

CHAPTER 1270 **Business District Regulations**

[1270.01](#) Purpose.

[1270.02](#) Use regulations.

[1270.03](#) Schedule of permitted uses.

[1270.04](#) Lot requirements.

[1270.05](#) Building setback, spacing, size and height requirements.

[1270.06](#) Off-street parking, loading and access drives.

[1270.07](#) Outdoor display.

[1270.08](#) Supplemental regulations for gasoline stations and auto service stations.

1270.081 Supplemental regulations for sales of used automobiles.

[1270.09](#) Required design elements.

[1270.10](#) Accessory use regulations.

[1270.11](#) Performance standards.

[1270.12](#) Landscaping and screening requirements.

[1270.13](#) Development plan review

1270.01 PURPOSE.

The Business Districts (C-1, C-2, C-3 and C-4) and their regulations are established in order to achieve, among others, the following purposes:

(a) To provide, in appropriate and convenient locations, sufficient areas for business activities and the exchange of goods and services.

(b) To protect residential neighborhoods adjacent to business uses by restricting the types of establishments, particularly at the common boundaries, that would create congestion, noise or other objectionable influences.

(c) To protect and stabilize both residential and nonresidential developments from congestion by requiring off-street parking facilities.

(d) To encourage the logical and timely development of land for commercial purposes in accordance with the objectives, policies and proposals of the City Master Plan.

(e) To carry out the following specific purposes:

(1) To provide Neighborhood Business Districts (C-1) to serve as limited shopping districts for the convenience needs of a neighborhood area and to provide locations for retail and service uses that do not have a detrimental impact on the adjacent residences.

(2) To provide a Central Business District/French Creek District (C-2) which:

A. Makes land available for a pedestrian-oriented environment with retail activities, which are located within the central business district along the Detroit Road commercial corridor.

B. Ensures that the design of buildings is compatible with the character of the area.

C. Grants the Planning Commission adequate flexibility in reviewing development plans to ensure that the objectives of the district are met.

(3) To provide Planned Commercial Development Districts (C-3) which:

A. Minimize any adverse affects of a shopping center on nearby property values and provide for the safe and efficient use of the shopping center itself.

B. Provides for a functional and aesthetically pleasing area in which to shop.

C. Ensures that the area is designed and located to minimize traffic congestion on public highways and streets in its vicinity, and to best fit the general land use pattern of the area to be served.

(4) To provide General Business Districts (C-4) on major roads in the vicinity of freeway interchanges to serve the needs of the general public in a manner which:

A. Protects and stabilizes development from traffic congestion and hazards by regulating the intensity of use, by requiring off-street parking, loading and on-site circulation facilities, and by regulating the access to streets.

B. Provides the maximum protection to existing and proposed residential areas.

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.02 USE REGULATIONS.

(a) Uses Permitted by Right. A use listed in Schedule [1270.03](#) shall be permitted by right as a principal use in a district when denoted by the letter "P," provided that all requirements of other City ordinances and this Planning and Zoning Code have been met.

(b) Special Uses. A use listed in Schedule [1270.03](#) shall be permitted as a special use in a district when denoted by the letters "SU," provided the Planning Commission first makes the determination that the requirements of [Chapter 1280](#) have been met according to the procedures set forth in [Chapter 1230](#);

(c) Accessory Uses. A use listed in Schedule [1270.03](#) shall be permitted as an accessory use in a district when denoted by the letter "A". Such use shall be permitted as a subordinate use when it is clearly incidental to and located on the same lot as the principal building or use. Accessory uses are further regulated in subsequent sections of this Planning and Zoning Code.

(d) Compliance with Development Standards and Other Applicable Regulations. Although a use may be indicated as a permitted principal, special or accessory use in a particular business district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Planning and Zoning Code applicable to the specific use and parcel in question.

(e) Uses Not Listed in Schedule. Any use not specifically listed as either a permitted principal or special use shall be a prohibited use in these zoning districts, and shall only be permitted upon amendment of this Planning and Zoning Code and/or the Zoning Map as provided in [Chapter 1236](#), or upon a finding by the Planning Commission that a use is substantially similar to a principally permitted or special use in the district according to the procedures set forth in Section [1230.11](#).

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.03 SCHEDULE OF PERMITTED USES.

<u>C-1</u> <u>Neighborhood</u> <u>Business</u>	<u>C-2</u> <u>Central Business/</u> <u>French Creek</u>	<u>C-3</u> <u>Planned Commercial</u> <u>Development</u>	<u>C-4</u> <u>General</u> <u>Business</u>	
(a) <u>Offices</u>				
(1) Business, professional and administrative offices		P	P	SU P
(2) Financial institutions bank, investment/ trust company, credit agency		P	P	P P
(3) Medical offices of physicians, dentists, health and allied services		P	P	SU P
(4) Hospital				SU
(5) Urgent care clinic				SU SU
(b) <u>Retail and Services</u>				
(1) Retail in completely enclosed buildings, except as otherwise regulated below		P	P	P P
(2) Branch laundries and dry cleaners counter service (no laundering/ cleaning on premises)		P	P	P P
(3) Drive-thru facility associated with a permitted principal or special use		SU	SU	SU P
(4) Funeral home and related facilities		SU	SU	SU SU
(5) Furniture, home furnishings, office equipment		P	P	P P
(6) Personal services in completely enclosed buildings, such as barber and beauty shops		P	P	P P

(7) Restaurants (no outdoor seating)	SU	P	P	P
(8) Restaurants (with outdoor seating)	SU	SU	SU	SU
(9) Restaurants (no indoor seating)			SU	SU
(10) Studios for instruction	P	P	SU	P
(11) Veterinary office			SU	P
(12) Animal boarding				SU
<u>(c) Community Facilities</u>				
(1) Churches and other places of worship				P
(2) Clubs, lodges and assembly halls				P
(3) Day care facilities, child and adult	P	P		P
(4) Library, museum	SU	SU	SU	P
(5) Post office	SU	SU	SU	SU
(6) Public safety facility	SU	SU	SU	P
(7) Public service/ maintenance facility				P
(8) Public utilities substations	SU	SU	SU	P
(9) Congregate care/assisted living facilities				SU
<u>(d) Outdoor Display/Storage</u>				
(1) An aboveground storage container of flammable/ combustible liquids, LPG (liquified petroleum gas), CNG (compressed natural gas) or hazardous materials in excess of 1,500 gallons	X	X	X	X
(2) An aboveground storage container of flammable/ combustible liquids, LPG (liquified petroleum gas), CNG (compressed natural gas) or hazardous materials in amounts not exceeding 25 gallons*	P	P	P	P
(3) An aboveground storage container of flammable/ combustible liquids, LPG (liquified petroleum gas), CNG (compressed natural gas) or hazardous materials in containers larger than 25 gallons but less than 1,500 gallons for sale or distribution*			SU	SU
(4) An aboveground storage container of flammable/ combustible liquids, LPG (liquified petroleum gas), CNG (compressed natural gas) or hazardous materials in any size, for the sole purpose of on-site power generation*	SU	SU	SU	SU
(5) Outdoor display	SU	SU	SU	P
(6) Outdoor storage	SU	SU	SU	SU
<u>(e) Automotive/Transportation</u>				

(1) Auto repair garage (major repair)				P
(2) Auto service station (minor repair)			SU	P
(3) Automotive sales (new) and rental**				P
(4) Automotive sales (used)**				A
(5) Auto detailing		SU	SU	P
(6) Car wash			SU	P
(7) Gasoline station			SU	P
(8) Parking as principal use		SU	P	P
(9) Commercial truck center/service area†	X	X	X	X
(f) <u>Residential/Lodging</u>				
(1) Bed and breakfast	SU	SU		
(2) Dwelling unit on upper floors of a commercial/office building	P	P		
(3) Hotel/motel		SU	SU	P
(4) Swimming pools and other recreational facilities in connection with lodging facilities.		SU	SU	SU
(g) <u>Entertainment - Recreation</u>				
(1) Indoor recreation and entertainment (i.e. theater, bowling alley, arcade)			P	P
(2) Outdoor recreation and entertainment (i.e. miniature golf, bating cages)				SU
(3) Par three golf course or golf training facility/clinic				P
(h) <u>Farms</u>	P	P	P	P
(i) <u>Accessory Uses</u>				
(1) Fences	A	A	A	A
(2) Off-street parking	A	A	A	A
(3) Signs	A	A	A	A
(4) Waste storage facilities	A	A	A	A
<p>P = Principal Use Permitted by Right SU = Special Use A = Accessory Use Blank Cell = Use Not permitted X = Specifically prohibited *= Must comply with ACO Section 1610.17 Refer to Ohio Fire Code for definitions. **= Must comply with ACO 1270.081. Supplemental Regulations for Sale of Used Autos. † See Chapter 861, et seq. for definition, etc.</p>				

(Ord. 58-01. Passed 5-29-01; Ord. 78-05. Passed 6-13-05; Ord. 21-06. Passed 3-27-06; Ord. 94-07. Passed 9-10-07; Ord. 1-08. Passed 2-11-08; Ord. 169-08. Passed 1-12-09; Ord. 26-10. Passed 5-10-10; Ord. 35-12. Passed 6-11-12; Ord. 33-12. Passed 7-9-12; Ord. 34-12. Passed 7-9-12; Ord. 128-12. Passed 12-27-12; Ord. 11-13. Passed 2-25-13; Ord. 121-14. Passed 11-10-14; Ord. 40-17. Passed 6-12-17.)

1270.04 LOT REQUIREMENTS.

Lots created in a Business District shall comply with the requirements set forth in Schedule 1270.04(a).

(a) Schedule 1270.04(a): Lot Requirements.

Schedule 1270.04(a)

<u>LOT REQUIREMENTS</u>				
	<u>C-1 Neighborhood Business</u>	<u>C-2 Central Business/ French Creek</u>	<u>C-3 Planned Commercial Development</u>	<u>C-4 General Business</u>
(1) Minimum development area	none	none	10 acres	none
(2) Minimum lot size	25,000 sq. ft. or lot of record	25,000 sq. ft.	1 acre	1 acre
(3) Minimum lot frontage at right-of-way	100 feet	100 feet	150 feet	150 feet
(4) Minimum landscaped open space	20% of lot area	20% ^(a) of lot area	30% of lot area	25% of lot area
<u>Notes to Schedule 1270.04(a).</u> (a) The Planning Commission may, at its discretion, include the landscaped portion of the right-of-way, improved with amenities such as trees, benches, light polls, flowers, etc, as a part of the minimum landscaped open space requirement.				

(b) Lots of Record. A lot of record existing on the effective date of this Planning and Zoning Code may be occupied by a use listed as a permitted principal use in Schedule [1270.03](#) for the district in which the lot is located even when the lot does not comply with the minimum requirements set forth in Schedule [1270.04\(a\)](#) provided the use can be conducted in compliance with all other requirements set forth in this Planning and Zoning Code.

(c) Maximum Building Size in C-1 and C-2 districts. The maximum building size in C-1 and C-2 Districts shall be 70,000 square feet.

(d) Additional Requirements for Large Buildings in C-3 and C-4 Districts. In the C-3 or C-4 district any contiguous structure exceeding 70,000 square feet, cumulative of all floors, shall comply with the following requirements:

(1) The parcel shall have a minimum of 300 feet of contiguous frontage on an arterial street.

(2) All access drives shall be located on an arterial street, and at least one entrance shall be within one-half mile, by way of public roads, of an interstate ramp. Any lot located north of I-90 and zoned in the C-3 or C-4 districts shall be exempt from this requirement provided that its primary vehicular access is located on Chester Road and that a traffic study, accepted by the City, demonstrates that the sections of Chester Road and the interstate interchanges impacted by the traffic generated by the proposed structure have existing or planned capacity to function at an acceptable level of service with the additional traffic.

(3) At least 30% of the lot area shall be devoted to landscaped open space to minimize the impact of the structure on the surrounding area.

(4) Prior to approval of the final development plan, the applicant shall provide the City with a financial guarantee in the form of a bond, irrevocable letter of credit or other acceptable financial assurance in an amount to be determined by the Service Director, and adequate to cover the costs of repair and maintenance of the property in the event that the property shall be vacated by the owner, so as to guarantee the maintenance of property in a safe condition free from any hazardous conditions or unsightly appearances.

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12; Ord. 1-15. Passed 2-9-15.)

1270.05 BUILDING SETBACK, SPACING, SIZE AND HEIGHT REQUIREMENTS.

Buildings in Business Districts shall be located on a lot in compliance with the minimum setback, spacing, size and height requirements set forth below:

(a) Land Adjoining a Residential District. In a C-4 District, lands or parcels adjoining a residential district in which the adjacent lands or parcels are being used for nonresidential purposes under a special use permit shall be governed by the setback requirements for lots adjacent to nonresidential districts.

(b) Waiver of Yard Requirements for Joint Development. The side and/or rear yard requirements, as applicable, may be waived to permit buildings on abutting properties to share a common wall, access drive or parking area, provided that the two or more buildings are approved as a joint development according to the procedures set forth in [Chapter 1228](#).

(c) Maximum Height. All buildings and structures in a Business District shall comply with the maximum height regulations specified in Schedule [1270.05\(e\)](#).

(d) Minimum Dwelling Unit Size. Dwelling units located on the upper floors of commercial or office buildings shall have a minimum of 600 square feet of floor area per unit plus 200 square feet of floor area for each bedroom. In computing the floor area, areas devoted to hallways, elevators, terraces, open porches and/or garages shall not be included.

(e) Schedule [1270.05\(e\)](#).

Schedule 1270.05(e)

**BUILDING SETBACK, SPACING AND HEIGHT REGULATIONS**

	<u>C-1 Neighborhood Business</u>	<u>C-2 Central Business/ French Creek</u>	<u>C-3 Planned Commercial Development</u>	<u>C-4 General Business</u>
(1) Minimum setback from street right-of-way	(b)	(b)	100 feet	60 feet ^(a)
(2) Minimum setback from side or rear lot line:				
A. Adjacent to non-residential district	-0-	-0-	15 feet	15 feet
B. Adjacent to residential district	35 feet ^(c)	35 feet ^(c)	35 feet ^(c)	35 feet
(3) Minimum separation between buildings on the same lot	20 feet	20 feet	30 feet	30 feet
(4) Maximum building height	35 feet	45 feet	45 feet	45 feet

Notes to Schedule [1270.05](#)(e)

(a) Where a lot fronts on a collector or arterial street as defined in [Chapter 1246](#), the setback shall not be less than 100 feet from the road centerline for collector streets, and not less than 110 feet from the road centerline for arterial streets.

(b) The building setback shall be a minimum of 50 feet from the centerline of any abutting street and not more than the setback of one of the buildings immediately adjacent to the subject building. If there are no adjacent buildings the maximum building setback shall be similar to the surrounding buildings as determined by the Planning Commission.

(c) Or the height of tallest structure, whichever is greater.

(Ord. 58-01. Passed 5-29-01; Ord. 186-01. Passed 1-28-02; Ord. 128-12. Passed 12-27-12.)

 1270.06 OFF-STREET PARKING, LOADING AND ACCESS DRIVES.

Off-street parking areas in Business Districts shall comply with the regulations set forth in [Chapter 1292](#) and with the minimum setbacks, measured from the street right-of-way or property line, as specified in Schedule [1270.06](#)(a).

(a) Schedule [1270.06](#)(a) Minimum Parking Setback Requirements:

Schedule 1270.06(a)

MINIMUM PARKING SETBACK REQUIREMENTS				
	<u>C-1 Neighborhood Business</u>	<u>C-2 Central Business/ French Creek</u>	<u>C-3 Planned Commercial Development</u>	<u>C-4 General Business</u>
(1) Minimum setback from street right-of way	20 feet ^(a)	20 feet ^(a)	50 feet	35 feet
(2) Minimum setback from side or rear lot line				
A. Adjacent to non-residential district	5 feet	5 feet	10 feet	10 feet
B. Adjacent to residential district	10 feet	10 feet	30 feet	30 feet
<p><u>Notes to Schedule 1270.06.</u></p> <p>(a) Or equal to the building setback if the building is located closer than 20 feet to the street right-of-way.</p>				

(b) The area within the parking setback shall be landscaped in compliance with [Chapter 1294](#).

(c) Loading and service areas shall be located in a rear yard and shall comply with parking setbacks in Schedule [1270.06\(a\)](#). Loading and service areas shall be screened in compliance with [Chapter 1294](#).

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.07 OUTDOOR DISPLAY.

Outdoor display of merchandise for sale other than for automotive sales shall comply with the following:

(a) Limitations. Outdoor display and sale of merchandise shall be limited to products which are customarily associated with the operation of the principal use located on the premises and conducted by employees of such principal use. There shall be no outdoor display and sale of merchandise by any person operating or conducting a business which is different or distinct from the principal use conducted at that location, except for temporary displays.

(b) Location.

(1) Areas devoted to outdoor display shall be located in a side or rear yard and shall comply with all building setbacks and yard regulations for the district in which they are located as set forth in this chapter, except as otherwise specifically stated.

(2) No outdoor display shall be permitted between the front wall of the principal building and the adjacent street, except for temporary displays and outdoor dining, which may be located in front of a building in compliance with the building setbacks.

(3) All outdoor display areas shall be contiguous to the principal building.

(4) No outdoor display area shall be permitted to occupy or interfere with traffic circulation, required parking areas, public sidewalks or pedestrian access.

(c) Area. The area of the lot devoted to outdoor display shall not exceed 25% of the ground floor area of the principal building. This limitation shall not apply to automotive sales and rental establishments.

(d) Surfacing. Areas devoted to outdoor display shall be paved with asphalt or concrete and maintained free of dust.

(e) Signs. No signs shall be permitted in conjunction with outdoor display areas, except those otherwise in compliance with the sign regulations in [Chapter 1290](#).

(f) Outdoor Displays as Special Use. Outdoor displays permitted as a special use shall also comply with [Chapter 1280](#).

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.08 SUPPLEMENTAL REGULATIONS FOR GASOLINE STATIONS AND AUTO SERVICE STATIONS.

All gasoline stations and auto service stations shall comply with the following standards.

(a) Fuel pumps and associated access aisles and canopies shall comply with the parking setback requirements in Schedule [1270.06\(a\)](#).

(b) Canopies shall have a maximum height of 20 feet.

(c) Except while being serviced at a pump island, no vehicle shall be parked between the pumps and the front property line.

(d) No junk or unlicensed motor vehicles shall be permitted to be parked or stored on the property.

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.081 SUPPLEMENTAL REGULATIONS FOR SALES OF USED AUTOMOBILES.

All nonresidential, used automotive sales establishments shall comply with the following standards:

(a) The sale of used automobiles and trucks not exceeding one ton rated capacity are declared to be an accessory use in the C-4 District and incidental to franchised new automobile dealership

and the sale and storage of such vehicles must be on the same lot as the main, new automobile, dealership.

(Ord. 121-14. Passed 11-10-14.)

1270.09 REQUIRED DESIGN ELEMENTS.

The following supplemental design criteria are established to ensure that new development or redevelopment complies with the purpose of this chapter, as set forth in Section [1270.01](#). All uses in a Business District shall comply with the following unless specifically stated otherwise.

(a) General Criteria applicable to all Proposals Requiring Review.

(1) The proposal shall preserve and enhance the overall character of the community and be appropriate and compatible with its surroundings in accordance with the intent, objectives and development criteria of the zoning district in which it is located. In assessing the characteristics of the surrounding area, non-contributing features shall not be considered factors in determining compatibility.

(2) Walls of buildings shall comply with the following:

A. In C-1 and C-2 Districts, when the wall of a building faces a public right-of-way, or parking area, or is within 45 degrees of facing a public right-of-way, a minimum of 40 percent of such wall area, between the heights of two feet and eight feet on the ground floor level, shall have display-type windows. The bottom edge of such window shall not be higher than three feet above grade. A maximum of 20% of such windows may be opaque.

B. In all commercial districts, walls shall have no more than 20 feet of contiguous wall length devoid of windows, on any ground floor, unless the wall includes architectural features such as piers, columns, defined bays or an undulation of the building, so that a pedestrian scale, rhythm, and visual interest is created.

C. Walls that meet the following criteria shall be exempt from the requirements of division (a)(2)B. above:

1. Two walls that face one another, are separated by not more than 30 feet and the space between the two walls is used for servicing the buildings, or

2. A wall that faces an area devoted solely to loading and delivery and such wall is screened from view from all public rights-of-way, parking areas and abutting residential areas.

D. Exterior walls of buildings shall include offsets in the façade according to the following:

1. In C-1 and C-2 Districts there shall be a minimum five-foot change in plane at intervals not to exceed 120 feet.

2. In C-3 and C-4 Districts there shall be a minimum five-foot change in plane at intervals not to exceed 200 feet.

(3) The roof framing shall reflect the required offset described in division (a)(2)D. for the exterior wall.

(4) Large development projects (containing more than one use) shall contain elements which diversify the appearance of the overall development, such as a variation of the height of particular units, pitched roofs, gables, pediments, dormers, or other similar features that will diversify the overall appearance.

(5) The proposal should minimize changes to the natural grade, and the removal and destruction of trees, landscaping and other natural features.

(6) Exterior lighting, when used, shall enhance the building design and the landscaping on the site. Lighting standards and fixtures shall be of a design and size compatible with the building and adjacent areas.

(b) Design Criteria Applicable to the C-2 French Creek District. These design criteria are established in order to protect, maintain and foster unity of architectural style and visual compatibility within the C-2 French Creek District, which in many ways reflects the collection of architectural styles known as the Western Reserve. It is recognized that the uniqueness of this District is enhanced through the use of certain architectural features, including window/door placement, building and roof finish materials and other building elements set forth herein. The Planning Commission and the City Architect, when required in accordance with Section [1228.06\(d\)](#), shall review proposals for new construction and significant exterior alterations in the C-2 French Creek District to determine if such proposal complies with the design criteria set forth below.

(1) Buildings, structures and landscaping shall be designed and located on the site and be of a scale to enhance the character of the surrounding area by having features that are appropriate and compatible with existing buildings and structures.

(2) The height, width and general proportions of structures shall complement adjacent buildings so that an overall harmonious appearance is created.

(3) Buildings shall be designed with some, but not necessarily all, of the following details to achieve the characteristics of the Western Reserve:

- A. Gable roof often facing the street;
- B. Decorative lintels over windows/doors constructed with sandstone, wood or similar material;
- C. Multi-paneled windows with shutters (when the windows are an appropriate size suitable for such shutters) painted in contrasting colors;
- D. Decorative cornice area (area where the roof meets the exterior wall or columns);
- E. Prominent columns or pilasters;
- F. Prominent main entrances to buildings with large doors and "framing" devices such as peaked roof forms, porches or recesses;
- G. Decorative cupolas commonly found on many religious structures in the area; and
- H. Decorative quoins.

I. Colors and textures shall be appropriate for the size and scale of the proposed structures and shall be harmonious with adjacent structures.

J. Materials shall be used which contribute to the Western Reserve architectural character. Examples of such contributing materials include:

1. Red/rose brick exterior;
2. Sandstone;
3. Horizontal wood clapboards for siding;
4. Cedar shingles; and
5. Painted trim woodwork.

(4) Conversely, the following do not contribute to the Western Reserve characteristics and, therefore, are considered inappropriate for use:

- A. A single story structure with a flat roof and minimal or no detail;
- B. Pre-engineered metal buildings (e.g., "pole buildings");
- C. Large single-paned windows which occupy most of the exterior wall; and
- D. Roof forms such as low gable, free-form, A-frame and geometric shapes.

E. Materials that are not consistent with the Western Reserve architectural characteristics, and which therefore are considered inappropriate for use, including the following:

1. Mirrored/reflective glass, unless they are small components of the building and are designed and located within the context of the Western Reserve theme;
2. Exposed concrete or cinder block on the front or sides of any building (except split face, 1/2high or other special "architecturally patterned" block);
3. Stucco (e.g., "dryvit") or similar large expanse of material unless it is utilized with belt courses, joints, contrasting materials, exposed structural elements, or similar design features.
4. Roof materials, bright or primary roof colors, and/or awnings that are in stark contrast to other structures in the C-2 French Creek District and/or the design of the proposed structure.
5. Sheet metal, except as rain gutter/downspouts; exposed unstained wood; exposed steel nails; vinyl siding; and thin vertical wood siding (e.g., T-111).

(5) When existing buildings are to be renovated, the distinguishing qualities or character of a property that contribute to the overall character should not be destroyed. Removal or alteration of historically significant properties or distinctive architectural features shall be avoided, except for features that are determined to be non-contributing features.

(6) Buildings and site features should be designed in such a way as to create a street wall, either through the use of a building, landscape plantings or a combination of both to become more well-defined.

(7) Mechanical equipment, waste receptacles and other similar appurtenant or accessory structures shall be located to minimize the impact on the building and the district.

A. Window air-conditioning units, condenser elements, antennas, other mechanical equipment and waste receptacles should not be located in the front of a building.

B. Mechanical equipment attached to the side or roof of a building, including heating vents, should be kept as low as possible and screened, and be compatible with the background of the building or roof.

(8) Park benches, ornamental planters, brick pavers, and ornamental lighting shall be encouraged when appropriate to reinforce the French Creek district objectives. Benches, trash receptacles, etc. shall be of wrought iron construction, selected to reflect the character of the district.

(9) As the City is known for the numerous greenhouses and nurseries located in the area, the use of planting beds is strongly encouraged to communicate the rural ambience of the vicinity and strengthen the identity of the entire community. For easy maintenance and durability in an urban environment, Skyline Honeylocust (*Gleditsia Triacanthus Skyline*), 1½-inch caliper, spaced at approximately 50 feet apart, is recommended.

(10) Newly installed utility services and service revisions necessitated by exterior alterations shall be made underground. When renovations in excess of 50% of the site are being conducted provision for underground utility service shall be made.

(c) Explanation of Terms. For the purpose and use in this section, the following terms and words shall be interpreted with regard to the following:

(1) Appropriateness. A proposal is judged to be appropriate when it reflects the existing architectural style of a building and fits comfortably within its setting, neighborhood and overall community. This condition applies to landscaping and accessory structures as well.

(2) Compatibility. A design, material or color is compatible when it does not strongly deviate from its parent building or the overall character of the neighborhood. To be compatible does not require look-alike designs, but rather designs that reflect some aspects of its parent building or buildings in the general vicinity, such as scale of windows, overhangs, building materials, patterns of siding, and roof slope. Conversely, incompatibility occurs when an architectural design or accessory building proposal is aesthetically harsh or overwhelming relative to its neighbors.

(3) Non-contributing. A factor in a proposal or part thereof that is taken from an existing building characteristic or site feature such as design, scale, fenestration, architectural feature, material or color that is determined by the Planning Commission to not be appropriate for replication in new projects or modification to existing projects when:

A. It does not enhance or improve the character of the district and/or the surrounding environs of the project; or

B. It is unrepresentative of the overall character of the district and/or the prevalent character of the surrounding environs of the project.

(4) Proportion. The relationship of parts of a building, the landscape, structures, or buildings to each other and to the whole balance.

(5) Proximity. Proximity shall be considered in terms of the potential for one property, by virtue of its location, to materially affect other properties. In determining a property to be in proximity to another, the following factors shall be considered:

A. The visibility of both properties from a common point, or

B. The location of both properties within a relatively compact network of streets, walkways or spaces.

(6) Significant Alteration. A change to the exterior of a building or any action that affects architectural elements or details of a building that is noticeable from the street. Such changes shall include but not be limited to changes to window and door openings, changes in color, construction of an addition, or a change in any of the principal building materials such as siding or roofing materials.

(7) Style. Style relates to a building's character and configuration in plan and elevation. It also relates to architectural conventions of a particular time period concerning details of windows and doors, eaves, corner boards, pitch of roofs and the materials of the building's skin.

(d) Interpretive Illustrations for Design Standards. The Planning Commission may prepare from time to time or authorize the preparation of illustrations that interpret design and construction standards in divisions (a) and (b) of this section. Such illustrations may include drawings, photographs of acceptable projects in the City and elsewhere, and/or drawings or photographs of projects which have been approved pursuant to these regulations. Any such interpretive illustrations shall be approved by a majority vote of the Planning Commission and, when approved, shall be considered administrative guidelines which assist in the interpretation of these design and construction standards.

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.10 ACCESSORY USE REGULATIONS.

All accessory buildings and structures shall comply with the development standards established for principal buildings and uses in Sections [1270.04](#) through [1270.06](#), except as otherwise noted below.

(a) Fences. Fences shall comply with the standards set forth in Section [1294.08](#), except for fences erected principally as enclosures for swimming pools, which the regulations set forth in [Chapter 1478](#) of the Building and Housing Code.

(b) Swimming Pools. Swimming pools associated with bed and breakfasts and hotels or motels shall be located on the same lot as the building or buildings served, and shall be constructed and operated in accordance with the requirements in [Chapter 1478](#) of the Building and Housing Code and all other applicable City regulations.

(c) Signs. Signs shall comply with the regulations set forth in [Chapter 1290](#).

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.11 PERFORMANCE STANDARDS.

All uses in a C-1, C-2, C-3 or C-4 District shall comply with the following performance standards.

(a) Waste Receptacles. All solid waste products, including empty packing boxes, that result from any permitted principal, special or accessory use shall either be disposed of, stored in buildings, or completely enclosed in containers. Such building, container or dumpster shall be:

(1) Located in a side or rear yard and shall comply with the minimum parking setbacks established in Schedule [1270.06\(a\)](#).

(2) Screened from view according to the requirements of [Chapter 1294](#).

(b) Lighting. All lighting shall be so arranged as to direct light away from adjacent parcels and streets, and shall not be of excessive brightness or cause a glare hazardous to motorists or reasonably objectionable to adjacent property owners.

(1) No direct or reflected glare is permitted which is visible from any property or from any public street, road or highway.

(2) All parking areas and walkways shall be illuminated to a minimum of one foot-candle.

(3) No freestanding light post shall exceed a height of 30 feet.

(c) Enclosure. All uses and operations, except off-street parking and loading facilities, shall be performed wholly within enclosed buildings, unless specifically permitted otherwise.

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12; Ord. 39-17. Passed 6-12-17.)

1270.12 LANDSCAPING AND SCREENING REQUIREMENTS.

Visual screening and landscape buffers shall be provided for all lots in any Business Districts in accordance with the provisions set forth in [Chapter 1294](#).

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

1270.13 DEVELOPMENT PLAN REVIEW.

All uses in a Business District shall be permitted only after development plans have been reviewed and approved by the Planning Commission according to the procedures in [Chapter 1228](#).

(Ord. 58-01. Passed 5-29-01; Ord. 128-12. Passed 12-27-12.)

Disclaimer:

This Code of Ordinances and/or any other documents that appear on this site may not reflect the most current legislation adopted by the Municipality. American Legal Publishing Corporation provides these documents for informational purposes only. These documents should not be relied upon as the definitive authority for local legislation. Additionally, the formatting and pagination of the posted documents varies from the formatting and pagination of the official copy. The official printed copy of a Code of Ordinances should be consulted prior to any action being taken.

For further information regarding the official version of any of this Code of Ordinances or other documents posted on this site, please contact the Municipality directly or contact American Legal Publishing toll-free at 800-445-5588.

