

## **ARTICLE XIX**

### **(B-3) GENERAL BUSINESS DISTRICT**

#### **Section 19.01 Purpose**

The General Business District is established to provide areas for the growth of businesses that general a high degree of activity dependent on high traffic volumes. These uses, by their nature, increase traffic congestion of abutting public roadways and cause specific impacts on adjacent uses. The intent of the B-3 District is to encourage the most compatible relationship between permitted uses and overall traffic movement within the City, while minimizing negative impacts on adjacent land uses.

#### **Section 19.02 Permitted Uses**

- A. Any use or structure specified as a permitted or conditional use in the B-2 District.
- B. Commercial recreational facilities such as community and public swimming pools, skating rinks, bowling alleys, physical fitness centers.
- C. Lumber and home improvement sales.
- D. Motor vehicle sales.
- E. Automobile service establishments, including gasoline service stations, but not including truck servicing establishments.
- F. Hotels and motels
- G. Garden Centers
- H. Carry out food and beverage establishments with drive-through facilities.
- I. Similar uses, as determined by the Planning Commission, in accordance with the provisions by Section 9.02.05 of this Ordinance.
- J. Off-premises signs, subject to the regulations of Section 28.06 of this Ordinance.

#### **Section 19.03 Conditional Uses**

- A. Self-service car washes
- B. Truck servicing establishments provided such establishments are located adjacent or with direct access to a state highway.
- C. Temporary or seasonal outdoor sales lots having a maximum operating duration of four (4) months, provided all other permits are obtained.
- D. Public mini-warehouse storage units

#### **Section 19.04 Development Standards**

##### **19.04.01 Minimum Lot Area**

No minimum lot area is required; however, lot area shall be adequate to provide for the required parking and yard areas.

##### **19.04.02 Minimum Lot Width**

100 feet of frontage on a publicly dedicated and improved street or highway which is designated as not less than arterial status on the Washington Thoroughfare Plan.

Washington Thoroughfare Plan.

19.04.03 Minimum Front Yard Depth

Forty (40) feet

19.04.04 Minimum Side Yard

- A. When abutting a non-residential zoning district: Twenty (20) feet for structures, ten (10) feet for paved areas.
- B. When abutting a residential zoning district: fifty (50) feet for structures, thirty-five (35) feet for paved areas.

19.04.05 Minimum Rear Yard

- A. When abutting a non-residential zoning district: Thirty (30) feet for structures, ten (10) feet for paved areas.
- B. When abutting a residential zoning district: Fifty (50) feet for structures, thirty-five (35) feet for paved areas.

19.04.06 Building Height

Thirty-five (35) feet.

19.04.07 Parking and Loading

Parking and loading requirements shall be as specified in Article XXVI. In addition, parking spaces shall be designed to allow a minimum of five (5) feet between any structure and any parked vehicle.

19.04.08 Landscaping

the landscaping of all parking and service areas is encouraged in the B-3 District. If side or rear yards are located adjacent to any district where single-family or two-family residences are a permitted use, landscaping and screening shall be required in those yards to meet the requirements of Article XXVIII of this Ordinance.

19.04.09 Trash and Garbage Control

All trash and garbage shall be stored in container systems which are located and enclosed so as to effectively screen them from view. The disposal of trash and maintenance of the area shall be the responsibility of the owner of the property.

## ARTICLE XX

### (CF) COMMUNITY FACILITIES DISTRICT

#### Section 20.01 Purpose

"Community Facilities", as used throughout this Ordinance, means facilities classified as main and accessory uses listed in Section 20.02. The Community Facilities District and regulations are established in order to achieve the following purposes:

- A. To provide a proper zoning classification for governmental, civic, welfare and recreational facilities in proper locations and extent so as to promote the general safety, convenience, comfort and welfare;
- B. To protect community facilities and institutions from the encroachment of certain other uses and to make such other compatible with adjoining residential uses; and
- C. To regulate the location of such facilities so as to ensure their proper functioning in consideration of traffic, access, and general compatibility.

#### Section 20.02 Permitted Uses

Buildings and land within the CF District shall be utilized only for the uses set forth in the following schedule:

##### Main Building and Uses

Governmental: Municipal, County State and Federal buildings for administrative functions and use by the general public.

Civic: Art galleries, libraries, museums, places for public assembly; memorials, monuments, fraternal organizations and private clubs.

Educational: Primary and secondary public, private or parochial schools, signs. nursery schools.

Health Care: General and special hospital and clinics, convalescent centers, institutions for care of children or senior citizens.

Senior Citizen Housing: Retirement

##### Accessory Buildings and Uses

Public Parking areas, maintenance facilities, signs, residence for custodians or guards.

Maintenance facilities. Bulletin boards and signs as hereinafter regulated.

Parking areas, playgrounds,

Parking areas, signs.

Parking areas, signs.

centers, congregate care facilities.

Religious: Churches and places of worship.

Maintenance facilities and parking areas, signs.

Infrastructure and Public Service: Buildings housing equipment and offices related to the provision of essential services, but not including actual lines and smaller structures such as pump stations.

Parking areas, signs.

Radio and television antennas and antenna towers.

Parking areas, structures directly related to operation of facility, not including offices or broadcast studios.

Recreational: Public and private parks, recreation fields and playgrounds, lakes, cemeteries, golf courses, nature preserves, and similar open space facilities, not including such facilities developed for private use by occupants of a resident of the premises.

Parking areas, clubhouses, administrative and maintenance structures, mausoleums, signs.

### **Section 20.03 Lot and Area Regulations**

The area or parcel of land for a permitted public facility shall be less than that required to provide a site adequate for the main and accessory buildings, off-street parking and other accessory buildings, off-street parking and other accessory uses, set backs, yards and open spaces to accommodate the facility and maintain the character of the neighborhood. The area or parcel of land for a permitted community facility shall be approved by the Planning Commission, pursuant to Section 20.05.

### **Section 20.04 Yard Regulations**

#### **A. Front Yards**

The front yard setback shall be not less than the largest required front yard setback for any adjacent zoning district.

#### **B. Side and Rear Yards**

The yards for each public facility building shall be not less than the criteria set forth in the following schedule when adjacent to any district where residences are a permitted use.

<u>Main Buildings and Uses</u>	<u>Minimum Yard-Side and Rear (ft)</u>
Governmental: Administrative Bldgs.	50
Civic: Non-assembly buildings	50
Assembly buildings	75
Educational: Public, private and parochial schools	75
Health Care: Buildings	50
Senior Citizen Housing	50
Religious: Churches and planned public worship	75
Infrastructure: Buildings	50
Radio and television antennas	100% of the height of the antenna and antenna tower.
Open Space and Recreation: Buildings	75

If the proposed community facility is located adjacent to a non-residential zoning district, then the side and rear yards shall not be less than the largest yard required in that district.

C. Driveways, Parking Areas, Play Areas

Driveways and parking areas serving the community facility may be located within the side or rear yard set forth in the above schedule but driveways shall be located not less than ten feet and parking areas less than twenty feet from adjacent lot line, and play areas shall not be located less than fifty feet from any adjacent district where residences are a permitted use.

## **Section 20.05 Approval by Planning Commission**

In addition to the material required for the application for a zoning amendment, as specified in Section 4.03 of this Ordinance, a Development Plan shall be submitted for land proposed to be zoned into the CF District. Such development plan shall include a site plan for the proposed public facility, as well as any other information deemed necessary to determine compliance with this Ordinance.

The development plan shall be reviewed by the Planning Commission and considered in making its recommendation to City Council. The Planning Commission shall display the development plan at any public hearing held pursuant to Section 4.05 of this Ordinance. Criteria for reviewing a Development Plan for a community facility are as follows:

- A. The proposed building or use shall be located properly in accordance with this Article
- B. The proposed public facility shall be located on a major arterial or collector street

as shown on the Thoroughfare Plan, so as to generate a minimum of traffic on local streets. Elementary schools and playgrounds or parks intended for neighborhood use may, however, be located on local streets.

- C. The location, design and operation of the community facility shall not impose undue adverse impacts on surrounding residential neighborhoods.

#### **Section 20.06 Action by City Council**

In approving the redistricting of land into the CF District, City Council may specify appropriate conditions and safeguards applying to the specific proposed facility.

#### **Section 20.07 Compliance with Development Plan**

The construction of all buildings and the development of the site within the CF District shall be in conformity and compliance with the approved Development Plan.

## ARTICLE XXI

### (LI) LIMITED INDUSTRIAL DISTRICT

### (GE) GENERAL EMPLOYMENT DISTRICT

#### Section 21.01 Purpose

These regulations are established to provide for a range of industrial and other employment-generating activity, while protecting the health, safety and welfare of the users of the district and residents of the City. Two (2) separate industrial districts are established.

A. LI - Limited Industrial District

This district provides areas where most industrial and industrial-related activities may locate. Retail activities are limited and residential uses are prohibited. The district is intended for areas which are primarily undeveloped, having larger lots and irregular block patterns.

B. GE - General Employment District

This district provides areas for a wider range of employment opportunities. The district allows for a more restricted range of industrial activities, but a wider range of office, business and retail uses. As with the LI District, this district is intended for areas which are primarily undeveloped.

#### Section 21.02 Permitted and Conditional Activities

Permitted and conditional activities in each district are as shown on the following table. Descriptions and characteristics of activity categories listed are contained in Section 21.03.

ACTIVITY	DISTRICT	
	LI	GE
Industrial Categories		
• Industrial Product Sales	P	C
• Industrial Service	P	C
• Manufacturing and Production	P	C
• Warehouse and Distribution	P	P
Sales and Service Categories		
• General Office Activities	C	P
• Personal Service	C	P
• Retail Product Sales and Service	P	P
• Vehicle Service	P	P
Other Activities		
• Radio/Television Broadcast Facility	P	C
• Off Premises Signs	P	P
P= Permitted Activity		

C= Conditional Activity  
N= Not Permitted or Conditional

## **Section 21.03 Activity Categories for Industrial Districts**

### 21.03.01 Industrial Categories

#### A. Industrial Product Sales

**Characteristics.** Firms are involved in the sale, rent or lease of products generally intended for industrial or commercial users. Sales may be wholesale or retail. Emphasis is on on-site sales or order taking and may include display areas. Products may be delivered to the customer.

**Accessory Activities.** Accessory activities may include administrative offices, product repair, and warehouses.

**Examples.** Industrial Product Sales activities may include: sale of machinery and equipment, special trade tools, electrical supplies, janitorial supplies, restaurant equipment, office furniture, and store fixtures. Industrial Product Sales also include industrial equipment and vehicle rentals.

**Exceptions.** Firms that primarily engage in retail sales to the general public are classified as Retail Product Sales and Service.

#### B. Industrial Service

**Characteristics.** Firms are engaged in the repair or servicing of industrial, business or consumer machinery, equipment or products. Few customers, especially the general public, come to the site.

**Accessory Activities** Accessory activities may include administrative offices.

**Examples.** Industrial Service activities may include welding shops; machine shops; tool and appliance repair; electric motor repair; truck and large equipment repair, storage and salvage; headquarters for building, heating, plumbing or electrical contractors; printing, publishing and blueprinting; janitorial and building maintenance services; medical, research and testing laboratories; laundry, dry-cleaning, and carpet cleaning plants; and photo-finishing laboratories.

#### C. Manufacturing and Production

**Characteristics.** Firms are involved in the manufacturing, processing, fabrication, packaging, or assembly of goods. Raw, secondary, or partially completed materials may be used. Products may be finished or semi-finished and are generally made for the



wholesale market, for transfer to other plants, or to order for firms or consumers. Goods are generally not displayed or sold on-site. Relatively few customers come to the manufacturing site.

Accessory Activities. Accessory activities may include: administrative offices, cafeterias, employee recreational facilities, warehouse, storage yards, outlets, and caretaker's quarters. Retail outlet as an accessory to manufacturing plants shall be treated as Retail Product Sales and Service.

Exceptions: Manufacturing of goods to be sold primarily on-site and to the general public are classified in the Retail Product Sales and Service category.

#### D. Warehouse and Distribution

Characteristics. Firms are involved in the movement, storage and/or sales of goods for themselves or other firms. Goods are generally delivered to other firms or the final consumer. The category included wholesale sales, which are not open to the general public and where on-site sales are low.

Accessory Activities. Accessory activities may include: administrative offices, truck fleet parking and maintenance areas, repackaging of goods, and showrooms or display areas, but generally not for direct sale.

Examples: Warehouse and Distribution firms may include: warehouse used by retail stores such as furniture and appliance stores; food and hardware distributors; household moving and general freight storage; distribution of industrial items; building materials, plumbing and electrical distributors, truck terminals; parcel services; major post offices; mail order houses; and public mini-warehouses except however, that public mini-warehouses shall be permitted in the GE (General Employment District), only as a conditional activity.

### 21.03.02 Sales and Services Categories

#### A. General Office Activities

Characteristics. Firms where activities are conducted in an office setting and generally focus on business or personal services. If the office activity is part of a larger firm, it does not need to be on the same site as the primary activity. Most people coming to the site are employees.

Accessory Activities. Accessory uses may include: cafeterias, health facilities, or other amenities primarily for the use of employees in the firm or building

Examples. Examples include professional services such as lawyers, accountants, engineers, or architects; financial businesses

such as brokerage houses, lenders, or Realtors; data-processing; sales offices; industrial or commercial company head-quarters when not adjacent with other portions of the firm; and government offices.

B. Personal Service

Characteristics. These establishments provide on-site personal services or entertainment to the general public or business person.

Accessory Activities. Accessory uses may include: administrative offices, product sales and laboratories.

Examples. Examples include barbers, hair salons and personal care services; banks, savings and loans, and credit union; continuous entertainment activities such as arcades, bowling alleys, ice rinks, libraries, and museums; cafes, restaurants, bars, and taverns, day care facilities; laundromats; business and trade schools; dance and martial arts schools; health clubs, gyms, racquet centers, membership clubs, and lodges; medical related offices such as doctors, dentists, optometrists and veterinarians; public service agencies such as employment offices, social service agencies, and permit issuing offices.

C. Retail Product Sales and Service

Characteristics. Firms are involved in the sale, lease or rent of used products or goods to the general public and/or provide on-site product repair or services for consumer and business goods. Goods are displayed and sold on-site, and use or consumption is primarily off-site. Goods are generally taken off-site by the customer at the time of sale or may be delivered by the firm. for items being serviced, customers generally deliver and pick up the items and spend little time at the site.

Accessory Activities. Accessory uses may include: offices, storage and display of goods.

Examples: Examples include: stores selling apparel, housewares, furniture hardware, auto parts, flowers, personal care items, sporting goods, office products and machines, and computers; food, produce or meat markets; delicatessens and caterers; tool rental and house-hold moving centers; sales of cars, motorcycles, boats, and recreational vehicles; repair of TV's, appliances, shoes, precision instruments, and business machines; laundry or dry cleaning drop-off; on-site launderer, photo drop-off; quick printing or reproducing; tailors; locksmiths; upholsterers, and furniture refinishing.

Exceptions.

1. Lumber yards and similar building material sales which sell primarily to contractors and do not have a retail orientation are classified in the Industrial Product Sales category.
2. Repair and service of consumer vehicles is classified in the Vehicle Service category. Repair of motor vehicles in conjunction with vehicle sales is classified in the Vehicle Service category.
3. Repair and service of industrial vehicles and equipment is classified in the Industrial Service category.

D. Vehicle Services

Characteristics. Firms servicing automobiles, light trucks and other consumer vehicles such as motorcycles, boats and recreational vehicles.

Accessory Activities. Accessory uses may include offices and sales of parts.

Examples. Examples may include gas stations, vehicle repair, auto body shop, alignment shop, auto upholstery shop, tire sales and mounting, towing and vehicle storage; and surface or garage fee parking.

21.03.04 Other Activity Categories

A. Radio or Television Broadcast Facility

Characteristics. Any and all devices, equipment, machinery, structures or supporting elements necessary to produce non-ionizing electro-magnetic radiation within the range of frequencies from 100 KHz to 300 KHz and operating as a separate unit to produce a signal or message.

B. Off-Premises Signs

Subject to regulations of Article XXVII of this Ordinance.

**Section 21.04 Lot and Yard Requirements**

21.04.01 Minimum Lot Area

No minimum lot area is required in the LI or GE Districts, however, lot area shall be sufficient to provide for all yards and distances as required by this Ordinance.

21.04.02 Lot Width

All lots shall abut a public or private street and have adequate lot width to provide for yards and distances as required by this Ordinance.

21.04.03 Side Yards

for any structure or service area, within the LI or GE Districts, the required side yard shall be not less than twenty-five (25) feet from any interior lot line.

21.04.04 Rear Yards

For any structure or service area within the LI or GE Districts, the required rear yard shall not be less than twenty-five (25) feet from any interior lot line.

21.04.05 Maximum Lot Coverage

For structures and paved areas within the LI or GE Districts, the maximum lot coverage shall be 75%. The Remainder of the site shall be landscaped in natural vegetation.

21.04.06 Distance from Residential Districts

A. In any land annexed to the City after the effective date of this Ordinance which is located in the LI District, no structure, service area or parking area shall be located less than 500 feet from any district where residences are a permitted use.

B. In any land within the City as of the effective date of this Ordinance which is located in the LI district, no structure, service area or parking area shall be located less than 200 feet from any district whose residences are a permitted use.

C. In no case shall any structure, service area or parking are in any GE District be located less than 200 feet from any district where residences are a permitted use.

**Section 21.05 Exterior Development**

21.05.01 Exterior Operations

Exterior Operations include: outdoor processing, assembly or fabrication of goods; movement of bulk goods not in containers or pipelines; maintenance, repair and salvage of equipment. Exterior operations shall not be permitted in the GE District, but shall be permitted in the LI District.

#### 21.05.02 Exterior Storage

Exterior Storage includes the outdoor storage of: raw or finished goods (packaged or bulk) including gases, chemicals, gravel, building materials; packing materials; salvage goods; machinery; equipment; damaged vehicles, etc. Exterior storage shall be permitted in the LI District but not permitted in the GE Districts, unless an acceptable plan for screening such storage is submitted to and approved by the Planning Commission..

#### 21.05.03 Exterior Display

Exterior Display includes the display of products, vehicles, equipment and machinery for sale or lease. Display items are intended to be viewed by customers and are not just being stored or parked. Exterior display does not include damaged vehicles, vehicles or equipment being serviced, bulk goods and materials, or other such products. Exterior display shall not be permitted in the LI District but shall be permitted in the GE District.

#### Section 21.06 Off-Site Impacts

No land or structure in the LI or GE Districts shall be used or occupied in such a manner so as to create any dangerous, injurious, noxious or otherwise objectionable impact on any land which is located in any other zoning district. Such impacts may result from noise, vibration, odor, smoke or dust, or glare. Statements in writing that such uses comply or will comply with such uses may be required by the Planning Commission from the owner. In cases of doubt, the City shall select and arrange for an independent survey by a professional engineer qualified in the particular field and the costs for such service shall be paid by the applicant.

##### A. Noise

The sound pressure level of any operation on a lot within the LI or GE Districts shall not exceed the average intensity of street traffic noise in the nearest residential districts, and no sound shall be objectionable due to intermittence, best frequency or shrillness.

##### B. Vibration

No vibrations which are perceptible without the aid of instruments shall be permitted, as measured on the lot within the non-industrial district.

##### C. Odor

No emission of odorous matter in any quantities so as to produce a public nuisance shall be permitted, as measured on the lot within the non-industrial district.

D. Dust and Smoke

The emission of smoke, soot, fly, ash, fumes, dust or other types of pollutants borne by the wind shall be controlled so that the rate of emission and quantity deposited do not create a public nuisance, as measured on the lot within the non-industrial district.

E. Glare

Exterior lighting shall be used in a manner that produces no glare on public highways or non-industrial zoned land.

## **ARTICLE XXII**

### **(FP) FLOODPLAIN DISTRICT (OVERLAY)**

#### **Section 22.01 Purpose**

It is the intent of the Floodplain District (FP) to prohibit the use of floodplains for uses which could be detrimental to health and welfare. The Floodplain District (FP) is an overlay zoning district and the underlying district standards and requirements shall apply in addition to the Floodplain District (FP) regulations and requirements.

#### **Section 22.02 Lands Subject to Flooding**

For the purpose of this Ordinance, "floodplains" are defined as those lands subject to inundation by the 100-year flood, as identified in the engineering report entitled "Flood Insurance Study for the City of Washington, Ohio", with accompanying Flood Boundary and Floodway Maps and/or Flood Insurance Rate Maps dated August 15, 1978, and any revisions thereto.

#### **Section 22.03 Permitted Uses**

The only uses allowed in the FP District are those which meet the requirements of Chapter 1331 of the Codified Ordinances of the City of Washington, Ohio, as amended, and which are permitted in the underlying zoning district.

#### **Section 22.04 Development Standards**

The standards for development within the FP District shall be as stated in Chapter 1331 of the Codified Ordinances of the City of Washington, Ohio, as amended, and as specified in the underlying zoning district.

## **ARTICLE XXIII**

### **(HD) HISTORIC DISTRICT (OVERLAY)**

#### **Section 23.01 Purpose**

The City of Washington contains numerous historic architectural and environmental assets that establish an environmental character. This environmental character is directly linked to the economic, social, historical and cultural health and well-being of the community. The purpose of the Historic District is to protect and preserve these assets and to prevent intrusions and alterations within the established districts which would be incompatible with their established character.

The Historic District is an Overlay District. This means that the requirements of this Article are requirements which must be met in addition to the established requirements and standards of the base district over which the Historic District is placed.

#### **Section 23.02 Definitions**

As used in this Article, the following words shall be defined as follows:

- A. "Alteration" means any action to change, modify reconstruct, remove or demolish any exterior features of an existing structure or site within the Historic District. For the purpose of this item, ordinary maintenance to correct any deterioration, decay or damage to a structure or premises and to restore the structure as nearly as practicable, is excluded from the definition of "alteration", as provided such work does not involve a change in type of building materials.
- B. "Architectural Character" means the architectural style, general design, and general arrangement of the exterior of a building or other structure including the type and texture of the light fixtures, signs and other appurtenant fixtures. In the case of an outdoor advertising sign, "exterior features" means the style, material, size and location of the sign.
- C. "Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a Certificate of Appropriateness in order to undertake an environmental change within the District.
- D. "Board" means the Historic District Review Board of the City of Washington.
- E. "Certificate of Appropriateness" means a certificate authorizing any environmental change within the Historic District.
- F. "District" means the Historic District.
- G. "Environmental Change" means the construction, alteration, demolition or removal of any property subject to the provisions of this Article.



- H. "Preserve" or "preservation" means the process, including maintenance, of treating an existing building to arrest or slow future deterioration, stabilize the structure and provide structural safety without changing or adversely affecting the character or appearance of the structure.
- I. "Owner" shall mean the owner of record, and the term shall include the plural as well as the singular.

### **Section 23.03 District Boundaries**

The Historic District shall consist of areas to be identified and designated by City Council under separate ordinance. The designation of such areas shall be made by Council after obtaining a recommendation from Planning Commission, and holding a public hearing. Prior to that hearing, notification shall be given to all property-owners and residents of the proposed district, pursuant to the same requirements for zoning amendment.

### **Section 23.04 Historic District Review Board**

#### **23.04.01 Establishment and Corporation**

The Historic District Review Board is hereby established consisting of the five (5) members of the Planning Commission, and two additional members appointed by City Council for terms of three (3) years. Both additional members shall be residents of the City of Washington, and at least one of these two additional members shall be a resident or property-owner of the Historic District. In appointing these two additional members, the Council shall make good faith effort to appoint persons with professional training in the fields of architecture, landscape architecture, design or urban planning.

#### **23.04.02 Procedures**

The Historic District Review Board shall adopt its own procedural rules and guidelines.

### **Section 23.05 Certificate of Appropriateness Required**

No environmental change shall be made to any property within the Historic District until a Certificate of Appropriateness has been properly applied for, and issued by the Board. No building permit or Certificate of Zoning Compliance shall be issued by the Building and Zoning Inspector for any construction, reconstruction, alteration or demolition of any structure now or here-after in the Historic District or subject to the Historic process, unless a Certificate of Appropriateness has been issued.

### **Section 23.06 Procedure for Certificate of Appropriateness**

- A. The application for a Certificate of Appropriateness shall be made on such forms as prescribed by the Building and Zoning Inspector, along with such plans, drawings, specifications and other materials as may be needed by the Board to make a determination. At a minimum, such information shall include the following:
  - 1. Site Plan showing building outlines, dimensions and landscaping.
  - 2. A complete description of the proposed environmental change.
- B. Applications for a Certificate of Appropriateness shall be filed with the Building and Zoning Inspector at least fifteen (15) days prior to the meeting of the Historic District Review Board.
- C. The Board shall determine whether the proposed environmental change will be appropriate to the preservation of the environmental, architectural or historic character of the Historic District, pursuant to the criteria specified in Sections 23.07 and 23.08 below.
- D. In determining the appropriateness of a specific environmental change, the Board may conduct a public hearing on the project and/or solicit input from consultants to the City.
- E. If no action is taken within sixty (60) days from the date of application, the Certificate of Appropriateness shall be issued as a matter of law.

### **Section 23.07 Criteria of Evaluation of Application for Certification of Design Appropriateness**

In considering the appropriateness of any proposed environmental change, including landscaping or exterior signage, the Historic District Review Board shall consider the following:

- A. The visual and functional components of the building and its site, including but not limited to, building height, massing and proportion, roof shape and slope, landscape design and plant materials, lighting, vehicular and pedestrian circulation, and signage.
- B. The distinguishing original qualities or character of a historic building, structure, site and/or its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural or environmental features should be avoided when possible.
- C. All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance inconsistent or inappropriate to the original integrity of the building shall be discouraged.

D. Whereas changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment, if these changes are deemed to have acquired significance, then this significance shall be recognized and respected.

E. Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.

F. Significant architectural features which have deteriorated shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or placement of architectural features should be based on accurate duplication of the feature, and if possible, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or availability of different architectural elements from other buildings or structures.

G. The surface cleaning of masonry structures shall be undertaken with methods designed to minimize damage to historic building materials. Sandblasting and other cleaning methods that will damage the historic building materials should be avoided.

H. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.

I. Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the original structure would be unimpaired. Additions to the least significant and least visible of historic properties should be given priority over other designs.

### **Section 23.08 Design Criteria**

A. Existing Structures and Premises. Reconstruction or rehabilitation within the Historic District shall conform to the distinguishing, original exterior qualities or character of the structure, its site, and its environment.

B. New Construction. The design of new structures and of additions to existing structures, including new site improvements, shall take into account the architectural style, general design, arrangement, texture, material and color of other structures and premises within the individual precinct.

C. Materials.

1. All new structures and all reconstruction or remodeling of existing structures within the Historic District shall utilize natural traditional exterior materials such as brick, stone, masonry and wood.
2. The use of contemporary materials, such as aluminum, other metals, fiberglass and plastics for exterior surfaces on architecturally significant structures shall be prohibited unless the use of

such materials would contribute to preservation or enhancement of existing traditional materials and the overall integrity and longevity of a structure.

- E. Color. Traditional colors and combinations of those colors that are both identified with the origin or the era in which the structure of property was originally built, shall be used for exteriors for all new structures to be build, and reconstruction, remodeling and exterior maintenance of existing structures within the Historic District.
- F. Signs. All signs within the Historic District shall conform to color and material standards of this Section, be of such a style or design that reflects the era during which the structure was build, and shall conform to the requirements of Article XXVII of this Ordinance. Sign size and shape shall also respond to the existing proportions of period structures, and signs shall not be permitted to cover, "blank-out" or close existing window and doorway openings or otherwise hide important architectural features.

### **Section 23.09 Demolition of Structures**

In cases where an applicant applies for a Certificate of Appropriateness to demolish a structure within the Historic District, the Historic District Review Board shall grant the demolition and issue a Certificate of Appropriateness when at least one of the following conditions prevail.

- A. The structure contains no features of architectural and historic significance to the character of the individual precinct within which it is located.
- B. There exists no reasonable economic use for the structure as it exists or as it might be restored, and that there exists no feasible and prudent alternative to demolition.
- C. Deterioration has progressed to the point where it is not economically feasible to restore the structure.

### **Section 23.10 Maintenance**

Nothing in this Article shall be construed to prevent ordinary maintenance or repair of any property within the Historic District, provided such work involves no change in material, design, texture, color or exterior appearance; nor shall anything in this Article be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Building and Zoning Inspector is required for the public safety because of an unsafe, insecure or dangerous condition.

### **Section 23.11 Appeals**

Any applicant aggrieved by any decision of the Board may appeal the decision to the City Council. Such appeal shall be taken by the filing of a written statement, setting forth the grounds for the appeal, with the Clerk of City Council within thirty (30) days of the decision of the Board. The City Council may reverse, remand, or modify such decision and shall state the reasons therefore.

### **Section 23.12 Penalty**

Whoever constructs, reconstructs, alters, or modifies any exterior architectural or environmental feature now or hereafter within the Historic District in violation of this Article, shall be deemed to be guilty of a misdemeanor, subject to the penalties specified in Section 3.11.04.

## **ARTICLE XXIV**

### **PLANNED UNIT DEVELOPMENT**

#### **Section 24.01 Purpose**

The purpose of these regulations is to provide for Planned Unit Development (PUD) within the City of Washington in order to achieve:

- A. A greater choice of living environments by allowing a variety of housing and building types and permitting an increased net density per acre.
- B. A more useful pattern of open space and recreation areas and, if permitted as part of the project, more efficiency in the location of accessory commercial uses and services.
- C. A development pattern which preserves and utilizes natural topography and geologic features, scenic vistas, trees and other vegetation and prevents the disruption of natural drainage patterns.
- D. A more efficient use of land than is generally achieved through conventional development resulting in substantial savings through shorter utilities and streets.
- E. A development pattern in harmony with land use density, transportation facilities, and community facilities objectives of the comprehensive plan.

The City of Washington is prepared to accept a higher density in undeveloped areas than that reflected by present zoning, provided the developer can demonstrate that any increment of public cost clearly attributable to increased densities will be compensated for by the private amenities and public benefits to be achieved by the plan of development.

#### **Section 24.02 Definition**

"Planned Unit Development" or PUD shall mean an area of land in which a variety of housing types and subordinate commercial facilities are accommodated in a planned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations. The approval of such development contains requirements in addition to those of the standard zoning districts, such as building design principles, and landscaping plans.

### **Section 24.03 Interpretations**

Whenever the requirements of this Article appear to be in conflict with other Sections of this Ordinance or with those of other existing codes, the provisions of this Article shall prevail.

### **Section 24.04 Permitted and Conditional Uses**

Permitted uses within the R, B-1 and CF Districts may be combined in the PUD District, provided that the proposed location of non-residential uses are compatible with the design of the overall tract, will not adversely impact adjacent property, and that the location of such uses are specified in the preliminary and final development plans.

The amount of land devoted to non-residential uses in a development combining residential and non-residential uses shall require approval by the Planning Commission.

### **Section 24.05 Minimum Project Area**

The gross area of a tract of land proposed to be developed in a planned unit development district shall be a minimum of ten (10) acres. This requirement may be waived by the Planning Commission if all property abutting the subject tract is platted and/or developed.

### **Section 24.06 Common Open Space**

A minimum of twenty (20) percent of the gross land area developed in any planned unit development project shall be reserved for common open space and/or recreational facilities of the residents or users of the area being developed. Such common open space shall be:

- A. dedicated to a homeowner's association who shall have title to the land which shall be retained as common open space. The legal articles relating to the organization of the homeowner's association shall be subject to review and approval by the Planning Commission and shall provide adequate provisions for the perpetual care and maintenance of all such common areas; or,
- B. dedicated to the City for parks, open space, or the site of schools or other related public facilities. All land so dedicated to the City shall be subject to the review and approval of the Planning Commission subject to size, shape and locations; or,
- C. Some combination of A and B.

Public utility and similar easements and rights-of-way for water courses or other similar channels are not acceptable for common open space dedication unless such land or right-of-way is usable as a bikeway, trail or similar facility and has been approved by the Board.

### **Section 24.07 Utilities**

All electrical, telephone, cable television, and similar utility systems shall be located underground.

### **Section 24.08 Arrangement of Commercial Uses**

When planned unit development districts include commercial uses, commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce traffic congestion and mitigate potential conflict points. Planting screens or fences shall be provided on the perimeter of the commercial areas abutting residential areas.

The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding non-commercial areas.

Service, delivery, and loading areas shall be, to the maximum possible extent, located to the rear of structures, and screened from view by landscaping.

Parking areas shall be designed so as to discourage single large unbroken paved lots and shall encourage smaller defined parking areas within the total parking system. Such defined parking areas should be delineated and accented by landscaped areas.

### **Section 24.09 Residential Density**

The maximum residential density shall be eight (8) dwelling units per acre, based on the number of units proposed divided by the area of the site designated for residential use, excluding streets and common areas.

### **Section 24.10 Private Roads**

Private roads as a common easement may be used to provide internal circulation to clustered lots and/or individual residential structures in residential planned unit developments in accordance with the following:

- A. The easement shall not be counted as required open space.
- B. Approved as part of the subdivision plat as the most appropriate form of access to lots and/or structures.

Private roads shall not be used to provide access to non-residential areas.



### **Section 24.11 Other Standards**

The applicable sections of the City of Washington Subdivision Regulations, and the off-street parking, signage and landscaping regulations of this Zoning Ordinance shall apply.

### **Section 24.12 Procedure for Approval of PUD District**

Planned Unit Development Districts shall be approved in accordance with the procedures specified in Sections 24.13 through 24.22 of this Section.

### **Section 24.13 Pre-Application**

The developer is encouraged to meet with the Building and Zoning Inspector and Planning Commission prior to the submission of the preliminary development plan. The purpose of this meeting is to discuss early and informally the purposes of this section and the criteria and standards contained herein, and to familiarize the developer with the Planned Unit Development process, and major thoroughfare plan, the subdivision regulations, and the drainage, sewer, and water systems within the City.

### **Section 24.14 Contents of Application for Preliminary Development Plan**

An application for preliminary planned unit development shall be filed with the Planning Commission by at least one (1) owner of the property for which the planned unit development is proposed.

At a minimum, the application shall contain the following information:

- A. Name, address, and phone number of applicant.
- B. Legal description of property.
- C. Description of existing use.
- D. Present and proposed zoning districts.
- E. A vicinity map at a suitable scale, showing property lines, streets, existing and proposed zoning for all property adjacent to and within 200 feet from the proposed site.
- F. A list of all property owners within the 200 feet, contiguous to, and directly across the street from the parcel(s) proposed to be rezoned and their address as appearing on the Fayette County Auditor's current tax list.
- G. Proposed schedule for the development of the site.
- H. Evidence that the applicant has sufficient control over the land in question to effectuate the proposed development plan.

- I. A Preliminary Development Plan drawn to scale, prepared by a registered architect, registered engineer and/or registered landscape architect. Such plan shall contain the following information at a minimum:
  1. Selected uses by area or specific building location, allocation of land use by type as measured in acres, adjacent existing land use, right-of-way, and relationship to adjacent land use.
  2. General location of thoroughfares, including type, as well as location and size measured in number of parking spaces for all off-street parking areas, including curb cuts.
  3. Open space and the intended uses therein and acreage provided.
  4. Residential land uses summarized by lot size, dwelling type and density.
  5. Existing roads, buildings, and permanent facilities, easements, right-of-way and abutting property boundaries, and existing and proposed utilities.
  6. Physical features and natural conditions of the site including the location of vegetation and existing tree lines.
  7. Surface drainage and areas subject to flooding.
  8. Preliminary plan for water, sewer, storm drainage and other utility systems.

#### **Section 24.15 Review Procedure**

Ten (10) copies of the completed application and Preliminary Development Plan shall be submitted to the Building and Zoning Inspector at least ten (10) days prior to the Planning Commission's next scheduled meeting. Failure to submit a complete application, as determined by the Building and Zoning Inspector, shall result in a refusal of acceptance.

The Building and Zoning Inspector shall transmit the complete application package to The Planning Commission, and other parties as the Building and Zoning Inspector deems appropriate, for review and comment.

A public hearing of the Planning Commission shall be held not more than forty-five (45) days from the date of acceptance of the application package. The procedure for notification of such hearing shall be set forth in Section 4.05 A and B of this Ordinance.

#### **Section 24.16 Action by Planning Commission**

Within thirty-five (35) days from the public hearing, The Planning Commission shall review the application for Preliminary Development Plan and forward one of the following

recommendations to City Council:

- A. Recommend that the zoning amendment be granted as requested.
- B. Recommend modification of zoning amendment.
- C. Recommend that the zoning amendment be denied.

#### **Section 24.17 Criteria for Recommendations by Planning Commission**

Before making its recommendation as required in Section 24.16, the Planning Commission shall find that the facts submitted with the application and presented at the public hearing establish that:

- A. Each individual unit of the development, as well as the total development, can exist as an independent unit capable of creating an environment of sustained desirability and stability; the uses proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved under standard district regulations.
- B. The streets and thoroughfares proposed are suitable and adequate to carry anticipated traffic, and increased densities will not generate traffic in such amounts as to overload the street network outside the planned unit development.
- C. Any proposed commercial development can be justified at the locations proposed.
- D. Any exception from standard district requirements is warranted by the design and other amenities incorporated in the final development plan, in accord with the Planning Commission.
- E. The area surrounding said development can be planned and zoned in coordination and substantial compatibility with the proposed development.
- F. The existing and proposed public services are adequate for the population densities and uses proposed, and in conformance with planned capital improvements.

In making its recommendation, the Planning Commission may seek the assistance and input of outside consultants and/or experts procured for that purpose.

#### **Section 24.18 Action by City Council**

Upon receipt of the recommendations by the Commission, City Council shall review and take action on the application, following the procedures specified in Section 4.06 of this Ordinance. Following approval by City Council, the subject shall be considered as zoned PUD. The approval of that zoning shall be conditioned on development of the tract being in conformance with the Final Development Plan.

#### **Section 24.19 Final Development Plan**

Not later than twelve (12) months from the approval of the Preliminary Development Plan, the developer shall submit ten (10) copies of the Final Development Plan to the Planning

Commission. The Final Development Plan shall be in general conformance with the Preliminary Development Plan. Failure to submit a Final Development Plan within the specified time period shall render the approved Preliminary Development Plan and the rezoning of the property null and void.

#### **Section 24.20 Contents of Application for Approval of Final Development Plan**

An application for approval of the Final Development Plan shall be filed with the Building and Zoning Inspector at least ten (10) days prior to the Board's next scheduled meeting by at least one (1) owner or lessee of property for which the planned unit development is proposed. Each application shall be signed by the owner or lessee, attesting to the truth and exactness of all information supplied on the application for Final Development Plan. The Final Development Plan shall be prepared by a registered architect, engineer, or landscape architect and, at a minimum, shall contain the following information:

- A. A survey of the proposed development site, showing the dimensions and bearings of the property lines, areas in acres, topography, existing features of the development site, including major wooded areas, structures, streets, easements, utility lines, and land uses.
- B. All the information required in the Preliminary Development Plan; including the location and sizes of lots, location and proposed density of dwelling units, non-residential building intensity; and land use considered suitable for adjacent properties.
- C. A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres on the proposed project for various uses, the number of housing units proposed by type; estimated residential population by type of housing; estimated non-residential population anticipated timing for each unit; and population density and public improvements proposed for each unit of the development whenever the applicant proposes an exception from standard zoning districts or other resolution governing development.
- D. Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, telephone, and natural gas installations; waste disposal facilities; street improvements, and, nature and extent of earth work required for traffic circulation and street improvements, and nature and extent of earth work required for site preparation and development.
- E. Site plan, showing building(s), various functional use areas, circulation and their relationship.
- F. Architectural renderings and accompanying narrative to discuss in detail the design treatment of all buildings and structures where applicable.
- G. Landscaping plans.
- H. Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of land, and the improvements thereon, including those areas which are commonly owned and maintained.

#### **Section 24.21 Procedures for Review of Final Development Plan**

A public hearing of the Planning Commission shall be set for not less than forty-five (45) days from the date of acceptance of the Final Development Plan by the Building and Zoning Inspector. The procedures for notification of the public hearing shall be set forth in Section 4.06 A and B of this Ordinance.

#### **Section 24.22 Action by the Planning Commission**

Within thirty-five (35) days of the public hearing, the Planning Commission shall approve, or approve with modification, the Final Development Plan if it finds that said plan is in conformance with the approved Preliminary Development Plan, and that no significant constraints exist to construction of the project as planned.

#### **Section 24.23 Expiration and Extension of Approval Period**

The approval of the Final Development Plan shall be for a period of not to exceed three (3) years. If no construction has begun within three (3) years after approval is granted, the approved development plan shall be null and void, and the land shall revert to the zoning district in which it was located prior to the amendment. An extension of this time limit may be approved if the Planning Commission finds that such extension is in the public interest.

#### **Section 24.24 Platting**

The creation of new parcels under any planned unit development shall be subject to platting under the City of Washington Subdivision Regulations. Failure to submit an application for platting of a portion of such property no later than twenty-four (24) months from the effective date of the rezoning shall render the zoning null and void and the property shall revert to its previous zoning classification.

To reduce the length of the review and approval process, a preliminary subdivision plat can be submitted simultaneously with the Development Plan for rezoning to the PUD District to initiate both rezoning and subdivision processes. A final subdivision plat cannot be submitted for review until an amendment to the Zoning Ordinance has been approved by City Council and such amendment has become effective.

## **ARTICLE XXV**

### **GENERAL DEVELOPMENT STANDARDS**

#### **Section 25.01 Lot Width**

A. Frontage Required

No building, structure, or improvement shall be constructed or altered unless its lot fronts on a publicly dedicated and improved street or thoroughfare within the City.

B. Lot Width

Lot width shall be measured along the minimum building setback line for the district within which such lot is located.

#### **Section 25.02 Front Yards**

A. Front Yard Requirements

All front yard space shall be maintained in accordance with at least one of the following provisions:

1. Landscaped by lawns, shrubbery, trees or other plantings; maintained in a neat and orderly state.
2. In all districts, driveways may be located in front yards. In districts where single-family residences are not a permitted use, front yard setbacks may also be used for parking areas, consistent with the regulations of Article XXVI of this Ordinance.

B. Front Yard Measurements

Front yard depth shall be measured from the right-of-way line of the street or highway to the building line.

C. Corner Lots

Lots fronting on more than one street shall provide the required front yard on both streets.

D. Open Porches

An open, uncovered porch or paved terrace may not project into the required front yard for distance of greater than ten (10) feet.

E. Architectural Features

Cornices, canopies, eaves, pilasters, sills or other architectural features may project into a front yard no more than three (3) feet.

**Section 25.03 Side Yards**

A. Measurement

Side yard width shall be measured from the nearest side lot line to the building line.

B. Open Porches

In a residential district, an open, uncovered porch or paved terrace may project into a required side yard, if a minimum of five (5) feet is maintained to any adjoining lot line.

C. Architectural Features

Cornices, canopies, eaves, pilasters, sills or other architectural features may project into a side yard no more than three (3) feet with minimum of two (2) feet maintained to any adjoining lot line.

**Section 25.04 Rear Yards**

A. Measurement

Rear yard depth shall be measured from the rear lot line to the building line. Where a lot abuts a service street or alley, the rear yard shall be measured from the right-of-way line of the existing street or alley.

B. Accessory Uses or Structures

Accessory uses or structures may be allowed in a rear yard, subject to requirements of Section 26.06.

C. Open Porches

In a residential district, an open, uncovered porch or paved terrace may project into a required rear yard, if a minimum distance of twenty (20) feet is maintained to any rear lot line.

D. Architectural Features

Cornices, canopies, eaves, pilasters, sills or other architectural features may project into a rear yard no more than three (3) feet with a minimum of two (2) feet maintained to any adjoining lot line.

**Section 25.05 Height**

Height regulations, specified in the various zoning districts shall not apply to chimneys, tanks, cupolas, domes, spires, or similar structures attached to a structure, provided that the height of all structures and buildings, including those mentioned above, shall not constitute a hazard to safe landing and take-off of aircraft from an established airport.

**Section 25.06 Accessory Uses or Structures**

A. Height

An accessory use or structure shall not exceed eighteen (18) feet in height.

B. Location

An unattached accessory use or structure shall be located to the rear of the principal dwelling structure within any side or rear yard no closer than eight (8) feet from any side or rear lot line in an RIA or RIB District, and four (4) feet in any RIC or RO District.

C. Permitted Area

The total area of all accessory uses or structures shall not exceed 720 square feet or 40 percent (40%) of gross floor area of the principal use or structure, whichever is smaller, except for swimming pools which shall be exempted from these area requirements.

**Section 25.07 Minimum Floor Area Requirements**

No single family residential dwelling shall have gross floor area of less than 900 square feet, exclusive of open porches, garages, or steps. No two-family dwelling shall have gross floor area of less than 650 square feet for each family. No multiple family dwelling shall have a gross floor area of less than 600 square feet for each family.



## **Section 25.08 Home Occupations**

Home occupations or professions shall be regulated as permitted or conditional uses pursuant to Articles X thru XVI. A home occupation shall comply with the following standards:

- A. The use shall be clearly incidental and secondary to residential use of the dwelling and not more than 15 percent (15%) of dwelling unit floor area is devoted to the home occupation.
- B. The home occupation shall not generate greater traffic volume than is normal for a residential neighborhood.
- C. Not more than one (1) person, other than immediate family residing at the premises, shall be employed in such occupation.
- D. External indication of such home occupation shall be limited to one non-illuminated sign, not more than two (2) square feet, attached flat against the structure.
- E. The sale of products, stock, or commodities shall be limited to those produced on the premises.
- F. Any need for parking generated by conduct of the home occupation shall meet off-street parking requirements of this Ordinance, and shall not be located in any front yard.
- G. No equipment or process shall be used which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to normal senses off the lot.
- H. No home occupation shall be conducted from any accessory building on the lot.

In particular, a home occupation shall consist primarily of rendering specific personal services, such as those performed by a seamstress, member of the clergy, physician, dentist, lawyer, engineer, architect, accountant, artist, or private teacher. The home occupation shall be performed by the occupant of the premises and shall include employment of not more than one (1) non-resident of the premises.

## **Section 25.09 Gasoline Service Stations**

### **A. Minimum Lot Size**

15,000 square feet.

### **B. Minimum Building or Structure Size**

The building shall have an enclosed area of not less than 800 square feet if any service is offered on or from the premises other than the delivery of gasoline, diesel fuel or oil for use as vehicle fuel or lubrication. If a gasoline service station offers no service other than the deliver of gasoline, diesel fuel or oil into vehicles, the enclosed area of the building shall not be less than 600 square feet. No such limited gasoline service station may offer to provide lubrication, oil changes, repairs, or other equipment installation.

### **C. Minimum Frontage**

The lot on which a gasoline service station is located shall have frontage of not less than 150 feet along a dedicated and improved street designated as not less than minor arterial status on the City of Washington Thoroughfare Plan. If a gasoline service station is located on the corner of two (2) or more intersecting streets, it shall have 150 feet of frontage on each intersecting street.

### **D. Location**

No gasoline service station shall be located on any lot within 200 feet of any zoning district where residences are a permitted use.

### **E. Setbacks**

The pump island setback in a gasoline service station, which shall be the minimum location for pumps dispensing fuel or oil products, shall be 40 feet from any right-of-way of any street, and 40 feet from any adjoining property line. Any building located on such premises shall be located not less than 50 feet from the right-of-way of any street.

### **F. Driveways and Parking Areas**

Driveways and parking areas shall be paved and properly drained. The landscaping of areas along the perimeter of the lot is required, pursuant to Article XXVII.

G.     Parking

Gasoline service stations shall be subject to the parking and loading provisions of Article XXVI of this Ordinance. In addition, no inoperable or damaged motor vehicle shall be parked outside a gasoline service station building in excess of 72 hours. Parking areas shall be located not closer than five (5) feet to the main building.

H.     Outside Storage

Outside storage shall be in accordance with the following requirements:

1.     All vending machines, except ice machines and telephone booths, shall be located inside the main building.
2.     Only one permanent or one portable display rack for oil, antifreeze, or other automotive products shall be permitted on each pump island. No such rack shall be located closer than 25 feet to the street right-of-way line or adjoining property line. All other displays or merchandise outside the main building is prohibited.
3.     All hydraulic hoists, oil pits, lubricants and greasing, and other repair equipment shall be enclosed completely within the main building.

I.     Signs

All signs used in connection with gasoline service stations shall be in conformance with the regulations for General Retail and Commercial uses as specified in Article XXVII of this Ordinance.

## ARTICLE XXVI

### OFF-STREET PARKING AND LOADING REQUIREMENTS

#### Section 26.01 Purpose

The purpose of these requirements for off-street parking and loading facilities is to encourage the orderly development of parking areas within the City and to promote the safety of residents and visitors by insuring the efficient handling of vehicular traffic.

#### Section 26.02 Provision for Parking and Loading Required

In all zoning districts, at the time any building, structure or use is changed, established, erected, developed, or is enlarged or increased in capacity, there shall be provided off-street parking and loading spaces in accordance with the provisions of this Article.

#### Section 26.03 General Specifications and Requirements

##### A. Area and Dimensions - Parking Spaces

	<u>Minimum Width</u> <u>(Measured in Feet</u> <u>Parallel to Aisle</u>	<u>Minimum</u> <u>Length</u> <u>(Feet)</u>	<u>Maneuvering Lane</u> <u>Width</u> <u>(Feet)</u>
Parallel Parking	9	23	12
30-53 Degree Angle Parking	13	20	15
54-75 Degree Angle Parking	10	20	20
75-90 Degree Angle Parking	10	20	20

##### B. Area and Dimensions - Loading Spaces

Loading spaces shall conform to the following minimum requirements:

<u>Length</u>	<u>Width</u>	<u>Height Clearance</u>
30 Feet	12 Feet	15 Feet

##### C. Access

All off-street parking and loading areas provided in accordance with this Section shall have direct access to a publicly dedicated and improved street or alley.

D. Surfacing

All off-street parking and loading areas shall be properly graded, drained, marked and surfaced so as to provide a hard, durable and dustless surface.

All off-street parking and loading areas located in front yard setbacks, serving other single family residential uses, shall be paved with asphalt, Portland concrete, brick, or other material.

E. Lighting

Any lighting used to illuminate any off-street parking or loading area shall be so arranged as to reflect light away from any adjoining premises in any zoning district where residences are a permitted use. In addition, such lighting shall be so arranged as to not interfere with traffic on any adjoining street or to be confused with any traffic control lighting.

F. Location of Parking and Loading Spaces

1. Proximity to Street Right-of-Way

- a. For single - and two-family residential uses, no off-street parking space (or portion thereof) shall be located closer than five (5) feet to any established street right-of-way line.
- b. In the R-3 and RO Districts, no off-street parking space, or portion thereof, shall be located closer than 25 feet to any established street right-of-way line.
- c. In all other districts, a five (5) foot clear zone shall be maintained between the street right-of-way line, and any vehicle. Parking areas shall be so designed and arranged as to not allow the protruding of any vehicle (or portion thereof) over the clear zone.

2. Proximity to Use

- a. In the R, RO, CF, LI and GE Districts, required parking and loading spaces shall be provided on the same lot as the principal use which they serve.
- b. In the B-3 District, required parking and loading spaces shall be provided either on the same lot, or within 100 feet of the principal use which they serve.
- c. In the B-1 and B-2 Districts, required parking spaces may be located within 300 feet of the use they serve.

3. Joint Provision of Parking Facilities

Two or more buildings or uses located in the same area may meet parking and loading requirements by the joint provision of parking and loading facilities, provided those facilities are located so as to meet the requirements of Section 26.03.06, and the number of spaces so provided shall not be less than the sum of required spaces as per Section 26.04 of this Ordinance. A written agreement between the parties, stating the terms under which the proposed parking shall be developed and maintained, shall be filed with the application for a zoning permit. Such agreement may be submitted by the Building and Zoning Inspector to the City Law Director for review and comment prior to issuance of a zoning permit.

Section 26.04 **Parking Limitations in Residential Districts**

Travel trailers, motor homes, pick-up campers, folding tent trailers, boats or boat trailers and similar recreational equipment and/or inoperable vehicles shall not be parked on streets or alleys in any district where residences are a permitted use, for a period of time exceeding twelve (12) hours. The storage of such equipment shall be subject to the following requirements.

- A. Not more than two (2) pieces of recreational equipment, not more than one which can be a motor home, shall be permitted to be stored outside on a parcel containing a single family or two-family dwelling. For the purpose of this Section, a boat stored on a boat trailer shall be deemed one piece of recreational equipment. For multi-family uses, an area shall be designated for outdoor storage of recreational equipment and shall be limited in area to accommodate no more than one (1) piece of recreational equipment for each fifteen (15) dwelling units.
- B. Recreational equipment shall not be occupied or used for living, sleeping, housekeeping, storage or business purposes.

Section 26.05 **Required Number of Off-Street Parking Spaces**

Parking spaces shall be provided according to the following schedule of uses. If a use consists of more than one component use (e.g., a school with a stadium) the required number of parking spaces shall be the sum of the required spaces for those component uses.

<u>Use</u>	<u>Number of Uses</u>
A. <u>Residential</u>	
1. One or two family residence	Two (2) per dwelling unit.
2. Multiple family units.	Two (2) per dwelling unit.

- |                           |   |
|---------------------------|---|
| 3. Institutional housing. | One (1) per three (3) occupants plus one (1) for each employee for main work shift. |
|---------------------------|---|

B. Recreational

- |   |   |
|---|---|
| 1. Softball, baseball, football, soccer or similar organized sport playfield.                 | 20 for each playfield, plus one (1) for each six (6) seats in stands.                         |
| 2. Tennis, handball, or racketball courts.  | Three (3) for each court.   |
| 3. Bowling alleys.  | Five (5) per lane plus necessary spaces as required for affiliated uses, such as restaurants. |
| 4. Community swimming pools.  | One (1) per 75 square feet of total water surface.  |
| 5. Theaters, stadium or sports arenas, auditorium or other assembly halls other than schools. | One (1) for each four (4) seats.  |

L. Institutional

- |   |   |
|---|---|
| 1. Churches and other places of public worship. | One (1) for each five (5) seats in main auditorium.   |
| 2. Public or private school.                    | Three (3) for each class- room or one (1) for each five (5) seats in main auditorium, whichever is greater. |
| 3. Nursery School/Day Care.                     | One (1) for each 15 students of proposed capacity.  |
| 4. Libraries, museums, community centers.       | One (1) for each 400 square feet of gross floor area.   |
| 5. Civic, social, fraternal organizations.      | One (1) for each three (3) persons allowed under maximum occupancy of main                                  |

meeting room.

6. Hospitals, nursing facilities

One (1) for each four (4) beds plus one (1) per employee on main shift.

D. Commercial

1. Food, department or general merchandise, hardware, drugs, and similar retail sales.

One (1) for each 200 square feet of gross floor area.

2. Home furnishings, appliances, apparel, and similar retail sales.

One (1) for each 300 square feet of gross floor area.

3. Eating and drinking establishments without drive through facilities.

One (1) for each 100 square feet of gross floor area.

4. Restaurants with drive through facilities.

One (1) for each 75 square feet of gross floor area, plus additional spaces in the drive-through lanes equal to 25 percent (25%) of the required number of parking spaces.

5. Personal services, including banks, savings and loans, repair services without drive-through facilities.

One (1) for each 200 square feet of gross floor area.

6. Banks, savings and loans and similar uses with drive-through facilities.

One (1) for each 200 square feet of gross floor area plus additional spaces in all drive-through lane equal to 80 percent (80%) of the required number of parking spaces.

7. Barber and beauty shops.

Two (2) for each work station.

8. Gasoline service stations.

Two (2) for each service bay plus one (1) for each two (2) gasoline dispensing units, plus one (1) for each employee during main shift.



- |     |  |  |
|-----|--|--|
| 9.  | Self-serve laundries.                              | One (1) for each three (3) washers.  |
| 10. | Automobile sales and service.                      | One (1) for each 400 square feet of gross floor area.  |
| 11. | Retail shopping centers.                           | One (1) for each 300 square feet of gross floor area, plus one (1) for each three (3) persons allowed under maximum occupancy in any theater or place of assembly. |
| 12. | Temporary outdoor sales.                           | One (1) for each 200 square feet of area devoted to display and sales of goods.  |
| 13. | Hotels, motels, lodging houses.                    | One (1) for each sleeping room or suite, plus one (1) for each employee during main shift.   |
| 14. | Funeral homes.                                     | One (1) for each 50 square feet of gross floor area.   |
| 15. | Medical or dental offices.                         | Five (5) for each doctor or dentist, plus one (1) for each other employee during main work shift.  |
| 16. | Animal hospitals/clinics, veterinarian office.     | Four (4) for each veterinarian.  |
| 17. | Professional, administrative and business offices. | One (1) for each 400 square feet of gross floor area.  |

E. Industrial

- |    |   |   |
|----|---|---|
| 1. | Commercial and business support services.   | One (1) for each 400 square feet of gross floor area.   |
| 2. | Manufacturing, compounding, processing, assembling, packaging or treating of goods; warehousing, distribution and service industries. | Two (2) for each three (3) employees during work shift having greatest number of employees, plus one (1) for each vehicle main- |

F. Other Uses

The Planning Commission shall determine the number of parking spaces required for any use not mentioned in Section 26.05 A-E of this Ordinance.

G. Provision of Parking for Non-Residential Uses in the B-2 (Downtown Business) District

The B-2 (Downtown Business) District contains small lots and is served by on-street parking. For these reasons, special regulations are justified in this district. For non-residential uses located within the B-2 District, only thirty percent (30%) of the required spaces as specified in Sections 26.05 A-E must be provided.

**26.06 Required Number of Off-Street Loading Spaces**

Loading spaces shall be provided according to the following schedule of uses.

A. Commercial

- |    |   |   |
|----|---|---|
| 1. | Less than 2,500 square feet gross floor area. | None.   |
| 2. | 2,500 - 10,000 square feet gross floor area.  | One (1)   |
| 3. | Over 10,000 square feet gross floor area.     | One (1) plus one (1) for each additional 10,000 square feet or fraction thereof above 10,000 square feet. |

B. Industrial

- |    |   |   |
|----|---|---|
| 1. | Less than 5,000 square feet gross floor area. | None.   |
| 2. | 5,000 - 10,000 square feet gross floor area.  | One (1)   |
| 3. | Over 10,000 square feet gross floor area.     | One (1) plus one (1) for each additional 10,000 square feet or fraction thereof above 10,000 square feet. |

C. Office and/or Institutional

1. Less than 10,000 square feet None.  
gross floor area.
2. Over 10,000 square feet One (1) for each additional  
gross floor area. 10,000 square feet, or fraction  
thereof, over 10,000 square  
feet.