **Frontage Road:** A public or private drive, which generally parallels a public street between the right-of-way and the front setback line. The frontage road provides access to private properties while separating them from the arterial street (see also Service Roads).
- (g) (1) **Green:** A civic space type for unstructured recreation spatially defined by landscaping rather than building frontages.
- (2) **Green Roof:** A roof partially or completely covered with vegetation and soil, or a growing medium planted over a waterproofing membrane. (Syn: eco-roof, living roof).
- (3) **Greenway:** An open space corridor in largely natural conditions, which may include trails for bicycles and pedestrians.
- (h) (1) **Highway:** A rural and suburban thoroughfare of high vehicular speed and capacity. This type is allocated to the more rural transect zones (T-1, T-2, and T-3).
- (2) **Highway, Limited Access:** A public freeway or expressway designed for through traffic and to which abutting properties have no legal right to direct access.
- (3) **Homeowner's Association:** A private association, partnership, LLC, or any legal entity of homeowners established by a developer with local government approval, whose purpose it is to own, operate, and maintain various common properties, including but not limited to open space, private streets, and recreation facilities.
- (i) (1) **Infill:** New development on land that had been previously developed.
- (j) (1) **Joint Access (or Shared Access):** A driveway connecting two or more contiguous sites to the public street system.
- (l) (1) **Landscaping:** Landscaping shall consist of any of the following or combination thereof: materials such as but not limited to grass, hardy ground covers, shrubs, vines, hedges, and trees; and non-living durable material commonly utilized in landscaping, such as but not limited to rocks, pebbles, sand, walls, and fences, but not including paving as a principal design element.
- (2) **Large-scale development:** A development composed of more than 10 acres of gross project site plan land area.
- (3) **Layer:** A range of depth of a lot within which certain elements are permitted.
- (4) **Lot cluster:** Any single lot or a group of adjacent lots having a single uninterrupted project site plan perimeter boundary enclosing all of the lots.
- (5) **Lot Coverage:** A measure of intensity of land use that represents the portion of a site that is impervious (i.e., does not absorb water). This portion includes but is not limited to all areas covered by buildings, parking structures, driveways, roads, sidewalks, and any paved areas.
- (m) (1) **Main Civic Space:** The primary outdoor gathering place for a community. The Main Civic Space is often, but not always associated with an important civic building.
- (2) **Mixed Use:** Multiple functions within the same building through superimposition or adjacency, or in multiple buildings by adjacency, or at a specified proximity.
- (3) **Multi Modal Transportation:** Transportation, which includes at least two modes of transport, such as shipping by rail and by sea.
- (n) (1) **Net Acreage (Aka Net Lot Area):** Net acreage is contiguous lot area which does not include: area in the existing or proposed public or private right-of-way, any area unacceptable for septic system installation, any area within a retention/detention basin, any area contained within a permanent body of water, or any area within an existing or proposed easement except those easement areas parallel and within ten (10) feet of the lot lines.
- (p) (1) **Park:** A civic space type that is a natural preserve available for unstructured recreation.
- (2) **Pedestrian-orientated space or feature:** An area adjacent to a connecting building or walkway developed to provide continuous safety, interest, and comfort for people walking or sitting. This may include site design features such as a bench, light pole, trash can, and/or landscape areas on one or both sides.

(3) **Pedestrian walkway:** Clearly defined, visible and/or identifiable pedestrian connections provided between parking lots, street sidewalks, open spaces, community facilities and buildings.

Pedestrian walkways shall be:

- a. Clearly defined, visible and identifiable
- b. Minimum width of a hard surfaced walkway shall be at least five feet.

(4) **Preliminary Plan:** A Preliminary Master Development Plan as defined in Chapter 1140.

(5) **Planned Development (PD):** An area zoned under Chapter 1140.

(6) **Planter:** The element of the public frontage, which accommodates street trees or other plants whether continuous or individual.

(7) **Plaza:** A civic space paved and spatially defined by building frontages.

(8) **Project site plan:** A plan showing uses and structures proposed for a parcel of land.

(9) **Project site plan land area:** Any quantity of land capable of being described with such definiteness that its location and boundaries may be established and which is designated by its owner or developer as land to be used or developed as a unit or which has been used or developed as a unit.

(r) (1) **Rain Garden:** Sunken garden using native or a combination of plants.

(2) **Record Plan:** A drawing or set of drawings of an approved final subdivision prepared for appropriate signatures and recording in the County Recorder's office and for distribution to applicable agencies.

(3) **Rear Alley (RA):** A vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings and/or containing utility easements. Rear alleys are paved from building face to building face, with drainage by inverted crown at the center or with roll curbs at the edges.

(4) **Rear Lane (RL):** A vehicular way located to the rear of lots providing access to service areas, parking, and outbuildings and/or containing utility easements. Rear lanes are paved lightly to driveway standards and have a streetscape which consists of gravel or landscaped edges, has no raised curb, and is drained by percolation.

(5) **Road (RD):** A local, rural and suburban thoroughfare of low-to-moderate vehicular speed and capacity.

This type is allocated to the more rural Transect Zones (T1-T3).

(s) (1) **Scenic:** An area presenting a view of natural and man-made elements of the visual environment with the characteristics of offering strikingly distinct and a pleasing and memorable visual experience.

(2) **Service Road:** A public or private street or road, auxiliary to a main thoroughfare that maintains local road continuity and provides access to parcels adjacent to the limited access highway.

(3) **Shared Parking Factor:** An accounting for parking spaces that are available to more than one function.

(4) **Small-scale development:** A development composed of 10 acres or less of gross project site plan land area.

(5) **Square:** A civic space designed for unstructured recreation and civic purposes spatially defined by building frontages and consisting of pedestrian walkways, lawns and trees.

(6) **Story:** A habitable level within a building, excluding an attic or raised basement.

(7) **Streetscape:** The appearance or view of a street.

(8) **Street screen:** A freestanding wall or organic screen built along the frontage line, or coplanar with the façade.

(t) (1) **T-Zone:** Transect Zone.

(2) **Thoroughfare:** A way consisting of vehicular lanes for use by vehicular and pedestrian traffic and to provide access to lots and open spaces.

(3) **Traffic Calming:** The combination of physical measures that reduce the negative effects of motor vehicle use, alter driver behavior and improve conditions for non-motorized street users.

(4) **Transect:** An area containing a range of different development types. Transects define the physical form and character of a place, according to the density and intensity of its land use and urbanism.

(v) (1) **Vernacular:** Architecture that draws more on traditional forms and functionalism, rather than on design principles or ornamentation of high-style architecture. Vernacular style features are defined in this Chapter as follows (see terminology graphics 8 through 11):

A. **RICHARDSONIAN ROMANESQUE:** A building of Romanesque style is a masonry structure, typically with rough-cut stonework.

i. Distinguishing characteristics include:

- a. Required
 1. Polychromatic (exhibit a variety of colors) through the use of contrasting colors of stone
 2. Rough-cut stone or brick walls

b. Recommended

1. Hipped Roof
2. Roof with cross gables
3. Tower - rounded with cone-shaped roofs
4. Wide rounded arches - low, broad "Roman" arches over arcades and doorways
5. Recessed windows - patterned masonry arches over windows
6. Columns and pilasters with spirals and leaf designs
7. Stone banding

B. **TUDOR REVIVAL:** A building of Tudor Revival style is easily identified by its characteristic half-timbering, a decorative treatment that appears to expose structural elements.

i. Distinguishing characteristics include:

- a. Required
 1. Half-timbering - the spaces between the timbers are nogged (filled in) with stone or brick and usually stuccoed, but sometimes left exposed
 2. Exterior must be a combination of brick, rubble stone, and half-timbering
- b. Recommended
 1. Steeply pitched roofs with intersecting gables

- 2. Dormer windows
 - 3. Roof with cross gables
 - 4. Casement windows (hinged at the sides to open outward)
 - 5. Double hung windows are multi-paned
 - 6. Slate or terra cotta tile roofs
 - 7. Massive, decorative brick chimneys
- C. NEOCLASSICAL REVIVAL: Neoclassical Revival style is a bold, monumental style that relies on classical design elements.
- i. Distinguishing characteristics include:
 - a. Required
 1. Use of columns, pilasters, pediments and cornices
 2. Constructed of all masonry
 - b. Recommended
 1. Cornice with dentils
 2. A pediment
 3. A portico with colossal Corinthian topped columns
 4. Palladian-style windows
 5. Keystones at the top of the arches
 6. Balustrade on the roof
 7. Brackets and fanlight over the main front door
- D. RENAISSANCE REVIVAL:
- i. Distinguishing characteristics include:
 - a. Required
 1. Smooth stone cube-like fronts
 2. Doors are centrally located and symmetry predominates
 3. Constructed of all masonry
 - b. Recommended
 1. Low-pitched hip roofs are sometimes accented with balustrades (railings) above full entablatures (decorative horizontal bands) at the roofline
 2. Carved stone window trim often varies in design from floor to floor
 3. Quoins (vertical rows of brick or stone defining the corners of buildings) and horizontal banding between floors
 4. Arched openings supported by columns
 5. Full entablatures between floors
 6. Balconies
 7. First floors of rusticated stone (stone with beveled edges, causing joints between stones to be deeply recessed)

1142.03 GENERAL REQUIREMENTS.

- (a) Overall Corridor
- (1) Land Use Regulations
 - A. Purpose and Intent: The following future land uses are established to encourage and restrict development in a manner that is consistent with long term development goals. The land use districts are to encourage compatible development that should produce infill and redevelopment in urban areas and retain natural infrastructure and visual character in rural areas.
 - B. Uses in large-scale developments should conform to the property's designated future land use as set forth in this chapter.
 - C. Uses in small-scale developments shall comply with the uses specified in the zoning district in which they are located and should conform to the property's designated future land use as set forth in this chapter.
 - D. Overall corridor requirements are applicable to all transects.
 - (2) Land Use Districts
 - A. (AOS) Agriculture and Open Space: The Agriculture and Open Space District shall consist of open space that is best suited for agricultural uses or is not suitable for development.
 - B. (MUCE) Mixed Use Conservation Edge District: This district is designated for a mix of small-scale commercial development, residential development, and open space. The district is intended to provide a development pattern that will be a transitional area from commercial to agricultural and rural residential areas. The mix of uses should include 30% contiguous open space, 30% residential, and 40% small-scale commercial. New large scale planned developments in this district shall conform to table 2, in addition to tables 3-12. New developments shall incorporate stucco, stone, and brick exterior materials and should have architectural characteristics consistent with and complimentary to historic regional commercial and office development. Each development shall employ required vernacular characteristics and a minimum of two recommended characteristics for a single vernacular style type, per Section 1142.02 (v)(1) of the definitions. New development shall provide a buffer from adjoining residential development.
 - C. (MURD) Mixed Use Research and Development: This district provides for a mix of research, product development, light production and assembly, education, hotel/conference center, subordinate small-scale commercial, and open space uses. The district is intended to provide an employment center development pattern that will be a transitional area from commercial to agricultural and rural residential areas. The mix of uses should include 40% contiguous open space and 60% developable project area. Contiguous open space shall extend along the entire frontage of US-40. New development shall provide a buffer from adjoining residential development. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
 - D. (HRRC) Highway Rural Retail Conservation Edge: This district provides for a mix of highway oriented commercial, general

retail, and open space. Contiguous open space shall extend along the entire frontage of US-40. The mix of uses should include 30% contiguous open space and 70% highway oriented commercial and general retail. New development shall provide a buffer from adjoining residential and agricultural development. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.

- E. (CTC) Commercial Town Center District: This district provides for consumer commercial and shall provide a buffer from adjoining residential development. Developments shall be pedestrian-oriented cluster developments with buildings extending along the entire frontage of US-40 and rear-yard parking hidden from the corridor view. New developments shall have architectural characteristics consistent with and complimentary to historic regional commercial and office development that incorporates stucco, stone, and brick exterior materials. Each development shall employ required vernacular characteristics and a minimum of two recommended characteristics for a single vernacular style type, per Section 1142.02 (v) (1) of the definitions. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
- F. (MUCD) Mixed Use Center District: This district provides a transition between consumer-oriented commercial development and residential development. This district provides for small-scale low-traffic commercial, professional office, and residential uses. Users are encouraged to adaptively reuse existing structures, although some new development may be permitted. New developments will follow a dense, infill development pattern. Sites are served by limited rear-yarded parking and accessed by rear yard shared drives with adjoining properties. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
- G. (UCC) Urban Commercial Center District: This district provides for traditional small-scale consumer-oriented commercial development. New developments should follow a dense, infill development pattern. Sites are served limited rear-yard parking and accessed by rear yard shared drives with adjoining properties. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
- H. (MSMC) Main Street Mixed Core District: This district provides for a mix of small and medium-scale commercial, recreational/entertainment, office, and residential uses. Primarily, development should be consistent with historic use, building type, and exterior of the architecture, character, and cultural heritage of the district from the historic period of 1880 to 1950. Secondarily, if the proposed new development is not consistent with historic use of the historic period of 1880 to 1950, the building type and exterior of the development should be consistent with the architecture, character, and cultural heritage of the district from the historic period of 1880 to 1950. Each development shall employ required vernacular characteristics and a minimum of two recommended characteristics for a single vernacular style type, per Section 1142.02 (v)(1) of the definitions. New development shall provide a buffer from adjoining residential development. High-density infill development is preferred in this district with limited parking to be located in the rear and accessed from rear yards. Pedestrian-oriented access is preferred and shared parking should be arranged where possible. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
- I. (PAMC) Premier Auto Market Core District: This district provides for high-intensity and high-density automobile-oriented developments. Developments should maintain a showcase exterior and be consistent with similar surrounding automobile oriented uses in height and design. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
- J. Residential Low Density: This district is to provide for single-family residential development. The recommended density is 1-0.2 units to the acre.
- K. Residential Medium Low Density: This district provides for single-family residential development consistent with the single-family residential character of low-density residential development in the county and township. The recommended density is 1 - 2 units to the acre. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
- L. Residential Medium High Density: This district provides for the development of small lot single-family dwellings. The recommended density is 2 - 8 units to the acre. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.
- M. Residential High Density: The purpose of this district is to provide for the development of multi-family uses. The recommended density is 8 up to a maximum 44 units to the acre. New large scale planned developments in this district shall conform to Table 2, in addition to Tables 3-12.

(3) Large-scale Development Standards

- A. Planned Development Process
- All new large-scale developments in the Eastern Edge Corridor District shall be zoned and planned as a planned development according to Chapter 1140 of the Codified Ordinances.
 - All large-scale developments shall comply with Table 2: Land Use Land Density and Composition Standards, planned development requirements set forth in each transect, and with 1142.03 (a) (3) A. Each individual lot in large scale developments shall also comply with all relevant requirements set forth in the Overall Corridor Small-scale development standards subsection 1142.03 (a) (4) (A), and the transect specific Small-scale development standards 1142.03 (b) - (e).
 - Planned Developments shall comply with all requirements of Chapter 1140, and also include a development plan that demonstrates compliance with Tables 1-12. The development plan shall consist of one or more maps and regulating documents showing the following for each in the plan area, in compliance with the standards described in this Code:
 - Use Zones
 - Civic Zones

- c. Thoroughfare Network
- d. Site Plan to include:
 - 1. building disposition
 - 2. building configuration
 - 3. building functions
 - 4. parking location standards
 - 5. landscape standards
 - 6. signage standards
 - 7. drainage standards
 - 8. architectural standards
 - 9. lighting standards
 - 10. sound standards
 - 11. conveyance instrument of all cross access easements for joint use of parking or drive area (such easements shall be in effect when a reciprocal easement with the adjoining property owner is established)

B. Civic Zones

- i. All large scale developments shall have a minimum of one civic zone.
- a. Civic zones shall comply with Tables 2, 3, 5 and 9.
- b. Civic zones dedicated for public use shall be required for each planned development and designated on the Planned Development.
- c. Civic zones dedicated for public use shall be required for each small-scale development. Such civic zones shall include and comply with pedestrian-oriented space and feature requirements.

C. Thoroughfares

- i. Thoroughfares shall conform to Tables 5, 6, and 7.
- ii. For large-scale developments with multiple out lots along East National Road, access to these parcels shall be provided from a public or private internal roadway system.

(4) Small-scale development standards

- A. Small-scale development process
 - i. Small-scale developments in the corridor plan area shall be developed in compliance with the mandatory requirements of this chapter and the requirements of the underlying zoning district.
 - ii. Small -scale developments in the corridor plan area shall comply with all relevant requirements set forth in the Overall Corridor small-scale development standards 1142.03 (a) 4 A, and the transect specific Small-scale development standards 1142.03 (b) - (e).
 - iii. Building and project area site plans submitted under this code shall show the following, in compliance with the standards described in this code:
 - a. building disposition
 - b. building configuration
 - c. building function
 - d. parking location standards/pedestrian walkways
 - e. landscape and green space standards
 - f. signage standards
 - g. drainage standards
 - h. architectural standards
 - i. lighting standards
 - j. sound standards
 - k. civic zones/ pedestrian-oriented features
 - l. conveyance instrument of all cross access easements for joint use of parking or drive area (such easements shall be in effect when a reciprocal easement with the adjoining property owner is established)
 - iv. Small-scale development building and project area site plans showing the plan elements listed in 1142.03 (a)(4) shall be included in the plan submitted by the developer when seeking a building permit.

B. Civic Zones

- i. Civic zones shall comply with Tables 2, 3, 5 and 9.
- ii. Civic zones dedicated for public use shall be required for each small-scale development. Such civic zones shall include and comply with pedestrian-oriented space and feature requirements.

C. Lot Configuration:

- i. The purpose and intent of lot configuration regulations is to create a lot dimension that fulfills the goals of this chapter's transect-based land use system and limited access roadway system. Lot and streets should effectively use land, protect land value, protect natural features, and safely organize traffic. Lots and streets in each district should be compatible and should have transitioning features from the urban areas to rural areas to retain natural infrastructure and visual character.
- ii. Lots shall conform to Tables 3, 4, 5 and 10.
- iii. Parcels shall be required to connect to adjoining properties to provide cross access for parking, drive ways to connect adjoining properties with public thoroughfares, and pedestrian walkways. Cross access shall be established with easements. Such easement shall be in effect when a reciprocal easement with the adjoining property owner is established.

D. Building Configuration:

- i. The purpose of building configuration standards is to enforce the physical and visual connection between businesses, streets, residents, and open spaces in order to create a vibrant and attractive business and streetscape environment in urban areas, and retain natural infrastructure and visual character in rural areas.

- ii. Building site plans shall comply with Tables 3-12.
- iii. Landscaping, building height, building location and orientation, massing, and architectural style should reflect district characteristics.

E. Architectural:

- i. The purpose of architectural standards is to preserve, promote and enhance the historic, archeological, cultural, scenic, natural and recreational characteristics that are the intrinsic qualities of the East National Road Corridor by supporting the goals of the East National Road Corridor Plan and the Ohio Historic National Road Corridor Management Plan.
- ii. Architectural elevations shall comply with the transect specific standards in the chapter and all applicable standards in other chapters of the zoning code.

F. Screening

- i. The purpose of screening standards is to provide compatible screening of parking from streets and transition between residential neighborhoods and businesses.
- ii. Screening shall comply with the transect specific standards in the chapter and all applicable standards in other chapters of the zoning code.

G. Landscaping

- i. The purpose of landscape standards is to provide uniform standards for the development and maintenance of the landscaping of private property and public rights-of-way. The purpose of landscaping is to increase the compatibility between different intensities of land uses by providing visual barriers that minimize the impacts of noise, light and glare, interrupt the barren expanse of paved parking lots, contribute to the image and appeal of the community, and enhance property values.
- ii. Landscaping, green space, and impervious surface coverage shall conform to Tables 3,5, and 9.
- iii. Landscaping and tress shall comply with the transect specific standards in the chapter and all applicable standards in other chapters of the zoning code.

H. Lighting

- i. The purpose of lighting standards is to establish lighting compatible with the development as well as the surrounding area and streetscape, to promote pedestrian and vehicular safety, and to improve the aesthetic appearance of public and private streetlights.
- ii. Lighting intensity shall conform to Table 12.
- iii. Lighting type shall conform to Graphic 1
- iv. Lighting shall comply with the transect specific standards in the chapter and all applicable standards in other chapters of the zoning code.

I. Sound

- i. The purpose of sound standards is to establish sound levels compatible with the development as well as the surrounding area.
- ii. Sound intensity shall conform to Table 8.

J. Signage

- i. Signs shall comply with the transect specific standards in the chapter and all applicable standards in other chapters of the zoning code.

K. Parking Location and Drive

- i. The purpose of parking and drive standards is to minimize the impact of parking and drive facilities by treating them in a manner that does not dominate the main structures or pedestrian realm, maintain the viability of the businesses, maximize lot connectivity within a limited access roadway system, and promote public safety.
- ii. Parcels shall be required to connect to adjoining properties to provide cross access for parking, drive ways to connect adjoining properties with public thoroughfares and pedestrian walkways. Cross access shall be established with easements. Such easement shall be in effect when a reciprocal easement with the adjoining property owner is established.
- iii. Parking shall comply with Table 4, 5, and 6.
- iv. Private and public drives shall comply with Tables 5-7.
- v. Parking should be accessed by rear drives, alleys or streets.
- vi. Shared parking shall be used wherever possible.
- vii. Facilities to accommodate mass transit should be utilized where mass transit is available to the site.
- viii. Structured parking shall be located in the rear yard and conform to development standards specified in the chapter.

L. Natural Drainage

- i. Trees should be planted below the grade of the sidewalk and the street in structural cells with sufficient root space. Trees shall comply with the city's approved tree List.
- ii. Green walls, if provided, should be restricted native species.
- iii. Native plant perennial landscapes should replace turf grass wherever possible and be highly diverse. These should be placed lower than walkways, not mounded up.
- iv. Planter boxes should be bottomless, flow-through boxes with native plants, placed next to buildings and designed to capture building runoff. They may be placed in courtyards or adjacent sidewalks with runoff sent to them via French drains or hidden pipes.

5. Off Site Improvements

A. ROW Improvements: Public Frontages

- i. Public frontages should conform to Tables 4, 5, 6, 7, 10 and 11.
- ii. Within the public frontages, the prescribed types of planting and lighting should comply with the Chapter 1158 approved tree list and Tables 5, 10, 11, and 12. The spacing may be adjusted to accommodate specific site conditions.

iii. Right-of-Way width of 40 feet or less shall be exempt from the tree requirement in Chapter 1158.

B. Thoroughfare standards

i. Roadway standards should comply with Tables 5, 6, and 7.

ii. Thoroughfares should be designed in context with land use and the transect zones through which they pass.

iii. All thoroughfares should terminate at other thoroughfares, forming a network. Internal drives shall connect to those on adjacent sites at cross access easement connections in all cases in which it is possible or necessary for traffic and access management.

(b) Urban Old Town: Transect 6

(1) Large-scale development standards

A. Civic Zones

i. Each planned development shall include a privately maintained pedestrian accessible green or urban civic space according to Tables 2, 3, 5, and 9.

ii. Civic spaces shall be designed as described in Tables 5 and 9.

(2) Small-scale development standards

A. Civic Zones

i. Civic spaces shall be designed as described in Tables 3, 5 and 9.

ii. Each small-scale development shall contain at least one pedestrian-orientated feature along its main street frontage, at a minimum one feature every 100 feet of frontage.

B. Lot configuration

i. Lots shall be accessed from the rear yard whenever possible.

C. Building Configuration

i. The placement of new buildings in urban settings should be consistent with existing structures in order to maintain the "building wall" that defines the road in these settings.

ii. Buildings shall be oriented to face public streets, open spaces or plazas. Buildings may not be located in the rear yard of lots, see Graphic 2: Prohibited rear yard building configuration, and Graphic 3: Required front yard building configuration.

iii. Solid, blank façades and service areas shall be oriented away from public streets.

iv. The principal entrance shall be on a frontage line.

v. Façades facing public streets or public spaces should have physical or visual connections with such streets or spaces by having a combination of prominent primary or secondary entrances, display windows, and transparent façades.

D. Architectural

i. Each development shall employ required vernacular characteristics and a minimum of two recommended characteristics for a single vernacular style type, per Section 1142.02 (v)(1) of the definitions.

ii. Building façades facing public streets shall incorporate a main entrance door on the street. Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

iii. For commercial uses, at least sixty (60) percent of each building façade facing public streets shall be transparent window glass or open from a height of 3 feet from the ground to 9 feet from the ground.

iv. For all non-single family residential uses, at least thirty (30) percent of each building façade facing public streets shall be transparent window glass or open.

v. Building façades shall be a minimum of two (2) stories [twenty (20) feet] in height from the nearest street grade. If the building does not actually have at least two (2) stories, then it shall have appropriate architectural detail to appear to have a second story. This may be accomplished by extending the façade to a height of twenty (20) feet.

vi. Hard surfaced exterior wall materials are required for all nonresidential uses. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone or plaster/stucco.

vii. Materials used on exterior walls and roofs should not be more than 30% highly reflective glass, such as tempered or mirrored glass. Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish should be avoided.

viii. Exterior materials may artificially simulate natural materials.

ix. Prohibited exterior materials on visible elevations for all nonresidential uses include corrugated metal panels, siding, and wood used as a finish material. Visible elevations are those elevations visual from a public street or parking area.

x. Canopies, awnings, roof and floor overhangs, and colonnades are encouraged as protection to pedestrians.

xi. Rooftops should include architectural rooflines, such as cornices or exterior molding.

xii. Residential uses should include outdoor balconies.

xiii. Outdoor seating is recommended for food service uses. Outdoor seating shall be of metal, natural stone, or brick material. If the outdoor seating is not firmly attached to the ground or to a building, the outdoor seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.

xiv. The height of new buildings should be compatible with existing adjacent structures. New buildings should have the same number of floors and be within 10% of the average height of adjacent buildings as viewed from the street.

xv. Rear entrances should be established from rear parking areas.

xvi. Fences visible from the street shall not be chain link or slatted chain link.

E. Screening

- i. In locations where a rear yard fronts a street or is visible within 150 feet of a street, all parking shall be screened using urban screening. Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10% opacity by including, at a minimum, one masonry post once every 10 feet (See Graphic 6: Urban Screening).
- ii. Use of wall and fence materials such as chain link, vinyl, and concrete block is prohibited.
- iii. All dumpsters, exterior storage areas, service yards, and ground mounted mechanical/electrical equipment shall be screened from view with evergreen, masonry, walls, or similar materials.

F. Landscaping

- i. Trees shall not be required along the frontage.
- ii. The front yard may be paved to match the pavement of the public frontage.
- iii. Planter boxes and hanging plants are encouraged.

G. Lighting

- i. Lighting shall serve to illuminate façades, accentuate entrances and signage, and provide an adequate level of personal security in parking areas.
- ii. All lighting used to illuminate parking areas and signage shall be shielded to avoid off-site spillage of light to adjacent properties according to Graphic 1: Cut-off light fixtures.
- iii. Exterior building lighting shall be required for new buildings, according to one light every 40 feet.
- iv. Exterior lighting and site furniture should be architecturally integrated with the building's style, material, and color.
- v. Down lighting shall be used along pedestrian walkways and along building façades facing the street. One light shall be placed every 40 feet along pedestrian walkways and building façades facing the street.

H. Signage

- i. There shall be no signage permitted additional to that specified in this section. Sign size and location shall comply with Chapter 1155.
- ii. The number of signs shall be limited to one building-mounted wall sign. In addition, one ground-mounted free standing or monument sign may be permitted if the building has an existing front yard with a minimum depth of 20 feet.
- iii. Signs in urban areas should compliment the building to which it is attached and be harmonious with the other signage in the district.
- vi. Signage shall be externally illuminated, except that signage appearing through shopfront glazing may be neon lit.
- v. Signs fitting the character of downtown should be used.
- vi. Projecting signs should be used.

I. Parking Location and Drive

- i. Parking shall be provided in the rear or side of the building. In locations where a rear or side yard fronts a street or is visible within 150 feet of a street, parking shall be screened using urban screening (see Graphic 6: Urban Screening). Urban screening shall consist of a natural stone or brick material and iron or similar material. Urban screening shall consist of a minimum of 10% opacity by including, at a minimum, one masonry post once every 10 feet.
- ii. When access to parking is required from the main street, no more than one access point shall be permitted. Shared access points for multiple property owners are strongly encouraged.
- iii. Parking shall be accessed by rear alleys or lanes when such are available.
- iv. Safe, lighted, and clearly identified pedestrian exits from all parking lots, garages, and parking structures shall be directly to a frontage line and to a building, see Graphic 5: Walkway connecting the sidewalk and parking lot with the building.
- v. Parking lots shall be lighted so that no parking space is more than 60 feet from a light pole.
- vi. A minimum of one bicycle rack place shall be provided within the public or private frontage for every ten vehicular parking spaces.

(c) Urban Commercial Corridor: Transect 5

(1) Large-scale development standards

- a. Civic zones:
- i. Each planned development shall include a privately maintained green or urban civic space according to Tables 2, 3, 5 and 9 that is pedestrian accessible.
- ii. Each pedestrian walkway shall contain at least one pedestrian-orientated feature every 100 feet.

(2) Small-scale development standards

- A. Civic Zones
 - i. Civic spaces shall be designed as described in Tables 3, 5 and 9.
 - ii. Each small-scale development shall contain at least one pedestrian-orientated feature along its pedestrian walkway. Each pedestrian walkway shall contain at least one pedestrian-orientated feature every 60 feet.
- B. Lot configuration
 - i. Lots should be similar in dimension (length and width) to adjoining lots, according to Tables 5 and 11.
- C. Building Configuration
 - i. Buildings shall be oriented to face public streets, open spaces or plazas. Buildings may not be located in the rear yard of lots, see Graphic 2: Prohibited rear yard building configuration, and Graphic 3: Required front yard building configuration.
 - ii. Solid, blank façades and service areas shall be oriented away from public streets.
 - iii. An entrance and window shall be oriented to face the public street.
 - iv. Façades facing public streets or public spaces shall have physical or visual connections with such streets or spaces by having a combination of primary or secondary entrances, display windows, or transparent façades.

D. Architecturala

- i. The exterior finish material on all non-residential façades shall be limited to brick, cementitious siding and/or stucco.
- ii. Streetscreens should be constructed of a material matching the adjacent building or screening façade.
- iii. Doors and windows that operate as sliders are prohibited along frontages.

E. Screening

- i. Parking areas that front a road shall be screened with a minimum 4-foot high combination of hedge and masonry wall or stone element. Each stone element shall be a minimum of 3-feet high and no more than 4-feet high, and a minimum of 1-foot wide. Stone elements do not have a maximum width. Stone elements may assume a variety of structures - including boulders, pillars, columns, stone, or similar man-made or natural creations. Masonry walls and columns shall consist of a uniform brick or stone material. Artificial stone or brick screening materials may simulate natural materials. Screening shall consist of a minimum of 100 percent opacity to the three-foot height (see Graphic 7: Stone and hedge screening).
- ii. If masonry wall or vernacular stone elements are included in streetscapes, screening shall include, at a minimum, one masonry column or stone element every a) 10 feet for lots less than 100 feet in frontage, b) 15 feet for lots with more than 100 feet but less than 200 feet in frontage, or c) 20 feet for lots with more than 200 feet in frontage.
- iii. Masonry wall or vernacular stone elements in streetscreens shall be constructed of a uniform material along all contiguous small-scale development street frontages.
- iv. Streetscreens should be constructed of a material complementary to the adjacent building façades.
- v. The use of wall and fence materials such as chain link, vinyl, and concrete block is prohibited.
- vi. All dumpsters, exterior storage areas, service yards, and groundmounted mechanical/electrical equipment shall be screened from view with evergreen plant material, simple wood fences, or masonry walls.

F. Lighting

- i. All lighting used to illuminate parking areas and signage shall be shielded to avoid off-site spillage of light to adjacent properties according to Graphic 1: Cut-off light fixtures.
- ii. Down lighting shall be used to reinforce pedestrian walkways and along building façades facing the street. One light shall be placed every 40 feet along pedestrian walkways and building façades facing the street.

G. Signage

- i. There shall be no signage permitted additional to that specified in this section. Sign size and location shall comply with Chapter 1155.
- ii. The number of signs shall be limited to one building-mounted wall sign along with one ground-mounted free standing or monument sign.
- iii. Wall signs should be lit by inconspicuous building-mounted fixtures with a concealed light source, except as provided in subsection (v) below.
- iv. Monument signs should be up-lit from a ground-mounted fixture with a concealed light source.
- v. Internally illuminated sign cabinets are permitted if the cabinet is opaque with only the sign text illuminated.
- vi. Monument signs shall be composed of hard surfaced exterior materials. This can include brick, parged block (at service areas, locations that might be used for wall murals), painted brick, stone or plaster/stucco.
- vii. Signage shall be externally illuminated, except that signage appearing through the shopfront glazing may be neon lit and except as provided in subsection (v).

H. Parking Location and Drive

- i. Parking shall be provided in the side or rear of a building. In locations where a rear or side yard fronts a street or is visible within 150 feet of a street, parking in the rear or side yard shall be screened. Parking areas that front a road shall be screened with a minimum 4' high combination of hedge and/or masonry wall or stone element (see Graphic 7: Stone and hedge screening).
- ii. The number of vehicular access points (or driveways) in commercial main street areas shall be minimized to avoid conflicts with other vehicles and with pedestrians along the urban street frontage.
- iii. Access to parking areas from rear or side yards shall be provided. Adjoining parking lots shall connect by means of cross access easements, whenever possible.
- iv. When access to parking is required from the main street, no more than one access point shall be permitted. Shared access points for multiple property owners are strongly encouraged.
- v. Safe, lighted, and clearly identified pedestrian walkways from all parking lots, garages, and parking structures shall be provided directly to a frontage line and to a building (see Graphic 5: Walkway connecting the sidewalk and parking lot with the building).
- vi. Parking lots shall be lighted so that no parking space is more than 60 feet from a light pole.
- vii. A minimum of one bicycle rack place shall be provided within the public or private frontage for every 25 vehicular parking spaces.

(d) Suburban Fringe: Transect 4

(1) Large-scale development standards

A. Civic Zones

- i. Each planned development shall include a privately maintained pedestrian accessible green or urban civic space according to Tables 2, 3, 5 and 9.
- ii. Each pedestrian walkway shall contain at least one pedestrian-orientated space every 100 feet.

(2) Small-scale development standards

A. Civic zone

- i. Civic spaces shall be designed as described in Tables 3, 5 and 9.

ii. Each small-scale development shall contain at least one pedestrian-orientated feature along its pedestrian walkway. Each pedestrian walkway shall contain at least one pedestrian-orientated feature every 60 feet.

B. Lot configuration

- i. Lots shall be clustered within the development such that smaller lots are clustered along East National Road and larger lots are placed the greatest distances from East National Road. Smaller out-lots shall be placed along the road frontage to visually mitigate the large parking area to serve the retail center.
- ii. A landscaped setback shall be provided between the road and the out-lot buildings.
- iii. Smaller lots shall be clustered along East National Road and shall front public or private internal drives established by easement for the benefit of all property owners within the development and shall connect to cross access easements proving ingress and egress to abutting properties. Easements shall be provided for private internal drives.
- iv. All lots shall connect with a public or private internal drive network established by easement for the benefit of all property owners within the development and shall connect to cross access easements proving ingress and egress to abutting properties that also shall include pedestrian walks, and may include on public or private on street parking spaces. Documented easements shall be provided for private drives. Easements shall be provided for private internal drives.

C. Building Configuration

- i. Buildings shall be oriented to face public streets, civic spaces or plazas. Buildings may not be located in the rear yard of lots, see Graphic 2: Prohibited rear yard building configuration, and Graphic 3: Required front yard building configuration.
- ii. Façades facing public streets or civic spaces shall have physical or visual connection with such streets or spaces by having a combination of primary or secondary entrances, display windows, and transparent façades.
- iii. In large scale developments, smaller out-lot buildings shall be placed along the road frontage to visually mitigate the large parking area to serve the retail center. Lots sharing a lot line with East National Road shall treat the yard facing the frontage with East National Road as the front yard.
- iv. In large scale developments, buildings shall be clustered along East National Road and shall have ingress/egress on internal drives.
- v. In large scale developments, buildings shall be clustered within the development such that no more than 50% of a development's overall building square footage is developed in physical or structural contiguity.
- vi. In large scale and small scale developments, paved parking areas shall be clustered within the development such that no more than 33% of a development's overall parking square footage is developed in physical contiguity. Parking area clusters shall be separated by buildings, civic spaces with pedestrian features, or drives with on-street parking and pedestrian walkways on each side.
- vii. Safe, lighted, and clearly identified pedestrian walkways shall connect all buildings and all parking areas (see Graphic 2).

D. Architectural

- i. Vernacular building materials such as brick, stucco and stone shall be used in all new construction. New construction should reflect some of the basic detailing of adjacent original structures such as window and door sizes, cornice lines, and brick or stone patterning and accents. Each development shall employ required vernacular characteristics and a minimum of two recommended characteristics for a single vernacular style type, per Section 1142.02 (v)(1) of the definitions.
- ii. The exterior finish material on all non-residential façades shall be limited to brick, cementitious siding and/or stucco.
- iii. Adjoining buildings and tenant spaces shall appear to be independent structures with the use of staggered building façades, varied exterior materials, and varied rooflines or cornices for each tenant space.
- iv. Street screens should be constructed of a material matching the adjacent building façade.
- v. Street screens shall have openings no larger than necessary to allow automobile and pedestrian access.
- vi. Parking structures shall be in the rear yard.

E. Screening

- i. Parking areas that front a road shall be screened with a minimum 4' high combination of hedge and masonry wall or stone element. Each stone element shall be a minimum of 3 feet high and no more than 4 feet high, and a minimum of 1 foot wide. Stone elements do not have a maximum width. Stone elements may assume a variety of structures - including boulders, pillars, columns, stone, or similar man-made or natural creations. Masonry walls and columns shall consist of a uniform brick or stone material. Artificial stone or brick screening materials may simulate natural materials. Screening shall consist of a minimum of 100% opacity to the three foot height (see Graphic 7: Stone and hedge screening).
- ii. If masonry wall or vernacular stone elements are included in streetscapes, screening shall include, at a minimum, one masonry column or stone element every a) 10 feet for lots less than 100 feet in frontage, b) 15 feet for lots with more than 100 feet but less than 200 feet in frontage, or c) 20 feet for lots with more than 200 feet in frontage.
- iii. Masonry wall or vernacular stone elements in streetscreens shall be constructed of a uniform material along all contiguous small-scale development street frontages.
- iv. Streetscreens should be constructed of a material complementary to the adjacent building façades.
- v. The use of wall and fence materials such as chain link, vinyl, and concrete block is prohibited.
- vi. All dumpsters, exterior storage areas, service yards, and groundmounted mechanical/electrical equipment shall be screened from view with evergreen plant material, simple wood fences, or masonry walls.

F. Lighting

- i. All lighting used to illuminate parking areas and signage shall be shielded to avoid off-site spillage of light to adjacent properties according to Graphic 1: Cut-off light fixtures.
- ii. Down lighting shall be used to reinforce pedestrian walkways and along building façades facing the street. One light shall be

placed every 60 feet along pedestrian walkways and building façades facing the street.

G. Signage

- i. There shall be no signage permitted additional to that specified in this section. Sign size and location shall comply with Chapter 1155.
- ii. The number of signs shall be limited to one building-mounted wall sign for each business and one ground-mounted monument sign for each building.
- iii. In addition, one overall development monument sign may be permitted for each planned development.
- iv. Wall signs should be lit by inconspicuous building-mounted fixtures with a concealed light source.
- v. Monument signs should be up-lit from a ground-mounted fixture with a concealed light source, except as provided in subsection (v).
- vi. Internally illuminated sign cabinets are permitted if the cabinet is opaque with only the sign text illuminated.
- vii. Monument signs shall be composed of hard surfaced exterior materials for all uses. This can include brick, parged block, painted brick, stone, or plaster/stucco.
- viii. Signage shall be externally illuminated, except that signage appearing through the shopfront glazing may be neon lit and except as provided in subsection (v).

H. Parking Location and Drive

- i. In large and small scale developments, parking areas shall be clustered within the development such that no more than 33% of a development's overall parking square footage is developed in physical contiguity. Parking area clusters shall be separated by buildings, civic spaces with pedestrian features, or drives with on-street parking and pedestrian walkways on each side.
- ii. Parking shall be provided in the side or rear of a building. In locations where a rear or side yard fronts a street or is visible within 150 feet of a street, parking in the rear or side yard shall be screened. Parking areas that front a road shall be screened with a minimum 4' high combination of hedge and/or masonry wall or stone element (see Graphic 7: Stone and hedge screening).
- iii. Parking areas shall be provided in rear or side yards. All rear and side yard adjoining parking lots shall connect.
- iv. Safe, lighted, and clearly identified pedestrian walkways from all parking lots, garages, and parking structures shall be provided directly to each building, (see Graphic 5: Walkway connecting the sidewalk and parking lot with the building).
- v. When access to parking is required from the main street, no more than one access point shall be permitted. Shared access points for multiple property owners are strongly encouraged.
- vi. For large developments with multiple out lots along East National Road, access to these parcels shall be provided from an internal roadway system.
- vii. When access is provided from an internal roadway system, stacking distances for traffic entering and exiting large developments shall be provided in order to minimize conflicts and backups onto the road.
- viii. Parking lots shall be lighted so that no parking space is more than 60 feet from a light pole.
- ix. A minimum of one bicycle rack place shall be provided within the development for every fifty vehicular parking spaces.
- x. All parking lots and parking structures shall be located at the rear or side yard.

(e) Rural Research Park: Transect 3

(1) Large-scale development standards

A. Civic Zones

- i. Each planned development shall include privately maintained pedestrian accessible green or urban civic space according to Tables 2, 3, and 5.
- ii. Each planned development shall assign at least 15% of its area to civic space.
- iii. Each planned development shall include pedestrian features in the civic space.

(2) Small-scale development standards

A. Civic zone

- i. Civic spaces shall be designed as described in Tables 3, 5 and 9.
- ii. Each small-scale development shall contain at least one pedestrian-orientated feature along its pedestrian walkways. Each pedestrian walkway shall contain at least one pedestrian-orientated feature every 60 feet.

B. Lot configuration

- i. In large-scale developments, lots shall be clustered within the development such that the largest lots are clustered along East National Road and smaller lots are placed the greatest distances from East National Road. Larger out-lots shall be placed along the road frontage to visually mitigate the density and intensity of smaller lots in the development.
- ii. Lot entrances shall be immediately evidenced from streets.
- iii. Second entrances should directly access parking.
- iv. Larger lots shall be clustered along East National Road and shall have ingress and egress for internal drives.
- v. All lots shall connect with a public or private internal drive network established by easement for the benefit of all property owners within the development and shall connect to cross access easements proving ingress and egress to abutting properties that also shall include pedestrian walks, and may include on public or private on street parking spaces. Documented easements shall be provided for private drives. Easements shall be provided for private internal drives.

C. Building Configuration

- i. One principal building at the frontage, and one outbuilding to the rear of the building may be built on each lot.
- ii. New structures shall be oriented so that the front door of the structure is not visible from East National Road.
- iii. Larger out-lot buildings shall be placed along the road frontage and provide a green setback between the road and the out-lot buildings.

iv. Safe, lighted, and clearly identified pedestrian walkways shall connect all buildings and all parking areas (see Graphic 2).

D. Architectural

i. The exterior finish material is limited to brick, stone, cementitious siding and/or stucco.

ii. Windows above the first story shall not exceed 50% of the total building wall area with each floor of every story's façade being calculated independently.

E. Screening

i. Parking areas that front a road shall be screened with a minimum 4' high combination of hedge and masonry wall or stone element. Each stone element shall be a minimum of 3 feet high and no more than 4 feet high, and a minimum of 1 foot wide. Stone elements do not have a maximum width. Stone elements may assume a variety of structures - including boulders, pillars, columns, stone, or similar man-made or natural creations. Masonry walls and columns shall consist of a uniform brick or stone material. Artificial stone or brick screening materials may simulate natural materials. Screening shall consist of a minimum of 100% opacity to the three foot height (see Graphic 7: Stone and hedge screening).

ii. If masonry wall or vernacular stone elements are included in streetscapes, screening shall include at a minimum, one masonry column or stone element every (a) 10 feet for lots less than 100 feet in frontage, (b) 20 feet for lots with more than 100 feet but less than 200 feet in frontage, or (c) 30 feet for lots with more than 200 feet in frontage.

iii. Masonry wall or vernacular stone elements in streetscreens shall be constructed of a uniform material along all contiguous small-scale development street frontages.

iv. Streetscreens should be constructed of a material complementary to the adjacent building façades.

v. The use of wall and fence materials such as chain link, vinyl, and concrete block is prohibited.

vi. All dumpsters, exterior storage areas, service yards, and groundmounted mechanical/electrical equipment shall be screened from view with evergreen plant material, simple wood fences, or masonry walls.

F. Landscaping

i. The front yard shall not be paved, with the exception of driveways.

ii. Native prairie grass should be used in all open spaces.

iii. Trees shall be of multiple species.

iv. Trees may be naturalistically clustered.

G. Lighting

i. Safe, lighted, and clearly identified pedestrian walkways shall connect all buildings and all parking areas.

ii. Underground electric service is recommended for all site lighting.

iii. All lighting used to illuminate parking areas and signage shall be shielded to avoid off-site spillage of light to adjacent properties according to Graphic 1: Cut-off light fixtures.

H. Signage

i. There shall be no signage permitted additional to that specified in this section. Sign size and location shall comply with Chapter 1155.

ii. The number of signs shall be limited to one building-mounted wall sign for each business, and one ground-mounted monument sign for each building.

iii. In addition, one overall development monument sign may be permitted for each planned development.

iv. Wall signs should be lit by inconspicuous building-mounted fixtures with a concealed light source.

v. Monument signs should be up-lit from a ground-mounted fixture with a concealed light source.

vi. Internally illuminated sign cabinets may be appropriate, if the cabinet is opaque with only the sign text illuminated.

vii. Monument signs shall be composed of hard surfaced exterior materials for all uses. This can include brick, parged block, painted brick, stone, or plaster/stucco.

viii. Directional signs shall be setback 100 feet from the right of way.

I. Parking Location and Drive

i. Whenever possible, parking shall be in the rear or side lot of a building.

ii. Parking shall be provided in the side or rear of a building. In locations where a rear or side yard fronts a street or is visible within 150 feet of a street, parking in the rear or side yard shall be screened. Parking areas that front a road shall be screened with a minimum 4' high combination of hedge and/or masonry wall or stone element.

iii. Safe, lighted, and clearly identified pedestrian walkways shall connect all buildings and all parking areas (see Graphic 2).

1142.04 TABLES AND GRAPHICS.

Table 1: Transect Zone Geographic Description

Geographic segment of East National Road Corridor Study Area	Segment Title	Transect zone
Spring St. to Greenmount St.	Urban Old Town	Transect 6 (T6)
Greenmount St. to Burnett Rd.	Urban Commercial Corridor	Transect 5 (T5)
Burnett Rd. to Bird Rd.	Suburban Fringe	Transect 4 (T4)
Bird Rd. to Titus Rd.	Rural Research Park	Transect 3 (T3)

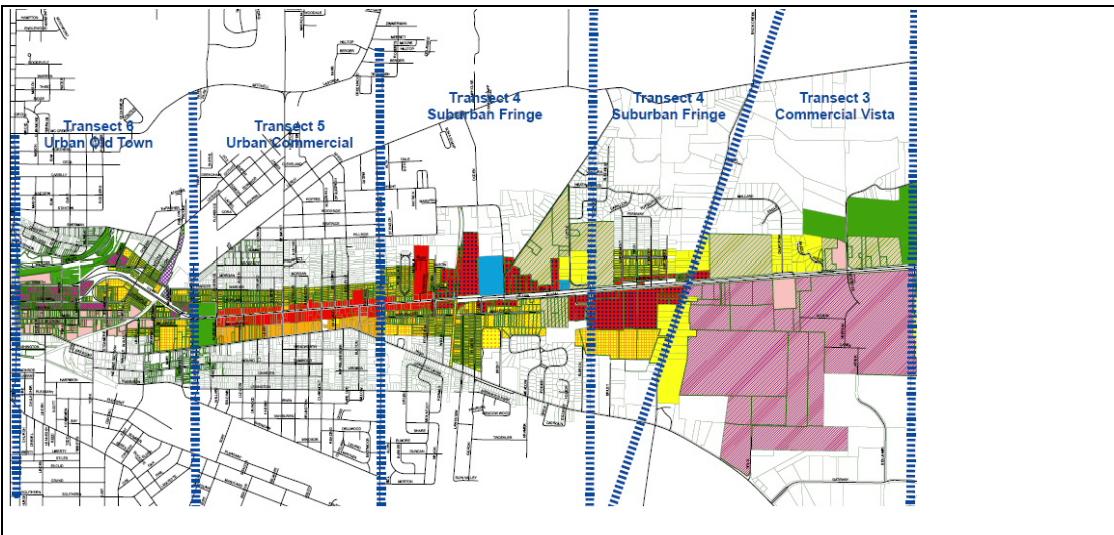


Table 2: Land Use Large Scale Planned Development Density and Composition Standards:

All percentages are gross areas as a percentage of gross development plan land area, to be measured in square feet.

Land Use District	Maximum Gross Office Floor Area	Maximum Gross R&D Floor Area	Maximum Gross Commercial Floor Area	Maximum Gross Residential Floor Area	Maximum Gross Parking and Drive Area	Expected Gross Right of Way Area	Minimum Gross Civic Open Space Area
Main Street Mixed Core	25%	0%	25%	10%	20%	10%	10%
Premier Auto Market Core	10%	0%	10%	0%	60%	10%	10%
Urban Commercial Center	10%	0%	25%	0%	40%	10%	15%
Mixed Use Center	30%	0%	10%	10%	10%	20%	20%
Commercial Town Center	0%	0%	20%	0%	35%	20%	25%
Mixed-Use Conservation Edge	0%	0%	15%	30%	20%	20%	30%
Mixed Use R&D Commercial Edge	0%	10%	0%	0%	30%	20%	40%
Highway Rural Retail Edge	0%	0%	15%	0%	25%	20%	40%

Table 3: Land Use Small Scale Development Density Composition Standards:

All percentages are gross areas as a percentage of gross project site plan area, to be measured in square feet.

Land Use District	Maximum Gross Building Floor Area	Maximum Gross Parking and Drive Area	Minimum Gross Civic Open Space Area
Main Street Mixed Core	85%	10%	5%
Premier Auto Market Core	80%	60%	10%
Urban Commercial Center	50%	50%	10%
Mixed Use Center	40%	50%	15%
Commercial Town Center	40%	50%	20%
Mixed Use Conservation Edge	40%	40%	20%
Mixed Use R&D Commercial Edge	35%	60%	15%
Highway Rural Retail Edge	25%	50%	30%

Table 4: Land Use Building and Parking Standards

District	Minimum Building Front Setback	Minimum Parking Front Setback	Minimum Building and Parking Side and Rear Setback	Maximum Front Setback	Minimum Height	Maximum Height	Minimum On-site Parking Space per Square Foot	Maximum On-site Parking Space per Square Foot
Main Street Mixed Core	0 Feet	Not Applicable	0 Feet	10 Feet	20 Feet	50 Feet	Not Applicable	1 /500 SF

Premier Auto Market Core	0 Feet	5 Feet	0 Feet	45 Feet	20 Feet	45 Feet	Not Applicable	Not Applicable
Urban Commercial Center	0 Feet	20 Feet	0 Feet	20 Feet	15 Feet	35 Feet	1 /350 SF	1 /200 SF
Mixed Use Center	0 Feet	20 Feet	5 Feet	20 Feet	15 Feet	35 Feet	1/350 SF	1 /200 SF
Commercial Town Center	10 Feet	20 Feet	5 Feet	45 Feet	15 Feet	45 Feet	1/400 SF	1 /230 SF
Mixed Use Conservation Edge	Not Applicable	Not Applicable	5 Feet	25 Feet	15 Feet	35 Feet	1/400 SF	1 /230 SF
Mixed Use R&D Commercial Edge	100 Feet	100 Feet	15 Feet	Not Applicable	25 Feet	75 Feet	1/400 SF	1 /200 SF
Highway Rural Retail Edge	100 Feet	100 Feet	15 Feet	Not Applicable	15 Feet	35 Feet	1/400 SF	1 /200 SF

Table 5: Transect Land Development Regulations

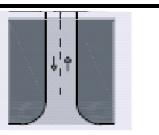
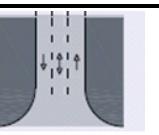
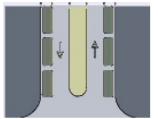
	RURAL VISTA T1	PIKE TOWN T2	RURAL RESEARCH PARK T3	SUBURBAN FRINGE T4	URBAN COMMERCIAL CORRIDOR T5	URBAN OLD TOWN T6
a. BASE RESIDENTIAL DENSITY						
By Right	not applicable	not applicable	2 units/ ac. gross	5 units/ ac. gross	8 units/ ac. gross	12 units/ ac. gross
Maximum	not applicable	not applicable	5 units/ ac. gross	12 units/ ac. gross	20 units/ ac. gross	44 units/ ac. gross
b. THOROUGHFARES						
HW	permitted	permitted	permitted	not permitted	not permitted	not permitted
BV	not permitted	not permitted	permitted	permitted	permitted	permitted
AV	not permitted	not permitted	permitted	permitted	permitted	permitted
CS	not permitted	not permitted	not permitted	not permitted	permitted	permitted
DR	not permitted	not permitted	permitted	permitted	permitted	permitted
ST	not permitted	not permitted	permitted	permitted	permitted	not permitted
RD	permitted	permitted	permitted	not permitted	not permitted	not permitted
Rear Lane	permitted	permitted	permitted	permitted	not permitted	not permitted
Rear Alley	not permitted	not permitted	permitted	required	required	required
Path	permitted	permitted	permitted	permitted	not permitted	not permitted
Passage	not permitted	not permitted	permitted	permitted	permitted	permitted
Bicycle Trail	permitted	permitted	permitted	not permitted	not permitted	not permitted
Bicycle Lane	permitted	permitted	permitted	permitted	not permitted	not permitted
Bicycle Route	permitted	permitted	permitted	permitted	permitted	permitted
c. CIVIC SPACES						
Park	permitted	permitted	permitted	permitted	permitted	permitted
Green	not permitted	not permitted	permitted	permitted	permitted	not permitted
Square	not permitted	permitted	permitted	permitted	permitted	permitted
Plaza	not permitted	not permitted	not permitted	not permitted	permitted	permitted
Playground	permitted	permitted	permitted	permitted	permitted	permitted
d. SINGLE LOT OCCUPATION						
Lot Width	by Warrant	by Warrant	250 ft. min 1500 ft. m	50 ft. min 350 ft. max	20 ft. min 200 ft. max	18 ft. min 700 ft. max
Building: Lot Coverage	25% - 50% max	50% max	40% max	50% max	90% max	
Building Size: SF as a percent of lot size	by Warrant	by Warrant	40% max	40% max	80% max	85% max
Parking and Drive: Lot Coverage	by Warrant	by Warrant	60% max	50% max	50% max	60% max
Green Space: Lot Coverage	by Warrant	by Warrant	25% min	20% min	10% min	5% min
e. SETBACKS - PRINCIPAL BUILDING						
Front Setback (Principal)	not applicable	20ft. min NA ft. NA ft. max	50 ft. min (200 ft. from National Road)	10 ft. min 45 ft. max	0 ft. min 20 ft. max	0 ft. min 10 ft. max
Front Setback (Secondary)	not applicable	20 ft. min NA ft.	50 ft. min NA ft. max	10 ft. min 45 ft. max	0 ft. min 20 ft. max	0 ft. min 10 ft. max
Side Setback	not applicable	15 ft. min	15 ft. min	5 ft. min	0 ft. min 27 ft. max	0 ft. min 10 ft. max
Rear Setback	not applicable	15 ft. min	15 ft. min	5 ft. min	0 ft. min 27 ft. max	0 ft. min 10 ft. max
f. BUILDING DISPOSITION						
Edgeyard	permitted	permitted	permitted	permitted	not permitted	not permitted
Sideyard	not permitted	not permitted	not permitted	permitted	permitted	not permitted
Rearyard	not permitted	not permitted	not permitted	permitted	permitted	permitted
Courtyard	not permitted	not permitted	not permitted	not permitted	permitted	permitted
g. BUILDING CONFIGURATION						
Principal Building	not applicable	2 Stories max	3 Stories max, 1 min	3 Stories max, 1 min	3 Stories max, 1 min	3 Stories max, 2 min
Outbuilding	not applicable	2 Stories max	2 Stories max	2 Stories max	2 Stories max	not applicable

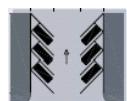
Credit: Duany Plater-Zyberk & Co.

TABLE 6. VEHICULAR LANE & PARKING ASSEMBLIES:

The following rows and columns identify thoroughfare types to be used

in conjunction with Table 7

		1	2	3
a.	NO PARKING			
b.	PARKING ONE SIDE PARALLEL			

c.	PARKING BOTH SIDES PARALLEL			
d.	PARKING BOTH SIDES DIAGONAL			
e.	PARKING ACCESS			

Credit: Duany Plater-Zyberk & Co.

Table 7: Recommended Internal Project Roadway Types:

The following table is to be used in conjunction with Table 6 to determine thoroughfares types that are designed in context with land use and the transect zones through which they pass.

Development Land Use Type	Use Service Type	Dedicated Public Right of Way Vs. Private Drive	T1	T2	T3	T4	T5	T6
Main Street Mixed Core	Mixed	Public						C.1
Main Street Mixed Core	Mixed	Private Drive						A.2 or C.1
Premier Auto Market Core	Auto-Oriented	Public						C.1
Premier Auto Market Core	Auto-Oriented	Private Drive						A.2 or C.1
Urban Commercial Center	Auto-Oriented	Public					C.1	
Urban Commercial Center	Auto-Oriented	Private Drive					A.2 or C.1	
Mixed Use Center	Mixed	Public					C.1	
Mixed Use Center	Mixed	Private Drive					A.2 or C.1	
Commercial Town Center	Mixed Commercial	Public				C.1 or C.2		
Commercial Town Center	Mixed Commercial	Private Drive				D.1 or D.2 or D.3 or A.1		
Mixed Use Conservation Edge	Mixed Commercial	Public			C.1 or C.2	C.1 or C.2		
Mixed Use Conservation Edge	Green Space	Public			C.1	C.1		
Mixed Use Conservation Edge	Residential	Public			C.1 or B.1	C.1 or B.1		
Mixed Use Conservation Edge	Mixed Commercial	Private			C.1 or D.3 or A.1 or A.2	C.1 or D.3 or A.1 or A.2		
Mixed Use Conservation Edge	Green Space	Private			C.1 or D.3 or A.2	C.1 or D.3 or A.2		
Mixed Use Conservation Edge	Residential	Private			C.1 or A.2	C.1 or A.2		
Mixed Use R&D Commercial Edge	R&D	Public			A.2 or A.3			
Mixed Use R&D Commercial Edge	R&D	Private			A.2 or A.3 or C.1			
Highway Rural Retail Edge	Mixed Commercial	Private		A.1 or A.2				
Green Space	Green Space/ Residential	Private	A.1 or A.2					

Table 8: Sound Standards:

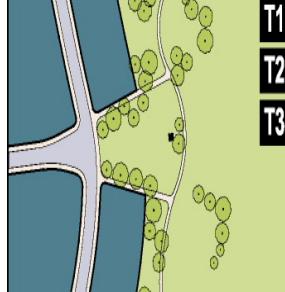
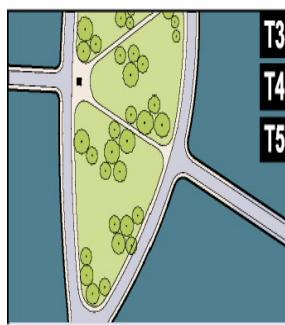
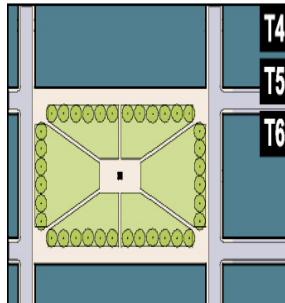
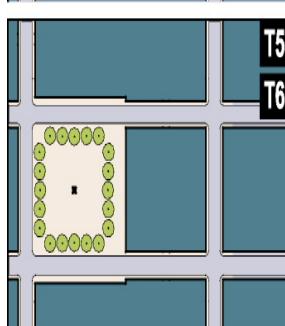
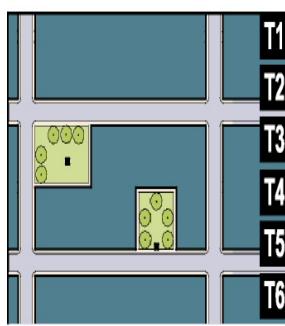
Sound levels measured at the building frontage line shall not exceed maximum decibels from sunrise to midnight and maximum decibels from midnight to sunrise.

	T1	T2	T3	T4	T5	T6
--	----	----	----	----	----	----

maximum decibels from sunrise to midnight	65 db	65 db	65 db	70 db	70 db	80 db
maximum decibels from midnight to sunrise	55 db	55 db	55 db	60 db	60 db	60 db

TABLE 9: Civic Space.

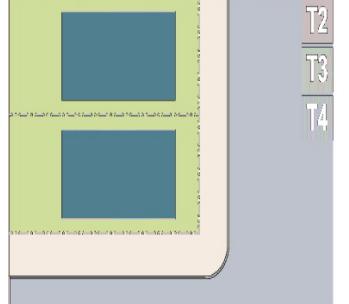
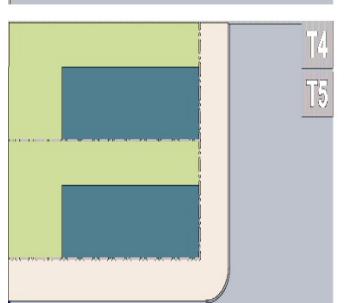
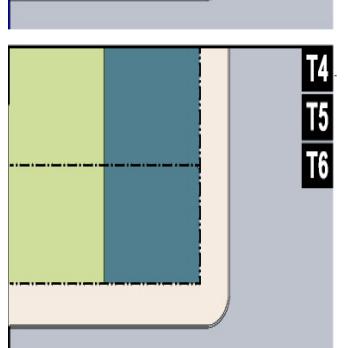
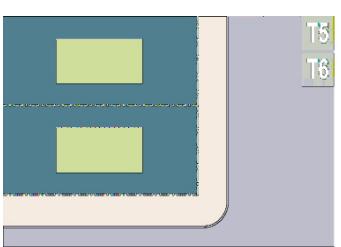
The intended types of civic space are diagrammed and described in this table. The diagrams are only illustrative; specific designs would be prepared in accordance to the verbal descriptions on this table.

Park: a natural preserve available for unstructured recreation. A park may be independent of surrounding building frontages. Its landscape shall consist of pedestrian walkways and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors. The minimum size shall be 8 acres.	
Square: an open space available for unstructured recreation and civic purposes. A square is spatially defined by building frontages. Its landscape shall consist of pedestrian walkways, lawns and trees, formally disposed. Squares shall be located at the intersection of important thoroughfares. The minimum size shall be 1/2 acre and the maximum shall be 5 acres.	
Green: an open space available for unstructured recreation. A green may be spatially defined by landscaping rather than building frontages. Its landscape shall consist of lawn and trees, naturalistically disposed. The minimum size shall be 1/2 acre and the maximum shall be 8 acres.	
Plaza: an open space available for civic purposes and commercial activities. A plaza shall be spatially defined by building frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/2 acre and the maximum shall be 2 acres.	
Playground: an open space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within residential areas and may be placed within a block. Playgrounds may be included within parks and greens. There shall be no minimum or maximum size.	

Credit: Duany Plater-Zyberk & Co.

TABLE 10: Building Disposition.

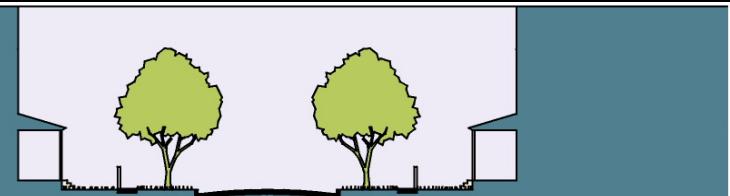
This table approximates the location of the building relative to the boundaries of each individual lot. Each of these very general types is intrinsically more or less urban, depending on the extent that it completes the frontage.

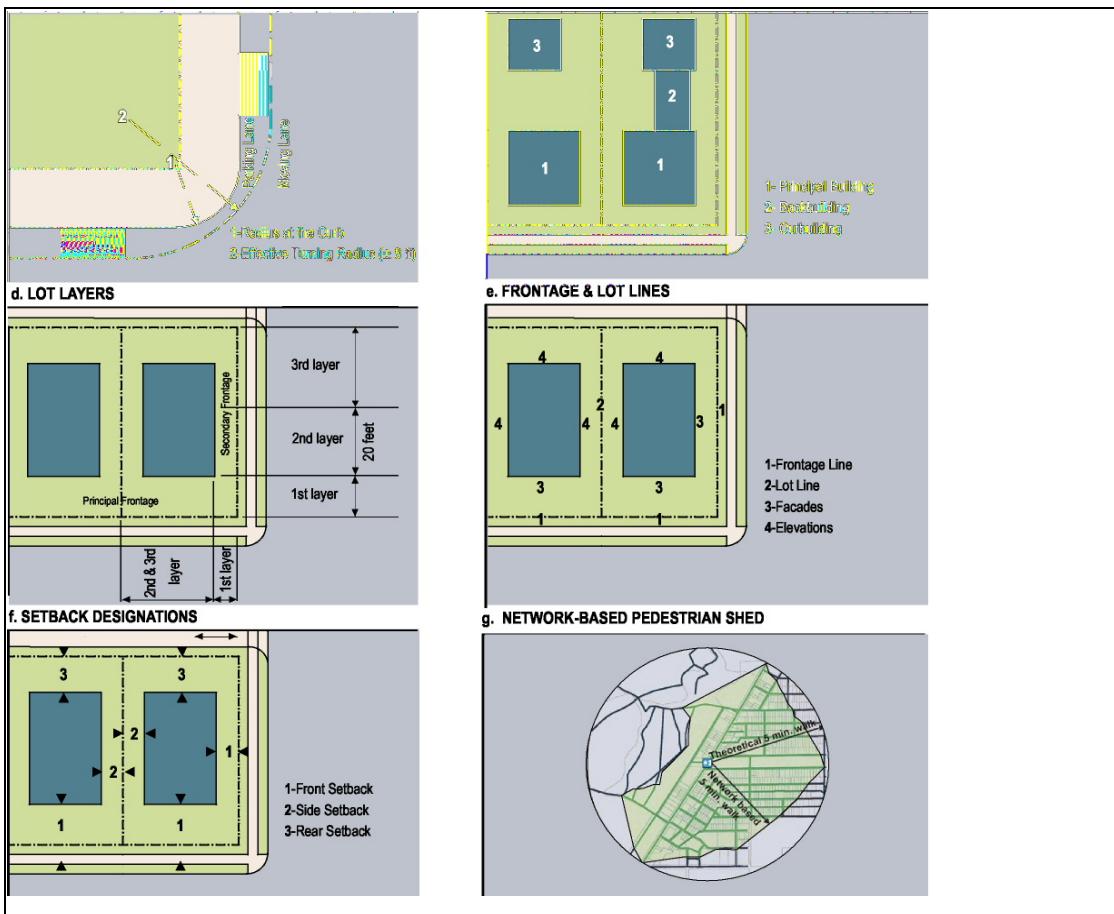
<p>Edgeyard: specific types - single family house, cottage, villa, estate house, urban villa. A building that occupies the center of its lot with setbacks on all sides. This is the least urban of types as the front yard sets it back from the frontage, while the side yards weaken the spatial definition of the public thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed backbuilding and/or outbuilding.</p>	
<p>Sideyard: specific types - Charleston single house, double house, zero-lot-line house, and twin. A building that occupies one side of the lot with the setback to the other side. A shallow frontage setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a sideyard house abuts a neighboring sideyard house, the type is known as a twin or double house. Energy costs and sometimes noise are reduced by sharing a party wall in this disposition.</p>	
<p>Rearyard: specific types - townhouse, rowhouse, live-work unit, loft building, apartment house, mixed use block, flex building, perimeter block. A building that occupies the full frontage, leaving the rear of the lot as the sole yard. This is a very urban type as the continuous façade steadily defines the public thoroughfare. The rear elevations may be articulated for functional purposes. In its residential form, this type is the rowhouse. For its commercial form, the rear yard can accommodate substantial parking.</p>	
<p>Courtyard: specific types - patio house. A building that occupies the boundaries of its lot while internally defining one or more private patios. This is the most urban of types, as it is able to shield the private realm from all sides while strongly defining the public thoroughfare. Because of its ability to accommodate incompatible activities, masking them from all sides, it is recommended for workshops, lodging and schools. The high security provided by the continuous enclosure is useful for crime-prone areas.</p>	

Credit: Duany Plater-Zyberk & Co.

TABLE 11: Definitions Illustrated.

This table provides a number of diagrams to support and clarify the Definitions

						
This table provides a number of diagrams to support and clarify the Definitions						
Building Private Lot	Private Frontage	Public Frontage	Vehicular Lanes	Public Frontage	Private Frontage	Building Private Lot
b. TURNING RADIUS					c. BUILDING DISPOSITION	



Credit: Duany Plater-Zyberk & Co.

Table 12: LIGHTING STANDARDS:

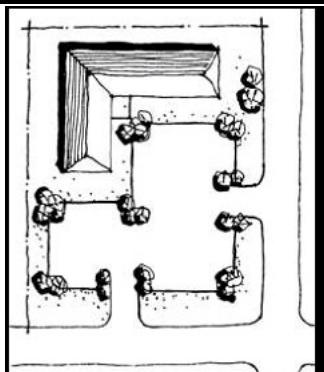
No lighting level measured at the property line shall exceed the following foot-candles (fc.)

T1	T2	T3	T4	T5	T6
0.5 fc	0.5 fc	0.5 fc	1.0 fc	2.0 fc.	5.0 fc

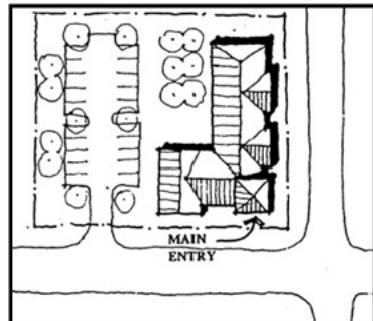
Graphic 1: Cut-off light fixtures Credit: MSI



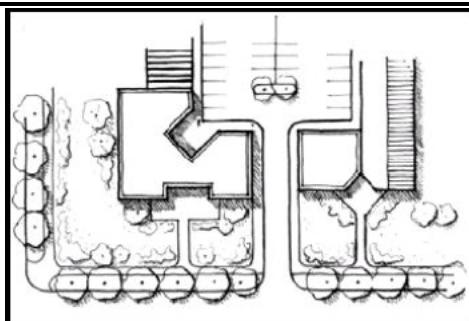
Graphic 2: Prohibited rear yard building configuration



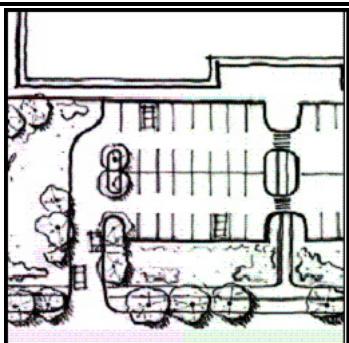
Graphic 3: Required front yard building configuration



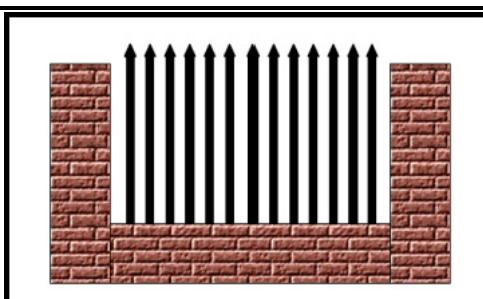
GRAPHIC 4: PEDESTRIAN ACCESS AND SHARED VEHICULAR ACCESS DRIVEWAY.



GRAPHIC 5: WALKWAY CONNECTING THE SIDEWALK AND PARKING LOT WITH THE BUILDING.



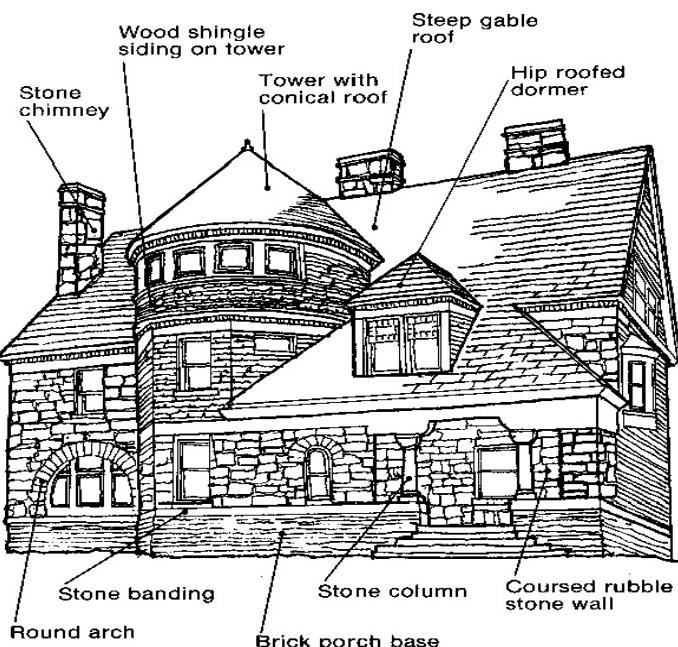
GRAPHIC 6: URBAN SCREENING



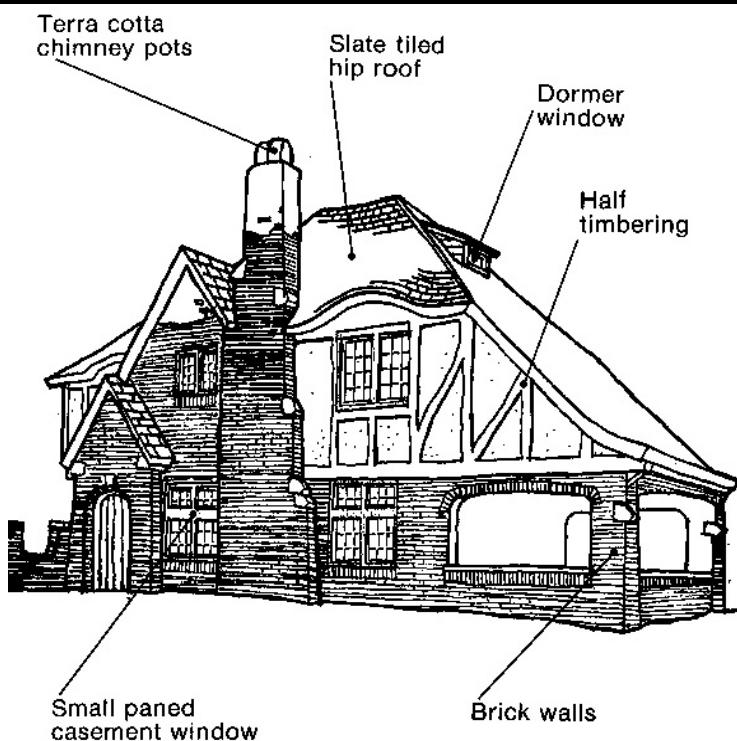
GRAPHIC 7: STONE AND HEDGE SCREENING



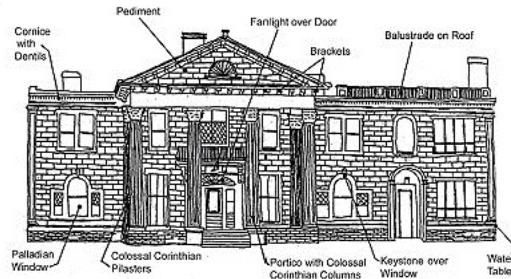
Graphic 8: Vernacular Style: Richardsonian Romanesque



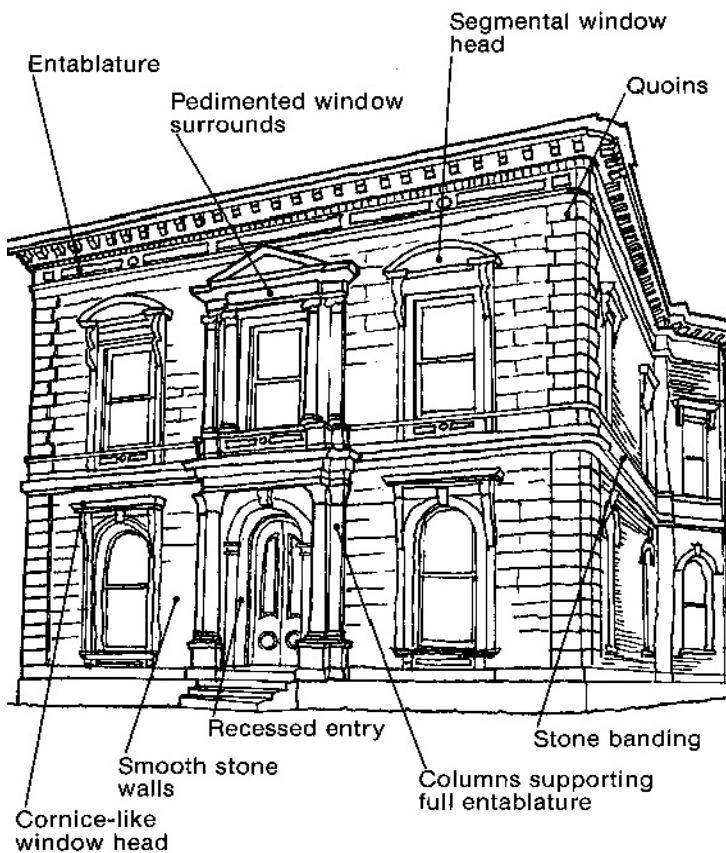
Graphic 9: Vernacular Style: Tudor Revival



Graphic 10: Vernacular Style: Neoclassical Revival

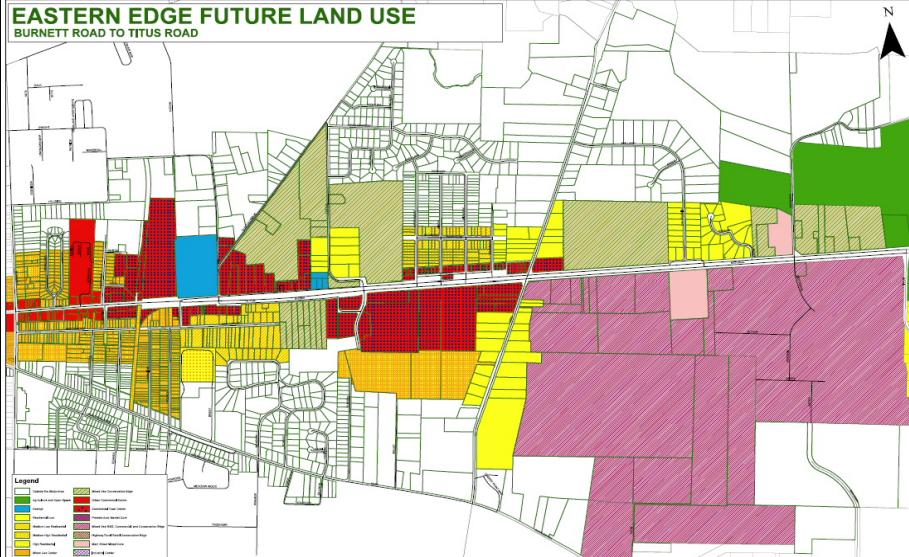


Graphic 11: Vernacular Style: Renaissance Revival



MAPS

EASTERN EDGE FUTURE LAND USE BURNETT ROAD TO TITUS ROAD



EASTERN EDGE FUTURE LAND USE SPRING STREET TO BURNETT ROAD

