

Request for Proposal
Residential or Mixed-Use Redevelopment and/or New
Infill Development

501, 509 & 515 Main Street
Hamilton, Ohio



The following Request For Proposal is prepared by:

City of Hamilton
Department of Economic Development
345 High Street, Suite 100
Hamilton, OH 45011

Introduction

The City of Hamilton is seeking individual redevelopment or new infill development proposals for 501, 509 & 515 Main Street, located in the city's historic Main Street Business District.

The City of Hamilton, Ohio, in southwest Ohio, has a population of 62,000. Founded in 1791, the downtown and surrounding neighborhoods still retain much of their historic urban fabric. In the past five years, Hamilton's downtown has experienced over \$84 million in investment, including infrastructure improvements, new market rate apartments, renovated office and retail spaces, a newly renovated riverfront hotel, and a new arts and cultural hub.

To build on the momentum in Hamilton and reduce the financial barriers to development, the City of Hamilton is releasing the following property for potential redevelopment or new infill development by a private third party under a development agreement with the City.

Property Overview List

501 Main Street - historic mixed-use structure
509 Main Street - vacant lot
515 Main Street - vacant lot

(Map and photos provided in Appendix A and Appendix B)

Development Objectives

The purpose of this RFP is to solicit proposals for the redevelopment and/or new infill development of the listed property. While the City of Hamilton is open to considering any concept proposed by the Developer (respondent) that aligns with the City's goals to reactivate property and enhance the vitality of Hamilton, strong preference will be given to those RFP submissions which adhere to the following:

- Initial Purchase Price - Propose a purchase price to acquire the property.
- Redevelopment / Development Time - It is expected that the schedule for redevelopment and/or new infill development will incorporate the following milestones:
 - Within one year of agreement building permits issued for scope of redevelopment and/or development work.
 - Within two years of agreement occupancy permit issued for scope of redevelopment and/or new infill development work.

- Proposed Development Budget - the provided breakdown of redevelopment and/or new infill development budget should be sufficiently detailed and include, if applicable, anticipated self-performed labor hours and/or donated or discounted material costs. Please state what the minimum investment in the property would be.
- Zoning Approval –the property is zoned MS-3, Main Street Transition District (see Appendix C). The redevelopment and/or new infill development must meet zoning and use-group classifications for its intended use, and if applicable, obtain Planning Commission approval.
- ADRB Compliance – as this property is part of the local historic inventory, the redevelopment and/or new infill development must comply with submission and approval requirements of the Architectural Design Review Board (see Appendix D).
- Developer (respondent) and affiliated persons and/or entities for this program must not be delinquent in obligations to pay loans, fines, liens, or other obligations owed to the City of Hamilton.
- All other properties in Hamilton owned by Developer (respondent) or their holding companies or investors must be in good standing with the City of Hamilton, including the condition of commercial or residential leasable units.

Competitive Requirements

A development proposal will be selected based on, but not necessarily limited to, the following criteria/qualifications:

- Greatest economic impact on Hamilton
- The experience, the financial capacity, and organizational ability of the Developer (respondent) in successfully planning and completing development projects of similar type and scale, on time and within budget
- Pro Forma indicates an economically viable project
- Leasable spaces have an identified tenant with signed letter of intent (if applicable)
- The project meets the following minimum design standards in any residential spaces (if applicable):
 - Solid surface counter tops
 - Stainless steel or black stainless steel kitchen appliances, including range, built-in microwave, refrigerator/freezer, and dishwasher
 - Kitchen garbage disposal

- Washer and dryer
- Tile, hardwood, or faux wood floors. No carpet.
- No window cooling units
- The project demonstrates sustainable practices in energy efficiency

The City of Hamilton reserves the right to reject any and all responses without cause, make inquiries of Respondents and their references and clients regarding qualifications or information submitted as part of their response as deemed necessary, conduct personal interviews of any or all Respondents, and request and receive additional information as the City deems necessary. Prior to the award of a final development agreement, the City of Hamilton reserves the right (at its expense) of having Developer (respondent) submit for financial background to insure capacity to perform in accordance with pro-forma submitted in application.

Submission Guidelines

Each Developer (respondent) shall provide a general description and conceptual discussion of their proposed redevelopment and/or new infill development and key factors in a successful redevelopment and/or development program. This description and concept shall enable the effective evaluation of the Developer's (respondent's) ability to achieve the goals of the City and demonstrate what the Developer (respondent) presently envisions for the site and applicable portions thereof. The Developer (respondent) should submit an electronic version on CD, DVD, flash drive, or submit via e-mail.

- Cover - main point of contact, firm name(s), and the RFP title. Reference specific property proposal by street address as shown above.
- Project Narrative - Developer (respondent's) approach to the reuse of the property, how project meets Development Objectives, description of innovative design features and project amenities, a description of the activities which may be located in the building and/or onsite, and proposed purchase price for the property.
- Design Concept - should include conceptual level visual materials, such as a site plan, massing models, elevations, etc. that convey key design concepts for the project.
- Project Timeline - projected timeline for completion of project, with key milestones. The schedule can include the time needed to obtain financing, complete design and secure permits and approvals, prepare the site, start and complete construction, and start and complete lease-up and/or sellout.
- Financial Summary - capital and operating pro formas; major line item construction and design budget, sources of funding, five-year cash flow projection (minimum) for operations, etc.

- Special Conditions/Assumptions - include special conditions or requirements for proposed project; examples might include land use changes, parking expectations, etc.
- Similar Completed Projects - relevant experience with similar projects.
- Project Team - identify the entities and persons involved in the project with a description of the roles each will play.
- Compliance with Development Objectives & Competitive Requirements - identify the aspects of proposal which specifically address compliance with development objectives and competitive requirements listed above.

Submission Timeline

All submissions are due by close of business (5:00pm) on Monday, April 20, 2020.

RFP Details

Please contact Mallory Greenham, Small Business Development Specialist, at 513-785-7096 or Mallory.Greenham@hamilton-oh.gov, or Lauren Nelson, Business Development Specialist, at 513-785-7278 or Lauren.Nelson@hamilton-oh.gov, with any questions, to request additional information, or if you would like to set up a time to walk through the project site.

Please submit proposals to:

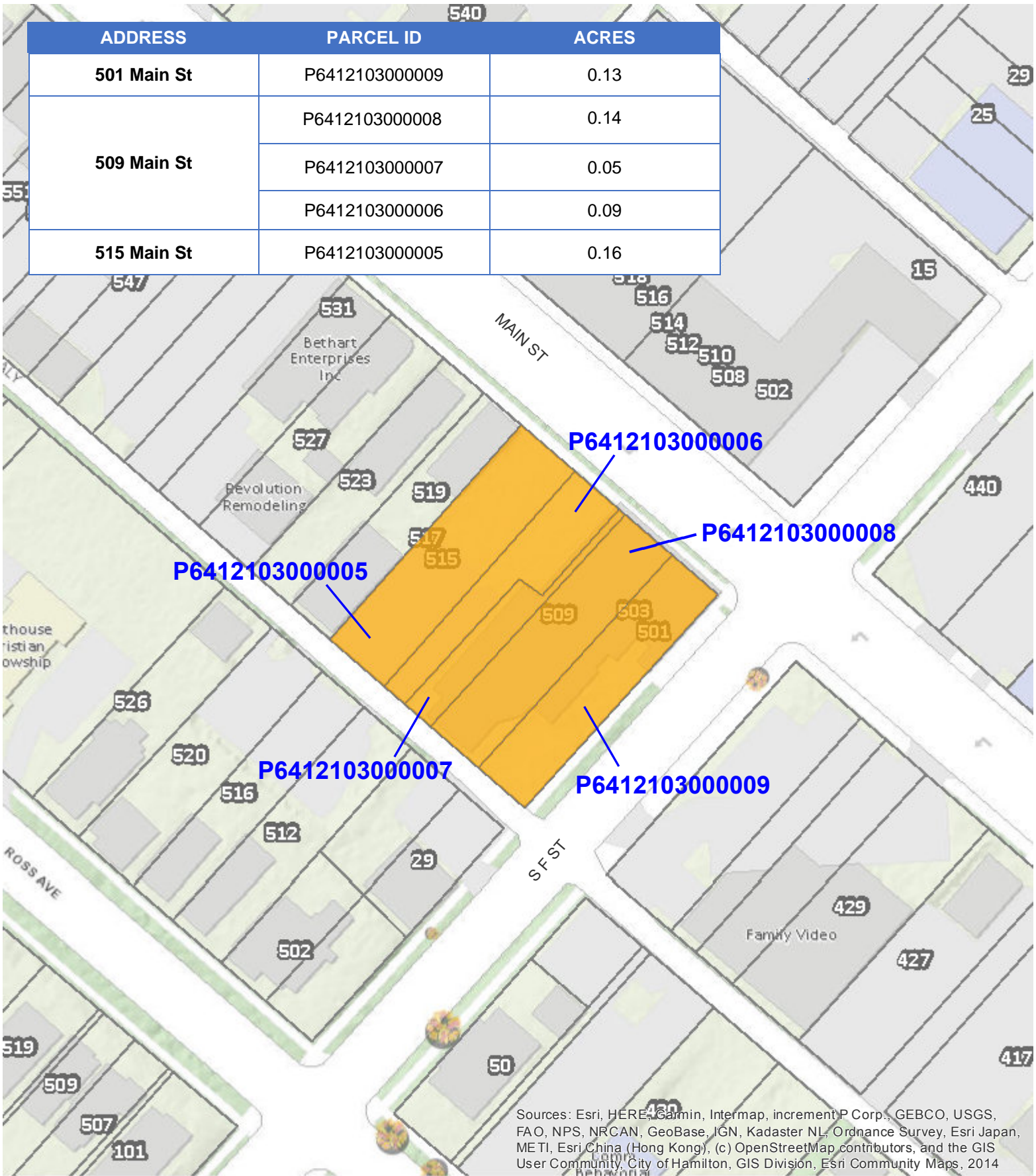
City of Hamilton
345 High Street, Suite 100
Hamilton, OH 45011

Or

Via Email to Mallory and Lauren at:
Mallory.Greenham@hamilton-oh.gov
Lauren.Gersbach@hamilton-oh.gov

APPENDIX A

ADDRESS	PARCEL ID	ACRES
501 Main St	P6412103000009	0.13
509 Main St	P6412103000008	0.14
	P6412103000007	0.05
	P6412103000006	0.09
515 Main St	P6412103000005	0.16



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, City of Hamilton, GIS Division, Esri Community Maps, 2014


 City of Hamilton Owned Properties
 501, 509 & 515 Main Street
 Owner Parcels

ArcGIS Web Map



Development Opportunity

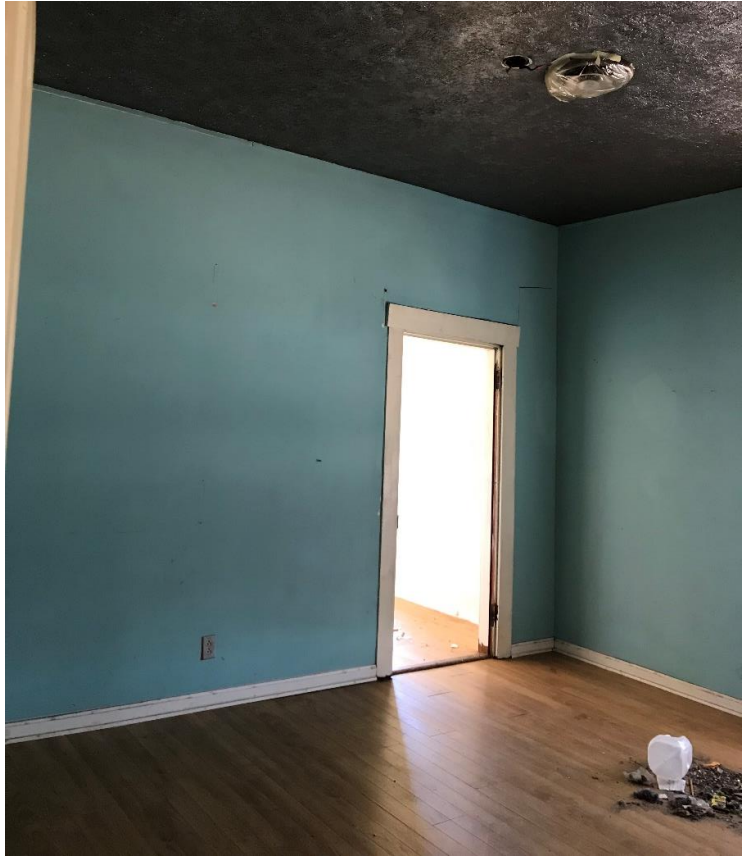
501, 509 & 515 Main Street



APPENDIX B









APPENDIX C

1129.00 Form-Based Zoning Districts (OR2013-2-22)

1129.10 General Requirements

- (1) Six new districts are hereby created for use along High Street, Main Street, and the areas surrounding them. Sections 1129.20 through 40 below contain brief descriptions of each of these form-based zoning districts. Two new districts are hereby created for use within the University Commerce Park.
- (2) Within the boundaries of the eight districts listed in this Section 1129, the provisions of section 1126.00 (Architectural Conservation/Historic District) remain in effect for those properties located within the designated historic districts except as specifically modified by subsection (3) below.
- (3) Within the boundaries of the eight districts listed in this Section 1129, the requirements of this section 1129 apply to all properties not listed on the Central Area Building Inventory as follows:
 - When a building is replaced or a new building is constructed on a vacant lot, all of the requirements in this section 1129 apply.
 - When a gross floor area of a building is increased by 50% or more and, the requirements of this section 1129 applicable to the building location and facades shall apply to the building addition.
 - Regardless of the size of any building addition, when any street facing building façade within the build to zone is altered, or when any street facing building façade originally located outside the build to zone is altered so as to bring it within the build to zone, the requirements of this section 1129 applicable to exterior facades shall apply to that façade, provided, however, that façade alterations involving only the following activities shall not require compliance with the façade requirements of this section 1129:
 - Routine maintenance;
 - Repainting;
 - Replacement of existing façade materials with the same materials;
 - Replacement of lighting fixtures;
 - Replacement of doors and windows that do not modify the size or shape of building openings; or
 - Replacement of existing signage.

1129.20 District Descriptions and Intent

1129.21 Establishment of Districts and Street Hierarchy

The following districts have been established for use in the Downtown and Main Street areas of the City.

- 02.01 "MS-1" Main Street Core District
- 02.02 "MS-2" South B Street District
- 02.03 "MS-3" Main Street Transition District
- 02.04 "DT-1" Downtown High Street District
- 02.05 "DT-2" Downtown Support District
- 02.06 "DT-3" Downtown East High Street District

The following district(s) have been established for use in the University Commerce Park area of the City.

- 02.07 "UCP-1 University Commerce Park District -1"
- 02.08 "UCP-2 University Commerce Park District -2"

1129.22

MS-1: Main Street Core District.

The MS-1 District supports a mix of one to four story buildings that define the City's Main Street core area, serving residents and area employees. This neighborhood shopping and service area has high ground floor transparency requirements and establishes a street wall of storefront-style building facades along the sidewalk. It focuses pedestrian-friendly retail and service uses on the ground story with residential and/or office uses in upper stories.

1129.23

MS-2: South B Street District

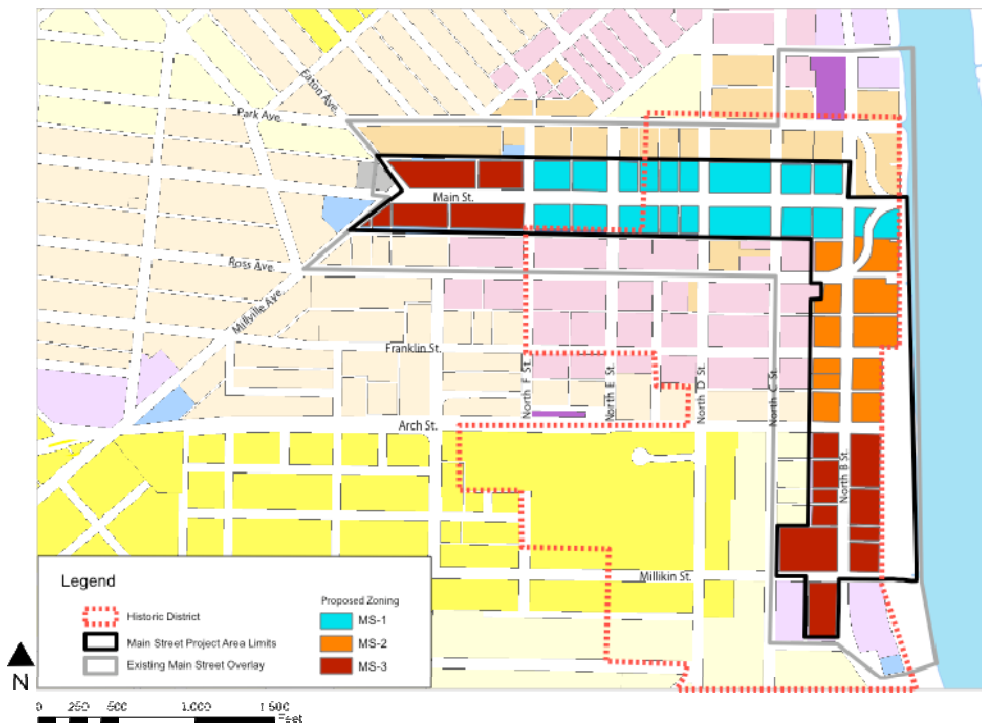
The MS-2 District is a Main Street adjacent district that permits one to four story buildings with residential and mixed uses. Residential uses are found in stoop buildings and row houses, with neighborhood-scale commercial uses in stoop and cottage commercial building types.

1129.24

MS-3: Main Street Transition District

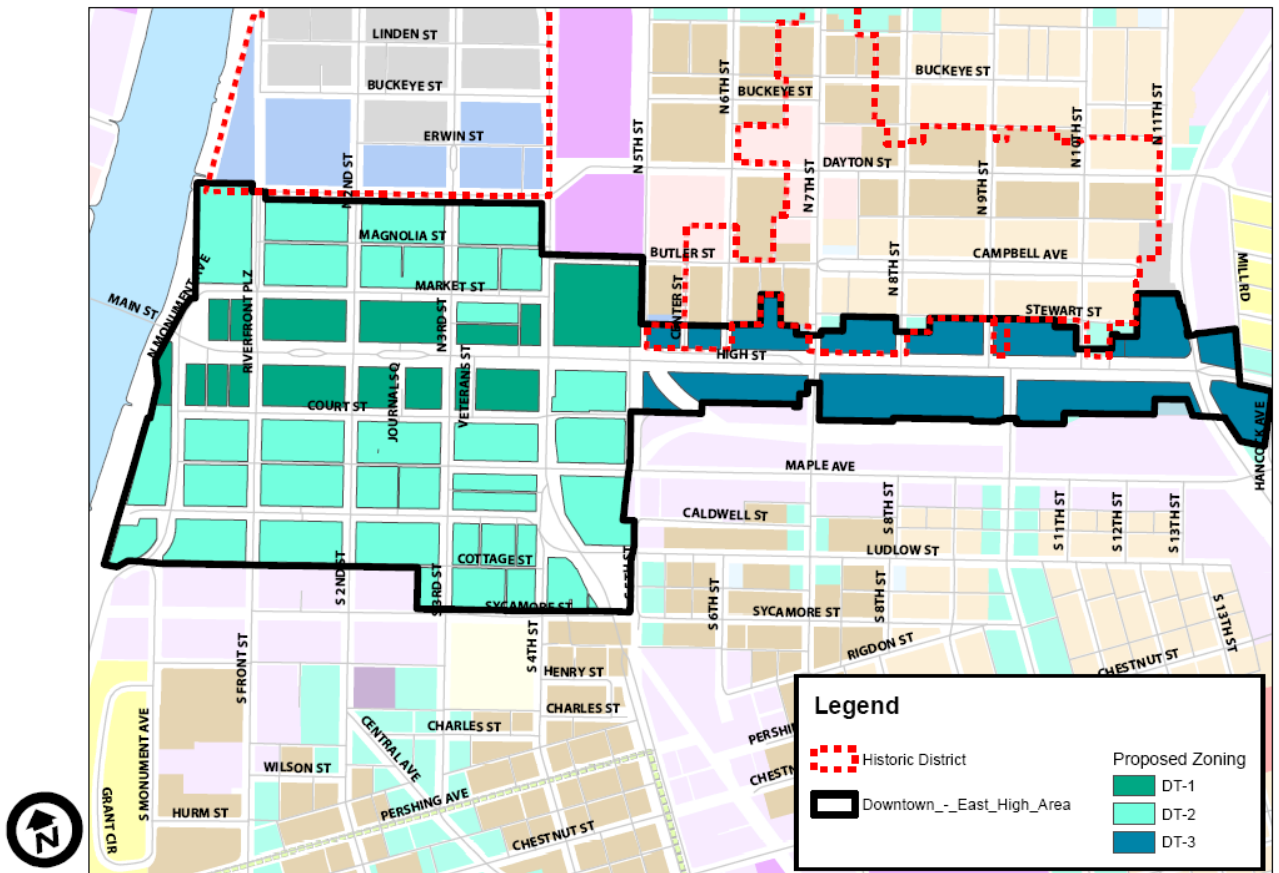
The MS-3 District permits residential, mixed use, and office buildings. Its' one to four story buildings allow development of a traditional main street building as well as more flexible building types that allow for less overall transparency and more parking options, without sacrificing the pedestrian scale and orientation of the district. Ground story uses include pedestrian-friendly retail uses, service uses, and office uses with residential and office uses in the upper stories.

Main Street Area Proposed Zoning



- 1129.25 DT-1: Downtown High Street District.
The DT-1 District supports a mix of two to ten story buildings that define the City’s core High Street area. This regional civic, shopping, service, and office area has high ground floor transparency requirements and establishes a street wall of storefront style-building facades along the sidewalk. It focuses pedestrian-friendly retail and service uses on the ground story with office and residential uses in upper stories.
- 1129.26 DT-2: Downtown Support District.
The DT-2 District is an area that permits a wide variety of uses and building types that support the High Street core. It maintains a high level of pedestrian-orientation, but allows for buildings with less overall transparency and more parking options. Its two to eight story buildings allow development of storefronts, office buildings, apartments, civic buildings, and row townhouse buildings. It provides for pedestrian-friendly retail and service uses on the ground story, with office and residential uses in upper stories.
- 1129.27 DT-3: Downtown East High Street District
The DT-3 District is a highly transitional district that permits residential, commercial, mixed use, and office buildings. Its’ one to three story buildings allow development of a traditional main street building as well as more flexible building types that allow for less overall transparency and more parking options.

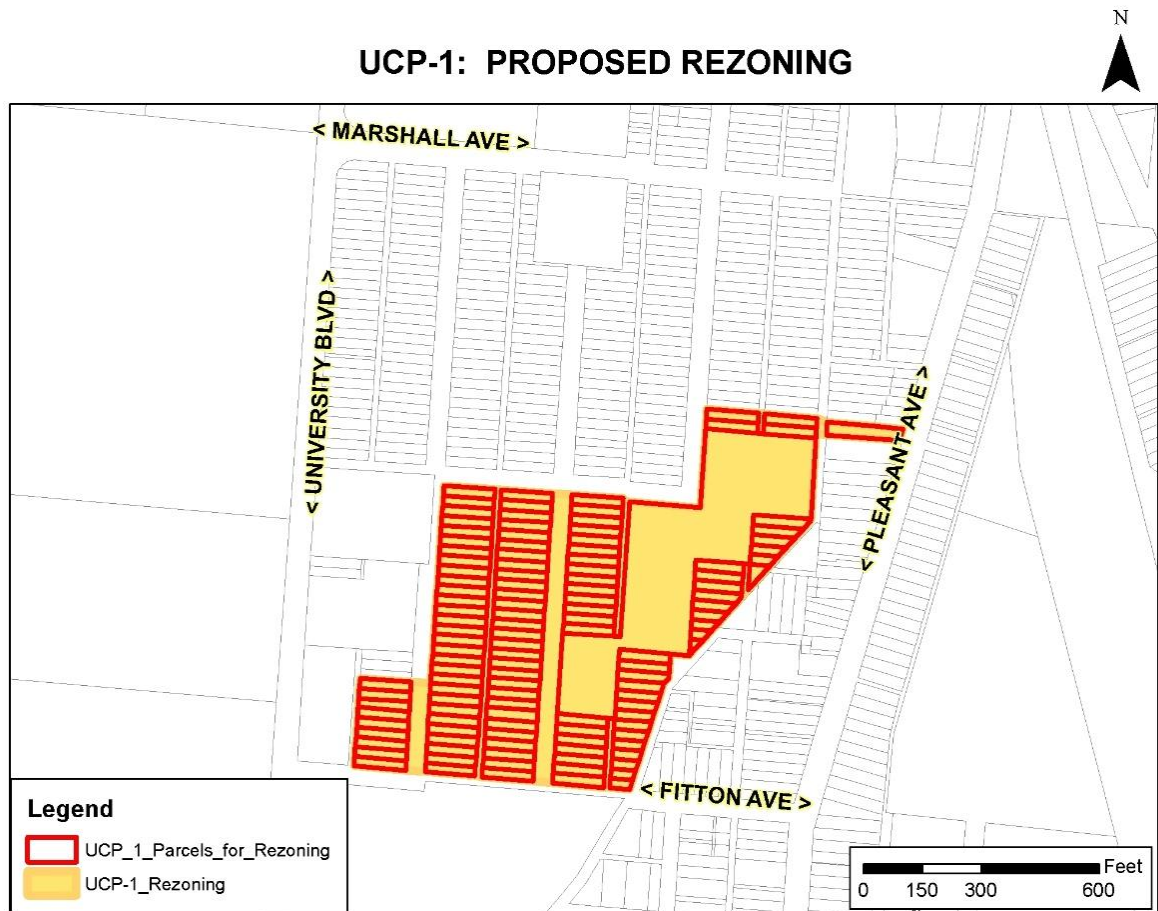
Downtown - East High Area Proposed Zoning



1129.27.1 UCP-1 University Commerce Park District -1

The UCP-1 District is a form based zone district that permits three to five story buildings with residential and mixed uses. Residential uses are found in storefront, general stoop, and row house building types, with neighborhood-scale commercial uses in storefront and general stoop building types.

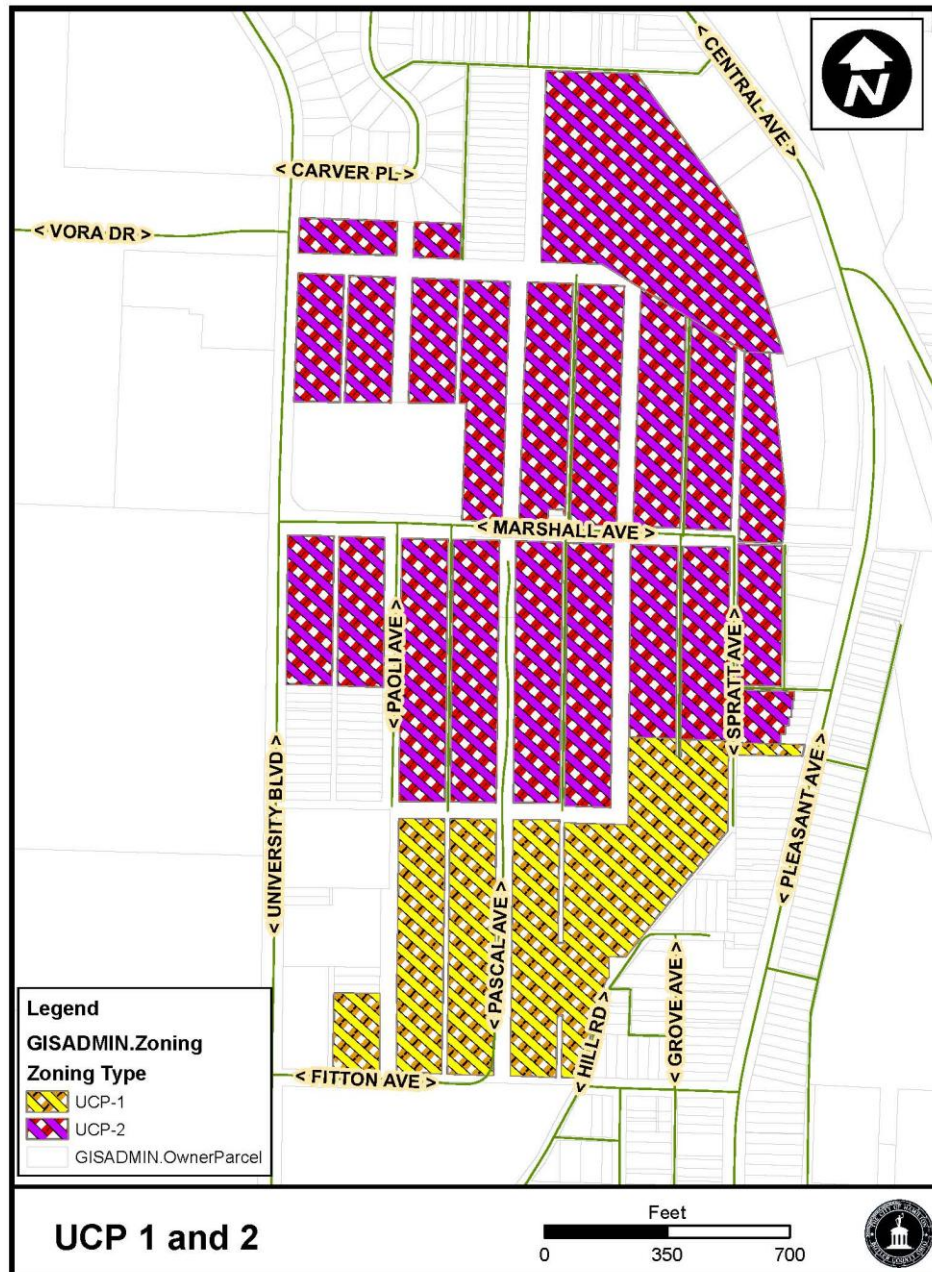
UCP-1 ZONING MAP



1129.27.2 UCP-2 University Commerce Park District -2

The UCP-2 District is a form based zone district that permits one to three story buildings with commercial, office, and industrial mixed uses. Permitted uses are found in storefront, general stoop, and parking structure building types.

UCP-2 ZONING MAP



1129.28 Access and Hierarchy of Streets.
Refer to the maps on the following pages.

- (1) Intent. To provide guidance for locating the front lot lines and vehicular access to lots, as referred to in the Building Types (refer to Section 1129.40).
- (2) Street Hierarchy Maps. Refer to Figures 1120.28 (1) and (2) for designation of primary streets, secondary streets, and alleys.
 - a. Primary streets are defined as the highest priority street for pedestrian orientation with limited sidewalk interruptions from driveways and the highest levels of transparency.
 1. Vehicular access, loading, and driveways are permitted off these streets only if no alley or secondary street abuts the property and no easement to an alley or secondary street exists.
 2. If a lot abuts a primary street, the lot line parallel to the primary street shall be the front lot line.
 - b. Alley Streets. Platted, named streets currently used as alleys are designated as alleys for the purposes of this code. Applies to Downtown only.
 1. Vehicular access off these streets is permitted as if the street is an alley. Refer to 1129.28 (3) Vehicular Access Hierarchy, below.
 2. Street Facade Requirements for each Building Type do not apply to facades fronting these streets.
 3. Yards associated with these streets are typically rear yard or side yards. Buildings may front these streets only if no other street frontage is available.
 - c. Secondary Streets. All streets not designated as a primary street, alley, or alley street are secondary streets.
 1. Vehicular access off these streets is permitted only if an alley or an easement to an alley does not exist. Refer to 1129.28 (3) Vehicular Access Hierarchy, below.
 2. All facades abutting a secondary street are required to meet the Street Facade Requirements of the Building Type.
 3. A Street is considered a secondary street for the purpose of access; however, it shall be considered a primary street for all Street Facade Requirements, triggering treatment as an additional front facade.
 - d. At the intersection of any two primary streets, the following shall be considered the front lot line:
 1. High Street. If High Street is one of the primary streets, the lot line parallel to High Street shall be the front lot line.
 2. Main Street. If Main Street is one of the primary streets, the lot line parallel to Main Street shall be the front lot line.
 3. For all other situations, the Department of Community Development, or designee shall determine which lot line shall be the front lot line. At the intersection of any two primary streets within the University Commerce Park, the Department of Community Development, or designee shall determine which lot line shall be the front lot line.

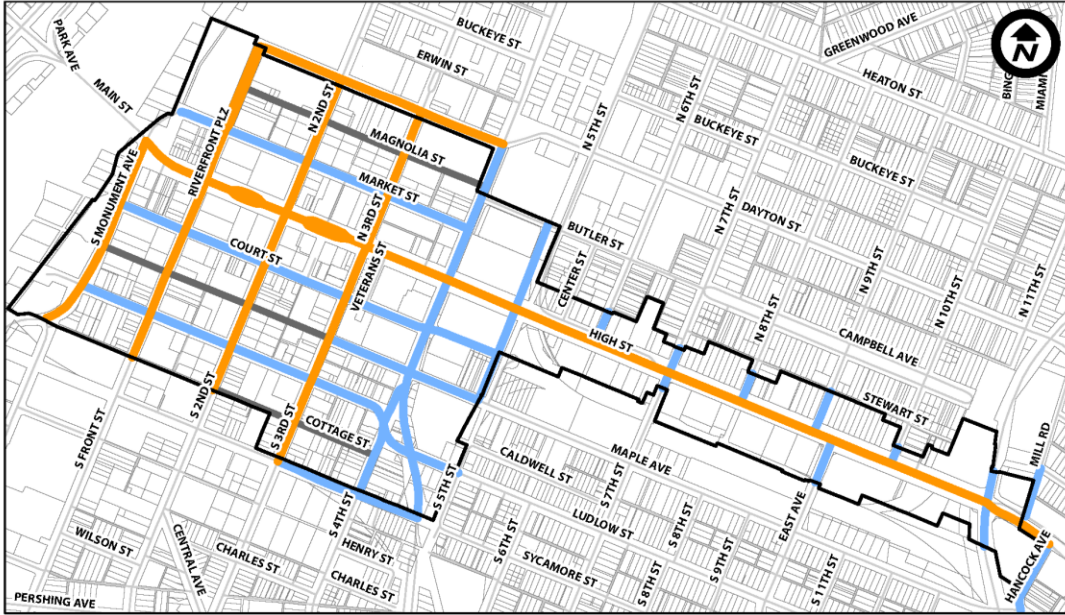


Figure 1129.28 (2). Street Hierarchy Map: Downtown and East High Street



Figure 1129.28 (1). Street Hierarchy Map: Main Street.



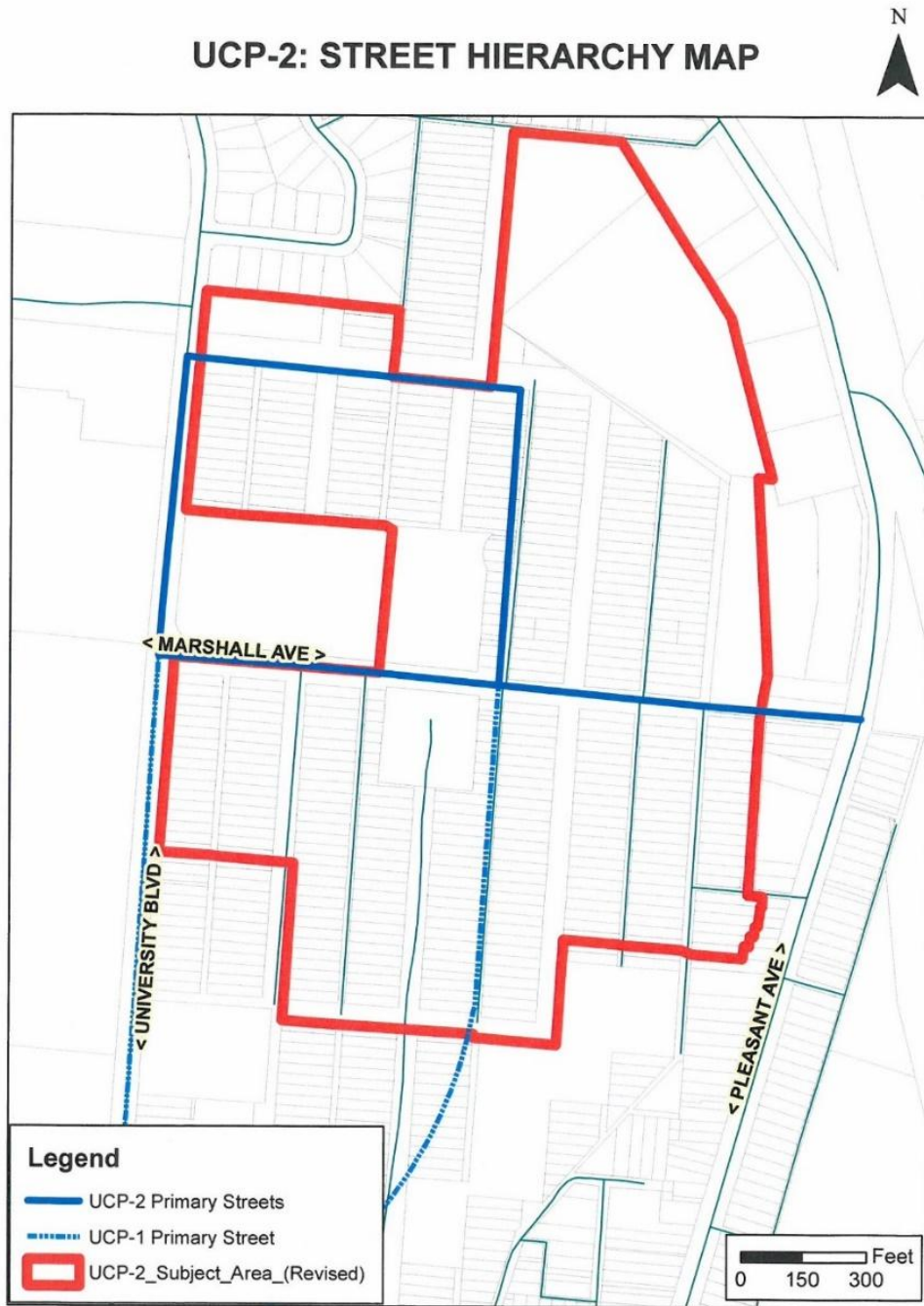
(3) Vehicular Access Hierarchy. The following hierarchy should be considered to determine the appropriate location for vehicular access, loading, and driveways for all parcels within the form-based districts. (Amended OR 2014-5-34)

- a. If an alley exists, vehicular access should be from the alley. No limitation on the number of driveways off alleys applies.
- b. If no alley exists, one driveway may be permitted off a secondary street, unless otherwise permitted by the Building Type.
- c. If no alley and no secondary street frontage exists, one driveway may be permitted off a primary street. Driveways off primary streets should be no wider than eighteen (18) feet and the sidewalk pavement shall continue across the driveway.
- d. Shared driveways are encouraged.
- e. Vehicular access and driveway width shall be determined jointly by the Director of Community Development and Director of Public Works on a case by case basis.

(4) Vehicular Access Hierarchy within the University Commerce Park. The following hierarchy shall be used to determine the appropriate location for vehicular access, loading, and driveways for all parcels within the UCP-1 and UCP-2 form-based districts.

- a. No new vehicular access drives permitted on Marshall Avenue and/or Grand Avenue extension.
- b. If an alley exists, vehicular access shall be from the alley. No limitation on the number of driveways off alleys applies. Driveways within the UCP-1 form based district shall be no wider than twenty-four (24') feet and sidewalk pavement shall continue across the driveway.
- c. If no alley exists, one driveway is permitted off a secondary street, unless otherwise permitted by the Building Type. Within the UCP-2 form based district, driveways off secondary streets shall be no wider than thirty-six (36') feet and the sidewalk pavement shall continue across the driveway.
- d. If no alley and no secondary street frontage exists, one driveway is permitted off a primary street. Within the UCP-2 form based district, driveways off primary streets shall be no wider than thirty-six (36') feet and the sidewalk pavement shall continue across the driveway.
- e. Shared driveways are encouraged.

UCP STREET HIERARCHY MAP



1129.30 Permitted Uses

The table below indicates what uses are permitted or conditional uses in the form-based zone districts, as well as any additional requirements that may limit or condition the ability of specific uses in some locations.

- (1) A “P” in a cell of this table indicates that the land use is allowed by right in that form-based zone district, subject to compliance with those standards referenced in the right-hand column of the table, Additional Requirements, any restrictions on uses contained in sections 1129.43 Building Types, and all other applicable provisions of this zoning ordinance. Any use allowed by right as a primary use of land is also permitted as an accessory use to a different permitted or approved conditional use of land on the same parcel.
- (2) A “U” in a cell of this table indicates that the land use is allowed by right in that form-based zone district only above the ground floor of the building, subject to compliance with those standards referenced in the right-hand column of the table, Additional Requirements, any restrictions on uses contained in sections 1129.43 Building Types, and all other applicable provisions of this zoning ordinance.
- (3) A “C” in a cell of the table indicates that the land use is allowed in that form-based zone district only if specifically authorized by the City Council in accordance with the provisions in Section 1155.00. If the use is authorized, it shall be subject to compliance with those standards referenced in the right-hand column of the table, Additional Requirements, any restrictions on uses contained in sections 1129.43 Building Types, and all other applicable provisions of this zoning ordinance. (REVISED OR2015-9-80)
- (4) An “A” in a cell of this table indicates that the land use is allowed by right in that form-based zone district only as an accessory (i.e. secondary and subordinate) use to another permitted or approved conditional use on the property, subject to compliance with those standards referenced in the right-hand column of the table, Additional Requirements, any restrictions on uses contained in sections 1129.43 Building Types, and all other applicable provisions of this zoning ordinance.
- (5) A blank cell indicates that the land use is not permitted in that form-based zone district.
- (6) If a Civic Building is constructed pursuant to this section 1129,434 and that building later remains unoccupied for a period of six (6) months or longer, then, notwithstanding the provisions of section 1129.434, the applicant may apply for approval of any use in the clinics, eating places, financial institutions, offices, personal and business services, retail, studio, or transient accommodation categories as shown in the table below through the conditional use process.
- (7) Uses not specifically listed within the Permitted Use Chart will be determined based upon the North American Industrial Classification System (NAICS) published by the United States Office of Management and Budget.

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS												ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1		UCP-2
Adult Businesses														See 1121.38
Agricultural Uses														
General Farming														
Greenhouses								P				A	A	
Keeping of Animals														See 1115.24
Nurseries								P						
Animal Hospitals, Veterinary Clinics														See 1121.32 – applies to all
Kennels														
Antenna Towers							A	A	A	A		A	A	See 1142.70 applies to all
Automotive Services, Farm Implements														See 1121.33 --applies to all
Automotive Service Stations								C		C	P			See 1122.22; 1122.33
Automobile repair								C		C	C			See 1122.22
Body and Fender Shops								C		C	C			See Table Note [1]
Car Washes								C		C	C			
Commercial Parking Garages and Lots						C		P	C	P	P	P	P	See 1122.32
Paint Shops								C		C	C			
Repair Garages								C		C	C			
Trailer Lots														
Used Car Lots														
Auto Sharing Service										C		P	P	
Business Signs						P	P	P	P	P	P	P	P	
Children's Licensed Daycare, Preschools and Day						P	P	P	P	P	P	C	C	
Clinics														
Medical Clinics						P	P	P	P	P	P	P	P	
Offices of Physicians, Surgeons or Dentists						P	P	P	P	P	P	P	P	
Clubs														See 1116.32 –applies to all See Table Note [6]
Fraternities							P	P	P	P	P	P	C	
Lodges							P	P	P	P	P	P	C	
Meeting Places for Other Organizations							P	P	P	P	P	P	C	
Cultural Uses														
Art Galleries						P	P	P	P	P	P	P	P	
Civic or Institutional Offices						P	P	P	P	P	P	P	P	
Colleges for Academic Instruction						P	P	P	P	P	P	P	P	
Museums						P	P	P	P	P	P	P	P	
Public Libraries						P	P	P	P	P	P	P	P	

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS												ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1		UCP-2
Dwelling Units														1126.31 May Apply if Located in a Historic District
Residential Facility, Large														
On the First Floor						C	C	C	C	C	C	C		See 1120.35
Above the First Floor						C	C	C	C	C	C	C		See 1120.35
Residential Facility, Small														
On the First Floor						C	P	C		C	C			
Above the First Floor						P	P	P	P	P	P	P	P	
Dwelling, Single-Family First Floor						C	P	C		C	C			
Dwelling, Single-Family Upper Floor						P	P	P	P	P	P	P		
Dwelling, Multi-Family First Floor						C	P	C	C	C	C	P		
Dwelling, Multi-Family Upper Floor						P	P	P	P	P	P	P		
Eating Places														See 1121.23 – applies to all
Bars/Taverns Soda Fountains						P	P	P	P	P	P	P	P	
Brewpub						P		P	P	P	P	P	P	
Cocktail Lounges						P	P	P	P	P	P	P	P	
Ice Cream Parlors						P	P	P	P	P	P	P	P	
Restaurants						P	P	P	P	P	P	P	P	
Restaurants, with Drive-in Service								C		C	P		C	See Table Note [2]
Soda Fountains						P	P	P	P	P	P	P	P	
Fabricating and Repair, Minor														
Electric Repair Shop								P	P	P	P		C	
Handcraft Industries, Small-Scale Manufacturing						P	P	P	P	P	P			
Painting and Decorating Shop								P	P	P	P		C	
Plumbing Shop								P	P	P	P		C	
Tinsmith Shop								P	P	P	P		C	
Tire Repair Shop								P		P	P		C	
Financial Institutions														See 1120.24
Banks						P	P	P	P	P	P	P	P	
Car Title Loan Business										C				
Cash Advance Facility										C				
Check Cashing Facility										C				
Financial Institutions with Drive-in Pay Day Lending Facility								C	C	C	P		C	See Table Note [2]
Savings and Loan Associations						P	P	P	P	P	P	P	P	
Industrial Uses, Limited													P	See Table Note [3]
Industrial Uses													P	See Table Note [4]
Institutional														
Business or Trade Schools						P	P	P	P	P	P	P	P	

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS												ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1		UCP-2
Elementary and Secondary Schools						P	P	P	P	P	P	P	P	
Hospitals for Human Care							P	P		P	P	P	P	
Mortuaries and Related Services														
Cemeteries														
Mortuaries or Funeral Homes								P	P	P	P			
Mortuaries with Crematory Services								C	C	C	C			
Nursing Homes and Adult Daycare Facilities								C		C		C		
Offices														
Business and Professional Offices						P	P	P	P	P	P	P	P	
Government and Quasi-Government						P	P	P	P	P	P	P	P	
Personal and Business Services														
Appliance & Television Repair Shops						P	P	P	P	P	P			
Bail Bond Agency										C				
Barber Shops						P	P	P	P	P	P	P	P	
Beauty Parlors						P	P	P	P	P	P	P	P	
General Business Services						P	P	P	P	P	P	P	P	
Personal Service						P	P	P	P	P	P			
Post Offices and Telegraph Offices						P	P	P	P	P	P	P	P	
Shoe Repair Shops						P	P	P	P	P	P	P	P	
Tailor Shops						P	P	P	P	P	P	P	P	
Tattoo/Piercing Shops				C										
Upholstery Shops						P	P	P	P	P	P	P	P	
Printing Establishments														
Blueprinting						C	C	C	P	P	C	P	P	
Job Printing						C	C	C	P	P	C	P	P	
Letterpress						C	C	C	P	P	C	P	P	
Lithographing						C	C	C	P	P	C	P	P	
Publishing						C	C	C	P	P	C	P	P	
Screen Printing						C	C	C	P	P	C	P	P	
Processing														
Bakery						P	P	P	P	P	P	P	P	See Table Note [5]
Catering Establishment						P	P	P	P	P	P	P	P	
Cleaning Works						P	P	P	P	P	P	C	P	
Laundry or Dyeing						P	P	P	P	P	P	C	P	
Public Facilities														
Correctional Facility										C				
Public Utility Stations and Services, together with Facilities						P	P	P	P	P		C	P	See 1121.34
Recreational and Entertainment Uses														
Baseball Fields										C				
Billiard Parlors						P		P	P	P	P			
Bowling Alleys						P		P	P	P	P			
Drive-in Theaters														

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS												ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS													
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1		UCP-2
Golf Courses														
Golf Driving Ranges														
Indoor Theaters						P		P	P	P	P	P	P	
Instant Bingo														
Night Clubs						P		P	P	P	P	P	C	
Pool Halls						P		P	P	P	P	P		
Parks						P	P	P	P	P	P			
Public Parks						P	P	P	P	P	P			
Private Non-commercial Recreation						A	A	A	A	A	A	A		
Skating Rinks							A	A		A	A	A		
Swimming Pools						P	P	P	P	P	P	A		
Religion Uses														See Table Note [8]
Churches, Synagogues and Other							P	P	P	P	P			
Retail and Services						P	P	P	P	P	P	P	P	See 1120.21
Building Materials and Hardware						P	P	P	P	P	P			
Clothes Cleaning and Laundry Pick-up Stations						P	P	P	P	P	P	P	P	
Grocery Stores						P	P	P	P	P	P	P	P	
Medical Marijuana Cultivation, Processing, or Retail Dispensing														
Outdoor Sales						A			A					See Table Note [6]
Pawn and Swap Shops														
Sales and Service to Customers in Motor Vehicles								C		C	P			See Table Note [7]
Variety and Apparel Stores						P	P	P	P	P	P	P	P	
Studios														
Art Studios						P	P	P	P	P	P	P	P	
Conservatory Studios						P	P	P	P	P	P	P	P	
Dance Studios						P	P	P	P	P	P	P	P	
Music Studios						P	P	P	P	P	P	P	P	
Photography Studios						P	P	P	P	P	P	P	P	
Radio Studios						P	P	P	P	P	P	P	P	
Television Studios						P	P	P	P	P	P	P	P	
Self-service Uses														
Dry Cleaners							P	P	P	P	P	P	P	See 1120.34
Self-service Laundries							P	P	P	P	P	P	P	
Pumping of Gasoline Accessory to Convenience or Grocery Stores								C		C	P		C	
Sweepstakes/Internet Cafe														
Trade and Services														See 1122.22 - applies to all
Ice Storage and Distribution Station														
Wholesale Establishments												P		
Transient Accommodations														
Bed and Breakfasts						P	P	P	P	P	P			

USE P = Permitted Use C = Conditional Use U = Upper Floor Use A = Accessory Use	ZONING DISTRICTS													ADDITIONAL REQUIREMENTS	
	PROPOSED DISTRICTS														
	R-0	B-1	B-2	B-3	BPD	MS-1	MS-2	MS-3	DT-1	DT-2	DT-3	UCP-1	UCP-2		
Group Quarters															
Hotels, Motels and Related						P	P	P	P	P	P	C	C		
Motor Hotels															
Transient Shelters															
Table Notes: [1] Limited to automobiles and light trucks less than 8,000 GVW. [2] See Section 1129.46(7) for design and placement of drive-throughs. [3] See Section 1123.00 for list of permitted uses. [4] See Section 1124.00 for list of permitted uses. [5] This use is permitted if a retail storefront is part of the business operation. [6] Sidewalk sales will be permitted twelve (12) days each calendar year for each business. A no cost permit must be obtained in advance from the Planning Department Construction Services Division. [7] This does not include restaurants with drive-throughs or financial services with drive-throughs, which are listed separately. [8] Must be located in the Civic Building Type, except within UCP-1 & UCP-2. * Added per (OR2014-5-34) - Use Chart is not complete for R-0, B-1, B-2, B-3, BPD															

1129.40 Building Types

1129.41 Introduction to Building Types

The Buildings described in this section 1129.40 are the required Building Types for new construction and renovated structures within the form-based districts listed in 1129.20. In the event of any inconsistency between the Building Type standards in this section 1129.40 and any other provisions of this zoning ordinance, the provisions of this section 1129.40 shall apply.

(1) General

All Building Types shall meet the following requirements to achieve the intents defined for the districts.

- (a) Zoning Districts. Each Building Type shall be constructed only within those districts where it is shown as a permitted Building Type in Table 1129.40(1) Permitted Building Types by Districts.

		Districts					
		MS-1 (Main Street)	MS-2 (B Street)	MS-3 (Transitions)	DT-1 (High Street)	DT-2 (Support)	DT-3 (East High)
Building Types	Storefront Building	●		●	●	●	●
	General Stoop Building		●	●		●	●
	Cottage Commercial	●	○	●			●
	Civic Building		●	●	●	●	●
	Row Building		●			●	
	Parking Structure					◐	

● = Permitted within district
 ○ = Permitted only on corner parcels
 ◐ = Permitted on secondary street only

Table 1129.40 (1). Permitted Building Types by District.

- (b) No Other Building Types. All buildings constructed must meet the requirements of one of the Building Types permitted within the zoning district of the lot.
- (c) Permanent Structures. All buildings constructed shall be permanent construction.
- (d) Existing Historic Structures. Properties listed in Section 1126.110 (Central Business Building Inventory) are not subject to the requirements of this section 1129.40 Building Types.
- (e) Accessory Structures
 - A. Attached accessory structures are considered part of the principal structure.
 - B. Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:
 1. Detached accessory structures are not permitted in the front yard.
 2. Detached accessory structures shall be located behind the principal structure in the rear yard.
 3. Detached accessory structures shall not exceed the height of the principal structure.

1129.42 Explanation of Building Type Tables

(1) Building Siting. This section explains the line item requirements for each Building Type Table within the first section entitled "Building Siting". Table 1129.42 (1), illustrates an example of a Height Requirements Table from a typical Building Type.

(a) Multiple Principal Structures. Whether more than one principal structure is permitted on a lot. If more than one principal structure is permitted, all buildings shall meet the requirements.

(b) Occupation of Corner. Whether a principal structure is required to occupy the intersection of the front and corner build-to zones.

(c) Front Lot Line Coverage. The minimum percentage of street wall or building facade required along the street. The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front build-to zone (BTZ). Refer to Figure 1129.42 (1). Measuring Front Property Line Coverage.

A. Certain buildings have this number set to also allow the development of a courtyard along the front property line.

B. Some frontage types allow side yard parking to be exempted from the front lot line coverage calculation. If that exemption is permitted, the width of up to one double loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a maximum of seventy (70) feet.

(d) Front Build-to Zone. The build-to zone or setback parallel to the front property line. Building components, such as awnings or signage, are permitted to encroach into the build-to zone.

(e) Corner Build-to Zone. The build-to zone or setback parallel to the corner property line.

(f) Minimum & Maximum Lot Width. The minimum and maximum width of a lot, measured at the front property line.

(g) Maximum Building Width. Dimension of building frontage.

(h) Maximum Impervious Coverage. The maximum percentage of a lot permitted to be covered by principal structures, accessory structures, pavement, and other impervious surfaces. . Refer to Figure 1129.42 (2), Maximum Impervious & Semi-Impervious Coverage.

(i) Additional Semi-Pervious Coverage. The additional percentage of a lot beyond the Maximum Impervious Coverage, which may be surfaced in a semi-pervious material, including a green roof or pavers.

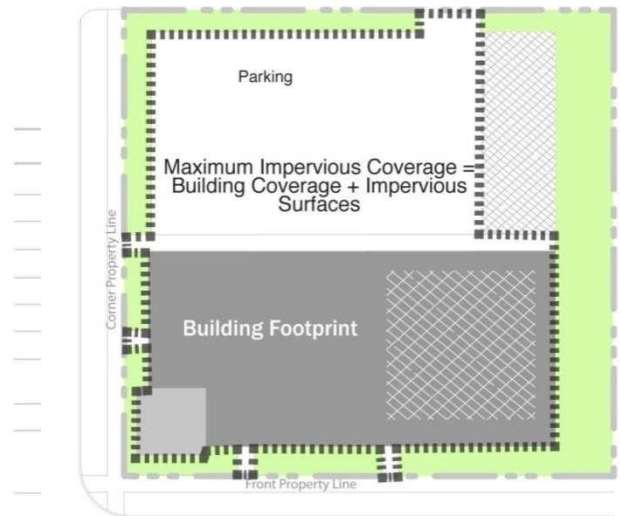


Figure 1129.42 (2). Maximum Impervious & Additional Semi-Pervious Coverage.

	permitted per lot
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Table 1129.42 (1). Example Building Siting Requirements Table from a Typical Building Type.

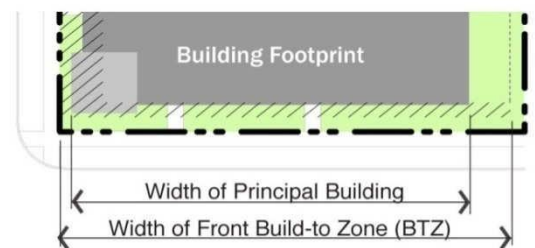


Figure 1129.42 (1). Measuring Front Property Line Coverage.

- (j) Parking & Loading Location. The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.
- (k) Vehicular Access. The permitted means of vehicular ingress and egress to the lot.
 - A. Alleys, when present, shall always be the primary means of access.
 - B. When alleys are not present, a driveway may be permitted per Building Type and, if an alternative is available, shall not be located off a Primary Street.

(2) Height

This section explains the line item requirements for each Building Type Table within the second section entitled "Height". Table 1129.42 (2), illustrates an example of a Height Requirements Table from a typical Building Type.

	Permitted Districts	
	District A	District B
(2) Height		
Minimum Overall Height	1 story	1 story
Maximum Overall Height	4 stories	6 stories
Ground Story: Minimum Height	12'	12'
Maximum Height	18'	18'
Upper Stories: Minimum Height	8'	8'
Maximum Height	12'	12'

Table 1129.42 (2). Example Height Requirements Table from a Typical Building Type.

- (a) Minimum Height in Stories. The minimum overall height for the building shall be located within the build-to zone; stories above the required minimum height may be stepped back from the facade.
- (b) Maximum Height in Stories. The sum of a building's total number of stories.
 - A. Half stories must be located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above grade.
 - B. A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.
 - C. Some Building Types require a building facade to step back as its height increases. If required, the upper stories of any building facade with street frontage shall be set back beyond the building facade of the lower stories by the amount designated in the table.
- (c) Ground Story and Upper Story, Minimum and Maximum Height. Each frontage type includes a permitted range of height in feet for each story. Refer to Figure 1129.42 (3). Measuring Height. Additional information is as follows:
 - A. Floor height is measured in feet between the floor of a story to the floor of the story above it.
 - B. Floor height requirements apply only to street facing facades.
 - C. For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.

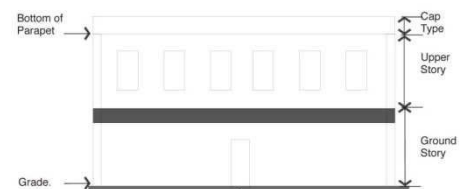
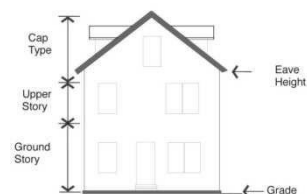


Figure 1129.42 (3). Measuring Height.

(3) Uses

This section explains the line item requirements for each Building Type Table within the third section entitled “Uses”. Refer to Section (C) Uses for uses permitted within each Zoning District. The requirements in this section of the Building Type Tables may limit those uses within a specific Building Type. Table 1129.42 (3) illustrates an example of the Uses table from a typical Building Type.

(a) Ground and Upper Story. The uses or category of uses that may occupy the ground and/or upper story of a building.

(b) Parking Within Building. The area(s) of a building in which parking is permitted within the structure.

(c) Required Occupied Space. The area(s) of a building that shall be designed as occupied space – which includes interior building space regularly occupied by the building users, but does not include storage areas, utility space, or parking.

	Permitted Districts	
	District A	District B
(3) Uses		
Ground Story	Any permitted use	
Upper Story	Any permitted use	
Parking within Building	Permitted fully in any basement and in rear of upper floors	
Occupied Space Required	30' deep on all full floors from the front facade	

Table 1129.42 (3). Example Uses Table from a Typical Building Type.

(4) Street Facade Requirements

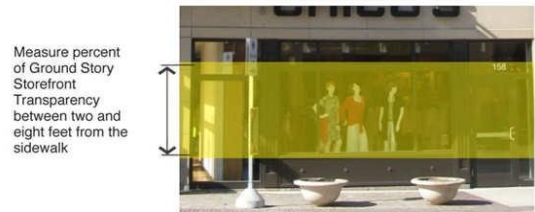
This section explains the line item requirements for each Building Type Table within the fourth section entitled “Street Facade Requirements.” Street Facade Requirements apply only to facades facing a public right-of-way. The rear or interior side yard facades are not required to meet these standards unless otherwise stated. Table 1129.42 (4) illustrates an example of a Street Facade Requirements Table from a typical Building Type.

(a) Minimum Ground Story and Upper Floor Transparency. The minimum amount of transparency required on street facades with street frontage. Refer to Figure 1129.42 (4).

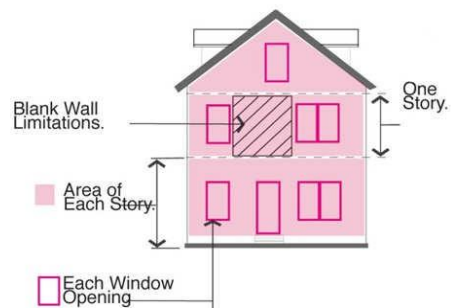
A. Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.

1. Ground Story Primary Facade Transparency, when defined separately from the overall minimum transparency, shall be measured between two (2) feet and eight (8) feet from the average grade at the base of the front facade.
2. Corner Side Facades are required to meet this percentage for the first thirty (30) feet of the facade from the corner.

B. Transparency within the UCP-2 zoning district also includes opaque spandrel glass, spandrel architectural panels, and like and similar materials.



Measuring Ground Floor Transparency on a Storefront base.



Measuring Transparency on Each Story.

Figure 1129.42 (4). Measuring Transparency.

- (b) Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
 - A. No rectangular area greater than thirty (30) percent of a story’s facade, as measured from floor to floor, may be windowless; and
 - B. No horizontal segment of a story’s facade greater than fifteen (15) feet in width may be windowless.
 - C. Within the UCP-2 zoning district no rectangular area greater than thirty (30) percent of a story’s facade, as measured from floor to floor, may be featureless; and no horizontal segment of a story’s facade greater than fifteen (15) feet in width may be featureless. For the purposes of this section, features include but are not limited to windows, vertical and horizontal building façade divisions and offsets (see f & g below), diversity of building materials (i.e. masonry, concrete texturing, cement or plaster) to produce effects of texture and relief that provide architectural interest.
- (c) Base type. The Base type(s) permitted for the entrance(s) of a given Building Type. A mix of permitted Base types may be used. Refer to section 1129.44 Base Types for definition of and additional requirements for each Base type.
- (d) Principal Entrance Location. The facade on which the primary building entrance is to be located.
- (e) Required Number of Street Entrances. The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.
- (f) Vertical Facade Divisions. The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth.
- (g) Expression Line. The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth.

(5) Cap Type

The following explains the line item requirements for each Building Type within the fifth section entitled “Cap Types”. Table 1129.42 (5), illustrates an example of a Cap Type Requirements Table from a typical Building Type.

- (a) Permitted Cap Type. The cap type(s) permitted for a given Building Type. Refer to section 1129.45 Cap Types for more specific requirements.
- (b) Tower. A vertical building extension that may be permitted in conjunction with another cap type on certain Building Types. Refer to section 1129.45(5).

	Permitted Districts	
	District A	District B
(5) Cap Type Requirements		
Permitted Cap Types	Parapet, Pitched	Parapet, Pitched
Tower	Permitted	Permitted

Table 1129.42 (5). Example Cap Type Requirements Table from a Typical Building Type.

1129.43 Building Types

1129.431 Storefront Building

(1) Description & Intent.

The Storefront Building is a mixed use building built close to the front and corner property lines. Ground story storefronts with large amounts of glass and regularly spaced at-grade entrances allow easy access to passing pedestrians. Parking may be provided in the rear of the lot, internally in the rear of the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or the side yard at the front property line.

Ground floor uses are limited to those with some level of pedestrian activity, such as retail, service, and office uses, with additional commercial, office, and/or residential uses in the upper stories.

(2) Regulations.

Regulations for the Storefront Building Type are defined in the adjacent table.

	Permitted Districts				
	MS-1	MS-3	DT-1	DT-2	DT-3
(a) Building Siting Refer to Figure 1129.431 (1)					
Multiple Principal Buildings	Not Permitted				Not Permitted
Minimum Front Lot Line Coverage	95% ¹	85% ^{1,2}	95% ³	85% ^{1,2}	65%
Occupation of Corner	Required				
Front Build-to Zone	0' to 5'	0' to 10'	0' to 5' ³	0' to 10'	5' to 20' ⁴
Corner Build- to Zone	0' to 5'	0' to 10'	0' to 5'	0' to 10'	5' to 15'
Minimum Side Yard Setback	0'	0'	0'	0'	5'
Minimum Rear Yard Setback	25'	25'	5'	5'	5'; 25' adjacent to residential
Minimum Lot Width Maximum Lot Width	None None				
Maximum Building Width	80'	80'	None	None	None

Maximum Impervious Coverage Additional Semi-Pervious Coverage	70% 20%	65% 20%	75% 25%	65% 30%	60% 20%
Parking & Loading Location	Rear yard ¹	Rear Yard ²	Rear Yard	Rear Yard ²	Rear Yard & Interior Side Yard
Vehicular Access	Alley. If no alley present, refer to 1129.27 Primary Streets for hierarchy of vehicular access.				
(b) Height Refer to Figure 1129.431 (2)					
Minimum Overall Height	1 story	1 story	3 stories	2 stories	1 story
Maximum Overall Height	4 stories	4 stories	12 stories	10 stories	3 stories
Ground Story: Minimum Height	12' 18'	12' 18'	14' 24' ⁴	14' 24' ⁴	15' 24' ⁴
Maximum Height					
Upper Stories: Minimum Height	8' 12'	8' 12'	9' 14	9' 14	9' 14
Maximum Height					
(c) Uses Refer to Figure 1129.431 (2)					
Ground Story	Any permitted non-residential use				
Upper Story	Any permitted use.				
Parking within Building	Permitted fully in any basement and in rear of upper floors				
Occupied Space Required	30' deep on all full floors from the front facade				
(d) Street Façade Requirements Refer to Figure 1129.431 (3)					
Minimum Ground Story Primary Façade Transparency Measured between 2' and 8' above grade	65%	60%	65%	60%	50%

Minimum Transparency Upper Stories	15%; maximum 50%	15%; maximum 50%	15%; maximum 50%	15%; maximum 50%	15%; maximum 50%
Blank Wall Limitations	Required per floor on Primary Street Facades only				
Primary Facade Base Type	Storefront				
Principal Entrance Location	Front or Corner Facade				
Minimum Number of Street Entrances	One for every 50' or less of facade	One for every 50' or less of facade	One for every 75' or less of facade	One for every 100' or less of facade	One for every 75' or less of facade
Ground Story Vertical Facade Divisions	Every 25' of facade width		Every 30' of facade width		
Upper Story Vertical Facade Divisions	Every 60' of facade width		Every 60' of facade width		
Expression Lines	Within 3' of the top of the ground story		Within 3' of the top of the ground story and the bottom of the top floor	Within 3' of the top of the ground story	
(e) Cap Type Requirements Refer to Figure 1129.431 (3)					
Permitted Cap Types	Parapet, Pitched ⁵	Parapet, Pitched ⁵	Parapet	Parapet, Pitched ⁵ , Flat	Parapet, Pitched ⁵ , Flat
Tower	Permitted				

Notes:

¹ Lots wider than 80 feet are permitted one single-loaded aisle of parking (maximum width of 40 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 50%.

² Lots wider than 150 feet are permitted one double-loaded aisle of parking (maximum width of 65 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 60%

³ A Courtyard covering up to 35% of the front and/or corner build-to zone may contribute to the front lot line coverage when enclosed by building on three sides.

⁴ If more than 18' in height, the ground story shall count as two stories towards maximum building height.

⁵ Use of the Pitched Cap Type permitted only on buildings with a maximum width, as measured along the front facade, of 60' and the ridge shall run parallel to the front lot line.

Storefront Building

	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
Multiple Principal Buildings	Permitted	Permitted
(a) Minimum front lot line coverage	85%	60%
Occupation of Corner	Required	Required
(b) Front Build-to Zone	5'-15'	8'-15' ¹
(c) Corner Build-to Zone	5'-15'	8'-15'
(d) Minimum Side Yard Setback	10' to property line/ 20' between buildings	10' to property line/ 20' between buildings
(e) Minimum Rear Yard Setback	25'	25'
(f) Minimum Lot Width	100'	100'
(f) Maximum Lot Width		
(g) Maximum Building Width	160'	
Maximum Impervious Surface Coverage	60%	60%
Additional Semi-Pervious Surface Coverage	30%	30%
(h) Parking and Loading Location	Rear Yard ²	Rear Yard ³
(i) Vehicular Access	Primary Street	Primary Street ⁴
(j) Minimum Overall Height	3 stories	1 stories
(k) Maximum Overall Height	5 stories	3 stories
(l) Ground Story: Min Max	12' 18'	20' if single story 25' if single story 12' if multi story 18' if multi story 35' if single story industrial use

¹ The minimum build to zone for University Boulevard shall be 15-25 feet. Minimum “build-to” zone for Marshall Avenue/Grand Boulevard shall be 10-20 feet between University Boulevard and first intersection and the Minimum “build-to” zone for Marshall Avenue/Grand Boulevard between first intersection and Pleasant Avenue will be dependent upon site conditions.

² Lots wider than 80' are permitted one single-loaded aisle of parking (max width of 40'), located perpendicular to the front lot line, and shall meet a front lot line coverage of 50%.

³ Lots wider than 80' are permitted one single-loaded aisle of parking (max width of 40'), located perpendicular to the front lot line, and shall meet a front lot line coverage of 45%. Lots wider than 150 feet are permitted one double-loaded aisle of parking (maximum width of 65 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 45%.

⁴ No new vehicular access drives permitted on Marshall Avenue/Grand Boulevard.

Storefront Building

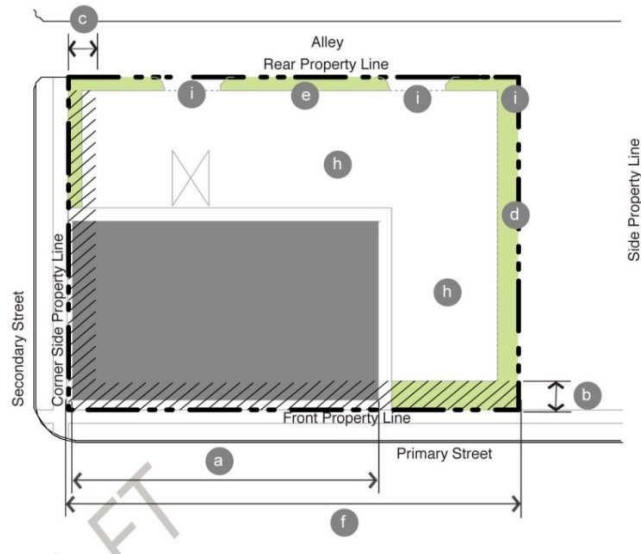
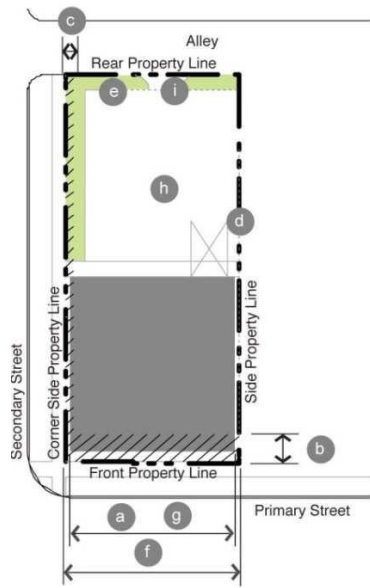
	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
(m) Upper Story: Min Max	8' 12'	8' 12'
(n) Ground Story Permitted Uses	Any permitted non residential use.	Any permitted use.
(o) Upper Story Permitted Uses	Any permitted use.	Any permitted use.
(p) Parking within Building	Permitted fully in any basement and in rear of upper floors.	Permitted fully in any basement and in rear of upper floors.
(q) Occupied Space Required	30' deep on all full floors from the front facade	
(r) Minimum Ground Story Primary Façade Transparency	65% - measured between 2' and 8' above grade	30%
(s) Minimum Upper Story Transparency	15%	15%
Blank Wall Limitations	Required per floor on Primary Street Facades only ⁵	Required per floor on Primary Street Facades only ⁶
(t) Primary Façade Base Type	Storefront, Arcade	Storefront, Arcade
(u) Principal Entrance Location	Front or corner facade	Front or corner facade
Minimum Number of Street Entrances	One (1) every 50'	One (1) per street frontage
(v) Ground Story Vertical Façade Divisions	Every 30' of façade width	Every 30' of façade width
Upper Story Vertical Façade Divisions	Every 60' of façade width	Every 60' of façade width
(w) Expression Lines	Within 3' of the top of the ground story	Within 3' of the top of the ground story
Cap Type Requirements	Parapet, Pitched ⁷ , Flat	Parapet, Pitched ⁸ , Flat
(x) Tower	Permitted	Permitted
Service Entrances/Overhead Doors	Non Street Facade	Non Street Facade

⁵ No rectangular area greater than 30% of the story's façade, as measure from floor to floor, may be windowless; and no horizontal segment of a story's façade greater than 15' in width may be windowless.

⁶ No rectangular area greater than 30% of the story's façade, as measure from floor to floor, may be featureless; and no horizontal segment of a story's façade greater than 15' in width may be featureless.

⁷ Use of the Pitched Cap Type permitted only on buildings with a maximum width, as measured along the front façade, of 60' and the ridge shall be parallel to the front lot line.

⁸ Use of the Pitched Cap Type permitted only on buildings with a maximum width, as measured along the front façade, of 60' and the ridge shall be parallel to the front lot line.



Typical Site Plan

Site Plan with Side Yard Parking (MS-3 District)

Figure 1129.431 (1). Building Siting.

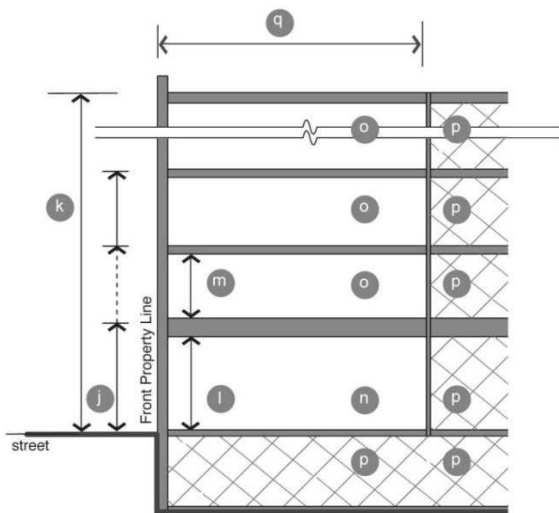


Figure 1129.431 (2). Height & Use Requirements.

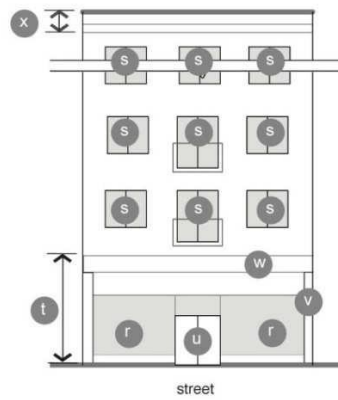


Figure 1129.431 (3). Street Facade Requirements.

1129.432 General Stoop Building.

(1) Description & Intent.

The General Stoop Building Type is limited in terms of uses by the district within which it is located, generally housing office and/or residential uses. Similar to the Main Street Building, the General Stoop building is intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or the side yard at the front property line. The minimum and maximum heights of this Building Type depend on the district within which it is located.

(2) Regulations.

Regulations for the Stoop Building Type are defined in the adjacent table.

	Permitted Districts			
	MS-2	MS-3	DT-2	DT-3
(a) Building Siting Refer to Figure 1129.432 (1)				
Multiple Principal Buildings	Not Permitted			
Minimum Front Lot Line Coverage	75%	75% ¹	85%	60%
Occupation of Corner	Required			
Front Build-to Zone	5' to 20' ₃	5' to 15'	0' to 10'	10' to 25'
Corner Build-to Zone	5' to 10' ₃	5' to 10'	0' to 10'	0' to 15'
Minimum Side Yard Setback	2.5'	2.5'	5'	10'
Minimum Rear Yard Setback	25'	25'	25'	5'; 25' adjacent to residential
Minimum Lot Width	None			
Maximum Lot Width	None			
Maximum Building Width	60' along B street	80'	None	None
Maximum Impervious Coverage	60%	70%	75%	65%
Additional Semi-Pervious Coverage	25%	20%	20%	20%
Parking & Loading Location	Rear yard ₁	Rear Yard ²	Rear Yard ²	Rear Yard & Interior Side Yard
Vehicular Access	Alley. If no alley present, refer to 1129.27 Primary Streets for hierarchy of vehicular access.			
(b) Height Refer to Figure 1129.432 (2)				
Minimum Overall Height	2 stories	1 story	2 stories	1 story
Maximum Overall Height	4 stories	4 stories	10 stories	3 stories

All Stories: Minimum Height	8'	8'	9'	9'
Maximum Height	12'	12'	14'	14'
(c) Uses Refer to Figure 1129.432 (2)				
All Stories	Any office or residential use.			
Parking within Building	Permitted fully in any basement and in rear of upper floors			
Occupied Space Required	30' deep on all full floors from the front facade			
(d) Street Façade Requirements Refer to Figure 1129.432 (3)				
Minimum Transparency All Stories	12%; maximum 50%	12%; maximum 50%	12%; maximum 50%	12%; maximum 50%
Blank Wall Limitations	Required per floor on Primary Street Facades			
Primary Façade Base Type	Stoop, Porch			
Principal Entrance Location	Front or Corner Façade			
Minimum Number of Street Entrances	One	One	One for every 100' or less of facade	
Vertical Façade Divisions	None		Every 60' of ground story	
Expression Lines	Within 3' of the top of the ground story and any visible basement			
(e) Cap Type Requirements Refer to Figure 1129.432 (3)				
Permitted Cap Types	Pitched ⁴ ,Parapet		Parapet, pitched, flat	
Tower	Permitted			

Notes:

¹ Lots wider than 80 feet are permitted one single-loaded aisle of parking (maximum width of 40 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 50%.

² Lots wider than 150 feet are permitted one double-loaded aisle of parking (maximum width of 65 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 60%

³ Building facades built within 0 to 5' of the front lot line and constructed prior to adoption of this ordinance are considered in conformance. Steps on these buildings are permitted to encroach upon the sidewalk a maximum of 2', with a minimum of 4' clear.

⁴ Use of the Pitched Cap Type permitted only on buildings with a maximum width, as measured along the front facade, of 60' and the ridge shall run parallel to the front lot line.

General Stoop Building

	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
Multiple Principal Buildings	Permitted	Permitted
(a) Minimum front lot line coverage	85%	60%
Occupation of Corner	Required	Required
(b) Front Build-to Zone	5'-15'	8'-15' ⁹
(c) Corner Build-to Zone	5'-15'	8'-15'
(d) Minimum Side Yard Setback	10' to property line/ 20' between buildings	10' to property line/ 20' between buildings
(e) Minimum Rear Yard Setback	25'	25'
Minimum Setback between buildings	20'	20'
(f) Minimum Lot Width	100'	100'
(f) Maximum Lot Width		
(g) Maximum Building Width	160'	
Maximum Impervious Surface Coverage	6%	60%
Additional Semi-Pervious Surface Coverage	30%	30%
(h) Parking and Loading Location	Rear Yard ¹⁰	Rear Yard ¹¹
(i) Vehicular Access	Primary Street	Primary Street ¹²
(j) Minimum Overall Height	3 stories	1 stories
(k) Maximum Overall Height	5 stories	3 stories
(l) All Stories: Min Max	8' 12'	18' if single story 22' if single story 8' if multi story 12' if multi story 35' if single story industrial use

⁹ The minimum build to zone for University Boulevard shall be 15-25 feet. Minimum “build-to” zone for Marshall Avenue/Grand Boulevard shall be 10-20 feet between University Boulevard and first intersection and the Minimum “build-to” zone for Marshall Avenue/Grand Boulevard between first intersection and Pleasant Avenue will be dependent upon site conditions.

¹⁰ Lots wider than 80' are permitted one single-loaded aisle of parking (max width of 40'), located perpendicular to the front lot line, and shall meet a front lot line coverage of 50%.

¹¹ Lots wider than 80' are permitted one single-loaded aisle of parking (max width of 40'), located perpendicular to the front lot line, and shall meet a front lot line coverage of 45%. Lots wider than 150 feet are permitted one double-loaded aisle of parking (maximum width of 65 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 45%.

¹² No new vehicular access drives permitted on Marshall Avenue/Grand Boulevard.

General Stoop Building

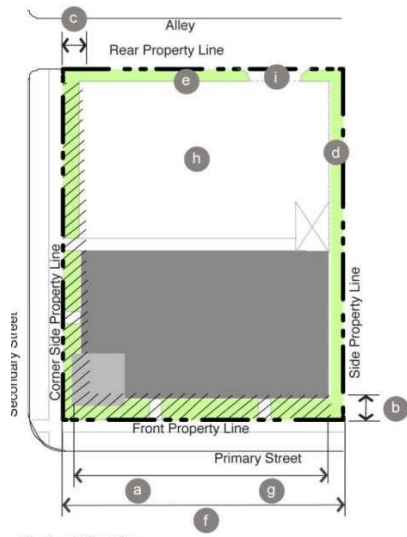
	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
(n) Permitted Uses – All Stories	Any office or residential use	Any permitted use.
(p) Parking within Building	Permitted fully in any basement and in rear of upper floors	Permitted fully in any basement and in rear of upper floors
(q) Occupied Space Required	30' deep on all full floors from the front facade	
(r) Minimum Primary Façade Transparency – All Stories	12% minimum – 50% maximum	12% minimum
Blank Wall Limitations	Required per floor on Primary Street Facades only ¹³	Required per floor on Primary Street Facades only ¹⁴
(t) Primary Façade Base Type	Stoop, Porch, Arcade	Stoop, Porch, Arcade
(u) Principal Entrance Location	Front or corner façade	Front or corner façade
Minimum Number of Street Entrances	Every 50'	One (1) per street frontage
(v) Vertical Façade Divisions	Every 60' of ground story	Every 60' of ground story
(w) Expression Lines	Within 3' of the top of the ground story and any visible basement	Within 3' of the top of the ground story and any visible basement
(x) Cap Type Requirements	Pitched ¹⁵ , Parapet	Pitched ¹⁶ , Parapet
(y) Tower	Permitted	Permitted
Service Entrances/Overhead Doors	Non Street Facade	Non Street Facade

¹³ No rectangular area greater than 30% of the story's façade, as measure from floor to floor, may be windowless; and no horizontal segment of a story's façade greater than 15' in width may be windowless.

¹⁴ No rectangular area greater than 30% of the story's façade, as measure from floor to floor, may be featureless; and no horizontal segment of a story's façade greater than 15' in width may be featureless.

¹⁵ Use of the Pitched Cap Type permitted only on buildings with a maximum width, as measured along the front façade, of 60' and the ridge shall run parallel to the front lot line.

¹⁶ Use of the Pitched Cap Type permitted only on buildings with a maximum width, as measured along the front façade, of 60' and the ridge shall run parallel to the front lot line.



Typical Site Plan

Figure 1129.432 (1). Building Siting.

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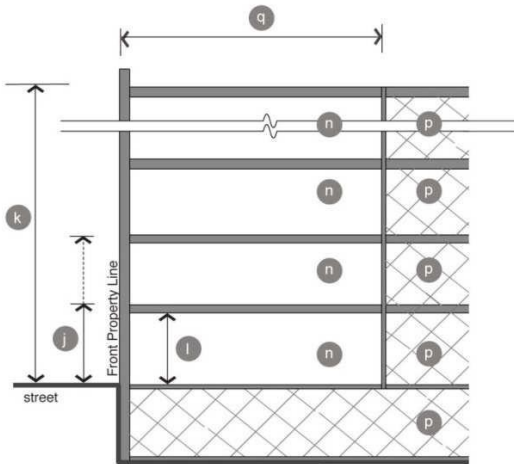


Figure 1129.432 (2). Height & Use Requirements.

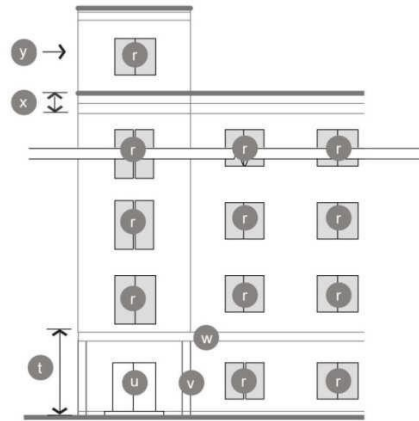


Figure 1129.432 (3). Street Facade Requirements.

1129.433 Cottage Commercial Building.

(1) Description & Intent.

Commercial Building combines characteristics of the Storefront Building Type with physical characteristics of a residential cottage, such as a pitched roof and a front stoop or porch.

This lower-scale building has a pedestrian-friendly storefront, stoop, or porch base type with moderate transparency and a primary entrance that faces the street. Constructed with Setbacks similar to a residential cottage, this building typically has more landscape area than the Storefront Building Types. Parking is permitted in the rear of the lot or a side aisle (with conditions).

The Cottage Commercial Building may contain a mix of uses, including retail, service, and office uses on the ground floor, with residential uses on upper floors.

(2) Regulations.

Regulations for the Cottage Commercial Form are defined in the adjacent table.

	Permitted Districts			
	MS-1	MS-2	MS-3	DT-3
(a) Building Siting Refer to Figure 1129.433 (1)				
Multiple Principal Buildings	Not Permitted	Not Permitted	Permitted	Permitted
Minimum Front Lot Line Coverage	85% ²	85%	75% ^{2,3}	60%
Occupation of Corner	Required			
Front Build-to Zone	0' to 15' ⁴	0' to 20'	5' to 15'	15' to 25'
Corner Build-to Zone	0' to 5'	0' to 15'	0' to 10'	10' to 20'
Minimum Side Yard Setback	2.5'	5'	2.5'	15'
Minimum Rear Yard Setback	35'	35'	35'	25'
Minimum Lot Width	None			
Maximum Lot Width	None			
Maximum Building Width	50'	30'	50'	60'
Maximum Impervious Coverage	60%	65%	60%	65%
Additional Semi-Pervious Coverage	20%	20%	20%	20%
Parking & Loading Location	Rear yard ²	Rear Yard	Rear Yard ^{2,3}	Rear Yard & Interior Side Yard
Vehicular Access	Alley. If no alley present, refer to 1129.27 Primary Streets for hierarchy of vehicular access.			
(b) Height Refer to Figure 1129.433 (2)				
Minimum Overall Height	1.5 stories	2 stories	1.5 stories	1 story
Maximum Overall Height	3 stories	3 stories	3 stories	3 stories
All Stories: Minimum Height	8'	8'	8'	9'
Maximum Height	12'	12'	12'	14'

(c) Uses Refer to Figure 1129.433 (2)				
Ground Story	Any permitted use except residential.			
Upper Stories	Any permitted use.			
Parking within Building	Permitted fully in any basement and in rear of upper floors			
Occupied Space Required	30' deep on all full floors from the front facade			
(d) Street Façade Requirements Refer to Figure 1129.433 (3)				
Minimum Ground Story Transparency Measured between 2' and 8' above grade	20%	45%	20%	20%
Minimum Transparency Upper Stories	15%; maximum 50%	15%; maximum 50%	15%; maximum 50%	15%; maximum 50%
Blank Wall Limitations	Required per floor on all Primary Street Facades			
Primary Façade Base Type	Stoop, Porch	Storefront, Stoop, Porch	Porch	
Principal Entrance Location	Front or Corner Side Façade			
Number of Street Entrances	Minimum 1			
Vertical Façade Divisions	Not Required			
Expression Lines	Within 3' of the top of any visible basement			
Primary Façade Material	Wood, hardiplank, vinyl siding with a minimum thickness of .04 inches			
(e) Cap Type Requirements Refer to Figure 1129.433 (3)				
Permitted Cap Types	Pitched with ridge perpendicular to front lot line			
Tower	Permitted			

Notes:

¹ The Cottage Commercial Building Type is permitted only on corners in the MS-2 District.

² Lots wider than 80 feet are permitted one single-loaded aisle of parking (maximum width of 40 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 50%.

³ Lots wider than 150 feet are permitted one double-loaded aisle of parking (maximum width of 65 feet), located perpendicular to the front lot line, and shall meet a front lot line coverage of 60%

⁴ Building facades built within 0 to 5' of the front lot line and constructed prior to adoption of this ordinance are considered in conformance. Steps on these buildings are permitted to encroach upon the sidewalk a maximum of 2', with a minimum of 4' clear.

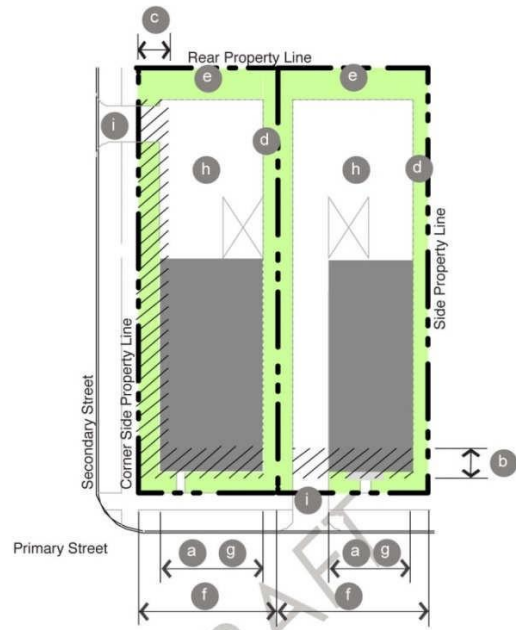


Figure 1129.433 (1). Building Siting.

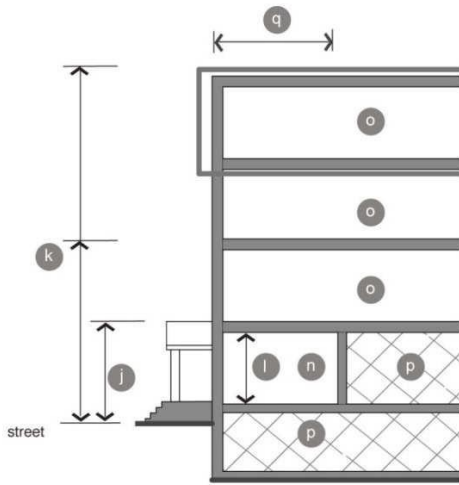


Figure 1129.433 (2). Height & Use Requirements.

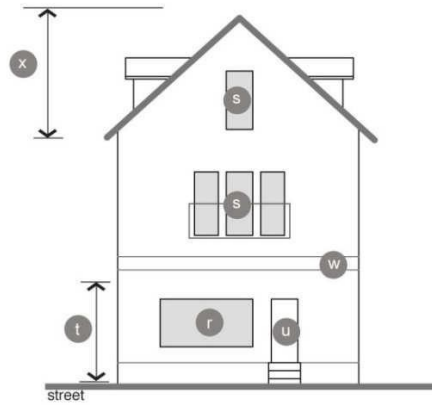


Figure 1129.433 (3). Street Facade Requirements.

1129.434 Civic Building.

(1) Description & Intent.

The Civic Building Type is a more flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive within the community fabric created by the other Building Types. In contrast to most of the other Building Types, a minimum setback line is required instead of a build to zone. Parking is limited to the rear in most cases.

(2) Regulations.

Regulations for the Civic Building Type are defined in the adjacent table.

	Permitted Districts				
	MS-2	MS-3	DT-1	DT-2	DT-3
(a) Building Siting Refer to Figure 1129.434 (1)					
Multiple Principal Buildings	Not Permitted				Permitted
Minimum Front Lot Line Coverage	None		85%	None	
Occupation of Corner	None		Required	None	
Front Build-to Zone	5'	10'	0'	0'	10'
Corner Build-to Zone	5'	5'	0'	5'	10'
Minimum Side Yard Setback	5'	5'	5'	5'	10'
Minimum Rear Yard Setback	25'	25'	5'	5'	5'; 25' adjacent to residential
Minimum Lot Width	50'				None
Maximum Lot Width	None				None
Maximum Impervious Coverage	70%	70%	75%	75%	70%
Additional Semi-Pervious Coverage	10%	20%	25%	25%	20%
Parking & Loading Location	Rear Yard & Interior Side Yard				
Vehicular Access	Alley. If no alley present, refer to 1129.27 Primary Streets for hierarchy of vehicular access.				
(b) Height Refer to Figure 1129.434 (2)					
Minimum Overall Height	1 story	1 story	1 story	1 story	1 story
Maximum Overall Height	3 stories	3 stories	10 stories	8 stories	2 stories
Ground Story:					
Min. Height	9'	9'	9'	9'	9'
Max. Height	16'	16'	24'	20'	20'
Upper Stories:					
Min. Height	9'	9'	9'	9'	9'
Max. Height	14'	14'	14	14	14

(c) Uses Refer to Figure 1129.434 (2)	
All Stories	Cultural uses, public facilities, clubs, or religion uses. Refer to 1129.30 Permitted Uses.
Parking within Building	Permitted fully in any basement and in rear of upper floors
Occupied Space Required	30' deep on all full floors from the front facade
(d) Street Façade Requirements Refer to Figure 1129.434 (3)	
Minimum Transparency per each story	15%
Blank Wall Limitations	None
Primary Façade Base Type	Stoop, Arcade
Principal Entrance Location	Front or Corner Façade
Number of Street Entrances	1 per each 150' of front facade
Vertical Façade Divisions	None
Expression Lines	None
(e) Cap Type Requirements Refer to Figure 1129.434 (3)	
Permitted Cap Types	Parapet, Pitched, Flat. Other by Conditional use.
Tower	Permitted

Notes:

¹ Lots wider than 80 feet are permitted one single-loaded aisle of parking (maximum width of 40 feet), located perpendicular to the front lot line.

1129.435 Row Building.

(1) Description & Intent.

The Row Building is a building typically comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garage accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

(2) Regulations.

Regulations for the Row Building Type are defined in the adjacent table.

	Permitted Districts	
	MS-2	DT-2
(a) Building Siting Refer to Figure 1129.435 (1)		
Multiple Principal Buildings	Permitted ¹	
Minimum Front Lot Line Coverage	65% ²	65% ²
Occupation of Corner	Required	Required
Front Build-to Zone	5' to 20' ³	5' to 15'
Corner Build-to Zone	0' to 15'	0' to 10'
Minimum Side Yard Setback	0' per unit; 7.5' between buildings	0' per unit; 10' between buildings
Minimum Rear Yard Setback	25', if alley present 10' ⁴	20', if alley present 10' ⁴
Minimum Lot Width Maximum Building Width	18' per unit maximum 6 units per building; maximum 120' width	18' per unit
Maximum Impervious Coverage Additional Semi-Pervious Coverage	60% 20%	75% 20%
Parking & Loading Location	Rear Yard; attached garages access off rear façade only	
Vehicular Access	Alley. If no alley present, refer to 1129.27 Primary Streets for hierarchy of vehicular access.	
(b) Height Refer to Figure 1129.435 (2)		
Minimum Overall Height	2 stories	2 stories
Maximum Overall Height	3.5 stories	4 stories

All Stories: Minimum Height	9'	9'
Maximum Height	14'	14'
(c) Uses Refer to Figure 1129.435 (2)		
All Stories	Any permitted use.	
Parking within Building	Permitted fully in any basement and in rear of upper floors	
Occupied Space Required	30' deep on all full floors from the front facade	
(d) Street Façade Requirements Refer to Figure 1129.435 (3)		
Minimum Transparency per each story	15%	15%
Blank Wall Limitations	Required per floor	
Primary Façade Base Type	Stoop, Porch	
Principal Entrance Location	Front or Corner Side Façade ²	
Number of Street Entrances	1 per unit	1 per unit
Vertical Façade Divisions	None	
Expression Lines	None	
(e) Cap Type Requirements Refer to Figure 1129.435 (3)		
Permitted Cap Types	Parapet, Pitched, Flat	
Tower	1 Permitted per building	

Notes:

¹ For the purposes of the Row Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type.

² Each building shall meet the front property line coverage requirement and entrance, except one of every five units may front and enter from a courtyard. The courtyard shall have a minimum width of 30 feet and be defined on three sides by units.

³ Developments spanning parcels between A and B Streets are required to treat B Street as the Front Lot Line.

⁴ Attached garages are considered part of the principal building and shall meet all setbacks. Detached garages shall have a minimum rear setback of 5'.

Row Building

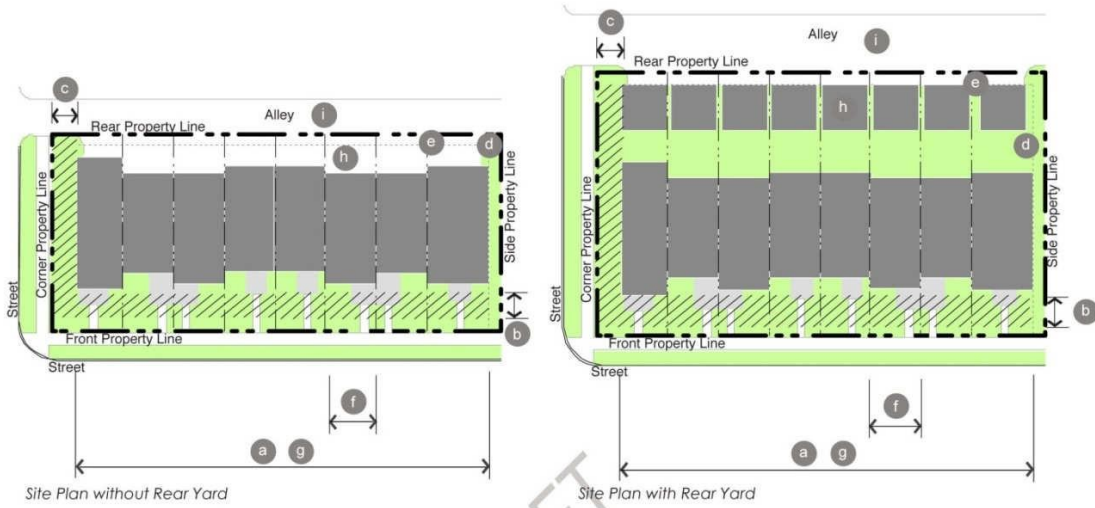
	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
Multiple Principal Buildings	Permitted	
(a) Minimum front lot line coverage	65% ¹⁷	
Occupation of Corner	Required	
(b) Front Build-to Zone	5'-15'	
(c) Corner Build-to Zone	5'-15'	
(d) Minimum Side Yard Setback	0' per unit; 10' to property line/ 20' between buildings	
(e) Minimum Rear Yard Setback	25'	
Minimum Lot Width	100'	
Maximum Lot Width		
(f) Minimum Building (unit) Width (g) Maximum Building (unit) Width	18' per unit maximum, 6 units (width) per building, maximum width 120'	
Maximum Impervious Surface Coverage	60%	
Additional Semi-Pervious Surface Coverage	30%	
(h) Parking and Loading Location	Rear Yard. If attached garage access off rear façade only	
(i) Vehicular Access	Primary Street	

¹⁷ Each building shall meet the front property line coverage requirement and entrance, except one of every five units may front and enter from a courtyard. The courtyard shall have a minimum width of 30' and be defined on three sides by units.

Row Building

	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
(j) Minimum Overall Height	2 stories	
(k) Maximum Overall Height	4 stories	
(l) All Stories: Min Max	9' 14'	
(n) Permitted Uses – All Stories	Any Permitted Use	
(p) Parking within Building	Permitted fully in any basement and in rear of upper floors	
(q) Occupied Space Required	30' deep on all full floors from the front façade	
(r) Minimum Primary Façade Transparency – All Stories	15%	
Blank Wall Limitations	Required per floor on Primary Street Facades only ¹⁸	
(u) Primary Façade Base Type	Stoop, Porch	
Principal Entrance Location	Front or Corner Side Façade	
Minimum Number of Street Entrances	One per unit	
Vertical Façade Divisions	Every 18'	
Expression Lines		
(x) Cap Type Requirements	Parapet, Pitched, Flat	
Tower	Permitted	

¹⁸ No rectangular area greater than 30% of the story's façade, as measure from floor to floor, may be windowless; and no horizontal segment of a story's façade greater than 15' in width may be windowless.



Site Plan without Rear Yard
Figure 1129.435 (1). Building Siting.

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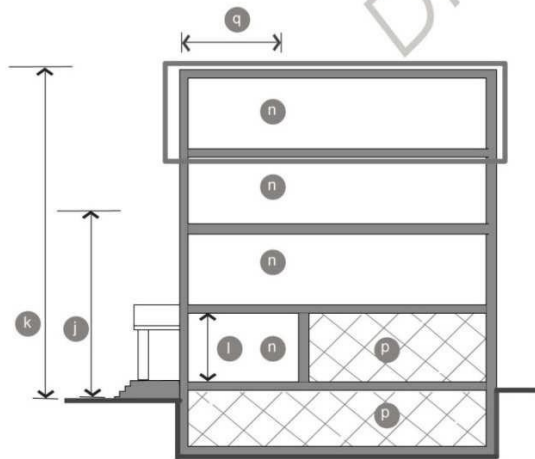


Figure 1129.435 (2). Height & Use Requirements.

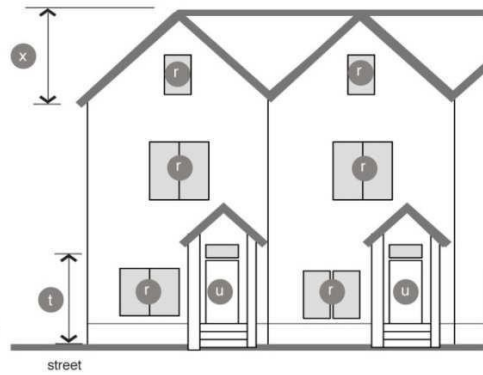


Figure 1129.435 (3). Street Facade Requirements.

1129.436 Parking Structure.

(1) Regulations.

Regulations for the Parking Structure are defined in the adjacent table.

	Permitted Districts
	DT-2
(a) Building Siting Refer to Figure 1129.436 (1)	
Multiple Principal Buildings	Not permitted
Minimum Front Lot Line Coverage	65%
Occupation of Corner	Not required
Front Build-to Zone	0' to 10'
Corner Build-to Zone	0' to 10'
Minimum Side Yard Setback	0'
Minimum Rear Yard Setback	5'
Minimum Lot Width	30'
Maximum Lot Width	60'
Maximum Building Width	250'
Maximum Impervious Coverage	50%
Additional Semi-Pervious Coverage	20%
Parking & Loading Location	Rear Yard
Vehicular Access	Alley, rear lane only, excludes vehicle entrances
(b) Height Refer to Figure 1129.436 (2)	
Minimum Overall Height	1.5 stories
Maximum Overall Height	4 stories
All Stories: Minimum Height	9'
Maximum Height	12'
(c) Uses Refer to Figure 1129.436 (2)	
All Stories	No additional requirement
Parking within Building	Permitted in the rear of the first floor and fully in any basement(s).
Occupied Space Required	15' depth space facing primary street, excludes vehicle entrances
(d) Street Façade Requirements Refer to Figure 1129.436 (3)	
Minimum Transparency per each story	15%
Blank Wall Limitations	Required

Primary Facade Base Type	Storefront, Stoop
Principal Entrance Location	Front, corner or side façade
Number of Street Entrances	1 per unit
Vertical Facade Divisions	None
Expression Lines	None
(e) Cap Type Requirements Refer to Figure 1129.436 (3)	
Permitted Cap Types	Parapet, Pitched, Flat
Tower	Not Permitted

Parking Structure

	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
Multiple Principal Buildings	Not Permitted	Not Permitted
(a) Minimum front lot line coverage	60%	60%
Occupation of Corner	Required	Required
(b) Front Build-to Zone	5'-15'	8'-15' ¹⁹
(c) Corner Build-to Zone	5'-15'	8'-15'
(g) Minimum Side Yard Setback	20'	20'
(e) Minimum Rear Yard Setback	25'	25'
(f) Minimum Lot Width	100'	100'
(f) Maximum Lot Width		
(g) Maximum Building Width	250'	
Maximum Impervious Surface Coverage	40%	40%
Additional Semi-Pervious Surface Coverage	15%	15%
(i) Vehicular Access	Primary Street	Primary Street ²⁰

¹⁹ The minimum build to zone for University Boulevard shall be 15-25 feet. Minimum “build-to” zone for Marshall Avenue/Grand Boulevard shall be 10-20 feet between University Boulevard and first intersection and the Minimum “build-to” zone for Marshall Avenue/Grand Boulevard between first intersection and Pleasant Avenue will be dependent upon site conditions.

²⁰ No new vehicular access drives permitted on Marshall Avenue and/or Grand Avenue extension.

Parking Structure

	UCP1 (Residential)	UCP-2 (Commercial/Industrial)
(j) Minimum Overall Height	1.5 stories	1.5 stories
(k) Maximum Overall Height	4 stories	3 stories
(l) All Stories: Min Max	9' 14'	9' 14'
(m) Permitted Uses – First Floor Required Occupied Space	Any Permitted Use	Any Permitted Use
(n) Parking within Building	Permitted in rear of first floor, fully on any other floor or basement	Permitted in rear of first floor, fully on any other floor or basement
(o) Occupied Space Required	15' depth space facing primary/secondary street corner for a minimum of 30' in length, excludes vehicle entrances	15' depth space facing primary street corner for a minimum of 30' in length, excludes vehicle entrances ²¹
(p) Minimum Primary Façade Transparency – All Stories	15%	15%
Blank Wall Limitations	Required per floor on Primary Street Facades only ²²	Required per floor on Primary Street Facades only ²³
(q) Primary Façade Base Type	Stoop, Porch	Stoop, Porch, Arcade
(r) Principal Entrance Location	Front, Corner or Side Façade	Front, Corner or Side Façade
Number of Street Entrances	One per frontage	One per Primary Street Frontage
Vertical Façade Divisions	None	None
Expression Lines	None	None
(s) Cap Type Requirements	Parapet, Pitched, Flat	Parapet, Pitched, Flat
Tower	Multiple Permitted	Multiple Permitted

²¹ The minimum Occupied Space Required for Parking Structures located on a Primary Street is 15 feet depth and the greater of 60 feet or 50 percent of the structure frontage.

²² No rectangular area greater than 30% of the story's façade, as measure from floor to floor, may be windowless; and no horizontal segment of a story's façade greater than 15' in width may be windowless.

²³ No rectangular area greater than 30% of the story's façade, as measure from floor to floor, may be featureless; and no horizontal segment of a story's façade greater than 15' in width may be featureless.

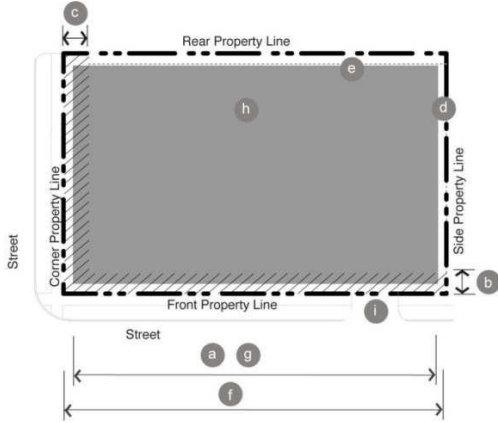


Figure 1129.436 (1). Building Siting.

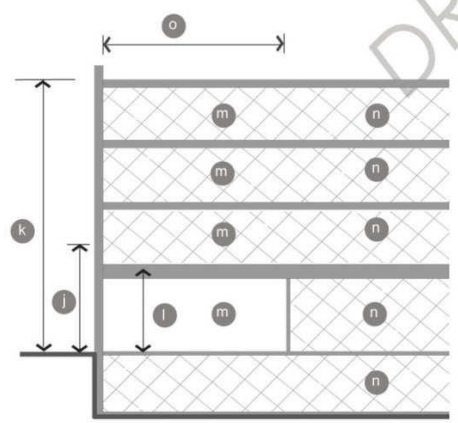


Figure 1129.436 (2). Height & Use Requirements.

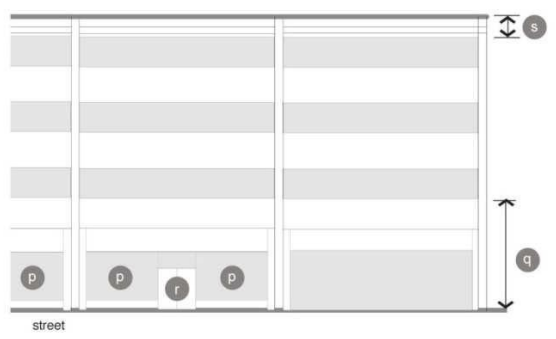


Figure 1129.436 (3). Street Facade Requirements.

street

1129.44 Base Types

Base type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this section. Refer to the Building Type Table Requirements in section 1129.43.

(1) General

The following provisions apply to all base types.

- (a) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type standard.
- (b) Applicability. The entire ground story front facade(s) of all buildings shall meet the requirements of at least one of the permitted base types, unless otherwise stated.
- (c) Measuring Transparency. Refer to 1129.42 Explanation of Building Type Table Standards, for information on measuring building transparency.
- (d) Visible Basements. Visible basements, permitted by base type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.

(2) Storefront Base Type

The Storefront base type is a highly transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses. Refer to Figure 1129.44 (1).

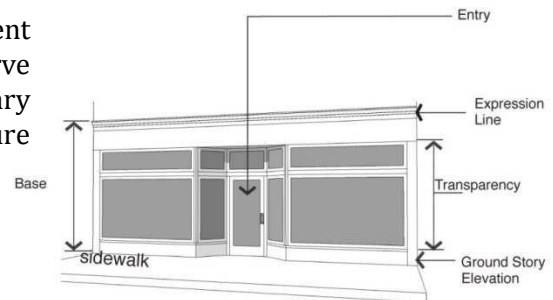
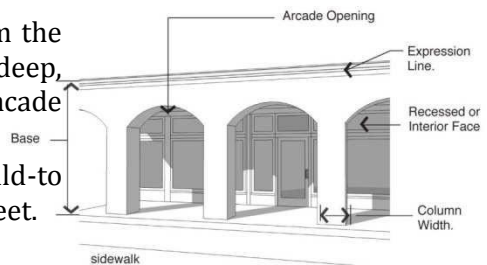


Figure 1129.44 (1). Storefront Base Type

- (a) Transparency. Minimum transparency is required per Building Type.
- (b) Elevation. Storefront elevation shall be between zero and one foot above sidewalk.
- (c) Visible Basement. A visible basement is not permitted.
- (d) Expression Line. Horizontally define the ground story facade from the upper stories.
- (e) Entrance. Where the sidewalk is less than 10 feet in width at the entrance, the entry door shall be recessed from the front façade.
 - A. Recess shall be a minimum of three feet from the front lot line and a maximum of eight feet deep, measured from the portion of the front facade closest to the street.
 - B. When the recess falls behind the front build-to zone, the recess shall be no wider than eight feet.



(3) Arcade Base Type

An Arcade base type is a covered pedestrian walkway within the recess of a ground story. Refer to Figure 1129.44 (2).

Figure 1129.44 (2). Arcade Base Type

- (a) Arcade. An open-air public walkway is required from the face of the building recessed into the building a minimum of eight (8) and a maximum of fifteen (15) feet, except in the UCP-2.
- (b) Build-to-Zone. When the Arcade is used, the outside face of the Arcade shall be considered the front facade, located within the required build-to zone.

- (c) Recessed or Interior Facade. Storefront base type is required on the recessed ground story facade.
- (d) Column Spacing. Columns shall be spaced between ten (10) feet and twelve (12) feet on center, except in the UCP-2.
- (e) Column Width. Columns shall be a minimum of one (1) foot eight (8) inches and a maximum of two (2) feet four (4) inches in width, except in the UCP-2.
- (f) Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.
- (g) Expression Line. Horizontally define the ground story facade from the upper stories.
- (h) Visible Basement. A visible basement is not permitted.

(4) Stoop Base Type

A stoop is an unroofed, open platform. Refer to Figure 1129.44 (3).

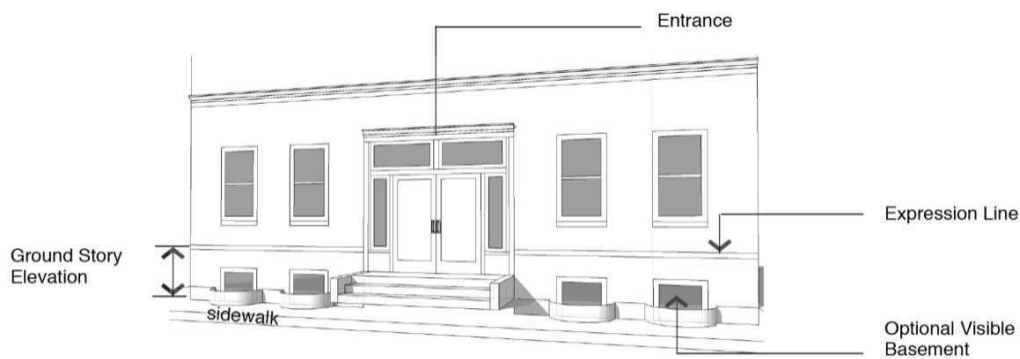


Figure 1129.44 (3). Stoop Base Type

- (a) Transparency. Minimum transparency is required per Building Type.
- (b) Stoop Size. Stoops shall be a minimum of three (3) feet deep and six (6) feet wide.
- (c) Elevation. Stoop elevation shall be located a maximum of two (2) feet six (6) inches above the sidewalk without visible basement and a maximum of four (4) feet six (6) inches above the sidewalk with a visible basement.
- (d) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.
- (e) Entrance. The main entrance shall be located off a stoop.

(5) Porch Base Type

A porch is a raised, roofed platform with a minimum dimension of six feet by eight feet. Enclosure of porch walls is prohibited. Refer to Figure 1129.44 (4).

(a) Transparency

- A. Minimum transparency per Building Type is required.
- B. If enclosed, a minimum of forty (40) percent of the enclosed porch shall be comprised of highly transparent, low reflectance windows.

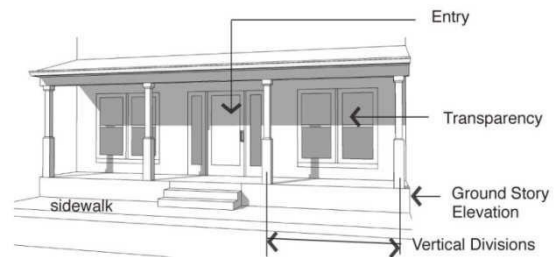


Figure 1129.44 (4). Porch Base Type

- (b) Porch Size. The porch shall be a minimum of five (5) feet deep and eight (8) feet wide.
- (c) Elevation. Porch elevation shall be located a maximum of two (2) feet six (6) inches above

the sidewalk without a visible basement and a maximum of four (4) feet six (6) inches above the sidewalk with a visible basement.

- (d) Visible Basement. A visible basement is permitted.
- (e) Height. Porch may be two stories to provide a balcony on the second floor.
- (f) Entrance. All entries shall be located off a porch.

1129.45 Cap Types

Cap Type standards apply to the roof and cap of all Building Types as defined in this section. Refer to the Building Type Table Requirements.

(1) General Provisions

The following provisions apply to all cap types.

- (a) Intent. To guide the design of the cap of all buildings.
- (b) Applicability. All buildings shall meet the requirements of one of the cap types permitted for the Building Type.
- (c) Measuring Height. Refer to Section 1129.42 Explanation of Building Type Table Requirements for information on measuring building height.
- (d) Other Cap Types. Other building caps not listed as a specific type may be approved by the Architectural Review Board with the following requirements:
 - A. The cap type shall not create additional occupiable space beyond that permitted by the Building Type.
 - B. The shape of the cap type shall be significantly different from the Parapet, Pitched/Gable, Pitched/Hip, Parallel Ridge, Tower, and Flat Cap types defined in this section 1129.45 Cap Types, (e.g. a dome, spire, or vault).
 - C. The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the cap type and the meaning of the building use.

(2) Parapet Cap Type

A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be used with a flat or low pitched roof and also serves to limit the view of roof-top mechanical systems from the street. Refer to Figure 1129.45 (1) Parapet Cap Type.

- (a) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
 - A. Minimum height is two (2) feet with a maximum height of six (6) feet.
 - B. The parapet shall be high enough to screen the roof and any roof appurtenances from view of the abutting street(s).

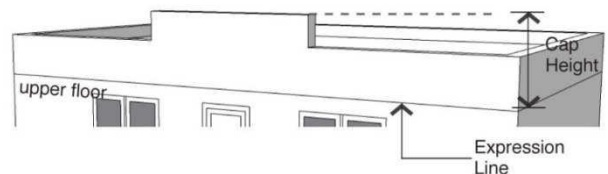


Figure 1129.45 (1). Parapet Cap Type.

Cap
Roof

- (b) The parapet may be vertical matching the façade materials, or sloped no less than 12:12 utilizing roof materials per 1129.46(1)(b), or a combination of vertical and sloped parapets meeting these standards.
- (c) Expression Lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
- (d) Occupied Space. Occupied space shall not be incorporated behind this cap type.

(3) Pitched Cap Type

This cap type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run. Refer to Figure 1129.45 (2) Pitched Cap Type.

- (a) Pitch Measure. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12. Slopes less than 4:12 are permitted to occur on second story or higher roofs.

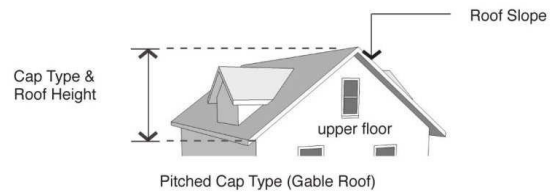


Figure 1129.45. (2) Pitched Cap Type

(b) Configurations.

- A. Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
- B. Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet, inclusive of overhang.
- C. Mansard roofs are permitted with the following standards:
 - 1. Mansard roof is permitted on only one story;
 - 2. Slope is no steeper than 16:12;
 - 3. Cap height is not taller than 10 feet; and
 - 4. One dormer per 15 horizontal feet of street frontage is required.
- D. Gambrel roofs are not permitted.

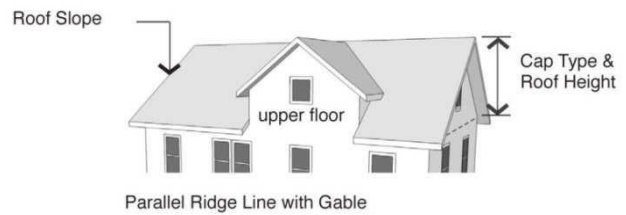


Figure 1129.45 (3). Parallel Ridge Line.

- (c) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every one hundred (100) feet of roof when the ridge line runs parallel to the front lot line. Refer to Figure 1129.45 (3) Parallel Ridge Line.

- (d) Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Building Type.

- (e) Occupied Space. Occupied space may be incorporated behind this cap type.

(4) Towers

A tower is a rectilinear or cylindrical, vertical element, that must be used with other cap types. Refer to Figure 1129.45 (4).

- (a) Quantity. All Building Types, with the exception of the Civic Building, are limited to

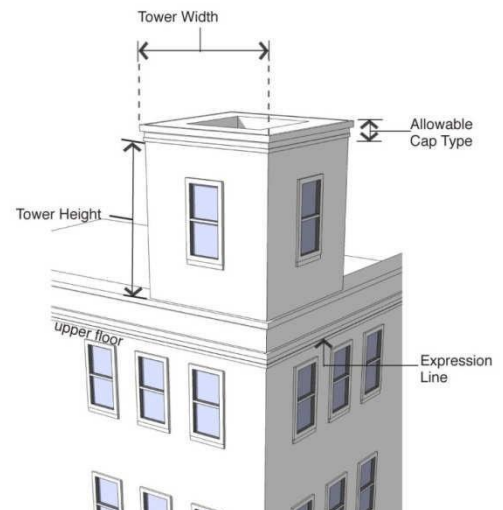


Figure 1129.45 (4). Tower.

one tower per building, unless otherwise indicated.

- (b) Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.
- (c) Tower Width. Maximum width along all facades is one-third the width of the front facade or thirty (30) feet, whichever is less.
- (d) Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential Building Types.
- (e) Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Building Type to which it is applied.
- (f) Application. May be combined with all other cap types.
- (g) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof cap types, or the spire may cap the tower.

(5) Flat Cap Type

This cap type has a flat roof with overhanging eaves. Refer to Figure 1129.45 (5) Flat Cap Type.

- (a) Configuration. Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.
- (b) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least fourteen (14) inches.

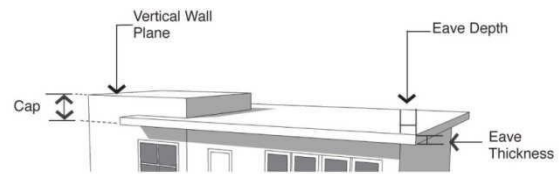


Figure 1129.45 (5). Flat Cap Type.

- (c) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight (8) inches thick.
- (d) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
 - A. No more than one-half of the front facade may consist of an interrupting vertical wall.
 - B. Vertical walls shall extend no more than four (4) feet above the top of the eave.
- (e) Occupied Space. Occupied space shall not be incorporated behind this cap type.

1129.46 Additional Design Requirements

The following outlines additional design requirements applicable to all buildings in the MS-1, MS-2, MS-3, DT-1, DT-2, DT-3, UCP-1 and UCP-2 Districts.

(1) Materials and Color

- (a) Primary Facade Materials. Eighty (80) percent of each facade shall be constructed of one or more primary materials. For facades over one hundred (100) feet in length, more than one material shall be used to meet the eighty (80) percent requirement. Permitted primary building materials include high quality, durable, natural materials, such as stone; brick; wood lap siding; fiber cement board lapped, shingled, or panel siding; glass.

Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 1129.46 (1).



Primary Materials: Brick

Primary Materials: Stone



Roof Materials: Asphalt Composite Shingles



Primary Materials: Painted Wood



Roof Materials: Ceramic Tile

Figure 1129.46 (1). Primary Materials.

Figure 1129.46 (2). Roof Materials.

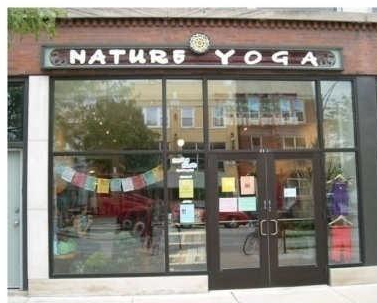
- (b) Secondary Facade Materials. Secondary materials are limited to details and accents and include all primary materials as well as gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim and ornamentation; and exterior architectural metal panels and cladding. Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.



Prohibited: Residential Grade Doors on Commercial Buildings.



Permitted Awnings: Metal



Permitted: Commercial Grade Doors & Windows on Commercial Buildings.



Permitted Awnings: Canvas

Figure 1129.46 (3). Commercial Grade Doors & Windows.



Prohibited Awnings: Plastic

Figure 1129.46 (4). Awnings.

- (c) Roof Materials. Acceptable roof materials include three hundred (300) pound or heavier, dimensional asphalt composite shingles, wood shingles and shakes, or standing seam, slate, and ceramic tile. “Engineered” wood or slate may be approved with an approved sample and examples of successful, high quality local installations. Refer to Figure 1129.46 (2).
- (d) Color. Main building colors shall use any historic palettes from any major paint manufacturer. Other colors may be used for details and accents, not to exceed a total area larger than ten (10) percent of the facade surface area.
- (e) Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all Building Types with the exception of the Row Building. Refer to Figure 1129.46 (3).

(2) Windows, Awnings, and Shutters.

- (a) Windows. All upper story windows on all residential and mixed use buildings shall be recessed a minimum of four (4) inches. Percent of transparency is required per Building Type.
- (b) Awnings. All awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated. Refer to Figure 1129.46 (4). Minimum clear distance from back of curb is two feet with a minimum height of eight (8) feet. Protrusion into any right-of-way requires City approval.
- (c) Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood, metal, or vinyl. “Engineered” wood may be approved with an approved sample and examples of successful, high quality local installations.

(3) Balconies

The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 1129.46 (5).

- (a) Size. Balconies shall be a minimum size of four (4) feet in width and six (6) feet in length.
- (b) Connection to Building. Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- (c) Facade Coverage. A maximum of forty (40) percent of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

(4) Parking Lot Screening

Parking or vehicular areas fronting on any street shall provide a wall or fence with a minimum height of three (3) feet or a maximum height of four (4) feet, or landscaping with a minimum height of three (3) feet at time of planting, any of which shall have at least fifty (50) percent opacity screening the parking lot. The wall shall be setback a minimum of five (5) feet and a maximum of ten (10) feet from the



Figure 1129.46 (5). Balconies Integral to Facade.

sidewalk with landscaping in the setback. Within the UCP-2 zoning district all surface parking lots, including any required wall or fence, shall be set back a minimum of eight (8) feet from the property line abutting any primary street or match the building setback, whichever is greater. Parking Lots shall be setback at least five (5) feet from all side property lines.

(5) Drive-through Structures

Drive-through facilities are permitted only in those locations indicated in the Permitted Use Table in Section 1129.30. Refer to Figure 1129.46 (6) for one illustration of the following requirements.

- (a) Service Window/Canopy. Drive-through service windows or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The service window shall not face or front any Primary Street.
- (b) Stacking Lanes. Stacking lanes shall be located perpendicular to the Primary Street or behind the building.
- (c) The canopy and structure shall be constructed of the same materials used on the building.

(6) Landscaping and Fencing

- (a) All portions of front yard build to zones and corner yard areas not required to be occupied by a building shall be landscaped. The area required to be landscaped may include permeable patio pavement or access walkways across the area connecting the public walk to the building.
- (b) Fences shall be decorative as well as functional. Except as permitted by section 1129.46(4), no fence between the front façade off the building and any property line shall exceed forty-two (42) inches in height, and no fence located behind the front façade of the building shall exceed ninety-six (96) inches in height. No chain link or solid fences may be installed on any street frontage in any form-based district.
- (c) Landscaping shall be maintained in a viable condition at all times, and so as not to interfere with pedestrian walkways, building entrances, or business sign visibility.
- (d) Landscaping shall be designed as pedestrian scale and shall be open for use by the public where practicable.
- (e) Street furniture such as benches, planter boxes, fountains, sculpture, and other artwork shall be incorporated into landscaped areas where practicable.



Figure 1129.46 (6). Recommended Drive-Through Facility Layout.

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APPENDIX D

1126.00 ARCHITECTURAL CONSERVATION /HISTORIC DISTRICTS (EOR2005-7-71) (Amend. OR2011-12-122) (Amend. OR2013-2-22) (Amend. OR2015-2-13)

1126.00 Purpose: It is the purpose of Section 1126.00, et seq., to protect the economic, cultural, and educational welfare of the citizens of the City of Hamilton by preserving and protecting significant architectural and/or historic structures, sites, monuments, streetscapes and neighborhoods by the establishment of restrictions on construction, erection, alteration, painting, design, color, removal, moving or demolition of buildings and structures, and the construction, erection, mounting, painting, design, color, moving, demolition, or revision of signage in the any hereinafter designated Architectural Conservation/Historic District. The further purpose of said Section 1126.00, et seq., shall include but not be limited to the following:

Combating conditions of blight and deterioration in aging neighborhoods through protection from a decrease in value of individual real property resulting from the destruction and/or degradation of architectural and/or historic features in residential and commercial structures, sites, monuments, streetscapes and neighborhoods.

The encouragement of investment in architectural and/or historic resources that can result in stabilization or increase in property values and strengthen the economy of the City of Hamilton.

Ensure that new development is compatible with existing structures and the Comprehensive Plan of the City of Hamilton through improvements in the aesthetic quality of the designated districts for safe, harmonious, and integrated building design continuity by establishing uniform, mass, height, setback, material and design standards in order to promote a positive visual image for the City of Hamilton.

Protect and promote public safety and preservation of air and light quality by limiting maximum building height of any building to within the stream reach of existing firefighting equipment.

1126.20 Definitions:

For the purposes of this Chapter Architectural Conservation/Historic Districts Zoning Ordinance the following words and phrases, shall have the meanings respectively ascribed to them. These definitions are germane to the Architectural Conservation/Historic Districts Zoning Ordinance. The definitions are as follows:

1. **Alteration** - Any act or process that changes one or more of the exterior architecture features of a building or structure, including but not limited to the erection, construction, reconstruction, painting, design change, color change, or removal of the building or structure (REVISED OR2015-2-13)
2. **Addition** - Any act or process that changes one or more of the exterior architectural features of a building or structure by adding to, joining with or increasing the size or capacity of the building or structure.
3. **Building** - Any structure for the shelter, support or enclosure of persons, animals, chattels or property of any kind.
 - a. **Building, Height of:** The vertical distance from the grade at a building line to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the average height of the highest gable of a pitched or hip roof.
 - b. **Building, Setback Line:** A line parallel to the street right-of-way line at any story level of a building and representing the minimum distance which all or any part of the building is set back from said right-of-way line.
4. **Certificate of Appropriateness** - A certificate issued by the architectural review board or commission indicating that a proposed change, alteration, painting, design change, color change, or demolition of a historic building or structure, or signage, or within a historic site or district, is in accordance with the provisions of this chapter and local design guidelines. (REVISED OR2015-2-13)
5. **Change** - Any alteration, painting, design change, color change, demolition, removal or construction involving any property subject to the provisions of this chapter. (REVISED OR2015-2-13)
6. **Construction** - The act of constructing an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.
7. **Demolition** - Any act or process that destroys in part or in whole any building or structure.
8. **Historic District** - Any area designated by ordinance of the City Council which may contain within definable geographic boundaries, buildings, structures or sites of historic, architectural or archaeological significance.

9. **Historic Structure** - Any building or structure which has historic, architectural or archaeological significance and has been so designated according to the provisions of this chapter. The significance of a property to the history, architecture, archaeology, engineering, or culture of a community, state, or the nation. It may be achieved in several ways:
 - a. Association with broad pattern of our history, events, activities, or patterns
 - b. Association with important persons
 - c. Distinctive physical characteristics of design, construction, or form
 - d. Potential to yield information important in history or prehistory (archaeology)
10. **Landmark** - Any building, structure or archaeological site that has been designated as a "landmark" by ordinance of the City Council, pursuant to procedures described herein, that is worthy of preservation, restoration or rehabilitation because of its historic, architectural or archaeological significance (REVISED OR2018-7-70)
11. **Like for Like** – A repair or improvement in relation to a property in an Architectural Conservation/Historic District or a property listed on the State of Ohio Historic Inventory in which the repair or improvement is being done that utilizes the existing materials/colors and replaces them with matching materials/colors. (OR 2016-8-67)
12. **Owner** - the owner or owners of record
13. **Preservation** - The act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property
14. **Reconstruction** - The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure or object for the purpose of replicating its appearance at a specific period of time and in its historic location
15. **Rehabilitation** - The act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values
16. **Restoration** - The act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project
17. **Review Board** - the board or commission established under the provisions of the enabling legislation (OR2011-12-122) (REVISED OR2018-7-70)

18. **Sign** - As Defined by Section 1108.00 Definitions of the Hamilton Zoning Ordinance (OR2015-2-13)

- a. New permanent signage or any change of signage, is considered an Alteration to the historic property as defined in the aforementioned Section 1126.20 of the Hamilton Ordinance. Such proposal shall submit a Certificate of Appropriateness Application for review and approval by the Architectural Design Review Board per Section 1126.00 of the Hamilton Zoning Ordinance.
- b. Proposed freestanding permanent signage must comply with Section 1138.71.D of the Hamilton Zoning Ordinance.
- c. All proposed permanent signage must comply with the regulations of Section 1138.00 of the Hamilton Zoning Ordinance.

1126.30 **Architectural Conservation/Historic Districts And Structures – Local Register:**

There are hereby established locally registered Architectural Conservation/Historic Districts with all structures contained within as having historic significance and/or character. In addition, there are locally registered specific structures that may be outside of these districts that have historic significance and/or character as well. The districts and structures are identified as follows:

- A. **German Village**, the description of which is attached hereto, marked Exhibit A and incorporated herein by reference.
- B. **Rossville Historic District**, the description of which is attached hereto, marked Exhibit B and incorporated herein by reference.
- C. **Dayton-Campbell Historic District**, the description of which is attached hereto, marked Exhibit C and incorporated herein by reference.
- D. **North Dayton-Lane Local Area**, the description of which is attached hereto, marked Exhibit E and incorporated herein by reference. (OR 90-1-2)
- E. **CSX Railroad Passenger Station**, located at South Fifth and Henry Streets consisting of Entire Lots Numbered 1151, 1152, 1153 and 1154 as the same as are known and designated on the revised list of lots in the Fourth Ward of the City of Hamilton, Butler County, Ohio. (OR 93-12-132)
- F. **Local Inventory of Structures Outside of Districts** – structures both inside and outside of the districts may be identified by the inventory map created by the Miami University Cartography Laboratory for the City of Hamilton Planning Department circa 1986. Individual properties subsequently designated by the ADRB and City Council as having architectural and/or historic significance can be added or deleted to this list based on the rules stipulated in 1126.70. The structures listed on this inventory will be under the purview of the ADRB.

The requirements of Sections 1126.00, et seq., are hereby superimposed upon, and are in addition to, the requirements of the existing Zoning Districts contained within the Architectural Conservation/Historic Districts. The Architectural Conservation/Historic Districts shall be designated by the symbol "C/H" on the Official Zoning Map. (OR2011-12-122)

1126.31 **Special Provisions Applicable to Residential Uses within Historic Districts**
(OR 2014-9-90)

Within the boundaries of the German Village Historic District, Rossville Historic District and Dayton-Campbell Historic District, regardless of the current underlying Zoning there is hereby established the following minimum requirements for residential uses.

- 1) Minimum Lot Area per Dwelling Unit – 3500 square feet
- 2) Minimum Off Street Parking required per Dwelling Unit – 2 spaces
- 3) Off Street Parking Area Design Requirements
 - Each Off Street Parking Space shall have a minimum of 9' x 18' in area
 - Off Street Parking Spaces shall be surfaced with an asphaltic, concrete, cement binder, brick concrete paver, or other approved pervious paving product so as to provide a dustless surface and shall be graded and drained per Director of Public Works.
 - A minimum of 20% of all Off Street Parking Areas shall be suitably screened and landscaped so as to provide a visual barrier between all Off Street Parking Areas and adjacent properties.
 - Any proposed fencing, wall, or landscaping associated with Off Street Parking Areas shall be reviewed and approved by the Architectural Design Review Board.

1126.40 **Architectural Design Review Board:** There is hereby established an Architectural Design Review Board, consisting of eleven (11) members, three (3) members appointed by the City Manager, six (6) members nominated by the organizations listed below and confirmed by the City Manager, and one member from City Council and the Planning Commission, as ex-officio voting members. (OR2009-10-106)(Revised OR2013-8-65)(Revised OR2015-3-24)(REVISED OR2018-7-70)

A) All members shall be residents of the City of Hamilton, Ohio, and shall be appointed to serve a two (2) year term. Whenever an organization listed below fails to nominate a member the existing member may serve an additional six (6) months upon approval by the City Manager.

- (1) One (1) member nominated by the Hamilton Chamber of Commerce and confirmed by the City Manager.
- (2) One (1) member of the City Council, as an ex-officio voting member appointed by City Council.
- (3) One (1) member from the City of Hamilton Planning Commission, as an ex-officio voting member appointed by the Planning Commission.
- (4) One (1) member nominated by Historic Hamilton and confirmed by the City Manager.
- (5) One (1) member who is a trained architect, landscape architect, city planner, or engineer with a degree from an accredited college or university, or at least two (2) continuous years verifiable professional work experience. Qualifications to be reviewed and confirmed by Staff and/or the Architectural Design Review Board as deemed necessary. This member is appointed and confirmed by the City Manager. (REVISED OR2018-7-70)
- (6) One (1) member nominated by the Rossville Historic Preservation Association and confirmed by the City Manager.
- (7) One (1) member nominated by the Dayton Lane Historic Area, Inc. and confirmed by the City Manager.
- (8) One (1) member nominated by Hamilton's German Village Inc. and confirmed by the City Manager.
- (9) One (1) member nominated by the Downtown Special Improvement District and confirmed by the City Manager.
- (10) Two (2) members appointed by the City Manager, as At-Large voting members.

At least two of the members must meet the Secretary of Interior's Standard for Professional Qualifications, which must be a preservation related field that includes planning, architecture, landscape architecture, architectural history, conservation, cultural anthropology, curation, engineering, folklore, and history. All members shall have experience or an interest in historic preservation. (OR2009-10-106)

- B) An alternative member shall be appointed or nominated and confirmed as outlined in 1126.40(A) to substitute for a member when such member is absent or unable to participate on an item before the Board. The alternate member shall meet all the qualifications of the member they are appointed to substitute for as listed in Section 1126.40. The alternate member shall possess all the powers and responsibilities of such member of the Board. (OR2009-10-106)
- C) Members of the Architectural Design Review Board shall serve without compensation and vacancies caused by death, resignation, or termination of eligibility to serve, shall be filled in the same manner as original appointments are made.
- D) The Architectural Design Review Board shall annually select one of its own members as Chairperson. The Chairperson shall call meetings and preside at meetings and hearings of the Architectural Design Review Board. A Secretary shall be appointed by the City Manager from the Community Development of the City. The Secretary shall possess at least the minimum qualifications of an Associate Planner, or a higher but related classification, as defined by the class description for that position adopted by Civil Service Commission of the City of Hamilton. The Secretary shall not be a voting member of the Architectural Design Review Board and shall keep minutes and records of all proceedings of the Architectural Design Review Board. At the discretion of the Architectural Design Review Board the Secretary and/or Chairperson may be given authority to approve such minor rehabilitation activities as the Architectural Design Review Board may determine if such minor rehabilitation activities meet the standards hereinafter set forth. (OR2009-10- 106)
- E) The Architectural Design Review Board may adopt rules of procedure and provide for regular and special meetings. Meetings shall be open to the public. Records will be made available to the public through the Secretary upon request. Architectural Design Review Board members shall not vote if personal or pecuniary interests are involved. Six (6) members present shall constitute a quorum. If a quorum is present, a simple majority vote of those present shall be required to approve or disapprove a motion. (OR2009-10-106) (Revised: OR2015-3-24)
- F) Applicants will be notified of the meeting date, time, and location and are encouraged to attend and present the details of their project. Once a decision has been rendered by the Board, the applicant will be notified in writing of the Board's decision within one week of that decision.
- G) The Board recognizes four classifications of meetings (regular, working, special, and emergency) - of which there will be no less than 1 meeting per quarter, or at least 4 per year. These meetings will be publicly announced, and a posted agenda will be made available.
- H) All Architectural Design Review Board Rules, Procedures, and Guidelines will be made available to the public. (OR2011-12-122)

1126.50 Certificate Of Appropriateness: No alteration, painting, design change, color change, construction, reconstruction, erection, removal or exterior work on a structure, and no construction, erection, mounting, painting, design change, color change, moving, removal, or revision of permanent signage to any property in an Architectural Conservation/Historic District where such action or work will affect the exterior architectural and/or historic features or appearance of a structure, site, monument, streetscape, or neighborhood shall be permitted unless and until a Certificate of Appropriateness for such action or work has been applied for and issued by the Architectural Design Review Board, its Secretary, or Chairperson, as authorized by said Architectural Design Review Board. An application for any building permit for use in an Architectural Conservation/Historic District shall also be considered an application for Certificate of Appropriateness. In addition to the requirements for a building permit, an application shall include such other information as may be required by the Architectural Design Review Board for a Certificate of Appropriateness. (REVISED OR2015-2-13)

A fee will be charged for any Certificate of Appropriateness application that is required to be heard before the Architectural Design Review Board, unless the proposed change is returning to or restoring to previous or original historic materials that can be referenced in past Architectural Design Review Board or other official City of Hamilton/State of Ohio Historic Inventory records. Fee information is listed in section 1190.12 Certificate of Appropriateness. (OR 2016-8-67)

Upon receipt of an application by the Planning Department of the City, such application shall be forwarded to the Secretary of the Architectural Design Review Board who shall formally record the date of receipt of the application and submit the same to the Architectural Design Review Board for timely disposal. The Architectural Design Review Board shall act upon any application within thirty (30) calendar days from the date of filing with the secretary. Extensions of time may be granted with the mutual consent of the applicant and the Architectural Design Review Board. In the event the Architectural Design Review Board does not act to approve or disapprove an application within the stated time limit of thirty (30) days, the application shall be deemed to have been approved by the Architectural Design Review Board. (OR 86-9-47)

In the event the Architectural Design Review Board issues to an applicant Certificate of Appropriateness, such Certificate shall remain valid for a period of six (6) months from the date of issuance. During the period of validity, the work for which said Certificate was issued must commence and proceed without unreasonable delay. If such work is not commenced, or if such work is delayed for a period exceeding six (6) months, the Certificate of Appropriateness shall expire; provided, however, the Secretary may grant one (1) or more extensions of time not to exceed an additional eighteen (18) months. A request for an extension shall set forth the reasons for delay. In the event the Architectural Design Review Board refuses to issue to an applicant Certificate of Appropriateness, the Architectural Design Review Board shall attempt to reconcile an alternative plan with the applicant that is acceptable both to the applicant and to the Architectural Design Review Board. If the Architectural Design Review Board and the applicant are unable to reconcile an alternative plan, the applicant may appeal the decision of the Architectural Design Review Board to the Board of Zoning Appeals pursuant to the applicable provisions of Section 1160.00, et seq. and Section 1170.00, et seq., of the Zoning Ordinance No. 7503, as amended.

In the event the Secretary or Chairperson refuses to issue to an applicant Certificate of Appropriateness for minor rehabilitation, the applicant may appeal the decision to the Architectural Design Review Board.

In determining whether or not the Architectural Design Review Board will approve the issuance of a Certificate of Appropriateness, said Board shall consider whether the proposed change will adversely affect or destroy any significant exterior architectural and/or historical feature of the structure, site, monument, streetscape or neighborhood, whether such change is inappropriate or inconsistent with the purpose of Section 1126.00, et seq., and whether it will adversely affect or destroy the general architectural and/or historical significance of the Architectural Conservation/Historic District. In addition to the foregoing, the Architectural Design Review Board will apply the specific design standards for each separate Architectural Conservation/Historic District when reviewing, all projects in that district, in determining whether to approve or disapprove the issuance of Certificate of Appropriateness

As new districts and landmarks are added to the inventory, guidelines will be drawn up that offer recommendations and parameters on how to adhere to the character of these new districts. (OR2011-12-122)

1126.51 The specific design standards for the areas described in Section 1126.30 A, B, C, D, and E of the Architectural Conservation/Historic District are as follows:

- A) That the exterior architectural and/or historical character and functional plan of the property, when changed, will not be at such variance with existing properties in the immediate neighborhood or Zoning District as to cause substantial depreciation of the property values of such properties or the neighborhood.
- B) That the site utilization and orientation of the proposed change is reasonably integrated with existing roads, drives, vehicular traffic patterns and pedestrian walkways abutting the property to which the proposed change is to be made.
- C) That the proposed change is compatible with the subject property and/or a majority of properties in the immediate surrounding area in terms of: height, proportion of a facade, openings within a facade, relationships of solids to voids in a facade, entrances to sidewalks, materials, textures, color, architectural details, roof shapes, landscaping, continuity and scale.
- D) That the proposed change complies with the "Secretary of the Interior's Standards of Rehabilitation", dated 1977, (appearing at Section 36 of the Code of Federal Regulations, Part 67), or as they may be subsequently amended if adopted by Council. Said standards are as follows:

- (1) Every reasonable effort shall be made to provide a compatible use for a property, which requires minimal alteration of the building, structure, or site and its environment, or to use a property for its originally intended purpose
- (2) The distinguishing original qualities or character of a building, structure, or site and its environment shall not be destroyed; the removal or alteration of any historic material or distinctive architectural features should be avoided when possible;
- (3) All buildings, structures, and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged
- (4) Changes that may have taken place in the course of time are evidence of the history and development of a building, structure, or site and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure, or site shall be treated with sensitivity;
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible; in the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture, and other visual qualities; repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical, or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures;
- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken
- (8) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to, any project;
- (9) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural, or cultural material, and such design is compatible with the size, scale, color, material, and character of the property, neighborhood or environment; and
- (10) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

E) Any work done shall be performed in a good and workmanship like manner according to accepted standards and practices in the trade as outlined in the Architectural Design Review Board Policies & Guidelines. (OR2009-10-106) (REVISED OR2018-7-70)

1126.60 **Certificate Of Appropriateness - Demolition:** In the event an application for a Certificate of Appropriateness includes demolition of any property in the Architectural Conservation/Historic District the applicant shall be required to submit evidence to the Architectural Design Review Board indicating that at least one the following conditions prevail:

- A) That the property proposed for demolition is not inherently consistent with other properties in its area of the Architectural Conservation/Historic District
- B) That the property proposed for demolition contains no features of architectural and/or historical significance; or
- C) That there is no reasonable economic use for the property as it exists or as it might be rehabilitated, that there is no feasible means or prudent alternative to demolition,
- D) Existing structures listed in section 1126.110 (Central Area Building Inventory) shall be maintained. For buildings listed in that inventory, the cost of rehabilitation must exceed 67% of the replacement cost of the same structure at the time of the proposed demolition based on the Marshall Swift Construction Cost Index or a similar industry standard index before a Certificate of Appropriateness for demolition can be issued. No building listed in the Central Area Building Inventory may be demolished without approval by the Architectural Design Review Board regardless of existing building condition. (OR2013-2-22)
- E) Both the architectural and historical significance of the property, its relation to the street and to the historic district as a whole shall be considered.

If the Architectural Design Review Board finds that the application does not meet the above criteria, the application for Certificate of Appropriateness for demolition shall be refused. The Architectural Design Review Board may delay determination of the application for a period of one hundred twenty (120) days upon a finding that the property is of such architectural and/or historic significance that alternatives to demolition may be feasible. In the event that action upon such application is delayed, the Architectural Design Review Board may take such steps as it deems necessary to preserve the property in accordance with the purposes of Section 1126.00, et seq. such steps may include but shall not be limited to consultation with civic groups, public agencies and interested citizens. If the Architectural Design Review Board and the applicant are unable to reconcile an alternative plan to demolition, and if the Architectural Design Review Board shall refuse to recommend the issuance of a Certificate of Appropriateness for demolition, the applicant may appeal the decision of the Architectural Design Review Board to the Board of Zoning Appeals pursuant to the applicable provisions of Section 1160.00, et seq., and Section 1170.00, et seq., of the Zoning Ordinance No. 7503, as amended. (OR2009-10-106)

1126.70 Additions To Or Deletions From The Architectural Conservation / Historic District:

Additions to or deletions from the Architectural Conservation/Historic District may be initiated by the Architectural Design Review Board, City Council, or any owner(s) of the subject property to be added or deleted. Such action shall be commenced with the filing of an application with the Architectural Design Review Board. In considering the addition or deletion of such property or properties, the Architectural Design Review Board shall apply, in addition to any other available information, the following criteria:

- A) The character, interest or value of the area or property as part of the development, heritage or cultural characteristics of the City, State or the United States;
- B) The location as a site of a significant historic event;
- C) The identification with a person or persons who significantly contributed to the culture and development of the City;
- D) The exemplification by the area or property of the cultural, economic, social or historic heritage of the City;
- E) The embodiment of distinguishing characteristics of an architectural type or specimen;
- F) Identification as the work of an architect or notable builder whose individual work has influenced the development of the City;
- G) The embodiment of elements of architectural design, detail, materials or craftsmanship which represent architecture of significant character, charm or grandeur; and
- H) A unique location or physical characteristic representing an established and familiar visual feature of a neighborhood or of the City.

After receipt of an application to add to or delete property from an Architectural Conservation/Historic District, the Architectural Design Review Board shall instruct its Secretary to schedule a public hearing on the application and to notify owners of the property or properties described in the application. Such public hearing shall be scheduled within thirty (30) days of receipt of the application. After the public hearing, the Architectural Design Review Board shall decide within thirty (30) days whether to recommend approval or disapproval of the application. (OR 93-9-100)

- l) If an application to designate property as an Architectural Conservation/Historic District or to remove the Architectural Conservation/Historic District designation from property does not include or require a change in the existing Zoning District designation [for example- a change from an Agricultural (AG) District to a Single Family Residence District (R-1), then the application need not be submitted to nor be approved by the Planning Commission. In such cases, the Architectural Design Review Board's recommendation concerning the application to designate property as or to remove the designation of property as a Architectural Conservation/Historic District shall be made directly to Council for legislative consideration. (OR 93-9-100)

If an application to designate property as or to remove the designation of property as a Architectural Conservation/Historic District also includes or requires a change in the existing Zoning District designation (for example- a change from an Agricultural (AG) District to a Single Family Residence District (R-1), in addition to adding to or deleting from the Architectural Conservation/Historic District) then both a recommendation by the Architectural Design Review Board, which shall make a recommendation limited to the Architectural Conservation/Historic District aspect of the application, and the Planning Commission, which shall make a recommendation limited to the Zoning District aspect of the application, shall be required for legislative consideration by City Council. In such cases, the recommendation of the Architectural Design Review Board on the Historic District aspect of the application shall be submitted by the Architectural Design Review Board directly to Council for legislative consideration. Similarly, the recommendation of the Planning Commission on the Zoning District aspect of the application shall be submitted by the Planning Commission directly to Council for legislative consideration (OR 93-9-100)

1126.80 Further Duties Of The Architectural Design Review Board: To assist applicants, the review board shall publish and make available general guidelines for the review of applications. In addition, the Review Board may function as follows:

- A) Act in an advisory role to any City board, Commission or to City Council upon request
- B) Conduct or cause to be conducted a historic survey on official survey forms of any property within the City which it believes may be eligible for inclusion in the Architectural Conservation/Historic District;
- C) Provide continuing education to residents of the City with respect to the importance of historic preservation in conserving the architectural and/or historical heritage of the City, State and Nation. Items of continuing education will include periodic workshops (Building Doctor Workshops), literature development, and neighborhood/district presentations by select local historians.
- D) Obtain technical assistance (with or without compensation) which it feels it requires to perform its duties. Such authority shall be subject to appropriation of funds by Council
- E) Monitor the Districts designated in this Ordinance to ensure compliance.
- F) Conduct or encourage members to attend training/educational sessions at least once a year, or in-depth consultation with the OHPO, pertaining to work and functions of the commission or on specific historic preservation issues. Barring extenuating circumstances, all commission members should attend such a session at least once yearly. The OHPO will provide orientation materials and training for local commissions.
- G) Additional responsibilities may be undertaken by the commission upon mutual written agreement between the SHPO and the City – i.e. review of all proposed National Register nominations within its jurisdiction. A written agreement will address what duties are to be performed, what staff assistance is need to perform the work, and what level of activity in each area of responsibility will be maintained. All delegated responsibilities must be complementary.
- H) A detailed inventory of the designated districts, sites, and/or structures under the specific jurisdiction of the local government shall be maintained. In addition, all inventory material shall be:
 - a. Maintained securely and be accessible to the public, except that access to archaeological site locations may be restricted.
 - b. Recorded on Ohio Historic Inventory, Ohio Archaeological inventory forms, and/or forms compatible with OHPO's computerized inventory and therefore compatible with the comprehensive preservation planning process.
 - c. Available through duplicates (with contact prints) to the OHPO. Digital images are also acceptable.
 - d. Updated periodically to reflect changes, alterations, and demolitions. (OR2011-12-122)

1126.90 Maintenance And Repair: It is the intent of this section to preserve from deliberate or inadvertent neglect the features of buildings within an Architectural Conservation/Historic District, when such maintenance is necessary to prevent deterioration and decay of the property thus causing, in effect, demolition by neglect. Neither the owners nor the persons in charge of property within an Architectural Conservation/Historic District shall permit such property to fall into a state of disrepair so as to produce, or tend to produce, a detrimental effect upon the character of the Architectural Conservation/Historic District as a whole or the life and character of a property, including but not limited to:

- A) The deterioration of flooring or floor supports, walls or other vertical structural supports;
- B) The deterioration of roofs, ceilings and roof supports or other horizontal members;
- C) The deterioration of exterior chimneys;
- D) The deterioration or crumbling of exterior plaster or mortar;
- E) Deteriorated or ineffective waterproofing of exterior walls, roofs and foundations, including broken windows or doors;
- F) The deterioration of any significant architectural features;
- G) The deterioration of any feature so as to create or permit the creation of any hazardous or unsafe condition or conditions.

Compliance with this Section shall be in accordance with Chapter 521 and Chapter 17 of the Codified Ordinances of the City of Hamilton and enforced by the Health Department. Any work done on the repair and maintenance of the building and other structures shall be performed in a good and workmanship like manner according to accepted standards and practices in the trade as outlined in the *Architectural Design Review Board Policies & Guidelines*. (OR2009-10-106)
(REVISED OR2018-7-70)

1126.100 Miscellaneous: Nothing in Section 1126.00, et seq., shall be construed to prevent or regulate:

- A) Interior arrangements, other than maintenance and repair work as listed in Section 1126.90;
- B) Ordinary maintenance or repair of any exterior features to any property within an Architectural Conservation/Historic District which does not involve a change in design, material, color, signage, or outer appearance thereof;
- C) Construction, reconstruction, alteration, restoration, or demolition of any such feature which the City Manager or Designee or similar official shall certify is required by the public safety because of an unsafe or dangerous condition; Any such action required by the City of Hamilton Health Department shall be coordinated with the Planning Department and Architectural Design Review Board; and
- D) Emergency repairs.
- E) Nothing in Section 1126.00, et seq., shall be construed to mean that the alteration or rehabilitation of any property in the Architectural Conservation/Historic District is required, other than the maintenance requirements of Section 1126.90 hereof.
(OR2009-10-106)

1126.110 Central Area Building Inventory: The Central Area Building Inventory shall include the following properties. (OR2013-2-22) (REVISED OR2018-7-70)

105 Court Street	320 High Street	320 S. Front Street
228-234 Court Street	332 High Street	105 N. Second Street
309-311 Court Street	10 Journal Square	128 N. Second Street
19 S. Front Street	225 Ludlow Street	2 S. Second Street
23 S. Second Street	311-315 Ludlow Street	120 S. Second Street
1 High Street	337 Ludlow Street	319 S. Second Street
101 High Street	10 Monument Street	136 N. Third Street
219 High Street	20 Monument Street	100 S. Third Street
222 High Street	100 Monument Street	215 S. Third Street
228-236 High Street	111 S. Front Street	220 S. Third Street
254 High Street	212 S. Front Street	225 S. Third Street
300 High Street		301 S. Third Street

1126.120 Violations: Whoever violates any of the provisions of Section 1126.00, et seq., shall be deemed guilty of a third degree misdemeanor, and upon conviction thereof, shall be fined not to exceed the sum of five hundred (\$500.00) Dollars. Each day the violation continues shall be considered a separate offense. In the event of a violation of Section 1126.00, et seq., or imminent threat thereof, the City or the owner of any property within the Architectural Conservation/Historic District who would be especially damaged by such violation, may institute a suit for injunction pursuant to Section 713.13 of the Ohio Revised Code.