

uses authorized for the common open space must be appropriate to the scale and character of the planned development, considering its size, density, expected population, topography and the number and type of dwellings to be provided.

(c) Common open space must be suitably improved for its intended use, but common space containing natural features, existing trees and ground cover worthy of preservation may be left unimproved.

(7) *Dedication of land.* All land shown on the final plan as common open space shall be conveyed in either of the following ways, at the discretion of the City Council. In any event, the common open space, after being approved on the final plan, shall be used thereafter for no other purpose than as specified on the final plan.

(a) To the city; or

(b) To an organization for the ownership and maintenance of the common open space, which organization shall not be dissolved nor shall it dispose of the common open space by sale or otherwise without first offering to dedicate the same to the city.

(Prior Code, § 9-22-9) (Ord. 535, passed 9-4-2001) Penalty, see § 152.999

#### **§ 152.429 PLANNED MIXED-USE DISTRICT (PMD).**

(A) *Purpose.* In addition to the general purpose of the planned unit development described in § 152.420, the purpose of the Planned Mixed-Use District is to support the development of a mix of land uses which combine residential and non-residential land uses through the use of innovative planning and design.

(B) *Interim uses.* In addition to other uses specifically identified elsewhere in this subchapter, the following are interim uses within the PMD, Planned Mixed-Use District, and require an interim use permit in accordance with the procedures identified in § 152.032:

(1) Single-family dwelling on property not served by municipal sewer and water, subject to the standards identified in § 152.097;

(2) Mining, excavation and land reclamation, subject to standards identified in §§ 152.560 through 152.575;

(3) Private or public stables, subject to standards identified in § 152.097;

(4) Temporary classroom type structure for use by public or private institutions; and

(5) Other uses that satisfy both the purpose and findings criteria established in § 152.032, as determined by the City Council.

(C) *Permitted uses.* Within the PMD District, no building, structure, land or premises shall

be used, and no building or structure shall hereafter be erected, constructed, reconstructed, moved or altered except for one or more of the uses listed below, subject to all applicable development and performance standards:

- (1) Multiple-family dwellings;
- (2) Office and administrative facilities;
- (3) Retail business;
- (4) Professional and personal service business;
- (5) Conference centers;
- (6) Public transit facilities;
- (7) Indoor commercial recreation;
- (8) Child care center; and
- (9) Essential services as defined in § 152.006.

(D) *Permitted accessory uses.* The following are permitted accessory uses within the PMD, Planned Mixed-Use District, subject to all applicable provisions of this subchapter:

- (1) Fences as regulated in § 152.077;
- (2) Towers and antennas as regulated by § 152.079;
- (3) Buildings temporarily located for purposes of construction on the premises for a period not to exceed the time necessary to complete construction;
- (4) Outdoor dining area subject to the standards identified for the use in § 152.097;
- (5) Parking and loading facilities as regulated by §§ 152.490 through 152.502; and
- (6) Keeping of horses, provided that there is at least two acres of land for the first horse and one acre for each additional horse up to a maximum of five horses and provided that any accessory building used as stable facility or shelter for the horses maintain a minimum setback of 100 feet from a front lot line and 50 feet from all side or rear lot lines. A conditional use permit shall be required to exceed the maximum allowable number of horses as provided herein.

(E) *Lot requirements.* Lot requirements for the PMD District shall be established at the time of zoning. However, the following shall apply in all instances except within the Hamilton Overlay District.

(1) Maximum height: four stories, not exceeding 50 feet from finished grade.

(2) Maximum building coverage: 30%.

(F) *Development and performance standards.* Due to the nature of the Planned Mixed-Use District, the regulations governing development and performance standards shall be established at the time of zoning. However, the following shall apply in all instances.

(1) Landscaping and screening requirements shall be as established in §§ 152.515 through 152.523.

(2) No merchandise shall be stored or displayed outside a building and no equipment or vehicles other than passenger vehicles shall be stored outside a building.

(3) A business may have no more than two delivery vehicles, provided that the vehicles shall be customary passenger vehicles or small pickup trucks or vans. All principal and accessory buildings shall be designed and constructed in accordance with the design standards identified in §§ 152.095 through 152.098.

(Prior Code, § 9-22-10) (Ord. 535, passed 9-4-2001; Ord. 542, passed 2-4-2002) Penalty, see § 152.999

#### **§ 152.430 PLANNED COMMERCIAL DISTRICT (PCD).**

(A) *Purpose.* In addition to the general purpose of planned development districts as described in § 152.420 of this subchapter, the purpose of the Planned Commercial Development District (PCD) is to provide for the development of predominately retail commercial uses, but also including a wide range of complementary uses in a cohesive arrangement.

(B) *Permitted uses.* The following uses are permitted generally in PCD Districts; however, individual PCD Districts may be more restrictive than the general use.

(1) Commercial establishments including, but not limited to, the following:

(a) Business services such as printing and computer services;

(b) Entertainment and amusement services such as motion picture theaters and bowling alleys;

(c) Finance, insurance and real estate services;

(d) Lodging services such as hotels and motels;

(e) Personal services such as laundry, barber, shoe repair shop and photography studio;