

A MARKET ANALYSIS

3625 Harrison Avenue

August 2022



Prepared by Urban Fast Forward



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PART I: EXISTING CONDITIONS

BUILDING HISTORY AND CONDITION
BUSINESS AND PARKING INVENTORY
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Building History and Condition

This report identifies the possible future of the building and site at 3625 Harrison Avenue in Cheviot, Ohio. This analysis involves a dive into the history of the building as stories from the past can help influence and enhance future use. It also captures data from the United States Census and other metrics to establish a current state baseline.

Three alternatives are explored herein for the future of the site. One is to consider selling the building with no investment, two is to consider rehabilitation as

part of a sale to an operator and three is to consider the complete redevelopment of the site. Each option presented will explore potential opportunities and weigh the benefits and challenges of each.

Quick Facts

Location

3625 Harrison Avenue

Size

14,350 square feet

Year of Construction

1923

Type

Cinderblock and brick storefront

Zoning

Business B-OZ

On-site parking

27 spaces



3625 Harrison Ave facade during and after 1923 construction.

Source: Cheviot Historical Society

HISTORIC SUMMARY

Nestled in the heart of Cheviot's Harrison Avenue business district, this one-story commercial structure appears unassuming. This building that most recently housed a Cappel's costume shop is steeped in history, however.

Sanborn Fire Insurance maps from the 1920s identify it as a typical shopfront with a cinderblock exterior, wired glass skylights, and tiled and plastered walls. In 1937, the building was purchased by Betty S. Cohen and Milton Schloss for use as a Woolworth's department store. It was then transferred to Mary J. and Milton Okum in 1967, according to the Hamilton County Auditor and housed a very popular local furniture store for several decades. The parking lot in the rear off Gamble Avenue was added sometime in the late 1960s.

Information obtained from the Cheviot Historical Society noted that the building was previously a Woolworth's as well as Okum's furniture store. Mary J. Okum, who performed under the name Bonnie Lou, was a noted country singer whose fame helped market the store well into the 1990s. In 1995, it became Cappel's Party Supply store, continuing to serve local customers until 2020.

In 2021 The building was purchased by the City of Cheviot.



BUILDING CONDITION

Site

This structure is 14,350 square feet and sits on a 0.227-acre site, including 27 parking spots on an adjacent asphalt lot. Internally, the building is separated into three distinct areas comprised of the original building and two additions.

The site is zoned B-OZ (Business with Overlay Zone). This zoning permits general retail businesses including microbreweries. New construction in this zone must meet additional requirements that further encourage development to conform to the character of the neighborhood business district along Harrison

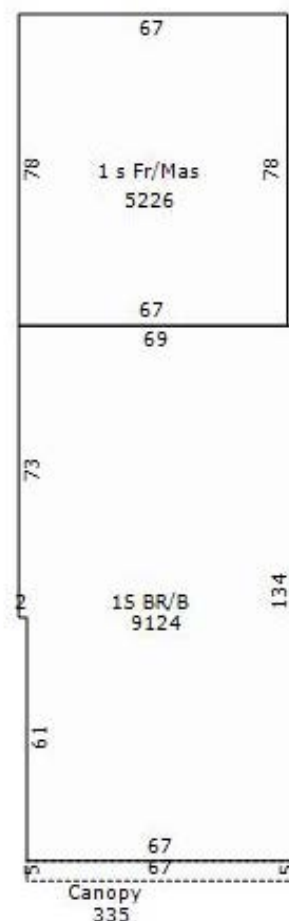


Diagram of building layout.
Source: Hamilton County Auditor



The main showroom area of the building, with pillars spaced 20 feet apart.

Avenue. More information about the current zoning can be found below and in the appendix of this report.

B Zoning: https://codelibrary.amlegal.com/codes/cheviot/latest/cheviot_oh/0-0-0-45978

OZ zone: https://codelibrary.amlegal.com/codes/cheviot/latest/cheviot_oh/0-0-0-57695

Frontage

The main entry to the building is from Harrison Avenue. The front façade of the building was originally a conventional brick storefront with shopfront windows. The façade modification, during which the storefront entrance was setback under the front, larger shop windows were inserted. This occurred in 1960s when the building became a furniture showroom. A mansard shingled awning was also added and runs along the building's frontage.

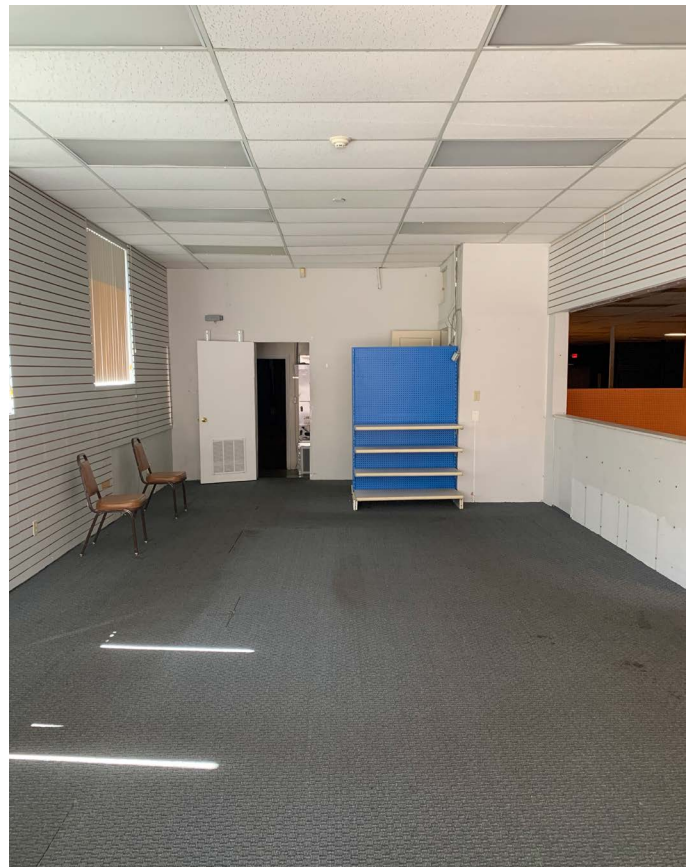
A mansard shingled awning runs along the building's frontage.

Front Interior

The front ingress is ADA accessible, and the internal configuration accommodates ramps for the front section.

Inside, the front portion of the building has both wooden and carpeted flooring, which are dated but in fair to good condition. This

main area has columns spaced about twenty feet apart. The carpeted area, which begins at the front entrance and runs to the back of the building, could also have been used as retail space. The ceiling in these rooms is dropped below the original height and acoustic tiled. There is also a small partial kitchen and one bathroom on the first floor.



Carpeted interior in the front section of the building.



A conveyor belt runs from the basement to the rear warehouse above.

Basement

Ceiling height in the basement is low, between eight to nine feet. The floor is concrete, sloped in areas. Most of the basement walls appear to be non-load bearing though this should be confirmed.

General

The consulting team toured the site in May 2021.

Based on this inspection, it would appear that the building is immediately occupiable, though proposed usage would determine if alterations were required. No cracks or structural damage was observed.

The structure has at least four heating units, condition unknown. Electric power is available. There are signs of prior roof leaks, but the building was dry when inspected. The building appears to be partially sprinklered.

Middle Interior

The middle section of the building is brick. This section is accessible via a side entrance, two inches above grade, on the east side of the building.

Rear Interior

The rear section of the building is cinderblock with concrete flooring and is in good condition. Sited below grade, there is a rear exit and a loading dock from Gamble Avenue. The rear door appears ADA compliant. The layout is open with floor to ceiling height of about 25 feet. There are two interior connections to the warehouse.



The rear warehouse portion of the building.

Business and Parking Inventory

HARRISON AVENUE BUSINESS INVENTORY

Harrison Avenue in Cheviot is home to more than 60 businesses. The majority (32) are service businesses including salons, insurance agencies, and car repair shops. 13 are retail stores, most of which are independent retailers, though Family Dollar and True Value Hardware have large footprints along the corridor.

There are 12 restaurants along Harrison Avenue, including small local restauraners like Santorini and chain establishments such as Wendy's and Long John Silver. This corridor is also home to iconic restaurants such as Maury's Tiny Cove, a community fixture since 1949. Several bars and entertainment venues are also found throughout the district, most notably Game Time, Legends, and Westside Venue.

PARKING ANALYSIS

The map on page 9 displays parking locations and figures for a 1300 ft (five-minute walk) from the subject site (outlined in white). Blue lines indicate unmetered street parking alongside and on residential streets. Red lines indicate metered street parking, which dominates major roads through this area. Areas shaded in orange represent public parking lots and those in yellow denote parking available on site.

In total there are 93 parking spots in public lots, 27 in the on-site lot, 130 on metered streets, and 139 on unmetered streets for a total of 417 available parking spots. See the Appendix for the full analysis methodology.

The team found that there is sufficient parking on site, in nearby lots, and on streets nearby for many of the uses proposed in this report.



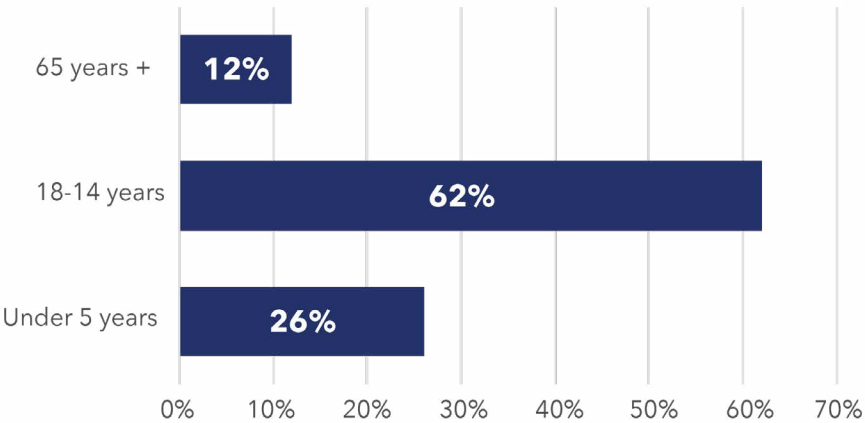
Demographics

This analysis focuses on US Census data for the city of Cheviot as compared to Hamilton County, showing key differences and similarities between Cheviot and its surrounding areas. It is important to examine local and regional demographic trends when considering opportunities for economic development and growth within the community.

POPULATION

2020 census data indicates there are 8,658 Cheviot residents, a population about 1% of Hamilton County overall. In 2010, Cheviot had a total of 8,375 residents, indicating that the population increased by 283 individuals or 3.26% from 2010 to 2020. The number of families is also growing in Cheviot, which may indicate affordability and better quality of life in the area.

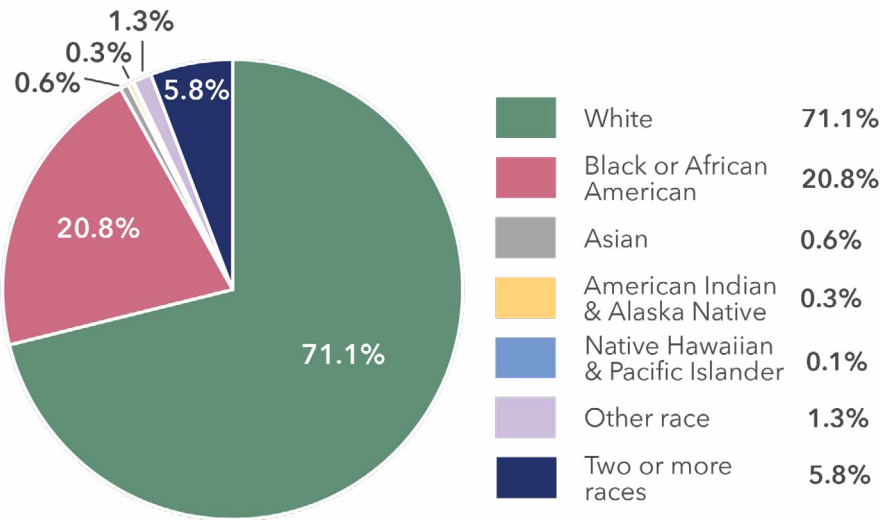
Age



Most Cheviot residents are White (71.1%), a higher percentage than Hamilton County overall. 20.8% of the population is Black or African American, lower than the county percentage.

Cheviot’s median age is 35.3 years. The average age for residents of Cheviot is slightly lower than Hamilton County’s, which is 36.8 years.

Race



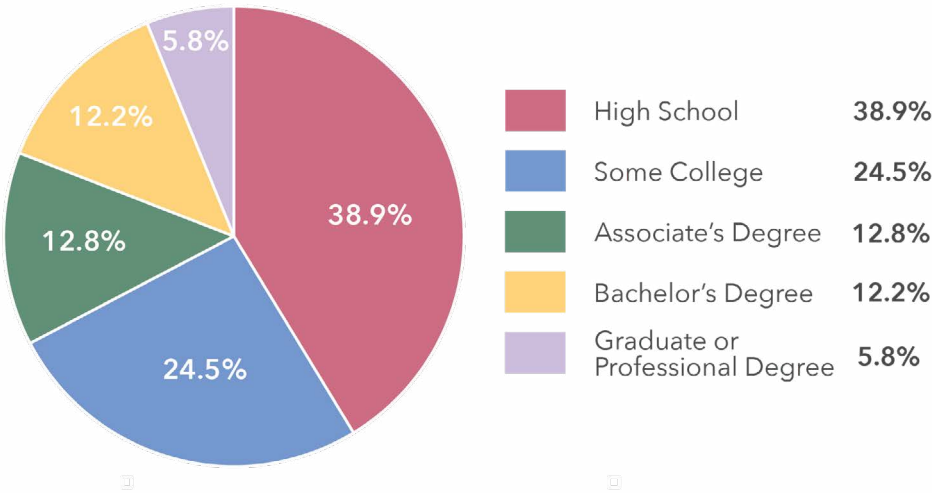
26% of Cheviot’s population is under the age of 18 while those aged 18-64 comprise 62% of the total. Senior citizens, those 65 and older, make up 12%. Compared to Hamilton County, Cheviot has a higher percentage of children and a slightly lower percentage of elderly individuals within the community boundaries.

The percentage of working age individuals is identical to the county level.

EDUCATION AND EMPLOYMENT

Educational attainment is similar across Cheviot and Hamilton County. 94.2% of Cheviot's over 18 population has at least completed high school, with 38.9% having only a high school diploma. While Hamilton County has lower attainment at the high school level, all other education categories are higher figures in comparison.

Educational Attainment



INCOME, ECONOMY, AND HOUSING

The yearly median household income for Cheviot is \$49,799. Hamilton County median income is \$59,190. Families earn \$80,443, married-couple families earn \$103,510, and nonfamilies earn \$36,864. Non-families earn slightly more in Cheviot, despite lower median incomes in all other categories. According to the U.S. Census Bureau nonfamilies are defined as:

"A nonfamily household consists of a householder living alone (a one-person household) or where the householder shares the home exclusively with people to whom he/she is not related."

The top three industries for the community are education services, retail trade, and finance,

insurance, and real estate. In both Cheviot and Hamilton County, most workers are employed by private companies, with a second large share working in government and non-profit institutions.

The median gross rent for Cheviot is \$745 a month versus Hamilton County \$831 a month indicating its housing stock is more affordable than the county average.

According to census data for Cheviot, the housing vacancy rate is 10% and the occupancy rate is 90%. Which is comparable to 9% vacancy and 91% occupied at the county level. Specifically, of the 4,272 housing units within the Cheviot boundary, 327 of them are vacant.

71.7% of housing units are 2–3-bedrooms, 19.9% are 1-bedroom units, and 8.4% have 4 or more bedrooms. The fact that units with 2 or 3 bedrooms have the highest occupancy rate reflects the significant number of children living in the community. While most of Hamilton County's population lives in buildings or homes with 2 or 3 bedrooms, those with just a single bedroom have slightly higher occupancy rates.

Top Employment Industries for Cheviot Population



Median Household Income

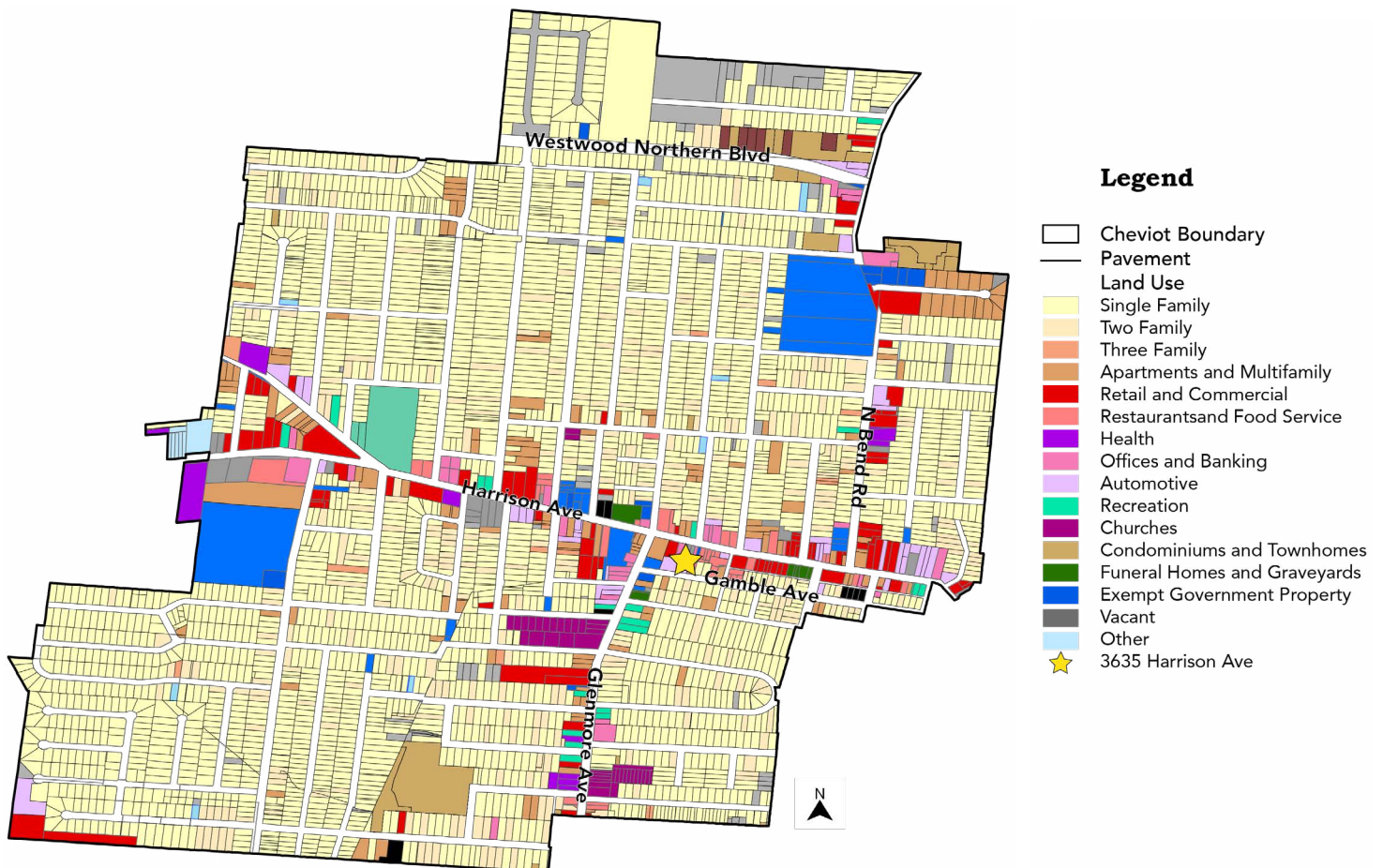


Land Use and Property

LAND USE

Cheviot's land area is dedicated primarily to single-family housing. Commercial, general business, professional, and office uses are concentrated along the main corridors of Harrison Avenue and Glenmore Avenue.

The subject site is coded office and banking and near other commercial, food service, and office land uses.



ZONING

Cheviot has eight zoning districts.

Residence R-1 is primarily located along Westwood Northern Boulevard in the northern section of the city.

Business A is along the west side of Glenmore and the south of Gamble Avenue. It is also the primary zoning designation for both sides of the street on North Bend from Wardall to the northern boundary of the city.

Business B and Business B-OZ zones are located along the Harrison Avenue and extend along Glenmore and North Bend. B-OZ is also along Harrison between Lovell and the city boundary with Cincinnati.

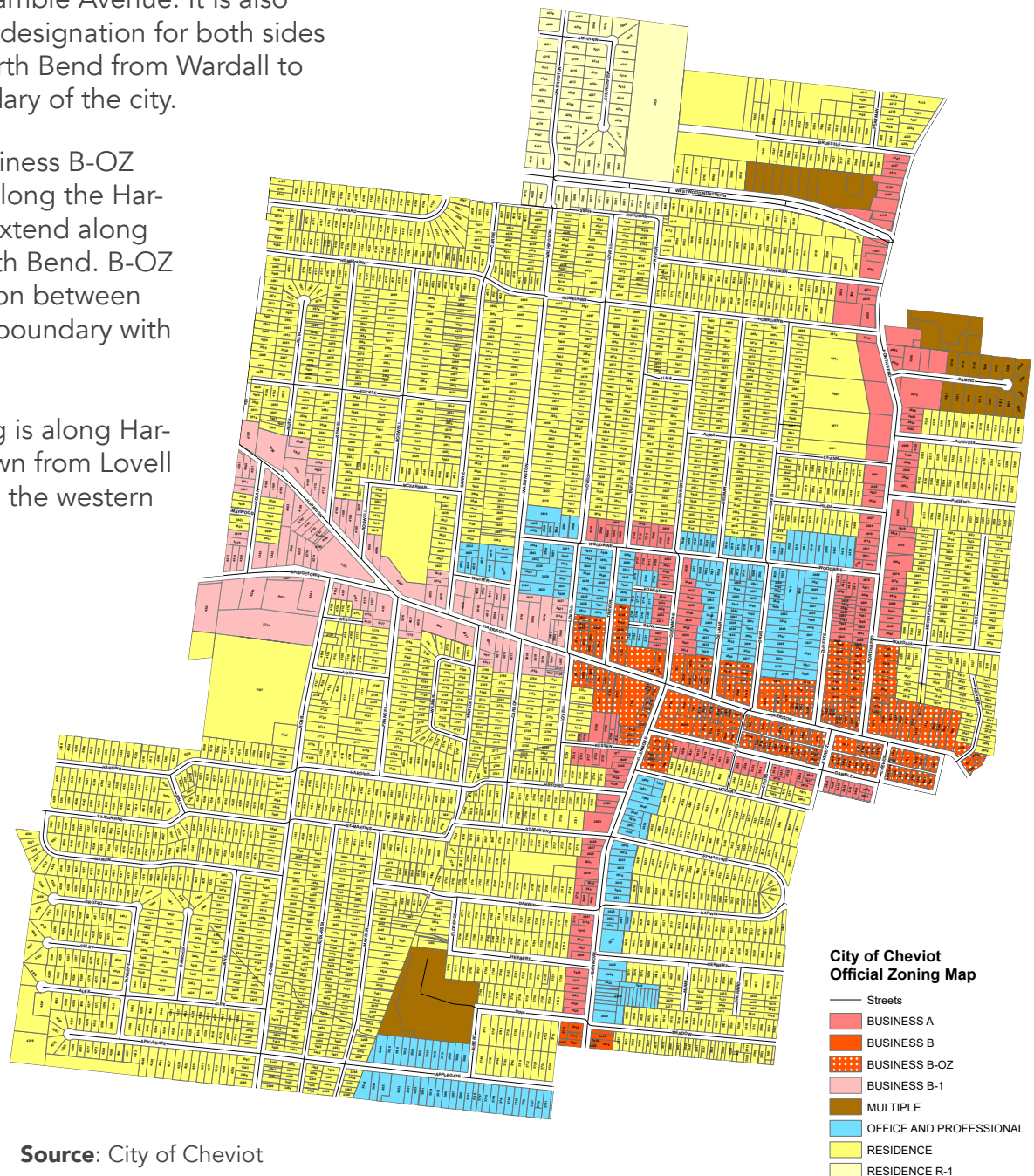
Business B-1 zoning is along Harrison and Bridgetown from Lovell proceeding west to the western boundary of the city. B-1 zoning primarily allows more automobile centric uses than the Business A and Business B-OZ designations.

The Office and Professional zone classification exists along the east side of Glenmore and along Woodbine.

Multiple zoning which permits

multi-family housing is the smallest zoning designation in the city, primarily at the end of Camvic, with a small section along the north side of Westwood Northern Boulevard.

3625 Harrison Avenue is located within the B-OZ zone.



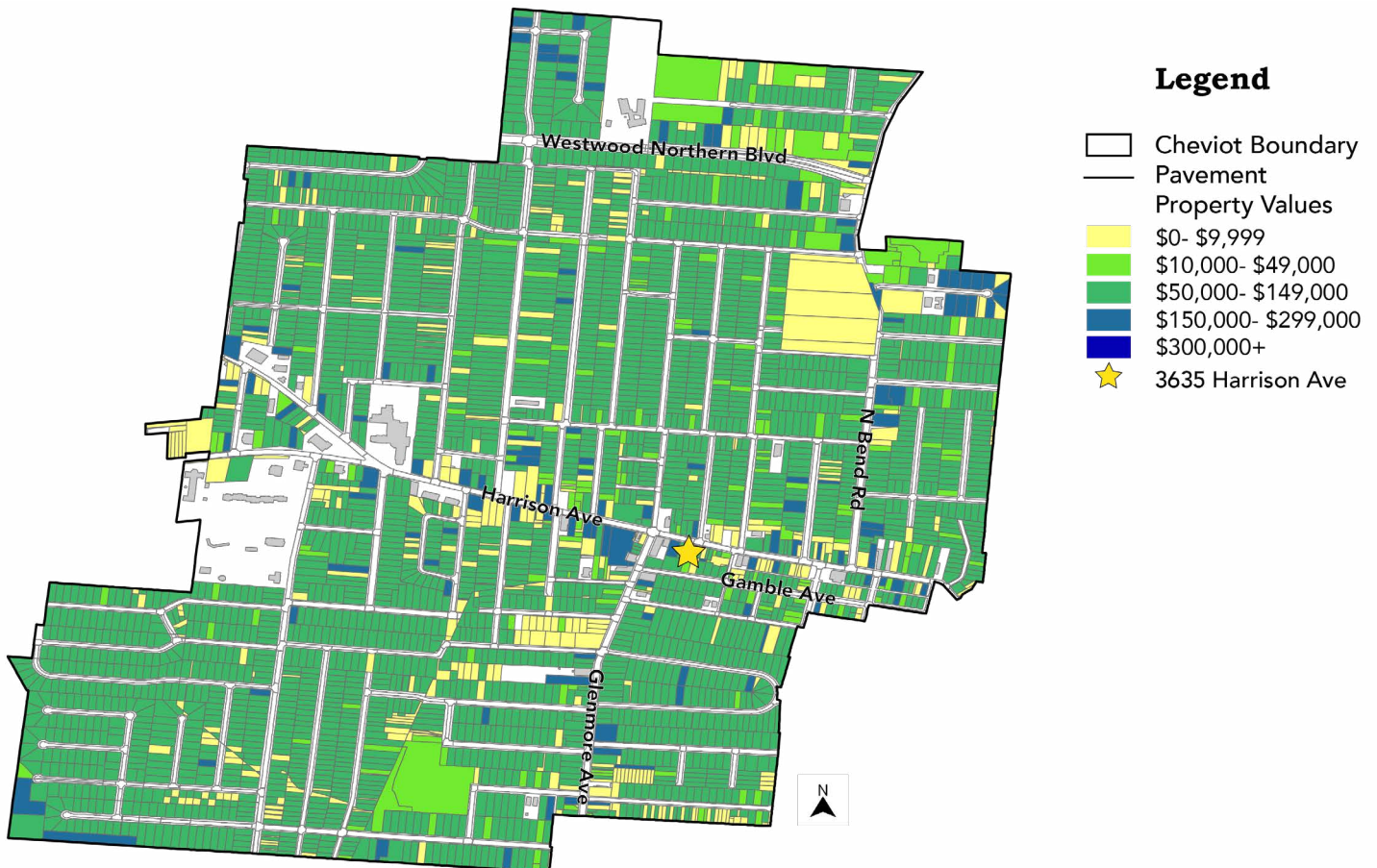
Source: City of Cheviot

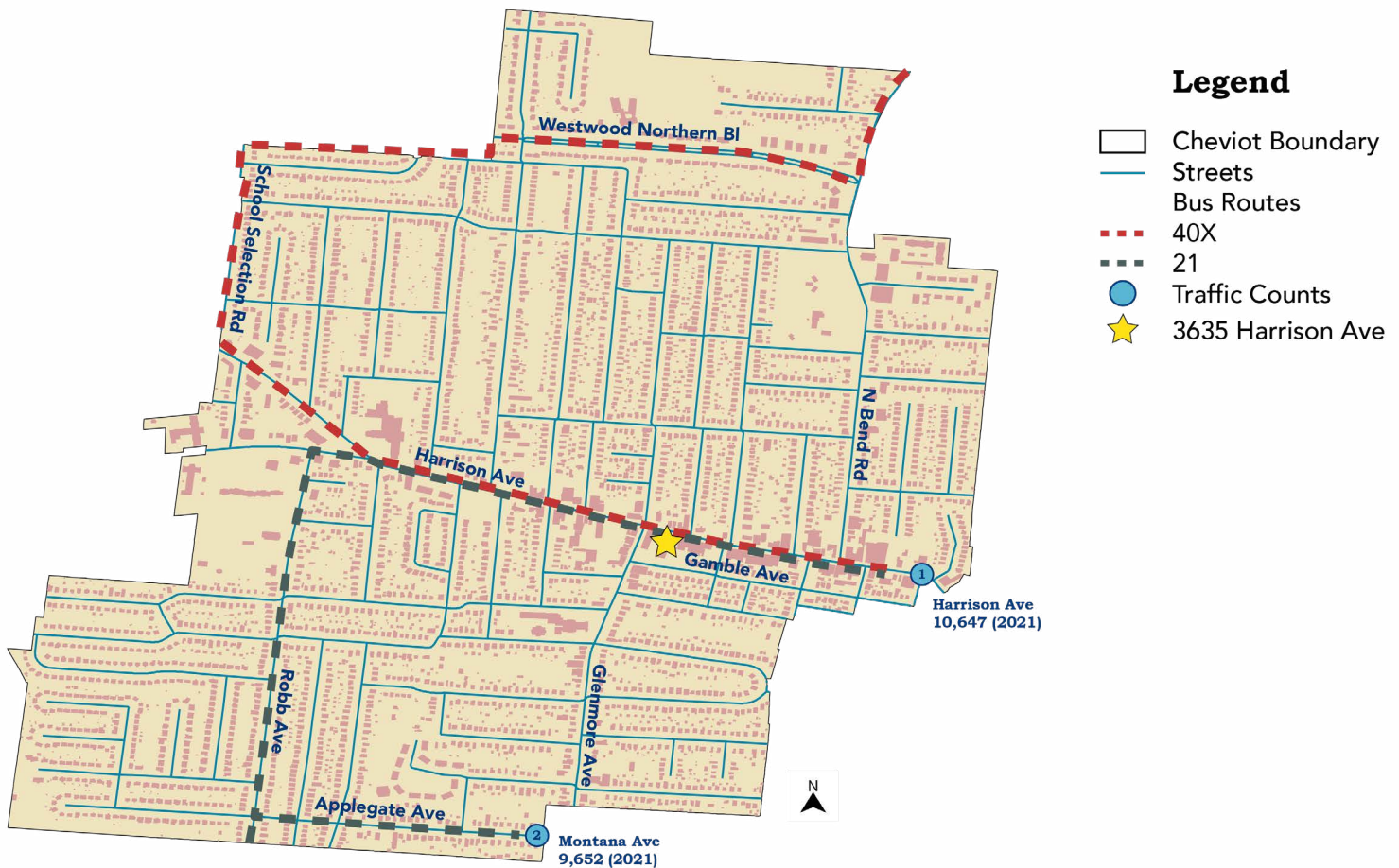
PROPERTY VALUE

Most single-family homes in Cheviot are in the range of \$50,000-\$149,000 (green) mixed with concentrations of buildings worth \$0-\$9,999 represented in yellow.

Commercial properties along Harrison Avenue have a wide range of values. 3625 Harrison Avenue falls within the \$150,000-\$299,999 range and is near parcels of higher property value but also proximate to buildings that require investment.

This parcel's higher property value is reflective of the strength of its location in Cheviot's most dynamic area. Placing the right use into the building can encourage others to invest in nearby properties and enhance the area for residents and visitors.





TRANSIT

The Ohio Department of Transportation (ODOT) conducted traffic counts for Cheviot in 2021. Average Daily Traffic also known as ADT, measures the number of vehicles which traverse a section of road during the day.

The first point of study was at Harrison Avenue, between Boudinot and Higbee Streets, at the eastern boundary between Cheviot and Cincinnati. This arterial street averaged 10,647 vehicles a day.

The second point was Montana Avenue and Cheviot Avenue, just outside the city limits with an ADT of 9,652.

Transit access in Cheviot is adequate. According to Metro, there are 2 transit routes that run through Cheviot. These routes are the #40x, which runs limited rush hour service and the #21 which runs regular service through the city from Glenway Crossings Transit Center in Western Hills to downtown via Harrison Avenue. Bus routes run along Harrison Avenue, Westwood Northern Boulevard, North Bend Road, Robb Avenue, School Section Road, and Applegate Avenue onto Montana Avenue.

PART II:

PATHS FORWARD

1. SELL BUILDING AS IS
2. RETAIN OWNERSHIP, INVEST IN INTERIOR DEMOLITION, AND EXPLORE POTENTIAL RESUES WITH SALE
3. DEMOLISH BUILDING AND SELL AS REDEVELOPMENT SITE

1. Sell Building As Is

The simplest option is to sell the building at 3625 Harrison Avenue as is to a business owner or developer. In its current condition this is perhaps an unlikely proposition. Moreover, a straight sale removes any possible control the City might have over future uses. Likely uses for the building, based on those in surrounding properties, would include a pawn shop, check cashing operation, or an antique/thrift store. None of these, however, would be additive or positive to Harrison Avenue. Nor would they signal a positive momentum for the area.

A buyer might also choose to demolish the building, potentially paving it over for parking.

Yet, this area is relatively parking rich, especially if no new businesses – and the customers they might attract – are added.

What is needed here is an active, consumer facing and positive use, bringing new energy to the area. For these reasons, we do not recommend that the City of Cheviot sell the building as is.



2. Retain Ownership, Invest in Interior Demolition, and Explore Potential Reuses with Sale

The building needs investment and upgrades.

In the near term, and in current condition, it might serve to facilitate temporary events, pop-up retail and other non-permanent activities which might be weather dependent or need enclosure. Such events and activities should be oriented to generating interest in the building and to Cheviot itself.

Tying the buildings usage into existing events or creating new ones such as a Westside Holiday Market, would generate foot traffic and buzz. But what about a temporary indoor beer garden sponsored by a local brewery? Or a pop-up restaurant or small concert?

The goal is to showcase both the city and the space, potentially attracting interest from future users.

Preliminarily, to make the property genuinely marketable, the city may need to invest in initial interior demolition, getting the building to a “cool grey shell” state. Essentially this consists of the basics: drywall, floor, and mechanical systems. This will help neutralize the space and provide a clean canvas on which a potential owner can paint something new.

The city has indicated it intends to sell the building to a new operator. Any sale should be carefully negotiated with necessary clawbacks and requirements within the contract. Future owners should be vetted, and their business plans scrutinized. Sale price should also be considered, while a low selling price could help bridge potential financial gaps for a new operation, those caveats should come with appropriate concessions.

If the City retains ownership, it must also be willing to be a landlord. This means determining a vision for the property, setting a rental rate, attracting tenants, and negotiating their requests for Tenant Improvement (TI) dollars and other deal terms, managing maintenance and repairs, and accepting financial risk.

What the City cannot do is self-perform operations. Each of the ideas set out below can only be executed by someone who understands the specific business cited and wants not only to operate it but to place it in this building in our city. Finding that operator will be a challenge and take an investment of both time and money.

The city must consider operators that have vision as well as capacity to remain both relevant and viable for the long term. Okum's Furniture was on site for decades, and Cappel's for decades more. They met the needs of the surrounding community but also became a shopping destination and commercial anchor for the entire area.

Each potential user should be assessed for both operational and financial capacity. And the first barrier to entry should be a clear, well thought out and compelling business plan. It is axiomatic in seeking to fill real estate in a transitional area that many applicants will present themselves with a dream but not a plan.

To address this the team developed the following uses and concepts, which have worked in other regional communities and elsewhere. Each example includes identified challenges and potential impacts on both Harrison Avenue and Cheviot.

COFFEE/ROASTERY

There currently are no coffee shops within the city of Cheviot. Adjacent Westwood and Bridge-town each have several chains including Dunkin' Donuts and Starbucks, as well as local cafés. If a Cheviot resident wishes coffee, they're going to spend their dollars outside of the neighborhood.

Coffee shops are an important "third place" in a community. Distinct from the home (first place) and work (second place), the third place is a public setting in which to interact and relax. Nowadays, the coffee shop can act as a workspace, an informal meeting spot, or a place to catch up with friends and meet new people.

The large footprint of the building, including the rear warehouse, could accommodate both a retail coffee shop and a roastery, much less manageable in a smaller footprint. The layout of the existing building allows for a roasting operation in the rear warehouse and a retail shop up front, with plenty of room for expansion for each. The building could also house complementary operations such as a co-working space or bookstore.

Operating a roastery also requires a higher level of expertise than running solely a retail coffee shop, and potential operators will need to have the credentials and skillset necessary to be successful.

A drive-thru component is not recommended as heavy automobile activity will deter people from walking to and from the site. This should be a community space which encourages pedestrian activity.



This building has enough space for the operation to start small and expand within the building. What is needed here is an operator with the capital and experience to start such an operation. Roastery equipment, including a roaster, destoner, and grinders can range in price from a few thousand dollars to tens of thousands based on size and capacity. This building has enough space for the operation to start small and expand within the building.

Challenges for this operation could include truck access for deliveries, although there is a loading dock at rear of the building.

A needed amenity within the city of Cheviot, an operation of this type would attract both residents and visitors to the business district.

INTERACTIVE ART EXPERIENCE

If Cheviot is searching for unique uses not yet in this market, interactive art experiences might be explored. More immersive than a museum or art exhibit, such projects often allow visitors to touch and play with interactive elements of an installation. Visitors pay for admission, then

can freely explore the space, which might be multiple rooms and installations of various mediums, including physical structures and digital projections.

As there is not currently a permanent art exhibit like this in the Cincinnati market, this use could drive visitors to Cheviot. The success of the temporary Van Gogh Experience during the summer of 2022, extended more than once, illustrates the demand for such an experience.

Such a project would support nearby food and beverage businesses as guests are likely to visit them before and after the experience. Artists could incorporate elements of Cheviot's brand, such as the sheep, into installations to honor the unique character of the city.

A key requirement and significant challenge for this concept is finding a committed founder and organizer. Cincinnati has no shortage of

talented artists, but it would require a dedicated visionary and management team.

Successful ventures in similar markets include Otherworld in Columbus, OH and Factory Obscura in Oklahoma City, OK.

It would support nearby food and beverage businesses as guests are likely to visit them before and after the art experience. Artists could incorporate elements of Cheviot's brand, such as the sheep, into its installations to call out the unique character of the city.

A key requirement and significant challenge for this concept is finding a committed founder and organizer. Cincinnati has no shortage of talented artists but will need a dedicated person or group to raise the funding necessary to launch this interactive gallery.

Successful ventures in similar markets include Otherworld in Columbus, OH and Factory Obscura in Oklahoma City, OK.

Factory Obscura, Oklahoma City, OK

Factory Obscura was founded in 2017 by a group of creatives. A smaller concept than Otherworld, Factory Obscura occupies 6,000 square feet just north of downtown in Oklahoma City. The space hosts permanent and temporary installations, most open for 4-5 months. The first permanent installation, Mix Tape opened in 2021 with a budget of \$1 million and a team of 24 artists.

The exhibit is open Wednesday through Monday and admission is \$20 per person. The collaborative company hosts indoor and outdoor events throughout the year such as music festivals and artist markets.

The space can also be booked for private events during and outside of operating hours.

Factory Obscura has plans to expand its footprint in Norman, Oklahoma where they are currently partnering on an exhibit with the Fred Jones Jr. Museum of Art. Expansion into a new 25,000-30,000 square foot building would allow artists to take on larger projects. The collective anticipates their expansion into Norman would bring 560,000 guests and 70 full time jobs to the area by 2028.

<https://www.factoryobscura.com/>

Otherworld, Columbus, OH

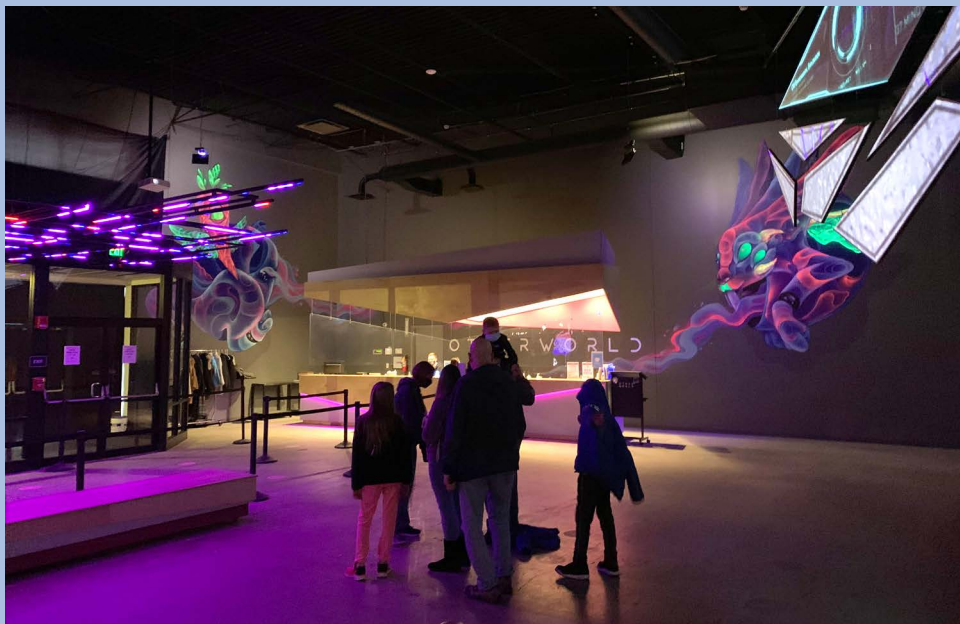
Located in an otherwise vacant shopping center in Columbus, Otherworld is an immersive art experience that attracts visitors from all over the region. It's 32,000 square feet is made up of 47 unique rooms, each with physical and digital interactive art installations. The installations are designed by 40 artists with backgrounds in a range of fields from programming to metalworking.

Otherworld was founded by Jordan Renda, a young entrepreneur with a background in haunted houses and escape rooms. The

concept began with a \$2 million budget, secured through a loan and revenue from Codescape, Renda's escape room company. The initial artist team spent a year planning the before production truly began.

The experience is open to the public, Wednesday through Monday with the admission price of \$25. Otherworld regularly hosts events after hours, including classes, concerts, and performance art.

<https://otherworldohio.com/>



Otherworld immersive art experience in Columbus, OH.

BREWERY/DISTILLERY/ WINERY

Brewery

In the past 20 years, breweries have taken off in the United States. In fact, the Cincinnati region has ranked consistently as one of the top 50 brewing cities in the country. Nonetheless, brewing is not for the faint hearted. As a craft, it takes patience, hard work, good recipes, a methodical approach, and an acute attention to cleanliness to allow fermentation without bacterial growth.

Choosing an identity for the brewing business and writing up a business plan are essential for marketing and competing with other breweries, both in the area and beyond. Some operators open breweries with a specific focus or aim for a certain atmosphere, and many decide on scale of future growth, as a nano brewery, brewpub, or regional brewery level.

Brewery size, scale and product depend on the amount of money available to the entrepreneur. Startup costs range from \$500,000

to more than \$2 million. Microbreweries are slightly less expensive to open at about \$250,000 in startup costs. A person seeking to start a brewery will also need to become fluent in state and local liquor laws, as they determine what will be allowed and prohibited for manufacturing, selling, and distributing alcohol. In Ohio, all breweries require an A-1 liquor license. Costs for a license can range from \$3,000 to as much as \$40,000.

Since an average barrel requires about 1,000 square feet of space, selling beer may only need 1,000 square feet while a production facility will need at least 3,000 square feet of space for operation (Kiss My Brew, 2018). Breweries pair well with other types of programming, such as at Westside Brewery, which incorporates a co-working space. Some breweries also feature wineries and distilleries as part of their operation.

If the city considers a brewery, it must have unique features or qualities that help it become a destination for the surrounding neighborhood and region.

Distillery

A distillery resembles a brewery, but there are key differences. A water source to deliver large amounts quickly, and a cooker, fermenter, and still are needed. Startup costs are steeper than for breweries.

Startup costs for a small distillery begin at about \$500,000 and can easily top several million dollars. More codes and inspections are required for distilleries, and more money and time are needed for maintaining the high safety standards with greater alcohol proofs. Distilleries tend to have a greater tax burden than breweries, making



it wise to expect to have closer to \$1 million in opening costs.

The right kind of facility with permits and a liquor license is needed, and the minimum square footage necessary for a distillery is about 1,000 square feet.

Distilleries provide opportunity to introduce new variations on old classics or explore emerging liquors such as Amari and other herbal liquors.

Opportunities to brand and sell products also include merchandise, such as at Northside Distilling Company, where there is a gift shop where people can buy shirts, alcohol, and shot glasses. Including a giftshop with merchandise has increased their success through expanding marketing without additional costs for advertisements.

A distillery would also work well paired with a restaurant at this location. Based on the existing market and businesses, a distillery would be distinct enough from existing bars to be a destination for Cheviot.

Winery

Wineries begin as agrarian operations, requiring sizeable amounts of land to grow and cultivate

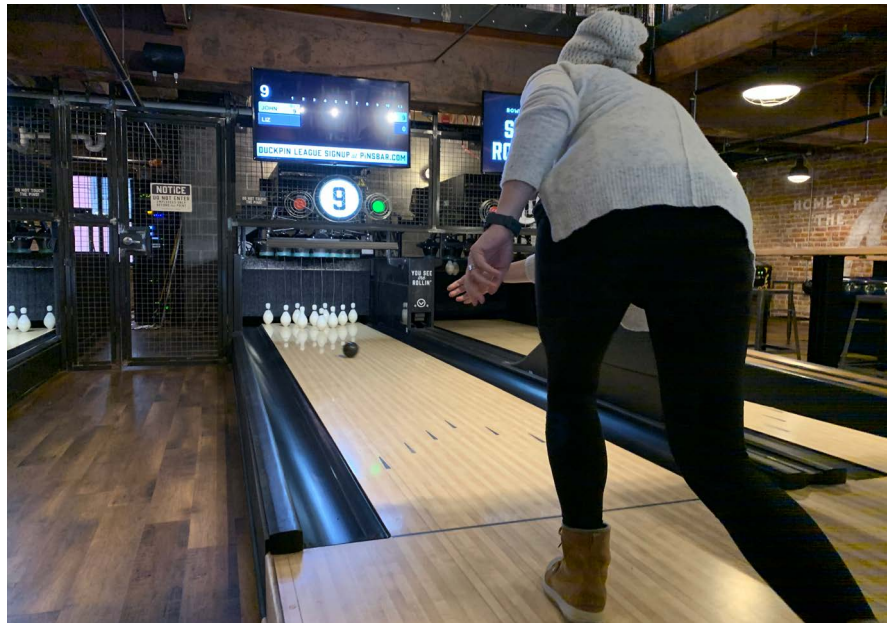
grapes. But once the grapes are grown, they have to be processed aged and bottled someplace. And while, the A-2f license allows wine sales only on-premises which works for rural areas, wineries have been developing tap rooms in neighborhoods and downtowns to build a customer base.

Winery tap rooms often feature wine available for drink, purchase, flights, merchandise and tend to feature local events such as yoga, bands, and art galleries.

DUCKPIN BOWLING/ AXE THROWING

Duckpin Bowling

Duckpin bowling is in the midst of a resurgence. Comparatively older than conventional bowling, this form of bowling uses shorter pins and lanes and smaller balls. These types of businesses drive change by offering a unique experience to draw in a variety of patrons.



Duckpin bowling at Pins Mechanical in Over-the-Rhine.

Axe Throwing

Axe throwing establishments also have become popular destinations in neighborhood entertainment districts. Like shooting and archery facilities, this concept requires fast action, precision, accuracy, and physical force

to hit targets. It tends to be a great activity for groups.

Players must usually agree to terms outlined in a waiver before picking up an axe. Franchises such as Civil Axe Throwing are available and startup costs begins at \$50,000.

Both activities can be combined with other uses such as bar, food service, or gaming arcade to name a few.

Hoppin' Vines, Cincinnati, OH

A local example of duckpin bowling paired with a bar in the area is Hoppin' Vines. Located near the Kenwood Mall, Hoppin' Vines is in a 9,000 square foot facility which formerly housed a TGI Friday's. Since its opening in 2019, a variety of beers, wines, and spirits have been offered alongside Delicio's coal fired pizza. There are six lanes available, and prices are kept reasonable per game. Packages for groups and event hosting are also available. Hoppin' Vines can be a weekend hangout for teenagers, a birthday party with the family, a fun date night out, or a spontaneous activity for those driving through the area (Hoppin' Vines, 2019).

Urban Axes, Cincinnati, OH

A Cincinnati success story is Urban Axes, a national chain which has one of its six locations in Elm Street downtown. It caters to walk-ins, leagues, corporate events, group games, and parties with guests who are 21 years of age and older. Players and those watching can order beer and drink moderately while in the axe throwing ranges. Food from outside of the facility is welcomed.



MAKERSPACE/ARTIST SPACE

Local artists play an important role in our communities and everyday lives, and it is beneficial for artists and makers to have easy access to spaces that provide them with opportunities to both carry out their creative work and share it with the public.

Makerspaces have tools, space and community opportunities that allow it to meet the needs of not only artists but also tradesmen and even hobbyists. They vary in size and amenities offered but allow artists and other creators to produce their goods in house and sell them to the public. This could work well in Cheviot.

Makerspaces generally are flexible, adapting to the needs of local users. Unsurprisingly, makerspaces are often adapted from older buildings. Industrial buildings may be a good match for pottery makers and glass blowers, while buildings with varied lighting may serve painters and sketching artists the best. In general, any available open clear space within a building can work.

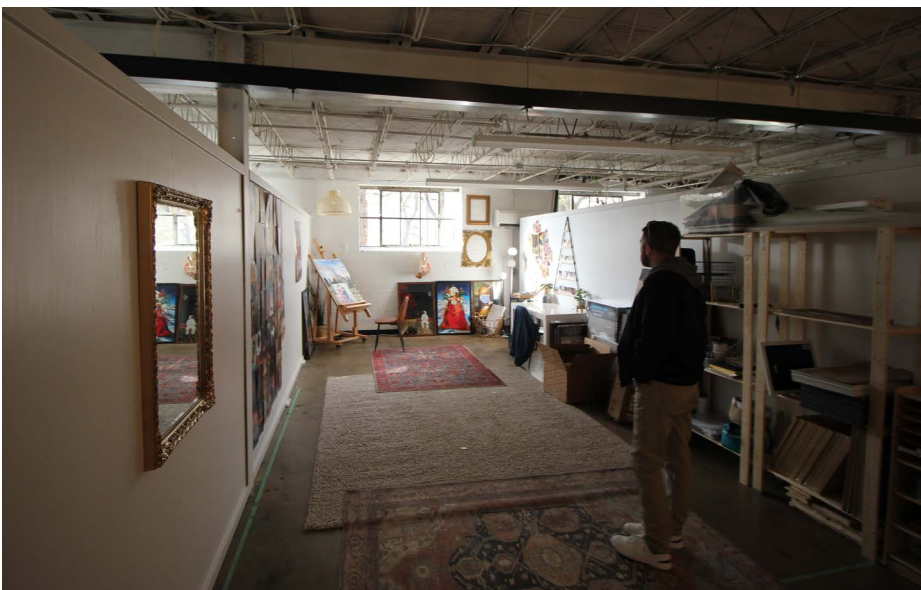
Makerspaces are as small as 2,000 square feet or as large as 18,000 square feet or more, depending on the type of art and space needed for selling items. A jewelry maker or soap maker would need less floor space for a shop than a furniture maker.

Open workspaces combined with stations housing specific machinery for different parts of the creative process, like sewing machines, pottery wheels, or drying racks, areas to manage waste created through these activities, and a place to prepare and store inventory are some of the features that most makerspaces require.

Other machinery that may be needed include sewing machines, oscilloscopes, heat guns, vinyl cutters, specialty printers, shear press, break, and slip rolls, AC/DC power supplies, and hot wire foam cutters. Special permits and licenses may be required depending on the day-to-day activities. Any crafts that generate heavy waste and hazardous materials are strongly discouraged to allow such uses for this site.

A makerspace with multiple users will require an operator and management to run operations. The synergy created by makerspaces encourages residents and visitors to visit local arts and business districts, like The Idea Hatchery in Nashville, TN.

This building could accommodate at least 3-4 different types of crafts, such as carpentry, furniture making, pottery, jewelry making, soap making, candle making, and painting with a moderate number of artists per each station. Spaces for teaching classes or selling products can also be included.



Tyler Station artist and makerspace in Dallas, TX.

Creating a community space for a broad group of people with specific interests who may not already be served is a primary benefit of bringing a makerspace to this part of Cheviot. The building's warehouse area is ideal for industrial type crafts, while floor space near the front windows may complement merchandise displays or holding classes. Other space in the building that had previously been used to stock items when it was a party store may serve the purpose of an artist's giftshop well. Successful makerspaces include Hive13 and 1819 Innovation Hub at the University of Cincinnati. Hive13 is a technology and hard science-based makerspace, and UC's innovation hub includes more artistic and industrial forms of creation.

Potential challenges of a makerspace include the retrofitting costs for the building and creating specific workspaces. Considerations need to be made about the size of the spaces and the types and amount of machinery housed. Aside from the front of the building with large windows, the rest of the building lacks natural light. This may be a feature or a bug depending on the makers interested in the space and the potential usage. Depending on funding, makerspaces may have equipment available for makers to use or makers might be required to bring their own supplies.

Idea Hatchery, Nashville, TN

In 2000, entrepreneurs Meg and Bret MacFadyen moved their design/build company, focused on staging and making scenery for film, television and music videos, to a warehouse in East Nashville. In the new location they established a front gallery space, highlighting works by local, regional and national artists, and business quickly grew.

In 2004, the MacFaydens launched an Arts Festival, and in 2007 partnered to create the I Dream of Weenie hotdog stand, which operated out of a small bus near the warehouse.

In 2011, the couple opened the Idea Hatchery, a business incubator adjacent to the original warehouse. The project offered 8 small "hatches": retail spaces for lease at below-market prices. The modular structures, arranged as pods, ranged from 168 to 320 square feet. They were designed to be moveable should the site ever be cleared for redevelopment.

Quirky and with a very loose design concept, the Idea Hatchery was immediately popular. Low rents allowed small independent businesses to flourish by plugging into nearby neighborhood attractions and some of the most popular small-scale hatches operated at the site for years. Tenants over time included a framer, vintage store, leather goods and other unique merchandise.

In May of 2019, the anticipated redevelopment opportunity emerged and the couple, seeking to retire, sold the property to a larger coworking campus in the neighborhood. Under the new owner the space has become somewhat more refined but continues offering space for small startup retailers and entrepreneurs, carrying on the legacy of the MacFadyens.

3. Demolish Building and Sell As Redevelopment Site

On paper, this site makes for a great development site. **That is something for the city and any future owner to consider in the long-term. That option may not be a practical one at present.**

The primary challenge to a redevelopment is whether there is a profitable market for new product in Cheviot. This is typically determined by what a developer can charge in rent to cover construction, operations, investor return and long-term profit.

The current market rents for residential, office and retail in Cheviot and specifically along Harrison Avenue are:

- Approximately \$1.50/square foot for apartment space
- \$14/square foot for office
- \$17/square foot for retail

New construction apartments typically rent at above \$1.85 - 2.00 a square foot at present. Retail is closer to \$20, and office can range from \$15 to \$25 per square feet new. However, office demand is currently at historic lows and Cheviot would not be a preferred location.

In general, business district success is also driven by strengthening residential populations surrounding the district. One way to do this is to add more housing behind the business district.

Redevelopment of the rear for housing is an option for the site. When combined with the existing city parking lot at Gamble and Glenmore, there is potential capacity for townhomes or small apartment buildings. The lot is

approximately 9,200 square feet in size. If the existing building is maintained, access to the loading dock should be maintained.

Regulatory revisions are necessary for this option to happen. The city should remove parking requirements within this district to reduce required parking. This would not eliminate the need for spaces altogether as the number of stalls necessary is determined by investor and bank financing of a potential development.

Low Income Housing Tax Credit (LIHTC) funded development could also be a component of any development on this site. Specifically, there is desire for senior housing, as median ages in Cheviot increase, existing residents should have the option to age in place. This site could help address that need.

Long term, the site could have a higher and better use. But in the near term it is unlikely to attract developer interest without impossibly high subsidy, LIHTC financing or both.

Nonetheless, the city should invest in preparing for development along the entire corridor.

PART III: GETTING STARTED

TOOLS AND INCENTIVES
NEXT STEPS

Tools and Incentives

Below is a list of potential programs, grants and policies that may help in crafting financing incentives for sale or redevelopment of the site:

Façade Improvement Grant: Cheviot officials recently received funding from Hamilton County to develop a façade improvement grant. While the requirements and conditions for the grant are not determined as of the writing of this report, there are several best practices that can help the city in building a successful grant program:

- Grant should match 25%-50% of applicable project budget.
- Guidelines should clearly set out what can and cannot be funded for repair
- Façade improvement should have a term of compliance requirement as a condition for awarding the grant
- Applicants must be in good standing with pertinent government entities and have no fines or charges related to the building's condition

New Markets Tax Credits: The New Markets Tax Credit Program (NMTC) is a tool for attracting private investment to low-income communities, with the goal of breaking cycles of disinvestment. Individuals and corporate investors make equity investments in Community Development Entities (CDEs) and in exchange receive a tax credit against their federal income tax. In the Cincinnati region, Cincinnati Development Fund is the local CDE.

CDEs are awarded NMTCs through a competitive process administered by The CDFI Fund, a branch of the U.S. Treasury. Once equity investments are made by private investors, the CDE can make loans and investments to busi-

Census Tract: 39061020902
Status
Severe Distress or Non-Metropolitan
Percent of People in Poverty
27.7
Tract Income as % of AMI
56.78
Population
5,387
Median Family Income
40,086
Area Median Income
70,599
*Data for period between 2011-2015
Source: <https://www.novoco.com/resource-centers/new-markets-tax-credits/data-tools/nmtc-mapping-tool>

nesses operating in low-income communities. The terms and rates are much better than what businesses could access in the market.

Investment spurs business growth, job creation, and catalyzes further development and revitalization. As the location in study is in an eligible census tract for NMTCs, it is recommended the city or future operator work with Cincinnati Development Fund for funding through the program.

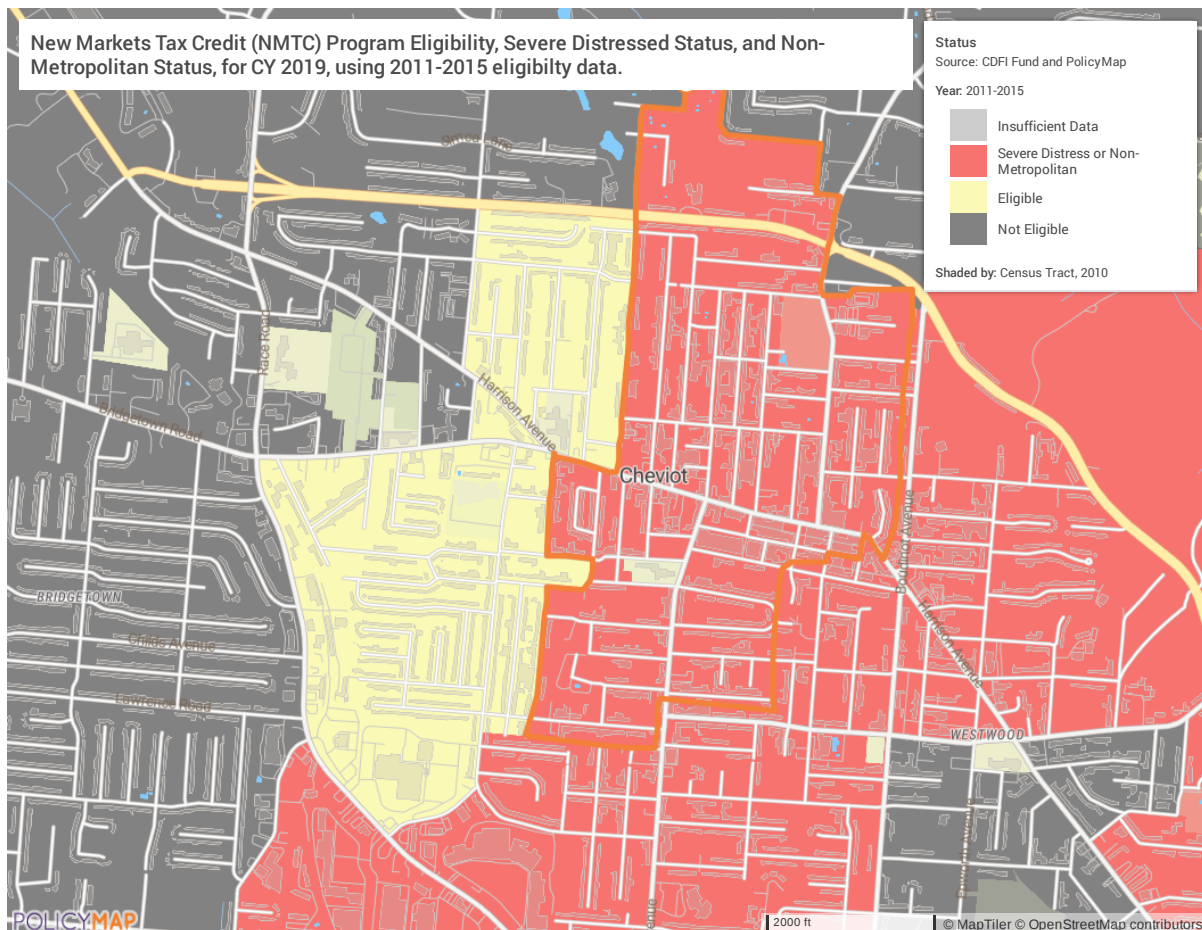
Tax Incremental Finance (TIF) Districts: TIF districts divert tax revenue rises from appreciated property values from general city funds into a separate account. These then can be used for public infrastructure improvements such as streetscapes, multi-modal infrastructure, or parking garages. The City should consider enacting a TIF over its business district to help facilitate this funding tool as an option for future development of this site and beyond. Initial revenues might be slight but if the funds generated are used to fund new public infrastructure and reinvestment in the existing, momentum along the corridor would steadily build and returns along with it.

CRA: A program already in place is the Community Reinvestment Area (CRA) tax abatement program. The CRA exempts up to 50% of collected taxes at current rates for up to

15 years if a commercial or industrial property within the zone rehabilitates or builds new construction with a minimum investment of \$500,000. The project must be located within the business district.

Community Development Block Grant (CDBG) Funding: Administered through the county, these grants can be used for an array of activities concerning property improvement and redevelopment. The City may consider using these funds for demolition of the building for redevelopment, or funding potential public improvements on or around the site.

Other City Incentives: Cheviot currently offers a microloan program through First Financial Bank. This program is limited to business start-ups with annual revenue less than \$500,000 or with less than 10 employees.



Source: <https://www.novoco.com/resource-centers/new-markets-tax-credits/data-tools/nmtc-mapping-tool>

Next Steps

MOVING FORWARD

Harrison Avenue, and to a degree Cheviot, is not competitive with peer community neighborhoods. This is a challenge that is not unique to the city. Other peer first ring suburban communities share similar challenges with aging infrastructure, housing stock and declining populations. They lack the economic capital of newer suburban communities further from the core, and the resources of neighborhoods within the much larger City of Cincinnati.

One disadvantage for development in the city is the lack of a Community Development Corporation (CDC). Cheviot has a variety of civilly engaged groups with some capacity. These

groups range from the City, to the Business Alliance and the Cheviot Community Foundation. There are also regional resources such as from Hamilton County or Alloy (formerly the Hamilton County Development Corporation) which provide more targeted assistance. However, a CDC can strategically target these resources in a concentrated investment strategy that can be a catalyst. 3625 Cheviot Avenue can be that catalytic opportunity.

The building is situated adjacent to one of the city's main intersections, Harrison and Glenmore Avenues. This intersection can serve as a critical node in an incremental and focused community redevelopment strategy led by a Cheviot CDC. Additionally, the CDC can own



real estate, freeing the city to be a partner in repositioning the corridor without bearing the continuing costs associated with building management, upkeep and tenanting.

In real estate, site control is everything, for this site, either the City retains ownership or determines an appropriate buyer of choice, one aligned with the communities' vision for the building and the corridor.

Determining the City's objectives for this site is step one. Step two is figuring out how to market it.

We recommend that Cheviot develop an RFP process to field proposals for redevelopment of the building. The City should consider working with a commercial real estate broker to lead marketing and sale negotiations for the building. The broker will develop and manage the RFP process, field inquiries, and reach out to existing businesses looking to expand. They will also evaluate potential users, review business plans and financial records for each as well as evaluate the proposals likely impact on the Harrison Avenue business district.

Cheviot may also want to consider short-term leasing as a strategy to build awareness and provide activation of the space. The building could be leased to potential operators to prove or demonstrate concepts. The front section of the building is an open floor plan and can allow multiple users to share the space with minimal construction needed. Customers could also be invited to share stories, photos, and other media of when the building was Okum's or memories of Bonnie Lou. Potentially in partnership with arts organizations to celebrate the buildings story and its impact on the community. Successful ventures could be potential future purchasers of the building.

RECOMMENDATIONS

This report has outlined three possible paths with options for each. But only action drives a plan forward. So, to that end it is recommended the city do the following:

1. Utilize the RFP process to identify potential owners with capacity: The City should initiate an RFP process for the building, working with professional advisors who understand the real estate industry. This is, to some extent, a fishing expedition but it will both promote the opportunity and, potentially, help to define the level and type of interest. The goal is to attract an operator of both vision and means, with a solid business plan, operational capacity, and investment capital to execute.

2. Build a brand identity for the City and Harrison Avenue: Cheviot is an unknown quantity to much of the region, its assets unknown to many who might appreciate them. The city needs a recognizable brand, one that extends beyond a clever catch phrase or insignia. A brand is both a promise and a narrative. For a city with a history as rich as that of Cheviot, stories are easily found. For example, this building's connection to country singer Bonnie Lou Okum allows for promotion opportunities which could tout the city's mid-century modern aesthetic.

3. Build a leasing strategy focused on the entire corridor: The city needs to proactively recruit within the Harrison Avenue Business District. Recruitment centers on this building, but its next iteration will drive momentum in the rest of the corridor. A leasing strategy ties things together, establishing vision and goals, focusing opportunity, identifying key assets and ultimately fostering success and growth.

APPENDIX

PARKING ANALYSIS METHODOLOGY

Parking was calculated for a 1300 ft (five-minute walk) from 3625 Harrison Avenue. Google Maps was used to identify streets with restricted parking, such as Davis Avenue, Trevor Avenue, and Lovell Avenue, as well as to count parking meters along major roads like Harrison Avenue and Glenmore Avenue.

Curb cuts, fire hydrants, and places where parking is marked as not permitted were measured in feet and subtracted from the length of each street within the specified boundary examined herein. This remaining total was divided by 12 feet, the standard length of a car, to obtain parking spot counts for each street near 3625 Harrison Avenue.

There are a total of 130 metered parking spots available. Streets with metered parking include North Bend Road (18), Harrison Avenue (81), Cheviot Avenue (11), and Glenmore Avenue (20).

Two of the three public lots, which are near the building, offer a combined 93 parking spots, and the third public lot along North Bend Road and Harrison Avenue offers an additional 28 parking spots. The onsite parking lot has 27 parking spots available.

There is a further total of 139 unmetered parking spots available. Streets with unmetered parking are Washington Avenue (4), Trevor Avenue (6), Delmar Avenue (4), Davis Avenue (3), Olivette Avenue (15), Carson Avenue (15),

Lovell Avenue (25), Kessen Avenue (3), Glenmore Avenue (4), Gamble Avenue (18), Mozart Avenue (25), Everette Avenue (10), and Cheviot Avenue (7).

The surrounding area offers a total of 417 parking spots. This is enough to manage parking needs for potential new customers of 3625 Harrison Avenue, customers and employees who work in the surrounding area as those who live on residential streets that were included herein.

Section

General Provisions

- 150.01 Short title
- 150.02 Interpretation and purpose
- 150.03 Definitions

Maps and Districts

- 150.04 Zones of city
- 150.05 Building restrictions

Use Regulations

- 150.06 Residence and R-1 Districts
- 150.07 Business District
- 150.08 Multiple Zone District use regulations
- 150.09 Office and Professional District use regulations
- 150.10 Nonconforming use regulations
- 150.11 Height, yard, and court regulations
- 150.12 Height, yard, and court exceptions
- 150.13 Off-street parking requirements
- 150.131 Overlay Zoning District

Zoning Board of Appeals

- 150.14 Board of appeals created

Administration

- 150.15 Enforcement
- 150.16 Pending applications for building permits
- 150.17 Certificate of occupancy for zoning only
- 150.18 Remedies

Telecommunications Towers

- 150.20 Wireless and cellular telecommunications towers and facilities
- 150.21 Removal of abandoned wireless and cellular telecommunication towers and facilities

- 150.99 Penalty

Cross-reference:

Zoning changes, Table of Special Ordinances, Table VII

GENERAL PROVISIONS

§ 150.01 SHORT TITLE.

This chapter shall be known as the building zone code or zoning code.

('73 Code, § 150.01)

§ 150.02 INTERPRETATION AND PURPOSE.

The provisions of this chapter shall be the minimum requirements adopted for the promotion of the public health, safety, convenience, comfort, prosperity, and general welfare. Where this chapter imposes a greater restriction upon the use of buildings or premises or upon heights of buildings, or requires larger yards, courts, or other open spaces than are imposed or required by other provisions of law or ordinance, the provisions of this chapter shall control.

§ 150.03 DEFINITIONS.

For purposes of this chapter the following words and phrases shall have the following meanings ascribed to them respectively. Any words not herein defined shall be construed as defined in the building code.

ALLEY. Any public or private way, less than 21 feet in width.

APARTMENT. A dwelling unit designed for, or occupied by one family.

(1) **APARTMENT, EFFICIENCY.** An apartment which has a floor area of 800 square feet or less within its peripheral walls.

(2) **APARTMENT, REGULAR.** An apartment which has a floor area of more than 800 square feet within its peripheral walls.

AUTOMOBILE TRAILER. Any licensed vehicle used for sleeping or living quarters, or intended to be used for sleeping or living quarters, propelled either by its own power or by another power-driven licensed vehicle to which it may be attached, and having no foundation other than wheels with pneumatic tires.

BASEMENT. That portion of a building below or immediately above grade and not used for habitation other than janitor's or watchman's quarters. A basement shall not be considered as a story if the floor level is not less than 3 feet 6 inches below the average grade at the exterior walls of the building.

BILLBOARD SIGN. Any board, panel, tablet, or other sign placed in view of the general public for advertising purposes, where less than 60% of the area of the announcement, declaration, demonstration, display, or insignia appearing thereon is used to advertise the business conducted on the premises and minor products or commodities incidental thereto. The term **BILLBOARD SIGN** shall not be deemed to include any sign permitted in the residence district.

BOARD. The zoning board of appeals as created by § 150.14 of this chapter.

BUILDING. Any structure used or built for the shelter or enclosure of persons, animals, or chattels.

BUILDING, HEIGHT OF. The mean vertical distance from the average established grade in front of the lot, or from the average natural grade at the building line, if higher, to the average height of the top of the cornice of flat roofs, or to the deck line of a mansard roof, or to the mid-height of the highest gable or dormer in a pitched or hipped roof, or, if there are no gables or dormers, to the mid-height of a pitched or hipped roof. Where a lot faces on 2 or more streets or alleys of different average established grades in front of the lot, the higher of the grades shall control only for a depth of 120 feet perpendicularly back from the street line of the higher street or alley. On a corner lot, the height is the mean vertical distance from the average established grade, or from the average natural grade at the building line or, if higher, on the street of greatest width, or if 2 or more such streets are of the same width, from the higher of the grades.

BUSINESS DISTRICT. A business district situated in the city only.

CITY. The City of Cheviot, and all areas within its boundaries.

COURT. An open space other than a yard on the same lot with a building.

(1) **COURT, INNER.** Any court other than an outer court.

(2) **COURT, OUTER.** A court extending to and opening upon a street, alley, or required yard.

DWELLING. A building occupied as an abode by one or more persons.

(1) **DWELLING, SINGLE-FAMILY.** A dwelling designed for or occupied exclusively by one family.

(2) **DWELLING, TWO-FAMILY.** A dwelling designed for or occupied exclusively by 2 families.

(3) **DWELLING, THREE-FAMILY.** A dwelling designed for or occupied exclusively by 3 families.

(4) **DWELLING, FOUR-FAMILY.** A dwelling designed for or occupied exclusively by 4 families.

(5) **DWELLING, MULTIPLE.** A dwelling designed for or occupied by more than 2 families.

FAMILY. An individual or 2 or more persons related by blood or marriage, or a group of not more than 5 persons (including servants), who need not be related by blood or marriage, living together in a dwelling or apartment.

GARAGE, PRIVATE. A building or a portion of a building, in which only motor vehicles used by the occupants of the building or buildings on the premises are stored or kept.

GARAGE, PUBLIC. A garage, other than a storage garage, where self-propelled vehicles or trailers are stored, equipped for operation, repaired, or kept for remuneration, hire, or sale.

HOTEL. Any dwelling licensed as such by the state fire marshal, and kept, used, maintained, advertised, or held out to the public to be a place where food is served and sleeping accommodations are offered for pay to transient guests, in which 6 or more rooms are used for the accommodations of such guests, and having one or more dining rooms directly accessible from within the dwelling.

LOT. A piece or parcel of land, abutting on a street, whose area, in addition to the parts thereof occupied or which may hereafter be occupied by a building and buildings accessory thereto, is sufficient to furnish the yards and courts required for compliance with this

chapter. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at its points of beginning within the lot, or at the points of intersection of the interior side lot lines with the street lot line, form an interior angle of less than 135 degrees. The point of intersection of the street lot lines or the tangents to curves is the corner.

LOT, CORNER. Any lot abutting upon 2 intersecting streets at their intersection, or upon 2 parts of the same street, and, in either case, forming an interior angle of less than 135 degrees.

LOT LINES. The lines bounding a lot.

(1) **LOT LINE, FRONT.** The line dividing a lot from a street. On a corner lot only one street line shall be considered as a front line; provided that where the length of a shorter street line is less than 90% of the length of the longer street line, the shorter street line shall be considered the front lot line.

(2) **LOT LINE, REAR.** The lot line opposite the front lot line. In the case of an irregular, triangular, or gore-shaped lot, it shall mean a line within the lot, 10 feet long, parallel to and at the maximum distance from the front lot line.

(3) **LOT LINE, SIDE.** Any lot line not a front lot line or a rear lot line.

MARIJUANA. Shall have the same meaning as marijuana as defined in § 3719.01 of the Revised Code.

MEDICAL MARIJUANA. Marijuana that is cultivated, processed, tested, possessed, or used for medical purposes.

MOTEL. A building or group of buildings used for the temporary residence of transient motorists or travelers.

NONCONFORMING USE. One that does not conform with the use regulations of the district in which it is situated.

NURSING HOME. Any home used for the reception and care, for a consideration or not, of 3 or more persons who, by reason of illness or physical or mental impairment, require skilled nursing care. Skilled nursing care means those procedures commonly employed in providing for the physical, emotional, and rehabilitative needs of the ill or otherwise incapacitated which require technical skills and knowledge beyond that which the untrained person possesses.

OVERLAY ZONE. A zoning district that is applied over one or more previously established zoning districts, establishing additional or stricter standards and criteria for covered properties in addition to those of the underlying zoning district.

PERSON. A mature person, his heirs, executors, administrators, or assigns, and also including firms, partnerships, or corporations, its or their successors or assigns, or the agent of any of them.

ROOMING HOUSE. A dwelling occupied by 3 or more roomers, or in which 3 or more rooms are kept, used, maintained, advertised, or held out to the public to be a place where sleeping accommodations are offered for pay, provided that **HOTELS** as herein defined, and any dwelling in which one or 2 rooms within individual dwelling units are let out by the occupants of the units shall not be construed to be rooming houses for purposes of this chapter. No person shall operate or permit to be operated a rooming house without having a license or temporary certificate to do so, obtained from the safety-service director.

STORY. That part of a building, included between any floor and the floor or roof next above; provided, that for any purposes of regulating the dimensions of yards and courts, when the average story height of any building exceeds 12 feet, each 12 feet or fraction thereof of total building height shall be considered as a separate story, except the first story, which may be 15 feet high. A mezzanine story shall be deemed a full story where it covers more than 50% of the area of the story next below.

STREET. Any public or private way not less than 21 feet in width, whose primary function is to furnish the chief means of access to the properties abutting it.

STRUCTURE. Anything constructed, the use of which requires a permanent location on the ground, or attached to something having a permanent location on the ground.

STRUCTURAL ALTERATION. Any change in the structural members of a building, such as walls, columns, beams, or girders.

VACANT. That the building or land has not been used or occupied in whole or in part by any lawful nonconforming use for a period of 2 years.

WAREHOUSE. A building where wares or goods are stored.

YARD. An open space on the same lot with a building.

(1) **YARD, FRONT.** A yard extending across the full width of the lot, and measured between the front lot line and the building.

(2) **YARD, REAR.** A yard extending across the full width of the lot, and measured between the rear lot line and the building.

(3) **YARD, SIDE.** A yard extending from the front yard to the rear yard and measured between the side lot line and the building.

(73 Code, § 150.03) (Am. Ord. 19-24, passed 9-17-19; Am. Ord. 19-25, passed 12-3-19)

MAPS AND DISTRICTS

§ 150.04 ZONES OF CITY.

(A) For the purpose of this chapter, the city is divided into the following districts or zones:

(1) Residence.

- (2) R-1.
- (3) Multiple.
- (4) Business A.
- (5) Business B.
- (6) Business B-1.
- (7) Office and Professional.
- (8) Business B Overlay Zone (as described in § 150.131).

(B) The boundaries of these districts are established as shown on the building zone map, which is located in the office of the clerk. Where a district boundary line divides a lot which was in single ownership, and of record on the effective date of this chapter, the use authorized on and the district requirements of the least restricted portion of the lot shall be construed as extending to the entire lot; provided, that such extension shall not include any part of the lot which is more than 25 feet from the district boundary line. Questions concerning the exact location of district boundary lines shall be determined by the board as provided in § 150.14 (D).

('73 Code, § 150.04) (Am. Ord. 19-24, passed 9-17-19)

§ 150.05 BUILDING RESTRICTIONS.

(A) No building shall be erected, reconstructed, or structurally altered for any use, nor shall any building or premises be used other than as permitted in the district in which the building or premises is located.

(B) No building shall be erected, reconstructed, or structurally altered to exceed the height limits herein established for the district in which the building is located.

(C) No building permit for any residential construction or any improvement for new construction shall be issued, unless the real estate upon which the construction is proposed shall consist of a lot having a minimum frontage of 21 feet on a public dedicated street or way. There shall be 21 feet of such frontage for each permit issued.

(D) (1) Any territory that shall be annexed to the city shall be governed by and subject to whatever zoning laws and regulations are applicable to the abutting and contiguous lot or parcel of land in the city.

(2) In the event that the territory annexed to the city shall abut and be contiguous to lots or parcels of land in the city which are in more than one zone as provided by the zoning laws of the city, the territory shall be governed by and subject to the zoning laws and regulations applicable to the various lots or parcels of land abutting and contiguous to said territory.

(E) Every lot or tract of land on which there is erected a single-family or 2-family residence shall have an area of not less than 7,500 square feet for a single-family residence and not less than 10,000 square feet for a 2-family residence, excluding lots of record on date of passage of this section. Irregular shapes, panhandles, and other narrow appendages with less than 50 feet of width shall not be calculated in the determination of the required minimum lot area.

(Ord. 1457, passed 8-15-89; Am. Ord. 02-28, passed 1-15-02)

(F) Every lot or tract of land on which there is erected a multiple dwelling unit shall have a minimum area as follows:

- (1) In Multiple District:
 - (a) 1,500 square feet for each regular apartment;
 - (b) 800 square feet for each efficiency apartment.
- (2) In Business District no density requirements apply except as controlled by setbacks, yards, and parking requirements.

('73 Code, § 150.04) Penalty, see § 150.99

USE REGULATIONS

§ 150.06 RESIDENCE AND R-1 DISTRICTS.

In the Residence and R-1 Districts, the following uses only are permitted:

- (A) In the Residence Districts, single-family and two-family dwellings, as well as the other uses permitted by this section.
- (B) In the R-1 Districts, single-family dwellings, as well as the other uses permitted hereinafter in this section. However, lots in the R-1 Districts shall have a minimum width of 50 feet at the building line.
- (C) Churches and other places of worship, Sunday school buildings, and parish houses.
- (D) Schools, educational institutions, colleges, including dormitories, public libraries, public museums, and public art galleries.
- (E) Municipal buildings or properties, except for any use that is customarily conducted as a gainful business.
- (F) Parks, recreational and community center buildings, and grounds for games or sports, except those where the chief activity is carried on or is one customarily carried on primarily for gain.

(G) Hospitals, nursing homes, dispensaries, sanitariums, physicians' offices, clinics, and treatment rooms, and other welfare or charitable institutions (other than penal or correctional institutions, and those primarily for the care and treatment of epileptics or drug addicts, or alcoholics or the insane); provided no part of any such building is located within 50 feet of any adjoining lot in the residence district not used for a similar purpose. However, "dispensaries" as used in this subsection shall not include dispensaries for medical marijuana, as defined in this chapter and R.C. Chapter 3796.

(H) Cemeteries adjacent to or in extension of cemeteries existing on the effective date of this chapter.

(I) Telephone exchanges and static transformer stations, provided there is no yard or garage for service or storage.

(J) Greenhouses, nurseries, truck gardens, and farms, including the usual farm uses and buildings; provided no part of any greenhouse heating plant or any building in which farm animals are kept is located within 100 feet of the adjoining lot in the residence district not used for a similar purpose, and provided that greenhouses, nurseries, truck gardens, and farms may not cultivate or process medical marijuana, as defined in this chapter and R.C. Chapter 3796.

(K) Accessory uses and structures customarily incident to any permitted use and located on the same lot therewith, including private garages, carports, stables, and sheds, provided that such accessory uses shall not include the conduct of any business or industry or any private way, driveway, or walk giving access thereto. Accessory uses shall include:

(1) The leasing of rooms by a resident proprietor, provided the total number of roomers and boarders does not exceed six.

(2) The office of a resident person, provided that not more than 1/3 of the floor area of one story is devoted to such use, and in which not more than one person not a resident of the premises is employed.

(3) Home occupations, when conducted and entered from within the dwelling, and in which no persons not residents of the premises are employed; provided that not more than one-third of the floor area of one story is devoted to such use, and that no display of goods or commodities pertaining to such use is visible from the street. In connection with such occupation, no goods or commodities shall be sold on the premises, and no mechanical equipment used except such as is customarily employed for domestic or household purposes. Home occupations within the city limits may not engage in the commerce of medical marijuana, as defined in this chapter and R.C. Chapter 3796.

(4) Garage or parking space for four motor vehicles or trailers on any lot. Such space may be increased provided that the area of the lot shall contain not less than 1200 square feet for each motor vehicle, or trailer stored. Only one commercial motor vehicle, not exceeding 1-1/2 tons capacity, may be stored on any lot; this does not apply to the storage of such vehicles used exclusively for a conforming use. Garage space for not more than two motor vehicles may be rented to persons not occupants of the premises.

(5) The keeping of fowl or small animals not primarily for gain. Any building or enclosure for such fowl and animals shall be located in the rear yard, and shall be at least 20 feet from every adjoining lot in the residence district.

(6) The keeping of horses, cows, and other livestock not primarily for gain, and only within an enclosure which shall be at least 100 feet from every adjoining lot in the residence district.

(7) The sale only of vegetables, fruits, flowers, shrubs, trees, and farm products raised on the premises.

(8) Signs and canopies extending from any building or structure may project within three feet of the curb line, and must have a minimum height of ten feet from the sidewalk grade.

(L) Restricted parking lots, where the area is adjacent to a business district, or is separated therefrom by a street or alley not over 30 feet in width. Such restricted parking lots shall be subject, however, to the following conditions and limitations:

(1) The parking lot shall be for use in connection with uses located in the adjacent business district.

(2) The parking area shall be not less than 7,500 square feet, and shall abut at least 75 feet on the adjoining business district or on the alley or street constituting the boundary.

(3) The lot shall be used solely for the parking of passenger automobiles.

(4) The lot shall not be used for repair work or servicing of any kind.

(5) No charge shall be made for parking.

(6) No signs of any kind shall be erected on the lot.

(7) Such other or further conditions, as the zoning board of appeals may deem desirable, to reduce the adverse effect of a parking lot upon the preservation of the residential character and development of the residence district in which the parking lot is located.

(M) Septic tanks and sewage disposal plants publicly owned and operated.

(N) No outside storage except operable motor vehicles shall be permitted.

(O) No property or building shall be used in the Residence and R-1 Districts for the cultivation, processing, or sale of medical marijuana, as defined in this chapter and R.C. Chapter 3796.

('73 Code, § 150.06) (Am. Ord. 06-14, passed 10-3-06; Am. Ord. 19-25, passed 12-3-19) Penalty, see § 150.99

§ 150.07 BUSINESS DISTRICT.

(A) In the Business "A" District, any use is permitted except the following:

- (1) Uses hereinafter prohibited in the Business "B" District.
 - (2) Bakeries.
 - (3) Billboard signs.
 - (4) Bottling works, brewing or distilling of liquors.
 - (5) Carting, express, hauling, or storage yards.
 - (6) Crematory, except in a cemetery.
 - (7) Livery stables and riding academies.
 - (8) Road houses, dance halls, and commercial summer gardens.
 - (9) Stone or monument works.
 - (10) Storage, baling, or treatment of junk, iron, rags, bottles, or scrap paper.
 - (11) Storage warehouses.
 - (12) Wholesale warehouses.
 - (13) Any fabrication, manufacturing, treatment, converting, altering, finishing, or assembling uses, except for products retailed primarily from the premises.
 - (14) Outside storage, except operable motor vehicles in use.
 - (15) No gasoline filling, oil, or greasing service station shall be erected or located within 175 yards of any property used as a church, hospital, or school.
 - (a) No such station shall be erected upon any lot, the dimension of which is less than 150 feet front by 150 feet depth at right angles.
 - (b) No buildings other than the gasoline station buildings shall be erected or permitted to remain on the premises.
- (B) In the Business "B" District, any use is permitted except the following:
- (1) Abattoirs, slaughter houses, and stock yards (except for poultry incidental to a retail store).
 - (2) Acetylene gas manufacture in excess of 15 pounds pressure per square inch.
 - (3) Ammonia manufacture.
 - (4) Animal hospitals and structures where small animals are boarded, if within 200 feet of the residence district.
 - (5) Asbestos manufacture.
 - (6) Asphalt manufacture or refining.
 - (7) Babbitt metal manufacture.
 - (8) Bag cleaning.
 - (9) Bleaching powder or chlorine manufacture.
 - (10) Boiler shops, structural steel fabricating shops, steel car or locomotive shops, railway repair shops, machine shops, or metal working shops operating reciprocating hammers or chisels or other noise-producing machine-operated tools.
 - (11) Brewing and distilling of liquors except for micro-breweries. For purposes of this section, a **MICRO-BREWERY** shall be defined to mean a small scale facility for the brewing of beer for sale and consumption on the premises and for sale for consumption off of the premises. Production shall not exceed 10,000 barrels of beer annually. A micro-brewery may include a restaurant or bar to facilitate tasting and retail sales. Nothing in this section shall exempt a micro-brewery from compliance with any provision of R.C. Title 43 or with the corresponding state regulations.
 - (12) Brick, tile, or terra cotta manufacture.
 - (13) Bronze powder manufacture.
 - (14) Carbon, lampblack, or graphite manufacture.
 - (15) Celluloid or pyroxylin manufacture; explosive or flammable cellulose, or pyroxylin products manufacture.
 - (16) Cement, lime, gypsum, or plaster of paris manufacture, or the manufacture of products therefrom.
 - (17) Coal tar manufacture, tar distillation, or mineral dye manufacture.
 - (18) Coal yards, except where the coal is stored in dustproof containers and the dust controlled by means of effective devices.
 - (19) Coke ovens and distillation of coal.

- (20) Cooperage works.
- (21) Corrosion of aluminum, copper, iron, tin, lead, or zinc.
- (22) Creosote manufacture or treatment.
- (23) Disinfectant or insecticide manufacture, preparation or compounding on a commercial scale.
- (24) Electroplating.
- (25) Emery cloth or sandpaper manufacture.
- (26) Enameling, japanning, or lacquering, except incidental to a permitted use.
- (27) Excelsior and fibre manufacture.
- (28) Explosive, or fireworks manufacture, or the storage or loading of explosives in bulk.
- (29) Fat rendering, tallow, grease, or lard refining, or manufacture of candles from fats.
- (30) Felt manufacture, except where dust is controlled by means of effective devices.
- (31) Fertilizer manufacture from organic material or bone distillation, or compounding on a commercial scale.
- (32) Flour milling.
- (33) Foundries, forge shops, or cupolas.
- (34) Gas manufacture of more than 5,000 cubic feet per day.
- (35) Gasoline or oil storage above the ground in quantities exceeding 50 gallons.
- (36) Glucose manufacture.
- (37) Glue or size manufacture or processes involving recovery from fish or animal offal, or fish smoking or curing.
- (38) Ice plant or storage houses of more than 5 tons daily capacity.
- (39) Incineration, reduction or dumping of offal, dead animals, garbage, or refuse on a commercial basis, including loading and transfer platforms.
- (40) Linoleum manufacture.
- (41) Match manufacture.
- (42) Nitrating processes.
- (43) Oilcloth, oiled clothing manufacture, or the impregnation of any fabric by oxidizing oils.
- (44) Paint, oil, shellac, size, varnish, enamel manufacture, or the grinding of colors by machinery.
- (45) Penal or correctional institutions, or institutions for the care or treatment of epileptics or drug or drink addicts or the insane, except where located at least 250 feet from the residence district.
- (46) Petroleum refining.
- (47) Poison manufacture, except for pharmaceutical or medical purposes.
- (48) Potash refining.
- (49) Printing ink manufacture.
- (50) Pulp and paper manufacture.
- (51) Radium or any radioactive material extraction.
- (52) Raw or green salted hides or skins, their curing, dressing, or tanning.
- (53) Rock crushing.
- (54) Rolling or blooming mills.
- (55) Rubber, caoutchouc, or gutta percha manufacture from crude or scrap material, or the manufacture of articles therefrom or from balata, except incidental to tire repairing.
- (56) Salt works.
- (57) Sand blasting or cutting, except where the dust is controlled by effective devices.
- (58) Sewage disposal plants, except those operated by the city.
- (59) Smelting or reduction of ores or metallurgical products.

- (60) Soap, soda ash, caustic soda, or washing compound manufacture.
- (61) Starch or dextrine manufacture.
- (62) Stock yards.
- (63) Stone or monument works, where the aggregate horsepower for driving mechanical equipment for such use exceeds ten horsepower.
- (64) Storage, baling, or treatment of junk, rags, bottles, or scrap paper, except within a building, and where no power-driven devices are employed.
- (65) Sulphurous, sulfuric, nitric, picric, hydrochloric, or other corrosive acid manufacture, their use or storage in quantities exceeding five gallons.
- (66) Sugar refining.
- (67) Tar or asphalt roofing or waterproofing manufacture.
- (68) Turpentine manufacture.
- (69) Vinegar manufacture.
- (70) Welding, except incidental to a permitted use.
- (71) Wire or rod drawing; nut, screw, or bolt manufacture.
- (72) Wood distillation.
- (73) Wool pulling, scouring, or shoddy manufacture.
- (74) Yeast manufacture.
- (75) Any other fabricating, manufacturing treatment, converting, altering, finishing, or assembling uses, where more than 25% of the total actual floor area of the building is occupied by mechanical equipment, and where the aggregate floor area occupied by the mechanical equipment exceeds the gross area of the entire ground story.
- (76) Public garages having any opening in the side or rear walls or roof within 50 feet of the residence district, not equipped with fixed wire glass sashes in incombustible frames.
- (77) Gasoline filling, oil, and greasing stations having any oil-draining pit or exposed appliance located within 12 feet of any street line, or within 50 feet of the residence district, except where such appliance or pit is within a building and at least 12 feet from every vehicular entrance or exit to the premises.
- (78) Stables, storing or handling manure or bedding within 25 feet of any street line, or within 100 feet of any adjoining lot in the residence district.
- (79) Any use which may be noxious or offensive by reason of the emission of odor, dust, smoke, gas, fumes, water-carried waste, noise, or vibration, except that such uses may be permitted by action of the board as provided in § 150.10 (E).
- (80) Outside storage, except operable motor vehicles in use.
- (81) No gasoline, filling, oil, or greasing service station shall be erected or located within 175 yards of any property used as a church, hospital, or school.
 - (a) No such station shall be erected upon any lot, the dimension of which is less than 150 feet front by 150 feet depth at right angles.
 - (b) No buildings other than gasoline station buildings shall be erected or permitted to remain on the premises.
- (82) The use of a property or building for the cultivation, processing, or sale of medical marijuana, as defined in this chapter and R.C. Chapter 3796, is prohibited in Business A, B, and B-1 Districts.
- (83) All above uses shall apply except those incidental to a permitted use by the Board of Zoning Appeals.

(C) In the Business B-1 District, the same uses shall be permitted as in the Business B District. However, a ten-foot front yard setback shall also be required.

('73 Code, § 150.07) (Ord. 97-25, passed 9-3-97; Am. Ord. 06-14, passed 10-3-06; Am. Ord. 14-3, passed 2-18-14; Am. Ord. 19-25, passed 12-3-19) Penalty, see § 150.99

§ 150.08 MULTIPLE ZONE DISTRICT USE REGULATIONS.

In the Multiple Zone District, the following uses shall be permitted:

- (A) Multiple dwellings.
- (B) Uses permitted in the Residence and R-1 Districts.

('73 Code, § 150.07) Penalty, see § 150.99

§ 150.09 OFFICE AND PROFESSIONAL DISTRICT USE REGULATIONS.

In the Office and Professional District, the following uses shall be permitted:

- (A) Uses permitted in the Residence and R-1 Districts.
- (B) Office buildings.
- (C) Banks, savings and loan, building and loan companies, and other similar financial institutions.
- (D) Mortuaries.
- (E) Radio and television broadcasting studios, provided that the studios used for broadcasting are soundproof. Antennas must be approved by the planning commission.

('73Code, § 150.09) (Am. Ord. 06-14, passed 10-3-06)

§ 150.10 NONCONFORMING USE REGULATIONS.

- (A) Any nonconforming use existing on the effective date of this chapter may be continued. See § 150.02.
- (B) No nonconforming use shall be permitted in any building or on any premises which shall have been vacant for a period of two years, or whose previous nonconforming use shall be changed or shall have been changed to a conforming use.
- (C) Any nonconforming building or structure of one or more of a group of nonconforming buildings or structures related to one industry and under one ownership, damaged by fire, flood, earthquake, or other act of God, may be reconstructed and used as before the calamity. However, the reconstruction must comply with the front setback required in the immediate area.
- (D) Nothing contained in this chapter shall prevent the strengthening or restoring to a safe condition or the making sanitary of any building or structure or part thereof declared unsafe or unsanitary by either the commissioners of buildings or health, or prevent compliance with any lawful requirement of those commissioners.
- (E) Whenever a district shall be changed hereafter, any then existing lawful use may be continued.

('73 Code, § 150.10) Penalty, see § 150.99

§ 150.11 HEIGHT, YARD, AND COURT REGULATIONS.

In the various districts there shall be provided on each lot a side yard along each side lot line, a rear yard, and a front yard, the minimum dimensions of which shall be in accordance with the table at the end of this section and the following regulations. The minimum dimensions of courts and the maximum height of structures shall also be in accordance with the following table and regulations.

- (A) Every part of a required yard or court shall, from its lowest level to the sky, be unobstructed, except for the following building projections:
 - (1) Bays, balconies, dormers, vestibules, including the necessary cornices, eaves, gutters, fire escapes, and open stairways, may project into a required yard, provided none of these projections shall project into a required side yard more than 1/3 the width of the yard. Such projections shall in no case project more than three feet into a required yard, nor shall the sum of the lengths of these projections exceed 1/3 the length of the yard adjacent to the building. No enclosed projection into a required yard permitted under the provisions of this section shall exceed ten feet in length.
 - (2) Canopies and cornices, including the eaves and gutters, may project over a required yard, provided such projections shall not project over a required side yard more than 1/3 the width of the yard, nor more than three feet in any case.
 - (3) Chimneys, sills, belt courses, leaders, pilasters, and lintels may project into a required yard, provided none of these projections shall project into a required side yard more than 1-1/2 feet.
 - (4) Terraces, uncovered porches, platforms, and ornamental features which do not extend more than three feet above the floor level of the ground (first) story may project into a required yard, provided these projections be distant at least two feet from the adjacent side lot line.
- (B) Within the limits of a required yard or court, no structure, other than a retaining wall, shall exceed six feet in height.
- (C) In Residence Districts, no accessory building on an interior or corner lot, fronting upon one street only, shall be erected in any open space except a rear yard. Accessory buildings shall not exceed one story in height, and may occupy in the aggregate not more than 30% of a required rear yard. Except as hereinafter provided, accessory buildings in Residence Districts shall be at least three feet from adjoining lots located in Residence Districts, and five feet from adjacent street lines. Farm buildings not for animals or fowl may be erected to a height exceeding one story, provided no part of any such building be located within 15 feet of any adjoining lot in the Residence District.
- (D) In the Residence District, no accessory building on a corner lot, where the rear yard is adjacent to the side yard of an adjoining lot, shall project more than 25 feet from the interior side lot line of the corner lot. Where the accessory building on such corner lot is distant 40 feet or more, the requirements of this section shall not apply.
- (E) In the Residence District, accessory buildings on a through lot may be erected in the yard space adjacent to the street affording secondary access to the lot, provided the buildings comply with the front and side yard requirement of this chapter for a principal

building.

(F) In the Residence District where the natural grade of a lot is more than eight feet above the average established grade of the street upon which the lot abuts, private or storage garages may be erected within any yard space, provided the floor level of such garages shall be not more than one foot above the established grade of such street, and at least 50% of the garage shall be below grade. These garages shall be distant at least two feet from adjoining lots located in the Residence District, and five feet from adjacent street lines, except in cases where a retaining wall not less than four feet in height is located on the lot less than five feet from an adjacent street; then the garages may extend to the line of the retaining wall, provided the garage doors are arranged so that at no time shall the same extend beyond any street line.

(G) Accessory buildings, except stables, may be erected as a part of the principal building if all yard and court requirements of this chapter are complied with.

(H) No lot shall be so reduced in area as to make any open space less than the minimum requirements prescribed herein. This shall not be construed to prevent the sale of an individual unit of a multiple dwelling in which all rooms are lighted and ventilated from a street or rear yard.

(I) Where a lot extends through the block from street to street, the required front yards shall be provided along each street. Additional open space equivalent to the area of a required yard may be provided upon the lot in lieu of a required rear yard. Where the depth of the lot is less than 175 feet, no rear yard shall be required.

(J) Where a side wall of a building is not parallel with the side lot line, or where a side yard is irregular, the average side yard width may be considered the required width, provided the side yard shall not be narrower than three feet nor less than 1/2 the required minimum width at any point, and the side yard width along any unbroken section of side wall shall not be less than that required for a wall of equivalent length and story height. Recesses, offsets, or courts having an open end at least six feet wide abutting a required side yard may be assumed to be a portion of the side yard for a depth not exceeding the width of the abutting open side.

(K) Where the length of the side yard adjacent to the side walls of a building is more than 50 feet, measured parallel to the adjoining side lot line, the required minimum widths shall be increased by one inch for each foot that such length exceeds 50 feet.

(L) On lots less than 50 feet wide and of record on the effective date of this chapter, the required side yard may be reduced 1-1/2 inches for each foot the lot is less than 50 feet in width; provided, that in no case shall the width of the side yard be reduced to less than three feet.

(M) In computing the dimension of a rear yard or court adjoining a public alley, 1/2 of the alley may be assumed to be a portion of the yard or court. The portion of a yard opposite the open end of an outer court may be assumed to be a portion of the court.

(N) In the case of an irregular, triangular, or gore-shaped lot, the required minimum depth of a rear yard may be deemed to be the average depth; provided, that no rear yard so averaged shall be less than ten feet or 1/2 the required minimum depth at any point.

(O) On lots less than 120 feet deep and of record on the effective date of this chapter, the depth of a required rear yard may be reduced two inches for every foot the lot is less than 120 feet deep; provided, that in no case shall the depth of the required rear yard be reduced to less than ten feet.

(P) The minimum area of an inner court shall be not less than twice the square of its required minimum dimension.

(Q) Where new buildings are built between developed properties in Residence, Multiple, and Office and Professional Districts the front yard setback shall be the average setback of the existing buildings in the same block, but not less than 25 feet.

('73 Code, § 150.11) (Am. Ord. 06-14, passed 10-3-06)

					<i>MINIMUM COURT DIMENSIONS</i>	
<i>DISTRICT</i>	<i>MAXIMUM HEIGHT</i>	<i>MINIMUM FRONT YARD</i>	<i>MINIMUM SIDE YARD</i>	<i>MINIMUM REAR YARD</i>	<i>INNER COURT</i>	<i>OUTER COURT</i>
					<i>MINIMUM COURT DIMENSIONS</i>	
<i>DISTRICT</i>	<i>MAXIMUM HEIGHT</i>	<i>MINIMUM FRONT YARD</i>	<i>MINIMUM SIDE YARD</i>	<i>MINIMUM REAR YARD</i>	<i>INNER COURT</i>	<i>OUTER COURT</i>
RES. & R-1	45 ft.	1st story-25 ft.	1st story-4 ft.	1st story-20 ft.	Each story in height-6 ft. min.	Each story in height-5 ft.
		Remainder-35 ft.	2nd story-6 ft.	Remainder-25 ft.		
			3rd story-9 ft.	Over 10 ft. high-6 ft.		

			4th story-12 ft.	Under 10 ft. high-4 ft.		
			Remainder-15 ft.			
Multiple	60 ft.	Same as Office & Professional	Same as Office & Professional	Same as Office & Professional	Same as Office & Professional	Same as Office & Professional
Office & Professional	45 ft.	1st story-25 ft.	1st story-4 ft.	1st story-20 ft.		
		Remainder-35 ft.	2nd story-6 ft.	Remainder-25 ft.	Each story in height-6 ft. min.	Each story in height-5 ft.
			3rd story-9 ft.		Over 10 ft. high-6 ft.	
			4th story-12 ft.		Under 10 ft. high-4 ft.	
			Remainder-15 ft.			
BUS. A	45 ft.	10 ft.	Not required	1st story-10 ft.	Each story in height-4 ft. min.	Each story in height-3 ft.
			Remainder-15 ft.		Over 10 ft. high-6 ft.	Minimum-4 ft.
					Under 10 ft. high-4 ft.	
BUS. B	60 ft.	Not required	Not required	Non-res. occupancies	Each story in height-4 ft. min.	Each story in height-3 ft.
				1st story-none	Over 10 ft. high-6 ft.	Minimum-4 ft.
				2nd story-10 ft.	Under 10 ft. high-4 ft.	
				3rd story-15 ft.		
				Above the 3rd story the yard shall increase at the rate of 3 ft. for each story		
BUS. B-1	60 ft.	10 ft.	Not required	Same as BUS. B	Same as BUS. B	Same as BUS. B
BUS. B - OZ	Same as BUS. B	Maximum front yard setback of 3 ft. from existing sidewalk	Same as BUS. B	Same as BUS. B	Same as BUS. B	Same as BUS. B

* Note: If a residence or multiple dwelling is to be built in Bus. A-B or B1 zones - the same restrictions shall prevail as if they were being built in their respective zones.

For additional requirements and exceptions see:

Heights - § 150.12(A)

Front yard - §§ 150.11(I), 150.12(A), (C), (D) and (E)

Side yard - §§ 150.11(J), (K), (L), 150.12(A) and (F)

Rear yard - §§ 150.11(M), (N), (O), 150.12(A) and (G)

Inner court - §§ 150.11(M), (P), 150.12(F)

Outer court - §§ 150.11(M) and 150.12(F)

(Am. Ord. 19-24, passed 9-17-19)

§ 150.12 HEIGHT, YARD, AND COURT EXCEPTIONS.

(A) In the Residence and Business "A" Districts, schools, churches, hospitals, and sanitariums may be erected to a height not exceeding 60 feet, and such height shall contain no more than 6 stories; provided the front, side, and rear yards are increased an additional foot for each 2 feet the building exceeds 45 feet in height.

(B) Chimneys, monumental towers, monuments, scenery lofts, cupolas, domes, spires, false mansards, belfries, conveyors, flagpoles, masts and aeriels, water tanks, similar structures, and necessary mechanical appurtenances may be erected to any height approved by the planning commission.

(C) In the Residence District, when 50% or more of the lots on the same side of the street within the same block and within 200 feet are occupied by principal buildings, 75% or more of which conform within 5 feet to an average alignment, no building shall hereafter be erected or structurally altered in the district so as to project beyond such average alignment; provided no front yard need exceed 40 feet in depth in any case. The requirements of this section shall apply only on the front lot line of a corner lot.

(D) In the Residence District, no alignment setback or front yard shall be required to exceed the average of the minimum depths of the existing front yards on the lots adjacent on each side, provided each of such lots are within the same block and within 100 feet.

(E) In the Residence District, open porches shall conform to the average alignment of the existing open porches within the same block and within 200 feet; provided no front yard need exceed 30 feet in depth in any case.

(F) In the Business Districts, no side yards are required, but if a side yard is substituted for a required court it shall conform to the provisions of this chapter for side yards in the Residence District, and for the purpose of determining its width, the lowest story it is required to serve shall be considered the first story.

(G) No rear yard shall be required for nonresidence occupancies on that portion of any lot in the Business Districts within 50 feet of any street, except that along the rear lot line of any lot which serves as a side lot line of any lot in the Residence District, there shall be a rear yard the minimum dimension of which shall conform to the provisions of this chapter for a rear yard for nonresidence occupancies in the Business "A" District.

('73 Code, § 150.12)

§ 150.13 OFF-STREET PARKING REQUIREMENTS.

(A) Each dwelling, except for the Residence District and the R-1 District, shall have provided on the lot of the dwelling 1-1/2 parking spaces for each family unit in the dwelling up to and including 15 units. For a dwelling of 16 units and up, 2 parking spaces will be required for each family unit in the dwelling.

(B) In the Office and Professional Districts, buildings shall have provided on the lot one car space for each 600 square feet of floor space used for office or professional purposes, not including storage or basement areas. However, where the basement is used as an office or apartment, the basement area shall be included in determining parking requirements.

(C) In Business Districts (excepting the Business B-OZ District): For newly constructed buildings, rebuilt buildings, or buildings that are enlarged by 40% or more over their size on the date of adoption of this chapter or existing business buildings which change in their occupancy or use, such buildings shall have provided on the lot or within 300 feet of the lot the following parking space ratios, according to the type of occupancy. Present public parking lots and merchant-supported lots shall not be credited.

(1) Residential: As in division (A) above.

(2) Office and Professional: As in division (B) above.

(3) Theatres, places of assembly, restaurants, bars, beauty shops, barber shops, etc: One parking space for every 4 seats in the establishment.

(4) Food stores: One parking space for every 150 square feet of sales area in the building.

(5) Other retail stores (other than food stores): One parking space for every 200 square feet of sales area in the building.

(6) Outdoor amusements: One parking space for each 1,000 square feet of amusement area.

(7) This subsection shall not apply to the B-OZ District if the building is within 1,200 feet of a public parking lot, pursuant to § 150.131.

(D) In Multiple and Office and Professional Districts: All parking must be provided in side and rear yards. No parking will be permitted in the front yard minimum setback area.

(E) Each required parking space shall be individually accessible without the need of moving any other vehicle. Where parking lots require more than 6 parking spaces, they shall have at least one 2-way ingress and egress driveway, or shall have a single-lane ingress specifically marked "IN," and a single-lane egress specifically marked "OUT." Size of parking spaces, width of aisles, and maneuvering space shall be in accordance with good practice for self-parking facilities.

(F) A building permit shall be required for every parking lot constructed. A parking plan must be submitted to the building inspector's office along with a registered survey when making application for a building permit. The building inspector's office shall submit the plat and survey to the secretary of the planning commission for approval before processing can proceed further for a building permit.

(1) A separate permit and license shall be required for any plumbing work involved within or outside the property, and for any concrete work (paving and curbs) outside the property in the public rights-of-way.

(2) Parking lots shall be uniformly graded to provide positive drainage to internal drains or trench type drains at drive approaches. The drawings submitted shall indicate the existing and proposed finished grades and contours. Storm water drainage onto neighboring property is prohibited.

(3) Finished surfaces of parking lots shall be of concrete or well compacted, and with smooth bituminous paving.

(4) Each parking stall shall be at least 20 feet long and at least 9 feet wide, but not less than 200 square feet in area. Each space shall be identified by painted stripes. Concrete or bituminous wheel stops shall be provided when abutting on neighboring property or public rights-of-way.

(5) Single-lane drives shall be at least 12 feet wide and double-lane drives at least 20 feet wide. Drive approaches shall be constructed of concrete at least 7 inches thick, 4200 p.s.i., 28-day strength.

(6) Parking lot lighting luminaries, if used, shall be directed away from neighboring property and public rights-of-way. Lights and their direction shall be indicated on building permit application drawings.

(7) Obscure screening, either fence or shrubbery, at least 4 feet high shall be provided next to property lines which abut the Residence and R-1 Districts. Such screening shall be shown on application drawings for building permit.

(8) Schedule of building permit fee is available in the office of the building commissioner.

(9) Parking lots within the B-OZ District are subject to the additional requirements as set forth in § 150.131.

(G) Any change in use of residential buildings in Office and Professional Districts shall require full compliance with all provisions of this chapter.

('73 Code, § 150.13) (Ord. 1328, passed 6-25-85; Am. Ord. 19-24, passed 9-17-19) Penalty, see § 150.99

§ 150.131 OVERLAY ZONING DISTRICT.

(A) *Purpose.* The purpose of the Overlay Zoning District is as follows:

- (1) To promote development that emphasizes existing neighborhood business district character;
- (2) To promote redevelopment of the corridor in a coordinated manner;
- (3) To provide for the long-term sustainability of the business district and character of the community.

(B) *Designation of Overlay Zoning District.* A portion of the Business B Overlay Zoning District shall be designated by the abbreviation "B-OZ" on the official zoning map. All property so classified is subject to the provisions of this chapter.

(C) *Applicability of Overlay Zoning District.* The B-OZ shall operate as an overlay zone to a portion of the underlying Business B District. The regulations governing development of the B-OZ shall apply in addition to the regulations governing the underlying base district. In the event of an express conflict between the standards of the B-OZ and the Business B district, the standards governing the B-OZ shall control.

(D) *Overlay Zoning District regulations.*

- (1) *Front yard building setback.* A new building shall have a maximum setback of three feet from the existing sidewalk.
- (2) *Parking lot standard.* Any newly created parking lot adjacent to a sidewalk shall have a three to four feet high wrought iron fence to separate from pedestrian uses.
- (3) *Building materials.* All building finishing materials for new construction and facade remodeling that modifies at least 50% of that facade are acceptable excluding plywood, plastics, unfinished concrete block, prefab metal, and vinyl siding on the first floor of the building.
- (4) *Building ingress/egress.* Primary entrance to the building shall face the major public street. If a corner lot, the primary entrance shall face the major public street. A **MAJOR PUBLIC STREET** is defined as the street having the highest traffic count.
- (5) *Ground floor transparency.* First floor facades facing a major public street shall have 50% transparency; those facing a minor public street shall have 25% transparency. A **MAJOR PUBLIC STREET** is defined as the street having the highest traffic count. This section shall apply to new construction and facade remodeling that modifies at least 50% of that facade.
- (6) *Off-street parking.* Off-street parking requirements are not required, providing the building is within 1,200 feet of a public parking lot.
- (7) *Exterior building equipment and structures.*
 - (a) *Roof-top HVAC.* All mechanical equipment on a building rooftop shall be screened from view of the public street and adjacent properties.

(b) *Dumpsters*. Dumpsters shall be screened by a six-foot tall opaque fence equipped with a lockable gate.

(Ord. 19-24, passed 9-17-19)

ZONING BOARD OF APPEALS

§ 150.14 BOARD OF APPEALS CREATED.

The board shall consist of 9 members, appointed by the mayor. Two shall be appointed for one year; 2 for 2 years; 2 for 3 years; 2 for 4 years; and one for 5 years. The term of the member of the city planning commission shall expire at the same time as his term of the commission. A member appointed to fill a vacancy shall serve for the unexpired term.

(A) The board shall have the power to exercise the jurisdiction provided in this chapter. In exercising its jurisdiction, it shall adopt from time to time such general rules and regulations relating to its procedure as it may deem necessary. The board shall organize annually and elect a president, vice-president, and secretary. The president, or in his absence, the officer presiding, may administer oaths and compel the attendance of witnesses.

(B) Hearings and meetings of the board shall be public. Notice of the hearing of each appeal case shall be given by publication one time in a newspaper of general circulation not less than 6 days in advance of the hearing. The board may go into executive session for discussion, but not for vote on any case before it. The board shall act by resolution, in which at least 5 members shall concur. Concise records and minutes shall be kept as to all official acts of the board. A majority of the members of the board shall be a quorum.

(C) Appeals to the board may be taken by any person or by any officer, board, or commission of the municipality affected by any grant or refusal of a building permit, or by any other decision of the commissioner of buildings, where the decision is based upon the requirements of this chapter. The appeal shall be filed with the board within 30 days from the ruling or decision of the commissioner of buildings appealed from. The board may, in conformity with the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, ruling, or break determination appealed from.

(D) Where the street or lot layout actually on the ground or as recorded differs from the street and lot lines as shown on the building zone map, the board, after due notice by registered mail to the record owners of the property, shall interpret the map in such a way as to carry out the intent and purpose of this chapter and map for the particular sections or district in question.

(E) The board shall have the power to permit in business districts a prohibited use, as accessory to a conforming use on the same lot, subject to such conditions as will, in the opinion of the board, safeguard the public health, safety, convenience, and welfare; provided that the product of such accessory use is utilized entirely in the conforming use.

(F) In undeveloped sections of the city, the board may grant temporary and conditional permits for nonconforming uses, to terminate at a date specified in the grant, which date shall not exceed 2 years from the date of the grant; provided that such uses are important to the development of such undeveloped sections, and are not detrimental to the adjoining and neighboring developed section. Such permits may be renewed, upon reapplication to the board.

(G) The board shall have the power to grant the extension of a nonconforming use or building upon a lot occupied by such use or building, or on a lot adjoining or directly across an alley; provided that such lot was under the same ownership as the lot in question on the effective date of this chapter, and where the extension is necessarily incident to an existing use; and provided further that the extension shall not extend more than 25 feet beyond a district boundary line into a more restricted district. The board shall have the power to permit a substitution for or an extension to nonconforming uses, but not both substitution and extension, except that, in the Residence District, no change shall be permitted to any use prohibited in the Business "A" District, or no change shall be permitted to any use prohibited in the Business "B" District.

(H) The board shall have the power to grant the projection of any building into a required yard, to the extent necessary to secure a building or structure practicable in its construction and arrangement on an exceptionally narrow, shallow, or irregular lot existing and of record on the effective date of this chapter, or on a lot of exceptional topography.

(I) The board may permit the erection of a private garage prior to the erection of a principal building on the premises.

(J) Where the strict application of any provision of this chapter would result in undue hardship upon the owner of specific property, or where there is a reasonable doubt as to any provision of this chapter or the building zone map as applied to such property, the board shall have the power to modify such strict application, or to interpret the meaning of this chapter so as to relieve such hardship; provided that such modification and interpretation shall remain in harmony with the general purpose and intent of this chapter, so that the public health, safety, convenience, comfort, prosperity, and general welfare will be conserved and substantial justice done.

(K) No permit for the establishment of a restricted parking lot in the Residence District, in accordance with § 150.06 (K) (1), shall be issued unless approved by the board. In granting approval, the board may impose special conditions as it shall deem desirable under the circumstances to reduce the adverse effect of a parking lot upon the preservation of the residential character and development of the residence district in which such parking lot is located.

(L) The board may, upon application, issue a temporary and conditional permit authorizing the maintenance, in the Residence District, of an enclosure for horses, cows, and other livestock, not primarily for gain, at a distance of less than 100 feet from the line of an adjoining lot in the Residence District, if such adjoining lot is not improved with a residence building situated within 100 feet of the proposed enclosure for livestock. Such enclosure, so permitted, shall, in every case, be not less than 100 feet from the nearest line of every residence building, and such permit, and all right to maintain any structure or use thereunder, shall expire whenever the enclosure shall cease to conform to the conditions set forth in this section, or to conform with additional limitations which may be determined by the board.

How the Census Bureau Measures Poverty

Following the Office of Management and Budget's (OMB) Statistical Policy Directive 14, the Census Bureau use set of money income thresholds that vary by family size and composition to determine who is in poverty. If a family's total income is less than the family's threshold, then that family and every individual in it is considere poverty. The official poverty thresholds do not vary geographically, but they are updated for inflation using th Consumer Price Index (CPI-U). The official poverty definition uses money income before taxes and does not include capital gains or noncash benefits (such as public housing, Medicaid, and food stamps).

For historical information, see the History of the Poverty Measure page in the About section of the Poverty subtopic site.

The History of the Official Poverty Measure

Learn about the history of the poverty measure through OMB Statistical Policy Directive 14, several reports, & a visualization on th topic.

[\[/topics/income-poverty/poverty/about/history-of-the-poverty-measure.html\]](#)

Money Income: Income Used to Compute Poverty Status

The income used to compute poverty status includes (before taxes):

- Earnings
 - Unemployment compensation
 - Workers' compensation
 - Social Security
 - Supplemental Security Income
 - Public assistance
 - Veterans' payments
 - Survivor benefits
 - Pension or retirement income
 - Interest
-
- Dividends
 - Rents
 - Royalties
 - Income from estates
 - Trusts
 - Educational assistance
 - Alimony
 - Child support
 - Assistance from outside the household
 - Other miscellaneous sources

- Noncash benefits (e.g. food stamps and housing subsidies)
- Tax credits

Poverty Thresholds: Measure of Need

Poverty thresholds are the dollar amounts used to determine poverty status.

The Census Bureau assigns each person or family one out of 48 possible poverty thresholds.

- Thresholds vary by the size of the family and age of the members.
- The same thresholds are used throughout the United States (they do not vary geographically).
- Thresholds are updated annually for inflation using the Consumer Price Index for All Urban Consumers (CPI-U).
- Although the thresholds in some sense reflect a family's needs, they are intended for use as a statistical yardstick, not as a complete description of what people and families need to live.

Table

Poverty Thresholds

Poverty Thresholds by Size of Family and Number of Related Children Under 18 Years Source: Current Population Survey (CPS)

[/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html]

Computation

To calculate total family income, the incomes of all related family members that live together are added up to determine poverty status. If an individual or group of individuals (such as housemates) are not living with family members, their own individual income is compared with their individual poverty threshold.

Thus, all family members have the same poverty status, and some families may be composed of single unrelated individuals.

If total family income:

- Is less than the poverty threshold for that family – that family and everyone in it is considered to be in poverty.
- Equals or is greater than the poverty threshold – the family is not considered to be in poverty.

People Whose Poverty Status Cannot Be Determined

Poverty status cannot be determined for people in:

- Institutional group quarters (such as prisons or nursing homes)
- College dormitories
- Military barracks
- Living situations without conventional housing (and who are not in shelters)

Additionally, poverty status cannot be determined for unrelated individuals under age 15 (such as foster children) because income questions are asked of people age 15 and older and, if someone is under age 15 and not living with a family member, we do not know their income. Since we cannot determine their poverty status, they are excluded from the “poverty universe” (table totals).

Example

Situation

Family A has five members: two children, one mother, one father, and one great-aunt.

Table

Poverty Thresholds

Poverty Thresholds by Size of Family and Number of Related Children Under 18 Years Source: Current Population Survey (CPS)

[/data/tables/time-series/demo/income-poverty/historical-poverty-thresholds.html]

Step 2: Calculate the total family income for the same year

Suppose the members' incomes in 2020 were:

- Child 1: \$0
- Child 2: \$0
- Mother: \$11,000
- Father: \$11,000
- Great-aunt: \$10,000

Thus, Family A's total income for 2020 was \$32,000.

Step 3: Compare the family's total income with the poverty threshold

The total family income divided by the poverty threshold is called the Ratio of Income to Poverty.

$\text{Income} / \text{Threshold} = \$32,000 / \$31,661 = 1.01$

The difference in dollars between family income and the family's poverty threshold is called the Income Deficit (for families in poverty) or Income Surplus (for families above poverty).

$\text{Income} - \text{Threshold} = \$32,000 - \$31,661 = \339

Conclusion

Since Family A's total income was greater than their poverty threshold, they are considered not "in poverty" according to the official definition.

For information on confidentiality protection, sampling error, nonsampling error, and definitions, see <https://www2.census.gov/programs-surveys/cps/techdocs/cpsmar21.pdf> [//www2.census.gov/programs-surveys/cps/techdocs/cpsmar21.pdf] [PDF - <1.0 MB].

The Census Bureau reviewed this data product for unauthorized disclosure of confidential information and approved the disclosure avoidance practices applied to this release. CBDRB-FY21-282.

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