

Meeting Agenda
City of Springboro Planning Commission Meeting
Wednesday, October 30, 2019, 6:00 p.m.

- I. Call to Order
- II. Introduction to New Member—Mark Davis
- III. Approval of Minutes
 - A. September 25, 2019 Planning Commission Meeting
 - B. October 9, 2019 Planning Commission Work Session
- IV. Agenda Items
 - A. Record Plan, Wright Station, Section One
 - B. Planning & Zoning Code Text Amendment and Amendment to Official Zoning Map, proposed UVD, Urban Village District.
- V. Guest Comments
- VI. Planning Commission and Staff Comments
- VII. Adjournment

Background Information & Staff Recommendations
City of Springboro Planning Commission Meeting
Wednesday, July 31, 2019, 6:00 p.m.

IV. Agenda Items

A. Record Plan
Wright Station, Section One

Background Information

This agenda item is a request for the approval of the Record Plan for Wright Station Section One. It is located at the northwest corner of SR 741 and SR 73 and is currently the location of the Performing Arts Center and future Warped Wing site, and contains approximately 6.7 acres. Upon Planning Commission approval, it will proceed to City Council for final review and approval.

Staff Recommendation

City staff recommends approval of a recommendation to Springboro City Council of the Record Plan for Wright Station, Section One, subject to the following conditions:

1. Revise record plan per Warren County requirements, if any.

B. Planning & Zoning Code Amendment & Amendment to the Official Zoning Map of the City of Springboro, proposed UVD, Urban Village District

Please see the enclosed memorandum and accompanying recommendations for amending the Planning and Zoning Code and the Official Zoning Map of the City of Springboro for the proposed UVD, Urban Village District.

Staff Recommendation

City staff recommends approval of a recommendation to Springboro City Council of the proposed amendment to the Planning & Zoning Code and the Official Zoning Map of the City of Springboro.

The information contained in this report is based on material provided to the City of Springboro as of Friday, October 25, 2019 at 12:00 p.m.

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066
Planning Commission Meeting
Wednesday, September 25, 2019

I. Call to Order

Chairperson Becky Iverson called the Springboro Planning Commission Meeting to order at 6:00 p.m. at the Springboro Municipal Building, Council Chambers, 320 West Central Avenue, Springboro, Ohio.

Present: Becky Iverson, Stephen Harding, Chris Pearson, Becky Hartle, Robert Dimmitt and John Sillies.

Staff: Dan Boron, City Planner; Elmer Dudas, Development Director; Chad Dixon, City Engineer; Gerald McDonald, City Attorney; Lois Boytim, Interim Planning Commission Secretary; Ann Burns, Planning Commission Secretary.

Ms. Iverson welcomed Ann Burns as the new Planning Commission Secretary.

II. Approval of Minutes

A. August 28, 2019 Planning Commission Meeting

Ms. Iverson asked if there were any additions or corrections to the minutes.

There were none.

Mr. Harding motioned to approve the August 28, 2019 Planning Commission Meeting minutes as submitted. Ms. Hartle seconded the motion.

Vote: Harding, yes; Sillies, yes; Dimmitt, yes; Iverson, yes; Pearson, yes; Hartle, yes.
(6-0)

B. September 11, 2019 Planning Commission Work Session

Ms. Iverson asked if there were any additions or corrections to the minutes.

There were none.

Mr. Pearson motioned to approve the September 11, 2019 Planning Commission Work Session minutes as submitted. Ms. Hartle seconded the motion.

Vote: Harding, abstain; Sillies, yes; Dimmitt, yes; Iverson, yes; Pearson, yes; Hartle, yes. (5-0-1)

III. Agenda Items

A. Planning & Zoning Code Text Amendment and Amendment to Official Zoning Map, proposed UVD, Urban Village District, non-action, discussion item only

Mr. Boron reviewed the memo for the Planning Commission. He commented that there will be a public meeting October 2nd, an open house for any property owners that are directly impacted by this proposal. Additional material is also available on the City website.

Mr. Boron commented that there will be a booklet developed that will provide assistance to Planning Commission, residents, and staff in interpreting these concepts. It will be completed once all changes have been made to the UVD following its adoption.

Mr. Boron commented that in response to Planning Commission's comments from the work session, references to the height of any occupied space over three stories have been eliminated from the provisions. A reference allowing residents on Parker Drive to revert to R-2 has been eliminated. Also several consistency errors have been removed.

Ms. Iverson asked Planning Commission members for their questions or comments.

Mr. Pearson had a question regarding use of the terminology "Village Center" and the possible confusion about the provisions referring to a usage or a primary use of the Village Center. That implies that a subsection of the UVD has been defined as the Village Center. He proposed that the usage name be changed.

Mr. Boron answered that the intention was not to create two zoning districts. The goal is one City center. He agreed that it is not clear and will review the provision.

Mr. Harding asked staff whether they had received any questions or comments regarding the proposal from the public.

Mr. Boron answered that there have been questions from property and business owners regarding how the new provisions will affect them. They have been directed to a Q&A section on the City website which is updated continually. All affected property owners have been invited to the Open House on October 2nd.

Mr. Sillies thanked staff for listening and acting on the issue of maximum heights. He pointed out a typo on page 3 regarding duplication of hospitality/hotels. He asked about the City's intent to make the district bike friendly and the lack of any reference to bikes and bike paths. He asked whether the City would want gas stations as a use.

Mr. Boron answered that the comment about bike paths is a good catch. He will change the title of the provision to indicate the inclusion of bike paths. In regards to gas stations he commented that any proposal would have to comply with all of the development standards.

Planning Commission discussed gas stations and convenience stores and balancing resident's needs and the standards of the provisions.

Mr. Boron asked Planning Commission to continue to provide any comments to staff. Comments have also been received from the City Attorney's office.

Mr. Boron commented on proposed process changes; the Planning Commission will be acting as the Board of Zoning Appeals in regards to any variances and a standard for that process needs to be established.

Ms. Hartle asked about the ownership of the parking lots within the UVD.

Mr. McDonald answered that there will be an association within the Wright Station portion of the district. The City will maintain the roads and public lots. There may be future development that will include private parking lots.

Ms. Hartle commented on the landscaping and asked for a uniformity to the design.

Mr. Boron added that comments from tonight's meeting will be included in any changes and Planning Commission will review the provisions again at the October 9th work session. There may also be a case for review at that time in addition to a text amendment.

IV. Guest Comments

There were no guest comments.

V. Planning Commission and Staff Comments

Mr. Harding commented that he will not be in attendance for the October 2nd public meeting but will be in attendance for the October 9th Planning Commission work session.

VI. Adjournment

Mr. Pearson motioned to adjourn the September 25, 2019 Planning Commission Regular Meeting at 6:31 p.m. Mr. Harding seconded the motion.

Vote: Sillies, yes; Dimmitt, yes; Iverson, yes; Pearson, yes; Hartle, yes; Harding, yes. (6-0)

Becky Iverson, Planning Commission Chairperson

Dan Boron, Planning Consultant

Lois Boytim, Interim Planning Commission Secretary

City of Springboro
320 West Central Avenue, Springboro, Ohio 45066
Planning Commission Work Session
Wednesday, October 9, 2019, 6:00 p.m.

I. Call to Order

Chairperson Becky Iverson called the Springboro Planning Commission Work Session to order at 6:00 p.m. at the Springboro Municipal Building, Council Chambers, 320 West Central Avenue, Springboro, Ohio.

Present: Becky Iverson, Chair, Chris Pearson, Vice Chair, Robert Dimmitt, Becky Hartle, Stephen Harding, and John Sillies.

Absent: Mark Davis

Staff: Dan Boron, City Planner; Gerald McDonald, City Attorney; Elmer Dudas, Development Director, Chad Dixon, City Engineer; Ann Burns, Planning Commission Secretary

Ms. Iverson commented that Mr. Davis, the newly appointed Planning Commission member was unable to attend tonight's meeting.

II. Agenda Items

A. Planning & Zoning Code Text Amendment and Amendment to Official Zoning Map, proposed UVD, Urban Village District

Discussion:

Mr. Boron welcomed Gerald McDonald, of Pickrel, Schaeffer & Ebeling, the City Attorney's firm, and explained that he Mr. McDonald would be available to Planning Commission to answer any questions specifically about the nonconforming provision in addition to any other questions about the amendments.

Mr. Boron referred to the UVD Rezoning presentation that was shared at the Public Open House on October 2, 2019. This presentation included the proposed adoption schedule and the scope of amendment. It also compared the Town Center District (TCD) to the Urban Village District (UVD) as well as the review process for each. Mr. Boron also reviewed the nonconformities that were reviewed at that meeting. The plan is intended to encourage redevelopment of private property in this area as well as encourage walkability. Mr. Boron reported that most of those who attended the meeting were affected property owners.

He noted that the City has not gone through a town center development review process in over 5 years, and it can be more difficult than conventional zoning.

Mr. Dimmitt asked if restaurants with a drive-thru would be permitted.

Mr. Boron noted that may not have been clarified, but he would research and report back to the commission.

Mr. Pearson asked if there was currently any businesses that were nonconforming.

Mr. Boron confirmed there was not. He noted that staff will be working on a design book to provide some of these concepts to help Planning Commission, staff, and applicants through the approval process once the UVD adoption process is concluded.

Mr. Boron explained that the nonconformity chapter is staying separate, however some of the changes are tied to the current issues such as commercial and residential occurring in a commercial district. Mr. Boron stated that our current Code has effects on residents trying to get a loan because we don't allow a nonconforming use casualty loss to be rebuilt. Now, under certain circumstances, and for single family residential only, this will change.

Mr. Pearson raised the question of business owners needing to over-insure because they would need to re-build to the new standards.

Mr. McDonald explained that there are existing nonconforming use provisions stating that multi-family, or commercial buildings in a commercial zone are permitted to rebuild. Therefore, there needs to be a determination on this zoning in this district. Mr. McDonald referred to Section 1286.10, which does allow the owner of the property the option to rebuild the structure within 12 months after casualty loss even if the loss is 100%. Mr. McDonald stated that this would apply throughout the district. There will need to be a later determination if this also applies to the Village Center.

Mr. Sillies asked for a definition of a calamity. Mr. McDonald explained that a calamity is defined by a 50% loss. However, the cost of repair –vs- the value of the property needs to be considered. There was further discussion regarding a variety of circumstances which would have to be reviewed on a case by case basis.

Mr. Pearson stated that the meeting clarified that this is a vision for this area but the changes cannot be made overnight, it will take time.

Mr. Boron referred to the draft UVD that was distributed. He explained that these recent changes capture any comments and concerns that were made at the open house, as well as any formatting errors.

Messrs. Boron and McDonald continued to review and define the text changes and amendments to the Planning and Zoning Code for the proposed UVD. These changes will provide standards as well as the flexibility for approvals.

Mr. Pearson asked if the code should include the tools needed to turn down proposals.

Mr. McDonald stated the goal is to allow the flexibility to approve a variety of uses. The reference to variances was removed and some new language was added that will allow the Planning Commission to review individual cases and the flexibility to make decisions.

Mr. Boron referred to the issue of the Village Center Concept to Mr. McDonald.

Mr. McDonald explained that the proposed Wright Station is the part of the development that is City owned property and is subject to a lease or a development agreement. This concept allows the decision making process to go directly to the City Manager and City Council.

Mr. McDonald clarified that the Wright Station is now the Village Center and some of the regulations are the same throughout, but it will have its own setbacks and provisions. The plan is also proposing that everything in the UVD goes to the Planning Commission, unless it is in the Village Center, which will go directly to the City Manager and City Council. This will also involve a staff review process similar to the current site plan review process. Mr. McDonald noted that this can expedite any proposed business sites within the Village Center, similar to the Performing Arts Center and Warped Wing.

Mr. McDonald further explained the details and differences of both the Village Center and the Urban Village District noting that at the end of the process, when it is codified, there will be defined provisions and uses for both sections.

Mr. Pearson asked if the City is allowing mixed use outside of Wright Station.

Mr. McDonald confirmed that that will be allowed, with specific provisions, which still need to be finalized. The City Manager's position is the Village Center is the City's property which allows the flexibility to manage and develop it as such. Mr. McDonald noted the need to establish consistent zoning for the businesses to manage their financing.

Mr. Pearson shared concerns about multi-family use, specifically duplexes, and whether these fit with the vision on multi-use.

Mr. Boron referred to the 2-building, 4 total units, in the Parkside Row area behind Village Park, which is a good example of separate building duplexes.

Mr. Boron and Mr. McDonald also reviewed the updates on the non-conformity uses of land, noting that this mostly applies to accessory structures. The Commission agreed that this section did not apply and could be removed.

Mr. Harding asked if there was a section that addressed the issue of structures that are closed down.

Mr. McDonald confirmed that there was language stating that if a vacant structure has damage or destruction greater than 50% of replacement cost, they are not permitted to rebuild. He noted that the wording is rather vague, and for these purposes, it needs to be clarified and determine if we want this to apply to buildings in the Urban Village.

It was decided that the 51% should apply to the UVD.

Mr. McDonald also reviewed the section defining repairs and maintenance as well as lot setback requirements.

Mr. Pearson asked for clarification on the zero setbacks for retail spaces.

Mr. Boron clarified that the front building setbacks were zero.

Mr. Dudus referred to Table 1, Lot Requirements, noting that it needs to be adjusted to reflect these changes.

Mr. Harding shared concerns about nonconforming structures, specifically multi-family structures, piece-mealing repairs that will not look appealing. Mr. McDonald noted the currently the code states that work may be done in any period of 12 months on ordinary repairs to the extent not exceeding 10% of the current replacement cost of the nonconforming structure.

There was further discussion on different circumstances that could occur.

Mr. Harding asked if the 10% replacement cost should be increased.

After a discussion it was agreed to keep the regulation at 10%.

Mr. Sillis asked for further clarification on the setback regulations in the lot requirements.

Mr. Dudas suggested that there does need to be some adjustment of the wording in the table.

Ms. Iverson asked for clarification that the first public hearing will be set at the October 17th Council meeting, so that we meet the 30 day notification requirement. Mr. Boron confirmed that it can be scheduled at that time. Staff will be asking the Planning Commission for a recommendation to Council at the October 30th meeting, so that the Advertisement for the paper can be completed. The recommendation will incorporate the changes and the non-conformity provisions that has been discussed.

Mr. Boron explained that the current format will be put into a more codified document that will fit into the current code.

Mr. Boron stated that the meeting materials for the October 30th meeting will be distributed in paper form on or before Friday, October 25th. He noted that any feedback or questions can be forwarded to him prior to the distribution.

III. Guest Comments

None

IV. Planning Commission and Staff Comments

None

V. Adjournment

Ms. Iverson adjourned the Wednesday, October 9, 2019 Planning Commission Work Session at 7:35 p.m.

Becky Iverson, Planning Commission Chairperson

Dan Boron, Planning Consultant

Ann Burns, Planning Commission Secretary

DEDICATION

WE THE UNDERSIGNED, BEING ALL THE OWNERS AND LIEN HOLDERS OF THE LANDS HEREIN PLATTED, DO HEREBY RESERVE THE EASEMENTS SHOWN ON THIS RECORD PLAN TO THE PUBLIC USE FOREVER.

EASEMENTS SHOWN ON THIS RECORD PLAN, UNLESS DESIGNATED FOR A SPECIFIC PURPOSE ARE FOR: THE CONSTRUCTION, OPERATION, MAINTENANCE, REPAIR, REPLACEMENT OR REMOVAL OF WATER, SEWER, GAS, ELECTRIC, TELEPHONE, CABLE, TELEVISION, STORM WATER DISPOSAL OR OTHER UTILITY LINES OR SERVICES; AND FOR THE EXPRESS PRIVILEGE OF CUTTING, TRIMMING OR REMOVING ANY AND ALL TREES OR OTHER OBSTRUCTION WITHIN SAID EASEMENTS, AND FOR PROVIDING INGRESS AND EGRESS TO THE PROPERTY FOR SAID PURPOSE, AND ARE TO BE MAINTAINED AS SUCH FOREVER. NO BUILDINGS OR OTHER STRUCTURES MAY BE BUILT WITHIN SAID EASEMENTS, NOR MAY THE EASEMENT BE PHYSICALLY ALTERED SO AS TO (1) REDUCE CLEARANCES OF EITHER OVERHEAD OR UNDERGROUND FACILITIES; (2) IMPAIR THE LAND SUPPORT OF SAID FACILITIES; (3) IMPAIR THE ABILITY TO MAINTAIN THE FACILITIES OR (4) CREATE A HAZARD.

THE ABOVE RESERVED UTILITY EASEMENTS ARE FOR THE BENEFIT OF ALL PUBLIC UTILITY SERVICE PROVIDERS INCLUDING, BUT NOT LIMITED TO: CITY OF SPRINGBORO, DAYTON POWER AND LIGHT, AMERITECH, CINERGY, CONTINENTAL CABLEVISION.

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF: OWNER: CITY OF SPRINGBORO
BY:

WITNESS BY:
IT'S:

STATE OF OHIO, WARREN COUNTY, S.S.

BE IT REMEMBERED THAT ON THIS ____ DAY OF ____ , 2019, BEFORE ME, THE UNDERSIGNED, CAME CITY OF SPRINGBORO BY IT'S, TO ME KNOWN AND ACKNOWLEDGE THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE THEIR VOLUNTARY ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

SIGNED AND ACKNOWLEDGED
IN THE PRESENCE OF: OWNER: YOLO DEVELOPMENT I, LLC
BY:

WITNESS BY:
IT'S:

STATE OF OHIO, WARREN COUNTY, S.S.

BE IT REMEMBERED THAT ON THIS ____ DAY OF ____ , 2019, BEFORE ME, THE UNDERSIGNED, CAME YOLO DEVELOPMENT I, LLC, BY IT'S, TO ME KNOWN AND ACKNOWLEDGE THE SIGNING AND EXECUTION OF THE WITHIN PLAT TO BE THEIR VOLUNTARY ACT AND DEED.

IN TESTIMONY WHEREOF, I HAVE HEREUNTO SET MY HAND AND OFFICIAL SEAL ON THE DAY AND DATE ABOVE WRITTEN.

NOTARY PUBLIC
MY COMMISSION EXPIRES: _____

OWNERS STATEMENT:

PERSONS OR CORPORATIONS TO THE BEST OF HIS KNOWLEDGE, INTERESTED IN THIS DEDICATION, EITHER AS OWNERS OR LIENHOLDERS, HAVE UNITE IN IT'S EXECUTION.

DATE

DESCRIPTION

THE WITHIN PLAT IS A SUBDIVISION OF 6.7156 ACRES, SITUATE IN SECTION 13 TOWN 2, RANGE 5 M.R.S., LOCATED IN CLEARCREEK TOWNSHIP, CITY OF SPRINGBORO, WARREN COUNTY, OHIO AND BEING 6.2400 ACRES BEING ALL THAT REMAINS OF THE 5.3616 ACRES, 0.227 ACRES, 1.2082 ACRES (DEED) AS CONVEYED TO CITY OF SPRINGBORO BY D.N. 2015-033517, 0.2464 ACRES BEING ALL OF THE 0.2458 ACRES (DEED) AS CONVEYED TO CITY OF SPRINGBORO BY D.N. 2017-003427 AND 0.2292 ACRES BEING ALL THAT REMAINS OF THE 0.2300 ACRES (DEED) AS CONVEYED TO YOLO DEVELOPMENT I, LLC BY D.N. 2018-023822 ACRES OF THE DEED RECORDS OF WARREN COUNTY OHIO.

CERTIFICATION

I HEREBY CERTIFY THAT THIS SUBDIVISION WAS PREPARED IN ACCORDANCE WITH OHIO ADMINISTRATIVE CODE CHAPTER 4733.37 STANDARDS FOR SURVEYS AND ALSO CONFORMS TO THE OHIO REVISED CODE CHAPTER 711 FOR RECORD PLANS AND WAS CONDUCTED UNDER MY DIRECT SUPERVISION, BASED ON FIELDWORK ON SEPTEMBER 10, 2018. ALL MEASUREMENTS ARE CORRECT AND MONUMENTS ARE TO BE SET AS SHOWN. CURVE DISTANCES ARE MEASURED ON THE ARC. IRON PINS TO BE SET AT ALL LOT CORNERS.

VAN ATTA ENGINEERING, INC.

JEFFREY A. VAN ATTA
OHIO REGISTERED SURVEYOR NO. 7354



DATE

OCCUPATION STATEMENT:

LINES OF OCCUPATION AGREE GENERALLY WITH THE BOUNDARY AS SHOWN.

SUPERIMPOSITION NOTE:

THE PLAT SHOWN HEREIN IS SUPERIMPOSED WITHIN THE LANDS OF THE DEDICATORS FROM WHICH THE PLAT IS DRAWN.

BASIS OF BEARINGS

BEARINGS ARE BASED ON THE NAD 83 OHIO STATE PLANE COORDINATE SYSTEM, GRID SOUTH ZONE 3402, GEOD 2012A

SURVEY REFERENCES:

O.R. 545, PG. 27 (S.R. 43-61)
O.R. 1459, PG. 910 (S.R. 53-19)
O.R. 3751, PG. 576 (S.R. 55-12)
O.R. 5204, PG. 635 (S.R. 63-42)
D.N. 2015-033517 (S.R. 69-59)
D.N. 2015-033517 (S.R. 124-25)
D.N. 2017-003427 (S.R. 143-35)
D.N. 2018-023822 (S.R. 148-77)
D.N. 2018-017066 TAX MAP

RECORD PLAN WRIGHT STATION SECTION ONE

LOCATED IN
LOCATED IN SECTION 13, TOWN 2, RANGE 5 M.R.S.
CLEARCREEK TOWNSHIP, CITY OF SPRINGBORO, WARREN COUNTY, OHIO
OCTOBER, 2019

6.7156 ACRES

PREPARED BY:

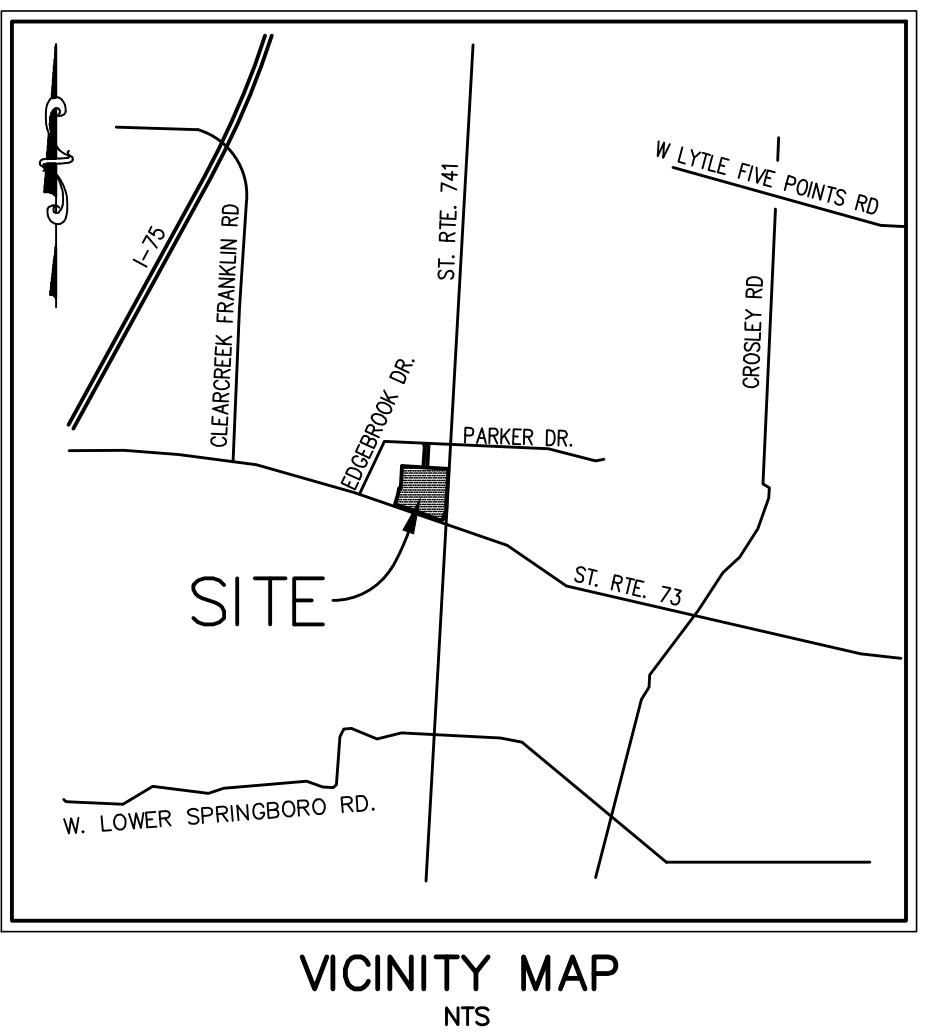
WE
VANATTA ENGINEERING INC
570 Congress Park Dr • Dayton, OH 45459
Phone: 937.438.5650
Fax: 937.438.5645

DEVELOPER:

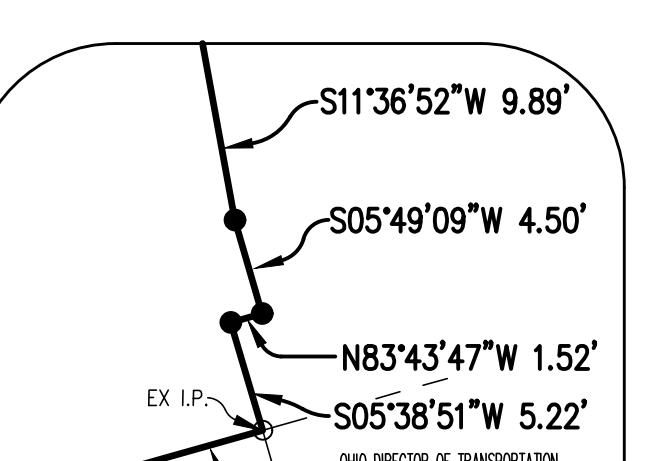
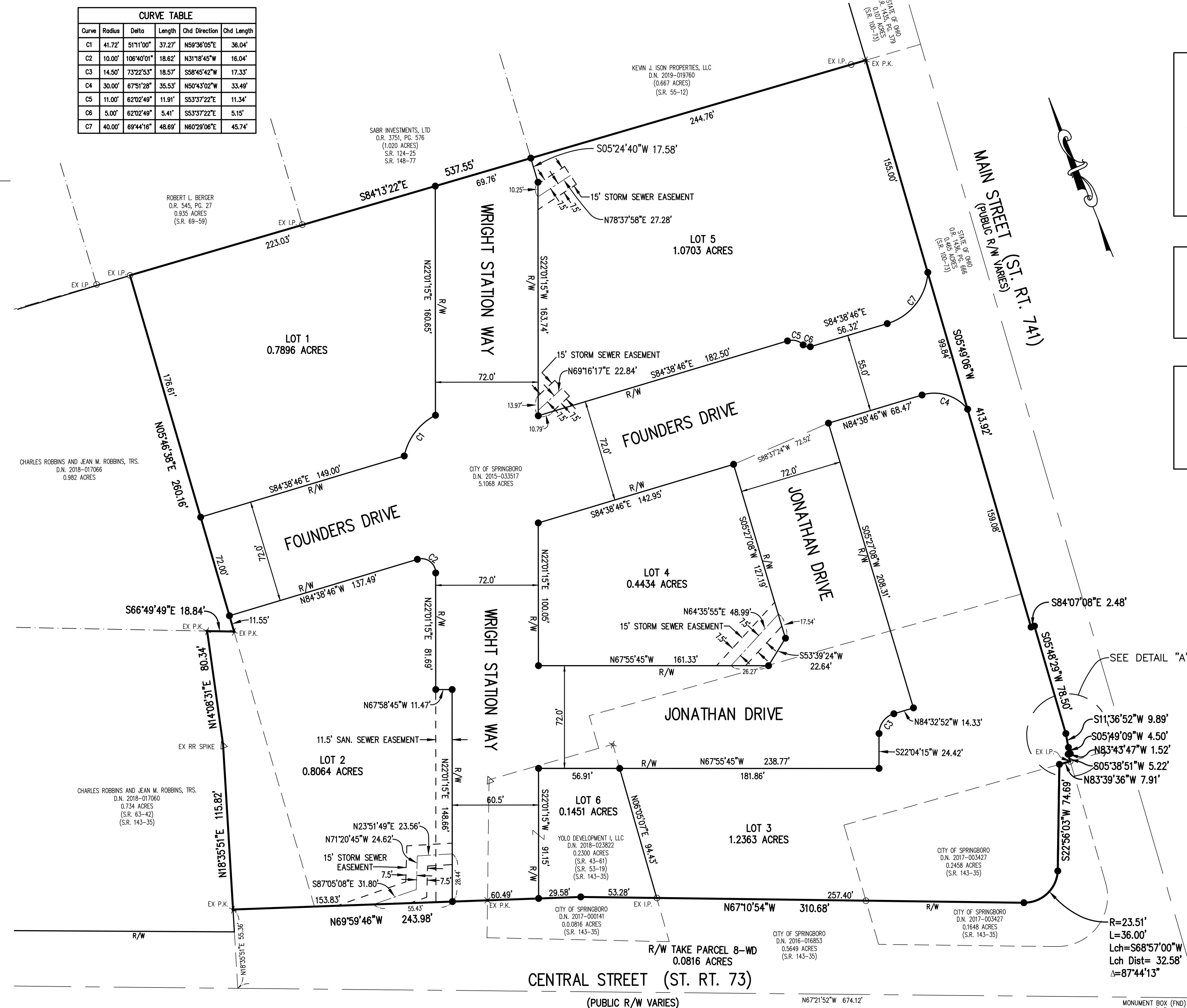
SYNTERGY
BUILDING SYSTEMS
3500 PENTAGON BLVD.
SUITE 500
BEAVERCREEK, OHIO 45431
(937) 429-3143

ACREAGE SUMMARY:

| | LOT 1 | LOT 2 | LOT 3 | LOT 4 | LOT 5 | LOT 6 | R/W | TOTAL |
|------------------------------|------------|------------|------------|------------|------------|------------|------------|------------|
| D.N. 2015-033517 (PARCEL I) | 0.7896 AC. | 0.8064 AC. | 1.2363 AC. | 0.4434 AC. | 1.0703 AC. | | 1.8207 AC. | 5.1020 AC |
| D.N. 2015-033517 (PARCEL II) | | | | 0.1615 AC. | | | | 0.1615 AC. |
| D.N. 2015-033517 (PARCEL II) | | | | 0.6568 AC. | | | 0.3197 AC. | 0.9765 AC. |
| D.N. 2017-003427 | | | | 0.2464 AC. | | | | 0.2464 AC. |
| D.N. 2018-023822 | | | | | 0.1451 AC. | 0.0841 AC. | 0.2292 AC. | |
| TOTAL ACRES | 0.7896 AC. | 0.8064 AC. | 1.2363 AC. | 0.4434 AC. | 1.0703 AC. | 0.1451 AC. | 2.2245 AC. | 6.7156 AC. |



VICINITY MAP
NTS



DETAIL "A"
NTS

SURVEY SYMBOLS LEGEND:

- EX CROSS NOTCH FOUND
- EX 1/2" IRON PIN FOUND
- EX 1" IRON PIPE FOUND
- EX STONE FOUND
- EX PK NAIL FOUND
- EX RAILROAD SPIKE FOUND
- IRON PIN TO BE SET (5/8" DIA, 30" LONG)
- CONCRETE MONUMENT TO BE SET
- PK NAIL TO BE SET
- CROSS NOTCH TO BE SET
- 1" IRON PIN (MONUMENT) TO BE SET

NOTE: ALL MONUMENTS ARE IN GOOD CONDITION UNLESS OTHERWISE SHOWN.
NOTE: ALL MONUMENTS TO BE SET AT THE COMPLETION OF CONSTRUCTION.

City of Springboro

Memo

To: Members of Planning Commission, Chris Pozzuto, City Manager, Elmer Dudas, Development Director, Ann Burns, Planning Commission Secretary, Chad Dixon, City Engineer, Jerry McDonald, Pickrel, Schaeffer & Ebeling

From: Dan Boron, Planner

Date: October 24, 2019

Re: Urban Village District—Changes and Updates

Enclosed please find the proposed UVD, Urban Village District, proposal. City staff is requesting a recommendation of approval as an amendment to the Planning & Zoning Code text and an amendment to the Official Zoning Map of the City of Springboro at the October 30th Planning Commission meeting as discussed at the October 9th work session. The recommendation is captured in the following four attachments:

1. **Proposed Chapter 1267, Urban Village District.** This proposed Chapter 1267 would replace the existing TCD, Town Center District. The enclosed 27-page document is based largely on the draft that has been under review by Planning Commission since August 28th. The enclosed draft has been formatting in a manner that more closely matches the format the UVD, Urban Village District, will take when codified following Planning Commission review and City Council adoption. The draft includes changes discussed at the October 9th work session. Text highlighted in **YELLOW** is new and reflects significant material added since the October 9th work session. The following is a summary of major changes:

- Section 1267.03, beginning on page 2, includes the process discussed at the October 9th work session regarding the approval process for the Village Center and remainder of the UVD.
- Section 1267.04, beginning on page 4, reorganizes the manner in which permitted uses are presented for the UVD. Immediately following, Section 1267.04, beginning on page 5, provides an organized format for design standards for the UVD.

Minor edits—deletions shown in ~~strikeout~~ font, additions shown in **bold and underline** font—are also indicated throughout the document. Changes presented before October 9th have been accepted and are shown in plain text.

2. **Proposed Chapter 1286, Nonconformities.** This 5-page draft recommendation repeals and replaces the existing Nonconformities provision of the Planning & Zoning Code. The recommendation is largely similar with the proposal reviewed prior to the October 9th with the following exceptions:
 - The cash value provision have been removed from Section 1286.06.
 - Same section, (d) notes on ORC (Ohio Revised Code) have been removed.
 - Same section, (f) deleted. Springboro does not have a Conditional Use process.
 - Section 1286.07(b) revised to only include deletion of “replacement cost” to clarify reliance on Montgomery/Warren County Auditor valuation.
 - Section 1286.08, valuation figure retained in first paragraph, editorial comment removed in (c), and (i) from previous draft removed.
 - Section 1286.09, casualty reference removed from second sentence.
3. **Miscellaneous Amendments.** This 2-page draft recommendation includes 11 separate amendments to the Planning & Zoning Code, all supporting the repeal of the TCD, Town Center District, and its replacement with the UVD, Urban Village District. The changes represent non-substantive, cross-references. This material was provided in outline form at the August 28th meeting.
4. **Exhibit Map.** The final enclosure is the proposed amendment to the Official Zoning Map of the City of Springboro. This exhibit is unchanged since the September 9th work session and includes the following recommendations:
 - Rezoning most of the current TCD with the UVD.
 - Rezoning an area of R-2 on Edgebrook Drive to UVD.
 - Rezoning a parcel at 35 South Main Street from TCD to CBD, Central Business District.
 - Rezoning two largely vacant parcels immediately north of (and owned by) Springboro United Methodist Church from TCD to CBD.

As always I welcome all questions or comments to me at your convenience by email to me at danb@cityofspringboro.com or by phone at (937)748-6183. Thank you for your time and work on this initiative over the past three months.

CHAPTER 1267

Urban Village District

1267.01 DEFINITIONS

The following terms shall be applicable to the UVD Urban Village District and shall have the following meaning:

“LINER BUILDING” shall mean a retail or business structure built to camouflage an unsightly façade/use such as a substation, service bay or parking area/ garage. Liner Buildings are generally narrow in depth and placed along the street and consistent with approved uses in Mixed-Use areas.

“MAXIMUM OCCUPIED HEIGHT” shall be forty-five feet (45') ~~feet~~ measured from median front exterior grade level to eight (8) feet above the highest occupied floor, for commercial or mixed-use buildings that are not residential.

“MAXIMUM UNOCCUPIED HEIGHT” shall be ninety feet (90') ~~feet~~, six inches (6") ~~inches~~ measured from front exterior grade level to the highest unoccupied enclosed structure. What is the difference between Occupied Height and Unoccupied Height? There is discussion throughout this document dealing with “height” all of which needs to be reconciled.

“MIXED USE” shall mean an area or structure that contains a mixture of commercial, office and/or residential uses.

“OPEN SPACE” shall mean any hardscape or landscaped grass or appropriate vegetation area but shall not include any interior landscaping or landscaped buffers or islands within parking areas.

~~“SET BACKS” shall also be defined as “build to lines.”~~

“VILLAGE CENTER” That area of the Urban Village District that is bordered by State Route 73 on the south; State Route 741 on the East and commonly known as Wright Station.

1267.02 INTENT AND OBJECTIVES.

(a) The purpose of the Urban Village District (UVD) is to allow for flexibility in zoning that will allow for the overall development site to become a walkable, integrated urban village with the following emphases:

(1) A unified architectural character that allow for creative interpretation of traditional design vernaculars, motifs, and building materials that create a visually cohesive, integrated urban village environment;

- (2) Activity areas, and open space around a well-designed transportation/ circulation network where pedestrian activity is strongly supported and integrated with vehicular streetscapes, service or parking areas;
- (3) Retailing, cafes, restaurants and personal or business services that generate high pedestrian activity along ground floor locations and potential office space or residential units on upper floors of or peripheral mixed-use or residential developments;
- (4) A design where commercial, office, retail, institutional and public single lot uses can be incorporated into the overall urban village fabric.
- (5) Residential areas that are intermixed within close/walkable proximity of new commercial uses, places of work or dedicated public open spaces and/ or amenities;
- (6) An emphasis on development where new and existing residents and visitors can live, work and play.
- (7) A design where open space, streetscapes with dedicated sidewalks, pathways, public and/ or institutional uses, and recreational uses are interwoven to create an overall village context.

1267.03 URBAN VILLAGE DISTRICT REVIEW PROCESS

(a) Urban Village District excluding Village Center. Zoning Decisions for all land within the designated UVD except for the land in the Village Center shall be subject to the following review process:

- (1) Each site development or zoning request shall be subject to Planning Commission review under Chapter 1284, "Site Plan Review" for compliance with this chapter. Written confirmation by staff to the Planning Commission that a proposed site development is substantially in compliance with this chapter shall be a mandatory prerequisite for site plan approval by the Planning Commission.
- (2) In its review of a proposed site development, the Planning Commission assist the applicant in achieving substantial compliance with the UVD requirements and in identifying acceptable alternatives when literal compliance with all standards may not be possible or desirable.
- (3) In keeping with the UVD design intent to create an integrated mixed-use, urban village and in order to accommodate creative and imaginative development in situations where the required UVD zoning provision may be inappropriate or unduly restrictive, the Planning Commission is authorized to hear and decide requests for exceptions to the UVD zoning requirements, but only in situations where the requirements will create a practical difficulty or unnecessary hardship prohibiting the use of land in a manner otherwise allowed under the UVD zoning district. Exceptions will not be granted merely to remove inconveniences or financial burdens and will only be permitted in extraordinary, exceptional, or

unique situations that were not caused by the applicant's act or omission. Request for exceptions must be received and decided by Planning Commission prior to the meeting for a final site plan approval process. Requests for exceptions shall be processed substantially in the same manner as requests for PUD major revisions under Code section 1266.11.

(4) In considering a site plan for approval under this Chapter where alternatives are provided to the Planning Commission the Planning commission shall base its decisions on whether the plan meets the general purpose and vision of the UVD as set forth through this Chapter. Among other things, the Planning Commission should consider if the proposed plan presents: a walkable integrated urban village; a unified architectural character; a visually cohesive, integrated urban village environment; activity areas and open space promoting pedestrian activity; multiple and variety of uses consistent with an overall urban village fabric.

(b) Village Center. It is the intent of this chapter to accommodate creative and imaginative developments in particular within the Village Center area which was acquired by the City of Springboro as a catalyst for economic development in order to serve the health welfare and comfort of the citizens of Springboro. As such it is the intent of City Council to permit innovations and flexibility in the land development within the Village Center of the UVD. In order to accomplish this intent, it is the purpose this section to permit, in a carefully-designed development, a variety of uses and/or dwelling types, and to permit the flexible spacing of lots and buildings, the provision of accessible and enjoyable open spaces, and the provision of a necessary complement of community and neighborhood facilities. As such, zoning decisions for all land within the designated Village Center shall be subject to the following special review process:

(1) Each site development or zoning request shall be subject to approval by City Council for compliance with this chapter. Written confirmation by the City Manager to City Council that a proposed site development is substantially in compliance with this chapter shall be a mandatory prerequisite for site plan approval by City Council.

(2) In its review of a proposed site development, the City Council, through the City Manager may assist the applicant in achieving substantial compliance with the UVD Village Center requirements and in identifying acceptable alternatives when literal compliance with all standards may not be possible or desirable.

(3) In keeping with the UVD design intent to create an integrated mixed-use, urban village and in order to accommodate creative and imaginative development in situations where the required UVD zoning provision may be inappropriate or unduly restrictive, City Council is authorized to hear and decide requests for exceptions to the UVD Village Center zoning requirements. Exceptions will not be granted merely to remove inconveniences or financial burdens and will only be

permitted in extraordinary, exceptional, or unique situations that were not caused by the applicant's act or omission. Request for exceptions must be received and decided by the City Manager prior to the meeting for a final site plan approval process.

(4) In considering a site plan for approval under this Chapter where alternatives are provided to City Council, it shall base its decisions on whether the plan meets the general purpose and vision of the UVD Village Center zoning as set forth in this Chapter. Among other things, City Council may consider if the proposed plan presents: a walkable integrated urban village; a unified architectural character; a visually cohesive, integrated urban village environment; activity areas and open space promoting pedestrian activity; multiple and variety of uses consistent with an overall urban village fabric. Any deviation from the Village Center zoning provisions contained in this Chapter that are within a site plan by City Council shall be deemed in compliance with zoning

1267.04 URBAN VILLAGE DISTRICT USES

(a) Village Center. Specialty retail including apparel, fashion accessories, home goods, sporting goods, hobbies, gifts, specialty packaged/ prepared foods, large(r) format retail/anchors including general merchandise and/ or pharmacy, cart-based or pop-up temporary retail/ vendors, kiosk (RMU)-based retail/food vendors, service businesses, personal service businesses, banks, brokerage, real estate or other financial services, grocery and specialty foods, personal care services (salons and spas), professional retail services (florists/ printing/copying, dry cleaner, shoe repair, real estate/ escrow); Auto or vehicle services including service centers, gas stations and/or convenience stores; Offices and professional services, medical, dental, pet care, financial/ investment service offices, educational schools and specialty academies; Multi-family residential, potentially above retail/ commercial, or stand alone, attached single family, or small/ tight lot, single family detached; Restaurants, cafes, bistros, nightclubs and bars, brewpubs; Entertainment, performance, and recreational venues; Theaters and cinemas; Hospitality/ hotel(s); Conference and meeting facilities; Parking, including street and surface lots/garages; Public and Institutional uses; Accessory structure uses; Open Spaces and event spaces. ~~Primary uses include retailing, including specialty retail, apparel and/or accessories, home goods, gifts, small or edited format general merchandise retailers, along with restaurants/ bar, specialty foods, hospitality/hotels and/or meeting facilities, entertainment facilities, public services, retail businesses, business and personal services, personal care businesses, professional offices and financial services, educational services, social activities, and professional class office space.~~ All within a village setting showcasing a streetscape atmosphere, requiring structures to be built to a close and/ or immediate proximity to encourage pedestrian flow and walkability.

Public and Institutional Uses may include a mix of community and city buildings, meeting halls, libraries, post offices, academic institutions including public and for-profit, public recreational facilities, museums, performing arts centers or other uses permitted by the City of Springboro; located within or adjacent to open spaces, parks. Where possible, they should be sited as visual

anchors to key vistas down a street or centered on an open space or plaza. Such uses shall work within a shared parking analysis and any off-street parking shall be located in rear yards.

(b) Retail/ Commercial Services. In and along main thoroughfares within the defined **Village Center**. These uses shall include: non-specialty retail, small to medium format anchors, commercial businesses, personal/ personal care services, business services, financial services, restaurants/bars, cafes or specialty foods, educational services, entertainment facilities, hospitality/ hotels potentially including attached meeting or conference facilities, automotive services, child daycare centers and other single uses usually on individual lots per functional requirements. Secondary uses may include residential, including assisted and/ or independent living per the discretion of the Planning Commission

(c) Office. Primary uses include: professional offices and services, medical offices and/ or laboratories, essential services including walk-in medical and/or pet care, and educational uses. Secondary uses may include residential per the discretion of the Planning Commission.

(d) Multi-Family Residential Area – The purpose of this Section is to encourage a flexible residential typology matrix that allows for unit development that is compatible with, and in proximity, and integrated into the walkable village center, and to blend with the adjacent historic and other neighborhoods. These include the following types of units and mixes. Area includes single-family attached dwellings, such as town houses or duplex units, multi- family attached dwellings, apartments and condominiums, assisted and/or independent living residences, senior housing, and live/work hybrid residential units, except as regulated by the Planning & Zoning Code. **Allowable uses are:** Single-family attached dwellings (town homes); Multi-family dwellings (either stand alone, or potentially over retail and/ or commercial uses including): Apartments, Condominiums, Loft-style residential; Assisted or independent living residences; Senior housing, Tight lot-line, single family homes with rear-garages along an internal site service way; Accessory structures, including separate, rear yard garages with the potential for living/ family spaces above (granny flats).

1267.05 URBAN VILLAGE DISTRICT DESIGN STANDARDS

(a) Lot Requirements. Lot requirements are defined in Table 1 below based upon the usage classification (i.e. retail, village center, single family residential, multi-family residential, and office). The definitions for each classification appear below the table. If there is a question as to the appropriate usage classification for a user, the Planning Commission will determine the most appropriate classification at its discretion.

TABLE 1, UVD LOT REQUIREMENTS

| Usage | Minimum Lot Width Or Area | Minimum Open Space | Front Yard Setback | Sum of Side Yard Setback ⁵ | Rear Yard Setback | Maximum Occupied Height ⁶ |
|-------|------------------------------|--------------------|--------------------|---------------------------------------|-------------------|--------------------------------------|
|-------|------------------------------|--------------------|--------------------|---------------------------------------|-------------------|--------------------------------------|

| | | | | | | |
|---------------------------------------|-----------|------|---------|----|-----|---------------|
| VILLAGE CENTER | NONE | NONE | 0' * | 0' | 0' | 3 stories/45' |
| RETAIL/ COMMERCIAL | 75' | 5% | 0' | 0' | 0' | 3 stories/45' |
| OFFICE | 75' | 5% | 0' | 0' | 0' | 3 stories/45' |
| MULTI FAMILY RESIDENTIAL AREAS | 5,000 SF | 15% | <20' | 0' | 15' | 3 stories/45' |
| Single Family Attached | 8-14upa | 15% | <20' | 0 | 0 | 3 stories/45' |
| Multi-Family Attached | 15-20 upa | 15% | <20' | 0 | 0 | 3 stories/45' |
| Apartments and Condominiums | 20 upa | 15% | <20' | 0 | 0 | 3 stories/45' |
| Accessory structures | 660 sf | - | - | - | - | 2 stories |

*Village Center buildings are expected to have build-to the sidewalk lines. See Section (b)(2) below.

(b) Structure Setbacks

- (1) Outside of the Village Center, in order to create a traditional-scaled, pedestrian oriented, walkable streetscape environment, and to create an integrated mixed-use, urban village, no more than 50% of any structure shall be set further back than the setback or build-to line location that fronts on a pedestrian walk area.
- (2) In the Village Center A minimum of 70% of the front facade of Village Center buildings shall should have zero (0) front Setback build to line such that the building is built along the sidewalk. The remaining 30% of the front facade may be set back a maximum of fifteen (15) feet to create inset locations for entrances, passages, courtyards and open spaces. Other uses shall have a zero (0) front setback requirement along the sidewalk, and each individual UVD Development Site shall be evaluated by the Planning Commission, in relation to its adjacent property uses. Creative interpretation of traditional urban streetscapes, frontages, building massing, architectural elements and design features that will create an integrated pedestrian-oriented, urban village environment are encouraged.
 - A. Alternative placement from Build-to Lines may be granted by the Planning Commission in the Site Plan Review process in order to avoid existing, and recently installed utility rights of way, and on corner sites (within 50 feet of a primary arterial comercorner)

provided the alternative placement does not encroach upon a required Clear Zone.

B. Side or Rear setbacks: All side or rear setbacks are to be reviewed by the Planning Commission, and are to be minimal where possible as a default for site planning purposes.

C. Corner Setback: Buildings in specific areas, located at an intersection that may have setback on the street designated as front facing and a minimal-to-no setback on the other, provided that the side is located along a service drive, service bay or zero lot line adjacent use/ structure, and will not be a primary public access and provide minimal visual interest.

(3) **The following shall apply to buildings that are used for primarily residential purposes:** A minimum of 50% of the front facade of residential buildings may have zero (0) to ten (14) foot front Setback along the sidewalk, unless they are single family lots primarily facing onto a dedicated residential neighborhood street. The Planning Commission encourages creative interpretation of traditional designs that will create an integrated, walkable urban village environment and where appropriate will consider an individual UVD Development Site in relation to its adjacent property setbacks.

A. Alternative placement from Build-to Lines may be granted by the Planning Commission for single family home sites within new development zones in the UVD, and in areas adjacent that feature healthy, existing old growth 8" caliper (min) trees, and on corner sites (within 50 feet of the comercorner) provided the alternative placement does not encroach upon the Clear Zone.

B. Side or Rear setbacks: All Residential side or rear setbacks are to be reviewed by the Planning Commission. Where applicable and viable, such setbacks will be used to establish the edge of/ buffer from existing or planned adjacent, non-residential uses. All such setbacks should be encouraged to showcase pedestrian pathways, bike lanes, play areas, and substantial tree and landscape screening that will grow dense within three (3) growing seasons. All setbacks areas are to be landscaped, maintained and irrigated per the landscape design and maintenance requirement as set forth in the UVD district and the approved design by the Planning Commission. Plans should be designed and submitted for approval, along with a proposed maintenance schedule by a registered landscape architect.

C. Corner Setback: Dwellings located at an intersection may have setback on street designated as front facing and no or a minimal setback on the other side(s) so long as it is fronting on a driveway or pedestrian pathway back to a service drive or rear yard area, or onto a residential street where necessary and viable.

(c) Structural Height-

- (1) Buildings that are used for commercial/ non-residential purposes shall not exceed forty-five feet (45')~~feet~~, in Maximum Occupied Height measured from front exterior grade level to nine feet (9') above the highest occupied floor. Residential buildings, including all attached, multi and/ or single- family units, including assisted or independent living units, shall not exceed forty-five feet (45')~~feet~~, in Maximum Occupied Height measured from front exterior grade level to nine feet (9') above the highest occupied floor.
- (2) Buildings that are used for primarily residential purposes shall not exceed forty-five feet (45')~~feet~~ in Maximum Occupied Height measured from front facade grade to nine feet (9') above the highest occupied floor. The height of enclosed unoccupied building elements may exceed the Maximum Occupied Height by no more than fifty percent (50%). Purely decorative unoccupied elements such as towers, flagpoles, spires and steeples may be located on top of either occupied or unoccupied enclosed space, or freestanding to a total building height of no more than seventy-five feet (75').
(2) In the Village Center, the height of enclosed unoccupied building elements may exceed the Maximum Occupied Height by no more than fifty percent (50%). Purely decorative unoccupied elements such as towers, flagpoles, spires and steeples may be located on top of either occupied or unoccupied enclosed space, or freestanding to a total building height of no more than seventy-five feet (75').
- (3) **In areas other than the Village Center**, the height of enclosed unoccupied building elements, such as decorative roofs may exceed the Maximum Occupied Height by no more 50 percent (50%). Purely decorative unoccupied elements such as towers, flagpoles, spires and/or steeples may be located either atop enclosed, occupied space or freestanding, to a total building height of no more than seventy-five feet (75) above median grade at that location, excluding decorative metal spires or finials.

(d) Village Center provisions. The following shall apply to development within and adjacent to the Village Center.

- (1) Ground floor use. The ground floor of Village Center buildings shall be restricted to encourage retail business, restaurants/ bars, cafes, personal care services, professional services, and other uses that foster street level pedestrian-oriented activity. Other adjacent UVD Development Sites, whether future or existing to the Village Center site itself shall be evaluated by the Planning Commission in relation to its adjacency to see where complementary connectivity/ uses might facilitate better pedestrian and vehicular traffic flow. Designs that will create an integrated, pedestrian oriented, urban village environment are encouraged.
- (2) Upper level floor use. Offices and/or residential uses in Village Center buildings are encouraged on the upper floors of the building where and/or if feasible. There are no upper floor level use restrictions of other commercial mixed-use areas.
- (3) Transparency. The ground floor of the building should be designed to be at least sixty-five percent (65%) transparent along any front facade, through the use of show windows, entrance doors or other glass surfaces, including sliding, folding and roll-up glass doors that open seasonally. This allows pedestrians to view the goods and services offered in ground floor business and in the case of retailers or restaurants that showcase such spaces, allow for the internal activity of that venue to spill-out into the streetscape environment. Corner tenants or spaces that are primarily retail should turn the corner with at least one bay of transparent, or translucent storefront glass area, no less than 30' back from the structural corner. In the case of professional services, offices space or non-retail commercial area, the Planning Commission will review all site and floor plans to help determine if transparency can be enhanced beyond the 30' minimum. Large format retailers should look to plan outer exposed side walls with either liner uses, or be able to turn elements, massing and details of the base building architectural character down the side for its full distance. Upper level transparency is recommended for buildings that face parks, squares or other significant vistas, per the discretion of the Planning Commission.
- (4) Tenant Identity/ Upper level signage. Signage for upper level businesses shall be crafted to identify the tenant, separately or in tandem with other such businesses, but will be part of an overall tenant and building identity package, again as an addendum to a signed lease agreement. The

placement of all signage and its proportion, fabrication and illumination may be reviewed on an as-needed basis for specific end users, at the discretion of the City.

(5) Buildings in the Village Center that are a minimum of 20,000 square feet and are dedicated to a single user may have signage approved by City Council notwithstanding provisions in the existing sign code based on the nature of the site at issue. Council has authority to approve any signs or mural notwithstanding provisions limiting or prohibiting such signage under the Sign Code, Chapter 1281.

(5) Open Space: Usable and functional open spaces and programmable event spaces are required, where feasible, as part of the mixed use, Village center development on the former IGA site, and within new, adjacent neighborhoods. This definition may also include/ allow for landscaped traffic islands, pedestrian plazas, arrival courts, landscaped sidewalk/ pathway areas, game areas, public amenity features such as water features, outdoor fireplaces and seating areas, general green space, pocket parks and other recreational uses. Open spaces between buildings are highly encouraged to break-up long street walls and create landscaped courtyards for tenant or public seating zones, or walkways to connect to other uses beyond or parking, or to adjacent neighborhoods, or to other nearby anchors.

(e) Residential signage. All Residential project signage may be placed at the entry into any new development, but provided it is part of an overall streetscape design concept, whether public or private access, and conforms to that development's specific design criteria, as reviewed and approved by the Planning Commission. No one development can have more than one such entrance, as authorized by the Sign Code, Chapter 1281. Signs may be placed on low, landscape entry walls or piers bracketing each side of an entry, or on a sign panel or low wall within a landscaped island at the formal entry to that development.

(e) Signage in other areas of the UVD shall be pursuant to the Sign Code, Chapter 1281.

1267.06 SITE DEVELOPMENT

(a) Streets. In keeping with the UVD design intent to create an integrated mixed-use, urban village environment, the criteria in this section for public roads may vary from current Springboro subdivision standards and shall be submitted for review and approval to the Planning Commission.

(1) Street Design and Materials. Beyond the likely predominant use of either conventional standard asphalt or concrete, the UVD requirements strongly encourages incorporating differing specialty paving materials such as brick, cobblestone, pavers, colored or infused concrete, stamped and colored asphalt pavement and/ or other pavement products, to demarcate special pedestrian walk and/or activity zones, dual pedestrian/ vehicular crossing areas, feature street surfaces, crosswalks, pathways, unique 'arrival' zones and entries. Where viable, such areas should be made zero curb elevation zones to facilitate ease of pedestrian use, and as a visual cue for traffic calming in these specific areas. Such zones or feature streets can have vehicular and pedestrian zones segregated by use of either fixed or removable bollards that can be changed for programmed public events. For specific UVD Site Development areas with public roadways, pavement design must be based on calculations that anticipate future traffic conditions and must be submitted to and approved by the Planning Commission. Creation of roadways featuring landscaped islands, boulevards, arrival courts and roundabouts are also encouraged where feasible.

(2) Street Right of Way. The standard right-of-way width for all roads within the UVD varies depending on service level for that particular street or roadway, service drive or entry. The standard maximum right-of-way width for a conventional two-lane/ two-way road shall be fifty feet (50') within the UVD district. This dimension includes a two-lane, twenty-four foot (24') roadway, one side of parallel parking; eight feet (8') wide, and a sidewalk/landscape area on each side of no less than twelve feet (12'), featuring a sidewalk of no less than six feet (6') on each side. With the remaining areas each side to be landscape buffer, up to either a building, setback line, landscape area, or adjacent building or property line. Additional dimensional width is added for the following uses;

- A. For an additional parallel parking lane, add eight feet (8').
- B. For each additional travel lane, add eleven feet (11').
- C. To add angled-in parking on any one, or a double side, add an additional twenty feet (20') in lieu of the parallel spaces to the right of way.
- D. Landscaped medians in the center of two-way entrances or within roadways, shall be no less than six feet (6'), or no more than twelve feet (12').
- E. One-way streets shall have travel lanes no wider than 16'.

These dimensions ensure that streets developed within the mixed-use urban village have fairly narrow drive lanes to shorten pedestrian crossings and inhibit drivers from traveling at high speeds within and through these neighborhoods. Specific UVD Site Development enhancements that do not fall within these basic right of way requirements, such as service roadways, boulevards, roundabouts, arrival courts, and streetscape features (such as street furniture, water features, sculpture, hardscape/landscape features) and/or in combination with on-street

parking, will be assessed in context with a specific development's design intent, in context with any existing adjacent development. And especially if any such development dramatically adds to the pedestrian experience of the UVD district.

- (3) Utility Easements along Streets. All public street utility easements shall fit within planned street rights of way or in dedicated service lanes where possible, and are to be located under pavement, landscape and sidewalk areas as necessary.
- (4) Roadway Widths. UVD roadway minimum widths shall be a minimum of 16 feet for one-way streets, and a maximum of 28 feet for two lane streets, (back to back of curbs, without cut-ins for drop-off/service zones, parallel/ angle parking, additional travel lanes, or landscape islands). Locations and dimensions are presently not fixed, but shall be designed to accommodate intended end users and to facilitate the mixed-use village streetscape pedestrian environment. Specific UVD Site Developments will allow for the addition of service lanes, landscaped islands, boulevards and/or on-street parking.
- (5) Street Radii ~~Corner~~ Corner Radii & Clear Zones. Corner curb radii shall be between 8 feet and 25 feet as determined by the intended use (residential areas up to 15 feet, and mixed-use areas up to 25 feet). These fairly tight turning radii are intended to shorten pedestrian crossings and inhibit drivers from turning corners at high speeds. To allow emergency vehicles (e.g. fire trucks) to turn corners, a 25-foot radius Clear Zone may need to be established free of all vertical obstructions including but not limited to street lighting poles, decorative bollards, wayfinding signage, sign poles, fire hydrants, utility boxes, or dense vegetation landscaping or street trees. Curve and radius data and intersection details for public roads shall be submitted for review and approval by the Planning Commission. Where viable, the curve should also be used to create bump-out landscape and walk areas that cap rows of either parallel or angle-in parking spaces.
- (6) Pedestrian & Bicycle access. A network of multi-use pathways and/or sidewalks and potential bike paths shall link all open spaces, residential, mixed use and commercial areas within the UVD. All site plans developed for parcels within the UVD, or subsequent additions and alterations of existing uses, should make this a primary feature of their specific overall site development, and look to connect adjacent sites/ uses, and/ or to tie-into cross-site public pathways/ walkways/ sidewalks or bike paths, and into the adjacent historic district and other City of Springboro neighborhoods abutting the UVD.
 - (b) Utility and equipment locations. All utility distribution lines shall be located underground, and all in-ground utility access boxes placed as to not interfere with pedestrian zones, parking areas and roadways. All transformers, switchgear, phone pedestals/cabinets, metering, exposed pipes and valves, generators, landscape/hardscape amenity or irrigation

control systems, and any other mechanical equipment or other above-ground utility functions, as well as dumpsters, grease traps, recycling, compactors or any other back-of-house functions shall be grouped in screened areas of all sites, as far as is practical from public view, preferably in rear, side or interior service zones, and adequately screened from public view with mounding, screen walls and/or landscaping/ landscape devices. Where such locations are exposed to public view (such as at parking areas at the rear of buildings), screening shall be provided as far as is practical and shall also incorporate low-profile landscape planting at the base of any non-opening screen device.

(c) Utility and equipment screening. For exposed service structures requiring open-air locations, particularly rooftop utility and/or other mechanical equipment or other functional hardware such as generators whether on roof, ground or located attached or near other building wall areas that are not public functions, these shall be screened from public view with landscaping, or screen walls fabricated to match materials harmonious with the building, and/ or painted to match where applicable at the discretion of the Planning Commission. Developers will need to show sectional and plan diagrams depicting the effectiveness of any proposed screening, and its visibility from any public right of way. Where possible and viable, setting such elements into lower grade areas is also encouraged.

(d) Loading

- (1) Service Area screening. Recessed and/ or raised loading areas shall be screened from public rights-of-way. Recessed loading areas and loading areas with raised docks that face out to public parking lots at rear of buildings shall be screened from side view and constructed of materials and patterns to mimic primary structure, and with screen doors where viable. Fully screened service zones that provide truck/ service access and are not directly visible to public view shall not be subject to such side screening. Service entrances located at rear of buildings shall be screened, unless such areas are comprised only service doors, accessed by hand and trolley delivery on-street, curbside loading area. On-street, curbside loading area need not be screened from view, but should be made dual-purpose to encourage other uses after hours parking uses. Hours of loading/servicing shall be coordinated with owner/ developer's management to limit service hours to less congested, preferably early times of the day.
- (2) Loading Space Requirements. In the [Town](#)/ Village Center areas, loading may be accomplished at curbside locations. Curbside loading spaces shall not be screened, but should be made dual-purpose where practical and functionally viable for daytime, public parking use.
- (3) Loading in required yards. Loading spaces in other than Village Center areas, shall not occupy any part of a required yard setback, unless it is at rear yards, the Planning Commission.

(e) **Residential Site Development.**

(1) Maximum Block Size: The maximum perimeter of any block shall be no more than 500 linear feet. Pedestrian pathways and bike paths that inter-connect and link any one development to the wider UVD shall be provided at intervals no greater than 250 feet, or between any eight attached townhomes in any one row, or at the discretion of the Planning Commission.

(2) Alleys: Where viable, rear and side alleys shall be incorporated in the ~~Springboro Village Center~~ UVD residential neighborhood requirements to provide access to parking and service areas behind rows of town house-style units and to access single family-style lot developments, to lessen the number of curb cuts, and foster un-interrupted pedestrian sidewalk movement. Alley locations and dimensions are not fixed but shall be designed to accommodate the alley's purpose, preferably no less than 20' from building edge to building edge across any one alley way to facilitate proper backing out of any one garage space. Alleys may also be incorporated into parking lots as drive aisles and fire lanes.

(3) Lot Coverage: Multi-family dwellings may not cover more than eighty percent (80%) of an overall parcel area. This does not include any outboard freestanding garages or covered spaces/ areas.

(4) Building Fronts and Backs: The front or side of every building must face the street, right of way or courtyard. Rear facing buildings, overhead doors and service entries are prohibited on street facades.

(5) **Residential signage.** All Residential project signage-Signage may be placed at the entry into any new development, but provided it is part of an overall streetscape design concept, whether public or private access, and conforms to that development's specific design criteria, as reviewed and approved by the Planning Commission. No one single development in a residential usage area can have more than one such entrance, as authorized by the Sign Code, Chapter 1281. Signs may be placed on low, landscape entry walls or piers bracketing each side of an entry, or on a sign panel or low wall within a landscaped island at the formal entry to that development.

(h) Screen wall construction and materials. The building materials and colors of walls and fences, visible from any public right-of-way or parking area with more than five parking spaces shall be uniform and compatible with the base-building architectural style, color and building materials of the principal building and its surroundings.

(i) Fencing. Chain link fence is only permitted in very limited areas, when they are not visible from any public right-of-way.

(j) Open space area requirements. Open space shall be provided at ratios of 15% in Residential areas and 5% in mixed-use areas other than Town/the Village Center for individual developments, and in aggregate in a multi-building setting.

1267.07 BUILDING DESIGN

(a) General Architectural Character and Four Sided Consistency/ Achieving Value Through Design Requirements. The following architectural requirements are meant to achieve two goals; 1.) The establishment of a consistent higher quality design and construction that works with the site and streetscape requirements to establish and reinforce the mixed-use district neighborhood design goals, and 2.) To protect initial and future investments in the UVD district against future environment variables that could lead to low-grade and undesirable material choices and building site orientations, and cheap construction for the sake of development itself, that in-turn threatens the economic viability and longevity of the whole district as it grows and changes with time. In the UVD, the exterior architectural design character for all new or renovated structures, shall take inspiration from traditional massing, material and character of the vernacular of the region in both commercial and residential applications, and to complement the historic South Main Street that is just south of the UVD.

- (1) Four-Sided Consistency. All building sides shall be considered four-sided architecture, except where buildings are closely adjacent, or back up to buffer zones, and need to relate to the style of the front or primary corner façade(s). Complexity and level of ornamentation may be reduced progressively on the sides and rear of buildings.
- (2) Orientation to street. Buildings shall be architecturally oriented to, and the main entrance itself, shall be located on: the street, public right-of-way or courtyard, and in a few specific instances, for larger-format users over twelve thousand square feet, (12,000 square feet) or for pad-style freestanding buildings facing a relevant-sized surface parking area and yet oriented to the street or surface area it fronts upon. In the Village Center area building entrances shall be oriented toward the major or primary streets or primary public event/ open space(s) Buildings located on an intersection shall have the main entrance oriented toward the major street and any facade facing other streets shall have facades that 'turn the corner' with similar/complementary architectural features and character. Retail, office, and institutional buildings and main entrances shall be oriented toward a street, right of way, drop-off area, or courtyard. Residential area buildings entrances shall be oriented toward the street, primary right of way, open areas or court yard . Buildings located on an intersection shall have the main entrance oriented toward the primary/ desired residential address and any facade facing onto a corner shall showcase similar architectural styles on both facades.

(3) Orientation of windows and doors. All windows and doors, openings or frame fenestrations located within an opening shall be vertical in orientation, meaning the primary frame character is more top to bottom, as with traditional storefronts and window design. Traditional window layouts featuring transoms, divided lights, and sidelights are encouraged, along with storefronts, doors and framing components, which follow vertical enhancing design elements. Sliding commercial-grade glass doors, folding glass windows and butt-jointed glazing may be allowed, but only if window and/ or door orientations are also vertical in nature. Retail or commercial storefront areas can have long runs of linear glazing, but must break up the glass panels with a rhythm of continual vertical supports to mimic traditional storefronts. Any sliding doors must pocket out of view, and all folding windows should not encroach into an exterior walk or public area beyond a tenant storefront closure line, unless as part of an exterior lease area. Linear strip windows, horizontally dominant window frames, and rectangular picture windows are discouraged, since they are not part of the traditional architectural vocabulary that is part of the UVD. Alternative window and door designs may be approved by the Planning Commission as part of the Site Plan Review approval process but only if primarily related to functional use, provided that the overall building design is in keeping with the goals of the mixed-use UVD District.

(4) Glass materials. Clear or colored glass, translucent, sandblasted and/or decorative pattern glass that can emit light through is encouraged. Retail, and/ or commercial storefronts should be predominantly clear glass at any street level opening. Where a clear window opening is desired, but for functional reasons is not viable, an internally backlit, translucent, patterned or colored glass panel is most encouraged. Other options, including back painted, fritted, sandblasted, or non-illuminated translucent glass may be acceptable where structural elements or back-of-house functions or unoccupied space would be visible behind. Black, opaque, spandrel and reflective glass materials are discouraged.

(5) Building materials. Building materials should be commercial grade, and applied in a variety of applications across the expanse of all visible public-facing elevations. Acceptable materials include pre-cast and/ or patterned masonry, brick, decorative block, cementitious siding, wood (both new and reclaimed in specific applications), stone, exposed metal structure and/ or architectural details where viable, stucco, or materials of equal appearance consistent with the acceptable architectural character outlined in the UVD. Plywood, split-face masonry block, thin-set or plastic brick and stone, corrugated siding, vinyl siding and plastic panels are prohibited, unless in service or screened areas, not visible to the public.

(6) Rooflines. Flat rooflines are permitted, however, parapets or the underside of roof eaves should showcase cornices, masonry and/ or brick trim and/ or

patterning, decorative blocks/brackets, moldings or some form of architectural emphasis along the roofline. Where adjacent buildings have a similar roofline, a variation of the height of the rooflines is required.

- (7) Roofing materials: Asphalt shingles, fiberglass shingles, actual or composite roof materials that mimic slate or tile, and either copper or painted/ powder coated standing seam metal are permitted materials for sloped roofs per the discretion of the Planning Commission. Where possible, patterning of asphalt shingles, colors for more vertical roof surfaces is highly encouraged.
- (7) Building heights. Heights shall be consistent with those of other similar uses. For larger format users, entertainment venues or other commercial uses, where taller interior spaces are required, heights of the front facades should try to use design massing, elements and materials to blend-in with any adjacent structure(s) as to not overwhelm the overall visual appearance.

Individual structures should feature a variety of heights, using elements such as roofline variation, decorative towers or portal elements, steeples, pediments, clerestories, dormers or domes, consistent with the overall architectural character and design requirements. Buildings that are used for non-residential purposes shall not exceed forty-five feet (45'feet) in Maximum Occupied Height measured from front exterior grade level to nine feet (9') above the highest occupied floor. The height of enclosed unoccupied building elements may exceed the Maximum Occupied Height up to thirty feet (30') from mean street level grade. Purely decorative unoccupied elements such as towers, flagpoles, spires and steeples may be located on top of both occupied and unoccupied enclosed space, to a total building height of no more than seventy-five feet (75 feet), excluding decorative metal finials.

- (8) Building massing. Individual buildings and any attached structures should strive for complementary building massing, reminiscent of traditional townscape/streetscape patterns. Monoplanar or monolithic appearance and surfaces, with little variation in setbacks, wall fenestration, or rooflines are highly discouraged. Building massing should take into account adjacent buildings, property uses, sightlines, identity, and relationship to its site to accomplish building a contextual variety in its overall massing. As noted above, such elements as rooflines, massing setbacks, decorative architectural elements, visual openings and wall fenestration elements such as pop-outs, window openings, trellises, pergolas, verandas, entrances, piers, pilasters, decorative panels, or grilles, and eaves or cornice lines will break down a structure's overall massing and create a pedestrian scale to its overall context.
- (9) Building Opacity/ Blank Walls Buildings within the UVD district need to achieve sixty-five percent (65%) glass or storefront area, where open to a streetscape or

public right of way. This includes upper level window and opening areas calculated as an overall aggregate, and can include inset terraces where viable.

Blank wall areas must not exceed lengths of more than 75' in any one stretch before a door or opening, and facing a public street or right of way, such wall surfaces must be visually enhanced with design elements such as pilasters, frames, pattern materials, landscape and lighting. These areas are also potentials for large-format, non-commercial advertising environmental graphics where viable.

(10) Color

A. Color Variation. The use of sharply contrasting, or clashing colors on buildings facades is discouraged for large surface areas. If used either as an accent or as some form of tenant identity, they should be limited to specific architectural elements, details or small surface areas. Their use in tenant design/ tenant identity areas however is encouraged, but subject to tenant design requirements of their particular building or development.

B. Color Schemes. Color schemes should be kept simple with no more than one or two field or trim colors on any given building. All exterior colors and finished material surface colors are subject to Planning Commission approval.

C. Color Consistency. The chosen color scheme should help tie all of the parts of the building together. Monolithic color schemes and appearances are discouraged, unless it is part of a highly articulated façade or structure. Typically, the color that is used in the storefront area may be repeated in the upper story windows or cornice area. Colors used at the front façade should be used on the sides and rear of buildings.

1267.08 LANDSCAPING

(a) In addition to the provisions of Chapter 1280, the following provisions shall apply:

(1) Plant material selection. Plant materials shall be chosen which are indigenous, moderately fast growing and require moderate maintenance and trimming. All planted surfaces, whether in ground or in raised landscape beds shall be fully irrigated and maintained in good functioning order. The landscape design shall incorporate the total development site, and in context with adjacent users, and consist of a palette of plants with year-round appeal which might include annuals, perennials, shrubs and trees.

(2) Surface Parking Area landscaping. Parking areas and driveways shall be landscaped with low-profile bushes, groundcover, shrubs, trees or tree groupings to a minimum height of eighteen inches above finished parking surface where

there are no trees. Taller bushes, shrubs and low-profile decorative trees are permitted in areas where screening of outboard utility or service areas is required. No less than two, 4in caliper trees should be added to all parking islands, and 2" along any buffer zone not along a street right of way.

- (3) Surface Parking Area landscape area requirements. A minimum of eight percent (8%) of any one total interior surface parking area, enclosed or up to any dividing street, landscape zone, 'canoe', building, setback or open space, shall be landscaped with planted islands or a landscape island beds for every linear run of no more than twelve parking spaces. Provided, however, this shall not apply, if the entire run is no more than 14 spaces or if an irregularly shaped island creates a naturally larger landscape bed area where the edges may be more low plantings, and the interior may be more lawn in season. A minimum of two (2) 2-inch caliper trees and ten (10) low bushes or shrubs shall be planted on all interior islands within any row of surface parking area. Permeable paver blocks are also encouraged as a substitute for impervious cover, especially in areas that are likely to be lightly used for parking and/ or landscape zones where a more solid surface is occasionally required, but most of the time it will be a passive space. Similar types of creative alternatives are encouraged, and are subject to review and approval of the Planning Commission.
- (4) Exemptions. Parking area landscape requirements shall be negated if the surface parking area is not, nor will ever conceivably be, visible from a public right-of-way.
- (5) Planting island requirements. Planted islands shall be no less than one-hundred and seventy-five square feet (175 square feet) in size with a pervious surface area adequate for proper root aeration and expansion. Creative alternatives are subject to review and approval of the Planning Commission.
- (6) Screening materials. Where landscaping is used as screening device it shall be of an opaque foliage year-round. Landscape screening shall be of a height and density so as to provide the full desired effect within three (3) growing seasons.
- (7) Street trees. All streets shall be planted with regularly spaced shade trees. Trees shall be selected in consultation with the Planning Commission.
- (8) Street Furniture. Street furniture/furnishings are key features of public spaces that can greatly facilitate in creating vibrant pedestrian use of all streetscapes, open spaces and connecting outdoor areas. These features include such basic items as benches, trash receptacles, bollards, drinking fountains, wayfinding/ environmental graphics and street signs. Other elements include, moveable tables, chairs and lounges, picnic benches, market umbrellas, outdoor fireplaces, water features, children's play areas, sculpture and other public art. Street

furniture shall be chosen and placed in consultation with developer(s) and the Planning Commission, and shall be located so as to maintain a clear pedestrian path.

Street furniture shall be made of materials consistent with extended public use. These materials include painted or powder-coated metal with a matte finish, Wood; either painted with a matte color or natural finish, outdoor grade fabrics and canvas, and in certain instances; high-impact, composite or resin-based materials that mimic natural finishes that are weather resistant. All street furniture and public features shall be maintained in good working order and appearance by their respective owner(s), and replaced as necessary. Street furniture shall be consistent and/or similar in quality of fabrication, color and style along both sides of any public street or right of way. All street furniture elements, either new or replacements that vary in color, material, number, placement or size from prior an approved plan(s) are subject to Planning Commission review and approval.

- (9) Registered professional required. A registered landscape architect shall work with the developer and City of Springboro on all landscape design all landscape plans and/ or alterations.
- (10) Maintenance. Any approved and implemented landscape plan shall include an ongoing maintenance schedule, including a beginning of growing season/ spring replacement of any and all damaged or destroyed plantings, trees, landscape surfaces, and repair of any irrigation apparatus from the prior year/ winter. Severe damage from a weather event or infestation may, at the City of Springboro's request, require the re-engaging of a registered landscape architect for proper restoration or replacement of plant materials.

1267.09 LIGHTING

- (a) In addition to the provisions of Chapter 1273, the following provisions shall apply:
 - (1) Outdoor lighting. All outdoor illumination of building surfaces, parking areas, service zones, or any non-illuminated, surface mounted project signage or tenant identity—signage, shall be directed so as not to directly shine on adjacent properties. All fixtures shall be LED, and their placement, along with all support posts/ poles and brackets, shall be consistent in fabrication quality, and selected to enhance the overall design character of the urban village.
 - (2) Street lighting. Consistent, and professional grade, LED fixtures for street and pedestrian lighting shall be provided on all streets, sidewalks and pedestrian pathways, including public gathering/ event spaces, both public and private within the UVD district. Street and pedestrian poles shall be located at all intersections

and along sidewalks at intervals consistent with the urban village design character that promotes pedestrian activity. Street lighting shall be scaled to the pedestrian; with pedestrian street poles and lamps no less than 14' high, which shall be the recommended minimum height, including 30" minimum bases and tapered support posts of no less than 6" diameter at the base. Pedestrian poles are to be featured on all Village Center walk and community gathering space areas, and shall feature exterior outlets for seasonal and functional needs. Street light fixtures shall be painted or powder-coated metal, with a matte finish, consistent in color and style on both sides of any street and chosen in consultation with the Planning Commission. An alternative for public spaces, gathering areas, and pedestrian pathways are low-profile LED, internally lit bollards, placed at intervals to fully illuminate all pedestrian surfaces.

- (3) **Street/ pedestrian lighting.** A street/ pedestrian lighting plan, showcasing a fixture schedule, light levels, and placement on any site within the UVD district, shall be submitted to the Planning Commission for approval.
- (4) **Decorative.** All decorative accent/ architectural lighting, meant to illuminate a building feature, surface(s), or surface mounted, non-illuminated signage, and is a permanent feature of the overall building or site design, shall also be submitted to the Planning Commission for review and approval.

1267.10 OUTDOOR STORAGE

(a) **Screening.** Outside storage of merchandise, raw material, finished products and/or equipment must be visually screened from all sides visible from any public right-of-way. All multi-tenant service areas, including service docks, back-of-house areas, and dumpsters, compactors, recycling bins, grease traps and general service locations must be fully screened with non-lockable closure gates on one side for access and removal. Large format uses requiring major service bays shall screen all areas with walls that fully hide any required service vehicle(s) backed into a service bay, both lengthwise and in height, and are to be consistent materials/ colors that complement their base building. Provided however, if the service bay is located away from any public view or right of way, then these requirements may be waived by the Planning Commission. Initial site planning should work to negate or minimize views from any public areas or such large bays wherever possible. Masonry, brick, stone, decorative block, composite materials, pressure treated wood and/ or painted or powder-coated metal are all acceptable materials to screen attached or free-standing service areas and bays.

(b) **Exemptions to screening.** Use tall-growth landscaping, screen walls or decorative, opaque fencing to screen all storage facilities. For uses that require more than occasional access, and are outboard or freestanding from the main building area, three sides shall be screened, but screened areas must not be visible from the public right of way, and shall have unlocked, decorative and opaque doors to one side for clear access. Chain-link fencing with inserted plastic slats, or plastic-coated walls and/ or support posts are not permitted.

(c) Storage building design. Any required permanent outdoor storage building(s) or structures shall be constructed in the same style/ materials and colors as their surrounding buildings or related project character. Overall concept is that they should not look temporary.

(d) Visibility from Public Right-of-Way. Where possible, locate any outdoor storage structure away from the public right-of-way or view, preferably behind the main building(s).

(e) Accessory structures. May contain auto and accessory vehicle parking, developer/landlord/ tenant or resident storage, building or amenity functions/ uses, general maintenance storage, or trash/ recycling bin enclosures. Prefabricated shed structures are not permitted.

1267.11 VEHICULAR AND PEDESTRIAN CIRCULATION.

(a) Safety. The safe and functional movement of both vehicles and pedestrians, on and off-site, shall be provided as the first consideration in designing transportation networks within the UVD, and all site plans shall be crafted to minimize such conflicts wherever possible.

(b) Outdoor events. All outdoor seasonal events and displays, public space programming, sales, and conditions for holding outdoor events and/ or sales may be permitted or denied at the discretion of the City of Springboro.

(c) Pedestrian and bicycle circulation. Pedestrian circulation is highly encouraged, and can be accomplished via sidewalks, crosswalks, cross-surface lot walkways, community gathering spaces, plazas, terraces, seating and amenity zones, hard-surface paths, bike paths, and permeable pathway surfaces. These varying pathways should be crafted to connect between all buildings, and within and outboard of specific development parcels, and should be graded to accommodate ease of pedestrian travel with minimal inclines if possible. Early site planning should make this a primary consideration within and along the edges of the UVD district.

(d) Sidewalks. Where appropriate, sidewalks shall be provided on each side of every street and shall be creatively developed to interconnect different land use areas and open spaces. Sidewalks should be no less than 6' wide overall, and no less than 12' wide (optimal 14') within commercial or mixed-use developments along any commercial address.

(e) Sidewalks and buildings. Pedestrian connections, including crosswalks, sidewalks and pathways shall be provided along any surrounding streets/ driveways/drive isles, along the front, side or back of any building or group of structures, on all specified and dedicated streetscapes, both public and private.

(f) Sidewalk width. Sidewalks along the front facades of buildings in the [Town/Village Center](#) shall be an average of no less than twelve feet (12') (14' optimal), incorporating a dedicated landscape/ tree well area at the curb line of no less than five ft. x five ft. (5'x5') square, and at intervals of no less than 25' ft. each. Sidewalks along sides and rear areas of buildings may be of lesser width, but in no case less than six feet (6') wide. Sidewalk and pathway widths within

other non-commercial areas of the UVD areas are to be determined by Planning Commission review for each application as submitted, but in no case are to be less than five (5) feet wide, and only in special site condition situations.

1267.12 OFF-STREET PARKING REQUIREMENTS.

(a) Size of parking spaces and aisles shall be in compliance with the City of Springboro Planning and Zoning Code, Chapter 1279, unless specifically allowed otherwise by overriding standards established in this section.

(b) Parking Requirements. The UVD District will require these minimum parking counts for each usage classification as follows:

- (1) Village Center, including all commercial uses allowed except freestanding restaurants/ bars - one (1) for each 275 square feet of lease able floor space, (except 1.25 spaces per dwelling unit for any residential unit built above or within such a mixed-use zone); Overall commercial ratio at 3.6 spaces per 1,000 s.f.
- (2) Freestanding Restaurants/ Bars, seven (7) spaces per each 1,000 square feet of gross leasable floor area, if stand alone, dedicated restaurant use, and not part of a shared parking analysis location.
- (3) Small and Medium Format Anchor Retail, a minimum of three (3) spaces for each 1,000 square feet of gross leasable floor area; (3/1,000) is permitted, up to a maximum of no more than four and ~~a-one~~-half (4.5) spaces per 1000 square feet of gross leasable floor area. This would largely apply to such uses as small market/grocer and/ or pharmacy. Property owners are encouraged to work with end user retail tenant(s) to facilitate the potential for cross-parking usage with other complementary services/ attractions for all larger surface parking areas. This effort should be encouraged in early site planning phases.
- (4) Office, a minimum of one (1) space for every 275 square feet of gross leasable floor space per standard lease calculations. ~~However, f~~or medical office uses, the ratio of parking spaces shall be one (1) space for every 200 square feet of gross leasable floor area on single use lots.
- (5) Multi-family Residential,
 - A. One and one-quarter (1.25) spaces per dwelling unit, except single family detached or attached dwellings: Two (2) spaces per dwelling unit if the unit is no less than two bedrooms, and/ or is a for sale product, where there would likely not be less than 2BRs per unit. The intent of these parking regulations are to encourage a balance between

compact pedestrian-oriented development and necessary car storage. The goal is to construct neither more nor less parking than is needed.

B. ~~Minimum residential space requirements are as follows: 1.25 space per dwelling unit at multi family residential, and 2 spaces per dwelling for single-family dwellings with 2 or more bedrooms.~~

C. Minimum parking space dimensions ~~The City of Springboro will recommend the Planning Commission utilize their present zoning standard. Optimally, to reduce the scale of asphalt areas and to maximize land utilization, we recommend head-in spaces of 9' x 18' with a minimum of 10' foot drive lanes (20' for 2-way traffic) and parallel parking spaces of 8' x 22' minimum with 10 foot drive lanes (20' for 2 way traffic).~~

D. On-Street Parking: On-street parking is permitted and encouraged in the design of all site plans for any residential neighborhood within the UVD district. Parking need not be contiguous with the building(s) or the use it serves, but close enough to be functional and convenient to the end users.

E. Shared parking solutions in all residential applications are encouraged. Developers shall provide a parking analysis justifying any proposed shared parking solution.

- (6) Public and institutional, use shared parking within the overall UVD area, and off-street parking shall be located in rear yard areas where viable. The parking area for Institutional Uses shall be a minimum of one (1) space for every 250 square feet of internally occupied floor space or 0.75 spaces per seat for a public performance facility. However, the ratio of parking spaces actually constructed with impermeable surface can be reduced to three (3) spaces for every 1,000 square feet of occupied floor space, provided the balance of the parking area is set aside as green space or permeable pavers (lawn or landscaping) in rear parking yards, and with designs approved by the City of Springboro and the Planning Commission.
- (7) Shared Parking. Where permissible, shared parking arrangements are meant to encourage a more round the clock usage of any parking area or facility, therefore generating a lower total parking space count for most mixed-use development sites. The City of Springboro and the Planning Commission may accept a developer(s) formula that can demonstrate certain combinations of mixed-uses and adjacent developments will yield increased overall parking area utilization, especially throughout any given twenty-four hour period. Such formulas shall be consistent with the recommendations and current standards established by the Urban Land Institute, or the Congress for New Urbanism.

(8) Off-Street Surface Parking Lot Placement. Any off-street, surface parking areas within the UVD shall be set back a minimum of ten feet (10') or a maximum of twenty-five feet (25') from any existing, major arterial, including North Main Street (S.R. 741) and West/East Central Avenue (S.R. Route 73) The Planning Commission shall have discretion to make this requirement applicable elsewhere on any subsequent prominent frontages, such as along key pedestrian connections, within significant vistas and within important public spaces. Surface parking lots may be built up to adjacent property line on all other street frontages within the UVD District and as established in subsequent approved site plan areas that anticipate connecting adjacent development at a future date. Placement of surface parking areas should be related to both the building type served and the adjacent buildings, connecting streetscapes and uses, which may require the lot to be screened by building or landscaping from surrounding streets and/ or pedestrian pathways.

(9) Structured Parking Lot Placement. Any parking structure(s) shall be set back a minimum of 40 feet from the property lines of all adjacent streets to reserve room for liner buildings between parking structures and the lot frontage, unless the site is at the edge of a dedicated open space, service road or bay. The liner building shall be no less than two stories in height. Liner buildings may be detached from or attached to parking structures and can be either commercial mixed-use or residential.

(10) Access to Off-Street Parking.

- A. Alleys shall be the primary source of access to off-street or individual unit garage parking. (Parking along alleys, if permissible per any site plan, may be head-in, diagonal or parallel and such parking spaces may be impervious or of a permeable surface solution if viable.)
- B. Alleys may be incorporated into parking lots as standard drive aisles. Access to all properties adjacent to the alley shall be maintained by that developer and/ or property management entity.
- C. Shared access drives between parking areas serving two or more adjacent properties is also encouraged.
- D. Corner lots that have both rear and side access shall access parking through the rear.
- E. Garage door(s): Where space permits, all garage doors shall face the side or rear, not the front or along any primary street address. If positioned to streets, squares or parks, they shall be no closer than 20 feet behind the

principal plane of the building frontage and shall not exceed 12 feet in width.

(11) **Parking Lot Landscaping Requirements.** Landscape islands of at least eight (8) feet in width shall be provided at the end cap of any row of parking abutting a perpendicular drive, or between parking rows of no more than a contiguous ten spaces. A diversity of tree species throughout the Springboro Center UVD District is encouraged. Plant material and trees should be of native species that are climate tolerant.

1267.12 GENERAL ANCILLARY RESTRICTIONS.

(a) The following shall be located in rear yards or side yards not facing side streets and screened from public view by walls or railings:

- (1) Window and/or Wall Air Conditioners/HVAC units;
- (2) All Utility Metering devices
- (3) Air Conditioning Compressors;
- (4) Irrigation fixtures
- (5) Pool maintenance facilities and pumps.

(b) The following shall be located in the rear yards only:

- (1) Antennas
- (2) Permanent fixed barbeques
- (3) Satellite dish antennas greater than 18" in diameter. In residential units over commercial in the Village Center portion, a satellite dish needs to be concealed either on roof surfaces or setbacks, well away from public streetscape vistas, public parking areas and/or walkways.

(c) The following materials or design elements are prohibited:

- (1) Undersized decorative shutters (all shutter(s) must be sized so as to equal the width that would be required to cover the window opening).
- (2) Clotheslines.
- (3) Clothes Drying Yards.
- (4) Reflective and/or bronze-tint glass; Plastic or PVC roof tiles.
- (5) Backlit awnings.
- (6) Glossy-finish awnings.
- (7) Fences made of chain link, barbed wire, or plain wire mesh, or rough-textured /timber or fortress style wood fences.
- (8) Unpainted/untreated wood fences.

(9) Vinyl siding on any side turning the corner from a stone or masonry front or primary façade.

DRAFT

CHAPTER 1286 **Nonconformities**

1286.01 INTENT.

Within the districts established by this Zoning Code, as amended, there exist lots, structures, uses of land and/or structures and characteristics of use which were lawful before this Zoning Code was passed or amended, but which are prohibited, regulated or restricted under the provisions of this Zoning Code, as amended. With regard to most nonconformities, it is the intent of this chapter to permit them to continue until they are removed, but not to encourage their survival. It is further the intent of this chapter that most nonconformities shall not be enlarged upon, expanded, extended or used as grounds for adding other structures or uses prohibited elsewhere in the same district. However, it is also recognized that strict nonconformity provisions can make it difficult to obtain financing for certain residential structures, in addition certain classes of nonconformities may present less severe conflicts with permitted uses, and some relief from these restrictions can be made conditionally available to the owners of such properties on an elective basis.

1286.02 INCOMPATIBILITY OF NONCONFORMING USES; EXTENSION OR ENLARGEMENT.

Nonconforming uses are hereby declared to be incompatible with permitted uses in the district involved. Except as otherwise provided in this chapter, a nonconforming use of a structure, a nonconforming use of land or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this Zoning Code, as amended nor shall other uses of a nature which would be prohibited generally in the district involved be commenced.

1286.03 BUILDINGS UNDER CONSTRUCTION.

To avoid undue hardship, nothing in this Zoning Code shall be deemed to require a change in the plans, construction or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Zoning Code which would prohibit or limit such construction, and upon which actual building construction has been carried on diligently. As used in this section, "actual building construction" means and includes the placing of construction materials in a permanent position, fastened in a permanent manner. In the case of excavation or demolition or removal of an existing building, such excavation, demolition or removal shall be deemed to be actual construction if the work is carried on diligently.

1286.04 NONCONFORMING LOTS OF RECORD.

In any district in which single-family dwellings are permitted, a single-family dwelling and any customary accessory buildings may be erected on any single lot which is of record on the effective date of adoption or amendment of this Zoning Code notwithstanding limitations imposed by other provisions of this Zoning Code. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This section shall apply even though such lot fails to meet the requirements for area or width, or both, that are generally applicable in the district, provided that yard dimensions or requirements, other than those applying to area or width, or both, of the lot, shall conform to the regulations for the district in which such lot is located. Variance of yard requirements shall be obtained only through action of the Board of Zoning Appeals.

1286.05 NONCONFORMING LOTS OF RECORD IN COMBINATION.

If two or more lots or combinations of lots and portions of lots with continuous frontage in single ownership are of record at the time of adoption of this Zoning Code (Ordinance 546B, passed February

25, 1976), and if part or all of the lots do not meet the requirements established for lot width and area, the lands involved shall be considered to be an undivided parcel for the purposes of this Zoning Code and no portion of such lot or parcel shall be used or sold in a manner which diminishes compliance with the lot width and area requirements established by this Zoning Code, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Zoning Code.

1286.06 NONCONFORMING USES OF LAND.

Where, at the time of the adoption of this Zoning Code or amendment thereto, a lawful use of land exists which is not permitted by this Zoning Code, as amended, and where such use involves no individual structure with a replacement cost exceeding \$1,000 the use may be continued so long as it remains otherwise lawful provided that:

- (a) No such nonconforming use shall be enlarged or increased or extended to occupy a greater area of land than was occupied on the effective date of adoption or amendment of this Zoning Code.
- (b) No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use on the effective date of adoption or amendment of this Zoning Code.
- (c) Notwithstanding sections (a) and (b) above, if the owner of a legal nonconforming use can demonstrate through application to the Board of Zoning Appeals that the manner in which the useable area of the nonconforming use proposed to be increased or relocated will have minimal adverse impact upon adjacent properties and other permitted land uses in the surrounding neighborhood or can be made compatible with the adjacent properties and the uses in the surrounding neighborhood upon compliance with specified conditions, the enlargement, increase, extension or relocation may be permitted, but shall still remain a nonconforming use. The factors that may be considered in determining an adverse impact include but are not limited to: noise, odor, and/or vibrations; traffic; visual impacts; access to light and air from adjoining properties; existence of screening; hours of operation; the effect on the access to the property by fire, police, or other public services; and the predominant or prevailing land use, building and structure patterns of the surrounding neighborhoods.
- (de) If any such nonconforming use of land ceases for any reason for more than 6 months, any subsequent use of such land shall conform to the regulations of this Zoning Code for the district in which such land is located, and the nonconforming use may not thereafter be resumed. The intent to continue a nonconforming use shall not be evidence of its continuance.
- (de) No additional structure not conforming to this Zoning Code shall be erected in connection with such nonconforming use of land.

1286.07 NONCONFORMING STRUCTURES.

Where a lawful structure exists on the effective date of adoption or amendment of this Zoning Code that cannot be built under the provisions of this Zoning Code by reason of restrictions on area, lot coverage, height, yards, its location on the lot or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (a) No such nonconforming structure shall be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.
- (b) Should such nonconforming structure or a nonconforming portion of such structure be destroyed by any means to an extent that the cost to restore the structure to its prior

~~condition, is of~~ more than 50 percent of ~~its market the structure's true~~ value according to the Warren or Montgomery County Auditor (as applicable) ~~replacement cost~~ at the time of destruction, it shall not be reconstructed except in conformity with this Zoning Code.

(c) Should such structure be moved for any reason for any distance, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

1286.08 NONCONFORMING USES OF STRUCTURES OR OF STRUCTURES AND LAND IN COMBINATION.

If a lawful use involving individual structures ~~with a replacement cost of \$1,000 or more~~, or of a structure and land in combination, exists on the effective date of adoption or amendment of this Zoning Code that is not allowed in the district under the provisions of this Zoning Code, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (a) No existing structure devoted to a use not permitted by this Zoning Code in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved or structurally altered except to change the use of the structure to a use permitted in the district in which it is located.
- (b) Any nonconforming use may be extended throughout any part of a building which was manifestly arranged or designed for such use at the time of adoption or amendment of this Zoning Code but no such use shall be extended to occupy any land outside such building.
- (c) If no structural alterations are made, any nonconforming use of a structure, or of a structure and land in combination, may, as a special exception, be changed to another nonconforming use, provided that the Board of Zoning Appeals, either by general rule or by making findings in the specific case, finds that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such change, the Board may require appropriate conditions and safeguards in accordance with this Zoning Code.
- (d) Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district in which it is located, and the nonconforming use may not thereafter be resumed.
- (e) When a nonconforming use of a structure, or of a structure and land in combination, is discontinued ~~or abandoned~~ for 6 consecutive months or for 18 months during any 3-year period (not including any period when government action substantially impedes physical access to the premises), the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- (f) Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. As used in this subsection, "destruction" means damage to an extent of more than 50 percent of the replacement cost at the time of destruction.
- (g) When a nonconforming structure is damaged to an extent of more than 50 percent of the replacement cost at the time of destruction, it may not be rebuilt except in conformity to the regulations of the district in which it is located.
- (h) When a nonconforming use is discontinued as a result of damage to the structure in which it is located to an extent of more than 50 percent of the replacement cost at the time of destruction, it may not be restarted.

- (i) For purposes of section 1286.08(f), (g) and (h) damage or destruction of more than 50% of the replacement cost shall mean that the cost to replace the structure to its prior condition, is more than 50 percent of the structure's market value according to the Warren or Montgomery County Auditor (as applicable) at the time of destruction.
- (j) Whenever a nonconforming use is changed to a less intensive nonconforming use, such use shall not thereafter be changed to a more intensive nonconforming use.
- (k) Any nonconforming structure, use, or structure and land in combination becomes conforming shall not be entitled to resume its nonconformity.

1286.09 REPAIRS AND MAINTENANCE.

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on the repair or replacement of nonbearing walls, fixtures, wiring or plumbing, to an extent not exceeding 10 percent of the current its true value according to the Warren or Montgomery County Auditor (as applicable) replacement cost of the nonconforming structure ~~or nonconforming portion of the structure, as the case may be~~, provided that the cubic content existing when it becomes nonconforming shall not be increased. If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and it is declared by a duly authorized official to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired or rebuilt except in conformity with the regulations of the district in which it is located. Nothing in this Zoning Code shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

1286.10 LIMITED RELIEF FROM RESTRICTIONS AVAILABLE TO NONCONFORMING BUSINESS OR INDUSTRIAL USES OR STRUCTURES IN BUSINESS OR INDUSTRIAL DISTRICTS.

Notwithstanding other provisions of this chapter, when a nonconforming multi-family residential, business or industrial use or structure is located in a zoning district other than the Urban Village District, which permits business or industrial uses (other than agriculture, horticulture or home occupations), the owner of the property may elect to exercise the following options, subject to the stated conditions:

- (a) To expand the use or structure on the existing lot provided that the lot is conforming in all respects to the most restrictive dimensional requirements which would be in effect if the lot were zoned to permit the use; and further provided that all yard, area and other dimensional and functional requirements in effect for the actual district designation (e.g., lighting, parking) are satisfied.
- (b) To rebuild the structure within 12 months after a casualty loss, even if the loss is as great as 100 percent.
- (c) To restart the use on the existing lot, provided it has been discontinued ~~or abandoned~~ for no more than 12 consecutive months or for no more than 18 months during any 3-year period. Any period when government action substantially impedes physical access to the premises shall not be considered a discontinuance ~~or abandonment~~.
- (d) To remove and rebuild the structure(s) in the same or different form or location on the existing lot provided that the lot is conforming in all respects to the most restrictive dimensional requirements which would be in effect if the lot were zoned to permit the use; and further provided that all yard, area and other dimensional and functional requirements in effect for the actual district designation (e.g., lighting, parking) are satisfied.

If the proposed expansion or reconstruction of a nonconforming business use or structure is of such a nature that it may be permitted only by exercise of the elective rights provided by this Section 1286.10, it shall be subject to the site plan review requirements of Chapter 1284 of the Codified Ordinances. For example, pursuant to Chapter 1284, approval of such expansion or reconstruction may be conditioned upon the provision of new landscaping, fences, walls and other improvements or design features as may be necessary or desirable to minimize functional or aesthetic conflicts with adjacent permitted land uses and to prevent or minimize nuisance conditions.

1286.11 SPECIAL PROVISIONS FOR SINGLE FAMILY RESIDENTIAL DWELLINGS.

Notwithstanding anything else in this Chapter to the contrary:

- (a) If a nonconforming single-family dwelling, in any district, is damaged or destroyed to any extent, and cannot reasonably be rebuilt in conformance with the applicable zoning district regulations, such structure may be reestablished on the same lot provided it meets the same size in height and footprint, as well as complying with the same setbacks as previously existed.
- (b) A nonconforming structure used as a single-family residential dwelling may be increased or improved, regardless of the applicable zoning district, provided the structure continues thereafter to be used for single family residential purposes only and any such increase or improvements meets all required setbacks and other zoning provisions.

MISCELLANEOUS AMENDMENTS IN SUPPORT OF UVD, URBAN VILLAGE DISTRICT

Along with the adoption of the foregoing Chapter 1267, UVD, Urban Village District, proposed replacement of existing Chapter 1267, TCD, Town Center District, and the proposed repeal and replacement of Chapter 1286, Nonconformities, the following changes to the Springboro Planning and Zoning Code, Title Six Zoning, shall become effective in support of the UVD. Most of the proposed changes are cross-references to the proposed UVD chapter. Currently these section reference the TCD, Town Center District.

1. Section 1261.01, Zoning Districts

Section 1261.01 “Zoning Districts” Table 3, “Zoning Districts Established” the reference to TCD Town Center District shall be replaced with UVD Urban Villager District and the reference to Town Center Overlay shall be deleted from the table.

2. Section 1261.08, Purpose/Intent Statements

Section 1261.08 “Zoning District Purpose/Intent Statements” section (n) “TC Town Center Overlay District” is deleted, and section (j) “TCD Town Center District.” is amended to read as follows:

- (j) UVD Urban Village District.
 - (1) Purpose and Intent, See Section 1267.01, UVD, Urban Village District, Intent.

Note: In the long-term City staff is recommending condensing purpose and intent statements to intent statements.

3. Section 1262.02, Section of Regulations

Section 1262.02 Schedule of Regulations Table 4 all provisions relating to TCD deleted.

Note: UVD provisions will be solely listed in Chapter 1267

4. Section 1262.04, Non-Residential Building Design Standards

Section 1262.04 Non-residential Building Design Standards section (b)(2) is amended to read as follows:

- (2) Urban Village District. The construction and alteration of properties subject to Chapter 1267 UVD, Urban Village District.

Section 1262.04(d) is amended by deleting the reference to TCD, Town Center District.

5. Section 1263.04, Table of Permitted Uses

Delete reference to TCD, Town Center District.

Note: UVD provisions will be solely listed in Chapter 1267 in keeping with explanation in Section 1263.04(c) (Special Purpose District permitted uses not listed).

6. Section 1264.29, Veterinary Hospital, Clinic, or Office

Section 1264.29 Veterinary Hospital, Clinic or Office section (a) is amended to read:

(a) Outdoor Containment Prohibited. No outdoor containment of animals shall be permitted, except in the UVD, Urban Village District.

7. Section 1272.02, Accessory Buildings

Section 1272.02 "Accessory Buildings" Table 8 "Requirements for Detached Accessory Buildings" all provisions relating to TCD, Town Center District, deleted

Note: Note: UVD provisions will be solely listed in Chapter 1267.

8. Section 1280.04, Required Landscaping and Screening

Section 1280.04 "Required Landscaping and Screening" Table 15 "Required Landscaping & Buffer" all provisions relating to TCD deleted.

Note: UVD provisions will be solely listed in Chapter 1267

9. Section 1281.06, Sign District Map

Section 1281.06(f) Town Center District is amended to read "Urban Village District"

10. Section 1281.14, Town Center District Sign Regulations

Section 1281.14 "Town Center District Sign Regulations" is amended to read as follows:

1281.14 Urban Village District Sign Regulations. See Chapter 1267 for Urban Village District sign regulations

11. Section 1290.02, Definitions

Section 1290.02(A) (105) definition of "Zoning Districts/Business Zoning District" all reference to TCD, Town Center District, amended to read UVD, Urban Village District.

EXHIBIT: URBAN VILLAGE DISTRICT MAP AMENDMENT

