

# City of Cincinnati

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## An Ordinance No. \_\_\_\_\_

- 2024

**MODIFYING** multiple Chapters of Title XIV, "Zoning Code of the City of Cincinnati," and Title XVII, "Land Development Code," of the Cincinnati Municipal Code, by **ORDAINING** Sections 1401-01-F9-0, "Four-Family Dwelling," 1401-01-T-0, "Projecting Bay," 1401-01-T-0, "Three-Family Dwelling," 1403-04, "Connected Communities," 1405-04, "Connected Communities," 1407-04, "Connected Communities," 1409-04, "Connected Communities," 1410-04, "Connected Communities," 1413-04, "Connected Communities," 1415-04, "Connected Communities," 1421-45, "Transit Stops," 1421-47, "Density, Height, and Parking Modifications for Projects Utilizing Certain Financial Programs," 1425-39, "Electric Vehicle Charging Equipment," 1435-05-07, "Exceptions from Base Development Regulations," by **AMENDING** Sections 1400-23, "Principal Structures," 1401-01-A14, "Attached Single-Family Dwelling," 1403-03, "Specific Purposes of the Single-Family Subdistricts," 1403-05, "Land Use Regulations," 1403-07, "Development Regulations," 1405-05, "Land Use Regulations," 1405-07, "Development Regulations," 1409-09, "Development Regulations," 1410-05, "Land Use Regulations," 1413-05, "Land Use Regulations," 1417-05, "Special Accessory Uses," 1417-15, "Sign Standards for Uses in the I-R District," 1419-21, "Limited or Full Service Restaurants and Drinking Establishments," 1421-07, "Building Projections Into Yards," 1421-19, "Exceptions to Height Limits," 1425-03, "Requirements for Off-Street Parking and Loading," 1425-04, "Urban Parking Overlay Districts," 1425-19, "Off-Street Parking and Loading Requirements," 1425-23, "Reduced Parking," 1425-29, "Parking Lot Landscaping," 1429-05, "Basic Requirements," 1429-17, "Appeals," 1431-21, "Appeals," 1435-05-01, "Applicability," 1447-05, "Nonconforming Structures," 1449-01, "Purpose and Authority," 1449-13, "Procedures for Appeals from Decisions of the Zoning Administrator, the Director of Buildings and Inspections or the City Planning Commission," 1703-2.40, "T3 Estate (T3E); T3E Sub-Zone(s)," 1703-2.40, "T3 Estate (T3E); T3E Allowed Building Types; Building Type," 1703-2.40, "T3 Estate (T3E); T3E Parking; Required Spaces," 1703-2.50, "T3 Neighborhood (T3N); T3N Sub-Zone(s)," Section 1703-2.50, "T3 Neighborhood (T3N); T3N Allowed Building Types; Building Type," Section 1703-2.50, "T3 Neighborhood (T3N); T3N Parking; Required Spaces," Section 1703-2.60, "T4 Neighborhood Medium Footprint (T4N.MF); T4N.MF Sub-Zone(s)," 1703-2.60, "T4 Neighborhood Medium Footprint (T4N.MF); T4N Parking; Required Spaces," 1703-2.70, "T4 Neighborhood Small Footprint (T4N.SF); T4N.SF Sub-Zone(s)," 1703-2.70, "T4 Neighborhood Small Footprint (T4N.SF); T4N Parking; Required Spaces," 1703-2.80, "T5 Main Street (T5MS); T5MS Sub-Zone(s)," 1703-2.80, "T5 Main Street (T5MS); T5MS Parking; Required Spaces," 1703-2.80, "T5 Main Street (T5MS); T5MS Use Table; Retail," 1703-2.90, "T5 Neighborhood Large Setback (T5N.LS); T5N.LS Sub-Zone(s)," 1703-2.90, "T5 Neighborhood Large Setback (T5N.LS); T5N.LS Parking; Required Spaces," 1703-2.90, "T5 Neighborhood Large Setback (T5N.LS); T5N.LS Use Table; Retail," 1703-2.100, "T5 Neighborhood Small Setback (T5N.SS); T5N.SS Sub-Zone(s)," 1703-2.100, "T5 Neighborhood Small Setback (T5N.SS); T5N.SS Parking; Required Spaces," 1703-2.100, "T5 Neighborhood Small Setback (T5N.SS); T5N.SS Use Table; Retail," 1703-2.110, "T5 Flex (T5F); T5F Sub-Zone(s)," 1703-2.110, "T5 Flex (T5F); T5F Building Placement; Required Spaces," 1703-2.110, "T5 Flex (T5F); T5F Use Table; Retail," 1703-2.120, "T6 Core (T6C);

T6C Sub-Zone(s),” 1703-2.120, “T6 Core (T6C); T6C Parking; Required Spaces;” 1703-2.120, “T6 Core (T6C); T6C Use Table; Retail,” Table 1703-3.30.A, “Building Types General,” 1703-3.100, “Multi-Plex: Small,” 1703-5.50, “Parking,” 1703-5.100, “Additional Standards for Specific Uses,” and by **MODIFYING** Title XV, “Code Compliance and Hearings,” of the Cincinnati Municipal Code by **AMENDING** Section 1501-12, “Class F Civil Offenses;” and by **REPEALING** Sections 1403-11, “Purpose of Cluster Housing,” 1403-13, “Cluster Housing General Regulations,” 1403-15, “Covenants,” 1403-17, “Site Divided by Zoning Line,” 1403-19, “Application Procedures and Requirements,” to foster greater development that focuses on pedestrian and human-centered design, to increase housing options, and to strengthen neighborhood business districts throughout the City.

WHEREAS, the Department of City Planning and Engagement has recommended text amendments to the Cincinnati Zoning Code and the Land Development Code to foster greater development that focuses on pedestrian and human-centered design, to increase housing options, and to strengthen neighborhood business districts throughout the City; and

WHEREAS, the changes include providing greater housing options in and around neighborhood business districts and major transportation corridors, streamlining the development process, reducing regulatory barriers to the construction of affordable housing, promoting the adaptive reuse of existing buildings, and certain other code refinements; and

WHEREAS, the proposed zoning text amendments are intended to promote harmonious land development practices in Connected Community designations city-wide and to encourage human scale development to promote a more vibrant community and discourage land development practices that could present adverse impacts to neighborhood character, quality of life, and property values; and

WHEREAS, at its regularly scheduled meeting on \_\_\_\_\_, the City Planning Commission reviewed the proposed text amendments and recommended their approval, finding them to be in the interest of the public’s health, safety, morals, and general welfare; and

WHEREAS, a committee of Council held a public hearing on the proposed text amendments following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the proposed text amendments; and

WHEREAS, the text amendments are in accordance with the “Live” goal to “provide a full spectrum of housing options, and improve housing quality and affordability” as described on page 164 of Plan Cincinnati and the “Compete” goal to “build a streamlined and cohesive development process” as described page 111 of Plan Cincinnati; and

WHEREAS, the Council finds the proposed text amendments to be in the best interests of the City and the public’s health, safety, morals, and general welfare; now, therefore,

**BE IT ORDAINED** by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Sections 1401-01-F9-0, “Four-Family Dwelling,” 1401-01-T-0, “Projecting Bay,” 1401-01-T-0, “Three-Family Dwelling,” 1403-04, “Connected Communities,” 1405-04, “Connected Communities,” 1407-04, “Connected Communities,” 1409-04, “Connected Communities,” 1410-04, “Connected Communities,” 1413-04, “Connected Communities,” 1415-04, “Connected Communities,” 1421-45, “Transit Stops,” 1421-47, “Density, Height, and Parking Modifications for Projects Utilizing Certain Financial Programs,” 1425-39, “Electric Vehicle Charging Equipment,” 1435-05-07, “Exceptions from Base Development Regulations,” of the Cincinnati Municipal Code are hereby ordained as follows:

**§ 1401-01-F9-0. - Four-Family Dwelling.**

“Four-family dwelling” means a single building that contains four dwelling units.

**§ 1401-01-P19-A. - Projecting Bay.**

“Projecting bay” means a continuous recess within the interior of a building that contains one room, does not span more than two stories, and does not reach the ground, resulting in a projection on the outside of the building.

**§ 1401-01-T-0. - Three-Family Dwelling.**

“Three-family dwelling” means a single building that contains three dwelling units.

**§ 1403-04. - Connected Communities.**

Three Connected Communities designations are established to enhance the base zoning district. The underlying zoning district and map overlays apply where not inconsistent with the development regulations below.

(a) Neighborhood Business District ‘B’. This district designation is intended for areas located within established neighborhood business districts. The neighborhood business district ‘B’ designation is subject to the following development regulations:

- (1) Two-family, three-family, four-family, and multi-family uses are permitted, subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (a)(2).
- (2) Parking:
  - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.

- (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
  - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
  - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
  - (v) Additions to existing buildings are considered new construction for purposes of this section.
  - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (b) Middle Housing 'MH'. This district designation is intended for areas surrounding neighborhood business districts. The middle housing 'MH' designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (b)(2).
  - (2) Parking:
    - (i) No off-street parking is required for permitted residential uses.
    - (ii) Accessory surface parking facilities shall be located in the rear yard.
- (c) Transportation Corridor 'T'. This district designation is intended for areas located along major transportation corridors. The transit corridor 'T' designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations in Section 1403-07.
  - (2) Multi-family uses are only permitted if also located within a neighborhood business district.
  - (3) Minimum off-street parking regulations do not apply.
  - (4) Accessory surface parking facilities shall be located in the rear yard.
- (d) Design Standards. Two-family, three-family, and four-family dwellings located within a designated Connected Communities district shall comply with the design standards set forth below.

- (1) *Entrance.* At least one dwelling unit entrance shall be located on each street frontage.
- (2) *Building Form.* Building composition shall consist of a base, middle, and top component to reduce the apparent bulk of the building. The designs of new buildings shall avoid long unrelieved expanses of wall along the street frontage by maintaining a rhythm of windows and structural bays.
  - (i) Buildings shall have a distinct base at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.
  - (ii) Buildings shall have a change in material and/or design that marks the transition from base component to middle component, and from middle component to top component.
  - (iii) The top of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.
- (3) If the Zoning Administrator determines a permit application does not conform to the requirements of Section 1403-04(d), the Zoning Board of Appeals has the duty to determine whether the application satisfies the standards set forth in this Chapter prior to the issuance of a building permit.

**§ 1405-04. - Connected Communities.**

Three Connected Communities designations are established to enhance the base zoning district. The underlying zoning district and map overlays apply where not inconsistent with the development regulations below.

- (a) Neighborhood Business District 'B'. This district designation is intended for areas located within established neighborhood business districts. The neighborhood business district 'B' designation is subject to the following development regulations:
  - (1) Two-family, three-family, and four-family uses are permitted, subject to the development regulations of the underlying zoning district, except as otherwise provided in subsections (a)(2) and (a)(3).
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.

- (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
  - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
  - (v) Additions to existing buildings are considered new construction for purposes of this section.
  - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (b) Middle Housing ‘MH’. This district designation is intended for areas surrounding neighborhood business districts. The middle housing ‘MH’ designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (b)(2).
  - (2) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
    - (v) Additions to existing buildings are considered new construction for purposes of this section.
    - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (c) Transportation Corridor ‘T’. This district designation is intended for areas located along major transportation corridors. The transit corridor ‘T’ designation is subject to the following development regulations:

- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations in Section 1405-07.
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Minimum off-street parking regulations do not apply.
  - (4) The height of new structures may exceed the maximum height of the underlying zoning district by an additional twelve feet.
  - (5) Accessory surface parking facilities shall be located in the rear yard.
- (d) Design Standards. Two-family, three-family, and four-family dwellings located within a designated Connected Communities district shall comply with the design standards set forth below.
- (1) *Entrance*. At least one dwelling unit entrance shall be located on each street frontage.
  - (2) *Building Form*. Building composition shall consist of a base, middle, and top component to reduce the apparent bulk of the building. The designs of new buildings shall avoid long unrelieved expanses of wall along the street frontage by maintaining a rhythm of windows and structural bays.
    - (i) Buildings shall have a distinct base at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.
    - (ii) Buildings shall have a change in material and/or design that marks the transition from base component to middle component, and from middle component to top component.
    - (iii) The top of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.
  - (3) If the Zoning Administrator determines a permit application does not conform to the requirements of Section 1405-04(d), the Zoning Board of Appeals has the duty to determine whether the application satisfies the standards set forth in this Chapter prior to the issuance of a building permit.

**§ 1407-04. - Connected Communities.**

Three Connected Communities designations are established to enhance the base zoning district. The underlying zoning district and map overlays apply where not inconsistent with the development regulations below.

- (a) Neighborhood Business District ‘B’. This district designation is intended for areas located within established neighborhood business districts. The neighborhood business district ‘B’ designation is subject to the following development regulations:

- (1) Two-family, three-family, and four-family uses are permitted, subject to the development regulations of the underlying zoning district, except as otherwise provided in subsections (a)(2) and (a)(3).
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
    - (v) Additions to existing buildings are considered new construction for purposes of this section.
    - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (b) Middle Housing 'MH'. This district designation is intended for areas surrounding neighborhood business districts. The middle housing 'MH' designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (b)(2).
  - (2) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use



building if the building has more than 5,000 square feet of commercial space.

(v) Additions to existing buildings are considered new construction for purposes of this section.

(vi) Accessory surface parking facilities shall be located in the rear yard.

(c) Transportation Corridor 'T'. This district designation is intended for areas located along major transportation corridors. The transit corridor 'T' designation is subject to the following development regulations:

(1) Two-family, three-family, and four-family uses are permitted subject to the development regulations in Section 1407-07.

(2) Minimum lot-area-per-dwelling-unit regulations do not apply.

(3) Minimum off-street parking regulations do not apply.

(4) The height of new structures may exceed the maximum height of the underlying zoning district by an additional twelve feet.

(5) Accessory surface parking facilities shall be located in the rear yard.

(d) Design Standards. Two-family, three-family, and four-family dwellings located within a designated Connected Communities district shall comply with the design standards set forth below.

(1) *Entrance*. At least one dwelling unit entrance shall be located on each street frontage.

(2) *Building Form*. Building composition shall consist of a base, middle, and top component to reduce the apparent bulk of the building. The designs of new buildings shall avoid long unrelieved expanses of wall along the street frontage by maintaining a rhythm of windows and structural bays.

(i) Buildings shall have a distinct base at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.

(ii) Buildings shall have a change in material and/or design that marks the transition from base component to middle component, and from middle component to top component.

(iii) The top of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.

(3) If the Zoning Administrator determines a permit application does not conform to the requirements of Section 1407-04(d), the Zoning Board of Appeals has the duty to determine whether the application satisfies the standards set forth in this Chapter prior to the issuance of a building permit.

**§ 1409-04. - Connected Communities.**

Three Connected Communities designations are established to enhance the base zoning district. The underlying zoning district and map overlays apply where not inconsistent with the development regulations below.

- (a) Neighborhood Business District 'B'. This district designation is intended for areas located within established neighborhood business districts. The neighborhood business district 'B' designation is subject to the following development regulations:
  - (1) Two-family, three-family, and four-family uses are permitted, subject to the development regulations of the underlying zoning district, except as otherwise provided in subsections (a)(2) and (a)(3).
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
    - (v) Additions to existing buildings are considered new construction for purposes of this section.
    - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (b) Middle Housing 'MH'. This district designation is intended for areas surrounding neighborhood business districts. The middle housing 'MH' designation is subject to the following development regulations:
  - (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (b)(2).
  - (2) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.

- (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
  - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
  - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
  - (v) Additions to existing buildings are considered new construction for purposes of this section.
  - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (c) Transportation Corridor ‘T’. This district designation is intended for areas located along major transportation corridors. The transit corridor ‘T’ designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations in Section 1409-09.
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Minimum off-street parking regulations do not apply.
  - (4) The height of new structures may exceed the maximum height of the underlying zoning district by an additional twelve feet.
  - (5) Accessory surface parking facilities shall be located in the rear yard.
- (d) Design Standards. Two-family, three-family, and four-family dwellings located within a designated Connected Communities district shall comply with the design standards set forth below.
- (1) *Entrance*. At least one dwelling unit entrance shall be located on each street frontage.
  - (2) *Building Form*. Building composition shall consist of a base, middle, and top component to reduce the apparent bulk of the building. The designs of new buildings shall avoid long unrelieved expanses of wall along the street frontage by maintaining a rhythm of windows and structural bays.
    - (i) Buildings shall have a distinct base at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.

- (ii) Buildings shall have a change in material and/or design that marks the transition from base component to middle component, and from middle component to top component.
  - (iii) The top of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.
- (3) If the Zoning Administrator determines a permit application does not conform to the requirements of Section 1409-04(d), the Zoning Board of Appeals has the duty to determine whether the application satisfies the standards set forth in this Chapter prior to the issuance of a building permit.

**§ 1410-04. - Connected Communities.**

Three Connected Communities designations are established to enhance the base zoning district. The underlying zoning district and map overlays apply where not inconsistent with the development regulations below.

- (a) Neighborhood Business District 'B'. This district designation is intended for areas located within established neighborhood business districts. The neighborhood business district 'B' designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted, subject to the development regulations of the underlying zoning district, except as otherwise provided in subsections (a)(2) and (a)(3).
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
    - (v) Additions to existing buildings are considered new construction for purposes of this section.
    - (vi) Accessory surface parking facilities shall be located in the rear yard.

- (b) Middle Housing 'MH'. This district designation is intended for areas surrounding neighborhood business districts. The middle housing 'MH' designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (b)(2).
  - (2) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
    - (v) Additions to existing buildings are considered new construction for purposes of this section.
    - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (c) Transportation Corridor 'T'. This district designation is intended for areas located along major transportation corridors. The transit corridor 'T' designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations in Section 1410-07.
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Minimum off-street parking regulations do not apply.
  - (4) The height of new structures may exceed the maximum height of the underlying zoning district by an additional twelve feet.
  - (5) Accessory surface parking facilities shall be located in the rear yard.
- (d) Design Standards. Two-family, three-family, and four-family dwellings located within a designated Connected Communities district shall comply with the design standards set forth below.

- (1) *Entrance.* At least one dwelling unit entrance shall be located on each street frontage.
- (2) *Building Form.* Building composition shall consist of a base, middle, and top component to reduce the apparent bulk of the building. The designs of new buildings shall avoid long unrelieved expanses of wall along the street frontage by maintaining a rhythm of windows and structural bays.
  - (i) Buildings shall have a distinct base at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.
  - (ii) Buildings shall have a change in material and/or design that marks the transition from base component to middle component, and from middle component to top component.
  - (iii) The top of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.
- (3) If the Zoning Administrator determines a permit application does not conform to the requirements of Section 1410-04(d), the Zoning Board of Appeals has the duty to determine whether the application satisfies the standards set forth in this Chapter prior to the issuance of a building permit.

**§ 1413-04. - Connected Communities.**

Three Connected Communities designations are established to enhance the base zoning district. The underlying zoning district and map overlays apply where not inconsistent with the development regulations below.

- (a) Neighborhood Business District 'B'. This district designation is intended for areas located within established neighborhood business districts. The neighborhood business district 'B' designation is subject to the following development regulations:
  - (1) Two-family, three-family, and four-family uses are permitted, subject to the development regulations of the underlying zoning district, except as otherwise provided in subsections (a)(2) and (a)(3).
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.

- (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
  - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
  - (v) Additions to existing buildings are considered new construction for purposes of this section.
  - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (b) Middle Housing ‘MH’. This district designation is intended for areas surrounding neighborhood business districts. The middle housing ‘MH’ designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (b)(2).
  - (2) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
    - (v) Additions to existing buildings are considered new construction for purposes of this section.
    - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (c) Transportation Corridor ‘T’. This district designation is intended for areas located along major transportation corridors. The transit corridor ‘T’ designation is subject to the following development regulations:

- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations in Section 1413-07.
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Minimum off-street parking regulations do not apply.
  - (4) The height of new structures may exceed the maximum height of the underlying zoning district by an additional twelve feet.
  - (5) Accessory surface parking facilities shall be located in the rear yard.
- (d) Design Standards. Two-family, three-family, and four-family dwellings located within a designated Connected Communities district shall comply with the design standards set forth below.
- (1) *Entrance*. At least one dwelling unit entrance shall be located on each street frontage.
  - (2) *Building Form*. Building composition shall consist of a base, middle, and top component to reduce the apparent bulk of the building. The designs of new buildings shall avoid long unrelieved expanses of wall along the street frontage by maintaining a rhythm of windows and structural bays.
    - (i) Buildings shall have a distinct base at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.
    - (ii) Buildings shall have a change in material and/or design that marks the transition from base component to middle component, and from middle component to top component.
    - (iii) The top of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.
  - (3) If the Zoning Administrator determines a permit application does not conform to the requirements of Section 1413-04(d), the Zoning Board of Appeals has the duty to determine whether the application satisfies the standards set forth in this Chapter prior to the issuance of a building permit.

**§ 1415-04. - Connected Communities.**

Three Connected Communities designations are established to enhance the base zoning district. The underlying zoning district and map overlays apply where not inconsistent with the development regulations below.

- (a) Neighborhood Business District ‘B’. This district designation is intended for areas located within established neighborhood business districts. The neighborhood business district ‘B’ designation is subject to the following development regulations:



- (1) Two-family, three-family, and four-family uses are permitted, subject to the development regulations of the underlying zoning district, except as otherwise provided in subsections (a)(2) and (a)(3).
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use building if the building has more than 5,000 square feet of commercial space.
    - (v) Additions to existing buildings are considered new construction for purposes of this section.
    - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (b) Middle Housing 'MH'. This district designation is intended for areas surrounding neighborhood business districts. The middle housing 'MH' designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations of the underlying zoning district, except as otherwise provided in subsection (b)(2).
  - (2) Parking:
    - (i) No off-street parking is required for residential uses in a new building containing 10 or fewer dwelling units.
    - (ii) Residential uses in a new building with more than 10 dwelling units require one-half space per additional dwelling unit over 10 dwelling units.
    - (iii) No off-street parking is required in a new commercial or mixed-use building if the building has 5,000 square feet or less of commercial space.
    - (iv) The underlying zoning district parking requirements are reduced by one-half for commercial uses in a new commercial or mixed-use

building if the building has more than 5,000 square feet of commercial space.

- (v) Additions to existing buildings are considered new construction for purposes of this section.
  - (vi) Accessory surface parking facilities shall be located in the rear yard.
- (c) Transportation Corridor ‘T’. This district designation is intended for areas located along major transportation corridors. The transit corridor ‘T’ designation is subject to the following development regulations:
- (1) Two-family, three-family, and four-family uses are permitted subject to the development regulations in Section 1415-09.
  - (2) Minimum lot-area-per-dwelling-unit regulations do not apply.
  - (3) Minimum off-street parking regulations do not apply.
  - (4) The height of new structures may exceed the maximum height of the underlying zoning district by an additional twelve feet.
  - (5) Accessory surface parking facilities shall be located in the rear yard.
- (d) Design Standards. Two-family, three-family, and four-family dwellings located within a designated Connected Communities district shall comply with the design standards set forth below.
- (1) *Entrance*. At least one dwelling unit entrance shall be located on each street frontage.
  - (2) *Building Form*. Building composition shall consist of a base, middle, and top component to reduce the apparent bulk of the building. The designs of new buildings shall avoid long unrelieved expanses of wall along the street frontage by maintaining a rhythm of windows and structural bays.
    - (i) Buildings shall have a distinct base at the ground level, using articulation and materials such as stone, masonry, or decorative concrete.
    - (ii) Buildings shall have a change in material and/or design that marks the transition from base component to middle component, and from middle component to top component.
    - (iii) The top of the building shall be treated with a distinct outline with elements such as a projecting parapet, cornice, or projection.
  - (3) If the Zoning Administrator determines a permit application does not conform to the requirements of Section 1415-04(d), the Zoning Board of Appeals has the duty to determine whether the application satisfies the standards set forth in this Chapter prior to the issuance of a building permit.

**§ 1421-45. - Transit Stops.**

Transit stop structures approved by the Department of Transportation and Engineering are permitted in all zoning districts and are exempt from accessory structure regulations set forth in § 1421-01, § 1421-03, and § 1421-05.

**§ 1421-47. - Density, Height, and Parking Modifications for Projects Utilizing Certain Financial Programs**

- (a) Minimum-lot-area-per-dwelling-unit requirements and minimum off-street parking requirements shall not apply to the establishment of new dwelling units in a newly constructed or renovated building, and a newly constructed or renovated building may have a maximum height twelve feet greater than otherwise permitted by the zoning code, provided the building is constructed or renovated pursuant to Low-Income Housing Tax Credit programs.
- (b) To be eligible for density, height, and parking modifications, the owner of the building that is to be constructed or renovated, or its successor-in-interest, as applicable, must establish and maintain compliance with the affordability restrictions pursuant to Low-Income Housing Tax Credit programs for the building on the property for so long as those restrictions remain in effect.
- (c) Any person who fails to maintain compliance with subsection (b) shall be liable for a Class F civil offense for each dwelling unit that is not in compliance, as applicable, in a given year.

**§ 1425-39. - Electric Vehicle Charging Equipment.**

Electric vehicle charging equipment is permitted at any location where off-street parking spaces are permitted.

**§ 1435-05-07. - Exceptions from Base Development Regulations.**

Within designated historic districts, setback and height regulations as prescribed by the underlying zoning district regulations shall not apply. The height and setbacks of structures within historic districts must substantially conform to the applicable Historic District guidelines.

Section 2. That Sections 1400-23, “Principal Structures,” 1401-01-A14, “Attached Single-Family Dwelling,” 1403-03, “Specific Purposes of the Single-Family Subdistricts,” 1403-05, “Land Use Regulations,” 1403-07, “Development Regulations,” 1405-05, “Land Use Regulations,” 1405-07, “Development Regulations,” 1409-09, “Development Regulations,” 1410-05, “Land Use Regulations,” 1413-05, “Land Use Regulations,” 1417-05, “Special Accessory Uses,” 1417-15, “Sign Standards for Uses in the I-R District,” 1419-21, “Limited or Full Service

Restaurants and Drinking Establishments,” 1421-07, “Building Projections Into Yards,” 1421-19, “Exceptions to Height Limits,” 1425-03, “Requirements for Off-Street Parking and Loading,” 1425-04, “Urban Parking Overlay Districts,” 1425-19, “Off-Street Parking and Loading Requirements,” 1425-23, “Reduced Parking,” 1425-29, “Parking Lot Landscaping,” 1429-05, “Basic Requirements,” 1429-17, “Appeals,” 1431-21, “Appeals,” 1435-05-01, “Applicability,” 1447-05, “Nonconforming Structures,” 1449-01, “Purpose and Authority,” 1449-13, “Procedures for Appeals from Decisions of the Zoning Administrator, the Director of Buildings and Inspections or the City Planning Commission,” 1703-2.40, “T3 Estate (T3E); T3E Sub-Zone(s),” 1703-2.40, “T3 Estate (T3E); T3E Allowed Building Types; Building Type,” 1703-2.40, “T3 Estate (T3E); T3E Parking; Required Spaces,” 1703-2.50, “T3 Neighborhood (T3N); T3N Sub-Zone(s),” Section 1703-2.50, “T3 Neighborhood (T3N); T3N Allowed Building Types; Building Type,” Section 1703-2.50, “T3 Neighborhood (T3N); T3N Parking; Required Spaces,” Section 1703-2.60, “T4 Neighborhood Medium Footprint (T4N.MF); T4N.MF Sub-Zone(s),” 1703-2.60, “T4 Neighborhood Medium Footprint (T4N.MF); T4N Parking; Required Spaces,” 1703-2.70, “T4 Neighborhood Small Footprint (T4N.SF); T4N.SF Sub-Zone(s),” 1703-2.70, “T4 Neighborhood Small Footprint (T4N.SF); T4N Parking; Required Spaces,” 1703-2.80, “T5 Main Street (T5MS); T5MS Sub-Zone(s),” 1703-2.80, “T5 Main Street (T5MS); T5MS Parking; Required Spaces,” 1703-2.80, “T5 Main Street (T5MS); T5MS Use Table; Retail,” 1703-2.90, “T5 Neighborhood Large Setback (T5N.LS); T5N.LS Sub-Zone(s),” 1703-2.90, “T5 Neighborhood Large Setback (T5N.LS); T5N.LS Parking; Required Spaces,” 1703-2.90, “T5 Neighborhood Large Setback (T5N.LS); T5N.LS Use Table; Retail,” 1703-2.100, “T5 Neighborhood Small Setback (T5N.SS); T5N.SS Sub-Zone(s),” 1703-2.100, “T5 Neighborhood Small Setback (T5N.SS); T5N.SS Parking; Required Spaces,” 1703-2.100, “T5 Neighborhood Small Setback (T5N.SS); T5N.SS Use Table;

Retail,” 1703-2.110, “T5 Flex (T5F); T5F Sub-Zone(s),” 1703-2.110, “T5 Flex (T5F); T5F Building Placement; Required Spaces,” 1703-2.110, “T5 Flex (T5F); T5F Use Table; Retail,” 1703-2.120, “T6 Core (T6C); T6C Sub-Zone(s),” 1703-2.120, “T6 Core (T6C); T6C Parking; Required Spaces;” 1703-2.120, “T6 Core (T6C); T6C Use Table; Retail,” Table 1703-3.30.A, “Building Types General,” 1703-3.100, “Multi-Plex: Small,” 1703-5.50, “Parking,” 1703-5.100, “Additional Standards for Specific Uses,” and Section 1501-12, “Class F Civil Offenses,” of the Cincinnati Municipal Code are hereby amended as follows:

### **§ 1400-23. Principal Structures.**

No more than one principal structure may be constructed on a lot unless the development of more than one structure has been approved pursuant to ~~§1403-13, Cluster Housing General Regulations, §1419-12, Community Learning Centers, or Chapter 1429, Planned Development Districts.~~

### **§ 1401-01-A14. Attached Single-Family Dwelling.**

“Attached single-family dwelling” means a dwelling unit that is attached to one or more dwelling units, each with independent exterior access and each with no less than two exterior walls. ~~Attached single-family dwellings include cluster housing.~~

### **§ 1403-03. Specific Purposes of the Single-Family Subdistricts.**

The specific purposes of the SF single-family districts are to create, maintain and enhance neighborhood residential areas that are characterized by ~~detached, low-density dwellings~~ unit structures with typical lot sizes ranging from 2,000 square feet to one-half acre or more in size. Future development ~~must~~ should remain single-family residential in character; ~~although~~ however, some public and non-residential uses may be permitted, and two-family, three-family, and four-family uses are permitted in districts with Connected Community designations in certain districts. Five subdistricts are established:

- (a) *SF-20 Single-family.* This subdistrict allows large-lot single-family housing at very low densities found in suburban residential districts. The minimum lot size is 20,000 square feet.
- (b) *SF-10 Single-family.* This subdistrict allows single-family housing at low densities. The minimum lot size is 10,000 square feet.
- (c) *SF-6 Single-family.* This subdistrict allows medium-density, single-family housing. The minimum lot size is 6,000 square feet.
- (d) *SF-4 Single-family.* This subdistrict allows moderately high-density single-family housing. The minimum lot size is 4,000 square feet.

- (e) *SF-2 Single-family*. This district allows high-density, small lot, single-family developments. The minimum lot size is 2,000 square feet for a single-family dwelling and 1,500 square feet for a rowhouse.



Figures 1403-03-A, B



Figures 1403-03-C, D



Figure 1403-03-E

### § 1403-05. Land Use Regulations.

Schedule 1403-05 below prescribes the land use regulations for SF Districts. Uses are defined in Chapter 1401, Definitions. Uses not listed in the Schedule 1403-05 are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1403-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

**Schedule 1403-05: Use Regulations - Single-family Districts**

Use Classifications	SF-20	SF-10	SF-6	SF-4	SF-2	Additional Regulations
<b>Residential Uses</b>						
Bed and breakfast home	—	C	C	C	C	See § 1419-09
<del>Child</del> Day care home - Type A	L4	L4	L4	L4	L4	
<u>Day care home - Type B</u>	<u>L4</u>	<u>L4</u>	<u>L4</u>	<u>L4</u>	<u>L4</u>	
<b>Group residential</b>						
Convents and monasteries	C	C	C	C	C	
Fraternities and sororities	—	—	—	—	—	
Patient family homes	—	—	—	—	—	
Rooming houses	—	—	—	—	—	
Shared housing for the elderly	—	—	—	L3	L3	
<b>Permanent residential</b>						
Single-family dwelling	P	P	P	P	P	<del>See § 1403-11</del>
Attached single-family dwelling	<del>L13</del>	<del>L13</del>	<del>L13</del>	P	P	<del>See § 1403-11</del>
<u>Rowhouse, single-family dwelling</u>	=	=	=	=	<u>P</u>	
Two-family	L11	L11	L11	L11	L11	
Multi-family	L11	L11	L11	L11	L11	
<b>Residential care facilities</b>						
Developmental disability dwelling	P	P	P	P	P	
<b>Public and Semipublic Uses</b>						
Cemeteries	—	—	—	L1	L1	

Cultural institutions	—	—	C	C	C	
Park and recreation facilities	L12	L12	L12	L12	L12	
Public safety facilities	—	—	—	C	C	
Religious assembly	C	C	C	C	C	
School, public or private	C	C	C	C	C	See § 1419-12
<b>Transportation, Communication and Utilities</b>						
Public utility distribution system	C	C	C	C	C	
Wireless communication antenna	L2	L2	L2	L2	L2	See § 1419-33
Wireless communication tower	C	C	C	C	C	See § 1419-33
<b>Agriculture and Extractive Uses</b>						
Animal keeping	P	P	P	P	P	See Chapter 1422
Farms	C	C	C	C	C	See Chapter 1422
Gardens	P	P	P	P	P	See Chapter 1422
<b>Accessory Uses</b>						
Any accessory use not listed below	L8	L8	L8	L8	L8	
Accessory dwelling unit	L1413	L1413	L1413	L1413	L1413	See § 1421-06
Home Occupation	P	P	P	P	P	See § 1419-17
Commercial Vehicle Parking	L5	L5	L5	L5	L5	
Child day-care centers	L4,6	L4,6	L4,6	L4,6	L4,6	
Refuse storage areas	P	P	P	P	P	See § 1421-35
Drive Box	L7	L7	L7	L7	L7	
Fences and walls	P	P	P	P	P	See § 1421-33
Exterior lighting	P	P	P	P	P	See § 1421-39
Cemetery, incidental buildings and structures	—	—	—	L9	L9	
Rooming Unit	—	—	L10	L10	L10	
Portable storage containers	P	P	P	P	P	See § 1419-24
<b>Nonconforming Uses</b>						See Chapter 1447

*Specific Limitations*



- L1 Only expansion of existing cemeteries allowed with a conditional use approval.
- L2 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may only be attached to a permitted agricultural, public or semi-public or public utility building or structure.
- L3 The minimum lot area for every resident is 800 square feet and the minimum living area for every resident is 250 square feet.
- L4 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L5 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:
  - a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during actual time of parking.
  - b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.
  - c. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.
- L6 Only if accessory to a public or semi-public use.
- L7 Accessory to a public or semi-public use, provided the drive-box is at least 100 feet from any property used for residential purposes.
- L8 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L9 Mausoleums, columbaria and other incidental buildings and structures within and accessory to cemeteries, may be no less than 100 feet from abutting properties in the residential district and may not exceed the height limitation for principal buildings of the district in which it is located.
- L10 No more than two rooming units may be rented or leased in a single-family dwelling.
- L11 This use must be legally established prior to the effective date of this Zoning Code. The use has the rights of Chapter 1447, Nonconforming Uses and Structures except for the provisions of § 1447-09 Expansion of Nonconforming Use and § 1447-11 Substitution of a Nonconforming Use.
- L12 Publicly owned or operated park and recreation facilities are permitted. All park and recreation facilities, private or non-profit, require a conditional use approval.
- ~~L13 Attached single family is only permitted as part of a cluster housing development. See § 1403-13.~~
- L1413 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

**§ 1403-07. Development Regulations.**

Schedule 1403-07 below prescribes the development regulations for the SF Districts, including lot area, width, setback and height. Where a special review district applies, the provisions of that district take precedence if there is conflict with the provisions of this Section. Additional standards are included in Chapter 1419.

**Schedule 1403-07: Development Regulations - Single-family Districts**

Building Form and Location			Setbacks (ft.)			
	Lot Area (sq. ft.)	Lot Width* (ft.)	Front Yard	Side Yard Min./Total	Rear Yard	Maximum Height (ft.)
Single-family (SF-20)	20,000	70	30	10/20	35	35
Single-family (SF-10)	10,000	60	30	10/20	35	35
Single-family (SF-6)	6,000	50	25	7/16	35	35
Single-family (SF-4)	4,000	40	20	3/12	25	35
Attached Single-family (SF-4)	3,500	35	20	0/6	25	35
Single-family (SF-2)	2,000	25	5	0/5	20	35
<u>Rowhouse exterior</u>	<u>1,500</u>	<u>25</u>	<u>5</u>	<u>0/5</u>	<u>20</u>	<u>35</u>
<u>Rowhouse interior</u>	<u>1,500</u>	<u>25</u>	<u>5</u>	<u>0/0</u>	<u>20</u>	<u>35</u>
Regulations	SF-20	SF-10	SF-6	SF-4	SF-2	Additional Regulations
<b>Vehicle Accommodation - Driveways and Parking</b>						
Location of Parking	Yes	Yes	Yes	Yes	Yes	See § 1425-15
Parking Lot Landscaping	Yes	Yes	Yes	Yes	Yes	See § 1425-29
Parking Lot Screening	Yes	Yes	Yes	Yes	Yes	See § 1425-27
Truck Docks; Loading and Service Areas	Yes	Yes	Yes	Yes	Yes	See § 1403-09
Other Regulations						
Buffering along District Boundaries	No	No	No	No	No	
Accessory Structures	See Chapter 1421					
General Site Standards	See Chapter 1421					
Landscaping and Buffer Yards	See Chapter 1423					
Nonconforming Uses and Structures	See Chapter 1447					

Off-Street Parking and Loading	See Chapter 1425
Signs	See Chapter 1427
Additional Development Regulations	See Chapter 1419

**§ 1405-05. Land Use Regulations.**

Schedule 1405-05 below prescribes the land use regulations for RM Districts. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1405-05 below are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1405-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) "C" designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

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**Schedule 1405-05: Use Regulations - Residential Multi-family Districts**

Use Classifications	RMX	RM-2.0	RM-1.2	RM-0.7	Additional Regulations
<b>Residential Uses</b>					
Bed and breakfast home	P	P	P	P	See § 1419-09
Day care home - Adult	C	C	P	P	
Day care home - Type A	<del>CL4</del>	<del>CL4</del>	L4	L4	
Day care home - Type B	L4	L4	L4	L4	
<b>Group residential</b>					
Congregate housing	—	—	P	P	
Convents and monasteries	P	P	P	P	
Fraternities, sororities, dormitories	—	—	C	P	
Patient family homes	—	—	P	P	
Rooming houses	—	—	—	L2	
Shared housing for the elderly	L1	L1	L1	L1	

<b>Permanent residential</b>					
Single-family dwelling	P	P	P	P	See § 1403-11
Attached single-family dwelling	<del>L15</del> P	P	P	P	See § 1403-11
Rowhouse, single-family dwelling	<del>L15</del> P	P	P	P	
Two-family dwelling	P	P	P	P	
Three-family dwelling	P	P	P	P	
Multi-family dwelling	L3	P	P	P	
<b>Residential care facilities</b>					
Assisted living	C	C	P	P	
Developmental disability dwelling	P	P	P	P	
Nursing home	C	C	P	P	
Special assistance shelter	—	—	—	C	
<b>Transitional housing</b>					
Programs 1—4	—	P	P	P	
Programs 5—6	—	—	—	—	
<b>Public and Semipublic Uses</b>					
Clubs and lodges	C	C	C	C	
Community service facilities	C	C	C	P	
Cultural institutions	C	C	C	P	
Parks and recreation facilities	P	P	P	P	
Public safety facilities	C	C	P	P	
Religious assembly	P	P	P	P	
Schools, public or private	P	P	P	P	
<b>Commercial Uses</b>					
Bed and breakfast inns	C	C	C	P	See § 1419-09
Business services	—	—	—	L6,7	
Convenience markets	—	<del>L16</del> 15	<del>L16</del> 15	L7	
Food markets	—	<del>L16</del> 15	<del>L16</del> 15	L7	
Funeral and interment services	—	—	—	L6	
Loft dwelling units	—	L14	L14	L14	See § 1419-23
Medical services and clinics	—	—	—	L6,7	
Offices	—	—	—	L6,7	
Parking facilities	—	C	C	C	See Chapter 1425

Personal instructional services	—	—	—	L6,7	
Personal services	—	—	—	L6,7	
<b>Recreation and entertainment</b>					
Indoor or small-scale	—	—	—	L6,7	
<b>Transportation, Communication and Utilities</b>					
Public utility distribution system	C	C	C	C	
<b>Transportation facilities</b>					
Railroad right-of-way	P	P	P	P	
Wireless communication antenna	L9	L9	L9	L9	See § 1419-33
Wireless communication tower	C	C	C	C	See § 1419-33
<b>Agriculture and Extractive Uses</b>					
Animal keeping	P	P	P	P	See Chapter 1422
Farms	P	P	P	P	See Chapter 1422
Gardens	P	P	P	p	See Chapter 1422
<b>Accessory Uses</b>					
Any accessory use not listed below	L8	L8	L8	L8	
Accessory dwelling unit	L1817	L1817	L1817	L1817	See § 1421-06
Home occupations	P	P	P	P	See § 1419-17
Commercial vehicle parking	L11	L11	L11	L11	
Day care center	L4, L1716	L4, L1716	L4, L1716	L4, L1716	
Rooming unit	L10	L10	L10	L10	
Transitional housing	L13	L13	L13	L13	
Commercial services	—	P	P	P	See § 1419-35, 1419-37
Refuse storage areas	P	P	P	P	See § 1421-35
Drive box	L12	L12	L12	L12	
Fences and walls	P	P	P	P	See § 1421-33
Exterior lighting	P	P	P	P	See § 1421-39
Portable storage containers	P	P	P	P	See § 1419-24
<b>Nonconforming Uses</b>					See Chapter 1447

*Specific Limitations*

- L1 The minimum lot area for every resident is 500 square feet and the minimum living area for every resident is 250 square feet.
- L2 Only rooming houses licensed pursuant to Chapter 855. Rooming Houses of the Municipal Code; the maximum number of rooming units is five, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-43.
- L3 Multi-family dwellings of four or more units must be legally established prior to the effective date of this Zoning Code. The use has the rights of Chapter 1447, Nonconforming Uses and Structures except for the provisions of §1447-09 Expansion of Nonconforming Use and §1447-11 Substitution of a Nonconforming Use.
- L4 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L5 Not to exceed 3,000 square feet in gross floor area.
- L6 Permitted only on arterial streets.
- L7 Permitted on the ground floor occupying less than 2,500 sq. ft.; more space requires a conditional use approval.
- L8 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L9 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public or public utility building or structure.
- L10 No more than two rooming units may be rented or leased in any dwelling.
- L11 One commercial vehicle completely enclosed in a garage may be parked or stored on the lot with the following exceptions:
  - a. An unlimited number of commercial vehicles conveying the necessary tools, materials and equipment to a premises where labor using such tools, materials and equipment is to be performed during actual time of parking.
  - b. One commercial vehicle with current license owned by a resident of the residential property on which it is stored or parked not to exceed two tons in capacity.
  - c. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.

- L12 Accessory to a public or semi-public use, provided the drive box is at least 100 feet from any property used for residential purposes.
- L13 Limited to transitional housing conforming to Paragraph 1401-03-T(c)(5) as an accessory use to public and semi-public uses. The use requires conditional use approval.
- L14 Limited to City Council designated Live/Work Districts.
- ~~L15 Attached single-family dwellings and Rowhouse single-family dwellings of four or more units require conditional use approval.~~
- L165 Permitted on the ground floor in multi-family buildings with a minimum of 50 dwelling units, occupying 1,200 square feet or less of gross floor area and having a separate exterior entrance: structures with less than 50 dwelling units require conditional use approval; food markets occupying more than 1,200 square feet of gross floor area require conditional use approval.
- L176 Permitted only if accessory to a public or semi-public use.
- L187 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

**§ 1405-07. Development Regulations.**

Schedule 1405-07 below prescribes the development regulations for the RM Districts, including lot area for every unit, minimum lot width, setbacks and maximum height. Figure 1405-07 illustrates the setbacks for the RM Districts. Where an overlay district applies, the provisions of that district take precedence if there is conflict with the standards of this Section.

**Schedule 1405-07 Development Regulations - Residential Multi-family Districts**

Building Form and Location	Lot Area (sq. ft.)	Lot Area/Unit (sq. ft.)	Lot width (ft.)	Setbacks (ft.)			Maximum Height (ft.)
				Front Yard	Side Yard Min./Total	Rear Yard	
RMX single-family	2,500	—	25	20	0/5	20	35
RMX rowhouse exterior	<del>2,500</del> 1,500	—	—	20	0/5	20	35
RMX rowhouse interior	<del>2,000</del> 1,500	—	—	20	0/0	20	35
RMX two-family	5,000	2,500	25	20	3/6	20	35
RMX three-family	7,500	2,500	25	20	3/6	20	35
RMX other			25	20	3/6	20	35

RM 2.0 single-family	2,000	—	25	20	0/5	20	35
RM 2.0 rowhouse exterior	<del>2,500</del> 1,500	—	—	20	0/5	20	35
RM 2.0 rowhouse interior	<del>2,000</del> 1,500	—	—	20	0/0	20	35
RM 2.0 two-family	4,000	2,000	25	20	3/6	20	35
RM 2.0 multi-family	—	2,000	—	20 <sup>1</sup>	5/17 <sup>3</sup>	35	45
RM 2.0 other			25	20 <sup>1</sup>	5/17 <sup>3</sup>	35	45
RM 1.2 single-family	2,000	—	25	20	0/5	20	35
RM 1.2 rowhouse exterior	<del>2,000</del> 1,500	—	—	20	0/5	20	35
RM 1.2 rowhouse interior	<del>1,500</del> 1,500	—	—	20	0/0	20	35
RM 1.2 two-family	2,400	1,200	25	20	3/6	20	35
RM 1.2 multi-family	—	1,200	—	20 <sup>2</sup>	5/17 <sup>3</sup>	30 <sup>2</sup>	-
RM 1.2 other				20 <sup>2</sup>	5/17 <sup>3</sup>	30 <sup>2</sup>	—
RM 0.7 single-family	2,000	—	25	5	0/5	20	35
RM 0.7 rowhouse exterior	<del>2,000</del> 1,500	—	—	5	0/5	20	35
RM 0.7 rowhouse interior	1,500	—	—	5	0/0	20	35
RM 0.7 two-family	2,000	700	25	5	0/5	20	35
RM 0.7 multi-family	—	700	—	5	0/5 <sup>4</sup>	25 <sup>2</sup>	—
RM 0.7 other				5	0/5 <sup>4</sup>	25 <sup>2</sup>	—
Regulations	RMX	RM 2.0	RM 1.2	RM 0.7	Additional Regulations		
<b>Vehicle Accommodation Driveways and Parking</b>							
Location of parking	Yes	Yes	Yes	Yes	See § 1425-17		
Parking lot landscaping	Yes	Yes	Yes	Yes	See § 1425-31		



Parking lot screening	Yes	Yes	Yes	Yes	See § 1425-29
Truck docks; loading and service areas	Yes	Yes	Yes	Yes	See § 1405-09
<b>Other Regulations</b>					
Buffering along district boundaries	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421				
General site standards	See Chapter 1421				
Landscaping and buffer yards	See Chapter 1423				
Nonconforming uses and structures	See Chapter 1447				
Off-street parking and loading	See Chapter 1425				
Signs	See Chapter 1427				
Additional development regulations	See Chapter 1419				

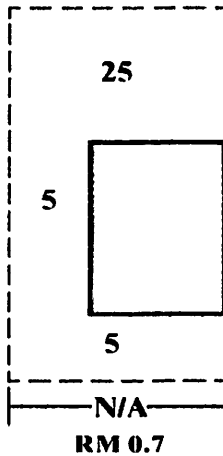
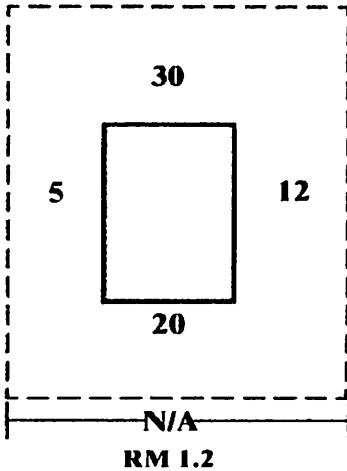
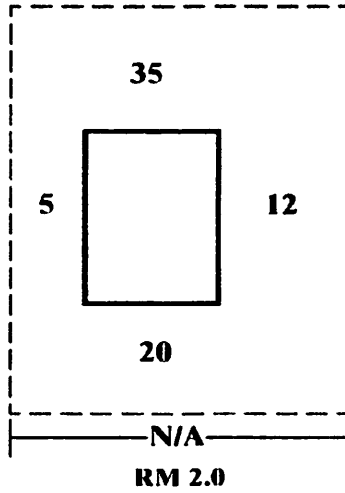
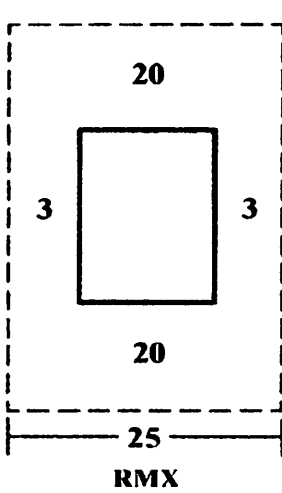


Figure 1405-07 Minimum Setbacks for Multi-Family Buildings 35 ft. in Height

**§ 1409-09. Development Regulations.**

Schedule 1409-09 prescribes the development regulations for Commercial Districts, maximum building height, minimum setbacks, driveways and parking and other standards that apply. Yes means regulations apply.

**Schedule 1409-09: Development Regulations - Commercial Districts**

Regulations	CN-P	CN-M	CC-P	CC-M	CC-A	CG-A	Additional Regulations
<b>Building Scale-Intensity of Use</b>							
Minimum Lot Area	0	0	0	0	0	0	
<b>Building Form and Location</b>							
Maximum building height (ft.)	50	50	85	85	85	85	
Minimum building height (ft.)	15	15	15	15	15	15	
Minimum front yard setbacks (ft.)	0	0	0	0	0	0	
Maximum front yard setbacks (ft.)	0	12	0	12	—	—	See § 1409-19
Building placement requirements	Yes	Yes	Yes	Yes	No	No	See § 1409-17 and § 1409-21
Ground floor transparency standards	Yes	Yes	Yes	Yes	No	No	See § 1409-23
<b>Vehicle Accommodation - Driveways and Parking</b>							
Driveway restrictions	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-11
Drive-through facilities	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-13 and 1419-13
Location of parking	Yes	Yes	Yes	Yes	No	No	See § 1409-25
Parking lot landscaping	Yes	Yes	Yes	Yes	Yes	Yes	See § 1425-29

Truck docks; loading and service areas	Yes	Yes	Yes	Yes	Yes	Yes	See § 1409-15
<b>Other Regulations</b>							
Buffering along district boundaries	Yes	Yes	Yes	Yes	Yes	Yes	See § 1423-13
Accessory structures	See Chapter 1421						
General site standards	See Chapter 1421						
Landscaping and buffer yards	See Chapter 1423						
Nonconforming structures	See Chapter 1447						
Parking and loading	See Chapter 1425						
Signs	See Chapter 1427						
Additional development regulations	See Chapter 1419						
<b>Residential Regulations</b>							
New residential only							
Lot area/unit (sq. ft.)	700	700	700	700	700	700	
Front yard setback	0	0	0	0	0	0	
Interior side yard setback	0	0	0	0	0	0	
Corner side yard setback	0	0	0	0	0	0	
Rear yard setback	<u>250</u>	<u>250</u>	<u>250</u>	250	<u>250</u>	<u>250</u>	
<b>Residential development in existing buildings</b>							
Lot area/unit (sq./ft.)	500	500	500	500	500	500	

**§ 1410-05. Land Use Regulations.**

Schedule 1410-05 below prescribes the land use regulations for the UM District. Use classifications are defined in Chapter 1401, Definitions. Use classifications not listed in Schedule 1410-05 below are prohibited.

The regulations are established by letter designations as follows:

- (a) “P” designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) “L” designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1410-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) “C” designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

**Schedule 1410-05: Use Regulations—Urban Mix District**

Use Classifications	UM	Additional Regulations
<b>Residential Uses</b>		
<b>Group Residential</b>		
Bed and breakfast home	P	See § 1419-09
Day care home - Adult	P	
Day care home - Type A	L2	
Day care home - Type B	L2	
Group residential		
Congregate housing	P	
Convents and monasteries	L7	
Fraternities, sororities, dormitories	L7	
Patient family homes	L7	
Rooming houses	L1	
Shared housing for the elderly	L7	
<b>Permanent Residential</b>		
Single-family dwelling	P	See § 1403-11
Attached single-family dwelling	P	See § 1403-11
Rowhouse, single-family dwelling	P	
Two-family dwelling	P	
Multi-family dwelling	P	
<b>Residential Care Facilities</b>		
Assisted living	P	
Developmental disability dwelling	P	
Nursing home	P	
Special Assistance Shelter	C	
<b>Transitional Housing</b>		
Programs 1—4	P	
Program 5, 6	—	
<b>Public and Semipublic Use</b>		
Clubs and lodges	P	
Colleges, Public or Private	P	

Community service facilities	C	
Cultural institutions	P	
Day Care Center	P	
<b>Government Facilities and Offices</b>		
Offices	P	
Hospitals	P	
Parks and recreation facilities	P	
Public maintenance Facilities	C	
Public safety facilities	P	
Religious assembly	P	
Schools, public or private	P	See § 1419-12
<b>Commercial Uses</b>		
Ambulance Services	C	
Animal Services	C	See § 1419-05
Banks and Financial Institutions	L9	See § 1419-13
ATM, Stand Alone	C	
Bed and breakfast inns	P	See § 1419-09
Building maintenance services	P	
Building material sales & services	L3	
Business services	P	
Commercial meeting facilities	C	
<b>Eating and Drinking Establishments</b>		
Convenience markets	L9	
Drinking establishments	P	See § 1419-21
Restaurants, Full Service	L9	See § 1419-21
Restaurants, Limited Service	L9	See § 1419-21
Food markets	L9	
Food preparation	P	
Funeral and interment services	P	
Garden supply stores & nurseries	C	
Hotels & commercial lodging	P	
Laboratories, commercial	L6	
Loft dwelling units	P	See § 1419-23
Maintenance & repair services	P	
Medical services and clinics	P	
Offices	P	
Parking facilities	C	See § 1425, § 1411-25
Personal instructional services	P	
Personal services	P	
<b>Recreation and Entertainment</b>		
Indoor or small scale	P	
Outdoor or large scale	C	
Retail sales	L6	

Vehicle & Equipment Services	L10	
Car wash	L10	See § 1419-11
Vehicle repair	L11	See § 1419-27
<b>Industrial Uses</b>		
Production industry		
Artisan	P	
General	C	
Limited	P	
Research & development	C	
Warehouse & Storage		
Contractor's storage	L3	
Indoor storage	P	
Wholesale & distribution	C	
<b>Transportation, Communication and Utilities</b>		
Communications facilities	C	
Public utility distribution system	L12	
Transportation Facilities		
Heliports	C	
Railroad right-of-way	P	
Transportation passenger terminals	C	
Wireless communication antenna	L4	See § 1419-33
Wireless communication tower	C	See § 1419-33
<b>Agriculture and Extractive Uses</b>		
Animal keeping	P	See Chapter 1422
Farms	C	See Chapter 1422
Gardens	P	See Chapter 1422
<b>Accessory Uses</b>		
Any accessory use not listed below	L5	
Accessory dwelling unit	L14	See § 1421-06
Commercial services	P	See § 1419-35, 37
Commercial vehicle parking	P	
Drive box	L13	
Exterior lighting	P	See § 1421-39
Fences and walls	P	See § 1421-33
Home occupations	P	See § 1419-17
Refuse storage areas	P	See § 1421-35
Rooming unit	L8	
Small scale specialized incinerator	—	
Transitional Housing	—	
Portable Storage Containers	P	See § 1419-24
<b>Nonconforming Uses</b>		See Chapter 1447

*Specific Limitations*

- L1 Only rooming houses licensed pursuant to Chapter 855. Rooming Houses of the Municipal Code; the maximum number of rooming units is five, and a separate entrance for access to rooming units must be provided. The minimum rental is seven days. See § 1421-43.
- L2 Fencing, a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear.
- L3 Permitted provided outdoor storage is screened so as not to be visible from adjacent streets.
- L4 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public and semi-public, public utility, a commercial or industrial building or structure.
- L5 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L6 Use is limited to 15,000 square feet.
- L7 A separate entrance for access to rooming units must be provided in a MIX-use building.
- L8 No more than two rooming units may be rented or leased in any dwelling.
- L9 Drive through facilities are not permitted.
- L10 Permitted as an accessory use located within a parking garage.
- L11 Permitted within a fully enclosed structure.
- L12 The facility must be underground, within a building or on the roof within an enclosure.
- L13 Accessory to a public or semi-public use provided that the drivebox is at least 100 feet from any property used for residential purposes.
- L14 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

**§ 1413-05. Land Use Regulations.**

Schedule 1413-05 below prescribes the land use regulations for M Manufacturing Districts. Use classifications are defined in Chapter 1401: Definitions. Use classifications not listed in Schedule 1413-05 are prohibited.

The regulations for each subdistrict are established by letter designations as follows:

- (a) "P" designates permitted uses. These uses may be subject to additional regulations as indicated.
- (b) "L" designates uses that are permitted, subject to certain limitations. Numeric suffixes refer to limitations listed at the bottom of Schedule 1413-05. Except as otherwise indicated, modifications of a numerical, locational or dimensional limitation requires a variance under Chapter 1445 - Variances, Special Exceptions and Conditional Uses.
- (c) "C" designates uses permitted only after review and approval of the conditional use by the Zoning Hearing Examiner. These uses may be subject to additional regulations as indicated.

**Schedule 1413-05: Use Regulations - Manufacturing Districts**

Use Classifications	MA	ML	MG	ME	Additional Regulations
<b>Residential Uses</b>					
Day care home—Adult	P	—	—		
Day care home—Type A	L9	—	—		
Day care home—Type B	L1	—	—		
<b>Group residential</b>					
Convents and monasteries	—	L1	—	—	
Fraternities and sororities	—	L1	—	—	
Patient family homes	—	L1	—	—	
Rooming houses	—	L1	—	—	
Shared housing for the elderly	P	L1	—	—	
<b>Permanent residential</b>					
Single-family dwelling	P	L1	—	—	
Attached single-family dwelling	P	L1	—	—	See § 1403-13
Two-family dwelling	—	L1	—	—	
Multi-family dwelling	—	L1	—	—	
<b>Residential care facilities</b>					
Developmental disability dwelling	P	P	—	—	
Special assistance shelter	—	C	—	—	
<b>Transitional housing</b>					
Programs 1—4	—	P	P	—	
Programs 5, 6	—	—	P	—	
<b>Public and Semipublic Uses</b>					



Community service facilities	P	P	—	—	
Day care center	P	P	L3	—	
<b>Government facilities and offices</b>					
Correctional institutions	—	—	C	—	
Facilities and installations	—	—	C	—	
Juvenile detention facilities	—	—	C	—	
Offices	P	P	P	—	
Park and recreation facilities	P	P	—	—	
Public maintenance facilities	—	P	P	—	
Public safety facilities	C	P	P	P	
Religious assembly	P	P	—	—	
Schools, public or private	P	P	—	—	See § 1419-12
<b>Commercial Uses</b>					
Ambulance services	—	P	P	—	
Animal service facilities	—	P	P	—	See § 1419-05
Banks and financial institutions	—	P	P	—	
Building maintenance services	—	P	P	—	
Building materials sales and services	—	P	P	P	
Business services	—	P	P	—	
<b>Eating and drinking establishments</b>					
Convenience markets	—	L5	L5	—	
Drinking establishments	—	P	P	—	
Restaurants, full service	—	P	P	—	See § 1419-21
Restaurants, limited	—	P	P	—	See § 1419-21
Food markets	—	L5	L5	—	
Food preparation	P	P	P	—	
Garden supply stores and nurseries	P	P	—	—	See § 1419-16
Laboratories, commercial	—	P	P	—	
Loft dwelling units	P	P	P	—	See § 1419-23
Maintenance and repair services	P	P	P	—	
Medical services and clinics	—	P	P	—	
Offices	P	P	P	P	
Parking facilities	—	P	P	C	See Chapter 1425
Personal instructional services	P	P	P	—	
Personal services	—	L5	L5	—	
Private vehicular storage lot	—	—	P	—	
<b>Recreation and entertainment</b>					
Indoor or small-scale	—	P	P	—	

Outdoor or large-scale	—	C	—	—	
Retail sales	—	L5	L5	—	
Sexually oriented business	—	—	P	—	See § 1419-25
Vehicle and equipment services					
Vehicle and equipment sales and rental	—	L2	L2	—	
Car wash	—	L3	P	—	See § 1419-11
Fuel sales	—	L3	P	—	See § 1419-15
Vehicle repair	—	—	P	—	See § 1419-27
Automobile holding facility	—	—	L4	—	
<b>Industrial Uses</b>					
Production industry					
Artisan	P	P	P	P	
General	—	—	P	P	
Intensive high-impact	—	—	C	C	See § 1419-19
Limited	P	P	P	P	
Research and development	P	P	P	—	
Warehousing and storage					
Contractor's storage	—	C	P	—	
Indoor storage	—	P	P	—	
Oil and gas storage	—	—	C	C	
Outdoor storage	—	—	C	C	
Metal waste salvage yard/junk yards	—	—	C	C	
Waste management					
Waste collection	—	P	P	P	See § 1419-31
Waste disposal	—	—	C	C	
Waste transfer	—	—	C	C	See § 1419-31
Wholesaling and distribution	P	P	P	P	
Transportation, communication and utilities					
Communications facilities	P	P	P	—	
Public utility distribution system	—	P	P	P	
Public utility maintenance yard	—	P	P	P	
Public utility plant	—	C	P	P	
Radio and television broadcast antenna	—	P	P	—	
Transportation facilities					
Airports	—	L6	—	—	
Heliports	—	L6	L6	L6	
Railroad train yards	—	L7	L7	L7	
Railroad right-of-way	—	P	P	P	

Transportation passenger terminals	—	P	P	P	
Truck terminal and warehouse	—	—	L7	L7	
Wireless communication antenna	L13	L8	L8	L8	
Wireless communication tower	—	C	C	C	
<b>Agriculture and Extractive Uses</b>					
Animal keeping	P	P	P	P	See Chapter 1422
Farms	P	P	P	P	See Chapter 1422
Gardens	P	P	P	P	See Chapter 1422
Mining and quarrying	—	—	C	C	
<b>Accessory Uses</b>					See Chapter 1421
Any accessory use not listed below	L10	L10	L10	L10	
Accessory dwelling unit	L17	L1, L17	—	—	See § 1421-06
Refuse storage area	L12	L12	L12	L12	See § 1421-35
Drive box	L11	L11	L11	L11	
Commercial vehicle parking	L14	P	P	P	
Exterior lighting	P	P	P	P	See § 1421-39
Composting facilities	P	—	—	—	See § 1421-37
Home occupation	P	—	—	—	See § 1419-17
Rooming unit	L15	—	—	—	
Retail Sales	L16	—	—	—	
Portable Storage Containers	P	P	P	P	See § 1419-24
<b>Nonconforming Uses</b>					See Chapter 1447

*Specific Limitations*

- L1 New residential is permitted only when abutting an existing residential use or structure.
- L2 Permitted on arterial street only. Vehicle loading and unloading must occur on-site.
- L3 Permitted only as an accessory use to a use allowed in the district.
- L4 The facility must be completely enclosed on all sides with a six foot screen fence which is protected from damage by a guardrail or other barriers approved by the Zoning Administrator. Must be located at least 100 feet from a residential district.
- L5 Permitted only if occupying less than 5,000 sq. ft. in ML and 10,000 sq. ft. in MG.
- L6 Landing strip, pad, or apron may not be located within 500 ft. of a residential district boundary.

- L7 Not allowed within 250 ft. of a residential use in a Residential District.
- L8 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to a multi-family, public or semi-public, public utility, a commercial or industrial building or structure.
- L9 Fencing a minimum of four feet in height must be provided for purposes of securing outdoor play areas which must be located in the rear yard only.
- L10 Accessory uses determined by the Zoning Administrator to be customarily incidental to a use of the district are permitted. All others require conditional use approval.
- L11 The storage space is less than 30 cubic yards; enclosed by a screen fence or within a structure; and at least 100 feet from any property used for residential purposes.
- L12 Provisions of § 1421-35 apply when refuse storage.
- L13 Antenna height may not exceed 20 feet; greater height requires a conditional use approval. The antenna may be attached to an agricultural, public or semi-public or public utility building or structure.
- L14 One commercial vehicle may be parked or stored on residential property with the following provisions:
  - a. Commercial vehicles with current license owned by a resident of the residential property on which it is stored or parked may not exceed two tons in capacity.
  - b. Recreational vehicles, watercraft and personal trailers may be parked on the lot beyond the front yard.
- L15 No more than two rooming units may be rented or leased in a single-family dwelling.
- L16 Retail sales of products manufactured or wholesaled on the premises, when incidental and subordinate to a principal permitted use, provided that the floor area devoted to such retailing shall not exceed 35 percent of the floor area devoted to such principal use, but in no case shall the retail floor area exceed 5,000 square feet.
- L17 Permitted only when subordinate and incidental to a single-family dwelling that is the principal use of the lot.

**§ 1417-05. Special Accessory Uses.**

The following uses are permitted or conditional accessory uses to colleges, hospitals, schools and commercial laboratories:

(a) *Permitted Accessory Uses:*

- (1) Dormitories, student residences, patient family homes, conference centers without guest lodging rooms, auditoriums, theaters, sports facilities, amphitheatres, book stores, nursing homes and day-care centers.
- (2) Automated teller machines, gift shops, florist shops, pharmacies, restaurants and similar uses; provided, that such uses must be conducted primarily for the convenience of the staff, students, patients, patrons and other invitees of the institution; ~~all the entrances to such accessory uses must be from within the building in which located;~~ such accessory uses may not occupy in the aggregate more than 25 percent of the gross floor area of the building in which located; and display of goods or advertising calling attention to the accessory use must not be visible from outside of the building.
- (3) Parking lots, decks and garages, provided that the location of all vehicular entrances and exits must first be approved by the Department of Transportation and Engineering.
- (4) Utility plants for the production, transmission and distribution of gas, electricity, steam or chilled water, serving institutional uses, provided that the plant may not be nuclear powered. Further, such plant may be erected on its own lot.
- (5) Small-scale specialized incinerator accessory to hospitals, clinics, medical laboratories, facilities for scientific research, development or testing, provided that the material incinerated is generated on-site and the incinerator is at least 100 feet from any property used for residential purposes.

(b) *Conditional Accessory Uses:*

- (1) Conference centers with guest lodging rooms.
- (2) Business and personal services listed in paragraph (a)(2) above not complying with the standards set forth in that paragraph.
- (3) Landing pads for helicopters.
- (4) Underground parking garages located in buffer yards.

- (5) Small-scale specialized incinerator accessory to hospitals, clinics, medical laboratories, facilities for scientific research, development or testing, provided that the material incinerated is generated on-site or by its operator at another site and the incinerator is located on a roof or is at least 100 feet from any property used for residential purposes.

**§ 1417-15. Sign Standards for Uses in the I-R District.**

Signs in the I-R must comply with the following:

- (a) *Internal Signs.* The following permitted signs, not intended for view from beyond the premises of the institution, are subject to the following standards:

- (1) *Ground Signs.*

- (A) Maximum Area Per Sign Face: 24 square feet
- (B) Maximum Number of Sign Faces: 2
- (C) Maximum Number: One per building
- (D) Maximum Sign Height: 6 feet
- (E) Maximum Sign Width: 12 feet
- (F) Minimum Sign Setback: N/A
- (G) Illumination Permitted: External or internal

- (2) *Wall Signs Indicating the Name of the Institution and Other Information.*

- (A) Maximum Area Per Sign Face: 24 square feet
- (B) Maximum Number of Sign Faces: 1
- (C) Maximum Number: Two per building
- (D) Maximum Sign Height: 20 feet above the average grade of the wall
- (E) Maximum Sign Width: None
- (F) Minimum Sign Setback: None
- (G) Illumination Permitted: External or Internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting.

- (3) *Marquee, Canopy, or Awning Signs.*

- (A) Maximum Area Per Sign Face: 24 square feet
- (B) Maximum Number of Sign Faces: 1
- (C) Maximum Number: One per building
- (D) Maximum Sign Height: None
- (E) Maximum Sign Width: None
- (F) Minimum Sign Setback: None
- (G) Illumination Permitted: External or internal

- (4) *Ground or Wall Signs Directing the Way to Hospital Emergency Facilities.*
- (A) Maximum Area Per Sign Face: 20 square feet
  - (B) Maximum Number of Sign Faces: 2
  - (C) Maximum Number: Two per building
  - (D) Maximum Sign Height: None
  - (E) Maximum Sign Width: None
  - (F) Minimum Sign Setback: None
  - (G) Illumination: External or Internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting.
- (5) *Changeable Copy Signs may be Erected as a Ground or Wall Sign only and Must Comply with the Following:*
- (A) Maximum Area Per Sign Face: 24 square feet
  - (B) Maximum Number of Sign Faces: 2
  - (C) Maximum Number: 1 per building
  - (D) Maximum Sign Height:  
Ground Sign: 6 feet  
Wall Signs: 20 feet above the average grade of the wall
  - (E) Maximum Sign Width: None
  - (F) Minimum Sign Setback: None
  - (G) Illumination Permitted: External or internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting.
- (6) *Instructional Signs may be Erected as Ground or Wall Signs Only and Must Comply with the Following:*
- (A) Maximum Area Per Sign Face: 12 square feet
  - (B) Maximum Number of Sign Faces: 2
  - (C) Maximum Number: 6 per building
  - (D) Maximum Sign Height: 6 feet
  - (E) Maximum Sign Width: None
  - (F) Minimum Sign Setback: None
  - (G) Illumination Permitted: External or internal. If internally illuminated, the background of the sign shall be opaque and the letters light emitting
- (b) *External Signs.* The following permitted signs, that are intended to be seen from beyond the premises of the institution ~~and are located within 200 feet of an SF or RM District,~~ are subject to the following standards:
- (1) *Ground Signs indicating the name of the institution and other information:*
    - (A) Maximum Area per Sign Face: 72 square feet
    - (B) Maximum Number of Faces: Two

- (C) Maximum Number: One for every public street frontage on the perimeter of the institution.
  - (D) Maximum Sign Height: 16 feet
  - (E) Maximum Letter Height: N/A
  - (F) Maximum Sign Width: N/A
  - (G) Maximum Sign Setback: Twice the sign height
  - (H) Illumination Permitted: External or internal. If internally illuminated, the background of the sign must be opaque and the letters light emitting.
- (2) *Wall Signs indicating the name of the institution and other information:*
- (A) Maximum Area Per Sign Face: One-half square feet for each foot of wall width, not to exceed 50 square feet
  - (B) Maximum Number of Sign Faces: 1
  - (C) Maximum Number: One per building.
  - (D) Maximum Sign Height: 20 feet above the average grade of the wall.
  - (E) Maximum Sign Width: N/A
  - (F) Minimum Sign Setback: N/A
  - (G) Illumination Permitted: External or internal
- (c) *Building Identification Signs.* Building identification signs that are intended to be seen from beyond the site must be erected as wall signs and meet the following standards:
- (1) Maximum Display Area: 250 square feet for every sign face.
  - (2) Placement: Within 20 feet of the top of the wall and shall not project above the roof line. (See Chapter 1427 Sign Regulations.)
  - (3) Maximum Number On a Single Building: One per external wall and a maximum of four per building.
  - (4) Maximum Number for Each IR Campus: 4

**§ 1419-21. - Limited or Full Service Restaurants and Drinking Establishments.**

Outdoor areas of limited or full service restaurants and drinking establishments must be located, developed and operated in compliance with the following:

- (a) Residential District Boundary Line. For the purposes of this section the term residential district boundary line shall mean the district boundary line of the SF-20, SF-10, SF-6, SF-4, SF-2, RMX, RM-2.0, RM-1.2, and RM-0.7 districts.
- (b) Location. Outdoor areas on any public sidewalk or alley requires a revocable street privilege. Any outdoor area located within 100 feet of a



residential district boundary line may not exceed 50 percent of the indoor area accessible to the public. Additional outdoor area requires conditional use approval pursuant to the procedures and criteria of Chapter 1445, Variances, Special Exceptions and Conditional Uses.

~~(e)~~ ~~Maximum Size. Within 500 feet of a residential district boundary line, the outdoor area may not exceed 50 percent of the indoor area accessible to the public. Additional area requires conditional use approval pursuant to the procedures and criteria of Chapter 1445, Variances, Special Exceptions and Conditional Uses.~~

~~(d)~~(c) Barriers. Decorative walls or fencing must enclose an outdoor area.

~~(e)~~(d) Entertainment. Within 500 feet of a residential district boundary line, entertainment, including the use of audio/visual equipment or amplified sound is prohibited unless conditional use approval is obtained pursuant to the procedures and criteria of Chapter 1445, Variances, Special Exceptions and Conditional Uses.

~~(f)~~(e) Fixtures. Furniture and fixtures provided for use in an outdoor area may consist only of movable tables, chairs, umbrellas, planters, lights and heaters. Lighting fixtures may be permanently affixed onto the exterior of the building. All movable furniture and fixtures must be removed during the off-season.

~~(g)~~(f) Hours of Operation. Within 100 feet of a residential district boundary line the use of outdoor areas is prohibited between Midnight and 7 AM on Friday and Saturday and 10 PM and 7 AM on all other days, unless conditional use approval is obtained pursuant to the procedures and criteria of Chapter 1445, Variances, Special Exceptions and Conditional Uses. In all other locations, the use of outdoor areas shall be prohibited after 2 AM.

~~(h)~~(g) Breweries and Wineries. Beer and wine production accessory to a limited or full service restaurant is limited to an area that may not exceed 10,000 sq. ft and may not produce any objectionable odor, dust or fumes.

~~(i)~~(h) Required Buffer Yards. Where any side or rear yard of the permitted use abuts a residential district boundary line, a 10 foot buffer area ensuring visual and sonic separation shall be provided pursuant to Chapter 1423-03, Landscaping Plan.

~~(j)~~(i) Parking Requirements for Outdoor Areas. Off-street parking spaces must be made permanently available to the use served. For parking requirements for outdoor areas of eating and drinking establishments see § 1425-19-A: Off-street Parking and Loading Requirements.

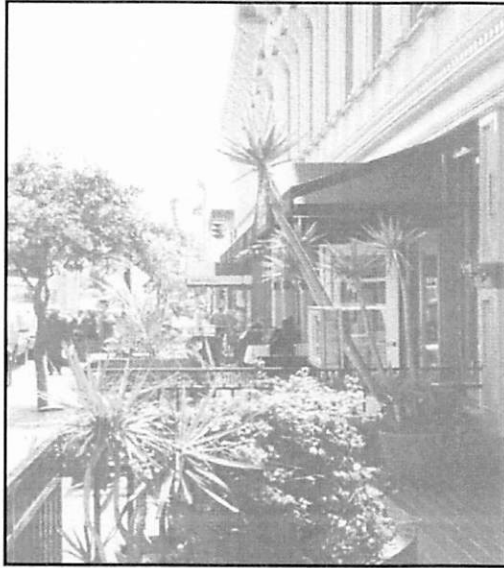


Figure 1419-19(h) Outdoor Eating Area Example

(k)(j) Outdoor areas within Outdoor Refreshment Areas established pursuant to Chapter 838 are permitted with the following conditions:

- (1) The hours of operation of the outdoor area may not exceed the hours of operation of the Outdoor Refreshment Area in which it is located unless conditional use approval is obtained pursuant to the procedures and criteria of Chapter 1445, Variances, Special Exceptions and Conditional Uses, and
- (2) Section 1419-21(a)-(c) and (e)-(h) do not apply to Outdoor Refreshment Areas.

**§ 1421-07. Building Projections Into Yards.**

The standards for building projections into setback areas are prescribed in Schedule 1421-07 below.

**Schedule 1421-07: Maximum Projections Allowed Into Yards (Feet)**

Physical Element	Front Yard	Side Yard	Rear Yard
Cornices, sills, belt courses, eaves, and other ornamental features	2.5	2.5	2.5
Fire escapes	4.5	4.5	4.5
Uncovered stairways and necessary landings not extending above building entrance floor	4.5	4.5	4.5
<del>Bay windows</del> Projecting bays, fireplaces and chimneys that are	3.0	3.0	3.0

<u>cumulatively</u> of less than 1/3 the length of the building wall			
<del>Terraces and</del> <u>Uncovered</u> <del>porches</del> decks not more than three feet above the floor level of the ground story	2.5	2.5	2.5
Porte-cocheres and canopies	2.5	2.5	2.5
Balconies into yards of less than 20 feet in SF or RM Districts in aggregate less than 1/3 the length of the building wall	3	3	3
Balconies into yards of more than 20 feet in SF or RM districts in aggregate less than 1/3 the length of the building wall	6	6	6
In all other districts other than residential, balconies no closer to any lot line than 20 feet or 1/3 of the required yard space at the top story, whichever is less	8	8	8
Air conditioners, compressors and similar noise emitting devices <del>in districts other than residential</del>	—	— <u>Anywhere</u> <sup>1</sup>	Anywhere <sup>1</sup>
Power generating equipment	—	—	Anywhere <sup>1</sup>
Access ramps, excluding handrails, not extending above the floor level of the ground story	Anywhere	Anywhere	Anywhere <sup>1</sup>

<sup>1</sup> Except within required buffer yard.

**§ 1421-19. - Exceptions to Height Limits.**

Height limits do not apply to farm buildings and structures, railings with transparency of 50% or greater, flush-mounted solar panels, and access elevators and stair towers with a total footprint of 200 square feet or less, spires, belfries, cupolas, domes, false mansards, monuments, water towers, fire and hose towers, transmission towers, windmills, chimneys, smoke stacks, flag poles, radio and television towers, masts, aerials, parabolic satellite receivers, microwave transmitters and receivers used in connection with radio and television broadcasting, unless subject to specific regulations by other provisions of the Cincinnati Zoning Code.

**§ 1425-03. Requirements for Off-Street Parking and Loading.**

Off-street parking and loading spaces must be provided for uses that are established, enlarged, extended or moved onto any lot in accordance with the standards in Section 1425-19 ~~after the effective date of these zoning regulations, or of a subsequent rezoning or other amendment establishing or increasing parking or loading requirements for the uses,~~ except within an Urban Parking Overlay District established according to Section 1425-04. ~~When an expanded use results~~

~~in an increase of more than ten percent in the number of currently required parking spaces,~~  
Additional parking must be provided for the additional space based on the standards of this chapter when the expansion of an existing use results in an increase of more than ten percent in the number of currently required parking spaces. Off-street parking and loading requirements for uses in the DD Districts are subject to the provisions of Chapter 1411, Downtown Development Districts.

#### **§ 1425-04. Urban Parking Overlay Districts.**

City Council may establish Urban Parking Overlay Districts within which the provisions of Sections 1410-09(a), 1411-23, 1425-03, 1425-05, 1425-07, 1425-09, 1425-11, 1425-13, 1425-17, 1425-19, 1425-21, and 1425-23 of the Zoning Code do not apply.

#### **§ 1425-19. Off-Street Parking and Loading Requirements.**

- (a) When required, off-street parking and loading requirements spaces must be provided in accordance with Schedules 1425-19-A and 1425-19-B and made available to the use giving rise to the requirement. Unless a use is specifically noted under the appropriate use classification heading, the parking and loading requirements apply uniformly to all uses within a use classification. Off-street parking and loading requirements for uses in the DD Districts are subject to the provisions of Chapter 1411, Downtown Development Districts.
- (b) Off-street parking and loading facilities must be made permanently available to the use served. Where the use is undetermined or the parking requirement is not established in Schedule 1425-19-A, the Zoning Administrator ~~must~~may determine the probable use and number of spaces required.
- (c) An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.
- (d) Commercial uses located in certain Commercial, Office, and Manufacturing zoning districts are entitled to an exemption from the parking requirements as follows:
  - (1) *Commercial Uses in the CN-P and CC-P Zoning Districts.* The first 2,000 square feet of gross floor area of existing and new commercial uses are exempted from the off-street parking requirements.
  - (2) *Commercial Uses in the CN-M, CC-M, OL, OG, IR, RF-C and ML Zoning Districts.* The first 2,000 square feet of gross floor area of existing commercial uses in existing buildings are exempted from the off-street parking requirements. ~~New~~eCommercial uses in new buildings are not exempted from the parking requirements.

(e) ~~Commercial Uses in the CC-A, CG-A, MG and RF-M Zoning Districts. Commercial uses are not exempted from the parking requirements.~~

**Schedule 1425-19-A: Off-Street Parking and Loading Requirements**

Use Classifications	Required Parking (Sq. Ft. of Floor Area)	Loading User Group
<b>Residential Uses</b>		
Bed and breakfast home	2 for every dwelling, plus 1 for every guest room	
Child day care home	No additional spaces required	
Group residential	1 for every 2 residents	
<b>Permanent residential</b>		
<b>Single-family</b>		
<del>SF 4, SF 6, SF 10, SF 20</del> <u>Single-family, Two-family, and Multi-family</u>	2 <del>1</del> for every unit	
<del>SF 2, RM, O, C, M, UM, RF R and IR</del>	1 for every unit	
<del>Attached single family</del>	1 for every unit	
<del>Rowhouse single family</del>	1 for every unit	
<del>Two family</del>	1 for every unit	
<del>Multi family</del>		
<del>RMX, RM2.0, RM1.2, OL</del>	1.5 for every unit	
<del>RM0.7, OG, C, UM, M, RF R and IR</del>	1 for every unit	
<b>Residential care facilities</b>		
Assisted living	1 for every 4 residents	
Developmental disability dwelling	1 for every 4 residents	
Nursing home	1 for every 4 residents	
Special assistance shelters	1 for every 3 employees plus 1 for every facility vehicle	
Transitional housing	1 for every facility plus 1 for every 8 beds	
<b>Public and Semi Public Uses</b>		
Cemeteries	None	
Day care center	2 for every facility, plus 1 for every 8 clients	
Clubs and lodges	1 for every 100 sq. ft.	3
Colleges, public or private	1 for every 3 auditorium seats plus 1 for every 5 classroom seats	3
Community service facilities	1 for every 100 sq. ft.	
Cultural institutions	1 for every 500 sq. ft. or 1 for every 8 seats, whichever is greater	3
<b>Government facilities and offices</b>		
Facilities and installations	1 for every 1,000 sq. ft.	1

Food preparation	1 for every 750 sq. ft.	
Funeral and interment services	1 for every 50 sq. ft. used for assembly	
Garden supply stores and nurseries	1 for every 400 sq. ft.	
Hotels and commercial lodging	1 for every guest room	3
Loft dwelling units	1 for every unit	
Laboratories, commercial	1 for every 250 sq. ft.	
Maintenance and repair services	1 for every 400 sq. ft.	
Medical services and clinics	1 for every 150 sq. ft.	
Offices	1 for every 400 sq. ft.	2
Personal services	1 for every 250 sq. ft.	
Personal instructional services	1 for every 250 sq. ft.	
<b>Recreation and entertainment</b>		
<b>Indoor and small scale</b>		
Fitness centers, gyms, handball, racquetball or tennis clubs, ice or roller rinks, miniature golf courses	1 for every 350 sq. ft.	
Billiard parlors, poolrooms	1 for every 250 sq. ft.	
Bingo parlors, amusement arcades	1 for every 150 sq. ft.	
Movie theater (three or less screens)	1 for every 5 seats	
Bowling centers	5 for every bowling lane	
<b>Outdoor or large scale</b>		
Sports stadiums and arenas, movie theaters (4 or more screens), racetracks	1 for every 5 seats	
Amusement and theme parks, driving ranges, swimming or wave pools, entertainment complexes, drive-in theaters, archery or shooting ranges, riding stables, campgrounds	1 for every 1,000 sq. ft.	
Retail sales	1 for every 250 sq. ft.	1
Sexually oriented business	1 for every 250 sq. ft.	
<b>Vehicle and equipment services</b>		
Vehicle and equipment sales and rental	1 for every 400 sq. ft. of office sales or rental area	
Car wash	See § 1419-11	
Fuel sales	None	
Vehicle repair	2 for every service bay or 1 for every 250 sq. ft., whichever is greater	
Automobile holding facilities	None	
<b>Industrial Uses</b>		
Production industry	1 for every 1,000 sq. ft.	4
Research and development	1 for every 750 sq. ft.	2
Warehousing and storage		

Contractor's storage	1 for every 1,000 sq. ft.	
Indoor storage	4 spaces	
Waste management	1 for every 1,000 sq. ft.	
Wholesaling and distribution	1 for every 1,000 sq. ft.	4
<b>Transportation, Communication and Utilities Uses</b>		
Communications facilities	1 for every 600 sq. ft. plus 1 for every 3 auditorium seats	2
Public utility distribution system	1 for every 1,000 sq. ft.	
Public utility maintenance yard	1 for every 1,000 sq. ft.	
Public utility plant	1 for every 1,000 sq. ft.	
Public vehicle operations and service	1 for every employee plus 1 for every taxi and/or limousine	
<b>Transportation facilities</b>		
Airports	1 for every 250 sq. ft of terminal building	1
Heliports	None	
Railroad train yards	None	
Railroad right-of-way	None	
Transportation passenger terminals	1 for every 2,000 sq. ft.	
Truck terminal and warehouse	0—100,000 sq. ft: 1 for every 2,000 feet	4
	Over 100,000: 1 for every 4,000 sq. ft. over 100,000 sq. ft.	4
<b>Watercraft and riverfront facilities</b>		
Barge terminals	1 for every 2,000 sq. ft.	
Boat and ship yards	1 for every 2,000 sq. ft.	
Commercial piers and ports	1 for every 2,000 sq. ft.	
Marinas	1 for every two berths	
Marine sales and services	1 for every 400 sq. ft.	
<b>Agriculture and Extractive Uses</b>		
Farming	1 for every site	
Mining and quarrying	1 for every 1,000 sq. ft.	

**Schedule 1425-19-B: Loading User Group Classification**

Group	Requirement
<b>Group 1</b>	
0—9,999 sq. ft.	No spaces required
10,000—24,999 sq. ft.	1 space
25,000—49,999 sq. ft.	2 spaces
50,000—99,999 sq. ft.	3 spaces
100,000 sq. ft. or more	1 additional space for each 100,000 sq. ft. in excess of 100,000 sq. ft.

<b>Group 2</b>	
0—29,999 sq. ft.	No spaces required
30,000—99,999 sq. ft.	1 space
100,000—499,000 sq. ft.	1 additional space for every 100,000
500,000 sq. ft. or more	1 additional space for every 500,000
<b>Group 3</b>	
0—9,999 sq. ft.	No spaces required
10,000—99,999 sq. ft.	1 space
100,000 sq. ft. or more	1 additional space for each 100,000 sq. ft.
<b>Group 4</b>	
0—4,999 sq. ft.	No spaces required
5,000—39,999 sq. ft.	1 space
40,000—99,999 sq. ft.	2 spaces
100,000 sq. ft. or more	1 additional space for each 100,000 in excess of 100,000

**§ 1425-23. Reduced Parking.**

The Zoning Administrator may grant a reduction in the number of spaces to less than that specified in Schedule 1425-19-A for theis permitted under the following conditions:

- (a) *Proximity to Public Parking Facilities.* In the O, C, UM, and M Districts, where a use is located within ~~600~~1300 feet of a public parking facility, either publicly or privately owned and operated, as measured along paved sidewalks or walkways that provide access to both sites, and the facility could provide ~~50~~fifty percent or more of the parking spaces required for the use, the director may approve a parking requirements for the use shall be reduced by 50~~the director may approve a parking requirements for the use shall be reduced by 50~~ percent ~~reduction in the parking requirements for the use~~. If the reduced requirement results in fewer than five spaces being required, no spaces need be provided.
- (b) *Multiple Uses on a Single Development Site.* The maximum allowable reduction in the number of spaces to be provided may not exceed 15 percent of the sum of the number required for each individual use served and not less than the largest amount required for any of the uses computed separately. A covenant in a form satisfactory to the City Solicitor must be filed with the Zoning Administrator in which the owner or owners of property comprising the site agree to participate in the shared parking program. The covenant must include the following:
  - (1) An agreement that there will be no substantial alteration in the uses that will create a greater demand for parking.
  - (2) An agreement among the landowners for access to and use of the shared parking spaces.
- (c) *Housing for the Elderly and Persons with Disabilities.* The parking requirements for Type A dwelling units is one parking space for every two units, provided that



the owner files with the Zoning Administrator, a covenant that reserves those units for the exclusive use of the elderly and persons with disabilities. "Type A dwelling unit" means an accessible dwelling unit complying with Section 1002 of the American National Standard ICC/ANSI A117.1-1998. "Exclusive use of the elderly and persons with disabilities" means that at least one member of the household occupying the dwelling unit is 60 years of age or older or has a physical or mental impairment that substantially limits one or more major life activities, including the functions of caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working; a record of a physical or mental impairment; or being regarded as having a physical or mental impairment.

- (d) Proximity to Streetcar. The parking requirements for residential uses in SF, RM, RF-R, and UM Districts are reduced by fifty percent if, where a residential uses is located within 600 feet of a streetcar stop, the Zoning Administrator may grant a fifty percent reduction in the number of required parking spaces. If the effect of the 50% fifty percent reduction means that fewer than three spaces are required, then no spaces need be provided.
- (e) On-Street Parking. Required off-street parking spaces shall be reduced in an amount equal to the number of on-street parking spaces located adjacent to the property line on the same side of the street. An on-street parking space used to comply with the requirement of this Section must be 20 feet in length, as measured perpendicularly to parallel straight lines.

#### § 1425-29. Surface Parking Lot Landscaping.

~~One tree, two inches or more in caliper, must be planted for every ten parking spaces.~~

- ~~(a) Perimeter Landscaping. Parking lots must provide a perimeter landscape area of at least three feet in width.~~
- ~~(b) Ground Cover. Ground cover must be installed appropriate to the surface conditions of the area. Grass is the default landscaping material.~~
- ~~(c) Lighting and Walkways. Lighting fixtures and walkways are permitted within all islands and perimeter areas.~~
- ~~(d) Maintenance. All required planting must be permanently maintained in good growing condition and replaced with new plant materials when necessary to ensure continued compliance with applicable landscaping requirements.~~

Surface parking lots shall comply with the minimum landscaping and design requirements set forth below.

- (a) General Landscaping Requirements.

1. Perimeter Landscaping. Surface parking lots shall provide a landscape buffer area separating the parking facility from adjoining streets. The buffer area shall be located within a six-inch-high, poured-in-place concrete curb, landscaped with plant material, and measure at least eight feet in width in CC-A and CG-A zoning districts and five feet in width in all other zoning districts. The buffer area shall not be paved except for approved walkways, bikeways, driveways, and other approved amenities or site elements. A perimeter landscape area of at least three feet in width is required for perimeter areas not adjoining streets.
2. Trees. Surface parking lots shall provide at least one tree per ten parking spaces, including one canopy tree per 25 linear feet dispersed throughout the entirety of the perimeter landscape buffer area.

All trees shall have a minimum size at the time of planting as follows:

- (d) Two-inch caliper for a deciduous tree;
- (e) Four-foot height for a conifer or evergreen tree.

3. Ground Cover. Ground cover shall be installed appropriate to the surface conditions of the area. Grass is the default landscaping material.
4. Lighting and Walkways. Lighting fixtures and walkways are permitted within all islands and perimeter areas.
5. Maintenance. All required plantings must be permanently maintained in good growing condition and replaced with new plant materials when necessary to ensure continued compliance with applicable landscaping requirements.

(b) Facilities Larger than One-Quarter Acre. Surface parking lots larger than one-quarter acre (i.e., 10,890 square feet) shall conform to the following additional standards:

- (1) No parking area within a surface parking lot shall exceed one-quarter acre (i.e., 10,890 square feet) in size. To conform to this requirement, larger parking areas shall be divided into smaller parking areas by one or more landscape islands or peninsulas contained within and dispersed throughout the interior of the parking lot.
- (2) Interior landscaped islands and peninsulas shall contain plant material and plant-based ground cover within six-inch-high, poured-in-place concrete curbs, and at least one of every four trees required by subsection (a)(2) shall be located within the interior landscaped islands and peninsulas.

- (3) Landscaped islands and peninsulas need not be uniformly spaced but shall provide a minimum separation of 15 feet between smaller parking areas.
- (c) Existing Surface Parking Lots. Surface parking lots established prior to the effective date of this zoning amendment must comply with the requirements of this section upon demolition of a principal structure for which the lot served as an accessory use or the redevelopment or expansion of existing site ground coverage (including buildings, accessory uses or structures, parking and outdoor storage areas) of thirty percent or more.

**§ 1429-05. Basic Requirements.**

PD Districts and development within PD Districts must comply with the following:

- (a) *Minimum Area.* The minimum area of a PD District is ~~two~~1.5 contiguous acres. Council may approve a PD District that contains less than the minimum acreage required for an area on an affirmative recommendation of the City Planning Commission, finding that special site characteristics exist and the proposed land uses justify development of the property as a PD.
- (b) *Ownership.* Evidence that the applicant has sufficient control over the tract of land to effect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.
- (c) *Multiple Buildings on a Lot.* More than one building is permitted on a lot.
- (d) *Historic Landmarks and Districts.* Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district or involving a historic structure, the Historic Conservation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.
- (e) *Hillside Overlay Districts.* Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.
- (f) *Urban Design Overlay Districts.* Whenever a Planned Development Urban Design Overlay application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.

**§ 1429-17. Appeals.**

The City Planning Commission's approval or denial of a request for renewal, revision or approval of a final development plan is subject to appeal to the Hamilton County Court of Common Pleas in the manner provided by law ~~Zoning Board of Appeals pursuant to § 1449-03 and § 1449-09.~~

## § 1431-21. Appeals.

Any adversely affected person may appeal a decision of the City Planning Commission made pursuant to this chapter to the Hamilton County Court of Common Pleas in the manner provided by law. ~~to Council pursuant to the provisions of § 111.3, Appeals to Council, of the Municipal Code. The notice of appeal must be filed with the Clerk of Council within 30 days of the mailing of the City Planning Commission's decision to the applicant. Those "adversely affected" include the applicant or any other person, organization or association, who appeared before the City Planning Commission personally, by representative or in writing and expressed a position contrary to the decision of the City Planning Commission.~~

## § 1435-05-01. Applicability.

Except as otherwise provided in sSection 1435-11 and Section 1435-05-07 below, all regulations of the underlying zone districts and other applicable overlay districts apply to and control property in a Historic District or for a Historic Asset; provided, however, that in the case of conflict between the provisions of the underlying zone district, other applicable overlay districts, and the regulations of Chapter 1435, the provisions of this Chapter 1435 shall govern.

## § 1447-05. Nonconforming Structures.

A nonconforming structure may not be moved, expanded or altered, except in the manner provided in this section or unless required by law.

- (a) ~~*Repair, Maintenance, and Alterations and Expansion.*~~ A nonconforming structure may be repaired, maintained, or altered or enlarged; provided, however, that no such repair, maintenance, or alteration or expansion shall either create any new nonconformity or increase the degree of the existing nonconformity of all or any part of such structure without having first obtained a variance pursuant to Chapter 1445.
- (b) *Expansion.* A nonconforming structure may be expanded subject to the following standards:
  1. The expansion will not create a new nonconformity or increase the degree of an existing nonconformity unless a variance is obtained pursuant to Chapter 1445; or
  2. The expansion extends an existing legal non-conforming side yard setback and all of the following conditions are met:
    - i. The expansion is a single-story, ground-level addition.
    - ii. The expansion complies with rear yard setback requirements.

- iii. The expansion continues along the same plane of the existing wall and does not narrow the existing side yard setback.
  - iv. The overall building depth does not exceed 60 feet prior to or after the expansion; and
  - v. The expansion has a minimum side yard setback of five feet.
- (c) *Moving.* A nonconforming structure, including nonconforming signs, may not be moved, in whole or in part, for any distance whatsoever, to any other location on the same lot or to any other lot unless the entire structure conforms to the regulations of the zoning district in which it is located after being moved.
- (d) *Decks and Porches.* A legal non-conforming deck or porch may be reconstructed in the same footprint, height, and opacity provided that no such reconstruction increases the degree of the nonconformity without having first obtained a variance pursuant to Chapter 1445.

**§ 1449-01. Purpose and Authority.**

The purpose of this chapter is to establish the process for hearing and deciding on appeals of decisions made under this Code and the Land Development Code. The Zoning Board of Appeals has the duty to hear all appeals arising out of the Cincinnati Zoning Code and the Land Development Code except where appeal to a different forum is expressly provided, including decisions of the Historic Conservation Board pertaining to the grant or denial of a Certificate of Appropriateness.

~~(a) — Appeals to Council. Council has the duty to hear appeals:~~

~~(1) — Arising out of the use of property owned or operated by the State of Ohio, Hamilton County, the City of Cincinnati, the Board of Education of the City School District of the City of Cincinnati, the University of Cincinnati, or any agency of the state or its political subdivisions.~~

~~(2) — Arising out of the grant or denial of any permit for the use of property as a correctional facility or as a community correctional facility.~~

~~Appeals to Council are conducted as provided by Section 111-3 of the Cincinnati Municipal Code.~~

~~(e) — Appeals to the Zoning Board of Appeals. The Zoning Board of Appeals has the duty to hear all appeals arising out of the Cincinnati Zoning Code and the Land Development Code unless otherwise provided, including decisions of the Historic Board pertaining to the grant or denial of a Certificate of Appropriateness.~~

**§ 1449-13. Procedures for Appeals from Decisions of the Zoning Administrator, the Director of Buildings and Inspections or the City Planning Commission.**

The following procedures apply to appeals to the Zoning Board of Appeals from decisions of the Zoning Administrator, the Director of Buildings and Inspections or the City Planning Commission:

- (a) *Application.* The application procedure for appeals is as follows:
  - (1) A person with standing as specified in § 1449-09, Appeals to the Zoning Board of Appeals, must file a notice of appeal on forms prepared and supplied by the staff for the Board.
  - (2) All appeals must be accompanied by materials specified on the application form.
  - (3) The Zoning Board of Appeals is authorized to grant all additional forms of relief the Zoning Hearing Examiner is authorized to grant (e.g., variance, conditional use, special exceptions, etc.) in considering an application.
- (b) *Remand.* The board may remand a matter to the director in order to cure a deficiency in the record or the proceedings below.
- (c) *Hearing.* At the hearing the appellant and any affected person have the right to:
  - (1) Present their positions, arguments and contentions.
  - (2) Offer and examine witnesses and present evidence in support of positions, arguments and contentions.
  - (3) Cross-examine witnesses purporting to refute their position, arguments and contentions. The board may limit the right of cross-examination to persons represented by counsel.
  - (4) Offer evidence to refute evidence and testimony offered in opposition to their position, arguments and contentions.
- (d) *Decision.* The board has the duty to enter a decision in accordance with § 1449-17, Decision.

1703-2.40 T3 Estate (T3E)

**B. Sub-Zone(s)**

n/a

T3E-Parking Zone (T3E-P)

The parking sub-zone provides for the same building form.

however, the minimum parking requirements established in Section 1703-2.40 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.40 T3 Estate (T3E)**

**C. Allowed Building Types**

Building Type	LOT		Standards
	Width (A)	Depth (B)	
Carriage House	n/a	n/a	1703-3.40
Detached House: Medium	50' min.; 100' max.	100' min.	1703-3.50
Multi-plex: Small	50' min.; 100' max.	100' min.	1703-3.100

Multi-plex: Small 4-dwelling units max. allowed.

**1703-2.40 T3 Estate (T3E)**

**F. Parking**

**Required Spaces**

Residential Uses

Dwellings	1 per unit min.
<u>&lt;10 dwelling units</u>	<u>No min.</u>
<u>&gt;10 dwelling units</u>	<u>Min. ½ per unit above 10.</u>

Service Uses

<u>&lt;3,500,000 sf</u>	No spaces required
<u>&gt;3,500,000 sf</u>	2 spaces/1,000 sf min. above first 3,500,000 sf

For uses not listed above, see Table 1703-5.50.A  
(Parking Spaces Required).

No off-street parking required for uses within accessory structure(s)

An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.50 T3 Neighborhood (T3N)**

**B. Sub-Zone(s)**

n/a

T3N-Parking Zone (T3N-P)

The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.50 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.50 T3 Neighborhood (T3N)**

**C. Allowed Building Types**

Building Type	LOT		Standards
	Width (A)	Depth (B)	
Carriage House	n/a	n/a	1703-3.40
Detached House: Medium	50' min.; 75' max.	80' min.	1703-3.50
Detached House: Compact	30' min.; 50' max.	80' min.	1703-3.60
Cottage Court:	75' min.; 175' max.	100' min.	1703-3.70
Duplex:	50' min.; 75' max.	100' min.	1703-3.80
<u>Multi-plex: Small</u>	<u>50' min.; 100' max.</u>	<u>100' min.</u>	<u>1703-3.100</u>

Multi-plex: Small 4 dwelling units max. allowed.

**1703-2.50 T3 Neighborhood (T3N)**

**F. Parking**

**Required Spaces**

Residential Uses

Dwellings	1 per unit min.
<u>&lt;10 dwelling units</u>	<u>No min.</u>
<u>&gt;10 dwelling units</u>	<u>Min. ½ per unit above 10.</u>

Service Uses

<u>≤3,5005,000 sf</u>	No spaces required
<u>&gt;3,5005,000 sf</u>	2 spaces/1,000 sf min. above first <u>3,5005,000 sf</u>

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

For uses not listed above, see Table 1703-5.50.A

No off-street parking required for uses within accessory structure(s)



An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.60 T4 Neighborhood Medium Footprint (T4N.MF)**

**B. Sub-Zone(s)**

**T4N.MF-Open Zone (T4N.MF-O)**

The open sub-zone provides the same building form but allows for a more diverse mix of uses.

**T4N.MF-Parking Zone (T4N.MF-P)**

The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.60 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.60 T4 Neighborhood Medium Footprint (T4N.MF)**

**F. Parking**

**Required Spaces**

**Residential Uses**

Studio or 1 Bedroom	1/2 per unit min.
2 or more Bedrooms	1 per unit min.
<10 dwelling units	No min.
>10 dwelling units	Min. 1/2 per unit above 10.

**Service Uses**

≤3,5005,000 sf	No spaces required
>3,5005,000 sf	2 spaces/1,000 sf min. above first 3,5005,000 sf

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

For uses not listed above, see Table 1703-5.50.A

No off-street parking required for uses within accessory structure(s)

An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.70 T4 Neighborhood Small Footprint (T4N.SF)**

**B. Sub-Zone(s)**

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**T4N.SF-Open Zone (T4N.SF-O)**

The open sub-zone provides the same building form but allows for a more diverse mix of uses.

**T4N.SF-Parking Zone (T4N.SF-P)**

The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.70 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.70 T4 Neighborhood Small Footprint (T4N.SF)**

**F. Parking**

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**Required Spaces**

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**Residential Uses**

<del>Studio or 1 Bedroom</del>	<del>1/2 per unit min.</del>
<del>2 or more Bedrooms</del>	<del>1 per unit min.</del>
<u>&lt;10 dwelling units</u>	<u>No min.</u>
<u>&gt;10 dwelling units</u>	<u>Min. 1/2 per unit above 10.</u>

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**Service Uses**

<del>&lt;3,500</del> 5,000 sf	No spaces required
<del>&gt;3,500</del> 5,000 sf	2 spaces/1,000 sf min. above first <del>3,500</del> 5,000 sf

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Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

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For uses not listed above, see Table 1703-5.50.A (Parking Spaces Required)

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No off-street parking required for uses within accessory structure(s)

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An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.80 T5 Main Street (T5MS)**

**B. Sub-Zone(s)**

---

**T5MS-Open Zone (T5MS-O)**

The open sub-zone provides the same building form

but allows for a more diverse mix of uses on the ground floor, including residential, thus enabling the retail and service area to mature over time.

**T5MS-Parking Zone (T5MS-P)**

The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.80 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.80 T5 Main Street (T5MS)**

**F. Parking**

**Required Spaces**

Residential Uses	1 per 1500 sf min.
<u>&lt;10 dwelling units</u>	<u>No min.</u>
<u>&gt;10 dwelling units</u>	<u>Min. ½ per unit above 10.</u>
Service Uses	
≤5,000 sf	No spaces required
>5,000 sf	2 spaces/1,000 sf min. above first 5,000 sf 4 per 1,000 sf max

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

For uses not listed above, see Table 1703-5.50.A

An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.80 T5 Main Street (T5MS)**

**I. T5MS Use Table**

Use Type	Specific Use Standards	T5	
		MS	MS-O
<b><u>Retail</u></b>			
General Retail, except with any of the following:		P	P
<del>Alcoholic Beverage Sales</del>		UP	UP
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		UP	UP

---

Eating or Drinking Establishment, except with any of the following features:		P	P
<del>Alcoholic Beverage Sales</del>		<del>UP</del>	<del>UP</del>
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		UP	UP
Outdoor Entertainment	1703-5.100I	P	MUP

**1703-2.90 T5 Neighborhood Large Setback (T5N.LS)**

**B. Sub-Zone(s)**

---

**T5N.LS-Open Zone (T5N.LS-O)**  
 The open sub-zone provides the same building form but allows for a more diverse mix of uses.

**T5N.LS-Parking Zone (T5N.LS-P)**  
The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.90 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.90 T5 Neighborhood Large Setback (T5N.LS)**

**F. Parking**

---

**Required Spaces**

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Residential Uses	<del>1 per 1500 sf min.</del>
<u>&lt;10 dwelling units</u>	<u>No min.</u>
<u>&gt;10 dwelling units</u>	<u>Min. ½ per unit above 10.</u>
<hr/>	
Service Uses	
≤5,000 sf	No spaces required
>5,000 sf	2 spaces/1,000 sf min. above first 5,000 sf 4 per 1,000 sf max

---

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

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For uses not listed above, see Table 1703-5.50.A

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An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.90 T5 Neighborhood Large Setback (T5N.LS)**

**I. T5N.LS Use Table**

Use Type	Specific Use Standards	T5N	
		LS	LS-O
<b><u>Retail</u></b>			
General Retail, except with any of the following:		--	P
<del>Alcoholic Beverage Sales</del>			
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		--	--
<hr/>			
Eating or Drinking Establishment, except with any of the following features:		--	P
<del>Alcoholic Beverage Sales</del>			
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		--	--
Operating between 10pm - 7am		--	UP
Outdoor Entertainment	1703-5.100I	--	MUP

**1703-2.100 T5 Neighborhood Small Setback (T5N.SS)**

**B. Sub-Zone(s)**

**T5N.SS-Open Zone (T5N.SS-O)**

The open sub-zone provides the same building form but allows for a more diverse mix of uses.

**T5N.SS -Parking Zone (T5N.SS -P)**

The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.100 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.100 T5 Neighborhood Small Setback (T5N.SS)**

**F. Parking**

**Required Spaces**

Residential Uses	<u>1 per 1500 sf min.</u>
<u>&lt;10 dwelling units</u>	<u>No min.</u>
<u>&gt;10 dwelling units</u>	<u>Min. ½ per unit above 10.</u>

**Service Uses**

≤5,000 sf	No spaces required
>5,000 sf	2 spaces/1,000 sf min.

above first 5,000 sf  
4 per 1,000 sf max

---

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

---

For uses not listed above, see Table 1703-5.50.A

---

An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.100 T5 Neighborhood Small Setback (T5N.SS)**

**I. T5N.SS Use Table**

Use Type	Specific Use Standards	T5N	
		SS	SS-O
<b>Retail</b>			
General Retail, except with any of the following:		--	P
<del>Alcoholic Beverage Sales</del>			
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		--	--
<b>Eating or Drinking Establishment, except with any of the following features:</b>			
<del>Alcoholic Beverage Sales</del>			UP
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		--	--
Operating between 10pm - 7am		--	UP
Outdoor Entertainment	1703-5.100I	--	MUP

**1703-2.110 T5 Flex (T5F)**

**B. Sub-Zone(s)**

n/a

T5F-Parking Zone (T5F-P)

The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.110 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.110 T5 Flex (T5F)**

**F. Parking**

**Required Spaces**

Residential Uses	<del>1 per 1500 sf min.</del>
<u>&lt;10 dwelling units</u>	<u>No min.</u>
<u>&gt;10 dwelling units</u>	<u>Min. ½ per unit above 10.</u>

Service Uses

≤5,000 sf	No spaces required
>5,000 sf	2 spaces/1,000 sf min. above first 5,000 sf 4 per 1,000 sf max

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

For uses not listed above, see Table 1703-5.50.A (Parking Spaces Required).

An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.110 T5 Flex (T5F)**

**I. T5F Use Table**

<u>Use Type</u>	<u>Specific Use Standards</u>	<u>T5F</u>
<b><u>Retail</u></b>		
General Retail, except with any of the following:		P
<del>Alcoholic Beverage Sales</del>		
Drive-Through Services	1703-5.100F	P
Floor Area over 10,000 sf		--
<b>Eating or Drinking Establishment, except with any of the following features:</b>		
<del>Alcoholic Beverage Sales</del>		UP
Drive-Through Services	1703-5.100F	--
Floor Area over 10,000 sf		--
Operating between 10pm - 7am		UP
Outdoor Entertainment	1703-5.100I	MUP

**1703-2.120 T6 Core (T6C)**

**B. Sub-Zone(s)**

**T6C-Open Zone (T6C-O)**

The open sub-zone provides the same building form but allows for a more diverse mix of uses.

**T6C-Parking Zone (T6C-P)**

The parking sub-zone provides for the same building form, however, the minimum parking requirements established in Section 1703-2.120 do not apply in these subzones. Remaining development requirements, including parking maximums, continue to apply.

**1703-2.120 T6 Core (T6C)**

**F. Parking**

**Required Spaces**

Residential Uses No min.

Service, Retail, Recreation No min.; 4 per  
Education, Public Assembly Uses 1000 sf. max.

Required parking may be reduced as set forth in Subsection 1703-5.50 (Parking).

For uses not listed above, see Table 1703-5.50.A (Parking Spaces Required)

An existing structure must maintain existing parking to the extent necessary to meet all or part of the current parking requirements for an existing or proposed use, but no additional parking shall be required in the event of a change in use of the structure.

**1703-2.120 T6 Core (T6C)**

**I. T6C Use Table**

Use Type	Specific Use Standards	T6	
		C	C-O
<b><u>Retail</u></b>			
General Retail, except with any of the following:		P	P
Alcoholic Beverage Sales		UP	UP
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		UP	UP

Eating or Drinking



Establishment, except with any of the following features:		P	P
<del>Alcoholic Beverage Sales</del>		<del>UP</del>	<del>UP</del>
Drive-Through Services	1703-5.100F	--	--
Floor Area over 10,000 sf		UP	UP
Outdoor Entertainment	1703-5.100I	P	MUP

**Table 1703-3.30.A Building Types General**

**Building Type** **Transect Zones**

**Multi-plex: Small.** This building type is a medium structure that consists of 3–6 side-by-side and/or stacked dwelling units typically with one shared entry or individual entries along the front. This type has the appearance of a medium-sized family home and is appropriately scaled to fit sparingly within primarily single-family neighborhoods or into medium-density neighborhoods. This Type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.

- |        |        |
|--------|--------|
| T3E    | T3N    |
| T4N.MF | T4N.SF |
| T5MS   | T5N.LS |
| T5N.SS | T5F    |
| T6C    |        |

**1703-3.100 Multi-Plex: Small**

**A. Description \*\*\***

The Multi-plex: Small building type is a medium structure that consists of 3–6 side-by-side and/or stacked dwelling units, typically with one shared entry or individual entries along the front. This type has the appearance of a medium-sized family home and is appropriately scaled to fit sparingly within primarily single-family neighborhoods or into medium-density neighborhoods. This type enables appropriately-scaled, well-designed higher densities and is important for providing a broad choice of housing types and promoting walkability.

- |        |        |        |     |
|--------|--------|--------|-----|
| T3E    | T3N    |        |     |
| T4N.MF | T4N.SF |        |     |
| T5MS   | T5N.LS | T5N.SS | T5F |
| T6C    |        |        |     |

**T#** Allowed    T# Not Allowed

**1703-5.50 - Parking.**

**E. Parking Adjustments**

- On-Street Parking.** On-street parking spaces adjacent to the lot may count towards the required non-residential use parking standards.

2. **Shared Parking.** For two use types, shared parking shall be calculated as follows. The sum of the required parking for the two use types shall be divided by the factor listed in the table below. The required number of parking spaces shall be rounded up to the closest whole number. If the use is not listed below then the shared parking shall be based on Subsection 3 below.

**Table 1703-5.50.B: Shared Parking Factor for Two Uses**

	<u>Residential</u>	<u>Lodging</u>	<u>Office</u>	<u>Retail</u>
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

3. **Shared Parking Study.** When three or more use types share parking or a use type is not listed in Table B (Shared Parking Factor for Two Uses) above, the amount of required parking may be reduced as follows:
- (a) If the Director determines one of the following circumstances has been established, the Director may grant a reduction in the parking standards set forth in this Subsection:
    - (1) Where uses seek to share parking with different peak hour demands and are in the same or adjoining development, the owner of the parking spaces shall submit to the Director an analysis and substantiated projections of peak parking demand for the entire development to justify the shared use of parking spaces for separate uses;
    - (2) Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Subsection D; or (3) Where fewer parking spaces are needed due to access to transit, special designs and traffic mitigation measures incorporated in the parking lot design and circulation plan.
  - (b) The Director shall consider all of the following in determining whether a reduction is warranted:
    - (1) The likelihood that the reduced number of parking spaces can satisfy demand;
    - (2) The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;

- (3) The impact of periodic overflows upon the public thoroughfares and other parking facilities;
- (4) The nature of surrounding land uses, character of the surrounding road system, and nearby circulation pattern;
- (5) The amount of on-street parking available within one-quarter of a mile of the development;
- (6) Any additional reduction in on-site parking demand by implementing transportation demand management strategies proposed by the applicant; and in all cases, the owner of the lot shall have the burden to demonstrate that a reduction in parking standards is warranted.

**4. Additional Parking Modifications for Projects Utilizing Certain Financial Programs. Minimum off-street parking requirements shall not apply to the establishment of new dwelling units in a newly constructed or renovated building, provided the building is constructed or renovated pursuant to Low-Income Housing Tax Credit programs.**

- (a) To be eligible for parking modifications, the owner of the building that is to be constructed or renovated, or its successor-in-interest, as applicable, must establish and maintain compliance with the affordability restrictions pursuant to Low-Income Housing Tax Credit programs for the building on the property for so long as those restrictions remain in effect.
- (b) Any person who fails to maintain compliance with subsection (a) shall be liable for a Class F civil offense for each dwelling unit that is not in compliance, as applicable, in a given year.

**1703-5.100. - Additional Standard for Specific Uses.**

**I. Outdoor Dining Areas and Entertainment for Restaurants and Drinking Establishments**

- 1. **Location.** Outdoor areas on any public sidewalk or alley requires a revocable street privilege under Cincinnati Municipal Code Chapter 718. Any outdoor area that exceeds 50 percent of the indoor area accessible to the public and located within 100 feet of a T3 or T4 transect zone or a residential non-transect zone boundary line requires a Use Permit.
- 2. **Maximum Size.** Within 500 feet of a T3 or T4 zone or residential non-transect zone boundary line, the outdoor area may not exceed 50 percent of

the indoor area accessible to the public. Additional outdoor dining area requires a Use Permit.

3. **Barriers.** Decorative walls or fencing shall enclose an outdoor area.
4. **Fixtures.** Furniture and fixtures provided for use in an outdoor area may consist only of movable tables, chairs, umbrellas, planters, lights and heaters. Lighting fixtures may be permanently affixed onto the exterior of the building. All movable furniture and fixtures shall be removed during the off-season.
5. **Outdoor Entertainment.** Within 500 feet of a T3 or T4 zone or residential nontransect zone boundary line, entertainment, including the use of audio/visual equipment or amplified sound is prohibited without a Use Permit.
6. **Outdoor areas within Outdoor Refreshment Areas.** Outdoor areas within outdoor refreshment areas established pursuant to Chapter 838 are permitted with the following conditions:
  - (a) The hours of operation of the outdoor area may not exceed the hours of operation of the Outdoor Refreshment Area in which it is located unless a use permitted is obtained, and
  - (b) Section 1703-5.100(I)(1)-(4) do not apply to Outdoor Refreshment Areas.

**K. ~~Wireless Communications Facilities Transit-Stops~~**

1. ~~Wireless~~ Wireless communications facilities are regulated by Cincinnati Municipal Code Section 1419-33 Transit-stop structures approved by the Department of Transportation and Engineering are permitted in all zoning districts and are exempt from accessory structure regulations set forth in Section 1703-2 (Specific to Transect Zones).

**L. Wireless Communications Facilities**

1. Wireless communications facilities are regulated by Cincinnati Municipal Code Section 1419-33.

**Sec. 1501-12. Class F Civil Offenses.**

- (a) A person who violates a standard of conduct set forth in a provision of Cincinnati Municipal Code Chapter 1001, Air Quality, is liable for the civil fine specified in Sec. 1501-99 for a Class F Civil Offense. If the person charged shows in accordance with Sec. 1501-15 that the violation has been corrected, the otherwise applicable civil fine is reduced by 50%. If a person has previously been found to have violated

the same provision of the Cincinnati Municipal Code within one year, that person may be charged as a second offender and on being found to have committed a second or subsequent offense is liable for the civil fine for the subsequent offense provided below, the amount of which fine is specified in Sec. 1501-99 and is not subject to reduction for correction of the violation.

- (b) A person who violates Cincinnati Municipal Code Section 701-2(B)(4), "Leash Required; Responsibility for Injury," multiple times is liable for the civil fine specified in Sec. 1501-99 for a Class F Civil Offense.
- (c) A person who violates Cincinnati Municipal Code Section 1421-06(I)(1), "Accessory Dwelling Units," is liable for the civil fine specified in Sec. 1501-99 for a Class F Civil Offense.
- (d) A person who violates Cincinnati Municipal Code Section 1421-47, "Density, Height, and Parking Modifications for Projects Utilizing Certain Financial Programs," is liable for the civil fine specified in Sec. 1501-99 for a Class F Civil Offense for each dwelling unit that is not in compliance, as applicable, in a given year.
- (e) A person who violates Cincinnati Municipal Code Section 1703-5.50(E)(4), "Additional Parking Modifications for Projects Utilizing Certain Financial Programs," is liable for the civil fine specified in Sec. 1501-99 for a Class F Civil Offense for each dwelling unit that is not in compliance, as applicable, in a given year.

Section 3. That existing Sections 1403-11, "Purpose of Cluster Housing," 1403-13, "Cluster Housing General Regulations," 1403-15, "Covenants," 1403-17, "Site Divided by Zoning Line," 1403-19, "Application Procedures and Requirements," of Chapter 1403, "Single Family Districts," of the Cincinnati Municipal Code are hereby repealed in their entirety.

Section 4. That, pursuant to Cincinnati Municipal Code Sections 1403-04, "Connected Communities," 1405-04, "Connected Communities," 1407-04, "Connected Communities," 1409-04, "Connected Communities," 1410-04, "Connected Communities," 1413-04, "Connected Communities," and 1415-04, "Connected Communities," the area of the City of Cincinnati's official zoning map shown on the map attached hereto as Attachment A and incorporated by reference is hereby amended to superimpose the neighborhood business district, middle housing,

and transportation corridor designations over the existing zoning districts within the designated area.

Section 5. That this ordinance shall take effect and be in force from and after the earliest period allowed by law and will apply to any application for a building permit filed thereafter.

Passed: \_\_\_\_\_, 2024

\_\_\_\_\_  
Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
New language underscored. Deleted language indicated by strike through.