

ORDINANCE NO. 17 -14  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE 20<sup>th</sup> DAY OF October, 2014.

**AN ORDINANCE AMENDING ORDINANCE NO. 14-08, CHAPTER 1216 OF THE CENTERVILLE MUNICIPAL CODE, THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF CENTERVILLE, OHIO, TO AMEND NUMEROUS SECTIONS BY ADDING AND DELETING TEXT TO CLARIFY VARIOUS SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE.**

**PREAMBLE**

**WHEREAS**, on the 15th day of December, 2008, the City of Centerville enacted the Unified Development Ordinance (UDO) to establish zoning regulations and to provide for its administration, enforcement and amendment; and

**WHEREAS**, the City Council directed the City Manager to conduct an annual review of the UDO to assure consistency with previous ordinances, to update it to reflect current policies and to eliminate duplicity; and

**WHEREAS**, revision of Sections 3.13, 5.07, 5.09, 5.11, 5.13, 5.19, 9.05, 9.07, 9.13, 9.25, 9.29, 9.31, 9.35, 9.39, 9.53 and 11.02 of the Unified Development Ordinance is recommended at this time:

**WHEREAS**, the amendments are in harmony with the City of Centerville's comprehensive plan, *Create the Vision*; and

**WHEREAS**, all requirements of Chapter 713 of the Ohio Revised Code, with regard to the adoption of the UDO and/or amendments thereto by the Planning Commission and subsequent action of the City Council have been met.

**NOW, THEREFORE**, the Municipality of Centerville hereby ordains:

**Section 1.** Ordinance Number 14-08 passed on the 15<sup>th</sup> day of December, 2008 and as subsequently amended, be, and the same hereby is revised as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

By amending Article 3, Administration as follows:

**3.13 Nonconforming Uses, Lot, Setbacks, Structures and Land in Combination**

H. Nonconforming Uses of Land: At the time of adoption of this Ordinance, lawful uses of land exist which would not be permitted by the regulations imposed by this Ordinance. These uses may be continued so long as they remain otherwise lawful, provided:

6. A non-conforming vehicle parking area use that is not graded and constructed with a hard paved surface pursuant to 9.29 B. 2. a; 9.29 B. 2. e.; 9.29 C. 2. b. 3; or 9.29 C. 2. e. shall be lost 18 months after the date of adoption of this Ordinance.

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By amending Article 5, Development Procedures as follows:

**5.07 UDO Text and Official Zoning Map Amendments**

- C. Standards for Approval: The following criteria shall be followed in approving zoning map *and* amendments to the UDO:

**5.09 Development Approvals: Categories and Criteria**

- G. ~~Development Plan: Approval of a Development Plan is required within the Residential Planned Development (R-PD), Office Planned Development (O-PD), Business Planned Development (B-PD), Industrial Planned Development (I-PD) and the Mixed Use Overlay Districts including the Neighborhood Center (NC), Community Center (CC), and the Corporate Business (CB) Districts. The two-step Development Plan review and approval process includes submission of a Preliminary Development Plan and a Final Development Plan. The TRC, and the Planning Commission review both plans. Depending on the scope and complexity of the project proposed, the Planning Commission may permit the Preliminary Development Plan and the Final Development Plan to be combined as 1 submission. That request should be made, and approved, at the work session with Planning Commission.~~

- M. Sign Permit: No sign, whether permanent or temporary, shall hereafter be erected, constructed or maintained until the City Planner has issued a sign permit. This provision shall not apply to signs *that are prohibited, as described in Section 9.51(C).*

- N. Site Plan – Major: Approval of a Site Plan is required for zoning approval prior to construction. Planning Commission, or the Board of Architectural Review for properties situated in the Architectural Preservation District, shall review all *Major Site Plan* applications. ~~that do not meet the definition of a Minor Site Plan as provided for in Section 5.09, O.~~

1. Uses Requiring Major Site Plan Review: The following uses and ~~additions to uses~~ *structures* require major site plan review:

- a. *New multi-family buildings four units and above;*

- b. *New commercial, office, industrial, institutional and all other non-residential principal buildings and structures regardless of size.*
  - c. ~~b. Non-residential accessory buildings and structures of 250 square feet of gross floor area or greater, including principal and accessory structures;~~
  - d. e. *Additions to any building or structure greater than 25 percent or 1,000 square feet of the original floor area; whichever is less;*
  - e. ~~d. Parking structures and facilities and parking lots Structured parking;~~
  - e. ~~Public buildings and structures;~~
  - f. *Parks; and*
  - g. *New parking lots of greater than 8 spaces, or additions of greater than 8 spaces to existing parking lots.*
  - g. ~~Institutional uses.~~
2. **Standards for Approval:** The following standards shall be considered in the review of Major Site Plan applications:
- b. *That it fully complies with an approved Final Development Plan, if applicable;*
  - c. ~~b. That it adequately protects other property or residential uses located on the same property from the potential adverse effects of a non-residential use;~~
  - d. e. *That it is consistent with the use and character of surrounding properties;*
  - e. ~~d. That it provides safe conditions for pedestrians or motorists and prevents the dangerous arrangement of pedestrian and vehicular ways; and~~
  - f. *That it provides safe ingress and egress for emergency services.*
- S. ~~Reserved. Preliminary Plat: A preliminary plat shall be approved by the Planning Commission prior to submitting a Final Plat. A Preliminary Plat is a map of a subdivision of land that is submitted to the Planning Commission for purposes of preliminary consideration and approval.~~
- ~~1. Standards for Approval: The following standards shall be considered in the review of a Preliminary Plat application:~~

- ~~a. The proposed Preliminary Plat meets all applicable standards of the UDO;~~
- ~~b. The proposed lots shall have adequate space to accommodate the building area and other site requirements;~~
- ~~c. The property has been surveyed to provide boundary, topographic, utility and other information relating to the property shall be submitted with the application;~~
- ~~d. The proposed lots have been approved for access management, utility management and stormwater management; and~~
- ~~e. The proposed lots have been approved relative to emergency access.~~

### 5.11 Development Approvals: Procedure

C. Approvals by Planning Commission: The following outlines the procedure under which Planning Commission decides development approvals:

4. Preparation of Agenda and Public Notice: Following certification that an application is complete, the City Planner shall place the application on the agenda of Planning Commission's formal meeting *in accordance with Article 5.06(D)*. Major Site Plan applications requiring Planning Commission approval are not subject to notification procedures.

~~a. Notice of the hearing shall be given at least once in 1 or more newspapers of general circulation in the City. Notice shall be at least 10 days before the date of the hearing. The notice shall state the time and place of the hearing and a summary of the proposed amendment;~~

~~b. The applicant shall provide a list (available from the County Auditor's current tax list) of the owners within 500 feet of the subject area proposed to be rezoned to the City Planner. Such notice shall be sent, by the applicant by first class mail, at least 10 days before the date of the hearing addressed to the owners appearing on the County Auditor's current tax list and to such other list or lists as verified by staff. The notice shall contain the same information as required of notices published in newspapers as specified; and,~~

~~c. The application, staff recommendation and associated material shall be on file for public examination in the office of the City Planner.~~

### 5.13 Development Approvals: Submittal Requirements

A. General: The following general requirements shall apply:

1. Each development approval shall include an application provided by the City Planner with the submittal. *The submittal shall also include, at minimum, six (6) full-size hard copies of all required documentation.*
- D. Certificate of Zoning Compliance: The ~~submittal request~~ of a Certificate of Zoning Compliance shall include ~~an~~ *the requisite application as noted in Article 5.09, Table 5-A and the appropriate Site Plan (Major or Minor as applicable).* The application shall include at a minimum *those items noted below. The City Planner, or his/her designee, may modify or add to these requirements at his/her discretion.*
2. Name of applicant. If the applicant is not the owner then written consent from the owner ~~should~~ *shall* be submitted.
  5. *General layout plan with existing and proposed property lines, showing all proposed property lines with typical dimensions, yards and setbacks; ~~Extent of any proposed interior or exterior building alterations that may be required as a result of a change in use; and~~*
  - ~~6. A list of surrounding uses and zoning classification(s).~~
  6. *Existing and proposed buildings on site with general sketch floor plans and building elevations, including square footage calculations, occupancy load or seating capacity, building height, and building material type and color;*
  7. *Street and parking lot layout, including street rights-of-way, drive aisles, parking spaces, and sidewalk location;*
  8. *Preliminary grading, stormwater, potable water, sanitary sewer, and landscape plans; and*
  9. *List of property owners and labeling of adjacent property owners (for those applications requiring a public meeting).*
- G. Development Plan: The following outlines the submittal requirements for Preliminary and Final Development Plans. Relative to the approval process, each Preliminary and Final Development Plan must be approved through the same process. *Preliminary and Final Development Plans shall be submitted at least six (6) weeks prior to the meeting at which the Plan will be reviewed by Planning Commission.*
- I. Floodplain Permit: Application for a Floodplain Permit shall be made on forms, furnished by the ~~City Engineer Planning Department~~ 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; and existing or proposed structures, fill, storage of materials, drainage facilities and the location of the foregoing. *An approved Floodplain Permit shall be provided*

at the time of submittal *for a Certificate of Zoning Compliance*. The following information is required:

- O. Site Plan – Major: An application form shall be completed by the developer/subdivider and submitted with the Major Site Plan. The application form shall be provided by the Planning Department. The submittal requirements for a Major Site Plan include the following:
  - 6. ~~Proposed landscaping plans indicating the preliminary description of the location and nature of existing and proposed vegetation, landscaping, screening elements and existing trees to be removed;~~ *Preliminary landscape plan indicating location of existing plants; proposed plantings, including planting height and caliper of proposed trees measured at the average breast height; berming configuration; and height and material of any proposed retaining or decorative wall or fence;*
  - ~~11. Preliminary landscape plan indicating location of existing plants; proposed plantings, including planting height and caliper of proposed trees measured at the average breast height~~
  - 11. ~~12.~~ Other information necessary for the evaluation of existing site conditions and proposed development as deemed necessary by the City Planner and/or the Planning Commission; and
  - 12. ~~13.~~ Final Grading Plan, Lighting Plan, Landscape Plan, Sign Plan and overall Site Plan shall be provided *at the time a Certificate of Zoning Compliance is sought prior to the issuance of a Certificate of Zoning Compliance.*

#### 5.19 Appeals Procedure

- B. Appeals to the Planning Commission: The following outlines the appeals process and notification requirements for appeals to the Planning Commission from an administrative decision:
  - 1. An appeal to the Planning Commission may be taken by any person *or party* aggrieved ~~or~~ by a decision of the zoning officer; City Planner; department, board or commission of the City affected by any decision of the City Planner; or a designated representative. Such appeal shall be made within 10 days from the date of the action appealed from, by filing a notice of appeal with the City Clerk of Council. The City Planner shall transmit to the Planning Commission all the papers constituting the record upon which the action appealed from was taken.
  - 4. *At least four (4) votes in support of the Appeal Petition are required to overturn a decision.*

C. Appeals to City Council: The following outlines the appeals process and notification requirements for appeals from a Planning Commission or a Board of Architectural Review (BAR) decision to City Council:

4. *At least four(4) votes in support of the Appeal Petition are required to overturn a decision of the Planning Commission or BAR.*

By amending Article 9, Part 1, Zoning as follows:

**9.05 Base Zoning Districts**

B. Uses

2. Applicability

Table 9.1 lists the accessory, permitted, and conditionally permitted uses by zoning district classification. *These uses apply to the following districts: Agricultural (A), Single-Family Residential (R-1a to R-1e), Two-Family Residential (R-2), Multi-Family Residential (R-3), Office-Service (O-S), Neighborhood Business (B-1), General Business (B-2), Light Industrial (I-1), Architectural Preservation District (APD), and Planned Development (R-PD, O-PD, B-PD, & I-PD).* ~~These uses apply to A, Agricultural District, R-1 a thru R-1 e, Single Family Residential; R-2 Two Family Residential; R-3 Multi-Family Residential, O-S, Office Service; B-1 Neighborhood Business, B-2 General Business, I-1, Light Industrial, APD, Architectural Preservation District.~~

**Table 9.1, Permitted Land Uses in the Base Zoning Districts**

Specific Use Type		
Land Use Type		I-1
<b>Accessory Uses <sup>1</sup></b>		
Accessory Structures		AU (Maj)
Bed & Breakfast		-
Home Sales		-
Outdoor Display or Storage of Materials, Goods, Supplies, or Equipment		AU(Min)
Mobile Food Vehicle - See Article 9.05 A 10.		AU(Min)
Pet Shelters		-
Playhouses		-
Solar Energy Device - Roof Mounted <sup>2</sup>		AU(Min)
Solar Energy Device - Freestanding or Wall Mounted <sup>2</sup>		C (Maj)
Swimming Pools and Hot Tubs, Private		-
Tennis Courts, Private		-
Wind Energy Device <sup>2</sup>		C (Maj)
Wireless Telecommunications Antennae (Co-Location)		AU (Min)
<b>Agricultural Uses</b>		
Agriculture <sup>3</sup>		P
Bee Keeping <sup>4</sup>		P (Min)
Stable (Commercial)		-
Stable (Private)		-
Wholesale or Commercial Plant Nursery		P (Maj)

Specific Use Type	
Land Use Type	I-1
<b>Commercial Use</b>	
Amusement Arcades	-
Animal Hospital/Clinics	<i>P (Maj)</i>
Bakeries (Retail)	-
Banks	-
Banquet Hall	<i>P (Maj)</i>
Barbers Shops & Beauty Parlors	-
Bars, Taverns	-
Big Box Retail	-
Book Store	-
Camera/Photography Store	-
Car Wash	<i>P (Maj)</i>
Clothing Store	-
Commercial Entertainment	-
Convenience Store	-
Corporate Data Centers	<i>P (Maj)</i>
Department Stores	-
Drive-through Stores	-
Drive-up Windows <sup>5</sup>	-
Dry Cleaning Shops	-
Flea Markets	<i>C (Maj)</i>
Florist Shops	<i>P (Maj)</i>
Fueling Station <sup>6</sup>	-
Funeral Home	<i>P (Maj)</i>
General Merchandise Store	-
Grocery Stores	-
Hardware Stores	-
Hobby Shops	<i>P (Maj)</i>
Hotel - Motel	-
Kennels	<i>C (Maj)</i>
Laundromats	<i>P (Maj)</i>
Liquor Stores	-
Driving Range	-
Music Stores	-
Night Clubs	-
Office/Business Service Uses	<i>P (Maj)</i>
Pet Store	-
Pharmacy	-
Photography Studio	<i>P (Maj)</i>
Plant Nursery/Garden Supply	-
Restaurant, Class 1 - Sit Down	-
Restaurant, Class 2 - Sit Down	-
Restaurant, Class 3 - Sit Down, Drive-up	-
Restaurant, Class 4 - Drive-up, Food Kiosk	-
Retail Sales and Services (Generally, not otherwise enumerated)	-
Sexually Oriented Business	-
Shopping Center	-
Theaters	-
Vehicle Sale and Service	-



Specific Use Type	
Land Use Type	I-1
<b>Institutional, Civic, Recreational</b>	
Adult Day Care	-
Animal Shelter	C (Maj)
Campgrounds	-
Cemetery	-
Club or Lodge	P (Maj)
Convention Center	-
Cultural (Museum, Art Gallery)	P (Maj)
Day Care Center	-
Entertainment Public	-
Family Day Care, Type A	-
Family Day Care, Type B <sup>7</sup>	-
<del>Fitness Club-Golf/Tennis/Swim</del> Outdoor Recreational Club	P (Maj)
Golf Course	-
Hospital	-
Indoor Recreational Club	P (Maj)
Natural Preserve Areas	P (Min)
Out Patient Surgery Center	P (Maj)
Parks, Open Space	P (Min)
Public Library	-
Religious Institutions and Places of Worship (Large 150+ capacity)	-
Religious Institutions and Places of Worship (Small 1-150 capacity)	-
School: College	P (Maj)
School, Primary	-
Swimming Pools (Not Private Residential)	-
Zoo	-
<b>Industrial, Manufacturing, Research, and Wholesale Use</b>	
Artisan/Craft Product Workshop	P (Maj)
Automobile or truck repair, including body work	P (Maj)
Bakeries (Factory or Distribution)	P (Maj)
City Service Yards and Garages	P (Maj)
Construction trades and contractor offices and shops	P (Maj)
Food Processing	P (Maj)
Heavy equipment rental, sales, service and storage	P (Maj)
Industrial Park	-
Junkyards/Salvage Yards	-
Light Manufacturing	P (Maj)
Machine Shop	P (Maj)
Media Production	P (Maj)
Printing Services	P (Maj)
Research and Development, Information Technologies	P (Maj)
Research and Development, Laboratories	P (Maj)
Research and Development, Medical Technologies	P (Maj)
Retail uses which have an industrial character	P (Maj)
Veterinary offices with fully enclosed runs, pens, or kennels	P (Maj)
Warehouses and Mini-Warehouses	P (Maj)
Warehousing and Distribution	P (Maj)
Wholesaling and Storage Facilities	P (Maj)
<b>Office Use</b>	
Government Offices	P (Maj)
Medical and Dental Offices	P (Maj)

Specific Use Type	
Land Use Type	I-1
Office Park	P (Maj)
Office Uses	P (Maj)
Research and Development, Offices	P (Maj)
<b>Residential Uses</b>	
Dormitory	-
Dwelling, Multi-Family and Apartment Building	-
Dwelling, Single-Family	-
Dwelling, Duplex	-
Mixed-Use Building <sup>8</sup>	-
Nursing and Convalescent Homes	-
Residence Family Home	-
Residential Cluster Development	-
Residential Group Home	-
Senior Citizen Residential Community	-
Satellite Dishes (Less than 1 meter in diameter)	P
Telecommunications Cabinet	P (Min)
Television Antennae (Residential)	P
Wireless Communication Tower	C (Maj)
Wireless Communication Antennae	C (Maj)
<b>Temporary Uses</b>	
Carnival/Outdoor Amusement Use	-
Seasonal Outdoor Sale of Farm Produce or Plants	-
Seasonal Outdoor Sale of Landscaping Materials	-
Sidewalk Sales	-
Temporary Construction Buildings	AU (Min)
<b>Transportation, Aviation or Surface</b>	
Heliport <sup>9</sup>	C (Maj)
Public transit stations, including bus stops or park and ride lots	P (Maj)
Transport Uses, Taxi, Limousine and EMS	P (Maj)
<b>Utility Uses</b>	
Solar Power Plant	-
Wind Power Plant	-
Utility	P (Maj)

**Table 9.0 Table of Minimum Standards, continued**

<sup>9</sup> The minimum building and parking or paving setbacks established for the Planned Development Zoning Districts by this table apply to the perimeter of the Development Plan as approved by City Council. The minimum building and parking or paving setbacks for any internal lot-line are established in the following manner:

- ~~1. The R-3 zoning district standards shall apply to the R-PD zoning district, and~~
- ~~2. The O-S zoning district standards shall apply to the O-PD zoning district, the B-2 zoning district standards shall apply to the B-PD zoning district, and the I-1 zoning district standards shall apply to the I-PD zoning district where a non-residential land use is proposed to be adjacent to another non-residential use. The Planned Development district standards shall apply where a non-residential land use is proposed to be adjacent to a residential use.~~

**9.07 Overlay Zoning District Standards**

**C. Residential Conservation**

**3. Rezoning and Development Review/Approval of Plans**

Applications shall be processed in accordance with the same review and hearing procedures as a proposal for a zoning district change, as described in Section 5.09, Site Plan Minor. Residential Conservation District applications may be submitted only if the project is located within the Residential Conservation District. However, this mechanism is optional and shall not be required of all projects located within the Residential Conservation District. Projects not being developed in accordance with the Residential Conservation District standards shall be developed in accordance with the development standards of the underlying base zoning district.

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By amending Article 9, Part 2, Subdivision Standards as follows:

**9.13 Required Improvements**

**B. Streets**

**3. Street Cross-Sections**

**f. Local Streets and Cul-de-sac Street Cross-Section**

iv. 4 5 foot sidewalks located on both sides of roadway

**g. Public Access or Service Drives**

iv. 4 5 foot sidewalks located on both sides of roadway

**h. Private Streets**

i. *Roadway Width: 2 lanes; shall provide a minimum roadway width of 24 feet.*

**i. ~~h.~~ Alleys**

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By amending Article 9, Part 3, Site Design and Improvement Standards as follows:

**9.25 Landscaping, Screening and Buffering Standards**

**C. Landscape, Screening and Bufferyard Requirements**

7. ~~Screening of Large Trash Collection Facilities: If a site plan contains a large exterior trash collection facility such as a dumpster, this area shall be screened by using a fence or wall so as to not be visible from a public right of way or an adjacent property.~~

7. ~~8. Traffic Hazard:~~

8. ~~9. Bond or Other Construction Guarantee Required for Improvements:~~

**Table 9.6: Bufferyard, Landscaping and Screening Requirements**

Zoning District by Use or Circumstance	Buffer Width (feet)	Minimum Bufferyard Requirements					
		Earthen Berm (avg. ht.)	Fence or Wall	No. of Plants per 100 Linear Feet of Bufferyard			
				Canopy Tree <sup>1</sup>	Understory Tree <sup>1</sup>	Shrub <sup>1</sup>	Evergreen or Conifer
<b>O-PD, B-PD, and I-PD<sup>1</sup></b>							
Adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
Adjacent to a Public Street	20	3 feet	No	5 <sup>3</sup>	5 <sup>0</sup>	10-15	0
Adjacent to a non-residential use	10 <sup>±</sup> 20	N/R	No <sup>3</sup>	2	4	6	0
<b>O-S, B-1, B-2, I-1: Non-Residential Use</b>							
Adjacent to a Residential Use	25	4 feet	Yes	5 <sup>3</sup>	6	20	15
Adjacent to Public Street	10	N/R	No	3	0	15	0
Adjacent to a Non-Residential Use or a Public Street	10	N/R	No <sup>3</sup>	2	4	6	0
<b>APD, Architectural Preservation District</b>							
Non-Residential Use adjacent to a Residential Use	10	N/R	Yes	0	0	0	15
<b>R-1, R-2, R-3, R-PD, Non-Residential Uses</b>							
Adjacent to a Single-Family Use	25	3 feet	Yes	5 <sup>3</sup>	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5 <sup>3</sup>	5 <sup>0</sup>	10	0
Abutting any other Street or a non-residential use	10	N/R	No	2	4 <sup>0</sup>	6	0
Major Use adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
<b>R-3, R-PD: Multi-Family Residential Use</b>							
Adjacent to a Single-Family Use	25	3 feet	Yes	5 <sup>3</sup>	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5 <sup>3</sup>	5	10	0
<b>R-2, Two-Family Residential Use</b>							
Adjacent to any Public Street or a Single Family Use	10	N/R	No <sup>3</sup>	2	4	6	0
Adjacent to any Public Street	10	N/R	No	2	0	6	0
<b>R-1, Single-Family Residential Use</b>							
Freestanding Solar Energy System	5	N/R	Yes	0	0	0	0
Residential Cluster Development of an individual lot adjacent to a Major Public Street	25	3 feet	No	4	6	10	5
RV in the Side Yard abutting a Single-Family Use <sup>**2</sup>	5	N/R	Yes <sup>***3</sup>	0	2	2	3
RV in the Side Yard abutting a Non-Residential Use <sup>2</sup>	5	N/R	Yes <sup>3</sup>	0	0	2	3
Yard abutting a Single-Family Use <sup>**</sup>	5	N/R	Yes <sup>***</sup>	0	2	2	-3
Yard abutting a Single-Family Use <sup>**</sup>	5	N/R	Yes <sup>***</sup>	0	2	2	-3

N/R: Not Required  
<sup>± 1</sup> Outer Perimeter of the Planned Development Zoning Districts requires a minimum buffer width of 20 feet.  
<sup>\*\* 2</sup> Number of plants required per thirty (30) linear feet of bufferyard.

~~\*\*\*~~<sup>3</sup> A resident or property owner may apply for a Zoning Certificate to substitute a fence for any or all of the required landscape screening provided such fence is of sufficient size and mass to provide buffering greater than or equal to the required landscape screening.

<sup>4</sup> *Up to 50% of the required landscape materials may be substituted subject to the following ratios: 1 Canopy Tree = 2 Understory Trees; 1 Understory Tree = 3 Shrubs. 1 Canopy Tree = 6 Shrubs. This does not apply to required landscaping adjacent to or abutting a public street or single-family residential use.*

## 9.29 Parking and Loading Standards

### D. Location

#### 1. Single- or Two-Family Residential Uses

- a. ~~Front, side, or rear yard parking shall be permitted for single or two family residential uses.~~
- b. ~~The total paved area shall not cover more than 35 percent of the required front or rear yard of a single or two family residential use. The total paved area shall not cover more than 50% of the total side yards.~~

### E. Computation

#### 2. Units of Measurement

For the purpose of determining off-street parking requirements, the following units of measurement shall apply:

- a. **Floor Area.** Floor area for non-residential purposes shall be the sum of the gross horizontal area of all floors of a building measured from the exterior faces of the exterior walls. *Any floor or part thereof used for incidental storage of goods, materials, or merchandise, not to exceed 25% of the total floor area, may be excluded from the gross floor area computation.*

### F. Number of Parking Spaces Required

The minimum number of parking spaces required per use is shown in Table 9.8

#### Table 9-8: Minimum Number of Parking Spaces Required

Restaurant, Class 1 – Sit Down<sup>4</sup>

Restaurant, Class 2 – Sit Down<sup>4</sup>

Restaurant, Class 3 – Sit Down, Drive-up<sup>4</sup>

<sup>4</sup> ~~Minimum of 15 Parking Spaces. Reserved.~~

Health Club or Gymnasium, 1.0 per 300 sq. ft. (Gross Floor Area)

## 9.31 Access Control for Streets and Highways

### C. Roadway Access Standards

(See Ohio Department of Transportation Ohio State's Highway Access Management Manual, December 2001 and the Institute of Transportation Engineers Transportation and Land Development, 2<sup>nd</sup> Edition; or most recent revisions.)

#### 5. Dimensions of a Driveway

##### b. Single-Family and Two-Family Residential Uses

- i. A driveway for a single-family or two-family residence shall have a minimum width of 8 feet and a minimum length of 20 feet *from the public right-of-way*.

#### 8. Horizontal Intersection Sight Distance

- a. In order to provide a clear view of intersecting streets to the motorist, there shall be a triangular area of clear vision formed by the 2 intersection streets and the driver's line of sight toward a car approaching the intersection. *Reference A Policy on Geometric Design of Highways and Streets (American Association of State Highway and Transportation Officials)*. (See Table 9.11 and Figure 9.5 below to determine the dimensions of the required triangle of clear vision.)

#### 9. Vertical Intersection Sight Distance

- a. Driveways or roadways shall intersect other roadways at a point where there shall be provided a line of clear vision that is free of hills or valleys that can obstruct the visibility of a motorist. *Reference A Policy on Geometric Design of Highways and Streets (American Association of State Highway and Transportation Officials)*. ~~A line of vertical intersection sight distance shall be measured from a point located at centerline of the intersection driveway or roadway at the edge of pavement of the cross street, 3.5 feet above the pavement to a point located at the center of the approaching lane of the cross street 4.25 feet above the pavement.~~
- b. ~~The distance of vertical intersection sight distance required shall be in accordance with Figure 9.6. When a motorist attempts to enter or cross a roadway, he must be able to observe the traffic at a distance that will allow him to make his desired movement safely. The distance required varies with the speed of the traffic on the roadway about to be entered or crossed.~~
- e. ~~Table 9.11 lists the distances required for the various speed limits.~~

Table 9.11 Intersection Sight Distance

Figure 9.4

Posted Speed of Cross Street (MPH)	Intersection Sight Distance	
	Feet	Meters
25	325	99.1
30	375	114.3
35	450	137.2
40	525	160.0
45	575	175.3
50	650	198.1
55	710	216.4

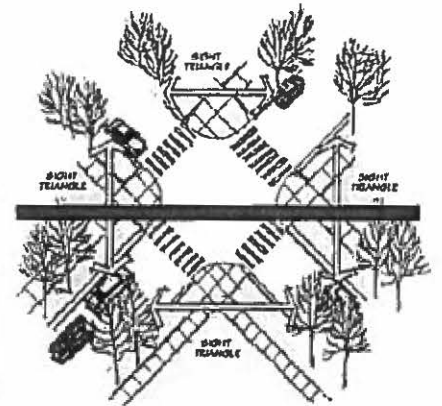


Figure 9.5 Horizontal Intersection Sight Distance

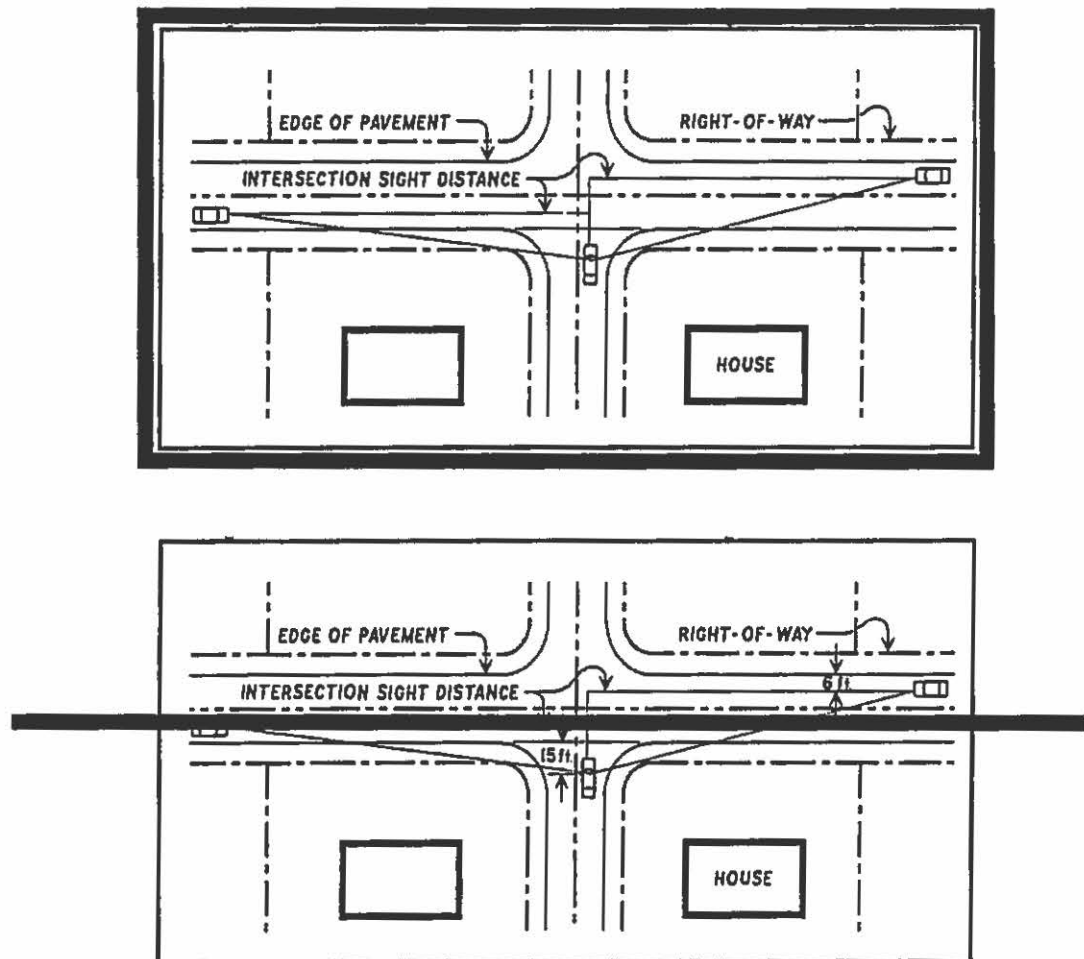
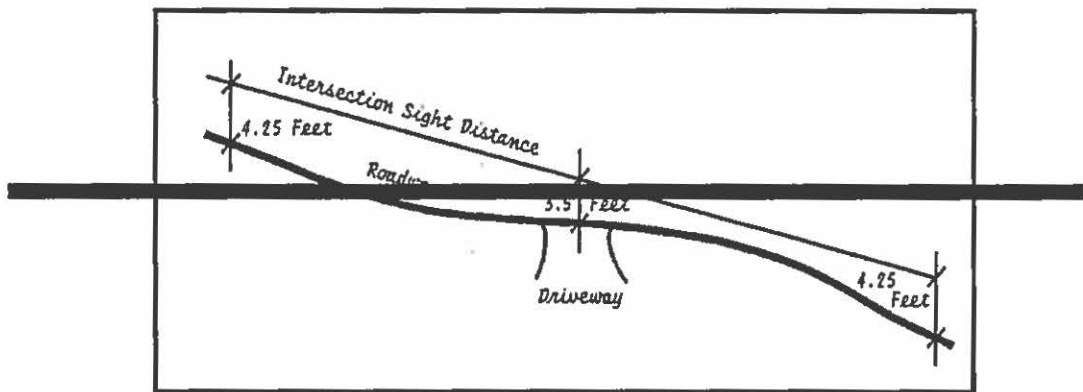
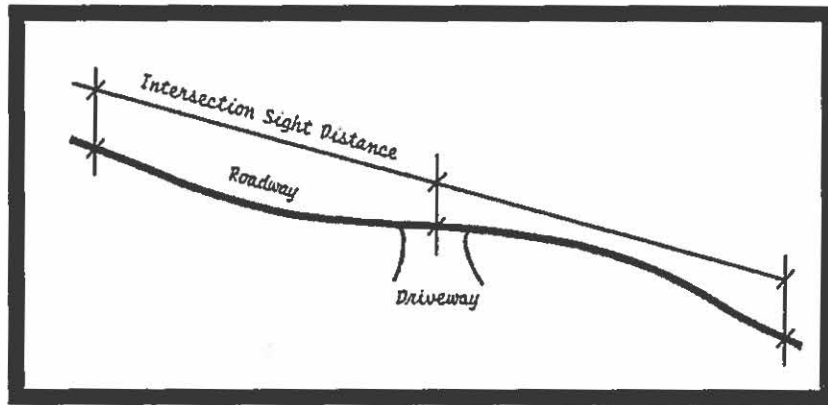


Figure 9.6 Vertical Intersection Sight Distance



## 9.35 Stormwater and Drainage Standards

### B. Site Grading and Drainage Development Plans; Waivers.

1. Any person or persons proposing to develop or redevelop land shall design and implement a site grading and drainage development plan which will:
  - c. *Meet or exceed requirements promulgated by state and federal agencies to promote positive drainage practices, mitigate damage to water quality and foster beneficial environmental practices.*

### C. Storm Sewer and Drainage

#### 3. Drain Lines

- a. Storm sewers shall be constructed of concrete pipe in the public right-of-way. Pipe not in the public right-of-way ~~nor~~ under a roadway may be constructed with *alternate materials as permitted in the Ohio Department of Transportation Construction and Material Specifications.* ~~HDPE.~~



## H. Soil Erosion and Sedimentation Control Plan

1. In order to prevent both soil erosion and sedimentation, a soil erosion and sedimentation control plan shall be required whenever a development will involve any clearing, grading, transporting or other form of disturbing the land by the movement of earth. *The requirements promulgated by the Ohio Environmental Protection Agency (OEPA) in Permit No. OHC000004 (or most recent revision) are to be satisfied in a Stormwater and Pollution Prevention Plan (SWPPP).*

## I. Runoff Control and Sediment Abatement Plans

1. Any person seeking approval of a development proposal shall:
  - a. *Submit a SWPPP per the requirements and recommendations of the OEPA Permit No. OHC000004 (or most recent revision) and the Rainwater Development Manual;*
  - b. ~~a.~~ Provide mapped information about the location and vicinity of the area proposed for development; and
  - c. ~~b.~~ Furnish the following three types of information and maps about the proposed land development and site location:
    - i. *Location of the proposed development;*
    - ii. *Topographic map of the area proposed for development;*
    - iii. *Map showing the proposed stormwater management system;*
  - d. ~~e.~~ Minor additions to existing facilities may be exempted from this requirement by the City Engineer.
3. Runoff control and sediment abatement plan content requirements shall be as follows:
  - e. *The applicant is to develop and comply with a maintenance plan that:*
    - i. *Designates an entity for stormwater inspection and maintenance responsibilities;*
    - ii. *Describes the routine and non-routine maintenance tasks to be undertaken;*
    - iii. *Puts forth a schedule for inspection and maintenance;*
    - iv. *Specifies any necessary legal binding maintenance easements and agreements;*
    - v. *Includes a map showing all access and maintenance easements; and*
    - vi. *Specifies that pollutants collected within structural post-construction practices be disposed of in accordance with local, state, and federal regulations.*

By amending Article 9, Part 4, Supplemental Standards as follows:

### **9.39 Accessory Buildings and Use Standards**

#### **C. General Provisions**

8. ~~Accessory buildings or structures located on residential premises and greater than 100 square feet in gross floor area shall be architecturally consistent with the character of the house on the premises and include the following:~~
  - a. ~~A finished pitched roof surface of standing seam metal, seal tab asphalt shingles, clay tile, slate or wood shingles.~~ For accessory buildings or structures greater than 100 square feet, the structure shall consist of a finished pitched roof surface of standing seam metal, seal-tab asphalt shingles, clay tile, slate or wood shingles and shall include other finish surfaces of wood, brick, stone, vinyl, or any combination thereof.
  - b. ~~All other finish surfaces shall be either wood, brick, stone, vinyl, screen or any combination thereof.~~ For accessory buildings or structures greater than 200 square feet, the structure shall be architecturally consistent with the character of the house on the premises including roof material, roof pitch, and façade material and color.

### **9.53 Supplemental Standards for Zoning Districts**

#### **A. Requirements Applicable to All Zoning Districts**

##### **1. Environmental Requirements**

##### **k. Trash Collection Facility**

- iii. A large trash collection facility shall be situated in a permanent location and placed on a concrete pad (3000 psi minimum). A dumpster pad shall be of a dimension that will allow a dumpster to sit entirely on the pad and to permit the front wheels of a trash disposal truck to rest on the pad while emptying said dumpster. *A large trash collection facility shall also be screened so as to not be visible from a public right-of-way or an adjacent property by using an opaque fence or wall composed of wood, brick, or stone not to exceed seven (7) feet in height.*

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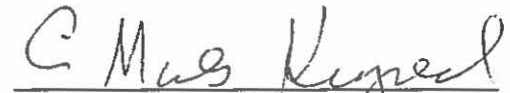
By amending Article 11, Definitions as follows:

### **11.02 Definitions**

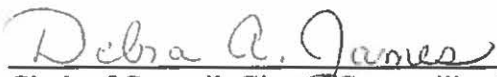
*Outdoor Recreational Club - A recreational use conducted in part or wholly outside a building, including swimming, tennis, racquetball, skating rink, or other related physical health activity.*

**Section 2:** This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 20<sup>th</sup> DAY OF October, 2014.


  
\_\_\_\_\_  
Mayor of the City of Centerville, Ohio

ATTEST:

  
\_\_\_\_\_  
Clerk of Council, City of Centerville, Ohio

**CERTIFICATE**

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 17-14, passed by the Council of the City of Centerville, Ohio on the 20<sup>th</sup> day of October, 2014.

  
\_\_\_\_\_  
Clerk of Council

Approved as to form and consistency with existing ordinances, the charter and constitutional provisions.

Department of Law  
Scott Liberman  
Municipal Attorney