

Section 1703-5: Supplemental to Transect Zones

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1703-5.10 Purpose

This Section establishes standards that supplement the regulations of each transect zone. The standards are specific to particular aspects of development, such as parking and signage. These standards are intended to promote development that compliments and reinforces the vibrant, mixed-use pedestrian environment of Cincinnati.

1703-5.20 Applicability

This Section applies to all development in applicable transect zones. Each Subsection within this Section further refines the applicability of the standards.

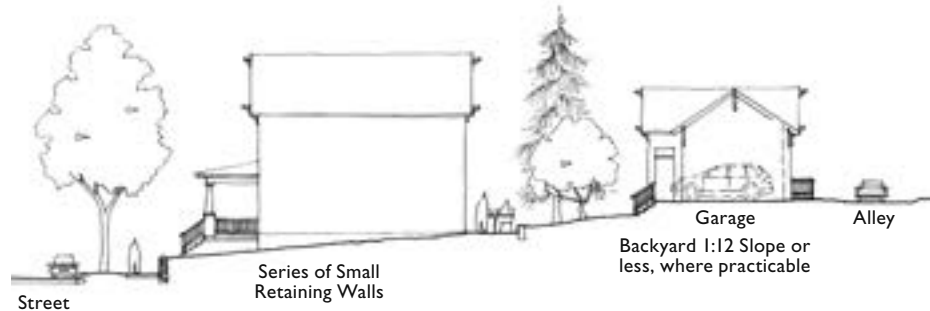
1703-5.30 Topography and Hillside Overlay Districts

- A. **Purpose.** This Subsection establishes standards and guidance for development on sites with irregular, undulating, or uneven topography.
- B. **Applicability**
 - 1. The standards in this Subsection shall apply in all transect zones that are not located in a Hillside Overlay District. For transect zones located in a Hillside Overlay District, the regulations of the Cincinnati Municipal Code Chapter 1433 shall govern and control.

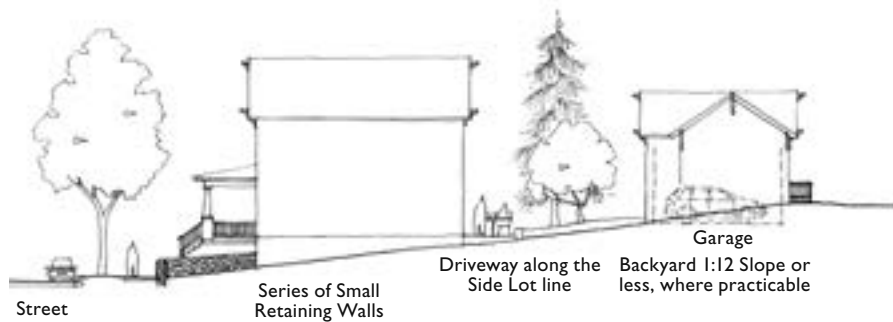
- C. **Building Height.** Sites with uneven topography present unique issues in relation to building height.
1. The Form-Based Code addresses building height in the following locations:
 - a. **Maximum and/or Minimum Building Height.** Building heights are regulated by the transect zone. See Section 1703-2 (Specific to Transect Zones).
 - b. **Overall Building Height.** The maximum height of a building follows the existing topography of a site. This ensures that buildings comply with the building height across an entire site. See Subsection 1703-5.60 (Building Height).
 - c. **Exposed Basements.** The maximum amount a basement may be exposed before it counts as a building story is set forth in Subsection 1703-5.60.E.2.
- D. **Location of Parking.** Steep topography can present issues with locating parking on a lot. Table 1703-8.30.A (Allowable Variations) provides findings and allowed administrative variations for issues arising from steep topography preventing parking spaces from being provided in accordance with the standards in Section 1703-2 (Specific to Transect Zones).
- E. **Grading or Regrading of Sites.** When a site's topography is modified, the site shall be graded in such a way to avoid the following features:
1. Retaining walls or blank walls taller than four feet in height within required front street or side street setbacks or build-to lines;
 2. Retaining walls on rear or side lot lines; and
 3. New site grading that permits construction of buildings that do not reflect the pre-construction topography of the site.
- The drawings on the following three pages illustrate methods of inappropriate and appropriate site grading methods.
- F. **Massing.** Buildings on steep slopes should reflect the pre-construction topography of the site.
1. Buildings with footprints 36 feet wide or less shall have a simple water table or change in contrasting material between the basement and the ground floor.
 2. Buildings with footprints wider than 36 feet, and those 3 stories or taller shall have a minimum of one story tall defined base. The base shall be defined through the use one of the following methods:
 - a. Contrasting change in material;
 - b. Use of a continuous shopfront frontage; and/or
 - c. A continuous horizontal band between the base and upper floors.
- G. **Administrative Relief.** Subsection 1703-8.30 (Varying The Form; Administrative Variations) provides a process to obtain variations to standards found in this Chapter due to topographic constraints.

Parking Access on Uphill and Downhill Sites. The following examples illustrate appropriate methods of providing access to parking areas on uphill and downhill sites.

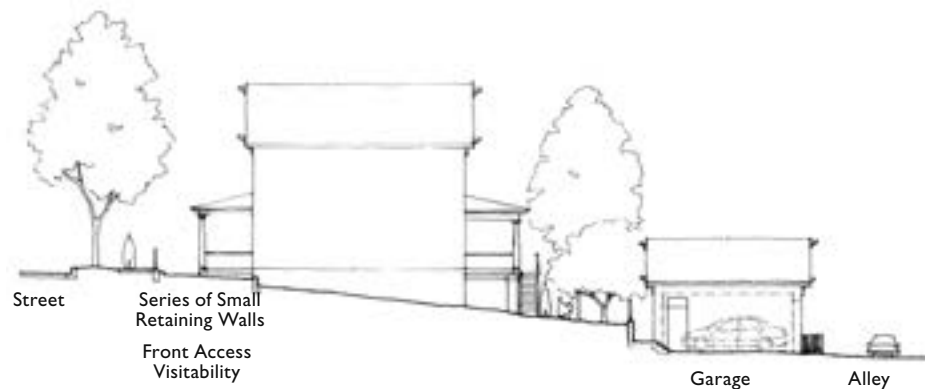
Example of appropriate grading of an uphill site that has alley access for parking.



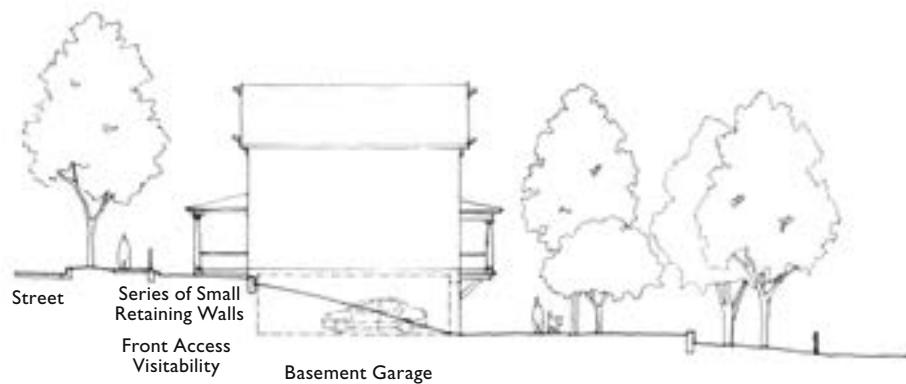
Example of appropriate grading of an uphill site that has access to parking from the front of the lot.



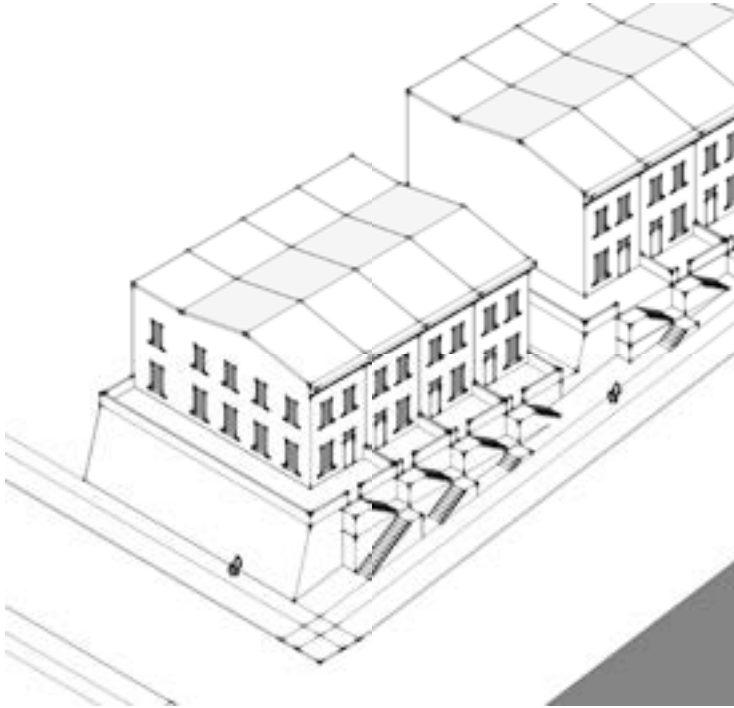
Example of appropriate grading of a downhill site that has alley access for parking.



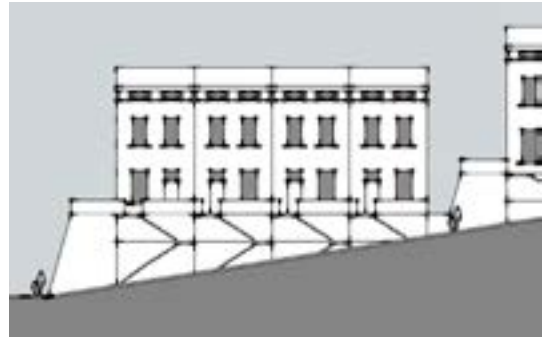
Example of appropriate grading of a downhill site that has access to parking from the front of the lot.



Inappropriate and Appropriate Site Grading. The following examples apply to detached or narrow attached building forms such as detached houses, duplexes, rowhouses, multi-plex and main street mixed use building types.

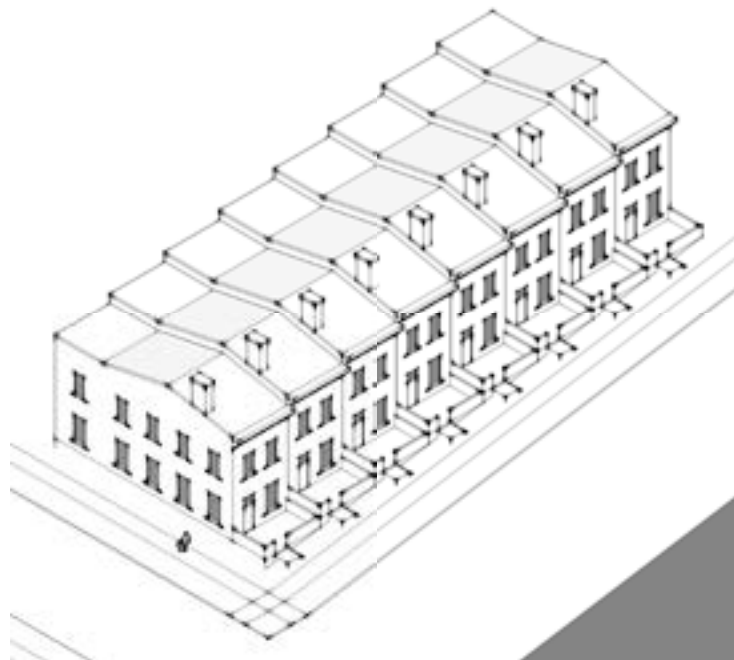


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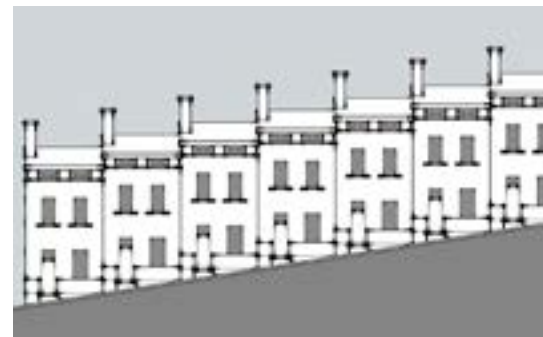


Elevation

Inappropriate. *An inappropriate mass grading of a site that does not allow for narrow footprint building types to follow and reflect the topography of the site.*



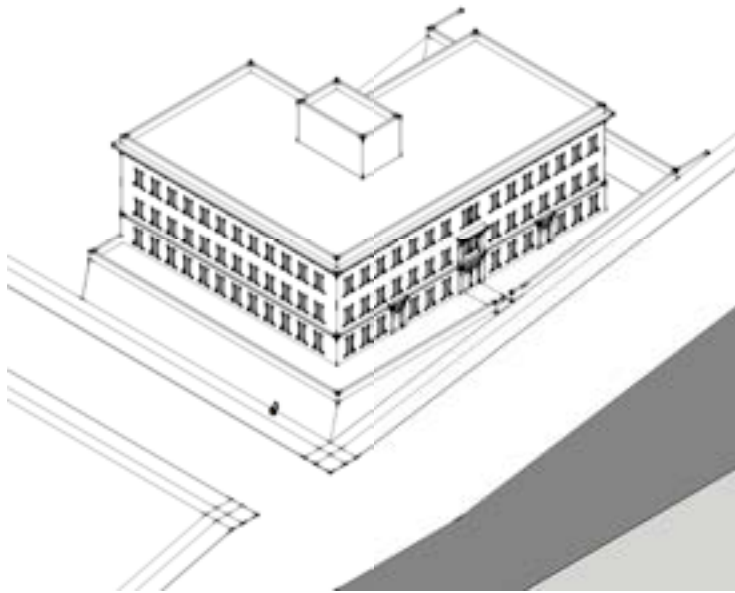
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Elevation

Appropriate. *An appropriate grading of a site to allow for narrow footprint building types to step up and follow the topography of the site.*

Inappropriate and Appropriate Site Grading. The following examples apply to large footprint building types and other attached building forms such as stacked flats, Mid-Rise and High-Rise building types.

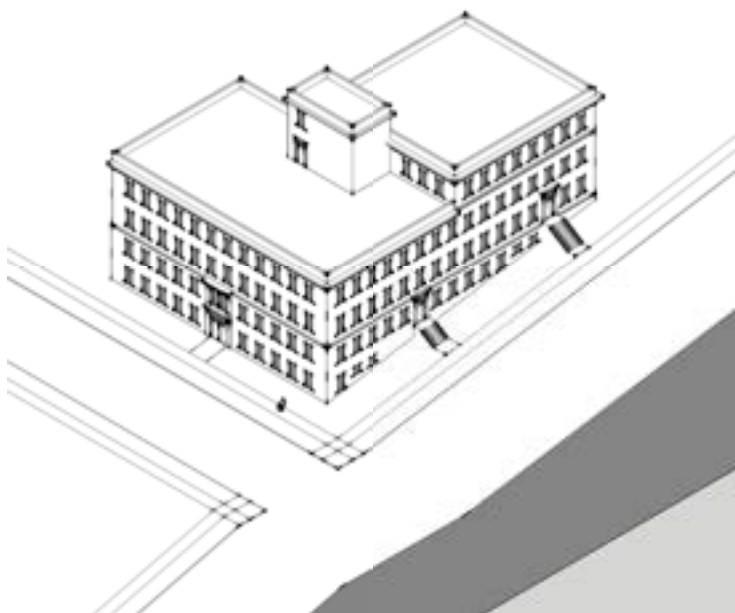


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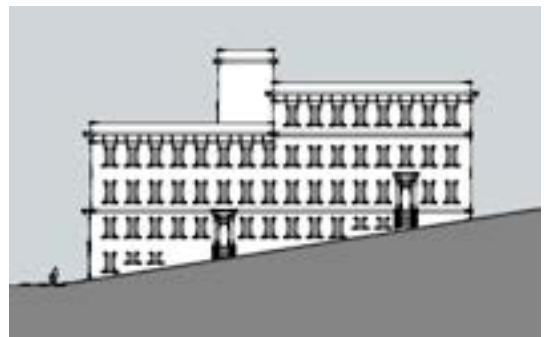


Elevation

Inappropriate. *An inappropriate mass grading of a site that creates large blank retaining walls and building facades.*



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Elevation

Appropriate. *An appropriate grading of a site to allow for the building to front on to both street addresses with out creating large blank retaining walls or building facades.*

1703-5.40 Historic Assets

See Section 1703-8.50, "Relationship to Overlay Districts."

1703-5.50 Parking

- A. **Purpose.** This Section regulates and ensures the provision of parking spaces and access drives are designed for motor vehicles and bicycles. The Section also provides options for adjusting parking requirements and providing parking alternatives. These standards ensure that parking needs of new land uses and development are met, while ensuring parking spaces and access drives are designed and located in a manner consistent with the desired character and development patterns of walkable communities as outlined in Plan Cincinnati.
- B. **Applicability**
1. On-site parking shall be required in all transect zones as set forth in this section and shall apply to the following:
 - a. New development;
 - b. Changes in land use; and
 - c. Changes to a building or structure that cause an increase or decrease of 25 percent or greater made subsequent to the effective date of this Form-Based Code:
 - (1) Gross floor area;
 - (2) Seating capacity;
 - (3) Dwelling units; or
 - (4) Parking spaces.
- C. **General Parking Standards**
1. **Off-Site Parking.** Required off-street parking may be provided if the following standards are met:
 - a. The required parking is provided in an off-street parking facility on another site within 600 feet of the site proposed for development, as measured along thoroughfare right-of-ways that provide access to both sites;
 - b. Pedestrian access between the site and the off-site parking area shall be via concrete or paved sidewalk or walkway; and
 - c. The owners of the site and the offsite parking area shall provide a recorded parking agreement or covenant in a form approved by the City Solicitor reflecting the arrangement between the sites.
 2. **Larger Vehicle Parking**
 - a. Trucks, tractors or tractor-trailers having a capacity of more than a one-and-one-half-ton load, front- and rear-end loaders, or any commercial, industrial, agricultural or transportation vehicles or equipment shall not be parked or stored within any T3 or T4 zones for purposes other than short-term unloading, loading or delivery services, or temporary construction within the zone.

- b. Automobiles, small trucks, vans, vehicle trailers permitted in conjunction with an approved home occupation (one per home occupation), and recreational vehicles, utilized for personal or business use, are excluded from the provisions of this Subsection.
- 3. **Storage of Unregistered or Inoperable Motor Vehicles.** Automotive vehicles, trailers, or vehicles of any kind or type, requiring licenses, but without current plates or inoperable, shall not be parked in a transect zone unless parked within a completely enclosed building.
- 4. **Cargo or Freight Container.** Portable cargo or freight storage containers in any zone for purposes of loading or unloading, may be parked or stored for a period not to exceed 10 days.
- 5. **Commercial Auto Repairs.** Commercial repairs or restoration of vehicles shall only be conducted in the appropriate transect zones.
- 6. **Non-Commercial Auto Repairs within T3 and T4 Zones.** Unlicensed vehicle restoration is permitted within an allowed off-street parking area, provided the vehicles undergoing restoration or used for parts shall either be covered by a commercially manufactured opaque automobile cover in serviceable condition or stored in an enclosed building.
 - a. Not more than one vehicle per premises for either renovation or parts may be screened by use of a cover that shall be securely fastened to the vehicle.
 - b. Vehicles other than the screened vehicle shall be parked in an enclosed building.

D. Number of Motor Vehicle Parking Spaces Required

- 1. **Required Spaces.** The minimum number of parking spaces required are listed in Table A (Parking Spaces Required). However, if the minimum number of parking space requirements are provided in Section 1703-2 (Specific to Transect Zones) for the applicable transect zone and use, then those standards take precedence over the standards in Table A (Parking Spaces Required). When calculating the minimum number of parking spaces, numbers shall be rounded up to the closest whole number.
- 2. **Maximum Number of Parking Spaces.** When calculating the maximum number of parking spaces, numbers shall be rounded down to the closest whole number. The maximum number of off-street parking spaces shall be as follows:
 - a. For buildings with a footprint less than or equal to 60,000 gsf, 140 percent of the required minimum number of parking spaces.
 - b. For buildings with a footprint greater than 60,000 gsf, 125 percent of the required minimum number of parking spaces.
 - c. The required minimum number of parking spaces shall be rounded down to the closest whole number.

Table 1703-5.50.A: Parking Spaces Required	
Use	Required Spaces
Industrial	
General Industrial, except	1 per 1,000 gsf
Warehousing	1 per 2,000 gsf
Wholesale Business	1 per 2,000 gsf
Residential	
Group Residential: Residential Care	1 per 3 beds/residents
For other residential uses see Section 1703-2 (Specific to Transect Zones)	
Retail	
See Section 1703-2 (Specific to Transect Zones)	
Recreation, Education, Public Assembly	
Colleges and Universities	1 per 5 seats plus 1 per 3 auditorium seats
Community/Public Safety Facility	1 per 300 gsf
School, Public or Private	
Grades K-8	1 per 30 seats
Grades 9-12 or Trade	1 per 10 seats
Theaters	1 per 5 seats
Other Assembly Uses	
With Fixed Seats	1 per 5 seats
Without Fixed Seats	1 per 300 gsf
Services	
See Section 1703-2 (Specific to Transect Zones)	

E. Parking Adjustments

1. **On-Street Parking.** On-street parking spaces adjacent to the lot may count towards the required non-residential use parking standards.
2. **Shared Parking.** For two use types, shared parking shall be calculated as follows. The sum of the required parking for the two use types shall be divided by the factor listed in the table below. The required number of parking spaces shall be rounded up to the closest whole number. If the use is not listed below then the shared parking shall be based on Subsection 3 below.

Table: 1703-5.50.B: Shared Parking Factor for Two Uses				
	Residential	Lodging	Office	Retail
Residential	1.0	1.1	1.4	1.2
Lodging	1.1	1.0	1.7	1.3
Office	1.4	1.7	1.0	1.2
Retail	1.2	1.3	1.2	1.0

3. **Shared Parking Study.** When three or more use types share parking or a use type is not listed in Table B (Shared Parking Factor for Two Uses) above, the amount of required parking may be reduced as follows:
 - a. If the Director determines one of the following circumstances has been established, the Director may grant a reduction in the parking standards set forth in this Subsection:
 - (1) Where uses seek to share parking with different peak hour demands and are in the same or adjoining development, the owner of the parking spaces shall submit to the Director an analysis and substantiated projections of peak parking demand for the entire development to justify the shared use of parking spaces for separate uses;
 - (2) Where the special nature of a certain development (e.g., special types of housing projects inhabited by persons with low or no automobile ownership) does not require the amount of parking listed in Subsection D; or
 - (3) Where fewer parking spaces are needed due to access to transit, special designs and traffic mitigation measures incorporated in the parking lot design and circulation plan.
 - b. The Director shall consider all of the following in determining whether a reduction is warranted:
 - (1) The likelihood that the reduced number of parking spaces can satisfy demand;
 - (2) The amount of time during the year when the number of spaces provided may be insufficient and the amount of resulting parking overflow;
 - (3) The impact of periodic overflows upon the public thoroughfares and other parking facilities;
 - (4) The nature of surrounding land uses, character of the surrounding road system, and nearby circulation pattern;
 - (5) The amount of on-street parking available within one-quarter of a mile of the development;
 - (6) Any additional reduction in on-site parking demand by implementing transportation demand management strategies proposed by the applicant; and in all cases, the owner of the lot shall have the burden to demonstrate that a reduction in parking standards is warranted.
4. **Additional Parking Modifications for Projects Utilizing Certain Financial Programs.** Minimum off-street parking requirements shall not apply to the establishment of new dwelling units in a newly constructed or renovated building, provided the building is constructed or renovated pursuant to Low-Income Housing Tax Credit programs.
 - a. To be eligible for parking modifications, the owner of the building that is to be constructed or renovated, or its successor-in-interest, as applicable, must establish and maintain compliance with the affordability restrictions pursuant to Low-Income Housing Tax Credit programs for the building on the property for so long as those restrictions remain in effect.
 - b. Any person who fails to maintain compliance with subsection (a) shall be liable for a Class F civil offense for each dwelling unit that is not in compliance, as applicable, in a given year.

F. Parking Spaces, Lot Design and Layout

1. **Access.** The following standards are applicable to off-street parking lot access design and include parking for single-family residences unless modified by Section 1703-2 (Specific to Transect Zones).
 - a. Each required off-street parking space shall open directly onto an aisle or driveway as specified in Table C (Minimal Dimensional Requirements for Parking Spaces and Aisles). All off-street parking facilities shall be designed with an appropriate means of vehicular access to a thoroughfare or to an alley to cause the least interference with traffic flow.
 - b. Parking spaces in any parking lot or parking structure shall not be designed or located so as to permit a vehicle to enter or exit a parking space directly from a public thoroughfare. Ingress to and egress from parking spaces shall be from an on-site aisle or driveway, except:
 - (1) Parking spaces within lots of up to eight spaces may be designed or located so as to permit a vehicle to enter or exit a parking space directly from a public alley or rear lane.

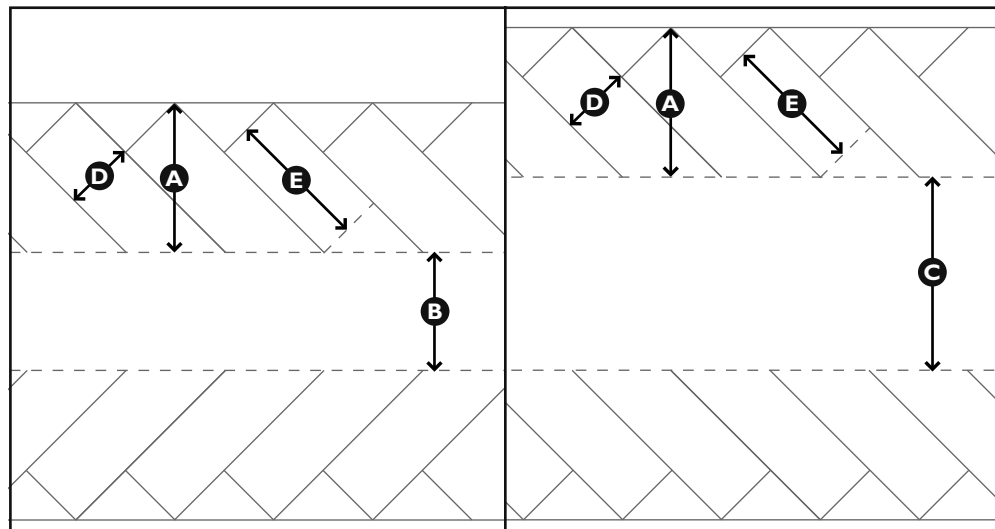


Table 1703-5.50.C: Minimum Dimensional Requirements

Angle	Parking Row Depth A	Drive Aisle Width		Space Width D	Space Length E
		One-Way B	Two-Way C		
Parallel	8' ¹	12'	20'	8' ¹	20'
30°	17'	11'	24'	9'	20'
45°	20'	13'	24'	9'	20'
60°	21'	18'	24'	9'	18'
Perpendicular	18'	24'	24'	8'	18'
Tandem	36'	24'	24'	8'	36'

¹ Width of on-street parallel parking shall be determined by standards set forth in Section 1703-7 (Specific to Thoroughfares).

2. Driveways

- a. Access to driveways.
 - (1) Developments of two or fewer dwelling units. Access to and from driveways onto public thoroughfares shall be where practicable by forward motion of the vehicle.
 - (2) All other developments. Access to and from driveways onto public thoroughfares shall be by forward motion of the vehicle.
- b. Driveways shall extend and include the area between the lot line and the edge of the street pavement.
- c. The design and construction of all off-street parking access drives shall meet the requirements of the Director of the Department of Transportation and Engineering.

3. Identified as to Purpose and Location.

Off-street parking areas of four or more spaces and off-street loading areas shall include painted lines, wheel stops, curbing or other methods of identifying individual parking spaces and loading areas, while distinguishing such spaces from aisle and other circulation features.

4. Materials

- a. All off-street parking areas and driveways shall be surfaced with materials approved by the City Engineer.
- b. The use of pervious or semi-pervious parking area surfacing materials—including, but not limited to “grasscrete,” or recycled materials such as glass, rubber, used asphalt, brick, block and concrete—may be approved by the Director for required vehicular surface area on a site, provided such areas are properly maintained. Where possible, such materials should be used in areas in proximity to and in combination with on-site stormwater control devices.

5. Accessible Parking.

All parking facilities that require accessible parking spaces shall ensure that a portion of the total number of required parking spaces shall be specifically designated, located, and reserved for use by persons with physical disabilities, in accordance with the standards in the Federal Americans with Disabilities Act (ADA).

6. Dimensional Standards for Parking Spaces and Aisles

- a. **General.** Standard car parking spaces and parking lot aisles shall comply with the minimum dimension standards established in Table C (Minimum Dimensional Requirements) above.
- b. **Dimensional Adjustments.** Parking structures may be subject to dimensional adjustments based on utilization, but in no case shall the standard parking space width be less than eight feet. Reduction in design standards shall be subject to approval by the Director.
- c. **Vertical Clearance.** All parking spaces shall have a minimum overhead clearance of six foot, eight inches (6'8").

- d. **Reduction for Sidewalk and Planter Overhangs.** When a parking space abuts a sidewalk or planter; the front two feet of the required parking space length may overhang the planter or sidewalk provided that wheel stops or curbing are provided and the remaining area outside of the overhang meets the minimum width requirements of the sidewalk or planter.
- e. **Spaces Near Obstructions.** When the side of a parking space abuts a wall or other structure that is taller than six inches, the width of the parking space shall be increased by two foot, six inches (2'6").

7. Landscaping, Fencing, and Screening

- a. Parking lots with more than 8 parking spaces shall provide one tree per every four parking spaces.
- b. Screening of parking and loading areas shall meet the following standards:

Table 1703-5.50.D: Parking and Loading Area Screening

Zone	Adjacent Zone	Required Screening ¹
T4, T5, T6	T3, T4 or residential non-transect zone	6' wall, fence or evergreen hedge.

¹ Screening is not required when parking and loading is adjacent to an alley.

- c. Landscaping areas may be ideal locations to accommodate stormwater management features.

8. Location

- a. Location of required on-site parking in all zones is regulated by setbacks set forth in Section 1703-2 (Specific to Transect Zones) and the following:
 - (1) Parking lots with 20 or fewer spaces shall have all off-street parking areas shall be separated at least five feet from buildings in order to provide a sidewalk between the building and parking area.
 - (2) Parking lots with more than 20 spaces shall have all off-street parking areas shall be separated at least 10 feet from buildings in order to make room for a sidewalk, landscaping, and other planting between the building and the parking area.
 - (3) This separation may be eliminated to the rear of buildings in areas designed for unloading and loading of materials.

9. Size of Parking Lot

- a. Parking lots larger than one-quarter of an acre in size shall be divided into smaller parking areas with planted landscape areas with a minimum width of 15 feet between them to minimize the perceived scale of the total field of stalls.

10. Tandem Parking.

Tandem parking is allowed in all zones for all residential uses as follows:

- a. Both tandem parking spaces satisfy the parking requirement of one residential unit; and
- b. Neither of the tandem parking spaces shall be for required accessible parking spaces.

G. Bicycle Parking Requirements

1. **Exempt.** Bicycle parking is not required for single-family residential developments and uses.

2. **Number of Bicycle Parking Spaces and Location Standards**

Table 1703-5.50.E Bicycle Parking Requirements

Use Type	Required Spaces	Location
Residential: Multi-Family	1 per 4 bedrooms	Either within the building or within 25 feet of the building entrance.
Retail, Services or Recreation, Education and Public Assembly ¹	4 stalls or 20% of required off-street automobile parking spaces, which ever is greater (up to a maximum of 30 bicycle spaces)	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks.
Industry, Manufacturing & Processing and Transportation, Communications, Infrastructure ¹	10% of required off-street automobile parking spaces, which ever is greater (up to a maximum of 30 bicycle spaces)	Within 50 feet of public entrance of the building and adjacent to a bicycle path and/or pedestrian walks.

¹ At the discretion of the Director required bicycle parking may be provided within the public ROW.

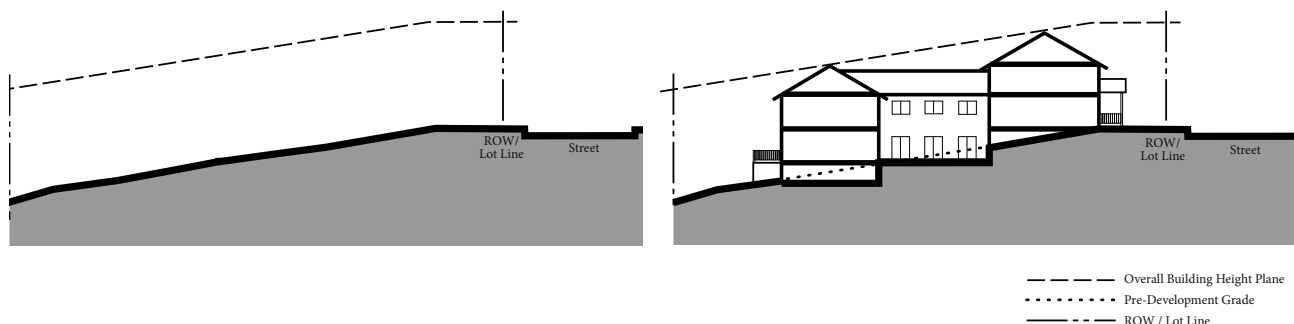
3. **Bicycle Parking Standards.** Bicycle spaces shall be provided in accordance with the following standards:
 - a. Bicycle parking shall consist of either a lockable enclosure (locker) in which the bicycle is stored or a rack to which the bicycle can be locked;
 - b. Lockers and racks shall be securely anchored to the pavement or a structure;
 - c. Racks shall be designed and installed to permit two points of contact with the frame and allow the frame and one or both wheels to be secured;
 - d. Areas containing bicycle spaces shall be surfaced with impervious surfaces such as concrete or pavers. Pervious pavements or gravel may be used where appropriate as determined by the Director;
 - e. When located within a parking area: curbs, fences, planter areas, bumpers, or similar barriers shall be installed and maintained for the mutual protection of bikes, motor vehicles and pedestrians, unless determined by the Director to be unnecessary; and
 - f. Bicycle parking shall be placed in a convenient, highly-visible, active, and well-lit location.
4. **Bicycle Parking Space Dimensions.** All bicycle parking shall meet the following minimum dimensions:
 - a. Each bicycle parking space shall include a minimum area of 72 inches in length and 24 inches in width that is clear of obstructions;
 - b. No part of the rack shall be located closer than 30 inches to a wall or other obstruction;
 - c. The front or back of the rack shall be located no less than 48 inches from a sidewalk or pedestrian way; and

- d. A minimum of 30 inches shall be provided between adjoining racks.

1703-5.60 Building Height

- A. **Purpose.** This Subsection establishes the methodology used to measure the height of a building. The methodology applies to all structures. Several methods are used to regulate structure height, including regulating the overall building height, the height to the eave or parapet and the number of stories. These methods together help ensure that new development is consistent with the character and scale of Cincinnati's neighborhoods.
- B. **Applicability.** This Subsection applies to all development within transect zones.
- C. **Overall Building Height.** Overall building height shall be measured using an imaginary plane which is determined as follows:
1. The plane is parallel to the pre-development grade of the site; and
 2. The plane is set vertically at the highest point of the coping of a flat roof, the top of a mansard roof, or the highest point of the highest pitched roof.

The following illustrates the planes used to determine overall building height:



- D. **Building Height to Eave/Parapet.** Building height to eave/parapet shall be measured vertically from the finished grade adjacent to the front facade of a building exterior to the base of eave or parapet.
- E. **Building Height by Story.** A story shall be measured as follows for purposes of regulating the height of a building:
1. A floor that is equal to or less than the height regulations in Table A (Maximum Height of a Floor) shall be counted as one story. A floor that exceeds the height regulations in Table A (Maximum Height of a Floor) shall be counted as two or more stories.
 2. Basement floors with an exterior exposed wall greater than four feet in height shall count as a story. The height of the exterior wall shall be measured from the finished grade to the finished floor of the story above.

Table 1703-5.60.A: Maximum Height of a Floor¹

	Non-Residential, except Civic Uses	Multi-Family Residential	Single-Family Residential
Ground Floor	20' max.	16' max.	14' max.
All Other Floors	12' max.	12' max.	12' max.

¹ All heights are measured from finished floor to highest point of the finished ceiling.

F. Crawl Spaces

1. Unfinished crawl spaces taller than three feet shall be screened from view of public thoroughfares with landscaping.
2. Unfinished crawl spaces shall not exceed five feet in height measured from the exterior finished grade to the finished floor of the story above.

- G. Basements.** Basement walls visible from a thoroughfare shall not exceed nine feet in height measured from the exterior finished grade to the finished floor of the story above.

H. Allowed Encroachments Beyond Height Limits**Table I703-5.60.B: Allowed Encroachments beyond Height Limits**

Element	Additional Requirements
Electrical Power Transmission Lines	
Antennas or Chimneys	Shall not exceed the lesser of 20% of the height limit or 10 feet above height limit.
Steeple, Towers or Other Unoccupied Architectural Features	Shall not exceed 20% of the roof area and shall not exceed 20% of the height limit.
Stair Towers or Elevator Towers	Shall not exceed 20% of the roof area.
Mechanical Equipment	Shall not exceed 20% of the roof area and shall be screened from thoroughfare level view.
Solar Panels or Solar Water Heating	Shall not exceed the lesser of 20% of the height limit or 10 feet above height limit.

I703-5.70 Renovations and New Construction Compatibility

- A. Purpose.** This Subsection provides standards for providing compatibility between proposed renovations and new construction with the existing neighborhood fabric of buildings and structures.
- B. Applicability.** The standards in this Subsection apply to all development within the T5 Main Street transect zone (T5MS).
- C. Mechanical Equipment and Utility Standards.** Mechanical equipment, including air conditioning, piping, ducts, and conduits external to the building, shall be concealed from view from adjacent buildings and street level by landscaping, grills, screens or other enclosures. All utility service connections shall be underground for new construction and is recommended for existing buildings undergoing a renovation or addition.
- D. Replacement Window Standards.** Replacement windows shall meet the following standards:
1. Replacement windows shall fit the size and style of the original openings when constructed.
 2. Original window and door openings shall not be enclosed or bricked-in on the street elevation. Where openings on the sides or rear of the building are to be closed, the infill materials shall match that of the wall and be recessed a maximum of three inches within the opening.

E. Exterior Renovation or Alterations of Existing Structures

1. Renovations, alterations or additions shall be designed and executed in a manner that is sympathetic to the particular architectural character of the structure under construction. Architectural elements shall be designed to reflect the detailing and materials associated with the particular style of the building.
2. Renovations and restorations of older buildings shall respect the original building design, including structure, use of materials and details.
 - a. New materials or signs shall not cover original materials and detailing.
 - b. Natural materials (brick, slate, glass, stone, etc.) shall be retained in their natural state and not covered with any other contemporary materials.
 - c. Materials that do not keep with the historic character of the building shall be removed from the facade upon significant exterior renovation or restoration of the existing structure.

F. New Construction

1. New buildings shall be compatible with their surroundings. Bulk, shape, massing, scale and form of new buildings and the space between and around buildings shall be consistent with the neighborhood, and with neighboring buildings.
 - a. New buildings shall respond to the pattern of window placement in the neighborhood. The designs of new buildings shall avoid long unrelieved expanses of wall along the thoroughfare by maintaining the rhythm of windows and structural bays in the neighborhood. The preferred pattern of ground floor windows is open show windows, with inset or recessed entryways; and landscaping, lighting and other amenities equivalent to those existing in the neighborhood.
 - b. Buildings shall de-emphasize secondary rear or side door entrances to commercial space, unless the entrances are associated with public parking areas.
2. The Director shall review and consider applicable community plans approved by City Council when making decisions for projects in transect zones.
 - a. Proposed uses shall be consistent with the goals, objectives and guidelines of the community plans approved by City Council.

1703-5.80 Signs**A. Purpose**

1. Provide property owners and occupants an opportunity for effective identification subject to reasonable, yet appropriate conditions for identifying goods sold or produced or services rendered in all transect zones.
2. Maintain and enhance the quality of the City's appearance by:
 - a. Controlling the size, location and design of temporary and permanent signs so that the appearance of such signs will reduce sign clutter, be aesthetically harmonious with their surroundings, and will enhance the overall appearance of the built environment;

- b. Preserving and perpetuating uncluttered and natural views, significant architecture and cultural resources for the enjoyment and environmental enrichment of the citizens of the community and visitors; and
 - c. Protecting residential neighborhoods from adverse impacts of excessive signs both from within T3 and T4 zones and from surrounding zones.
 - 3. Ensure that signs are located and designed to:
 - a. Maintain a safe and orderly pedestrian and vehicular environment; and
 - b. Reduce potentially hazardous conflicts between commercial or identification signs and traffic control devices and signs.
- B. **Applicability.**
 - 1. The standards of this Subsection apply to all on-site signs in a transect zone.
 - 2. Signs regulated by this Subsection shall not be erected or displayed unless a building permit is obtained or it is listed as exempt.
- C. **Exempt Signs.** The following signs are exempt from the permit standards of this Section and are permitted in any transect zone:
 - 1. Street address numbers displayed in accordance with § 723-65, Displaying House Numbers, of the Municipal Code.
 - 2. Public information, identification, special event, directional, and other signs erected by:
 - a. A government agency; or
 - b. A public utility or other quasi-public agent in the performance of a public duty.
 - 3. City entry, community or district identification signs not exceeding 20 square feet in area and eight feet in height.
 - 4. Names of buildings, dates of erection, commemorative tablets and the like, when carved into stone, concrete or similar material or made of bronze, aluminum or other permanent type material.
 - 5. Credit card, trading stamp, or trade association signs not exceeding one-half square foot each and not exceeding ten per establishment.
 - 6. Flags not exceeding 72 square feet each. A flag may be displayed on a pole not exceeding the height limit found within the transect zone.
 - 7. One identification sign per dwelling unit or per business, not exceeding one square foot each.
 - 8. Instructional On-Site Signs provided that such signs are limited to a maximum of six square feet in area. If constructed as a ground mounted sign the maximum height is four feet.
 - 9. Temporary open house signs provided that they are limited in number to a maximum of four per event, limited in size to a maximum of 12 square feet in area and located at least 12 feet from the edge of the thoroughfare pavement. An open house sign may only be installed the day before the open house and shall be removed the same day of the open house after its conclusion. In no case shall an open house sign be installed for more than 48 continuous hours.

10. Real Estate Sign

- a. Only one such sign is allowed per site per street frontage, and is limited in size to a maximum total sign face area of 24 square feet and 12 square feet for any single sign face.
- b. The sign may be a ground sign, a window sign, or a wall sign.
- c. All signs shall be removed within 14 days after the sale, lease, or rental has occurred. These signs may only be installed on the property to which they refer.

11. Noncommercial signs as regulated by § 1427-15 of the Municipal Code.

D. Prohibited Locations and Features for Signs

1. Prohibited Locations

- a. No permanent sign shall be installed within the public right-of-way unless displayed by a governmental entity or pursuant to a revocable street privilege.
- b. Signs shall not be located on property without prior authorization granted by the property owner, or in the case of public parks or any public property without the permission of the City of Cincinnati.
- c. Sign shall not be located where the view of approaching or intersecting traffic would be obstructed.
- d. Signs shall not be located as to interfere with the safe movement of vehicles, bicycles or pedestrians entering, leaving or crossing a public right-of-way.
- e. Signs shall not be located on the roofs of buildings or structures.
- f. Yard signs shall not interfere with pedestrian movement along sidewalks and paths.
- g. Signs shall not be attached to any traffic control sign, utility pole, street sign or tree, except for temporary signs installed by a government agency for public information or special events.
- h. Signs shall not be mounted, attached or painted on a trailer, boat, or motor vehicle when parked, stored, or displayed conspicuously on private premises close to the public right-of-way or within public right-of-way in a manner intended to attract the attention of the public for advertising purposes. Signs indicating only the name and or phone number of the owner or business are allowed if the following standards are met:
 - (1) The sign is painted on, adhered with vinyl film, or magnetically attached to a motor vehicle or trailer; and
 - (2) The motor vehicle or trailer is regularly and consistently used to conduct normal business activities.

2. Prohibited Features

- a. Moving, flashing, or animated signs including but not limited to searchlights, streamers and spinners;
- b. Inflatable signs, such as but not limited to balloons, gas inflated signs or similar inflated signs;

- c. Portable signs, except for Sandwich Board Signs as allowed in Subsection M;
- d. Flags, other than those specifically allowed in Subsection C.6; and
- e. Outdoor image projections (signs projected from an external light source onto a building or structure) or any other similar devices.

E. Permanent Signs

- 1. Permanent Signs shall meet the standards set forth in Subsections 1703-5.80.K-V.
- 2. The number of allowed permanent signs is set forth within the transect zone, see Section 1703-2 (Specific to Transect Zones).
- 3. Permanent Signs require a building permit pursuant to Cincinnati Municipal Code Section 1101-17.1.
- 4. Except where expressly prohibited, internal illumination is permitted for permanent building and ground signs in the following forms:
 - a. Individually illuminated letter and logo signs, including:
 - 1. Front-Lit Signs
 - 2. Halo/Reverse-Lit Signs
 - 3. Push Through Signs
 - 4. Open-Lit Signs
 - b. Internally illuminated logos shall not be permitted in Front-Lit Signs
- 5. External illumination is permitted for permanent building and ground signs.
- 6. Changeable copy signs are only permitted in accordance with the following conditions:
 - a. Changeable copy signs shall be limited to ground signs and wall signs only and shall not exceed 25% of the square footage of a sign's sign face area.
 - b. Changeable copy signs shall be programmed so that the message or image on the sign changes no more than every 10 seconds.
 - c. Effects of movement, flashing, scintillation, or similar effects in the individual images are prohibited.
 - d. Changes of images shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change.
 - e. Video technology in signs shall use automatic level controls to reduce light levels at night and under cloudy or other darkened conditions, in accordance with the following:
 - 1. All electronic or digital display unit message boards shall have installed ambient light monitors and shall at all times allow such monitors to automatically adjust the brightness level of the electronic board based on ambient light conditions.

F. Temporary Signs. Temporary signs are allowed in all transect zones and shall meet the following standards:

- 1. Requires obtaining a Building Permit or a Certificate of Compliance;
- 2. Shall only be externally illuminated; and
- 3. Shall meet the standards found in Table A (Allowed Temporary Signs).

Table I703-5.80.A: Allowed Temporary Signs**Temporary Construction Sign**

Number of Signs	1 per site max.
Types Allowed	Ground or Wall
Total Sign Face Area	32 sf for residential max.; or 64 sf for commercial max.
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

Construction Site Wrap Sign

Number of Signs	1 per street frontage max.
Sign Height	8' max.
Duration/Frequency	Installed no sooner than one week prior to the commencement of construction and shall be removed within 24 hours of completion of construction or if the project ceases construction for 12 months or longer.

Special Event Banner

Size	12' max. along any dimension for a maximum of 144 square feet.
Duration/Frequency	Display shall not exceed 30 days with a minimum of 30 days between installation periods with a maximum of four display times per calendar year.

Special Event Sign

Total Sign Face Area	12' max. along any dimension
Duration/Frequency	Display shall not exceed 30 days with a minimum of 30 days between installation periods with a maximum of four display times per calendar year.

Special Event Decoration

Duration/Frequency	Display shall not exceed 30 days with a minimum of 30 days between installation periods with a maximum of four display times per calendar year.
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Residential Subdivisions with Multiple Lots for Sale, Lease, or Rent

Number of Signs	1 per perimeter street frontage, max., in addition to any allowed real estate sign(s)
Types Allowed	Ground
Total Sign Face Area	10 sf per lot up to 250 sf max.
Location	Along perimeter street or right-of-way
Setback from R.O.W.	50' min.
Spacing between Signs	200' min.
Duration	Installed after Development Permit is issued and removed when 75% of lots in the subdivision have received a Certificate of Occupancy

Commercial On-Site

Number of Signs	1 per site max.
Number of Faces	2 max.
Total Sign Face Area	36 sf per sign face max.
Sign Height	5' max.
Duration/Frequency	Display shall not exceed 30 days with a minimum of 30 days between installation periods with a maximum of four display times per calendar year.

G. Removal of Illegal Signs

1. An owner of property where an illegal sign is displayed has the duty to remove all illegal signs.
2. If the Director finds an illegal sign, the Director has the duty to issue an order for the sign to be removed within 60 days and issue a notice of civil violation to an owner who fails to comply with an order to remove an illegal sign.
3. If the property owner is found guilty of failing to comply with an order to remove an illegal sign, the Director has the duty to give notice to the owner that the sign is a public nuisance and to cause the illegal signs to be removed pursuant to Cincinnati Municipal Code, Section 1101-57, Demolition of Buildings and Removal of Illegal Signs.

H. Nonconforming Signs

1. A nonconforming sign must be brought into conformity with the provisions of the this Code, when:
 - a. The sign is structurally altered, rebuilt, enlarged, extended, or relocated; or
 - b. When the principal use of the property is changed from a commercial use to a residential use.
2. Provided, however, the repainting or refacing of an existing nonconforming sign is not considered an alteration within the meaning of this subsection.

I. Maintenance, Abandonment and Removal

1. All signs must be maintained in a condition or state of equivalent quality to which was approved or required by the City.
2. An on-premise sign advertising an activity, business, service or product must be removed or the sign face replaced with a blank face within 60 days of the activity, business, or service promoted by the sign being discontinued on the premises where the sign is displayed.
3. If the use is not reestablished or a new use is not established within two years and a replacement sign face conforming to this Code installed, then the entire sign structure and mounting hardware must be removed.

J. Penalties. See Cincinnati Municipal Code Chapter 1451. Enforcement.

Table I703-5.80.B: Sign Types General

Specific Sign Type	Illustration	Zones		Standards
Building Signs				
Awning Sign. This sign type is a traditional shopfront fitting and can be used to protect merchants' wares and keep shopfront interiors shaded and cool in hot weather.		T3E T4N.MF T5MS T5N.SS T6C	T3N T4N.SF T5N.LS T5F	I703-5.80.K
Directory Sign. This sign type provides a listing of establishments within a building or series of buildings.		T3E T4N.MF T5MS T5N.SS T6C	T3N T4N.SF T5N.LS T5F	I703-5.80.L
Marquee Sign. This sign type is a vertical sign that is located either along the face, where it projects perpendicular to the facade, or at the corner of the building, where it projects at a 45 degree angle.		T3E T4N.MF T5MS T5N.SS T6C	T3N T4N.SF T5N.LS T5F	I703-5.80.N
Projecting Sign. This sign type is mounted perpendicular to a building's facade. These signs are small, pedestrian scaled, and easily read from both sides.		T3E T4N.MF T5MS T5N.SS T6C	T3N T4N.SF T5N.LS T5F	I703-5.80.P
Suspended Sign. This sign type is mounted to the underside of beams or ceilings of a porch, breezeway or similar covered area. These signs are small, pedestrian scaled, and easily read from both sides.		T3E T4N.MF T5MS T5N.SS T6C	T3N T4N.SF T5N.LS T5F	I703-5.80.R
Wall Sign. This sign type is flat against the facade consisting of individual cut letters applied directly to the building, or painted directly on the surface of the building.		T3E T4N.MF T5MS T5N.SS T6C	T3N T4N.SF T5N.LS T5F	I703-5.80.S

Key

Allowed

Allowed with Restrictions

Not Allowed

Table 1703-5.80.B: Sign Types General (continued)

Specific Sign Type	Illustration	Zones		Standards
Building Signs (continued)				
Wall Mural Sign. This sign type is flat against a secondary facade, typically along a side street, alley, or paseo. These signs are typically painted directly on the building and contain a combination of text and graphic elements.		T3E	T3N	1703-5.80.T
		T4N.MF	T4N.SF	
		T5MS	T5N.LS	
		T5N.SS	T5F	
		T6C		
Window Sign. This sign type is professionally painted consisting of individual letters and designs or gold leaf individual letters and designs, applied directly on the inside of a window.		T3E	T3N	1703-5.80.U
		T4N.MF	T4N.SF	
		T5MS	T5N.LS	
		T5N.SS	T5F	
		T6C		
Ground Signs				
Landscape Wall Sign. This sign type is attached to freestanding walls and is often used to mark a place of significance or the entrance to a location.		T3E	T3N	1703-5.80.M
		T4N.MF	T4N.SF	
		T5MS	T5N.LS	
		T5N.SS	T5F	
		T6C		
Pole/Monument Sign. This sign type encompass a variety of signs that are not attached to a building and have an integral support structure. Two varieties include: Pole/Monument and Pole.		T3E	T3N	1703-5.80.O
		T4N.MF	T4N.SF	
		T5MS	T5N.LS	
		T5N.SS	T5F	
		T6C		
Sandwich Board Sign. This sign type provides secondary signage and may be used to announce daily specials, sales, or point to shops off the sidewalk (i.e. a shop located along a paseo).		T3E	T3N	1703-5.80.Q
		T4N.MF	T4N.SF	
		T5MS	T5N.LS	
		T5N.SS	T5F	
		T6C		
Yard Sign. This sign type is mounted on a porch or in a yard between the public ROW and the building facade.		T3E	T3N	1703-5.80.V
		T4N.MF	T4N.SF	
		T5MS	T5N.LS	
		T5N.SS	T5F	
		T6C		

Key

Allowed

Allowed with Restrictions

Not Allowed

K. Awning Sign



Description

The awning sign type is a traditional shopfront fitting and can be used to protect merchants' wares and keep shopfront interiors shaded and cool in hot weather. Retail tenant signs may be painted, screen printed, or appliquéd on the awnings.

Size

Projecting		
Signable Area	1 sf per linear foot of shopfront max.	A
Lettering Height	16" max.	B
Lettering Thickness	6" max.	C
Sloping Plane		
Signable Area	25% coverage max.	D
Lettering Height	18" max.	E

Size (continued)

Valance		
Signable Area	75% coverage max.	F
Width	Shopfront width, max.	G
Height	8" min.; 16" max.	H
Lettering Height	8" max.	I

Location

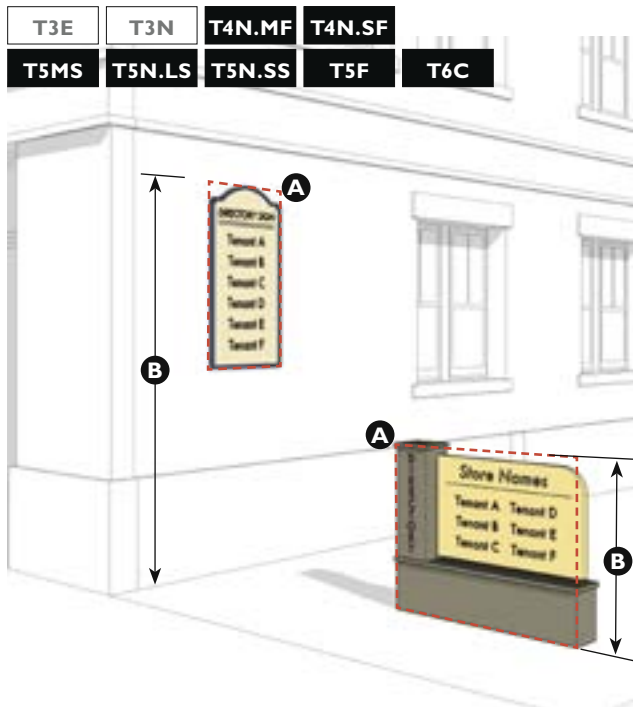
Clear Height	8' min.	J
Signs per Awning	1 projecting, or 1 valance and 1 sloping plane, max.	

Miscellaneous

Only the tenant's store name, logo, and/or address shall be applied to the awning. Additional information is prohibited.

Open-ended awnings are strongly encouraged.

Vinyl or plastic awnings are strongly discouraged.

L. Directory Sign**Description**

The directory sign type is a wall mounted or freestanding sign within a building or series of buildings near entrances and parking locations.

Size

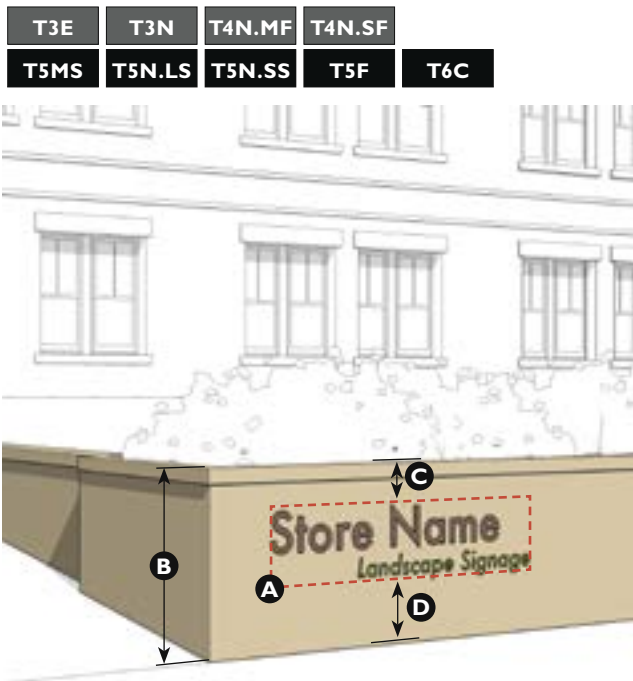
Signable Area 6 sf max. **(A)**

Location**Height**

Wall Mounted 8' max. **(B)**

Freestanding ¹ 3' max.

¹ See Subsection 1703-5.80.O (Pole/Monument sign type) for additional standards.

M. Landscape Wall Sign**Description**

The landscape wall sign type is attached to freestanding walls and is often used to mark a place of significance or the entrance to a location. This type is often used in place of a pole/monument sign.

Size

Signable Area 24 sf max. **(A)**

Location

Height of Landscape Wall 4' max. **(B)**

Mounting Height

Below Top of Wall 6" max. **(C)**

Above Grade 12" min. **(D)**

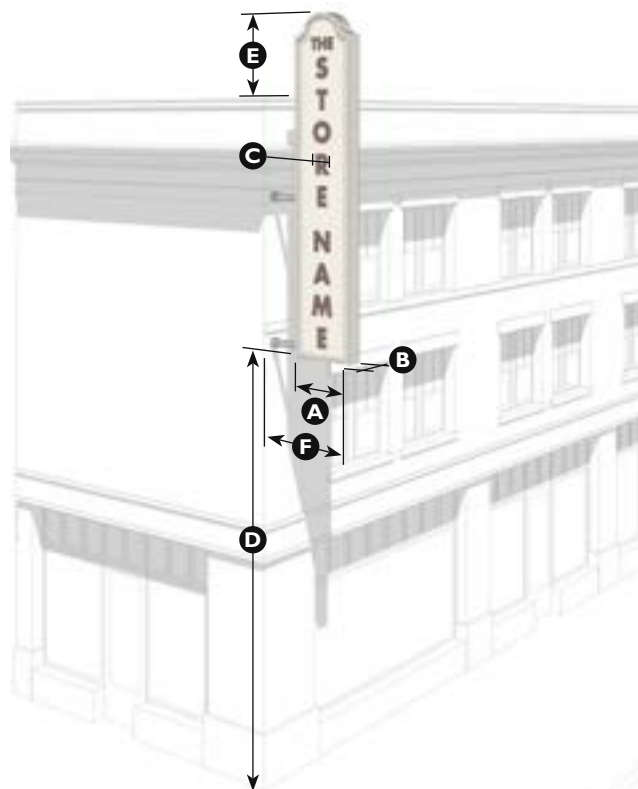
N. Marquee Sign

T3E

T3N

T4N.MF

T4N.SF

T5MS**T5N.LS****T5N.SS****T5F****T6C****Description**

The marquee sign type is a vertical sign that is located either along the face, where it projects perpendicular to the facade, or at the corner of the building, where it projects at a 45 degree angle. Marquee signs often extend beyond the parapet of the building, but may also terminate below the cornice or eave. Marquee signs often have neon lettering used in conjunction with painted lettering.

Size**Signable Area**

Width	24" max.	A
Depth	10" max.	B

Lettering

Width	75% of sign width max.	C
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Location

Clear Height	12' min. ¹	D
Extension	10' max. ²	E
Projection	6' max.	F

¹When located over driveways or alleys, Marquee Signs shall have a minimum clear height of 16'.

²Marquee signs may not extend beyond the eave of a pitched roof.

Miscellaneous

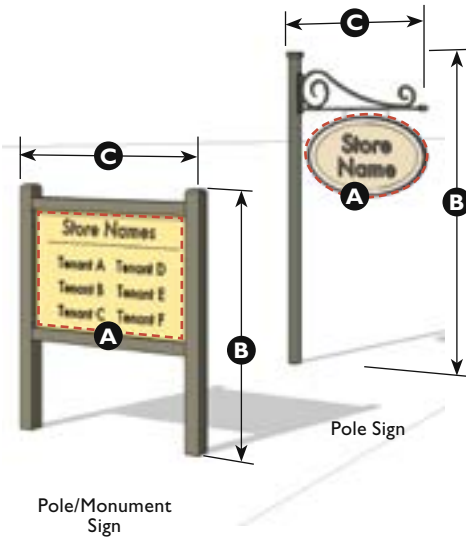
Neon lettering may only be used in conjunction with painted lettering; signs consisting only of neon lettering are not permitted.

Shall only be located along or oriented toward a street frontage.

This signage type should be used sparingly and should not be repeated along a frontage.

O. Pole/Monument Sign

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

**Description**

The pole/monument sign type encompasses a variety of signs that are not attached to a building and have an integral support structure.

A pole sign, usually double-faced, is mounted on a single or pair of round poles, square tubes, or other fabricated members without any type of secondary support.

A pole/monument sign stands directly on the ground or ground level foundation and is often used to mark a place of significance or the entrance to a location.

Size

Signable Area	12 sf max.	A
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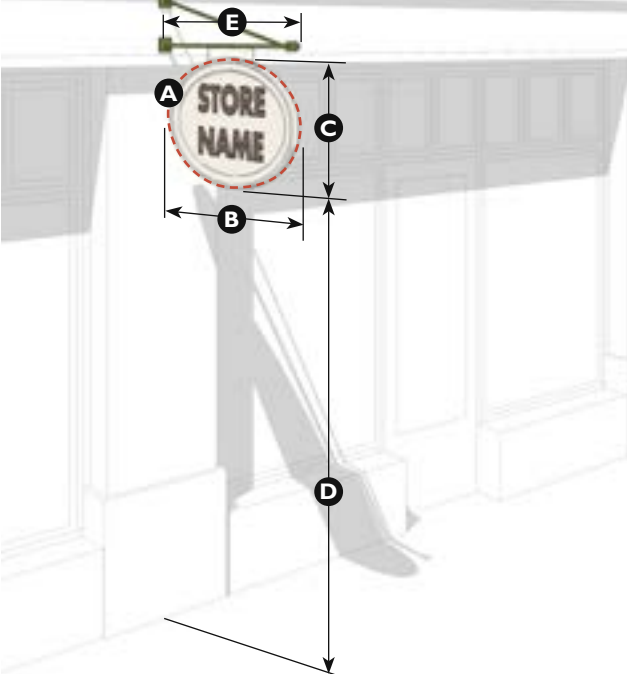
Location

Signs per Frontage	1 max.	
Height	8' max.	B
Width	8' max.	C

Changeable copy pole/monument signs are permitted in all transect zones except for T5MS, T5N.LS, T5N.SS, T5F, and T6C transect zones.

P. Projecting Sign

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

**Description**

The projecting sign type is mounted perpendicular to a building's facade from decorative metal brackets such as cast or wrought iron in a manner that allows them to swing slightly. These signs are small, pedestrian scaled, and easily read from both sides. Often, projecting signs offer an opportunity for a more creative or "playful" sign. Syn. Blade Sign.

Size

Signable Area		
Area	6 sf max. per side, 12 sf max. total	A
Width/Height	36" max.	B/C
Thickness	4" max. ¹	

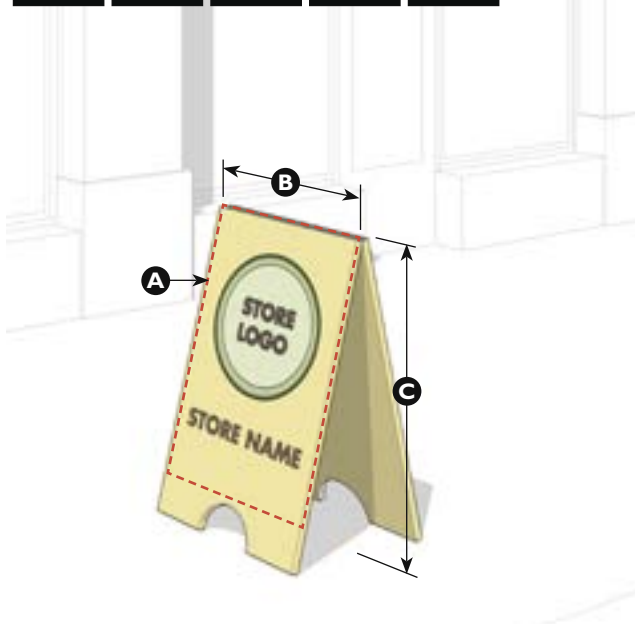
¹ Special and creative signs that have a three dimensional quality may have a greater thickness subject to approval by the Director.

Location

Clear Height	8' min.	D
Projection	4' max.	E

Q. Sandwich Board Sign

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

**Description**

The sandwich board sign type provides secondary signage and may be used to announce daily specials, sales, or point to shops off the sidewalk (i.e. a shop located along a paseo). Sandwich boards made of wood and/or slate boards are highly recommended. Chaser lights or illuminated signs shall not be used.

Size**Signable Area**

Area	6 sf max. per side	A
Width	24" max.	B
Height	36" max.	C

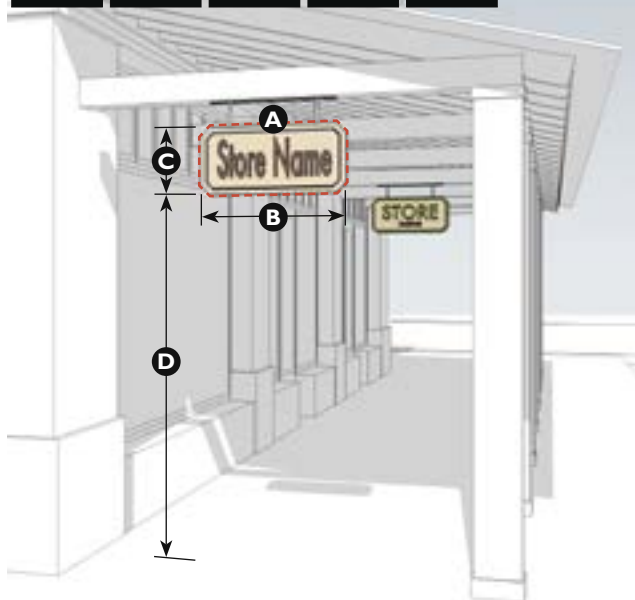
Location

Sandwich board signs shall not interfere with pedestrian travel or encroach upon the required accessible path.

Sandwich board signs shall only be displayed during business hours and shall be removed when the business is closed.

R. Suspended Sign

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

**Description**

The suspended sign type is mounted to the underside of beams or ceilings of a porch, gallery, arcade, breezeway or similar covered area. They are typically hung in a manner that permits them to swing slightly. These signs are small, pedestrian scaled, and easily read from both sides. Suspended signs shall be hung well out of reach of pedestrians and all exposed edges of the sign shall be finished.

Size**Signable Area**

Area	6 sf max.	A
Width	36" max.	B
Height	36" max.	C

Location

Clear Height	8' min.	D
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Description

The wall sign type is flat against the facade consisting of individual cut letters applied directly to the building, raised letters on a panel or painted directly on the surface of the building. Wall signs are placed above shopfronts and often run horizontally along the “expression line,” entablature of traditional buildings, or decorative cornice or sign band at the top of the building. Wall signs shall not protrude beyond the roof line or cornice of a building.

Size

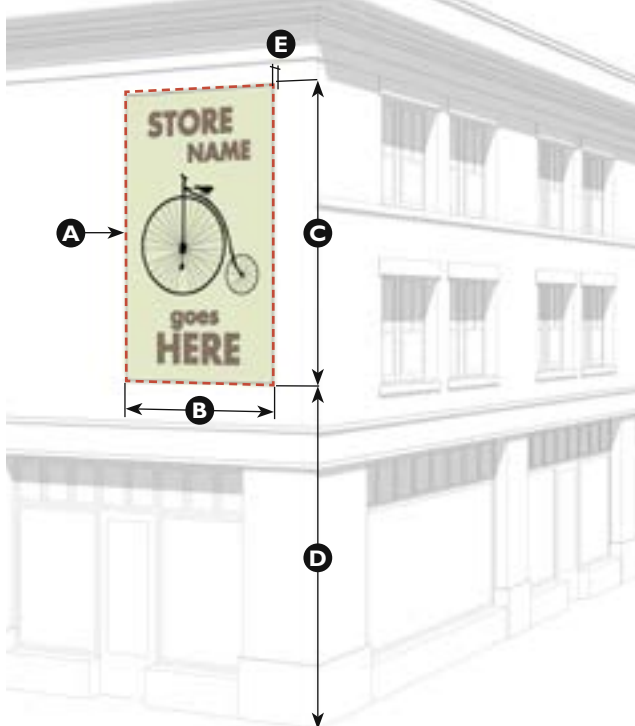
Signable Area		
Area	1 sf per linear foot of shopfront width up to 80 sf max.	A
Width	Shopfront width, max.	B
Height	12" min.; 3' max.	C
Lettering		
Width	75% of signable width, max.	D
Height	75% of signable height max.	E

Location

Projection	8" max.
Signs per building	1 per establishment max.
Changeable copy wall signs are permitted in all transect zones subject to the individual regulations of each transect zone.	

T. Wall Mural Sign

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

**Description**

The wall mural sign type is flat against a secondary facade, typically along a side street, alley, or paseo. These signs are typically painted directly on the building and contain a combination of text and graphic elements. These signs are intended to be visible from a greater distance and are accompanied by additional signage on the primary facade at the business entrance. Outdoor advertising signs are not considered wall mural signs and are prohibited within the Form-Based Code transect zones. See Cincinnati Municipal Code Section 895 (Outdoor Advertising Signs) for additional regulations.

Size**Signable Area**

Area	1000 sf max.	A
Width	60' max.	B
Height	50' max.	C

Location

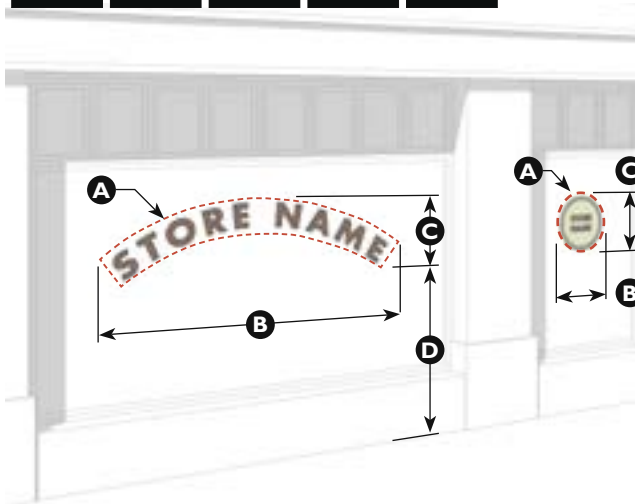
Height Above Ground	3' min.	D
Projection	8" max.	E

Miscellaneous

Wall mural signs may only be externally illuminated.

U. Window Sign

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

**Description**

The window sign type is often professionally painted consisting of individual letters and designs or gold leaf individual letters and designs, applied directly on the inside of a window. Window signs offer a high level of craftsmanship and visibility, and are often used for small professional offices.

Size**Signable Area**

Area per Shopfront		
Window	20% max.	A
Width	5' max.	B
Height	36" max.	C

Location

Height Above Ground	5' min.	D
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Window signs shall be applied directly to the inside of the glass.

Miscellaneous

Applied plastic or vinyl cut letters are strongly discouraged.

Window signs shall have a clear background.

V. Yard Sign



Description

The yard sign type is a sign mounted on a porch or in a yard between the public ROW and the building facade. Yard signs mounted on a porch are placed parallel to the building's facade. Yard signs mounted in a yard are placed parallel or perpendicular to the ROW. Yard signs work well for home businesses located in mixed use environments.

Standards

Size

Signable Area

Area	6 sf max.	
Width	36" max.	(A)
Height	36" max.	(B)

Location

Clear Height		(C)
Mounted on Porch	6'8" min.	
Mounted in Yard	12" min.	

Overall Height

Mounted in Yard	5' max	(D)
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Miscellaneous

Yard signs may not be located within a public ROW.

Yard mounted signs shall be parallel or perpendicular to the ROW.

1703-5.90 Corner Stores

- A. **Purpose.** The standards within this Subsection are intended to allow the diverse network of existing corner stores throughout the City to be utilized to incubate small, local businesses and artisans to serve as catalysts for neighborhood revitalization, as a tool for economic development, and as an important component of the walkability of a neighborhood.
- B. **Applicability.** This Subsection is applicable to any building originally constructed as a corner store that existed prior to the adoption of this Form-Based Code within all T3 and T4 zones and within the T5N.LS and T5N.SS zones. Corner stores shall meet the following definition:
 - 1. Originally or currently constructed with a shopfront; or
 - 2. Used as a neighborhood retail establishment.
- C. **Development Standards.** Any building that meets the applicability criteria in Subsection B above may be adaptively re-used in accordance with the following standards:
 - 1. **Building Form**
 - a. The building form shall follow the standards of the transect zone in which it is located; or
 - b. Buildings that do not meet the standards of the transect zone in which they are located shall follow the standards established in Subsection 1703-8.40 (Non-Conformities).
 - 2. **Parking**
 - a. No off-street parking is required for uses within a corner store.
 - b. Off-street parking shall only be provided as head-in parking off of an alley or on a pre-existing parking area.
 - c. Existing pervious surface areas on the lot may not be paved over for parking.
 - d. All parking area shall be screened from view as set forth in Subsection 1703-5.50.F.7 and any required screening shall match the character of the building.
 - 3. **Loading.** No off-street loading is required.
 - 4. **Allowed Uses.** In addition to those permitted uses within the transect zone in which the Corner Store is located, the uses listed in Table A are allowed on any floor of the building.
 - 5. **Signage.** Corner store signage shall follow the standards set forth in the transect zone in which they are located.
- D. **Procedures.** See Section 1703-9 (Administration and Procedures) for procedures.

Table 1703-5.90.A: Corner Store Use Table

Land Use Type	Specific Use Regulations	Corner Store
Retail		
General Retail, except with any of the following features:		MUP
Alcoholic Beverage Sales		—
Drive-Through Facilities	1703-5.100.f	—
Eating or Drinking Establishment, except with any of the following features:		MUP
Alcoholic Beverage Sales		UP
Drive-Through Services	1703-5.100.f	—
Operating between 10pm - 7am		UP
Outdoor Entertainment	1703-5.100.l	UP
Services		
Day Care Home:	1703-5.100.D	
Adult		P
Type A (7 - 12 Children)		P
Type B (1 - 6 Children)		P
Medical Services:		
Clinic		P
Doctor Office		P
Office: Professional		P
Personal Services		P

Key	
P	Permitted Use
MUP	Minor Use Permit Required
UP	Use Permit Required
—	Use Not Allowed

1703-5.100 Additional Standards for Specific Uses

Purpose. This Subsection provides site planning, development, and operating standards for certain land uses where allowed in compliance with Section 1703-2 (Specific to Transect Zones) and for activities that require special standards to ensure their compatibility with site features and existing uses.

Applicability. This Subsection applies to development in all transect zones.

A. Animal Services

1. All veterinary activities and operations shall be contained within a structure constructed according to the limitations of this Subsection with no exterior exercise areas, yards, pens or storage areas.
2. No part of any structure located within 100 feet of a T3 zone or residential non-transect zone may be used for veterinary facilities.
3. The veterinary facility may not be used for the boarding of animals, except as needed for treatment and recovery.
4. The total floor space of any veterinary facility may not exceed 2,500 square feet in area.
5. There shall not be any openings in the walls or roof of any portion of the structures used for a veterinary facility unless such openings are stationary windows or required means of egress.
6. The veterinary facility shall be provided with mechanical ventilation with continual filtration of all exhaust air.
7. The veterinary facility shall be constructed and operated according to any other rules that the Director may establish to provide for public health, safety and welfare.

B. Automated Teller Machines. Automated teller machines (ATM) must be located, developed and operated in compliance with the following standards:

1. **Drive-Through Facilities.** See Subsection F (Drive-through).
2. **User Comfort.** Where ATMs are located on the exterior of a building, weather protection must be provided in the form of an awning or shallow portico.
3. **Security.** ATM facilities must have adequate lighting for security purposes.
4. **Litter.** ATM facilities must include at least one trash receptacle.

C. Bed and Breakfast

1. Bed and Breakfasts shall have no more than five rooms for rent.
2. Bed and Breakfasts located in all T3 and T4 zones shall maintain a residential character on the exterior of the buildings.
3. A current business license shall be obtained and posted in compliance with Cincinnati Municipal Code Chapter 855 (Rooming Houses).
4. Meals and rental of bedrooms are limited to registered guests. Separate or additional kitchens for guests are prohibited.

- D. **Urban Agriculture.** The provisions of Cincinnati Municipal Code Chapter 1422 shall govern the establishment of urban agriculture uses permitted within a transect zone, e.g., Animal Keeping, Farms, and Gardens.
- E. **Day Care Home or Center.** Outdoor play areas associated with Day Care Homes or Centers shall comply with the following standards:
1. Outdoor play areas shall be located in the rear yard.
 2. A fence or wall with a minimum of four feet in height shall enclose all outdoor play areas.
- F. **Drive-Through.** Uses that provide drive-throughs shall comply with the following standards:
1. **Location**
 - a. Drive-through lanes shall not be located between buildings and adjacent streets.
 2. **Pedestrian Walkways.** Pedestrian walkways shall have clear visibility and be emphasized by enhanced paving or markings when they intersect the drive-in or drive-through aisles.
 3. **Screening**
 - a. All service areas, trash storage areas and mechanical equipment shall be screened from ground-level view from adjacent sites and public rights-of-way.
 4. **Menu Boards**
 - a. Menu boards shall be located a minimum of 50 feet from T3 and T4 transect zone boundary lines and residential non-transect zone boundary lines.
 - b. Speaker noise levels shall not be audible within any abutting T3 or T4 transect zone or residential non-transect zone.
 5. **Trash Receptacle.** At least one trash receptacle shall be installed along each drive-through lane.
- G. **Fuel Sales.** Fuel sale uses shall comply with the following standards:
1. **Location**
 - a. Fuel dispensing units shall be located at least 15 feet from any lot line , except if the neighboring property is a residential use, in which case the fuel dispensing unit shall be located at least 50 feet from that lot line.”
 - b. Canopies covering fuel dispensing areas shall not be located:
 - (1) Between buildings and adjacent streets; and/or
 - (2) Within five feet of a lot line , except if the neighboring property is a residential use, in which case the canopy shall not be located within 40 feet of the lot line.”
 2. **Screening**
 - a. All service areas, trash storage areas and mechanical equipment shall be screened from ground-level view from adjacent properties and public rights-of-way.

- b. A six foot tall wall or fence shall be provided along all T3 or T4 zone boundary lines.
3. **Lighting.** All lighting shall be stationary and shielded or recessed to direct light away from adjacent rights-of-way and adjacent T3 or T4 transect zone and residential non-transect zone properties.
4. **Trash Receptacle.** At least one trash receptacle shall be installed at each pump island.

H. Home Occupation

1. The home occupation shall be conducted only inside the dwelling or inside an accessory building.
2. The business shall only be conducted by a resident or residents of the dwelling.
3. No more than 25 percent or 500 square feet, whichever is less, of the total floor area of the dwelling shall be used for the home occupation.
4. No more than two home occupations shall be carried on in a single residence, provided that together they do not exceed the area limitation in Subsection 3 above, or violate any other conditions specified in this Subsection.
5. No stock, goods, and/or materials shall be displayed or sold at the location of the home occupation, provided this provision shall not be interpreted to prevent pick up of orders made either through the telephone or at sales meetings outside of the dwelling in which the home occupation is located.
6. No outdoor display or storage of materials, goods, supplies, or equipment shall be permitted in connection with a home occupation.
7. Signs shall be used in compliance with Section 1703-2 (Specific to Transect Zones) and Section 1703-5.80 (Signs).
8. The home occupation shall not be conducted in such a manner or advertised in such a way as to generate more pedestrian or vehicular traffic than typical for the zone within which it is located.
9. A home occupation shall not utilize flammable liquids or hazardous materials in quantities not customary to a residential use.
10. Hazardous or toxic materials shall not be used or stored on-site in quantities that could have a potentially significant environmental impact on the property or on the surrounding community. A hazardous or toxic material is one which is subject to the reporting provisions of Section 313 of Subtitle B of the Environmental Planning and Community Right-to-Know Act of 1986, 42 U.S.C. Section 11023.
11. The home occupation shall not create any radio, television, computer or power line interference, or noise audible beyond the boundaries of the site.

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

1. **Location.** Outdoor areas on any public sidewalk or alley requires a revocable street privilege under Cincinnati Municipal Code Chapter 718. Any outdoor area that exceeds fifty percent of the indoor area accessible to the public and located within 100 feet of a T3 or T4 transect zone or a residential non-transect zone boundary line requires a Use Permit.

2. **Maximum Size.** Within 500 feet of a T3 or T4 zone or residential non-transect zone boundary line, the outdoor area may not exceed fifty percent of the indoor area accessible to the public. Additional outdoor dining area requires a Use Permit.
 3. **Barriers.** Decorative walls or fencing shall enclose an outdoor area.
 4. **Fixtures.** Furniture and fixtures provided for use in an outdoor area may consist only of movable tables, chairs, umbrellas, planters, lights and heaters. Lighting fixtures may be permanently affixed onto the exterior of the building. All movable furniture and fixtures shall be removed during the off-season.
 5. **Outdoor Entertainment.** Within 500 feet of a T3 or T4 zone or residential non-transect zone boundary line, entertainment, including the use of audio/visual equipment or amplified sound is prohibited without a Use Permit.
 6. **Outdoor areas within Outdoor Refreshment Areas.** Outdoor areas within outdoor refreshment areas established pursuant to Chapter 838 are permitted with the following conditions:
 - a. The hours of operation of the outdoor area may not exceed the hours of operation of the Outdoor Refreshment Area in which it is located unless a use permitted is obtained, and
 - b. Section 1703-5.100(I)(1)-(4) do not apply to Outdoor Refreshment Areas.
- J. **Refuse Storage Areas.** The purpose of these regulations is to ensure the provision of adequate, accessible and convenient locations for the collection and storage of recyclable materials and refuse within containers and enclosures that are compatible with surrounding land uses and structures. Refuse and recycling containers required for all residential and non-residential developments by Cincinnati Municipal Code Chapter 729, Waste Disposal, shall comply with the following:
1. **Access.** Driveways and aisles shall be unobstructed.
 2. **Enclosure.** All refuse collections and recycling containers shall be enclosed or screened so as not to be visible from the right-of-way or other publicly accessible areas. The structure shall be enclosed on all sides, one of which includes a gate or door that can be secured.
 3. **Location.** The enclosures may not be located in any required front yard, side street yard, required parking or landscape areas or any other area required by law to be maintained.
 4. **Enclosure Materials.** The enclosure may consist of screen fencing of chain link with slats, solid wood, vinyl fencing or masonry walls.
 5. **Height.** A minimum of one foot taller than the container and no taller than eight feet.
 6. **Maintenance.** Enclosures shall be maintained in a manner that protects adjacent properties as well as tenants located on the subject property from adverse environmental, health and safety impacts such as noise, odors and attraction of rodents or other pests. The receptacle shall be covered by either a roof on the enclosure or covered receptacles.
 7. **Hours of Operation.** The use of refuse storage areas is prohibited between 11 PM and 7 AM on weekends and between 10 PM and 7 AM on weekdays if located within 50 feet of residential district boundaries.

K. Transit-Stops

1. Transit-stop structures approved by the Department of Transportation and Engineering are permitted in all zoning districts and are except from accessory structure regulations set forth in Section 1703-2 (Specific to Transect Zones).

L. Wireless Communications Facilities

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