

§ 154.045 DISTRICT DESIGNATIONS.

For the purpose of the chapter, the city is hereby divided into the following districts:

<i>Zoning District</i>	<i>Description</i>
<i>Zoning District</i>	<i>Description</i>
CBD	Central Business District
GC	General Commercial
LI	Limited Industrial
LS	Local Service
PUD	Planned Unit Development
R-1	Single-Family Residential
R-2	Single-Family Residential
R-3	Single-Family Residential
R-4	Multiple-Family Residential
R-5	Mobile Home Park

(Ord. 285, passed 12-8-2003)

§ 154.048 PURPOSES AND USES WITHIN ZONING DISTRICTS.

(A) *R-1, R-2, and R-3, Single-Family Residential Districts.*

(1) *Purpose.* These districts are provided for in those areas of the city served by public water and a public sanitary sewer and where the principal use is intended to be single-family dwellings developed at various lot sizes. In addition to the dwellings permitted in this zoning district, certain non-residential and public uses may be permitted through special use approval.

(2) *Permitted uses.*

- (a) A single-family dwelling and any use, building, or structure accessory thereto;
- (b) Public parks and playgrounds;
- (c) Family day care home;
- (d) Adult foster care small group homes serving six persons or less and adult foster care family homes;
- (e) Private, elementary, middle, and high schools; and/or
- (f) Churches, synagogues, and other places of worship.

(3) *Special uses.*

- (a) Open space development subject to the provisions of § 154.086;
- (b) Golf courses, including accessory golf driving ranges;
- (c) Country clubs, public swimming pools and recreation clubs, private parks and playgrounds;
- (d) Private nursery schools and kindergartens;

- (e) Group day care homes and day care centers subject to the provisions of § 154.089;
- (f) Adult foster care small group homes between six and 12 persons and adult foster care large group homes subject to the provisions of § 154.090;
- (g) Two-family dwellings;
- (h) Bed and breakfast establishments in the R-3 District, subject to the provisions of § 154.097;
- (i) Public buildings and facilities; and/or
- (j) Sale of weapons.

(B) *R-4, Multiple-Family Residential District.*

(1) *Purpose.* This district is composed of those areas of the city where the principal use is intended to be multiple-family dwellings. Areas zoned R-4 shall be served by public water and public sanitary sewers, and which abut or are adjacent to such other uses, buildings, structures, or amenities, which support, complement, or serve such a multiple-family density. In addition to the dwellings permitted in this zoning district, certain non-residential and public uses may be permitted through special use approval.

(2) *Permitted uses.*

- (a) All permitted uses allowed in the R-1, R-2, and R-3 Districts;
- (b) Multiple-family dwellings and any use, building, or structure accessory thereto;
- (c) Elderly housing; and/or
- (d) Two-family dwellings.

(3) *Special uses.*

- (a) Group day care homes and day care centers subject to the provisions of § 154.089;
- (b) Adult foster care small group homes between six and 12 persons and adult foster care large group homes subject to the provisions of § 154.090;
- (c) Adult foster care congregate facilities subject to the standards of § 154.090;
- (d) Nursing homes and convalescent centers; and/or
- (e) Sale of weapons.

(C) *R-5, Mobile Home Park Residential District.*

(1) *Purpose.* The intent of this district is to provide for mobile home residential development in areas where the street network, public services, and infrastructure are capable of supporting such development. Areas zoned R-5 shall be located in areas which are compatible with the character and density of adjacent uses.

(2) *Permitted uses.*

- (a) Mobile home parks subject to the provisions set forth in § 154.088; and/or
- (b) Parks and playgrounds.

(3) *Special uses.*

- (a) All special uses allowed in the R-1, R-2, R-3, and R-4 Districts; and/or
- (b) Sale of weapons.

(D) *LS, Local Service District.*

(1) *Purpose.* The district is designed primarily for the convenience of persons residing in the city by providing office, limited retail, and business service uses that serve the adjacent and surrounding neighborhoods. It is the purpose of these regulations to permit development of the enumerated functions in a manner which is compatible with uses in the surrounding area. To these ends, certain uses are excluded which would function more effectively in other districts.

(2) *Permitted uses.*

- (a) Executive, administrative, professional, accounting, writing, clerical, stenographic, drafting, and sales offices;
- (b) Medical and dental offices, including clinics and medical laboratories;
- (c) Banks, credit unions, savings and loan associations;
- (d) Public parks and playgrounds;
- (e) Public buildings and facilities;
- (f) Photographic studios;
- (g) Food services including grocery, meat market, bakery, restaurant, delicatessen, and fruit market, and similar self-service units but not including any business of a drive-in type;
- (h) Retail sales of drug and health care products, hardware, gifts, dry goods, notions, sporting goods, clothing, furniture, and appliances;
- (i) Retail office supply, computer, and business machine sales;
- (j) Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services;
- (k) Florist shops;
- (l) Personal service establishments, such as barber and beauty shops; watch, clothing, and shoe repair; furniture repair; locksmith; and similar establishments;
- (m) Private service clubs, social organizations, and lodge halls;
- (n) Funeral homes; and/or
- (o) Churches, synagogues, and other places of worship.

(3) *Special uses.*

- (a) Veterinary offices and hospitals, including accessory boarding, provided no outdoor exercise runs or pens are permitted;
- (b) Retail sale of alcoholic beverages;
- (c) Joint working and living quarters (work/live unit), subject to § 154.099;
- (d) Sale of weapons; and/or
- (e) Day care centers subject to the provisions of § 154.089.

(E) *GC, General Commercial District.*

(1) *Purpose.* This district is intended to accommodate office, business service, and retail uses that serve a larger market than LS District including the city and portions of the surrounding townships.

It is the purpose of these regulations to permit development of the enumerated functions in a manner which is compatible with uses in the surrounding area. To these ends, certain uses are excluded which would function more effectively in other districts.

(2) *Permitted uses.*

- (a) All permitted and special uses allowed in LS Local Service District, except for joint working and living quarters;
- (b) Grocery stores, meat market, bakery, delicatessen, and fruit market, and similar retail sales of food and beverages;
- (c) Retail sales of candy and confections, antiques, gifts, dry goods, notions, toys, musical instruments, and clothing;
- (d) Retail sales of drug and health care products, hardware, sporting goods, furniture, paint and home decorating products, and appliances;
- (e) Retail sale of alcoholic beverages;
- (f) Radio, television, and electrical appliance repair, and shops of plumbers, electricians, and other similar services and trades;
- (g) Standard and/or carry out restaurants;
- (h) Laundromats and dry cleaning establishments; and/or
- (i) Planned shopping centers.

(3) *Special uses.*

- (a) Bar/lounge serving alcoholic beverages and/or providing entertainment;
- (b) Fast-food, drive-in, and drive-through restaurants;
- (c) Lodging facilities;
- (d) Sale of new and used automobiles, boats, mobile homes, farm machinery, and other vehicles provided outdoor sales comply with the requirements set forth in § 154.092;
- (e) Automobile service stations and washes subject to the requirements set forth in § 154.094;
- (f) Recreation and amusement services, including theaters, bowling alleys, roller and ice skating rinks, billiard halls, and miniature golf;
- (g) Farm supply and feed stores;
- (h) Sale of building materials, nursery stock, and garden supplies provided outdoor sales comply with the requirements set forth in § 154.068;
- (i) Kennels, including commercial boarding and breeding facilities;
- (j) Sale of weapons; and/or
- (k) Day care centers subject to the provisions of § 154.089.

(F) *CBD, Central Business District.*

- (1) *Purpose.* This district is designed to provide for a variety of office, business service, entertainment, and retail uses which occupy the prime retail frontage, by serving the comparison, convenience, and service needs of the market area which includes the city and surrounding townships. The regulations of the CBD District are designed to promote convenient pedestrian

shopping and the stability of retail development by encouraging a continuous retail frontage and by prohibiting uses which tend to break up such continuity.

(2) *Permitted uses.*

- (a) All permitted uses allowed in the LS and GC District;
- (b) Theaters, when completely enclosed;
- (c) Private service clubs, social organizations, and lodge halls;
- (d) Lodging facilities;
- (e) Multiple-family dwellings on the second floor and above;
- (f) Public parks and playgrounds; and/or
- (g) Public buildings and facilities.

(3) *Special uses.*

- (a) Bar/lounge serving alcoholic beverages and/or providing entertainment;
- (b) Fast-food restaurants; and/or
- (c) Sale of weapons.

(G) *LI, Limited Industrial District.*

(1) *Purpose.* This district is designed to accommodate industrial, storage, and other uses that generate a minimum of noise, glare, odors, dust, vibration, air and water pollution, fire and safety hazards, or the emission of any potentially harmful or obnoxious matter or radiation or any other nuisance characteristics. It is the purpose of these regulations to permit development of the enumerated functions to protect surrounding areas from incompatible industrial activities, to restrict the intrusion of non-related uses such as residential, agricultural, business, and commercial, except retail businesses that normally do not require the customer to call at the place of business, and to encourage the discontinuance of uses presently existing in the District which are nonconforming by virtue of the type of use. To these ends, certain uses are excluded which would function more effectively in other districts and which would interfere with the operation of the uses permitted in this District.

(2) *Permitted uses.*

- (a) Printing and blueprinting;
- (b) Light manufacturing, processing, assembly, testing, and repair of the following:
 1. Communication, transmission, and reception equipment such as coils, tubes, semiconductors, navigation control equipment, and systems guidance equipment;
 2. Data processing equipment and systems;
 3. Graphics and art equipment;
 4. Metering instruments;
 5. Optical devices, equipment, and systems;
 6. Stereo, audio units, radio equipment and systems;
 7. Photographic equipment;

8. Radar, infrared, and ultraviolet equipment and systems;
9. Scientific and mechanical instruments such as calipers and transits; and/or
10. Testing equipment.

(c) Light manufacturing, processing, or assembling of the following:

1. Biological products, drugs, medicinal chemicals, and pharmaceutical preparation;
2. Electrical machinery, equipment and supplies, electronic equipment and accessories; and/or
3. Office, computing, and accounting machines.

(d) Research and design centers for the development of pilot or experimental products, together with related offices for such research facilities;

(e) Data processing and computer centers;

(f) Warehousing, refrigerated, and general storage, but not including self-storage facilities;

(g) Business service establishments such as printing and photocopying services, mail and packaging services, and typing and secretarial services;

(h) Training and/or educational centers where such centers are designed and intended to provide training at the business, technical, and/or professional level;

(i) Computer and business machine sales when conducted in conjunction with and accessory to a permitted principal use;

(j) Printing, publishing, or related activities;

(k) Manufacture and repair of signs, and heating and ventilating equipment; and/or

(l) Recycling operations.

(3) *Special uses.*

(a) Restaurants and cafeteria facilities for employees;

(b) Trucking and transit terminals;

(c) Contractors' establishments subject to the requirements set forth in § 154.093;

(d) Metal fabrication, and tool and die shops;

(e) Automobile repair facilities and collision shops;

(f) Self-storage facilities, subject to the requirement of § 154.091;

(g) Sale of building materials, nursery stock, and garden supplies provided outdoor sales comply with the requirements set forth in § 154.068 and/or

(h) Sale of weapons.

(Ord. 285, passed 12-8-2003; Ord. 335, passed 3-26-2012; Ord. 358, passed 6-8-2015; Ord. 360, passed 6-8-2015; Ord. 366, passed 6-8-2015; Ord. 370, passed 6-8-2015)

§ 154.049 SCHEDULE OF AREA, HEIGHT, WIDTH, AND SETBACK REGULATIONS.

(A) *Schedule of area, height, width, and setback regulations.*

	Min. Lot Size		Max. Building Height Space		Min. Yard Setback				Max. Lot Coverage	Footnotes
Zoning District	Area (Sq. Ft.)	Lot Width	Stories	Feet	Front	Side Least	Side Total	Rear		
	Min. Lot Size		Max. Building Height Space		Min. Yard Setback				Max. Lot Coverage	Footnotes
Zoning District	Area (Sq. Ft.)	Lot Width	Stories	Feet	Front	Side Least	Side Total	Rear		
R-1, Single-Family Residential	15,000	100'	2-1/2	35	25'	10'	20'	50'	30%	See divisions (B)(1), (B)(3), (B)(8), and (B)(9) below
R-2, Single-Family Residential	9,600	80'	2-1/2	35	25'	8'	18'	35'	30%	See divisions (B)(1), (B)(3), and (B)(8) below
R-3, Single-Family Residential	8,400	70'	2-1/2	35	25'	8'	18'	35'	30%	See divisions (B)(1), (B)(3), (B)(8), and (B)(9) below
R-4, Multiple-Family Residential	SF: 8,400	70'	2-1/2	35	25'	8'	18'	35'	30%	See divisions (B)(1), (B)(2), (B)(3), and (B)(8) below
	2F: 12,000	100'	2-1/2	35	25'	8'	18'	35'	40%	
	MF: 20,000	300'	2-1/2	35	25'	25'	50'	50'	55%	
R-5, Mobile Home Park	10 acres	See § 154.088	2-1/2	35	See § 154.088	-	See § 154.088	-	-	-
LS - Local Service	12,000	80'	2-1/2	35	25'	10'	20'	20'	40%	See divisions (B)(5) and (B)(8) below
GC - General Commercial	15,000	100'	2-1/2	35	35'	10'	20'	20'	40%	See divisions (B)(5) and (B)(8) below

CBD - Central Business District	-	-	3	40	-	-	-	-	-	See divisions (B)(4) and (B)(8) below
LI - Limited Industrial	1 acre	150'	2	40	50'	50'	100'	50'	40%	See divisions (B)(6) and (B)(8) below

Table notes:

SF: single-family dwellings

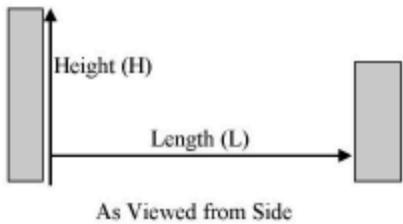
2F: two-family dwellings

MF: multiple-family dwellings

(B) Footnotes to schedule of area height, width, and setback regulations.

- (1) All dwelling units and occupied buildings shall be served with the city public water supply system and a public sanitary sewer system after the effective date of this chapter.
- (2) Multiple-family requirements are as follows.
 - (a) *Lot area.* Every lot or parcel of land occupied by a multiple-family structure shall contain a minimum of 20,000 square feet and a total area per dwelling unit of 3,500 square feet.
 - (b) *Distance between buildings.* In addition to the required setbacks from property boundaries, the following minimum distances shall be required between each multiple family structure (See Figure 6):
 1. Where buildings are front to front or front to rear, two times the height of the taller building, and not less than 50 feet;
 2. Where buildings are side to side, one times the height of the taller building, but not less than 25 feet; and
 3. Where buildings are front to side, rear to side, or rear to rear, one and one-half times the height of the taller building but not less than 35 feet.
 - (c) *Front of the building definition.* In applying the above standards, the **FRONT OF THE BUILDING** shall mean that face of the building having greatest length and contains the primary entrance to the building; the rear is that face opposite the front. The side is the face having the smallest dimension.

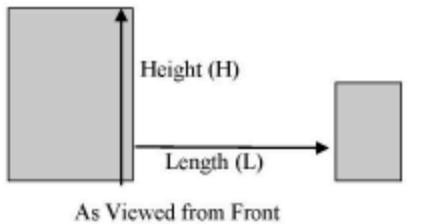
Figure 6



a) Front to Front/Front to Rear:

2 times the height of the taller building, and not less than 50'

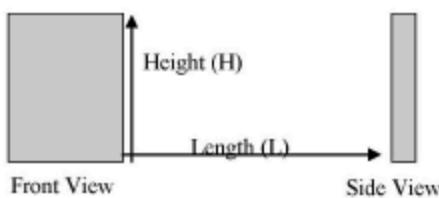
$$L = 2 \times H \text{ (min. } 50')$$



b) Side to Side:

1 times the height of the taller building, not less than 25'

L = H (min. 25')



- c) Front to Side/Rear to Side/Rear to Rear:

1 ½ times the height of the taller building, not less than 35'

$$L = 1.5 \times H \text{ (min. } 35')$$

(3) The minimum floor area of dwelling units shall be as follows:

<i>Type of Dwelling</i>	<i>Total Gross Floor Area (Sq. Ft.)</i>
<i>Type of Dwelling</i>	<i>Total Gross Floor Area (Sq. Ft.)</i>
<i>One-family:</i>	
R1 District	1,800
R2 District	1,150
R3 District	960
R4 District	960
<i>Two-family:</i>	
Two-family, per dwelling unit	800
<i>Multiple-family:</i>	
Efficiency Unit	500
1-bedroom unit	700
2-bedroom unit	900
3-bedroom unit	1,100
4-bedroom unit	1,300
Each additional bedroom	90

(4) Any principal building located within the CBD which abuts a dwelling located within the R-1, R-2, or R-3 Districts shall have a minimum setback from the common property line of ten feet.

(5) Any principal building in the LS and GC Districts, which abuts a R-1, R-2, R-3, R-4, or R-5 District shall have a minimum setback of 50 feet from any abutting property line.

(6) Any principal building in the LI District which abuts a R-1, R-2, R-3, R-4, or R-5 District shall have a minimum setback of 100 feet from any abutting property line.

(7) All new lots in the R-3 District shall have a minimum width of 70 feet. All existing lots between 50 and 69 feet in width are based on previous ordinances and shall not be considered as nonconforming lots of this chapter. Therefore, additions and similar alterations may be permitted for houses located on 50- through 69-foot-wide lots, provided that these alterations meet all other schedule of regulation requirements.

(8) All lots established after the effective date of this chapter shall have a lot depth not greater than four times the actual lot width.

(9) All new lots in the R-1 District shall have a minimum lot width of 100 feet and minimum size of 15,000 square feet. All existing lots with widths of at least 80 feet and sizes of at least 9,600 square feet which were approved based on previous ordinances shall not be considered as nonconforming lots of this chapter. Therefore, additions and similar alterations may be permitted for houses located on such lots, provided that these alterations meet all other schedule of regulation requirements.

(10) Within the front yard, the total driveway surface area for single- and two-family dwellings shall not exceed 40% of the total front yard area.

(Ord. 285, passed 12-8-2003; Ord. 374, passed 9-14-2015; Ord. 381, passed - - 2017) Penalty, see § 154.999

OFF-STREET PARKING, LOADING, AND ACCESS CONTROL

§ 154.175 INTENT AND PURPOSE.

The purpose of this subchapter is to ensure the provision of off-street parking facilities that are sufficient in number, adequately sized, and properly designed to meet the range of parking needs and demands that are associated with land uses now in place in the city or with land uses allowed by this chapter.

(Ord. 285, passed 12-8-2003)

§ 154.176 GENERAL PROVISIONS.

(A) *Where required.* In all zoning districts, off-street parking facilities for the storage and parking of self-propelled motor vehicles for the use of occupants, employees, and patrons of the buildings hereafter erected, altered, or changed existing use after the effective date of this chapter, shall be provided as herein prescribed. Such space shall be maintained and shall not be encroached upon so long as said main building or structure remains, unless an equivalent number of such spaces are provided elsewhere in conformance with this chapter.

(B) *Existing off-street parking at effective date of ordinance.* Off-street parking existing at the effective date of this chapter which serves an existing building or use, shall not be reduced or increased in size to less than that required under the terms of this chapter.

(C) *Required greenbelt and setbacks.* Off-street parking, including maneuvering lanes, shall not be located within the required front greenbelt in accordance with § 154.111(F) and the schedule of regulations. Off-street parking shall be permitted within the required side or rear yard setbacks, provided a minimum five-foot setback is maintained between off-street parking and the side and rear lot lines of all adjoining properties.

(D) *Parking duration.* Except when land is used as storage space in connection with the business of a repair or service garage, a 24-hour time limit for parking in non-residential, off-street parking areas

shall prevail, it being the purpose and intention of the foregoing that the requirement of maintaining vehicle storage or parking space is to provide for the public safety in keeping parked cars off the streets, but such requirement is not designed to or intended to provide, and it shall be unlawful to permit, the storage or prolonged parking on any such parking area in any such district wrecked or junked cars, or for creating a junk yard or a nuisance in such areas.

(E) *Units and methods of measurement.* For the purpose of determining off-street parking requirements, the following units of measurement shall apply.

(1) *Floor area.* Where floor area is the unit for determining the required number of off-street parking spaces, said unit shall mean the gross floor area, except that floor area within the principal building used for parking, incidental service and storage, housing of mechanical equipment, heating systems, and similar uses need not be included.

(2) *Employees.* For requirements stated in terms of employees, the calculation shall be based upon the maximum number of employees likely to be on the premises during the largest shift.

(3) *Places of assembly.* In stadiums, sports arenas, churches, and other places of assembly in which those in attendance occupy benches, pews, or other similar seating facilities, each 18 inches of such shall be counted as one seat. In cases where a place of assembly has both fixed seats and open assembly area, requirements shall be computed separately for each type and added together, per the requirements of the Building Code.

(4) *Fractional requirements.* When units or measurements determining number of required parking spaces result in requirement of a fractional space, any fraction shall require one parking space.

(F) *Location of parking.*

(1) *Single- and two-family dwellings.*

(a) The off-street parking facilities required for single- and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve, but shall not be considered a parking lot under the provisions of this subchapter.

(b) Off-street parking shall not be permitted within the right-of-way adjacent to the lot except within the street or driveway approach.

(c) Off-street parking shall not be permitted within the front yard, except within a properly constructed driveway, as defined in this chapter.

(d) Where no properly constructed driveway exists, an exception to subsection (c) above, shall be made for an existing driveway within the front yard that is not properly constructed. In such case, off-street parking shall be allowed within an area no wider than 12 feet, or the width of an existing garage, whichever is greater, centered on such existing driveway, but not within any area between the dwelling and street.

(e) The requirement of subsection (c) above, shall not apply to parking for temporary special events normally associated with the residential use of the property such as graduation and holiday parties.

(2) *Multiple-family residential.* The off-street parking facilities for multiple-family dwellings shall be located on the same lot or plot of ground as the dwellings they are intended to serve, and shall consist of a parking lot as set forth in this subchapter. In no event shall any parking space be located nearer than ten feet to any main building.

(3) *Other land uses.* The off-street parking facilities required for all other uses shall be located on the lot or within 500 feet of the permitted uses requiring such off-street parking, such distance to be

measured along lines of public access to the property between the nearest point of the parking facility to the building to be served.

(4) *Restriction on parking on private property.* It shall be unlawful for any person, firm, or corporation to park any motor vehicle on any private property without the authorization of the owner or agent of such property.

(Ord. 285, passed 12-8-2003; Ord. 381, passed - - 2017) Penalty, see § 154.999

§ 154.177 OFF-STREET PARKING REQUIREMENTS.

(A) *Generally.* The amount of required off-street parking spaces for new uses or buildings, additions thereto, and additions to existing buildings shall be determined in accordance with the schedule set forth in § 154.178. Parking requirements listed in § 154.178 shall not include off-street stacking spaces for drive-through facilities set forth in § 154.181.

(B) *Similar uses and requirements.* When a use is not specifically mentioned, the requirements of off-street parking for a similar use shall apply as determined by the Planning Commission.

(C) *Collective provisions.* Nothing in this section shall be construed to prevent collective provisions of off-street parking facilities for two or more buildings or uses, provided:

(1) Such facilities collectively shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with § 154.178. However, the Planning Commission may reduce the total number of spaces by up to 25% upon a determination that the peak space requirements for the individual uses occur at distinctly different times;

(2) Each use served by collective off-street parking shall have direct access to the parking without crossing any public rights-of-way; and

(3) Written easements which provide for continued use and maintenance of the parking shall be submitted to the city for approval.

(D) *Parking exemption.* As of the effective date of this chapter, buildings and uses located within the Central Business District (CBD) shall be exempt from providing off-street parking. However, in no case shall a building or use be expanded to remove off-street parking established before the effective date of this chapter. Parking areas constructed in the CBD shall meet all design requirements of this chapter.

(E) Flexibility in application.

(1) (a) The city recognizes that, due to the specific requirements of any given development, inflexible application of the parking standards set forth in § 154.178 may result in development with inadequate parking or parking far in excess of that which is needed.

(b) The former situation may lead to traffic congestion or unauthorized parking on adjacent streets or neighboring sites. The latter situation may result in excessive paving and stormwater runoff and a waste of space, which could be left as open space.

(2) The Planning Commission, based on a recommendation from the Planning Consultant may permit deviations from the requirements of § 154.178 and may require more or allow less parking whenever it finds that such deviations are more likely to provide a sufficient number of parking spaces to accommodate the specific characteristics of the use in question.

(3) (a) The Planning Commission shall attach conditions to the approval of a deviation from the requirement of § 154.178 that bind such approval to the specific use in question.

(b) Where a deviation results in a reduction of parking, the Planning Commission may further impose conditions which ensure that adequate reserve area is set aside for future parking, as needed.

(Ord. 285, passed 12-8-2003; Ord. 371, passed 6-8-2015) Penalty, see § 154.999

§ 154.178 TABLE OF OFF-STREET PARKING REQUIREMENTS.

The amount of required off-street parking space for new uses or buildings, additions thereto, and additions to existing buildings shall be determined in accordance with the following table.

<i>Use</i>	<i>Required No. of Parking Spaces</i>	<i>Per Each Unit of Measure as Follows:</i>
<i>Use</i>	<i>Required No. of Parking Spaces</i>	<i>Per Each Unit of Measure as Follows:</i>
<i>Automotive Uses</i>		
Automotive repair facilities and collision shops	3	Per each service stall, plus 1 per each employee at peak shift, plus 1 per each service vehicle
Automobile service stations with convenience store	1	Per each pump unit, plus 3 per each service stall, plus 1 per each employee at peak shift, plus 1 per each 150 sq. ft. of floor area devoted to retail sales and customer service
Automobile service stations without convenience store	1	Per each pump unit, plus 3 per each service stall, plus 1 per each employee at peak shift
Car washes (automatic)	1	Per 200 sq. ft. of floor area of customer waiting and service areas, plus 1 per each vacuum station, plus 1 per each employee at peak shift, plus stacking spaces required per § 154.181
Car washes (self-serve)	1	Per each wash stall, plus 1 per each vacuum station, plus 1 per each employee at peak shift, plus stacking spaces required per § 154.181
Sales of automobile, boats, mobile homes, farm machinery, and other vehicles	1	Per each 200 sq. ft. of showroom floor area, plus 1 per each employee at peak shift, plus 1 per each service stall
<i>General Commercial Uses</i>		
Bars/lounges	1	Per each 3 persons based upon the maximum occupancy load as established by Fire and/or Building Codes, plus 1 per each employee at peak shift
Convenience stores and video stores	1	Per 150 sq. ft. of floor area
Fast-food restaurants	1	Per each 125 sq. ft. of floor area, plus 1 per each employee at peak shift, plus stacking spaces required per § 154.181
Garden stores and nurseries, farm supply and	1	Per each 800 sq. ft. of floor area

feed stores, building material sales		
Grocery stores, drugstores, and other self-serve retail establishments	1	Per 150 sq. ft. of floor area
Lodging facilities	1	Per each guest bedroom, plus 1 per employee at peak shift, plus amount required for accessory uses, such as a restaurant or cocktail lounge
Movie theaters	1	Per each 4 seats based on the maximum seating capacity, plus 1 per each employee at peak shift
Planned shopping center	1	Per 200 sq. ft. of floor area for the first 15,000 sq. ft., plus 1 per 250 sq. ft. of floor area in excess of 15,000 sq. ft.
Retail sale of furniture, appliances, hardware	1	Per each 150 sq. ft. of floor area, plus 1 per each employee at the peak shift
Retail stores, not specifically enumerated herein	1	Per each 150 sq. ft. of floor area specified herein
Standard restaurants	1	Per each 3 seats, based on maximum occupancy per Building Code, plus 1 per each employee at peak shift

Industrial Uses

Contractors office	1	Per each employee at peak shift
Industrial or manufacturing establishments	1	Per each employee at peak shift, or 1 per each 800 sq. ft. of floor area (whichever is greater)
Self-storage facilities	1	Per each employee at peak shift, plus 1 per each 250 sq. ft. of office area
Warehouses and storage buildings	1	Per each employee at peak shift, or 1 per each 2,000 sq. ft. of floor area (whichever is greater)

Institutional Uses

Child care center or nursery schools	1	Per each 5 students, plus	
	Churches/other institutions for religious worship	1	Per each 3 seats based on maximum seating capacity in the main place of assembly therein, as established by Fire and/or Building Codes
Day care homes	1	Per each employee and/or caregiver	
Elementary and middle schools	1	Per each teacher, plus 1 per each 25 students, plus 1 per each employee at peak shift, plus 1 per 3 seats for auditoriums, stadiums, and the like	
High schools, trade schools, colleges, and	1	Per each teacher, plus 1 per each 10 students, plus 1 per each employee peak	

universities		shift, plus 1 per three seats for auditoriums, stadiums, and the like
Hospitals	1	Per each 4 beds, plus 1 per staff doctor, plus 1 per each employee at peak shift
Libraries and museums	1	Per each 500 sq. ft. of floor area
Nursing homes and convalescent centers	1	Per each 5 beds, plus 1 per each staff doctor, plus 1 per each employee at peak shift
Private clubs and lodges	1	Per each 3 individual members allowed within the maximum occupancy load as established by Fire and/or Building Codes
Stadiums, sports arenas, and auditoriums	1	Per each 3 seats based on maximum seating capacity per Building Code
Office and Service Uses		
Banks	1	Per each 200 sq. ft. of floor area, plus stacking spaces required per § 154.181
Barber and beauty shops	3	Per each chair
Business and professional offices	1	Per each 200 sq. ft. of floor area
Funeral home or mortuary	1	Per 50 sq. ft. of floor area
Laundromats	1	Per 2 wash machines
Medical and dental office	1	Per each 150 sq. ft. of floor area
Photographic studios; watch, clothing, and shoe repair; and similar personal service establishments	1	Per 250 sq. ft. of floor area
Recreational Uses		
Bowling alleys	4	Per bowling lane, plus 1 per employee at peak shift, plus amount required for accessory uses such as a restaurant or cocktail lounge
Community building	1	Per each 3 seats based on the maximum occupant load per the Building Code
Golf course, open to the general public	5	Per each hole, plus 1 per each tee of driving range, plus 1 per each employee at peak shift, plus amount required for accessory uses such as a restaurant or cocktail lounge
Private country club, swim or golf clubs, fitness center, or other similar uses	1	Per each 2 memberships, plus 1 per each employee at peak shift, plus amount required for accessory uses such as a restaurant or cocktail lounge
Residential Uses		
Adult foster care homes	1	Per each 3 beds, plus 1 per each employee at peak shift
Elderly housing	1	Per each dwelling unit, plus 1 per each 10 dwelling units, plus 1 per each employee

		at peak shift
Mobile home parks	2	Per each trailer unit, plus 1 per each 3 dwelling units, plus 1 per each employee at peak shift
Multiple-family dwelling	2	Per each dwelling, plus 1 per each 10 dwelling units
Single- or two-family dwelling	2	Per each dwelling unit

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

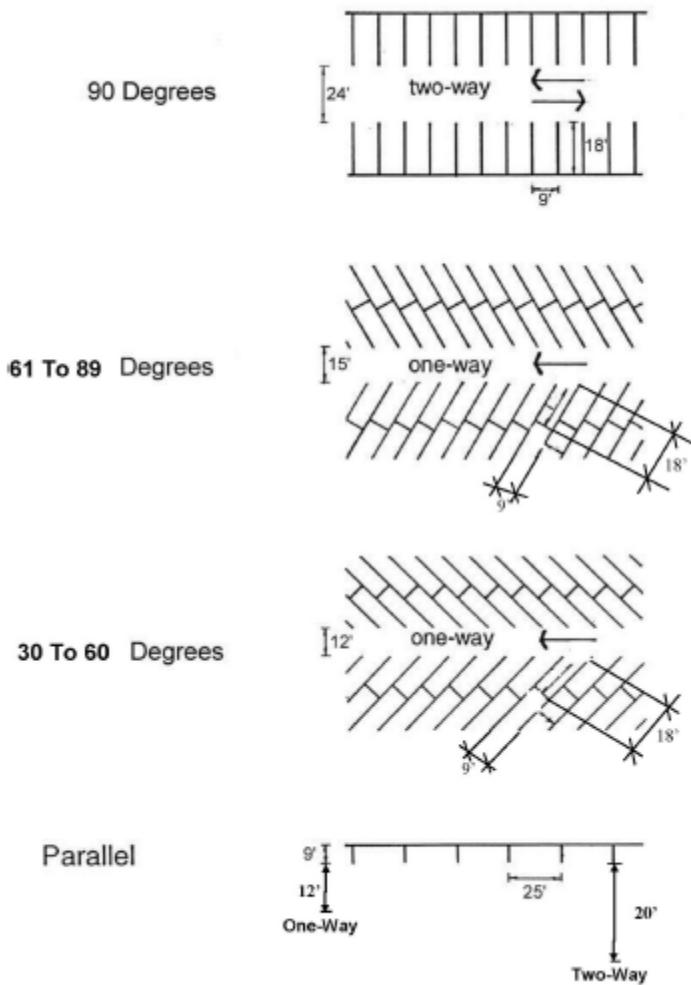
§ 154.179 OFF-STREET PARKING LOT DESIGN AND CONSTRUCTION.

(A) The construction of any parking lot shall be in accordance with the requirements of the provisions of this chapter and completed before a certificate of occupancy is issued.

(B) Unless incorporated in a site plan, prepared and approved in accordance with § 154.024, plans for the development of any parking lot must be submitted to the Zoning Administrator, prepared at a scale of not less than 50 feet equals one inch for submittal to the Planning Commission for approval. All information, including existing and proposed grades, drainage, pipe sizes, parking of all dimensions, type of curbing, drive and aisle dimensions, lighting, adjacent main buildings, sidewalks, landscaping, surfacing and base materials to be used, signage, use, building area, parking calculations and the layout of the proposed parking lot, and all other necessary information required by § 154.024, must be provided. All such parking lots, driveways, or loading areas required for uses other than single- or two-family residential shall be hard-surfaced with asphalt or concrete pavement. Drainage for parking lots shall conform to the standards set forth in § 154.120 and city design standards. All illumination for all such parking lots shall meet the standards set forth in § 154.117. Parking lot landscaping and buffering requirements shall meet the standards set forth in §§ 154.111(D) and 154.111(E). Adequate ingress and egress to the parking lot, by means of limited and clearly defined drives, shall be provided for all vehicles. To prevent encroaching upon pedestrian walkways or damaging required landscaping, curbing or other appropriate barriers shall be provided. No portion of a parking space and/or maneuvering aisle shall obstruct or encroach upon a pedestrian walkway. Plans for the layout of off-street parking facilities shall be in accordance with the following minimum regulations. (See Figure 13.)

Maneuvering Lane Width				
Parking Pattern	One-way	Two-way	Parking Space Width	Parking Space Length
0 degrees - parallel	12'	20'	9'	25'
30 degrees - 60 degrees	12'	N/A	9'	18'
61 degrees - 89 degrees	15'	N/A	9'	18'
90 degrees	N/A	24'	9'	18'

Figure 13



(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.180 OFF-STREET LOADING REQUIREMENTS.

(A) On the same premises with every building or part thereof, erected and occupied for any uses involving the receipt or distribution of trucks and/or delivery vehicles, material, or merchandise, adequate space for loading and unloading shall be provided.

(B) (1) Off-street loading and unloading space, unless completely and adequately provided for within a building, shall be of sufficient area and height clearance to accommodate vehicles using the loading space, based upon evidence supplied by the applicant and verified by the Planning Commission. Loading and unloading space provided by truck wells located below surface grade shall be protected by pipe railings per Building Code. Drainage shall be provided to prevent the collection of stormwater at the bottom of the truck well. The loading and unloading space shall be a minimum of 12 feet wide by 40 feet long. The space shall not be located in the front yard of a building and shall not be located closer than 50 feet to any residentially zoned parcel. The Planning Commission may permit deviations from this standard with conditions where it deems appropriate.

(2) The number of spaces provided shall be in accordance with the following schedule.

Gross Floor Area (Sq. Ft.)	Loading and Unloading Spaces Required in Terms of Sq. Ft. Gross Floor Area
0 - 20,000	1 space

20,001 - 100,000	1 space plus 1 space for each 20,000 sq. ft. in excess of 20,000 sq. ft.
100,000 and over	5 spaces

(C) (1) The city recognizes that due to the specific requirements of any given development, inflexible application of off-street loading requirements set forth in division (B) above may result in development with inadequate loading space or loading space in excess of that which is needed. The former situation may lead to traffic congestion or unauthorized loading on and/or off site. The latter situation may result in excessive paving and stormwater runoff and a waste of space, which could be left as open space.

(2) The Planning Commission may permit deviations from the requirements of division (B) above based upon a finding that such deviations are more likely to provide a sufficient number of off-site loading spaces and of adequate size to accommodate the specific characteristics of the use in question.

(3) The Planning Commission shall attach conditions to the approval of a deviation from the requirements of division (B) above that bind such approval to the specific use in question. Where a deviation results in a reduction of off-street loading, the Planning Commission shall further impose conditions, which ensure that adequate usable reserve area is set aside for further off-street loading, if needed. Where area is set aside for reserve off-street loading, it shall be easily developed, not devoted to a use other than open space, and shall be designed to accommodate attendant facilities vehicle such as maneuvering lanes and drainage.

(D) The following additional standards apply to commercial or similar vehicles in residential zoning districts: parking of commercial vehicles in residential zoning districts, which are rated over one ton capacity is prohibited; and open storage of commercial vehicles over one-ton capacity, including semi-trucks and trailers, mobile homes, tractors, bulldozers, earth movers, or other similar equipment is prohibited in any residential zoning district.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.181 OFF-STREET STACKING SPACE FOR DRIVE-THROUGH FACILITIES.

All businesses which provide drive-through facilities for serving customers within their automobile shall provide adequate off-street stacking space and lanes which meets the following requirements.

(A) Each stacking space shall be computed on the basis of eight feet in width and 20 feet in length. Each stacking lane shall be ten feet in width;.

(B) Clear identification and delineation between the drive-through facility and parking lot shall be provided. Drive-through facilities shall be designed in a manner which promotes pedestrian and vehicular safety.

(C) For all drive-through facilities which have a single stacking lane, an escape lane shall be provided which allows other vehicles to pass those waiting to be serviced.

(D) Required stacking spaces may not occupy required or actual front yard setbacks, unless otherwise permitted by the Planning Commission.

(E) The number of stacking spaces per service lane shall be provided for the following uses. When a use is not specifically mentioned, the requirements for off-street stacking space for a similar use shall apply. The Planning Commission may permit deviations from this requirement if it is demonstrated that such deviations are appropriate and will improve the site.

Use	Stacking Spaces Per Service Lane
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Use	Stacking Spaces Per Service Lane
Banks	6
Car washes (automatic) entry	8
Car washes (automatic) exit	1
Car washes (self-service) entry	3
Car washes (self-service) exit	1
Dry cleaning	4
Fast-food restaurants	8
Photo service	4

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.182 TRAFFIC IMPACT ANALYSIS.

The Planning Commission may require a traffic impact analysis in order to analyze the effect of development upon existing street traffic. The traffic impact analysis shall be paid for by the developer and shall examine existing and proposed traffic flows, trip generation studies, impacts on major intersections, turning movement analysis, roadway capacity, parking generation, and site ingress/egress. The traffic impact analysis shall be prepared by a registered professional engineer or transportation planner.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.183 ACCESS MANAGEMENT.

(A) Automobile access.

(1) *Access barrier.* Access to public roads shall be controlled in the interest of public safety. Each building or group of buildings used for non-residential purposes, and its parking or service area, shall be physically separated from public roads by a greenbelt, curb, or other suitable barrier against unchanneled motor vehicle access or egress, except for access ways authorized herein. In addition to providing the access barrier, greenbelt requirements shall be provided in accordance with § 154.111.

(2) *Driveway performance standards.* Driveways shall conform to the following performance standards.

(a) Driveway design and placement must be in harmony with internal circulation and parking design such that the entrance can absorb the maximum rate of inbound traffic during a normal peak traffic period.

(b) Sufficient on-site storage must accommodate at least three queued vehicles waiting to park or exit without using a portion of the public right-of-way obstructing existing vehicle sight distance, or otherwise interfering with street traffic.

(c) Provisions for circulation between adjacent parcels are encouraged through coordinated or joint parking systems and driveways.

(d) Driveways shall be designed to accommodate all vehicle types having occasion to enter and exit the site, including delivery vehicles. There shall be clear delineation and/or separation, where appropriate, of entry and exit lanes within driveways.

(e) Driveway placement must be such that loading and unloading activities will in no way hinder vehicle ingress or egress.

(B) *Pedestrian access.*

(1) *General standard.* The parking and circulation system within each development shall accommodate the movement of vehicles, bicycles, pedestrians, and transit, throughout the proposed development and to and from surrounding areas, safely and conveniently, and shall contribute to the attractiveness of the development. The on-site pedestrian system must provide continuity, street crossings, visual interest, and security as defined by the standards in this section.

(2) *Safety considerations.* To the maximum extent feasible, pedestrians shall be separated from vehicles.

(a) Where complete separation of pedestrians and vehicles is not feasible, potential hazards shall be minimized by the use of techniques such as special paving, grade separations, pavement marking, signs or striping, bollards, pedestrian safety island, landscaping, lighting, or other traffic calming measures to clearly delineate pedestrian areas, for both day and night use.

(b) Where bicycle paths are required or are specifically part of a site plan and pedestrians and bicyclists share walkways, the pedestrian/bicycle system shall be designed to be wide enough to easily accommodate the amount of pedestrian and bicycle traffic volumes that are anticipated. A minimum width of eight feet shall be required and shall meet American Association of State Highway and Transportation Officials (AASHTO) guidelines. Additional width of up to four feet may be required to accommodate higher volumes of bicycle and pedestrian traffic.

(3) *Curb cuts and ramps.* Curb cuts and ramps shall be located at convenient, safe locations for the physically disabled, for bicyclists, and for people pushing strollers or carts. The location and design of barrier-free spaces, curb cuts, and ramps shall meet the requirements of the State Barrier Free Code and the Americans With Disabilities Act and, to the extent possible, shall avoid crossing or funneling pedestrian traffic through loading areas, drive-through lanes, and outdoor trash storage/collection areas.

(4) *Site amenities.* Development plans shall include site amenities that enhance safety and convenience and promote walking or bicycling as an alternative means of transportation. Site amenities may include bike racks, drinking fountains, canopies, and benches.

(5) *Walkways.*

(a) *Directness and continuity.* Walkways within the site shall be located and aligned to directly and continuously connect areas or points of pedestrian origin and destination, and shall not be located and aligned solely based on the outline of a parking lot configuration that does not provide such direct pedestrian access. Such connecting walkways shall either be grade separated from the parking lot or clearly delineated as to avoid pedestrian/vehicular conflicts with a paved surface not less than six feet in width. Drive aisles leading to main entrances shall have walkways on at least one side of the drive aisle.

(b) *Street crossings.* Where it is necessary for the pedestrian access to cross maneuvering aisles or internal roadways, the crossings shall emphasize and place priority on pedestrian access and safety. The pedestrian crossings must be well marked using such pavement treatments, signs, striping, signals, lighting, pedestrian safety islands, landscaping, and other traffic calming techniques.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.184 OUTDOOR STORAGE OF RECREATION VEHICLES.

In all residential districts, a recreational vehicle may be parked or stored subject to the following conditions.

(A) Storage or parking shall not be permitted on vacant lots or parcels.

(B) Unless within a completely enclosed building, a recreational vehicle shall be parked or stored in one of the following manners:

(1) Within the side or rear yard, but no closer than five feet from any side or rear lot line; or

(2) In those instances where the side or rear yard is not accessible or has insufficient clearance for the passage of a recreational vehicle, the Zoning Administrator may allow the parking or storage of a recreational vehicle in the front yard. In those instances where a recreational vehicle is to be parked or stored in a front yard, only the driveway portion of such yard shall be utilized and in no instance shall such recreational vehicle be parked or stored in a manner which obstructs pedestrian or vehicular visibility.

(C) No recreational vehicle shall be used for living, sleeping, or housekeeping purposes on the premises, except for occasional living purposes to accommodate visitors not to exceed a maximum period of two weeks.

(D) No recreational vehicle shall be stored on a public street or right-of-way or private road easement.

(E) A recreational vehicle stored outside shall be in a condition for the safe and effective performance of its intended function.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

NONCONFORMING USES, STRUCTURES, AND LOTS

§ 154.195 INTENT.

Certain existing lots, structures, and uses of lots and structures were lawful before this chapter was adopted, but have become nonconformities under the terms of this chapter and its amendments. It is the intent of this chapter to permit such nonconformities to remain until they are discontinued or removed, but not to encourage their survival or, where discontinuance or removal is not feasible, to gradually upgrade such nonconformities to conforming status. Nonconformities shall not be enlarged, expanded, or extended, except as provided herein, and shall not be used as grounds for adding other structures and uses of lots and structures which are prohibited. Nonconformities are declared by this chapter to be incompatible with the structures and uses permitted in the various districts.

(Ord. 285, passed 12-8-2003)

§ 154.196 NONCONFORMING LOTS.

(A) In any district in which single-family dwellings are permitted, notwithstanding limitations imposed by other provisions of this chapter, a single-family dwelling and customary accessory buildings may be erected on any single lot of record at the effective date of adoption or amendment of this chapter. This provision shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district; provided that yard dimensions and other requirements not involving area or width, or both, of the lots shall conform to the regulations for the district in which such lot is located.

(B) If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this chapter, and if all or part of the lots do not meet the requirements for lot width and area as established by this chapter, the lands involved shall be considered to be an undivided parcel for the purpose of this chapter, and no portion of said parcel or lot shall be used or sold which does not meet lot width and area requirements established by this chapter, nor shall any division of the parcel or lot be made which leaves remaining any parcel or lot with width or area below the requirements stated in this chapter.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.197 NONCONFORMING USES OF LAND.

Where, at the effective date of adoption or amendment of this chapter, lawful use of land exists that is made no longer permissible under the terms of the chapter as enacted or amended, such use may be continued, so long as it remains otherwise lawful, subject to the following provisions.

- (A) No such nonconforming uses shall be enlarged or increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this chapter.
- (B) No such nonconforming use shall be moved in whole or in part to any other portion of the lot or parcel occupied by such use at the effective date of adoption or amendment of this chapter.
- (C) If such nonconforming use of land ceases operation for more than six consecutive months, or for 18 months during any three-year period, any subsequent use of such land shall conform to the regulations specified by this chapter for the district in which such land is located.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.198 NONCONFORMING STRUCTURES.

Where a lawful structure exists at the effective date of adoption or amendment of this chapter that could not be built under the terms of this chapter by reason of restrictions on area, lot coverage, height, yards, or other characteristics of the structure or its location on the lot, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions.

- (A) No such structure may be enlarged or altered in a way which increases its nonconformity.
- (B) Should such structure be destroyed by any means to an extent of more than 50% of replacement value at the time of destruction, it shall not be reconstructed except in conformity with the provisions of this chapter.
- (C) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.199 NONCONFORMING USES OF STRUCTURES AND LAND.

If a lawful use of a structure, or of structure and land in combination, exists at the effective date of adoption or amendment of this chapter that would not be allowed in the district under the terms of this chapter, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions.

- (A) No existing structure devoted to a use not permitted by this chapter in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
- (B) Any nonconforming use may be extended throughout any interior part of a building which was manifestly arranged or designed for such use, and which existed at the time of adoption or amendment of this chapter, but no such use shall be extended to occupy any land outside such building.
- (C) Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations pertaining to the uses permitted in the district in which such structure is located, and the nonconforming use may not thereafter be resumed. Section 154.198 of this section shall apply to any nonconformity relating to the structure(s).

(D) If such nonconforming use of land ceases operation for more than six consecutive months, or for 18 months during any three-year period, any subsequent use of such land shall conform to the regulations specified by the ordinance pertaining to the uses permitted in the district in which such land is located. Structures occupied by seasonal uses shall be excepted from this provision only so long as seasonal uses shall continue.

(E) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land.

(F) (1) If no structural alterations are made, any nonconforming use of structure, or structure and premises, may be changed to another nonconforming use of the same or a more restricted classification provided that the Board of Appeals, either by general rule or by making findings in the specific case, shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use.

(2) In permitting such change, the Board of Appeals may require appropriate conditions and safeguards in accord with the purpose and intent of this chapter.

(3) Where a nonconforming use of a structure, land, or structure and land in combination is hereafter changed to a more restrictive classification, it shall not thereafter be changed to a less restricted classification.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.200 REPAIRS AND MAINTENANCE.

(A) On any building devoted in whole or in part to any nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing to an extent not exceeding 50% of the replacement value of the building, provided that the cubic content of the building as it existed at the time of passage or amendment of this chapter shall not be increased.

(B) (1) A nonconforming structure, nonconforming portion of a structure, or a structure containing a nonconforming use which is physically unsafe or unlawful due to lack of repairs and maintenance, as determined by the Building Official may be restored to a safe condition.

(2) Where enlargement or structural alteration is necessary to allow compliance with health and safety laws or ordinances, the cost of such work shall not exceed 25% of the structure's fair market value, as determined by the assessor at the time such work is done.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.201 USES ALLOWED AS SPECIAL APPROVAL USES, NOT NONCONFORMING USES.

Any use for which special approval is permitted as provided in this chapter shall not be deemed a nonconforming use, but shall without further action be deemed a conforming use in such district.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999

§ 154.202 CHANGE OF TENANCY OR OWNERSHIP.

A change of tenancy, ownership, or management of any existing nonconforming uses of land, structures, and premises is permitted provided no change in the nature or character of such nonconforming uses occur except in conformity with the provisions of this chapter.

(Ord. 285, passed 12-8-2003) Penalty, see § 154.999