

114 – COMMERCIAL AND MANUFACTURING REGULATIONS

114.1 PURPOSE STATEMENTS:

114.1.1 P-1 PROFESSIONAL DISTRICT: P-1, Professional District is intended to create a zoning district for the Township where the focus is on office uses and smaller, non-intrusive retail and commercial uses that have or maintain hours and operations similar to office uses. Uses in this district shall be compatible with surrounding residential uses in order to minimize impacts on the surrounding neighborhoods and are intended to be limited in scale. This district may also intend to serve as a transitional district between single-family residential districts and other commercial and manufacturing districts.

114.1.2 B-1 NEIGHBORHOOD BUSINESS DISTRICT: B-1, Neighborhood Business District is intended to provide for retail and service businesses serving the daily needs of Township residents for goods and services. B-1 Districts are intended to be strategically located to provide accessibility to Township residents. Uses in this District shall be compatible with surrounding residential uses in order to minimize impacts on the surrounding neighborhoods and are intended to be limited in scale.

114.1.3 B-2 REGIONAL BUSINESS DISTRICT: B-2, Regional Business District is intended to provide for retail and service businesses serving the needs of Township residents and residents from neighboring communities. B-2 Regional Business District is intended to provide an environment for a wide range of business enterprises and promote a mix of commercial uses that provide goods and services for both the Township and surrounding areas.

114.1.4 B-3 WHOLESALE AND TRADE COMMERCIAL DISTRICT: B-3, Wholesale and Trade Commercial District is intended to provide a district that offers a variety of general commercial, services, trade business, warehousing and wholesale uses. This district is intended to accommodate businesses in the community that cannot be practically provided for in the other business districts.

114.1.5 M-1 LIGHT MANUFACTURING DISTRICT: M-1, Light Manufacturing District is intended to provide a district that accommodates the development of light manufacturing enterprises, assembly which shall operate in a clean and quiet manner.

114.2 USE REGULATIONS:

114.2.1 A use listed in Section 114.3 shall be permitted by right as a permitted use in a district when denoted by the letter “P”, provided that all the requirements of Section 126, Site Plan Review, and other applicable requirements of this Zoning Resolution and other Township resolutions have been met.

114.2.1.1 Work/Live Unit: In order to encourage greater utilization of existing residential structures in the P-1, B-1 or B-2 Commercial Zoning Districts and to promote the economic well-being of the Township, existing structures may be used in

accordance with a commercial development plan per Section 126, and shall comply with the following requirements:

As used in this Resolution, a "work/live unit" means an existing structure that combines a commercial activity permitted in Table 114.3 with an accessory residential living space for the owner of the commercial business and that person's household.

Only existing structures shall be permitted to be occupied as a Work/Live Unit.

Within each Work/Live Unit, there shall be separate amenities for the residential area.

114.2.2 A use listed in Section 114.3 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Board of Zoning Appeals first makes the determination that the requirements and procedures of Section 142, Conditional Use Permits, and Section 126, Site Plan Review, of the Zoning Resolution have been met.

114.2.3 A use listed in Section 114.3 shall be permitted as an accessory use in a district when denoted by the letter "A". Such use shall be permitted as a subordinate building or use when it is clearly incidental to and located on the same lot as the principal building or use. Accessory uses are further regulated in subsequent sections of this Zoning Resolution.

114.2.4 A "Similar Use" requires a Conditional Use Permit (See Section 142.4.5.28) approved by the Board of Zoning Appeals and shall also require a Site Development Plan Review by the Zoning Commission.

114.3 PERMITTED USE TABLE

Planning Area	P-1	B-1	B-2	B-3	M-1
Office and Professional Services					
Insurance, Tax & Financial, Related Services	P	P	P	P	
Computer Related Services	P	P	P	P	
Other Professional Office	P	P	P	P	
Medical /Dental Office	P	P	P	P	
General Office	P	P	P	P	
Government Office	P	P	P	P	P
Research and Development Labs				P	P
Urgent Care			P	P	

Planning Area	P-1	B-1	B-2	B-3	M-1
Retail and Personal Services					
Grocery, Food Markets		P	P		
Liquor, Beverage		P	P		
Small Retail Stores (<10,000 SF)		P	P	P	P
Large Retail Stores (>10,000 SF)			P	P	P
Medical Marijuana Retail Dispensary			C	C	C
Antique and Thrift Stores		P	P	P	P
Restaurant, Sit Down		P	P		
Restaurant, Counter		C	P		
Outside Dining		C	C		
Personal Services	P	P	P		
Bank, Financial Institutions		P	P		
Animal Boarding				P	P
Animal Grooming	C	C	P	P	P
Veterinary Services, Small	C	C	C	P	P
Funeral Services	P	P	P		
Garden, Nursery Retail		P			P
Hotels/Motels		C	P		
Laundromats		P	P		
Dry Cleaning			P		
Home Improvement, Retail			P		P
General Repair Shops, except Auto		P	P	P	P
Child Day Care Center	C	P	C	C	
Adult Day Care Center	C	P	C	P	

Planning Area	P-1	B-1	B-2	B-3	M-1
Business Services					
Business Services including mailing & copying services		P	P	P	P
Automotive & Transportation					
Gas Stations			P	P	P
Carwash			P	P	P
Auto Rental/Leasing		P	P	P	P
Equipment Rental/Leasing			P	P	P
Livery, Auto			C	P	P
Motor Vehicle Sales, New			C	C	P
Motor Vehicle Sales, Pre-Owned			C	C	C
Automotive Services			P	P	P
Automotive Repair				P	P
Motor Vehicle Salvage Facility					C
Manufacturing/Distribution/Processing/Assembly					
Manufacturing, Light				P	P
Assembly				P	P
Fabrication				P	P
Medical Marijuana Cultivator			C	C	C
Medical Marijuana Processor			C	C	C
Warehousing				P	P
Trade Business Services					
Publishing/Printing				P	P
Catering and Misc. Food Preparation				P	P
Landscaping Services			C	P	P
Lumber and Building Material Dealers				P	P
Wholesale Business				P	P

Planning Area	P-1	B-1	B-2	B-3	M-1
General Building and Trade Contractors				P	P
Construction (Light and Heavy)				P	P
Construction Equipment Rental				P	P
Water Well Drilling				P	P
Agriculture Related					
Agricultural Sales and Service			P	P	P
Agricultural Support Services				P	P
Large Animal Veterinary Services				P	P
Community Facilities/Recreation/Other					
Utility and Communication Facilities				P	P
Libraries	P	P	P		
Recreational Facilities/Clubs			P	P	
Civic, Social, and Fraternal Organizations		C	P	C	P
U.S. Postal Service	P	P	P	P	P
Museums, Community Centers	P	P	P		
Meeting/Banquet Facility			P	P	
Government Facilities			P	P	P
Higher Education, Trade Education		P	P	P	P
Entertainment/Commercial Recreation					
Studio for Instruction	C	C	P		
Indoor Commercial Recreation		C	P	P	
Other					
Surface extraction of sand, gravel or other earth materials		C	C	C	C
Adult Oriented Businesses					P
Residential Care Facility, Nursing Home and Home for the Aging	C	C	P	P	
Hospital		C	P	P	

Planning Area	P-1	B-1	B-2	B-3	M-1
Multiple Dwelling Use for Senior Citizen Residents Only			C	C	
Planned Unit Development	C				
Self-Storage Facility			P	P	P
Similar Use	C	C	C	C	C
Work/Live Unit	P	P	P		
<u>Accessory Uses</u>					
Warehousing				P	P
Outdoor Storage (Accessory To Self-Storage Facility)			P	P	P
Drive Thru Window with a permitted use		C	C	C	C
Exterior Bank ATM		C	P		

114.4 LOT, YARD AND BUILDING REQUIREMENTS: The minimum lot and building requirements for uses in the commercial and industrial districts set forth in Section 114 are specified in Table 114.4.

114.4.1 Minimum Lot Area. The area of the lot shall not be less than the dimensions set forth in Table 114.4.

114.4.2 Minimum Lot Frontage/Width. The minimum lot frontage shall be the same as the minimum lot width, except for lots fronting on cul-de-sacs as set forth in Table 114.4.

114.4.3 Minimum Lot Width for Corner Lots. Corner lots shall have the same minimum lot width required for both street frontages.

114.4.4 Building Setbacks and Yard Clearances. All buildings and structures shall be located on a lot so as not to obstruct or otherwise encroach upon the minimum front, side and rear yard setback or clearance requirements established in Table 114.4, measured from the appropriate lot line. For corner lots, the minimum front building setback shall be required for both street frontages.

114.4.5 Building Separation. When more than one building is located on a lot, the separation between buildings shall not be less than the minimum distance set forth in Table 114.4, and shall further comply with the applicable requirements set forth in the Ohio Building and Fire Codes.

114.4.6 Maximum Impervious Surface.

114.4.6.1 The impervious surface on a lot shall comply with the maximum percentage of the total lot area set forth in Table 114.4.

114.4.6.2 The percentage shall be calculated by dividing the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of storm water by the total horizontal area of the lot. Impervious surfaces include, but are not limited to, roofs, streets, sidewalks, and parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay.

114.4.7 Building Height. The height of principal and accessory building shall not exceed the maximum heights established in Table 114.4. Church spires, belfries, clock towers, wireless towers, scenery lofts or other mechanical appurtenances may exceed these height restrictions when erected upon and as an integral part of such building.

114.4.7.1 Roof mechanicals: All mechanical appurtenances on the roof top and all visible equipment mounted on the side of a building shall be shielded from public view and adjoining developments. The shielding shall be integrated into the architecture of the building in terms of massing, materials and details. The shielding for the mechanical appurtenances on the roof shall be part of the roof form.

Table 114.4

District	<i>P-1</i>	<i>B-1</i>	<i>B-2</i>	<i>B-3</i>	<i>M-1</i>
Min. Finished Floor Area	900 sf.	900 sf.	900 sf.	900 sf.	None*
Max Building Height (Principal)	35 ft.	35 ft.	45 ft.	45 ft.	45 ft. **
Max Building Height (Accessory)	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Min. depth of front yard	50 ft.	50 ft.	60 ft.	60 ft.	75 ft.
Sum of side yard setback	30 ft.	30 ft.	45 ft.	45 ft.	50 ft.
Min. side yard either side	20 ft./10 ft.	20 ft./10 ft.	20 ft.	20 ft.	20 ft.
Min. side yard (adj. residential district)	20 ft.	20 ft.	40 ft.	40 ft.	40 ft.
Rear yard setback	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.
Rear yard (adj. to residential district)	20 ft.	20 ft.	50 ft.	50 ft.	50 ft.
Min. lot area	17,500 sf.	20,000 sf.	20,000 sf.	1 acre	1 acre
Min. lot frontage	100 ft.	100 ft.	100 ft.	100 ft.	100 ft.
Min. distance between buildings	25 ft.	25 ft.	25 ft.	25 ft.	25 ft.
Maximum Impervious Surface	70%	70%	70%	70%	70%
<p>* Lot must be able to provide for all requirements of the zoning resolution, including, but not limited to parking, landscaping, riparian setbacks, etc.</p> <p>** No rear setback is required for buildings 35 feet in height or smaller. Any building above 35 feet in height is required to provide a setback of one foot for every one foot above 35 feet in height.</p> <p>NOTE: Lot size, frontage, height and setback modifications and exceptions are listed in Section 125.</p>					

114.5 ACCESSORY USE REQUIREMENTS: Accessory uses, buildings and structures permitted in commercial and industrial districts set forth in Section 114 shall comply with the following regulations:

114.5.1 Accessory Buildings: Accessory buildings with a floor area of 1,500 square feet or less shall conform to all lot and yard requirements for principal buildings of the corresponding zoning district and be subject to the approval of the Zoning Inspector. Accessory buildings with a floor area greater than 1,500 square feet shall conform to all lot and yard regulations and site plan review and approval requirements of the zoning district in which the parcel or lot is located.

114.5.2 Trash Receptacles: All solid waste resulting from any permitted principal, conditional or accessory use shall either be disposed of, stored in buildings or in a completely enclosed container. Such building, container or dumpster shall comply with the following:

114.5.2.1 All commercial compactors, storage bins, refuse containers, utilities and mechanical equipment shall be contained wholly within enclosed buildings, or enclosed by three solid walls and one gated wall of such nature and height (2 ft. height exceeding enclosed containers) as to conceal completely all operations thereof from grade level.

114.5.2.2 Gates and doors shall be kept closed at all times and only opened when containers are being used or emptied or serviced.

114.5.2.3 All receptacle areas shall be designed and constructed with screening as an integral part of the associated building architecture and using the building massing, materials, and architectural details to unite screening structure with the building when property abuts a residential property.

114.5.2.4 Loading, unloading, opening, closing, or operation of trash containers shall not take place in such a manner as to cause a noise disturbance across a residential real property boundary between the hours of 7:00 p.m. and 6:00 a.m. The actual pick-up time/haul away for trash containers and commercial trash/waste containers shall be prohibited between the hours of 7:00 p.m. and 6:00 a.m. The actual operation of trash compactors shall be prohibited between the hours of 7:00 p.m. and 6:00 a.m., including delivery and loading operations.

114.5.3 Fences and Walls: Fences and walls may be erected in compliance with the requirements set forth in Section 133 of the Zoning Resolution.

114.5.4 Signs: Signs shall conform to the regulations specified in Section 128 of the Zoning Resolution.

114.5.5 Other Permitted Accessory Uses: In addition to the accessory uses set forth in Section 114.3, the following items shall be considered permitted accessory structures within the commercial and industrial districts set forth in Section 114. The following structures do not require a zoning permit, but shall not be located on a lot where they will impair vehicular or pedestrian traffic movement or visibility both on and off the property.

114.5.5.1 Mailboxes or newspaper tubes

114.5.5.2 Flag poles

114.5.5.3 Public phone facilities

114.5.6 Stand Alone Donation Box: Donation Boxes are a permitted accessory use within all commercial districts provided they are placed at a governmental or non-profit agency.

114.5.6.1 Prior to delivery and installation of any donation box, an applicant shall file a permit for accessory use.

114.5.6.2 Only two (2) boxes per lot.

114.5.6.3 An applicant must have approval of the property owner prior to installing donation boxes. The operator has to provide documentation that the property owner is aware and approves the installation of the donation box.

114.5.6.4 Donation boxes shall be no longer than 96 cubic feet (4' X 4' X 6').

114.5.6.5 Donation boxes shall be located on concrete, asphalt pavement or hard surface approved by the Zoning Inspector.

114.5.6.6 Each donation box shall be limited to four (4) square feet of signage. These signs will be for a place for the name of the 501 C 3 to be shown with contact information, including a telephone number for the 501 C 3. No third-party signs shall be allowed on the donation box.

114.5.6.7 The operator is responsible for maintaining the donation box. They are responsible to be ensuring the donation box does not become a safety hazard. This includes ensuring the structure is sound and not a danger of having material from the box or of the box of not being contained. The operator is also responsible for making sure the donation box does not overflow and if it overflows, they are responsible for removing those items.

114.5.7 Donation Boxes in Conjunction with a Facility:

114.5.7.1 Prior to delivery and installation of any donation box, an applicant shall file a permit for accessory use.

114.5.7.2 Only one (1) box per lot.

114.5.7.3 An applicant must have approval of the property owner prior to installing donation boxes. The operator has to provide documentation that the property owner is aware and approves the installation of the donation box.

114.5.7.4 Donation boxes shall be no longer than 30 yard dumpster (6' high X 7' wide X 20' long).

114.5.7.5 Donation boxes shall be located on concrete, asphalt pavement or hard surface approved by the Zoning Inspector. It shall be adjacent to the facility.

114.5.7.6 Each donation box shall be limited to four (4) square feet of signage. These signs will be for a place for the name of the 501 C 3 to be shown with contact information, including a telephone number for the 501 C 3. No third-party signs shall be allowed on the donation box.

114.5.7.7 The operator is responsible for maintaining the donation box. They are responsible to be ensuring the donation box does not become a safety hazard. This includes ensuring the structure is sound and not a danger of having material from the box or of the box of not being contained. The operator is also responsible for making sure the donation box does not overflow and if it overflows, they are responsible for removing those items.