

ORDINANCE NO. 2024 -91

AN ORDINANCE PROVIDING FOR SHORT-TERM RENTALS ESTABLISHING CHAPTER 769, AND AMENDING CHAPTERS 1171 AND 1174, AND ESTABLISHING CHAPTER 1192 OF THE CODIFIED ORDINANCES OF THE CITY OF PARMA HEIGHTS, AND DECLARING AN EMERGENCY, AS AMENDED

WHEREAS, the Council Safety Committee is recommending the revision of the Parma Heights Codified Ordinances, regulating short-term rentals; and

WHEREAS, it is the desire of this Council to adopt the recommendation of its Safety Committee.; and

WHEREAS, the Planning Commission met, conducted a public hearing, considered, and recommended the adoption of this Ordinance in order to regulate short-term rental operations within the City of Parma Heights, Ohio; and

WHEREAS, pursuant to the Parma Heights Codified Ordinances, this Council has conducted a public hearing regarding this amended Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Parma Heights, County of Cuyahoga, and State of Ohio:

Section 1: That this Council does hereby establish Chapter 769, and amend Chapters 1171 and 1174, and establish Chapter 1192, which read in their entirety as set forth in "Exhibit A, as amended", attached hereto and incorporated by reference as if fully rewritten.

Section 2: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council and that all deliberations of the Council and any of its Committees comprised of a majority of the members of the Council that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 3: This Council declares this Ordinance to be an emergency measure necessary for the immediate preservation of the public health, peace, and safety of this Municipality, and for the further reason that it is necessary to establish regulatory standards for short-term rental operations in order to protect the health, safety, welfare, peace, and comfort of the citizens of the City of Parma Heights; wherefore, it shall be in full force and effect immediately after its passage by Council and approval by the Mayor.

PASSED: March 10, 2025

Thomas Rounds
PRESIDENT OF COUNCIL

ATTEST: Barbara Allen
CLERK OF COUNCIL

March 10, 2025
APPROVED

FILED WITH THE MAYOR: March 10, 2025

Marie Gallo
MAYOR MARIE GALLO

EXHIBIT A, as amended

CHAPTER 769

Short-Term Rentals

769.01 Definitions.

769.02 Purpose; intent.

769.03 Short-term rentals as conditional uses; permit required.

769.04 Application for short-term rental permit, new, and renewal.

769.05 Short-term rental host – requirements.

769.06 General development standards.

769.07 Required information.

769.08 Transfer of short-term rental permit not permitted.

769.09 Discrimination prohibited.

769.10 Other prohibited acts.

769.99 Penalty.

769.01 DEFINITIONS.

The following terms as used in this chapter shall have the meanings given herein.

(a) “Commissioner” means the Building Commissioner or the Commissioner’s authorized designee.

(b) “Dwelling” shall be synonymous with the definitions of dwelling, dwelling structure, dwelling unit, premises, or residential structure as set forth in Chapter 1394.

(c) “Guestroom” means a room offered to the public for a fee that contains, at a minimum, provisions for sleeping.

(d) “Hosting platform” means a person or entity in whatever form or format that facilitates, through advertising or any other means, a short-term rental booking transaction for accommodations between a short-term rental host and short-term rental guest, including, but not limited to, reservations and/or collection of payment for such accommodations on behalf of the short-term rental host.

(e) “Owner” means an individual(s), corporation or partnership that has legal title to and control of a dwelling.

(f) "Permanent occupant" means any person(s) who resides in a dwelling more than 51% of the time during a calendar year, and the dwelling in which person(s) reside shall be referred to as their primary residence.

(g) "Primary residence" means a residence which is the usual place of return for housing as documented by at least two of the following: motor vehicle registration, driver's license, tax documents, lease or a utility bill. An owner or permanent occupant can only have one primary residence.

(h) "Short-term rental" means any dwelling that is rented wholly or partly for a fee and for thirty consecutive days or less by persons other than the permanent occupant or owner from which the permanent occupant or owner receive monetary compensation. Apartments and/or apartment buildings, regulated by Chapter 711 of the Parma Heights Codified Ordinances entitled "Apartment Buildings", are specifically disallowed as a short-term rental.

(i) "Short-term rental guest" means any person who rents temporary lodging from a short-term rental host, or through a hosting platform on behalf of the short-term rental host, for less than thirty consecutive days.

(j) "Short-term rental host" ("host") means the owner or permanent occupant of a short-term rental who offers the short-term rental for temporary lodging.

(k) "Short-term rental operation" means the occupancy of any room or dwelling of any short-term rental.

(l) "Transient guest" means person who occupies a room or rooms for sleeping accommodations for less than thirty consecutive days.

769.02 PURPOSE; INTENT.

Short-term rentals are unique, semi-commercial operations that adapt a residential environment into a lodging concept, limited in scope and operation. The use is clearly of a commercial nature, but may at times be more in keeping with a residential environment. The purpose of this chapter is to provide a systematic set of requirements to ensure that such operations, if appropriate for a residential or commercial area, shall not adversely impact adjacent uses as a result of the commercial aspects of the structure and property. Short term rentals shall be the subordinate to the principal use of a structure as a single-family dwelling. The intent of this chapter is not to provide an opportunity for the establishment of an intensive commercial lodging business, which would be considered appropriate within an intensive commercial or planned commercial zoning district, but rather in certain locations to provide a limited commercial use in a residential or commercial district.

769.03 SHORT-TERM RENTALS AS CONDITIONAL USES; PERMIT REQUIRED.

(a) Short-term rentals are hereby classified as a conditional use which may be permitted in Single Family Zoned Districts and all Community Business Districts in accordance with the corresponding standards and requirements of the Planning and Zoning Code. Conditional use permit issued pursuant to Chapter 1135 of these Codified Ordinances shall be required in order to allow said permit shall be effective for one year at an annual cost of two hundred dollars (\$200.00) by the City. If the permit fee has not been received by the Department of Public Service by January 1, a late fee shall be incurred of one hundred fifty dollars (\$150.00). Said permit shall be automatically voided by operation of law without further notice or hearing upon the sale or transfer of the real property upon which the short-term rental is located.

(b) In submitting an application for a conditional use permit, and with every re-application, the applicant shall provide to the Planning Commission, a floor plan illustrating the proposed operation, a site plan indicating all on-site improvements, if any, and any additional information as required by the Planning Commission.

(c) Notification of the request for the conditional use permit shall be given by the Secretary of the Planning Commission to all record title holders of real property lying within five hundred feet of the property line of the area requesting the conditional use approval. Said notice shall be first class mail, postage prepaid.

(d) The application is subject to review and decision pursuant to Section 1135.05 and Section 1135.06 of the Parma Heights Codified Ordinances.

769.04 APPLICATION FOR SHORT-TERM RENTAL PERMIT, NEW AND RENEWAL.

(a) Application for a new short-term rental permit, and/or for renewal of a permit, shall be made to the Department of Public Service, upon approved forms, for the fee set forth in Chapter 1321.

(b) The application for a permit to operate a short-term rental shall contain the following information:

(1) Name of the applicant, including mailing address, telephone number, and email address. If the applicant is a corporation or partnership, the applicant shall provide the name of the entity and set forth exactly as shown on its articles of incorporation, mailing address, telephone number, and email address of the individual who is the statutory agent, president, or managing individual, the state in which the company is incorporated or registered, and the entity or corporation number. For an owner-occupied short-term rental application, the permanent occupant shall provide sufficient information to demonstrate compliance with the primary residency requirement as outlined in Section 769.01(g);

(2) The legal owner or owners of the property, including mailing address, telephone number, and email address. If the property owner is a corporation or partnership, the applicant shall provide the name of the entity set forth exactly as shown on in articles of incorporation as well as the mailing address, telephone number, and email address of an

individual who is the statutory agent, president, or managing individual, the state in which the company is incorporated or registered, and the entity or corporation number:

(3) The names and addresses of any other short-term rental located in City of Parma Heights that the applicant or property owner has any interest in, including, but not limited to, ownership, licensure, or management:

(4) Name of the short-term rental host, including mailing address, telephone number, and email address:

(5) The number of guestrooms in service at the short-term rental:

(6) The names of all hosting platforms that are used by any short-term rental host:

(7) Proof of liability insurance for the rental unit:

(8) Set forth any known, non-obvious or concealed condition, whether man-made or artificial, which may present a danger to the short-term rental guest(s):

(9) The contact information, including a telephone phone number, of a local person with the responsibility to resolve any complaints regarding the condition, operation or maintenance of the dwelling unit; and

(10) Set forth the trash and recycle collection days for the property and any applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property.

(c) The applicant must notify the Department of Public Service of any change in information contained in the permit application within ten days of the change.

(d) Any change in ownership of the building, the dwelling or the business, or change in name of the short-term rental host shall void the current permit and shall require submission of a new application and the issuance of a new permit.

(e) A short-term rental shall be assigned an individual permit account number that must be prominently displayed within the unit. The permit shall be displayed but removed upon expiration. The short-term host failing to display the permit is in violation of Section 769.99. The short-term host found to be operating with an expired permit is in violation of Section 769.99.

(f) At least monthly, the short-term rental host or his/her designated agent or custodian shall inspect the dwelling. The short-term rental host or his/her designated agent or custodian shall immediately notify the owner of any condition existing thereupon which is in violation of any housing, building, health or sanitation provision of these Codified Ordinances.

(g) The Director of Public Service may direct or cause each short-term rental, or any part thereof, to be inspected annually for maintenance violations. The fee for such inspection shall be as set forth in Chapter 1321.

(h) The Director of Public Service shall notify the Applicant in writing of any decision to deny a short-term rental permit. The Applicant may file a Notice of Appeal from said denial

to the Board of Zoning Appeals pursuant to Chapter 1139 of the Parma Heights Codified Ordinances. All decisions of the Board of Zoning Appeals shall be final, subject to further administrative appeal and review pursuant to Ohio Revised Code 2506.02.

769.05 SHORT-TERM RENTAL HOST - REQUIREMENTS.

(a) Short-term rental host requirements. A short-term rental host shall be the owner of the dwelling. The short-term rental host must provide one form of proof of identity, and two pieces of evidence that the dwelling is the host's primary residence or two pieces of evidence the host is the owner of the dwelling.

(1) One short-term rental permit per short-term rental operation may be issued.

(2) The short-term rental host must provide written notice to the short-term rental guest of:

A. Any known, non-obvious or concealed condition, whether man-made or artificial, which may present a danger to the short-term rental guest(s);

B. The contact information, including a telephone phone number, of a local person with responsibility to resolve any complaints regarding the condition, operation or maintenance of the dwelling unit;

C. Set forth the trash and recycle collection days for the property and any applicable rules and regulations pertaining to leaving or storing trash on the exterior of the property. The owner shall provide proper trash and recycling containers for the transient guest(s).

(3) Smoke detectors shall be provided and maintained adjacent to each sleeping area in each dwelling unit as required in Chapter 769.

(4) One or more carbon monoxide detection devices shall be installed and maintained as close to the center of the dwelling unit and within close proximity to the living and sleeping areas of the dwelling unit.

(5) Occupancy shall be limited to two individuals per bedroom within the dwelling unit.

(6) Rentals for thirty or more consecutive days by the same guest(s) will not be subject to short-term rental regulations.

(7) Compliance with all other applicable provisions of the Parma Heights Codified Ordinances related to residential housing.

(8) All short-term rental hosts must obtain liability insurance for the short-term rental or provide proof that the short-term rental and short-term rental host are named insured under the hosting platform's liability of insurance in the amounts set forth below. Each short-term rental shall at all times maintain the following insurance coverage meeting all of the following requirements: A general liability insurance policy or certificate that shall provide the minimum coverage:

A. Not less than one million dollars (\$1,000,000). Such policy or certificate must be issued by an insurance company that is admitted to do business in the state of Ohio or by an eligible surplus lines company or risk retention group.

B. The policy or certificate shall provide notice of cancellation of insurance to the Department of Public Service at least ten days prior to cancellation.

C. Any cancellation of insurance required by this section shall result in an automatic revocation of the respective short-term rental permit.

(b) Records required.

(1) A short-term rental host that offers a short-term rental shall retain records to demonstrate compliance with this section, including, but not limited to, primary residency, the name of the short-term rental guest responsible for the reservation and/or who rented the unit on each night, dates and duration of stay in a short-term rental, and the rate charged for each short-term rental on each night.

(2) A short-term rental host that provides units for short-term rental use shall retain records for a period of at least four years.

(3) If a request to inspect the records is denied, any officer or employee of the division of police, division of fire department of building may seek an administrative search warrant from a court of competent jurisdiction authorizing said inspection.

769.06 GENERAL DEVELOPMENT STANDARDS.

The following development standards apply to short term rentals.

(a) Uses Permitted in Single-Family Detached Dwellings. Short term rentals shall not be allowed in any detached structure, or in a garage. Only minimal interior modifications of said single-family dwelling shall be permitted in the original architectural style of the house for safety purposes only. Interior modifications of the size of bedrooms and baths shall be permitted.

(b) Occupation of Premises by Owner. Such owner shall be the record owner of no less than 50% interest of the property in question.

(c) Compliance With Fire Protection Standards; Certificates Required. Certificates of compliance from the Parma Heights Fire Department shall be required for approval of a request for a conditional use permit for short term leases. The following fire protection standards shall be continually met during the term of the conditional use permit, and shall be certified to exist by the City Fire Prevention Officer at the inception of the conditional use permit and annually therefor:

(1) There shall be a fire inspection;

(2) There shall be ten-pound ABC extinguishers per floor;

(3) Electrical work shall conform to current residential standards according to the current version of the National Electric Code; and

(4) No portable heating devices shall be allowed in sleeping rooms.

(d) Consecutive Nights. Each paying guest may stay at a property designated as a short-term rental property for not more than twenty-nine consecutive nights at any single visit.

(e) Kitchen Facilities. Only one kitchen facility shall be permitted per structure for which a conditional use permit is granted to operate a short-term rental. No cooking facilities of any type shall be permitted in individual guest quarters, and no food shall be served in guest quarters.

(f) Bathrooms. A minimum of one full bathroom, including tub or shower, toilet and sink, shall be required for every two guest rooms, to be available for the exclusive use of short-term rental paying guests.

(g) Owner Requirements. The owner must maintain current guest registration records which contain the following information about each guest: the guest's name, address, signature, and dates of accommodation. The registration records shall be kept on file for four years and upon request by any authorized City official, shall be made available for inspection by such City official during regular business hours or in case of an emergency.

(h) Nuisance Conditions; Revocation or Suspension of Permits. Short-Term Rentals shall not be permitted to create or continue a nuisance under either state or local law, and a conditional use permit shall be revoked or suspended by the City whenever the operation endangers, offends or interferes with the safety or rights of others so as to constitute a nuisance.

(i) Guest Rooms. There shall be no more than three guest rooms within a single-family dwelling that are utilized by short term rental customers. A guest room shall contain no less than one hundred square feet of living space, not including closets.

(j) Parking. One off-street parking space shall be provided for each guest room consistent with the restrictions set forth in Section 351.14. Such off-street parking spaces shall be provided in an existing driveway, behind the existing building line, or in a garage.

(k) Signage. One on-premises, flat sign against the dwelling shall be permitted for each short-term rental, not to exceed three square feet in area. The sign shall not be internally illuminated. No window display or signboard shall be allowed.

(l) Security. Outdoor security cameras must be provided and operational. Security camera footage shall be kept for a period of thirty days. No security lighting shall be permitted which reflects or is directed out of the yard of the owner of the short-term rental.

(m) Exits. In addition to the requirements of the Residential Code of Ohio, a minimum of two exits from the short-term rental area at the level of exit discharge shall be provided.

(n) Location. No short-term rental shall be permitted within five hundred feet of a school or recreational facility.

769.07 REQUIRED INFORMATION.

A resident approved to offer short-term rentals shall be subject to annual inspection, and inspection at other times upon reasonable notice to the owner. In addition to the requirement set forth in Section 769.03 above, an application for and, if requested, renewal of, a conditional use permit to engage in the business of short-term rental establishment shall be accompanied by the following information:

SHORT TERM RENTAL

(a) Proof of commercial general liability insurance, with limits of not less than one million dollars (\$1,000,000) per occurrence, for bodily injury and property damage arising in any way from the issuance of the permit. Each policy of insurance shall be used by an insurer authorized to do business in the State of Ohio; and include a provision requiring thirty days advance notice to the City prior to cancellation or lapse of the policy. The owner shall maintain the insurance required under this section in full force and effect for the duration of the permit period. A single violation of this subsection shall result in revocation of the permit;

(b) A statement as to whether the owner or any controlling person has ever been convicted in any jurisdiction of any felony;

(c) Proof that the owner has legal title to the property on which the establishment is located;

(d) A copy of an evacuation diagram.

769.08 TRANSFER OF SHORT-TERM RENTAL PERMIT NOT PERMITTED.

(a) No permit under this chapter shall be transferable to another individual, corporation, firm, partnership, association, organization or other group acting as a unit.

(b) No permit under this chapter shall be transferable to another short-term rental operation.

769.09 DISCRIMINATION PROHIBITED.

An owner, permanent occupant, short-term rental host, or operator shall not:

(a) Decline a transient guest or short-term rental guest based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status; impose any different terms or conditions based on race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status;

(b) Post any listing or make any statement that discourages or indicates a preference for or against any transient guest or short-term rental guest on account of race, sex, sexual orientation, gender identity or expression, color, religion, ancestry, national origin, age, disability, familial status or military status.

769.10 OTHER PROHIBITED ACTS.

It shall be unlawful for any person engaged in the business of short-term rentals to:

(a) Exceed the scope of the permit, as set forth in this chapter;

(b) Allow occupancy of the establishment or any part thereof to exceed one person per one hundred and twenty-five feet of floor area, excluding elevators, stairways or other shaft enclosures;

(c) Rent any sleeping room in the establishment for thirty-one or more consecutive days to any person other than members of the owner's family as defined in Parma Heights Zoning Ordinance;

(d) Use or permit the use of a hot plate, coffee maker or other cooking device in any sleeping room or bathroom;

(e) Permit any criminal activity or public nuisance to take place on the premises. If an owner knows or suspects that any criminal activity or public nuisance is taking place on or immediately adjacent to the premises, the owner shall immediately notify the Parma Heights Police Department of such fact, and shall cooperate with the Parma Heights Police Department in any investigation that may ensue; or

(f) Knowingly make any false or misleading statement about such person's criminal background in connection with any application-submitted pursuant to this chapter. A single violation of this subsection shall result in permit revocation.

(g) Utilize any apartment or apartment building, regulated by Chapter 711 of the Parma Heights Codified Ordinances, as a short-term rental.

769.99 PENALTY.

Whoever violates Section 769.10 of this Chapter is guilty of wrongful rental/use of residential property, a misdemeanor of the third degree. A second violation of this Chapter is a misdemeanor of the second degree. Any violation of this Chapter that represents a third or further violation shall be a misdemeanor of the first degree. A separate offense shall be deemed committed each day a violation occurs or continues.

CHAPTER 1171 Class A Districts

1171.01 Permitted uses.

1171.02 Rear yards; lot coverage.

1171.03 Side yards.

1171.04 Setback line.

1171.05 Lot area.

1171.06 Lot width

1171.07 Nonconforming setbacks.

CROSS REFERENCES

Districts and Zone Map - see P. & Z. 1161.01

Class A-1 Districts - see P. & Z. Ch. 1173

Class A-2 Districts - see P. & Z. Ch. 1174

Yard grading - see BLDG. 1381.01 et seq.

1171.01 PERMITTED USES.

Within any Class A District no building, structure or premises shall be used or arranged or designed to be used, except for one or more of the following uses:

(a) A single-family dwelling;

(b) Accessory uses customarily incident to the foregoing permitted use; and

(c) Short-term rentals as a conditional use, subject to all requirements of Chapter 1135 of the Codified Ordinances. In addition, short-term rentals must meet all requirements of Chapter 769 of the Codified Ordinances. See P.H.C.O. Chapter 769.

(Ord. 1953-29. Passed 6-1-53.)

1171.02 REAR YARDS; LOT COVERAGE.

(a) Every property shall be provided with an open, unobstructed (except for landscaping, detached garages, and accessory buildings) minimum rear yard of 25 percent of the total area of the lot or 30 feet as measured perpendicular to the street, whichever is greater. (As per Exhibits 1, 2, and 3.)

(b) The sum of the plan projection areas of all structures on a property shall not exceed 40 percent of the lot area. (As per Exhibits 1, 2, and 3.)

(c) Garages and Accessory Buildings.

(1) A detached garage not over 15 feet high and not over 30 feet deep may be located in the rear yard area.

(2) A detached garage shall be placed no closer than three feet to a side property line or a rear property line and shall be no closer than eight feet to any other structure on an adjoining property irrespective of lot lines and no closer than ten feet to the main structure.

(3) In the case of a corner lot, the rear line of which is identical with the side line of an interior lot, no detached garage shall be erected within 20 feet of any street line.

(4) Accessory buildings are permitted in the rear yard area as regulated by Chapter 1388 of the Parma Heights Building Code. The plan projection area of accessory buildings shall not be considered when determining lot coverage.

(Ord. 1969-3. Passed 1-27-69; Ord. 2002-60. Passed 12-23-02.)

1171.03 SIDE YARDS.

There shall be a side yard on each side of every building. The minimum width of the side yard shall be three feet. At least twelve feet of each lot shall be devoted to side yards.

Whenever the garage is detached from the main structure there shall be a minimum width of nine feet between the structure and the side line of the driveway side of the lot.

Whenever the garage is attached to the main structure there shall be a minimum width of five feet between the structure and the side line on the garage side of the lot.

In addition, no two main structures or parts thereof on their respective lots shall be any closer together than ten feet irrespective of lot lines.

(Ord. 1953-29. Passed 6-1-53.)

1171.04 SETBACK LINE.

On any existing street frontage in Class A Districts where there is no building or setback line designated on the Building Zone Map, the location of the setback line shall be as follows:

(a) No nearer than thirty feet to the street line or twenty-five percent of the average or normal depth of the lots having their front lines along the street frontage, whichever is the greater. (As per Exhibits 1, 2, and 3.)

(b) On the sideline of a corner lot the distance of the setback line from the street line shall be not less than ten feet. (As per Exhibits 1, 2, and 3.)

(Ord. 1953-29. Passed 6-1-53; Ord. 2003-6. Passed 2-10-03.)

1171.05 LOT AREA.

The minimum requirements shall be 9,000 square feet of lot area for each dwelling.

(Ord. 1965-58. Passed 9-13-65.)

1171.06 LOT WIDTH.

No dwelling shall be erected on a lot having an average width of less than seventy-five feet, unless the lot was separately owned at the time of the passage of this section (Ordinance 1964-73, passed October 26, 1964), or unless such lot is a numbered lot in a subdivision that was on record in the office of the County Recorder at the time of the passage of this section (Ordinance 1964-73, passed October 26, 1964), for which a dedication of streets in such allotment was made for public use and accepted by Council.

(Ord. 1964-73. Passed 10-26-64.)

1171.07 NONCONFORMING SETBACKS.

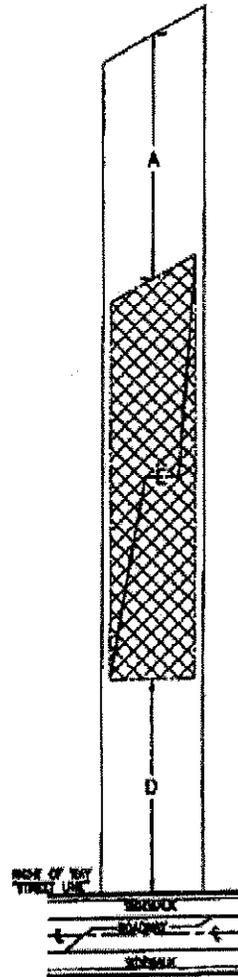
(a) When strict adherence to the minimum setback requirements of this Code cannot be met, the applicant/property owner may appeal to the Board of Zoning Appeals for relief. The Board of Zoning Appeals shall require of the property owner such amendments to the plan as may be necessary to achieve the spirit and intent of this Code and to protect the health and welfare of the general public.

(b) The Board of Zoning Appeals shall determine the setbacks that achieve the spirit and intent of this Code.

(Ord. 2002-60. Passed 12-23-02.)

Exhibits 1-3 available in PDF: [click HERE](#)

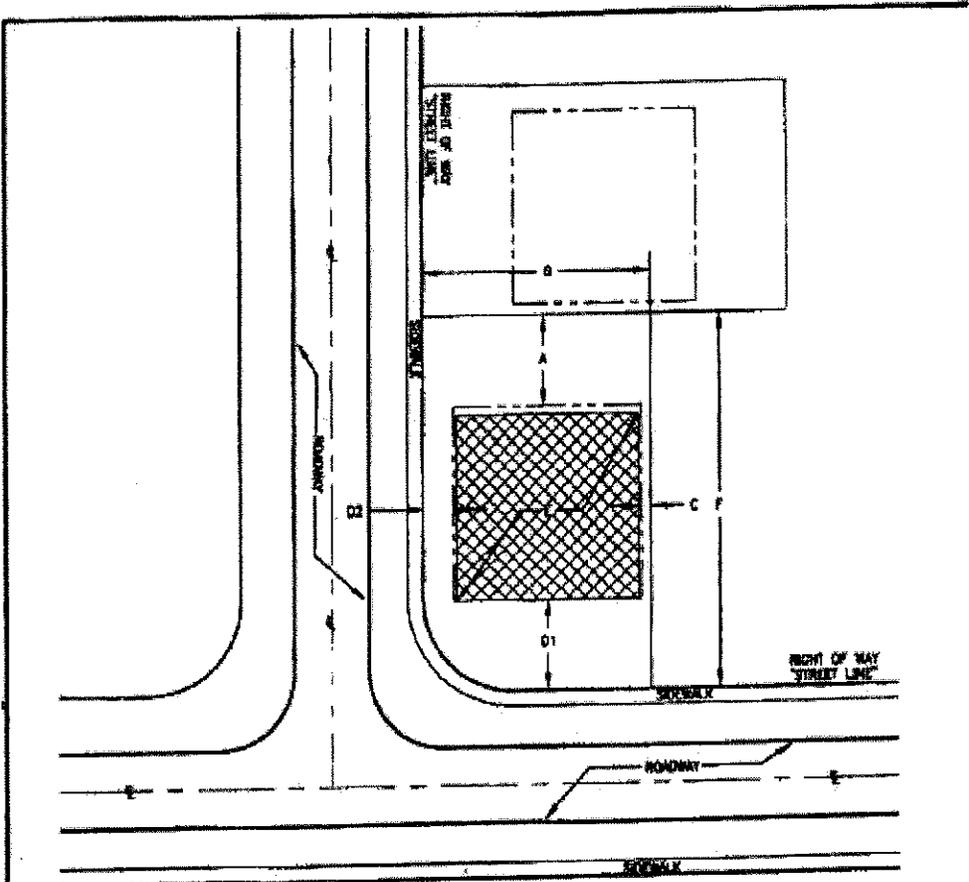
ZONING SECTION	PLAN DESIGNATION	CODE REQUIREMENT
1171.02 REAR YARDS	A	30' MIN. OR 25% OF TOTAL AREA OF LOT, WHICHEVER IS GREATER.
1171.03 SIDE YARDS	B & C	B+C=12' MIN., 3' MIN. FOR ONE SIDE
1171.04 SETBACK LINE	D	30' MIN. TO STREET LINE OR 25% OF AVERAGE NORMAL DEPTH OF LOT, WHICHEVER IS GREATER, OR ALREADY ESTABLISHED BUILDING LINE.
1171.02 LOT COVERAGE	E	SUM OF PLAN PROJECTION AREAS OF ALL STRUCTURES ON A PROPERTY SHALL NOT EXCEED 40% OF THE LOT AREA.
1171.05 LOT AREA	F	8,000 S.F. MIN.
1171.06 LOT WIDTH	G	75' MIN. AT BUILDING LINE



"BOWLING ALLEY" LOT

11-26-02

Exhibit 1

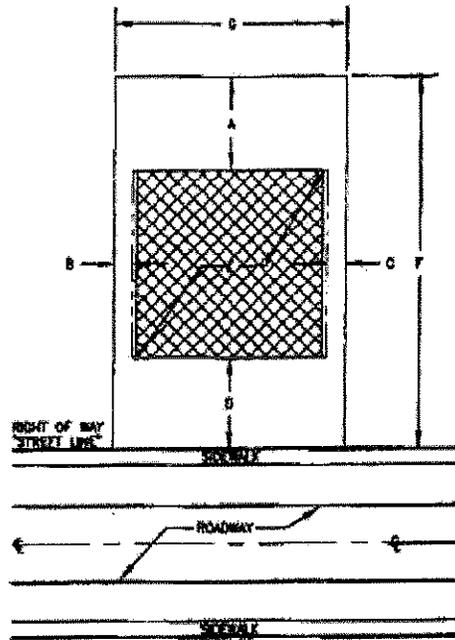


ZONING SECTION	PLAN DESIGNATION	CODE REQUIREMENT
1171.02 REAR YARDS	A	30' MIN. OR 25% OF TOTAL AREA OF LOT, WHICHEVER IS GREATER.
1171.03 SIDE YARDS	C	3' MIN. FOR ONE SIDE
1171.04 SETBACK LINE	D1	30' MIN. TO STREET LINE OR 25% OF AVERAGE NORMAL DEPTH OF LOT, WHICHEVER IS GREATER, OR ALREADY ESTABLISHED BUILDING LINE.
1171.04 SETBACK LINE (CORNER LOTS)	D2	10' MIN. TO STREET LINE
1171.02 LOT COVERAGE	E	SUM OF PLAN PROJECTION AREAS OF ALL STRUCTURES ON A PROPERTY SHALL NOT EXCEED 40% OF THE LOT AREA.
1171.06 LOT AREA	F	9,000 SF MIN.
1171.06 LOT WIDTH	G	70' MIN. AT BUILDING LINE

CORNER LOT

11-26-02

Exhibit 2



ZONING SECTION	PLAN DESIGNATION	CODE REQUIREMENT
1171.02 REAR YARDS	A	30' MIN. OR 25% OF TOTAL AREA OF LOT, WHICHEVER IS GREATER.
1171.03 SIDE YARDS	B & C	8'-0" MIN., 3' MIN. FOR ONE SIDE
1171.04 SETBACK LINE	D	30' MIN. TO STREET LINE OR 25% OF AVERAGE NORMAL DEPTH OF LOT, WHICHEVER IS GREATER, OR ALREADY ESTABLISHED BUILDING LINE.
1171.02 LOT COVERAGE	E	SUM OF PLAN PROJECTION AREAS OF ALL STRUCTURES ON A PROPERTY SHALL NOT EXCEED 40% OF THE LOT AREA.
1171.05 LOT AREA	F	8,000 S.F. MIN.
1171.06 LOT WIDTH	G	75' MIN. AT BUILDING LINE

STANDARD LOT

11-26-02

Exhibit 3

CHAPTER 1174
Class A-2 Districts

1174.01 Permitted uses.

1174.02 Purpose; location of individual units; conditions.

1174.03 Approval of one-family cluster unit developments; site plan required.

1174.04 Maintenance agreements.

1174.05 Limitations on townhouses.

CROSS REFERENCES

Districts and Zone Map - see P. & Z. 1161.01

Class A Districts - see P. & Z. Ch. 1171

Class A-1 Districts - see P. & Z. Ch. 1173

1174.01 PERMITTED USES.

Within any Class A-2 District, no building, structure or premises shall be used or arranged, or designed to be used, except for one or more of the following uses:

(a) Any principal or accessory use permitted in Class A Districts, with the same regulations and restrictions that are applicable to such use in Class A Districts; and

(b) One-family cluster units.

(Ord. 2000-3. Passed 1-25-00.)

1174.02 PURPOSE; LOCATION OF INDIVIDUAL UNITS; CONDITIONS.

(a) The purpose of this zoning classification is to allow residential development, consisting of five or more units, the additional flexibility necessary to make advantageous use of natural irregular land features which might otherwise have a negative impact on such a development. The physical location and arrangement of individual units within the development may be in any configuration acceptable to the Planning Commission and Council, except that no unit shall be vertical to any other unit.

(b) In addition to the provisions of division (a) of this section, the following conditions shall be met:

(1) Maximum density shall be five units per gross acre;

(2) Minimum land area shall not be less than two contiguous acres;

(3) Minimum floor area per unit:

A. 1-story:

With basement: 1,350 square feet

Without basement; 1,500 square feet

B. 2-story:

With basement 1,800 square feet

Without basement 1,900 square feet

(4) There shall be two attached automobile garage spaces per dwelling unit, unless otherwise determined by the Planning Commission and Council in accordance with Section 1174.03(b)(4);

(5) Guest parking spaces shall be equal to 20% of the number of dwelling units.

(6) The main service drive may be dedicated to the City;

(7) There shall be a minimum of ten feet between detached units;

(8) Any other conditions required by Council or the Planning Commission shall be met;

(9) The submission of a copy of any plan, covenant or restriction for the maintenance of common property shall include a provision requiring maintenance of any private street;

(10) Submission of a copy of all governing documents;

(11) Front yard setbacks shall be as follows:

A. 40 feet from the right-of-way on a major arterial street or collector street;

B. 20 feet from the right-of-way on a local street; and

C. 25 feet from the nearest edge of a sidewalk or roadway pavement on a private drive.

(12) The setback from an abutting single-family lot line shall be a minimum of 35 feet.

(13) A dedicated local street shall have a minimum right-of-way of 40 feet, with a preferred width of 50 feet.

(Ord. 2000-3. Passed 1-25-00; Ord. 2000-42. Passed 9-25-00.)

1174.03 APPROVAL OF ONE-FAMILY CLUSTER UNIT DEVELOPMENTS; SITE PLAN REQUIRED.

(a) The developer of any parcel of land requesting approval of a one-family cluster unit development shall prepare a detailed site plan of the cluster area proposed for the

development. The plan of each one-family cluster residential area shall include the following:

- (1) The number, location and arrangement of dwelling units;
- (2) The proposed use of all private and common land;
- (3) The location and arrangement of all dedicated streets, private driveways and pedestrian access ways;
- (4) The number and arrangement of all parking and service areas;
- (5) The location, preliminary sizing, preliminary profiles and other information that may be required by the City Engineer to determine the feasibility of the proposed utilities;
- (6) The location and design of all site features; and
- (7) The landscape design.

(b) The site plan shall be reviewed by:

(1) The City Engineer, to determine compliance with provisions of this chapter and all applicable standards;

(2) The City Planner, to evaluate the merits of the site plan and its impact on the subject area and City in general;

(3) The Director of Public Service, to determine compliance with the Building Code; and

(4) The Planning Commission, which shall report its recommendation to Council, which may either approve or disapprove the positive recommendation of the Planning Commission by a simple majority of the members of Council or override the negative recommendation by a two-thirds vote of the members of Council.

(Ord. 2000-3. Passed 1-25-00.)

1174.04 MAINTENANCE AGREEMENTS.

A copy of any plan, covenant or restriction for the maintenance of common property shall include a provision requiring maintenance of any private street and shall be submitted to the Director of Law for review and approval.

(Ord. 2000-3. Passed 1-25-00.)

1174.05 LIMITATIONS ON TOWNHOUSES.

Townhouse cluster attached single-family units shall be limited to thirty-five percent of the total number of building units.

(Ord. 2000-3. Passed 1-25-00.)

CHAPTER 1192