
1111.00 ARCHITECTURAL, LANDSCAPING, DESIGN, BUILDING AND SITE DEVELOPMENT
REGULATIONS (OR2007-4-31)

Purpose: The purpose is to establish architectural, landscaping, design, building and site development regulations that encourage higher quality development and function in order to protect property values, provide safe and efficient access for the pedestrian and automobile, and protect real estate from impairment or destruction of value. These architectural, landscaping, design, building and site development criteria can encourage quality development through the use of a variety of design and site techniques while continuing to provide for a wide range of economic development. These standards will apply to all new commercial, office and retail building(s) and development(s) that are permitted in any zoning category, as a permitted use or conditional use, and that have not been submitted for review before the effective date of the adoption of this ordinance. These regulations will also apply to all existing commercial, office and retail building(s) and development(s) that increase or replace the building square footage and/or the developed area by more than fifty (50) percent. Section 1111.00 will not apply to Planned Development (PD) zoned properties, mixed use overlay(s) or mixed use zoned properties with more than twenty-five (25) percent of the project being residential, storage building(s) less than two hundred (200) square feet in size, and all projects covered by Section 1126.00.

Within the boundaries of any form-based zone district listed in section 1129.00:

(a) The landscaping provisions of section 1111.20 (including the cross- referenced requirements of section 1137.20) shall apply, except that no landscaping shall be required in an area of the lot or parcel required to be occupied by a building pursuant to section 1129; and

(b) The architectural design provisions of section 1111.20 shall not apply; provided that in the event of any inconsistency between the regulations in this section 1111.20 and any provision of the form-based zone districts in section 1129.00, the provisions of section 1129.00 shall apply. (OR2013-2-22)

1111.20 Landscaping: All non-residential construction shall adhere to the following landscaping requirements. A Landscaping Plan will be required with all site plans, showing the proposed landscaping for the site, with all required items from Section 1111.20.1 and Section 1131.70 being clearly labeled. The landscaping plan shall also be reviewed by the City Traffic Engineer for sight distance issues for plantings located in the public right-of-way.

The following landscaping provisions include a ratio relationship between the number of plantings required, based upon the number of tree(s) required in Section 1131.70. All bush plants must be a minimum of one (1) foot tall at planting and all flowering perennial plants and other plantings must be a minimum of one (1) foot at planting. The City of Hamilton's Planning Director may approve other types of appropriate plantings and

determine their equitable quantity, as required per tree. For every required tree a corresponding number of plantings or trees, from either a, b, or c, will be required for each site plan:

- a) Bushes: 3 Per Required Tree
- b) Flowering Perennials Plants: 6 Per Required Tree
- c) Trees: 1 Per Required Tree

1111.20.1.1 If weather conditions preclude tree planting or during the winter months from November 1st through April 1st of any calendar year, the developer shall deposit \$250.00 per required tree, \$30.00 per required bush, and \$10.00 per required flower with the City of Hamilton.

If a project's main building front is located within five (5) feet of a sidewalk next to a public roadway, that project can reduce its tree requirement as specified in Section 1131.70 by fifty (50) percent.

If a structure or development can demonstrate its ability to receive a LEED (Leadership in Energy and Environmental Design) 'Silver' or 'Gold' certification from the U.S. Green Build Council (USGBC) within twelve (12) months of the issuance of occupancy, this project can reduce its landscaping requirement in Section 1111.20 and Section 1131.70 by seventy-five (75) percent. However, a bond will be required for the total cost of complying with the City of Hamilton's landscaping requirements without any landscaping reductions. If a development, once completed, is unable to receive a 'Silver' or 'Gold' rating from the USGBC, that development will be required to meet the full landscaping requirements in Section 1111.20 within four (4) months from the notification of failure to receive 'Silver' or 'Gold' rating from USGBC. If the development fails to complete the landscaping requirements with the four (4) month time frame, the City of Hamilton will use the bond to complete the landscaping requirements within one (1) year of the failure to receive 'Silver' or 'Gold' rating from USGBC.

1111.30 Architectural Design: All non-residential construction shall adhere to the following architectural and design regulations. A Colored Elevation Plan will be required for all site plans showing the proposed architectural design and color for all sides of the structure(s) and with all required items from Section 1111.31 being clearly labeled and percentage calculations noted.

1111.31 Architectural Threshold Requirements: All primary structures must have ninety (90) percent of its total exterior façade covered with at least one of the materials listed in Section 1111.31.1.

1111.31.1 Building Materials: Exterior facades shall be built with one or more of the following materials: brick, wood, stone, tile, stucco, decorative block (with common gray block not acceptable), tilt-up concrete panels (prefab concrete panels), and/or transparent materials such as glass or plexiglass. (This will not apply to awnings or

overhangs) Smooth faced concrete block will only be permitted on the service side of a building that does not face a public roadway and must be painted to match the prominent color of the total building.

1111.31.2 Required Building Features:

Window or Transparency: The main front elevation shall provide at least thirty-five (35) percent window or transparency at the pedestrian level. Side elevations that face a public roadway shall provide at least thirty (30) percent window or transparency at the pedestrian level. The window or transparency is measured in lineal fashion. (For example, a one-hundred-foot long building elevation shall have at least thirty-five (35) percent transparency in length.) The height of the glass or plexiglass must be a minimum height of six (6) feet. Dark tinted glass or plexiglass beyond 35% darkening or glass/plexiglass manufactured to reflect light shall not be permitted.

Exterior Wall Elevations: There shall be no uninterrupted lengths of blank wall longer than sixty (60) feet. Walls shall be differentiated with recesses, off sets, building height, variations in rooflines, windows, awnings, and materials. This does not apply to the service side of the building.

Rooftop Equipment: All rooftop equipment shall be screened from view on all sides visible to the general public, by building parapet walls or other building elements that appear as integral elements of the overall building.

Prohibited Roofing Materials: Fabric, plastic, vinyl or other materials not expressly designed and manufactured as a component of a permanent roofing system may be used as a temporary measure for a period not to exceed 120 days.

Service Station Canopies and Columns: Canopies, such as those associated with convenience stores with gasoline sales, must have the same predominate color as the main building. Columns must be clad in the primary building material of the main building or from another material listed in Section 1111.31.1.

- 1111.32 Refuse Storage Areas -The purpose of these regulations is to ensure the provision of adequate, convenient and accessible locations for the collection and storage of refuse and/or recyclable materials within containers and enclosures that are compatible with surrounding land uses and structures. Refuse and/or recycling containers shall be required for all residential dwelling units of three or more dwellings and all non-residential developments in accordance with this Section. (OR 2015-10-83)

Location: Refuse storage containers shall be located in interior side yards or rear yards, and must comply with setback requirements for accessory structures.

Accessory Structure Limitation: A refuse storage area developed under these regulations on a residential property is exempt from the limit of one (1) accessory structure for zoning purposes.

Enclosure: All refuse storage containers for three or more dwelling units and all non-residential developments must be enclosed or screened so as not be visible from the public right-of-way or publically accessible area. The refuse storage area enclosure must be enclosed on all sides, one of which includes a gate or door that can be secured.

Access: Driveways and aisles providing vehicular access between the refuse storage areas and the public right of way shall be hard surfaced of concrete, asphalt, or concrete/brick pavers.

Enclosure Materials: The enclosure surrounding the refuse storage area will match the exterior finish of the principle building and may consist of solid wood, vinyl fencing or masonry walls.

Enclosure Height: The minimum height of the refuse storage area enclosure shall be one-foot taller than the container and no taller than eight (8') feet.

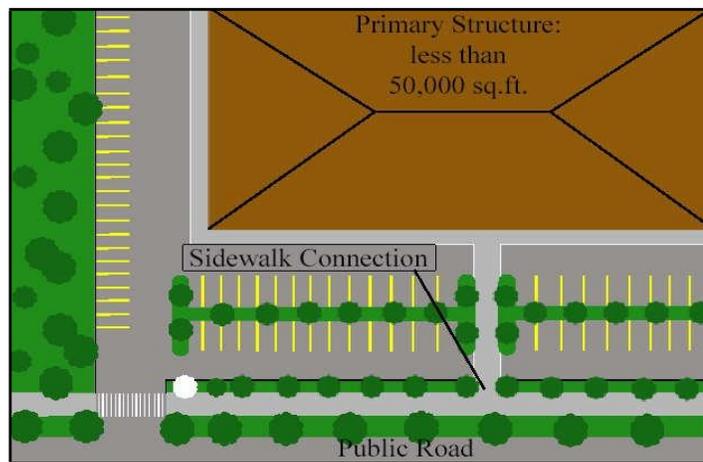
Landscaping: The exterior perimeter of the refuse storage area enclosure visible from the public right-of-way must be landscaping with the exception of the access point.

Maintenance: Enclosures and landscaping must be maintained in a manner that protects adjacent properties as well as tenants located on the property from adverse environmental, health and safety impacts such as noise, odors and attraction of rodents or other pests. The refuse storage area and surrounding area will be maintained as initially approved.

- 1111.40 **Sidewalk Requirements:** All sidewalks must be designed and built to meet the City of Hamilton's sidewalk construction and design regulations and be a minimum of five (5) feet in width.

1111.40.1 Total Building Square Footage for a development less than fifty thousand(50,000) square feet: All non-residential construction that totals less than fifty thousand (50,000) square feet per development will be required to have a minimum of one (1) sidewalk connection from a sidewalk located along a public roadway to the entrance of the primary structure. (A painted crosswalk may only be used for sidewalk crossing within drive aisles.) If no sidewalk exists along the public roadway(s) the development must also construct sidewalk(s) along the full length of the site's property line(s) abutting public roadways within the existing or proposed public right-of-way. The sidewalk(s) adjacent to the public roadway(s) shall be setback one (1) foot from the public right-of-way line. There shall be a minimum five (5) foot grass strip between the sidewalk and roadway. If on- street parking is provided along seventy five (75) percent of the roadway the grass strip and the one (1) foot sidewalk setback requirement will be waived (Sidewalk may be constructed to the curb). – See Figure 1

Figure 1 Graphic for Section 1111.40.1



1111.40.2 Total Building Square Footage for a development greater than fifty thousand (50,000) square feet: All non-residential construction that totals more than fifty thousand (50,000) square feet per development will be required to have a minimum of one (1) sidewalk connection from all sidewalk(s) located along a public roadway to the entrance of the primary structure. (A painted crosswalk may only be used for sidewalk crossing within drive aisles.) If only one public roadway is located adjacent to the development a minimum of two (2) sidewalk connections shall be required to the entrance of the primary structure. If no sidewalk exists along the public roadway(s) the development must also construct sidewalk(s) along the full length of the site's property line(s) abutting public roadways within the existing or proposed public right-of-way. The sidewalk(s) adjacent to the public roadway(s) shall be setback one (1) foot from the public right-of-way line. There shall be a minimum five (5) foot grass strip between the sidewalk and roadway. If on-street parking is provided along seventy five (75) percent of the roadway the grass strip and the one (1) foot sidewalk setback requirement will be waived (Sidewalk may be constructed to the curb) – See Figure 2a and 2b.

Figure 2a Graphic for Section 1111.40.2

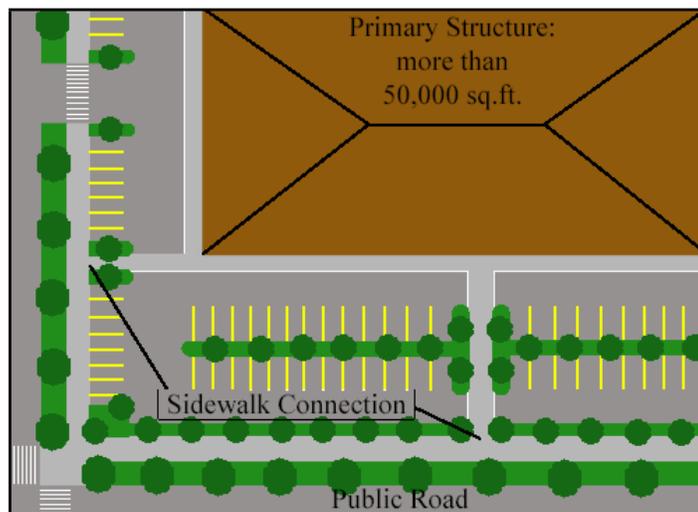
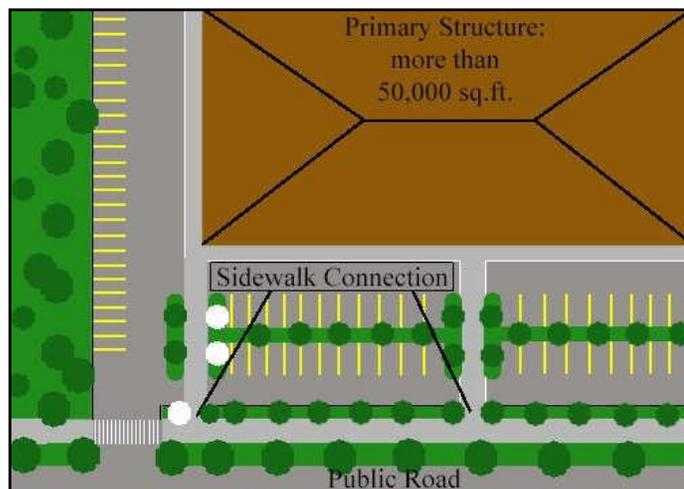
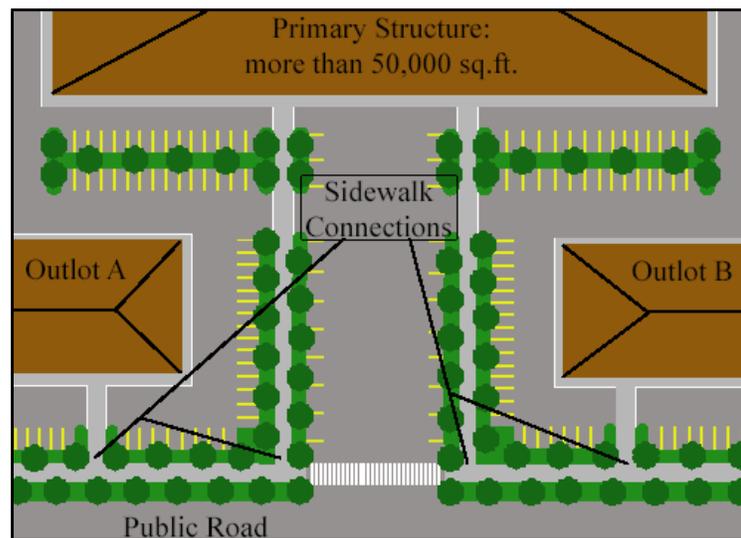


Figure 2b Graphic for Section 1111.40.2



1111.40.3 Out Parcels and Separate Buildings for Developments: All out parcels and separate primary buildings will be required to have a least one (1) sidewalk connection from its primary entrance to a sidewalk located along a public roadway. (A painted crosswalk may only be used for sidewalk crossing within drive aisles.) If no sidewalk exists along the public roadway(s) the development must also construct sidewalk(s) along the full length of the site's property line(s) abutting public roadways within the existing or proposed public right-of-way. The sidewalk(s) adjacent to the public roadway(s) shall be setback one (1) foot from the public right-of-way line. There shall be a minimum five (5) foot grass strip between the sidewalk and roadway. If on street parking is provided along seventy five (75) percent of the roadway the grass strip and the one (1) foot sidewalk setback requirement will be waived (Sidewalk may be constructed to the curb). This requirement doesn't supersede the requirements in Section 1111.40.1 and 1111.40.2. – See Figure 3

Figure 3 Graphic for Section 1111.40.3



leave blank