

ORDINANCE NO. 04-10
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE 19th DAY OF
April, 20 10.

**AN ORDINANCE AMENDING ORDINANCE 14-08, THE
UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF
CENTERVILLE OHIO**

PREAMBLE

WHEREAS, on the 15th day of December, 2008, the City of Centerville enacted the Unified Development Ordinance (UDO); and

WHEREAS, the City Council has directed the City Manager to conduct an annual review of the UDO, assuring consistency with previous ordinances, and current policies and addressing any clerical errors within the document; and

WHEREAS, Chapter 713 of the Ohio Revised Code empowers the City to enact a zoning ordinance and to provide for its administration enforcement and amendment; and

WHEREAS, the City Council deems it necessary for the purpose of promoting the health, safety, convenience, comfort, prosperity or general welfare of the City to enact such ordinances; and

WHEREAS, the Planning Commission has given reasonable consideration to this Ordinance; and

WHEREAS, the Planning Commission has given due notice of hearings related to this Ordinance; and

WHEREAS, the Planning Commission has adopted this amendment to the UDO and held public hearings thereon and submitted the UDO to the City Council; and

WHEREAS, the City Council has given due notice of hearings related to this Ordinance; 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 15th 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:

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By amending Article 3, Administration as follows:

3.07 Board of Architectural Review (BAR) Role and Responsibility

- F. Formal Meeting: The BAR shall hold a formal meeting at which complete applications and cases referred to the BAR by the Technical Review Committee (TRC) and/or the City Planner shall be considered. Prior to review and action by the BAR, these applications may be reviewed by the TRC, reported on, and presented to the ~~Planning Commission~~ BAR by staff.

3.11 Technical Review Committee (TRC) Role and Responsibility

- B. Powers and Duties: The members of the TRC shall review all applications forwarded to it by the City Planner and respond to other issues to be considered by the City Council, Planning Commission, and ~~BAR~~ Board of Architectural Review that are relevant to the purpose, intent, and implementation of the UDO and other related regulations, as determined by the City Planner, ~~or Planning Commission, or Board of Architectural Review.~~

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

- G. Nonconforming Lots of Record in Combination: ~~If \geq two (2) or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Ordinance, and if all or part of the lots with no buildings do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Ordinance. No portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Ordinance, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Ordinance.~~

~~H. Ordinance, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Ordinance.~~

~~H.~~ H. Nonconforming Uses of Land:

~~I.~~ I. Nonconforming Structures:

~~J.~~ J. Nonconforming Uses of Structures or of Structures and Land in Combination:

~~K.~~ K. Termination of Use Through Discontinuance:

~~L.~~ L. Repairs and Maintenance:

By amending Article 5, Development Procedures as follows:

5.09 Development Approvals: Categories and Criteria

- A. General Requirements:** The following table summarizes the development approvals permitted under the UDO. The subsequent sections of the UDO define the applicable approval processes and submittal requirements.
- B. Accessory Use and Buildings – Major:** A Major Accessory Use is an accessory use that, because of its size, location, or intensity of activity, may have impact on adjacent property and is listed as a Major Accessory Use in Table ~~5.1~~ *9.1, Permitted Land Uses in the Base Zoning Districts*. Accessory uses and buildings may be erected upon a lot on which a principal structure already exists. The use of the accessory building must be secondary and incidental to the principal use. The Planning Commission considers major accessory uses for approval. See Section 9.39 for standards.
- D. Certificates of Zoning Compliance (CZC):** The Certificate of Zoning Compliance shall demonstrate that an approved development complies with the requirements of the UDO. The CZC must be issued prior to allowing a building ~~occupancy~~ permit to be issued. No building or other structure shall be erected, constructed, re-constructed, enlarged, moved or structurally altered, nor shall any excavation or site improvements be commenced, until the following has occurred:
- F. Conditional Use:**
2. The Planning Commission and City Council shall each hold a public hearing on a Conditional Use in accordance with Section 5.07 D ~~4~~ and 5 of this UDO.
- H. Minor Modifications:** After the Final Development Plan has been approved by Planning Commission *or the Board of Architectural Review* and prior to issuing a Certificate of Occupancy, adjustments or rearrangements of buildings, drives, parking areas, recreation areas, entrances, heights, yards, changes to the exterior façade, or similar modifications, may be requested by the applicant. The City Planner shall review such amendments to a major site plan if the change involves 25 percent or less of the original gross floor area or lineal dimension, or 1,000 square feet whichever is less. Amendments to a major site plan greater than this requirement shall be reviewed by the Planning Commission.
- 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 applications that do not meet the definition of a Minor Site Plan as provided for in Section 5.09, O.
- T. Variance:** A Variance involves permission to depart from the literal requirements of the UDO. ~~A Variance includes a change that results in 20 percent or more of the quantifiable provisions of the UDO.~~ The Planning Commission shall consider and decide on any Variance ~~of~~ *from* this UDO. The procedures for considering a Variance are included in Section 5.17.

5.11 Development Approvals: Procedure

~~D.~~ *Approvals by the Board of Architectural Review: The BAR shall follow the same development approval procedure as Planning Commission as stated in Article 5.11 C of this UDO.*

~~E.~~ **Floodplain Permit Procedure:** The City Engineer is hereby appointed to administer and implement the UDO by granting or denying floodplain permit applications in accordance with its provisions.

~~F.~~ **Subdivision – Major:** Before any land is subdivided the owner of the property proposed to be subdivided, or his/her/its authorized agent, shall apply for and secure approval of the proposed subdivision in accordance with the following procedures, which includes a Preliminary Plat and Final Plat.

13. **Recording of Final Plat:** Once a Final Plat has been approved by Council, the developer/subdivider shall make all modifications to the original mylars. Once complete, the original mylars shall be forwarded to the City Planner for processing. All Final Plats must be recorded within 12 months of the date of approval. Final Plats may not be recorded until all required signatures of officials have been placed on the Final Plat. ~~If not recorded, all Final Plats shall officially expire after 12 months from the date of signature by the appropriate officials.~~ Once the Final Plat has been properly signed by the appropriate officials, the applicant can file the Final Plat with the Montgomery County Recorder, which shall process the Final Plat prior to its recording. ~~Once processed by the Map Office, the Final Plat will be forwarded to the County Recorder's Office.~~ Once recorded, the original mylars of the Final Plat shall be filed with the City Clerk of Council.

~~F.~~ **Final Plat Amendment:** Upon the application of an owner(s) of land described in a Final Plat, the City Council may amend the Final Plat, in whole or in part, where unusual or exceptional factors or conditions require the amendment to avoid undue hardship.

~~G. Vacation of Streets, Alleys, Easements:~~ **H. Vacation of a Street, Alley, or Easement:** City Council may, by ordinance, vacate or alter any street, road, highway, alley or easement upon finding that there is good cause for such vacation or alteration. Any such vacation or alteration shall first be reviewed by the Planning Department, in order to make a recommendation to City Council. Notice of the intention of Council to vacate or alter any street, road, highway, alley, or easement shall be published in a newspaper of general circulation in the City for 45 days preceding such action unless all abutting landowners have filed written statements of consent to the proposed action with the City Clerk of Council, in which case no notice is required. Any application to vacate or alter any street, road, highway, alley, or easement shall be accompanied by a fee.

5.13 Development Approvals: Submittal Requirements

~~Q.~~ **Subdivision – Major:**

~~10.~~ **Final Plat - Construction of Buildings:** Construction of buildings shall not be permitted until all improvements are completed and accepted by the City.

~~11.~~ **Final Plat - Regulations Concerning Improvements Required in Subdivisions:**

By amending Article 7, Zoning Districts as follows:

7.23 Residential Overlay Districts (Optional)

A. *Purpose: This chapter applies to all development in the Residential Overlay Districts. The purpose of the districts are to:*

1. *Implement the Land Use Principles of the Create the Vision Plan;*
2. *Provide flexibility in the placement and design of new developments and redevelopment to anticipate changes in the marketplace;*
3. *Reinforce streets as public places that encourage pedestrian and bicycle travel;*
4. *Provide roadway and pedestrian connections to residential areas;*
5. *Provide transitions between high traffic streets and neighborhoods;*
6. *Encourage efficient land use by facilitating compact development; and*
7. *Maintain mobility along traffic corridors and state highways.*

B. *Applicability and Location*

1. *These overlay zoning districts are established through rezoning and only in conjunction with base zoning districts. Letters, numbers, or a combination thereof, shall be combined with other applicable district designations to the property(ies) on which an overlay district is established.*
2. *Except as modified by the overlay zoning district, the provisions of the applicable base-zoning district shall apply to all development within the boundary of the designated area. If regulations conflict, the applicable overlay zoning district regulations shall prevail.*
3. *Whenever an overlay district is established, any subsequent application to change the base-zoning district shall not be construed to be an application to eliminate the overlay district for the property covered by the application. Intent to eliminate the overlay district on a given property shall be expressly stated to be part of the application.*
4. *The following section describes where and under what circumstances the Neighborhood Residential, Residential Conservation, and the Lifestyle Community Districts apply. It also provides location criteria for Zoning District Map changes.*

~~A.~~ C. **NR, Neighborhood Residential:** This district is provided for the development of new neighborhoods and the revitalization or extension of existing neighborhoods, which are structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. They

offer a mixture of housing types and prices, prominently sited civic or community building(s), and stores/offices/workplaces to provide a balanced mix of activities. Civic uses are encouraged. It has a recognizable center and clearly defined edges; optimum size is a quarter (1/4) mile from center to edge. It is urban in form, is an extension of the existing developed area of the town, and complies with density measures of the underlying residential district. Minimum size: forty acres.

~~Ⓓ~~ *D. RC, Residential Conservation District:* The purpose of this district is to accommodate residential development and redevelopment on existing lots that were either platted before zoning was initially adopted in the community or otherwise legally non-conforming in the current base zoning district. This district allows existing residential structures to be modified without the detrimental effect of alterations, additions, demolitions and new construction on the character of the neighborhood or community. Alterations, additions, demolition and new construction may be reviewed for compatibility with the existing buildings, setting and neighborhood character.

~~Ⓔ~~ *E. LC, Lifestyle Community District:* A Lifestyle Community is a large scale residential development catering to and associated with a specific lifestyle, the central focus of the community. Such community shall be designed in a manner to maintain the overall single family residential character of the City. The central focus of a Lifestyle Community relates to the active or passive recreational lifestyle of the residents within the community. This focus is to be the dominant element within a Lifestyle Community. All elements and amenities of this community are designed to emphasize this focus. A Lifestyle Community may also provide varying detached and attached housing opportunities in accordance with the requirements of Article 9.07.

7.25 Landmark Designations (Optional)

A. *LM, Landmarks* that were designated under Chapter 1206 of the Centerville Municipal Code are hereby adopted as Landmarks as a part of the UDO. Table 7-1 details those properties by the ordinance number for the original designation, historical name and address or location. The map symbol, LM and the Ordinance Number shall be placed on the Official Zoning Map.

By amending Article 9, Development Standards as follows:

9.05 Base Zoning Districts

B. Uses

1. Purpose

The purpose of this section is to list accessory, permitted, and conditionally permitted uses within the Standard Zoning Districts. These uses with their corresponding districts are shown in Table 9.1.

Table 9.0 Table of Minimum Standards

Agricultural and Residential Base Zoning Districts																	
Zoning District	Minimum Lot			Minimum Building Setback						Minimum Floor Living Area of a Dwelling Unit (square feet)	Maximum Building Height (feet or stories)	Maximum Gross Density (Dwelling Units per Acre)	Minimum Setback of Parking or Paving				
	Area (square feet unless otherwise stated)	Width (feet)		Front Yard (feet)*		Rear Yard (feet)		Side Yard (feet)					Front Lot Line (feet)	Side Lot Line (feet)		Rear Lot Line (feet)	
		Arterial Street	Other Street	Arterial Street	Other Street	Adjacent to a Non-Residential Use	Adjacent to a Residential Use	Adjacent to a Non-Residential Use	Adjacent to a Residential Use					Adjacent to a Non-Residential Use	Adjacent to a Residential Use	Adjacent to a Non-Residential Use	Adjacent to a Residential Use
A Agriculture	5 acres	150	150	60	60	70	70	20	20	1,600	35 or 2 1/2	0.2	-	-	-	-	-
Single Family Use	40,000	150	150	60	60	70	70	20	20	1,600	35 or 2 1/2	1.0	-	-	-	-	-
R-1a Single-Family	40,000	150	150	50	50	70	70	20	20	1,600	35 or 2 1/2	1.0	-	-	-	-	-
R-1b Single-Family	30,000	140	140	40	40	60	60	15	15	1,500	35 or 2 1/2	1.5	-	-	-	-	-
R-1c Single-Family	20,000	120	120	35	35	50**	50**	12	12	1,400	35 or 2 1/2	2.0	-	-	-	-	-
R-1d Single-Family	12,000	100	100	30	30	30	30	10	10	1,300	35 or 2 1/2	3.0	-	-	-	-	-
R-1e Single-Family	10,000	80	80	25	25	30	30	8	8	1,400	35 or 2 1/2	4.0	-	-	-	-	-
R-1a thru R-1e Districts																	
Non-Residential Use excluding a Major Use	2 acres	150	150	100	100	40	40	40	40	-	45	-	25	10	25	10	25
Major Use	5 acres	150	150	100	100	40	40	40	40	-	45	-	25	10	100	10	100
R-2 Two-Family	7,260***	100	100	30	30	30	30	10	10	1,000	35 or 2 1/2	6.0	-	-	-	-	-
R-3 Multi-Family	-	100	100	30	30	30	30	10	10	-	45 feet	6.0	25	10	25	10	25
Efficiency Unit										400							
1 Bedroom Unit										600							
2 Bedroom Unit										800							
3 or More Bedrooms										1,000							
Non-Residential Use excluding a Major Use	2 acres	150	150	100	100	40	40	40	40	-	45	-	25	10	25	10	25
Non-Residential Major Use	5 acres	150	150	100	100	40	40	40	40	-	45	-	25	10	100	10	100
R-PD Residential Planned Dev.	5 acres *****	300	300	50	30	30	30****	20	20****	-	45 feet	6.0	25	10	25	10	25
Efficiency Unit										400							
1 Bedroom Unit										600							
2 Bedroom Unit										800							
3 or More Bedrooms										1,000							
Non-Residential Use excluding a Major Use	2 acres	150	150	100	100	40	40	40	40	-	45	-	25	10	25	10	25
Non-Residential Major Use	5 acres *****	150	150	100	100	40	40****	40****	40	-	45	-	25	10	100	10	100

* Average Depth of Front Yard: In Agricultural and Residential Base Zoning Districts, where the average depth of at least 2 neighboring front yards on lots within 100 feet of a lot in question and within the same block front is less or greater than the least front yard depth prescribed in the table above, the required front yard on such lot shall be modified. In such case, the depth of the front yard shall not be less than the average depth of the neighboring front yards. However, the required front yard shall be a minimum of 10 feet and not required to exceed 60 feet.

** The minimum rear yard in the R-1c District may be modified as follows: Draw a line 100 feet from the front lot line in the same manner as determining the minimum front yard. Any portion of this line that is at least 30 feet but less than 50 feet from the rear lot line shall define the rear yard building setback.

*** Per Dwelling Unit

**** A 100 foot minimum building setback is required for a Multi-Family use when adjacent to a Single Family Use.

***** Refer to Section 9.15 C for subdivision requirements

Table 9.0 Table of Minimum Standards (Continued)

Zoning District	Minimum Lot				Minimum Building Setback				Minimum Building Setback				Minimum Setback of Parking or Paving			
	Area (square feet unless otherwise stated)	Width (feet)		Other Street	Front Yard (feet) ^a	Other Street	Rear Yard (feet)	Adjacent to a Non-Residential Use	Side Yard (feet)	Adjacent to a Non-Residential Use	Front Lot Line (feet)	Side Lot Line (feet)	Adjacent to a Non-Residential Use	Rear Lot Line (feet)	Adjacent to a Non-Residential Use	
		Arterial Street	Other Street													Arterial Street
A Agriculture	5 acres	150	150	60	60	60	70	70	20	20	-	-	-	-	-	
R-1a Single-Family Use	40,000	150	150	60	60	60	70	70	20	20	-	-	-	-	-	
R-1b Single-Family	10,000	150	150	50	50	50	70	70	20	20	-	-	-	-	-	
R-1c Single-Family	20,000	140	140	40	40	40	60	60	15	15	-	-	-	-	-	
R-1d Single-Family	12,000	100	100	35	35	35	50**	50**	12	12	-	-	-	-	-	
R-1e Single-Family	10,000	80	80	25	25	25	30	30	8	8	-	-	-	-	-	
R-1a thru R-1e Districts																
Non-Residential Use excluding a Major Use	2 acres	150	150	100	100	100	40	40	40	40	-	-	-	-	-	
Major Use	5 acres	150	150	100	100	100	40	40	40	40	-	-	-	-	-	
R-2 Two-Family	7,260***	100	100	30	30	30	30	30	10	10	-	-	-	-	-	
R-3 Multi-Family	100	100	100	30	30	30	30	30	10	10	-	-	-	-	-	
Efficiency Unit																
1 Bedroom Unit																
2 Bedrooms Unit																
3 or More Bedrooms																
Non-Residential Use excluding a Major Use	2 acres	150	150	100	100	100	40	40	40	40	-	-	-	-	-	
Non-Residential Major Use	5 acres	150	150	100	100	100	40	40	40	40	-	-	-	-	-	
R-1D Residential Planned Dev. Efficiency Unit	3 acres	300	300	50	50	50	30	30	30	30	45 feet	45 feet	45 feet	45 feet	45 feet	
1 Bedroom Unit											400	400	400	400	400	
2 Bedroom Unit											600	600	600	600	600	
3 or More Bedrooms											1,000	1,000	1,000	1,000	1,000	
Non-Residential Use excluding a Major Use	2 acres	150	150	100	100	100	40	40	40	40	-	-	-	-	-	
Non-Residential Major Use	5 acres	150	150	100	100	100	40	40	40	40	-	-	-	-	-	

* Average Depth of Front Yard: In Agricultural and Residential Base Zoning Districts, where the average depth of at least 2 neighboring front yards on lots within 100 feet of a lot in question and within the same block front is less or greater than the front yard depth prescribed in the table above, the required front yard on such lot shall be modified. In such case, the depth of the front yard shall not be less than the average depth of the neighboring front yards. However, the required front yard shall be a minimum of 10 feet and not required to exceed 60 feet.

** The minimum rear yard in the R-1C District may be modified as follows: Draw a line 100 feet from the front lot line in the same manner as determining the minimum front yard. Any portion of this line that is at least 100 feet but less than 30 feet from the rear lot line shall define the rear yard building setback.

*** Per Dwelling Unit

**** A 100 foot minimum building setback is required for a Multi-Family use when adjacent to a Single-Family Use.

***** Refer to Section 9.15 C. for subdivision requirements

Table 9.1, Permitted Land Uses in the Base Zoning Districts	Type of Use (Site Plan Requirements)						Land Uses													
	P	-	A	C	(Maj)	(Min)	A	R-1 (a-c)	R-2	R-3	R-PD	O-S	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD	
	Permitted Use	Not Permitted Use	Accessory Use	Conditional Use	Major Site Plan	Minor Site Plan	Agricultural	Single-Family Residential	Two-Family Residential	Multi-Family Residential	Residential Planned Development	Office-Service	Office Planned Development	Neighborhood Business	General Business	Business Planned Development	Light Industrial District	Industrial Planned District	Architectural Preservation District	
Special Use Type	Approval Required by District																			
	A. Agrl.	R-1a	R-1b	R-1c	R-1d	R-1e	R-2	R-3	R-PD	O-S	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD			
Agriculture																				
Agriculture	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Seasonal Sale of Farm Produce or Plants including a Farmers market	P (Min)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)
Stable (Commercial)	P (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)
Stable (Private)	P (Min)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)
Wholesale or Commercial Plant Nursery	P (Maj)																			
Group Living																				
Adult Day Care									C (Maj)											
Boarding, Lodging, or Tourist Home									C (Maj)											P (Maj)
Dormitory									C (Maj)	C (Maj)										
Group Home									C (Maj)	C (Maj)										
Nursing and Convalescent Homes									C (Maj)											
Residence Family Home	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)										C (Maj)
Residential Group Home									C (Maj)											
Retirement Living									C (Maj)	C (Maj)										
Senior Citizen Residential Community									P (Maj)											
Household Living																				
Accessory Dwelling Unit	A	A	A	A	A	A	A	A	A	A										A
Bed & Breakfast	A	A	A	A	A	A	A	A	A	A										A
Caretaker Residence	P (Maj)																			
Dwelling, Multi-Family and Apartment Building									P (Maj)	P (Maj)										P (Maj)
Dwelling, Garden Apartment																				P (Maj)
Dwelling, Quadplex																				P (Maj)
Dwelling, Single-Family	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)										P (Maj)
Dwelling, Townhouse																				P (Maj)
Dwelling, Two-Family Dwelling									P (Maj)	P (Maj)	P (Maj)									P (Maj)
Mixed-Use Building										P (Maj)										P (Maj)
Residential Cluster Development	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)										P (Maj)
Senior Citizen Residential Community										P (Maj)										
Institutional, Civic, Recreational																				
Animal Shelter														C (Maj)			C (Maj)	C (Maj)		
Campgrounds	C (Maj)													C (Maj)						
Cemetery	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)										C (Maj)
Club or Lodge														C (Maj)	P (Maj)	P (Maj)				C (Maj)
Convention Center																				C (Maj)
Cultural (Museum, Art Gallery)												P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)				P (Maj)

Table 9.1, Permitted Land Uses in the Base Zoning Districts Continued	Type of Use (Site Plan Requirement)							Land Use											
	P	Not Permitted Use	A	C	(Maj)	(Min)	A	R-1 (a - e)	R-2	R-3	R-PD	O-S	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD
	Permitted Use	Accessory Use	Conditional Use	Major Site Plan	Minor Site Plan	Agricultural	Single-Family Residential	Two-Family Residential	Multi-Family Residential	Residential Planned Development	Office-Service	Office Planned Development	Neighborhood Business	General Business	Business Planned Development	Light Industrial District	Industrial Planned District	Architectural Preservation District	
Specific Use Type	Approval Required by District																		
	A, AgrL	R-1a	R-1b	R-1c	R-1d	R-1e	R-2	R-3	R-PD	O-S	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD		
Institutional, Civic, Recreational, Continued																			
Day Care Center	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	-	P (Maj)	
Entertainment Public	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Family Day Care, Type A	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	-	P (Maj)	P (Maj)	P (Maj)	-	-	-	P (Maj)	
Family Day Care, Type B*	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	-	-	-	-	-	-	P (Maj)	
Fitness Club Golf/Tennis/Swim	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	P (Maj)	P (Maj)	-	-	-	-	
Golf Course	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-	-	-	-	-	-	-	
Government Building	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	-	-	-	-	-	P (Maj)	
Health Club or Gymnasium	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Hospital	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)	-	-	-	-	
Indoor Recreational Club	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)	-	-	-	P (Maj)	
Natural Preserve Areas	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Maj)	
Out Patient Surgery Center	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	-	-	-	-	-	-	
Parks, Open Space	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Maj)	
Public Library	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
Religious Institutions and Places of Worship (large 150+ capacity)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	-	P (Maj)	
Religious Institutions and Places of Worship (Small 1-150 capacity)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	-	P (Maj)	
School, College	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
School, Primary	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)	
Swimming Pools (Not Private Residential)	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)	
Utilities	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	C (Maj)	
Zoo	C (Maj)	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	-	-	
Office Use																			
Office Park	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	
Office Uses	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	
Research and Development, Offices	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	
Telecommunication Facilities																			
Satellite Dishes (Less than 1 meter in diameter)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P (Maj)	
Telecommunications Cabinet	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Maj)	
Television Antennae (Residential)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P (Maj)	
Wireless Communication Towers	-	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-	
Wireless Communication Antennae	-	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-	
Wireless Communication Antennae (Co-location)	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	A	A	-	

* Permitted as a Home Occupation

Table 9.1, Permitted Land Uses in the Base Zoning Districts Contained	Type of Use (Site Plan Requirement)						Land Uses													
	P	Not Permitted Use	A	C	(Maj)	(Min)	A	R-1 (a-c)	R-2	R-3	R-PD	O-S	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD	
	Permitted Use		Accessory Use	Conditional Use	Major Site Plan	Minor Site Plan	Agricultural	Single-Family Residential	Two-Family Residential	Multi-Family Residential	Residential Planned Development	Office-Service	Office Planned Development	Neighborhood Business	General Business	Business Planned Development	Light Industrial District	Industrial Planned District	Architectural Preservation District	
Specific Use Type	Zoning District																			
	A: Agrl.	R-1a	R-1b	R-1c	R-1d	R-1e	R-2	R-3	R-PD	O-S	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD			
Commercial Use																				
Amusement Arcades	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Animal Hospitals/Clinics	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Artisan/Craft Product Workshop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bakeries (Retail)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Banks	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Banquet Hall	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Barbers Shops & Beauty Parlors	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Bars, Taverns, Nightclubs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Big Box Retail	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Book Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Camera/Photography Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Car Wash	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Clothing Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Coffee Shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Commercial Entertainment																				
Convenience Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Corporate Data Centers	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Department Stores	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drive-through stores	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Drive-up Windows **	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Dry Cleaning Shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Flea Markets	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Florist Shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Fueling Station ***	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Funeral Home	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
General Merchandise Store	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Grocery Stores	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hardware Stores	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hobby Shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hotel - Motel	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Kennels	C (Maj)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Laundromats	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Liquor Stores	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Miniature Golf Course/Driving Range	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Music Stores	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Night Clubs	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Office/Business Service Uses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

** Drive-up Windows shall be placed in the side or rear yard only.

*** Within the B-1 or the APD Districts, a fueling station shall have a maximum of 2 pumps that are located in a side or rear yard only.

Table 9.1, Permitted Land Uses in the Base Zoning Districts Continued	Type of Use (Site Plan Requirement)						Land Uses										
	P	Not Permitted Use	A	R-1 (a-c)	R-2	R-3	O-5	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD			
Specific Use Type	A, Agr.	R-1a	R-1b	R-1c	R-1d	R-1e	R-2	R-3	R-PD	O-5	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD
Commercial Use, Continued																	
Pet Store	-	-	-	-	-	-	-	-	-	-	-	P (Min)	P (Min)	P (Min)	-	-	P (Maj)
Pharmacy	-	-	-	-	-	-	-	-	-	-	-	P (Min)	P (Min)	P (Min)	-	-	P (Maj)
Photography Studio	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Plant Nursery/Garden Supply	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Restaurant, Class 1 - Sit Down	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Restaurant, Class 2 - Sit Down	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Restaurant, Class 3 - Sit Down, Drive up	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	-	-	P (Maj)
Restaurant, Class 4 - Drive-up, Food Kiosk	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	-	-	P (Maj)
Retail Sales and Services (Generally, not otherwise enumerated)	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Sexually Oriented Business	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	-	-	-
Shopping Center	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-	-	-
Sidewalk Sale	-	-	-	-	-	-	-	-	-	-	-	A	A	A	-	-	-
Temporary seasonal outdoor retail sale of landscaping materials	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	P (Min)	P (Min)	-	-	-
Theaters	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Vehicle Sale and Service	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-	-	-
Industrial, Manufacturing, Research, and Wholesale Use																	
Automobile or truck repair, including body work	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Automobile Detailing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Bakeries (Factory or Distribution)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
City Service Yards and Garages	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Construction trades and contractor offices and shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Food Processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Heavy equipment rental, sales, service and storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Industrial Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Junkyards/Salvage Yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Light manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Machine Shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Media Production	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)	-
Printing Services	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-
Research and Development, Information Technologies	-	-	-	-	-	-	-	-	-	C (Maj)	P (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)	-
Research and Development, Laboratories	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)	-
Research and Development, Medical Technologies	-	-	-	-	-	-	-	-	-	C (Maj)	P (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)	-
Retail uses which have an industrial character	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Temp. Buildings for uses incidental to construction work	-	-	-	-	-	-	-	-	-	-	-	-	-	-	A	A	-
Temporary Storage and Display																	
Veterinary offices with fully enclosed runs, pens, or kennels	-	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)
Warehouses and mini-warehouses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Warehousing and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Wholesaling and storage facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-
Aviation or Surface Transportation																	
Helipod ****	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)
Public transit stations, including bus stops or park and ride lots	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)

**** A helipod shall be set back a minimum of 100 feet from any property line.

9.07 Overlay Zoning District Standards

A. Mixed Use

2. Permitted land Uses

The uses permitted in each underlying district are limited to the boundaries of that district, and the regulations of the underlying district shall govern, except where additional uses are expressly allowed under this Section. Table 9.2 lists the permitted land uses and building types by Overlay District.

Land Use	GFA* sq. ft.	NC	CC	CB
Residential				
Townhouse A and B	any size	S(1)	S(2)	S(2)
Multi-Family	any size	S(1)	S(2)	S(2)
Live-Work	any size	S(1)	S(2)	S(2)
Commercial (3) (4)				
Retail Sales and Service, except vehicles				
Neighborhood Retail	0 - 5,000	P	P	P
Retail	5,001 - 50,000	N	P	P
Large Format Retail	Greater than 50,000	N	N	P
Restaurants				
With a drive-through	any size	N	P	P
Without a drive-through	0 - 5,000	P	P	P
Without a drive-through	Greater than 5,000	N	P	P
Office and Clinics				
Neighborhood Office	0 - 5,000	P	P	P
Office	5,001 - 50,000	N	P	P
Large Office	Greater than 50,000	N	N	P
Lodging				
Bed and Breakfast	0 - 5,000	P	P	P
Hotel	5,001 - 50,000	P	P	P
Large Hotel	Greater than 50,000	N	N	P
Vehicle Sales and Service, Including Fuel Sales				
1 Enclosed in a building	any size	N	P	N
2 Not enclosed in a building	any size	N	P	N
Commercial and Public Parking				
Commercial Storage - enclosed in a building only	any size	N	P	P
On an upper story only	any size	P	P	P
Entertainment - enclosed in a building only				
1 Theater or a Cinema	0 - 20,000	P	P	P
2 Large Format Theater or a Cinema	20,001 +	N	P	P
Wholesale				
1 Less than or equal to 50,000 square feet GFA	0 - 50,000	N	N	P
2 Greater than 50,000 square feet GFA	Greater than 50,000	N	N	P
Civic (3) (4)				
Government				
Point of Service (e.g., Library)	any size	P	P	P
Parks and Open Space	any size	P	P	P
Museum	any size	P	P	P
Schools				
1 Pre-school, Daycare or Primary	any size	P	P	P
2 Secondary, College or Vocational	any size	N	P	P
Religious Institutions				
1 Less than or equal to 10,000 square feet GFA	0 - 10,000	P	P	P
2 Greater than 10,000 square feet GFA	10,001 +	N	P	P

C. Residential Conservation

4. Standards

c. Secondary Mass

All new structures shall locate at least 10 percent of their total square footage above grade in a mass which is completely detached from the principal building, or linked to it by a subordinate connecting element. Accessory buildings such as garages, sheds, and Accessory Dwelling Units are examples of appropriate uses for the secondary mass.
Parking, Garages, and Carports

The intent of the following parking, garages, and carport standards is to minimize the potential for pedestrian and vehicular conflicts to minimize the presence of garages at the street front.

- 1) On the street facing facade(s), the width of the living area on the first floor shall be at least five feet greater than the width of the garage or carport.
- 2) The front facade of the garage or the front-most supporting column of a carport shall be set back at least 10 feet further from the street than the front-most wall of the house.
- 3) On lots of at least 12,000 square feet in size, the garage or carport may be forward of the front facade of the house only if the garage doors or carport entry are perpendicular to the street (side-loaded).
- 4) When the floor of a garage or carport is above or below the street level, the driveway cut within the front yard setback shall not exceed 2 feet in depth, measured from natural grade.
- 5) The vehicular ramp width of a garage or carport shall not be greater than 24 feet.
- 6) The garage doors shall be single stall doors.

E. Building Standards

I. Purpose

The purpose of this section is to prescribe overall dimensions for buildings within the City's Overlay Zoning Districts. The proper building location, parking location, overall height, setback, and orientation are illustrated in the following Exhibits 9.0 thru 9.13.

2. Applicability

~~Table 9.3~~ *Table 9.3* summarizes the permitted building types within each zoning district classification. These standards apply to lots in the RC, Residential Conservation; NR, Neighborhood Residential; NC, Neighborhood Center; CC, Community Center; CB, Corporate Business; and DT, Downtown Districts.

F. Street Standards

2. Applicability

~~Table 9.4~~ *Table 9.4* summarizes the permitted street types within each Overlay Zoning District classification. These standards apply to development in the RC, Residential Conservation, NR, Neighborhood Residential; NC, Neighborhood Center; CC, Community Center; and CB, Corporate Business Districts.

9.23 Required Improvements

- A. Streets (See Section ~~9.15.B~~ 9.13. B).
- B. Sidewalks (See Section ~~9.15.D~~ 9.13. D).
- C. Water System (See Section ~~9.15.E~~ 9.13. E).
- D. Sanitary Sewer (See Section ~~9.15.F~~ 9.13. F).
- F. Monuments (See Section ~~9.15.H.5~~ 9.13. H. 5).
- H. Traffic Control Devices (See Section ~~9.15.H.7~~ 9.13. H. 7).
- I. Street and Walkway Lighting (See Section ~~9.15.H.8~~ 9.13. H. 8).
- J. Fire Protection (See Section ~~9.15.H.9~~ 9.13. H. 9).
- K. Other Development Improvements (See Section ~~9.15.I~~ 9.13. I).

9.25 Landscaping, Screening and Bufferyard Standards

D. Landscape, Screening and Bufferyard Requirements

- 5. Bufferyard Requirements: Existing vegetation that meet or exceed the requirements in the Table of Minimum Plant Size or any tree required to be preserved by this or other Ordinance that is located within a required bufferyard shall be counted to satisfy the planting requirements contained in this Ordinance. All improvements made to these areas shall be in accordance to Table 9.6 Bufferyard, Landscaping and Screening Requirements.

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	Understory Tree	Shrub	Evergreen or Conifer
O-PD, B-PD, and I-PD							
Adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
Adjacent to a Public Street	20	3 feet	No	5	5	10	0
Adjacent to a non-residential use	10*	N/R	No	2	4	6	0
O-S, B-1, B-2, I-1: Non-Residential Use							
Adjacent to a Residential Use	25	4 feet	Yes	5	6	20	15
Adjacent to a Non-Residential Use or a Public Street	10	N/R	No	2	4	6	0
APD, Architectural Preservation District							
Non-Residential Use adjacent to a Residential Use	10	N/R	Yes	0	0	0	15
R-1, R-2, R-3, R-PD, Non-Residential Uses							
Adjacent to a Single-Family Use	25	3 feet	Yes	5	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5	5	10	0
Abutting any other Street or a non-residential use	10	N/R	No	2	4	6	0
Major Use adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
R-3, R-PD: Multi-Family Residential							
Adjacent to a Single-Family Use	25	3 feet	Yes	5	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5	5	10	0
R-2, Two-Family Residential							
Adjacent to any Public Street or a Single Family Use	10	N/R	No	2	4	6	0
R-1, Single-Family Residential							
Residential Cluster Development or an individual lot adjacent to a Major Public Street	25	3 feet	No	4	6	10	5
R-1, Single-Family with a RV in the Side							
Yard abutting a Single-Family Use**	5	N/R	No Yes***	0	2	2	3

N/R: Not Required

* Outer Perimeter of the Planned Development Zoning Districts requires a minimum buffer width of 20 feet.

** Number of plants required per thirty (30) linear feet of bufferyard.

*** 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.

9.27 Non-Residential On-Site Lighting Standards

A. Purpose

1. Lighting parking, ~~or~~ loading and service areas must all be consistent in color, size, height and design.

C. Minimum Site Lighting Criteria

4. *The color temperature of exterior illumination shall appear as natural or neutral ranging from a minimum of 2,200K (high pressure sodium) to a maximum of 5,400K (metal halide) as measured in Degrees Kelvin.*

F. Lighting Plan Submittal Criteria: See Article 5 for submittal requirements.

~~1. All other exterior lighting, including but not limited to doorways, architectural, accent, landscape, signage, decorative, security, floodlighting, or area lighting shall be "total cutoff type" or no portion of the lamp, reflector, lens, or refracting system may extend beyond the housing or shield so as to create or allow glare to be visible from off site, except the following:~~

~~a. Lighting required by the Building Code for emergency egress when operating in emergency conditions; or~~

~~b. Light sources which do not exceed 2300 initial lumens or 4000 main beam candlepower.~~

9.29 Parking and Loading Standards

C. Size and Design

2. Minimum Design and Construction Standards

e. Vehicle Inventory Lot

- 1) The minimum design standards for a parking stall and drive aisle may be reduced for a vehicle inventory lot, as defined by this ordinance.

~~2) A Department of Development Special Approval shall be submitted to reduce the minimum requirements.~~

~~2) 2) The City Planner or his designee shall approve the design of a vehicle inventory lot.~~

F. Number of Parking Spaces Required

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

Table 9.0: Allowable Number of Parking Spaces Required	Parking Spaces Required																		
	Residential			Building					Lot or Area					Person		Vehicles			
	Dwelling Unit	Garage Space*	Dwelling Unit	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	Per 100 sq. ft.	
Residential Use	2.0	2.0																	
Single-Family Dwelling *****	2.0	2.0																	
Two, Three or Four Family Dwelling	2.0	2.0																	
Townhouse Dwelling	2.0	2.0																	
Multi-Unit Dwelling - Efficiency & 1			1.5																
Multi-Unit Dwelling - 2 & 3 Bedrooms			2.0																
Group Living																			
Disability, Caretaker or Mentally																			
Competent Guest Home			0.5																
Residence Family Home																			
Residence Group Home																			
Retirement Community, Senior Citizens Housing			1.5																
Bed/Bathless Units																			
Cemetery																			
Community Center				1.0															
Day Care Center *****				0.50															
Family Day Care, Type A	2.0	2.0	1.0																
Family Day Care, Type B																			
Library, Museum or Art Gallery																			
Hospital																			
Medical Center, Out Patient Surgery Center																			
Nursing or Personal Care Facility																			
Place of Worship																			
Public Office or Building																			
School - College, University or Secondary																			
School - Elementary or Middle																			
School - High School																			
Recreational Use																			
Amusement																			
Arena or Stadium																			
Bowling Alley																			
Health Club or Gymnasium																			
Fitness Club/Golf/Tennis/ Swim																			
Golf Course																			
Golf Course Driving Range																			
Amusement Club																			
Outdoor Commercial Entertainment																			
Recreation Center																			
Recreation Center - Senior Citizens																			
Skating Rink																			
Swimming Pool (Not Private Residential)																			
Event - Indoor, Recreational or Handball																			
Event - Outdoor																			
Theater or Concert Hall																			
Office Use																			
Finance or Professional Office																			
Information Technology																			
Medical or Dental Office***																			
Research and Development, Offices																			

* 1 additional gross parking space shall be required within 150 feet of a dwelling unit where a street in front of the dwelling unit is less than 24 feet in width.
 ** At Capacity.
 *** Not less than 5 parking spaces per practitioner.
 **** Minimum of 15 Parking Spaces.
 ***** Requirement that is greater between CPA and person shall apply.
 ***** 1 additional gross parking space shall be provided.

Minimum Number of Parking Spaces Required	Residential					Building										Vehicles		
	Dwelling Unit	Per sq. ft.	Per 100 sq. ft.	Per 1,000 sq. ft.	Per 100,000 sq. ft.	Per Bed in the Minimum Admission	Per Exam or Treatment Room	Per Bed or Feeding Booth	Per Room or Suite	Per Classroom	Per Seat or Chair	Per 1,000 sq. ft.	Per Sq. ft. of Water Surface Area	Per Stall	Per Cap. or Linear	Per Person	Per Parking Space	Per Vehicle
Commercial Use																		
Animal Hospital or Veterinary Clinic						2.0								1.0				5.0
Bank or Credit Union																		1.0
Barber Shop, Hair or Tanning Salons																		1.0
Cleaning Service																		1.0
Commercial School or Studio																		1.0
Convention Center																		5.0
Drive Through Store																		1.0
Home Depot																		5.0
Home Warehouse Store																		5.0
Ice Creamery																		1.0
Hotel or Motel																		1.0
Restaurant																		1.0
Large Format Retail (GFA 100,000 sq. ft. or less)																		5.0
Large Format Retail (GFA Greater than 100,000)																		5.0
Plant Nursery or Garden Supply Store																		1.0
Per Store																		1.0
Restaurant, Class 1 - 54 Dishes																		1.0
Restaurant, Class 2 - 54 Dishes																		1.0
Restaurant, Class 3 - 54 Dishes, Drive-in																		1.0
Restaurant, Class 4 - Drive-through Food Kiosk																		1.0
Shopping Center (GFA 100,000 sq. ft. or less)																		1.0
Shopping Center (GFA Greater than 100,000)																		1.0
Specialty Retail (Retail where the commodity is sold)																		1.0
Tavern, Bar or Night Club																		1.0
Vehicle Sales or Leasing																		1.0
Vehicle Fueling Station																		1.0
Vehicle Washing Facility - Multiple Bay																		4.0
Vehicle Washing Facility - Single Bay																		15.0
Veterinary Office																		1.0
Industrial, Manufacturing, Research, and Wholesale Use																		1.0
Vehicle Repair, Fueling and Body Shop																		1.0
Barriers (Factory or Distribution)																		1.0
Car, Service Yards and Garages																		1.0
Construction yards, renovation office or shop																		1.0
Laundry or Dry Cleaning Plant																		1.0
Light manufacturing																		1.0
Lumberyard or Building Materials Sale																		1.0
Machine Shop																		1.0
Printing or Publishing Services																		1.0
Recycling Center																		1.0
Research and Development, Laboratories																		1.0
Research and Development, Medical Technologies																		1.0
Warehouse and mail warehouse																		1.0
Warehouse and Distribution																		1.0
Wholesaling and storage facilities																		1.0

* 1 additional guest parking space shall be required within 150 feet of a dwelling unit where a street in front of the dwelling unit is less than 24 feet in width.

- *** At Capacity
- **** Not less than 5 parking spaces per practitioner
- ***** Minimum of 15 Parking Spaces
- ***** Requirement that is greater between GFA and person shall apply.
- ***** Minimum of 4 entries, which shall be required.

9.35 Stormwater and Drainage Standards

F. Storm Water Runoff Control Standards

1. In general, drainage systems shall be designed according to locally accepted design practices and sound engineering judgment and shall conform to the following:
 - ⊕ a. Storm sewer design shall be sufficient to convey the design storm discharge with an average recurrence interval of 10 years so that the pipe flowing full condition (hydraulic grade line at the top of the pipe) is not extended.
 - ⇒ b. Lot grading, in-tract drainage and street improvements for all subdivisions shall be designed so that floods having an average recurrence interval of 100 years or less will not cause inundation or damage to any dwellings. A grading plan for each subdivision will be required to define the lot grading and in-tract drainage. All developments within areas of special flood hazard or delineated on the official National Flood Insurance Program Flood Insurance Rate Maps, or as determined by the City, shall comply with FEMA design requirements.
 - ⇒ c. All drainage channels, conduits and other structures located outside the road right-of-way designed to convey public storm runoff (off-site runoff) should be contained in suitable public easements. Easements for open channels shall include sufficient area along the channel banks to permit access for maintenance equipment. Open channels may be fenced along both sides through urban areas where it is necessary to protect the public as well as to prevent encroachment upon needed access areas.
4. Any foreseeable increase in rates and volume of site surface drainage water runoff caused by site development shall be controlled so that the post-development peak rate of runoff does not exceed that of the predevelopment one-year frequency storm for all twenty-four hour storms between a one-year frequency and the critical storm frequency as determined below. A recommended method which may be used to determine changes in rates and volumes of runoff is presented in the U.S. Department of Agriculture, Engineering Division of the Soil Conservation Service (SCS), Urban Hydrology for Small Watersheds, Technical Release No. 55 (Washington, D.C.: USDA, June, 1986), and the Ohio Supplement (April, 1981). To find the critical storm frequency for which additional control will be needed:
 - ⊕ a. The percent increase in runoff volume for a one-year frequency, twenty-four hour storm, shall be determined; and
 - ⇒ b. The critical storm frequency for which additional control is needed shall be determined by using the percent increase in runoff volume, derived in paragraph thereof, in the Table 9.12 below:

7. All detention facilities and improvements required by this section shall comply with the following regulations:
- ↪ a. Access easements. An access easement shall be provided to all detention facilities from the nearest public road so that such facilities are accessible in case emergency maintenance work is required. The minimum easement width will be 10 feet.
 - ⇒ b. Storage volumes. Storage may be provided by wet or dry bottom basins or reservoirs.
 - ⇒ c. Maximum depth. The maximum planned depth of storm water detained shall be 5 feet, unless site conditions lend themselves to greater depths.
 - 4) d. Outlet control structures. Outlet control structures shall be designed as simply as possible and shall operate automatically. They will be designed to limit discharges into existing or planned downstream channels or conduits so as not to exceed the existing flow from the site in its natural condition or as further controlled in Section 9.35, F. 4.
 - ⇒ e. Spillways. Emergency overflow facilities shall be provided unless inflow is controlled to divert flows when the basin is at capacity. The spillway shall safely discharge the detention basin overflow without damage to the detention basin. A minimum of one foot freeboard shall be provided for the 100-year twenty-four hour storm event.
 - ⊕) f. Dry bottom basins. For basins designed without permanent pools, the following provisions shall apply:
 - 1) Interior drainage. Provision must be made to facilitate interior drainage, including the provision of natural grades to outlet structures, longitudinal and transverse grades to perimeter drainage facilities or the installation of subsurface drains.
 - 2) Multipurpose features. These may be designed to serve secondary purposes for recreation, open space or other types of use which will not be adversely affected by occasional or intermittent flooding.
 - 3) Cleaning. The basins shall be designed for periodic cleaning and removal of sediments, which shall be removed from the site or otherwise disposed of in an appropriate manner.
 - ⇒ g. Wet basins. For basins designed with permanent pools, the following provisions shall apply:

9.37 Floodplain Design Standards

- P. Exemption from ~~Filing~~ Filing a Development Permit

1. An application for a *Zoning Certificate for a floodplain development permit* shall not be required for:
 - a. Maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than \$5,000.
 - b. Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Health and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 3701.
 - c. Major utility facilities permitted by the Ohio Power Siting Board under Ohio R.C. 4906.
 - d. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Ohio R.C. 3734.
 - e. Development activities undertaken by a federal agency and which are subject to Federal Executive Order 11988 - Floodplain Management.

~~2. Any proposed action exempt from filing for a floodplain development permit is also exempt from the standards of these regulations.~~

2. *Any activity exempted in Subsection 9.37 P 1 is also exempted from all requirements contained in Article 9.37, Floodplain Design Standards.*

9.39 Accessory Buildings and Use Standards

C. General Provisions

The following general provisions shall apply:

1. No accessory building or structure having a permanent foundation shall be located in a recorded easement;
2. No accessory building shall be erected in any ~~required~~ front yard or the required minimum side yard of a lot;
3. An accessory building or structure shall have a minimum rear yard setback of 5 feet from any lot line;
4. No accessory building or structure shall be erected or constructed prior to the erection or construction of the principal or main building, except in conjunction with the same;

- ~~5. No accessory building or structure shall exceed 16 feet in height or the height of the principal building whichever is less.~~
5. *The maximum building height of an accessory building or structure for a single-family, two-family or three-family residential use shall be 12 feet. However, the Planning Commission may approve an increase of building height not to exceed 16 feet in height or the height of the principal building whichever is less as part of a Major Accessory Building in accordance with Article 5.09 B of this UDO.*
6. *The maximum building height of an accessory building or structure for a multi-family or non-residential use shall not exceed 18 feet in height or the height of the principal building whichever is less.*
- ~~6.~~ 7. *The total gross floor area of all accessory buildings and structures on a single-family or two-family residential premises shall be a maximum of 750 square feet or occupy no more than 20 percent of the rear yard, whichever is less;*
- ~~7.~~ 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 surfaces of standing seam metal, seal-tab asphalt shingles, clay tile, slate or wood shingles.*
 - b. *All other finish surfaces shall be either wood, brick, stone, vinyl, screen or any combination thereof.*
- ~~8. There shall be no more than 1 detached private garage per dwelling unit;~~
- ~~9. There shall be no more than 1 accessory building used for incidental storage by the property owner per dwelling unit;~~
- ~~10. There shall be no more than 1 accessory building used for incidental storage by the property owner;~~
9. *There shall be no more than 1 detached private garage per single-family, two-family or three-family dwelling unit;*
10. *Single-Family Residences: There shall be no more than 1 accessory building used for incidental storage by the property owner or occupant;*
11. *Two or Three-Family Residential Uses: there shall be no more than 1 accessory building used for incidental storage by the property owner or occupant per dwelling unit;*

12. *Multi-Family Residential Uses: The Planning Commission may approve accessory buildings as a part of any Site Plan or as a Major Accessory Building in accordance with Article 5.09 B of this UDO.*
13. *Non-Residential Uses: The Planning Commission may approve accessory buildings as a part of any Site Plan or as a Major Accessory Building in accordance with Article 5.09 B of this UDO.*
14. *An Accessory Building shall provide a minimum separation to any other building in accordance with applicable Building Code Regulations.*
- ~~15.~~ 15. A driveway, in accordance with Section 9.29 of the UDO shall be required for any private garage;
- ~~16.~~ 16. An Open-Sided Structure including a Gazebo or a Trellis shall meet the minimum standards stated in Section 9.39 C. above and the *gross floor area* shall not exceed 4 percent of the rear yard, or 200 square feet whichever is less;
- ~~17.~~ 17. Portable Storage Units: A portable storage unit may be permitted on a premises subject to the following:
- ~~a.~~ a. A maximum of 1 portable storage unit per dwelling unit.
 - ~~b.~~ b. A portable storage unit is intended to be used only for temporary storage. It is not intended to be used for long-term on-site storage and any such use in any zoning district is expressly prohibited.
 - ~~c.~~ c. The outside dimensions shall not exceed 16 feet in length, 8 feet in width, and 9 feet in height.
 - ~~d.~~ d. The unit must be placed on a paved surface in accordance with the Section 9.29 of the UDO.
 - ~~e.~~ e. A portable storage unit may be placed in conjunction with a residential dwelling unit for a period of time not to exceed 14 consecutive days in duration from the time of delivery to the time of removal, up to a maximum of 2 times per calendar year.
 - ~~f.~~ f. A portable storage unit may be placed on a non-residential zoned premises provided:
 - 1) It is located for a period of time not to exceed 30 consecutive days in duration from the time of delivery to the time of removal, up to a maximum of 2 times per calendar year; and

- 2) The unit is located in a manner which does not hinder pedestrian or vehicular access to the premises and does not obstruct intersection sight distance.

~~g.~~ g. In emergency situations, the City Planner may extend the length of time a portable storage unit can be located on a site.

~~18.~~ 18. The City Planner is authorized to grant temporary exceptions to or modifications of this Section in special circumstances where a necessity exists for the use of a temporary building, structure or vehicle. Such special circumstances may include, but are not limited to, the location of a field office required for a construction project. Such permission shall be limited to the time during which the use of such temporary building, structure or vehicle is reasonably necessary for the project for which such exception was granted.

D. Private Swimming Pools and Hot Tubs

2. Fencing of Swimming Pools:

- a. A swimming pool having a depth that exceeds ~~48~~ 24 inches shall be completely enclosed by a fence of sturdy construction not less than 60 inches in height, measured from the level of the ground where located and be of such design and construction as to effectually prevent a child from crawling or otherwise passing through or under such fence.

E. Fences, Walls, and Ornamental Features

1. General Requirements

f. Safety:

- 1) A fence or wall having wire or metal barbs, prongs, spikes, cutting points or edges of any kind or any fence that is charged with electric current, shall be prohibited. Picket fences shall have points blunted. *Agricultural Uses shall be exempt from this provision.*

9.41 Antennae

C. Size and Location

4. Free Standing Antennae

- b. The following regulations shall apply to all free standing antennae, which are those antennae mounted in the ground, with or without guy wires.
- ~~1)~~ 1) Freestanding antennae shall be constructed only in the rear yard between the side yard setbacks and no closer than 10 feet to any property line.

- ~~2)~~ 2) Free standing antennae which are transmitting and/or receiving antennae shall not be higher than 10 feet above the roof line of the main structure.
- ~~3)~~ 3) Free standing antennae, capable of receiving transmissions only shall not exceed 10 square feet in area.

9.45 Landmarks

A. Purpose

The City of Centerville recognizes that certain houses, buildings, structures, areas and places throughout the community possess a character, interest or value as part of the development, heritage or cultural characteristics of the City, the State or the United States. The conservation and designation of such houses, buildings, structures, areas or places as landmarks will benefit all citizens of *the City*. Such landmarks will help preserve the historical, cultural and social environment that is reflective of the quality of life that citizens of the City have enjoyed since 1796.

9.51 Sign Standards

D. General Provisions

20. Temporary Signs

- b. Temporary Real Estate Signs. In addition to any other temporary sign permitted elsewhere in this Ordinance on a premises, one additional temporary sign per lot frontage shall be permitted which complies with the following requirements:

- 3) Non-residential, Multi-family and Undeveloped Land Uses

- ~~e) A sign permit shall be required for a temporary sign.~~

F. Signs Permitted for Residential Uses

1. Single or Two-Family Residential Use

a. General

- 4) *A sign having an Electronic Message Center shall be prohibited.*

b. Ground Signs

- 2) A permanent ground sign may be permitted on a reserve parcel or other lands owned in common by residents living with a specific neighborhood, a neighborhood group or association for the purpose of identifying their neighborhood.

- f) ~~A Department of Development Special Approval and a sign permit Zoning Certificate shall be required before a ground sign may be constructed. Plans for all signs including location, fences, walls or earth mounds and landscaping shall be submitted for approval.~~

2. Multi-Family Residential Use

b. Ground Signs

- 1) Only 1 sign shall be permitted on each premises. However, the 2 sign faces of a ground sign may be split into 2 signs and situated on both sides of the main entrance to a multi-family development providing:
 - d) ~~A Department of Development Special Approval Zoning Certificate shall be required before a ground sign may be split. Plans for all signs including all fences, walls or earth mounds and landscaping shall submitted for approval.~~

G. Signs Permitted for Business, Industrial, or Other Non-Residential Uses (Excluding the Architectural Preservation District)

4. Temporary Signs

a. Ground or Projecting Signs (Temporary)

- ~~1) Only one temporary ground sign, for a period of time not to exceed 30 days maximum in any one calendar year, shall be permitted for on each premises. The Planning Commission may approve a request for a temporary ground sign exceeding the above stated period of time.~~
- 1) *Only one temporary ground or projecting sign, for a period of time not to exceed 30 days maximum in any one calendar year, shall be permitted for on each premises.*
- 2) *For a premises having two (2) or more non-residential uses, only one temporary ground or projecting sign, for a period of time not to exceed 30 days maximum in any one calendar year, shall be permitted by any one non-residential use provided only one temporary ground or projecting sign is displayed on a premises at any one (1) time.*
- 3) *The Planning Commission may approve a request for a temporary ground or projecting sign exceeding the above stated period of time.*

9.53 Supplemental Standards for Zoning Districts

A. Supplemental Standards for the Architectural Preservation District, APD

- 1. Purpose. The City of Centerville, recognizing the unique panorama of architectural history that has developed along the major cross-roads of our community, hereby declares as a matter

of public policy that the preservation, protection, perpetuation, and use of areas, places, structures, works of art or similar objects having a special historical, cultural, or aesthetic interest or value is a public necessity, and is required in the interest of the health, safety, convenience, comfort, prosperity, or general welfare of the citizens of Centerville. The purpose of this section of the UDO is to:

- a. Protect the historic and architecturally significant buildings within the ~~Architectural Review District~~ *APD*.
- c. Protect the existing residential uses within the ~~Architectural Review District~~ *APD*.
- d. Stabilize, improve, and protect the property values of businesses within the ~~Architectural Review District~~ *APD*.
- h. Establish standards and criteria for the ~~Architectural Review District~~. ~~The City of Centerville hereby intends that with the assistance of this section of the UDO and the spirit of our community, the Architectural Preservation District will serve as a living record of Centerville's past, present, and future for the benefit of all generations.~~ *APD*.

2. Development Standards

a Demolition or Moving of Buildings

- 1) The demolition or moving of buildings within the ~~ARD~~ *APD* shall require the approval of the Board of Architectural Review (BAR); however, staff may approve a demolition application where an extreme safety hazard exists. In order to grant such approval, the BAR must be satisfied that the building meets at least 1 of the following criteria.

c. Sidewalks

- 1) All sidewalks located within dedicated public right-of-way or public roadway easements in the ~~ARD~~ *APD* shall be of red brick type surface. This requirement shall be achieved in time through the installation of new brick sidewalks and the replacement of existing non-brick sidewalks.

By amending Article 11, Definitions as follows:

11.02 Definitions

Building Height – The vertical distance measured from the grade plane to the average height of the highest roof surface

Figure 11.1 Building Height

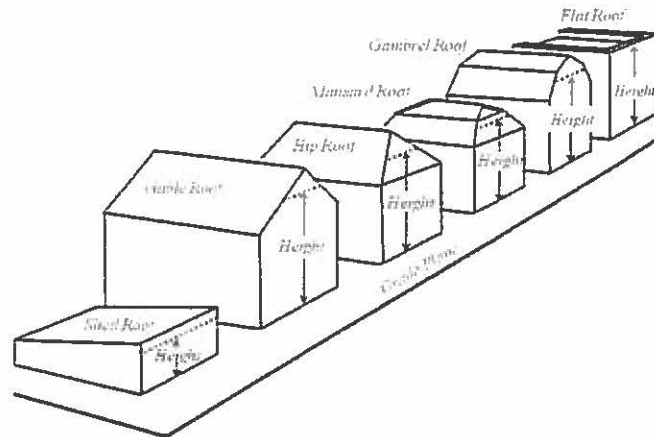


Figure 11.2 11.2 Lot

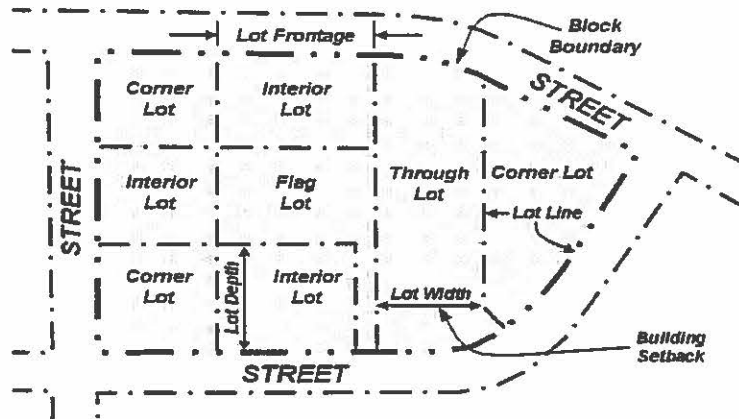
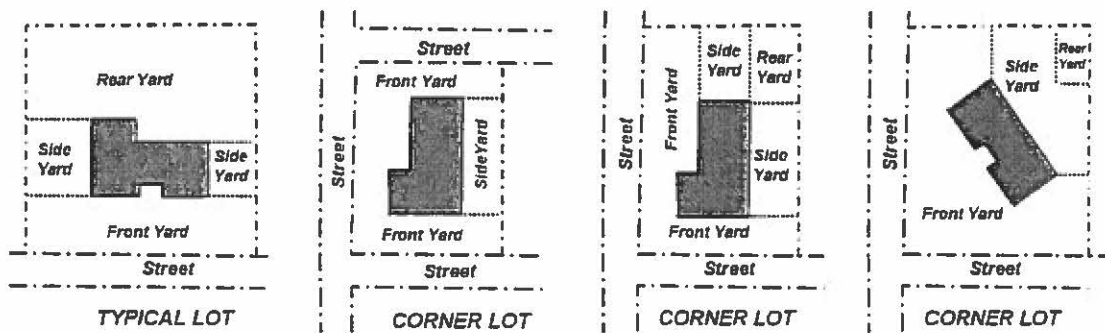


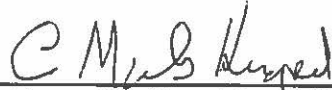
Figure 11.3 11.3 Yard



Major Street or Thoroughfare: A street that is a major traffic way used primarily for fast and heavy traffic. - See: Thoroughfare

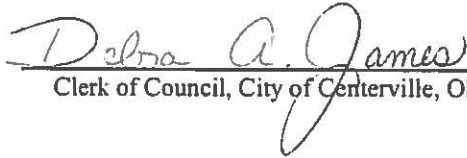
Section 2: This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 19 DAY OF April, 2010.



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. 0410, passed by the Council of the City of Centerville, Ohio on the 19th day of April, 2010.

Debra A. James
Clerk of Council

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

Department of Law
Scott Liberman
Municipal Attorney