

CITY OF PIQUA DEVELOPMENT CODE



Image Credit: Michael Watkins Architect, LLC

Effective Date: May 18, 2023

Also referred to as "Title XV: Land Use" of the
Piqua Code of Ordinances

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ARTICLE 1.

GENERAL PROVISIONS

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Div. 1.1. Legal Requirements

1.1.1. Introduction

The following districts and standards were designed to preserve existing neighborhoods while promoting predictable urban development that aligns with the vision and policies in the Plan It Piqua Comprehensive Plan. This Development Code defines a vision for growth that strives for a balance between maintaining the quality of existing neighborhoods and creating urban, mixed-use, walkable, neighborhood-friendly development that contributes to a high quality public realm.

1.1.2. Title

This document is the Piqua Development Code and is referred to or cited throughout this document as "this Development Code."

1.1.3. Effective Date

This Development Code was adopted on April 18th, 2023 and became effective on May 18, 2023.

1.1.4. Purpose

- A. This Development Code is intended to guide the future growth of the City of Piqua in alignment with the vision set forth by the Plan It Piqua Comprehensive Plan, the City of Piqua Strategic Plan, the City of Piqua Transportation Plan, and other adopted area plans.
- B. This Development Code was developed to help foster more predictable results and a higher-quality public realm by prescribing the physical form of buildings and addressing the relationship between building facades and the public realm, the form and mass of buildings in relation to one another and the scale and types of streets and blocks.

1.1.5. Intent

- A. This Development Code is intended to balance conservation and development by:
 - 1. ensuring conservation of land and natural resources;
 - 2. promoting the preservation and enhancement of the city's tree canopy;
 - 3. guiding reinvestment in established neighborhoods that preserves and reinforces their unique characteristics;
 - 4. promoting development along key corridors that enhance their function as mixed-use, walkable centers that serve surrounding residential neighborhoods;
 - 5. providing standards for compatible transitions of use, building scale, and height between existing and new development; and

6. providing clear and consistent procedures for appropriate and effective public involvement in land use and development decisions.
- B. This Development Code is intended to achieve design excellence in the built environment by:
1. providing building and site design standards that address the public aspects of private development and how building form, placement, and uses contribute to the quality of the public realm;
 2. providing parking and access standards that appropriately balance pedestrian and vehicular needs and result in safe pedestrian environments of the highest quality; and
 3. promoting quality landscape and building design that advance the function and beauty of Piqua.
- C. This Development Code is intended to guide the City's prosperous and sustainable future by:
1. providing clear regulations and processes that result in predictable, efficient, and coordinated development review;
 2. promoting conservation of land, energy, and natural resources;
 3. promoting sustainable building and site design practices;
 4. promoting diverse housing options along the city's major corridors and within its nodes; and
 5. providing standards for interconnected streets and development patterns that support all modes of travel (walking, ADA modes of travel, bicycling, public transit, driving).

1.1.6. Authority

This Development Code is adopted under the authority of the Piqua City Charter.

1.1.7. Application

A. Territorial Application

This Development Code applies to all land, uses, buildings and structures within the corporate boundaries of the City of Piqua.

B. General Application

In their interpretation and application, the provisions of this Development Code are the minimum requirements for the promotion and protection of the public health, safety and welfare.

C. Required Conformance

All buildings, structures or land, in whole or in part, must be used or occupied in conformance with this Development Code. All buildings or structures, and improvements or alterations of land, in whole or in part, must be erected, constructed, moved, enlarged or structurally altered in conformance with this Development Code.

D. Control Over Less Restrictive Private Agreements

This Development Code does not nullify any private agreement or covenant. However, where this Development Code is more restrictive than a private agreement or covenant, this Development Code controls. The City will not enforce any private agreement or covenant except those made in relation to the standards of this Development Code or earlier codified standards.

E. Control Over Less Restrictive Laws and Regulations

If any condition or requirement imposed by this Development Code is more restrictive than a condition or requirement imposed by any other law, rule or regulation of any kind, the more restrictive condition or requirement governs.

F. Conflicting Provisions

If any condition or requirement imposed by this Development Code contains an actual, implied or apparent conflict, the more restrictive condition or requirement controls.

G. References to Other Laws

Whenever a provision of this Development Code refers to any other part of the City of Piqua Code of Ordinances or to any other law, the reference applies to any subsequent amendment of that law.

H. Text and Graphics

Illustrations, photographs and graphics are included in this Development Code to illustrate the intent and requirement of the text. In the case of a conflict between the text of this Development Code and any illustrations, the text governs.

I. Severability

If any section, paragraph, subdivision, clause, sentence or provision of this Development Code is adjudged by any court of competent jurisdiction to be invalid, that judgment does not affect, impair, invalidate or nullify the remainder of this Development Code. The effect of the judgment is confined to the section, paragraph, subdivision, clause, sentence or provision immediately involved in the controversy in which judgment or decree was rendered.

J. Separability

If for any reason any one or more sections, sentences, clauses or parts of this Development Code are held invalid, the judgment does not affect, impair, or invalidate the remaining provisions of this Development Code, but is confined in its operation to the specific section, sentence, clause, or part of this Development Code held invalid. The invalidity of any section, sentence, clause, or part of this Development Code in any one or more instances does not attest or prejudice in any way the validity of this Development Code in any other instance.

1.1.8. Transitional Provisions

A. Existing Applications and Permits

1. Any subdivision or other project for which a valid and complete application for a development permit was received prior to the effective date of this Development Code remains valid and, at the developer's option, may proceed to completion and development permits may be issued under the regulations of the City of Piqua in place immediately prior to the effective date of this Development Code, provided that the development permit is or can be issued within 30 calendar days of this Development Code's effective date and all time frames associated with the permit are observed.
2. Any project for which a development permit cannot be issued within 30 calendar days from the effective date of this Development Code must proceed in accordance with these development regulations.
3. Modifications will be granted by the Development Director as necessary and appropriate where full compliance is not feasible or cannot reasonably be achieved because of the stage of development, limitations imposed by the site, or design parameters.

B. Development Permit

This Development Code applies to any development permit for which an application is received after the effective date of this Development Code.

C. Previous Approvals

Nothing in this Development Code should be construed to affect the validity of any building permit, zoning permit, sign permit or other similar permit lawfully issued prior to the effective date of this Development Code.

D. Planned Unit Developments

Planned Unit Developments with prior approved master plans or recorded plats may continue to develop to fulfill those plans. Where this adopted code refers to a standard not addressed by the master plan, the standards of this adopted code must be applied.

E. Prior Conditions of Approval

The adoption of an Official Zoning Map implementing this Development Code will remove all prior conditions of approval, with the exception of any provision in an approved condition or site plan pertaining to an authorized Special Use or variance. Relief from any prior rezoning condition of approval must be granted through the Planning Commission.

1.1.9. Codes Adopted by Reference

A. Ohio Building and Residential Codes

Ohio Administrative Code Chapter 4101:1, also known as the Ohio Building Code, is adopted by reference. Ohio Administrative Code Chapter 4101:8, also known as the Ohio Residential Code is also adopted by reference. The purpose of these codes is to provide minimum standards for construction to ensure safety, accessibility, and long-term durability of buildings and their component parts.

1. A copy of the Ohio Building Code may be found online or by visiting the Miami County Department of Development.
2. The Miami County Department of Development administers the application of the Ohio Building Code and Ohio Residential Code and should be contacted for building permits and Certificates of Occupancy.
3. The Ohio Fire Code is also adopted by reference. Additional codes administered pertaining to specific subject matters of construction, including but not limited to fire alarms, sprinkler systems, energy conservation, mechanical and plumbing, and accessibility, are adopted by the Ohio Building Code and Ohio Residential Code are as such adopted by reference by this Development Code.

B. International Property Maintenance Code

1. Adoption Provisions

The International Property Maintenance Code, 2021 Edition, published by the International Code Council (ICC) is adopted by reference, with the edits and additions listed in this section.

- a. The purpose of this code is to protect public health, life safety, aesthetics and property values, and to ensure that land in Piqua is being utilized by well-maintained, usable and functional spaces. The Property Maintenance Code also ensures that occupants can continually experience a space that meets their basic human needs for light, ventilation, heating, sanitation, shelter from the elements, and safety from fire and other hazards.
- b. The Development Director administers the International Property Maintenance Code.
- c. The Board of Zoning Appeals is authorized to hear cases of appeal from enforcement of the Property Maintenance Code. All provisions of the International Property Maintenance Code related to the hearing of appeal cases and the composition of the Board of Zoning Appeals are not adopted. Instead, these rules of conduct can be found in Article 7 of this Development Code.
- d. Sections 103.2, 103.5, 106.3, 106.4 are removed. These sections pertain to fees and enforcement of violation. These rules can be found in Article 7 of this Development Code.
- e. To augment Section 302.9. Graffiti must be removed within 72 hours of its application. The property owner is responsible for removal of the graffiti, but may take appropriate civil action to seek damages from those that vandalized their property.

- f. Section 302.4 Weeds. Premises and exterior property must be maintained free from weeds or plant growth in excess of 8 inches. Allowing the growth of invasive species over any property line. Plants grown on properties should maintain an appearance of cultivation. A gardener's grouping like plant species together, keeping plants contained to defined garden beds, and removal of dead plant materials all help to indicate that an area is cultivated rather than unmaintained. Plants should not be allowed to grow to encapsulate a structure and prevent its regular maintenance.
- g. Section 302.9 Defacement of property. "Graffiti" is here defined as any of the following or similar:
 - i. Defacement of another's property with markings or paint that was unauthorized by the owner or otherwise illegal;
 - ii. Marking of one's own property in a location that is visible to the public or to neighbors that is not permitted by the sign code; or
 - iii. Marking of any property or placement of temporary signage or spray paint that is meant to antagonize, harass, or threaten the viewer.
- h. Section 304.7 Drainage. "Adequate" roof drainage is here defined as possessing gutters or alternate approved collection system that directs water to appropriate outflow locations. Outflow of water may be conducted through downspouts or with other Low Impact Development (LID) recommended methods, such as rain chains. Water must be directed onto the subject lot and adequately slowed to prevent erosion. Buildings 200 SF and under are exempt from needing a gutter system.
- i. Section 304.14 Screens. The period time requiring insect screens is April 15 to October 15.
- j. Section 602.3 Heat Supply. This period of time when heat supply must be available is October 15 to April 15.

2. Additional Maintenance Standards Adopted

- a. Private stormwater infrastructure is the maintenance responsibility of the property owner or owners in common. No stormwater pond or other body of water may be allowed to stagnate and form algae or bacteria that emits an unattractive odor. Private catch basins and pipes will be kept clear of all debris.
- b. Parking lots must be maintained in good condition at all times, with working lighting, clearly visible striping that is refreshed periodically, and a smooth, drivable surface free from pot holes. Traffic control signage should be maintained at all times in their proper positions.
- c. Additional maintenance standards for plants and landscaping can be found in §4.3.9.
- d. Existing nonstandard gravel used for parking surfaces may remain on a lot and be refreshed by additional gravel if landscaping timbers or another border material is added to contain it,

Enlargement of nonstandard gravel pads is not allowed. Gravel must not be allowed to travel into the right-of-way or onto neighboring properties.

- e. Obscenities including but not limited to graphic display of images containing genitalia, scenes depicting sexual acts, violence, and digestive and other bodily fluids are considered unlawful and must be removed upon notification from the enforcing official. This standard applies for any image facing or visible from the public right-of-way or any neighboring property.

C. City of Piqua Design Criteria and Standard Drawings

The City of Piqua Design Criteria and Standard Drawings are adopted by reference. The purpose of these criteria and standard drawings is to provide further details on required engineering design and materials for construction. These criteria also provide further instruction on informational requirements given a wide variety of possible construction goals and site conditions. Copies of the City of Piqua Design Criteria and Standard Drawings are made available through the Development Department.

1.1.10. Permissive or Imperative Language

Within this Development Code, the following clarifications are provided for these words:

- A. "May" is to be read as permissive and optional.
- B. "May not" is to be read as not permitted, and is not optional.
- C. "Must," and certain senses of "will," such as "will provide" or "will guarantee," are imperatives, and are not optional to the subject referred to. For example, "the developer will provide x" is an imperative for the developer to provide x.

1.1.11. Listed References

Within this Development Code, citations to other portions of the code are added to aid with navigation through the text. In some cases, the code may lack a citation to standards that are relevant to a particular project. Any absence of a citation should not be interpreted as the inapplicability of a standard. Instead, the body of text provides the relevant direction on application of standards. If a citation appears to be in error, the body of text should confirm the relevant standard or subject matter to reference.

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Div. 2.1. Districts Established

In order to carry out the purposes and intent of this Development Code, the city is divided into the following zoning districts, as established on the Official Zoning Map. The creation of new districts must be approved through the Planning Commission and City Commission under the procedures for Zoning Map Amendment (§7.2.2).

SUBURBAN NEIGHBORHOOD DISTRICTS	
Residential Estate (20,000 SF, 10,000 SF & 6,000 SF Lots)	RE-20, RE-10, RE-6
Residential Attached	S-RA
Residential Multi-Unit	S-RM
SUBURBAN MIXED USE DISTRICTS	
Neighborhood Mixed Use	NX
Corridor Mixed Use	CX
Corridor Office	CO
Regional Mixed Use	RX
TRADITIONAL DISTRICTS	
Traditional Residential (Low, Medium, High Density)	T-RL, T-RM, T-RH
Traditional Residential Medium Density Estate	T-RM-E
Traditional Flex Mixed Use	T-FX
Traditional Neighborhood Mixed Use	T-NX
Traditional General Mixed Use	T-GX
Traditional Shopfront Mixed Use	T-SX
DOWNTOWN DISTRICTS	
Downtown Riverfront Mixed Use	D-RF
Downtown General Mixed Use	D-GX
Downtown Shopfront Mixed Use	D-SX
SPECIAL DISTRICTS	
Industrial Light	IL
Industrial Heavy	IH
Agriculture	AG
Parks	PK
Conservation	CN
Civic	CV

Bold italics = Protected District. See §4.3.6.

Div. 2.2. Zoning Map

2.2.1. Zoning Map Established

- A. The boundaries of the zoning districts established in §2.1 are shown and established on the Official Zoning Map. The Official Zoning Map for the City of Piqua is incorporated and made part of this Development Code.
- B. The Official Zoning Map is adopted in conjunction with the adoption of this Development Code.
- C. The Official Zoning Map will be kept electronically in a Geographic Information System (GIS) maintained by the Development Director and will be published on the City's website.
- D. The Official Zoning Map will include referenced amendments tracking the resolution authorizing any amendments following the effective date of the Official Zoning Map.
- E. The Development Director may make paper copies of the Official Zoning Map available to the public for a reasonable fee.

2.2.2. Interpretation of Map Boundaries

Where uncertainty exists with respect to the boundaries of any zoning district on the Official Zoning Map, the Development Director is authorized to interpret the boundaries using the following methods:

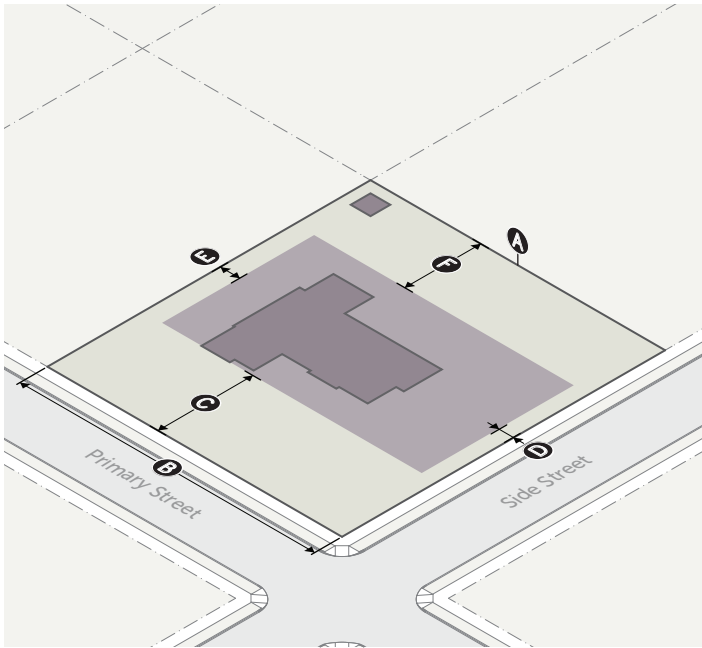
- A. Where a district boundary line is shown as approximately following the centerline of a street or highway, or an extension of a street or highway, the district boundary is the centerline of that street or highway;
- B. Where more than one district applies to a property, and the district boundary line is shown as running approximately parallel at a distance from a street, the distance from the centerline must be determined by the use of the map scale;
- C. Where a district boundary line is shown as approximately following a lot line, the district boundary is the lot line;
- D. Whenever any street, alley or other public right-of-way is vacated or abandoned by official action of the City Commission, the zoning district adjoining each side of the street, alley or public way will be automatically extended to the new lot line established by the corresponding vacation plat; and
- E. Where a boundary line is shown and its location is not fixed by any of the rules of this Division, its precise location is determined by scaling from streets, objects or structures shown on the Official Zoning Map.

Div. 2.3. Suburban Neighborhood Districts

2.3.1. RE-20 Residential Estate-20

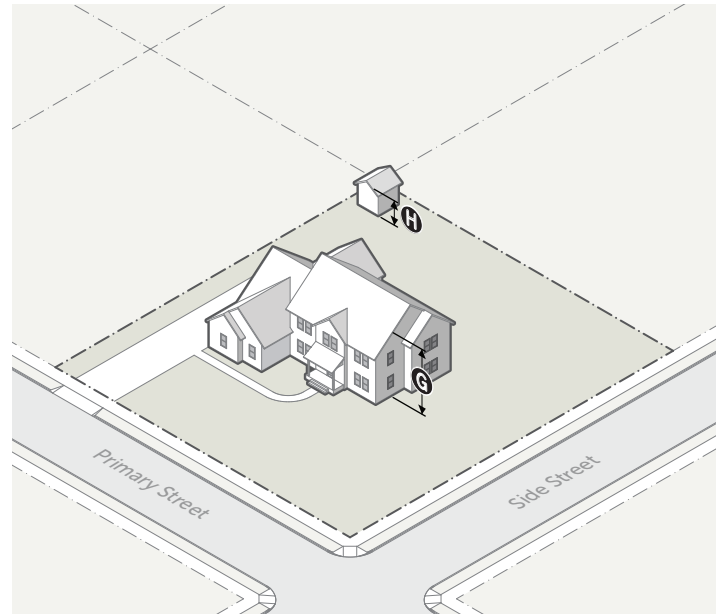
Intended for detached single unit dwellings and attached ADUs in a large-lot or semi-rural setting. Appropriate where a feeling of privacy is desired and where no alleys are present, though should generally be applied only on the rural fringe in a limited fashion, as the low-density land use pattern increases auto dependency.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	20,000 SF
B Lot width (min)	100'
Impervious cover (max)	70%
2. Dwelling Units	§2.9.3
Dwelling units per lot (max)	1
3. Walls & Fences	§4.3.8
Primary street yard	Type D2
Side street yard	Type D3
Side/rear yard	Type D5
4. Setbacks	§4.1.1
Principal structure:	
C Primary street (min)	50'
D Side street (min)	10'
E Side lot line (min)	15'
F Rear lot line (min)	40'
Accessory structure	§3.7.2

B. Massing & Activation

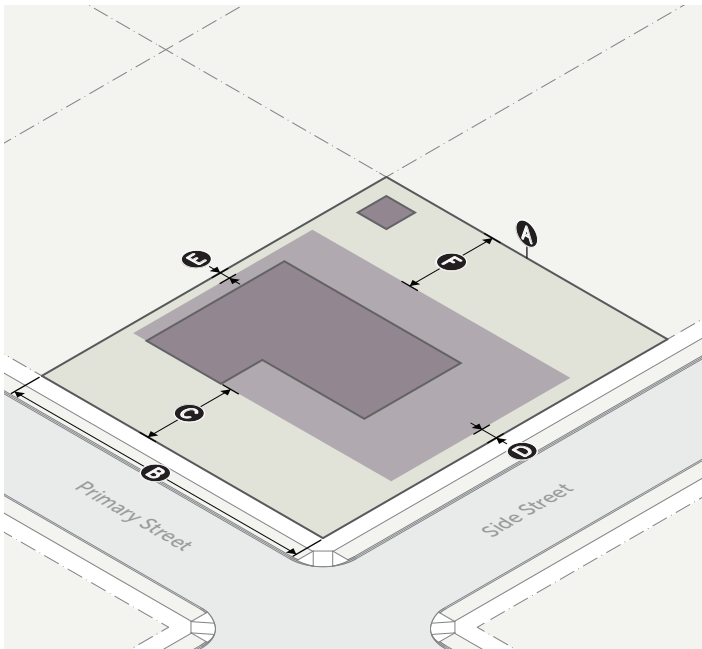


1. Structure	§4.1.3	
G Height, principal structure (max)	35'	
H Height, accessory structure (max)	§3.7.2	
2. Floor Height	§4.1.4	
Ground story height (min)	10'	
Ground floor elevation (min/max)	0'/4'	
	Primary St.	Side St.
3. Pedestrian Access	§4.1.7	
Street-facing entrance	Required	Not Required
Street-facing entrance spacing (max)	n/a	n/a

2.3.2. RE-10 Residential Estate-10

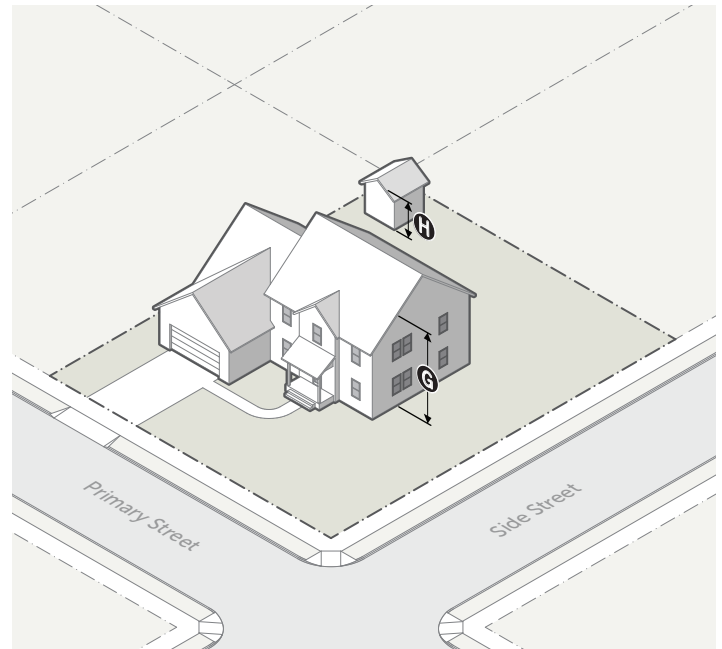
Intended for detached single unit dwellings and attached ADUs in a large-lot or semi-rural setting. Appropriate where no alleys are present, though should be applied in a limited fashion within suburban development, as the land use pattern increases auto dependency.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	10,000 SF
B Lot width (min)	75'
Impervious cover (max)	70%
2. Dwelling Units	§2.9.3
Dwelling units per lot (max)	1
3. Walls & Fences	§4.3.8
Primary street yard	Type D2
Side street yard	Type D3
Side/rear yard	Type D5
4. Setbacks	§4.1.1
Principal structure:	
C Primary street (min)	30'
D Side street (min)	10'
E Side lot line (min)	8'
F Rear lot line (min)	30'
Accessory structure:	§3.7.2

B. Massing & Activation

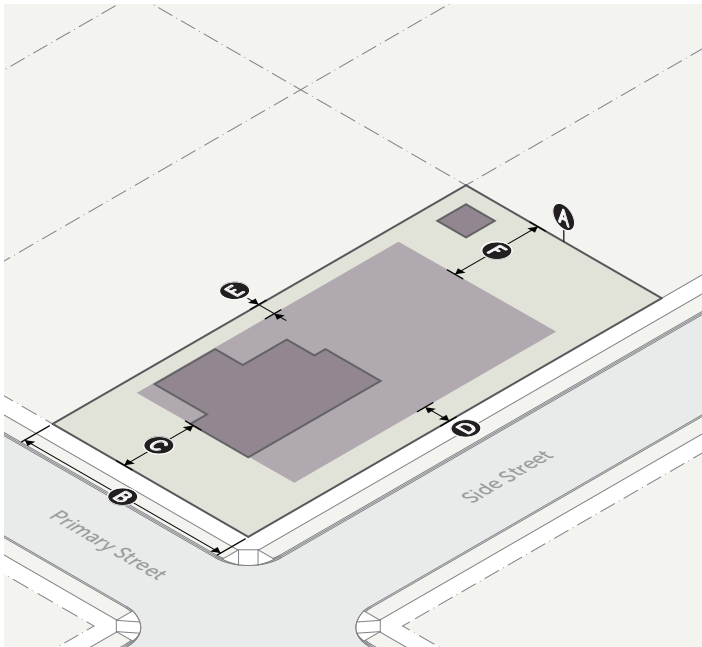


1. Structure	§4.1.3	
G Height, principal structure (max)	35'	
H Height, accessory structure (max)	§3.7.2	
2. Floor Height	§4.1.4	
Ground story height (min)	10'	
Ground floor elevation (min/max)	0'/4'	
	Primary St.	Side St.
3. Pedestrian Access	§4.1.7	
Street-facing entrance	Required	Not Required
Street-facing entrance spacing (max)	n/a	n/a

2.3.3. RE-6 Residential Estate-6

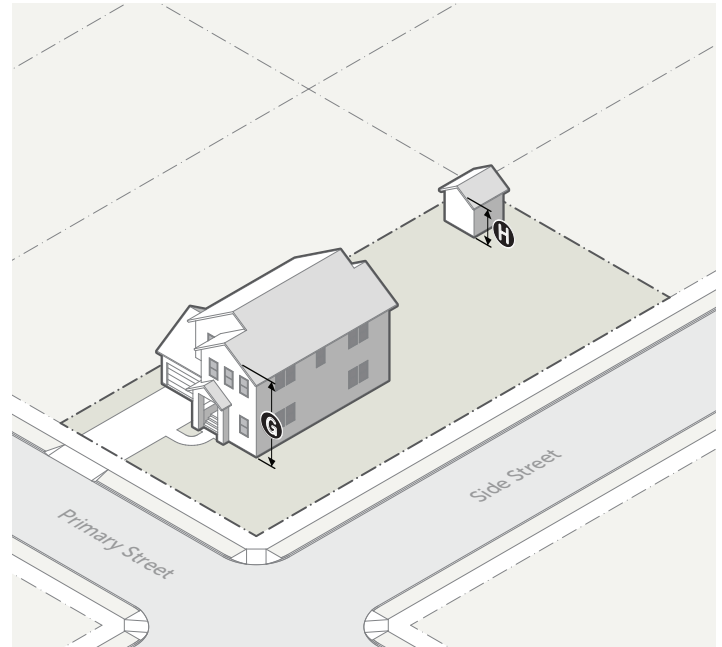
Intended for detached single unit dwellings and attached ADUs in suburban neighborhood setting. Appropriate where no alleys are present. Creates a more auto-dependent pattern than Traditional districts, though intentional pairing with commercial districts and S-RA is encouraged to create opportunities for useful walking trips.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	6,000 SF
B Lot width (min)	50'
Impervious cover (max)	70%
2. Dwelling Units	§2.9.3
Dwelling units per lot (max)	1
3. Walls & Fences	§4.3.8
Primary street yard	Type D2
Side street yard	Type D3
Side/rear yard	Type D5
4. Setbacks	§4.1.1
Principal structure:	
C Primary street (min)	25'
D Side street (min)	10'
E Side lot line (min)	6'
F Rear lot line (min)	less of 30' or 20% of lot depth
Accessory structure:	§3.7.2

B. Massing & Activation

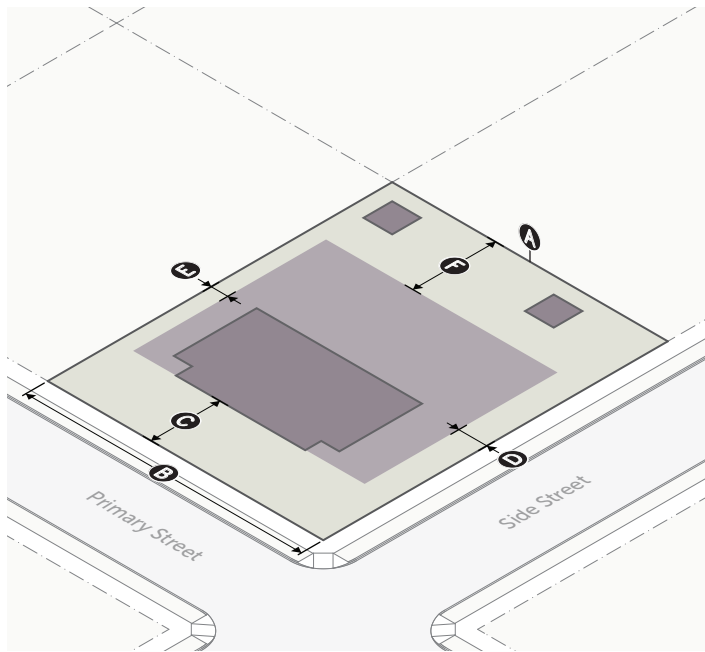


1. Structure	§4.1.3	
G Height, principal structure (max)	35'	
H Height, accessory structure (max)	§3.7.2	
2. Floor Height	§4.1.4	
Ground story height (min)	10'	
Ground floor elevation (min/max)	0'/4'	
	Primary St.	Side St.
3. Pedestrian Access	§4.1.7	
Street-facing entrance	Required	Not Required
Street-facing entrance spacing (max)	n/a	n/a

2.3.4. S-RA Residential Attached

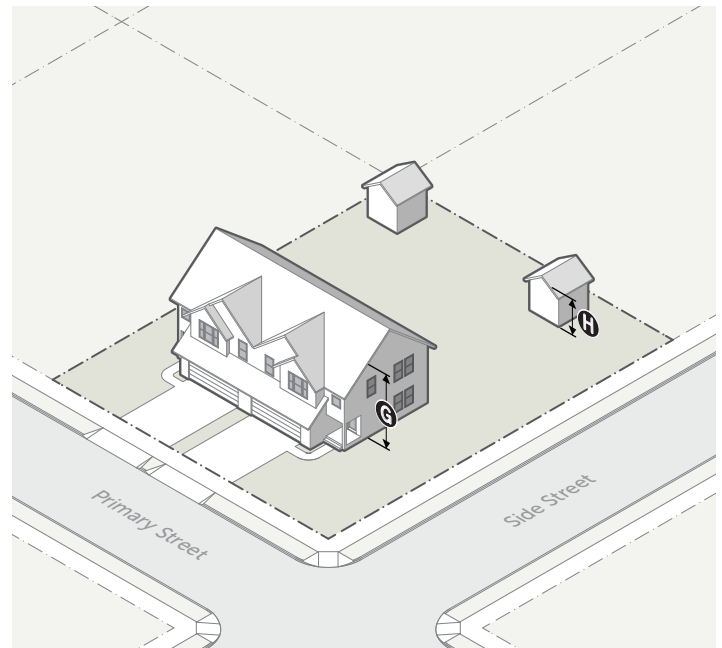
Intended for up to 2 attached units in a duplex configuration. Appropriate where no alleys are present and where walkability and increased housing variety is desired. Can be mixed within RE-6, RE-10, RE-20, and S-RM as desired to create a mixed-density neighborhood.

A. Site & Placement



1. Lot	§2.9.2
A Lot area per unit (min)	3,000 SF
B Lot width per unit (min)	25'
Impervious cover (max)	70%
2. Dwelling Units	§2.9.3
Dwelling units per structure (max)	2
3. Walls & Fences	§4.3.8
Primary street yard	Type D2
Side street yard	Type D3
Side/rear yard	Type D5
4. Setbacks	§4.1.1
Principal structure:	
C Primary street (min)	25'
D Side street (min)	10'
E Side lot line (min)	6'
F Rear lot line (min)	less of 30' or 20% of lot depth
Accessory structure:	
	§3.7.2

B. Massing & Activation



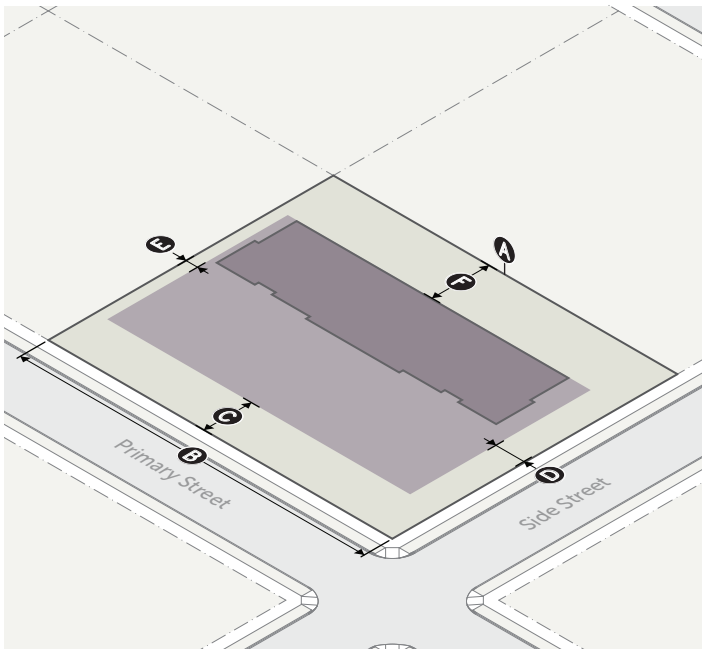
1. Structure	§4.1.3
G Height, principal structure (max)	35'
H Height, accessory structure (max)	§3.7.2
2. Floor Height	§4.1.4
Ground story height (min)	10'
Ground floor elevation (min/max)	0'/4'
	Primary St. Side St.
3. Pedestrian Access	§4.1.7
Street-facing entrance	Required Not Required
Street-facing entrance spacing (max)	n/a n/a

C. A Special Use may be granted by the Planning Commission to increase the maximum number of attached units to 4 to create a rowhouse or fourplex.

2.3.5. S-RM Residential Multi-Unit

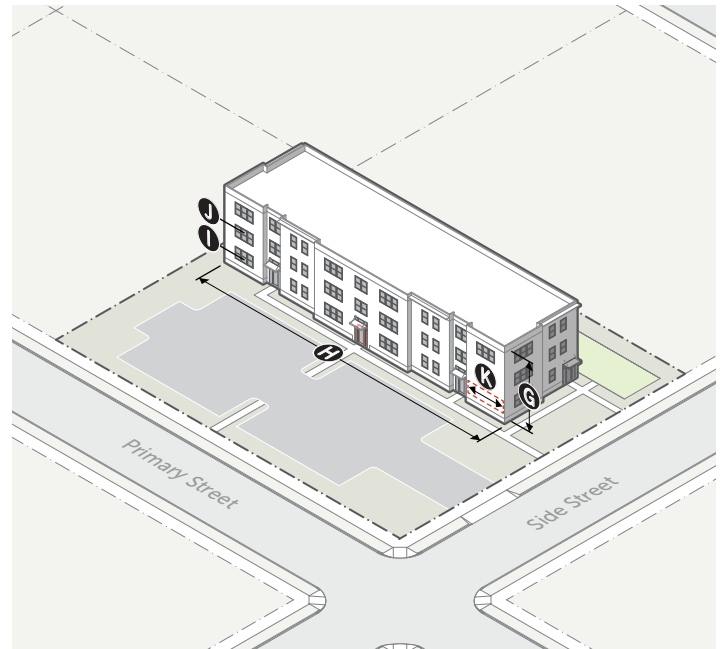
Intended for multi-unit structures or a mixed density housing pattern managed privately within a large lot containing private streets or a parking lot.

A. Site & Placement



1. Lot	§2.9.2
A Lot area per unit (min)	1,500 SF
B Lot width (min)	50'
Impervious cover (max)	70%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary street yard	Type D4
Side street yard	Type D4
Side/rear yard	Type D5
4. Setbacks	§4.1.1
C Primary street (min)	25'
D Side street (min)	10'
E Side lot line (min)	6'
F Rear lot line (min)	10'

B. Massing & Activation



1. Structure	§4.1.3	
G Height (max)	35'	
H Width (max)	150'	
	Primary St.	Side St.
2. Transparency	§4.1.6	
I Ground story (min)	20%	20%
J Upper story (min)	20%	20%
K Blank wall width (max)	30'	30'
3. Pedestrian Access	§4.1.7	
Street-facing entrance	Required	Required
L Street-facing entrance spacing (max)	80'	100'

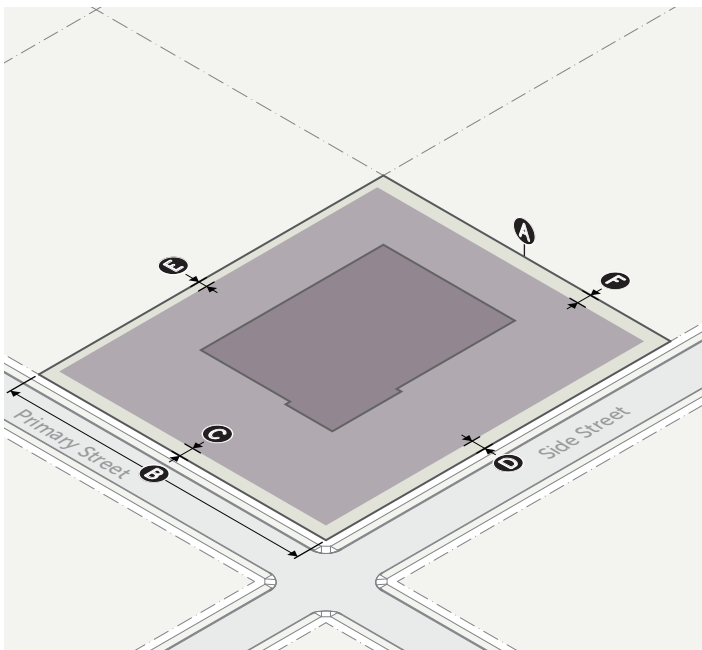
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Div. 2.4. Suburban Mixed Use Districts

2.4.1. NX Neighborhood Mixed Use

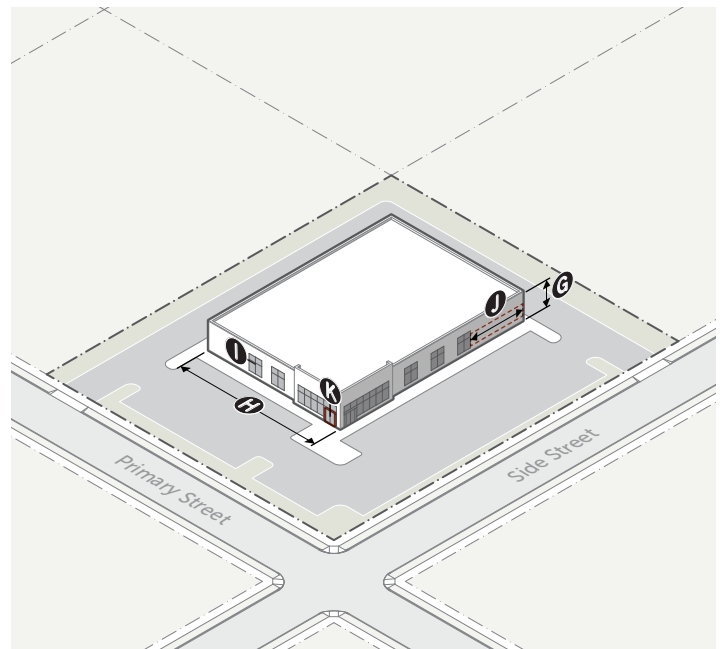
Intended for neighborhood-scale commercial abutting residential districts. The design intent is to limit commercial structures and uses in scale and intensity to those that serve the surrounding neighborhood.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	none
Lot area per unit (min)	1,500 SF
B Lot width (min)	50'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary street yard	Type D4
Side street yard	Type D4
Side/rear yard	Type D5
4. Setbacks	§4.1.1
C Primary street (min)	10'
D Side street (min)	10'
E Side lot line (min)	6'
F Rear lot line (min)	10'

B. Massing & Activation

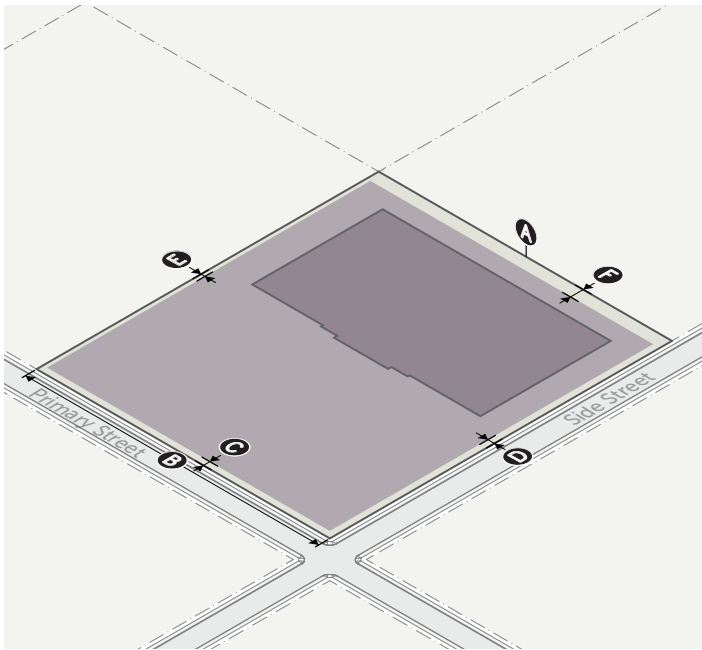


1. Structure	§4.1.3	
G Height (max)	35'	
H Width (max)	100'	
	Primary St.	Side St.
2. Transparency	§4.1.6	
I Ground story (min)	30%	30%
Upper story (min)	20%	20%
J Blank wall width (max)	20'	30'
3. Pedestrian Access	§4.1.7	
K Street-facing entrance	Required	Required
Street-facing entrance spacing (max)	70'	100'

2.4.2. CX,-CO Corridor Mixed Use, Corridor Office

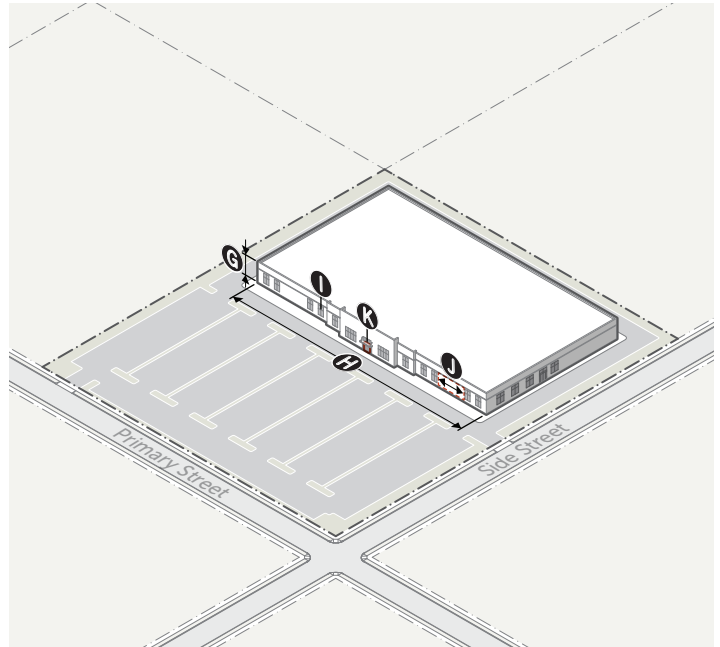
There are two districts "Corridor Mixed Use," and "Corridor Office." C-CX is intended for a variety of commercial uses and residential uses along the city's arterial and major collector corridors. C-CO specializes in a selection of uses suitable for creating an office park with additional amenities.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	none
Lot area per unit (min)	1,500 SF
B Lot width (min)	50'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 2
3. Walls & Fences	§4.3.8
Primary street yard	Type D4
Side street yard	Type D4
Side/rear yard	Type D5
4. Setbacks	§4.1.1
C Primary street (min)	10'
D Side street (min)	10'
E Side lot line (min)	6'
F Rear lot line (min)	10'

B. Massing & Activation

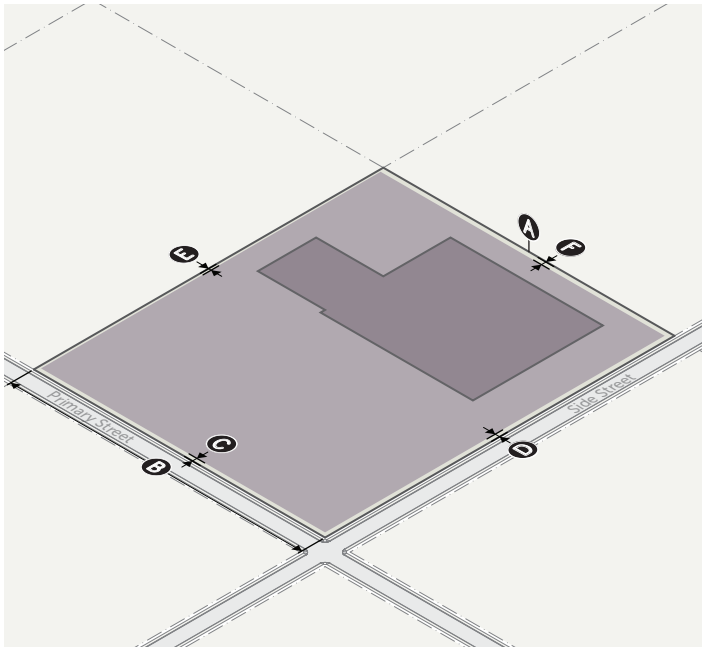


1. Structure	§4.1.3	
G Height (max)	60'	
H Width (max)	275'	
	Primary St.	Side St.
2. Transparency	§4.1.6	
I Ground story (min)	30%	30%
Upper story (min)	20%	20%
J Blank wall width (max)	30'	50'
3. Pedestrian Access	§4.1.7	
K Street-facing entrance	Required	Required
Street-facing entrance spacing (max)	100'	n/a

2.4.3. RX Regional Mixed Use

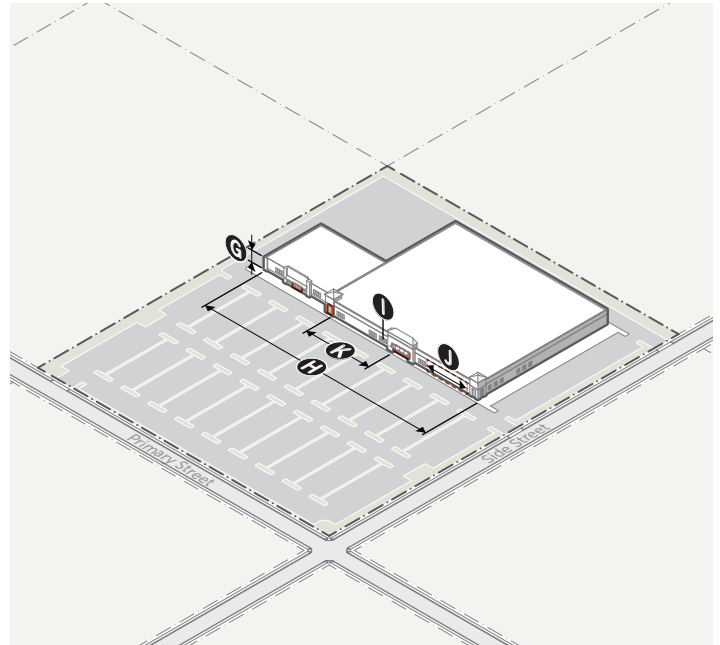
Intended for the largest and most intense commercial uses in the city as well as adaptive re-use of large parking lots for denser development patterns and integrated residential uses.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	none
Lot area per unit (min)	1,500 SF
B Lot width (min)	50'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 2
3. Walls & Fences	§4.3.8
Primary street yard	Type D4
Side street yard	Type D4
Side/rear yard	Type D5
4. Setbacks	§4.1.1
C Primary street (min)	10'
D Side street (min)	10'
E Side lot line (min)	6'
F Rear lot line (min)	10'

B. Massing & Activation



1. Structure	§4.1.3	
G Height (max)	60'	
H Width (max)	450'	
	Primary St.	Side St.
2. Transparency	§4.1.6	
I Ground story (min)	20%	20%
Upper story (min)	20%	20%
J Blank wall width (max)	30'	50'
3. Pedestrian Access	§4.1.7	
Street-facing entrance	Required	Required
K Street-facing entrance spacing (max)	150'	n/a

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Div. 2.5. Traditional Districts

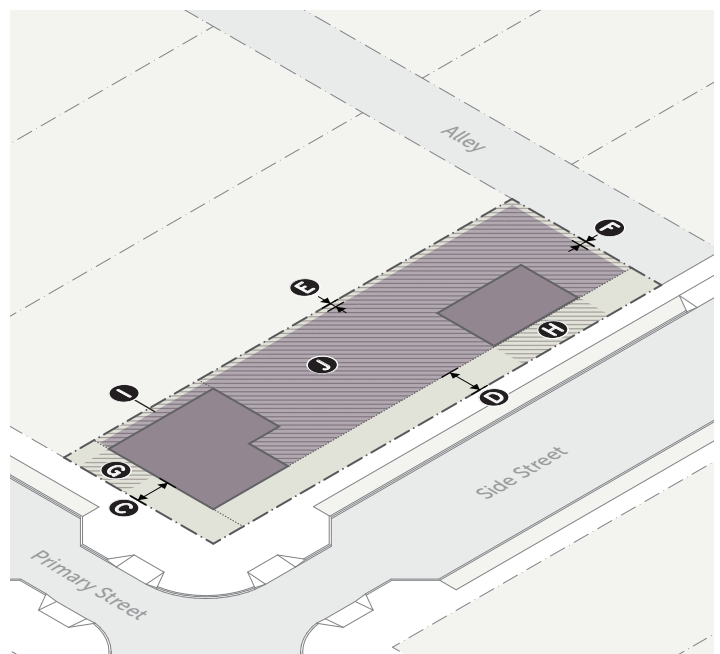
2.5.1. T-RL Traditional Residential Low Density

Intended to create or preserve a base of mixed-density residential neighborhoods on an alley grid network of streets. Mixed density creates opportunities for aging in place and more opportunities for useful walking trips. The T-RL district may include single-unit houses, duplexes, triplexes, fourplexes, and rowhouses.

A. Site



B. Placement

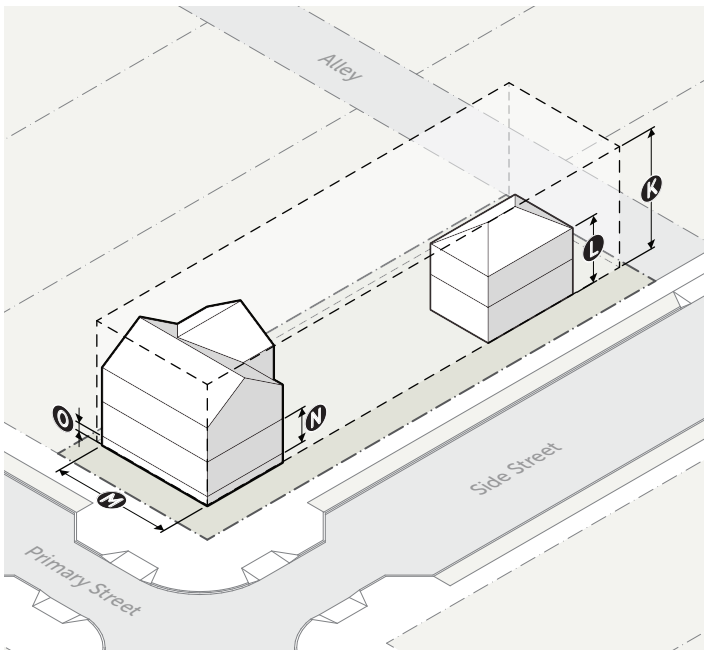


1. Lot	§2.9.2
A Lot area (min)	none
B Lot width (min)	35'
Impervious cover (max)	80%
2. Dwelling Units	§2.9.3
Dwelling units per lot (max)	
Lot width: 35'- 39'	1
Lot width: 40'-79'	2
Lot width: 80'+	4 (max)
3. Walls & Fences	§4.3.8
Primary street yard	Type D2
Side street yard	Type D3
Side/rear yard	Type D5

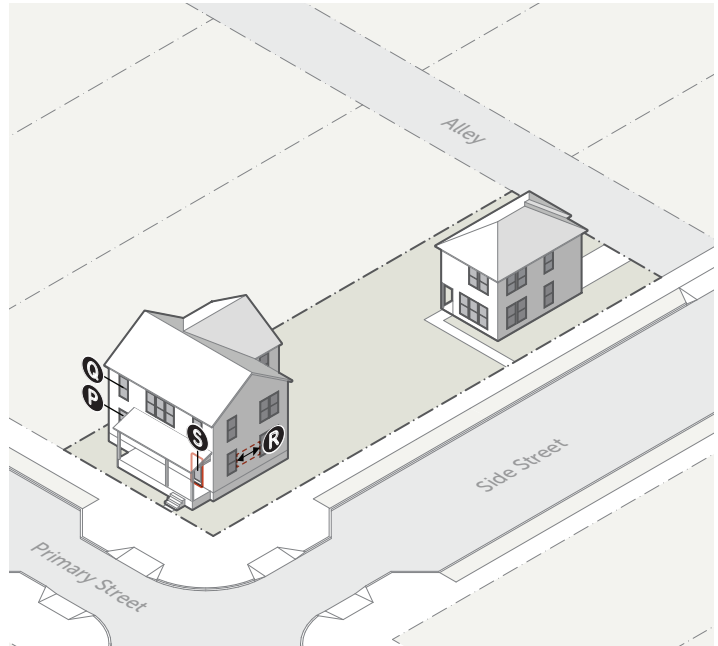
1. Setbacks	§4.1.1
Principal structure:	
C Primary street (min/max)	10'/25'
D Side street (min)	10'
E Side lot line (min)	3'
F Rear lot line (min)	20% of lot depth
Accessory structure:	
	§3.7.2

*the minimum spacing between two structures is 6'

C. Massing



D. Activation



	Primary St.	Side St.
1. Structure	§4.1.3	
K Height, principal structure (max)	35'/2.5 stories	
L Height, accessory structure (max)	§3.7.2	
M Width (max)	60'	
2. Floor Height	§4.1.4	
N Ground story height (min)	10'	
O Ground floor elevation (min/max)	2'/4'	

	Primary St.	Side St.
1. Transparency	§4.1.6	
P Ground story (min)	20%	20%
Q Upper story (min)	20%	20%
R Blank wall width (max)	15'	20'
2. Pedestrian Access	§4.1.7	
S Street-facing entrance	Required	Required
Street-facing entrance spacing (max)	n/a	75'

E. Lot Width and Overall Density

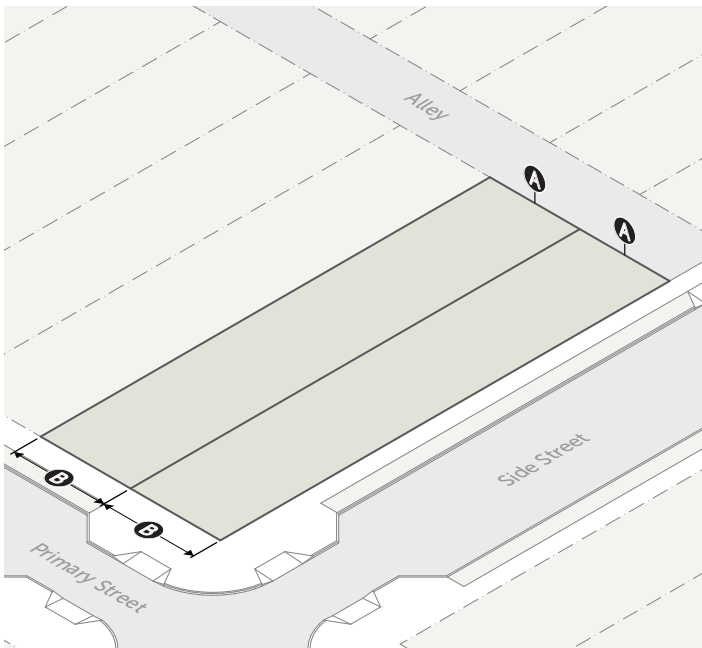
1. Minimum lot width must increase to 50' where no alley access is present. Pre-existing lots that do not meet this minimum requirement may construct a one-unit dwelling.

2. The overall density of any land over 2 acres to be subdivided for new building sites must not exceed 10 primary units/acre.

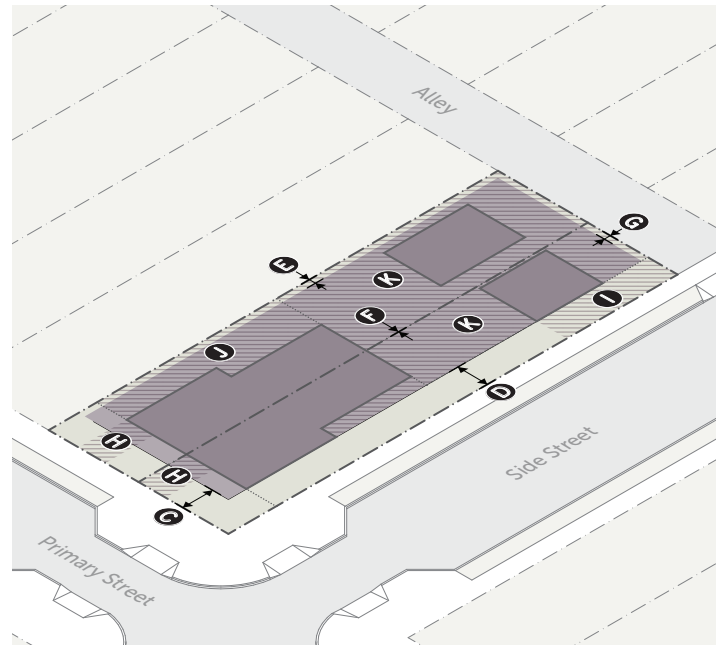
2.5.2. T-RM,-RM-E Traditional Residential Medium Density, -Estate

Intended to create or preserve mixed density dwelling units and limited commercial uses on a grid network with alleys. There are two T-RM districts, "Traditional Residential Medium Density" and "Traditional Residential Medium Density Estate". Both may include single-unit houses, duplexes, triplexes, fourplexes, and rowhouses.

A. Site



B. Placement

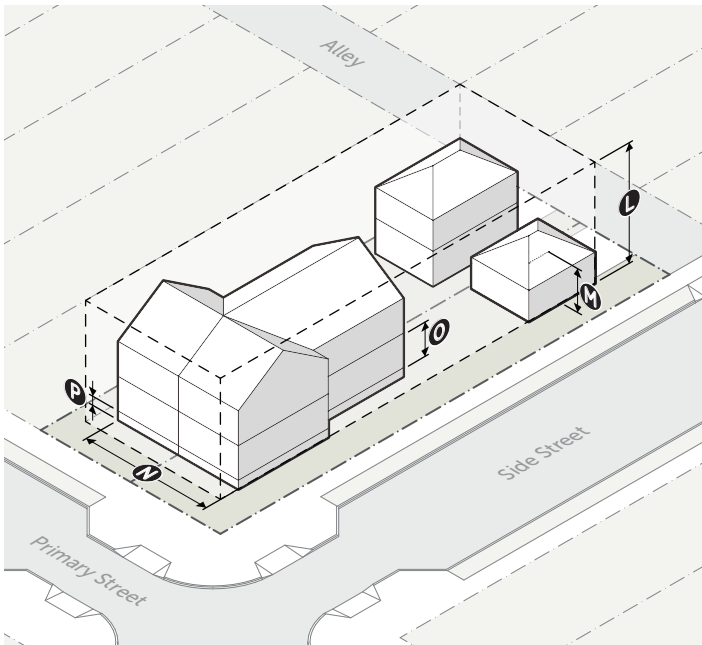


1. Lot	§2.9.2
A Lot area (min)	None
B Lot width, one-unit structure (min)	30'
Lot width, interior attached townhome units (min)	16'
Lot width, exterior/end attached townhome units (min)	19'
Impervious cover (max)	80%
2. Dwelling Units	§2.9.3
Dwelling units per lot (max)	
Lot width: 24'-34'	1
Lot width: 35'-49'	2
Lot width: 50'+	4
3. Walls & Fences	§4.3.8
Primary street yard	Type D2
Side street yard	Type D3
Side/rear yard	Type D5

1. Setbacks	§4.1.1
Principal structure:	
C Primary street (min/max)	10'/25'
D Side street (min)	10'
E Side lot line (min)*	3'
F Side lot line between attached units (min)	0'
G Rear lot line with alley behind (min)	10% of lot depth
Rear lot line with lot behind (min)	20% of lot depth
Accessory structure:	
	§3.7.2

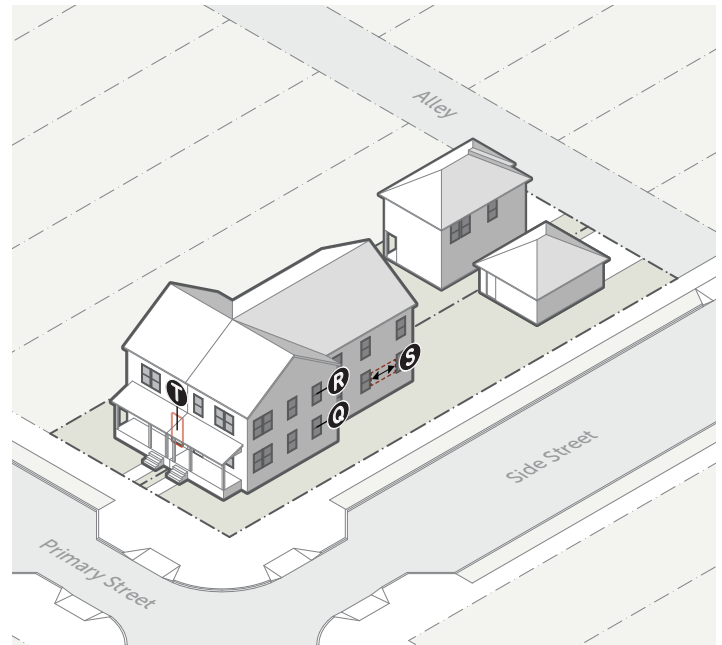
*the minimum spacing between two structures is 6'

C. Massing



1. Structure		§4.1.3
L	Height, principal structure (max)	35'/2.5 stories
L	Height, principal structure (min)	
	T-RM	None
	T-RM-E	18'2 stories
M	Height, accessory structure (max)	§4.1.3
N	Width (max)	90'
	First floor area (min. for total structure)	§4.1.5
	T-RM	None
	T-RM-E	400 SF
2. Floor Height		§4.1.4
O	Ground story height (min)	10'
P	Ground floor elevation (min/max)	2'/4'

D. Activation



	Primary St.	Side St.
1. Transparency		
Q	Ground story (min)	20%
R	Upper story (min)	20%
S	Blank wall width (max)	15'
		20'
2. Pedestrian Access		
T	Street-facing entrance	Required
	Street-facing entrance spacing (max)	40'
		75'

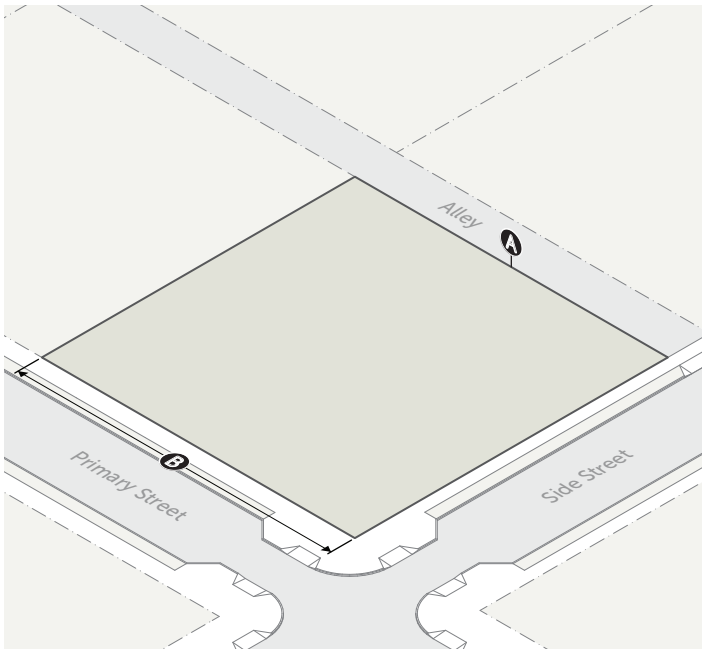
E. Lot Width

Minimum lot width for newly subdivided lots must increase to 50' where no alley access is present. Pre-existing lots that do not meet this minimum requirement may construct a one-unit dwelling.

2.5.3. T-RH Traditional Residential High Density

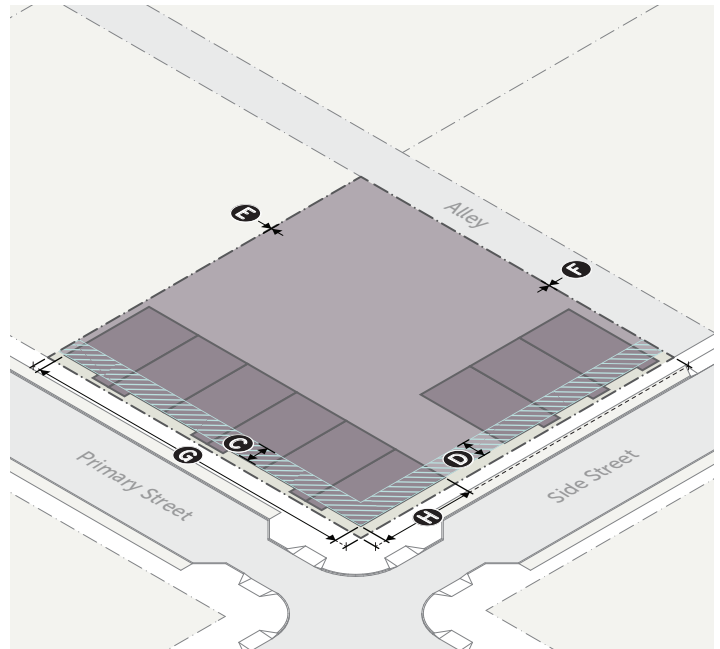
Intended for high density residential development on a grid network of streets with alleys, including duplexes, rowhouses, fourplexes, and apartment buildings. Limited commercial uses are allowed.

A. Site



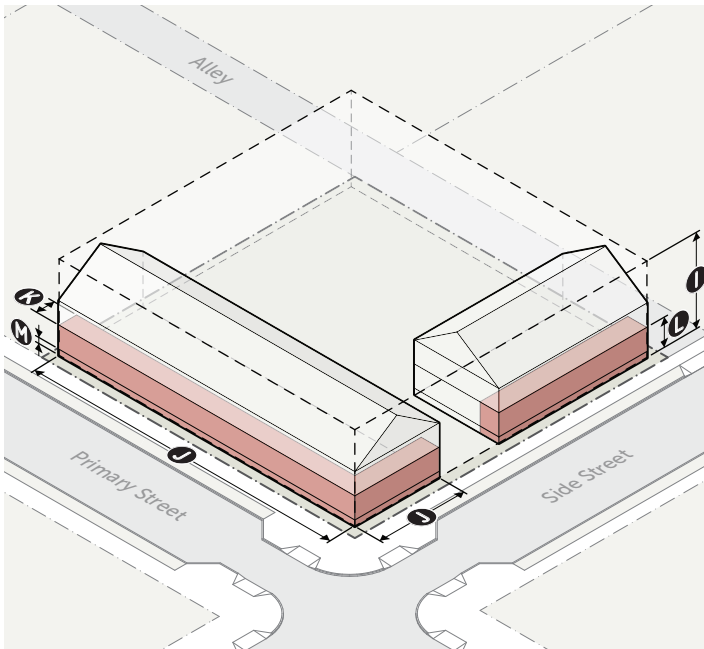
1. Lot	§2.9.2
A Lot area (min)	None
B Lot width (min)	14'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D3
Between the building and the street	Type D2
Side/rear yard	Type D5

B. Placement



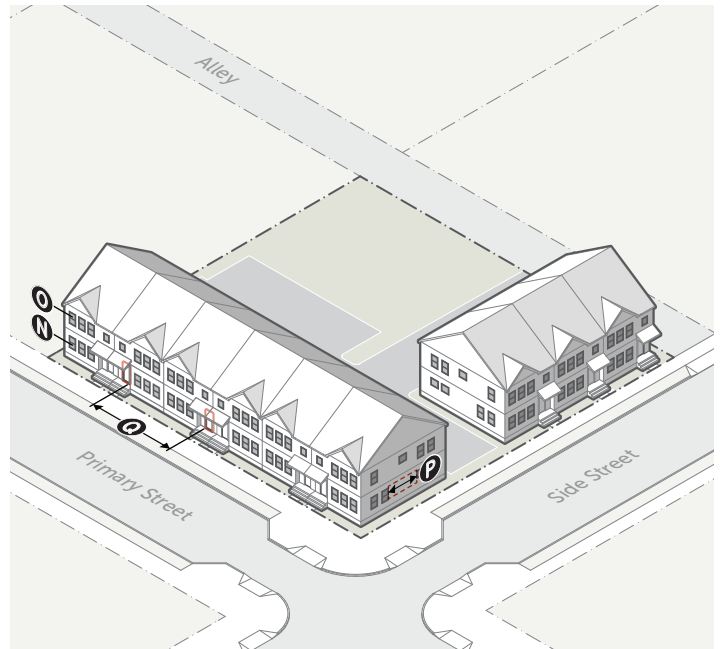
1. Setbacks	§4.1.1
C Primary street (min/max)	5'/10'
D Side street (min/max)	5'/10'
	Internal External
E Side lot line (min)	0' 6'
F Rear lot line (min)	0' 10% of lot depth
2. Build-to Width	§4.1.2
G Primary street (min)	70%
H Side street (min)	35%
3. Parking Location	§4.2.8
No parking between the building and the street	

C. Massing



1. Structure		§4.1.3
I	Height (max)	40'/3 stories
J	Width (max)	150'
K	Occupiable depth	Required
2. Floor Height		§4.1.4
L	Ground story height (min)	10'
M	Ground floor elevation (min/max)	2'/4'

D. Activation

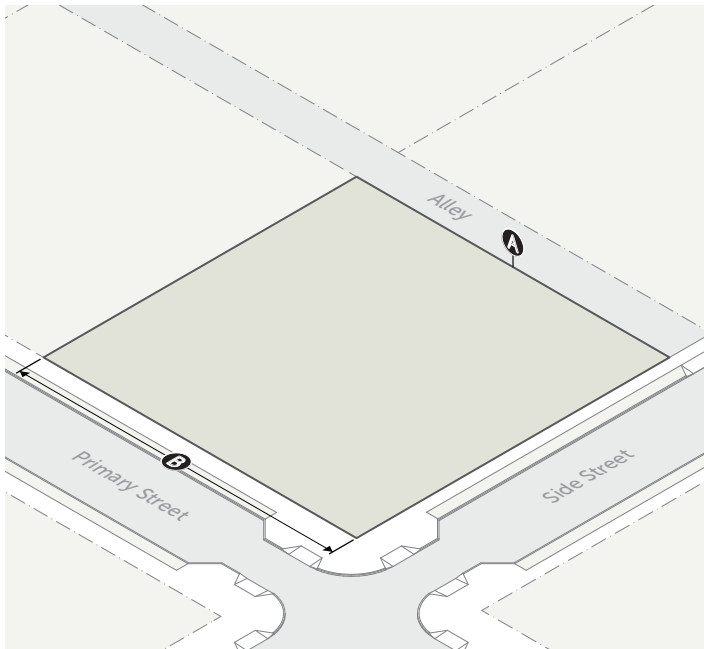


	Primary St.	Side St.
1. Transparency		
N	Ground story (min)	20%
O	Upper story (min)	20%
P	Blank wall width (max)	15'
		20'
2. Pedestrian Access		
	Street-facing entrance	Required
		Required
Q	Street-facing entrance spacing (max)	60'
		80'

2.5.4. T-FX Flex Mixed Use

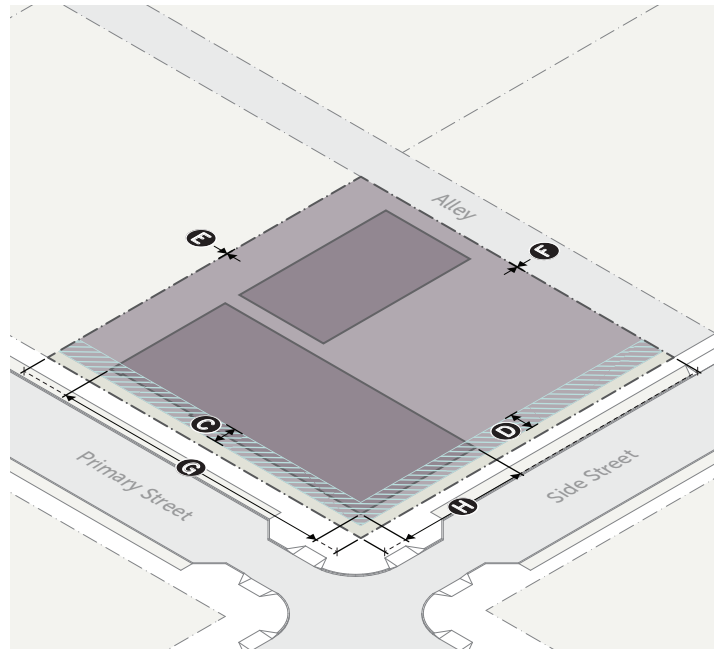
Intended for aging or former industrial sites transitioning to residential or commercial uses, while maintaining use flexibility. Light and moderate industrial, retail and residential uses are allowed, including live-work and makerspaces create a vibrant and work-friendly atmosphere.

A. Site



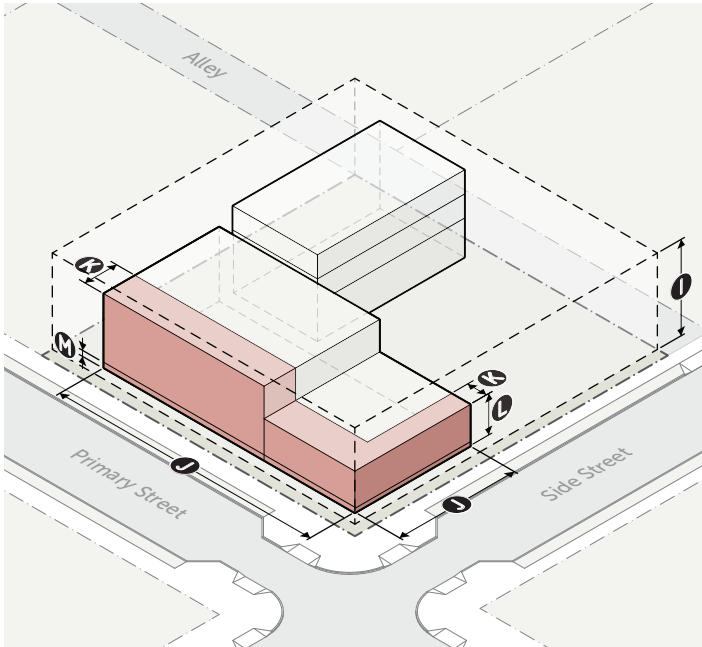
1. Lot	§2.9.2
A Lot area (min)	0 SF
B Lot width (min)	20'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D4
Between the building and the street	Type D2
Side/rear yard	Type D5

B. Placement



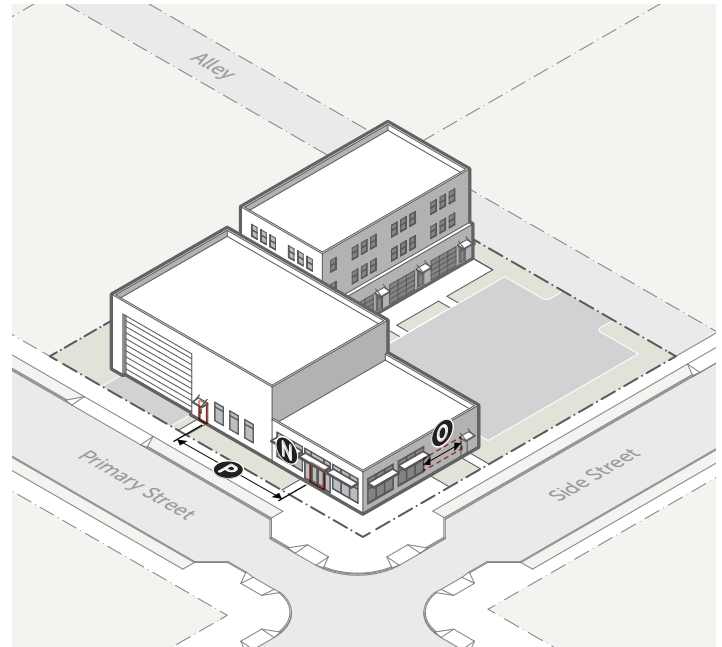
1. Setbacks	§4.1.1
C Primary street (min/max)	5'/30'
D Side street (min/max)	5'/30'
E Side lot line (min)	0'
F Rear lot line (min)	0'
2. Build-to Width	§4.1.2
G Primary street (min)	70%
H Side street (min)	0%
3. Parking Location	§4.2.2
No parking between the building and the street	

C. Massing



1. Structure		§4.1.3
I Height (max)	40'/3 stories	
J Width (max)	150'	
K Occupiable depth	Required	
2. Floor Height		§4.1.4
L Ground story height (min)	11'	
M Ground floor elevation (min/max)	0'/4'	

D. Activation



	Primary St.	Side St.
1. Transparency		
N Ground story (min)	30%	20%
Upper story (min)	20%	20%
O Blank wall width (max)	20'	25'
2. Pedestrian Access		
Street-facing entrance	Required	Required
P Street-facing entrance spacing (max)	60'	100'

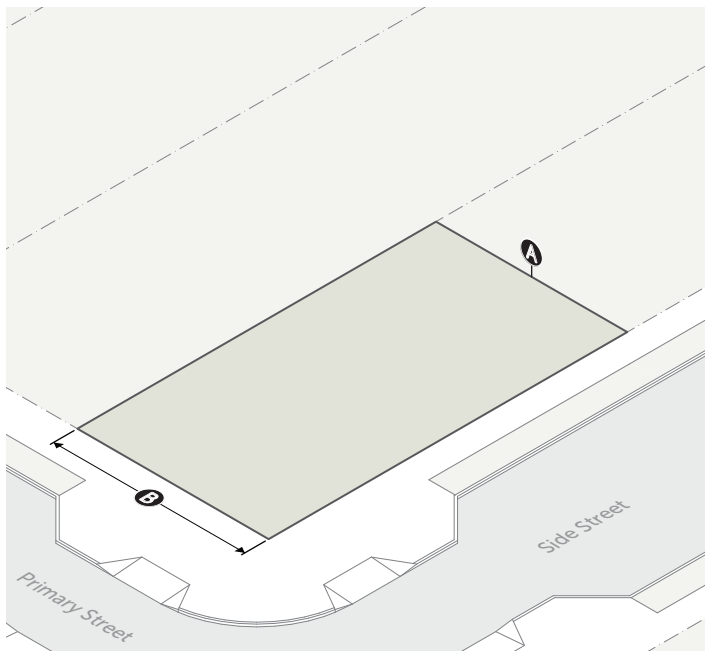
E. Alternate Forms in T-FX

Adaptation of existing structures with building additions to suit new uses is encouraged.

2.5.5. T-NX Traditional Neighborhood Mixed Use

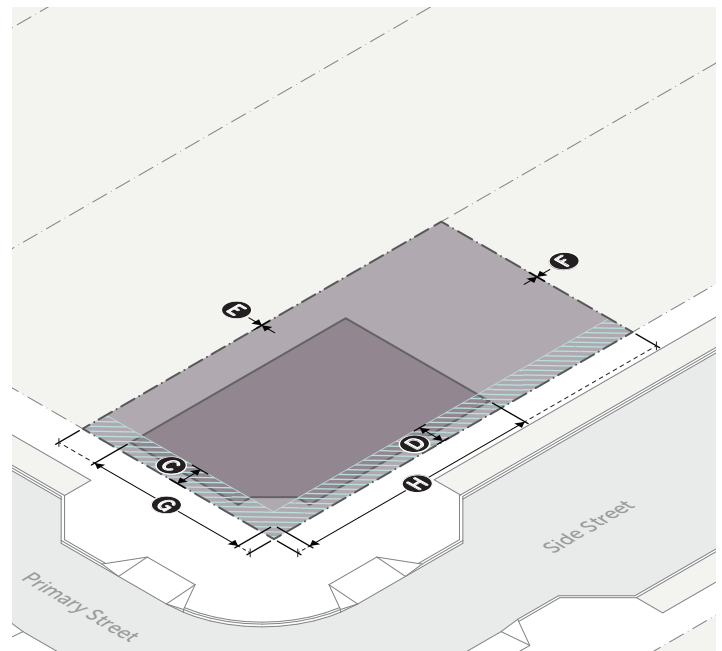
Intended for a variety of small scale, neighborhood-serving commercial uses embedded within an established residential neighborhood on a grid system with alleys.

A. Site



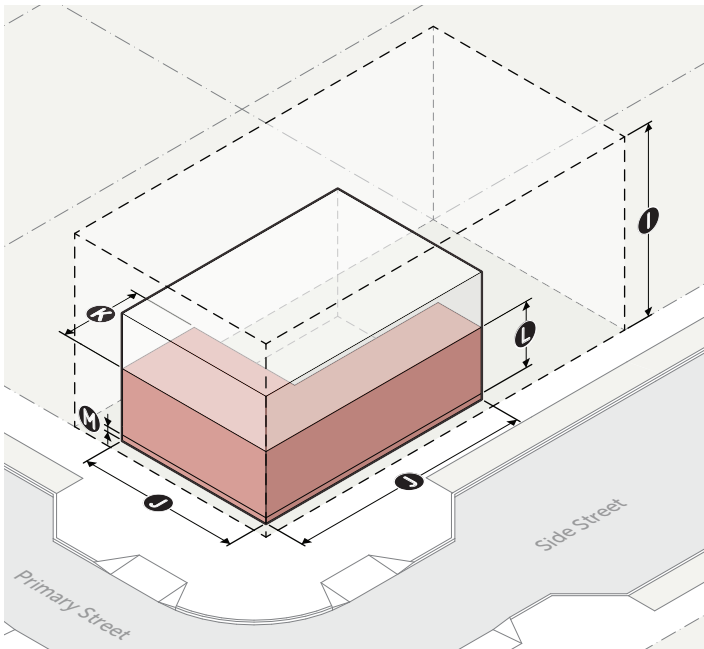
1. Lot	§2.9.2
A Lot area (min)	None
B Lot width (min)	20'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D4
Between the building and the street	Type D2
Side/rear yard	Type D5

B. Placement



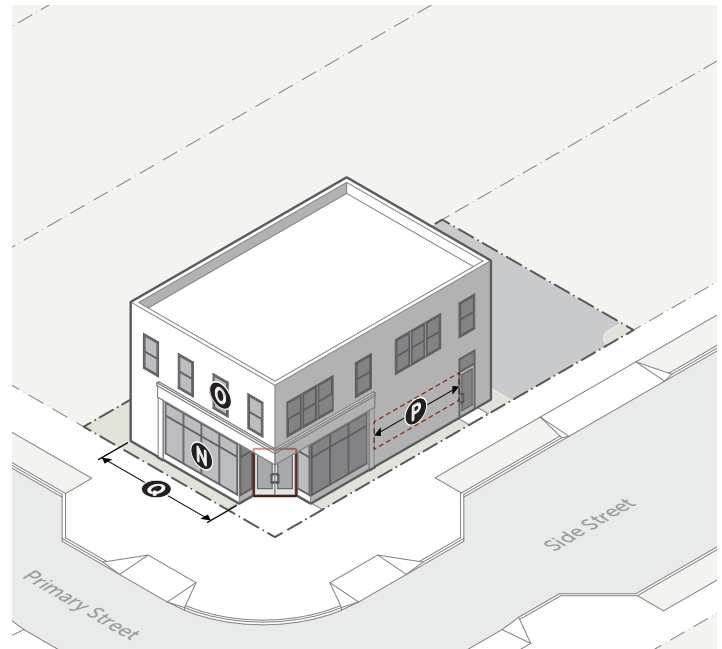
1. Setbacks	§4.1.1
C Primary street (min/max)	0'/10'
D Side street (min/max)	0'/10'
E Side lot line (min)	0'
F Rear lot line (min)	0'
2. Build-to Width	§4.1.2
G Primary street (min)	80%
H Side street (min)	40%
3. Parking Location	§4.2.8
No parking between the building and the street	

C. Massing



1. Structure	§4.1.3
I Height (max)	40'/3 stories
J Width (max)	100'
K Occupiable depth	Required
2. Floor Height	§4.1.4
L Ground story height (min)	12'
M Ground floor elevation (min/max)	0'/2'

D. Activation



	Primary St.	Side St.
1. Transparency	§4.1.6	
N Ground story (min)	50%	20%
O Upper story (min)	20%	20%
P Blank wall width (max)	10'	15'
2. Pedestrian Access	§4.1.7	
Street-facing entrance	Required	Required
Q Street-facing entrance spacing (max)	40'	75'

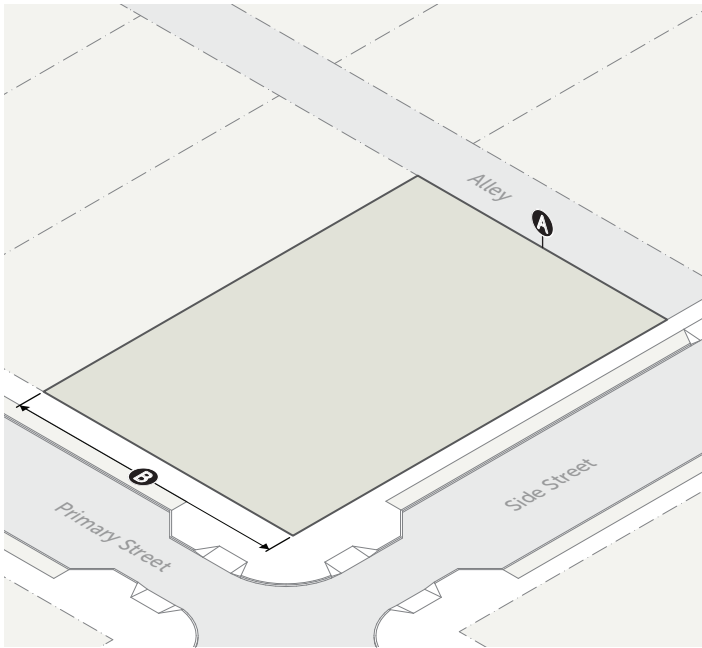
E. Alternate Forms in T-NX

Structures in T-NX districts may also follow the form standards of the nearest Traditional residential district, T-RL, T-RM, or T-RM-E, as determined by the Development Director. To open as a commercial structure, signage, lighting, and landscaping standards must be applied, and appropriate transparency and access improvements must be made. To be occupied as a residence on the ground floor, this structure type must be amended to remove shopfront windows or other architectural or site and parking features that may have been applied to serve commercial uses.

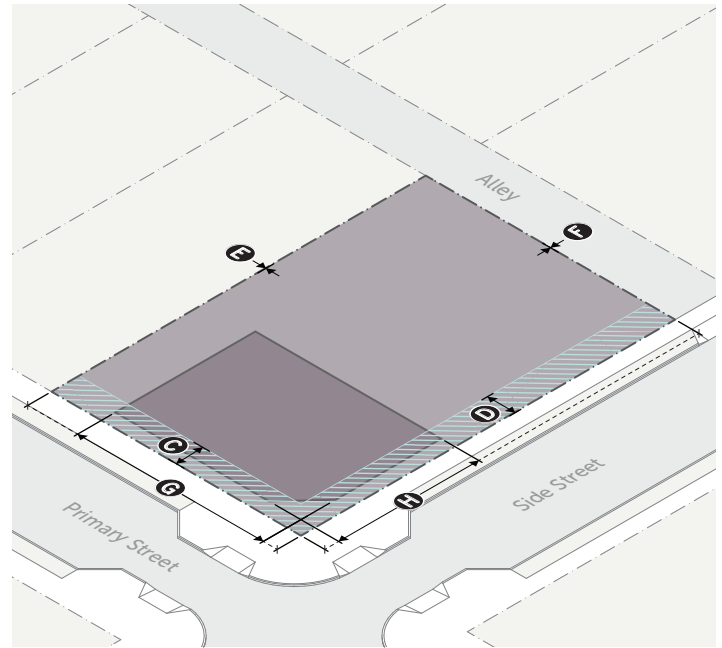
2.5.6. T-GX General Mixed Use

Intended for a variety of retail, service and commercial uses, as well as multi-unit dwellings. Buildings line the sidewalk to create an inviting, comfortable atmosphere for pedestrians.

A. Site



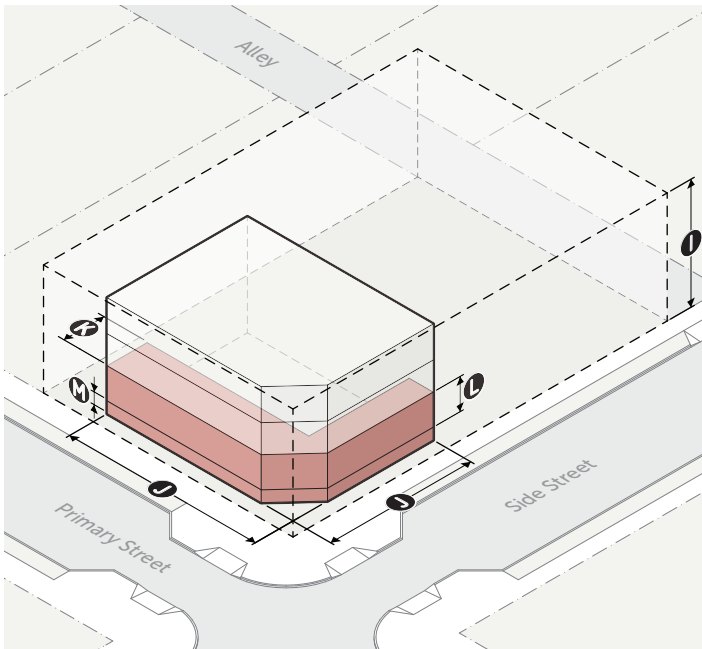
B. Placement



1. Lot	§2.9.2
A Lot area (min)	None
B Lot width (min)	20'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D4
Between the building and the street	Type D2
Side/rear yard	Type D5

1. Setbacks	§4.1.1
C Primary street (min/max)	0'/10'
D Side street (min/max)	0'/10'
E Side lot line (min)	0'
F Rear lot line (min)	0'
2. Build-to Width	§4.1.2
G Primary street (min)	70%
H Side street (min)	35%
3. Parking Location	§4.2.8
No parking between the building and the street	

C. Massing



1. Structure		§4.1.3	
I	Height (max)	40'/3 stories	
J	Width (max)	150'	
K	Occupiable depth	Required	
		Residential	Non-residential
2. Floor Height		§4.1.4	
L	Ground story height (min)	10'	11'
M	Ground floor elevation (min/max)	2'/4'	0'/2'

D. Activation

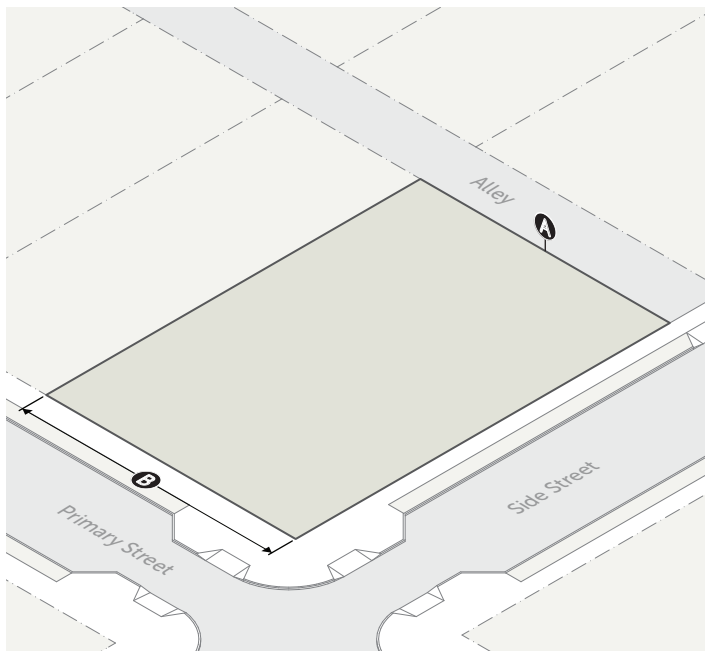


		Primary St.	Side St.
1. Transparency		§4.1.6	
N	Ground story (min)		
	Residential	20%	20%
	Nonresidential	50%	20%
O	Upper story (min)	20%	20%
P	Blank wall width (max)	15'	20'
2. Pedestrian Access		§4.1.7	
	Street-facing entrance	Required	Required
Q	Street-facing entrance spacing (max)	60'	80'

2.5.7. T-SX Traditional Shopfront Mixed Use

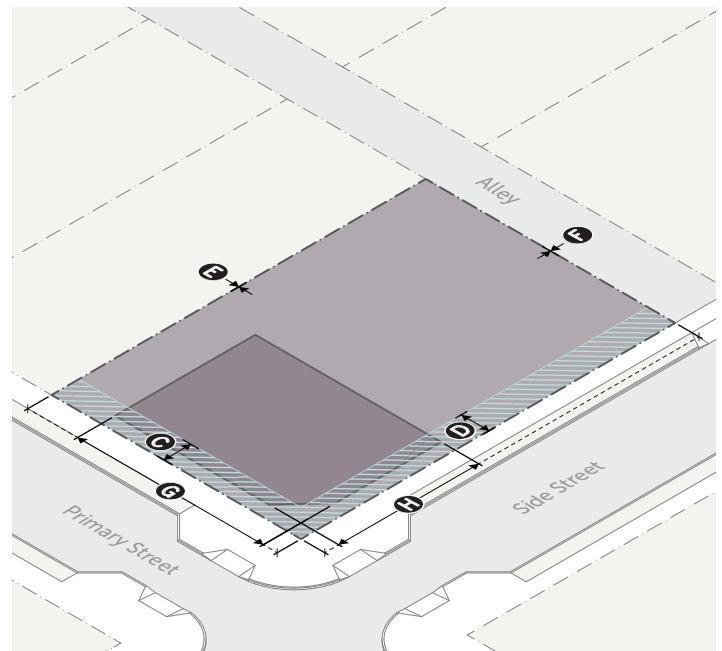
Intended for a variety of retail, service and commercial uses, as well as upper-story multi-unit dwellings. This district shares design similarities with D-SX, but can be applied outside of the downtown area. A high degree of interaction between pedestrians and shopfront uses is created through attention to active design.

A. Site



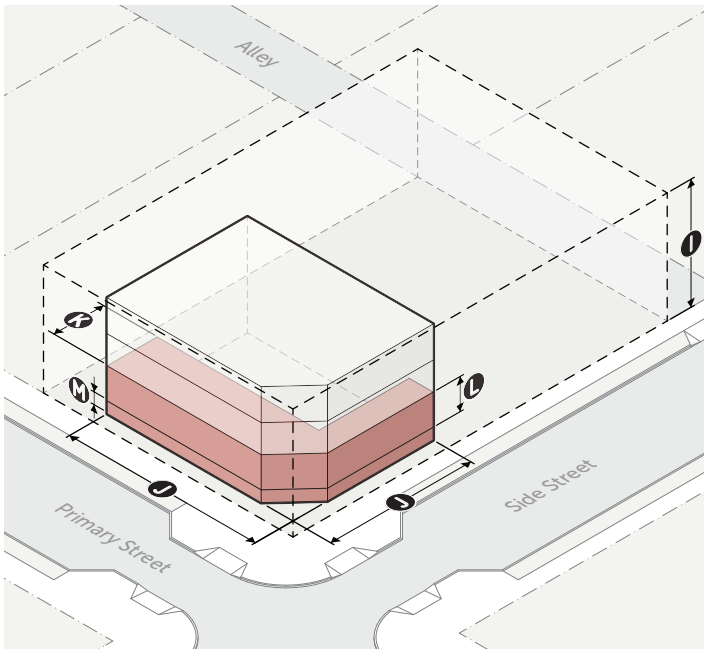
1. Lot	§2.9.2
A Lot area (min)	None
B Lot width (min)	20'
Impervious cover (max)	90%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D4
Between the building and the street	Type D1
Side/rear yard	Type D5

B. Placement



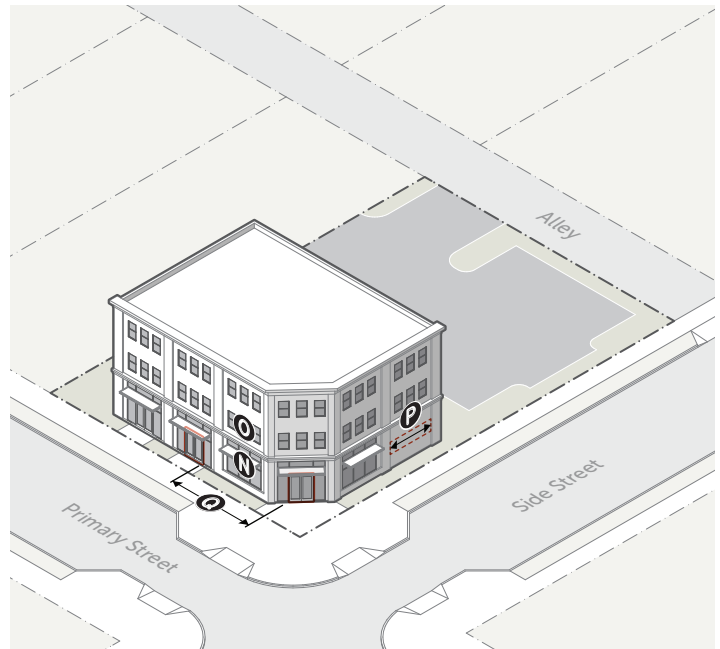
1. Setbacks	§4.1.1
C Primary street (min/max)	0'/10'
D Side street (min/max)	0'/10'
E Side lot line (min)	0'
F Rear lot line (min)	0'
2. Build-to Width	§4.1.2
G Primary street (min)	70%
H Side street (min)	30%
3. Parking Location	§4.2.8
No parking between the building and the street	

C. Massing



1. Structure		§4.1.3
I	Height (max)	40'/3 stories
J	Width (max)	150'
K	Occupiable depth	Required
2. Floor Height		§4.1.4
L	Ground story height (min)	12'
M	Ground floor elevation (min/max)	0'/2'

D. Activation



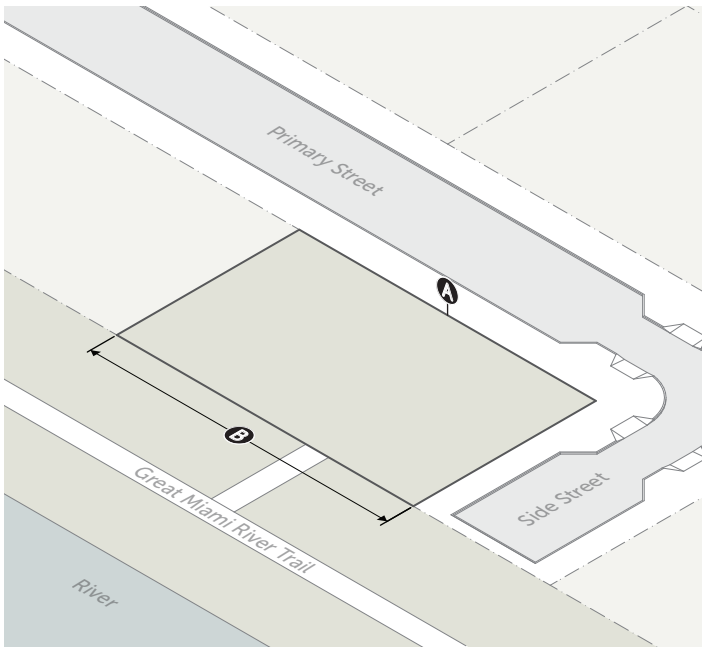
	Primary St.	Side St.
1. Transparency		
	§4.1.6	
N	Ground story (min)	50% 30%
O	Upper story (min)	20% 20%
P	Blank wall width (max)	15' 20'
2. Pedestrian Access		
	§4.1.7	
	Street-facing entrance	Required Required
Q	Street-facing entrance spacing (max)	60' 100'

Div. 2.6. Downtown Districts

2.6.1. D-RF Riverfront Mixed Use

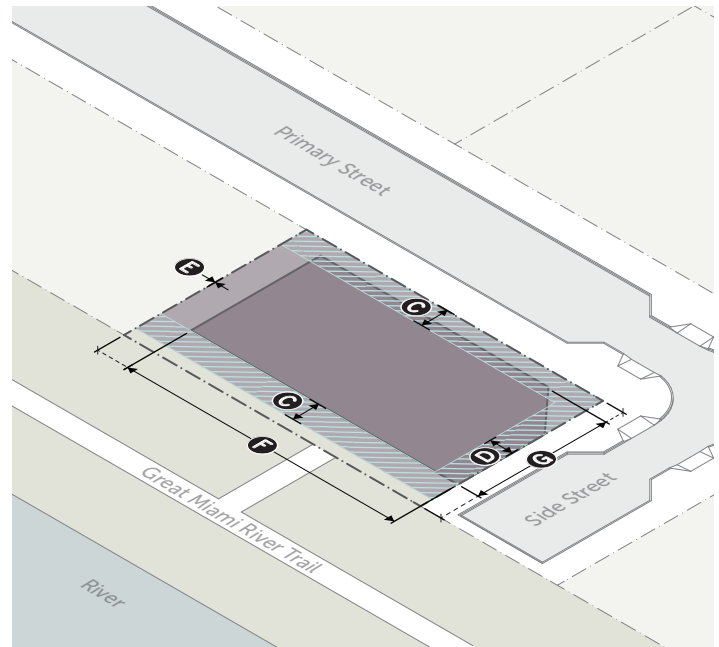
Intended for lots that directly front the River. New development is required to address the street and the River through entryway design. Pedestrian-oriented amenities activate the riverfront and provide access to the River.

A. Site



1. Lot	§2.9.2
A Lot area (min)	None
B Lot width (min)	15'
Impervious cover (max)	100%
2. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D4
Between the building and the street	Type D1
Side yard	Type D5

B. Placement

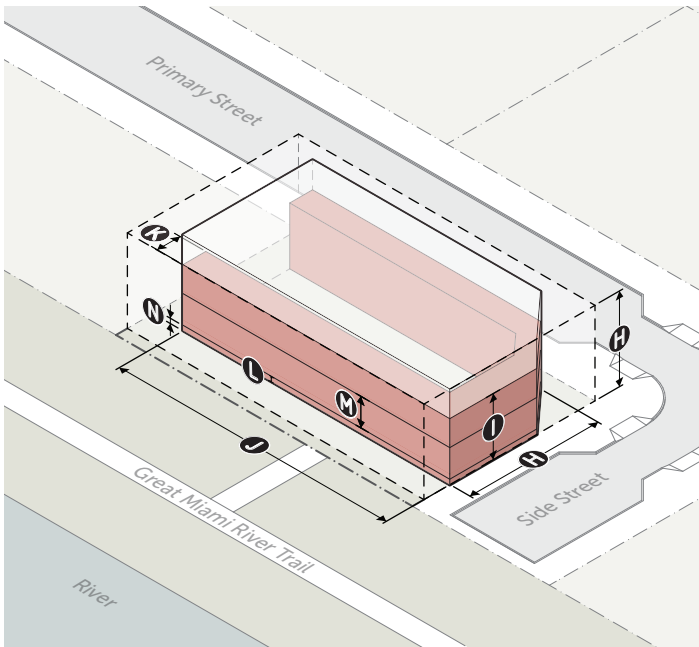


1. Setbacks	§4.1.1
C Primary street (min/max)	0'/10'
D Side street (min/max)	0'/10'
E Side lot line (min)	0'
2. Build-to Width	§4.1.2
F Primary street (min)	80%
G Side street (min)	40%

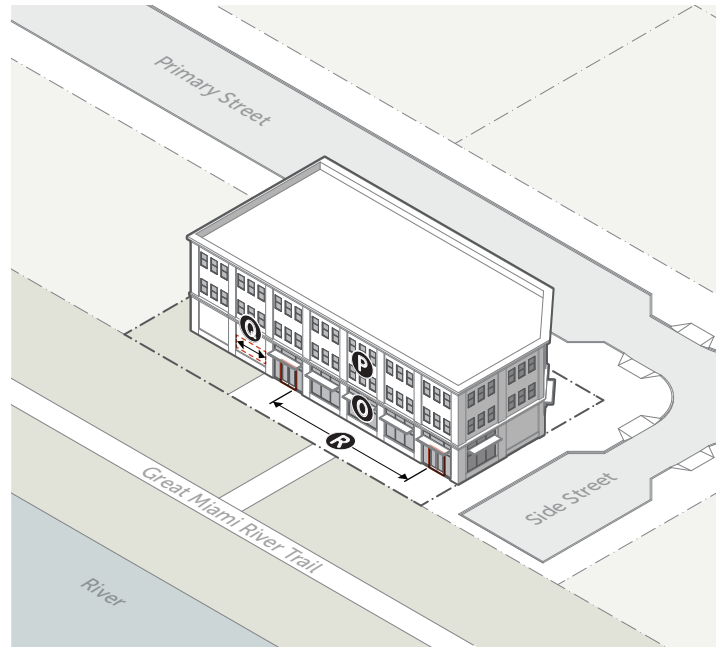
E. Adaptive Re-use

Structures within the D-RF district will typically be existing structures that require attention to historic preservation. The Development Director may relax design standards as necessary to preserve the historic integrity of the structure during adaptive re-use construction. The Development Director may request additional design review from the Planning Commission through a Special Use to consider any unique circumstances of design where an administrative adjustment seems inadequate.

C. Massing



D. Activation



1. Structure		§4.1.3
H	Height (max)	60'/5 stories
I	Height (min)	2 stories
J	Width (max)	150'
K	Occupiable depth	Required
2. Floor Height		§4.1.4
L	Ground floor elevation (min/max)	0'/4'
M	Ground story height (min)	11'

	Primary St.	Side St.
1. Transparency		
O	Ground story (min)	50%
P	Upper story (min)	20%
Q	Blank wall width (max)	15'
2. Pedestrian Access		
	Street-facing entrance	Required
R	Street-facing entrance spacing (max)	50'

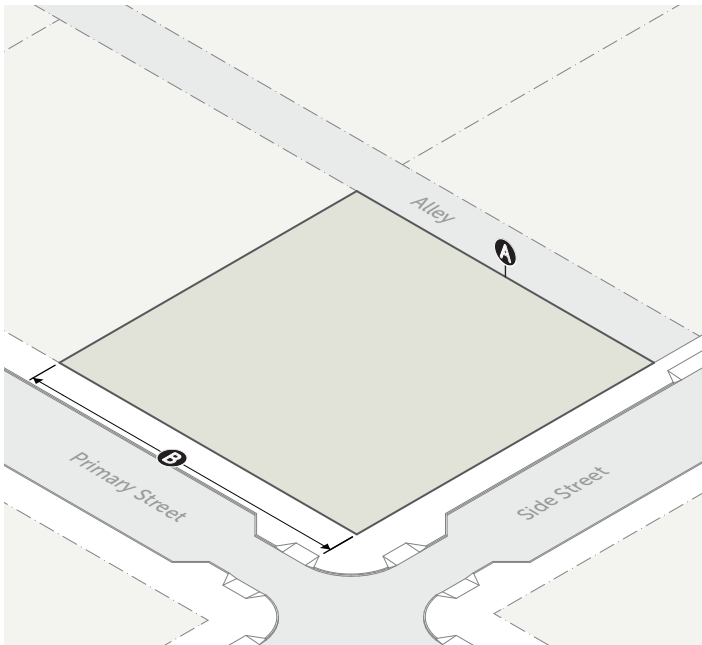
F. Addressing the Riverfront

Buildings must address the riverfront in addition to the street by applying the transparency standards and pedestrian access requirements of the primary street to the river side of the structure. Connections to the adjacent greenway trail should be made and sufficient bicycle parking provided.

2.6.2. D-GX Downtown General Mixed Use

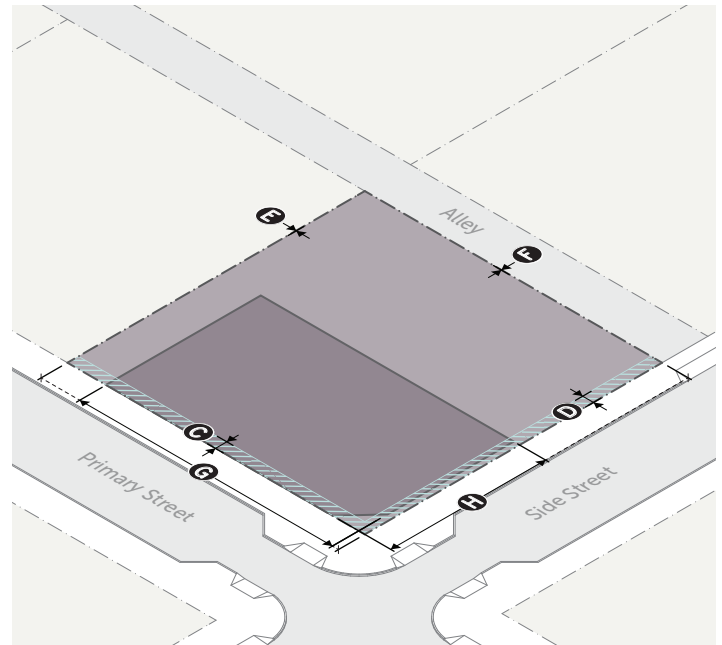
Intended for the side streets of downtown that connect to the main shopping district, which is generally Main Street. Buildings line the right-of-way to create an inviting, comfortable atmosphere for pedestrians, and mixed active uses are desired. The D-GX district allows ground floor residential or commercial uses.

A. Site



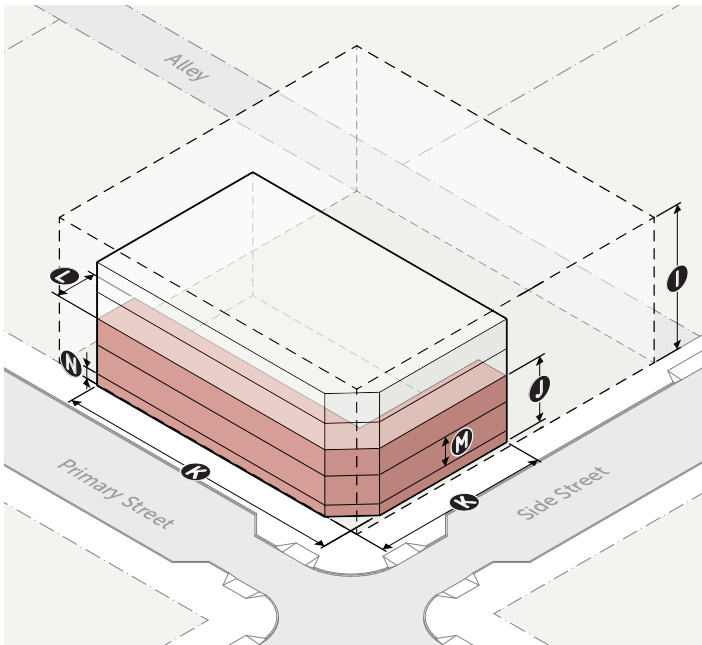
1. Lot	§2.9.2
A Lot area (min)	None
B Lot width (min)	15'
Impervious cover (max)	100%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D4
Between the building and the street	Type D2
Side/rear yard	Type D5

B. Placement

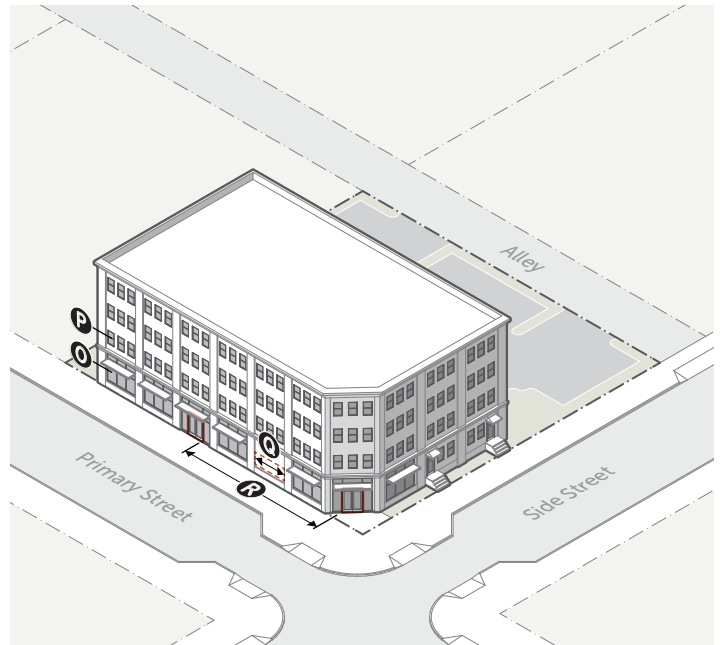


1. Setbacks	§4.1.1
C Primary street (min/max)	0'/5'
D Side street (min/max)	0'/5'
E Side lot line (min)	0'
F Rear lot line (min)	0'
2. Build-to Width	§4.1.2
G Primary street (min)	80%
H Side street (min)	60%
3. Parking Location	§4.2.2
No parking between the building and the street	

C. Massing



D. Activation



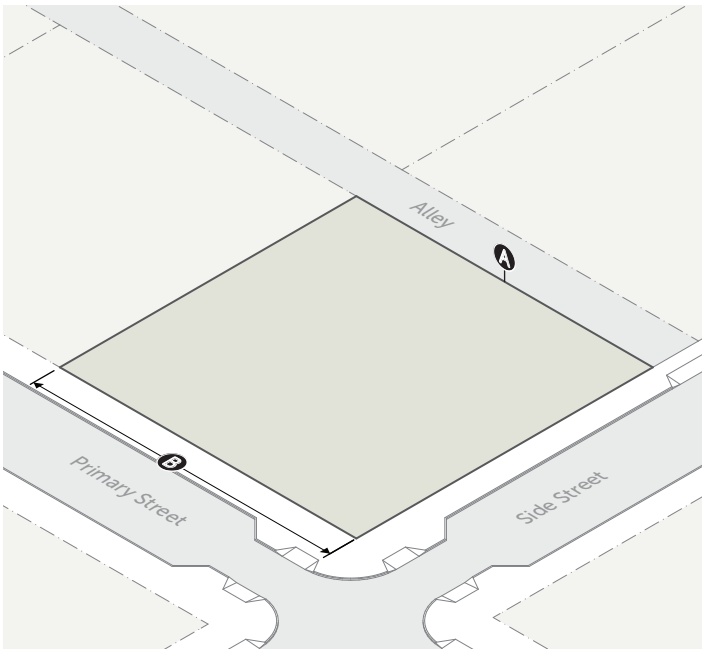
1. Structure		§4.1.3	
I	Height (max)	60'/5 stories	
J	Height (min)	2 stories	
K	Width (max)	150'	
L	Occupiable depth	Required	
		Residential	Non-residential
2. Floor Height		§4.1.4	
M	Ground story height (min)	11'	12'
N	Ground floor elevation (min/max)	2'/4'	0'/2'

	Primary St.	Side St.	
1. Transparency		§4.1.6	
O	Ground story (min)		
	Residential	20%	20%
	Nonresidential	50%	20%
P	Upper story (min)		
		20%	20%
Q	Blank wall width (max)		
		15'	20'
2. Pedestrian Access		§4.1.7	
	Street-facing entrance	Required	Required
R	Street-facing entrance spacing (max)		
		50'	75'

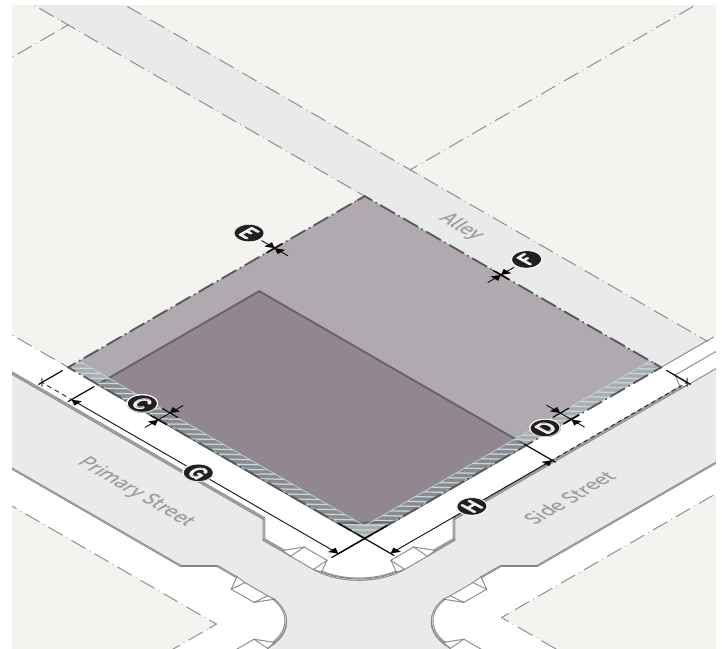
2.6.3. D-SX Downtown Shopfront Mixed Use

Intended to for a mix of uses in a pedestrian-oriented environment that prioritizes retail and other active commercial uses. Tall ground floors with high levels of transparency are required to be pulled up to the sidewalk to enhance the comfort of the pedestrian corridor. Main Street is the primary intended location for this district.

A. Site



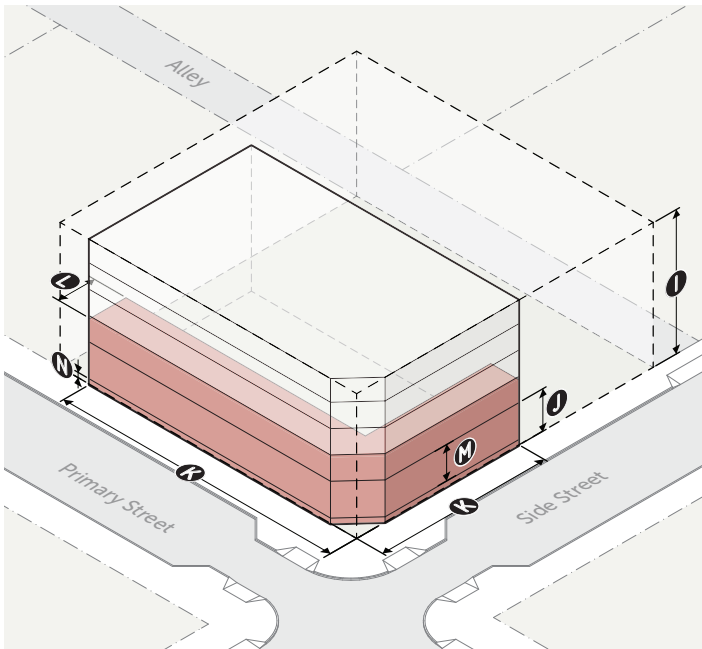
B. Placement



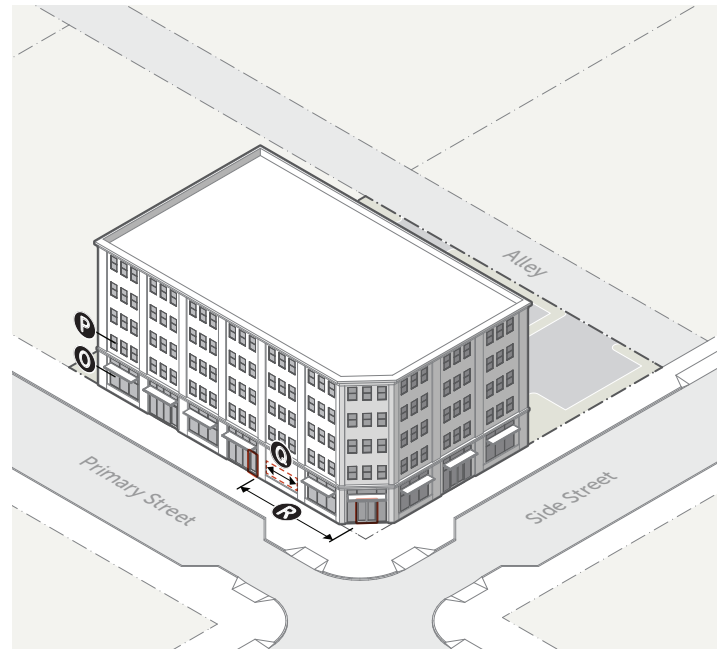
1. Lot	§2.9.2
A Lot area (min)	None
B Lot width (min)	15'
Impervious cover (max)	100%
2. Transitions	§4.3.6
Transition required	Type 1
3. Walls & Fences	§4.3.8
Primary/side street yard, except:	Type D4
Between the building and the street	Type D1
Side/rear yard	Type D5

1. Setbacks	§4.1.1
C Primary street (min/max)	0'/5'
D Side street (min/max)	0'/5'
E Side lot line (min)	0'
F Rear lot line (min)	0'
2. Build-to Width	§4.1.2
G Primary street (min)	90%
H Side street (min)	60%
3. Parking Location	§4.2.8
No parking between the building and the street	

C. Massing



D. Activation



1. Structure		§4.1.3
I	Height (max)	60'/5 stories
J	Height (min)	2 stories
K	Width (max)	150'
L	Occupiable depth	Required
2. Floor Height		§4.1.4
M	Ground story height (min)	14'
N	Ground floor elevation (min/max)	0'/2'

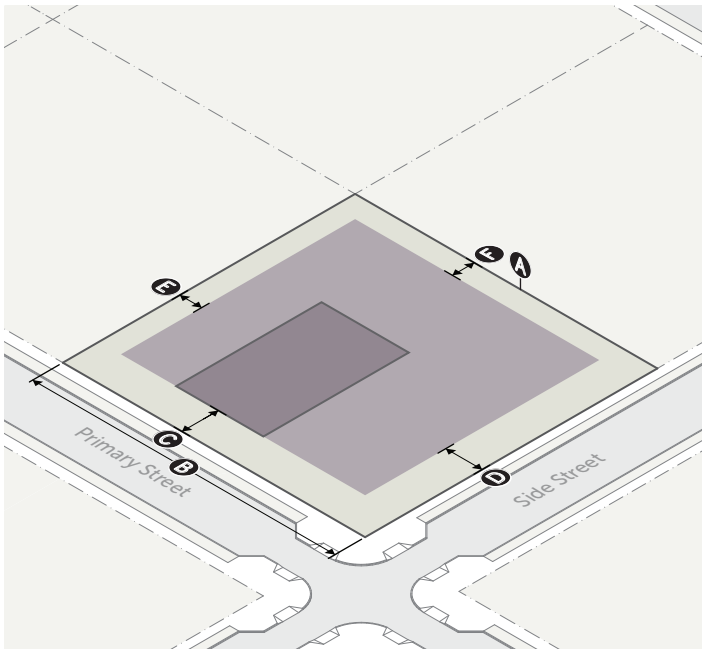
	Primary St.	Side St.
1. Transparency		
O	Ground story (min)	60% 30%
P	Upper story (min)	20% 20%
Q	Blank wall width (max)	10' 15'
2. Pedestrian Access		
	Street-facing entrance	Required Required
R	Street-facing entrance spacing (max)	50' 75'

Div. 2.7. Special Districts

2.7.1. IL Light Industry

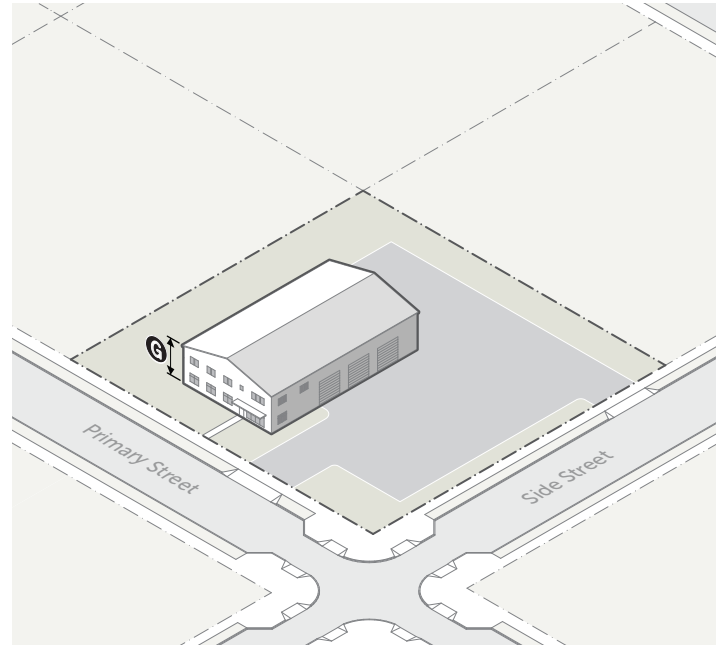
Intended for industrial uses with limited external effects, operated in a clean and quiet manner. Landscaping and buffering standards help screen adjacent residential and other protected areas.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	5,000 SF
B Lot width (min)	50'
Impervious cover (max)	75%
2. Transitions	§4.3.6
Transition required	Type 2
3. Walls & Fences	§4.3.8
Primary street yard	Type D4
Side street yard	Type D4
Side/rear yard	Type D6
4. Setbacks	§4.1.1
C Primary street (min)	25'
D Side street (min)	25'
E Side lot line abutting IL or IH (min)	6'
Side lot line abutting all other districts (min)	30'
Rear lot line abutting IL or IH (min)	10'
F Rear lot line abutting all other districts (min)	30'

B. Massing & Activation

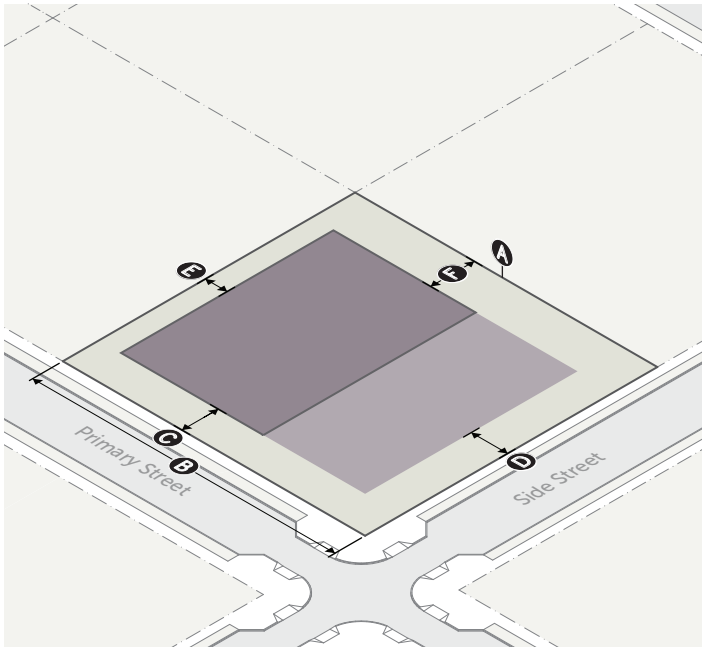


1. Structure	§4.1.3
G Height (max)	60'

2.7.2. IH Heavy Industry

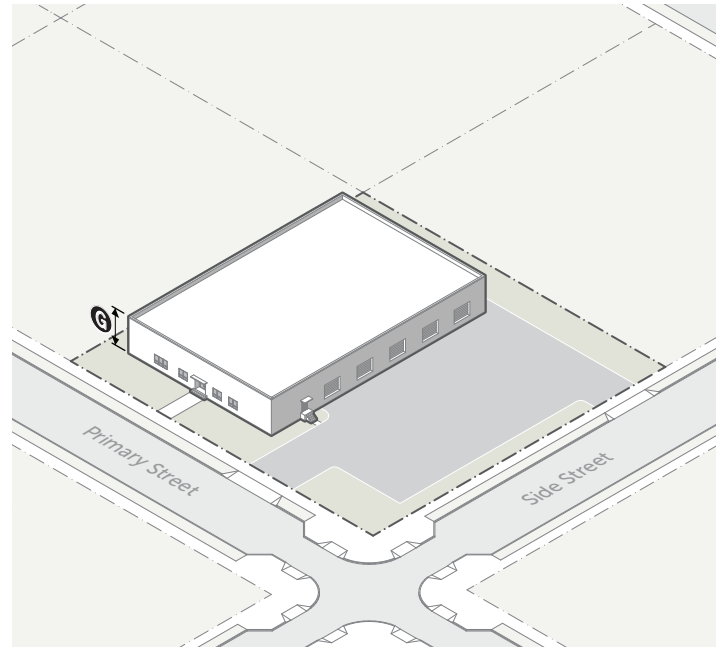
Intended for industrial uses that should be isolated from residences. These uses perform essential functions and land zoned for these uses should have limited encroachment by non-industrial uses. Industrial development is auto-oriented by nature, but opportunities for multi-modal entry into sites is desired.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	5,000 SF
B Lot width (min)	60'
Impervious cover (max)	75%
2. Transitions	§4.3.6
Transition required	Type 3
3. Walls & Fences	§4.3.8
Primary street yard	Type D4
Side street yard	Type D4
Side/rear yard	Type D6
4. Setbacks	§4.1.1
C Primary street (min)	25'
D Side street (min)	25'
E Side lot line abutting IL or IH (min)	15'
Side lot line abutting all other districts (min)	50'
Rear lot line abutting IL or IH (min)	15'
F Rear lot line abutting all other districts (min)	50'

B. Massing & Activation

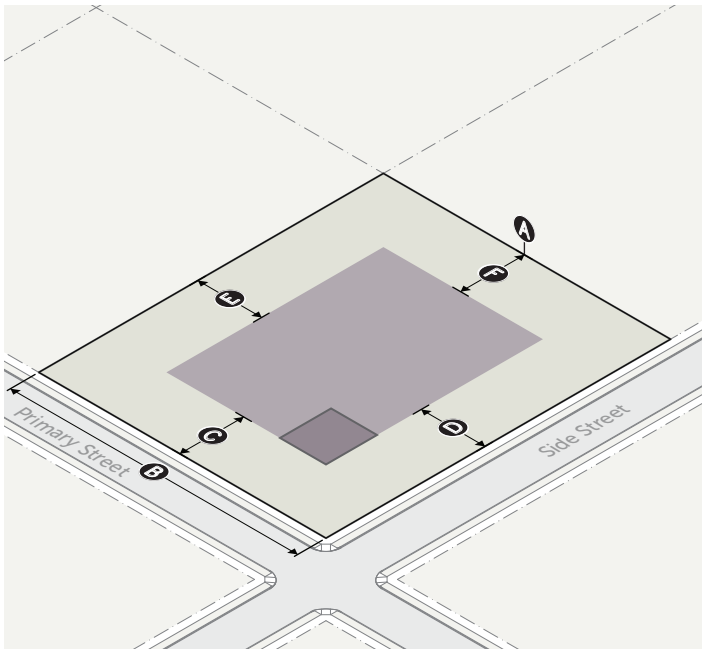


1. Structure	§4.1.3
G Height (max)	100'

2.7.3. AG Agriculture

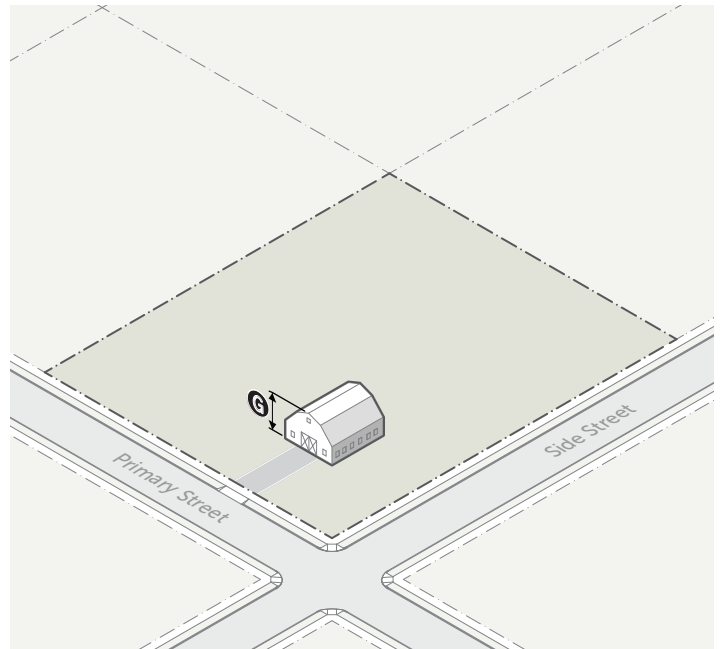
Intended for primarily agricultural lands that may be rezoned to develop more intensely in the future. Preservation of farmland may also be accomplished with the standards of this zone.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	2 acres
B Lot width (min)	100'
Impervious cover (max)	5%
2. Dwelling Units	§2.9.3
Dwelling units per lot (max)	1
3. Walls & Fences	§4.3.8
Primary/side street yard	Type D4
Side/rear yard	Type D5
4. Setbacks	§4.1.1
C Primary street (min)	50'
D Side street (min)	50'
E Side lot line (min)	20'
F Rear lot line (min)	50'

B. Massing & Activation

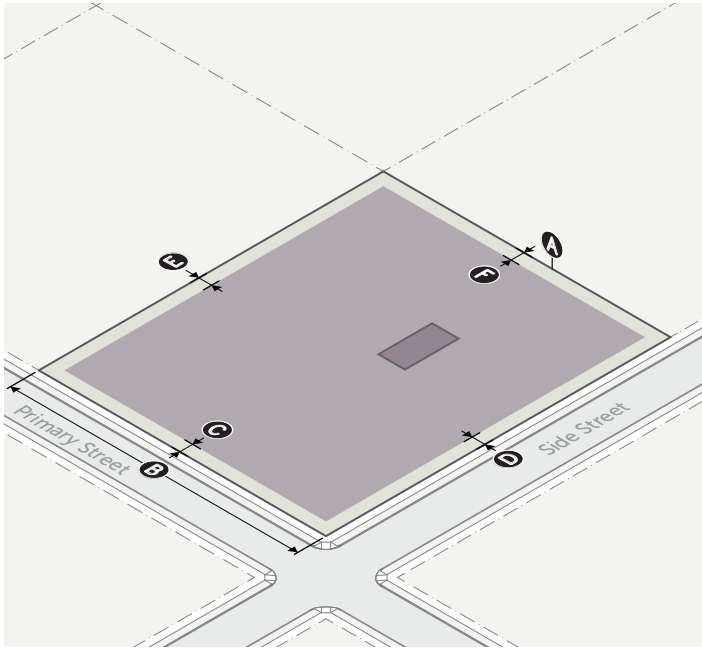


1. Structure	§4.1.3
G Height (max)	40'

2.7.4. PK Parks and Recreation

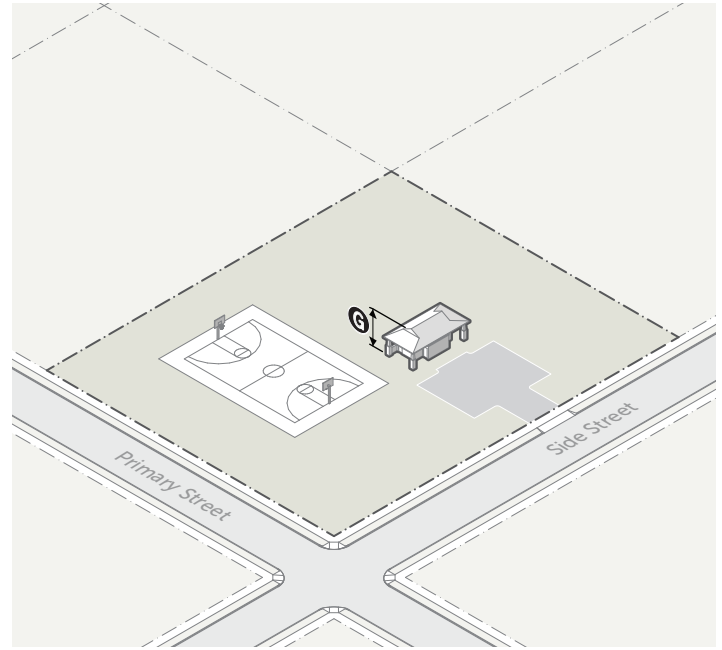
Intended primarily for public parks and recreation facilities where structures and parking lots are desired. Private recreation facilities may also be zoned with this category.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	5,000 SF
B Lot width (min)	75'
Impervious cover (max)	10%
2. Walls & Fences	§4.3.8
Primary/side street yard	Type D4
Side/rear yard	Type D5
3. Setbacks	§4.1.1
C Primary street (min)	10'
D Side street (min)	10'
E Side lot line (min)	10'
F Rear lot line (min)	10'

B. Massing & Activation

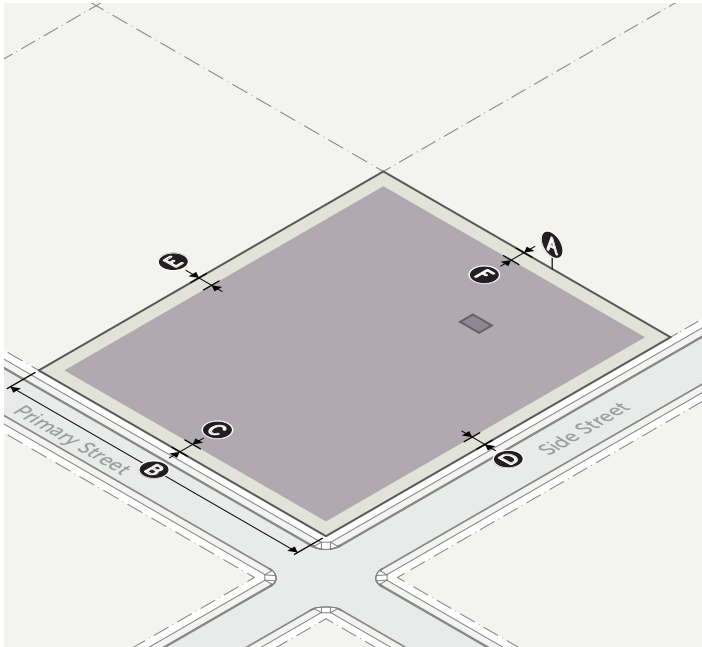


1. Structure	§4.1.3
G Height (max)	40'

2.7.5. CN Conservation

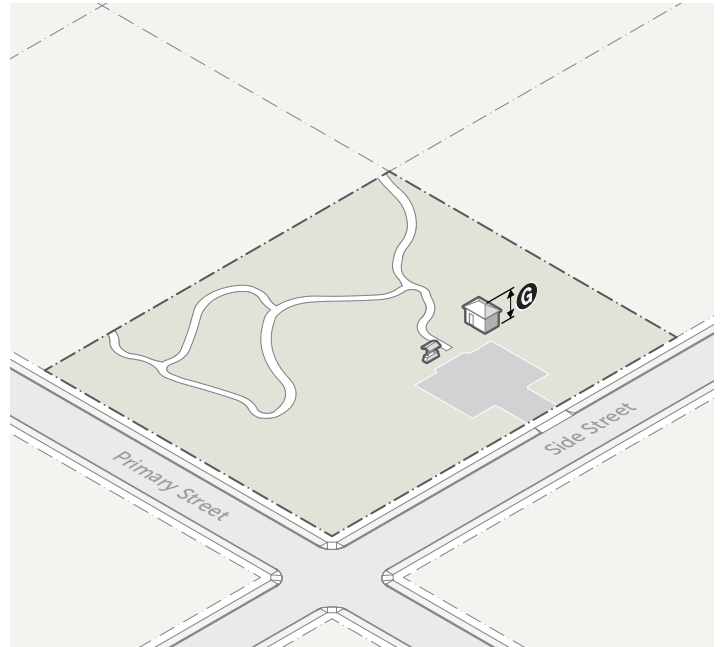
Intended to preserve and enhance land as permanent natural space. Allowed uses are consistent with this intent and include accessory structures appropriate to open space or conservation purposes.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	n/a
B Lot width (min)	n/a
Impervious cover (max)	5%
2. Setbacks	§4.1.1
C Primary street (min)	10'
D Side street (min)	10'
E Side lot line (min)	10'
F Rear lot line (min)	10'

B. Massing & Activation

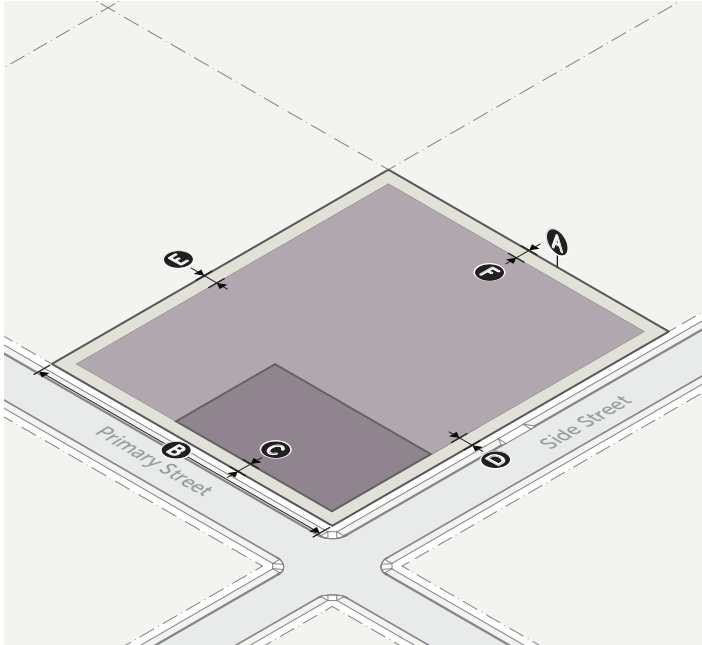


1. Structure	§4.1.3
G Height (max)	15'

2.7.6. CV Civic

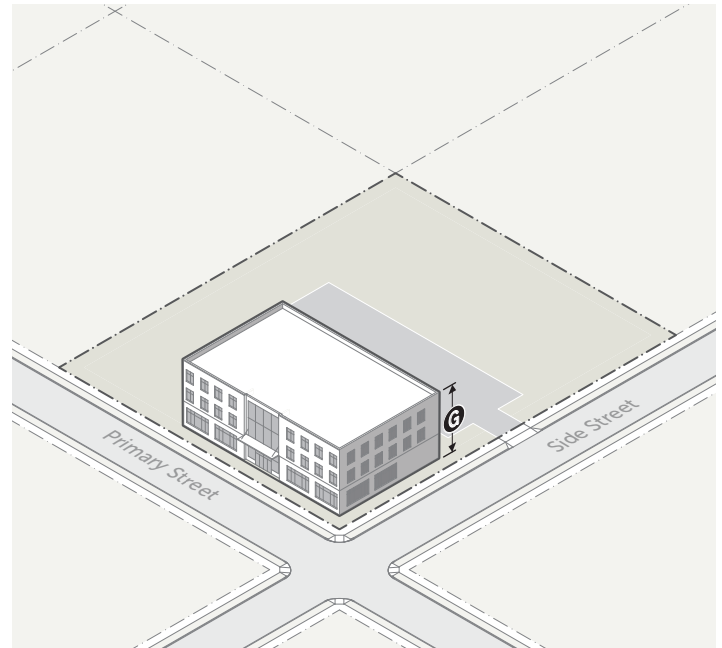
Intended to provide flexible standards for adaptive reuse of civic structures and construction of new civic structures like schools, campuses, and places of worship.

A. Site & Placement



1. Lot	§2.9.2
A Lot area (min)	5,000 SF
B Lot width (min)	50'
Impervious cover (max)	70%
2. Walls & Fences	§4.3.8
Primary/side street yard	Type D4
Side/rear yard	Type D5
3. Setbacks	§4.1.1
C Primary street (min)	10'
D Side street (min)	10'
E Side lot line (min)	10'
F Rear lot line (min)	10'

B. Massing & Activation



1. Structure	§4.1.3
G Height (max)	60'

Div. 2.8. Overlay Districts

2.8.1. Establishment

Every parcel of land and any buildings or structures on that land in the City of Piqua may be subject to the provisions of one or more Overlay Districts, as established in this Division. Wherever the regulations differ between the Base and Overlay Districts, the regulations that impose the more site-specific provisions prevail.

OVERLAY DISTRICTS	
Historic Landmark Overlay	HLO
Cottage Court Overlay	CCO

2.8.2. Historic Landmark Overlay

A. Establishment

A Historic Landmark Overlay (HLO) may be established by ordinance of the City Commission upon recommendation of the Planning Commission. Structures may be subsequently added to the HLO registry by resolution of the City Commission upon recommendation by the Planning Commission. Structures within an HLO are required to follow the standards of this section as well as any other standards in this Development Code pertaining to an HLO. This registry will be maintained as a GIS record by the Development Department.

Until such time that an HLO is formally established by ordinance of the City Commission, the Downtown Historic District will remain in place and will follow all standards of HLOs within this Development Code.

B. Registration Considerations

1. To include a property in the adopted HLO registry, the Planning Commission must determine whether a structure or site is significant based on the structure's:
 - a. value as a reminder of the cultural or archaeological heritage of the City, state or nation;
 - b. location as a site of a significant local, state, or national event;
 - c. identification with a person or persons who significantly contributed to the development of the City, state or nation;
 - d. identification as the work of a master builder, designer or architect whose individual work has influenced the City, state or nation;
 - e. value as a building that is recognized for the quality of its architecture and that retains sufficient elements showing such architectural significance;
 - f. example of an architectural style or period;

- g. contribution to the historical nature of the overall historic neighborhood area; and
- h. character as a contributing element in a designated historic district, if applicable.

C. Demolition by Neglect

1. Demolition by neglect is prohibited.
2. Demolition by neglect means any failure in the maintenance and repair of any site or structure within any historic district that results in any of the following conditions:
 - a. the deterioration of the foundation, exterior wall, roof, chimney, door or window, to an extent that creates or permits a hazardous condition to exist; or
 - b. the deterioration of the foundation, exterior wall, roof, chimney, door or window, the lack of adequate waterproofing, or the deterioration of interior features which will or could result in permanent damage, injury, or loss of the foundations, exterior wall, roof, chimney, door or window of the structure.

D. Modifications

Exterior modifications of a historic structure require a Certificate of Appropriateness (§7.2.10).

E. Accidental Damage

An owner of a registered historic property will be responsible for maintaining adequate insurance coverage of an amount to cover any damage to the exterior of the structure, including the total reproduction of the building and any historically significant accessory buildings should any damage occur or demolition be necessary due to fire, flood, or other accidental cause. If insurance coverage is not maintained, the owner will be responsible for the cost of repairs.

2.8.3. Cottage Court Overlay

A. Intent

Intended to facilitate the construction of an arrangement of houses around a shared courtyard, and to produce a development pattern that is focused on the pedestrian and a shared sense of community.

B. Application and Administration

1. A Cottage Court Overlay may be applied to a district by following the approval process of §7.2.2 Text or Zoning Map Amendment. Application of a Cottage Court Overlay to a district area will subject that area to the standards of this section.
2. A Cottage Court Overlay may not be applied without an associated master plan. The plan must show street and pedestrian connection layout, proposed lot subdivisions, density of units, total number of units to be constructed, and the organization of features around the courtyard.
3. Where lots are created to encompass shared infrastructure and common areas, a homeowners' association must be created which manages all common areas and shared infrastructure. See Div. 6.2 for standards. Alternatively, another management plan for common areas may be accepted.

4. After approval of a Cottage Court Overlay, the Development Director will issue permits for construction within the Overlay. Revision of any of the items listed as required information for the associated master plan (§2.8.4.B.2 above) require an approval of a master plan amendment by the Planning Commission. Changes which, from the assessment of the Development Director, do not vary these approved standards or are otherwise considered minor and within the scope of the master plan will be reviewed by the Director for approval. Where principal structures are subdivided on their own lots, introduction of new accessory dwelling units which follow standards found in Div 3.2 may be approved by the Development Director.
5. No master plan may be approved by the Planning Commission that does not adhere to the minimum standards set by this section.
6. If a master plan associated with a Cottage Court Overlay involves subdivision of land, an approved Cottage Court Overlay District and master plan will expire if a final plat for subdivision is not approved within 24 months of the effective date of the resolution adopting the Overlay. If no subdivision is proposed in the associated master plan, the Overlay will expire if construction has not commenced within 24 months of the effective date of the resolution adopting the Overlay. The land would then return to all rules associated with the base zoning district.

C. Base Zoning and Uses

A Cottage Court Overlay may be applied to any residential district including, RE-20, RE-10, RE-6, RA, RM, T-RL, T-RM, and T-RH. The uses within the cottage court are limited to the uses listed for the base zone in Div. 3.1 Use Classification.

D. Connectivity

1. Except where stream, river, or steep slope topography prevents connectivity through the site, pedestrian connections through the block are required. One ADA-compliant pedestrian connection of at least 5' in width, fully separated from vehicles, is required per maximum block length. (see §6.3.2)
2. Vehicle improvements sufficient to meet needs of fire safety, sanitation, and public utility service vehicles, and to connect vehicles to internal parking spots and garages are required, as specified in the City of Piqua Design Criteria and Standard Drawings.

E. Standards

1. A cottage court development must have a minimum of 4 detached dwelling units.
2. At least one courtyard is required.
3. A minimum of 4 dwelling units located within a cottage court development must have the primary building facade oriented toward a courtyard.
4. Courtyards which have structures fronting them must have a minimum width of 25 feet and a minimum area of 1,000 SF.
5. Lots that front a courtyard must meet the following design standards:

- a. a minimum lot width of 20 feet (§2.9.2.)
 - b. a minimum lot area per detached unit of 1,200 square feet, or a minimum lot area per attached unit of 1,000 square feet. (§2.9.2.)
6. Structures that front a courtyard must meet the following design standards:
- a. must have a maximum structure width of 50 feet (§4.1.3);
 - b. must have a maximum ground floor elevation of 4 feet (see §4.1.4);
 - c. must have a minimum transparency of 10% on ground and upper stories along primary streets, side streets, and the courtyard (§4.1.6.A); and
 - d. must have a maximum blank wall width of 15 feet along primary streets and 20 feet along side streets (§4.1.6.B).
7. Design of Cottage Courts should include variability of dimensions and color to add interest and sense of place.
8. For structures that front a primary or side street, and their associated lots, all standards must derive from the base zoning district. Garages and driveways must orient toward internal alleys wherever feasible, and curb cuts to primary and side streets for new driveways should be minimized.
9. The maximum impervious cover (§2.9.2.E) for the total development may not exceed 80%.
10. A Transportation Management Plan must be submitted for review. (§4.2.5)
11. A Cottage Court master plan must contain a landscaping plan. Introducing increased tree canopy, bioretention, community gardens, and native landscaping are encouraged. A minimum of 10% tree canopy coverage is required, and large shade trees should be used to meet this minimum standard wherever allowed by site conditions.

Div. 2.9. Interpretation

2.9.1. General Provisions

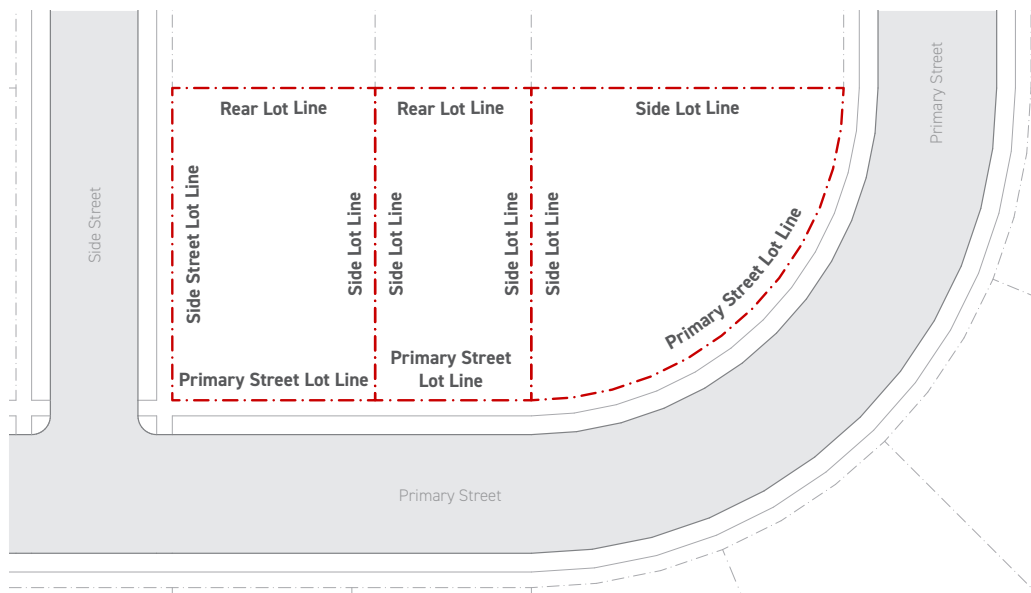
A. Street Designation

1. Public rights-of-way adjacent to a lot are classified as either primary streets, side streets or alleys. Rivers, bike paths and trails are public rights-of-way but are not considered streets.
2. When a lot abuts only one street, the street is considered a primary street.
3. A lot that abuts multiple streets must designate at least one as a primary street.
4. A lot may abut more than one primary street.
5. Where right-of-way has not been fully dedicated, right-of-way easements and limited access easements act as the lot line for interpreting standards.

B. Lot Line Designation

1. General

- a. Each lot line has only one designation.
- b. Each lot line has one of the following designations:
 - i. primary street lot line;
 - ii. side street lot line;
 - iii. rear lot line;
 - iv. side lot line; or
 - v. alley lot line.



2. Primary Street Lot Line

- a. A lot line separating a lot from a primary street right-of-way.
- b. Each lot must have at least one primary street lot line. A lot may have more than one primary street lot line.
- c. For sites that abut multiple streets, a primary street lot line is determined by the Development Director using the following:
 - i. the street or streets with the highest classification;
 - ii. the established orientation of the block;
 - iii. the street abutting the longest face of the block;
 - iv. the street parallel to an alley within the block;
 - v. the street that the site takes its address from; and
 - vi. the primary street designation of adjacent development, either existing or approved.
- d. A lot line abutting a park, open space, river, trail or pedestrian path can be designated as a primary street lot line.
- e. Once designated for a site, a primary street lot line cannot be changed (e.g., a primary street lot line cannot, for purposes of subsequent development, be re-designated a side street lot line) unless all standards of the applicable zoning district are met based on the proposed change in street lot line designation.

3. Side Street Lot Line

A lot line separating a lot from a side street right-of-way. Any street lot line not determined to be a primary street lot line is considered a side street lot line.

4. Rear Lot Line

A lot line that does not abut a street or alley right-of-way and is opposite and most distant from a primary street lot line.

- a. A lot may have no more than one lot line designated as a rear lot line.
- b. In the case of a lot that fronts two streets on opposite sides, there may be no rear lot line.
- c. Where no lot line is clearly opposite to the primary street lot line or where there are multiple primary street lot lines, the lot line having the highest portion of its length serving as the rear lot line of abutting lots is the rear lot line.

5. Side Lot Line

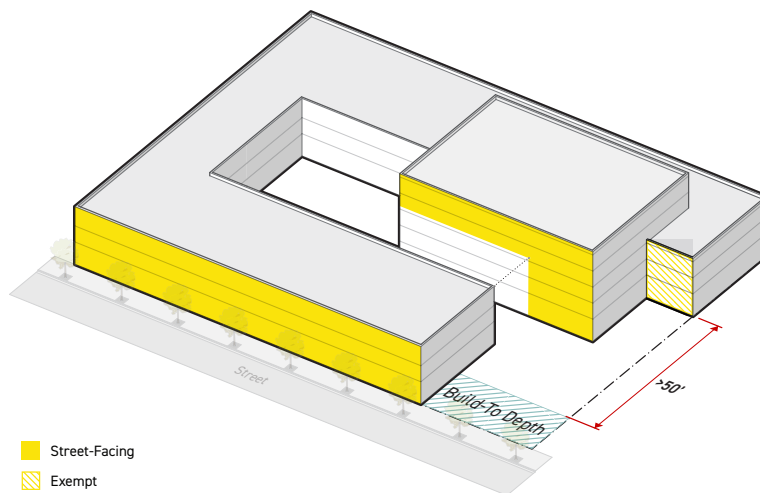
Any lot line not determined to be a primary street, side street, rear or alley lot line.

6. Alley Lot Line

Any lot line separating a lot from an alley right-of-way. Even when a lot line qualifies as a rear lot line or side lot line, all lot lines that abut an alley right-of-way are considered an alley lot line.

C. Street-Facing Facades

1. The portion of a building facade (when projected approximately parallel to the primary or side street lot line) with no permanent structure located between the building facade and the applicable primary or side street lot line are considered street-facing.
2. Portions of a building that are 50' or farther from the build-to-depth do not need to conform to street-facing facade access requirements.



D. Yard Designations

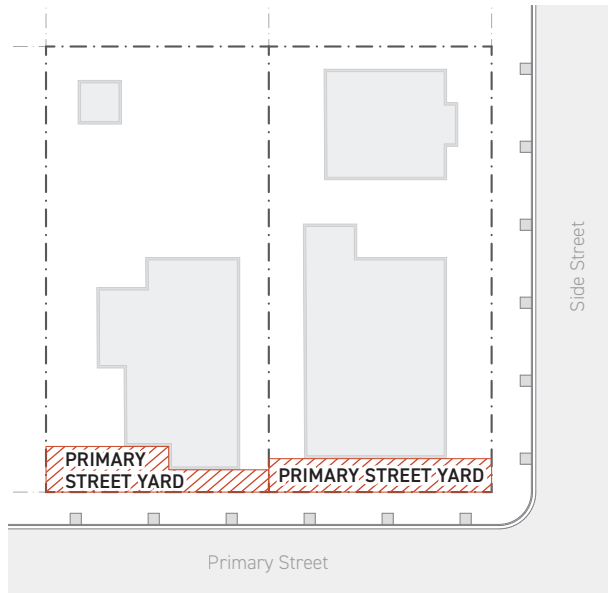
1. General

- a. All portions of a lot not within the exterior walls of a building are designated as either a primary street yard, side street yard, side yard or rear yard.
- b. No portions of a lot may have more than one yard designation.
- c. Yards are determined in the following order: (1) primary street yard; (2) side street yard, if any; (3) rear yard; and (4) any side yard.

2. Primary Street Yard

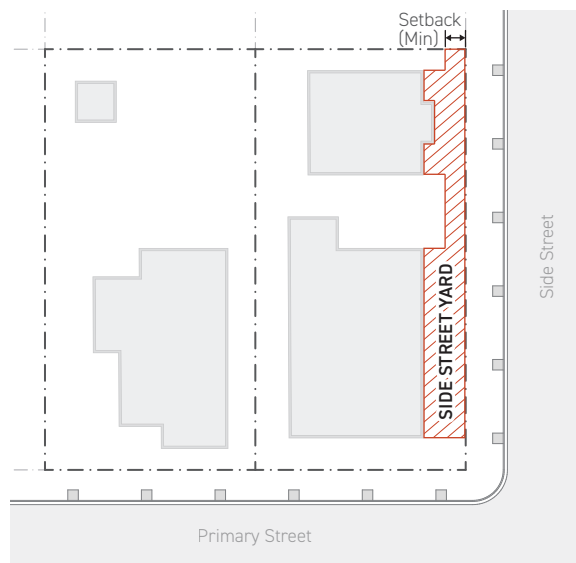
- a. A primary street yard includes the full width of a lot that is located between a primary street lot line and the principal building.

- b.
- c. A primary street yard does not include any building facade set back at least 20 feet from the principal building's street-facing facade.



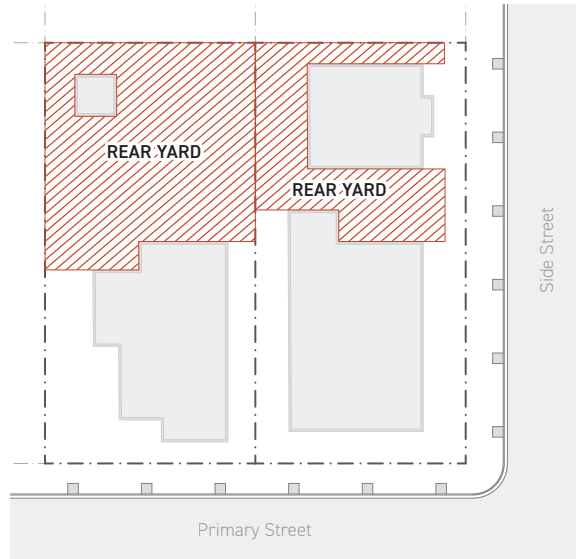
3. Side Street Yard

- a. A side street yard includes the full depth of a lot that is located between a side street lot line and the principal or accessory building.
- b. For portions of the lot width where there is no primary or accessory building, the side street yard includes only portions of the lot included in the side street setback.
- c. A side street yard does not include any building facade set back at least 20 feet from the principal or accessory building's street-facing facade.



4. Rear Yard

- a. A rear yard includes the full width of a lot that is located between a rear lot line or alley lot line if applicable, and the principal building.
- b. A rear yard does not include any building facade set back at least 20 feet from the principal building's rear facade.



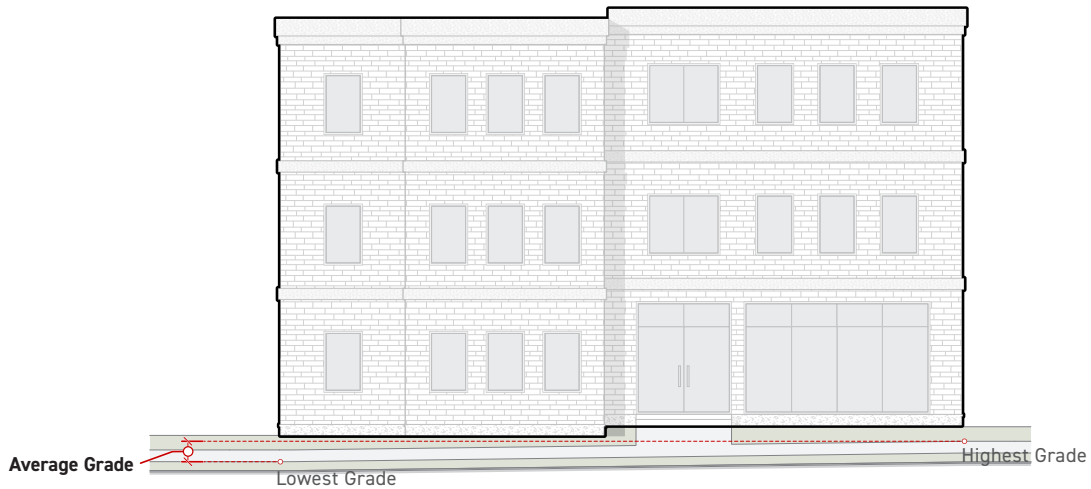
5. Side Yard

The remaining portions of a lot between a side lot line and a principal building.

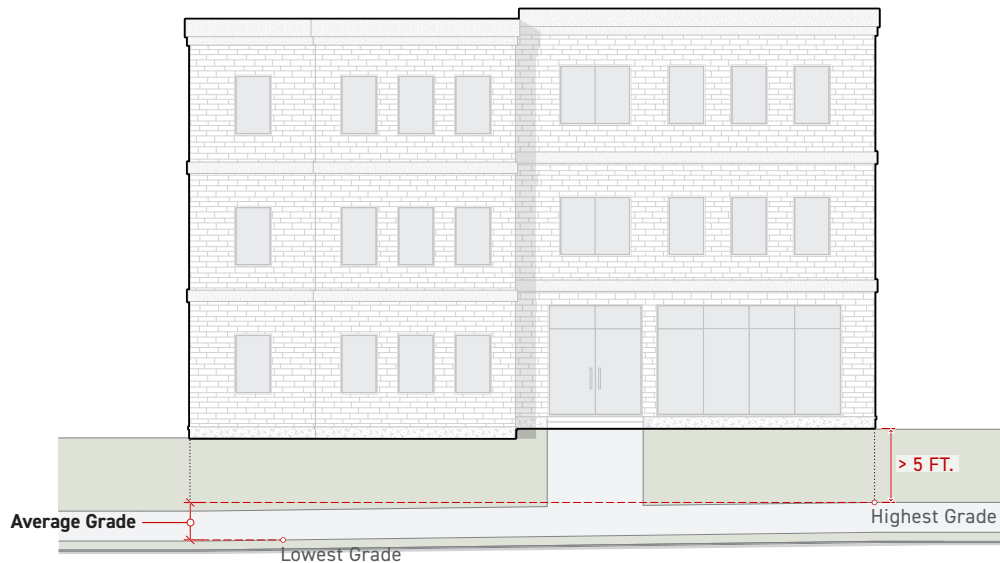


E. Average Grade

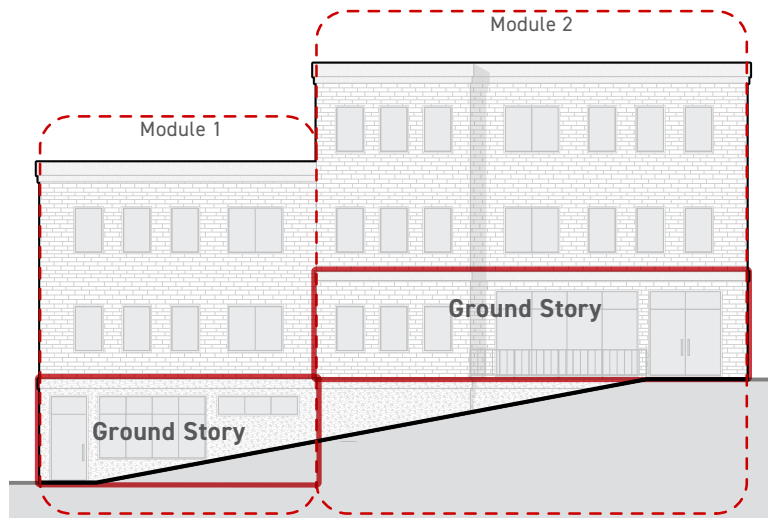
1. Average grade is calculated by averaging the highest and lowest elevation of the sidewalk in front of the primary street-facing building facade.



2. Where the sidewalk is more than 5 feet from the primary street-facing building facade, average grade is calculated by averaging the highest and lowest elevation within 5 feet of the primary street-facing building facade.



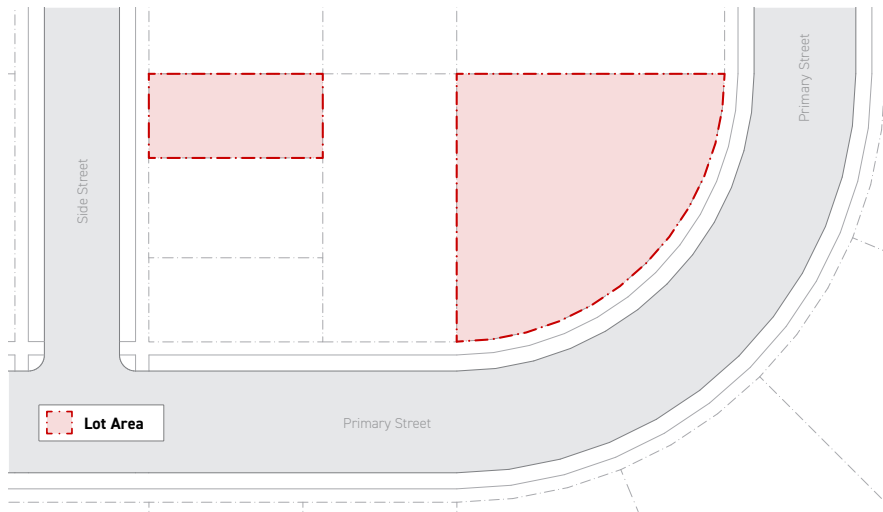
3. Large buildings and those developed on sites with significant topographic variation may calculate average grade independently for each building module that steps up or down the slope.



2.9.2. Lot

A. Lot Area

1. A lot must have an area of at least the minimum lot area specified by the district, if applicable.
2. Lot area is measured as the total area within the boundary of a lot.
3. Lot area includes required easements.
4. Lot area does not include existing or proposed right-of-ways.



B. Lot Width

1. Lot width is measured following the geometry of all primary street lot lines that bound the lot. Minimum lot width requirements apply to both primary and side street lot lines.
2. Where a lot has an access strip of land or an access easement to a street that does not meet the minimum lot width, the minimum lot width can be measured at a location other than along the street frontage.
3. An existing lot with a zoning district that requires a larger minimum lot width or a transition screening requirement that cannot be met is considered unusable for development, and should be combined with additional land. Certain exceptions may be made by the Development Director for development of temporary or recreational structures or other site and use-specific arrangements.
4. Around a cul-de-sac, the required minimum lot width may be reduced by the Development Director.

C. Lot Area Per Unit

Lot area per unit is calculated by dividing the lot area by the number of dwelling units on the lot.

D. Lot Width Per Unit

1. A lot width no smaller than the minimum lot width per unit required by the district must be provided for each dwelling unit located on the lot.
2. Lot width per unit is calculated by dividing the total lot width by the number of dwelling units located on the lot.

E. Impervious Cover

1. Intent

To ensure that the amount of impervious ground coverage on a lot is limited to assist in stormwater management and improve the overall environmental health of the city.

2. Interpretation

- a. Impervious cover is calculated by dividing the cumulative area of all impervious surfaces by the lot area, and is represented as a percentage of the lot area. A lot must have no more than the maximum impervious cover allowed by the district.
- b. Impervious surfaces, for the purpose of impervious cover calculation include, but are not limited to, the following:
 - i. roads;
 - ii. buildings, sheds, and similar structures;

- iii. flatwork including concrete slabs, sidewalks, patios, parking areas, pool coping and driveways;
 - iv. mechanical equipment;
 - v. impermeable construction covering the natural land surface; and
 - vi. for an uncovered wood deck that has drainage spaces between the deck boards and that is located over a pervious surface, 25% of the area of the deck.
- c. Impervious surfaces, for the purpose of impervious cover calculation, does not include the following:
- i. the surface water area of ground-level pools, fountains and ponds;
 - ii. sidewalks in a public right-of-way or public easement;
 - iii. multi-use trails open to the public and located on public land or in a public easement;
 - iv. water quality controls, excluding subsurface water quality controls;
 - v. detention basins, excluding subsurface detention basins;
 - vi. drainage swales and conveyances; and
 - vii. surfaces constructed with permeable materials including gravel, porous pavement, permeable pavers.

2.9.3. Dwelling Units

- A. The lot width determines the maximum number of units allowed on the lot.
- B. Dwelling units must be attached, unless stated otherwise in the Development Code.
- C. On corner lots, for the purpose of determining the maximum number of dwelling units, lot width can be measured using either the primary street lot line or the side street lot line. The allocation of dwelling units can only be counted for either the primary street lot line or the side street lot line, not both. A corner lot may be subdivided into additional lots.
- D. Lot width will be rounded up to the next nearest whole number.
- E. An ADU is not counted as a dwelling unit for the purposes of this section.

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Div. 3.1. Use Classification

3.1.1. Principal Uses

A. Allowed Uses

1. The use table in Div. 3.2 establishes permitted principal uses by district. No structure or lot may be used except for a purpose permitted in the district in which it is located.
2. In order to regulate a variety of similar uses, use groups have been established for principal uses. Use groups provide a systematic basis for assigning uses to appropriate groups with other similar uses. Use groups classify principal uses and activities based on common functional product or physical characteristics.
3. Where a use group contains a list of uses, the list is to be considered example uses, and not all-inclusive.

B. Uses Not Listed

1. A use not specifically listed is not allowed unless the Development Director interprets the proposed use to be part of an existing use group as described below.
2. To determine whether a proposed use fits within a use group, the Development Director must consider the following criteria:
 - a. the actual or projected characteristics of the proposed use;
 - b. the relative amount of site area or floor area and equipment devoted to the proposed use;
 - c. relative amounts of sales;
 - d. the customer type;
 - e. the relative number of employees;
 - f. hours of operation;
 - g. building and site arrangement;
 - h. types of vehicles used and their parking requirements;
 - i. the number of vehicle, pedestrian and bicycle trips generated;
 - j. how the proposed use is advertised;
 - k. the likely impact on surrounding properties;
 - l. whether the activity is likely to be found independent of the other activities on the site; and
 - m. the auto-oriented versus pedestrian-oriented nature of the use.

3.1.2. Accessory Uses

For accessory use standards, see Div. 3.7.

3.1.3. Temporary Uses

For temporary use standards, see Div. 3.8.

3.1.4. Prohibited Uses

A. Marijuana Cultivators and Processors

1. It is the purpose and intent to prohibit licensed cultivators and processors within the municipal corporation in any zoning district.
2. The definitions enumerated below must hold the same meaning and be as used and referenced throughout Chapter 3796 of the Ohio Revised Code.
 - a. Cultivator, meaning the holder of a valid cultivator license as described in §3796.18 of the Ohio Revised Code.
 - b. Marijuana, meaning marihuana as defined in §3719.01 of the Ohio Revised Code.
 - c. Medical marijuana, meaning marijuana that is cultivated, processed, tested, possessed, or used for a medical purpose.
 - d. Processor, meaning the holder of a valid processor license as described in §3796.19 of the Ohio Revised Code.
3. Cultivators and processors licensed by the State of Ohio Medical Marijuana Control Program are prohibited within the municipal corporation limits of Piqua.

B. Manufactured Home Parks

1. The expansion of existing manufactured home parks, as defined in Section 4781.01 of the Ohio Administrative Code, and the construction of any new manufactured home park within the municipal corporation limits of Piqua, is prohibited by this Development Code.
2. The placement of a manufactured home unable to meet the latest effective rules of the United States Federal Government and State of Ohio is prohibited anywhere within the corporation limits of Piqua, Ohio. This prohibition includes any new installation within existing manufactured home parks.

C. Mining

Mining, both as described in Section 1561 (mine and quarry definitions) and in Section 1514 (other surface mining definitions) of the Ohio Revised Code, is a prohibited use within the corporation limits of Piqua. New mining, and the expansion of existing mines, is not permitted within the corporation limits of Piqua.

Div. 3.2. Primary Use Table

3.2.1. Primary Use Table Key

A. Uses Permitted as Principal Use (P)

A use denoted by the letter "P" is permitted in that district, subject to all other applicable sections of this Development Code.

B. Uses Permitted Subject to Special Use Permit (S)

A use denoted by the letter "S" is only permitted if a Special Use permit has been approved (§7.2.3). The use is also subject to all other applicable requirements of this Development Code.

C. Uses Not Permitted

A use denoted by a dash (--) is not permitted in that district.

PRIMARY USE TABLE	SUBURBAN								TRADITIONAL						DOWN-TOWN			SPECIAL					Definitions /Use Stds.			
	RE-20	RE-10	RE-6	S-RA	S-RM	NX	CX	CO	RX	T-RL	T-RM,-E	T-RH	T-FX	T-NX	T-GX	T-SX	D-RF	D-GX	D-SX	IL	IH	AG		PK	CN	CV
USE CATEGORY																										
Use Group																										
Specific Use																										
RESIDENTIAL USES																										\$3.3
Household living:																										\$3.3.1
Single-unit living	P	P	P	P	--	--	--	--	--	P	P	--	P	P	P	P	--	--	--	--	--	P	--	--	--	
Two-unit living	--	--	--	P	P	--	--	--	--	P	P	P	P	P	P	P	--	--	P	--	--	--	--	--	S	
Multi-unit living	--	--	--	P	P	S	S	S	P	P	P	P	P	P	P	S	P	P	--	--	--	--	--	--	S	
Live/work	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	--	P	S	--	--	--	--	--	S	
Group/assisted living	--	--	--	S	S	S	P	--	P	S	S	S	S	S	P	S	--	S	--	--	--	--	--	--	--	\$3.3.2
PUBLIC USES																										\$3.4
Civic:																										\$3.4.1
Cemetery	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P*	
Civic facility	--	--	--	--	--	P	P	--	P	--	--	--	P	P	P	--	--	P	S	--	--	--	S	--	P	
Club/lodge	--	--	--	--	--	P	P	--	P	--	--	--	P	P	P	P	P	P	S	--	--	--	--	--	--	
College/university	--	--	--	--	--	--	P	P	P	--	--	--	P	--	P	P	P	P	S	S	S	--	--	--	P	
Library/museum	--	--	--	--	--	P	P	--	P	S	S	S	P	P	P	P	P	P	S	P	--	--	S	--	P	
Place of worship	--	--	--	--	--	P	P	--	P	--	--	--	--	P	P	P	--	P	--	--	--	--	--	--	P	
School, preK-12	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	
Essential services:																										\$3.4.2
Emergency service facility	--	--	--	--	--	--	P	P	P	--	--	--	P	--	P	--	--	P	--	P	P	--	--	--	P	
Essential service facility	--	--	--	--	--	S	S	S	S	--	--	--	S	--	P	--	--	--	--	P	P	--	--	--	--	
Solar field	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	
Wind turbine field	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	
Recreation & open space:																										
Conservation area	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	--	P	--	--	--	--	--	P	P	P	
Golf course	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	--	--
Park, recreation field	P	P	P	P	P	P	--	--	--	P	P	P	P	P	P	P	P	P	--	--	--	P	P	--	P	
COMMERCIAL USES																										\$3.5
Adult business	--	--	--	--	--	--	S	--	S	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	\$3.5.1
Agriculture:																										\$3.5.2
Commercial agriculture	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	--	--	--	
Community garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	--	--	--	P	P	--	P	
Plant nursery	--	--	--	--	--	P	P	--	P	--	--	--	P	P	P	P	--	S	S	P	P	P	--	--	--	
Animal care																										\$3.5.3
Indoor animal care	--	--	--	--	--	P	P	--	P	--	--	--	P	P	P	P	S	P	S	P	--	P	--	--	--	
Outdoor animal care	--	--	--	--	--	--	--	--	--	--	--	--	S	--	S	--	--	--	--	P	--	P	--	--	--	
Day care	--	--	--	--	P	P	P	P	P	--	--	P	S	P	P	P	P	P	S	--	--	--	--	--	--	\$3.5.4
Hospitality:																										\$3.5.5
Hotel	--	--	--	--	--	P	P	P	P	--	--	--	S	S	P	P	P	P	S	--	--	--	--	--	--	
Short-term rental	P	P	P	P	P	P	P	--	P	P	P	P	P	P	P	P	P	S	--	--	--	P	--	--	--	

P = Permitted S = Requires a Special Use Permit -- = Use Not Permitted
All uses are subject to use-specific standards as listed in this chapter

PRIMARY USE TABLE	SUBURBAN									TRADITIONAL						DOWN-TOWN			SPECIAL					Definitions /Use Stds.		
	RE-20	RE-10	RE-6	S-RA	S-RM	NX	CX	CO	RX	T-RL	T-RM,-E	T-RH	T-FX	T-NX	T-GX	T-SX	D-RF	D-GX	D-SX	IL	IH	AG	PK		CN	CV
Indoor recreation	--	--	--	--	--	P	P	--	P	--	--	--	P	S	P	P	P	P	S	S	S	--	S	--	--	\$3.5.6
Medical, except as listed below:	--	--	--	S	S	P	P	P	P	--	--	--	P	P	P	P	P	P	S	P	P	--	--	--	--	\$3.5.7
Hospital	--	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	--	P	--	--	--	--	--	--		
Medical marijuana dispensary	--	--	--	--	--	P	P	P	P	--	--	--	--	--	P	--	--	--	--	--	--	--	--	--		
Office	--	--	--	--	--	P	P	P	P	--	S	P	P	P	P	P	P	P	S	P	P	--	--	--	P	\$3.5.8
Outdoor recreation, except as listed below:	--	--	--	--	--	--	S	--	S	--	--	--	--	--	S	--	--	S	--	S	S	--	P	--	--	\$3.5.9
Shooting range	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	S	S	--	--	--	\$3.5.9.A
Parking facility:																									\$3.5.10	
Remote shared parking	--	--	--	--	--	--	--	--	--	--	--	--	P	P	P	P	P	P	--	--	--	--	--	--		
Remote parking	--	--	--	--	--	P	P	P	P	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	
Personal service	--	--	--	--	--	P	P	--	P	--	S	P	P	P	P	P	P	P	S	--	--	--	--	--	\$3.5.11	
Restaurant	--	--	--	--	--	P	P	P	P	--	--	P	P	P	P	P	P	P	P	--	--	--	--	--	\$3.5.12	
Retail, except as listed below:	--	--	--	--	--	P	P	--	P	--	--	P	P	P	P	P	P	P	P	--	--	--	--	--	\$3.5.13	
Alternative financial services	--	--	--	--	--	--	P	--	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--		
Vehicle sales & rental	--	--	--	--	--	S	P	--	P	--	--	--	P	--	--	--	--	--	--	P	P	--	--	--	--	\$3.5.14
INDUSTRIAL USES																									\$3.6	
Low-impact industrial	--	--	--	--	--	P	P	P	P	--	--	--	P	P	P	P	S	S	S	P	P	--	--	--	--	\$3.6.2
Moderate-impact industrial	--	--	--	--	--	--	--	P	--	--	--	--	P	--	S	--	--	--	--	P	P	--	--	--	--	\$3.6.3
High-impact industrial	--	--	--	--	--	--	--	S	--	--	--	--	--	--	--	--	--	--	--	--	S	--	--	--	--	\$3.6.4
Data Center	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	S	P	--	--	--	--	\$3.6.9
Self-service storage	--	--	--	--	--	--	S	--	S	--	--	--	--	--	--	--	--	--	--	S	S	--	--	--	--	\$3.6.5
Vehicle repair	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	\$3.6.6
Vehicle service, except as listed below:	--	--	--	--	--	S	P	--	P	--	--	--	S	--	--	--	--	--	--	P	P	--	--	--	--	\$3.6.7
Car wash	--	--	--	--	--	S	S	--	S	--	--	--	--	--	--	--	--	--	--	S	S	--	--	--	--	
Fueling station	--	--	--	--	--	S	S	--	S	--	--	--	--	--	--	--	--	--	--	S	S	--	--	--	--	
Warehouse & distribution	--	--	--	--	--	--	--	S	--	--	--	--	P	--	--	--	--	--	--	P	P	--	--	--	--	\$3.6.8

P = Permitted S = Requires a Special Use Permit -- = Use Not Permitted
All uses are subject to use-specific standards as listed in this chapter

Div. 3.3. Residential Uses

3.3.1. Household Living

Residential occupancy of a dwelling unit on a monthly or longer basis. Household living includes, but is not limited to, the following:

Single-unit living	Multi-unit living
Two-unit living	Live/work

A. Single-Unit Living

1. Definition

One dwelling unit in a structure.

2. Use Standards

Lots located in the Agricultural District (AG) used for Commercial Agriculture may also include one dwelling unit that conforms to the standards of the nearest Suburban Neighborhood District.

B. Two-Unit Living

1. Definition

Two dwelling units in the same structure.

C. Multi-Unit Living

1. Definition

For residential structures, three or more dwellings units located within the same structure is considered multi-unit living. For mixed-use structures, any dwelling unit located within the structure is considered multi-unit living.

2. Use Standards

a. D-SX, T-SX and NX Districts

Dwelling units are only allowed in the upper stories of a structure. For multi-unit residential structures, an entrance lobby is allowed on the ground floor as well as other building amenities such as meeting rooms and exercise facilities.

b. T-NX District

Multi-unit living is only allowed in the upper stories of a structure, unless the structure is in the form of a residential house. Where multi-unit living is only allowed in the upper stories of a structure, an entrance lobby is allowed on the ground floor as well as other building amenities such as meeting rooms and exercise facilities.

c. CX, CO and RX Districts

Multi-unit living may be permitted by Special Use. Design should integrate with existing networks to create a walkable environment. Adaptive re-use of existing buildings is also

permitted where design creates a quality living environment, in consultation with the requirements of the Ohio Building Code. Where multiunit living is proposed for existing shopping centers, pavement reduction and introduction of permeable surface to create a cooler, more habitable living space is required.

d. Multi Unit Living in Apartment Buildings

- i. Multi-unit living uses on lots greater than 20,000 square feet must dedicate a minimum of 5% of the lot area to outdoor amenity space that meets the following standards. Multi-unit living uses on lots greater than 100,000 square feet must dedicate a minimum of 10% of the lot area to outdoor amenity space that meets the following standards:
 1. Required outdoor amenity space must be located outdoors at the ground level;
 2. Required outdoor amenity space must be made available to all tenants of a building, at no cost, from sunrise to sunset daily or during the hours of operation of the building, whichever results in a longer period of time. The space may not be reserved or in any way exclude any tenant during the time it is required to be made available to all tenants;
 3. Required outdoor amenity space must have a minimum area of 200 square feet, with no dimension of less than 10 feet; and
 4. Outdoor amenity spaces may include playgrounds, outdoor dining spaces, greenway trail connections, outdoor exercise equipment, or other amenities that improve health and quality of life. Sidewalks and landscaping that is otherwise already required cannot be counted toward the outdoor amenity space calculation.
 5. Outdoor amenity space area is a percentage calculated by dividing the cumulative area of all outdoor amenity spaces by the total lot area. See §2.9.2 for calculation of lot area.
 6. An outdoor amenity space may have enclosed walls or a covered roof, but not both.
 7. An outdoor amenity space is considered enclosed when its perimeter has an enclosure of at least 66.7%.
 8. An outdoor amenity space is considered covered if less than 25% of its area is open to the sky.

D. Live/Work

1. Definition

A residential occupancy of one or more rooms or floors used as a dwelling unit with adequate work space reserved for and regularly used by one or more persons residing there and nonresidential employees. A live/work unit combines both residential and nonresidential uses within a single unit.

2. Use Standards

- a. Any nonresidential use permitted in the zoning district applicable to the property is permitted in the live/work unit.
- b. Live/work is only permitted in units with street level access.
- c. The work area of the live/work unit cannot exceed 2,000 square feet or 50% of the total gross floor area of the entire unit, whichever is greater.
- d. A minimum of one employee or owner of the business must occupy the live/work unit as their primary place of residence.
- e. The live/work unit may employ no more than two persons not living on the premises at any one time.
- f. No business storage or warehousing of material, supplies or equipment is permitted outside of the live/work unit.

3.3.2. Group/Assisted Living

Residential occupancy of a dwelling unit or shared living quarters, typically by more than 6 unrelated people for purposes of receiving support. Generally, group living facilities have a common eating area for residents, and residents may receive care or training. Group living includes, but is not limited to, the following:

Assisted living	Group home
Boarding/rooming house	Hospice
Dormitory	Nursing home
Recovery housing	Abuse or homeless shelter

A. Use Standards

1. Group living is only allowed in the upper stories of a building in shopfront districts. An entrance lobby is allowed on the ground floor as well as other building amenities such as meeting rooms and exercise facilities.
2. Where a Special Use is required, the Planning Commission must consider the design quality, operations plan, and integration of the use into its surroundings. Factors to consider include scale, number of occupants, level of assistance needed, and whether residents or businesses surrounding the facility would be impacted by noise or burdened by unaccompanied people who use the home or facility to receive care, among others.
3. Temporary in-home treatment within dwellings that are owner or long-term renter occupied are exempt from any Special Use requirements, with the expectation that a residential dwelling remains the primary use.

Div. 3.4. Public Uses

3.4.1. Civic

Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice. Civic includes, but is not limited to, the following:

Cemetery	Library/museum
Civic facility	Place of worship
Club/lodge	School, preK-12
College/University	

A. Cemetery

1. Definition

A burial ground for the interment of the deceased and associated columbariums, crematories, mausoleums, and mortuaries.

B. Civic Facility

1. Definition

A facility for offices and meeting places designed for and used by the general public. Civic facilities typically include schools, universities, places of worship, libraries, government buildings, and other similar uses and structures.

2. Use Standards

A new cemetery is only allowed if it is adjoining or an extension of an existing cemetery.

C. Club/Lodge

1. Definition

A facility used for associations or organizations of an educational, fraternal or social character, not operated or maintained for profit. Representative organizations include Kiwanis, Rotary Club, Elks, Veterans of Foreign Wars and Lions.

D. College/University

1. Definition

An institution of higher learning providing facilities for teaching and research and authorized to grant degrees or certificates.

E. Library/Museum

1. Definition

A facility containing collections of books, manuscripts, and similar materials for study and reading, or exhibiting works of art or objects in one or more of the arts and sciences.

F. Place of Worship

1. Definition

A facility primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens.

G. School, preK-12

1. Definition

An educational facility for students in pre-kindergarten through 12th Grade.

2. Use Standards

New school construction requires a Special Use from the Planning Commission to ensure that site location and design provides adequate multimodal access to students and the surrounding neighborhood. Siting considerations include:

- a. Proximity to a large number of residences (750 or more within 1/4 mile radius) to provide a base of student population that live within walking distance.
- b. An analysis of surrounding pedestrian and bicycling facilities and a plan to provide a high degree of mobility to students using these modes of transportation, as well as those arriving using ADA mobility devices.
- c. A plan to reduce automobile traffic generated by school drop offs and pickups.
- d. For sites larger than 2 acres, facilities adequate to transport pedestrians and cyclists through the site must be provided using public right-of-way or internal walkways.

3.4.2. Essential Services

Uses focusing on the provision and maintenance of public utilities and emergency services. Essential services includes, but is not limited to, the following:

Emergency service facility	Solar field
Essential service facility	Wind turbine field

A. Emergency Service Facility

1. Definition

A facility that houses vehicles with sirens that respond to emergencies, including but not limited to fire stations and police stations.

B. Essential Service Facility

1. Definition

Facility that stores vehicles, equipment and supplies for utility providers and may also provide space for offices or other meeting spaces.

2. Use Standards

All activity associated with the use must be conducted within a fully enclosed building, except as follows: outdoor storage associated with this use may be permitted as an accessory in Industrial and T-FX districts, and must be designed and screened in accordance with the outdoor storage use standards found in §3.7.3.B.8.

C. Solar Field

1. Definition

A site designed for the installation of solar panels to harvest energy, typically to be consumed off-site.

2. Use Standards

- a. Solar panels must be oriented to prevent glare into neighboring development, or sufficient landscape screening must be provided to block the glare.
- b. Solar fields are to be screened with a Low-Impact Common Lot Line Screen (§4.3.7) along all common lot lines.
- c. Solar fields are to be screened with a Low-Impact Frontage Screen (see §4.3.7) along all primary and side street lot lines.

D. Wind Turbine Field

1. Definition

A site designed for the installation of wind turbines to harvest energy, typically to be consumed off-site.

2. Use Standards

- a. Ground-mounted wind turbines must be set back from all lot lines, street right of-way lines, and overhead utility lines a minimum distance equal to 1.1 times the height of the wind turbine.
- b. Wind turbine setbacks are measured from the center of the wind turbine base.
- c. With respect to overhead utility lines that provide service only to a single building or a single parcel of land, the setback requirement will be met if the wind turbine is placed so that no portion of a rotor blade extends closer than 5 feet to the utility line.
- d. The height of a ground-mounted wind turbine is limited by the setback requirements of D.2.b above.
- e. The height of a rooftop or other building-mounted wind turbine may not exceed the maximum permitted structure height for the property by more than 20%. For a rooftop or other building-mounted wind turbine that exceeds the maximum permitted structure height by more than 20%, the Planning Commission, after holding a public hearing, may approve a

greater height if they determine that the placement of the turbine and context of the turbine site will mitigate any significant negative visual or safety impacts on nearby properties.

- f. Wind turbines may not use a lattice structure, and must use a monopole structure. Applications for other more aesthetically pleasing forms may be submitted for review by the Planning Commission.
- g. No wind turbine may produce noise that routinely exceeds a level of 50 decibels when measured at the nearest property line of a Protected District (§2.1). The applicant must submit a statement by an engineer licensed in the State of Ohio certifying that the proposed wind turbine will meet this noise standard with respect to impacts on properties in nearby Protected Districts.
- h. Wind turbine fields must provide a Low-Impact Frontage Screen (§4.3.7) along all primary and side street lot lines, and a Low-Impact Common Lot Line Screen (§4.3.7) along all common lot lines.

3.4.3. Recreation & Open Space

Uses focusing on natural areas consisting mostly of vegetation, passive or active outdoor recreation areas, and having few structures. Recreation and open space includes, but is not limited to, the following:

Conservation area	Park, recreation field
Golf course	

A. Conservation Area

1. Definition

A tract of land that is protected to ensure that natural features, cultural heritage or biota are preserved. May include recreation trails, greenways and nature preserves.

2. Use Standards

- a. To qualify as a conservation area, a plan must be submitted to demonstrate how the conservation area will maintain vegetation and prevent the spread of invasive species within the site.
- b. Conservation areas are limited to a maximum area of 1 acre in all districts where they are permitted except in CN districts where there is no size limit for a conservation area.
- c. In CN districts, trails and associated installations may run through a conservation area, however installations should be designed to meet the intent of the district by maximizing green space, surface permeability, tree canopy, and human enjoyment of nature.

B. Golf Course

1. Definition

A tract of land laid out with at least 9 holes of playing golf and improved with tees, greens, fairways and hazards. A golf course may include a clubhouse and shelters as accessory uses.

C. Park, Recreation Field

1. Definition

An area used for outdoor play or recreation, often containing recreational equipment such as slides, swings, climbing frames, ballfields, soccer fields, basketball courts, swimming pools and tennis courts. May include both passive and active recreation.

Div. 3.5. Commercial Uses

3.5.1. Adult Business

See the Piqua Code of Ordinances Chapter 115: Sexually Oriented Business Regulations and Licensing.

3.5.2. Agriculture

The practice of growing and harvesting of crops. Agriculture includes, but is not limited to, the following:

Commercial agriculture	Plant nursery
Community garden	

A. Commercial Agriculture

1. Definition

The large-scale growing and harvesting of crops for resale, including the use of mechanized equipment.

B. Community Garden

1. Definition

Land gardened and maintained by members of a community for the benefit of the community.

2. Use Standards

- a. A community garden must be primarily used for the growing and cultivation of fruits, vegetables, plants, flowers, or herbs.
- b. The land must be served by a water supply sufficient to support the cultivation practices used on the site.
- c. The site is designed and maintained so that water and fertilizer will not drain onto adjacent property.
- d. Only mechanical equipment designed for household use may be used.
- e. No buildings or structures are permitted on the site; however sheds for storage of tools limited in size to 200 square feet or, greenhouses that consist of buildings made of glass, plastic, or fiberglass in which plants are cultivated, benches, bike racks, raised/accessible planting beds, compost or waste bins, picnic tables, seasonal farm stands, fences, garden art, rain barrel systems and children’s play areas are permitted. The combined area of all buildings or structures cannot exceed 15% of the lot area.
- f. Community gardens must be maintained to prevent the spread of invasive species and overgrowth of weeds.
- g. Compost or waste bins must be hidden from view from the public right-of-way and adjacent properties by meeting the requirements of §4.3.7.

C. Plant nursery

1. Definition

The sale of plants and plant materials grown on- or off-site, as well as garden supplies, equipment and related items.

2. Use Standards

All activity associated with the use must be conducted within a fully enclosed building, except as follows: outdoor storage associated with this use may be permitted as an accessory use in Industrial, AG, and T-FX districts, and must be designed and screened in accordance with the outdoor storage use standards found in §3.6.1.A.

3.5.3. Animal Care

The care and boarding of domesticated animals for compensation. Animal care includes, but is not limited to, the following:

Animal boarding	Overnight kennel
Animal grooming	Veterinary clinic
Animal training	Veterinary hospital
Animal day care	

A. Indoor Animal Care

1. Definition

A completely enclosed soundproof indoor facility designed or arranged for the care of animals without any outdoor activity.

2. Use Standards

- a. No outdoor activity associated with care of animals is allowed, excluding outdoor walking of dogs, for indoor animal care in a multi-tenant building.
- b. In a freestanding, single-tenant building, a fenced area not to exceed 25% of the building floor area may be created for walking dogs on a leash (provided that no dogs are allowed off-leash).

B. Outdoor Animal Care

1. Definition

A facility designed or arranged for the care of animals that includes outdoor activity.

2. Use Standards

- a. All outdoor exercise areas and runs must be fenced for the safe confinement of animals.
- b. No animal may be outdoors between 11PM and 6AM.

- c. No part of any building, structure or run in which animals are housed may be closer than 50 feet from any lot line, except:
 - i. property owned or occupied by an owner or operator of the facility; or
 - ii. a completely enclosed soundproof indoor facility. This facility is required to meet the required district setbacks; adaptive reuse of an existing building that does not meet the required district setbacks is not allowed.

3.5.4. Day Care

A. Definition

A facility designed for the daytime care of children.

B. Use Standards

1. Standards of the Ohio Revised Code regarding Child Care Center facility requirements (Chapter 5101:2-12) are adopted by reference. The Development Director will review an application for a Child Day Care Center in accordance with these standards.

3.5.5. Hospitality

Accommodations arranged for short-term stays that are typically less than 30 calendar days. Hospitality includes, but is not limited to, the following

Hotel	Short-term rental
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A. Hotel

1. Definition

A building occupied as the temporary abode of individuals who are lodged with or without meals, in which there are 6 or more sleeping rooms, and which must have no provision made for cooking in any individual room. A hotel may include a restaurant or cocktail lounge, banquet halls, ballrooms, meeting rooms, or other commercial uses.

2. Use Standards (modified O-1-24)

When determining if a Special Use should be authorized to permit the construction of a new hotel, consideration shall be given to current market conditions regarding the performance of existing hotels of the same or similar type/classification/characteristics as the proposed hotel, including whether the existing hotels consistently maintain a monthly occupancy rate averaging plus or minus sixty five percent or better” rental.

In addition, the Primary Use Table (Section 3.2) will amend zoning uses in the NX, CX, CO, RX, T-GX, T-SX, D-RF, & D-GX under Hospitality/Hotel from “P (Permitted)” to “S (Requires a Special Use Permit)”.

B. Short-Term Rental

1. Definition

The rental of a dwelling unit or room in exchange for payment for a period of no more than 30 consecutive days.

2. Use Standards*

The City reserves the right to revoke a development permit to conduct a short-term rental through a resolution from the Board of Zoning Appeals. Cause for revocation includes, but is not limited to property maintenance violations, nuisance reports, or where on-street parking is frequently overwhelmed by guests of the short-term rental.

Short-term rentals located in a Suburban Neighborhood District, or a T-RL, T-RM, or T-RH district, or located within 200 feet of where any household living takes place must conform to the following:

- a. The maximum number of guests allowed on the premises will be no more than 2 per bedroom on the site; and
- b. A Transportation Demand Management Plan is required (see Article 4 Development Standards).
- c. In the D-SX district, a short-term rental may be located on an upper story, or with a Special Use permit may be located on a ground floor.

3.5.6. Indoor Recreation

1. Definition

A commercial facility, varying in size, providing regularly scheduled recreation-oriented activities in an indoor setting. Indoor recreation includes, but is not limited to, the following:

Amusement center, game/video arcade	Climbing gym	Miniature golf facility
Assembly hall, auditorium, meeting hall	Escape room	Motor track
BMX, skateboarding, roller blading	Events center	Movie theater or other indoor theater
Billiard, pool hall	Ice or roller skating rink	
Bowling alley	Inflatable playground/jump house	

3.5.7. Medical

A facility providing medical care to patients. Some facilities may offer overnight care. Medical includes, but is not limited to, the following:

Ambulatory surgical center	Medical marijuana dispensary
Blood plasma donation	Medical office
Chiropractor	Optician
Dental office	Physical therapists
Emergency medical care	Skilled nursing care facility
Hospital	Therapeutic massage
Medical center	Urgent care
Medical laboratory	

A. Hospital

1. Definition

An institution licensed by the State of Ohio Department of Health and providing health services primarily for in-patient medical or surgical care of the sick or injured, and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are an integral part of the facility, provided the institution is operated by, or treatment is given under direct supervision of a licensed physician.

B. Medical Marijuana Dispensary

1. Definition

A retail provider of medical marijuana, as regulated by Chapter 3796 of the Ohio Revised Code.

3.5.8. Office

A facility used for activities conducted in an office setting and generally focusing on business, professional or financial services. Office includes, but is not limited, to the following:

Business services including, but not limited to:	Professional services including, but not limited to,	Financial services including but not limited to,
<ul style="list-style-type: none"> • Advertising • Business management consulting • Call center • Computer or data processing • Commercial art • Employment agency • Graphic design • Internet-based business • Non-profit agency • Radio, TV station, recording studio • Technology services • Trade, vocational, business school • Web design 	<ul style="list-style-type: none"> • Architect • Accountant • Bookkeeper • Counseling • Engineer • Lawyer • Interior design • Security systems 	<ul style="list-style-type: none"> • Lender • Investment or brokerage house • Bank • Collection agency • Mortgage agent • Real estate or insurance agent

A. Use Standards

1. Office uses in T-RM, T-RH, T-SX and D-SX districts must meet the following standards:
 - a. Each tenant space may not exceed 2,500 square feet in gross floor area;
 - b. The total office space in a building must not exceed 25% of the ground floor; and
 - c. Hours of operation can begin no earlier than 6AM and end no later than 11PM, including all deliveries.

3.5.9. Outdoor Recreation

An outdoor commercial facility, varying in size, providing regularly scheduled recreation-oriented activities. Activities take place predominately outdoors or within outdoor structures. Outdoor recreation includes, but is not limited to, the following:

Amusement park	Horse stable
Batting cage	Miniature golf facility
BMX, skateboarding, roller blading	Shooting range
Camp or campground	Skating rink
Drive-in theater	Racetrack
Fairground	Stadium
Golf driving range	Theater

A. Shooting Range

1. Definition

An area, either enclosed or outdoors, at which archery is practiced or a firearm is discharged at a target, designed to prevent a projectile fired at a target from going beyond the boundaries of the area, by use of a backstop or other barrier.

3.5.10. Parking Facility

A facility that provides parking as a principal use. Parking includes, but is not limited to, the following:

Remote parking	Remote shared parking
Electric vehicle charging spaces	

A. General Standards

All standards for parking facilities not listed in this section can be found in Div. 4.2.

B. Electric Vehicle Charging Spaces

1. Definition

A parking space augmented with equipment that provides electricity to recharge electric vehicles.

2. Use Standards

- a. Electric vehicle charging equipment may be installed into any new or existing parking space, provided that required transition screening for neighboring residences and required landscaping for parking lots is met within 30 feet of the new charging station.
- b. All parking lots that provide two or more electric vehicle charging spaces must also provide at least two bicycle parking spaces.

C. Remote Parking

1. Definition

A parking facility that provides parking as a principal use for an off-site user, that does not meet the definition of a remote shared parking facility.

D. Remote Shared Parking

1. Definition

A use of a parking facility that provides parking as a principal use for multiple off-site users by agreeing with the City or other private entities for the shared use of parking.

2. Use Standards

- a. Remote shared parking must be constituted by a parking agreement to be recorded which grants multiple off-site users or entities the right to use the same parking spaces.
- b. A minimum of 75% of all spaces constructed must be shared. Examples of sharing include:
 - i. Parking spaces that are open to the public during certain specified hours of the day or days of the week, or are open to the public at all times;
 - ii. Parking spaces that are open to use by customers of 3 or more businesses; and
 - iii. Parking spaces that are offered for use by area residents during specified hours, usually nighttime hours, while being open to business customers during the day.
- c. Remote shared parking requires a Transportation Demand Management (TDM) plan to be evaluated by the Planning Commission to verify that the sharing strategy meets public objectives for land use efficiency.
- d. Proposals for remote shared parking in the Traditional and Downtown districts should be evaluated by the Planning Commission from a holistic standpoint, taking into consideration existing spaces and utilization rates on parcels within a walkable distance from the site. The presence of nearby parking facilities that are shown to be underutilized may be cause for the denial of the creation of a new parking facility.

3.5.11. Personal Service

A facility involved in providing personal or repair services to the general public. Personal service includes, but is not limited to, the following:

Beauty, hair or nail salon	Funeral home, funeral parlor, mortuary, undertaking establishment	Tailor, milliner or upholsterer
Catering service	Gym, fitness studio, pilates, yoga studio	Tattoo parlor or body piercing
Computer repair	Health spa	Tanning salon
Copy center, printing, binding, photocopying, blueprinting, mailing service	Locksmith	Taxidermist
Dance, martial arts, music studio or classroom	Smart phone repair	Tutoring
Dry-cleaning, laundry drop-off facility, laundromat	Shoe repair	

A. Use Standards

1. Personal service uses in T-RM and T-RH districts must meet the following standards:
 - a. Each tenant space cannot exceed 2,500 square feet in gross floor area;
 - b. The total tenant space in each building must not exceed 25% of the ground floor; and
 - c. Hours of operation can begin no earlier than 6AM and end no later than 11PM, including all deliveries.

3.5.12. Restaurant

An establishment whose primary business is serving food and beverages to patrons for consumption on-site. Restaurant includes, but is not limited to, the following:

Bar, tavern, pub	Micro-brewery
Brewpub	Micro-distillery
Coffee/tea shop	Micro-winery
Ice cream or yogurt shop	Restaurant
Juice bar, smoothie shop	

A. Use Standards

1. Restaurant uses in T-RH districts must meet the following standards:
 - a. Each tenant space cannot exceed 2,500 square feet in gross floor area;
 - b. The total tenant space in each building must not exceed 25% of the ground floor;
 - c. Hours of operation can begin no earlier than 6 AM and end no later than 11 PM, including all deliveries.

3.5.13. Retail

A shop which sells, leases, or rents new or used products. Retail includes, but is not limited to the following:

Alternative financial services	Garden supply store
Antique store	Grocery store
Bakery	Jewelry store
Bike shop	Office supply store
Book store	Pharmacy
Clothing store	Toy store
Electronic store	

A. Use Standards

1. Retail uses in T-RM and T-RH districts must meet the following standards:
 - a. Each tenant space cannot exceed 2,500 square feet in gross floor area;
 - b. The total tenant space in each building must not exceed 25% of the ground floor; and
 - c. Hours of operation can begin no earlier than 6AM and end no later than 11PM, including all deliveries.

B. Alternative Financial Services

1. Definition

Establishments or institutions that are not state or federally chartered banks, savings and loan associations, mortgage lenders, credit unions, or industrial loan companies, that are used for any one of the following activities:

- a. the provision of unsecured, short term cash advances, including those made against future pay checks;
- b. the provision of loans to individuals in exchange for personal checks or personal property, other than real property, as collateral;
- c. the cashing of checks in exchange for a percentage fee;
- d. the provision of loans secured by title of a vehicle unless the loan is made for the purpose of purchasing the vehicle; and
- e. the deferment of checks pursuant to a written agreement in which the establishment accepts a check and agrees to hold the check for at least 3 days before presentment for payment or deposit.

3.5.14. Vehicle Sales and Rental

A facility that sells, rents, or leases fully operational motorcycles, scooters, passenger vehicles, commercial vehicles, recreational vehicles, boats, tractor trailers, heavy equipment and other vehicles and equipment.

A. Use Standards

1. Wherever vehicle sales and rental is permitted, it is limited to the sale, rental or leasing of small personal vehicles such as motorcycles and scooters, except in the following conditions:
 - a. In CX and RX districts, major vehicle sales are permitted for vehicles and equipment weighing up to 12,000 lbs.; and
 - b. In IL and IH districts, the sale and rental of vehicles and equipment is permitted with no maximum weight limit.
2. Permission to conduct vehicle sales or rental does not permit sale of parts, junk or inoperable vehicles.
3. All vehicle types to be sold must be presented on a plan set during the permit review process.
4. Outdoor vehicle display areas must meet the following standards:
 - a. The display area must follow all design standards of a parking lot (Div. 4.2);
 - b. A Low-Impact Frontage Screen (§4.3.7) must be applied, where 90% of all required trees may be substituted with screening plants at a rate of 2 plants for each tree; and
 - c. A Low-Impact Common Lot Line screen (§4.3.7) must be applied around the perimeter of the outdoor vehicle display area.
5. Vehicle sales offices must be located in permanent structures which have been designed to meet all provisions of the Ohio Building Code. In no case may a shed, manufactured home, or other similar structure be used as a sales office.
6. All other activity associated with the use must be conducted within a fully enclosed building, except as follows: outdoor storage associated with this use may be permitted as an accessory in IL, IH and T-FX districts, and must be designed and screened in accordance with the outdoor storage use standards found in §3.6.1.A.

Div. 3.6. Industrial Uses

3.6.1. General

A. Use Standards for all Industrial Uses

All activity associated with an industrial use must be conducted within a fully enclosed building, except as follows in Industrial districts and the T-FX district only:

1. Outdoor storage or work areas may be permitted as an accessory use, or where listed elsewhere in this Division, as a principal use. Outdoor storage areas are the storage of commercial fleet vehicles, tractor trailers, commercial vehicles weighing more than 12,000 pounds, shipping containers, contractor's equipment, lumber or construction materials, or similar materials as determined by the Development Director.
 - a. Parking of tractor trailers must take place on a paved surface. Outdoor storage of other materials or vehicles must take place on a paved surface, or in the rear lot only, may be placed on a gravel pad designed to carry the load required.
 - b. All outdoor storage areas must be located in the rear or side yard of a lot and be screened using a Moderate-Impact Common Lot Line Screen (§4.3.7) along all common lot lines, except for an abutting warehouse and distribution or low, moderate or high-impact industrial use, where they must be screened with a Low-Impact Common Lot Line Screen (§4.3.7). Outdoor storage areas must be screened using a Moderate-Impact or High-Impact Frontage Screen (§4.2.6.B.2) along all lot lines abutting or visible from a public right-of-way.

3.6.2. Low-Impact Industrial

A facility where processing, fabricating, assembly, or disassembly of items that takes places primarily within an enclosed building, where impacts are limited to the building's interior. Low-impact Industrial includes, but is not limited to the following table:

Blacksmith, metalwork	Jewelry, silverware and plated ware
Ceramics manufacturing	Musical instrument manufacturing
Cobbler	Pottery
Glass blowing, stained glass art production	Woodworking, cabinet makers or furniture manufacturing
Leatherwork	

A. Use Standards

Outside of the IL, IH and T-FX districts, the use must not exceed a gross floor area of 4,000 square feet.

3.6.3. Moderate-Impact Industrial

A facility where processing, fabricating, assembly, or disassembly of items that takes places primarily within an enclosed building, and noise, smells or other noxious or offensive effect is largely dissipated at the property line. Moderate-impact industrial includes, but is not limited to the following:

Automobile, vehicle, boat manufacturing	Lumberyards and building materials sale and storage
Brewery, winery, distillery (primarily for distribution rather than on-premise sales)	Pharmaceutical or medical supply manufacturing, medical equipment
Clothing, textile or apparel manufacturing	Photographic or optical instruments or timing instruments
Construction trades and contractor office	Plumbing and heating supplies
Consumer electronics, appliances, computers, semiconductors	Recreational equipment manufacturing
Measuring instruments; semiconductor devices including integrated circuits	Renewable energy equipment manufacturing
Farm implement manufacturing	Toy manufacturing
Furniture upholstery installation or re-upholstery	Sheet metal, welding, machine shop, tool repair
Laundry and dry cleaning plant, linen supply/diaper services	Woodworking, cabinet makers or furniture manufacturing

A. Use Standards

1. In T-FX districts, all moderate-impact industrial uses must take place within a fully-enclosed building.

3.6.4. High-Impact Industrial

A facility that involves the manufacturing or storage of dangerous, noxious or offensive uses or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause. Heavy industrial includes, but is not limited to the following:

Animal processing, packing, livestock or poultry slaughtering	Extraction, stockpiling of sand or gravel, borrow pit	Landfill or incinerator
Acetylene or oxygen manufacture	Explosives, fireworks	Livestock feeding yards or market
Acid manufacture including all corrosive acids and materials	Fertilizer manufacturing	Recycling processing
Ammonia, chlorine, or bleaching powder manufacture	Fish curing, smoking or packing	Rubber and plastic products
Celluloid or proxylene products	Fish oil manufacture or refining	Waste transfer station
Coal, petroleum, inflammable liquid products	Forging plants, drop hammers	Wrecking, junk, or salvage yard
Coke ovens	Glue manufacture	
Concrete batch plant	Graphite manufacture	
Crematorium	Hazardous waste	

A. Use Standards

1. The minimum lot area is 10 acres (see §2.9.2).
2. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Moderate-Impact Common Lot Line Screen along all common lot lines except for an abutting warehouse and distribution or low, moderate or high-impact industrial use, where they must be screened with a Low-Impact Common Lot Line Screen (§4.3.7).
3. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Moderate-Impact or High-Impact Frontage Screen (§4.3.7) along all lot lines abutting a public right-of-way.
4. All other activity associated with the use must be conducted within a fully enclosed building, except as follows:
 - a. Outdoor storage associated with this use must be designed and screened in accordance with the outdoor storage use standards found in §3.6.1. In districts that do not allow outdoor storage as an accessory use, outdoor storage is not allowed.
 - b. Outdoor mining activity or outdoor uses for livestock feeding or processing must be screened with a berm according to the specifications found in §4.3.7.
5. Where a Special Use is required, the Planning Commission may require screening and siting adjustment of High-Impact Industrial Uses, indoor and outdoor, as necessary to reduce impacts to surrounding properties.

3.6.5. Self-Service Storage

Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property. Self-service storage includes, but is not limited to the following:

Indoor multi-story storage	Warehouse, self-service
Mini-warehouse	RV and commercial vehicle storage

A. Use Standards

1. The minimum lot area is 2 acres (see §2.9.2).
2. All storage, except for RV and commercial vehicle storage, must be contained within a fully-enclosed building.
3. A Low-Impact or Moderate-Impact Common Lot Line Screen (§4.3.7) must be established along all common lot lines, except when abutting another self-service storage facility or industrial use.
4. A Low-Impact Frontage Screen (§4.3.7) must be established along all primary and side street lot lines.

5. RV and commercial vehicle storage, where a business rents space for customers to park their vehicles, may be permitted in IL and IH districts with the following conditions and standards:
 - i. Siting of vehicles and equipment must follow location and screening standards for outdoor storage, see §3.6.1; and
 - ii. The minimum lot area is 5 acres (see §2.9.2).

3.6.6. Vehicle Repair

A facility that repairs passenger vehicles, trucks, and other vehicles and equipment in addition to performing any work defined as "Vehicle Service". Vehicle repair includes, but is not limited to the following:

Body and paint shop	Scratch and dent repair
Engine repair	Transmission repair

A. Use Standards

1. In RX districts, and CX districts, vehicle repair is permitted for vehicles weighing up to 12,000 pounds.
2. In IL and IH districts, vehicle repair is permitted for all vehicles, with no maximum weight limit. For vehicles or equipment weighing more than 12,000 pounds, siting of vehicles and equipment must follow location and screening standards for outdoor storage, see §3.6.1.
3. Quick lubrication facilities, tire shops and inspection stations are not permitted in T-FX districts.
4. A Moderate-Impact Common Lot Line Screen (§4.3.7) must be established along all lot lines abutting a ground floor residential use. A change of use to vehicle repair will necessitate providing this screening to any adjacent residential uses.
5. The dismantling of vehicles for salvage and the storage of impounded vehicles is not allowed. Storage of dismantled or inoperable vehicles outdoors is permitted in IL and IH with the application of

3.6.7. Vehicle Service

A facility that services passenger vehicles, trucks, and other consumer vehicles and equipment. Vehicle Service is considered a lower-impact use than Vehicle Repair. Vehicle service and repair includes, but is not limited to the following:

Audio/alarm installation	Inspection station
Brake repair	Minor scratch and dent repair
Body and paint shop	Muffler shop
Car wash	Quick lubrication facilities
Emissions testing	Tire shop
Engine repair	Transmission repair
Fueling station	Windshield repair or replacement

A. Use Standards

1. In NX, RX districts, and CX districts, vehicle service is permitted for vehicles weighing up to 12,000 pounds.
2. In IL and IH districts, vehicle service is permitted for all vehicles, with no maximum weight limit. For vehicles or equipment weighing more than 12,000 pounds, siting of vehicles and equipment must follow location and screening standards for outdoor storage, see §3.6.1.
3. Quick lubrication facilities, tire shops and inspection stations are not permitted in T-FX districts.
4. A Moderate-Impact Common Lot Line Screen (§4.3.7) must be established along all lot lines abutting a ground floor residential use. A change of use to vehicle service will necessitate providing this screening to any adjacent residential uses.
5. The dismantling of vehicles for salvage and the storage of impounded vehicles is not allowed. Storage of dismantled or inoperable vehicles outdoors is not allowed.

B. Car Wash

1. Definition

A facility with equipment used for cleaning, washing, polishing, or waxing of motor vehicles. This does not include car washes that are accessory facilities to a fueling station or convenience store.

2. Use Standards

- a. No car wash building or facility is permitted within 30 feet of a ground floor residential use. This does not include drive aisles.
- b. A Moderate-Impact Common Lot Line Screen (§4.3.7) must be established along all lot lines abutting a ground floor residential use or a Protected District (Div. 2.1).

C. Fueling Station

1. Definition

A retail facility that sells or provides fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

2. Use Standards

- a. The minimum lot area for a new fueling station in any district is 25,000 SF.
- b. No fueling pumps or drive aisles to pumps are permitted within 50 feet of a ground floor residential use on the same side of the street.
- c. A Moderate-Impact Common Lot Line Screen (§4.3.7) must be established along all lot lines abutting a ground floor residential use or a Protected District (Div 2.1).

3.6.8. Warehouse and Distribution

A facility involved primarily in the storage, movement or distribution of goods or packages. Goods are generally delivered or stored with little on-site sales activity to customers. Warehouse and distribution includes, but is not limited to the following:

Cold bulk storage	Parcel and delivery services
Household moving and general freight storage	Transfer and storage business where there are no individual storage areas or where employees are the primary movers of the goods to be stored or transferred
Frozen food lockers	Distribution center
Distribution of products and merchandise	Trailer storage, drop-off lot

A. Use Standards

1. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Moderate-Impact Common Lot Line Screen (§4.3.7) along all common lot lines except for an abutting warehouse and distribution or industrial use.
2. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a High-Impact Frontage Screen (§4.3.7) along all lot lines abutting a public right-of-way.

3.6.9. Data Center (modified O-5-24)

Data Center means real and personal property consisting of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including, without limitation, power and cooling equipment, used primarily to provide, as a service to persons other than the company operating the data center, data and transaction processing services, outsource information technology services and computer equipment co- location services, or, used primarily to provide to a single user, including the user’s affiliates, customers, lessees, vendors and other persons authorized by the user, data and transaction processing services.

A. Use Standards

1. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a Moderate-Impact Common Lot Line Screen (§4.3.7) along all common lot lines except for an abutting warehouse and distribution or industrial use.
2. Outdoor areas used for the loading, parking, and storage of tractor trailers must be screened using a High-Impact Frontage Screen (§4.3.7) along all lot lines abutting a public right-of-way.

Div. 3.7. Accessory Uses

3.7.1. Allowed Accessory Structures and Uses

A. General

The table below establishes permitted accessory structures and uses by district.

B. Structures and Uses Not Listed

An accessory structure or use not specifically listed is not allowed unless the Development Director determines the use:

1. is clearly incidental to and customarily found in connection with an allowed principal use;
2. is subordinate to and serving an allowed principal use;
3. is subordinate in area, extent and purpose to the principal use served;
4. contributes to the comfort, convenience or needs of occupants, business or industry in the principal use served; and
5. is located on the same lot as the principal use served.

C. Accessory Structure and Use Table

	SUBURBAN							TRADITIONAL							DOWN-TOWN			SPECIAL					Definitions /Use Stds.		
	RE-20	RE-10	RE-6	S-RA	S-RM	NX	CX, CO	RX	T-RL	T-RM,-E	T-RH	T-FX	T-NX	T-GX	T-SX	D-RF	D-GX	D-SX	IL	IH	AG	PK		CN	CV
RESIDENTIAL																									\$3.7.2
Accessory dwelling unit	P	P	P	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	
Garage, detached	P	P	P	P	P	--	--	--	P	P	P	--	P	--	--	--	--	--	--	--	P	--	--	--	
Shed	P	P	P	P	P	--	--	--	P	P	P	--	P	--	--	--	--	--	--	--	P	--	--	--	
Swimming pool	P	P	P	P	P	--	--	--	P	P	P	--	P	--	--	--	--	--	--	--	P	--	--	--	
Family day care home, Type A (7-12 children)	S	S	S	S	S	--	--	--	S	S	S	--	S	--	--	--	--	--	--	--	S	--	--	--	
Family day care home, Type B (up to 6 children)	P	P	P	P	P	--	--	--	P	P	P	--	P	--	--	--	--	--	--	--	P	--	--	--	
Home occupation	P	P	P	P	P	--	--	--	P	P	P	P	P	P	P	P	P	P	--	--	P	--	--	--	
Recreational vehicle parking	P	P	P	P	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	P	--	--	--	
NON-RESIDENTIAL																									\$3.7.3
Car wash	--	--	--	--	--	P	P	P	--	--	--	--	--	--	--	--	--	--	P	--	--	--	--	--	
Cellular/communications tower	--	--	--	--	--	P	P	P	S	S	S	P	S	P	S	S	P	P	P	P	P	P	--	--	
Drive-thru	--	--	--	--	--	S	P	P	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	
Essential service infrastructure	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Farmers market	--	--	--	--	--	P	P	P	--	--	P	P	P	P	P	P	P	P	P	P	P	--	P	P	
Outdoor dining	--	--	--	--	--	P	P	P	--	--	P	P	P	P	P	P	P	P	P	P	--	--	--	--	
Outdoor display	--	--	--	--	--	P	P	P	--	--	P	P	P	P	P	P	P	P	P	P	--	--	--	--	
Low-impact outdoor storage	--	--	--	--	--	--	P	P	--	--	--	--	--	--	--	--	--	--	P	P	--	--	--	--	
Commercial sheds and garages	--	--	--	--	--	P	P	P	--	--	--	P	--	P	--	--	--	--	P	P	--	P	--	P	
Accessory parking lot	--	--	--	--	P	P	P	P	--	--	--	P	P	P	P	--	S	S	P	P	S	P	P	P	
Commercial vehicle storage	--	--	--	--	--	--	P	P	--	--	--	P	--	P	--	--	P	--	P	P	P	--	--	P	
Swimming pool, Public	P	P	P	P	P	P	P	P	P	P	P	--	--	P	P	--	--	--	--	--	--	P	--	P	

P = Use Permitted * = Permitted Subject to Use Standards -- = Use Not Permitted

3.7.2. Residential Accessory Structures and Uses

A. General Standards

1. A residential accessory structure may only be placed or constructed on lots occupied by a residence. Demolition of a principal structure requires the demolition of all accessory structures, unless a replat occurs to join the accessory to another residence in accordance with maximum size and number limitations.
2. Residential accessory structures must comply with the maximum building coverage requirements of the district (see Div. 2.1).
3. Residential accessory structures may not encroach into a primary street yard, unless stated otherwise within this section, §3.7.2.
4. Residential accessory structures must be separated from principal structures and other accessory structures by a minimum of 5 feet, unless stated otherwise within this section, §3.7.2.
5. Residential accessory structures, other than detached garages, may encroach into a side street yard provided they are screened by a Type D3 fence and do not in the aggregate occupy more than 50% of the area of any side street yard. Minimum setbacks are established by the setbacks for D3 fences, see Div. 4.3.
6. Residential accessory structures must be located at least 3 feet from all lot lines. The standards in this section may require larger setbacks for certain accessory uses and structures.
7. Residential accessory structures are limited to a maximum structure height of 10 feet, unless stated otherwise in this section.
8. All residential accessory structures 200 SF and larger must be constructed with proper drainage systems designed to carry water from the roof away from the foundation or walls of the structure.
9. Residential garages, ADUs, sheds, and other large structures within the boundaries of the T-RM-E must be constructed with materials that match the principal structure. The color of the structure must match the principal structure or be painted or colored with a similar hue found on a historic palette. No standing seam metal siding or roofs for accessory buildings are allowed on residential properties in this district. Applicants may seek a resolution of approval from the Planning Commission to vary from this standard within the district, and the Planning Commission will consider the proposal's suitability according to the standards of §7.2.10.
10. Fluorescent colors are not allowed on any exterior of an accessory structure.

B. Metal Accessory Structures

With the intent to provide variety in material options while maintaining a high level of design quality in residential districts, buildings that are sided and roofed with standing seam metal may be permitted where not prohibited by other provisions of this Development Code. Where a building 200 SF or larger is permitted, the following design standards apply in addition to any other adopted standard:

1. An accessory structure's metal roof must be a gable style, modern shed (also known as lean-to), clerestory, or match the principal, and roof pitch cannot exceed 4:12. Gable sides, rather than the roof itself, will be oriented to face the public right-of-way. Roof material must be rust-proof and produce no glare. Color should be a muted hue, like charcoal, or must match the house. The purpose of this standard is to minimize the expanse of metal visible to neighbors.
2. Where a building uses metal siding, the siding must be rust-proof and produce no glare. The colors used must be a muted hue like charcoal, or must match the house. Vertical orientation of the seams is required. The purpose of this standard is to minimize the appearance of metal seams.
3. The height of a metal accessory building must not exceed 14 feet.
4. Garage doors or other doors must not be constructed of seamed metal, and all garage doors must have windows installed. Vinyl doors are considered appropriate, and other materials, like wood or composite materials designed to look like typical residential garage door materials, may be used.
5. A metal-sided accessory structure must have a pedestrian door and at least one window integrated into the building wall. Buildings larger than 500 SF must have at least two windows.
6. A metal-sided accessory structure cannot exceed 720 SF. A structure that integrates a metal roof only may be sized in accordance with the standards of its closest category (see standards within this chapter for ADUs, garages, sheds, and so on).
7. Wainscoting around the base of a metal-sided structure, composed of a traditional residential material or look, like brick or stone or of a complimentary color is required in all RE-10 and RE-20 districts.
8. Metal kit carports and all-metal carports are not allowed. A carport may have a metal roof if siding or posts are designed to be integrated into a garage or principal structure, or if a custom design has been created that matches materials used on the principal structure.

C. Specific Standards

1. Accessory Dwelling Unit (ADU)

a. Definition

A small secondary dwelling unit located on the same lot as a principal dwelling unit.

b. Standards

	TRADITIONAL DISTRICTS	SUBURBAN DISTRICTS
Size of the dwelling unit (max)	750 SF	750 SF
Type	Detached, attached, internal	Attached, internal
Number per lot (max)	1*	1
Height (max)		
Attached, internal	Same as principal structure	Same as principal structure
Detached	28'	Not allowed
Placement		
Attached, internal	Same as principal structure	Same as principal structure
Detached	Rear yard only	Not allowed
Setbacks (min)		
Attached, internal	Same as principal structure	Same as principal structure
Detached:		
From side street lot line (min)	Same as principal structure	Not allowed
From side or rear lot line (min)	Same as principal structure	Not allowed
From principal structure (min)	10'	Not allowed

*Lots less than 40' in width and 5,000 SF in lot area may not have both an ADU and a detached garage. Instead, a detached garage and ADU must be integrated together as a carriage house.

Residences built over multiple lots must replat into a single lot prior to constructing an ADU, and ADUs are not to be sold separately from the principal structure.

An ADU must be a permanent structure that complies with all standards of the building code. ADUs must comply with minimum standards for room sizes.

2. Amateur Radio Antenna

a. Definition

An apparatus designed to facilitate amateur ("ham") radio service, as defined and regulated by the Ohio Revised Code.

b. Standards

- i. Amateur radio antennas are allowed in all districts except Downtown and T-RM-E.
- ii. The license holder of any amateur radio tower must be the current property owner. Transfer of a property to a new owner requires the disassembly of towers where continued use is not planned or desired by the new property owner.

- iii. Antennas must not exceed 90' in height.
- iv. Antennas which remain inoperable due to damage or disrepair for one calendar year or more must be removed. Where the operator's FCC license has expired for more than one calendar year, upon written notification from the City, the operator must renew their license or remove the antenna structure within 3 months.

3. Garage, detached

a. Definition

A detached structure 200 SF or larger designed primarily for storing a vehicle or vehicles.

b. Standards

- i. Garages must be connected to private drives or public right-of-way with a driveway. Where a new garage is built (including the reconstruction of an attached garage), any nonstandard condition pertaining to a driveway must be brought into conformance with the provisions of this code.
- ii. Detached garages must meet the standards provided in the following table:

Size (max)	50% of the footprint of the principal structure, or 720 SF, whichever is greater. Not to exceed 1,200 SF
Number (max)	
Lot ≤4 acres	1
Lot >4 acres	2
Height (max)	18'
Connection	
Existing alley	Traditional Districts: Driveway must connect to the alley Suburban Districts: Garage doors may face any direction and connect to alley or street
Corner lot - side street	Connection may be to alley or street
Setbacks	
From side street lot line (min)	Must be set back from the side street lot line at least the distance of the principal structure
From point of driveway connection (min)	10'
From side or rear lot line (min):	
Structure height: ≤11'	3'
Structure height: >11'	6'
From principal structure (min)	10'

*Where a primary structure is set back more than 250' from the primary/side street lot line, a detached garage may be also located in a primary street/side street yard or side yard. It must be set back a minimum of 150' from the primary or side street lot line.

4. Shed

a. Definition

A simple roofed structure used as a storage space or a workshop. Structures which are sited on gravel pads or skids are also considered sheds which must follow the standards of this section.

b. Standards

Sheds must meet the standards provided in the following table:

Size/number (max)	
Lot \leq 1 acre	1 shed up to 200 SF
Lot $>$ 1 acre	300 SF for all sheds
	Limits do not apply to sheds less than 20 SF that are placed inconspicuously against a house or garage. Max depth is 3'. These sheds may be placed in a side, rear, or side street yard.
Height (max)	12'
Placement*	Rear yard only, may not be placed between garage door and alley
	May be placed in the side street yard where a 6' privacy fence is constructed
	Where a primary structure is set back more than 250' from the primary street lot line, a shed may be also located in a primary street/side street yard or side yard. It must be set back a minimum of 200' from the primary or side street lot line.
Setbacks	
From side street, side or rear lot line (min)	3'

*Where no rear yard exists on a corner lot, the applicant may use a side yard for placement, provided that the shed is set back 15' from the front face of the principal structure, toward the rear yard.

5. Swimming Pools, Spas and Hot Tubs

a. Definition

i. Permanent Pool

A structure, chamber, or tank containing a body of water intended for swimming, diving, or bathing, designed with rigid sides and to withstand freezing temperatures without draining. Relevant standards also apply to permanent spas and hot tubs.

ii. Temporary Pool, Spa or Hot Tub

A structure, chamber, or tank containing a body of water intended for swimming, diving, or bathing, designed with flexible siding or is otherwise not able to withstand freezing temperatures without draining.

iii. Kiddie or Baby Pool

A structure, chamber, or tank, generally made from plastic or from an inflatable material, containing a water intended for small children to sit or play in. These pools are designed to be drained and stored frequently and generally do not exceed 30" in height.

b. Kiddie or Baby Pool Standards

A kiddie or baby pool may be placed and used without a permit. These pools must be stored in the winter months as specified for permanent and temporary pools, and may not be placed in a front yard for longer than 48 hours. Kiddie or baby pools are exempt from all other standards applied to permanent and temporary pools.

c. Permanent or Temporary Pool, Spa and Hot Tub Standards

- i. must be located in the rear yard.
- ii. must have a minimum setback from the side and rear lot lines of 10'.
- iii. must have a minimum setback from the principal structure of 10'; and a minimum setback from accessory structures of 5'.
- iv. must have a minimum setback of 10' from any overhead utilities, underground lines, or utility easements, as measured horizontally along the ground. Temporary pools may be set up over an existing utility easements as long as they do not present conflicts, and must be moved away from the easement if a conflict to the easement's use does arise.
- v. Pools may connect directly to any patio or deck, but must still meet other minimum setback requirements.
- vi. On corner lots, pools may be located in the side street yard able to meet the following standards:
 1. The pool must be set back from the property line a minimum of 15'
 2. The side street yard must have a privacy fence with additional landscaping able to grow beyond 10' tall to provide visual screening, or must have mature landscape

screening around the pool area. The screening provided must generally shield the pool area and its users from the right-of-way.

- vii. Temporary pools must be disassembled and stored between October 15th and April 15th of each year.
- viii. All permanent swimming pools, spas, and hot tubs, incidental mechanical equipment and deck areas must be screened with landscaping and plantings or a 6' privacy fence, so that the swimming pool, spa, or hot tub and incidental mechanical equipment and deck areas are not plainly visible from the public right-of-way or adjacent property.
- ix. All swimming pools, spas, or hot tubs with a water surface area greater than 150 square feet must be completely enclosed by a fence or barrier. Fences must be a minimum of 48 inches in height above the finished ground level. In the case of above-ground structures, the wall of the pool may serve as a barrier in lieu of a fence if a removable or lockable ladder is supplied. Both requirements are intended to provide a safety barrier between the pool and neighboring residents, particularly small children and pets. Fences must meet the following standards:
 - 1. The required fence or barrier must be constructed without horizontal members that would make it easy to climb and in such a manner that a sphere with a diameter of 6 inches cannot be passed through any opening.
 - 2. All gates or doors in the safety enclosure must be lockable, and any gate or door used for ingress and egress to the swimming pool, spa, or hot tub area must be self-closing and self-latching with the latching mechanism located on the pool side of the gate or door.
 - 3. All mechanical equipment and deck areas incidental to the swimming pool, spa, or hot tub must be located within the area enclosed by the fence or structural barrier.

6. Family Day Care Home Type A

a. Definition

A permanent residence in which child day care or publicly funded day care is provided for 7 to 12 children at one time; or, a permanent residence of the day care provider in which child day care is provided for 4 to 12 children at one time if 4 or more of these children are under 2 years of age. Such facilities must be licensed as mandated by Chapter 5104 of the Ohio Revised Code. This category of use does not include any child day camp.

b. Use Standards

- i. The owner of the home must be present during all day care hours.
- ii. A permit will be required from the Development Department. Along with an application, the homeowner will provide information on the hours of operation, amenities provided, overnight accommodations, parking and drop off/pickup plan, and proposed signage, and other relevant details as requested by the Development Department.

- iii. Traffic to and from the site must be managed to prevent congestion. Visitors are not permitted to honk their horns during drop-off or pickup.

7. Family Day Care Home Type B

a. Definition

A permanent residence in which child day care is provided for 1 to 6 children at one time. No more than three 3 of these children may be under 2 years of age at one time. Any children under 6 years of age who are related to the provider and who are on the premises of the day care home will be counted. Does not include any child day camp.

b. Use Standards

All Type B family day care homes must conform to the use standards of a Type A family day care home.

8. Home Occupation

a. Definition

Commercial activity carried on by the resident of a dwelling unit, where the occupation is secondary to the use of the dwelling unit for residential purposes.

b. Intent

It is the intent of this section to provide residents with a means of using their residences for commercially productive purposes, but to limiting commercial activities to those that do not detract from the generally residential character and purpose of their dwellings and land.

c. Listed Uses

- i. To provide interpretive clarity, home occupations include the following list and similar occupations: work-from-home offices, day care (see Family Day Care standards), online businesses with minimal vehicle trips generated due to shipping, small-scale cultivation of agricultural products, cottage food production, personal services and therapy, tutoring and lessons, house cleaning services, art studios and craft production.
- ii. The following uses and those similar are not allowed as home occupations, given their tendency to quickly increase beyond the limits placed on home occupations: appliance repair, small engine repair, places of group worship (i.e. churches, temples), tow truck services, mortician services, medical or dental services, construction contracting, automobile repair or modification, automobile sales or rental, storage of the property of off-site owners for commercial gain, retail storefronts, fitness studios, private club headquarters, or rental halls.

d. Additional Standards

- i. The home occupation must be owned or managed by a resident of the site. A home occupation may not be established prior to residential occupancy of the site by the operator of the home occupation.

- ii. No more than one non-resident employee may be present at any one time during the hours of operation.
- iii. No more than two clients may be served at one time, except for limited sales events. Published advertisements soliciting general public to visit the location outside of specified sales windows will be considered a violation of this standard.
- iv. On site sales directly serving customers are limited to one per month.
- v. No more than one vehicle may be used in association with the home occupation. No commercial vehicle may be stored on-site.
- vi. There may be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of a home occupation, with the exception of a home occupation sign erected per Div. 4.7.
- vii. Except during limited sales events, there may be no outdoor display of products. A person may pick up an order previously placed, but no further permanent conversion of an interior space to display products may be made.
- viii. No business storage or warehousing of construction material, supplies, or equipment is allowed outdoors on the site where they may be visible from any right-of-way or neighboring property.
- ix. No processes or equipment may be used that creates heat, glare, dust, smoke, fumes, odors, or vibration detectable off the property.
- x. No processes or equipment may be used that creates sound above the ambient noise level for more than 10 minutes in any given hour during any day between 7AM and 7PM. No related sound above ambient noise level is permitted that is be detectable off the property at any other time.

9. Recreational Vehicle Parking

The storage on residential properties of recreational vehicles, defined as any vehicle used exclusively for noncommercial purposes which are primarily designed for sport or recreational use, or which is designed for human occupancy on an intermittent basis, including boats, trailers, motor homes, vacation trailers or campers, and off-road or all-terrain vehicles, must meet the following:

- a. The recreational vehicle must be kept in good repair and carry a current license and registration;
- b. No recreational vehicle may be used for living or sleeping while parked on a residential lot;
- c. No recreational vehicle may be stored so as to create an unsafe condition, defined as the risk of the tipping or rolling of a recreational vehicle;
- d. No recreational vehicle may be stored where it may obstruct the view of traffic or cause a hazard to pedestrians.
- e. No recreational vehicle may be stored outdoors in a primary or side street yard; and
- f. No more than one recreational vehicle may be stored outdoors at any given time. There is no limit on the number of recreational vehicles that may be parked within a permanent, fully enclosed structure.
- g. A recreational vehicle, or trailer licensed to transport recreational vehicles or equipment, may be parked outdoors in a driveway for no more than 72 hours, unless the following apply:
 - i. The recreational vehicle must be located in a side or rear yard;
 - ii. For recreational vehicles up to 9 feet in height, the vehicle must be located at least 3 feet from the side lot line;
 - iii. For recreational vehicles that are greater than 9 feet in height, the vehicle must be located at least 10 feet from the side lot line, and may not take access from an alley; and
 - iv. Mature screening up to the height of the vehicle must be present to screen the side lot lines.

3.7.3. Nonresidential Accessory Structures and Uses

A. General

Nonresidential accessory structures must comply with the dimensional requirements of the district, unless stated otherwise in this section.

B. Specific Standards

1. Car Wash

a. Definition

An accessory facility with mechanical equipment used for cleaning, washing, polishing, or waxing of motor vehicles, typically associated with a convenience store with fuel pumps.

b. Standards

- i. Only one single-bay automatic (not self-service) car wash that is completely enclosed except for openings necessary to allow entry and exit of vehicles is allowed.
- ii. No car wash facility is allowed within 50 feet of a ground floor residential use, as measured from the residential lot line to the closest point of the car wash facility.
- iii. A Moderate-Impact Common Lot Line Screen (§4.3.7) must be established along all common lot lines.

2. Drive-Thru

a. Definition

A facility at which the customer is served while sitting in a vehicle, typically associated with fast food restaurants, banks and pharmacies.

b. Standards

All standards for drive-thru facilities can be found in Div. 4.2.

3. Cellular/Communications Tower

a. Definition

Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers or monopole towers. Does not include any structure erected solely for a noncommercial individual use, such as television antennas, satellite dishes or amateur radio antennas.

b. Use Standards

- i. Must be located centrally on a continuous lot having a dimension at least equal to the height of the tower measured from the center of the base of the tower to all points on each lot line.

- ii. The cellular/communication tower must meet the requirements of Title V, Chapter 55: Small Cell Facilities and Wireless Support Structures of the Code of Ordinances.
- iii. Cellular/communication towers can exceed the district structure height limit when the distance in feet from all lot lines is greater than their height, up to 120 feet.
- iv. Equipment that is in poor condition, inoperable, unlicensed or abandoned must be removed or repaired within 2 months of notice from the City of Piqua.

4. Essential Service Infrastructure

a. Definition

Installations that create a system of technological or functional support to the public through water, sewer, electrical, communications, fuel, stormwater detention, tree canopy coverage or similar services, not including cellular or communications towers.

5. Farmers Market

a. Definition

An area or facility where farmers sell the food they produce directly to consumers.

6. Outdoor Dining

a. Definition

A seating area specifically designed for the consumption of food or drink, typically associated with a restaurant, and which is either: (1) located entirely outside the walls of the associated building, or (2) enclosed on two or fewer sides by walls, with or without a solid roof cover, or (3) enclosed on three sides by walls without a solid roof cover.

b. Use Standards

- i. The outdoor dining area cannot interfere with the circulation of pedestrian, cyclists or vehicular traffic.
- ii. The hours of operation for the outdoor dining area may be no greater than that of the principal use.
- iii. With a permit from the City Engineer, an outdoor dining area may encroach into a public right-of-way.

7. Outdoor Display

a. Defined

- i. The outdoor display of products actively available for sale. The outdoor placement of propane gas storage racks, ice storage bins, soft drink or similar vending machines is considered outdoor display.
- ii. Outdoor display does not include merchandise or material in boxes, in crates, on pallets or other kinds of shipping containers.

b. Use Standards

- i. Outdoor display is only allowed as an accessory use to a ground floor nonresidential primary use.
- ii. Outdoor display must abut the primary facade with the principal customer entrance, and may not extend more than 6 feet from the facade or occupy more than 25% of the horizontal length of the facade.
- iii. Outdoor display may not exceed 6 feet in height.
- iv. Outdoor display must be removed and placed inside a fully-enclosed building at the end of each business day, except propane gas storage racks, ice storage bins, soft drink or similar vending machines may remain outside overnight.
- v. Outdoor display may not encroach upon any public right-of-way without a permit from the City Engineer. Outdoor display may not impair the ability of pedestrians to use the sidewalk. There must be a minimum of 5 feet of clear width of sidewalk at all times.

8. Low-Impact Outdoor Storage

a. Definition

Low-impact outdoor storage includes:

- i. the outdoor storage of merchandise or material in boxes, in crates, on pallets or other kinds of containers;
- ii. outdoor sale areas for sheds, building supplies, garden supplies, plants, lawn mowers, barbecues and other similar items;
- iii. the overnight outdoor storage of vehicles awaiting repair (but not new vehicles for sale); and
- iv. the outdoor storage of items similar to those listed above.

b. Use Standards

- i. All commercial uses are permitted to conduct low-impact outdoor storage on a paved surface.
- ii. Vehicles awaiting repair may be stored for no more than 14 calendar days.
- iii. Outdoor storage may not exceed 10 feet in height.
- iv. A Low-Impact or Moderate-Impact Common Lot Line Screen (§4.3.7) must be established along all common lot lines. This required screen can be set back from the road to screen only the storage area.
- v. A Low-Impact or Moderate Impact Frontage Screen (§4.3.7) must be established along all primary and side street lot lines. This required screen may be set back from the road to screen only the storage area.

9. Commercial Sheds and Garages

a. Definition

A commercial shed is a simple roofed structure used as a storage space or a workshop, sited on a commercial lot. A commercial garage is a detached structure designed primarily for storing a vehicle or vehicles, sited on a commercial lot.

b. Use Standards

- i. Commercial garages must have vehicular paved connection to a private drive or public right-of-way.
- ii. Minimum setbacks are determined by the zoning district standards.
- iii. Sheds and garages must be placed in the rear yard.
- iv. In commercial settings where the placement of the shed or garage is visible to customers and the public, they must be screened with landscaping of at least 6 feet in height at time of planting to create 100% opacity, or by a wall or fence as is required for waste receptacles (§4.2.6.D). Industrial districts are not subject to this screening standard.

10. Swimming Pool, Public

A public swimming pool, spa, or hot tub may be permitted as an accessory structure to a permitted principal use in accordance with the following standards.

a. Setback

- i. Swimming pools, spas, or hot tubs and incidental mechanical equipment and deck areas incidental to the swimming pool, spa, or hot tub must be set back at least 10 feet from any lot line.
- ii. Swimming Pools, spas, or hot tubs cannot be located within any utility easement and must be set back at least 5 feet from any underground utility.

b. Safety enclosure

All swimming pools, spas, or hot tubs and incidental mechanical equipment and deck areas must be completely enclosed by a fence or structural barrier in accordance with Ohio Building Code requirements, as adopted by §150.001.

c. Screening

All swimming pools, spas, and hot tubs and incidental mechanical equipment and deck areas must be screened with walls, landscaping or plantings so that the swimming pool, spa, or hot tub and incidental mechanical equipment and deck areas are not plainly visible from any public right-of-way or adjacent property.

11. Accessory Parking Lot

a. Definition

A paved surface designed for the short-term storage of automobiles to provide access to a facility on the same lot or, in the case of shared parking arrangements, to a facility other than the facility on site which is in close proximity. Parking lots that are not accessory to any onsite facility are considered principal uses, "Remote" or "Remote Shared" parking facilities, see §3.5.10.

b. Use Standards

- i. New accessory parking lots within the Downtown districts is discouraged, and through a Special Use proceeding, the applicant must demonstrate the need for additional parking and the inability for shared parking, public parking and other parking management strategies to provide sufficient facilities.
- ii. All parking built within the Downtown districts must follow the sharing standards of §3.5.10.B.2.

12. Commercial Vehicle Parking and Storage

a. Definition

- i. The parking, for longer than 24 hours in a 3 month period, of commercial vehicles, which include:
 - 1. vehicles weighing 10,000 pounds or more, exceeding 22 feet in length or 80 inches in width (excluding mirrors); and
 - 2. step up vans, heavy trucks, semi trailers, truck tractors, tractor trailers, moving vans, box trucks, dump trucks, tow trucks, wreckers, buses, school buses, cranes, earthmovers, bulldozers, backhoes, trenchers, construction equipment, or similar vehicles.
- ii. Consumer-rated trucks Class 2b or lower (as classified by the Federal Highway Administration) bearing a commercial logo, or bearing a snow plow during the winter months, are not considered commercial vehicles for the purposes of these Use Standards.

b. Use Standards

- i. No commercial vehicle may be stored on a property used for residential purposes, except for temporary loading, unloading, or service activities not exceeding 9 hours in any given day, and except as listed below. This restriction does not apply to residences in the Suburban Mixed Use or Industrial districts, so long as such vehicles are stored in locations that are not visible from a public right-of-way other than an alley.
- ii. Fixed connections from commercial vehicles to electricity, water, gas, or sanitary sewer facilities are prohibited.
- iii. No recreational or commercial vehicle may be occupied or used for human habitation.

- iv. Fixed connections from recreational or commercial vehicles to electricity, water, gas, or sanitary sewer facilities are prohibited.
- v. Food trucks or trailers and step up vans may be stored within a garage on a residential lot.

Div. 3.8. Temporary Uses

3.8.1. Intent

The intent of this section is to establish standards that allow common temporary use types in accordance with other applicable code sections and to insure the temporary uses will be compatible with surrounding land uses.

3.8.2. Permits

- A. A Temporary Use Permit issued per §7.2.7 is required for the following temporary uses:
 - 1. business office, real estate sales;
 - 2. mobile service or retail operation;
 - 3. seasonal/temporary service or retail establishment;
 - 4. portable residential storage unit or temporary dumpster;
 - 5. wheelchair ramp;
 - 6. temporary construction trades and contractor offices or shops; and
 - 7. portable commercial or industrial storage unit.
- B. The following temporary uses are permitted subject to the provisions of this Division and do not require a Temporary Use Permit:
 - 1. garage sale, yard sale, or porch sale;
 - 2. lemonade stands;
 - 3. outdoor festival, exhibition, or gathering (which are subject to a Special Events permit); and
 - 4. temporary automobile washing event.

3.8.3. General Requirements for all Temporary Uses

A. Duration and Frequency

- 1. The duration of the temporary use and all structures associated with the temporary use cannot exceed 30 days, and may be permitted for up to 180 consecutive calendar days by the Development Director.
- 2. In the event that the temporary use and any structure, equipment, material or other item incidental to the temporary use ceases to operate or be in use for a period of more than 24 consecutive hours, it will be removed from the lot, premises or location occupied and will not reoccupy the lot, premises or location until it will resume operating and remain in use.

3. The temporary use and any structure, equipment, material, or other item incidental to the temporary use must be removed from the property and the property must be restored to the conditions that existed prior to the temporary use occurrence by the expiration date of the permit issued or by no later than 180 calendar days after the date the temporary use commences or any structure, equipment, material, or other item first occupies the property.

B. Compatibility

1. The proposed temporary use must be compatible with the established development, and purpose and intent, of the zoning district in which the temporary use is to be located.
2. The temporary use must not impair the normal, safe, and effective operation of a primary or associated accessory use on the same property or any adjacent property.
3. The temporary use must not endanger or be materially detrimental to the public health, safety and welfare, or injurious to the property or improvements in the immediate vicinity of the temporary use, given the nature of the activity, its location on the property, and its relationship to parking and points of ingress and egress.
4. The temporary use must be supported by the availability of adequate off-street parking and must not create a shortage of off-street parking or in any other way adversely affect the availability of off-street parking for any of the surrounding land uses, or a Transportation Management Plan () must
5. The temporary use must not cause undue noise or visual blight.

C. Compliance with Other Regulations

The temporary use and all structures associated with the temporary use must conform to all applicable Zoning, Building, Fire, Food Safety, and Health Code standards, except that the zoning height and area and parking regulations may be modified by the Development Director when deemed appropriate to permit a temporary use that otherwise conforms to the provisions of this section.

D. Hours of Operation

The hours of operation of the temporary use must be consistent and compatible with the surrounding land uses.

E. Appearance and Nuisances

1. The temporary use and any structure, equipment, material, or other item incidental to the temporary use must be compatible in intensity, appearance and operation with surrounding land uses, and it must not impair the usefulness, enjoyment or value of adjacent property due to the generation of excessive noise, dust, smoke, glare, spillover lighting, or other forms of environmental or visual pollution.
2. All structures, equipment, materials, or other items incidental to the temporary use must be self contained in a single structure, vehicle, or enclosure.

F. Signs

All signs must meet the standards of Div. 4.7 (Signs). No temporary signs are permitted within the public right of way.

G. Other Conditions

The Development Director may establish any conditions deemed necessary to ensure the temporary use will conform to the applicable general and detailed provision of this section, in particular with regards to land use compatibility, and to minimize potential adverse impacts on nearby uses, including, but not limited to: time and frequency of operation, temporary arrangements for parking and traffic circulation, requirements for screening/buffering, and guarantees for property restoration and cleanup following the temporary use. These conditions may include, but are not limited to:

1. modifications or restrictions to the hours of operation, duration of the temporary use, size of the use or other operational characteristics;
2. the posting of a performance bond to help ensure that the operation and maintenance of the temporary use and the subsequent restoration of the property are conducted and completed in accordance with this section and any other conditions required by the enforcing official; and
3. obtaining liability and personal injury insurance in such form and amount as the enforcing official deems necessary to protect the safety and general welfare of the community.

3.8.4. Specific Standards

In addition to the general provisions, the following requirements apply to the specific temporary use type identified.

A. Mobile Food Operation (Food Trucks/Carts)

1. Definition

A mobile food operation that sells from a parked vehicle or tent.

2. Permitting

A mobile food operation which has been scheduled as part of an event with a Special Event permit does not need a temporary use permit. A mobile food operation that is scheduled as part of a temporary use permit for a private event does not need its own temporary use permit. All other mobile food operations must:

- i. register with the Development Department annually. Registration will include submitting proof of liability insurance, photographs of the interior and exterior of vehicle to be used, pictures of permanent signage used, and copies of any applicable operations licenses required by the State of Ohio.
- ii. provide information through a temporary use permit regarding planned locations. A new permit should be filed 2 business days before serving in a location not previously approved.

3. Standards

- a. A mobile food operation must use a sign identifying its business name. Signage must be displayed at all times, and may be printed on the vehicle, displayed as a portable sidewalk sign, or attached to a portable tent. Up to 2 signs are permitted, in addition to signage printed on a vehicle.
- b. A mobile food operation must meet the following location standards:
 - i. must be on private property, unless a separate permit has been granted by the Development Director;
 - ii. must be on a paved parking surface which has nighttime lighting of a minimum of .5 foot candles, if business is conducted during nighttime/early morning hours; and
 - iii. must not impede the flow of traffic in the public right-of-way or within shared parking lots
- c. Mobile food operations may utilize a generator for power for up to 48 hours in one location within a 2 month period. For durations longer than this period, food trucks must use electric power.
- d. All food trucks must pass all inspections required by the State of Ohio for health and safety.

B. Garage Sale, Yard Sale, Porch Sale

1. Definition

The sale of miscellaneous household goods, often held in a residential garage or primary street yard.

2. Standards

- a. Limited to 3 sales per dwelling unit each calendar year and the length of each permitted sale cannot exceed 3 consecutive calendar days.
- b. Sales hours are limited to between 6 AM and 9 PM.

C. Seasonal Sales

1. Definition

The outdoor sales of seasonal products such as Christmas trees and pumpkins.

2. Standards

- a. A Temporary Use Permit per §7.2.7 is required.
- b. A set of operating rules addressing hours of operation, maintenance and security must be prepared and submitted with the permit application.
- c. The on-site presence of a manager during hours of operation is required.
- d. Activities cannot obstruct pedestrian or vehicular circulation, including vehicular sight distances.

D. Portable Residential Storage Unit

1. Definition

Portable, weather-resistant, commercially leased or rented receptacle designed and used for the storage or shipment of personal property, building materials or merchandise. The term does not include yard waste containers, construction debris containers, or containers having a storage capacity of less than 200 cubic feet.

2. Standards

- a. Not more than one portable storage unit may occupy a residential lot.
- b. A portable storage unit may occupy a lot or premise for not more than 30 consecutive calendar days, except for when the portable storage unit is being used to store personal property as the result of a calamity (e.g. fire, flood or other event where there is significant property damage) or other extenuating circumstances, in which case the Development Director may extend the time period in accordance with the duration and frequency item of the general provisions stated within this section.
- c. Portable storage units must be located on a paved surface, must not be located within a public right-of-way, must not be located closer than 3 feet to any adjacent public right-of-way, and must not be located in a manner that creates a sight distance hazard or otherwise obstructs vehicular or pedestrian use of a public facility.
- d. A portable storage unit cannot exceed 8 feet in height or 8 feet in width or 16 feet in length.
- e. Portable storage units must be securely locked at all times other than during actual loading or unloading of items being stored in the unit.

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DEVELOPMENT STANDARDS

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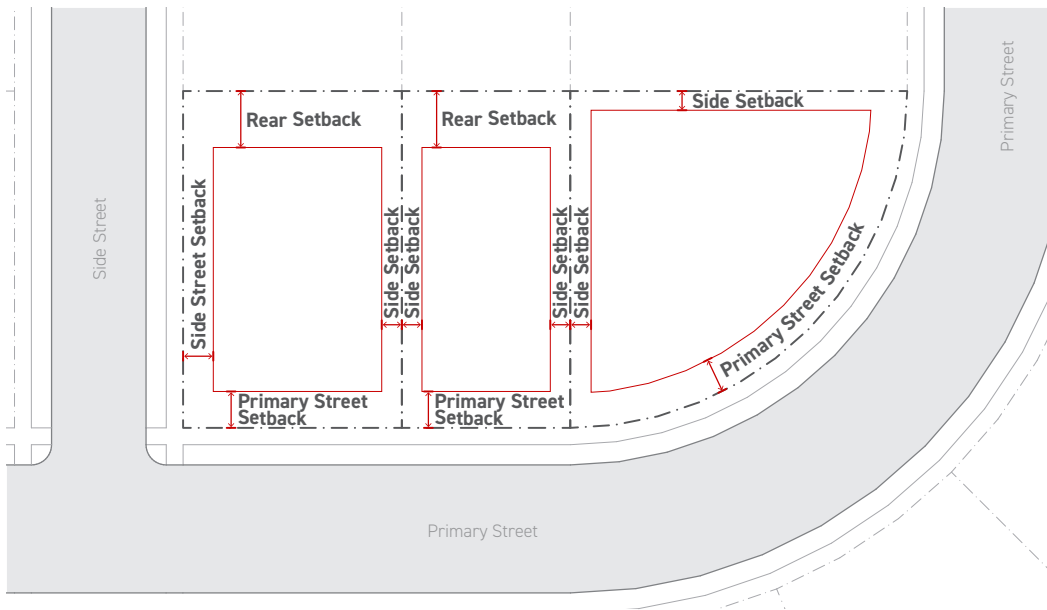
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Div. 4.1. Building

4.1.1. Setbacks

A. Interpretation

1. All buildings and structures on the lot must be located on or behind the minimum building setback required by the district.



2. Setbacks are measured perpendicular to the applicable lot line as follows.
 - a. A primary street setback is measured from the primary street lot line.
 - b. A side street setback is measured from the side street lot line.
 - c. A side lot line setback is measured from the side lot line.
 - d. A rear lot line setback is measured from the rear lot line.
 - e. An alley lot line setback is measured from the alley lot line.

B. Exceptions

1. General

- a. For sign setbacks, see Div. 4.7.
- b. For specific accessory structure setbacks, see Div. 3.7.
- c. For setbacks pertaining to paved surfaces, see Div 4.2.

2. Limited Encroachments into Setbacks

The following can encroach into a required structure setback as specifically listed below.

	PRIMARY/SIDE STREET SETBACK	SIDE/REAR SETBACK
Architectural Details		
Building elements attached to or integrated into the structure of a building, not intended for human occupation. Examples include cornices, belt courses, sills, lintels, pilasters, pediments and chimneys.		
Encroachment (max)	2.5'	2.5'
Setback from lot line (min)	0'	2.5'
Roof Projections		
Roof elements that overhang or cantilever beyond the footprint of the building. Examples include eaves, roof overhangs, gutters, awnings and canopies		
Encroachment (max)	2.5'	2.5'
Setback from lot line (min)	0'	2.5'
Unenclosed Structures (Ground story)		
Unenclosed structures having all finished floors and ground surfaces more than 2.5 feet above grade and having a total structure height less than 15 feet. Examples include porch, deck, stoop, landing platforms, gazebo, trellis, arbor, pergola, basketball hoop.		
Encroachment (max)	10'	5'
Setback from lot line (min)	1'	2.5'
Unenclosed Structures (Above ground story)		
Unenclosed structures having a total structure height of 15 feet of greater. Examples include balcony, upper-story light shelves, exterior stairways.		
Encroachment (max)	5'	2.5'
Setback from lot line (min)	0'	2.5'
Enclosed Structures		
Enclosed structures that overhang or cantilever beyond the footprint of the building that have a cumulative length less than 25% of the width of the building, measured individually for each story. Examples include bay window, oriel window, sleeping porch, overhanging volume, enclosed balcony.		
Encroachment (max)	2.5'	1.5'
Setback from lot line (min)	0'	2.5'
Mechanical Equipment (Ground mounted)		
Equipment supported by the ground related to privately operated systems, including related wires, conduits, and pipes. Examples include gas meters, water softeners, pool equipment, HVAC equipment, gas tanks, cisterns, wind turbines and solar panels.		
Encroachment (max)	1.5'	2.5'
Setback from lot line (min)	15'	2.5'
Mechanical Equipment (Wall mounted)		
Equipment attached to a wall related to privately operated systems, including related wires, conduits, and pipes. Examples include gas meters, electric meters, electrical panels, water heaters, HVAC equipment and gas tanks.		
Encroachment (max)	1.5'	1.5'
Setback from lot line (min)	15'	2.5'
Waste Enclosure		
Waste areas and their required screening structures. Examples include trash compactors, garbage, recycling and food waste.		
Encroachment (max)	0'	unlimited
Setback from lot line (min)	15'	2.5'

3. Unlimited Encroachments into Setbacks

The following can encroach into a required setback to the extent necessary to perform their proper function.

a. Accessibility

Handicap ramps/lifts and fire escapes.

b. Utility Equipment

Equipment related to public or utility operated systems, including related wires, conduits and pipes. Examples include: Hydrants, transformers, utility cabinets, water utility devices, cable television or phone boxes.

c. Underground Structures

Covered structures located entirely below grade. Examples include cellars, basements, storm water storage and cisterns.

d. Walkways

Sidewalks, multi-use paths.

e. Privacy Screening

Fences, walls and hedges.

f. Vegetation

Examples include trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses and associated planters and raised planting beds, if applicable.

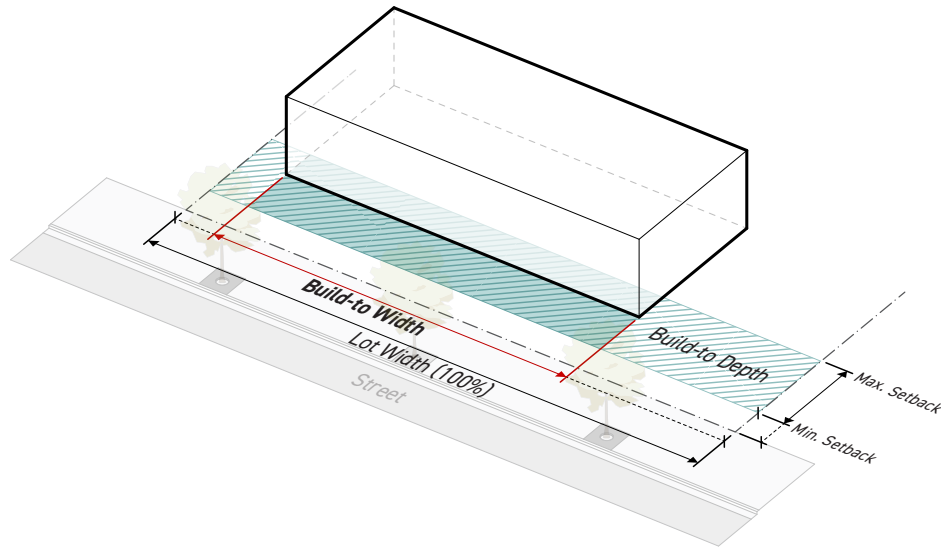
g. Outdoor Furniture

Permanent or movable furniture. Examples include benches, tables and bike and scooter parking racks.

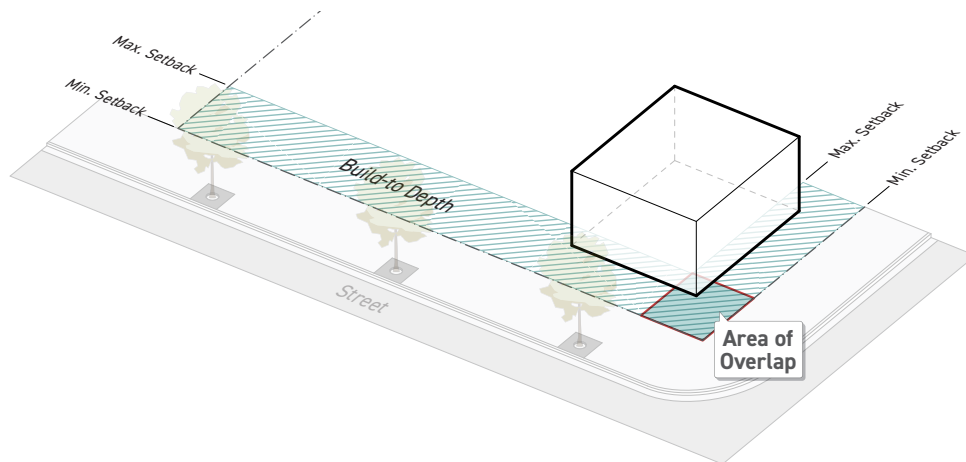
4.1.2. Build-To Width

A. Interpretation

1. Build-to depth is the area on a lot between the required minimum building setback and the maximum allowed building setback along both primary and side streets.
2. A building must be located within the build-to depth for at least the minimum required build-to width. The build-to width applies in both primary and side street build-to depths, for the minimum required building height.

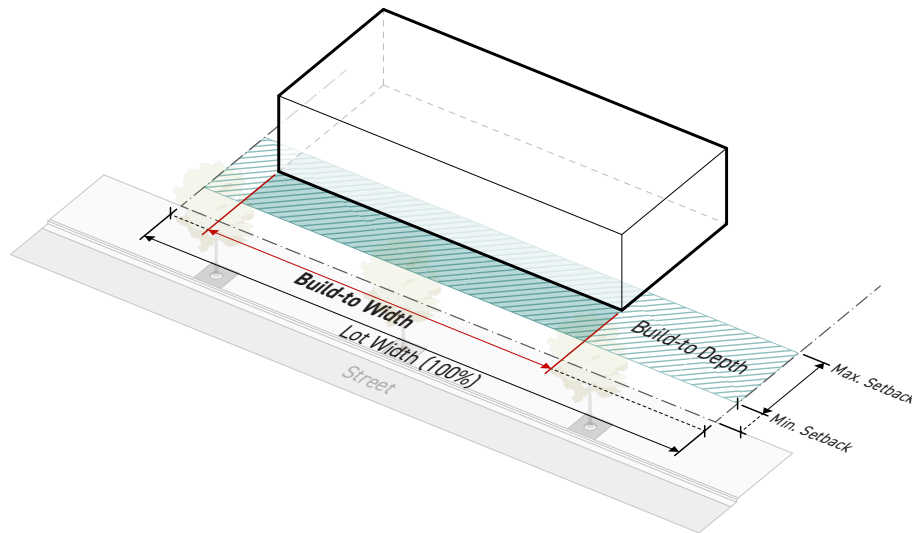


3. On a corner lot where both streets have a build-to requirement, a building must be located within each overlapping build-to depth.

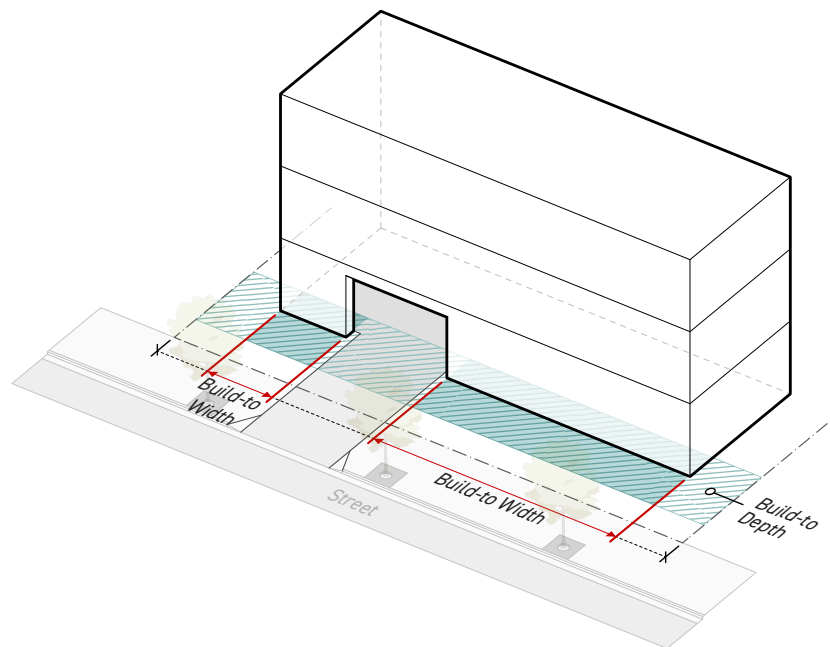


4. Build-to width is calculated separately along each street lot line where a build-to width is required.

- Build-to width is a percentage measured as the sum of all building widths occupying the build-to depth, divided by the total lot width.

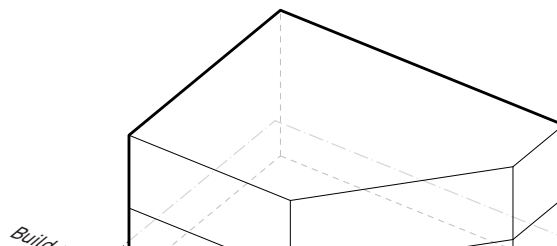


- Once the minimum build-to width has been satisfied, buildings may be located outside of the build-to depth.
- The width of an vehicular entrance into or through a building does not count towards the build-to width requirement.



B. Exceptions

A chamfered corner no more than 20 feet in width located on the ground story of a building and extending outside of the build-to depth qualifies as building width in the build-to depth.



4.1.3. Structure

A. Height Maximum

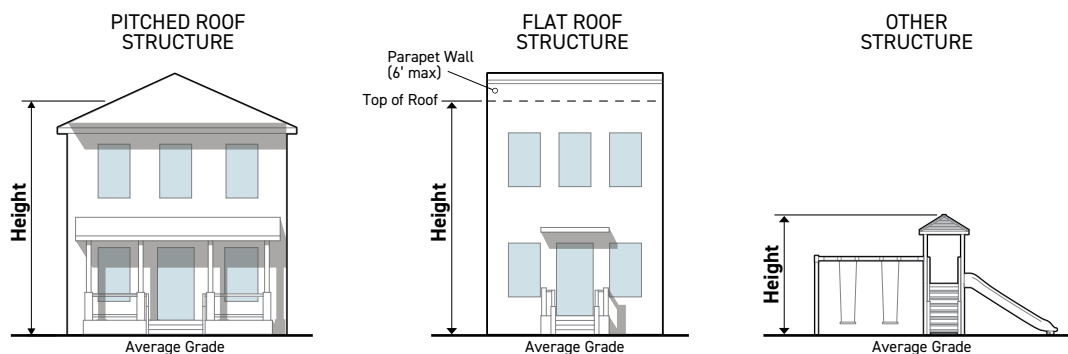
1. Application

No principal or accessory structure may exceed the maximum number of feet or stories allowed in the district unless listed as an exception in this section.

2. Height in Feet

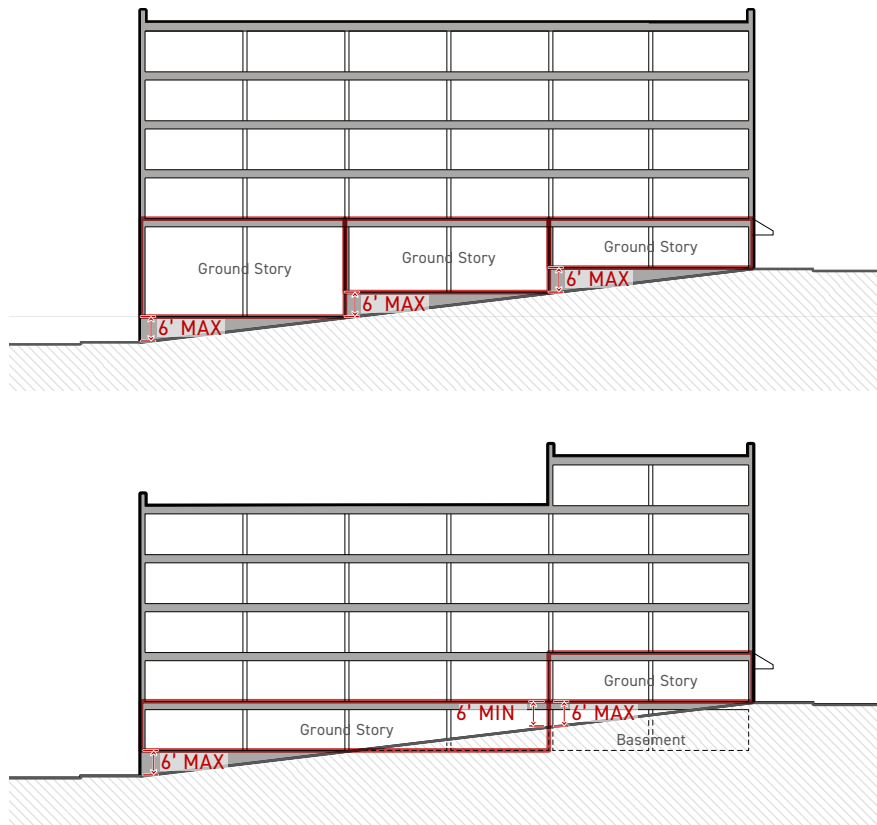
Height in feet is measured from average grade to one of the following:

- a. For a structure with a roof having a pitch greater than 4:12, maximum height is measured to the mid-point of the roof.
- b. For a structure with roof having a pitch of 4:12 or less, maximum height is measured to the top of the roof deck.
- c. For all other structures, height is measured to the topmost point of the structure.

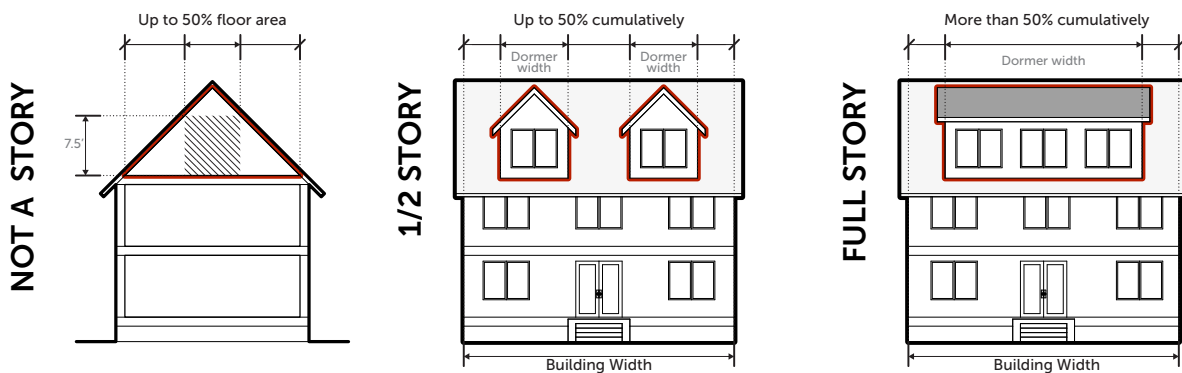


3. Height in Stories

- a. Height in stories is measured as the number of stories in a building above finished or natural grade, whichever is lower.
- b. A story is the part of a building included between the surface of one floor and the surface of the next floor above, or if there is no floor above, then the ceiling next above. A mezzanine does not count as a story.
- c. The ground story is the first story above grade where the finished ground floor elevation is more than 6 feet above finished grade for any portion of the building perimeter.
- d. A higher or lower floor may be designated as the ground story for different portions of a building.
- e. A ground story must be exposed above grade by at least 6 feet for all portions of the building perimeter.



- f. Any story located above the ground story is an upper story. The topmost story of a building is counted as a half story, rather than a full story, when:
- i. it is completely within the roof form of the building and less than 50% of the floor area has a clear height of more than 7.5 feet, measured from the finished floor to the finished ceiling; or
 - ii. dormers do not exceed more than 50% of the front, rear or side building width.



- g. A basement is a story when 50% or more of the exterior perimeter wall area is exposed, measured from the finished floor above to finished or natural grade, whichever is lower.

4. Exceptions

The following can exceed the district height limit as specifically listed below.

	MAXIMUM DISTRICT HEIGHT		
	35'	40'	60'
Architectural Elements			
Building elements attached to or integrated onto the roof of a building, not intended for human occupation. Examples include steeples, spires, belfries, cupolas, domes, flagpoles and lighting.			
Encroachment (max)	0'	5'	10'
Setback from roof edge (min)	0'	0'	0'
Vertical Circulation			
Enclosed structures used exclusively for building circulation and rooftop access. Examples include elevator room, and associated equipment, and stairway access to roof.			
Encroachment (max)	0'	10'	10'
Setback from roof edge (min)	0'	5'	5'
Safety Barriers			
Vertical barriers used for safety, screening or protection. Examples include fencing, walls, parapets, railings and stairs.			
Encroachment (max)	0'	6'	6'
Setback from roof edge (min)	0'	0'	0'
Unenclosed Structures			
Unclosed structures attached to or integrated onto the roof of a building, intended for human shelter or activity. Examples include shade structures, cabanas, pergolas, rooftop bar, outdoor dining, permanent seating, sports courts and cooking facilities.			
Encroachment (max)	0'	8'	8'
Setback from roof edge (min)	0'	5'	5'
Rooftop Equipment			
Equipment supported by a roof related to public or privately-operated systems, including related wires, conduits, pipes and visual screens. Examples include HVAC equipment, cisterns, water tanks, wind turbines, solar panels, solar water heaters, exhaust ducts, smokestacks, satellite dishes, ventilation fans, chimney, flues, vent stacks, generators)			
Encroachment (max)	3'	5'	10'
Setback from roof edge (min)	0'	0'	5'
Flatwork surfaces			
Constructed objects 2.5 feet in height or less. Examples include decking, walkways, patios.			
Encroachment (max)	2.5'	2.5'	2.5'
Setback from roof edge (min)	1'	1'	1'
Vegetation			
Living organisms, absorbing water and organic substances through its roots and synthesizing nutrients. Examples include trees, shrubs, flowers, herbs, vegetables, grasses, ferns, mosses and associated planters and raised planting beds, if applicable.			
Encroachment (max)	unlimited	unlimited	unlimited
Setback from roof edge (min)	1'	1'	1'

B. Height Minimum

1. Intent

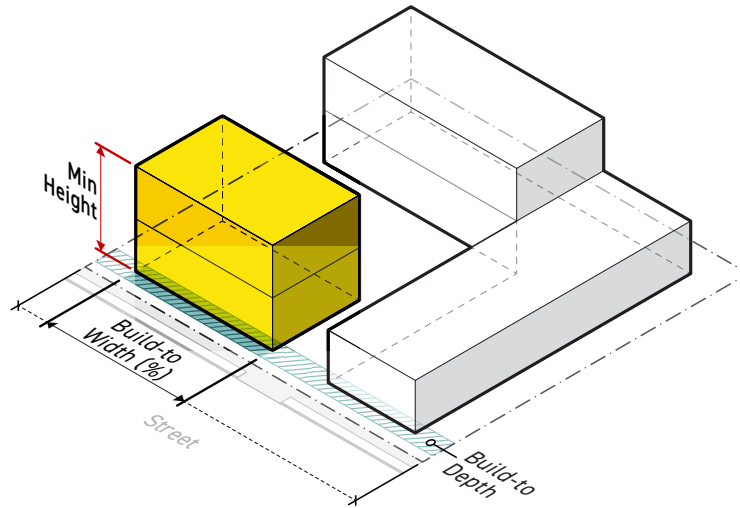
To help ensure that buildings are in context and compatible with surrounding existing development and allow for the intensity of development desired for the district.

2. Application

All principal structures on a lot.

3. Standards

All portions of a structure used to meet a minimum build-to requirement or an occupiable depth requirement must have a height no less than the required minimum number of stories specified by the district.



C. Width

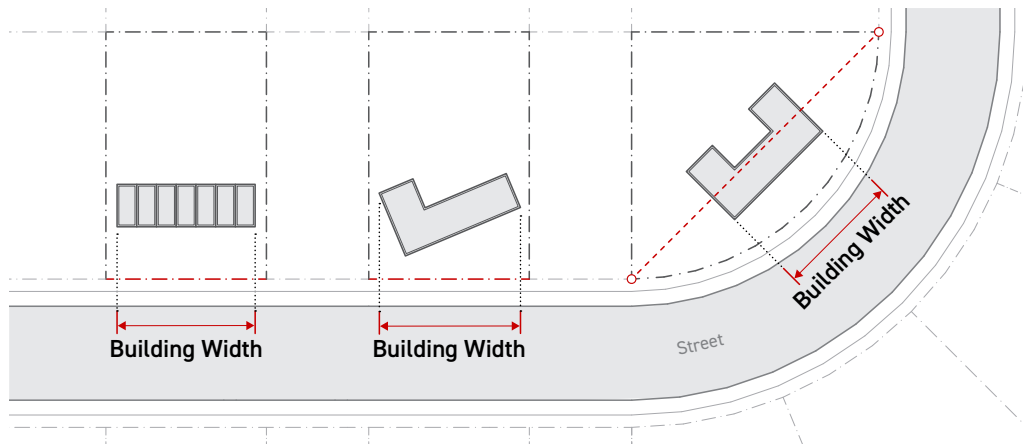
1. Application

All primary and side street-facing facades located above the ground floor finished floor elevation.

2. Standards

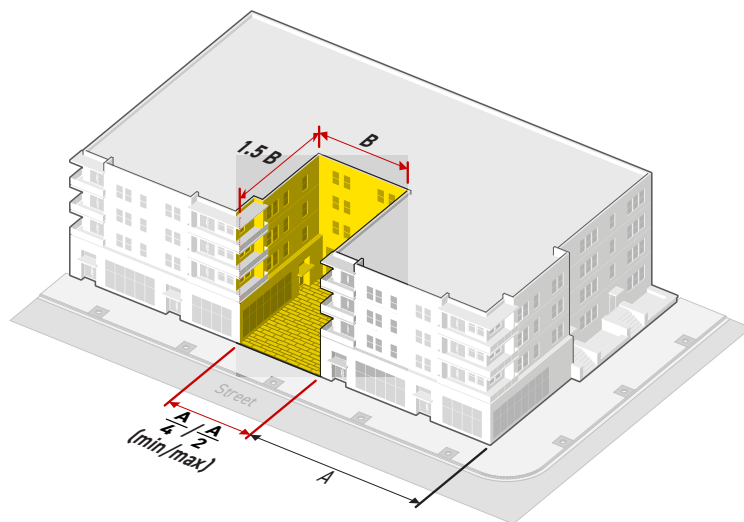
a. General

- i. No structure may be wider than the maximum building width specified by the district.
- ii. Two buildings can abut one another provided that they have no shared components (including but not limited to footings, slab and walls) and have no shared circulation.
- iii. Building width is measured horizontally and parallel to each abutting primary and side street lot line from one end of an applicable building or collection of connected buildings to the opposite end.



3. Exceptions

- a. An open space meeting the following standards may be used to establish a continuous structure as separate buildings for the purpose of meeting a maximum building width requirement:
 - i. The width of the open space can be no more than $1/2$ the width of the widest adjacent building width provided and no less than $1/4$ the width of widest adjacent building width provided;
 - ii. The depth of the open space must be at least 1.5 times the width of the open space; and
 - iii. A maximum of 1 open space can be used to satisfy the building width requirement for each building.



- b. Architectural details and necessary mechanical equipment may encroach up to a maximum of 2 feet into a building break or open space, provided a clear width of at least 5 feet is maintained throughout the space.

D. Occupiable Depth

1. Intent

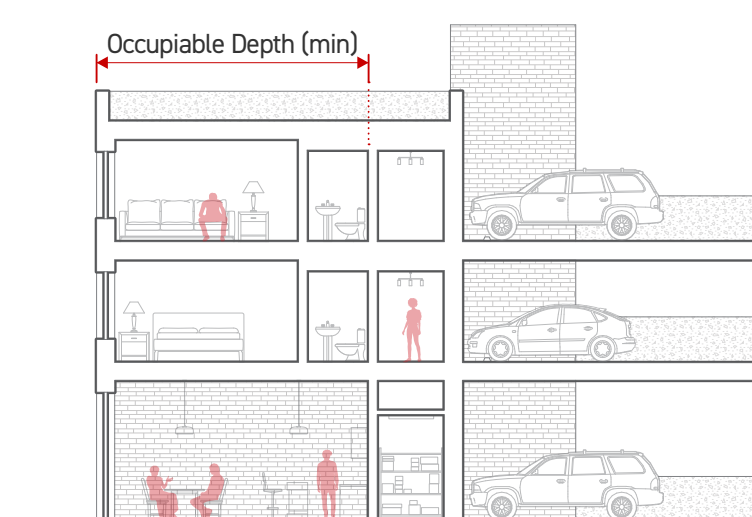
To help minimize the impact of inactive space on the public realm and to promote a comfortable, safe, engaging and attractive built environment with active uses along the public realm.

2. Application

- a. All new buildings used to meet the minimum build-to width, for the minimum required building height.
- b. If there is no minimum building height, occupiable depth applies to the ground story only.

3. Standards

- a. All applicable buildings must provide the minimum required occupiable depth.
- b. The minimum occupiable depth that must be provided along primary streets is 15 feet.
- c. The minimum occupiable depth that must be provided along side streets is 9 feet.
- d. No more than 20% of the floor area of the minimum required occupiable depth can be used for inactive uses such as car parking, storage, hallways, stairwells, elevators and equipment rooms.
- e. Occupiable depth is measured horizontally from the front building facade toward the interior of the building.
- f. Porches, decks, and similar exterior architectural features are not included in the measurement of occupiable depth.



4.1.4. Floor Height

A. Ground Story Height

1. Intent

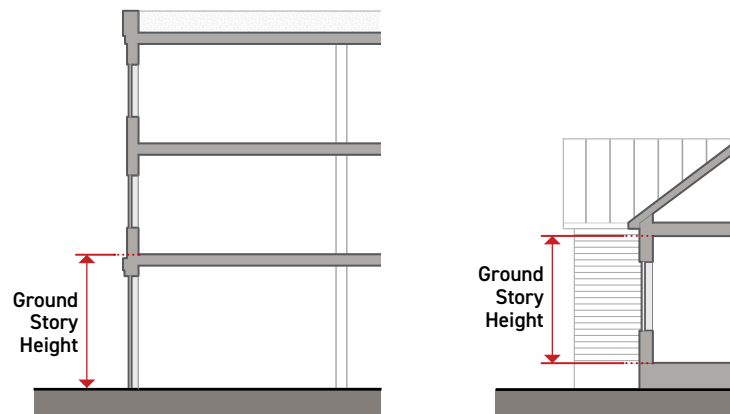
To help ensure high-quality ground story spaces that are adaptable and appropriate to their context.

2. Application

All principal buildings that contain habitable space on the ground story.

3. Standards

- a. Applicable ground story space can be no less than the minimum ground story height required by the district.
- b. Ground story height is measured from the surface of the finished floor of the ground story to the surface of the finished floor of the story above. If there is no story above, ground story height is measured to the finished ceiling above.



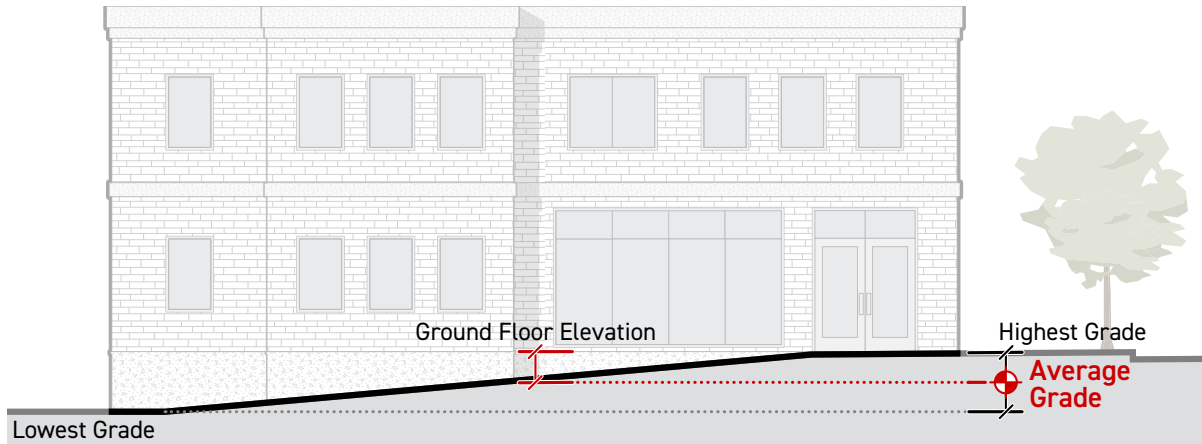
B. Ground Floor Elevation

1. Intent

To help ensure high-quality ground story spaces that are adaptable and appropriate to their context.

2. Application

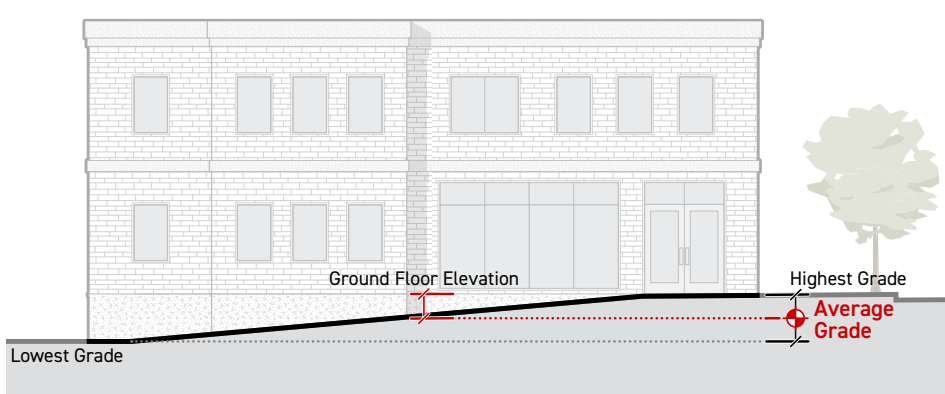
- a. The ground floor elevation standards apply to all principal buildings that contain habitable space on the ground story that are located within 20 feet of a primary or side street lot line.
- b. The ground floor elevation standards apply only to the required ground floor occupiable depth.



- c. Ground floor elevation standards do not apply to accessory structures, unless the structure contains a dwelling unit with habitable ground story space.

3. Standards

- a. All habitable ground story space located within the first 15 feet of the building must have a finished floor surface higher than the minimum ground floor elevation required by the district.
- b. All habitable ground story space located within the first 15 feet of the building must have a finished floor surface lower than the maximum ground floor elevation allowed by the district.
- c. Ground floor elevation for nonresidential floor area in a residential building (lobby, gym, office) may be reduced to -2 feet.
- d. Ground floor elevation is measured from average grade to the top of the finished floor of the ground story. On corner lots, for the purpose of determining ground floor elevation, average grade must be established independently for each street-facing building facade.



4.1.5. First Floor Area

1. Intent

To help ensure high-quality ground story spaces that are adaptable and appropriate to their context.

2. Measurement

All first floor area will be measured, including both heated and unheated spaces.

3. Standards

Ground stories must meet the minimum area standards set by their district.

4.1.6. Transparency

A. Ground and Upper Story Transparency

1. Intent

To provide visual interest along the public realm by encouraging visual connections between the public realm and the interior of a building.

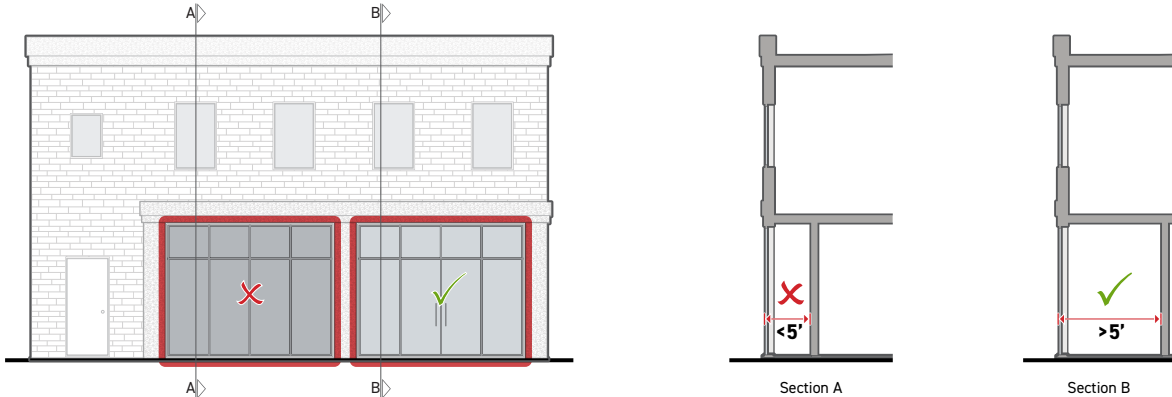
2. Application

All primary and side street-facing building facades.

3. Standards

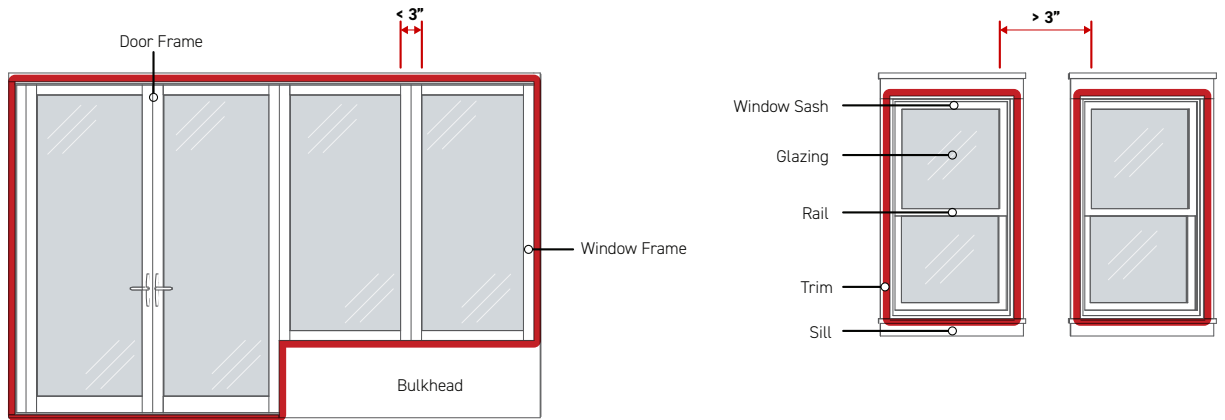
a. General

- i. Ground and upper story facades must meet the minimum transparency required by the district.
- ii. Window and door openings meeting the following standards count towards the transparency requirement:
 1. Interior walls and other permanent interior visual obstructions cannot be located within 5 feet of the window or door opening, except for windows signs (§4.7.7.K). This standard applies only to ground floor commercial uses.



2. Ground story glazing must have a visual transmittance of 50% or higher and an external reflectance of less than 15%;
3. Upper story glazing must have a visual transmittance of 30% or higher and an external reflectance of less than 40%; and

4. Muntins, mullions, widow sashes, window frames and door frames that are integral to window and door assemblies that are less than 3 inches wide may be considered transparent when calculating required percentages.



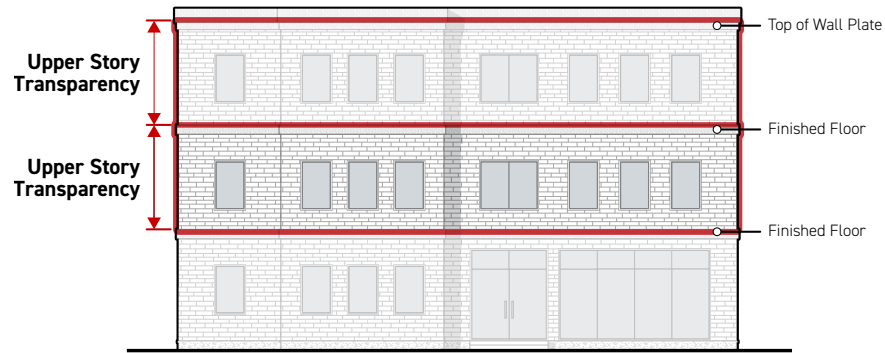
b. Ground Story

Ground story transparency is measured as a percentage calculated as the sum of the ground story facade area meeting the requirements for transparency, divided by the total facade area. Ground story facade area is measured as the portion of a facade between 2 and 12 feet above the finished floor of the ground story.



c. Upper Stories

- i. Upper story transparency is measured as a percentage calculated as the sum of the upper story facade area meeting the requirements for transparency, divided by the total facade area. Upper story facade area is measured as the portion of a facade area between the top of the finished floor for that story to the top of the finished floor above. When there is no story above, it is measured to the top of the wall plate.
- ii. Upper story transparency is measured separately for each upper story of a building.



B. Blank Wall Width

1. Intent

To provide visual interest along the public realm by limiting the area without visual or physical connections between the public realm and the interior of a building.

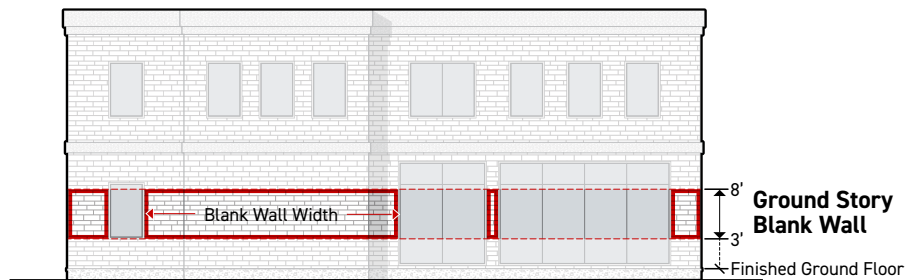
2. Application

All primary and side street-facing building facades.

3. Ground Stories

a. General

- i. On building facades between 3 feet and 8 feet from the finished ground floor elevation, window and doors meeting the requirements of §2.7.9 (Transparency) cannot be separated by more than the maximum blank wall width of the district unless a blank ground story wall treatment is applied.
- ii. Blank wall width is measured horizontally from the edge of one window or door to the edge of the other window or door or to the edge of the ground floor facade.

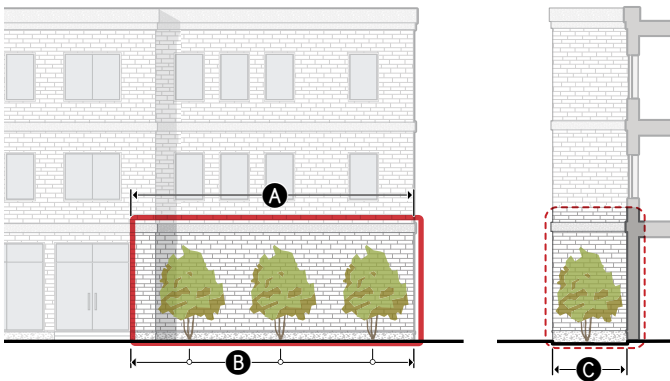


b. Blank Wall Treatments

Ground story facades that exceed the maximum allowed blank wall width for the district may apply one or more of the following treatments and double the maximum allowed blank wall width.

i. Ornamental Trees

Ornamental trees planted in front of the blank wall.

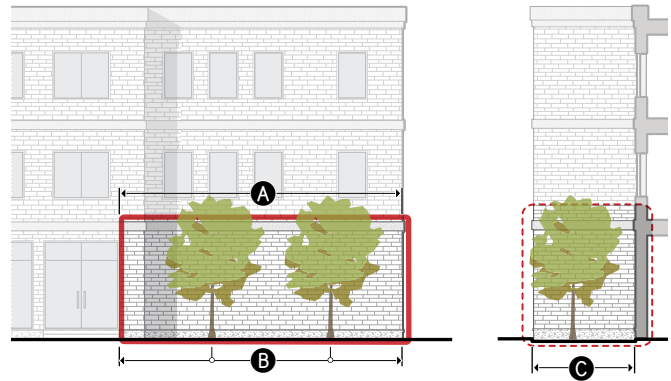


DIMENSIONAL STANDARDS

A Treatment area (min % of ground story facade with blank walls)	100%
Tree type	Ornamental
B Planting frequency (min avg.)	1 per 20'
C Planting area depth (min)	10'

ii. Shade Trees

Shade trees planted in front of the blank wall.

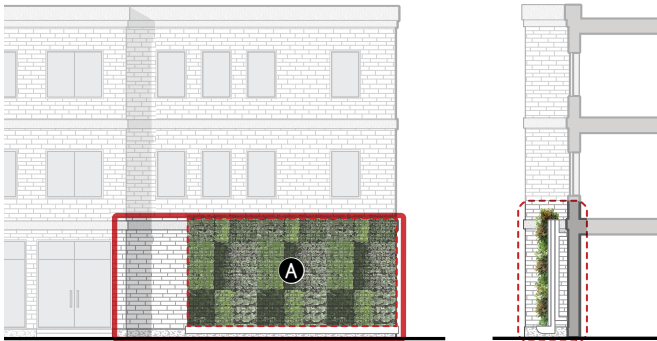


DIMENSIONAL STANDARDS

A Treatment area (min % of ground story facade with blank walls)	100%
Tree type	Shade
B Planting frequency (min avg.)	1 per 40'
C Planting area depth (min)	15'

iii. Living Wall

A permanently fixed assembly located on the blank wall that supports vegetation, its growing medium and irrigation.

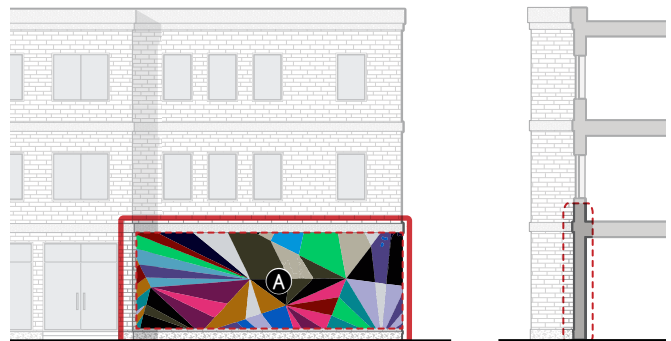


DIMENSIONAL STANDARDS

<p>A Treatment area (min % of ground story facade with blank walls)</p>	<p>75%</p>
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iv. Mural

A mural is a unique artistic image, applied to a wall by hand. Text may be incorporated, but must follow the dimensional standards of a wall sign. Murals must receive a development permit, and those in the Downtown Zoning Districts will be reviewed by the Planning Commission.



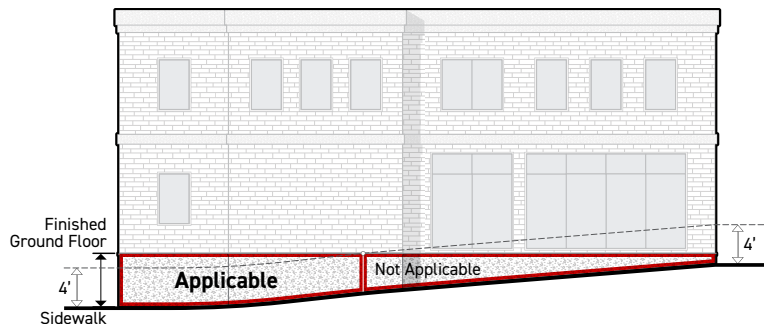
DIMENSIONAL STANDARDS

<p>A Treatment area (min % of ground story facade with blank walls)</p>	<p>75%</p>
--------------------------------------------------------------------------------	------------

4. Foundation Walls

a. General

- i. Building foundation walls exposed more than 4 feet in height above surrounding grade cannot exceed the maximum blank wall width of the zoning district unless a blank foundation wall treatment is applied.
- ii. Blank wall width is measured horizontally for any individual width of exposed foundation wall more than 4 feet in height that does not include windows or doors.

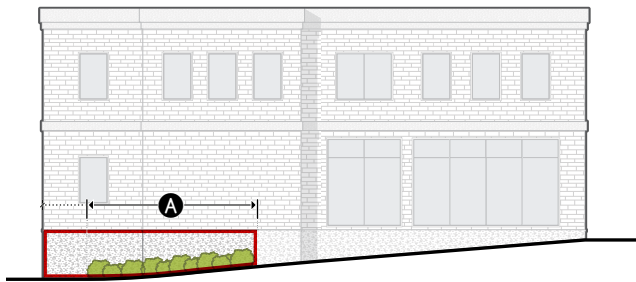


b. Blank Foundation Wall Treatments

Building foundation walls that exceed the maximum blank wall width for the district may apply one or more of the following treatments and double the allowed blank wall width.

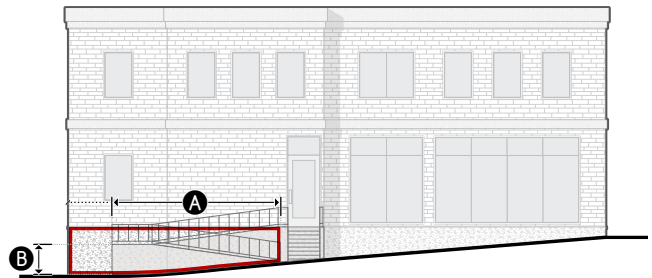
i. Foundation Planting

Landscaping planted along the blank foundation wall.



ii. Pedestrian Access

Stairs or ramps attached to or in front of a blank foundation wall providing pedestrian access to a street-facing entrance.

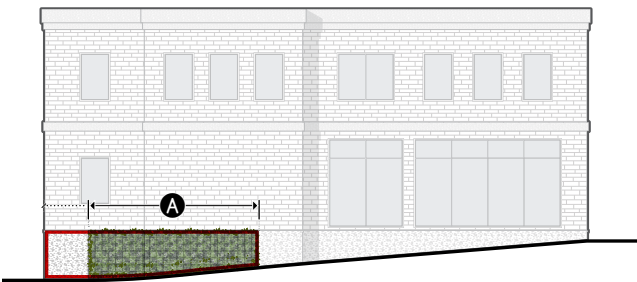


DIMENSIONAL STANDARDS	
A Treatment width (min portion of blank wall width)	75%
Plant type	Screening plant
Planting frequency (min avg.)	3 per 10'
Planting area depth (min)	3'

DIMENSIONAL STANDARDS	
A Treatment width (min portion of blank wall width)	75%
B Height above sidewalk (max)	4'

iii. Green Wall

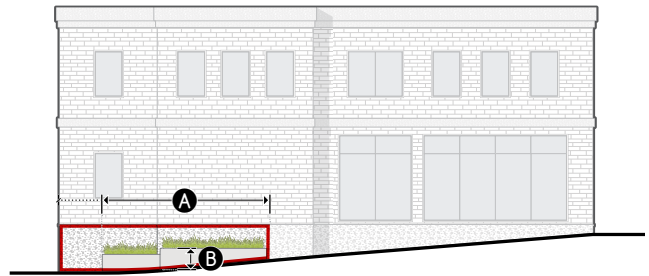
A structure permanently attached to the blank foundation wall that supports vegetation, its growing medium and irrigation.



DIMENSIONAL STANDARDS	
A Treatment area (min % of blank foundation wall)	75%
Planting area depth (min)	1'

iv. Planter

Permanent structure abutting the blank foundation wall that supports vegetation and its growing medium.



DIMENSIONAL STANDARDS	
A Treatment area (min % of blank foundation wall)	75%
B Height above sidewalk (min/max)	2'/3'
Planting area depth (min)	2'

4.1.7. Pedestrian Access

A. Street-Facing Entrances

1. Intent

To provide visual interest and accessibility along the public realm, orient buildings to pedestrians and promote greater use and activation of the public sidewalk.

2. Application

All street-facing building facades specified by the district (Article 2).

3. General Standards

- a. A required street-facing entrance must meet the following:
 - i. be located on a ground story facade;
 - ii. provide both ingress and egress pedestrian access to the ground story of the building;
 - iii. access a habitable space; and
 - iv. remain operable at all times. Access may be controlled and limited to residents or tenants.
 - v. be ADA-compliant or offer an alternate entrance that is ADA compliant on the same face of the building within 20 feet.
- b. A primary street-facing entrance must front on to a primary street.
- c. A side street-facing entrance must front on to a side street.
- d. If a building provides a primary street-facing entrance, a side street-facing entrance is only required when the building width along the side street is greater than the maximum entry spacing requirement for the district.
- e. On a corner lot, an angled entrance may be used to meet the requirement for a street-facing entrance along both streets.
- f. Pedestrian accessways providing access to a required street-facing entrance must meet the standards of §4.2.4 (Pedestrian Accessways).
- g. Accessory structures do not have to provide a street-facing entrance.

B. Street-Facing Entrance Spacing

1. Intent

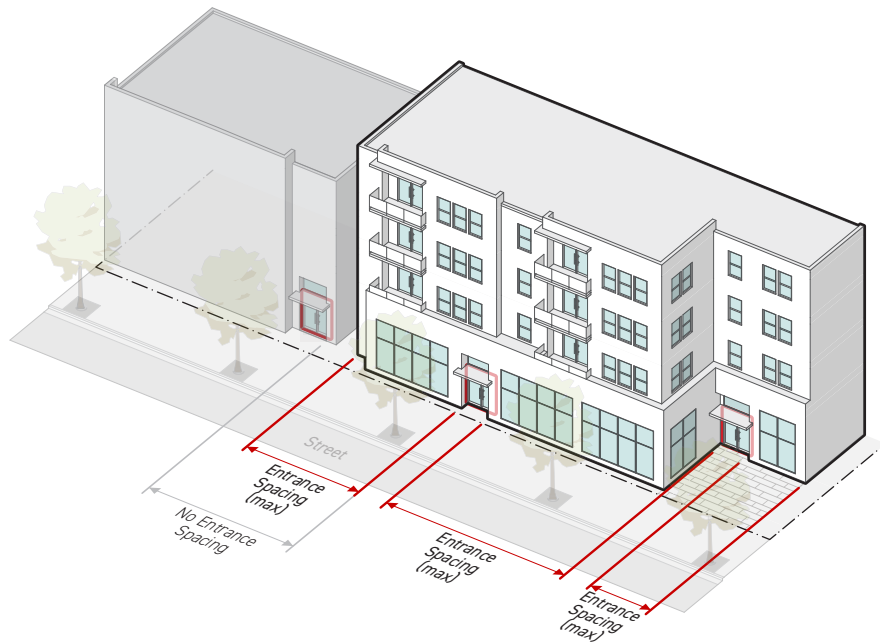
To ensure adequate pedestrian access to the interior of a building is provided and promote greater use and activation of the public sidewalk.

2. Application

See district standards (Article 2) for application of street-facing entrance spacing standards.

3. Standards

- a. A required street-facing entrance cannot be located farther from another street-facing entrance on the same building, or the edge of the building facade, than the maximum entrance spacing requirement specified by the district.
- b. Entry spacing is measured as the horizontal distance from edge of door to edge of door and edge of door to edge of building, measured parallel to the primary or side street lot line.
- c. The entry spacing requirements must be met for each building and abutting buildings within a project, but are not applicable to buildings unrelated to the project.



C. Entry Feature Options

1. Intent

To provide comfortable entryways and add articulation to buildings in an aesthetically pleasing style. A well-designed entryway may also provide shelter from the elements and a semi-private space for gathering or other activities and help build community, shared identity, and in some cases, additional security to the public realm through passive visual surveillance of the street.

2. Application

All required street-facing entrances require an entry feature.

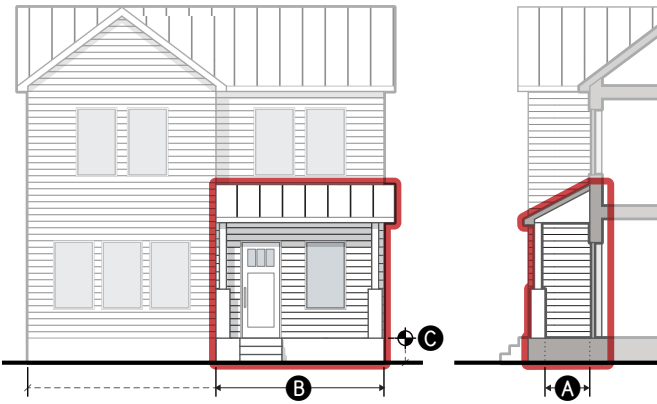
3. General

- a. Modifications may be made to entry features requiring a minimum elevation to provide an alternate ADA accessible design.
- b. The Development Director may approve entry feature designs that vary from the following options if they present a high degree of design quality and meet the intent of this section.

4. Entry Feature Design Options

a. Porch

A raised, roofed platform attached to a building forming an articulated entryway and semi-private social space.

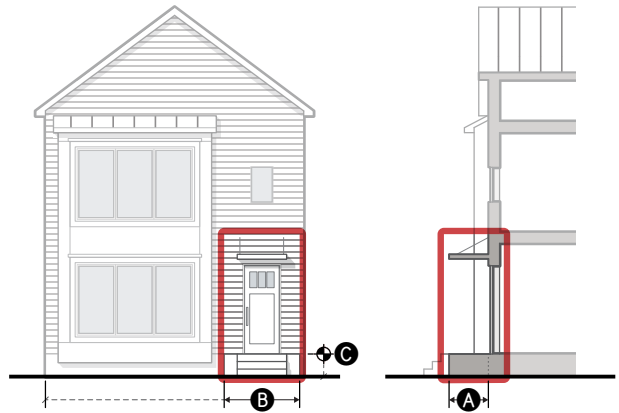


DIMENSIONAL STANDARDS

A Depth (min)	5'
B Width of front facade (min)	30%
Covered entrance area (min)	100%
C Finished floor elevation (min/max)	2'/5'
Enclosure (max)	50%

b. Raised Entry

A raised platform accessed from an exterior staircase, providing covered access to a street-facing entrance.

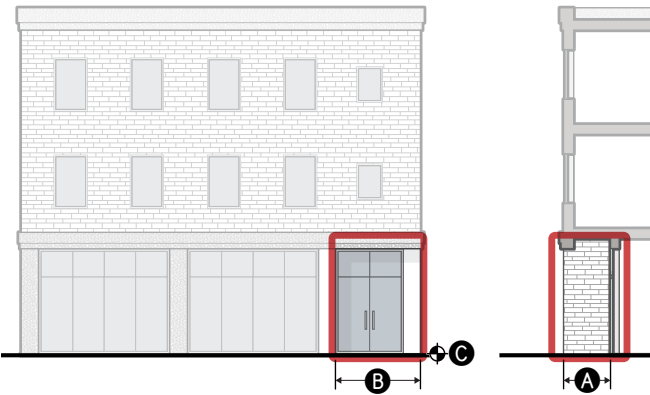


DIMENSIONAL STANDARDS

A Depth (min)	3'
B Width (min)	4'
Covered entrance area (min)	4.1.7.C.5
C Finished floor elevation (min/max)	2'/5'
Enclosure (max)	50%

c. Recessed Entry

A space set behind the primary facade plane providing sheltered access to a street-facing entrance.



d. Forecourt

A yard screened with a short wall, fence or hedge that provides significant privacy for ground story tenants located near sidewalk grade.



GENERAL DIMENSIONAL STANDARDS

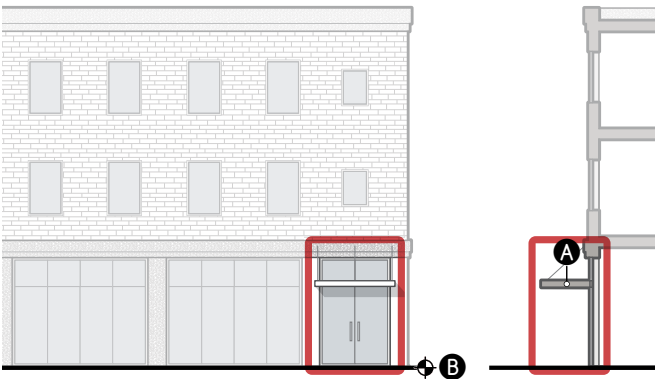
A Depth (min/max)	3'/15'
B Width (min)	5'
Covered entrance area (min)	100%
C Finished floor elevation (min/max)	-2'/5'
Enclosure (max)	75%

DIMENSIONAL STANDARDS

A Depth (min)	8'
B Width (min)	10'
Covered entrance area (min)	4.1.7.C.5
C Finished floor elevation (min/max)	-2'/5'

e. Covered Entry, Canopy, Awning, Pergola

A raised platform accessed from an exterior staircase, providing covered access to a street-facing entrance.



DIMENSIONAL STANDARDS

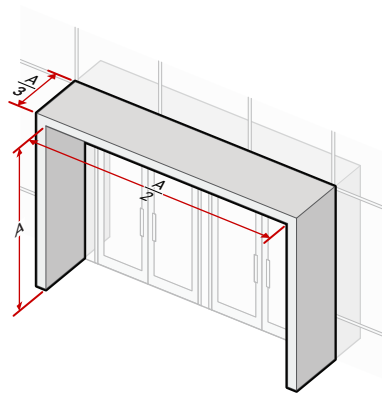
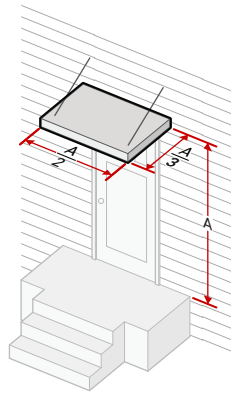
A Depth (min)	3'
B Width (min)	4'
Covered entrance area (min)	4.1.7.C.5
C Finished floor elevation (min/max)	-2'/2'
Enclosure (max)	50%

- iii. An awning must be made of a durable, weather resistant material, such as canvas, canvas-like material, nylon, vinyl-coated fabric, or a durable, rust-free metal. Open-ended awnings and operable awnings are encouraged. Rounded and hooped awnings are discouraged.
- iv. Internally illuminated awnings are prohibited.
- v. An awning must not extend across more than one story of the building to which it is attached.

- i. A canopy must be securely attached to the building, and must be supported by the building or by support posts that extend to the ground. All frames and supports must be made of metal or similar rigid material. Frames and supports made of wood or plastic are prohibited.
- ii. An awning must be securely attached to and supported by the building, and must fit the windows or doors to which the awning is attached. All frames and supports must be made of metal or similar rigid material. Frames and supports made of wood or plastic are prohibited.

5. Minimum Covered Entrance Area

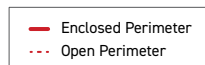
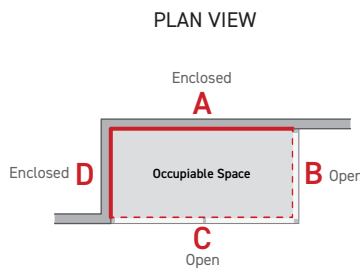
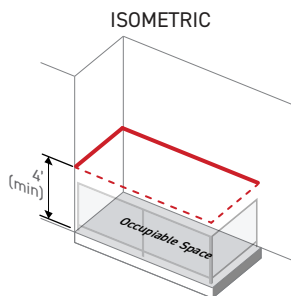
- When required as a part of an entry feature, a canopy, roof or other sheltering structure must cover the exterior area immediately abutting the associated street-facing entrance.
- The minimum depth of the covered area must be the clear height of the covered area divided by 3.
- The minimum width of the covered area must be the clear height of the covered area divided by 2.



A = Clear Height

6. Enclosure Measurement

- Enclosure is measured as a percentage calculated by measuring the linear distance around the occupiable space of the entry feature at a height of 4 feet and dividing the enclosed portions of the perimeter length by the total perimeter length.
- Any wall or barrier of 4 feet or less in height is not included in the calculation of enclosure.



FORMULA

Enclosed Perimeter [A + D]	= Enclosure (%)
Total Perimeter [A + B + C + D]	

7. Maximum Garage Door Facade Width

For garage doors facing the primary street or side street lot lines, the maximum width of the garage door may not exceed 50% of the total front facade width.

4.1.8. Building Materials

A. Intent

The provisions of this section are intended to provide standards which elevate the design quality and appearance of structures within the city.

B. Application

The exterior visible surfaces of structures within the city, including accessory structures.

C. For All Structure Exteriors

1. Existing structures undergoing regular maintenance or enlargement must use materials similar in color, size and texture to the original structure's materials as to blend patch or repair work seamlessly with existing materials.
2. Replacement of existing materials that are no longer permitted must be completed by permitted materials. This standard does not apply to small patches, rather it is intended for whole replacement, i.e. whole roof replacement, whole fence reconstruction, etc.
3. Highly reflective materials or exterior paint colors may not be permitted on any elevation.

D. In all Suburban Neighborhood Districts, Traditional Districts, and Downtown Districts

1. Concrete masonry units, cinder block or highly reflective materials or exterior paint colors may not be permitted unless required due to the expansion of an existing building.

E. In the T-RM-E District

1. Exterior building materials must be those typically used in historic construction or be a composite or synthetic material that bears a strong resemblance to traditional building materials, including but not limited to brick, wood siding, asphalt shingle, tile roof shingle, stone masonry, and stucco.
2. Concrete masonry units, pre-cast concrete panels, cinder block, ribbed metal siding or roofs or highly reflective materials or exterior paint colors may not be permitted unless required due to the expansion of an existing building.

3. Architectural features added for flourish or beautification of existing structures may not be covered or removed.

F. In the Downtown Districts

1. Concrete masonry units, cinder block, ribbed metal siding or highly reflective materials or exterior paint colors may not be permitted unless required due to the expansion of an existing building to match the original structure.
2. Existing structures undergoing expansion will use materials similar in color, size and texture to the existing building materials as to blend patch or repair work seamlessly with existing materials.
3. Architectural features of existing structures added for flourish or beautification may not be covered or removed.
4. Deviation from standards 1-3 above will require a resolution of approval from the Planning Commission deeming that the finishes are of a design and quality that will elevate rather than detract from the appearance of the downtown district.

Div. 4.2. Parking and Access

4.2.1. Application

A. New Construction

Any new building or site improvement (expansion of any existing parking area, for example) must comply with the requirements of this Division.

B. Maintenance and Repair

An existing building or site may be repaired, maintained or modernized without providing additional parking and access, provided there is no increase in gross floor area or improved site area.

C. Additions

1. When an existing building is increased in gross floor area or improved site area by up to 25% cumulatively over the past 3 years, parking and access is required for the additional floor or site area only.
2. When an existing building is increased in gross floor area or improved site area by more than 25% cumulatively over the past 3 years, both the existing building and the additional floor or site area must conform to the requirements of this Division.

D. Change In Use

A change in use causes the requirement for installation of the bicycle parking requirements as provided in §4.2.7.

4.2.2. Parking Location

A. Intent

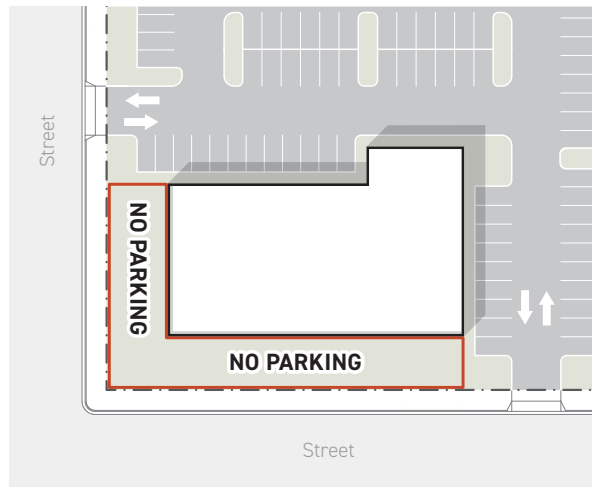
To minimize the impact of motor vehicle dominated areas on the public realm and to promote a comfortable, safe, engaging and attractive streetscape with active uses and landscaping along public walkways.

B. Application

All new developments permitted after the effective date of this Development Code.

C. No Parking Between a Building and a Street

Where specified by the district, no parking area or area designed for temporary or long-term use by a motor vehicle (for example, drive-thru lanes or passenger drop off) may be located between any portion of a building used to meet the build-to width requirement and a primary or side street.



4.2.3. Parking Lot Design

A. Intent

To ensure vehicle access to sites is designed to support the safety of all users by minimizing conflicts with pedestrians, cyclists, transit vehicles, mobility devices, and automobile traffic on the abutting public right-of-way, and to avoid detrimental effects on the surrounding public realm, while providing sufficient access to automobile parking and motor vehicle use areas.

B. General Provisions

1. Application

Any site that provides access to motor vehicles.

2. Standards

a. General

All existing and proposed development that provides on site parking or loading must provide a satisfactory means of vehicle access to and from a street or alley.

b. Shared Access Easement

A shared access easement meeting the following standards must be provided where a driveway is not allowed on a primary street.

- i. The shared access easement must be a minimum width of 20 feet;
- ii. The shared access easement must be designed to a target operating speed of 5 miles per hour;

- iii. A shared access easement acceptable to the City connecting to a minimum of one abutting lot sharing the same primary street must be executed. The connection to the abutting lot may be provided as a stub facilitating future connection; and
- iv. Driveways that take access from a shared access easement are not limited in width, quantity or spacing.

C. Commercial Driveway Spacing

1. Intent

The more complexity added to roadways, the slower vehicles must travel to avoid conflict. To ensure that roadways function according to their classification and design goals, and to minimize interruption and risk of conflict from cross traffic, minimum driveway spacing for commercial driveways is required. This requirement also encourages the platting of public streets or cross access agreements over the creation of many individual driveways.

2. Application

- a. All driveway accesses serving any number of spaces for commercial use, and more than 6 spaces for public or residential uses.
- b. All new development or redevelopment of a building site. Redevelopment of a building site for the purpose of this standard means demolishing and rebuilding an existing primary structure, or completing an interior renovation of a structure which substantially changes its use.

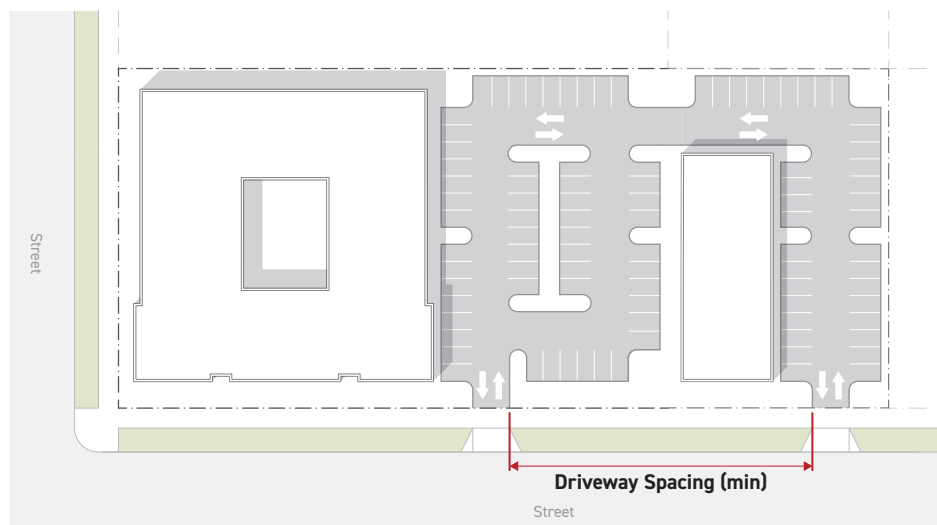
3. Standards

- a. No commercial driveway is permitted to be located closer to any other driveway or cross street than the minimum driveway spacing listed in the table below. A public alley is not considered a cross street for the purposes of this minimum spacing requirement. The classification of a roadway is found in the Transportation Plan.

ROADWAY CLASSIFICATION	MIN. SPACING
Arterial - E. Ash Street	300'
Arterial - N. Co Rd 25A, north of the Great Miami River	200'
Arterial - N. Co Rd 25A, south of Fox Drive	900'
Major Collector	150'
Minor Collector	100'
Local	50'

- b. Driveway spacing is measured along the primary or side street lot line from edge of pavement to edge of pavement from all existing and proposed driveways located on-site.

- c. Where a lot is not permitted a new driveway because a neighboring lot's driveway is too close, an access easement to share a driveway must be sought, or access should be taken from the nearest side street.
- d. This standard should not be interpreted to prevent the platting of new public streets where those streets are determined by staff and the Planning Commission to meet adopted planning objectives.
- e. This standard does not apply to driveway access points necessary for maintenance of public assets or infrastructure.
- f. New development or redevelopment of a site requires that driveways not meeting this spacing requirement come into compliance.
- g. New lots should not be platted in commercial districts without marking this restriction, where presumed access to lots would not be granted.



- h. Where a feasible alternative exists to connect through a public alley or private access to a side street, as determined by the Development Director, no lot in a Downtown zoning district may construct a new driveway to Main Street.

D. Commercial Driveway Design

1. Application

All non-residential driveway access from or to a street, with the exception of driveways that take access from an improved alley.

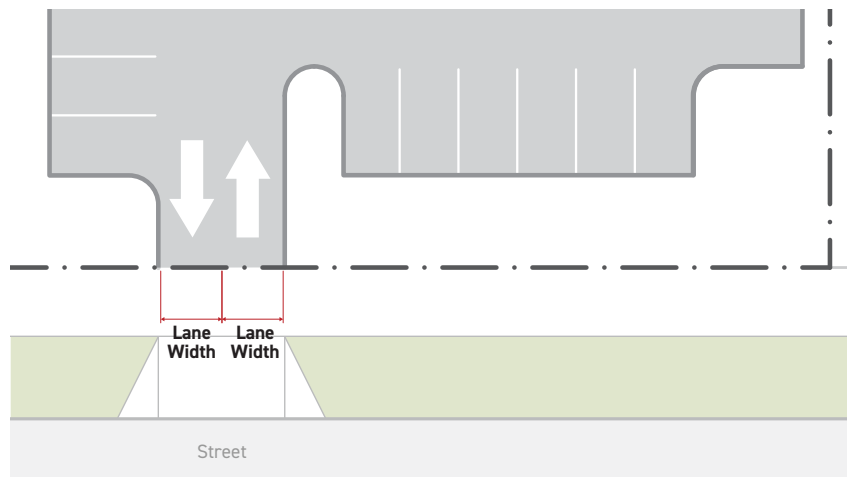
2. Standards

a. All Driveways

Driveways must meet the standards provided in the following table:

	Number of lanes per driveway (max)	Lane width (min/max)
SUBURBAN DISTRICTS		
Driveway serving up to 50 on-site parking spaces	2	10'/18'
Driveway serving more than 50 on-site parking spaces	3	10'/16'
TRADITIONAL DISTRICTS		
Driveway serving up to 6 on-site parking spaces	2	10'/20'
Driveway serving 7 to 50 on-site parking spaces	2	10'/12'
Driveway serving more than 50 on-site parking spaces	2	10'/13'
DOWNTOWN DISTRICTS		
Driveway serving up to 6 on-site parking spaces	1	10'/13'
Driveway serving more than 6 on-site parking spaces	2	10'/14'
SPECIAL DISTRICTS		
Driveway serving up to 6 on-site parking spaces	1	10'/12'
Driveway serving more than 6 on-site parking spaces	2	10'/13'
Driveway serving an Industrial District (of any size parking lot)	3	12'/20'

- i. Driveway lane width is measured at the lot line, horizontally from one edge of the driveway lane to the opposite edge.



- b. Commercial Driveways and Private Streets

Entrance driveways that provide access to internal private driveways, entrance driveways that are longer than 150 feet, and all drives that are designed like streets without direct and immediate access to a parking lot from the street must be designed with pedestrian walkways and tree lawns that connect to walkways in the public right-of-way. The minimum dimensions of these facilities is 5 feet of width for sidewalks and 6 feet of width for tree lawns. Industrial facilities are excluded from this requirement, except where connected to a parking lot serving 50 or more spaces.

E. Parking Lot Design

- a. Location

The location of parking lots is restricted in Traditional districts and Downtown districts.

- b. Design

- i. All portions of a parking lot must be accessible by automobiles to all other portions of the parking lot without requiring the use of a street.
- ii. All parking lots and driveways serving commercial uses must have a minimum setback of 6 feet from any lot line, except at a driveway's access area to the street. This setback must increase to accommodate any required corresponding Frontage or Common Lot Line Screen, see 4.3.7.
- iii. All parking lots adjacent to an arterial roads, as designated within the Transportation Plan, must have a minimum setback of 25 feet from the corresponding lot line.
- iv. Each parking space must be located so that no automobile is required to back onto any street (except for an alley) or sidewalk to leave the parking space.

- v. Full and permanent parking space delineation is required. Delineation may include striping, wheel stops, curbing, or other similar permanent materials which can clearly define and delineate parking space. Full parking space delineation means clear markings for all three sides of a space.
- vi. Pedestrian access standards must be met, according to §4.2.4 (Pedestrian Accessways).

c. Surfacing

- i. All parking lots must be graded and drained to collect, retain and infiltrate surface water on-site by applying low impact development practices and standards.
- ii. All parking lots must be provided with an all-weather surface. The all-weather surfaces may consist of asphalt or concrete. Regularly scheduled maintenance must be provided to retain parking lot functionality.
- iii. Sites in the Industrial Light (IL) or Industrial Heavy (IH) districts may finish parking lots or access driveways with an aggregate material under the following conditions:
 - 1. If the area is not visible from or connected to a public right-of-way, a drive or parking lot of aggregate materials may be considered on a temporary basis at the discretion of the Development Director. The gravel must be placed for no more than 24 months, after which time it will be completely removed and replaced with topsoil, or it will be paved over to form a permanent connection.
 - 2. The materials used must meet the needs of all emergency vehicles or utility vehicles where access is required.
- iv. On asphalt surfaces, striping for parking spaces and other pavement markings will be white, except for ADA spaces, which may be marked with blue and white.
- v. On concrete surfaces, striping for parking spaces will be white. Black may be used as a first layer to create a contrasting color scheme.

d. Curbing

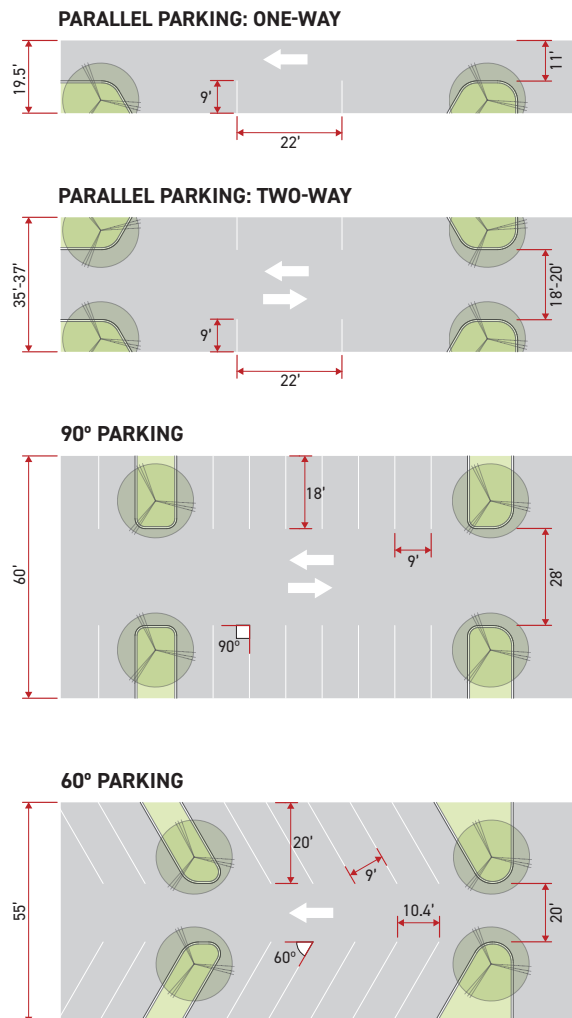
- i. A continuous concrete curb will be constructed to bound all parking lot perimeters, landscape islands and a barrier will be designed to protect building facades from auto traffic.
- ii. In the IL and IH zoning districts, on sites with frontage only on streets which do not carry through-traffic, curbing is required only around parking lot landscaping islands, peninsulas, and along walkways in the front of buildings. Curbing, grade change, bollards, concrete parking blocks, or some other strategy must be used to protect pedestrian walkways and building facades from auto traffic. This exception does not apply to roadway construction in the public right-of-way.

e. Lighting

Parking lots must be illuminated in accordance with Div. 4.5.

f. Parking Space Dimensions

Parking spaces and drive aisles must meet the following dimensions, shown in the graphic below.



g. Compact Parking

- i. The total number of compact automobile parking spaces may not exceed 15% of the total number of provided parking spaces on site.
- ii. No more than 2 compact parking spaces may be placed side by side.
- iii. Compact spaces may be reduced to 8 feet in width and 16 feet in depth.
- iv. All compact parking spaces must be clearly and visibly striped and labeled for compact car use only.

h. Landscaping

See §4.3.4 (Parking Lot Landscaping).

4.2.4. Pedestrian Accessways

A. Intent

To make walking and ADA accessible movement into a site easy, safe and comfortable.

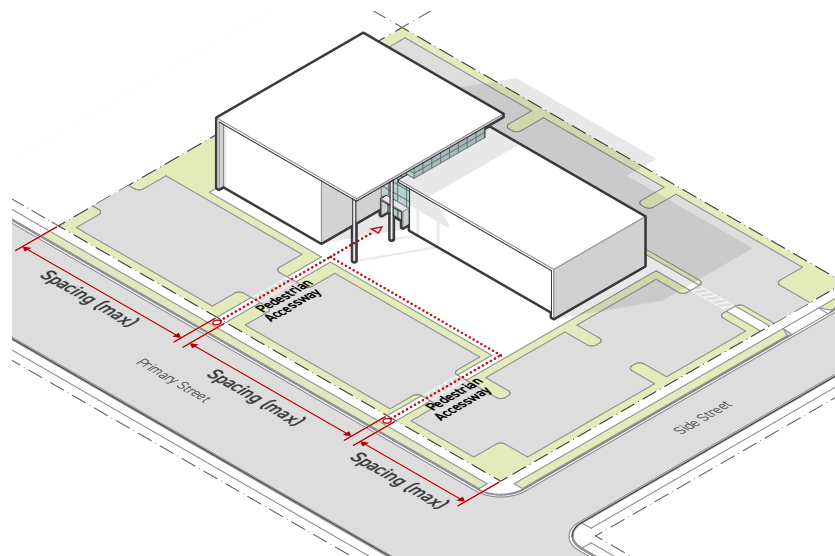
B. Application

Pedestrian accessways are required as specified within this section.

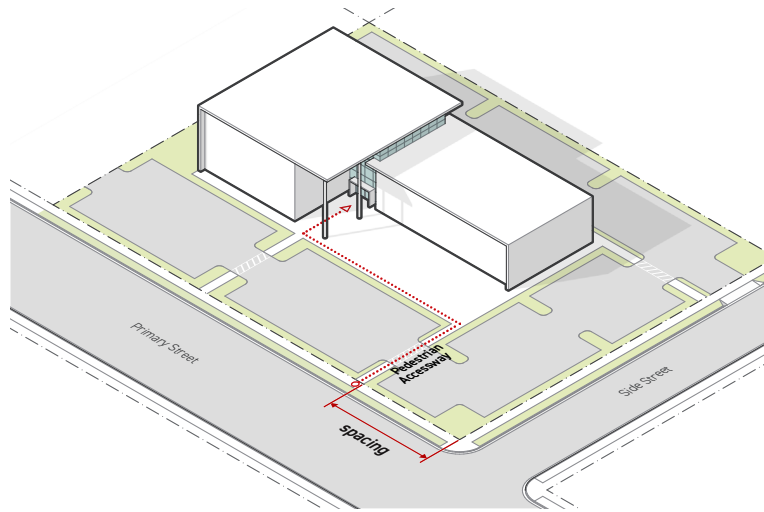
C. Standards

1. General

- a. Pedestrian accessway spacing is measured as the horizontal distance between pedestrian accessways measured along the primary or side street lot line from end of lot line to edge of pedestrian accessway and from edge of pedestrian accessway to edge of pedestrian accessway.



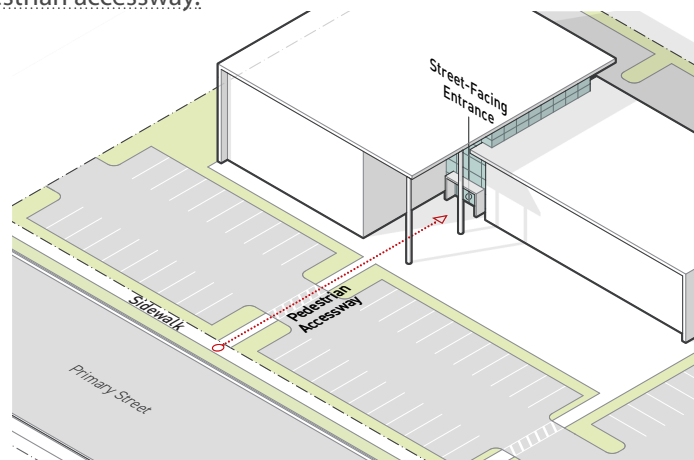
- b. Pedestrian accessway distance from a street intersection is measured from the intersection of two street lot lines to the nearest edge of a pedestrian accessway, measured parallel to the primary or side street lot line.



- c. Pedestrian accessway width is measured from one edge of the accessway perpendicularly to the opposite edge.

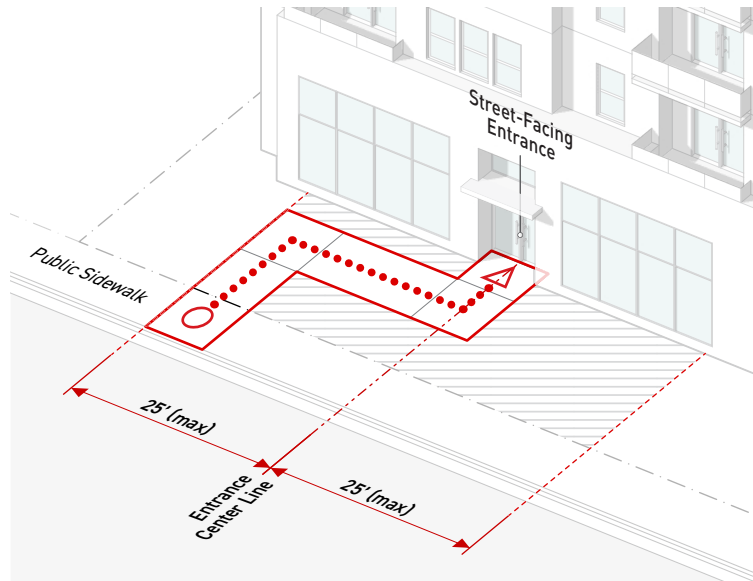
2. Pedestrian Accessways

- a. Pedestrian accessways must connect to the sidewalk, or other publicly accessible pedestrian-facility along the applicable lot line, to a required street-facing entrance.
- b. Pedestrian accessways must be at least 4 feet wide.
- c. Finished ground or floor surfaces must be stable, firm and slip resistant in accordance with ADA floor and ground surface standards.
- d. All existing standards for ADA-compliant walkways must be applied, including curb ramps, where applicable.
- e. Pedestrian accessways must be physically separated from and uninterrupted by motor vehicle use areas except where required to cross a drive aisle. Drive aisle crossings must be the shortest practical. The Development Director may require the drive aisle be marked to clearly show the pedestrian accessway.



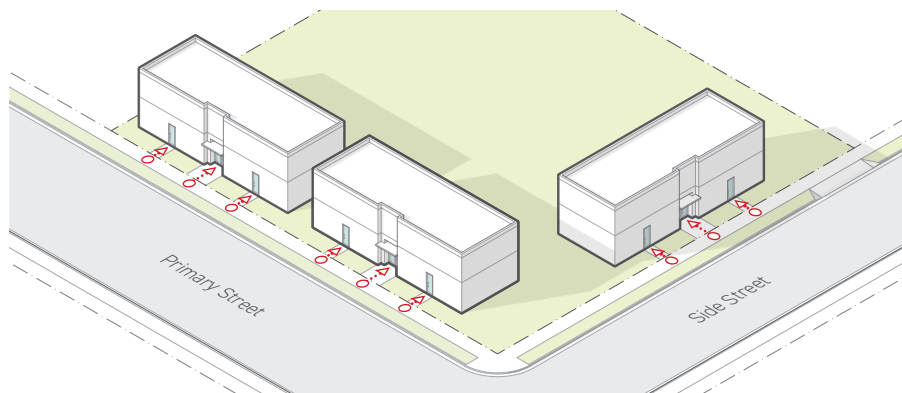
3. Direct Pedestrian Accessways

- a. A direct pedestrian accessway must comply with all pedestrian accessway standards in addition to the standards of this section.
- b. The connection to the public sidewalk must be within 25 feet of the center of the street-facing entrance, measured parallel to the applicable lot line.
- c. A direct pedestrian accessway may not be interrupted by a drive aisle or parking area.



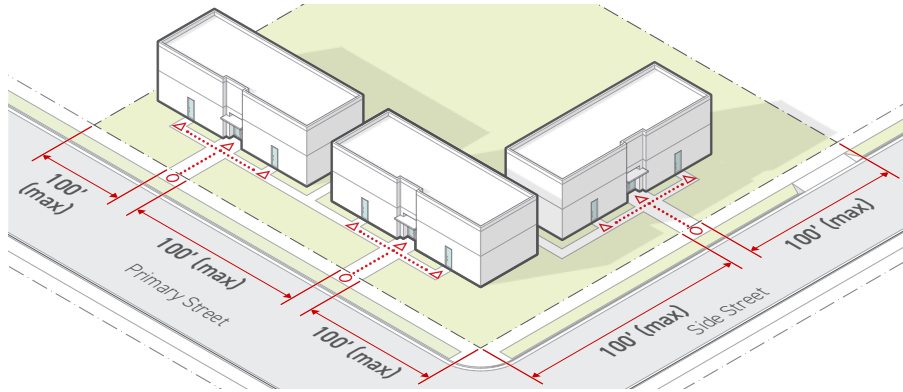
4. Downtown Districts

A minimum of one direct pedestrian accessway must be provided to each required street-facing entrance.



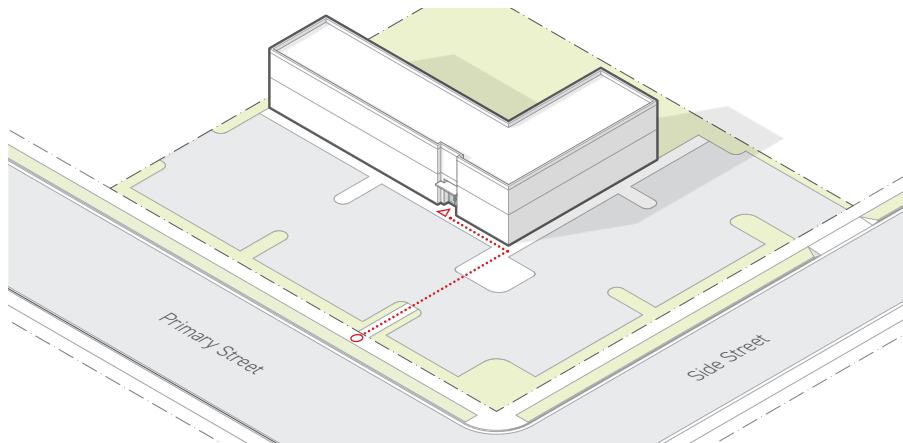
5. Traditional Districts

- a. A minimum of one pedestrian accessway must be provided for each primary street lot line and side street lot line.
- b. Pedestrian accessway spacing can be no more than 100 feet.
- c. All required entrances must be accessible from a pedestrian accessway.



6. Suburban Districts

- a. A minimum of one pedestrian accessway must be provided along the primary street lot line.
- b. All required entrances must be accessible from a pedestrian accessway.



4.2.5. Parking Requirements

A. Intent

To accommodate the arrival to a site by automobile at a level appropriate to the demand generated without creating detrimental effects on surrounding properties or public right-of-way, and to encourage efficient and productive land use by encouraging rational planning and operation of parking lots.

B. Standards

1. Changes of use, modification of buildings, and new site construction may be required to submit a Transportation Management Plan (TMP) to the Development Director. The Director may require information as needed to assess the TMP.
2. The TMP will identify the maximum expected amount of parking demand that will be generated by the site during a typical operational day. This maximum expected parking demand will be based on one of the following:
 - a. A parking study which uses parking utilization rates from similar construction in a similar development pattern to determine expected parking demand to be generated. Similarities must include number of off-street spaces provided at the comparison site, size and use of facility, location within a rural, suburban or urban context, and other features relevant to parking generation that can be compared between the existing and proposed site.
 - b. The Institute of Transportation Engineers Parking Generation Report, 5th Edition parking generation ratios or models as applied to the uses of the site.
3. Relevant location-based characteristics that support multi-modal trips to the site will be assessed. These characteristics include:
 - a. proximity to a residential service population within walking or biking distance, as determined by the availability of infrastructure that supports a safe and comfortable biking and pedestrian environment
 - b. proximity to a shared parking facility that is available to the project, connected to the site by infrastructure that supports a safe and comfortable biking and pedestrian environment
4. The TMP will estimate the peak periods of parking demand throughout the typical day, based on the type of uses within the project and hours of operation.
5. The TMP will account for all parking available to the project, including:
 - i. number of on-site parking spaces provided;
 - ii. number of off-site, privately shared, and public parking spaces available; and
 - iii. number of bicycle parking spaces provided.

6. The project is required to meet 100% of the estimated parking demand generated on a typical operational day using a combination of on-site, off-site, privately shared, and public parking spaces. The Director may require that up to 75% of this demand be met on-site in Suburban districts. The Director is authorized to assist with the further development of the applicant's TMP to reduce the project's demand for parking spaces.
7. Applicants are encouraged to share parking and limit construction of new lots to the number of spaces needed on a typical day. Oversizing lots to accommodate unusual conditions of high parking demand, like infrequent sales events, or scenarios where all users are assumed to drive in single-occupancy vehicles is not considered proper methodology of completing a TMP, and the Development Director may require revisions to the TMP to reflect a multi-modal strategy.
8. Off street parking spaces may not exceed 100% of the recommended number of spaces provided by the ITE, unless shared parking or other uses for the parking spaces cause the reason for the additional spaces. The Development Director will assess the total conditions of the TMP to determine this maximum.
9. Parking lots may not be oversized to include more pavement than necessary to accommodate drive aisles, parking spaces, walkways, and necessary turnaround areas.
10. Where public parking facilities, including on-street parking, are to be used to meet the anticipated parking demand, the Director will provide an assessment of current parking utilization rates within those facilities. Where the latest data on parking utilization rates during the project's peak demand periods shows that the facilities cannot accommodate the adjusted parking demand anticipated by the project, the Director may determine one the following:
 - a. The project must be adjusted to reduce the expected parking demand to the amount that can be supported by the available supply.
 - b. The project must accommodate more parking on-site sufficient to meet the adjusted parking demand.
 - c. With the Development Director's permission, the project may employ Transportation Demand Management (TDM) strategies determined sufficient to reduce the adjusted parking demand to the supply of the project and shared facilities. TDM strategies include, but are not limited to:
 - i. decoupling the price of parking from the rental rate for a residential project to reduce the number of vehicles owned by residents
 - ii. allowing a percentage or all of on-site spaces to be shared by off-site visitors or the public at large to increase the total amount of shared parking facilities in the area
 - iii. incentivizing or requiring employees to carpool to work
 - iv. voluntarily paying into a fund to create more off-site shared parking spaces or a bike share program
 - v. restricting leasing or HOA terms to allow site users only a pre-specified amount of parked vehicles

- d. The Development Director may require an application to be reviewed and approved by the Planning Commission where the applicant proposes to build or reduce availability of on-site parking to an amount that is less than 50% of the parking generation estimated by the ITE and where availability of alternative parking locations appears inadequate to the Director.
11. Accessible parking spaces must be provided in accordance with the requirements of the Americans with Disabilities Act (Title III), the Ohio Administrative Code and the American National Standards Institute.
12. Automobile parking spaces may be reserved for a specific tenant, individual, or unit, provided that the following standards are not exceeded.
- a. Residential
 - i. Maximum of 1 reserved parking space per efficiency or 1-bedroom multi-unit living dwelling unit.
 - ii. Maximum of 2 reserved parking spaces per 2-bedroom or greater multi-unit dwelling unit.
 - b. Nonresidential

No more than 1/4 of the total provided spaces may be reserved.

4.2.6. Drive-Thrus and Loading Areas

A. Intent

To ensure drive thrus and loading areas are designed in a manner that does not detract from the safety, comfort, or enjoyment of users of neighboring lots or the public realm.

B. Application

All lots that contain a motor vehicle use area. Does not apply to automobile parking lots.

C. Standards

1. Location

The location of motor vehicle use areas is restricted in all Traditional districts and Downtown districts.

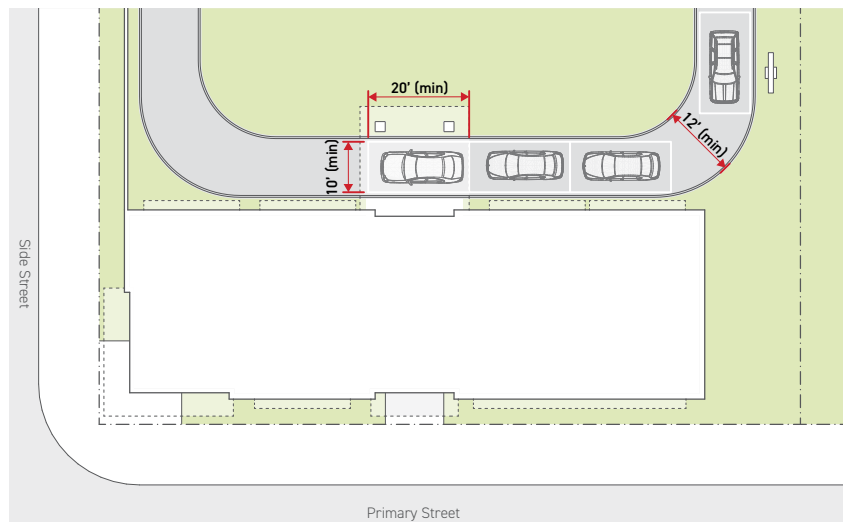
2. Drive-Thru

Where drive-thrus are allowed Div. 3.7 Accessory Uses, they may be provided on-site provided they meet the following standards:

- a. Drive-thru lanes may not encroach on or interfere with the use of sidewalks, drive aisles, loading areas or parking areas;
- b. Drive-thrus must provide an adequate turning radius around the building and site for vehicles to make reasonable turns without risk of hitting the building or other site features. A minimum extension radius of 5' is required from the face of any building where a vehicle is required to turn. Landscaping islands are encouraged to extend the turning movements around the site as

needed to provide adequate movements. Sensitive site features, including the building, must be protected by curbing. Bollards may be used in place of curbing where the Development Director judges that they would provide a safer site design or would work more appropriately with the site's conditions.

- c. Each drive-thru queuing space must be a minimum of 20 feet in length and 10 feet in width along straight segments of the drive-thru lane. Drive-thru lanes must be a minimum of 12 feet in width along curved segments;
- d. Drive-thru queuing space length is measured parallel to the drive-thru lane from one end to the opposite end of the queuing space;
- e. Drive-thru queuing space width is measured perpendicular to the queuing space length from one end to the opposite end of the queuing space;



- f. Queuing space requirements:
 - i. A drive-thru serving a restaurant where ordering takes place on-site must have a minimum of 8 queuing spaces.
 - ii. A drive-thru serving a pick up window where ordering takes place in advance off-site must have a minimum of 5 queuing spaces.
 - iii. A drive-thru serving an ATM or other banking drive up service must have a minimum of 5 queuing spaces.
 - iv. A drive-thru serving a pharmacy must have a minimum of 5 queuing spaces.
 - v. All other drive-thrus must have a minimum of 8 queuing spaces.
- g. Where a drive-thru faces a primary street lot line or side street lot line, the entire length of the drive-thru must be screened using a Low-Impact Frontage Screen (§4.3.7) along the primary or side street lot line; and

- h. Where a drive-thru faces a common lot line, the entire length of the drive-thru must be screened using a Low-Impact Common Lot Line Screen (§4.3.7) along the common lot lines.

3. Loading Areas

If determined necessary by the Development Director, adequate space must be made available on-site for the unloading and loading of goods, materials, items or stock for delivery and shipping. If a loading area is provided, it must meet the following:

- a. With the exception of alleys and areas specifically designated by the City, loading and unloading activities are not permitted on a street;
- b. Loading and unloading activities may not encroach on or interfere with the use of sidewalks, drive aisles, or queuing areas;
- c. Loading areas must be located to the rear or side of buildings;
- d. Where a loading area faces a primary street lot line or side street lot line, the entire length of the loading area must be screened using a Low-Impact or Moderate-Impact Frontage Screen (§4.3.7) along the primary street lot line or side street lot line; and
- e. Where a loading area faces a common lot line, the entire length of the loading area must be screened using a Low-Impact or Moderate-Impact Common Lot Line Screen (§4.3.7) along the common lot lines.

4. Landscaping

A Low-Impact or Moderate-Impact Frontage Screen (§4.3.7) is required along a primary street lot line or side street lot line where a motor vehicle use area faces a primary street lot line or side street lot line.

4.2.7. Bicycle Parking

A. Intent

To promote bicycling as an alternative to automobile transportation and ensure safe, secure, accessible, and convenient storage of bicycles for all users.

B. Application

All allowed uses in Article 3 (Use Regulations).

C. Standards

1. Required Bicycle Parking Spaces

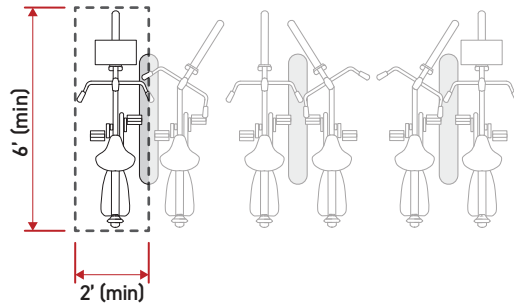
Bicycle parking must be provided in accordance with the following table. In no case is a single use or single lot required to provide more than 16 bicycle parking spaces. A development with more than one use is not required to provide more than 20 bicycle parking spaces. When the application of these regulations results in the requirement of a fractional bicycle parking space, fractions of $\frac{1}{2}$ or more are counted as 1 space.

REQUIRED SPACES (MIN)	
RESIDENTIAL USES	
Multi-unit living over 6 units, Live/work, developments containing shared residential facilities	1 per 10 units, 2 min. Parking must be in a secure, illuminated location with overhead shelter from rain
All other residential uses	None
PUBLIC USES	
All uses	1 per 10,000 SF of gross square footage, 2 min
COMMERCIAL USES	
All uses	1 per 5,000 SF of gross square footage, 2 min
INDUSTRIAL USES	
All uses	1 per 10,000 SF of gross square footage, 2 min

2. Bicycle Facilities

- a. Bicycle parking must consist of bicycle racks that support the bicycle frame at two points.
- b. Racks must allow for the bicycle frame and at least one wheel to be locked to the rack.
- c. If bicycles can be locked to each side of the rack, each side can be counted toward a required space.

- d. Bicycle parking spaces must be located on paved or pervious, dust-free surface with a slope no greater than 3%. Surfaces cannot be gravel, landscape stone, or wood chips. Racks must be securely anchored to a permanent surface.
- e. Bicycle parking spaces must be a minimum of 2 feet wide and 6 feet long.



- f. The City Engineer may permit bike racks to be installed in the public right-of-way. Business operators or property owners who choose to install bicycle parking within the public right-of-way are responsible for maintaining the racks.
- g. Any site located within 100 feet of a City-funded bicycle parking space may count up to 2 bicycle parking spaces within the bicycle corral towards their required bicycle parking spaces. For structures constructed prior to the adoption of this Development Code, the Development Director may approve counting of public spaces up to 250' from the required pedestrian entrance, where an appropriately sized and sited location for installation is not available within the right-of-way.

4.2.8. Residential Parking

A. Application

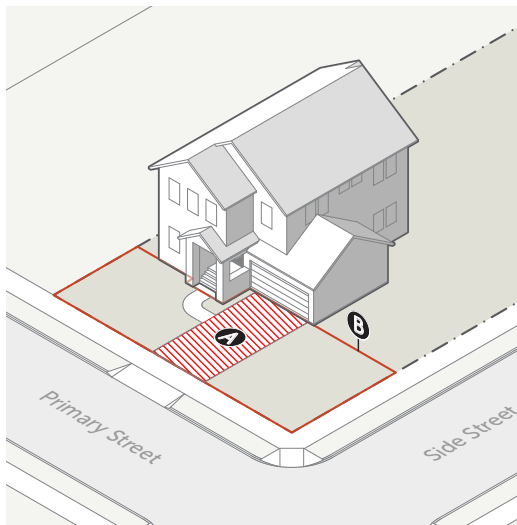
For residential driveways serving 6 or fewer units.

B. General

1. Creating a new driveway connection to a public right-of-way will cause a requirement for sidewalk to be installed wherever it is missing and required in the public right-of-way. If maintenance of existing sidewalk is determined to be needed by the Development Director, repair will be completed as part of a driveway construction or expansion project.
2. The City Engineer will review all new drive approaches. Additional standards can be found in the City of Piqua Design Criteria and Standard Drawings.
3. Where a nonstandard gravel drive connects to the street, any concrete work pertaining to the sidewalk, driveway or other outdoor area will require the driveway's approach to be reconstructed with concrete to a minimum of 5' past the sidewalk.

C. Yard Requirements by District

1. The amount of surface parking area cannot exceed the maximum percentage of the primary street yard specified by the district.
2. Parking in primary street yards may occupy up to 30% of the required yard. Where parking is specified by the district as allowed in a yard other than the primary street yard, the surface parking area may occupy up to 100% of the yard, provided that impervious cover requirements and all other applicable standards are met.
3. Where parking is specified by the district as not allowed in a yard, no portion of that yard may be used for surface parking.
4. The percentage of a yard used for parking is determined by dividing the total area designed for parking by the area of the primary street yard or side street yard.
5. Parking area is the sum of all surface areas dedicated to motor vehicles or parking, such as driveways and parking pads, within the yard.

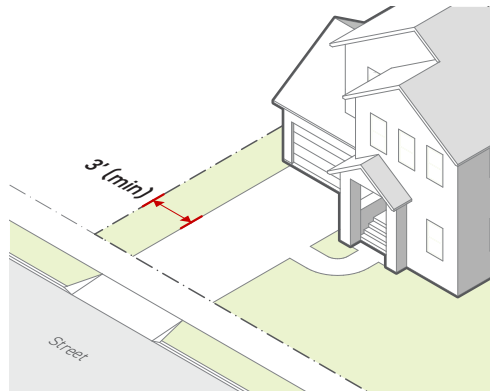


FORMULA

$$\frac{\text{Total Parking Area (A)}}{\text{Total Yard Area (B)}} = \text{Parking Area \%}$$

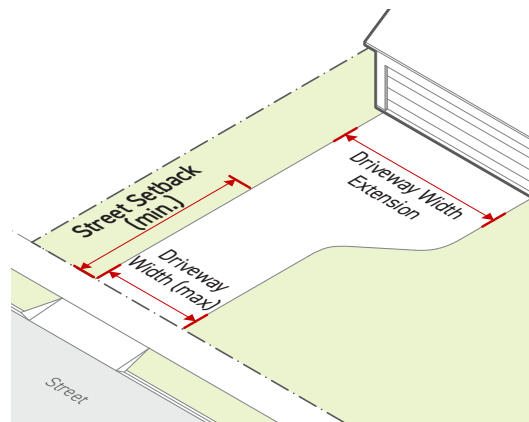
D. Setbacks and Location

1. In Traditional Districts, driveways must connect to alleys where connection is feasible. Residential lots 80' or greater in width are permitted 1 driveway connection to the street. All other lots will be required to connect to an alley, if an improved alley is available, unless determined impractical by the Development Director.
2. In Suburban Districts, driveways may connect to primary streets or side streets, or to an alley.
3. Driveways must be located at least 3 feet from any side lot line unless the driveway is shared with the abutting property with a recorded access easement.



E. Driveway Width Extension

Portions of a driveway located outside of the minimum street setback depth may have an increased driveway width that exceeds the maximum allowed dimensions of this section. For minimum street setback depth see the applicable district's standards (Div. 2 Zoning Districts).



F. Materials

Residential driveways must be constructed with poured Portland cement, asphalt, permeable pavers, or decorative pavers, or they may be finished with an aggregate material such as gravel where the driveway is located entirely in the rear yard and will be connected to an alley. The following standards also apply:

1. For residential driveways serving up to 6 on-site parking spaces, a ribbon driveway instead of a slab or full width driveway is allowed.
2. Concrete strips in a ribbon driveway must be at least 2 feet in width and be located so that they are 5 feet on center. When the ribbon is also used as a walk, the width of strips must be increased to at least 3 feet.
3. The median area of a ribbon driveway or driveway utilizing pavers must be maintained with vegetation less than 3" tall, or be filled with smooth pea gravel. In no case may the median area be bare or appear muddy.
4. Pavers must be designed to support the weight of a vehicle, and create a finished appearance which complements the home's appearance. Where a paver-constructed driveway is not designed to integrate vegetation, a sublayer must be placed to prevent plant growth. The driveway must be reconstructed if shifting causes the driveway to separate over time.

G. Curbing

1. Residential paved or paver driveways do not require curbing.
2. Residential unpaved driveway or parking surfaces constructed using an aggregate material must utilize railroad ties, landscaping timbers or similar framing to bound the edges of the gravel surface.

Div. 4.3. Landscaping, Transitions, Screening

4.3.1. Intent

To create comfortable and attractive environments within the city, shield residences, passive recreation and other low-intensity places from those that may appear unattractive or imposing. Also to mitigate heat island effect, lower perceived noise, absorb stormwater runoff, absorb pollution, and to support public health and a healthy natural environment.

4.3.2. Application

A. New Construction

Any new building or site improvement (construction of a parking lot or storage area, for example) must comply with the landscaping, transitions and screening requirements of this Division.

B. Maintenance and Repair

An existing building or site may be repaired, maintained or modernized without providing additional landscaping or screening, provided there is no increase in gross floor area or improved site area.

C. Renovation and Expansion

Any building renovation that involves an increase in gross floor, or expansion of any outdoor facility, including but not limited to parking lots and storage areas, must comply with the landscaping, transition and screening requirements of this Division. On sites where lot area or configuration of existing buildings or other site characteristics may not be adequate to support these requirements, it is the Development Director's discretion to determine if the site is not adequate to support the proposed use, or whether the landscaping requirements may be modified. Upon approval of a modified landscaping plan from the Development Director, the applicant must seek approval of these modifications from the Planning Commission.

D. Additions

1. When an existing building has increased in gross floor area or improved site area by up to 25% cumulatively over 3 years, landscaping, transitions and screening is required for the additional floor or site area only.
2. When an existing building is increased in gross floor area or improved site area by more than 25% cumulatively over the past 3 years, both the existing building and the additional floor or site area must conform to the landscaping, transitions and screening requirements of this Division.

E. Change In Use

A change in use does not trigger the application of these requirements, except when there is a specific use standard requiring landscaping, transition or screening for the new use.

4.3.3. Street Trees

A. Intent

In addition to the intent for requiring standards for landscaping in its other forms, street trees are intended to provide a user of a walkway with a comfortable walk by providing needed shade, a protective barrier between pedestrians and automobiles, and by absorbing pollution from auto traffic. In addition, street trees aid in improving pedestrian and motorist safety by influencing drivers to slow down and drive more cautiously due to the added traffic calming effect of street trees, as recognized by the National Association of Transportation Professionals and the Institute of Transportation Engineers.

B. Application

1. Article 6 provides the standards and requirements for dedication of tree lawns. Where a tree lawn is newly dedicated, the tree lawn must be planted according to this section within 1 calendar year after completion of site improvements, which includes construction of any principal structure or substantial redevelopment of an existing structure, change of use, or parking lot improvement.
2. Existing tree lawns, where the width between the sidewalk and the curb is a minimum of 4 feet, must be planted with trees according to this Division.

C. Species and Spacing

1. The applicant will plant the number of street trees in the tree lawn as shown in the following table, according to the required tree lawn spacing, including all primary and side street frontages, excluding the width of driveways and other trails, and street corners needed for site distance. Driveway entrances to commercial or residential developments where the driveway exceeds 150 feet will also be planted with street trees. Excluding cases where other site features interrupt the pattern of planting, the spacing should reflect that specified in the table, or be planted more densely if the applicant proposes additional plantings.

TREE LAWN WIDTH	OVERHEAD LINES	TREE SIZE ALLOWED	SPACING IN TREE LAWN
< 4'	--	--	--
4' to < 5'	present or not present	Ornamental	1 tree every 25 feet
5' to < 8'	present	Ornamental	1 tree every 25 feet
	not present	Shade	1 tree every 40 feet
8' or wider	present	Ornamental	1 tree every 25 feet
	not present	Shade	1 tree every 40 feet

2. Street trees will be planted along the centerline of the tree lawn, equally distant from the edge of the sidewalk and the edge of the curb.
3. Where overhead utilities or other site conflicts prevent the planting of street trees according to 4.3.5.C.4, the City Engineer may permit a Ornamental tree where a Shade tree is ordinarily required. Where underground utilities or other site characteristics prevent the planting of any tree, the City Engineer may waive the requirement to plant in that specific location.
4. The applicant is required to maintain the trees for 1 calendar year after the trees are planted and to replace any tree which fails to survive or does not exhibit normal growth characteristics of health and vigor within such 1 year period. A 1 year guarantee period must begin at each planting and must recommence as trees are replaced. Upon completion of a street tree planting, the landscape contractor must contact the Engineering Department for a preliminary inspection. The guarantee period must begin after the approval of the City Engineer. A final inspection must be made at the end of the guarantee period. All trees not exhibiting a healthy, vigorous growing condition, as determined by the city's inspection, must be promptly replaced at the expense of the applicant.

4.3.4. Parking Lot Landscaping

A. Application

Parking lot landscaping is required on all on-site surface parking lots created after the effective date of this Development Code.

B. Perimeter Screening

1. A Low-Impact Frontage Screen (§4.3.7) is required along a primary street lot line or side street lot line where a parking lot faces a primary street lot line or side street lot line.
2. All parking lots must apply a Moderate-Impact Common Lot Line Screen (§4.3.7) along any portion of its perimeter that is adjacent to any Protected District.

C. Parking Lot Islands

All parking lots containing more than 10 parking spaces must meet the following standards:

a. Interior Islands

- i. A curbed landscaped interior island must be provided every 10 parking spaces. Interior islands must be distributed evenly throughout the parking area. Interior islands may be consolidated or intervals may be expanded in order to preserve existing trees;
- ii. An interior island abutting a single row of parking spaces must be a minimum of 9 feet in width and 150 square feet in area. Each island must include 1 Shade tree (§4.2.8.C.3);
- iii. An interior island abutting a double row of parking spaces must be a minimum of 9 feet in width and 300 square feet in area. Each island must include 2 Shade trees (§4.2.8.C.3); and

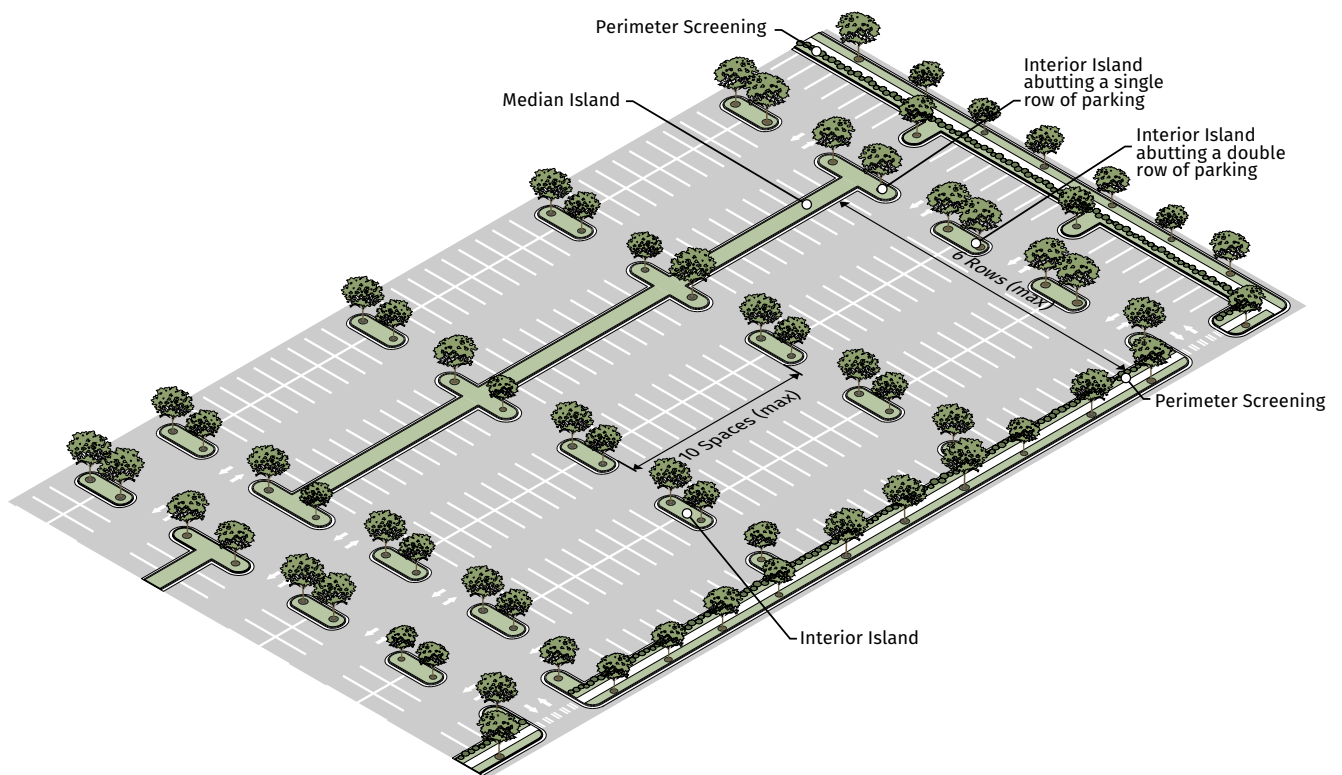
iv. Interior islands must be designed to accept stormwater runoff as bio retention. Raised curbs will have openings necessary to intake water.

b. Median Islands

i. A curbed landscaped median island must be provided between every 6 single parking rows. The Development Director may permit intervals may be changed to preserve existing trees on the lot, to integrate the median island with a pedestrian accessway, or to improve the function of the parking lot.

ii. The median island must be at least 6 feet wide and be planted with grass, mulched plantings, and trees.

iii. Median islands must be planted with Shade trees, at least 1 per 40 feet of length.



4.3.5. Other Landscaping Standards

A. Foundation Plantings

1. Application

Required in all districts for all new construction (including additions, and including residences) facing a street and located more than 5 feet behind the back of sidewalk (or where no sidewalk is present, the edge of pavement), except in T-SX and D-SX districts.

2. Standards

- a. Foundation plantings must be installed across 75% of any street-facing facade, except where doorways and driveways are located, and where the facade is adjacent to a space used for outdoor dining. In IL and IH districts at any listed Industrial use, foundation plantings must be installed across a minimum of 50% of any street-facing facade.
- b. The width of the foundation planting area must be at least 5 feet, measured perpendicularly from the building facade.
- c. A minimum of 2 landscaping plants must be planted for every 5 feet of required length planted.
- d. Foundation planting areas may be located at grade, in raised planters or in freestanding planters. Any raised or freestanding planter must match the adjacent building materials.
- e. A minimum of 25% of all foundation plants must be native to the Midwest. Where no irrigation is provided, a minimum 75% of all plants must be native to the Midwest, and if exposed to the sun for more than 6 hours a day, must be drought-tolerant. A list of acceptable native species for landscaping can be found in the City of Piqua Design Criteria.
- f. The plant selection and design of foundation planting should not obscure any windows.
- g. Foundation planting beds must provide seasonal color and interest for at least 8 months each calendar year. Perennial flowers are encouraged. Dwarf shrubs, ornamental grasses, spreading evergreens and other similar plants are considered appropriate foundation planting materials. Varying plant textures increases visual interest and is also encouraged (for example, including both needled evergreens or succulents and broadleaf plants).
- h. Foundation planting areas must be mulched to reduce irrigation needs and weed growth. Sod, pine straw smf gravel and stone do not count as mulch for the purpose of foundation planting.
- i. Maintenance of foundation plantings as shown in the approved landscaping plan is required. Required plants that die must be replaced within 1 year. All dead plant material shed from plants must be mulched and added back to the groundcover or removed from the beds annually. Plants are allowed to propagate and increase, but selective editing of plants may be required to maintain a varied and textured appearance. Weeds must be removed. Weeds are considered all plants that have germinated without intentional placement by a gardener within the site or may be interpreted by the Development Director as those plants not approved on the associated landscaping plan where interpretive conflict may occur.
- j. Where the Development Director has determined that locating plantings along a foundation may be infeasible or an alternative arrangement has been proposed that better suits site characteristics, an alternative plan may be approved to provide additional landscaping to the site. Alternatives acceptable include landscaped entryways, bio-retention areas, garden paths or other areas planted for the visual benefit of the public or visitors to the site. The number of plants required must be equivalent to those required by the length of foundation measurement.

B. Tree Plantings

1. Application

This section provides minimum specifications for tree plantings that are required in addition to any screening, parking lot, or street trees that may be required. Trees existing on the site that will be preserved also satisfy these requirements. The requirements of this section do not apply in the Downtown districts.

2. Residences up to 6 Units

a. The following provides minimum specifications for tree plantings on residential lots with up to 6 units.

LOT WIDTH	STRUCTURE SETBACK	PLANTING REQUIREMENT
< 30 feet	any	no requirement where there is no tree lawn. If a tree lawn is present, 1 tree following 4.3.3 Street Trees
30 feet to < 80 feet	< 25 feet	1 Shade tree in any yard
	≥ 25 feet	1 Shade tree in the front yard
80 feet and greater	< 25 feet	2 Shade trees in any yard, plus an additional tree for every 20 additional feet of lot width
	≥ 25 feet	2 Shade trees in the front yard, plus an additional tree for every 20 additional feet of lot width

b. In Traditional districts, where the tree lawn is 4' or greater, street trees may be used to satisfy all tree planting requirements.

3. Other Uses

On commercial, industrial, or multifamily (7+ units) sites, the applicant must plant 1 Shade tree for every 10,000 SF of building area constructed. Sites with less than 10,000 SF of building area have no tree planting requirement. 50% of this requirement may be met by any other required tree plantings.

4.3.6. Transitions

A. Intent

To mitigate negative impacts from subject uses to adjacent uses, promoting visual interest and increasing comfort for users of the subject lot, the public realm and adjacent lots.

B. Application

1. Application of Transitions to Benefit Protected Districts

a. When a district that is not a Protected District abuts a Protected District, it must provide the required transition listed in the district's description in Article 2 Zoning Districts. The list of Protected Districts is provided in Div. 2.1. Non-Protected Districts are referred to as "Transition Districts" in this Development Code, as they are the districts required to provide transitions.

b. "Abut," for the purposes of determining application of transitions, means

- i. where a Transition District shares a lot line with a Protected District, or
- ii. where a Transition District is directly across the street from a Protected District (measured using perpendicular lines to the road center line), or
- iii. there is an existing lot between the Transition District and the Protected District which does not have enough width to support both a new development and the required transition. Examples of this include, but are not limited to lots that support existing driveways, and lots that are too small or fragmented to be useful for development.

2. Application of Transitions for Intensive Uses

For development of or change to some uses, a transition will be required. These Transition requirements are listed in Article 3 Use Standards.

C. Standards

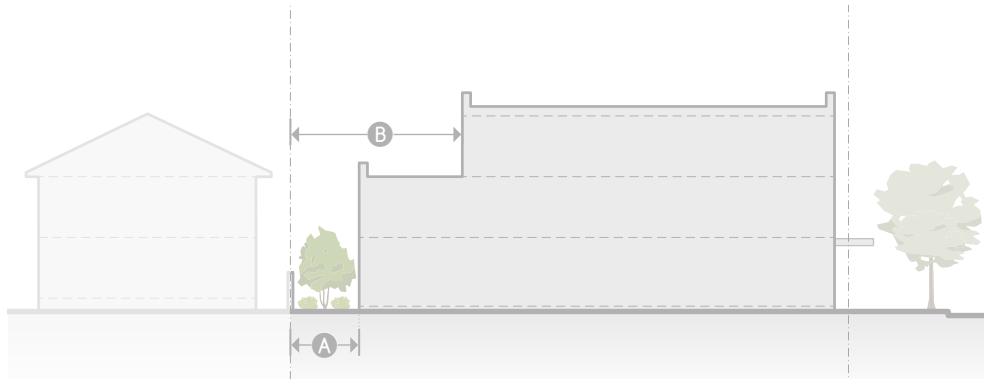
1. General

- a. A required transition must be located along the entire length of the common lot line shared with the abutting Protected District.
- b. Where a required transition has a larger depth than the screening depth required, the larger depth applies.
- c. Required walls and fences, including their sub-grade elements, such as footings or foundations, must be located entirely on site.
- d. Breaks for pedestrian, bicycle and vehicular access are allowed, provided the break in the screen is the minimum practical width. Driveways or walkways must cross at or near a perpendicular angle.
- e. No structures, parking areas, motor vehicle use areas, waste receptacles, or mechanical equipment are allowed in the transition area.
- f. Where a use standard requires screening standards that conflict with a transition type's screening requirements, the more intensive requirements must be met.
- g. All walls and fences provided must meet the standards of §4.3.8 Walls and Fences. All plants provided must meet the standards of §4.3.9 Plants and Plant Material.

2. Transition Types

Type 1

Intended for screening neighbors from low-impact uses or the potential impacts of adjacent zoning districts.

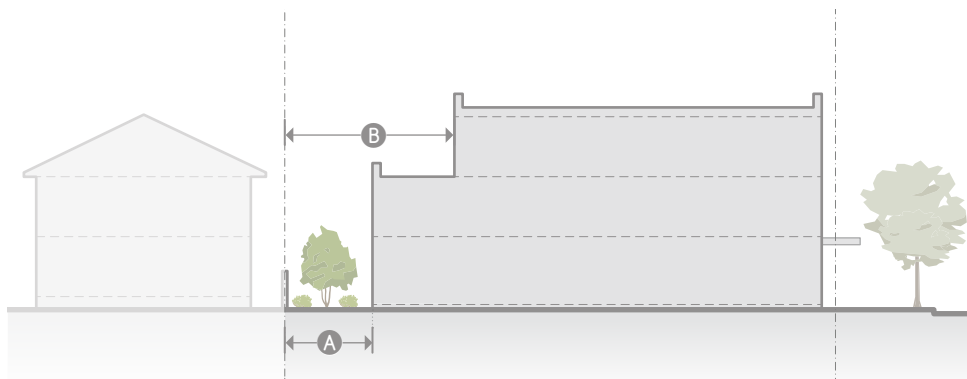


TRANSITION AREA

A Depth (min)	10'
Screening type	Low-Impact Common Lot Line Screen (§4.3.7)
B Stepback	Required

Type 2

Intended for screening neighbors from moderate impact uses or potential impacts of moderate intensity zoning districts.

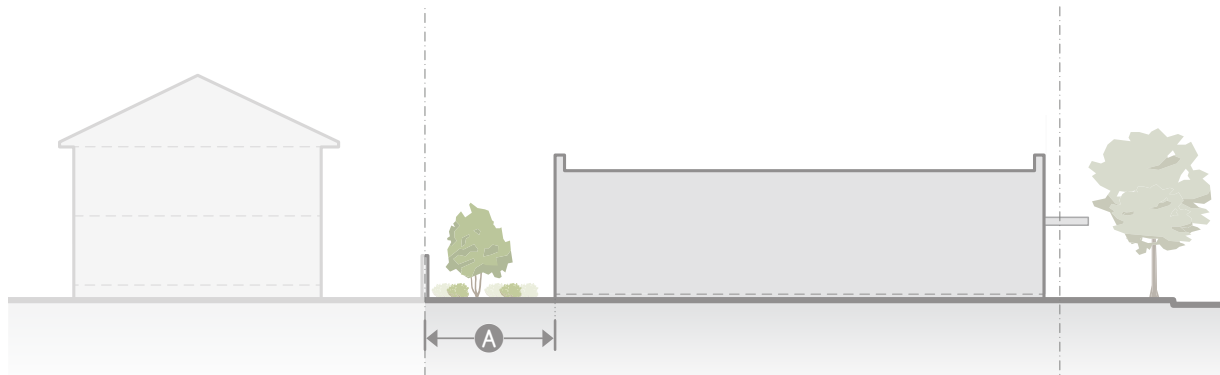


TRANSITION AREA

A Depth (min)	15'
Screening type	Moderate-Impact Common Lot Line Screen (§4.3.7)
B Stepback	Required

Type 3

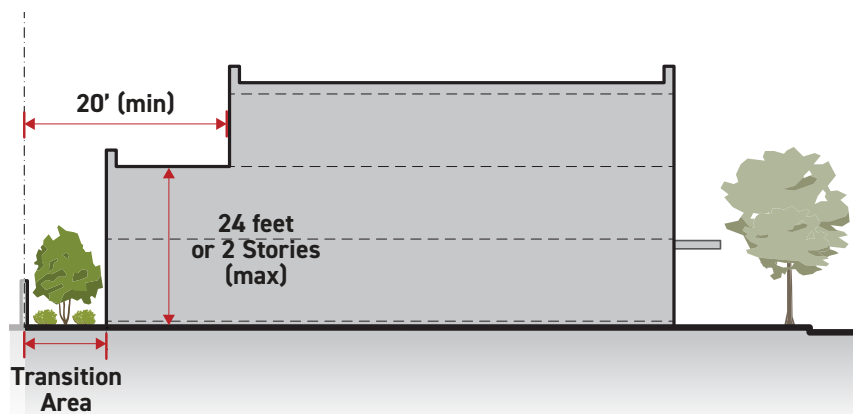
Intended for neighbors from high impact uses or the potential impacts of adjacent zoning districts.



TRANSITION AREA	
Ⓐ Depth (min)	30'
Screening type	High-Impact Common Lot Line Screen (§4.3.7)
Stepback	Not Required

3. Stepback

- a. Where a stepback is required by a transition type above, any building located on the subject lot located adjacent to the transition area must apply a stepback to any portion of the building taller than 24 feet or 2 stories.
- b. The required stepback must be a minimum of 20 feet deep, measured horizontally from the applicable building facade to the lot line where the transition is applied.



4.3.7. Screening

A. Intent

To mitigate negative impacts of certain uses and items with significant impacts on the public realm, promoting visual interest and increasing comfort for users of the public realm.

B. Frontage Screens

1. Application

- a. Frontage screens are required as specified within the Use article (Article 3) or elsewhere within this Development Standards article (Article 4).

2. Standards

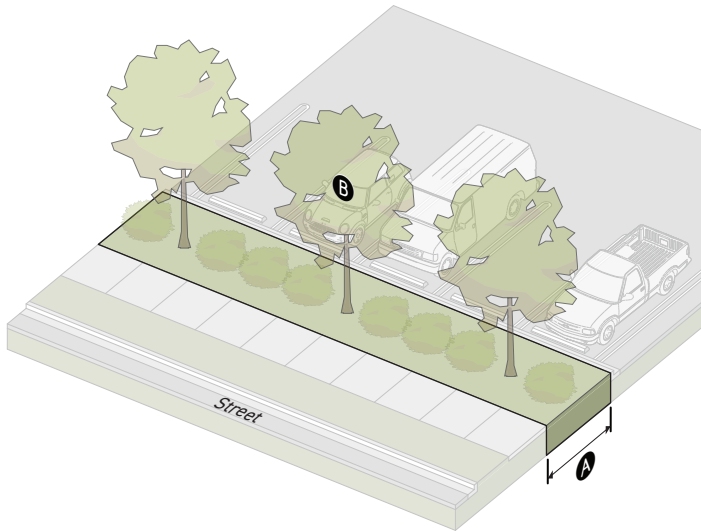
a. General Provisions

- i. Where a frontage screen is required, it is required along all primary and side street lot lines.
- ii. Required frontage screens must be located along the primary or side street lot line for the perimeter of the use subject to screening requirements.
- iii. Required walls and fences including their sub-grade elements, such as footings or foundations, must be located entirely on-site.
- iv. Where a wall or fence is required, the required planting must be installed between the wall or fence and the street.
- v. Planting required to meet a screening standard that conflicts spatially with any existing planting is not required. The existing planting must be kept free of weeds and invasive species.
- vi. A required shade tree and shrub pattern may be substituted for a row of evergreen trees where allowed by the Development Director.
- vii. Breaks for pedestrian, bicycle and vehicular access are allowed, provided the break in the screen is the minimum practical width. Driveways or walkways must cross at or near a perpendicular angle.
- viii. No buildings or structures are allowed in the transition area.
- ix. All walls and fences provided must meet §4.3.8 (Walls and Fences).
- x. All plants provided must meet §4.3.9 (Plants and Plant Material).

b. Frontage Screening Types

Low-Impact

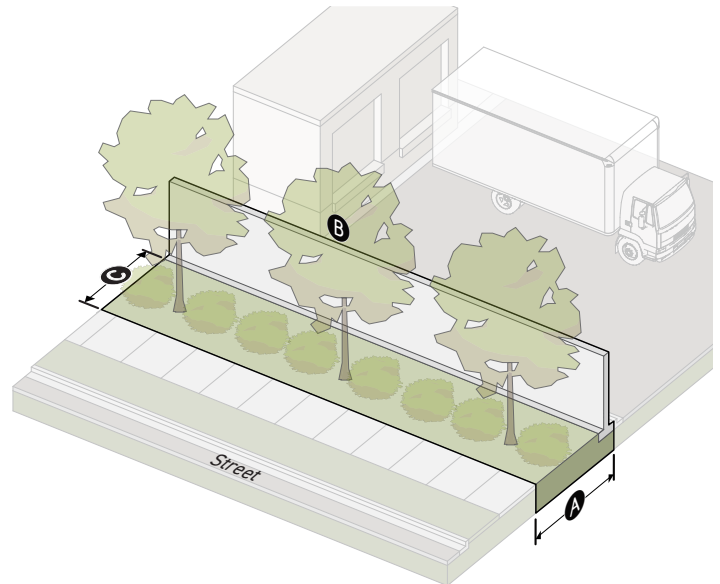
Intended for screening parking lots, motor vehicle use areas, (drive-thru lanes and drive aisles) and other low-impact uses.



PLANTING AREA	
A Depth (min)	6'
% of perimeter screened (min)	80%
Required plant type	Screening plants, shrubs
B Shade trees (min per 40' of perimeter)	1

Moderate-Impact

Intended for screening outdoor areas associated with moderate-impact uses.



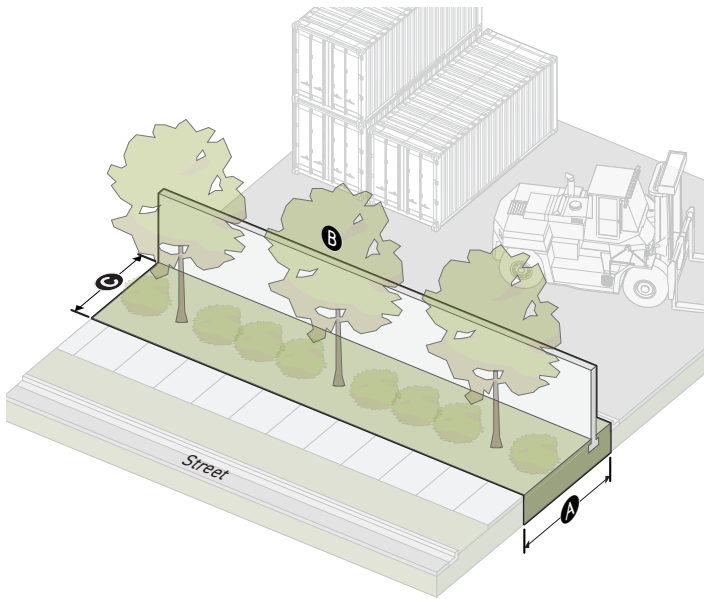
PLANTING AREA	
A Depth (min)	10'
% of perimeter screened (min)	80%
Required plant type	Screening plants, shrubs
B Shade trees (min per 40' of perimeter)	1

WALLS & FENCES	
Height (min)	6'
Opacity (min)	90%
C Setback from property line (min)*	10'

*All required planting must be provided between a wall or fence and the street.

High-Impact

Intended for screening industrial uses and other outdoor areas associated with high-impact uses.



- c. Where a High-Impact Frontage Screen is required, a berm meeting the following standards may be provided as a satisfactory screening option:
- i. The top of the berm must be at least 2.5 feet higher than the elevation of the area to be screened.
 - ii. The berm must have a depth of at least 20 feet, measured parallel to the frontage lot line that requires screening from one side of the berm to the opposite side.
 - iii. A minimum of 1 shade tree or evergreen tree is required to be planted for every 40 feet of perimeter being screened.
 - iv. The slope of the berm may not exceed 33 percent (3:1).
 - v. Berms must be graded to appear as smooth, rounded, naturalistic forms.

OPTION 1: DENSE PLANTING	
Depth (min)	25'
% of perimeter screened (min)	80%
Required plant type	Screening plants, shrubs
Shade trees (min. per 20' of perimeter)	1
OPTION 2: WALL OR FENCE WITH PLANTING	
Planting Area	
A Depth (min)	10'
% of perimeter screened (min)	80%
Required plant type	Screening plants, shrubs
B Shade trees (min per 40' of perimeter)	1
Wall or Fence	
Height (min)	8'
Opacity (min)	90%
C Setback from lot line (min)*	5'

*All required planting must be provided between a wall or fence and the street.

C. Common Lot Line Screens

1. Application

Common lot line screens are required as specified within the Use Regulations (Article 3) or elsewhere within this Development Standards article.

2. Standards

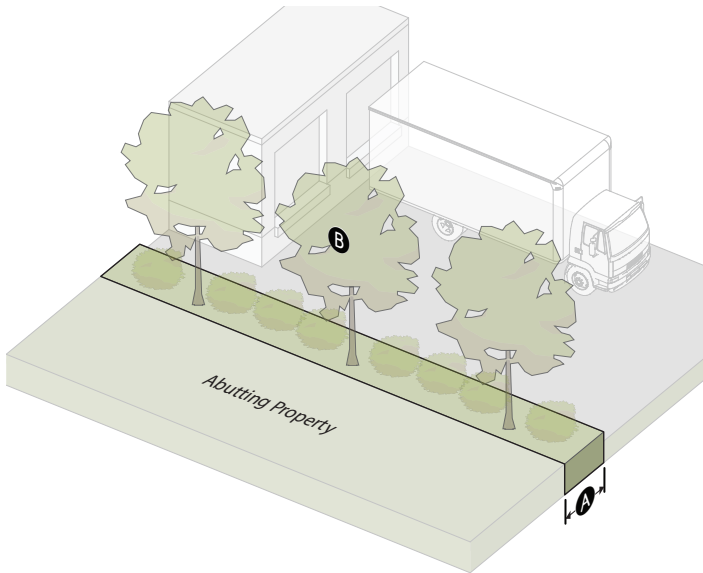
a. General Provisions

- i. Required common lot line screens must be located along the common lot line for the length of the use subject to screening requirements.
- ii. Required screens including their sub-grade elements, such as footings or foundations, must be located entirely on-site.
- iii. Breaks for pedestrian, bicycle and vehicular access are allowed, provided the break in the screen is the minimum practical width. Driveways or walkways must cross at or near a perpendicular angle.
- iv. A required shade tree and shrub pattern may be substituted for a row of evergreen trees where allowed by the Development Director.
- v. All walls and fences provided must meet §4.2.7 (Walls and Fences).
- vi. Where a wall or fence is required, the required planting must be installed between the wall or fence and the street.
- vii. Planting required to meet a common lot line screening standard that conflicts spatially with any existing planting is not required.

b. Common Lot Line Screening Types

Low-Impact

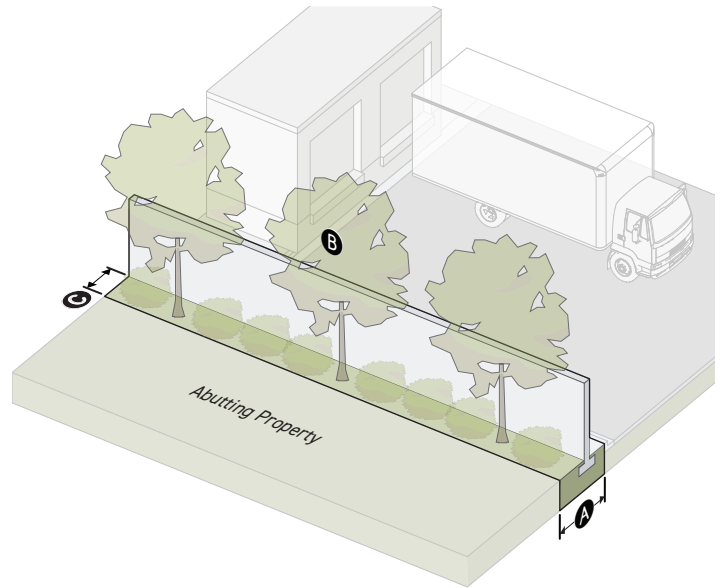
Intended for Type 1 transitions and screening low-impact uses.



PLANTING AREA	
A Depth (min)	6'
% of perimeter screened (min)	80%
Required plant type	Screening plants, shrubs
B Shade trees (min per 40' of perimeter)	1

Moderate-Impact

Intended for some Type 2 transitions and screening moderate-impact uses.

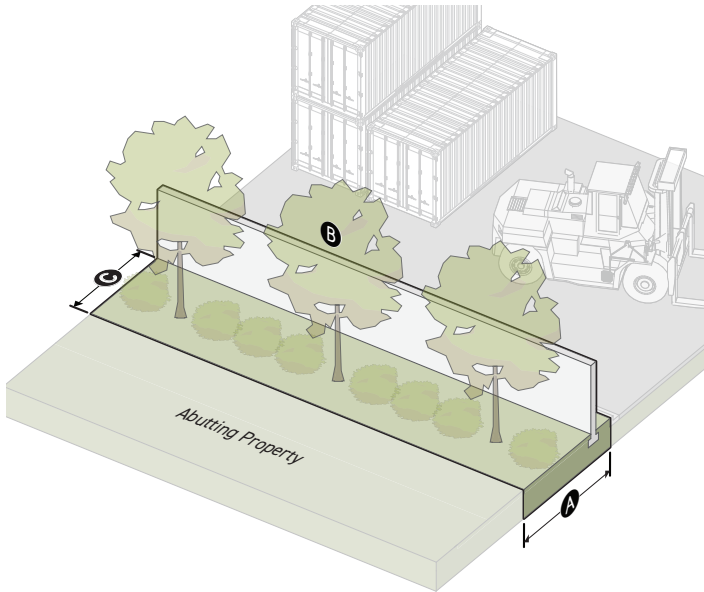


PLANTING AREA	
A Depth (min)	8'
% of perimeter screened (min)	80%
Required plant type	Screening plants, shrubs
B Shade trees (min per 40' of perimeter)	1
WALLS & FENCES	
Height (min)	6'
Opacity (min)	90%
C Setback from lot line (min)**	5'

*All required planting must be provided between a wall or fence and the street.

High-Impact

Intended for screening industrial uses and other high-impact uses.



PLANTING AREA	
A Depth (min)	10'
% of perimeter screened (min)	80%
Required plant type	Screening plants, shrubs
B Shade trees (min per 40' of perimeter)	1
WALLS & FENCES	
Height (min)	8'
Opacity (min)	90%
C Setback from lot line (min)*	8'

*All required planting must be provided between a wall or fence and the street.

- c. Where a High-Impact Common Lot Line Screen is required, a berm meeting the following standards may be provided as a satisfactory screening option:
 - i. The top of the berm must be at least 2.5 feet higher than the elevation of the area to be screened.
 - ii. The berm must have a depth of at least 20 feet, measured parallel to the frontage lot line that requires screening from one side of the berm to the opposite side.
 - iii. A minimum of 1 shade tree or evergreen is required to be planted for every 40 feet of perimeter being screened.
 - iv. The slope of the berm may not exceed 33 percent (3:1).
 - v. Berms must be graded to appear as smooth, rounded, naturalistic forms with varying heights, not linear in design.

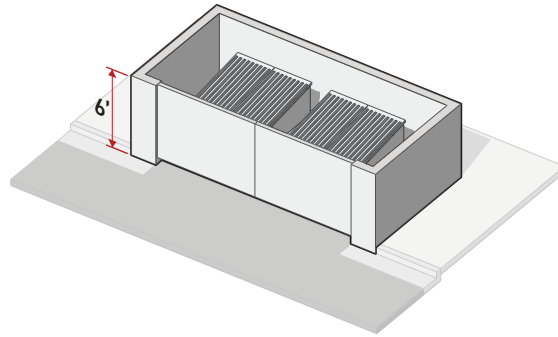
D. Waste Receptacle Screening

1. Application

All waste receptacle areas.

2. Standards

- a. Outdoor waste receptacles and their screening enclosures must be located to the side and rear of buildings and must meet the setback requirements of §4.1.
- b. Outdoor waste receptacles must be screened on three sides by an opaque wall or fence with a minimum height of 6 feet.
- c. Access gates must be provided on the fourth side and must also be a minimum height of 6 feet.
- d. The wall or fence and access gate screening must be at least 90% opaque.
- e. The screening enclosure must meet the standards of §4.3.8.



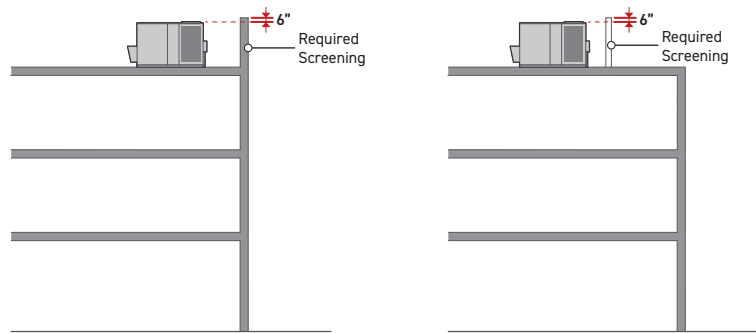
E. Roof-Mounted Equipment Screening

1. Application

All mechanical or utility equipment located on a roof of building.

2. Standards

- a. Equipment must be screened on the roof edge side by parapet wall or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened.
- b. The screening must be at least 75% opaque (see §4.3.8).
- c. Screening must meet the standards of §4.3.8 (Walls and Fences).



F. Ground-Mounted Equipment Screening

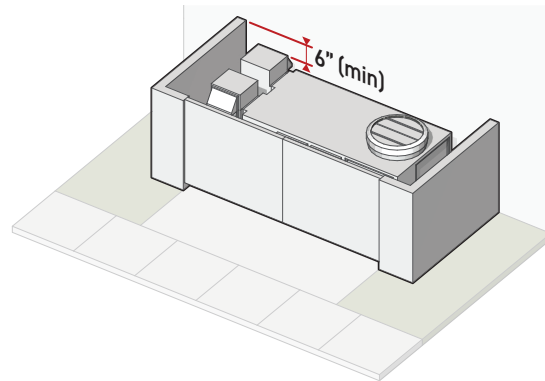
1. Application

All ground mounted outdoor mechanical or utility equipment.

2. Standards

- a. Ground mounted equipment must be located between the building and rear lot line with no public or customer view of the equipment unless it is screened meeting the standards below.
- b. Equipment must be screened on three sides by a wall or fence that is at least 6 inches higher than the topmost point of the equipment being screened.
- c. Access gates must be provided on the fourth side and must also be at least 6 inches higher than the topmost point of the equipment being screened.
- d. The wall or fence and access gate screening must be at least 90% opaque.
- e. The screening enclosure must meet the standards of §4.3.8 (Walls and Fences).

- f. The Development Director may accept an alternate landscaping plan that meets objectives to screen ground mounted equipment.



G. Wall-Mounted Equipment Screening

1. Application

All outdoor mechanical or utility equipment attached to the wall of a building or structure.

2. Standards

Wall-mounted outdoor mechanical or utility equipment cannot be attached to a building facade unless it is screened meeting the following standards:

- a. Equipment must be screened by wall or fence or other type of screen that is at least 6 inches higher than the topmost point of the equipment being screened;
- b. The screening must be at least 75% opaque (§4.3.8); and
- c. Screening must meet the standards of §4.3.8 (Walls and Fences).

4.3.8. Walls and Fences

A. Intent

To balance the needs for natural surveillance and visual interest along the public realm and security and privacy for private ground story uses in a manner appropriate to context.

B. Application

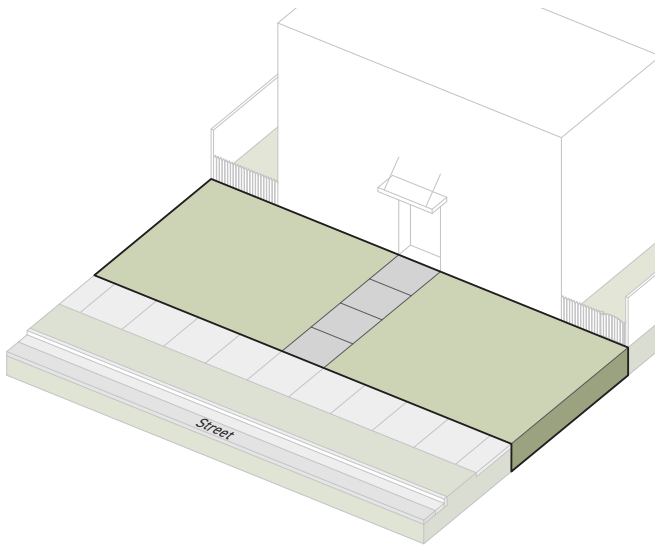
1. All walls and fences required by any district, use or development standard within this Development Code.
2. Where a screening requirement includes a wall or fence standard that conflicts with a standard of this section, the required screening standards supersede.
3. This section also provides maximum fence location, height and other specifications for fence construction on any lot.

C. Standards

1. Primary/Side Street Yard Wall and Fence Types

Type D1

Intended for Primary and Side Street yards where buildings engage directly with sidewalks to provide natural surveillance and visual interest. Especially where ground floor uses are commercial.



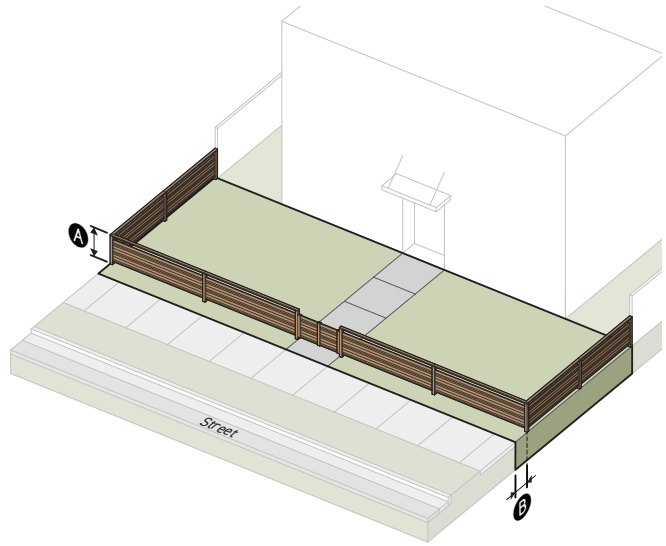
STANDARDS

Height	Fence not allowed*
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* A wall or fence of a maximum of 4' in height is allowed if required for outdoor consumption of alcohol.

Type D2

Intended for Primary and Side Street yards where the need for natural surveillance, and visual interest is balanced with the need for separation between private ground floor uses and sidewalks.

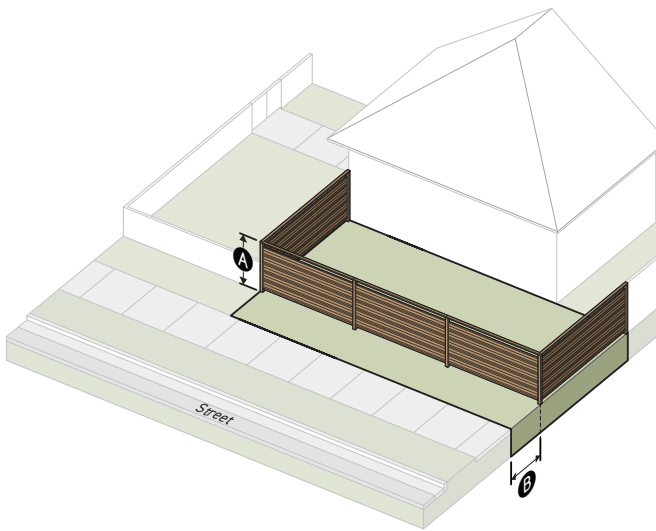


STANDARDS

A Height (max)	3.5'
B Setback from front lot line (min)	2'

Type D3

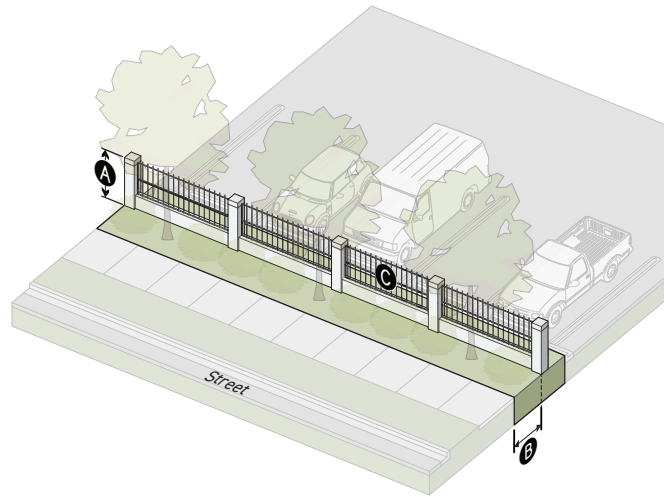
Intended for Side Street yards where natural surveillance and visual interest along the public realm is less critical than the need to mitigate impacts on private ground floor uses.



STANDARDS	
A Height (max)	6'
B Setback from side street lot line (min) - Traditional Districts	5'
B Setback from side street lot line (min) - Suburban Districts	12' or 10% of lot depth, whichever is greater

Type D4

Intended for Primary and Side Street yards where the need for natural surveillance and visual interest along the public realm is balanced with the need for security between private uses and the public realm.

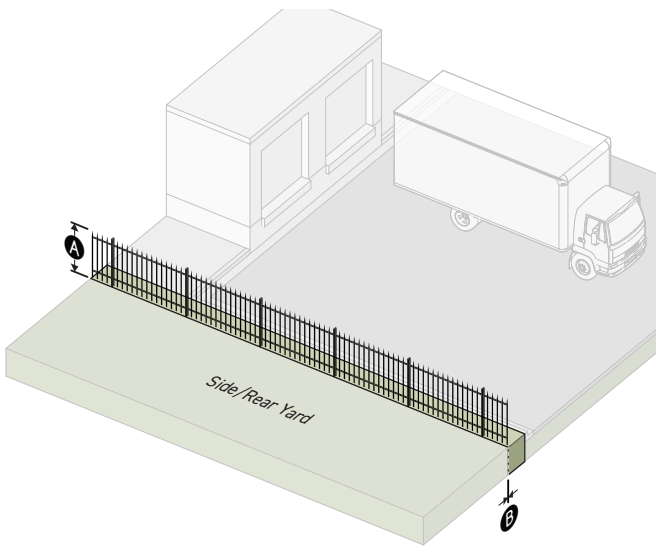


STANDARDS	
A Height (max)	6'
B Setback from lot line (min)	2'
C Opacity above 4' in height (max)	50%

2. Side/Rear Yard Wall and Fence Types

Type D5

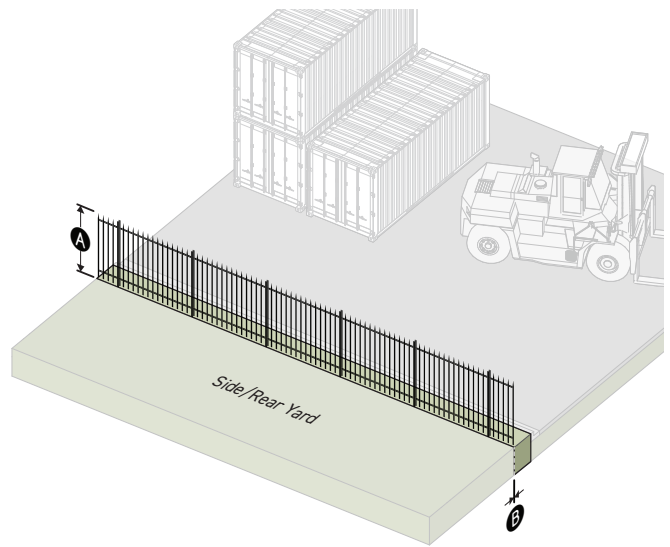
Intended for residential and commercial Side and Rear yards.



STANDARDS	
A Height (max)	6'
B Setback from lot line (min)	0'

Type D6

Intended for industrial Side and Rear yards.



STANDARDS	
A Height (max)	8'
B Setback from lot line (min)	0'

3. Design and Installation

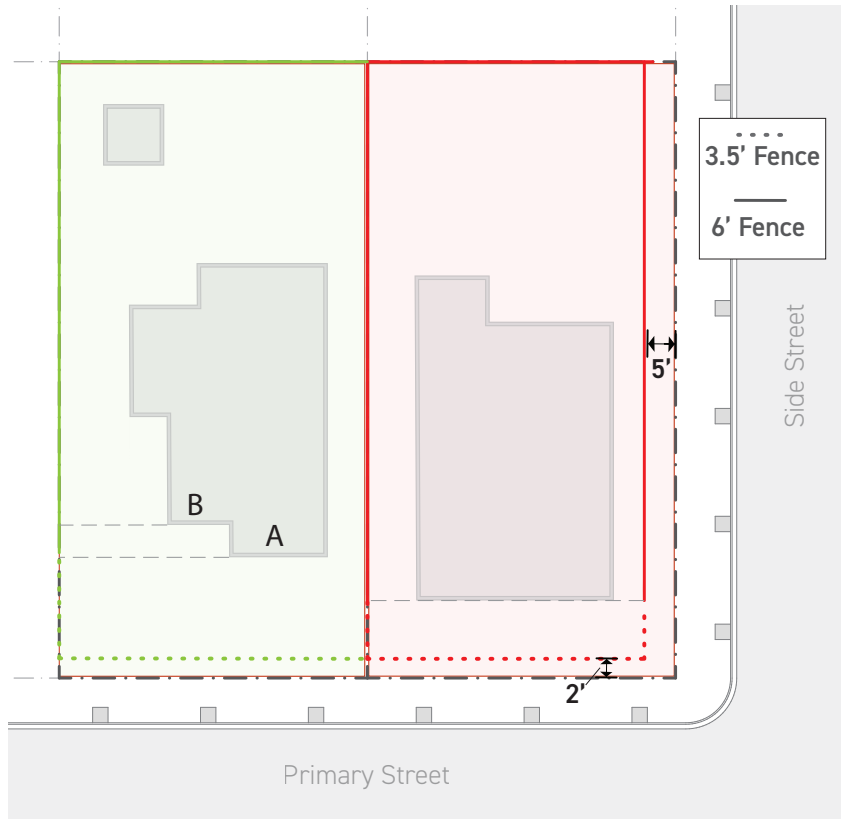
a. Material and Color

- i. Walls and fences must be constructed of a durable, low-maintenance material that has a long life expectancy. Wood may be used, but must be sealed or regularly kept free from the overgrowth of mildew or other blighting features.
- ii. No wall or fence may be constructed of tires, junk, or other discarded materials. Walls and fences must be secure and be able to withstand being leaned against or climbed if they are within 5' of a public right-of-way.
- iii. Chain-linked fences in primary street or side street yards must be vinyl-coated, and chain-linked fences taller than 3.5' are not permitted for residential uses.
- iv. Barbed wire or concertina wire is not allowed in any yard or any district in the city.

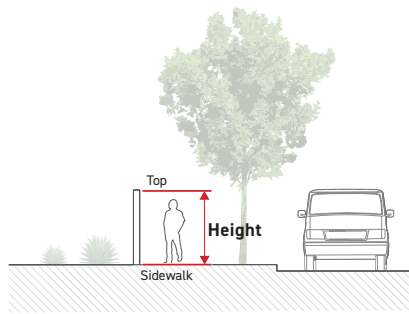
b. Other Location Standards

- i. All walls and fences including their sub-grade elements, such as footings or foundation, must be located on-site.
- ii. No wall or fence can interfere with visibility at intersections and driveways, according to the standards of Div. 4.4 (Sight Triangle). The Development Director may require a larger setback or a reduction in maximum opacity than otherwise ordinarily required to increase motorist and pedestrian safety.
- iii. Developments may not be designed to be gated or walled off along areas ordinarily enjoyed as public or quasi-public spaces. Examples of such spaces include private roads where homes are constructed along the frontage, plaza areas, and entrances to parking lots serving customers.
- iv. On properties occupied by or zoned for a residential use, walls and gates may not block or obstruct front door access. An unobstructed path along a pedestrian accessway must be maintained. Where no separate pedestrian accessway is constructed, a driveway used as the connection may not be blocked. The Development Director may approve exceptions to this standard where private drives may be mistaken for public roadways due to their design and location.
- v. Where a front door is located on a plane of a residence that is not the closest plane to the lot line (See position B below), a privacy fence (or any wall or fence taller than 3.5') must be set back along that side of the home to that plane of the house.

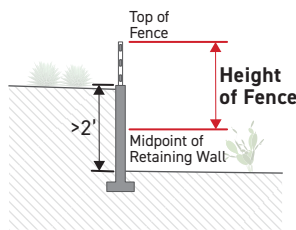
Residential Fence Typical Configuration



- vi. All fences and walls must be maintained in good repair and must be kept vertical, structurally sound and protected from deterioration. Fences and walls must be kept clear of invasive species. Refer to the Ohio Invasive Plants Council for a list of invasive species.
- c. Primary/Side Street Yard Height
 - i. Wall or fence height is measured from the adjacent sidewalk to the topmost point of the wall or fence.

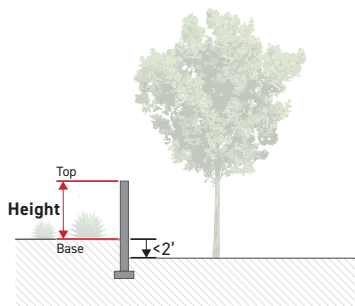


- ii. Where no sidewalk exists within 20 feet of the wall or fence, height is measured from the base of the wall or fence to the topmost point of the wall or fence, on the exterior side of the wall or fence.
- iii. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, height is measured from the top of the wall or fence to the midpoint of the retaining wall.

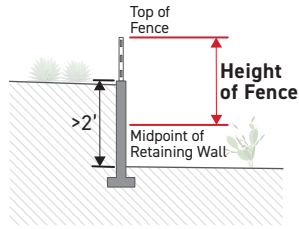


d. Side/Rear Yard Height

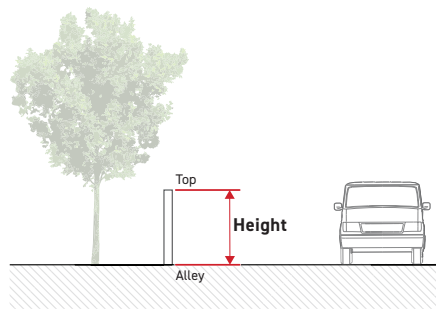
- i. Where the difference in grade on either side of a wall or fence is less than 2 feet, height is measured from at the base of the wall or fence on the side with the highest grade.



- ii. When a wall or fence is located within 3 feet of the exterior face of a retaining wall and the retaining wall is 2 feet in height or greater, height is measured from the top of the wall or fence to the midpoint of the retaining wall.



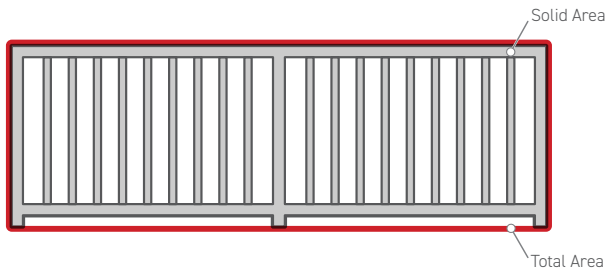
- iii. Fences and walls located in a rear or side yard abutting an alley are measured from the surface of the alley, vertically to the topmost point of the wall or fence.



- iv. When a wall or fence runs along uneven ground, a maximum height exception may be granted to accommodate creating a straight line at the top of the fence with no gaps at the base. In no case should this result in a fence height of more than 33% more than the maximum height allowed.

e. Opacity

- i. Opacity is measured as a percentage, calculated by dividing the solid portion of the fence or wall by the total area of the fence or wall.
- ii. The total area of the fence or wall is measured as the smallest regular shape containing all elements of the fence or wall.



$$\frac{\text{Solid Area}}{\text{Total Area}} = \text{Opacity (\%)}$$

4.3.9. Plants and Plant Material

A. Intent

To provide the necessary supplemental information for all applicable planting and landscaping requirements throughout this Development Code, in support of a healthy urban ecological system.

B. Application

All plants used to meet a requirement of this Development Code.

C. Standards

1. General Provisions

- a. Plants listed as an invasive species by the Ohio Invasive Plants Council may not be installed.
- b. No artificial plants, trees, or other plants may be installed.
- c. Plant materials must be locally hardy to their specific planting location.
- d. Plant materials must be able to survive on natural rainfall once established with no loss of health, or an irrigation system must be provided.
- e. A list of acceptable plant species will be maintained by the Development Department, though the applicant should select the species that will suit the conditions of the planting location.

2. Maintenance

- a. Plant materials must be maintained in good and healthy condition.
- b. Planting areas must be kept free of weeds and trash. Weeds are considered all plants that have germinated without intentional placement by a gardener within the site or may be interpreted by the Development Director as those plants not approved on the associated landscaping plan where interpretive conflict may occur.
- c. Where an approved planting area has become overgrown with invasive species or has experienced significant loss of approved plants, the planting area must be replanted with new plants. Replacement species must be approved by the Development Director.
- d. Maintenance of plantings as shown in the approved landscaping plan is required. Plants that die must be replaced within 1 year. All dead plant material shed from plants must be mulched and added back to the groundcover or removed from beds annually. Plants are allowed to propagate and increase, but selective editing of plants may be required to maintain a varied and textured appearance. Weeds must be removed. Weeds are considered all plants that have germinated without intentional placement by a gardener or may be interpreted by the Development Director as those plants not approved on the associated landscaping plan where interpretive conflict may occur.

3. Trees

- a. All trees must be a minimum caliper of 2 inches at time of planting.
- b. Shade trees must have a minimum height of 8 feet at time of planting, evergreen trees a minimum height of 5 feet at planting, and ornamental trees a minimum height of 6 feet at planting.
- c. Shade tree species must have a minimum canopy spread at maturity of 30 feet.
- d. Ornamental tree species must have a minimum canopy spread at maturity of 15 feet but no greater than 30 feet.
- e. Where a required shade tree cannot be provided due to existing spatial conflicts, 2 ornamental trees may be provided as an alternative to meet the requirement.
- f. Trees used as frontage screening trees between parking lots and the sidewalk must be deciduous, except where Use standards require screening from industrial or outdoor storage uses.
- g. Required landscaping or street trees must be pruned at least every 3 years or as required to remove dangerous deadwood.

4. Screening Plants

- a. Screening plants must be perennial.
- b. Screening plants must be at least 18 inches in height at time of planting.
- c. Screening plants must be able to reach at least 3 feet in height at maturity.
- d. Screening plants used as frontage screens must grow no taller than 4 feet in height at maturity.
- e. Screening plants must be maintained at no less than their height at maturity.

5. Shrubs

- a. A minimum of 50% of all shrubs installed must be evergreen.
- b. All shrubs must be at least 2 feet in height at time of planting.
- c. All shrubs installed must be able to reach at least 4 feet in both height and spread at maturity.
- d. Screening plants used as frontage screens must grow no taller than 4 feet in height at maturity.

D. Measurement

For the measurement of caliper, height and canopy spread, see the "Methods of Measurement" section of the latest version of the American Standard for Nursery Stock (ANSI).

Div. 4.4. Sight Triangle

4.4.1. Intent

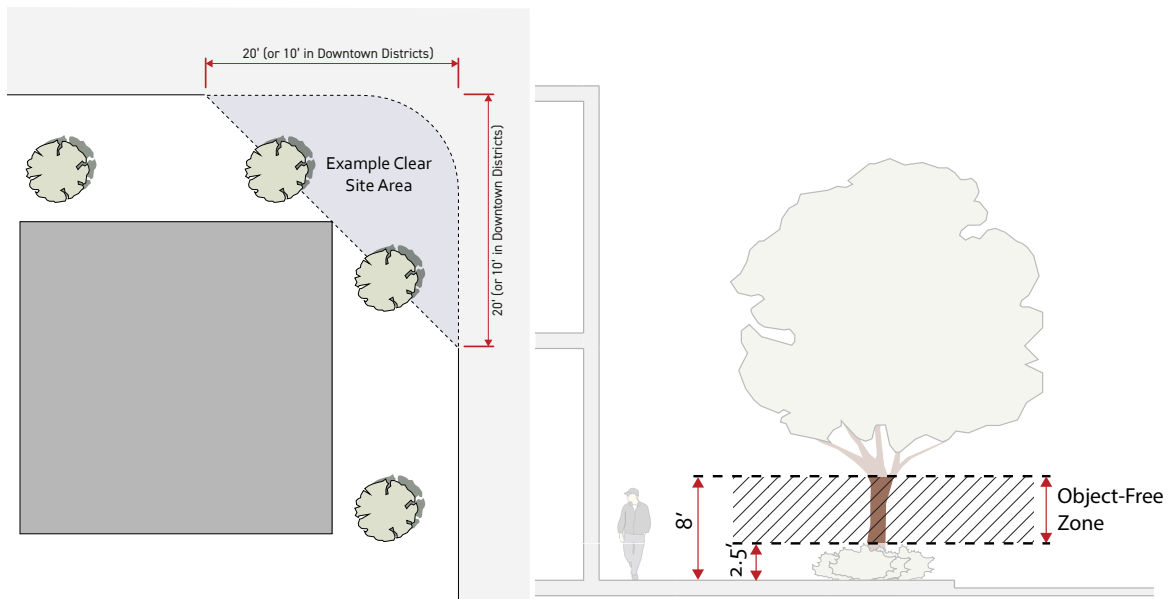
To improve visibility and safety at street intersections for all users.

4.4.2. Application

The following sight triangle standards apply to all corner lots, located at the intersection of two public right-of-ways, at the intersection of private access drives and public right-of-way, and where 2 private access drives intersect with one another.

4.4.3. Standards

No structures, fences, signs, landscaping or any other object may be located on a corner lot so as to impede vision between a height of 2 ½ and 8 feet above curb grades in the area bounded by the curb line of the corner lot and a line joining points along said curb line 20 feet from the point of their intersection, or 10 feet from the point of their intersection in Downtown and Traditional districts.



Div. 4.5. Lighting

4.5.1. Intent

To provide exterior lighting standards to support a variety of environments and to minimize the negative impacts of lighting on adjacent uses and users of the public realm.

4.5.2. Application

A. New Fixtures

All lighting fixtures installed after the effective date of this Development Code.

B. Existing Fixtures

1. Routine maintenance, including changing the lamp, ballast, starter, photo control, fixture housing, lens and other required components, is allowed for all existing fixtures.
2. The installation of site lighting, replacement of site lighting and changes to existing light fixture wattage, type of fixture, mounting or fixture location must be made in compliance with this Section.

4.5.3. Standards

A. Prohibited Lighting Sources

The following light fixtures and sources cannot be used:

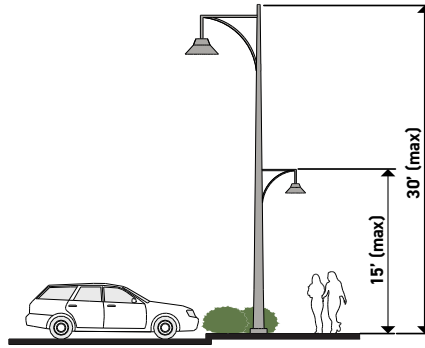
1. Cobra-head-type fixtures having dished or drop lenses or refractors, which contain sources that are not incandescent.
2. Temporary searchlights and other high-intensity narrow-beam, moving fixtures that shine light directly up to the sky.

B. Design and Installation

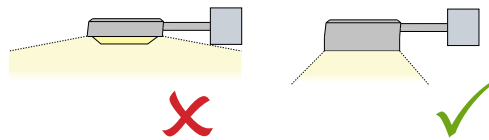
1. The maximum light level of any light fixture measured at the right-of-way line of a street cannot exceed an average of 2.5 footcandles. The uniformity ratio should be no more than 4:1.
2. Light sources must have a Color Rendering Index (CRI) value of 80 or higher.
3. Lighting must not be oriented onto adjacent properties, streets or sidewalks.
4. Service connections for all freestanding lighting fixtures must be installed underground.

C. Parking and Pedestrian Area Lighting

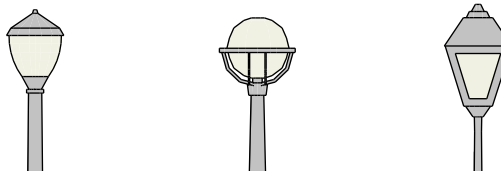
1. Light fixtures within parking lots and motor vehicle use areas can be no higher than 30 feet.
2. Light fixtures within pedestrian areas mounted on poles may be no higher than 15 feet.



3. All light fixtures must be full cutoff (shielded), except as listed below.

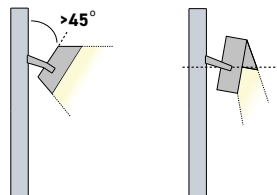


4. Non-cutoff (unshielded) fixtures can be used when the maximum initial lumens generated by each fixture is less than 9,500. These fixtures generally feature globes or vertical glass planes and must be coated with an internal white frosting to diffuse light.

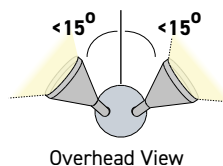


D. Flood Lights and Flood Lamps

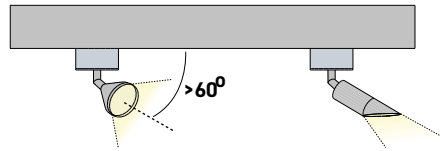
1. Flood light fixtures must either be aimed down at least 45 degrees from vertical or the front of the fixture shielded so that no portion of the light bulb extends below the bottom edge of the shield.



2. Any flood light fixture located within 50 feet of a street right-of-way must be mounted and aimed perpendicular to the right-of-way, with a side-to-side horizontal aiming tolerance not to exceed 15 degrees.



3. All flood lamps emitting 1,000 or more lumens must be aimed at least 60 degrees down from horizontal or shielded so that the main beam is not visible from adjacent properties or the street right-of-way.

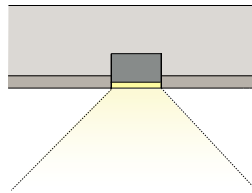


E. Canopies

Lighting under canopies must be less than 24 maintained footcandles and be designed to prevent glare off-site. Acceptable lighting designs include the following:

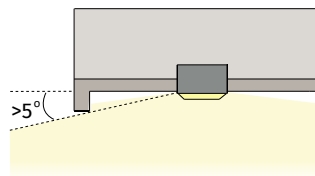
1. Recessed

Recessed fixture incorporating a lens cover that is either recessed or flush with the bottom surface of the canopy.



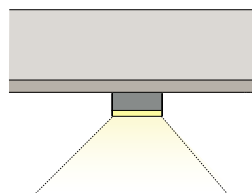
2. Shielded

Light fixture incorporating shields or is shielded by the edge of the canopy itself, so that light is restrained to 5 degrees or more below the horizontal plane.



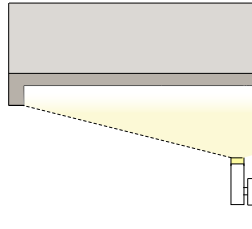
3. Surface Mounted

Surface mounted fixture incorporating a flat glass that provides a cutoff design or shielded light distribution.



4. Indirect

Indirect lighting where light is beamed upward and then reflected down from the underside of the canopy, provided the fixture is shielded so that direct illumination is focused exclusively on the underside of the canopy.



F. Building Lighting

1. Lighting fixtures must be selected, located, aimed and shielded so that direct illumination is focused exclusively on the building facade, plantings and other intended site features and away from adjoining properties and the street right-of-way.
2. All wall pack fixtures must be full cutoff fixtures.



3. Only lighting used to accent architectural features, landscape or art may be directed upward, provided that the fixture is located, aimed or shielded to minimize light spill into the night sky.

4.5.4. Measurement

- A. Light levels are specified, calculated and measured in footcandles. All footcandles values are maintained footcandles.
- B. Measurements are to be made at ground level, with the light-registering portion of the meter held parallel to the ground pointing up.

Div. 4.6. Utility Connection

4.6.1. Connections Required

- A. In all occupied structures constructed after the effective date of this Development Code, the owner must provide an adequate supply of water from the City of Piqua municipal system, and make it available to the occupants.
- B. In existing or new structures, the owner may not shut off or cause to be shut off a water supply except while in the process of making repairs. The owner may not rent or lease an occupiable unit, unless they are provided with an adequate, approved water supply.
- C. When a structure has a nonconforming connection to an adequate supply of clean potable water from an approved private water system, the system will be allowed to remain in place until it requires reconstruction or poses any health or environmental hazards, as indicated by the Miami County Health Department or the Ohio EPA. At such time, a connection to the City municipal supply must be made.
- D. All pre-existing septic systems may be allowed to continue as a nonconforming structure where they pose no health or environmental hazards. No septic system may be rebuilt where they have been substantially damaged or have outlived their useful life, and instead, a sewer lateral connection to the Piqua municipal system must be made.
- E. Additional standards for utility connections can be found in Title V of the Piqua, Ohio Code of Ordinances, and the City of Piqua Construction Design Criteria and Standards Drawings.

Div. 4.7. Signs

4.7.1. Intent

To promote public safety and welfare by regulating signs in a manner that provides reasonable protection to the visual environment and provides equal opportunity for messages to be displayed.

4.7.2. Application

No sign may be erected, altered, refurbished or otherwise modified after the effective date of this Development Code except in accordance with the requirements of this section.

4.7.3. Prohibited Signs

The following signs are not allowed:

1. any sign constructed and maintained wholly upon or over the roof of a building;
2. rotating or animated signs involving motion or sound;
3. flashing, blinking, or varying light intensity signs, including scrolling messages and video;
4. signs intended to flutter in the wind to attract attention;
5. any reflective or mirrored sign;
6. signs that contain or are an imitation of an official traffic sign or signal;
7. search lights;
8. signs mounted to a tree, traffic sign utility pole or similar structure; and
9. signs advertising illegal activity.

4.7.4. General Requirements

A. Obstructions

Signs cannot obstruct vehicular, bicycle, or pedestrian traffic and must comply with ADA clearance and accessibility.

B. Windows and Architectural Details

Signs cannot cover windows or architectural details, except for windows signs.

C. Visibility at Intersections

Where a driveway intersects a right-of-way or where property abuts the intersection of two rights-of-way, an unobstructed sight distance must be provided at all times within the sight triangle area (see Div. 4.4).

D. Signs in the Right-of-Way

1. All signs must be placed on private property and require the property owner's consent. No signs are allowed to be placed in the right-of-way, except those placed by the City, County, State or federal government.
2. Awning signs, canopy signs, sidewalk signs, crown signs, projecting signs, wall signs and shingle signs may project over the public sidewalk, but not over any public street. All signs must be at least 18 inches inside the curb line or edge of pavement.

E. Permanent Signs

A permanent sign is any sign, attached or detached, which is designed or intended to be placed indefinitely. Permanent signs must meet all applicable standards within this Division.

F. Temporary Signs

1. A temporary sign is any sign, attached or detached, which is placed to advertise, announce, or pertain to a specific event or occurrence, which is not designed or intended to be placed permanently.
2. Small temporary signs, meaning temporary signs with a sign area of less than 12 square feet do not require a permit and must meet the standards of §4.7.5.G (Small Temporary Signs) in addition to any other applicable standards specified within this Division.
3. Large temporary signs, meaning temporary signs with a sign area of at least 12 square feet require a permit and must meet all applicable standards within this Division.

G. Off-Premise Advertising

Permanent signs must be used to display messages of the occupant of the site and may not be used for rotational or permanent display of off-premise advertisement.

4.7.5. Signs Not Requiring a Permit

A. General Requirements for Signs Not Requiring a Permit

Signs cannot be internally illuminated.

B. Public Interest Signs

Signs of public interest, erected by or on the order of a public officer in the performance of their duty, such as public notices, safety sign, danger signs, trespassing signs, traffic and street signs, memorial plaques and signs of historical interest.

C. Signs Not Visible

Any sign internal to a development not visible from a right-of-way or neighboring property.

D. Flags (modified O-14-24)

Flags are any fabric or other flexible material designed to be flown from a flagpole. Flags must meet the following standards:

1. A maximum of 3 flags are permitted per non-residential lot. There shall be no number limitation on residential lots.
2. The flag area cannot exceed 1.5 times the height of the pole. For example, a 40-foot tall flag pole yields a maximum 60 square foot flag; This standard also applies to poles that are installed on a structure.
3. The maximum height of a flagpole on nonresidential lots is 40 feet, measured from the highest point of the flagpole to average adjacent grade.
4. The maximum height of a flagpole on a residential lot is 30 feet, measured from the highest point of the flagpole to average adjacent grade.
5. A freestanding flagpole must be set back from a lot line a distance equal to half the height of the pole. For example, a flagpole 40 feet in height must be set back at least 20 feet from a lot line.
6. Flagpoles that are installed on the side of a structure may be up to 5 feet long, and the maximum flag area is 10 SF. The minimum setback from the sidewalk is 2 feet in all T-RL, T-RM, RE-6, RE-10, RE-20, and RA districts. In these and all other districts, a flag may hang over the sidewalk with permission from the City Engineer.

E. Sidewalk Signs

A sidewalk sign is a movable sign wholly independent of a building for support but not permanently secured or attached to the ground. Sidewalk signs must meet the following standards:

1. The sign cannot exceed 6 square feet in area, 3 feet in height and 2 feet width;
2. The sign must be placed along a building facade with a customer entrance to a tenant space;
3. The sign cannot be placed more than 10 feet from the building facade;
4. One sidewalk sign is permitted for each street facing entrance, and no more than one may be placed per business on the same street face;
5. The sign must be removed and placed indoors at the close of each business day; and
6. The sign cannot be illuminated.

F. Home Occupation Signs

1. Each residential unit is permitted a 1 square foot permanent wall sign to be attached to their primary structure, to be placed within 4 feet of an entryway.
2. No internal or external illumination of a home occupation sign is permitted.

G. Small Temporary Signs

A small temporary sign is any sign with a sign area of 12 square feet or less, which is placed to advertise, announce, or pertain to a specific event or occurrence, which is not designed or intended to be placed permanently. Any temporary sign with a sign area larger than 12 square feet is considered a large temporary sign.

1. Single-Unit Living and Two-Unit Living

- a. Maximum total sign area of 12 square feet per lot.
- b. Maximum area of an individual sign is 6 feet.
- c. Maximum of 2 small temporary signs are allowed per lot.
- d. Small temporary signs may be installed for a period not exceeding 60 consecutive calendar days, up to 2 times per 12 month period.
- e. No internal or external illumination of small temporary signs is permitted.

2. All Other Uses

- a. Lots are granted up to 12 square feet of small temporary sign area without a permit.
- b. The number of small temporary signs allowed on a lot is unrestricted, provided that the total sign area does not exceed the total allocated sign area.
- c. Small temporary signs may be used for a period not exceeding 60 consecutive calendar days, up to 2 times per any 12 month period. Additional posting time may be allowed by the Development Director, provided a temporary activity on the site is continuing or an emergency circumstance warrants the additional signage duration for a public purpose.

4.7.6. Signs Requiring a Permit

A. Application

The following sign types cannot be posted, displayed, substantially changed, or erected without first having obtained a development permit (§7.2.5);

1. Permanent Signs
 - a. Awning Sign
 - b. Canopy Sign
 - c. Crown Sign
 - d. Directional Sign
 - e. Entrance Sign
 - f. Highway Sign
 - g. Monument Sign
 - h. Mural
 - i. Pole Sign
 - j. Projecting Sign
 - k. Shingle Sign
 - l. Wall Sign
 - m. Window Sign
2. Large Temporary Signs
 - a. Banner Sign
 - b. Monument Sign
 - c. Pole Sign (post and panel)
 - d. Window Sign

B. District Permissions

- The following signs are allowed by district. Specific requirements for each sign type are listed on the following pages.

	SUBURBAN							TRADITIONAL							DOWN-TOWN			SPECIAL						
	RE-20	RE-10	RE-6	S-RA	S-RM	NX	CX, CO	RX	T-RL	T-RM, -E	T-RH	T-FX	T-NX	T-GX	T-SX	D-RF	D-GX	D-SX	IL	IH	AG	PK	CN	CV
PERMANENT SIGNS																								
Awning Sign	--	--	--	--	--	■	■	■	--	--	■	■	■	■	■	■	■	■	■	■	--	--	--	■
Canopy Sign	--	--	--	--	--	■	■	■	--	--	--	■	■	■	■	■	■	■	■	■	--	--	--	■
Crown Sign	--	--	--	--	--	■	■	■	--	--	--	■	■	■	■	■	■	■	■	■	--	--	--	■
Directional Sign	□	□	□	□	■	■	■	□	□	■	■	■	■	■	■	■	■	■	■	■	■	■	■	
Entrance Sign	■	■	■	■	■	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	■	■	■	■
Highway Sign	--	--	--	--	--	■	■	■	--	--	--	--	--	--	--	--	--	--	■	■	--	--	--	--
Monument Sign	□	□	□	□	□	■	■	■	□	□	□	■	■	■	■	■	■	--	■	■	--	■	--	■
Mural	--	--	--	--	--	■	■	■	--	--	■	■	■	■	■	■	■	■	■	■	■	■	■	■
Pole Sign	--	--	--	--	--	■	■	■	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--
Projecting Sign	--	--	--	--	--	■	■	■	--	--	□	■	■	■	■	■	■	■	■	■	--	--	--	--
Shingle Sign	--	--	--	--	--	■	■	■	--	--	□	■	■	■	■	■	■	■	■	■	--	--	--	--
Wall Sign	□	□	□	□	□	■	■	■	--	--	□	■	■	■	■	■	■	■	■	■	--	■	--	■
Window Sign	--	--	--	--	--	■	■	■	--	--	■	■	■	■	■	■	■	■	■	■	--	■	--	■
LARGE TEMPORARY SIGNS																								
Banner Sign	□	□	□	□	□	■	■	■	--	--	■	■	■	■	■	■	■	■	■	■	--	■	--	■
Monument Sign	□	□	□	□	□	■	■	■	□	□	□	■	■	■	■	■	■	--	■	■	--	■	--	■
Pole (post and panel)	□	□	□	□	□	■	■	■	--	--	--	■	■	■	■	■	■	--	■	■	■	■	■	■
Window Sign	□	□	□	□	■	■	■	□	□	□	■	■	■	■	■	■	■	■	■	■	--	--	--	■

■ = Sign type allowed □ = Sign type allowed for nonresidential uses only -- = Sign type not allowed

- Alternate sign types may be allowed with approval of the Planning Commission. To approve an alternate sign type, the Development Director will provide an analysis of the closest permitted sign type to the proposal and determine how Planning Commission approval would affect the total sign allowance for the site.

4.7.7. Permanent Sign Types

A. Awning Sign



1. Description

A sign where graphics or symbols are painted, sewn, or otherwise adhered to the material of an awning as an integrated part of the awning itself.

2. General Provisions

- a. Only awnings over ground-story doors or windows may contain signs.
- b. An awning sign may be placed on the face or the valance of the awning that are parallel to the building face, but cannot extend outside the awning.
- c. An awning sign cannot be illuminated.
- d. Additional signage may be granted by the Director where logos or graphics are to be integrated into the rest of the awning. Graphics must be of a muted hue that integrates with the main color of the awning and does not contain any text.

3. Number of Signs

Maximum of 1 awning sign is allowed per awning.

4. Total Attached Sign Area Allocation*

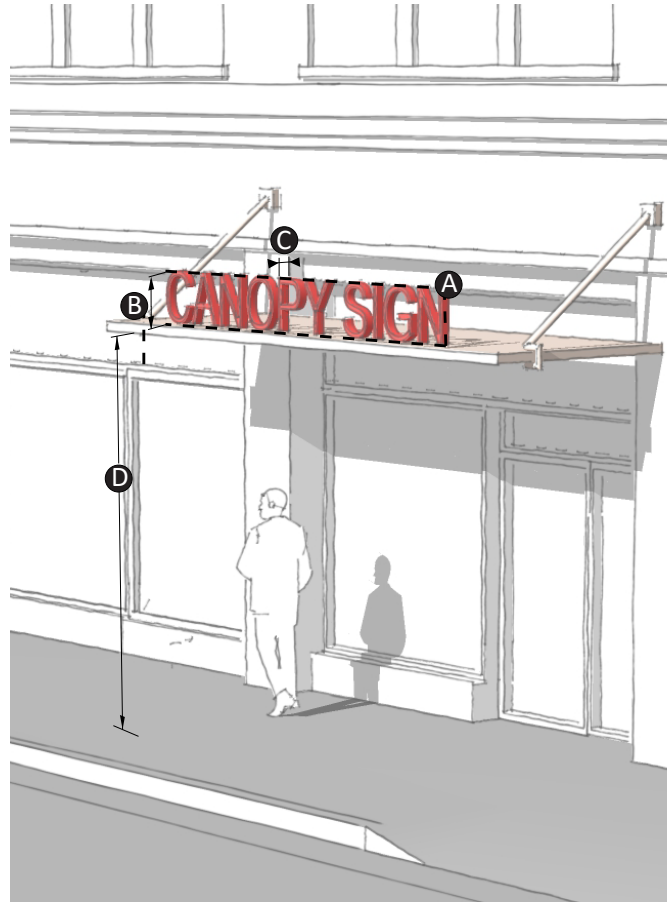
Primary building frontage (max)	2.5 SF per linear foot of frontage
Side or rear building frontage (max)	1 SF per linear foot of frontage

5. Dimensions

A Area of signs per awning (max)	12 SF
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*Total Attached Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.

B. Canopy Sign



1. Description

A sign attached to a canopy with a display surface parallel to the plane of the building facade.

2. General Provisions

- a. A canopy sign may extend above or below the canopy; however, it must not extend outside the overall length or width of the canopy.
- b. Only a canopy over ground-story doors or windows may contain a canopy sign.
- c. A canopy sign may be externally and internally illuminated in accordance with Div. 4.5.
- d. Attached canopy signs may be placed on facades facing the public right-of-way or internal private driveways.
- e. Only one building face may be determined to be along a primary frontage.

3. Number of Signs

Maximum of 1 canopy sign is allowed per canopy.

4. Total Attached Sign Area Allocation*

Primary building frontage (max)	2.5 SF per linear foot of frontage
Side or rear building frontage (max)	1 SF per linear foot of frontage

5. Dimensions

A Area of individual sign (max)	32 SF
B Height (max)	3'
C Depth (max)	8"
D Clear height above sidewalk (min)	9'
Clear height above parking area or driveway (min)	14'

*Total Attached Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.

C. Crown Sign



1. Description

A sign attached to the wall of a building or structure that is placed more than 24 feet above the ground, the display surface of which does not extend more than 2 feet from the outside wall of the building or structure.

2. General Provisions

- A crown sign is only allowed on buildings at least 3 stories in height.
- A crown sign cannot be placed below the start of the 3rd story.
- A crown sign cannot extend above the roof line.
- Both a wall sign and a crown sign are permitted on the same facade.
- A crown sign may be externally or internally illuminated in accordance with Div. 4.5.
- A crown sign must be hand-painted, consist of channel letters, or have lettering and details which extend a minimum of 2" from the surface of the building facade.

3. Number of Signs

Maximum of 2 crown signs are allowed per building, with a maximum of 1 crown sign per building facade.

4. Dimensions

A	Area of individual sign (max)	150 SF
B	Height (max)	10'
	Projection width (max)	2'
C	Width (max % of facade width)	75%

A. Directional Sign



1. Description

A detached sign suspended or supported by one or more uprights or braces anchored in the ground with or without space between the bottom of the sign face and the ground below. Directional signs are smaller than pole signs and are meant to provide directional orientation to visitors. There are two types of directional signs, those that provide orientation for vehicles through the use of large text, and those that provide orientation for pedestrians and exhibit smaller text or more complex messages.

2. General Provisions

- a. A directional sign for vehicle orientation may not be internally illuminated.
- b. In the Downtown zoning districts, directional signs must be scaled and designed for pedestrian use, or may be placed in the rear or side street yard only. Pre-existing parking lots that are non-conforming may place a directional sign at each driveway entrance.

3. Placement

A directional sign must be set back 2' (min) from front and side street lot lines in all districts except Downtown districts, where they may be placed up to 6" from these lot lines. Signs must be set back 5' (min) from side and rear property lines.

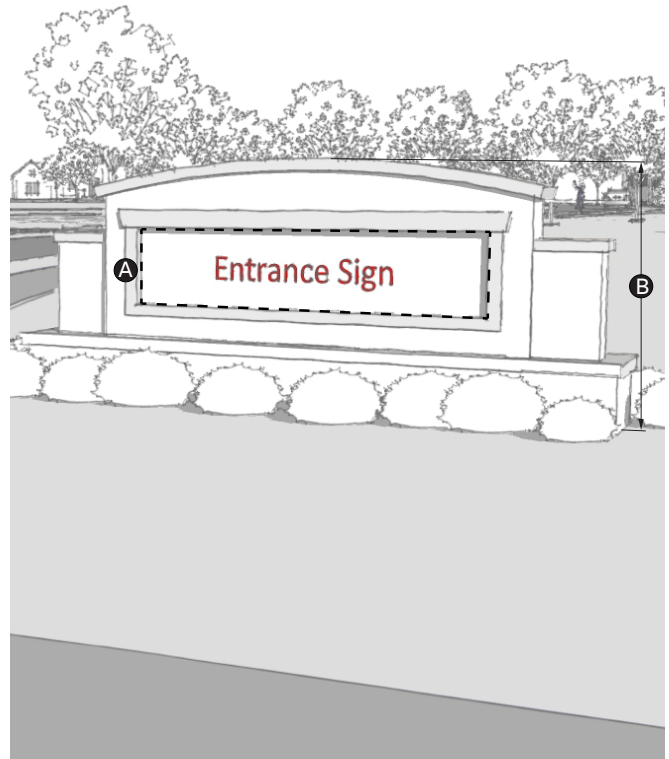
4. Number of Signs

Max of 1 vehicle-oriented directional sign per driveway entrance. The Development Director may interpret sign placement and orientation toward pedestrians to allow an appropriately designed site and signage layout for pedestrian-oriented signage, with the intent to limit signage to what is internally/pedestrian oriented.

5. Dimensions

Vehicle - Area of individual sign (max)	6 SF
Height	4'
Pedestrian-oriented individual sign area (max)	16 SF
Height	10'

D. Entrance Sign



1. Description

A sign which is wholly independent of a building for support and attached to the ground along its entire length that is placed near a driveway or pedestrian accessway into a residential or mixed-use development from a public right-of-way.

2. General Provisions

- a. An entrance sign must be placed within 20 ft of a driveway or pedestrian entrance.
- b. An entrance sign must be set back at least 10 feet from a front lot line and 10 feet from a common lot line.
- c. An entrance sign may be externally illuminated in accordance with Div. 4.5.

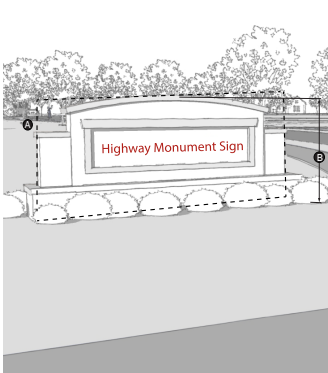
3. Number of Signs

Maximum of 1 entrance sign allowed for each subdivision or development entrance.

4. Dimensions

A	Area of individual sign (max)	32 SF
B	Height (max)	8'

E. Highway Sign



1. Description

A sign wholly independent of a building for support and attached to the ground located on a lot within 1,500 feet of Interstate 75. There are 2 types of Highway Signs: Monument and High-Rise.

2. General Provisions

- a. Each lot 1 acre or greater within 1,500 feet of the centerline of Interstate 75 is allowed one highway sign, either a monument or high-rise sign.
- b. Highway signs may not be placed to unreasonably block the view of pre-existing signs or buildings.
- c. A highway sign must be set back at least 20 feet from all lot lines.
- d. A highway sign may be externally or internally illuminated in accordance with Div. 4.5.

3. Number of Signs

Maximum of 1 highway sign allowed per lot or site.

4. Dimensions

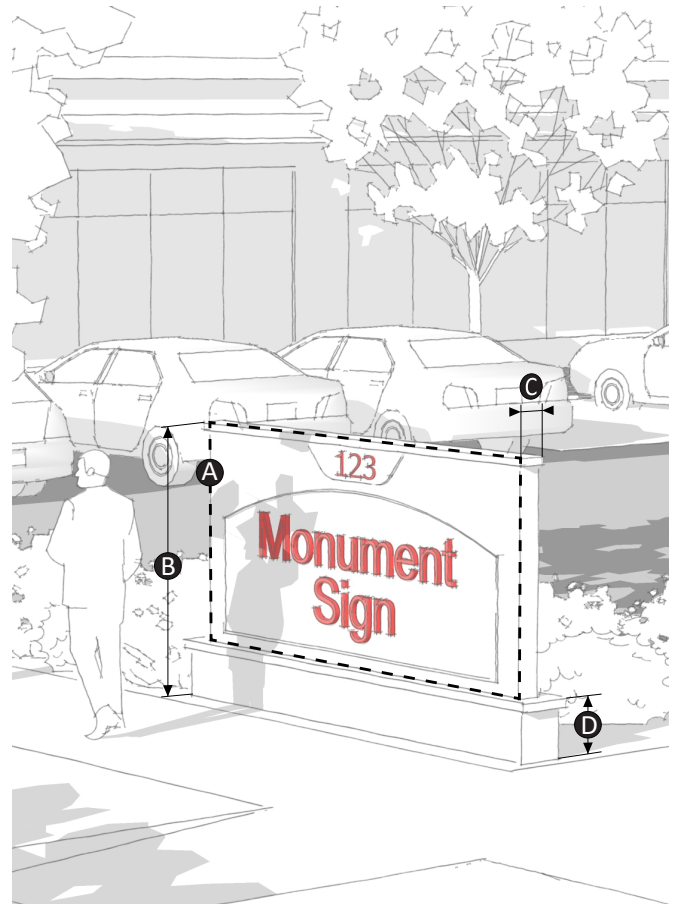
Monument

A	Area of individual sign (max)	200 SF
B	Height (max)	12'

High-Rise

A	Area of individual sign face (max)	150 SF
B	Height (max)	90'

F. Monument Sign



1. Description

A sign which is wholly independent of a building for support and attached to the ground along its entire length.

2. General Provisions

- A monument sign must be set back at least 5 feet from a frontage lot line and 10 feet from a common lot line. In Traditional and Downtown Districts, the Development Director may permit this setback to be reduced to 1 foot of a frontage lot line and 5 feet of a common lot line.
- Signs along the same street frontage must be spaced a minimum of 500 feet apart.
- A monument sign may be externally or internally illuminated in accordance with Div. 4.5.
- Each lot with multiple business establishments is permitted to utilize a monument sign as a joint identification sign, and may increase the total sign area by 10 square feet for each primary message added to the sign, provided the sign area does not exceed 100 square feet.
- No lot may have both a monument sign and a pole sign.

3. Number of Signs

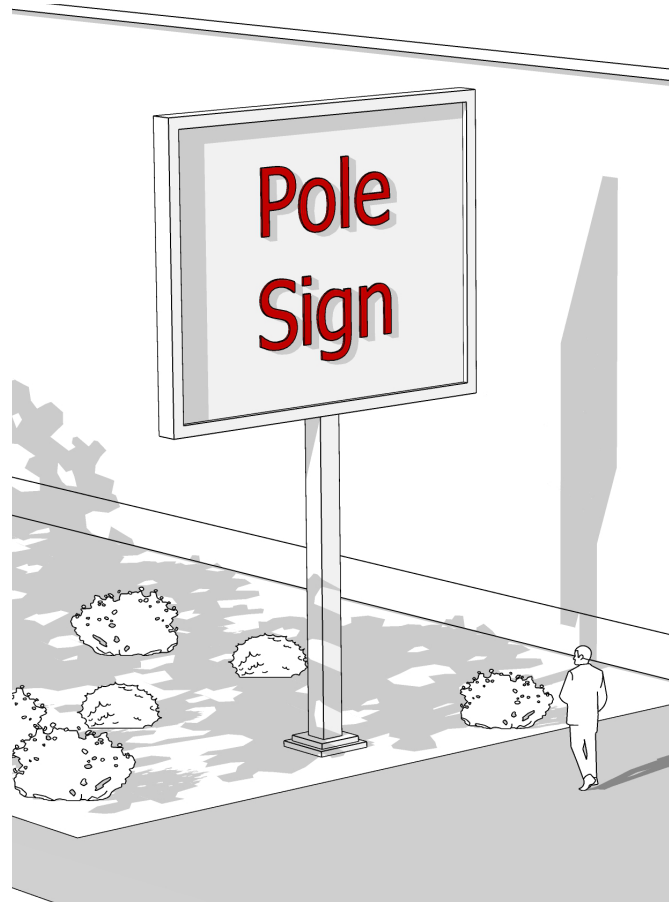
Number of signs allowed (max)

Up to 500 feet of street frontage	1
501-1,000 feet of street frontage	2
More than 1,000 feet of street frontage	3

4. Dimensions

A Area of individual sign (max)	
Lot < 1 acre	25 SF
Lot 1 acre or greater	50 SF
B Height (max)	
Lot < 1 acre	6'
Lot 1 acre or greater	8'
C Depth (max)	2'
D Sign base height (min/max)	1'3'

G. Pole Sign



1. Description

A detached sign suspended or supported by one or more uprights or braces anchored in the ground with space between the bottom of the sign face and the ground below.

2. General Provisions

- a. A pole sign must be set back at least 5 feet from a frontage lot line and 10 feet from a common lot line. In Traditional and Downtown Districts, the Development Director may permit this setback to be reduced to within 1 foot of a front lot line and 5 feet of a common lot line.
- b. Each lot with multiple business establishments is permitted to utilize each pole sign permitted as a joint identification sign, and may increase the total permitted sign area by 10 square feet for each primary message added to the sign, provided the sign area does not exceed 100 square feet.
- c. No lot may have both a monument sign and a pole sign.
- d. A pole sign may be externally or internally illuminated in accordance with Div. 4.5.

3. Number of Signs*

Number of signs allowed (max)

Up to 500 feet of street frontage	1
501-1,000 feet of street frontage	2
More than 1,000 feet of street frontage	3

4. Dimensions

Lot area < 1 acre

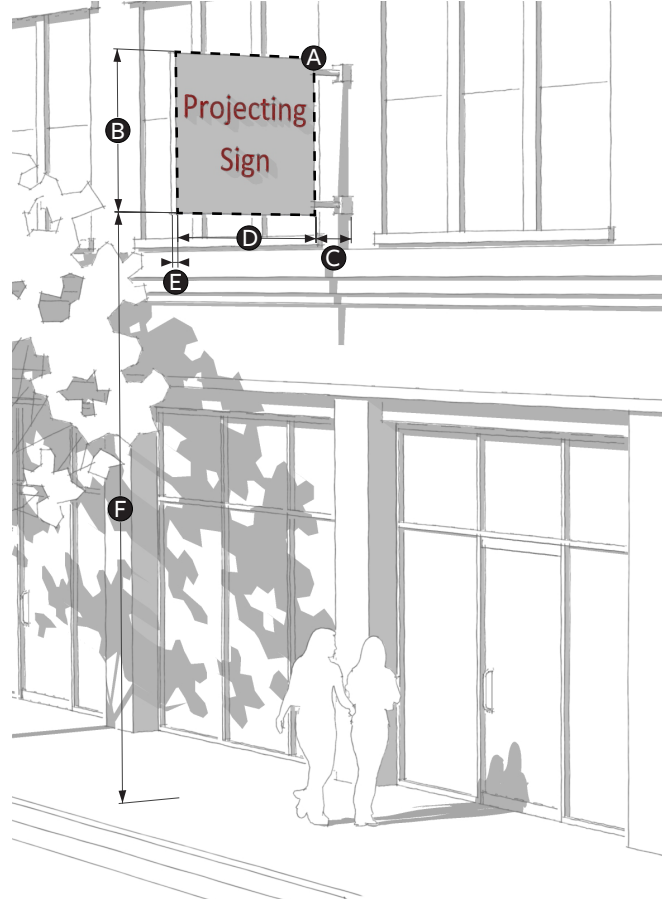
A Height (max)	8'
B Area of individual sign (max)	25 SF

Lot area 1 acre or greater

A Height (max)	20'
B Area of individual sign (max)	50 SF

*Area allocation may be borrowed from one sign face to another sign face on the same sign pole.

H. Projecting Sign



1. Description

A sign attached to the building facade at a 90-degree angle, extending more than 1 foot from the outside wall of the building or structure.

2. General Provisions

- A projecting sign must be at least 15 feet from any other shingle sign or projecting sign.
- A projecting sign may be erected on a building corner.
- A projecting sign may not obscure any signage in the public right-of-way.
- The top of a projecting sign may have a maximum of 2 feet of the sign height above the top of the building.
- A projecting sign may be externally or internally illuminated in accordance with Div. 4.5.

3. Number of Signs

Maximum of 1 projecting sign allowed per lot.

4. Total Attached Sign Area Allocation*

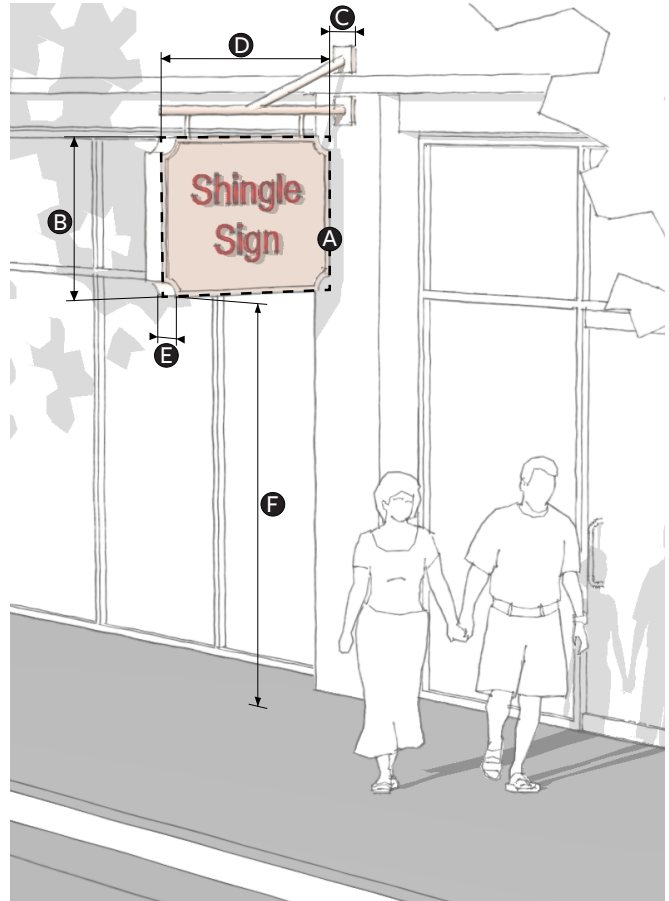
Primary building frontage (max)	2.5 SF per linear foot of frontage
Side or rear building frontage (max)	1 SF per linear foot of frontage

5. Dimensions

A Area of individual sign (max)	50 SF
B Height (max)	12'
C Spacing from building facade (min/max)	1'/2'
D Projection width (max)	6'
E Depth (max)	1'
F Clear height above sidewalk (min)	9'
Clear height above parking area or driveway (min)	14'

*Total Attached Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.

I. Shingle Sign



1. Description

A sign attached to the building facade at a 90-degree angle that hangs from a bracket or support extending more than 1 foot from the outside wall of the building or structure.

2. General Provisions

- The hanging bracket must be an integral part of the sign design.
- A shingle sign must be located below the window sills of the 2nd story on a multi-story building or below the roof line on a single-story building.
- A shingle sign must be located within 5 feet of a ground story tenant entrance.
- A shingle sign must be located at least 15 feet from any other shingle sign or projecting sign.
- A shingle sign may not be internally illuminated.

3. Number of Signs

Maximum of 1 sign per building entrance

4. Dimensions

A	Area of individual sign (max)	6 SF
B	Height (max)	3'
C	Spacing from building facade (min/max)	6"/1'
D	Projection width (max)	3'
E	Depth (max)	6"
F	Clear height above sidewalk (min)	9'
	Clear height above parking area or driveway (min)	14'

J. Wall Sign



1. Description

A sign attached to the wall or surface of a building or structure, the display surface of which does not project more than 1 foot from the outside wall of the building or structure.

2. General Provisions

- a. A wall sign must be placed no higher than 24 feet above the sidewalk, measured from the highest point of the sign to the top of the sidewalk below.
- b. No portion of a wall sign may extend above the roof line or above a parapet wall of a building with a flat roof.
- c. A wall sign may be externally or internally illuminated in accordance with Div. 4.5.

3. Number of Signs

Maximum of 1 sign per lot or per 75' of building facade length, whichever is greater. For any structure width, up to 25% of allotted signage may be separated into a second wall sign following §4.7.8.

4. Total Attached Sign Area Allocation*

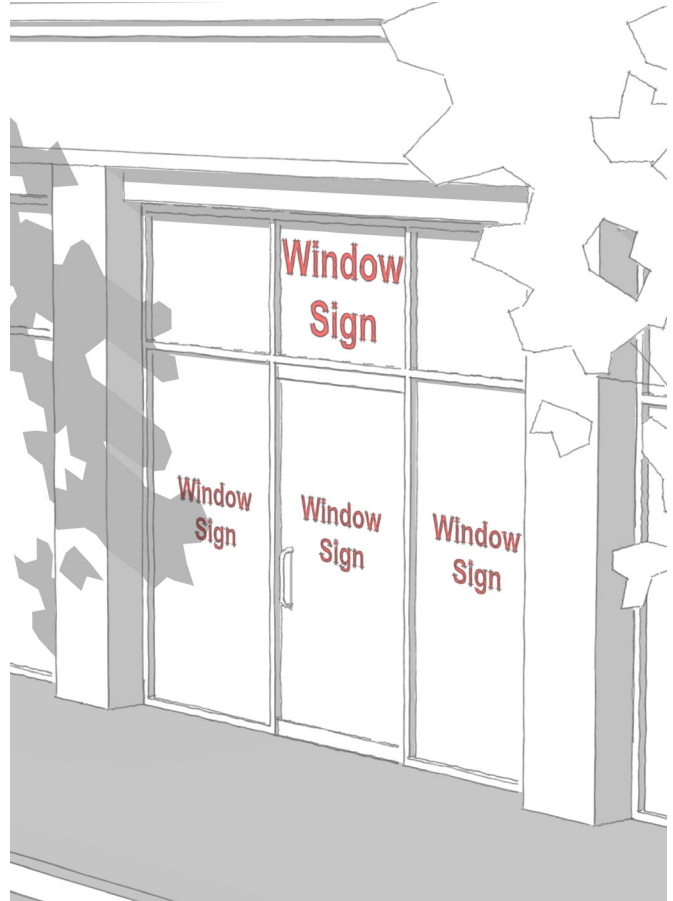
Primary building frontage (max)	2.5 SF per linear foot of frontage
Side or rear building frontage (max)	1 SF per linear foot of frontage

5. Dimensions

Area of individual wall sign (max)	
A Facade 0'-49' from lot line	50 SF
Facade 50'-149' from lot line	100 SF
Facade 150' or more from lot line	150 SF
B Projection width (max)	1'

*Total Attached Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage. Note that any single sign's area cannot exceed the individual sign maximum.

K. Window Sign



1. Description

A sign that is permanently attached to, affixed to, leaning against, or otherwise placed in contact with the surface of a window or door in a manner so that the sign is visible from outside the building.

2. General Provisions

- a. No combination of temporary and permanent window signs may cover more than 50% of any window panel, except in the Downtown districts, where window signs may cover no more than 25% of any window panel.
- b. Window signs may only be placed within first floor window panels.

3. Total Attached Sign Area Allocation*

Primary building frontage (max)	2.5 SF per linear foot of frontage
Side or rear building frontage (max)	1 SF per linear foot of frontage

4. Dimensions

Window signs with opaque backgrounds may not exceed 10 SF or the dimensional maximums listed in General Provisions.

Signs with transparent backgrounds follow only the maximums listed in General Provisions.

*Total Attached Sign Area Allocation includes the combined area of any awning, canopy, projecting, wall, and window signs on a building's frontage.

L. Mural



1. Description

A large image that is free of text of any language, unless permitted according to the provisions of this section, that is permanently affixed or painted directly on a wall.

2. General Provisions

- a. A mural must be permitted by the owner of the structure, otherwise it is unlawful graffiti.
- b. A mural must have a design intent, and must be finished. Upon permit review, a sketch and description of materials to show the intended design must be presented, as with any sign permit, and this sketch will be a means of judging whether a mural has been finished according to its intended design.
- c. All text included will meet the dimensional standards of a wall sign. Text which is hand-painted as part of a hand-painted mural installation may be granted up to 4x the wall sign area allocation and 4x the individual wall sign maximum.

M. Large Temporary Signs

A large temporary sign is any sign with an area of 12 square feet or greater which is placed to advertise, announce, or pertain to a specific event or occurrence, which is not designed or intended to be placed permanently.

1. General Provisions

- a. Large temporary signs are allocated a maximum area equal to that of the associated permanent sign type with the exception of the following:
 - i. Large temporary banner signs are allocated 1 square foot of area per linear foot of building frontage along a primary street, and .5 square foot of area per each linear foot of building frontage along any other right-of-way. The sign must be installed on the building facade from which the area allocation is calculated from; and
 - ii. Large temporary window signs may be placed in any first floor window panel. The area of a large temporary window sign may not exceed 50% of the panel area.
- b. Large temporary signs may be used for a period not exceeding 30 consecutive calendar days, up to 3 times per any 12 month period. Additional posting time may be allowed by the Development Director, provided a temporary activity on the site is continuing or an emergency circumstance warrants the additional signage duration for a public purpose.
- c. Any temporary sign with a total area of less than 12 square feet is considered a Small Temporary Sign and does not require a sign permit.
- d. Large temporary signs must be a banner, monument, pole (post and panel), or window sign. No temporary canopy, entrance, highway, mural, wall, shingle, awning, or projecting sign is permitted.
- e. To determine which types of large temporary signs are permitted in a district, see the District Permissions table.

4.7.8. Measurement

A. Sign Area

1. For wall signs, awning signs, canopy signs and crown signs consisting of freestanding letters or logos, sign area is calculated as the total area of the rectangle, circle or square that fully encloses the letters or images as shown below. Images, logos or text greater than 12 inches apart are calculated as separate signs for the purposes of calculating individual sign area.

One Sign

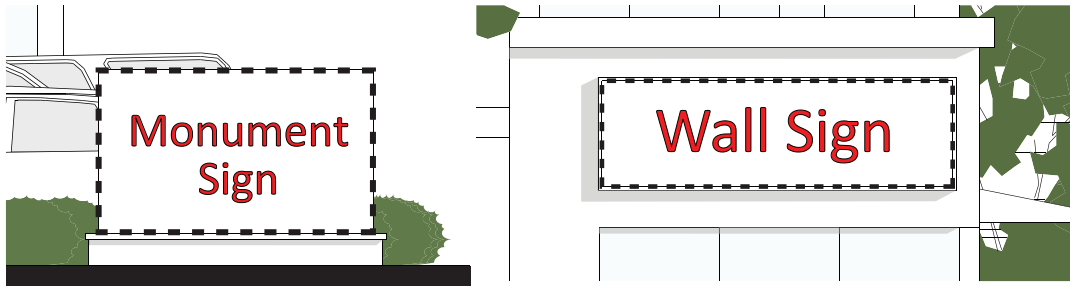


Two Signs



2. For signs on a background, the entire area of the background is calculated as sign area, including any material or color forming the sign face and the background used to differentiate the sign from the structure on which it

is mounted. Includes the face of the structure that the message is affixed to, not including any supports, bracing or street number.



B. Sign Height

The height of an entrance sign, monument sign or highway sign is measured from the highest point of the sign or supporting structure to the top of the nearest sidewalk or crown of the road when no sidewalk exists.



4.7.9. Illumination

A. Prohibited Light Sources

The following light sources are not allowed:

1. blinking, flashing and chasing;
2. bare bulb illumination;
3. colored lights used in any manner so as to be confused with or construed as traffic control devices; and
4. direct reflected light that create a hazard to operators of motor vehicles.

B. Brightness

The light from any illuminated sign must not be of an intensity or brightness that will interfere with the peace, comfort, convenience, and general welfare of residents or occupants of adjacent properties. An illuminated sign must not exceed .4 foot-candles above ambient light.

C. Internal Illumination

1. Channel letters may be internally lit or back-lit.



Internally lit channel letters



Back lit channel letters

2. For internally lit signs on a background, the background must be opaque and a contrasting color.



Internally lit with contrasting background

3. Neon window signs stating "Open" are allowed in storefront windows, and must not flash.
4. Light emitting diodes (LED)'s are allowed as a light source in a manner that the LED is behind acrylic, aluminum or similar sign face and returns in such a manner that the LED modules are not visible from the exterior of the sign.

D. External Illumination

1. Lighting directed toward a sign must be shielded so that it illuminates only the face of the sign and does not shine directly onto any right-of-ways or adjacent properties.
2. Projecting light fixtures used for externally illuminated signs must be simple and unobtrusive in appearance, and not obscure the sign.



External light sources

E. Raceways and Transformers

1. If a raceway is necessary, it must not extend in width or height beyond the area of the sign.
2. A raceway must be finished to match the background wall or canopy, or integrated into the overall design of the sign.
3. Visible transformers are not allowed.

4.7.10. Signs in the Downtown Districts (modified O-5-24)

In addition to the rest of the standards of this chapter, signs in the Downtown districts have the following standards:

1. Internally illuminated cabinet signs are not allowed.
2. Internally illuminated channel letters are allowed.
3. Backlit (reverse halo) channel letters are allowed.
4. LED message board displays are not allowed.
5. Signs may not obscure or harm any architectural details of the building.
6. All new murals within the Downtown zoning districts require approval from the Planning Commission to examine location, color palette, and the mural's potential effects on the building's materials and architectural features.

4.7.11. Maintenance

- A. The Development Director may re-inspect each sign periodically following installation to determine continued compliance and to insure proper operating conditions and maintenance in accordance with this Development Code. The sign owner is solely responsible for maintaining the appearance, safety and structural integrity of the sign at all times. An application to re-face an existing sign will cause the Development Director to inspect the sign's structure and notify the applicant of any necessary repair or refreshment needed.
- B. If the Development Director finds a sign in need of repair, support, replacement, cleaning, repainting, or any maintenance service necessary to maintain reasonable and proper appearance and public safety, the Development Director will issue an order to the owner to make the needed repairs or maintenance. If Development Director determines that the existing condition of the sign creates an immediate hazard to the health or safety of the public, or determines the sign is in a state of disrepair, the Development Director will issue an order to the owner requiring the sign to be removed immediately.

- C. Failure of an owner to comply with the provisions listed above is cause for the Development Director to issue an order for the sign to be removed. The cost of removal is the responsibility of the property owner. If the property owner refuses to remove the sign, the City will have the sign removed, and the cost of the removal will be assessed in the form of a lien against the owner of the property.

4.7.12. Sign Removal

A. Illegal Signs

All illegal signs must be removed in accordance with this section. The Development Director will issue an order for the sign to be removed. If any illegal sign has not been removed after 30 calendar days following the issuance of an order, the City will have the sign removed, and the cost of the removal will be assessed in the form of a lien against the owner of the property.

B. Abandoned or Obsolete Signs

1. All abandoned or obsolete signs and their supporting structures must be removed in accordance with this section.
2. A sign is considered abandoned or obsolete when it meets one of the following circumstances, or a similar circumstance:
 - a. The sign has been improperly maintained;
 - b. The sign has been damaged and not fixed within a reasonable time frame, typically within 60 days;
 - c. The sign's structure has been left without a sign face;
 - d. The entity responsible for the maintenance of the sign has been dissolved or has moved from the location;
 - e. The commercial entity associated with the sign has been permanently closed for more than 60 calendar days; or
 - f. Utilities to the associated facility have been shut off indicating abandonment.
3. Upon determination that the sign is abandoned or obsolete, the right to maintain and use the sign will terminate immediately and the Development Director may issue an order for the sign to be removed within 30 calendar days by the property owner. If any abandoned or obsolete sign has not been removed after 30 calendar days following the issuance of an order, the City will have the sign removed, and the cost of the removal will be assessed in the form of a lien against the owner of the property.

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ARTICLE 5.

ENVIRONMENTAL

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Div. 5.1. Watershed Protection

5.1.1. General

A. Intent

The purpose of this division is to establish technically feasible watershed protection standards. These standards aim to provide tools to protect the community's drinking water sources and local watersheds by:

1. preventing soil erosion into the watershed;
2. preventing contaminating substances from being introduced into the soils of areas where the community's drinking water collection and filtration occurs;
3. encouraging the planting of vegetation in riparian buffer areas and around stormwater infrastructure to slow stormwater and filter nutrients and contaminants; and
4. preventing harmful algae blooms from occurring within and downstream of the community.

B. Application

1. Standards of this chapter apply to the following bodies of water within the city:
 - a. Streams, creeks, and rivers, except where land is regulated by State law applicable to dams, levees, and other flood control infrastructure, or where drinking or wastewater facilities are sited.
 - b. Stormwater ponds, excluding those that are designed to drain entirely on-site by soil infiltration.
 - c. Drainage ditches that are 100 feet or longer.
2. To aid with identification of affected water bodies, the Development Department will maintain a GIS record of designated water bodies where the Riparian and Setback Buffer standards apply.

5.1.2. Riparian and Setback Buffers

A. Riparian Buffers

1. Delineation

A Riparian Buffer is the regulated area adjacent to a stream, ditch, pond, river, or other water body designated for protection. It begins at the bank and extends 50 feet measured directly perpendicular to the bank. Should a steep slope or wetland exist within this Buffer, the entirety of that area will be added to the measurement of the Riparian Buffer.

2. Area Limitations

Development activity, construction, and use activities may not modify or interrupt more than 10% of the entire Riparian Buffer's area on a given site unless necessary for the protection of

human health, utility usage, public infrastructure, or the betterment of the riparian corridor, as determined by the Development Director.

3. Use and Structure Limitations

Development, construction, and use activities in the Riparian Buffer are limited to the following:

- a. benches or seating;
- b. scientific research activity or equipment that does not negatively impact the watershed or native vegetation;
- c. flood control, stormwater management structures, and stream bank stabilization measures approved by the City;
- d. roadways or impervious surfaces existing at the time of the original adoption of this provision, including maintenance activities;
- e. stream crossings necessary to access the lot by driveway, transportation route, or utility line which are designed to minimize negative impacts to the watershed and Riparian Buffer;
- f. public water supply intake or public wastewater outfall structures;
- g. public or private recreational facilities that must be on the water including boat ramps, docks, foot trails leading to the water, fishing platforms and overlooks;
- h. underground utilities;
- i. invasive species removal activities using low-impact, non soil-disturbing methods, or mechanized removal with proper erosion control installations;
- j. non-paved or paved public recreational trails for non-motorized vehicles, no wider than 15 feet that either provide access to the water or are part of a continuous trail system running roughly parallel to the water;
- k. temporary use of erosion control measures; and
- l. other uses determined by the City as necessary for the protection of human health, utility usage, public infrastructure, or the betterment of the riparian corridor.

B. Setback Buffers

1. Delineation

A Setback Buffer is the area adjacent to a Riparian Buffer. It begins at the outward edge of the Riparian Buffer and extends 50 feet measured perpendicular to that edge. Should a steep slope or wetland exist within the buffer, the entirety of that steep slope or wetland will be added to the measurement of the Setback Buffer. The full area must adhere to the standards applied to the Setback Buffer.

2. Area Limitations

Development activity, construction, and use activities may not modify or interrupt more than 10% of the entire Setback Buffer's area unless necessary for the protection of human health, utility usage, public infrastructure, or the betterment of the riparian corridor.

3. Use and Structure Limitations

Within the Setback Buffer, uses and structures are limited to the following:

- a. All development and uses permitted in the Riparian Buffer (§5.1.2) are allowed in the Setback Buffer area;
- b. Small recreational structures and surfaces to allow passive recreation in the Setback Buffer such as decks, picnic tables, playground equipment, and small concrete slabs. The area of each is not to exceed 150 square feet;
- c. Fences that allow movement of floodwaters;
- d. Landscaping, mowing or decorative plantings that do not significantly impact the topography of the Setback Buffer; and
- e. Agriculture, not including activities related to livestock raising.

C. Prohibited Activities in the Riparian and Setback Buffers

The following activities are prohibited within the Riparian and Setback Buffers:

1. Storage or placement of any hazardous materials.
2. Sewage systems, both drain fields and raised systems.
3. Introduction of invasive species that impact the health of native vegetation. For a list of invasive vegetation, refer to the Ohio Invasive Plants Council.
4. Waste storage and disposal including, but not limited to, disposal and dumping of snow and ice, recyclable materials, manure, stone, dirt and other fill material, hazardous or noxious chemicals, used automobile or appliance structures, and other abandoned materials.
5. Private wells.
6. Mining or removal of soil, sand and gravel, and quarrying of raw materials.
7. Dredging, deepening, widening, straightening or any such alteration of the beds and banks of natural streams except where the State of Ohio has issued a permit expressly allowing such activities.
8. Parking of motorized vehicles on permeable surfaces, or the construction of new gravel or paved parking areas.
9. Tree cutting may not compromise the integrity of the bank or negatively impact the function of the buffer. Tree cutting within 25 feet of the ordinary high water mark is prohibited, except to remove hazardous trees.

10. Removal of groundcover vegetation, trees, or earthmoving activities without a SWPP approved by the Development Director.

D. New Construction

1. Delineation

The delineation of any applicable Riparian Buffer and Setback Buffer is required on all subdivision plats and site plans for construction submitted for a development permit. The Riparian Buffer and Setback Buffer must be clearly marked on site and must be undisturbed during the course of the project, except as necessary to complete any required landscaping work.

2. Standards

- a. New construction of principal use facilities requires invasive species removal from all Riparian and Setback Buffers.
- b. Within 12 months of the commencement of construction, invasive species must be removed and the Riparian Buffer must be planted according to the following minimum requirements:
 - i. Native trees must be planted along the bank of the waterway. Trees will be planted according to the following specifications:
 1. A shade tree species must be planted every 50 feet of the length of the waterway. These trees must be 6 feet in height and 1.5" caliper at the time of planting;
 2. Medium tree and under-story species must be planted, 6 for every 50 feet of length of waterway. These must be a varied mix of species and may be loosely clustered or planted to line the entire length of the Riparian Buffer. These trees must be a minimum of 1" caliper at the time of planting; and
 3. Regular irrigation of trees will be required for the first year of establishment.
 - ii. Native wildflower, riparian, wetland, and/or prairie grass species must be selected according to site conditions and may be planted by seeding or hydro-seeding. Removal of existing grasses and undesirable species may be necessary to allow re-establishment of native plants. Other techniques to ensure the stability of seeds and soil and improve the likelihood of the survival of plantings may be required, including, but not limited to straw placement, straw blankets, deer guards, and irrigation;
 - iii. The landscaping plan must include details relating to long-term maintenance of plants;
 - iv. Mowing is prohibited in the Riparian and Setback Buffers, except as necessary for the establishment of native wildflower, riparian, wetland, and prairie grass species to be established;
 - v. After 1 year, an inspection must be scheduled. Any required plantings that are not exhibiting vigorous growing conditions must be replaced by the owner; and

- vi. Where a Riparian Buffer and Setback Buffer are already free of invasive species and contain adequate erosion-stabilizing vegetation, as determined by the Development Director, no further reconstruction or replanting of the area will be required.

E. Stormwater Detention Area Buffer

1. Application

All stormwater detention areas constructed after the effective date of this Development Code must follow the standards of this section. These areas will include any detention areas and any facilities which by their design hold water on a frequent or permanent basis.

2. Standards

- a. Stormwater detention areas must have a 15-foot wide buffer to reduce bank erosion and filter runoff and meet the following requirements within the buffer. The buffer must be measured at the normal high water mark and extend up slope away from the detention area.
 - i. A buffering groundcover must be planted that slow the speed of water entering the pond and filter nutrients. Examples of acceptable groundcover include, but are not limited to, cool or warm season native grasses, forbs, pollinator seed mixes or mixes thereof. Trees may also be planted in addition to these groundcover species.
 - ii. The buffer area may be planted with a fescue grass seed mix that is marketed as low maintenance or “no mow.”
 - iii. Properties abutting a stormwater detention area may maintain an access strip to the water that is a maximum of 12 feet in width. The access strip may be planted in turf grass and mowed as desired by the property owner. The buffered groundcover perimeter must remain 90% or more of the total perimeter of the stormwater detention pond.
 - iv. Mowing within the buffer 15 feet of the stormwater detention area’s ordinary high water is prohibited except as needed to establish plantings.
 - v. The application of lawn fertilizer and lawn pesticides is prohibited unless spot treatment of herbicide is necessary to keep the buffer free of invasive plants as listed by the Ohio Invasive Plant Council.
 - vi. The buffer must be kept free of trash.

Div. 5.2. Tree Preservation

5.2.1. Intent

These standards are established to recognize the vital importance of an urban forest and other environmentally beneficial landscapes as a benefit to human health, City infrastructure, and natural ecology, while allowing for reasonable development of land in the city of Piqua. Rather than aiming to protect any particular tree, in most cases, this chapter's intent is to maintain an overall healthy level of tree canopy and other environmentally beneficial landscapes, which can provide a number of benefits to residents, including:

- A. improved air quality;
- B. energy conservation;
- C. increased screening from wind, glare, and decreased perceived noise levels;
- D. shaded, walk-friendly transportation networks and a reduced heat-island effect;
- E. enhanced habitat for birds and other desirable wildlife;
- F. improved control of soil erosion and moderation of stormwater runoff;
- G. enhanced visual and aesthetic qualities; and
- H. increased property values.

5.2.2. Permit Requirement

A. Permit Required

Removal of the following trees will require approval from the City:

1. a tree planted in the public right-of-way;
2. a tree planted as part of a required landscaping plan. These include all required residential trees planted in new construction permitted after the effective date of this Development Code;
3. a tree growing in a required Riparian or Setback Buffer; and
4. clearance of more than 400 square feet of a wood lot within a one-year period.

B. Exemptions

1. Where a tree is causing an imminent threat to life or property, a tree clearance permit does not need to be secured prior to tree removal. A tree removal permit must be sought within 5 business days of tree removal in these circumstances, to determine what, if any tree replacement will be necessary. Photographic evidence of the tree's condition prior to removal will be required.

2. Imminent danger that warrants removal of a tree with exemption from a permit requirement includes circumstances where a tree is structurally damaged or diseased and may pose a threat to life or property by falling, or other similarly threatening circumstances. While these trees may be approved for removal after the fact, there may be a replacement requirement associated as determined through permit review.
3. Imminent danger specifically does not include circumstances where a tree's roots have caused damage to a sidewalk, alley or road improvement, or where a tree has grown in a location that threatens a levy, power line, or other utility infrastructure. While these trees may be approved for removal, a tree removal permit must be issued and there may be a replacement requirement associated.
4. Removal of invasive tree species, as identified by the Ohio Invasive Plants Council, does not require a permit, unless the trees were intentionally planted or included in an approved landscaping plan.

5.2.3. Required Tree Preservation and Replacement

A. Clearing of Land Prior to Annexation

Trees removed from any parcel of land within 1 year prior to its annexation to the city are required to submit a tree replacement plan as if the parcel had been a part of the city when the tree removal occurred.

B. Look-Back Period

A look-back period of up to 5 years may be used to determine whether tree clearing activities have taken place without a permit. Satellite and other photographic evidence may be used, and the Development Director may base a replacement requirement on trees assessed to have been removed. This look-back period will not extend beyond the effective date of this Development Code.

C. Street Tree, Parking Lot Islands, Parking Lot Perimeter Plantings

To further the goal of increasing tree canopy citywide, required street tree and parking lot island plantings may not be counted toward replacement trees. All other on-site landscaping and screening trees may be counted toward replacement.

D. Calculation of Tree Loss

1. Where the total number of trees to be removed can be easily determined through aerial imagery or on site, their number will be totaled.
2. Where a wood lot grows in a formation that makes a specific count of trees difficult to determine, The Development Director will accept a calculation of total tree loss using aerial imagery taken within 2 years of the removal activity, or within 5 years if more recent imagery is not available. This calculation will reference satellite imagery for an area measurement of total tree canopy coverage of all trees on site, including any canopy that extends over the property line of the site.
3. All trees 18 caliper inches or larger must be marked on a site plan which shows their removal or how they will be protected from construction activity.

E. Replacement

1. Tree canopy removed must be replaced by the land owner according to the total number of trees lost. Where a shade tree species is to be removed, a shade tree replacement is required. For example, where a landowner has applied to remove 10 shade trees, 10 shade trees must be replaced on-site.
2. All site trees which measure 18 inches caliper or larger must be replaced with trees at a location that allows the trees to grow to full maturity and grow to a size that roughly equals the size of the tree lost.
3. Alternatively for wood lots where total number of trees to be removed is difficult to determine, canopy lost may be replaced using by reference to the loss of tree canopy area, where 1,500 SF of loss is equivalent to 1 shade tree replacement or 3 ornamental tree replacements. At least 50% of removed trees must be replaced by shade tree plantings.
4. If a tree is to be removed from the public right-of-way, it must be replaced within 20 feet of its existing location where the following are true:
 - a. the tree lawn is at least 4 feet in width;
 - b. there are no overhead power lines present above the site, or the power lines are of sufficient height to allow planting of an ornamental or shade tree; and
 - c. the removal is not part of a City-led streetscape project or approved development project with an alternate landscaping plan.

F. Alternative Replacement Options

1. Environmental Service Areas

In the IL and IH zoning districts, a reduction of required tree replacement of up to 80% may be authorized by the Development Director under the following conditions:

- a. The development proposed will replace the reduced square footage of tree canopy lost. This replacement will take place within the bounds of the development site with an environmental service area, such as a wetland, prairie grass field or meadow consisting of plant species native to the region. A landscaping plan will show the established area, maintenance schedule and seed mix.
- b. The environmental service area will not be degraded or removed without a development permit. Any future removal or substantial degradation of the area will require repayment of the reduction in tree replacement credit awarded, either through on-site tree replacement, or onsite relocation of the environmental service area.

G. Replacement Tree Specifications

1. Size of Replacement Trees

- a. Each replacement tree must have a minimum caliper of 2 inches and a clear trunk height of at least 6 feet.

- b. Replacement of a shade tree of 24 inches caliper DBH or greater may only be by a shade tree in a location that allows for long-term growth into a similarly sized shade tree. The replacement tree will be designated by a GIS record held by the Development Department. An increased fee of \$3,000 will accompany any request to remove a tree that had been planted to replace a shade tree of 24 inches caliper DBH or greater.

2. Tree Selection

- a. At least 50% of tree replacement plantings must be shade trees, and all trees planted must be native to the Ohio region or approved cultivars of native Ohio species.
- b. If a Tree Bank Site is used, the City will ensure that all replacement trees are native to the Ohio region or approved cultivars of native Ohio species.
- c. Any tree listed in Section 901:5-30-01 of the Ohio Administrative Code as an invasive species may not be planted.
- d. The Development Director will review the caliper, species, and health of all proposed replacement trees. A list of approved species and their designation as ornamental, shade or native will be kept with the Development Department.

H. Coordination with Required Landscaping

1. The tree preservation requirements of this Division are in addition to the landscaping, transitions and screening requirements of Div. 4.3, except as noted within this Division.
2. Where a landscaping plan is otherwise required, the required tree preservation plan must be coordinated with all landscaping required by Div. 4.3 to achieve a cohesive landscape treatment for the entire site.

I. Determinations

1. Tree clearance requests may be subject to denial. The Development Director may deny tree removal in the following situations, or similar: The tree is healthy, and
 - a. was planted as part of an approved landscaping plan;
 - b. provides a screen between properties where screening is desirable to preserve property values;
 - c. provides erosion control in a riparian area; or
 - d. is planted in the public right-of-way and provides essential shade or aesthetic value to the streetscape.
2. The removal of a tree will be approved provided that one of the following applies:
 - a. The tree is located within a new proposed public right-of-way;
 - b. A proposed structure cannot be located in a manner to avoid removal of the tree and, at the same time, permit the desirable and logical development of the lot;

- c. The tree is damaged or diseased or declining in health;
- d. The tree is considered invasive by the Ohio Invasive Plants Council; or
- e. The tree may cause damage to a structure in its present location.

J. Removal by Damage

A tree may be deemed “removed,” and potentially subject to a replacement requirement if one or more of the following occurs:

1. Damage is inflicted to the root system by machinery, storage of materials and/or soil compaction;
2. The natural grade is changed above or below the root system or around the trunk;
3. Damage is inflicted to the tree that would permit fungus or pest infection;
4. The tree is damaged by topping or improper pruning techniques; or
5. Areas are paved with concrete, asphalt or other impervious material within such proximity to the tree as to be harmful to the tree.

K. Removal by Necessity

The Development Director or designee may determine that risks to a tree during construction are too great and include the tree among those that are to be removed and replaced.

L. Planting and Maintenance

All planting and maintenance will be completed according to the minimum requirements of §4.3.9 Plants and Plant Material.

M. Flexibility

The standards and criteria in this Division establish the City’s objectives and the level of tree preservation expected. In applying these standards, the City administration may exercise discretion and flexibility with respect to the placement, arrangement, and timing of required elements to assure that the objectives of this chapter, proposed development, and City’s infrastructure needs are best served.

Div. 5.3. Stormwater Management

5.3.1. Intent

The purpose of this Division is to establish technically feasible stormwater management standards to achieve a level of stormwater quality and quantity control that will minimize damage to property and degradation of water resources and will promote and maintain the health, safety, and welfare of the citizens of Piqua.

5.3.2. Requirements

Owners who develop or re-develop their property within the city of Piqua are required to:

- A. Control stormwater runoff from their property and ensure that all Stormwater Control Measures (SCMs) are properly designed, constructed, and maintained;
- B. Reduce water quality impacts to receiving water resources that may be caused by new development or redevelopment activities;
- C. Control the volume, rate, and quality of stormwater runoff originating from their property so that surface water and groundwater are protected and flooding and erosion potential are not increased;
- D. Minimize the need to construct, repair, and replace subsurface storm drain systems;
- E. Preserve natural infiltration and ground water recharge, and maintain subsurface flow that replenishes water resources, except in inappropriate soils;
- F. Incorporate stormwater quality and quantity controls into site planning and design at the earliest possible stage in the development process;
- G. Reduce the expense of remedial projects needed to address problems caused by inadequate stormwater management;
- H. Maximize use of SCMs that serve multiple purposes including, but not limited to, flood control, erosion control, fire protection, water quality protection, recreation, and habitat preservation;
- I. Design sites to minimize the number of stream crossings and the width of associated disturbance in order to minimize the community's future expenses related to the maintenance and repair of stream crossings; and
- J. Maintain, promote, and re-establish conditions necessary for naturally occurring stream processes that assimilate pollutants, attenuate flood flows, and provide a healthy water resource.

5.3.3. Application

- A. A Stormwater Management Plan must be developed and implemented for all soil disturbing activities disturbing 1 or more acres of total land, or less than 1 acre if part of a larger common plan of development or sale disturbing 1 or more acres of total land, and on which any regulated activity of

is proposed. The City Engineer may require a Stormwater Management Plan on sites disturbing less than 1 acre.

- B. Public entities, including the State of Ohio, Miami County, and the City of Piqua must comply with this division for roadway projects initiated after the passage of this Development Code and, to the maximum extent practicable, for projects initiated before that time.
- C. This Division does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.
- D. This Division does not require a Stormwater Management Plan for linear construction projects, such as pipeline or utility line installation, that do not result in the installation of impervious surface as determined by the City Engineer. These projects must be designed to minimize the number of stream crossings and the width of disturbance. Linear construction projects must comply with the requirements of Div. 5.4 (Erosion and Sediment Control).

5.3.4. Stormwater Management Plan

A. Impacts and Stormwater Control Measures

The applicant must develop a Stormwater Management Plan describing how the quantity and quality of stormwater will be managed during construction and after construction is completed for every discharge from the site and/or into a water resource or small municipal separate storm sewer system (MS4). The Plan will illustrate the type, location, and dimensions of every structural and non-structural SCM incorporated into the site design, and the rationale for their selection. The rationale must address how these SCMs will address erosion during construction and flooding within the site as well as flooding that may be caused by the development upstream and downstream of the site. The rationale will also describe how the SCMs minimize impacts to the physical, chemical, and biological characteristics of on-site and downstream water resources and, if necessary, correct current degradation of water resources that is occurring or take measures to prevent predictable degradation of water resources.

B. Stormwater Management and Plan Standards

Standards for the stormwater management and plans submitted are found in the City of Piqua Design Criteria and Standard Drawings.

Div. 5.4. Erosion and Sediment Control

5.4.1. Intent

The purpose of this Division is to establish technically feasible and economically reasonable standards to achieve a level of erosion and sediment control that will minimize damage to property and degradation of water resources and wetlands, and will promote and maintain the health and safety of the citizens of the City of Piqua. This Division will:

- A. Allow development while minimizing increases in erosion and sedimentation; and
- B. Reduce water quality impacts to receiving water resources and wetlands that may be caused by new development or redevelopment activities.

5.4.2. Application

- A. This Division requires that an Erosion Control Plan be developed for all disturbances of 1 acre or more and for any regulated activity listed below:
 - 1. subdivisions or larger common plans of development;
 - 2. construction of roads or infrastructure that disturbs soil;
 - 3. all construction projects involving the erection or demolition of a structure, except those projects that are considered small enough to be naturally protected by existing vegetation that may be exempted at the discretion of the City Engineer; and
 - 4. general clearing of land of vegetation in a manner that disturbs roots and dislodges compacted soil from the ground.
- B. This Division does not apply to activities regulated by, and in compliance with, the Ohio Agricultural Sediment Pollution Abatement Rules.

5.4.3. Erosion Control and Plan Standards

In order to control sediment pollution of water resources and wetlands, the applicant must submit an Erosion Control Plan in accordance with the City of Piqua Design Criteria and Standard Drawings. The submitted plan must meet the required performance standards of these adopted standards for the given development activity.

Div. 5.5. Floodplain Management

5.5.1. Intent

The city has Special Flood Hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, and extraordinary public expenditures for flood protection and flexibility. Additionally, structures that are inadequately elevated, flood-proofed, or otherwise protected from flood damage also contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes listed below, these standards are adopted.

It is the purpose of these standards to:

- A. protect human life and health;
- B. minimize expenditure of public money for costly flood control projects;
- C. minimize the need for rescue and flexibility efforts associated with flooding undertaken at the expense of the general public;
- D. minimize prolonged business interruptions;
- E. minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of Special Flood Hazard;
- F. help maintain a stable tax base by providing for the proper use and development of areas of Special Flood Hazard so as to protect property and minimize future flood blight areas;
- G. ensure that those who occupy the areas of Special Flood Hazard assume responsibility for the risk;
- H. minimize the impact of development on adjacent properties within and near flood-prone areas;
- I. ensure that the flood storage and conveyance functions of the floodplain are maintained;
- J. minimize the impact of development on the natural, beneficial values of the floodplain;
- K. prevent floodplain uses that are either hazardous or environmentally incompatible; and
- L. meet community participation requirements of the National Flood Insurance Program.

5.5.2. Methods of Reducing Flood Loss

In order to accomplish its purposes, these standards include methods and provisions for:

- A. restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- B. requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;

- C. controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- D. controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and
- E. preventing or regulating the construction of flood barriers, which will unnaturally divert flood waters or which may increase flood hazards in other areas.

5.5.3. Application

The standards of this Division apply to all areas of Special Flood Hazard within the jurisdiction of the city. Special Flood Hazard areas are determined by the Federal Emergency Management Agency (FEMA) through the National Flood Insurance Program. As new data becomes available, FEMA may revise the boundaries of Special Flood Hazard areas. These standards must automatically be applied to any and all revisions adopted by FEMA and published on Flood Insurance Rate Maps (FIRMs) according to their effective dates.

5.5.4. Basis for Establishing the Areas of Special Flood Hazard

- A. For the purpose of this chapter, in addition to the latest published FIRMs, the following studies and/or maps are adopted:
 - 1. other scientifically-based studies and maps which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways of delineation of other areas of Special Flood Hazard; and
 - 2. any hydrologic and hydraulic engineering analysis authored by a registered professional engineer in the State of Ohio which has been approved by the City of Piqua.
- B. In the event of a conflict between these standards and any other ordinance, the more restrictive must be followed. These standards must not impair any deed restriction covenant or easement but the land subject to such interests must also be governed by this chapter.

5.5.5. Interpretation

In the interpretation and application of these regulations, all provisions must be:

- A. considered as minimum requirements;
- B. liberally construed in favor of the governing body; and
- C. deemed neither to limit nor repeal any other powers granted under state statutes. Where a provision of these regulations may be in conflict with a state or federal law, such state or federal law must take precedence over these regulations.

5.5.6. Disclaimer of Liability and Severability

A. Disclaimer

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man made or natural causes. These regulations do not imply that land outside the areas of Special Flood Hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations must not create liability on the part of the City, any officer or employee, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made through this Division.

5.5.7. Floodplain Administrator

A. Designation

The Development Director or their designee will serve as the City's designated Floodplain Administrator.

B. Responsibilities

1. Evaluate applications for permits to develop in Special Flood Hazard areas.
2. Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
3. Issue permits to develop in Special Flood Hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.
4. Inspect buildings and lands to determine whether any violations of these regulations have been committed.
5. Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in Special Flood Hazard areas, determinations of whether development is in or out of Special Flood Hazard areas for the purpose of issuing floodplain development permits, elevation certificates, variances, and records of enforcement actions taken for violations of these regulations.
6. Enforce the provisions of these regulations.
7. Provide information, testimony, or other evidence as needed during variance hearings.
8. Coordinate map maintenance activities and FEMA follow-up.
9. Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in Special Flood Hazard areas identified by FEMA, must meet the development standards of these regulations.

10. Integrate practices that address degradation of water resources.

5.5.8. Floodplain Development Permits

It is unlawful for any person to begin construction or other development activity including but not limited to filling; grading; construction; alteration, remodeling, or expanding any structure; or alteration of any watercourse wholly within, partially within or in contact with any identified Special Flood Hazard area, as established in §5.5.4, until a floodplain development permit is obtained from the Floodplain Administrator. This floodplain development permit must show that the proposed development activity is in conformity with the provisions of these standards. No permit may be issued by the Floodplain Administrator until the requirements of these standards have been met.

5.5.9. Map Maintenance Activities

A. Requirement to Submit New Technical Data

To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that city flood maps, studies and other data identified in §5.5.4 accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

1. For all development proposals that impact floodway delineations or base flood elevations, the community must ensure that technical data reflecting such changes be submitted to FEMA within 6 months of the date such information becomes available. These development proposals include:
 - a. floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
 - b. fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the Special Flood Hazard area;
 - c. alteration of watercourses that result in a relocation or elimination of the Special Flood Hazard area, including the placement of culverts; and
 - d. subdivision or large scale development proposals requiring the establishment of base flood elevations.
2. It is the responsibility of the applicant to have technical data prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions are the responsibility of the applicant.
3. The Floodplain Administrator must require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
 - a. proposed floodway encroachments that increase the base flood elevation; and
 - b. proposed development which increases the base flood elevation by more than one foot in areas where FEMA has provided base flood elevations but no floodway.

4. Floodplain development permits issued by the Floodplain Administrator must be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to §5.5.9.A.1

B. Right to submit new technical data

The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details.

C. Annexation/detachment

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

5.5.10. Data Use and Flood Map Interpretation

The following guidelines apply to the use and interpretation of maps and other data showing Areas of Special Flood Hazard:

- A. In areas where FEMA has not identified Special Flood Hazard areas, or in FEMA-identified Special Flood Hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator must review and reasonably utilize any other flood hazard data available from a federal, state, or other source;
- B. Base flood elevations and floodway boundaries produced on FEMA flood maps and studies must take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, may be reasonably used by the Floodplain Administrator;
- C. When Preliminary Flood Insurance Rate Maps and/or a Flood Insurance Study have been provided by FEMA:
 1. Upon the issuance of a Letter of Final Determination by FEMA, the preliminary flood hazard data must be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations; and
 2. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data is only required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and/or appeal to FEMA;

- D. The Floodplain Administrator may make interpretations, where needed, as to the exact location of the flood boundaries and Special Flood Hazard Areas. A person contesting the determination of the location of the boundary must be given a reasonable opportunity to appeal the interpretation as provided in 7.2.9 (Appeal of an Administrative Decision); and
- E. Where a map boundary showing an area of Special Flood Hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, established high water marks, and the like) must prevail.

5.5.11. Substantial Damage Determinations

- A. Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, etc. After such an occurrence the Floodplain Administrator must:
 - 1. determine whether damaged structures are located in Special Flood Hazard Areas;
 - 2. conduct substantial damage determinations for damaged structures located in Special Flood Hazard areas; and
 - 3. make reasonable attempt to notify owners of substantially damaged structures of the need to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.
- B. The Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other federal, state, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in Special Flood Hazard areas; and assist owners of substantially damaged structures with increased cost of compliance insurance claims.

5.5.12. Prohibited Uses

Private water supply systems, permitted under R.C. Chapter 3701 and infectious waste treatment facilities permitted under R.C. Chapter 3734 are prohibited in all Special Flood Hazard areas.

5.5.13. Water and Wastewater Systems

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

- A. All new and replacement water supply systems must be designed to minimize or eliminate infiltration of flood waters into the systems;
- B. New and replacement sanitary sewerage systems must be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and

- C. On-site waste disposal systems must be located to avoid impairment to or contamination from them during flooding.

5.5.14. Subdivisions and Large Developments

- A. All subdivision proposals must be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
- B. All subdivision proposals must have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize flood damage;
- C. All subdivision proposals must have adequate drainage provided to reduce exposure to flood damage;
- D. In all areas of Special Flood Hazard where base flood elevation data are not available, the applicant must provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or five acres, whichever is less; and
- E. The applicant must meet the requirement to submit technical data to FEMA in §5.5.9 when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by §5.5.9

5.5.15. Residential Structures

- A. New construction and substantial improvements must be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring as set forth in this division and construction materials resistant to flood damage are satisfied.
- B. New construction and substantial improvements must be constructed with methods and materials resistant to flood damage.
- C. New construction and substantial improvements must be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.
- D. New construction and substantial improvement of any residential structure, including manufactured homes, must have the lowest floor, including basement, elevated to or above the flood protection elevation. In Zone AO areas with no elevations specified, the structure must have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.
- E. New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings sufficient to allow unimpeded movement of flood

waters may have an enclosure below the lowest floor provided the enclosure meets the following standards:

1. be used only for the parking of vehicles, building access, or storage;
 2. be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of flood waters, and
 3. have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of flood waters.
- F. Manufactured homes must be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over the top or frame ties to ground anchors.
- G. Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, are exempt from the development standards of this section.
- H. In AO Zones, new construction and substantial improvement must have adequate drainage paths around structures on slopes to guide flood waters around and away from the structure.

5.5.16. Non-Residential Structures

- A. New construction and substantial improvement of any commercial, industrial or other nonresidential structure must meet the requirements of §5.5.15 (A) through (C) and (E) through (H).
- B. New construction and substantial improvement of any commercial, industrial or other nonresidential structure must either have the lowest floor, including basement, elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, must meet all of the following standards:
1. be dry flood-proofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
 2. have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and
 3. be certified by a registered professional engineer or architect, through the use of a Federal Emergency Management Agency Floodproofing Certificate, that the design and methods of construction are in accordance with this section.

- C. In Zone AO areas with no elevations specified, the structure must have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.

5.5.17. Accessory Structures

Flexibility to the elevation or dry floodproofing standards may be granted for accessory structures containing no more than 600 square feet. Such structures must meet the following standards:

- A. They may not be used for human habitation;
- B. They must be constructed of flood resistant materials;
- C. They must be constructed and placed on the lot to offer the minimum resistance to the flow of flood waters;
- D. They must be firmly anchored to prevent flotation. All above-ground gas or liquid storage tanks must be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads;
- E. Service facilities such as electrical and heating equipment must be elevated or floodproofed to or above the level of the flood protection elevation; and
- F. They must meet the opening requirements of §5.5.15(E)(3).

5.5.18. Assurance of Flood-Carrying Capacity

For the purpose and methods of reducing flood damage stated in this chapter, the following additional standards are adopted to assure that the reduction of the flood-carrying capacity of watercourses is minimized:

A. Development in Floodways

In floodway areas, development must cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:

1. meet the requirements to submit technical data in §5.5.9 Map Maintenance Activities.
2. an evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
3. certification that no structures are located in areas that would be impacted by the increased base flood elevation;
4. documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and

5. concurrence of the City Manager and the Chief Executive Officer of any other communities impacted by the proposed actions.

B. Development in Riverine Areas with Base Flood Elevations but No Floodways

1. In riverine Special Flood Hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, must not increase the base flood elevation more than one 1 foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or
2. Development in riverine Special Flood Hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one 1 foot increase in the base flood elevation may be permitted provided an evaluation of alternatives which would result in an increase of 1 foot or less of the base flood elevation and an explanation why these alternatives are not feasible.

C. Alterations of a Watercourse

For the purpose of these standards, a watercourse is altered when any change occurs within its banks. The extent of the banks must be established by a field determination of the “bankfull stage.” The field determination of “bankfull stage” must be based on methods presented in Chapter 7 of the USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique or other applicable publication available from a federal, state, or other authoritative source. For all proposed developments that alter a watercourse, the following standards apply:

1. The bankfull flood-carrying capacity of the altered or relocated portion of the watercourse must not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood-carrying capacity of the watercourse will not be diminished.
2. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.
3. The applicant is responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood-carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with the City specifying the maintenance responsibilities. If an agreement is required, it must be made a condition of the floodplain development permit.
4. The applicant must meet the requirements to submit technical data in §5.5.9 when an alteration of a watercourse results in the relocation or elimination of the Special Flood Hazard area, including the placement of culverts.

ARTICLE 6.
SUBDIVISIONS & STREETS

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Div. 6.1. Intent

The development of greenfield lands into completed places with functioning roads, buildings and infrastructure begins with planning the layout of lots, future rights-of-way, and the location of other necessary infrastructure. In a dynamic and ever-changing city, assembly of lots to create new development sites, as well as readjustment of lot lines and transfer of property between neighbors, is common and necessary. Standards within this article are adopted to ensure the long term viability of the decisions made in the early stages of development and serve to protect the interests of the future users and owners of the site, as well as those of neighbors affected.

The intent of the standards of this article include the following:

- A. to create a transportation network that balances the needs of truck traffic, car traffic, pedestrians and bicyclists;
- B. to maintain a high level of connectivity and ensure consideration for future street connections;
- C. to improve the overall functional capabilities of the street network;
- D. to ensure that pedestrians can experience a safe, useful, and comfortable walk from their neighborhood to nearby amenities, thereby ensuring a healthier community;
- E. to improve safety of pedestrians, motorists and all other users of the road;
- F. to encourage economically sound and orderly land development in accordance with the policies and objectives of the City of Piqua;
- G. to provide an orderly system for the subdividing and assembly of land; and
- H. to ensure that newly subdivided or assembled lots are usable for development.

Div. 6.2. Annexation

6.2.1. Powers

Acceptance of a petition to annex land into the jurisdictional boundaries of the city of Piqua is a legislative decision made by the City Commission upon hearing and considering the recommendation of the Planning Commission.

6.2.2. Procedure

Annexation will proceed in accordance with the provisions of the Ohio Revised Code. Consideration of annexation must be accompanied by a master plan or details of planned development relevant to conducting a rational analysis of the benefits and costs associated with annexation, as well as a preliminary review of the technical capabilities of the City to provide needed services to any proposed development.

6.2.3. Consideration

A. Planning Commission

Annexation into the jurisdictional boundaries of the city must be made with consideration of the health, safety, and welfare of the city as a whole. The following subjects should be addressed in review for recommendation to the City Commission by the Planning Commission:

1. Comprehensive Plan

Annexation petitions should be reviewed in accordance with all existing land use, transportation, and strategic plans adopted by the City.

2. Master Plan and Preliminary Plat

The Planning Commission should consider a petition's associated master plan and any preliminary plat, road layout, proposed land uses and development patterns in accordance with adopted plans and best planning practices. Considerations for the Planning Commission's recommendation include:

- a. traffic impacts and changes;
- b. environmental impacts or improvements;
- c. potential impacts to historic assets;
- d. changes or impacts to the enjoyment of property by neighbors;
- e. ability of the City to serve the proposed development with water, sanitary sewer, stormwater, electric, and other utility infrastructure; and
- f. the City's ability to meet the public health and safety needs of the development.

3. Recommendation

The Planning Commission may provide a recommendation by resolution to the City Commission, which provides detail of the analysis taken of the proposal. The Planning Commission will provide the zoning districts of the newly annexed land according to adopted plans of the City where they may apply.

B. City Commission

Annexation into the jurisdictional boundaries of the city must be made with consideration of the health, safety, and welfare of the city as a whole. In addition to consideration of any recommendation by the Planning Commission, the City Commission may weigh other relevant factors of the annexation petition in their decision, including all costs and benefits associated with the annexation.

Div. 6.3. Subdivision

For procedural information on the completion of the subdivision process, see §7.2.4.

6.3.1. Creation of Lots and Common Maintenance

A. Intent

To provide an orderly system for the subdividing and assembly of land and ensure the usability of land subdivided.

B. Minimum Lot Requirements

1. Lots must conform to the minimum requirements of the applicable zoning district, see Article 2 Zoning Districts, except as provided in §6.3.1.C below.
2. The size, shape, arrangement and orientation of every lot is subject to approval of the Development Director for the type of development and use contemplated.
3. Each lot must have direct access to an abutting, existing public street or to a street to be dedicated contained within the proposed subdivision. A connection through an approved private drive or cross access easement may be permitted by the Development Director, and is considered more appropriately suited for anticipated commercial or large multifamily development.
4. Lots fronting on two streets, other than corner lots, are discouraged. Where these through-lots exist, to create a rear yard that has the permitted uses and structures allowed only in a rear yard and to avoid frontage requirements, a rear yard must be provided a Moderate Impact Frontage Screen §4.3.7.
5. Side lot lines must be approximately at right angles to the street, or radial to curved streets. Lot lines must be kept straight and oriented around the grid pattern of the city, except when indicated by topography.

C. Exempt Lots

1. Lots that do not comply with the requirements of the applicable zoning district are prohibited, except as follows:
 - a. Signage, Landscape Features
The creation of an un-buildable lot in a proposed subdivision for the exclusive purpose of subdivision identification signage or subdivision entrance landscape features.
 - b. Stormwater Management Facilities
The creation of an un-buildable lot for the exclusive purpose of providing and maintaining a stormwater management facility is authorized.
 - c. Private Streets
The creation of an un-buildable lot for the exclusive purpose of providing and maintaining a private street is authorized.

d. Common Areas

The creation of an un-buildable lot, in common ownership, for the exclusive purpose of providing neighborhood amenities such as swimming pools or outdoor amenity space is authorized.

e. Conservation Areas

The creation of an un-buildable lot for the exclusive purpose of conserving land from development is authorized and must be recorded as such.

2. Exempt lots created for the purposes held in common ownership must be maintained by a homeowners association. The association's bylaws will include the following provisions:
 - a. Automatic (mandatory) membership of all purchasers of lots in the subdivision and their successors.
 - b. Conditions and timing of transferring control of the association from the developer to the lot owners.
 - c. Responsibility for maintenance, insurance and taxes.
 - d. Sharing of the costs of maintenance among the lot owners with shares defined by the association bylaws.
 - e. Authority to place liens on the real property of members who fail to pay their dues or assessments.
 - f. Prohibition on the dissolution of the association without the approval of the City Commission.
3. Where a homeowners association has become inoperative, or where common area land or waterways are found not to be properly maintained, with approval by resolution from the City Commission, the City may undertake required maintenance at the expense of the landowners of the subdivision.
 - a. The associated costs will be divided among the landowners by weighting the total market valuation of the property as listed by the Miami County Auditor. This valuation will include both land and improvements. For example, if a repair costs \$20,000 and there were 3 members of the association, A, B, and C, where A's property is valued at \$100,000, B's property is valued at \$50,000 and C's property is valued at \$50,000, A would pay \$10,000, while B and C would each pay \$5,000.
 - b. The City Commission may determine to spread the costs of these improvements over up to 10 years.
 - c. The required division of payment may be adjusted where it is found that repairs are required specifically due to the negligence or lack of upkeep caused by an individual or smaller group of owners.

D. Lot Splits

A lot split may be performed to transfer ownership of fractional portions of land to adjacent owners. A lot split may only be performed if the portion of land created is unusable for development on its own. If a developable lot is desired, a replat to create a new lot is required.

6.3.2. Lot Access

A. Arrangement of Lots and Access to Adjacent Properties

1. When land is subdivided into larger parcels than ordinary building lots, these parcels must be arranged and designed to allow for the opening of future streets and to provide access to the areas beyond not presently served by streets.
2. These access areas must be spaced according to the maximum block lengths of the surrounding developments (§6.4.5). Where ambiguity exists as to the appropriate spacing to apply due to the proximity of multiple zoning districts, the Planning Commission will determine the appropriate district standards to apply.
3. Multiple access points to adjacent land should be secured in the arrangement of land for subdividing, unless the Planning Commission finds this impractical.
4. No subdivision or development may be designed to completely eliminate street access to adjoining parcels of land. Every development must be designed to facilitate access to adjoining properties which are developed or anticipated to be developed.
5. Adopted plans should be used by staff for guidance in determining the appropriate arrangement of land and access.

B. Cross-Access Easement

1. Cross Access Required

- a. In the NX, CX, CO, and RX districts, as well as on designated collector, minor or major arterial roads as defined by The City of Piqua Transportation Plan, the property owner must grant a cross-access easement as described in this Section to each adjoining property that is also in an NX, CX, CO, and RX district or is located on a designated collector, minor or major arterial road, unless a street is provided.
- b. This easement must be provided upon construction of a new commercial facility, a new parking lot, or upon subdivision of land anticipating these developments. The purpose of the easement is to facilitate movement of customers and their vehicles from lot to lot without generating additional turning movements on a public street.
- c. When required by this Section, cross-access easements must be recorded in the office of the Miami County Recorder, and reference to deed book and copy of the recorded easement provided to the Development Director.

2. Access Easement Provisions

- a. The cross-access easement must permit vehicle access from the adjoining property to driveways and parking areas intended for customer or tenant use. Safe provision for the movement of pedestrians and wheelchair users must also be arranged.
- b. All cross-access easements must meet all applicable standards of §4.2 Parking and Access.
- c. On-site parking spaces may be restricted to use by the owner's customers and tenants only, subject to the standards of the Development Code, though shared parking lot agreements are encouraged and can result in reduced total parking needs.
- d. Upon the availability of access to driveways and parking areas of the adjoining lot, the pavement or other surfacing of the owner's driveways and parking areas must be extended to the point of access on the lot line.
- e. The location of vehicular connections across a property line should be mutually determined and constructed by both property owners. In the case of coordination problems or any factors preventing construction of a cross-access connection, the Development Director will determine the location of the connection.
- f. A cross-access easement's area and location may be amended by its owners as needed to redevelop lots. This amendment must be approved by the Development Director.
- g. When an abutting owner refuses in writing to allow construction of the cross-access circulation on their property, a stub for future cross-access must be provided as close as possible to the common lot line.

3. Flexibility

- a. The Development Director may grant flexibility for this cross-access requirement, in whole or in part, provided the flexibility is deemed reasonable due to one or more of the following:
 - i. Topographic changes are too steep;
 - ii. The presence of existing buildings, a stream or other natural features;
 - iii. Adjoining uses or their vehicle movements are incompatible; or
 - iv. Strict compliance would pose a safety hazard.
- b. When cross-access is waived by the Development Director, bicycle and pedestrian connections must be provided between abutting properties, except where there is a stream crossing greater than 15 feet in width that interferes with this access, or the Development Director judges that a connection would be otherwise infeasible.

Div. 6.4. Streets and Public Right-of-Way

6.4.1. Intent

The intent of this Division is to provide minimum standards for the construction of new streets, improvements to existing streets, and to require upgrades that will serve all common modes of transportation safely and comfortably.

6.4.2. Street Design

A. Complete Streets

In order to fulfill the City's Complete Streets Policy, all public and private vehicular rights-of-way must be complete streets, designed for safe, comfortable and convenient movement both along and across rights-of-way by people of all ages and abilities, using multiple transportation modes. Complete streets means providing accessibility to all modes of transportation, including pedestrians, cyclists, and those who use other mobility devices.

B. Street Grid

1. A regular grid of streets that corresponds to the surrounding pattern of streets is required where the Planning Commission determines it is feasible. In general, streets run north-south and east-west.
2. Streets may be curved to encourage slower moving traffic, or to create space for stormwater infrastructure, to follow natural contours of land, or to avoid steep slopes, protected conservation land, or other topographical challenges. Curving streets should continue to provide access as needed to travel in all directions and apply the maximum block face length standards of this section.

C. Blocks and Cul de Sacs

1. Intent

Connectivity affects the ability of travelers to efficiently reach their destinations. This section is intended to be applied in association with adopted transportation plans. As long blocks and disconnected streets require a car to conveniently travel, the intended outcome of these provisions is to ensure a well-connected city that provides intersections at distances that promote walking, biking, and other modes of transportation.

2. Maximum Block Face Length

- a. The block standards below are required to maintain a regular street network throughout the city. No block face is allowed to exceed the thresholds of the following table, except as otherwise specified in this Section. Connections to existing roads is required, as well as consideration for the creation of new roads in the future.

DISTRICT	MAXIMUM BLOCK FACE LENGTH
RE-20, RE-10, RE-6, S-RA, S-RM	450'
NX, CX, CO, RX, CV	550'
IL, IH	1,500'
T-RL, T-RM, T-RM-E, T-RH, T-GX, T-NX, T-SX, T-FX	350'
D-RF, D-GX, D-SX	350'
AG, PK, CN	none

3. The districts listed above are clustered by their relation to the city center and downtown or to a more auto-dependent suburban area of the city. In the event of a road's proximity to zoning districts of multiple rows of differing standards, the Planning Commission will make a determination of the appropriate maximum block face length to apply.

4. Block Measurement

- a. A block face is bounded by a public or private street (not including an alley).
- b. Block face length is measured along the edge of the property adjoining the public right-of-way or private easement.
- c. The Development Director may modify the block face length requirements when steep slopes in excess of 35%, freeways, railways, waterways, tree protection areas, stream buffers, cemeteries, open space or easements would make the provision of a complete block infeasible. When block face length is modified by the Development Director, bicycle and pedestrian connections must be provided in place of the required street, unless the Development Director determines these connections infeasible.

D. Cul de Sacs

1. Cul de Sacs Discouraged

In the interest of providing an efficient and more walk-friendly transportation network, dedicated cul de sacs will be allowed only where the Planning Commission has found that topographical, ownership, or other challenges beyond the land developer's control prevent the creation of a regular street grid pattern.

2. Maximum Cul de Sac Lengths

To serve public health and safety, cul de sacs may not exceed the lengths established by district in the following table. Cul de sac length will be measured from the center point of street's intersection with an adjacent street, along the centerline of the road, to the curb line of the farthest point of the cul de sac.

DISTRICT	MAXIMUM CUL DE SAC LENGTH
RE-20, RE-10, RE-6, RA, RM	450'
NX, CX, CO, RX, CV	550'
IL, IH	600'
T-RL, T-RM, T-RM-E, T-RH, T-GX, T-NX, T-SX, T-FX	100'

DISTRICT	MAXIMUM CUL DE SAC LENGTH
D-RF, D-GX, D-SX	cul de sacs not allowed
AG, PK, CN	cul de sacs not allowed

3. Pedestrian Connection Required

- a. Where a cul de sac is constructed that does not abut a topographical obstacle preventing thru-movements, an ADA compliant pedestrian walkway with a minimum 8' width, and respective public right-of-way easement with a minimum 20' width must be provided to allow the movement of people from the cul de sac to the nearest street.
- b. The applicant may choose to construct an asphalt path or a concrete sidewalk within this area.
- c. The required easement and path must be provided in the location most likely able to produce future conditions of connection, such as where an undeveloped lot exists or where an existing access easement or street is in place to connect to.
- d. The Planning Commission has the authority to choose the location of this pedestrian connection to ensure that pedestrian movement through the site is prioritized, and to provide an orderly and effective transportation network.
- e. The City of Piqua will maintain the path's upkeep by paving, patching, pouring new concrete. The cost of this maintenance may be invoiced or assessed by an even division to the properties whose primary street lot line is along the cul de sac.

E. Street Names

Names of new streets must not duplicate existing or platted streets. New streets which are the extension of, or in alignment with existing streets, must bear the name of the existing street. Street name signs will be furnished and installed by the City. Street names which commemorate the history of the city of Piqua and create a sense of shared community are encouraged.

6.4.3. Improvements to Existing Infrastructure

A. Causing a Requirement to Improve Bike/Ped Infrastructure

1. The City of Piqua Transportation Plan provides typical cross sections, maps of street classifications and bike and pedestrian planned infrastructure of existing and planned roads. This plan and the City of Piqua Standard Drawings and Design Criteria are the standard of reference for the Development Director to determine required improvements. Where these plans and standards do not address a location, and where sidewalk or sidepath is missing or needs improvement between completed sections, the pattern of alignment and construction will continue, as determined by the Development Director.

2. Requirements to install or upgrade bike and pedestrian improvements pertain to all streets directly adjacent to the subject property, and may include any improvements required, extending from the front or side street property line to the road centerline.
3. The following development or redevelopment activities require planned bike, pedestrian, and tree lawn improvements to be completed:
 - a. Construction of a principal structure, or total demolition and reconstruction of an existing principal structure;
 - b. Construction of a new parking lot or expansion of an existing parking lot;
 - c. Construction of a new driveway;
 - d. Any expansion of a building, along with reinvestment into the property totaling 200% or more of the listed market value of land and improvements, as determined by the Miami County Auditor. Reinvestment must be totaled cumulatively over 4 years, regardless of sale.
4. Neighborhood subdivisions must complete required sidewalk or sidepath infrastructure concurrently with road construction or provide a bond for the City of Piqua sufficient to complete the required improvements within 24 months of acceptance of right-of-way dedication.
5. The Development Director will provide the cross section of the planned street improvements that will be required along the length of front or side street road frontage according to the adopted plan's specifications and existing conditions. These improvements must be completed by the developer prior to final inspection and the issuance of a Certificate of Compliance.
6. The City may determine that additional right-of-way must be dedicated to facilitate the required improvements.
7. Where a sidewalk or sidepath has been degraded over time or where construction will cause damage, it must be replaced by the developer. Where complete site redevelopment is proposed, the Development Director may require that sidewalks and tree lawns be widened to accommodate planned upgrades to this public infrastructure.
8. Phasing of bike and pedestrian improvements may be accepted upon a recommendation from the Planning Commission. Phasing agreements must be enforced through a development agreement authorized by the City Commission listing the timeline of phasing and any triggering events that necessitate the completion of an additional phase of improvements. Enforcement of the phasing requirements after an agreement is authorized will be conducted by the Development Director.

B. Causing a Requirement to Improve Existing Roadways

1. Required improvements to existing roadways may include the addition of curb and gutter, extension of underground utilities to support drainage needs, addition of turn lanes where a large volume of traffic into the proposed development may otherwise cause significant delays in traffic conveyance, road widening,

traffic calming measures or other planned improvements as directed by the adopted City of Piqua Transportation Plan.

2. City staff will provide a report to the Planning Commission, who will determine whether the scale of development should be required to perform roadway upgrades along with development. These requirements will be reserved for large scale developments. For guidance purposes, a large scale development is one that involves one or more of the following:
 - a. the development includes the creation of new internal streets;
 - b. 100 or more lots for single family homes are proposed to be subdivided, or fewer where the development is part of a larger planned subdivision of this scale;
 - c. a new or expanded parking lot hosting 200 or more spaces;
 - d. the redevelopment of most or all of a city block;
 - e. the development of a commercial or an industrial building of 100,000 SF or more; or
 - f. a traffic impact study which concludes significant impacts to the roadway in terms of generated by the development demand that cannot be mitigated through multi-modal transportation demand management strategies and cannot be adequately served by the existing roadway.
3. If the presence of any of these characteristics are present, the Development Director will report a recommendation to the Planning Commission. After studying these characteristics of the proposed development to make a judgment of its scale, the Planning Commission will determine whether the developer must assume responsibility for roadway improvements as indicated by the City of Piqua Transportation Plan.
4. Phasing of roadway improvements may be accepted upon a recommendation from the Planning Commission. Phasing agreements must be enforced through a development agreement authorized by the City Commission listing the timeline of phasing and any triggering events that necessitate the completion of an additional phase of improvements. Enforcement of the phasing requirements after an agreement is authorized will be conducted by the Development Director through development permit review.
5. The City Manager may require that roadway improvements be lead by the developer, or may enter into an economic development agreement or employ other method of capturing revenues, with approval of the City Commission, to lead the required improvements directly.

6.4.4. Terms of Public Improvements and Dedications

A. Extension of Streets

Every developer of land into subdivisions must provide roadway improvements as required by this Development Code and other relevant codes, ordinances, and regulations of the City. The improvements and associated lands must be provided at no cost to the City, and must be dedicated or otherwise transferred, as required, to the public in perpetuity and without covenant or reservation,

except as otherwise provided in this article. The Planning Commission has the discretion to reject an offer of dedication of access improvements that does not, in its judgment, serve the public interest.

B. Utility Easements

1. A subdivision of land will provide easements along the front, rear, side, and side yard lot lines necessary to permit the city to expand its utilities to adjacent properties.
2. A minimum of 6 feet of utility easement must be provided along the side and rear lot lines of new residential lots. Additional width may be required by the City to maintain utility infrastructure within the subdivided lot or to facilitate connection to adjacent properties. The Development Director may reduce or eliminate this requirement where an alternate arrangement may be provided.
3. A 10 foot utility easement must be provided along the front lot line of new residential lots. Additional width may be required by the City to maintain utility infrastructure within the subdivided lot or to facilitate connection to adjacent properties. The Development Director may reduce or eliminate this requirement where an alternate arrangement may be provided.

C. Construction

Where the City of Piqua Standard Drawings and Design Criteria include specifications for utility location, road design, construction material, or any other listed detail, the applicant must furnish the construction according to the adopted requirements.

D. Public Road Dedication

1. No land proposed to be dedicated as a public street or for any other public purpose may be recorded before obtaining final plat approval from the Planning Commission and the City Commission. Their review ensures that all applicable City standards are followed in the design and layout of land and streets, and that the dedication to the City and maintenance costs associated with acceptance of new roadway or land is in the best fiscal interests of the City.
2. Approval must be entered in writing on the final plat by the Development Director, referencing the Planning Commission resolution and City Commission ordinance that approved their acceptance.
3. The Development Director is authorized to cause dedications that have received Planning Commission and City Commission approval to be recorded by the Miami County Recorder.
4. Dedication of public rights-of-way must only occur with associated construction of improvements, unless otherwise specified in this article.
5. Where an applicant proposes the dedication of land to public use, and the Development Director or the appropriate agency finds that such land is neither required nor is it suitable for public use, the Development Director will require the rearrangement of lots to include such land in private ownership.

E. Additional Standards

1. The Planning Commission will determine the road classification of new streets not previously anticipated by adopted plans, according to their intended function. These classifications can be found in the City of Piqua Transportation Plan upon adoption. The road classification will determine the road's required cross section.
2. All plans must carry the signature of a registered professional engineer.
3. Water, sanitary sewer and electric service must be provided by the City of Piqua.

F. Agreements and Guarantees

1. Performance Guarantee

The performance guarantee covering the costs of proposed improvements to be dedicated to the City must be submitted with the construction plans and final plat for a subdivision, or any section within. The guarantee must assure either the performance of the proposed improvements or payment of the estimated costs to the City if such improvements have not been installed and completed or if construction has not commenced within 1 year after the date of the Planning Commission approval of the construction plans and final plat for the proposed improvements or the agreed upon start and completion date(s) approved by the Planning Commission, whichever comes first.

a. Guarantee Form

- i. The performance guarantee must be in the form of a property bond, surety bond, a cash bond, or negotiable United States Treasury Certificates of the kind approved by law for securing deposits of public money.
- ii. The guarantee must be executed by the subdivider as principal, and if a surety bond, must be executed by a corporation authorized to act as a surety under the laws of the State of Ohio.
- iii. The guarantee must be an obligation for the faithful performance of any and all work and the construction and installation of all improvements required to be done by the subdivider.
- iv. The guarantee must contain the further condition that should the subdivider fail to complete all work and improvements required to be done by him or her within 24 consecutive calendar months of the date of approval of the final plat, or within a mutually agreed-on extension, not to exceed 12 consecutive calendar months, the city may, at its option, cause all required work to be done and improvements constructed at the expense of the executor of the guarantee. The parties executing the guarantee must be firmly bound for the payment of all necessary costs.

b. Guarantee Amount

The performance guarantee amount must equal the construction estimate for the total costs of the proposed improvements. The construction estimate must be prepared by a registered professional engineer licensed by the State of Ohio and include all anticipated costs incidental and necessary to the completion of the proposed improvements, including:

i. Labor and materials

The labor and materials costs must be calculated based upon the most current unit cost information available from the Ohio Department of Transportation Division of Planning Office of Estimating. The labor and material costs must include all labor and material costs and equipment, overhead and profit incidental and necessary to the completion of the proposed improvements.

ii. Contingency

An amount equal to 10% of the total labor and material cost must be added to the total labor and material costs to cover unanticipated items of work that may become necessary to the completion of the proposed improvements.

iii. Construction engineering

An amount equal to 10% of the total labor and material cost plus the contingency amount must be added to the sum of the total labor and material costs and the contingency amount to cover inspection and testing services necessary to the completion of the proposed improvements.

iv. Guarantee termination

Upon the submittal and acceptance of a maintenance guarantee in accordance with §6.4.6.C, below, the subdivider may terminate performance guarantee.

c. Construction Agreement

The work to be performed must be in accordance with the construction plans and final plat for the subdivision as approved by the Planning Commission. The construction estimate must provide further indication of the work necessary and essential to complete the proposed improvements. Any cost to be incurred by the City to oversize the water main and or sewer main necessary and incidental to the proposed improvements must be shown as a separate line item on the construction estimate and included in the total labor and material costs used to determine the contingency, construction engineering, and total guarantee amounts.

2. Maintenance Guarantee

The appropriate maintenance guarantee covering the costs of repairing defects that may appear in the work must be submitted to the city upon the Development Director finding the work to be substantially complete. Such guarantee must assure either the performance of the necessary repair or replacement of defective conditions or payment of the estimated costs to the City if such defective conditions have not been repaired or replaced within one year after the date of the acceptance of the improvements.

a. Guarantee Form

The maintenance guarantee must be in the form of a property bond, surety bond, a cash bond, or negotiable United States Treasury Certificates of the kind approved by law for securing deposits of public money. The guarantee must be executed by the subdivider as principal, and if a surety bond, must be executed by a corporation authorized to act as a surety under the laws of the State of Ohio. The guarantee must be an obligation for the faithful performance of the repair or replacement of defective conditions that may appear following the completion of the work by the subdivider and acceptance by the City. The guarantee must contain the condition that should the subdivider fail to repair or replacement all defective work within 30 consecutive calendar days after being notified of the condition, or within a mutually agreed-on extension, not to exceed 90 consecutive calendar days, the City may, at its option, cause all required repair and replacement work to be done. The parties executing the guarantee must be firmly bound for the payment of all necessary costs.

b. Guarantee Amount

The maintenance guarantee amount must equal 10% of the performance guarantee amount.

c. Guarantee Termination

12 months after the acceptance of the improvements as complete and upon the successful completion of any and all repair or replacement of defective conditions found by the final inspection, the subdivider may terminate the maintenance guarantee.

G. Completion of Work and Acceptance.

For the purposes of this section, the guidelines for substantially complete, and acceptance are as follows:

1. Work on improvements will be considered substantially complete upon each of the following conditions being satisfied:
 - a. City utilities (water, sewer, storm sewer) have been installed and inspected and approved by the Utilities Director, and all other non-city underground utilities (gas, telephone, and cable television, and the like) have been installed by the responsible party.
 - b. Curb and gutter and sidewalk has been constructed in accordance with construction plans and inspected and approved by the City Engineer.
 - c. Street base and final surface materials have been installed and inspected and approved by the City Engineer.
2. Work on improvements will be considered accepted upon each of the following conditions being satisfied:
 - a. All required maintenance guarantee work has been satisfactorily completed.
 - b. The subdivider has provided the City with electronic record drawings stamped by a registered professional engineer or surveyor verifying the accuracy of the drawings and showing the completed state of all improvements.

ARTICLE 7.
ADMINISTRATION

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7.1.1. Summary of Review Authority

The following table summarizes the review, approval and appeal authority of the various review bodies and officials that implement and administer the Development Code.

APPROVAL PROCESS	Cross-reference	APPROVAL AUTHORITY				PUBLIC NOTICE		
		Development Director	Board of Zoning Appeals	Planning Commission	City Commission	Web	Mailed	Newspaper
Legislative Review								
Text Amendment	§7.2.2	R	--	R	D	•	•	--
Zoning Map Amendment (Rezoning)	§7.2.2	R	--	R	D	•	•	--
Subdivision Review								
Preliminary Plat	§7.2.4.B	R	--	R	D	•	•	--
Final Plat without dedication	§7.2.4.B	D	--	--	--	--	--	--
Final Plat with dedication	§7.2.4.C	R	--	R	D	•	--	--
Vacation of Public ROW	§7.2.4.C	R	--	R	D	•	•	•
Permit Review								
Development Permit	§7.2.5	D	A	--	--	--	--	--
Special Use Permit	§7.2.3	R	--	D	--	•	•	--
Building Permit (Miami County)	§7.2.6.	Miami County Development Dept.				--	--	--
Sign Permit	§7.2.7	D	A	--	--	--	--	--
Temporary Use Permit	§7.2.9	D	A	--	--	--	--	--
Flexibility								
Administrative Adjustment	§7.2.5.G	D	A	--	--	--	--	--
Variance	§7.2.10	R	D	--	--	•	•	--
Appeal of an Administrative Decision	§7.2.11	--	D	--	--	•	•	--

KEY: R = Review & Recommendation D = Final Decision A = Appeal
 • = Required -- = Not Required

The Miami County Court of Common Pleas hears all appeals not otherwise marked within the table or to appeal to a higher authority than the Board of Zoning Appeals. For example, a preliminary plat is decided on by the City Commission, and an appeal must go to Common Pleas.

7.1.2. Development Director (modified O-5-24)

The title "Development Director" shall reference the Director of Community Services Department or other titled Department that has management authority over the Planning and Zoning Division and has those powers and duties expressly identified in this Article, including but not limited to:

A. Review and Recommendation

To review and provide recommendations on applications for:

1. text amendments;
2. zoning map amendments;
3. Special Use permits;
4. preliminary plats;
5. final plats with dedication or public easements;
6. vacation of public right-of-way; and
7. variances.

B. Decision

To review and decide on applications for:

1. development and sign permits;
2. temporary use permits;
3. final plats without dedication;
4. administrative adjustments; and
5. Certificates of Appropriateness where allowed in the Development Code and Chapter 99 - Piqua Historical Preservation Ordinance.

C. Interpretation

The Development Director interprets the provisions of this Development Code, and may use opinions of the City Attorney and others in arriving at interpretations. All other ordinances or regulations referenced in this Development Code such as the fire prevention and life safety codes, building and other technical codes, standard drawings, regulations and ordinances, are administered by the Directors of the Departments of the City of Piqua and the Miami County Development Department.

D. Enforcement

The Development Department enforces the provisions of this Development Code and all conditions made by the Planning Commission, City Commission, and Board of Zoning Appeals. See also Div. 7.4.

E. Delegation of Authority

The Development Director may designate specific City staff to carry out the duties assigned to the Development Director in this Article.

7.1.3. Board of Zoning Appeals (modified O-5-24)

The Board of Zoning Appeals (BZA) is established and organized under § 32.095 and § 32.096 of the City of Piqua Codified Ordinances. The Board of Zoning Appeals has those powers and duties expressly identified in this Article, including but not limited to:

A. Decision

To review and decide on applications for:

1. appeals of administrative decisions;
2. appeals of interpretation of this Development Code;
3. variances; and
4. appeals of action by the Development Department to enforce this Development Code.

7.1.4. Planning Commission

The Planning Commission has those powers and duties expressly identified in this Article, including but not limited to:

A. Review and Recommendation

To review and provide recommendations on applications for:

1. text amendments;
2. zoning map amendments;
3. preliminary plats;
4. final plat with dedications; and
5. vacations of public right-of-way.

B. Decision

To review and decide on applications for:

1. Special Use permits; and
2. Certificates of Appropriateness.

C. Historic Preservation

In accordance with this Development Code, the Planning Commission must act to accomplish the following purposes with respect to Historic District Overlays (HLOs) and nationally registered historic districts:

1. preserve, protect, and enhance the distinctive and unique character of properties included on the HLO registry and within a nationally registered historic district;

2. prevent the irreplaceable loss to the people of the city of the aesthetic, cultural and historic values represented by the properties within any HLO;
3. stabilize and improve property values within any Historic District;
4. foster civic pride in the beauty and accomplishment of the past;
5. enhance the City's attraction as a desirable place to live, providing an incentive for new businesses and industries to locate in and around the City;
6. encourage the use of all Historic Districts for the education, pleasure and welfare of the people;
7. encourage property owners and others within any Historic District to initiate appropriate changes which will enhance the significance of the Historic District;
8. contract, as needed, technical experts and such other persons as may be required within the funds available for this purpose; and
9. receive, spend and account for funds which it may legally receive for the purpose of carrying out historic preservation throughout the City.

7.1.5. City Commission

The City Commission has those powers and duties expressly identified in this Article, including but not limited to:

A. Decision

To review and decide on applications for:

1. text amendments;
2. zoning map amendments;
3. preliminary plats;
4. final plats with dedication; and
5. vacations of public right-of-way.

Div. 7.2. Development Review

7.2.1. General Review Provisions

A. Application

The following requirements are common to the procedures in this Division and apply to applications submitted under this Article.

B. Consistency with State Law

1. This Article is intended to comply with the provisions of the Title VII (Municipal Corporations) of the Ohio Revised Code and the City of Piqua Charter.
2. This Article is intended to comply with the provisions of the Chapter 711 Plats, of the Ohio Revised Code.
3. Where any provision of this Article is in conflict with any provision of State law, State law controls.
4. Where this Article is incomplete in having failed to incorporate a provision necessarily required for the implementation of State law, the provision of State law must be fully met.

C. Application Requirements

1. Application Submittal

All applications must be filed with the City on forms and in such numbers as required by the Development Director. Application forms are found on the City's website or printed copies may be obtained from the Development Department.

2. Application Deadline

Complete applications must be submitted in accordance with the published schedule. Schedules indicating submittal dates are developed each year and made available on-line on the City's website and to the public at the Development Department.

3. Fee Schedule

- a. Filing fees have been established to help defray the cost of processing applications. The current fee schedule is available on the City's website and kept on file by the Development Department and is periodically updated and adopted by the City Commission.
- b. Before review of an application, all filing fees must be paid in full.
- c. If review of an application is postponed or delayed due to the applicant's failure to comply with any of the provisions of this Article, the Development Director will assess additional fees as may be determined by the Development Department to be the additional administrative costs associated with such postponement or delay.

4. Completeness Determination

- a. All applications must be complete before the City is required to review the application. In order to be accepted, all applications require electronic submission of plans.
- b. An application is considered complete when it contains all of the information necessary to decide whether or not the application will comply with all of applicable requirements of this Development Code. Additional application materials may be required of the applicant following the initial submittal where the submittal details are insufficient to make the necessary determination of compliance with this Development Code.
- c. The presumption is that all of the information required in the City's application form is necessary to satisfy the requirements of this Article. However, it is recognized that each application is unique, and more or less information may be required according to the specifics of a particular case. The applicant may rely on the Development Director to determine whether more or less information has to be submitted.

5. Revised Application Materials

- a. All revised application materials must be submitted to the Development Department, which will route the materials to the appropriate review bodies. No materials may be sent directly to any Board or Commission.
- b. No revised application materials may be submitted to the Development Director less than 21 days prior to a scheduled public hearing without the permission of the Development Director.
- c. An application amended beyond this deadline will be put on administrative hold until the following regularly scheduled public hearing, and the applicant will be responsible for re-advertising.

6. Withdrawal of an Application

An applicant may choose to withdraw their application during the development review process, according to the following procedures.

- a. If an application has not been advertised for public hearing, it may be withdrawn. The applicant must submit a written request for withdrawal stating the reason for the request. The request must be made to and accepted by the Development Director. No refund of application fees will be made.
- b. Where an application has been advertised, the Planning Commission, Board of Zoning Appeals or City Commission may remove an application from their agenda and consider it withdrawn upon applicant request following a simple majority vote of the review body. The Planning Commission, Board of Zoning Appeals and City Commission reserve the right to conduct the public hearing and render a decision despite a request for withdrawal from the applicant. Once a public meeting has been advertised, application fees may not be refunded.
- c. A withdrawal is not a final action and does not bar submission of a new application.

D. Public Notice Requirements

1. In General

- a. For general public notice requirements, see the summary table in §7.1.1.
- b. The fact that notice is not received due to an error that was not the fault of the City does not prevent the public hearing from being held, change any decision made at the public hearing, or prevent the application from continuing to move forward through the review process.
- c. During the public notice period, the text of any ordinance or regulation, together with any attached maps or plans and reports submitted by the Planning Commission, Board of Zoning Appeals or the Development Director must be on file for public examination in the Development Department.
- d. All applications are considered public information and may be distributed as requested by members of the public. Any requests made prior to agenda publication or issuance of a permit where the item is not subject to a public hearing, will be satisfied with a copy of the information that includes a DRAFT watermark with the date of distribution. This watermark is placed to prevent incomplete versions of an application from being considered as a final version for review. The City may adopt technologies and practices that provide instant access to submitted applications, and applicants are advised to review their applications thoroughly prior to submission for review.

2. Web Notice

Where web notice is required in §7.1.1., notice of the public hearing must be posted on the City's website at least 7 calendar days prior to the date of the public hearing. This provision applies to hearings conducted by the Planning Commission and Board of Zoning Appeals. The item should remain available on the web for comment by the public for the duration of the item's consideration, and any additional time as needed to meet records or applicable communications policy of the City of Piqua. When agenda items are posted to the web, a notification to the City's notification system email list will be sent to those registered.

The Development Code does not set a social media posting policy for agenda items, and any posts to social media are a courtesy notice rather than a requirement.

3. Mailed Notice

Where mailed notice is required in §7.1.1., the City must notify by first class mail all owners of property within 200 feet of the subject property, as shown on the Miami County tax records. GIS tools to automate this process will be used to provide an objective measurement. Notice must be mailed at least 11 calendar days prior to the date of the public hearing. The City may provide expanded notice to additional owners as a courtesy. Once mailed, an item does not have to be mailed again for additional hearings needed for tabling or further study on the matter.

4. Published Notice

- a. Where published notice is required, notice of the public hearing must be published by the Development Director at least once in a newspaper generally circulated in the City at least 30 calendar days prior to the date of the public hearing. Once published, an item does not have to be published again for additional hearings needed for tabling or further study on the matter.
- b. Where the applicant provides revisions after the deadline, the applicant will reimburse the City for any additional advertisement costs that result.

E. Second Hearing

Any agenda item heard by the Planning Commission may include a request from the applicant to hold two public hearings by the Planning Commission. The Development Director or the Planning Commission Chair may also recommend the applicant request two public hearings. This is an option that can be used to provide a presentation to the public ahead of the hearing containing the Planning Commission's vote for recommendation or approval of the application. This second hearing is optional and the Planning Commission must not weigh any application based on the request for a second hearing.

F. Conduct of Public Hearing

A required public hearing will be conducted in accordance with the bylaws of the applicable hearing body and as stated in this Development Code, other chapters of the Code of Ordinances, and the City of Piqua Charter. Where any conflict exists, the Charter supercedes the Code of Ordinances/ Development Code, which supercedes bylaws of the hearing bodies.

G. Notice of Decision

Within 5 working days after the approval of meeting minutes reporting a decision, a written approval confirmation will be sent to the applicant by the Development Director.

7.2.2. Text or Zoning Map Amendment

A. Application

1. Text Amendment

A request to amend the text of this Development Code.

2. Zoning Map Amendment (Rezoning)

A request to amend the Official Zoning Map from one zoning district to another, to change the boundaries of an existing zoning district, or to modify any existing condition of rezoning.

B. Application Initiation

1. The City Commission, Planning Commission, or Development Director may initiate an application for a text or map amendment.
2. Any person, firm, corporation or agency may initiate a zoning map amendment application, provided they are the owner of the subject property, the owner's representative or have received permission from the owner.

C. Submittal Process

1. Pre-Application Discussion

Before submitting an application, the applicant must schedule a pre-application discussion with the Development Director to discuss the procedures, standards and regulations required for approval. To schedule a pre-application discussion, email, call or visit the Development Department.

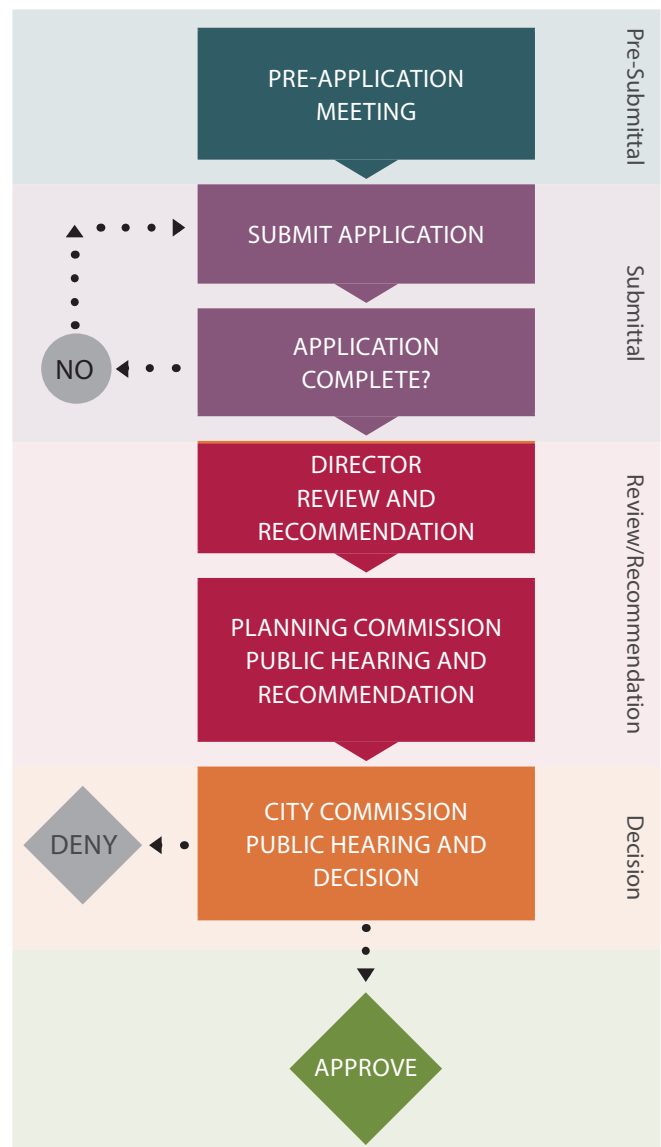
2. Submit Application

Following the pre-application meeting, the applicant may start the application process. To begin, submit a complete application form and any required attachments, along with the required review fee, to the Development Department.

3. Application Review

a. Initial Distribution of an Application

Upon determination of a complete application, the Development Director will distribute the application for review by the appropriate internal City departments.



Text or Zoning Map Amendment Procedure

b. Public Hearing Notice

A text or map amendment requires a public hearing before both the Planning Commission and the City Commission. Notice requirements for public hearings are specified in §7.1.1. and detailed in §7.2.1.

4. Development Director Review

- a. If, after departmental review, the Development Director finds that the application does not do well to satisfy a listed approval consideration, the Development Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the application.
- b. After the review of the proposal and the listed approval considerations, The Development Director may complete an analysis of the proposed amendment to provide to the Planning and City Commissions. After publication of required noticing materials, no changes to the application are permitted prior to the Planning Commission hearing.
- c. The applicant may proceed with the request for changes without the recommendation of the Development Director and have their request considered by the Planning and City Commission, but will be requested to provide an analysis of the proposal in accordance with the listed approval considerations. Other relevant planning documents may also be used to support the application.

5. Recommendation of the Development Director

a. Text Amendment Analysis

The Development Director must review the application and make a written recommendation to the Planning Commission, based on an analysis of the approval considerations.

b. Zoning Map Impact Analysis

The Development Director must review any application for a change to the Official Zoning Map and make a written recommendation to the Planning Commission, based on an analysis of the approval considerations and other criteria the Development Director judges is relevant to the application, including the Comprehensive Plan, relevant small area plans, the Transportation Plan, adopted policies and strategic planning of the City, and other considerations as they are determined to be relevant.

6. Planning Commission Public Hearing

- a. The Planning Commission will conduct a public hearing and receive public testimony.
- b. The Planning Commission will act to recommend approval, approval with conditions, or denial of the application.
- c. The Planning Commission may table an item to request changes or additional information from the applicant. A mutually agreed upon timeframe for completion will be proposed, and the applicant will return to provide additional information.

7. City Commission Public Hearing

- a. Following the recommendation of the Planning Commission, the City Commission will conduct a public hearing. The City Commission will take no final action on any amendment until it has received and studied the recommendation of the Planning Commission.
- b. The City Commission will act to approve, approve with conditions, deny, or return the application back to the Planning Commission for additional consideration.
- c. A text amendment will be approved by ordinance, and a map amendment will be approved as a resolution, following the City Commission's policies on procedure for noticing and recording.

D. Approval Considerations

The following approval criteria are not exhaustive, but provide guidance for making decisions on each type of approval.

1. For a Text Amendment

- a. The amendment corrects an error or meets the challenge of some changing condition, trend or fact.
- b. The amendment is in response to changes in State law, as established through amendments to the Ohio statutes or by court decision.
- c. The amendment is in response to revised City policies, newly adopted plans, or changes in other City ordinances.
- d. The amendment substantially conforms with the Comprehensive Plan, contemporary planning practices, and local, state and federal laws.
- e. The amendment substantially conforms with the stated purpose and intent of this Development Code.
- f. The amendment will not negatively impact the fiscal health of the City.
- g. The amendment constitutes a benefit to the community as a whole and is not solely for the good or benefit of a particular landowner or owners at a particular point in time.
- h. The amendment will not significantly impact the natural environment, including air, water, noise, stormwater management, wildlife and vegetation.
- i. The amendment will not significantly impact existing conforming development patterns.
- j. The amendment has been evaluated in its context within the code, and a plan for aligning policies to the change has been prepared.
- k. An evaluation of costs to administer the new or changed code standard has been conducted.

2. For a Zoning Map Amendment

- a. The amendment corrects an error or meets the challenge of some changing condition, trend or fact.
- b. The amendment substantially conforms with the Comprehensive Plan, relevant small area plans, the Transportation Plan, and all other relevant plans of the City.
- c. The amendment substantially conforms with the stated purpose and intent of this Development Code.
- d. The amendment will reinforce the existing or planned character of the area.
- e. The subject property is appropriate for the development allowed in the proposed district and the use and development of adjacent properties.
- f. The City and other service providers will be able to provide sufficient public facilities and services including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.
- g. The amendment will not have a significant adverse impact on property in the vicinity of the subject property.

E. Denied Application

Decisions of the City Commission are final. Anyone not satisfied with a decision may file an appeal to Miami County Court of Common Pleas within 30 calendar days of the decision. In the case of a map amendment, no application affecting the same or any portion of property that was denied by the City Commission will be accepted for filing within 6 months of the date the application was denied.

F. Expiration

When an application has been tabled, or the Development Director has notified the applicant of the need for additional information in the application prior to the Planning Commission hearing, the relevant commission or the Development Director will consider the application expired after 60 days. The responsible reviewing body or party may offer an extension of this time to prepare if necessary, but must consider absence of communication from the applicant during the 60 day period to cause the application's expiration.

G. Action Following Approval

Approval of an application for text or zoning map amendment allows applicants to move forward with additional approvals applicable to their development proposal.

1. If a subdivision of the property is proposed, see §7.2.4.
2. In all other cases, the applicant may seek a development permit (§7.2.5), if required, and a building permit (§7.2.6).

3. All reviews may run concurrently according to the availability of information needed to make sound decisions, as recommended by the Development Director.

H. Modification of Conditions

Any modification of a condition of approval following City Commission approval requires full review under this Section as though it were a rezoning.

7.2.3. Special Use Permit

A. Application

A request to establish a use that requires a Special Use Permit, or a change or expansion of an existing Special Use Permit. The Planning Commission approves any request for a Special Use permit.

B. Application Initiation

Any person, firm, corporation or agency may initiate a Special Use Permit application, provided they are the owner of the subject property or the owner's representative.

C. Submittal Process

1. Schedule a Pre-Application Discussion

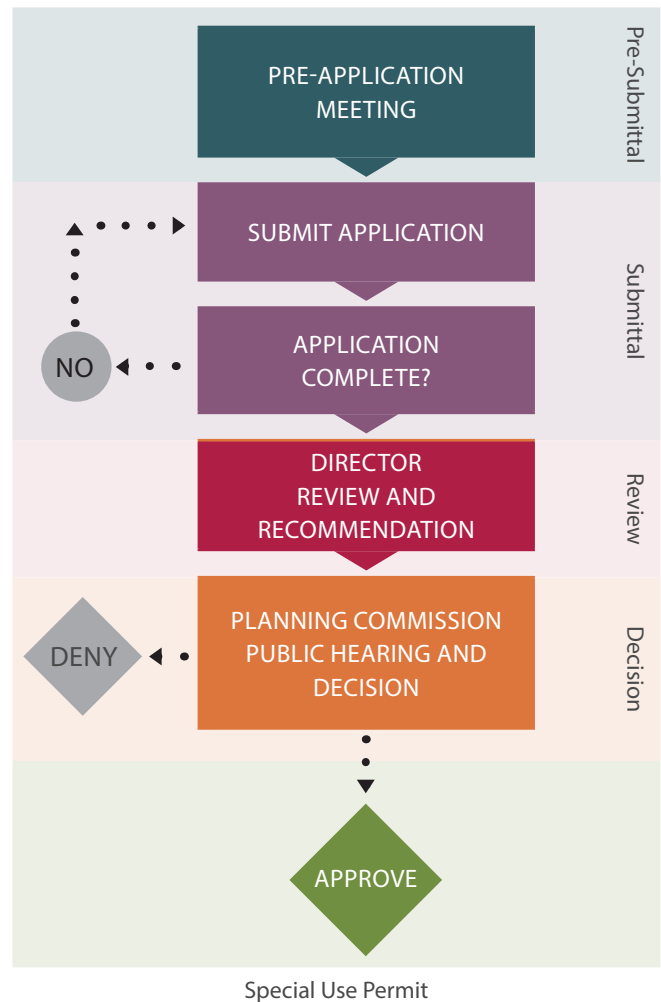
Before submitting an application, the applicant must schedule a pre-application discussion with the Development Director to discuss the procedures, standards and regulations required for approval. To schedule a pre-application discussion, email, call or visit the Development Department.

2. Submit Application

Following the pre-application meeting, the applicant may start the application process. To begin, submit a complete application form and any required attachments, along with the required review fee, to the Development Department.

3. Development Director Review

- a. If, after the internal review, the Development Director finds that the application does not meet the approval criteria, the Development Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the application.
- b. If, after the internal review, the Development Director finds that the application meets the approval criteria, the application will be scheduled for the next available Planning Commission hearing. All application materials, including any visual or presentation materials provided for consideration to the Planning Commission must be made available to the Development Director.
- c. No changes to the application are permitted prior to the Planning Commission hearing after publication of the agenda packet, without permission from the Development Director.



D. Recommendation of the Development Director

The Development Director must review the application and make a written recommendation to the Planning Commission, based on an analysis of the approval criteria, intent of the zoning district and Development Code and site conditions.

E. Planning Commission Public Hearing

1. The Planning Commission will conduct a public hearing and receive public testimony.
2. The Planning Commission will act to approve, approve with conditions, or deny the application.

F. Approval Criteria

1. The use is allowed as a Special Use in the respective zoning district.
2. The use complies with any applicable specific use standards, if any, without the granting of any variance relating to those standards.
3. The use is compatible with adjacent uses in terms of location, scale, site design, hours of operation and operating characteristics.
4. Granting the Special Use does not consume critical land resources that are uniquely suited to facilitate needs of the community for economic development, provision of utility services, or other important uses needed to safeguard the health, safety, and welfare of the community.
5. Any significant adverse impacts resulting from the proposed use in the affected area will be effectively mitigated or offset, or for those uses that by their nature have impacts on neighbors that cannot be easily mitigated, the Planning Commission has determined that the buffer granted is adequate and reasonable for both the applicant and any neighbors, and that the land area chosen is the best fit for the use.
6. The City and other service providers will be able to provide sufficient public facilities and services, including schools, roads, recreation facilities, wastewater treatment, water supply and stormwater facilities, police, fire and emergency medical services, while maintaining sufficient levels of service to existing development.

G. Denied Application

Decisions of the Planning Commission are final. Anyone not satisfied with a decision may file an appeal to Miami County Court of Common Pleas within 30 calendar days of the decision.

H. Action Following Approval

Approval of an application for a Special Use permit allows applicants to move forward to seek a development permit (§7.2.5.), if required, and a building permit (§7.2.6.).

I. Modification of Conditions

Any modification of a Planning Commission-approved condition requires full review under this Section as though it were a new Special Use permit.

J. Pre-existing Uses

A pre-existing use that requires a Special Use permit under this Development Code is not deemed to be in violation of this Development Code. However, a Special Use permit is required prior to any enlargement, extension, or relocation of any preexisting use.

K. Adaptive Reuse of Historic Places of Worship or Civic Building

1. Permit Required

A Special Use Permit is required for the adaptive reuse of a historic structure currently or previously used as a place of worship or civic building, or any similar civic building designated as an HLO, where the uses proposed fall outside of the permitted list of uses of the base zoning district, or where significant alterations to the interior or exterior of the building will be made, or in any case where a church structure will be adapted for residential purposes.

2. Intent of Flexibility

Where a place of worship located in a structure that has been designated as historically significant by the Planning Commission is facing closure or sale, it is the intent of this Development Code to provide a high degree of flexibility in the allowed use of the structure. The purpose of this flexibility is to achieve preservation and continued maintenance of historically significant structures, and retain their exterior aesthetic qualities for Piqua's neighborhoods.

3. Planning Commission Authority

The Planning Commission, by holding a public hearing and issuing a Special Use Permit, may allow a church in any zoning district to be adapted for uses that may otherwise not be permitted in the district. These uses include, but are not limited to:

- a. residential units, which may contain as many units as are allowed by the rules of the zoning district;
- b. commercial retail establishment, grocery store, restaurant, cafe, brewery, wine bar, gift shop, climbing gym, yoga studio, book store or similar uses;
- c. art studio or gallery;
- d. hotel or short-term rental; and
- e. administrative offices.

4. Planning Commission Considerations

The Planning Commission, in their consideration of Special Use authorization must consider:

- a. the full scope of the applicant's plan to assess the feasibility of the idea;
- b. relevant previous experience of the applicant's team with regards to historic preservation, development, and previous adaptive re-use projects; and

- c. stated concerns of the neighbors and potential impacts to the neighbors, including but not limited to hours of operation, traffic, and noise. The Planning Commission may impose conditions that mitigate any concerns or impacts to the neighbors.
- d. The Planning Commission may deny any request for adaptive reuse where the proposal appears not to be aligned with public values, neighborhood characteristics, or where planning or maintenance considerations appear incomplete.

5. Preservation of Exterior Architectural Features (modified O-5-24)

Proposals for adaptive reuse must preserve the exterior appearance of the church or other place of worship structure. Additions or alterations to sites must receive a Certificate of Appropriateness from the City Historic Review Commission (Chapter 99 of the City of Piqua Codified Ordinances).

6. Remediation of Parking Lots and Landscaping

Where parking lots and landscaping do not meet current Development Code standards, a plan to come into compliance must be included in the application for a Special Use Permit. Remediation must be completed within 2 years of the issuance of a Special Use Permit, or other such time as may be decided by the Planning Commission. Failure to complete improvements will result in revocation of the Special Use Permit.

7. Special Use Application for Adaptive Reuse

A property which has been granted a Special Use for adaptive reuse will be subject to Planning Commission approval for any future significant alterations, or any changes of use. Failure to proposed changes within 12 months of the issuance of a Special Use for adaptive reuse will cause the Special Use permit to expire.

7.2.4. Subdivision and Replat Review

A. General Provisions

1. Application

Subdivision or replat review is required for any:

- a. division of land into 2 or more lots;
- b. combination of 2 or more lots;
- c. revision or reconfiguration of lot lines;
- d. extension of public utilities (other than individual service lines) or other municipal facilities;
- e. dedication of public right-of-way;
- f. vacation of existing public right-of-way; and
- g. extension of public streets.

2. Approval Authority

- a. All plats without dedication of roads or public easements are approved by the Development Director.
- b. In addition to receiving administrative approval from the Development Director, all actions requiring dedication or vacation of public easements or right-of-way require approval from the Planning Commission and City Commission.
- c. A preliminary plat will be necessary where utility and road extension considerations must be made. Preliminary plats receive a recommendation from City departments followed by approval from the Planning Commission.
- d. Final plats with proposed dedication or vacation of public right-of-way are approved by the City Commission following a recommendation from the Planning Commission and City staff.

3. Application Initiation

- a. Any person, firm, corporation or agency may initiate an application for subdivision review, provided they are the owner or the owner's representative of the property for which the application is being submitted.
- b. The plat must be prepared by a surveyor registered in the State of Ohio.

4. Application Review

- a. Public Meeting Notice
 - i. A public hearing is not required for approval of a plat without public dedication or vacation. No formal notice of the submittal is published, mailed or posted.

- ii. Final plats with public dedication or vacation of public right-of-way are advertised on the Planning Commission agenda at least 10 days before the scheduled meeting.

5. Modification of Subdivision Standards

Where an applicant proposes a modification of any subdivision standard, approval of the modification by the Planning Commission is required through the approval process in §7.2.4.C.

B. Preliminary Plat

1. Review by the Development Director

- a. Upon determination of a complete application, the Development Director will distribute the application for review by internal City departments.
- b. The applicant must consult with Miami County regarding the standards for a preliminary plat.
- c. If, after the internal review, the Development Director finds that the preliminary plat or final plat without dedication does not meet all the applicable requirements of the Development Code or other applicable codes, the Development Director will notify the applicant in writing of the specific provisions that have not been satisfied.

2. Information Required for a Preliminary Plat

- a. The proposed name of the subdivision. The name must not duplicate or closely approximate the name of any other subdivision, be the same in spelling, or alike in pronunciation with any other recorded subdivision in Miami County;
- b. The tract designation, according to the real estate records of the Auditor and Recorder of Miami County, plat must also show section, town, range, township, county and state;
- c. The names and addresses of the subdivider, owner, and surveyor;
- d. The scale of the plat, north point, and date;
- e. The boundaries of the subdivision, indicated by a heavy line, and the approximate acreage;
- f. The location and names of adjacent subdivisions, and the names and owners of adjacent acreages;
- g. The location, width, and names of all existing or platted streets and railroad rights-of-way, easements, parks, permanent buildings, section and corporation lines, watercourses, and exceptional topography;
- h. Existing sewers, water mains, culverts, and other underground structures, within the tract and immediately adjacent;
- i. Zoning districts;
- j. Existing contours with intervals of not more than five feet where the slope is greater than 10%, and not more than two feet where the slope is less than 10%. Elevations are to be based on sea level datum;

- k. The vicinity sketch shown on the preliminary plan;
- l. The proposed layout of streets including names, widths, sidewalks, and easements;
- m. The number of lots and approximate dimensions;
- n. The proposed centerline profile for each street, if requested; and,
- o. The proposed drainage plan for tract.

3. Approval Criteria

When reviewing or approving a preliminary plat or final plat without dedication, the Development Director will consider the following:

- a. recommendations from internal City departments;
- b. ability of proposed development pattern to meet standards of development
- c. compliance with the applicable requirements of this Development Code; and
- d. substantial conformance with the City's applicable adopted plans and policies.

4. Action Following Preliminary Approval

- a. Upon approval of a preliminary plat, plans and specifications for the installation of improvements required for a development permit may be prepared and submitted.
- b. Approval of a preliminary plat does not constitute approval of a final plat or a variance or waiver of any requirements of this Development Code. Rather, it is approval of a generalized subdivision layout and is to be used as a guide for the preparation of a final plat and any application for a development permit.

5. Validity of Preliminary Plat

An approved preliminary plat expires 2 calendar years after the approval date if a final plat within the subdivision has not been recorded.

6. Preliminary Plat Revisions

- a. Minor revisions to an approved preliminary plat that reflect the same basic street and lot configurations as the original approval may be approved by the Development Director. Typical minor revisions include, but are not limited to, the combination and dividing of lots to make adjustments to individual lot areas.
- b. Any request for a revision to an approved preliminary plat that decreases the amount of common open space, or alters a street or block pattern, or substantially changes the provision of stormwater capture or utility service must be initiated and processed as a new preliminary plat application.

7. Preliminary Plat Denial

If unsatisfied with the decision of the Development Director, the applicant may file an appeal within 30 calendar days of the decision.

C. Final Plat Without Dedication

1. Review by the Development Director

- a. Upon determination of a complete application, the Development Director will distribute the application for review by internal City departments.
- b. The applicant must consult with Miami County regarding the standards for the final plat.
- c. If, after the internal review, the Development Director finds that the final plat does not meet all the applicable requirements of the Development Code, the Development Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the plat.
- d. If, after the internal review, the Development Director finds that the final plat meets all applicable requirements of this Development Code, the application will be certified as complying with all applicable requirements of the Development Code.
- e. The Development Director has 30 calendar days after submission of the completed plat application to approve or deny the plat. This time period may be extended if both the applicant and the Development Director agree on an extension.

2. Action Following Approval of a Final Plat

- a. The Development Director or their designee will provide a signature for an approved plat. Most typically, it is the City Planner's signature block that is included on the plat for signing.
- b. Once a plat has been approved by the Development Director, the applicant will record the final plat in the records of the Miami County Recorder's Office and file a copy with the Development Director.
- c. The applicant must record the final plat in the office of the County Recorder within 60 days after the date of approval; otherwise, the plat will be considered void.

D. Final Plat With Dedication or Changes to Easements or Public Right-of-Way

1. Review and Recommendation by the Development Director

- a. Before applying for final plat approval, if a preliminary plat was required, the requirements of §7.2.4.B.4 must be met.
- b. The applicant must consult with Miami County regarding the standards for the final plat.
- c. The final plat constitutes only the portion of the approved preliminary plat which the subdivider proposes to record and develop at the time.
- d. Upon determination of a complete application, the Development Director will distribute the application for review by internal City departments.
- e. If, after the internal review, the Development Director finds that the final plat does not meet all the applicable requirements of the Development Code or substantially conform with an approved

preliminary plat, the Development Director will notify the applicant of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the final plat.

- f. If, after the internal review, the Development Director finds that the final plat meets all applicable requirements of this Development Code and substantially conforms with the preliminary plat, the application will be certified as complying with all applicable requirements of the Development Code.

2. Planning Commission Public Hearing

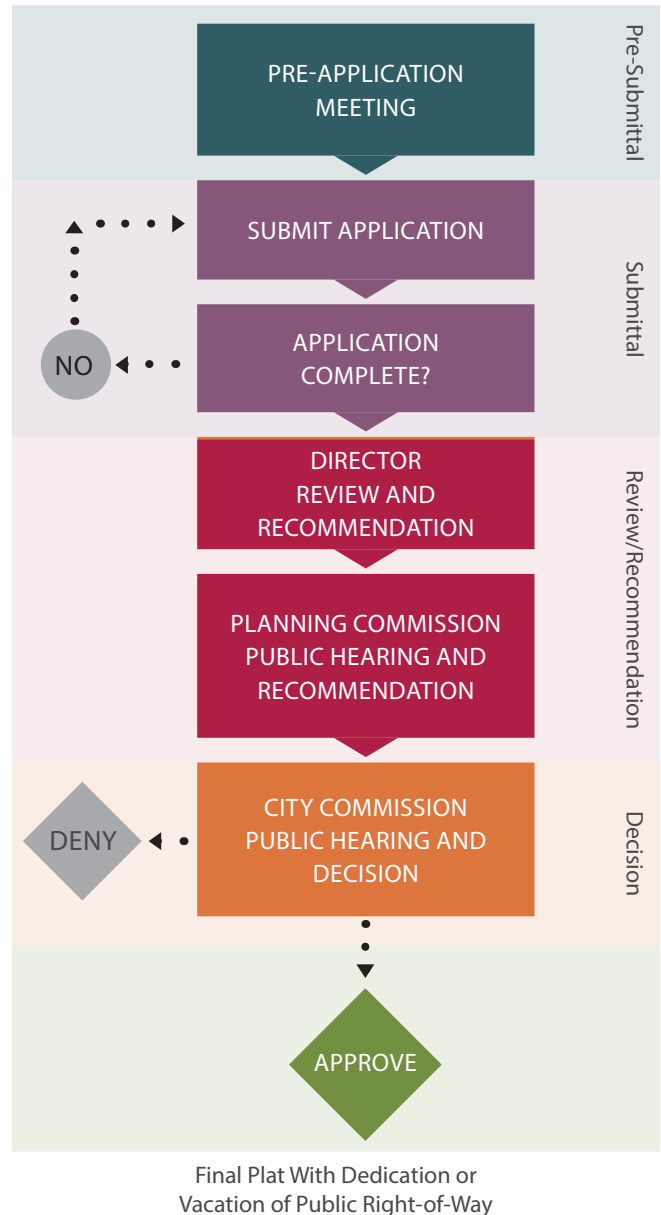
- a. The Planning Commission will conduct a public hearing and receive public testimony.
- b. The Planning Commission will recommend approval, approval with conditions, or denial of the application.

- c. The Planning Commission will recommend approval or denial of any modification of subdivision standards.
- d. The application will be scheduled for the next available City Commission meeting. Upon certification by the Development Director that the application complies with all applicable requirements of the Development Code, no changes to the application are permitted prior to the City Commission meeting.

3. Dedication Acceptance by the City Commission

- a. The City Commission must accept or decline any dedication of land or public improvements.
- b. The City Commission has 60 calendar days after submission of the completed plat application to approve, approve subject to listed modifications, or deny the plat. This time period may be extended if both the applicant and the Development Director agree on an extension.

- c. Decisions of the City Commission are final. Any party not satisfied with a decision of the City Commission may pursue appeals to the Miami County Court of Common Pleas within 30 calendar days of the decision.



4. Action Following Approval of a Final Plat or Right-of-Way Vacation

- a. The Development Director or their designee will provide a signature for an approved plat, noting the City Commission resolution approving the plat. Most typically, it is the City Planner's signature block that is included on the plat for signing.
- b. Once a public dedication has been approved by the City Commission, the applicant will record the final plat in the records of the Miami County Recorder's Office and file a copy with the Development Director.
- c. The applicant must record the final plat in the office of the County Recorder within 60 days after the date of approval; otherwise, the plat will be considered void.

7.2.5. Development Permit

A. Authority

The Development Director oversees the issuance of development permits to ensure that site work conforms to the requirements of this Development Code. This process does not include building permit review by Miami County. A separate building permit application is submitted to the Miami County Department of Development for issuance of a building permit, including any required mechanical, electrical or plumbing permits.

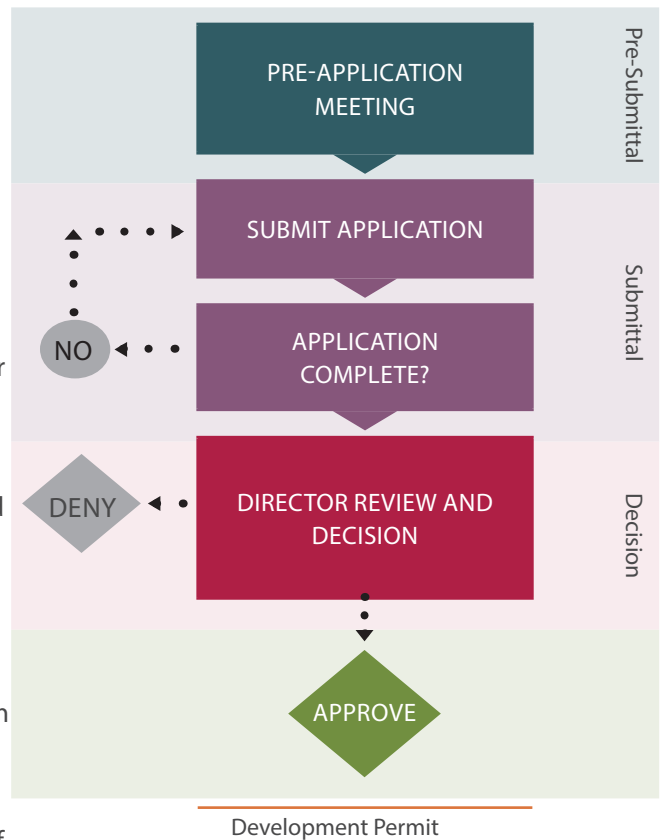
The Development Director has the authority to create a standardized system for permit processing as needed to create conditions for code compliance within the city.

B. Intent and Purpose

A development permit process creates a regular system of review for a variety of activities of construction, temporary event, and occupation of buildings within the city. The Development Code is a complex system of standards, and the intent of the development permit process is to gather the information necessary to determine if an activity complies with these standards on offer information to the applicant if changes to development plans need to be made. Full compliance with the standards of the zoning code does not nullify the requirement for owners to obtain a permit prior to starting any construction activity.

C. Application

1. A development permit is required for the following:
 - a. any site grading, excavation or filling, tree removal (as listed in §5.2.2), storage of materials on a site or removal of materials from the site, clearing or grubbing of more than 2,500 square feet in area, or any work within 100 feet of a Riparian area.
 - b. construction, reconstruction, extension or alteration of any building or structure;
 - c. site infrastructure construction, modification or improvement, including but not limited to permanent fences, temporary and permanent pools,
 - d. changes of use and change of occupancy for non-residential structures; and
 - e. landscaping construction, modification or improvement, the addition of 1,000 square feet or more of impervious surface, or changes to existing parking areas, circulation or access.



- f. temporary uses
2. All development-related activities requiring Planning Commission or City Commission approval as outlined in this chapter will also require a development permit. This review may require more information than was submitted to the commissions to complete a thorough and professionalized review of code standards against plans submitted. Any site details of plans submitted to the Planning or City Commission for review which received approval but do not meet the standards of this code may require adjustment, as determined by review from the Development Director and other applicable City officials. The burden of review against all code requirements falls on the Development Director and other Departments.
 3. The following do not require a development permit.
 - a. Routine maintenance and minor repairs (such as painting, replacing roof shingles or siding to match existing, replacement of windows to match existing) to any part of a building when there is no change in appearance.
 - b. Certain temporary uses as listed in §3.8.2.B.
 4. Activities exempt from development permits may still require building permit review.
 5. Utility system improvements must be authorized by the utility provider; however, the location and activities associated with those facilities require a development permit to ensure compliance with applicable tree protection, buffer or other City standards that may be affected by the construction of utilities.

D. Application Initiation

Any person, firm, corporation or agency may submit an application for a development permit, provided they are the owner or the owner's representative of the property for which the application is being submitted.

E. Submittal Process

1. Schedule a Pre-Application Meeting

Before submitting an application for a development permit, the applicant is encouraged to schedule a pre-application meeting with the Development Director or their representative, to be held either in-person or by phone, to discuss the procedures, standards and regulations required for approval. This initial meeting will establish what type of development permit is required for your project.

2. Submit Application

Following the pre-application meeting, the applicant may start the application process. To begin, submit a complete application, review materials as described by the application, along with the required review fees, to the Development Department.

F. Application Review

1. Initial Distribution of an Application

Upon determination of a complete application, the Development Director will distribute the application for review by internal City departments.

2. Public Hearing Notice

A public hearing is not required for a development permit, therefore, no formal notice of the submittal is published, mailed or posted.

3. Development Director Review

- a. If, after the internal review, the Development Director finds that the application does not meet all applicable requirements of this Development Code, the Development Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the application.
- b. If, after the internal review, the Development Director finds that the application meets all applicable requirements of this Development Code, the Director will approve the application.

G. Approval Criteria

Approval or denial of a development permit is based solely on whether or not the submittal meets or fails to meet the applicable requirements of this Development Code.

H. Administrative Adjustment (modified O-5-24)

1. Authority

The Development Director is authorized to approve administrative adjustments, but is not required to provide an adjustment, except where the Director has interpreted that the adjustment will provide better means of fulfilling the intent statement of the listed standard and the intent of the Development Code as a whole.

2. Approval Criteria

- a. In considering the approval of an administrative adjustment, the Development Director must find that the adjustment conforms with the intent statement of the listed standard and the intent of the Development Code as a whole, and must consider whether:
 - i. There are practical (not financial) difficulties pertaining to the particular piece of property in question because of its size, shape or topography;
 - ii. The requested variance will be in harmony with the purpose and intent of this Development Code and will not be injurious to the neighborhood or to the general welfare; and
 - iii. The variance requested is the minimum variance that will make possible the proposed use of the land, building or structure. The Development Director will approve an administrative adjustment where all of the following conditions exist:

- iv. The adjustment requested is the minimum adjustment that will make possible the proposed building or structure;
 - v. The adjustment cannot be interpreted as having a direct impact on a neighboring property or its values. In general, adjustments to minimum landscape screening, and minimum building or drainage setbacks should be avoided;
 - vi. The adjustment cannot be interpreted as contradicting or amending the terms of approval of the City or Planning Commission, or contradicting a determination made by the Board of Zoning Appeals.
- b. In addition, the adjustment may not exceed a change of more than 15% to any numerically described standard, unless a separate standard on the same site is improved by an equal or greater amount. For example, if the maximum width allowed for a building is 150 feet, an administrative adjustment may be allowed up to 172.5 total feet. Beyond this cap on adjustments, the Development Director may require any additional 15% landscape screening or other equivalent standard in replacement, or require a variance be sought. The Development Director may not create more restrictive standards through adjustments, unless agreed to by the developer, builder, or permit application requestor.
 - c. Standards which the Board of Zoning Appeals lacks authority to provide variances from may not be adjusted by the Director.

3. Record of Administrative Adjustment

When the Development Director grants an administrative adjustment, the adjustment will be recorded through a letter to the applicant stating the adjustment granted. No adjustment may be granted without such a record being created and stored by the Development Department.

4. Validity

An administrative adjustment runs with the land and remains valid in perpetuity, until such time as the land is redeveloped.

I. Denied Application

If unsatisfied with the Development Director's decision in review of a development permit application, the applicant may file an appeal within 30 calendar days of the decision with the Board of Zoning Appeals.

J. Permit Revisions

Revisions to an approved development permit may be approved by the Development Director following review by applicable internal departments consistent with this Section.

K. Application Expiration

An application submitted for a development permit will expire if the Director receives no response to comments or requests for additional information within 60 days of the request. 30 days after notifying the applicant of any outstanding comments, the City will issue a written notice of expiration of permit application to the applicant and require that comments be addressed or permit be obtained within 30 days of issuance of the notice.

L. Permit Validity

A development permit remains valid for the duration of the project, subject to the following time restrictions:

1. Development permits expire 180 days from the date of issuance if no inspection has been requested; or
2. If 180 days pass between inspection requests.

M. Final Inspection

When a construction activity requiring inspection is nearing completion, the applicant will contact the relevant inspector as designated by the development permit issued. After all other inspections have taken place, the Development Director will schedule a final inspection. All required work to meet compliance with the terms of the development permit must be completed promptly by the applicant. The owner of record will be responsible for bringing the site in compliance with the terms of the development permit.

N. Permit Extension

1. The Development Director is authorized to grant an extension of a development permit.
2. The Development Director will determine if existing conditions or adopted standards have changed to the degree that a new review of the application is warranted, and determine whether the stated reason for delay is reasonably outside the control of the applicant.
3. In no case will a development permit remain valid for more than 24 months. Projects associated with expired permits must submit a new development permit application, and may be subject to denial.

O. Requirements for Demolition

1. A development permit issued by the Development Director is required for every demolition of any structure in excess of 200 square feet in area. Every application for a demolition permit must include reasons for demolition, a site plan and other documentation as may be necessary.
2. Where a principal structure must be demolished, all accessory structures must be demolished, unless allowed to remain on the lot through a Special Use approved by the Planning Commission. The retention of garages and sheds is generally discouraged in residential neighborhoods, though exceptions may be made for historic structures, cases where planned redevelopment of a principal structure is shown to be imminent, or other cases the Planning Commission finds appropriate.
3. The following are requirements for all demolition projects:
 - a. removal of all foundations, footers, slabs, service sidewalks, and improvements incidental to the building being demolished;

- b. placement of compacted backfill in openings or excavations and grading to match the existing surrounding surface contours;
 - c. placement of 6 inches of topsoil over all backfilled or disturbed areas;
 - d. placement of grass seed and straw blanket over all backfilled or disturbed areas covered with topsoil;
 - e. placement of erosion control as deemed necessary by the Development Director;
 - f. placement of fence and or any other safety precautions deemed necessary by the Development Director; and
 - g. the site must be stabilized with erosion control measures capable of retaining soil onsite until permanent stabilizing vegetation has re-grown.
4. The site plan submitted should also state other pertinent information, including property boundaries, planned staging areas, and the location of all utilities to the site, as well as their proper disconnection points.
5. Prior to the issuance of a demolition permit, the owner, agent or person with control of the property subject to demolition must execute a license provided by the City, granting to the City the right to enter the property. The license must permit the City to correct or eliminate any unsafe condition at the demolition site before, during and after the demolition, and serve as a guarantee that all required work will be performed. The license granted by the applicant must further provide that the city must have the sole right to determine if a condition is unsafe. The license must further include an agreement providing that the owner, agent or person with control of the property subject to demolition must indemnify the City for its cost to correct or eliminate the unsafe condition or conditions. The agreement must provide that the indemnification may be from the performance bond, cash deposit or other surety the owner, agent or person with control of the property subject to demolition must post with the City to assure the City that the demolition work will proceed as permitted. The value of the surety will not exceed the cost associated with the demolition and site restoration, as determined by a detailed estimate to be provided by the owner, agent or person with control of the property subject to demolition, provided the enforcing official finds the estimate to be a reasonable estimation of the gross costs anticipated to complete the demolition and restoration project. The terms of the surety must provide that the City may retain or claim the surety proceeds if the permit holder fails to perform the demolition or restoration activities in accordance with the permit granted. The value of the surety may be reduced during the course of the demolition work, at the sole discretion of the Development Director, if sufficient surety remains to assure completion of the demolition and site restoration activity.

7.2.6. Building Permit

Building permits, including associated certificates of occupancy, are issued consistent with Division 2.1 of this Development Code. Building Permit review is conducted by the Miami County Department of Development.

7.2.7. Temporary Use Permit

A. Authority

The Development Director oversees the issuance of temporary use permits to ensure that activity conforms to local regulations.

B. Application

A temporary use permit is required for any temporary use listed in §3.8 (Temporary Uses, Permit Required).

C. Application Initiation

Any person, firm, corporation or agency may submit an application for a temporary use permit, provided they are the owner or demonstrate the owner’s permission for the property for which the application is being submitted.

D. Submittal Process

Submit a complete application form, along with the required review fees, to the Development Department.

E. Application Review

1. Initial Distribution of an Application

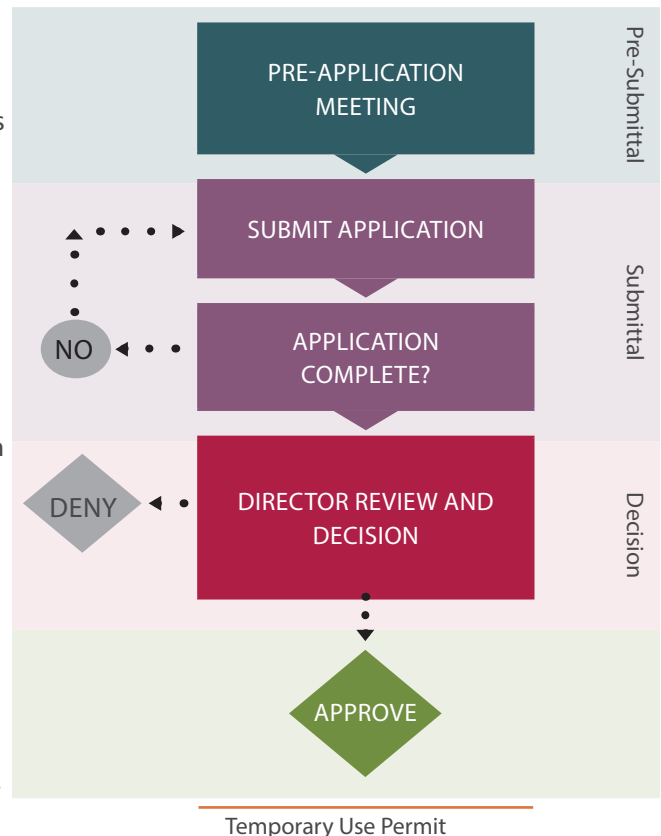
Upon determination of a complete application, the Development Director will distribute the application for review by internal City departments, if necessary.

2. Development Director Review

- a. If, after the internal review, the Development Director finds that the application does not meet all applicable requirements of this Development Code, the Development Director will notify the applicant in writing of the specific provisions that have not been met and offer the applicant the opportunity to make changes to the application.
- b. If, after the internal review, the Development Director finds that the application meets all applicable requirements of this Development Code, the Development Director will approve the application.

F. Approval Criteria

Approval or denial of a temporary use permit is based solely on whether or not the submittal meets or fails to meet the applicable requirements of this Development Code.



G. Conditions of Approval

1. The Development Director may approve a temporary use permit for a period appropriate to the specific use.
2. Conditions that manage or mitigate the impacts of a temporary use may be imposed by the Development Director in the issuance of the permit.
3. The Development Director may require a bond or other suitable guarantee sufficient to:
 - a. ensure that signs, trash, temporary structures and debris will be removed from the site and the immediate vicinity of the site;
 - b. ensure the activity will not continue for longer than the temporary period; and
 - c. ensure compliance with other applicable City ordinances.

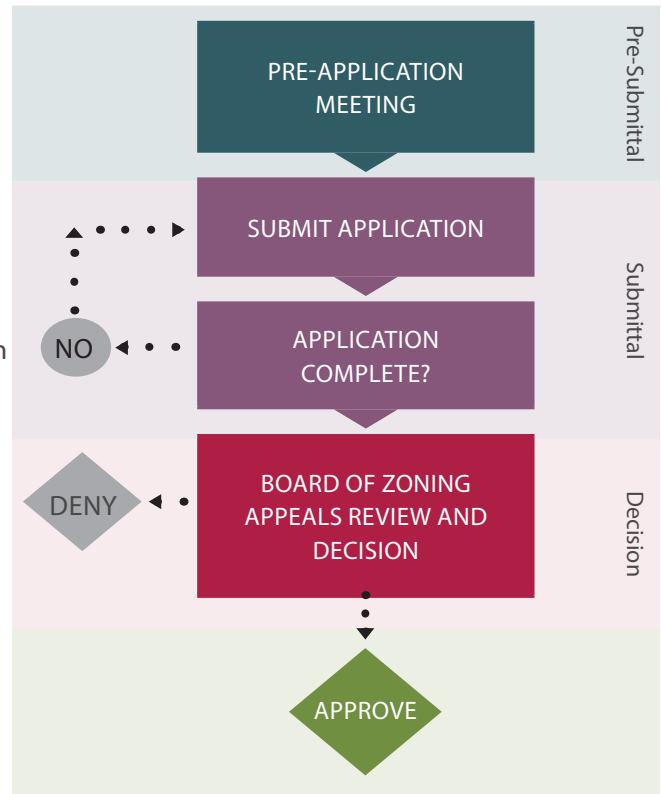
H. Denied Application

If unsatisfied with the Development Director's decision, the applicant may file an appeal within 30 calendar days of the decision with the Board of Zoning Appeals.

7.2.8. Variance

A. Approval Authority

1. Variances are approved or denied by the Board of Zoning Appeals.
2. Only area variances that modify zoning district standards and other dimensional standards in this Development Code are allowed.
3. Use variances that allow a use not permitted within a zoning district are not allowed.
4. The standards in Article 1 General Provisions, Article 5 Environmental Protection, Article 6 Subdivisions and Streets, and Article 7 Administration are not subject to variance by the Board of Zoning Appeals.
5. Sign variances for the purpose of increasing an individual sign's area beyond the maximum given by this code are not allowed.



Board of Zoning Appeals Variance

B. Application Initiation

Any person, firm, corporation or agency may submit an application for a variance, provided they are the owner or the owner's representative of the property for which the application is being submitted.

C. Submittal Process

To begin, submit a complete application form, along with the required review fees, to the Development Department.

D. Development Director Review

After review, the Development Director will schedule the application for the next available Board of Zoning Appeals hearing. The Development Director may make a recommendation to the Board.

E. Board of Zoning Appeals Public Hearing

The Board of Zoning Appeals must conduct a public hearing on the application.

F. Approval Criteria

The Board must apply the following approval criteria.

1. In granting a variance, the Board must determine that one or both of the following factors are met by the request:
 - a. The conditions on which an application for the area variance are based are particular to the subject property - a practical difficulty with respect to the physical size, shape or other

characteristics of the premises or adjoining premises, differentiating it from other premises in the same district; or

- b. The Development Code has not anticipated a particular circumstance through its standards, and the variance would result in an improvement of the property that is more appropriate and more beneficial to the community than would be the case without the granting of the variance.
2. In granting a variance, the Board must also determine that all of the following factors are met by the request:
 - a. The spirit and intent behind the requirement would be observed by granting the variance;
 - b. The variance is the minimum necessary to create an appropriate design outcome and to achieve a beneficial improvement of the property;
 - c. The variance will not create hardship or impact the use or enjoyment of neighboring properties;
 - d. The applicant has proposed acceptable remedies for impacts generated by the variance;
 - e. The variance will not adversely affect the delivery of governmental services (for example, water, sewer, trash collection); and
 - f. The property owner's development challenges cannot feasibly be rectified through some method other than a variance (for example, the purchase of additional land or access easements).

G. Denied Application

Decisions of the Board of Zoning Appeals are final. Those not satisfied with a decision of the Board of Zoning Appeals may pursue an appeal by filing a writ of certiorari with the Miami County Court of Common Pleas within 30 calendar days of the decision.

H. Validity

A variance runs with the land and remains valid in perpetuity, until such time as the land is redeveloped.

7.2.9. Appeal of an Administrative Decision

A. Authority

The Board of Zoning Appeals has the authority to review administrative decisions made by the Development Director or their representatives that are appealed. An appeal of a decision made by City administration is not equivalent to an appeal of a code requirement, which may be resolved through the variance process. Appeals of decisions made by the Planning Commission or City Commission must be made to the Miami County Court of Common Pleas directly.

B. Application Initiation

Any applicant or immediate neighbor unsatisfied with a decision by the Development Director or their representative on an application may file an appeal with the Board of Zoning Appeals.

C. Submittal Process

To begin the appeal process, submit a complete application form, along with the required review fees, to the Development Department. The appeal application must be filed within 30 calendar days of the date of decision of the Development Director.

D. Notice

Notice of a public hearing before the Board of Zoning Appeals is required as shown in §7.1.1.

E. Transmittal by Development Director

Any appeal received and all papers constituting the record relating to the action appealed will be transmitted by the Development Director to the Board of Zoning Appeals.

F. Other Approvals

The filing of an appeal means the applicant may no longer move forward with any other approvals related to their development project, unless the Development Director certifies to the Board of Zoning Appeals that, in the Development Director's opinion, not moving forward would cause immediate peril to life or property.

G. Board of Zoning Appeals Public Hearing

The Board of Zoning Appeals will conduct a public hearing and make findings and render a decision within 30 calendar days after the public hearing on the administrative appeal.

H. Review Criteria

The review by the Board of Zoning Appeals is conducted on the record established as part of the Development Director's decision. The criteria for approval or denial of the appeal are the same criteria used for the original decision by the Development Director as directed by adopted standards and a determination whether:

- a. The appellant can reasonably be interpreted to have a significant interest in the decision.
- b. The Development Director took a reasonable interpretation of code requirements.

- c. The Development Director carried out their duties according to adopted law.
- d. The Development Director's actions were consistent with professional and ethical standards of conduct.
- e. The Development Director's actions were consistent with policies adopted by the City of Piqua.

I. Judgment

Where the Board has concluded by a majority vote that the Development Director or their representative has erred in some way in the performance of their duties or judgment of the code, the Board may vote to modify or overturn any order made by the Development Director.

J. Denied Appeal

Decisions of the Board of Zoning Appeals are final. Those not satisfied with a decision of the Board of Zoning Appeals may pursue an appeal by filing a writ of certiorari with the Miami County Court of Common Pleas within 30 calendar days of the decision.

Div. 7.3. Nonconformities

7.3.1. General

A. Defined

A legally-established use, structure, building, site element, lot or sign that does not meet the current requirements of this Development Code.

B. City Policy

The City's policy with regard to nonconformities of all types is that they may be allowed to continue, subject to the standards in this Division, which provide parameters to resolve nonconformities incrementally or wholesale during specified development events.

C. Burden of Proof

The owner of the property with one or more nonconformities carries the burden of demonstrating that the nonconformity was established legally prior to the adoption of this Development Code, and, for nonconforming uses, that the use has been continuous since that time.

7.3.2. Nonconforming Use

A. Defined

Any lawful use of land or building occupied at the time of passage of this Development Code, or any amendment to this Development Code, that does not conform with the use regulations of the zoning district in which it is situated.

B. Continuance

A nonconforming use is allowed to continue legally, even though the use does not conform with the provisions of this Development Code, subject to the following provisions:

1. The nonconforming use must not be expanded to occupy a greater area of land or building;
2. The nonconforming use must continue in the original building, structure or on land area that was originally occupied by the nonconforming use;
3. The nonconforming use will not be reinstated after it has been abandoned. It is considered prima facia evidence of abandonment for the owner or operator of the nonconforming use to:
 - a. discontinue the nonconforming use for 6 months;
 - b. fail to maintain utility service required for the use for 6 months;
 - c. fail to declare and remit the sales tax required by State law for the nonconforming use; or
 - d. fail to follow any state, federal or local administrative procedure or regulation that is required for the nonconforming use.

4. The nonconforming use must not be changed to another nonconforming use of a more intensive nature by expanding its footprint or any measurable element, including noise, traffic, etc. Where ambiguity exists or expansion is proposed, an approval from the Planning Commission must be obtained;
5. The nonconforming use must maintain any screening or buffering that existed prior to the use becoming a nonconforming use or that was later voluntarily added;
6. Nothing in this Section will be construed to allow a use that is dangerous to the general public to continue to exist; and
7. Nothing in this Section will be construed not to require changes to buildings and structures to comply with any fire code, life safety code or other safety ordinance or regulation.

7.3.3. Nonconforming Structure

A. Defined

A building or structure that does not conform with the requirements of this Development Code. This section does not apply to signs (see §7.3.6). Also called "non-standard conditions" to distinguish from uses.

B. Continuance

A nonconforming structure is allowed to continue legally even though the structure does not conform with the provisions of this Development Code, subject to the following provisions:

1. Regular maintenance and repairs to a nonconforming structure are allowed;
2. A nonconforming structure may be expanded, altered or rebuilt where such expansion, alteration or rebuilding conforms with all the applicable requirements of this Development Code;
3. No new nonconformity may be created by any expansion, alteration or rebuilding;
4. Expansion on the vertical plane, such as the addition of another story to a nonconforming structure that does not meet the district setback, is considered an expansion of the nonconformity and prohibited. Expansion on the vertical plane in conformance with all the applicable requirements of this Development Code is allowed; and
5. The nonconforming structure may not be rebuilt, altered or repaired after damage or deterioration exceed 75% of its replacement cost at the time of destruction, except in conformity with this Development Code. Where a residential structure is damaged or destroyed through natural catastrophe, the Development Director may allow it to be reconstructed without regard to the extent of damage, provided that the extent of any prior structure nonconformity remains the same or is reduced for the new structure. A request to expand, alter or rebuild an existing nonconforming structure may be brought before the Board of Zoning Appeals as a request for a variance.

7.3.4. Nonconforming Site Element

A. Defined

A site element on a lot that does not comply with the design requirements of this Development Code. Also referred to as "non-standard conditions" to distinguish from uses.

B. Continuance

Where a lot does not conform with the design requirements of this Development Code, the following requirements apply:

1. When a new principal structure is constructed on the lot, the area of the lot that accommodates the building, any required stormwater facility, and any parking or motor vehicle area must be brought into conformance. The Development Director may determine that for all practical purposes, the proportion of new construction in relation to the total area of the lot is substantial enough that the total site needs to come into conformance. On a lot with multiple buildings, only that portion of the lot associated with the new construction and its associated parking area must be brought into conformance;
2. When an existing principal structure is increased in floor area by at least 25% cumulatively over 5 years from the effective date of this Development Code, the area of the lot that accommodates the expanded building, any required stormwater expansion, and any expanded parking area must be brought into conformance with the standards of this Development Code;
3. When an existing principal structure is increased in floor area by 50% or more cumulatively over 5 years from the effective date of this Development Code, the entire lot, including any building, any required stormwater facility, and any parking area must be brought into conformance;
4. When an existing fence or wall is reconstructed or repaired along at least 50% of its length, the entire fence or wall must be brought into conformance with Article 4 Development Standards;
5. Resealing or restriping an existing parking lot does not require coming into conformance with Article 4 Development Standards, except with regard to the minimum dimensions for striping.

7.3.5. Nonconforming Lot of Record

A. Defined

A lot that was legally platted that no longer meets the standards of this Development Code.

B. Continuance

A nonconforming lot of record that is inadequate in area or width is considered buildable under this Development Code, provided it meets all of the other remaining standards of the Code, including setbacks.

7.3.6. Nonconforming Sign

A. Defined

A sign that does not comply with the requirements of Div. 4.7 Signs.

B. Continuance

1. Nonconforming signs remain in place until one of the following conditions occurs:
 - a. The advertised business ceases at that location;
 - b. The facade of the associated principal building is modified;
 - c. The deterioration of the sign or damage to the sign makes it a hazard or renders it dilapidated, unsightly or unkempt; OR
 - d. the sign has been damaged to such extent that more than minor repairs or a material change is required to restore the sign.
2. All nonconforming signs must be maintained in good repair.
3. A nonconforming sign must not be replaced by another nonconforming sign, except that the substitution or interchange of poster panels, painted boards, or dismountable material on nonconforming signs is permitted, provided that the replacement does not constitute a material change to the sign.
4. Minor repairs and maintenance of nonconforming signs are permitted; provided that no structural repairs or changes in the size or shape of a nonconforming sign are permitted, except to make the sign comply with the standards of this Development Code.

Div. 7.4. Review Fees and Registration

7.4.1. Intent

Fees for review are intended to be charged to offset the costs of the review. All construction circumstances are different, and though may fall into similar categories, may come in different orders of magnitude with respect to review and inspection oversight. The Development Director determines the review category required for payment to the best fit in terms of administrative hours required for review and inspection. The categories presented are intended to provide flexibility between major and minor categories of work to prevent overburdening those who are performing relatively minor construction in terms of time spent for review or inspection.

REVIEW TYPE	FEE*
Administrative	
Zoning Verification Letter	\$30 / parcel
Change of Occupancy Permit	\$0
Change of Use Permit	\$75
Sign	\$50
Temporary Use	\$0
Residential Accessories/Additions	\$50
Residential Primary Structure	\$150
Residential Fences	\$25
Commercial Accessories/Additions	\$100
Commercial Primary Structure	\$300
Commercial Demolition	\$150
Residential or Minor Demolition	\$75
Floodplain Permit	\$75
Administrative Plat Review without Dedication	\$100
Public Hearing	
Appeal	\$0
Residential Variance	\$75
Commercial Variance	\$150
Special Use or Rezoning	\$150
Certificate of Appropriateness, Administrative	\$0
Certificate of Appropriateness, Public Hearing	\$50
Plat Review with Dedication - Subdivision with 5 or more buildable lots	\$250
Plat Review with Dedication - 4 or fewer buildable lots	\$150
Construction Documents for Dedication	\$450

*Fees will increase each year on January 1st, beginning in 2026. The increase will be equal to 3% of the existing fee, rounded down to the nearest dollar increment. The Development Department will publish these fees in a schedule each year.

7.4.2. Contractor Registration

- A. Except as otherwise provided, no person, firm or corporation may undertake, offer, perform of contract to provide plumbing, hydronic, electrical, heating, ventilation, air conditioning, or refrigeration services as described by Ohio Revised Code 4743, without first having obtained an appropriate certificate of registration from the city in the manner specified in this code.
- B. The City will issue to an applicant a certificate of registration indicating the trade in which the applicant is authorized to perform work as a master tradesman, if the applicant provides payment of \$100 and prove of the following:
 - 1. Receipt of a State of Ohio specialty contractor license issued pursuant to Ohio Revised Code 4740
 - 2. Insurance required by Ohio Revised Code 4740.06(B)(4).
 - 3. Compliance with Ohio Revised Code Chapters 4121 and 4123.
 - 4. A bond in the amount of \$3,000.
 - 5. An affidavit stating no local tax payments owed by the applicant are delinquent.
- C. The City will issue to a master tradesman a certificate of registration indicating those who may perform work as a journeyman under the supervision of the master tradesman in a trade the master tradesman is registered, if the master provides payment of \$25 for each journeyman.
- D. The provisions of this subchapter do not apply to federal, state or local governments, their departments, officers agents or employees while acting in their official capacity; nor will the provisions of this subchapter apply to work performed on any manufactured equipment during its manufacture or testing. These provisions also do not apply to any person installing, repairing, altering or adding to a system (in compliance with all applicable state and city regulations) of a detached on, two or three-family dwelling or any structure incidental to those dwellings, when the owner of the structure is performing their own work, or work is being performed on the structure by the owner's immediate family.
- E. In the event of a violation of this chapter, the City Manager or their designee is empowered to revoke the violator's certificate of registration previously granted. The involved licensee will have the right of appearing before the City Manager before the registration is revoked. No application of a contractor whose registration has been revoked by the City Manager will be entertained until 365 calendar days after the revocation has transpired.

Div. 7.5. Violations & Enforcement

7.5.1. Authority

- A. The Development Director is designated and authorized to enforce the provisions of this Development Code to prevent, correct or abate unlawful change.
- B. The Development Director is authorized to issue orders to prevent and stop violations and to enforce and administer the provisions of this Development Code. The Development Director may be assisted by any personnel authorized by the City Manager.

7.5.2. Violation

No person, firm, or corporation may violate any provision of this Development Code or any amendment or supplement to this Development Code.

A. Permits

No building or other structure may be erected, moved, added to, enlarged, extended, converted, reconstructed, demolished, or structurally altered without the permits incidental and necessary to the enforcement of this Development Code having been issued by the enforcing official, the issuance of which may be held subject to compliance with any other requirement described within the City Code of Ordinances that is deemed applicable to the subject project by the enforcing official. No permit may be issued except in conformity with the provisions of this Development Code.

B. Permit Conditions

If the enforcing officer finds at any time that the terms, conditions and requirements of a Special Use permit or a variance have not been complied with, or that any phase has not been completed within the time required under a Special Use permit or variance that time conforming to the time indicated on the development permit, for the specific use, the enforcing officer must report this fact to the Planning Commission which may, after a hearing of which the permittee will be notified, revoke the Special Use permit for failure to comply with the terms, conditions, and requirements, or take any other action as it may deem necessary to obtain compliance.

C. Certificate of Appropriateness

Any owner, owners, individual, individuals, association, partnership, corporation or other legal entity which makes a change within any Historic District without first obtaining a Certificate of Appropriateness, or, having obtained a Certificate of Appropriateness, makes any change deviating from the plans and application approved by the Planning Commission in its approval, will be fined not more than \$500 plus the costs of prosecution. Each day that a violation continues constitutes a separate offense.

D. Certificate of Occupancy

It is a violation of this Development Code to use or occupy or permit the use or occupancy of any building or premises, or both, or any portion of a building or premises, that is created, erected,

changed, converted, or wholly or partly altered or enlarged in its use or structure, until an occupancy permit has been issued by the enforcing officer, stating that the proposed use of the building or land conforms to the requirements of this Development Code. This provision applies to all buildings and uses, except the raising of crops and other agricultural uses.

7.5.3. Notice of Violation

- A. If the City determines that an applicant or other responsible person has failed to comply with the terms and conditions of a permit, an approved site plan or an approved subdivision, the Development Director will issue a written notice of violation to the applicant or other responsible person.
- B. Where a person is engaged in activity covered by this Development Code without having first secured the appropriate permit for the work, the notice of violation is served on the owner or the responsible person in charge of the activity being conducted on the site.
- C. The notice of violation must contain:
 - 1. the name and address of the owner, or the applicant, or the responsible person;
 - 2. the address or other description of the site upon which the violation is occurring;
 - 3. a statement specifying the nature of the violation;
 - 4. a description of the remedial measures necessary to bring the action or inaction into compliance with the permit, the approved site plan or approved subdivision and the date for the completion of such remedial action;
 - 5. a statement of the penalty or penalties that may be assessed against the person to whom the notice of violation is directed; and
 - 6. a statement that the determination of violation may be appealed to the City by filing a written notice of appeal within 30 days after the notice of violation (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is deemed sufficient).

7.5.4. Remedies

- A. If any building or land is used, altered, constructed, enlarged, or any action proposed in violation of the provisions of this Development Code or any amendment or supplement of this Development Code, the Law Director, the Development Director, any person or any property owner damaged by or subject to damage by the violation in addition to other remedies provided by law, is hereby empowered or authorized to institute appropriate action or proceedings to prevent the unlawful location, erection, construction, reconstruction, alteration, enlargement, change, maintenance or use.
- B. Nothing in this Division prevents the City from taking any other lawful action as is necessary to prevent or remedy any violation.

- C. In the event the remedial measures described in the notice of violation have not been completed by the date set forth for completion in the notice of violation, any one or more of the following actions or penalties may be taken or assessed against the person to whom the notice of violation was directed.
- D. Before taking any of the following actions or imposing any of the following penalties, the City must first notify the applicant or other responsible person in writing of its intended action, and provide a reasonable opportunity, of not less than 10 days (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is deemed sufficient), to cure the violation.
- E. In the event the applicant or other responsible person fails to cure such violation after such notice and cure period, the City may take any one or more of the following actions or impose any one or more of the following penalties:

1. Stop Work Order

The Development Director may issue a stop work order that is served on the applicant or other responsible person. The stop work order will remain in effect until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violation or violations described, provided the stop work order may be withdrawn or modified to enable the applicant or other responsible person to take necessary remedial measures to cure such violation or violations.

2. Withhold Certificate of Occupancy

The City may refuse to issue a certificate of occupancy for the building or other improvements constructed or being constructed on the site until the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described.

3. Suspension, Revocation or Modification of Permit

The City may suspend, revoke or modify the permit authorizing the project. A suspended, revoked or modified permit may be reinstated after the applicant or other responsible person has taken the remedial measures set forth in the notice of violation or has otherwise cured the violations described, provided such permit may be reinstated (upon such conditions as the City may deem necessary) to enable the applicant or other responsible person to take the necessary remedial measures to cure such violations.

4. Civil Penalties

In the event the applicant or other responsible person fails to take the remedial measures set forth in the notice of violation or otherwise fails to cure the violations described within 10 days or such greater period as the City deems appropriate (except that in the event the violation constitutes an immediate danger to public health or public safety, 24 hours' notice is deemed sufficient) after the City has taken one or more of the actions described above, the City may impose a penalty not to exceed \$1,000 (depending on the severity of the violation) for each day the violation is not remedied after receipt of the notice of violation.

5. Criminal Penalties

In addition to the penalties listed above, any violation set forth in this Development Code is a misdemeanor of the first degree subject to the fines and jail term set forth for a first degree misdemeanor in the Ohio Revised Code. Additionally, every day a violation occurs constitutes a separate misdemeanor upon which charges may be brought. Charges for said violations will be filed in the Miami County Municipal Court and brought by an authorized representative of the Development Director.

ARTICLE 8.

DEFINITIONS

Div. 8.1. Abbreviations

The following abbreviations appear in this Development Code:

ABBREVIATION	FULL TERM
ADA	Americans with Disabilities Act
ADU	Accessory Dwelling Unit
ANSI	American National Standards Institute
BFE	Base Flood Elevation
DBH	Diameter at Breast Height
ft, ' (as in "3'")	Feet
GIS	Geographic Information System
HLO	Historic Landmark Overlay
ITE	Institute of Transportation Engineers
SCM	Stormwater Control Measure
"min", "max"	minimum, maximum
SF	Square Feet
SMP	Stormwater Management Plan
SWPO	Source Water Protection Overlay
TDM	Transportation Demand Management

Div. 8.2. Defined Terms

A

Accessory Building. See "accessory structure".

Accessory Dwelling Unit. A small secondary dwelling unit located on the same lot as a principal dwelling unit.

Accessory Structure. Any structure on the same lot as the principal building and serving a purpose incidental and subordinate to the principle building or use.

Accessory Use. Any use of a lot or of a building serving a purpose incidental and subordinate to the principal use of that lot or building.

Active Use. A use that facilitates habitation or occupation of a space by people.

ADA, The Americans with Disabilities Act. For the context of this Development Code, "ADA" means "ADA-compliant," and able to serve those who use wheelchairs or other mobility devices.

Agriculture. Use Classification (See Article 3). The practice of growing and harvesting crops.

Alley. A public or private accessway used primarily for vehicular service access to the rear or the side for properties otherwise abutting on a street.

Alley, improved. An alley that has been constructed. An unimproved alley is one that has been platted and dedicated but was not constructed as planned.

Alley Lot Line. The legal boundary separating private property from an alley right-of-way.

Alley Lot Line Setback. A required distance between structures on a lot and the alley lot line.

Alternative Financial Services. Use Classification (See Article 3). Establishments or institutions that are not state or federally chartered banks, savings and loan associations, mortgage lenders, credit unions, or industrial loan companies, that are used for any of the activities listed under the definition of Article 3.

Animal Care. Use Classification (See Article 3). The care and boarding of domesticated animals for compensation.

Animal Care, Indoor. Use Classification (See Article 3). A completely enclosed facility designed or arranged for the care of animals without any outdoor activity.

Animal Care, Outdoor. Use Classification (See Article 3). A facility designed or arranged for the care of animals that includes outdoor activity.

Assisted Living. Use Classification (See Article 3). Residential occupancy of a dwelling unit or shared living quarters, typically by more than 6 unrelated people for purposes of receiving support. Generally, group living facilities have a common eating area for residents, and residents may receive care or training.

Average Grade. The elevation yielded by averaging the highest and lowest elevation of the sidewalk in front of the primary street-facing building facade. Div. 2.9.

Awning. An architectural projection that is a rooflike cover extending over or in front of a place (over the deck or in front of a door or window) as a shelter.

B

Bar. A commercial use that sells alcohol without the provision of a full menu from an on-site kitchen.

Base Flood. The flood having a 1% chance of being equaled or exceeded in any given year. May also be referred to as the 1% chance annual flood or 100-year flood.

Base Flood Elevation (BFE). The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in feet mean sea level (MSL). In Zone AO areas, the base flood elevation is the natural grade elevation plus the depth number (from one to three feet).

Basement. Any area of the building having its floor subgrade (below ground level) on all sides.

Boarding House. A facility that contains individual rooms without cooking facilities that are rented to the general public. The facility may or may not contain shared living areas.

Brewpub. A facility licensed by the Ohio Division of Liquor Control that produces beer, cider or mead in primarily for consumption on the premises.

Building Break. The minimum distance that structures are required to be separated in order to establish them as separate buildings for the purpose of measuring building width. See §4.1.2.

Building Frontage. The measurement of linear feet of a building that fronts, or faces, onto a street, not including driveways and pedestrian courtyards between buildings.

Building Height. See "structure height".

Building Perimeter. The outermost continuous edge or boundary of a building footprint.

Building Width. See "structure width".

C

Caliper. The diameter measurement of the stem or trunk of a plant. See ANSI Nursery Stock Standards for caliper measurement.

Car Wash. Use Classification (See Article 3). A facility with equipment used for cleaning, washing, polishing, or waxing of motor vehicles. This does not include car washes that are accessory facilities to a fueling station or convenience store.

Cemetery. Use Classification (See Article 3). A burial ground for the internment of the deceased and associated columbariums, crematories, mausoleums, and mortuaries.

Circulation. Spaces within buildings dedicated to the movement of people, including entrances, corridors, hallways, staircases, ramps and elevator shafts.

Civic. Use Classification (See Article 3). Places of public assembly that provide ongoing governmental, life safety, educational and cultural services to the general public, as well as meeting areas for religious practice.

Civic Facility. Use Classification (See Article 3). A facility for offices and meeting places designed for and used by the general public. Civic facilities typically include schools, universities, places of worship, libraries, government buildings, and other similar uses and structures.

Clear Height. The vertical dimension of the occupiable portion of an architectural feature at the shortest point.

Clear Trunk Height. The portion of the trunk maintained free of any branches measured from the top of root ball to the underside of the lowest branch. See ANSI Nursery Stock Standards for clear trunk height measurement.

Clear Width. The horizontal dimension of the occupiable portion of an architectural feature at the narrowest point (unless otherwise noted).

Club/Lodge. Use Classification (See Article 3). A facility used for associations or organizations of an educational, fraternal or social character, not operated or maintained for profit. Representative organizations include Kiwanis, Rotary Club, Elks, Veterans of Foreign Wars and Lions.

College/University. Use Classification (See Article 3). An institution of higher learning providing facilities for teaching and research and authorized to grant degrees or certificates.

Color Rendering Index (CRI). A quantitative measure of the ability of a light source to reveal the colors of various objects faithfully in comparison with an ideal or natural light source.

Commercial Agriculture. The large-scale growing and harvesting of crops for resale, including the use of mechanized equipment.

Commercial Use. Commercial uses include all uses listed in the Commercial Use Category of the use table. See Div. 3.2.

Commercial Vehicle. Vehicles weighing 10,000 pounds or more, exceeding 22 feet in length or 80 inches in width (excluding mirrors); and step up vans, heavy trucks, semi trailers, truck tractors, tractor trailers, moving vans, box trucks, dump trucks, tow trucks, wreckers, buses, school buses, cranes, earthmovers, bulldozers, backhoes, trenchers, construction equipment, or similar vehicles.

Common Lot Line. Any lot line shared by two adjacent properties. A common lot line may be a side lot line, rear lot line, or other lot line.

Common Lot Line Screen. A visual buffer required along common lot lines for certain uses. See §4.3.7.

Community Garden. Use Classification (See Article 3). Land gardened and maintained by members of a community for the benefit of the community.

Construction Trades and Contractor Office. These activities include heavy construction, building, cement, electrical, heating and air conditioning, masonry, plumbing, painting and wallpapering, roofing, glazing, but does not include salvage materials or debris.

Corner Lot. A lot located at the intersection of two or more streets having an angle of intersection of not more than 135 degrees.

Cottage Court. A development patterns of homes, usually smaller than typical, around a shared pedestrian courtyard.

Courtyard. In regards to a Cottage Court development, a courtyard is a central open or natural space that is shared by dwelling units within the Cottage Court.

D

Day Care. Use Classification (See Article 3). A facility designed for the daytime care of children.

Development. Any human-caused construction on or change to real property, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

Diameter at Breast Height (DBH). The outside bark diameter measured at 4.5 feet above the ground plane on the uphill side of the tree. See ANSI Nursery Stock Standards for more details.

Direct Pedestrian Accessway. A path from a public walkway to an entry of a building that is not interrupted by a parking lot, driveway or other motor vehicle use area. See §4.2.4.

District. See "Zoning District".

Dormitory. A college or university building containing living quarters for students.

DIV. 8.1. ABBREVIATIONS.8-2

DIV. 8.2. DEFINED TERMS.8-2

Downtown Zoning District. A zoning category which has rules that encapsulate the urban form of the pre-WWII era and many modern international examples, with an openness to mixed use and mixed density development in the pursuit of a walk-friendly environment. These districts are generally mapped closest to the originally platted core of the city.

Drive Approach. An area of depressed curb, often required to flare, which is constructed to allow vehicle access from a road into a lot.

Drive-Thru. A facility where customers can be served without leaving their cars.

Driveway. An path on a lot designated to provide private vehicular access to and from the lot's designated parking spaces and the adjacent right-of-way.

Duplex. A structure with two dwelling units.

Dwelling Unit. A building, or a portion of a building, designed for occupancy of one household for residential purposes and having living, cooking, sleeping and sanitation facilities.

E

Easement. A right given to a person or entity to traverse upon or use land owned by another.

Essential Services. Use Classification (See Article 3). Uses focusing on the provision and maintenance of public utilities and emergency services.

Emergency Services Facility. Use Classification (See Article 3). A facility that houses vehicles with sirens that respond to emergencies, including but not limited to fire stations and police stations.

Essential Service Facility. Use Classification (See Article 3). Facility that stores vehicles, equipment and supplies for utility providers and may also provide space for offices or other meeting spaces.

External Reflectance. An amount of light that reflects on the outside portion of a building surface, like a window.

F

Facade. An exterior face of a building.

Federal Emergency Management Agency (FEMA). The agency with the overall responsibility for administering the National Flood Insurance Program.

Fill. A deposit of earth material placed by human intervention.

Flag. A fabric or other flexible material designed to convey a message and be flown from a flagpole.

Flatwork. A horizontal, flat construction component that is normally placed or laid down to form a surface. Flatwork includes concrete slabs, patios, sidewalks, parking areas, and pool coping.

Flood. A general and temporary condition of partial or complete inundation of normally dry land caused by a weather event.

Flood Hazard Boundary Map (FHBM). Usually the initial map, produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development for a community, depicting approximate Special Flood Hazard Areas.

Flood Insurance Rate Map (FIRM). An official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development that has delineated the areas of Special Flood Hazard.

Flood Insurance Risk Zones - A, A1-30, AO, AH, A99, B, X, and C. See the FEMA website for definitions for each zone.

Flood Insurance Study. The official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries, and the water surface elevations of the base flood.

Floodway. A floodway is the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge.

Floor Area. The total area of floor space within a structure.

Footcandle. A unit of illumination, equivalent to the illumination produced by a source of one candle at a distance of one foot and equal to one lumen incident per square foot.

Fourplex. A building that contains four units. The most typical arrangement is two units side-by-side, and two units stacked on top on the second floor.

Freeboard. A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management.

Frontage. The portion of a building, lot, or site located adjacent to and oriented to a public right-of-way.

Frontage Screen. A visual buffer between certain uses and a public right-of-way. See §4.3.7.

Fueling Station. Use Classification (See Article 3). A retail facility that sells or provides fuel for motor vehicles, with or without personnel. The facility may or may not include a convenience or other retail store.

Full Story. See "story".

G

Garage. A structure 200 SF or larger designed primarily for storing a vehicle or vehicles.

Detached Garage. A detached structure designed primarily for storing a vehicle or vehicles.

Grade. The elevation or contour of the ground surface of a lot.

Gross Floor Area. The sum of all floor areas within a structure.

Ground Floor Elevation. The height above grade that the floor of a habitable space is built. See §4.1.3.

Ground Story. The first story above grade where the finished ground floor elevation is more than 6 feet above finished grade for any portion of the building perimeter.

Ground Story Height. The height of the first story of a building. See §4.1.3.

H

Habitable Space. Any occupiable space designed and intended for living, sleeping, eating, or cooking.

Restrooms, toilet rooms, closets, halls, storage or utility spaces, and similar areas are not considered habitable spaces.

Half Story. See §4.1.3.

Historic Structure. Any structure that is:

- Listed individually in the National Register of Historic Places or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
- Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office; or
- Added to the City of Piqua registration of historic landmarks.

Home Occupation. Use Classification (See Article 3). Commercial activity carried on by the resident of a dwelling unit, where the occupation is secondary to the use of the dwelling unit for residential purposes.

Hospital. Use Classification (See Article 3). An institution licensed by the State of Ohio Department of Health and providing health services primarily for in-patient medical or surgical care of the sick or injured, and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities and staff offices which are an integral part of the facility, provided the institution is operated by, or treatment is given under direct supervision of a licensed physician.

Hospitality. Use Classification (See Article 3). Accommodations arranged for short-term stays that are typically less than 30 calendar days.

Hotel. Use Classification (See Article 3). A building occupied as the temporary abode of individuals who are lodged with or without meals, in which there are 6 or more sleeping rooms, and which must have no provision made for cooking in any individual room. A hotel may include a restaurant or cocktail lounge, public banquet halls, ballrooms, meeting rooms, or other commercial uses.

Household. Related people or 6 or fewer unrelated people occupying a single dwelling unit.

Household Living. Use Classification (See Article 3). Residential occupancy of a dwelling unit on a monthly or longer basis

Hydrologic and Hydraulic Engineering Analysis. An analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

I

Impervious Cover. A measurement of the total impervious surface on a lot. See §2.9.2.

Impervious Surface. Any man-made paved, hardened or structural surface, regardless of material, that significantly impedes or prevents the natural infiltration of water into soil.

Inactive Use. Parking, storage, and uses that are not intended to be directly engaged with or inhabited by people.

Indoor Recreation. Use Classification (See Article 3). A commercial facility, varying in size, providing regularly scheduled recreation-oriented activities in an indoor setting.

Industrial, Low-Impact. Use Classification (See Article 3). A facility for small-scale, craft production, that produces or makes items that by their nature, are designed or made by an artist or craftsman by using hand skills.

Industrial, Moderate-Impact. Use Classification (See Article 3). A facility where processing, fabricating, assembly, or disassembly of items that takes places primarily within an enclosed building, and noise, smells or other noxious or offensive effect is largely dissipated at the property line.

Industrial, High-Impact. Use Classification (See Article 3). A facility that involves the manufacturing or storage of dangerous, noxious or offensive uses or a facility that has smoke, odor, noise, glare, fumes, gas, vibration, threat of fire or explosion, emission of particulate matter, interference with radio, television reception, radiation or any other likely cause.

Invasive Species. A non-native or alien plant species whose introduction is likely to cause harm to environmental or human health. For a list of invasive species, refer to the Ohio Invasive Plants Council.

J

Junk Yard, or Wrecking Yard. An open area where waste, used or secondhand materials are bought and sold, exchanged, stored, baled, packaged, disassembled, or handled, including but not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. This use includes automobile wrecking yards and any area of more than 200 square feet for storage, keeping, or abandonment of junk, but does not include uses established entirely within enclosed buildings. An open area containing two or more inoperative or unlicensed vehicles must be construed to be a junk yard.

L

Letter of Map Change (LOMC). An official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. Sub-types of the LOMC are Letters of Map Amendment, Letter of Map Revision, and Conditional Letters of Map Revision.

Library/Museum. Use Classification (See Article 3). A facility containing collections of books, manuscripts, and similar materials for study and reading, or exhibiting works of art or objects in one or more of the arts and sciences.

Live/Work. Use Classification (See Article 3). A residential occupancy of one or more rooms or floors used as a dwelling unit with adequate work space reserved for and regularly used by one or more persons residing there and nonresidential employees. A live/work unit combines both residential and nonresidential uses within a single unit.

Lot. An officially recorded parcel of land, given an individual lot number.

Lot Area. The total square footage of a lot. See §2.9.2.

Lot Frontage. The horizontal distance between the side lot lines, which may also includes all front yard and front facade depth.

Lot Line. The officially recorded as distinguishing one property from another or from the right-of-way. In some instances, right-of-way easements must be treated as a property line where roadway has not been dedicated.

Lot Width. The measurement of a lot along the lot line along a primary street. See §2.9.2.

Lowest Floor. The lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an enclosure below the lowest floor which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

M

Mechanical Equipment. Machines that support the functioning of a building, typically including, though not limited to, gas meters, water softeners, pool equipment, electric and water meters, electrical panels, water heaters and HVAC, and solar panels.

Medical. Use Classification (See Article 3). A facility providing medical care to patients. Some facilities may offer overnight care.

Medical Marijuana Dispensary. Use Classification (See Article 3). A retail provider of medical marijuana, as regulated by Chapter 3796 of the Ohio Revised Code.

Mezzanine. An intermediate floor in any story occupying not more than two-thirds of the floor area of the story.

Mixed-Use Structure. A structure that provides units or spaces for a variety of uses, typically with an active commercial component on the ground story and office or residential or additional commercial spaces in the upper stories.

Motor Vehicle Use Area. An area constructed for the purposes of driving or parking on a lot.

Multiunit. For residential structures, three or more dwelling units located within the same structure is considered multi-unit living. For mixed-use structures, any dwelling unit located within the structure is considered multi-unit living.

N

Native. Plants native to the Ohio area, as defined by the Ohio Department of Natural Resources.

Non-Protected District. Those zoning districts that are not listed as protected districts in Div. 2.1.

Nonresidential Floor Area. In a residential building, area that is within the primary structure but is not used for dwelling units, such as office space, fitness facilities, or lobbies.

Nonresidential Use. Public, commercial and industrial uses listed in the Use Table, see Div. 3.2.

O

Occupiable Depth. Occupiable depth is a portion of a building depth that is required to be composed of occupiable spaces. Occupiable space is an enclosed area used for human activities that take place regularly and for extended periods of time.

Office. Use Classification (See Article 3). A facility used for activities conducted in an office setting and generally focusing on business, professional or financial services.

Ornamental Tree. A deciduous tree species that has a canopy spread at maturity of at least 15 feet but no greater than 30 feet. Some examples include crab apple, redbud, dogwood and Japanese maple.

Outdoor Amenity Space. Outdoor spaces designed for residents to enjoy nature and participate in outdoor dining or recreation. See listed examples in Div. 3.3.

Outdoor Recreation. Use Classification (See Article 3). An outdoor commercial facility, varying in size, providing regularly scheduled recreation-oriented activities. Activities take place predominately outdoors or within outdoor structures.

Overlay Zone. A set of rules that can be applied to augment or change rules within a base zoning district without removing the original set of rules, as would occur with a re-zoning.

P

Parking Facility. Use Classification (See Article 3). A facility that provides parking as a principal use.

Parking Facility, Remote. Use Classification (See Article 3). A parking facility that provides parking as a principal use for an off-site user, that does not meet the definition of a remote shared parking facility.

Parking Facility, Remote Shared. Use Classification (See Article 3). A use of a parking facility that provides parking as a principal use for multiple off-site users by agreeing with the City or other private entities for the shared use of parking.

Parking Lot. An area used for the parking of motor vehicles.

Pedestrian Accessway. A path designed to provide a safe and comfortable walk from the public right-of-way to a building's entryway, often crossing through a motor vehicle use area. See §4.2.4.

Pedestrian Area. An area on a lot meant for transportation by pedestrians on foot, or people in wheelchairs or other mobility devices.

Personal Service. Use Classification (See Article 3). A facility involved in providing personal or repair services to the general public.

Place of Worship. Use Classification (See Article 3). A facility primarily intended for conducting organized religious services. Associated accessory uses include, but are not limited to, schools, gymnasiums, meeting halls, indoor and outdoor recreational facilities, clergy house, rectory, day care, counseling, and kitchens.

Primary Place of Residence. The single location of residence for an individual that is the place they occupy for most days of the year.

Primary Street-Facing Entrance. An entrance that faces a primary street.

Primary Street. The street associated with a primary street lot line. See §2.9.1.

Primary Street Lot Line. The lot line designated by the Development Director that facilitates the most connection between a structure and its access to public right-of-way. See §2.9.1.

Primary Street Yard. The space created by the separation between the primary street lot line and the principal structure. See Div. 2.9.

Principal Building or Structure. The main structure of a lot, which is typically the largest structure housing a primary use of the site. A lot may have more than one principal structure.

Principal Use. The dominant use of a lot or building, as distinguished from accessory uses that support it. Principal uses can be determined by analysis of the use that takes up the most space on a site, the use that occurs most often, or derives the most commercial value. "Primary" and "principal" may be used interchangeably within this Development Code.

Protected District. A zoning district that is primarily low to medium density residential, neighborhood mixed use, or of a low-impact nature, such as a riverine or conservation area. See §4.3.6.

Public Realm. Publicly owned streets, pathways, sidewalks, parks and publicly accessible plazas and open spaces.

Public Right-of-Way. An area dedicated to the City or other governmental interest to provide access and transportation routes.

R

Rear Lot Line. A lot line that does not abut a street or alley right-of-way and is opposite and most distant from a primary street lot line. See §2.9.1.

Rear Yard. The space created by the separation between the rear lot line and the principal structure. See Div. 2.9.

Recreational Vehicle. Any vehicle which is primarily designed for sport or recreational use, or which is designed for human occupancy on an intermittent basis, including boats, trailers for boats, motor homes, vacation trailers or campers, and off-road or all-terrain vehicles.

Residential Use. Any use listed in the "Residential Use" category of the Use Table. See Div. 3.2.

Restaurant. Use Classification (See Article 3). An establishment whose primary business is serving food and beverages to patrons for consumption on-site.

Retail. Use Classification (See Article 3). A facility involved in the sale, lease or rental of new or used products.

Retaining Wall. A wall used to hold back earth.

Riparian Buffer. A vegetated area near a water channel that protects the waterway from the erosion and pollution impacts of surrounding uses. See §5.1.2.

Rowhouse. Attached housing units in a series, each unit having separate walk-up access from the street.

S

School, pre-K - 12th Grade. Use Classification (See Article 3). An educational facility for students in pre-kindergarten through 12th Grade.

Self-Service Storage. Use Classification (See Article 3). Facilities providing separate storage areas for personal or business use designed to allow private access by the tenant for storing or removing personal property.

Setback. A required minimum distance between a lot line and a building or motor vehicle use area.

Setback Buffer. An additional area of buffer that is adjacent to the Riparian Buffer. See §5.1.2..

Shade Tree. A deciduous tree species that has a canopy spread of at least 30 feet at maturity. Some examples include oak, maple, ash, poplar, and ginkgo.

Shed. A simple roofed structure used as a storage space or a workshop.

Shooting Range. Use Classification (See Article 3). An area, either enclosed or outdoors, at which archery is practiced or a firearm is discharged at a target, designed to prevent a projectile fired at a target from going beyond the boundaries of the area, by use of a backstop or other barrier.

Short Term Rental. Use Classification (See Article 3).

Side Lot Line. Any lot line not determined to be a primary street, side street, rear or alley lot line. See §2.9.1.

Side Street. The street adjacent to a corner lot that is not the primary street. See §2.9.1.

Side Street Lot Line. A lot line separating a lot from a side street right-of-way. Any street lot line not determined to be a primary street lot line is considered a side street lot line. See §2.9.1.

Side Street Setback. See §2.9.1.

Side Street Yard. See §2.9.1.

Side Yard. See §2.9.1.

Sign. Any device, fixture, placard, or structure affixed to, supported by, or suspended by a stationary object, building or the ground that uses any color, form, graphic, illumination, symbol, or writing to communicate information of any kind to the public. See additional details in Div. 4.7.

Single Unit. Use Classification (See Article 3). One unit in a structure.

Site. The parcel of land being developed, or the portion of the parcel, on which the land development project is located.

Skilled Nursing Care Facility. Use Classification (See Article 3). A facility that contains an in patient rehabilitation center staffed with trained medical professionals. Such facilities provide the medically necessary services of nurses, physical and occupational therapists, speech pathologists, and audiologists.

Solar Panel. A panel designed to absorb the sun's rays as a source of energy for generating electricity or heating.

Special Flood Hazard Area. The land in the floodplain subject to a 1% or greater chance of flooding in any given year.

Stepback. A change in the vertical plane of multi-story buildings that preserves the pedestrian experience at sidewalk-level by setting the upper story building facade away from the street.

Story. The part of a building included between the surface of one floor and the surface of the next floor above, or if there is no floor above, then the ceiling next above. A mezzanine does not count as a story.

Street-Facing Entrance. A street facing entrance is a door on the ground story of a building that provides pedestrian access to and from the public way and the interior of a building.

Street. A right-of-way which acts as the principal means of access to abutting property.

Street lot line. A lot line separating a lot from a street. Includes "primary street lot line" and "side street lot line".

Structure. Any constructed object. Structures include, as examples, fences, kiosks, mechanical equipment, pergolas, gazebos, swimming pools, and all buildings. See also "principal structure" and "accessory structure".

Substantial Improvement, pertains to Division 5.5 Only. Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the start of construction of the improvement.

This term includes structures which have incurred substantial damage, regardless of the actual repair work performed. The term does not, however, include:

- Any improvement to a structure that is considered new construction;
- Any project for improvement of a structure to correct existing violations of state or local health, sanitary, or safety code specifications which have been identified prior to the application for a development permit by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- Any alteration of a historic structure, provided that the alteration would not preclude the structure's continued designation as a historic structure.

Suburban District. A zoning category which has rules that encapsulate the urban form of the post WWII era, with a general lean toward auto-dependence and separated uses.

Swimming Pool. Any structure, chamber, or tank containing a body of water intended for swimming, diving, or bathing.

T

Temporary Use. Any use not meant to be permanent in nature. Typically, "temporary" means for a duration of a few days to a single season.

Traditional District. A zoning category which has rules that encapsulate the urban form of the pre-WWII era and many modern international examples, with an openness to mixed use and mixed density development in the pursuit of a walk-friendly environment.

Transition District. A district that is not a Protected District that must apply a required transition. See §4.3.6.

Transparency. Transparency is the minimum percentage of a facade that must be covered by windows and glazed doors.

Triplex. Three units in a structure, typically in a rowhouse configuration of side-by-side units or having a two story configuration.

U

Upper Story. Any story located above the ground story of a building.

V

Vehicle Sales and Rental. Use Classification (See Article 3). A facility that sells, rents, or leases fully operational motorcycles, scooters, passenger vehicles, commercial vehicles, recreational vehicles, boats, tractor trailers, heavy equipment and other vehicles and equipment.

Vehicle Service

Vehicle Repair. Use Classification (See Article 3). A facility that services or repairs passenger vehicles, trucks, and other consumer vehicles and equipment.

Visual Transmittance. An amount of visible light that passes through an object, like a window.

W

Warehouse and Distribution. Use Classification (See Article 3). A facility involved primarily in the storage, movement or distribution of goods or packages. Goods are generally delivered or stored with little on-site sales activity to customers.

Waste Receptacle. Any container, but is not limited to trailers, roll-off containers, compactors or any other functionally equivalent containers, used to collect, transfer or haul solid waste or construction debris from one location to another.

Wind Turbine. A rotating machine that transfers kinetic energy from the wind into mechanical energy.

Y

Yard. A portion of a lot not within the exterior walls of a building.

Z

Zoning District. A designation of an area that follows an adopted set of standards for development and use activity.

