

Chapter 17

State Route 28 Urban Village Planned Unit Development

17.01 PURPOSE

Pursuant to Section 519.021, Paragraph “C” of the Ohio Revised Code, Miami Township is establishing Planned Unit Development Regulations for the purpose of implementing the State Route 28 Redevelopment/Transformation Plan. The purpose of this Zoning District is to allow development and redevelopment of land within the Business SR 28 Corridor in Miami Township consistent with the urban design principles of traditional neighborhoods and town centers and in conformance with the adopted SR 28 Redevelopment/Transformation Plan. The Planned Unit Development District is designed to promote diversity and integration of uses and structures in a planned development through flexible design standards that:

1. Are compact,
2. Are designed for the human scale,
3. Provide a mix of uses, including residential, commercial, civic, and open space uses, in close proximity to one another within the neighborhood,
4. Provide a mix of housing styles, types, and sizes,
5. Incorporate a system of interconnected streets with sidewalks, bikeways, and transit that offer multiple routes for motorists, pedestrians, and bicyclists and provides for the connections of those streets to existing and future developments;
6. Incorporate significant environmental features into the design
7. Provide architectural design diversity
8. Are consistent with the SR 28 Redevelopment/Transformation Plan.

17.02 LOCATION AND BOUNDARY AREA

The Planned Unit Development District Site shall be located within the SR 28 Business Corridor and shall have the same boundaries as the SR 28 Redevelopment/Transformation Plan as adopted by the Miami Township Board of Trustees and as shown in Exhibit “A” of this Chapter.

17.03 PROCEDURES

To achieve these purposes and objectives, special supplemental procedures to those applicable in the conventional underlying zoning districts are established in this District, under which development plans specifically designed to meet these objectives shall be submitted for review and/or approval by Miami Township. These special provisions allow for the planned modification of the strict requirements of the underlying zone, an increase in the intensity of development and other modifications to further the purpose of the District.

17.04 LAND USES AND SETBACKS BY DISTRICT

The SR 28 Redevelopment/Transformation Plan is divided into specific districts – The Boulevard, The Town Center, The Civic Center, The Neighborhoods, Retail and the Auto Sales/Service Area. Permitted and prohibited uses and setbacks for each district is shown below:

- A. The Boulevard - Principle permitted uses, conditional uses and accessory uses are as follows:
1. All uses permitted in the “B-1” Neighborhood Business District and the “B-2” General Business District, with the addition of residential, institutional, civic, open space and parks, and with the exception of the following; vehicle sales, self storage facilities, outdoor storage, contractor storage yards, landscape businesses,
 2. Structures in the Boulevard District have no minimum setback requirement. All commercial, civic and institutional buildings shall abut a public sidewalk.
 - Exception. A commercial structure may be setback from the public sidewalk when creating a courtyard for uses such as an outdoor café.
- B. The Town Center - Principle permitted uses, conditional uses and accessory uses are as follows:
1. All uses permitted in the “B-1” Neighborhood Business District and the “B-2” General Business District, with the addition of residential, institutional, civic, open space and parks, and with the exception of the following, vehicle sales, self storage facilities, outdoor storage, contractor storage yards, landscape businesses, drive-thru facilities, gas stations/convenience store
 2. Structures in the Town Center District have no minimum setback requirements. All commercial, civic, and institutional buildings shall abut a public sidewalk.
 - Exception. A commercial structure may be setback from the public sidewalk when creating a courtyard for uses such as an outdoor café.
- C. The Civic Center - Principle permitted uses, conditional uses and accessory uses are as follows:
1. All uses permitted in the “B-1” Neighborhood Business District and the “B-2” General Business District, with the addition of residential, institutional, civic, open space and parks, and with the exception of the following, vehicle sales, self storage facilities, outdoor storage, contractor storage yards, landscape businesses,

2. Structures in the Civic Center District have no minimum setback requirements. All commercial, civic and institutional buildings shall front on a public sidewalk.
 - Exception. A commercial structure may be setback from the public sidewalk when creating a courtyard for uses such as an outdoor café.
- C. The Automotive Service/Sales District – Principle permitted uses, conditional uses and accessory uses are as follows:
 1. The purpose of this district is to provide for automobile oriented businesses such as vehicle sales, vehicle service, drive-thru restaurants and similar businesses. Permitted uses within this district include all uses in the “B-2” General Business District.
 2. Setbacks in the automotive service/sales district shall be the same as the setbacks required of the B-2 General Business District.
- D. Retail District - Principle permitted uses, conditional uses and accessory uses are as follows:
 1. The purpose of this district is to provide for general retail, restaurant, commercial and office uses. Permitted uses within this district include all uses in the “B-1” Neighborhood Business District and “B-2” General Business District.
 2. Setbacks in the retail district shall be the same as the setbacks required of the B-2 General Business District.
- E. The Neighborhoods – There are three proposed residential neighborhoods.
 1. Northwest Neighborhood –
 - a. Principle permitted uses, conditional uses and accessory uses are as follows:
 - Single-family Detached Dwellings
 - Single-family Attached Dwellings, including duplexes, townhomes and row houses
 - Live/Work Units
 - Small scale retail and service uses
 - b. Single family detached residences will have a front setback between (0 and 20 feet) and a rear yard setback of at least 30 feet. Provision for zero lot line single family dwellings should be made, provided that a reciprocal access easement is recorded for both lots and townhouses or other attached dwellings, provided that all dwellings have pedestrian

access to the rear yard other than through the principal structure. The minimum distance between single-family detached dwellings shall be 10 feet.

- c. The maximum number of attached single family dwellings, townhomes, or row houses that can be contained in one continuous structure is eight (8) units

2. Southern Neighborhood –

- a. Principle permitted uses, conditional uses and accessory uses are as follows:

- Single Family Detached Dwellings
- Single family Attached Dwellings, including duplexes, townhomes and row houses
- Live/Work Units

- b. Single-family detached residences will have a front setback between (0 and 20 feet) and a rear yard setback of at least 30 feet. Provision for zero lot line single family dwellings should be made, provided that a reciprocal access easement is recorded for both lots and townhouses or other attached dwellings, provided that all dwellings have pedestrian access to the rear yard other than through the principal structure. The minimum distance between single-family detached dwellings shall be 10 feet.

- c. The maximum number of attached single family dwellings, townhomes, or row houses that can be contained in one continuous structure is eight (8) units

3. North Central Neighborhood –

- a. Principle permitted uses, conditional uses and accessory uses are as follows:

- Single Family Detached Dwellings
- Single family Attached Dwellings, including duplexes, townhomes and row houses

- b. Single-family detached residences will have a front setback between (0 and 20 feet) and a rear yard setback of at least 30 feet. Provision for zero lot line single family dwellings should be made, provided that a reciprocal access easement is recorded for both lots and townhouses or other attached dwellings, provided that all dwellings have pedestrian access to the rear yard other than through the principal

structure. The minimum distance between single-family detached dwellings shall be 10 feet.

- c. The maximum number of attached single family dwellings, townhomes, or row houses that can be contained in one continuous structure is eight (8) units

17.05 DEVELOPMENT STANDARDS

In order to ensure the proposed development meets the intent and spirit of the SR 28 Redevelopment/Transformation Plan the developer must demonstrate the final development plan meets the following standards:

A. OPEN SPACE, PLAZAS AND GREEN AREAS

1. Open space shall include neighborhood parks, playgrounds, town squares, plazas and linear environmental corridors.
2. Where appropriate, the design of green areas should incorporate plant materials to define space, define views, provide screening of parking lots, provide for privacy, serve as focal points, and soften views of buildings and pavement.

B. GRADING AND DRAINAGE

1. Grading should be performed with sensitivity to existing topography and other natural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.
2. Drainage shall be designed and constructed so as to not detrimentally affect adjacent properties and be in conformance with Clermont County stormwater management requirements. These systems shall provide for the safety and convenience of occupants and protection of dwellings, other development, and usable lot areas from water damage, flooding, and erosion.

C. LOT AND BLOCK STANDARDS

1. Typical street design should provide for blocks that are two hundred forty (240) feet - four hundred (400) feet deep by three hundred sixty (360) feet – four hundred eighty (480) feet wide. Exceptions will be reviewed on a case by case basis.
2. A variety of lot sizes shall be provided in order to facilitate diversity in housing types and building design.
3. Lot widths should create a relatively symmetrical street cross section that reinforces the street as a simple unified public space.

D. RESIDENTIAL DENSITY

1. Mixed Residential Area – The maximum number of detached single family residences permitted shall be six (6) per net acre.
2. Mixed Residential Area – The maximum number of attached single family residences permitted shall be eight (8) per net acre.
3. Mixed Residential Area – The maximum number of multi-family units permitted shall be twelve (12) units per net acre.
4. Town Center/Mixed Use Areas – The maximum number of attached Single family and multi-family units shall be calculated the same as above.

E. CIRCULATION

The circulation system shall allow for the following:

- Provide for different modes of transportation.
- Provide functional and visual links with the mixed-use areas, residential neighborhoods and open space.
- Provide links to existing and proposed external developments.
- Shall minimize conflict between vehicular and pedestrian traffic.

1. Vehicular Circulation

- a. Vehicular circulation shall be based on a grid street pattern of interconnected streets that includes a hierarchy of streets including thoroughfares, collectors, local streets and alleys.
- b. Street widths shall be consistent with the guidelines set forth in the SR 28 Redevelopment/Transformation Plan.

2. Pedestrian Circulation

- a. Sidewalks shall be provided on both sides of all public and private streets. The sidewalk system will be designed to minimize pedestrian-vehicle conflicts and will be provided continuously throughout the Urban Village. Sidewalks are not required along alleys or service ways.
- b. Sidewalks shall provide a connection between business entrances and adjacent public sidewalk to associated parking areas.
- c. Sidewalks shall be a minimum of Five (5) feet wide in the detached single-family residential areas and a minimum of seven (7) feet wide in mixed use or commercial areas. Sidewalks fronting on the main Boulevard area shall be a minimum of 10 feet wide.

3. Bicycle Circulation

- a. Bicycle circulation shall be accommodated on the streets and/or on dedicated bicycle paths or shared use paths.

4. Transit Stops

- a. Transit or bus stops shall be designed, located and coordinated with Miami Township and appropriate transit authorities.

F. LIGHTING

1. Street lighting shall be provided along all streets. Generally, more smaller decorative lights, as opposed to fewer high intensity lights should be used. Lighting in all areas shall provide adequate illumination of sidewalks. Thoroughfare and Boulevards will require adequate lighting for vehicular and pedestrian safety.
2. All parking lot and private walkway lights shall be shielded so that substantially all the directly emitted light falls within the property line.

G. PARKING

1. Except as hereinafter modified the requirements of Chapter 23, Off Street Parking and Loading Regulations, shall apply to this district.
2. In a mixed use area, a commercial use must provide a minimum of one parking space for every 300 square feet of floor area. The minimum size of a parking stall shall be 9 x 18 feet for 90 degree parking. On street parking within 200 feet of the business may be used as part of this calculation. A parking plan is required for any new development or redevelopment within this zoning district.
3. Parking shall be provided to the rear or side of a building. When parking is provided in the side yard, it shall be screened from the public right-of-way by use of landscaping. Such landscaping shall be a minimum of three (3) feet high at planting and shall be at least 50% opaque on a year round basis.
4. Parking lots or garages will not be permitted at street intersections. Residential garages are permitted at the intersection of a street and an alley or service way, provided the garage is loaded from the alley or service way and not the street.
5. Shared parking arrangements are encouraged. When a parking area will serve two or more uses for which the peak parking demand occurs at different times, a parking plan will be submitted to the Community Development Department for review and approval.

H. DESIGN STANDARDS

Due to the mixed-use nature of the development, architectural compatibility is necessary in order to visually integrate development and allow for proximity of varied uses. Architectural styles shall vary in order to add to the authenticity of the built environment, however architectural design must be within the intent and spirit of the adopted State Route 28 Redevelopment/Transformation Plan. One of the goals of the urban village is to provide for compact development designed for the human scale. This emphasis on design includes being sensitive to walking distances, height of buildings, design of streetlights, signage and sidewalks.

1. The front façade of any building shall front on a public street. A public entrance must be provided from the public street and may be provided from any side or rear parking lots. The front façade shall not be oriented to face directly toward a parking lot.
2. For commercial buildings the architectural features, materials and the articulation of a building shall be continued on all sides visible from a public street.
3. For commercial buildings, a minimum of fifty (50) percent of the front façade on the ground floor shall be transparent, consisting of window or door openings allowing views into and out of the interior.
4. Buildings with facades over 100 linear feet shall incorporate wall projections or recesses a minimum of 3 foot in depth and a minimum of 20 contiguous feet in length and shall extend over 20% of the façade length.
5. Porches, pent roofs, roof overhangs, hooded front doors or other similar architectural elements shall define the entrance to all residences.
6. Side and rear yard fences shall be between four (4) and six (6) feet in height as needed for screening.
7. Front loading garages shall not be permitted except in the Northwest Neighborhood. In the Northwest Neighborhood, garages may be accessed as shown in Figure 1. In all other residential neighborhoods, garages shall be accessed from alleys.

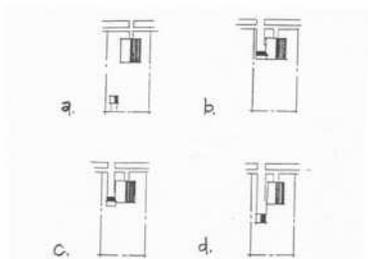


Figure 1

- a. Detached Garage located in the rear yard accessed from the alley.
- b & c. Attached garage recessed behind the front line of the house accessed from the street.
- d. Detached garage located in the rear yard accessed from the street.

I. SIGNS

All commercial and office uses must submit signage plans in general compliance with the requirements and standards set forth in Section 24.13 of the Zoning Resolution. The Zoning Commission shall review and approve the signage plans as part of the Chapter 27- Site Plan Review at which time appropriate standards shall be determined for the signage plans that are based on the character of the State Route 28 Urban Village and further the purpose of the district as a mixed use walkable community.

J. UTILITIES

All utilities shall be located underground.

17.06 APPLICATION AND REVIEW PROCEDURES

Application for Development Plan Review for new construction and redevelopment of parcels within this district shall be commenced by the property owner, developer or his authorized agent and shall be processed in accordance with the following procedures:

- Attend a pre-application conference with the Community Development Department,
 - Submit a formal application, development plan and review fee,
 - Review and approval by the Rural Zoning Commission
1. Pre-Application Conference
 - a. Before submitting an application for development plan approval, an applicant shall meet with the Community Development Director to present the concept of the proposed development prior to the preparation of detail plans and to discuss the procedures and standards for development plan approval.
 - b. The pre-application conference is intended to facilitate the filing and consideration of a complete application and no representation made by the Community Development Director during such conference or at any other time shall be binding upon the Township with respect to the application subsequently submitted.
 - c. The pre-application conference presentation shall include appropriate information and material necessary to explain the proposed development, including but not limited to, proposed land use, sketch plans and design ideas, development initiatives, tentative public utility proposals, site location phasing and schedule expectations, etc.
 2. Formal Application and Development Plan Review
 - a. An application shall be filed with the Community Development Director by the owner or owners or authorized agent of all property included in the development. A narrative summary of the development objectives shall be prepared and filed with the application, completely documenting how the

project complies with the intent of the SR 28 Redevelopment/Transformation Plan, and the facts and studies supporting the proposed development. Ten (10) copies of the application and development plan shall be filed with the application.

- b. The application must include the written and graphic submittals specified below. Incomplete applications will not be accepted and processed.
- c. The development plan shall include all the following:
 - i. All property lines, shape and dimensions of the lot to be built upon showing directional bearings and distances adjacent streets, and location with reference to identifiable street intersection.
 - ii. Name of development, legal description of property north arrow, scale, acreage name and address of record owner and engineer, architect or land planner, or the person responsible for preparing the plan;
 - iii. The total lot area of the subject property;
 - iv. All public and private rights-of-way and easement lines located on or adjacent to the subject property which are proposed to be continued, created, enlarged, relocated or abandoned;
 - v. Existing topography, and approximate delineation of any topographical changes shown by contour with appropriate intervals to ensure accurate review;
 - vi. Stormwater management plan consistent with Clermont County standards;
 - vii. The location of every existing and proposed building with number of floors, gross floor area, proposed use and number of dwelling units per building;
 - viii. Any modifications, changes and additions to existing building(s), including floor area, heights and setbacks;
 - ix. The location of any area to be used as common open space or public plaza;
 - x. The proposed finished grade(s) of new buildings supplemented where necessary with spot elevations;
 - xi. Location and dimensions of all curb cuts, driving aisles, off-street parking and loading and/or unloading spaces including number of spaces, angle of stalls, etc;

- xii. Location of proposed sidewalks and pedestrian walkways, identifying approximate dimensions;
- xiii. Location of proposed streets, identifying approximate dimensions of pavement, right-of-way widths, and grades;
- xiv. Location of existing and proposed water, sanitary sewer, and storm drainage lines, indicating approximate pipe sizes. Indication should also be given regarding the location of existing and proposed electric, telephone and cable service;
- xv. Existing and proposed location(s) of outdoor lighting, signs, screen plantings, fencing, and landscaping.
- xvi. Location and screening or other description to indicate control and handling of solid waste. Indicate dumpster pad where dumpster is to be used;
- xvii. Elevations of all faces of buildings and structures, at an appropriate scale for the graphic representation of the materials employed. Such elevations must also indicate: Heights of buildings and structures, roofs and overhangs, and special design features;
- xviii. Additional information or engineering data, in such form and content as necessary, to determine that the development plan meets the standards of this Chapter, the intent of the SR 28 Redevelopment/Transformation Plan and other requirements and performance standards of the Zoning Resolution for Miami Township and of other public agencies in Clermont County.

3. Review and Approval by Rural Zoning Commission

- a. Upon the acceptance of a formal application for development plan review, the Community Development Director shall forward the application material to the Rural Zoning Commission within thirty (30) days.
- b. Upon receipt of the application, the Rural Zoning Commission will set a public meeting to review the application within thirty-five (35) days.
- c. During the public meeting, the Rural Zoning Commission may ask questions or request additional information from the applicant.
- d. The Rural Zoning Commission shall approve, approve with modifications or disapprove a development plan within thirty-five (35) days of the close of the public meeting.

17.07 COMPLIANCE AND ENFORCEMENT

It shall be incumbent upon the Community Development Director or his/her duly authorized representative to make all inspections and certifications necessary to ensure that development occurs in accordance with the approved final development plan.

In the event that the Community Development Director finds that a construction in accordance with the approved final development plan and record plat(s) is not being done, he/she shall issue a stop work order. It shall be incumbent upon the contractor or developer to correct those items that are in violation before construction may resume. All action required to bring development into compliance with the approved final development plan shall be at the developer's, builder's, or owners expense.

17.08 EXPIRATION

If substantial construction has not been completed within a period of twelve (12) consecutive months from the date of approval of the final development plan, said plan shall be deemed null and void. The Community Development Director may extend the construction period if sufficient proof can be demonstrated that the construction was delayed due to circumstances beyond the applicants control: and that prevailing conditions have not changed appreciably to render the approved final development plan obsolete. For purposes of this Chapter, substantial construction shall mean installation of roadways including curbs and utilities.

Effective: Revised June 14, 2007

**LOT AREA, BULK YARD AND SCREENING REQUIREMENTS IN THE
“URBAN VILLAGE” PLANNED UNIT DEVELOPMENT**

Description	Requirements
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LOT REQUIREMENTS

1. Minimum Lot Area	There is no minimum lot area
2. Minimum Lot Width	There is no minimum lot width

MAXIMUM HEIGHT

1. Town Center	6 stories or 75 feet
2. Boulevard District	3 stories or 40 feet
3. Civic District	3 stories or 50 feet
4. Auto Sales/Service District	2 stories or 35 feet
5. Retail District	3 stories or 45 feet
6. Residential Neighborhoods	3 stories or 45 feet

MINIMUM YARD REQUIREMENTS – PRINCIPAL BUILDING

1. Town Center	No Minimum setbacks All Buildings must build to the public sidewalk.
2. Boulevard District	No Minimum setbacks All Buildings must build to the public sidewalk.
3. Civic District	No Minimum setbacks All Buildings must build to the public sidewalk.
4. Auto Sales/Service District	50 feet from r-o-w 15 feet side yard 35 feet rear yard
5. Retail District	50 feet from r-o-w 15 feet from side yard 35 feet from rear yard
6. Residential Neighborhoods	0-20 feet maximum front yard setback 30 feet minimum rear yard setback 0-10 feet maximum side yard setback

MINIMUM YARD REQUIREMENTS –ACCESSORY BUILDING

1. Town Center	No Minimum setbacks Accessory Structure must be located to the rear of the Principal Building
2. Boulevard District	No Minimum setbacks Accessory Structure must be located to the rear of the Principal Building
3. Civic Center	No Minimum setbacks Accessory Structure must be located to the rear of the Principal Building
4. Auto Sales/Service District	10 feet side yard 10 feet rear yard
5. Retail District	10 feet side yard 10 feet rear yard
5. Residential Neighborhoods	10 feet minimum from rear yard 5 feet maximum side yard setback

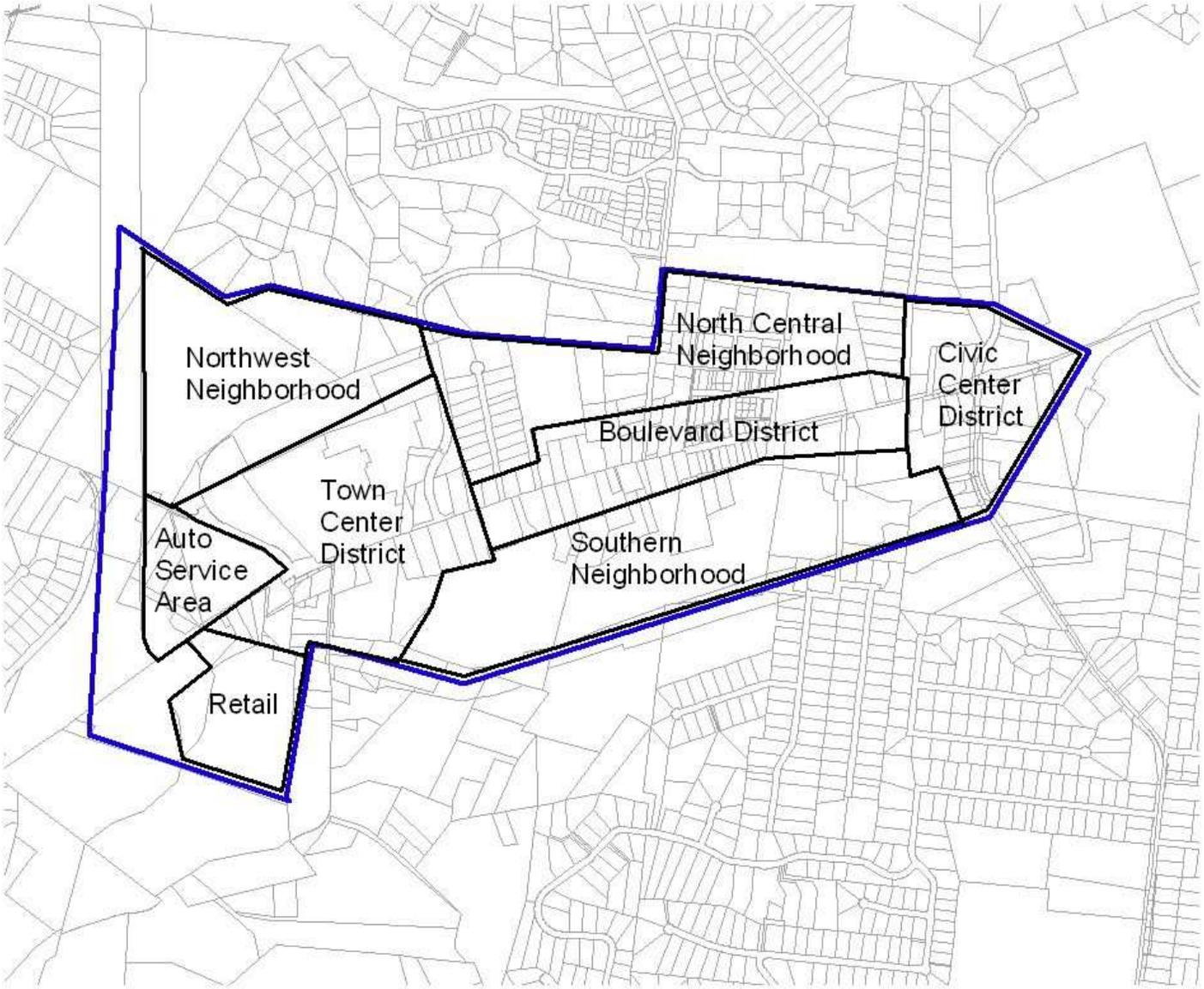


Exhibit "A"
State Route 28 Urban Village
Planned Unit Development