

Code Section	Section Title	Subsection Title	Existing Language	Proposed Language (Blue text and strikethroughs indicate proposed changes)
1101.10	Introduction, Intent & Interpretation	Effect of Annexation on Zoning	All territory which may hereafter be annexed to the City by operation of Council shall be annexed in the RC - "Rural Conservation" zone until or unless otherwise classified.	All territory which may hereafter be annexed to the City by operation of Council shall be annexed in whichever district is most prevalent around the annexed territory until or unless otherwise classified. The zoning classification determination for the incoming property will be made by the Zoning Administrator.
1111.08	Residential Dimensions Summary Table	Residential Single Unit (RSD), Lot Dimensions	Lot Width (Max. Ft.) - 80	Lot Width (Max. Ft.) - N/A
1111.08	Residential Dimensions Summary Table	Rural Conservation (RCD-2), Signs	Permitted Sign Types - One Agricultural Monument Sign per Street Front	Permitted Sign Types - Residential Monument Sign at Subdivision Entrance or One Agricultural Monument Sign per Street Front
1111.11 (D)	Residential Single-Unit District (RSD)	Uses	(1) The following uses are either permitted of conditional uses as indicated in the following chart. For definitions, see Chapter 1181, Glossary of Uses.	(1) The following uses are either permitted of conditional uses as indicated in the following chart. For definitions, see Section 1181.02 Glossary of Terms - Uses.
1111.11 (E)	Residential Single-Unit District (RSD)	Development Standards Table	Lot Width (Max. Ft.) - 80	Lot Width (Max. Ft.) - N/A
1111.11 (E)	Residential Single-Unit District (RSD)	Development Standards Table	Front Yard Setback (Max. Ft.) - 40	Front Yard Setback (Max. Ft.) - N/A
1111.14 (F)	Commerce Manufacturing & Industry (CMI)	Development Typologies Table	2nd Column Heading: CMX District	Revise 2nd Column Heading to: CMI District
1111.17 (C)	Suburban Conservation District (SCD)	Uses	(1) The following uses are either permitted of conditional uses as indicated in the following chart.	(1) The following uses are either permitted of conditional uses as indicated in the following chart. For definitions, see Section 1181.02 Glossary of Terms - Uses.
1111.19 (E)	Rural Conservation District (RCD-2)	Development Standards Table	Accessory Building Height (Max. Ft.) - In no case shall the accessory structure be taller than the principal structure	Accessory Building Height (Max. Ft.) - In no case shall the accessory structure be taller than the principal structure
1111.20	Development Typologies	N/A	Heading on various pages indicates "1111.19" (Pages 85, 87 and 89)	Fix heading on various pages to indicate " 1111.20 " (Pages 85, 87 and 89)
1111.21 (B)	Planned Development District (PDD)	Development Standards	iii. The streets and driveways on the site will be adequate to serve the residents or occupants of the proposed development. Traffic control signals/signs will be provided without expense to Montgomery County when the County Engineer determines that such signals/signs are needed on or off site site to prevent traffic hazards or congestion generated by the development.	iii. The streets and driveways on the site will be adequate to serve the residents or occupants of the proposed development. Traffic control signals/signs will be provided without expense to the City of Clayton when the City Engineer determines that such signals/signs are needed on or off site site to prevent traffic hazards or congestion generated by the development.
1111.21 (J)	Planned Development District (PDD)	Submission of a Final Development Plan in Accordance with an Approved Preliminary Development Plan	(1) ...Two (2) Copies of the Final Development Plan and one (1) 8 1/2" x 11" photostat of the Final Development Plan shall be submitted and shall include in text and map form:	(1) ... One (1) full size copy, six (6) 11" x 17' copies, and .pdf (digital) copy of the Final Development Plan shall be submitted and shall include in text and map form:
1111.21 (K)	Planned Development District (PDD)	Action by the Planning Commission	The Planning Commission shall hold a public hearing on the Final Development Plan as provided by this Code. Such public hearing shall consider all aspects of the Final Development Plan including all proposed stages and/or units of development. The Commission may recommend disapproval, approval, or approval with amendments, conditions or restrictions. The Commission shall prepare and transmit to the extent to which the Final Development Plan complies with the standards set out herein. Copies of the findings and recommendations of the Commission shall be made available to any other interested person.	The Planning Commission shall hold a public hearing on the Final Development Plan as provided by this Code. Such public hearing shall consider all aspects of the Final Development Plan including all proposed stages and/or units of development. The Commission shall recommend that City Council approve, approve with conditions, or disapprove the Final Development Plan. The Commission shall prepare and transmit a resolution of their findings and recommendations to City Council. A copy of the findings and recommendations of the Commission shall be made available to any other interested person.
1111.22	Clayton Improvement District #1 Overlay (CIDI-0)	N/A	Section Title: Clayton Improvement District #1 Overlay (CIDI-0)	Section Title: Clayton Improvement District #1 Overlay (CID-1)
1111.22 (C)	Clayton Improvement District #1 Overlay (CIDI-0)	General Provisions	(5) Anti-Monotony Requirements. i. Single-family or two-family dwellings in proximity to each other on the same street shall not look alike. For the purposes of this requirement, "dwellings in proximity" shall mean the lot on either side of the subject property and the lots direct across the street from those three lots.	(5) Anti-Monotony Requirements. i. Single-family or two-family dwellings in proximity to each other on the same street shall not look alike. For the purposes of this requirement, "dwellings in proximity" shall mean the lot on either side of the subject property and the lots directly across the street from those three lots.
1111.22 (D)	Clayton Improvement District #1 Overlay (CIDI-0)	Provisions for Special Area 1	(4) Landscaping and Buffering. vi. A lighting plan shall be submitted with the planned development to demonstrate that all outdoor lighting of a buildings, parking areas, or signage, shall not have a negative impact on adjacent properties.	(4) Landscaping and Buffering. vi. A lighting plan shall be submitted with the Final Development Plan to demonstrate that all outdoor lighting of a buildings, parking areas, or signage, shall not have a negative impact on adjacent properties.
1111.22 (D)	Clayton Improvement District #1 Overlay (CIDI-0)	Provisions for Special Area 1	(5) Fences. iii. The construction materials and colors of walls and fences on nonresidential properties shall be uniform and compatible with the architectural style, color, and building materials of the principal building and its surroundings unless the well or fence is not visible from a public right-of-way.	(5) Fences. iii. The construction materials and colors of walls and fences on nonresidential properties shall be uniform and compatible with the architectural style, color, and building materials of the principal building and its surroundings unless the wall or fence is not visible from a public right-of-way.
1111.22 (D)	Clayton Improvement District #1 Overlay (CIDI-0)	Provisions for Special Area 1	(7) Non-Residential Uses. xii. One ground-mounted sign or projecting sign may be permitted to per parcel on a nonresidential lot. Such sign shall not exceed forty (40) square feet in area and eight (8) feet in height.	(7) Non-Residential Uses. xii. One ground-mounted sign or projecting sign may be permitted to per parcel on a nonresidential lot. Such sign shall comply with the nonresidential sign standards in Section 1121.05 (F).
1111.22 (D)	Clayton Improvement District #1 Overlay (CIDI-0)	Provisions for Special Area 1	(7) Non-Residential Uses. xiii. Wall signs shall be regulated by Chapter 1121.	(7) Non-Residential Uses. xiii. Wall signs shall comply with the nonresidential sign standards in Section 1121.05 (F).
1121.02 (B)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Accessory Dwelling Units (ADU)	iii. The maximum floor area shall be 800 square feet.	iii. No accessory dwelling unit shall exceed 864 square feet except where a rear yard exceeds 20,000 square feet in area. In this case, the size of the accessory dwelling unit may be increased by five percent (5%) of the rear yard area over 20,000 square feet. In any event, an accessory dwelling unit shall not exceed 1,800 square feet, nor be larger in area than the primary structure.

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1121.02 (C)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Accessory Structures	(1)(i). Up to two (2) accessory structures are permitted on a single lot; only one of which may exceed 200 square feet;	(1)(i). Up to two (2) accessory structures are permitted on a single lot; only one of which may exceed 200 square feet, with the exception of properties in the Rural Conservation District, on which both accessory structures can be larger than 200 square feet, in compliance with subsection vi. below;
1121.02 (D)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Swimming Pools	(1) A zoning certificate is required prior to the construction of a swimming pool or pool house. Swimming pools and pool house are not considered an accessory structure; applicable standards are as follows:	(1) A zoning certificate is required prior to the construction of a swimming pool or pool house. Swimming pools and pool house are not considered an accessory structure; applicable standards are as follows:
1121.02 (D)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Swimming Pools	(1)(v). A pool house shall not exceed 100 sq. ft. in size.	(1)(v). A pool house shall not exceed 200 square feet in size.
1121.02 (E)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Keeping of Farm Animals within Residential Districts	(2) Backyard farms, as defined in Chapter 1181, shall be permitted if the following conditions are met, and a zoning certificate has been granted.	(2) Backyard farms, as defined in Chapter 1181, shall be permitted if the following conditions are met, and a zoning certificate has been granted is required for any backyard farm on property of 2 acres or less.
1121.02 (E)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Keeping of Farm Animals within Residential Districts	(2)(ii). A maximum of six (6) small farm animals, with the exception of babies, may be kept on the property for up to a maximum of ninety (90) days;	(2)(ii). A maximum of six (6) small farm animals, with the exception of babies, may be kept on the property for up to a maximum of ninety (90) days at any given time;
1121.02 (E)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Keeping of Farm Animals within Residential Districts	(2)(iii). Small farm animals shall be kept in a coop, enclosed exterior pen/yard or other similar enclosure situated no closer than fifteen (15) feet from side and rear lot line. Owners shall be responsible for providing evidence of location of property line and fifteen (15)-foot setback. A survey may be required in the Zoning Administrator's discretion;	(2)(iii). Small farm animals shall be kept in a coop, enclosed exterior pen/yard or other similar enclosure situated no closer than fifteen (15) feet from side and rear lot property lines. The applicant and/or property owners shall be responsible for providing evidence of the location of property lines and fifteen (15)-foot setback. A survey may be required in at the Zoning Administrator's discretion;
1121.02 (E)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Keeping of Farm Animals within Residential Districts	(2)(x). No small farm animals shall not be butchered or processed within public or neighboring view.	(2)(x). No small farm animals shall not be butchered or processed within public or neighboring view.
1121.02 (E)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Keeping of Farm Animals within Residential Districts	(2)(xi). No person shall own, keep, or harbor a rooster;	(2)(xi). No person operating a backyard farm in a residential zoning district shall own, keep, or harbor a rooster;
1121.02 (E)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Keeping of Farm Animals within Residential Districts	(2)(xiii). No person shall sell products produced by a small farm animal from property containing a single-family dwelling;	(2)(xiii). No person operating a backyard farm in a residential zoning district shall sell products produced by a small farm animal from property containing a single-family dwelling;
1121.02 (H) Relocate to new Section 1121.03	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Parking and Storage of Automobiles, Recreational Vehicles and Equipment in Residential Districts	<u>Current Section:</u> Parking and Storage of Automobiles, Recreational Vehicles and Equipment in Residential Districts (1) The parking and storage of recreational vehicles and equipment in any district shall be subject to the following regulations: i. The parking or storage of a vehicle or motor vehicle off a paved surface for longer than forty-eight (48) hours is not permitted in any residential or commercial district or property used for a residence or business. This includes vehicles displayed "For Sale." ii. Vehicles displayed "For Sale" on a property must have been registered to a resident of the property on which the vehicle is displayed for not less than ninety (90) days prior to displaying it "For Sale." iii. Paved surface shall mean a durable and dustless hard surface of asphalt, concrete, or other suitable material capable of withstanding 1,000 pounds per square inch (psi); iv. Parked or stored camping and recreational equipment shall not be connected to electricity, water, gas, or sanitary sewer facilities; and at no time shall this equipment be used for living or housekeeping purposes; v. If the camping or recreational equipment is parked or stored outside of a garage, it shall be parked or stored no closer to the street than the nearest foundation line of the residence and shall be parked on hard dustless surface; and vi. Notwithstanding the provisions of subsection (h)(1)ii., camping and recreational equipment may be parked anywhere on the premises for loading and unloading purposes, for a period of not more than forty-eight (48) hours.	Revised Section: Relocate Subsection 1121.02 (H) and make this the new Section 1121.03 Parking and Storage of Automobiles, Trucks, Trailers, Recreational Vehicles and Equipment in All Districts (1) The parking and storage of automobiles, trucks, trailers, recreational vehicles and equipment in all districts shall be subject to the following regulations, unless otherwise permitted by the specific zoning district standards: i. The parking or storage of a vehicle or motor vehicle off a paved surface for longer than forty-eight (48) hours is not permitted in any residential or commercial district or property used for a residence or business. This includes vehicles displayed "For Sale"; ii. Vehicles displayed "For Sale" on a property must have been registered to a resident or business of at the property on which the vehicle is displayed for not less than ninety (90) days prior to displaying it "For Sale"; iii. Paved surface shall mean a durable and dustless hard surface of asphalt, concrete, or other suitable material capable of withstanding 1,000 pounds per square inch (psi); iv. Outdoor parking and storage of trucks with a load hauling capacity of over one (1) ton, and/or greater than eight (8) feet in height is prohibited. This does not include camping and recreational equipment which are regulated in subsections v through vii. This regulation also does not apply to temporary truck parking for the delivery of goods and /or services. v. Parked or stored camping and recreational equipment shall not be connected to electricity, water, gas, or sanitary sewer facilities; and at no time shall this equipment be used for living or housekeeping purposes; vi. If the camping, or recreational equipment or trailers is are parked or stored outside of a garage, it they shall be parked or stored no closer to the street than the nearest foundation line of the residence and shall be parked on hard dustless surface; and vii. Notwithstanding the provisions of subsection (H)(1)(vi), camping and recreational equipment may be parked anywhere on the premises for loading and unloading purposes, for a period of not more than forty-eight (48) hours.

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1121.02 (H) NEW	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Residential Driveways	N/A	Add new Section (H) to be called, "Residential Driveways" with the following text: H. Residential Driveways (1) In compliance with Section 904.06 (e) of the City of Clayton Codified Ordinances, all residential driveway approaches must be constructed with concrete (2) Residential driveways, from the back edge of the driveway approach to the primary structure, shall be constructed of a durable and dustless hard surface of asphalt, concrete, or other suitable material capable of withstanding 1,000 pounds per square inch (psi); except: a. On lots with an area of 3 acres or more, gravel may be used for driveways leading back to detached accessory structures, with the following conditions: i.Gravel shall only be permitted as a driveway material starting behind the primary structure and leading to the door or access area of the accessory structure ii.Vehicles shall not be parked or stored on any part of a driveway that is graveled
1121.02 (I)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Fences and Walls	(3) Fences and walls shall not block or divert natural or designed stormwater flow.	(3) Fences and walls shall not be installed within any recorded easements, nor shall they block or divert natural or designed stormwater flow.
1121.02 (I)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Fences and Walls	N/A	Add new Subsection (4) to read, "All fences are to be installed with the finished (or face) side out. If a condition exists on the property that would prevent the owner from reasonably complying with this requirement, the affected fence panels may be installed unfinished side out at the Zoning Administrator's discretion.
1121.02 (I)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Fences and Walls	(5) Fences and Walls in the rear and side yard shall be: ii. Opaque;	(5) Fences and Walls in the rear and side yard shall be: ii. A minimum opacity of 75%;
1121.02 (O) - Relocate to new Section 1121.05 (K)	Standards Generally Applicable to Detached Single-Family and Attached Single-Family Uses	Outdoor Storage and Displays	(1) The permanent or temporary outdoor storage or display of bulk goods, including seasonal items such as firewood and mulch, are subject to the approval of a Zoning Certificate and the following...	Relocate this entire section from 1121.02 to 1121.05 as it relates to outdoor storage and displays for commercial uses. Place after 1121.05 (J) Walls.
1121.05 (F)	Standards Generally Applicable to Non-Single-Family Uses	(5) Signs Permitted by District	i. Table of Signs Permitted by District - Districts 'MS'	i. Table of Signs Permitted by District - Districts 'MSD'
1121.05 (F)	Standards Generally Applicable to Non-Single-Family Uses	(7) Sign Standards	i. Table of Sign Standards - Monument with or without changeable copy Dimensions: Max. Area: 24 sq.ft. Max. Total Sign Height: 6 ft. Min. Base Height: 2 ft. Min. Sign Face Surround Width: 1 ft.	i. Table of Sign Standards - Monument with or without changeable copy Dimensions: Max. Area: 24 sq.ft. Max. Total Sign Height: 6 ft. Min. Base Height: 2 ft. Min. Sign Face Surround Width: 1 ft. Min. Setback from ROW or Recorded Easement: 5'
1121.05 (F)	Standards Generally Applicable to Non-Single-Family Uses	(7) Sign Standards	i. Table of Sign Standards - Monument with or without changeable copy Materials/Lighting: Sign Face: Wood carved and painted Sign Face Surround: Brick or stone Lighting: External or internal illumination	i. Table of Sign Standards - Monument with or without changeable copy Materials/Lighting: Sign Face: Wood carved and painted Metal, treated wood, polycarbonate, acrylic, or similar material as may be approved by the Zoning Administrator Sign Face Surround Base: Brick, or stone, or similar masonry material as may be approved by the Zoning Administrator Lighting: External or internal illumination

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1121.05 (F)	Standards Generally Applicable to Non-Single-Family Uses	(7) Sign Standards	<p>i. Table of Sign Standards - Monument with or without changeable copy</p> <p>Additional Standards:</p> <p>Also permitted for an institutional use such as a school, community center or religious assembly.</p>	<p>i. Table of Sign Standards - Monument with or without changeable copy</p> <p>Additional Standards:</p> <p>1. Also permitted for an institutional use such as a school, community center or religious assembly located in any zoning district.</p> <p>2. Changeable copy or a digital sign display is permitted for this sign type, with the following standards:</p> <p>a. Area of changeable copy or digital sign display is restricted to 50% of the maximum sign area</p> <p>b. Digital sign display must be programmed to display each message, graphic, display or part thereof for a minimum of 10 seconds before changing</p> <p>(1). During such interval, the entire message, graphic or display shall not be moving, flashing, scintillating, animating nor changing in color or light intensity or visibly changing in any other manner</p> <p>c. The display change interval shall be 0.3 seconds or less, as defined in Chapter 1181</p> <p>d. Digital sign display must be equipped with a dimmer control and a photo cell to monitor ambient light conditions</p> <p>(1). Digital sign display to adjust brightness accordingly to maintain a maximum brightness of 0.2 foot-candles as measured at 150 feet from the light source</p>
1121.05 (F)	Standards Generally Applicable to Non-Single-Family Uses	(8) Signs Permitted for Retail Gasoline Sales	<p>i. Table of Sign Standards</p> <p>Additional Standards:</p> <p>1. Changeable copy is permitted but may not exceed 50% of the sign face area.</p> <p>2. Interstate Pole Signs are permitted only within 2,000 ft. of an I-70 interchange as measured from the closest part of the interchange or interchange off-ramp. Changeable copy is permitted but may not exceed 50% of the sign face.</p> <p>3. Fuel pump signage does not require a permit but must comply with the standards set forth above.</p>	<p>i. Table of Sign Standards</p> <p>Additional Standards:</p> <p>1. Changeable copy is permitted but may not exceed 50% of the sign face area.</p> <p>1. Changeable copy or a digital sign display is permitted with the following standards:</p> <p>a. Area of changeable copy or digital sign display is restricted to 50% of the maximum sign area</p> <p>b. Digital sign display must be programmed to display each message, graphic, display or part thereof for a minimum of 10 seconds before changing</p> <p>(1). During such interval, the entire message, graphic or display shall not be moving, flashing, scintillating, animating nor changing in color or light intensity or visibly changing in any other manner</p> <p>c. The display change interval shall be 0.3 seconds or less, as defined in Chapter 1181</p> <p>d. Digital sign display must be equipped with a dimmer control and a photo cell to monitor ambient light conditions</p> <p>(1). Digital sign display to adjust brightness accordingly to maintain a maximum brightness of 0.2 foot-candles as measured at 150 feet from the light source</p> <p>2. Interstate Pole Signs are permitted only within 2,000 ft. of an I-70 interchange as measured from the closest part of the interchange or interchange off-ramp. Changeable copy or digital sign display is permitted but may not exceed 50% of the sign face.</p> <p>3. Fuel pump signage does not require a permit but must comply with the standards set forth above.</p>

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1121.05 (F)	Standards Generally Applicable to Non-Single-Family Uses	(9) NEW - Portable Sign Standards	N/A	Add new Subsection (9) to be called, "Portable Sign Standards" with the following text: 9. Portable Sign Standards i. In an effort to support the business community, the city will permit the limited use of portable signs to help promote the location and existence of businesses to the motoring public in compliance with the following restrictions: (a). A Zoning Certificate is required to place a portable sign (b). Portable signs cannot exceed 32 s.f. in area (c). Portable signs cannot exceed a maximum height of 6 ft. (d). Portable signs must be located a minimum of 25 ft. from the pavement edge of the road (e). Portable signs cannot be electrified nor have any illumination (f). Portable signs shall not be located on a property more than two times annually for more than sixty (60) days within a one (1) year timeframe, unless the business is located in a shopping center that complies with the following subsection (g). Portable signs may be permitted at shopping centers and/or multi-tenant buildings with the following additional restrictions: (1). Shopping center or building is located on a property of two (2) or more acres; (2). Shopping center or building has at least five (5) separate commercial tenants (office or retail); (3). Portable signs are allowed on the property for thirty (30) days and then no portable signs are permitted for the next sixty (60) days; after which a new Zoning Certificate application can be submitted (this permits a maximum of four (4) portable signs per year to be installed at a given shopping center or multi-tenant building if the above standards are met).
1121.05 (F)	Standards Generally Applicable to Non-Single-Family Uses	(11) Non-conforming Signs	v. (b) If a sign is structurally altered such that the nonconformities area expanded, enlarged or increased;	v. (b) If a sign is structurally altered such that the nonconformities area expanded , enlarged or increased;
1121.05 (I)	Standards Generally Applicable to Non-Single-Family Uses	Fences	iii. Height.	<u>iii. Height and Location.</u>
1121.05 (I)	Standards Generally Applicable to Non-Single-Family Uses	Fences	N/A	Add new Subsection (c) to 1121.05 (I)(1)(iii) Height to read: (c) Fences and walls shall not be installed within any recorded easements, nor shall they block or divert natural or designed stormwater flow.
1121.05 (K)	Standards Generally Applicable to Non-Single-Family Uses	(2) Mobile Food Trucks	i. (f) The applicant shall file with local income tax if the minimum days for operating within the city are met;	i. (f) The applicant shall file with local income tax authority if they will be operating a minimum of 21 days within the city;
1141.03	Administration and Procedures	Planning Commission	B. For the purpose of this Code, the Commission shall have the following responsibilities: (1) Initiate advisable Zoning Map changes, or changes in the text of the Code where same will promote the best interest of the public in general through recommendation to the City Council. (2) Review all proposed amendments to this Code (text and/or map) and make recommendations to City Council.	B. For the purpose of this Code, the Commission shall have the following responsibilities: (1) Initiate advisable Zoning Map changes, or changes in the text of the Code where same will promote the best interest of the public in general through recommendation to the City Council. (2) Review all proposed amendments to this Code (text and/or map) and make recommendations to City Council. (3) Review all Planned Development Districts (PDD), in accordance with Section 1111.21, and make recommendations to City Council. (4) Review all Subdivisions, in accordance with Chapter 1161, and make recommendations to City Council.
1141.06	Administration and Procedures	Zoning Certificates	B. Until a Zoning Certificate has been obtained from the Zoning Administrator; (3) The use of land, buildings or structures for temporary and accessory uses and home occupations shall not be commenced.	B. Until a Zoning Certificate has been obtained from the Zoning Administrator; (3) The use of land, buildings or structures for temporary and accessory uses and home occupations shall not be commenced.

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1141.07	Administration and Procedures	Variances	<p>A. (4) The Board shall not grant a variance unless it shall, in each specific case, make specific findings of fact directly based upon the particular evidence presented to it, that support conclusions that without the variance the owner would suffer practical difficulties. In determining whether a property owner seeking an area variance has encountered practical difficulties, the Board shall consider and weigh all of the following factors; provided, however, that the applicant need not satisfy all of the factors and no single factor shall be determinative, to determine whether:</p> <p>i. The property in question will yield a reasonable return or whether there can be any beneficial use of the property without a variance;</p> <p>ii. The variance is substantial;</p> <p>iii. The essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance;</p> <p>iv. The variance would adversely affect the delivery of government services (i.e., water, sewer, garbage);</p> <p>v. The property owner purchased the property with knowledge of the zoning restriction;</p> <p>vi. The property owner's predicament feasibly can be obviated through some method other than a variance;</p> <p>vii. The spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance; and</p> <p>viii. There are any other relevant factors that may assist the Board in weighing and balancing the public and private benefits and harms to determine if the requested relief is necessary.</p>	<p>A. (4) The Board shall not grant a variance unless it shall, in each specific case, make specific findings of fact directly based upon the particular evidence presented to it, that support conclusions that without the variance the owner would suffer practical difficulties. In determining whether a property owner seeking an area variance has encountered practical difficulties, the Board shall consider and weigh all of the following factors; provided, however, that the applicant need not satisfy all of the factors and no single factor shall be determinative, to determine whether:</p> <p>i. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to any other land, structure or building within the same zoning district;</p> <p>ii. A literal interpretation of the Planning & Zoning Code would deprive the applicant of rights commonly enjoyed by other property owners in the same zoning district under the same provisions of the Planning & Zoning Code;</p> <p>iii. The special conditions and circumstances do not result from the actions of the applicant;</p> <p>iv. Granting the variance requested will provide the minimum necessary relief to alleviate the practical difficulties the applicant is experiencing;</p> <p>v. Granting the variance will be in harmony with the general purpose and intent of the Planning & Zoning Code, and will not cause damage or harm to the neighborhood or otherwise be detrimental to public health, safety and welfare;</p> <p>vi. The proposed variance will not constitute a change of zoning district, including a variation in use, on the Official Zoning Map. In no case shall the Board approve a variance for a use which is not a permitted use in the zoning district in which the land, structure or building is located; and</p>
1141.07	Administration and Procedures	Variances		<p>vii. Other relevant factors that may assist the Board in weighing and balancing the public and private benefits and harms to determine if the requested relief is necessary; with the exception that no nonconforming use of neighboring lands, structures or buildings in the same zoning district, and no permitted or nonconforming use of lands, structures or buildings in any other zoning district shall be considered justification for approval of the requested variance.</p>
1161.06	Subdivisions	Design Standards	Table 1 (Cul-De-Sacs & Loop Streets), Column Headings: Level Rolling Hilly	Table 1 (Cul-De-Sacs & Loop Streets), Column Headings: Level (<=5%) Rolling (>5% to 8%) Hilly (>8%)
1161.06	Subdivisions	Design Standards	Table 1 (Cul-De-Sacs & Loop Streets), Column Headings: Low - 4% Med - 4% High - 4%	Table 1 (Cul-De-Sacs & Loop Streets), Column Headings: Low - 5% Med - 5% High - 5%
1161.06	Subdivisions	Design Standards	Table 2 (Local Streets), Column Headings: Level Rolling Hilly	Table 2 (Local Streets), Column Headings: Level (<=5%) Rolling (>5% to 8%) Hilly (>8%)
1161.06	Subdivisions	Design Standards	Table 2 (Local Streets), Maximum Grade, Level: Low - 4% Med - 4% High - 4%	Table 2 (Local Streets), Maximum Grade, Level: Low - 5% Med - 5% High - 5%
1161.06	Subdivisions	Design Standards	Table 3 (Collector Streets), Column Headings: Level Rolling Hilly	Table 3 (Collector Streets), Column Headings: Level (<=5%) Rolling (>5% to 8%) Hilly (>8%)
1161.06	Subdivisions	Design Standards	Table 3 (Collector Streets), Column Headings: Low - 4% Med - 4% High - 4%	Table 3 (Collector Streets), Column Headings: Low - 5% Med - 5% High - 5%

Code Section	Section Title	Subsection Title	Existing Language	Proposed Language (Blue text and strikethroughs indicate proposed changes)
1161.06	Subdivisions	Design Standards	Table 5 (Intersection Design), Column Headings: Level - All Densities Rolling - All Densities Hilly - All Densities	Table 5 (Intersection Design), Column Headings: Level - All Densities (<=5%) Rolling - All Densities (>5% to 8%) Hilly - All Densities (>8%)
1181.01	Glossary of Terms	General Terms	Lot Line, Front. The front lot line of a corner lot shall be decided based upon the prevailing custom of the front lot line of other adjacent buildings on the same block, and based on the discretion of the Zoning Administrator.	Lot Line, Front. The front lot line shall mean a street right-of-way line forming the boundary of a lot. The front lot line of a corner lot shall be decided based upon the prevailing custom of the front lot line of other adjacent buildings on the same block; and based on the discretion of front lot line determinations will be made by the Zoning Administrator.
1181.01	Glossary of Terms	General Terms	Lot, Through. A lot having a pair of opposite lot lines along two more or less parallel public streets. On a through lot, both street lines shall be deemed front lot lines.	Lot, Through. A lot having a pair of opposite lot lines along two, more or less, parallel public streets. On a through lot, both street lines shall be deemed front lot lines.
1181.01	Glossary of Terms	General Terms	N/A	Add definition for "Sign, Changeable Copy, Display Change Interval" to read: "Sign, Changeable Copy, Display Change Interval. The time period between when one message, graphic or display becomes illegible and the next message, graphic or display becomes legible." Delete this definition as it is a duplicate of the definition for Lot Line, Front.
1181.01	Glossary of Terms	General Terms	Yard, Front (Corner Lot). The front lot line of a corner lot shall be decided based upon the prevailing custom of the front lot line of other adjacent buildings on the same block, and based on the discretion of the Zoning Administrator.	Yard, Front (Corner Lot). The front lot line of a corner lot shall be decided based upon the prevailing custom of the front lot line of other adjacent buildings on the same block, and based on the discretion of the Zoning Administrator.
1181.02	Glossary of Terms	Uses	Backyard Farm. The keeping of small animals, as defined herein, on lots of two (2) acres or less containing a detached single-family dwelling.	Backyard Farm. The keeping of small farm animals, as defined herein, on lots of two (2) less than five (5) acres or less and containing a detached single-family dwelling.
1181.02	Glossary of Terms	Uses	Dwelling, Care Facility. See Residential Care and Congregate Residential.	Dwelling, Care Facility. See Residential Care and Congregate Residential. As defined by the Ohio Revised Code.
Title Nine	Stormwater Plan	Chapter 1195 Stormwater Management Ordinance & Chapter 1197 Storm Sewer System Illicit Discharge Detection and Elimination	N/A	Chapters 1195 and 1197 were inadvertently removed from the Planning & Zoning Code when the update was approved by City Council in June 2021. Staff recommends that these two Chapters be put back into the Planning & Zoning Code with no changes to the text.