

ARTICLE 4A

BUSINESS AND INDUSTRIAL DISTRICT REGULATIONS

4A.01 Intent	4A.09 Off-Street Parking Requirements
4A.02 Districts Established	4A.10 Landscaping and Screening Requirements
4A.03 Zoning Map & District Boundaries	4A.11 Outdoor Lighting Regulations
4A.04 Use Regulations	4A.12 Noise Regulations
4A.05 Schedule of Uses	4A.13 Supplemental Regulations for Specific Uses
4A.06 Lot Requirements	4A.14 Application of District Regulations
4A.07 Building Setback Requirements	
4A.08 Height Regulations	

4A.01 INTENT: The business and industrial districts (B-1, B-1A, B-2, B-3, B-4 and I-1) and their regulations are established in order to achieve, among others, the following purposes:

- (a) To promote and protect the public health and safety of Auburn Township property owners and residents.
- (b) To establish development standards in the commercial districts that effectively manage current and future development to maintain an acceptable balance between commercial development and the surrounding rural and residential areas.
- (c) To allow for a variety of uses in the Township's commercial districts, including Planned Business Development, which allow for more flexibility in site development and also promote the preservation of the Township's rural character.
- (d) To allow and encourage opportunities for economic development within the Township while conserving and enhancing its rural and historic character.
- (e) To provide for Planned Business Development as a means to accommodate business and commercial projects which maintain the Township's character.

4A.02 DISTRICTS ESTABLISHED: The Township is hereby divided into the following business and industrial districts:

- (a) **B-1 Districts:** B-1, General Business Districts are established to provide for a variety of business, office, and residential areas which are in keeping with the needs of the Township and its trade area. B-1 Districts shall be located to afford safe and convenient accessibility. The configuration of areas, lots and uses shall be sufficient to meet the standards and regulations of this Resolution. (9/6/01)
- (b) **B-1A Districts:** B-1A, Auburn Corners Retail Business Districts are established to provide for a variety of business, office, and residential areas in the Auburn Corners

area which are in keeping with the needs of the Township and its trade area. B-1A Districts shall be located to afford safe and convenient accessibility. The configuration of areas, lots and uses shall be sufficient to meet the standards and regulations of this Resolution. (9/6/01)

- (c) **B-2 Districts:** B-2, “Village” Retail Districts are established to encourage a variety of retail and office uses in a compact, yet cohesive, “village center” environment in the Auburn Corners area that serves as the historic core for surrounding commercial areas. B-2 Districts shall be located to afford safe and convenient accessibility. The configuration of areas, lots and uses shall be sufficient to meet the standards and regulations of this Resolution. (12/31/03)
- (d) **B-3 Districts:** B-3, Retail/Motorist Service Districts are established to provide for highway-oriented businesses and services. B-3 Districts shall be located in close proximity to the interchange areas of limited access highways, and designed as buffers between such areas and other developments. B-3 Districts shall be located to afford safe and convenient accessibility. The configuration of areas, lots and uses shall be sufficient to meet the standards and regulations of this Resolution. (12/31/03)
- (e) **B-4 Districts:** B-4, Office/Light Industrial Districts are established to provide for a variety of office and light industrial uses which are in keeping with the business and employment needs of the Township and its trade area. Planned B-4 Districts shall be located to afford safe and convenient accessibility, and the configuration of areas, lots and uses shall be sufficient to meet the standards and regulations of this Resolution.
- (f) **I-1 Districts:** I-1, General Industrial Districts are established to provide for industrial areas with a variety of business and manufacturing uses which are in keeping with the business and employment needs of the Township and its trade area. I-1 Districts shall be located to encourage the separation of residential and non-residential traffic. The configuration of areas, lots and uses shall be sufficient to meet the standards and regulations of this Resolution. (9/6/01)

4A.03 ZONING MAP & DISTRICT BOUNDARIES: Districts and their boundaries are shown on the Zoning Map (see Appendix B of this Resolution) and are included in the legal descriptions set forth in Exhibits. The area enclosed by a district boundary shall be in the district designated therein on the Zoning Map. Where uncertainty occurs as to the precise location of a boundary, the following shall apply:

- (a) **Rights-of-Way:** Where a district boundary appears within a right-of-way, its centerline shall be the boundary. Should a right-of way be vacated, the abutting district shall be extended to its centerline.
- (b) **Lot Lines:** Where a district boundary appears to follow a lot line, this line shall be the boundary.

Replacement Page 12/31/03

- (c) **Interpretation:** Should the Zoning Inspector be unable to determine the location of a district boundary according to (a) or (b) above, its location shall be determined by the Zoning Board of Appeals.

4A.04 USE REGULATIONS: Lots, buildings and structures shall be used in compliance with the regulations contained within Article 4A, and only for the uses contained herein.

- (a) **Uses Permitted by Right:** A use listed in Schedule 4A.05 shall be permitted as a principal, or main, use in a district when denoted by the letter “P”, provided that all requirements of this Zoning Resolution and other Township resolutions have been met.
- (b) **Conditional Uses:** A use listed in Schedule 4A.05 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 all applicable requirements of this Resolution have been met. See also Section 5.03 and Article 6.
- (c) **Accessory Uses:** 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. See also Section 5.02.
- (d) **Prohibited Uses:** Any use not specifically listed in this Resolution shall not be permitted, nor shall any zoning certificate be issued therefor, unless and until a zoning amendment to provide for such use is in effect or a variance has been granted in accordance with this Resolution.
- (e) **Minimum Lot Requirements:** The minimum lot requirements for uses in the commercial and industrial districts are specified in Schedule 4A.06.
- (f) **Required Parking Spaces:** Depending on its use, each lot shall have at least the required parking spaces specified in Schedule 4A.09(c).
- (g) **Maximum Total Sign Areas:** Depending on its use, the total area of all signs on a lot exclusive of billboards, shall not be greater than that specified in Section 5.02(i).
8/15/18
- (h) **Height Regulations:** See Schedule 4A.08.

4A.05 SCHEDULE OF USES:

Schedule 4A.05: Schedule of Uses

LAND USE CATEGORY	B-1 General Business District (1)	B-1A Auburn Corners Retail Business District	B-2 “Village” Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District (2)
(a) Residential						
(1) Dwelling Unit (as part of a business)		C				
(2) Reserved 6/6/07						
(3) Nursing Homes	C				C (7/21/10)	
(b) Offices						
(1) Medical clinics	P	P		P	P	
(2) Reserved 6/6/07						
(3) Professional, administrative, executive		P	P		P	
(4) Sales office with only samples of products		P	P		P	
(c) Retail/Services						
(1) Retail in completely enclosed buildings		P	P	P		
(2) Personal services in completely enclosed buildings		P	P	P		
(2) Animal hospital, veterinary clinic and offices		P				
(3) Automated teller machines (walk-up)		P	P	P		
(4) Bank, financial institution		P	P	P		
(4) Drive-thru facilities in association with a principal use		P	P	P		
(7) Reserved (3/6/13)						
(8) Reserved (3/6/13)						
(9) Planned Business Development		P	P	P	P	
(10) Restaurants		P	P	P		
(11) General Businesses	P					
(12) Reserved 6/6/07						
(13) Child Day Care Facility	C	C			C	C
(d) Lodging Establishments						
(1) Bed-and-Breakfast		C	C (7/21/10)			
(2) Hotel, motel			P	P		Replacement Page 3/6/13
(e) Automotive Uses						
(1) Auto repair garage	C					
(2) Auto service station	C			C		

LAND USE CATEGORY	B-1 General Business District (1)	B-1A Auburn Corners Retail Business District	B-2 "Village" Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District (2)
(3) Automobile sales	C					
(4) Car wash	C			C		
(5) Reserved						
(6) Tractor-trailer services – repair, overnight parking, fuel sales (3/11/08)						P
(f) Community Facility						
(1) Party Center (2/25/09)	C	C		C		
(2) Recreation facilities (2/25/09)	C	C			C	
(3) Reserved (2/25/09)						
(4) Hospitals		C		C	C	
(4) Schools, public and private	C	C			C	
(5) Reserved (2/25/09)						
(g) Industry						
(1) General industries						P
(2) Light industries (in completely enclosed buildings)					P	
(3) Warehouses					P	P
(4) Self-Storage Facilities	C					
(5) Sexually Oriented Businesses						C
(h) Billboards						
(1) Billboards	C	C	C	C	C	C
P = Permitted Use C = Conditional Use (1) R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14 (2) B-1 District permitted main and conditional uses are allowed in I-1 District, except that Dwellings are prohibited. 8/20/14						

4A.06 LOT REQUIREMENTS: The minimum lot requirements for uses in the commercial and industrial districts are specified in Schedule 4A.06.

Schedule 4A.06: Lot Requirements

	B-1 General Business District (4)	B-1A Auburn Corners Retail Business District	B-2 “Village” Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
(a) Minimum Lot Area						
All uses except as noted below	1.5 acres ⁽¹⁾	2 acres	none	2 acres	2 acres	1.5 acres ⁽¹⁾
(1) Planned Business Development	NP	15 acres ⁽²⁾	P ⁽⁵⁾	15 acres ⁽²⁾	15 acres ⁽²⁾	NP
(2) Nursing Homes	3 acres	NP	NP	NP	NP	NP
(3) Hospital	NP	3 acres	NP	3 acres	3 acres	NP
(b) Minimum Lot Width						
All uses except as noted below	150 feet ⁽³⁾	175 feet ⁽³⁾	none	175 feet ⁽³⁾	175 feet ⁽³⁾	150 feet ⁽³⁾
(1) Planned Business Development	NP	450 feet ⁽²⁾	none	450 feet ⁽²⁾	450 feet ⁽²⁾	NP
(2) Nursing Homes	200 feet	NP	NP	NP	NP	NP
(3) Hospital	NP	200 feet	NP	200 feet	200 feet	NP
(c) Maximum Lot Coverage						
(1) Buildings Only	30%	30%	none	30%	30%	30%
(2) Buildings and Parking All uses except as noted below	none	40%	80%	40%	40%	none
a. Planned Business Development	NP	60%	80%	60%	60%	NP
NP Not a permitted use in this district. ⁽¹⁾ Corner lots shall have a minimum lot area of 2.0 acres. ⁽²⁾ Entire development area or development lot width needs not be located within one zoning district; see Section 4A.13(a)(1)(b). ⁽³⁾ Corner lots shall have a minimum lot width of 200 feet. ⁽⁴⁾ R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14 ⁽⁵⁾ Permitted in conjunction with an adjacent B-1A and B-3 Districts; 15 acre minimum required.						

4A.07 BUILDING SETBACK REQUIREMENTS: Every principle and accessory building shall be located on a lot in compliance with the setback requirements set forth in Schedule 4A.07.

Schedule 4A.07: Building Setback Requirements ⁽⁷⁾

	B-1 General Business District ⁽⁶⁾	B-1A Auburn Corners Retail Business District	B-2 “Village” Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
(a) Front Yard						
(1) Minimum setback	75 feet	75 feet	40 feet	125 feet	125 feet	75 feet
(b) Side Yards						
(1) Adjoining a Residential District (minimum setback)	50 feet ⁽⁵⁾	100 feet	100 feet	100 feet	100 feet ⁽³⁾	50 feet
(2) Adjoining a Non-Residential District (minimum setback)	30 feet ⁽⁴⁾⁽⁵⁾	30 feet	10 feet	30 feet	30 feet	30 feet
(c) Rear Yards						
(1) Adjoining a Residential District (minimum setback)	100 feet ⁽⁵⁾	100 feet	100 feet	100 feet	100 feet ⁽³⁾	100 feet
(2) Adjoining a Non-Residential District (minimum setback)	50 feet ⁽⁵⁾	30 feet	10 feet	30 feet	30 feet	50 feet
<p>(*) Mandatory setback means that building shall be set back exactly at prescribed distance. Deleted effective 12/31/03.</p> <p>(2) The side yard depth for Public Accommodations in all cases shall be 200 feet. Deleted effective 6/06/07</p> <p>(3) Planned Business Development in the B-4 District shall be located a minimum of 400 feet from a residential district boundary.</p> <p>(4) Unless the main buildings on adjoining lots are connected by a party wall.</p> <p>(5) See also 5.03(d)(1) and 5.03(e)(1).</p> <p>(6) R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14</p> <p>(7) When a PBD includes more than one District, building setback requirements are only applicable to the perimeter of the PBD. The criteria for setbacks is determined by the District in which that portion of the PBD is located.</p>						

4A.08 HEIGHT REGULATIONS: No building in a business or industrial district shall exceed the following heights:

Schedule 4A.08: Height Regulations

	B-1 General Business District ⁽¹⁾	B-1A Auburn Corners Retail Business District	B-2 “Village” Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
(a) Principal Building	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
(b) Accessory Building	35 feet	35 feet	35 feet	35 feet	35 feet	35 feet
<p>(1) R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14</p>						

4A.09 OFF-STREET PARKING REQUIREMENTS:

- (a) **B-1A, B-2, B-3 and B-4 Districts:** See also 5.02 (e). (3/6/13)
- (1) **Required Parking Spaces:** Off-street parking spaces shall conform to the requirements specified in Schedule 4A.09(c).
 - (2) **Required Loading Spaces:** One (1) loading space at least 12 feet wide and 50 feet long, with 15 feet of clearance, excluding any other parking spaces or circulations areas on the lot, shall be required per 5,000 square feet of floor area or outdoor sales area involving the exchange of goods. Loading facilities shall be located entirely within enclosed main buildings, or in side or rear yards.
 - (3) **Location:** Off-street parking and loading areas shall be located in compliance with the minimum setbacks, measured from the road right-of-way or property line, as specified in Schedule 4A.09(d), unless otherwise noted. 11/19/13
- (b) **B-1 and I-1 Districts:** See also 5.02(f). (3/6/13)
- (1) **Required Parking Spaces:** Off-street parking spaces shall conform to the requirements specified in Schedule 4A.09(c).
 - (2) **Required Loading Spaces:** See 5.02(f). (3/6/13)
 - (3) **Location:** Off-street parking and loading areas shall be located in compliance with the minimum setbacks, measured from the road right-of-way or property line, as specified in Schedule 4A.09(d), unless otherwise noted. 11/19/13

Schedule 4A.09(c): Parking Requirements

Schedule 4A.09(c): Parking Requirements

	B-1 General Business District (3)	B-1A Auburn Corners Retail Business District	B-2 “Village” Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
All uses except as noted below	1 space per 200 sq. ft. of floor area ⁽¹⁾	1 space per 200 sq. ft. of floor area	1 space per 400 sq. ft. of floor area or 1 space per 4 persons at maximum capacity, whichever is greater	1 space per 200 sq. ft. of floor area or 1 space per 2 persons at maximum capacity, whichever is greater	1 space per 200 sq. ft. of floor area or 1 space per 2 persons at maximum capacity, whichever is greater	1 space per employee at maximum shift
(1) Single Family Dwellings 8/15/18	(2)	(2)	NP	NP	NP	NP
(2) Reserved						
(3) Nursing Homes	1 space per bed at maximum capacity	NP	NP	NP	NP	NP
(4) Hospital	NP	1 space per bed at maximum capacity	NP	1 space per bed at maximum capacity	1 space per bed at maximum capacity	NP
(5) Self-Storage Facilities	1 space per 10 units; minimum of 3 spaces	NP	NP	NP	NP	NP
(6) Child Day Care Facility	1 space for every employee for 2 largest successive employee shift; plus 1 space for every 7 children based upon maximum capacity	1 space for every employee for 2 largest successive employee shift; plus 1 space for every 7 children based upon maximum capacity	NP	NP	1 space for every employee for 2 largest successive employee shift; plus 1 space for every 7 children based upon maximum capacity	1 space for every employee for 2 largest successive employee shift; plus 1 space for every 7 children based upon maximum capacity

⁽¹⁾ See Accessory Uses 5.02.

⁽²⁾ See 5.02(f)(2). 3/6/13

⁽³⁾ R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14

(d): Parking Setbacks.

Schedule 4A.09(d): Parking Setbacks

	B-1 General Business District ⁽³⁾	B-1A Auburn Corners Retail Business District	B-2 “Village” Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
(1) Front						
(a) Minimum setback	15 feet ⁽²⁾	25 feet	40 feet	25 feet	25 feet	15 feet
(2) Side and Rear (minimum setback)	15 feet ⁽²⁾	15 feet	none	15 feet	15 feet	15 feet
(1) Mandatory setback means that building shall be set back exactly at prescribed distance. Deleted effective 12/31/03. (2) See also 5.02(f)(4). 3/6/13 (3) R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14.						

4A.10 LANDSCAPING AND SCREENING REQUIREMENTS FOR B-1, B-1A, B-2, B-3, B-4 and I-1 DISTRICTS: All portions of a lot not devoted to buildings and pavement shall be landscaped, and screening and buffers provided, in order to: remove, reduce, lessen or absorb the impact between one use or district and another; break up and reduce the impact of large parking areas; provide interest and lessen the monotony of the streetscape; obscure the view of outdoor storage, rubbish areas, dumpsters, parking and loading areas; enhance stormwater management; and provide protection from soil erosion.(5/19/04)

- (a) **Landscaping Along the Road Frontage.** All areas within the required building and parking setback, excluding driveway openings, shall be landscaped. The following minimum plant materials shall be provided and maintained. 11/19/13
 - (1) Three- (3) shade trees, for every 100 linear feet of lot frontage or fraction thereof, not including drive entrances.
 - a. Each tree, at the time of installation, shall have a clear trunk height of at least six (6) feet and a minimum caliper of two (2) inches.
 - b. For the purpose of these regulations, a shade tree shall be a tree normally growing to a mature height of twenty (20) feet and a mature spread of at least fifteen (15) feet.
 - (2) Twenty (20) shrubs for every 100 linear feet of lot frontage or fraction thereof, not including drive entrances.
 - (3) Grass, ground covers or other live landscape treatment, excluding paving or gravel.

- (4) Trees and shrubs may be evenly spaced or reasonably and appropriately aggregated based on site-specific characteristics.
- (b) **Screening and Landscaping of Parking Lots.** Perimeter and interior landscaping of parking lots shall be provided in accordance with the following requirements.
- (1) **Interior Parking Lot Landscaping.** For any parking area that contains more than two rows of parking and is designed to accommodate thirty (30) or more vehicles, not less than ten percent (10%) of the parking lot area shall be planted as landscaped islands. For the purpose of this Section, the area of a parking lot shall be the total vehicular surface area including circulation aisles. Such islands shall be developed and evenly distributed throughout the parking lot to provide visual and climatic relief from broad expanses of pavement.
- a. Each island shall be a minimum of ten (10) feet in any horizontal dimension and shall provide at least one shade tree having a clear trunk height of at least six (6) feet and a minimum caliper of two (2) inches.
- b. Shrub plantings adjacent to a building along the perimeter of the parking lot, or in any part of a yard, shall not be counted as interior parking lot landscaping.
- (2) **Screening of Parking Lots Along Public Roads.** Whenever parking areas consisting of five (5) or more spaces are located such that the parked cars will be visible from a public road, screening shall be provided and maintained between the parking area and the road-right-of-way. Such screening shall have a minimum height of three (3) feet and shall be placed along the perimeter of the parking area to effectively obscure a minimum of fifty percent (50%) of the view of the parking area. Screening provided in compliance with subsection 4A.10(a) shall fulfill this requirement. 11/19/13
- (c) **Screening Adjacent to Residential Districts.** Screening and buffering shall be provided within the required setback areas adjacent to residential districts in compliance with the following regulations.
- (1) Screening within the buffer yard shall consist of one or a combination of the following:
- a. A dense vegetative planting incorporating trees and/or shrubs of a variety that shall be equally effective in winter and summer. Trees and/or shrubs shall be adequately spaced to form a solid continuous visual screen within three (3) years after the initial installation.

- b. A non-living opaque structure such as a solid masonry wall or a solid fence that is compatible with the principal structure.
 - c. A fence with openings through which light and air pass, together with a landscaped area at least ten (10) feet wide.
 - d. A landscaped earthen mound or berm at least five (5) feet wide.
 - e. Maintenance of the existing natural vegetation that, in its natural state, forms a screen with a height not less than six (6) feet.
- (2) The height of screening shall comply with the following:
- a. Visual screening walls, fences, or mounds and fences in combination shall be a minimum of six (6) feet high measured from the natural grade.
 - b. Vegetation shall be a minimum of six (6) feet high measured from the natural grade. The required height shall be achieved no later than twelve (12) months after the initial installation.
 - c. The location of the wall, fence, or vegetation shall be placed within the buffer yard to maximize the screening effect as determined by the Zoning Commission.
- (d) **Screening of Accessory Uses.** Accessory uses shall be screened from any adjacent road or adjoining property according to the following: 11/19/13
- (1) Dumpsters and loading areas shall be enclosed on all four sides by an opaque fence or wall having a minimum height of six (6) feet.
 - (2) Outdoor storage shall be screened according to subsection 4A.10(c) when abutting a residential district. 3/6/13
- (e) **Landscaping and Maintenance of Yards.** Required yards and all other portions of the lot not covered by permitted structures or parking shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material, which shall be maintained in good and healthy condition at all times.
- (1) All screening shall be free of advertising or other signs, except for directional signs and other signs necessary for the efficient flow of vehicles.
 - (2) The current owner shall maintain the required landscaping in healthy condition. In the event any required landscaping material dies or is destroyed, it shall be replaced within six (6) months. Replacement material shall conform to the original intent of the landscape plan.

- (3) Vehicle parking shall not be permitted in landscaped areas.

4A.11 OUTDOOR LIGHTING REGULATIONS FOR B-1, B-1A, B-2, B-3, B-4, I-1 AND OS-1 DISTRICTS: (3/7/07)

- (a) **Purpose.** The purpose of this section is to regulate the placement, orientation, distribution patterns and fixture types of outdoor lighting in the B-1, B-1A, B-2, B-3, B-4, I-1, and OS-1 Districts in order to preserve, protect and enhance the rural character of the Township and the lawful nighttime use and enjoyment of property located within the Township. Appropriate site lighting, including lights for signs, buildings and roads, shall be arranged so as to: 11/19/13
 - (1) Provide safety, utility and security.
 - (2) Control light trespass and glare on adjacent properties and public roadways.
 - (3) Reduce atmospheric light pollution.
- (b) **General Requirements.**
 - (1) All outdoor lighting fixtures in the B-1A, B-2, B-3 and B-4, I-1 and OS-1 Districts, including but not limited to those used for roads, parking areas, buildings, building overhangs, canopies, signs, displays and landscaping, shall be full cut-off type fixtures. 11-19/13
 - a. These full-shielded or full cut-off fixtures shall be installed and maintained so that the shielding is effective as described in the definitions, Article 2. 6/6/07
 - b. Uplighting is prohibited.
 - c. Signs wholly illuminated from within are acceptable and do not require shielding.
 - d. Automobile-oriented uses such as gasoline stations, service stations and drive-through facilities shall install recessed ceiling fixtures in any canopy.
 - (2) **Light Trespass.** Light trespass over a commercial property line shall be limited to no more than 0.5 footcandles at the property line. All on-site lighting of buildings, lawns, parking areas and signs shall be designed so as not to shine onto any adjacent property or building, or to cause glare onto any public road or vehicle thereon. 11/19/13

(3) **Measurement.**

- a. Light levels shall be measured in footcandles with a direct reading, portable light meter. Readings shall be taken only after the cell has been exposed long enough to take a constant reading.
- b. Measurements shall be taken at the commercial property line, along a horizontal plane at a height of three and one-half (3.5) feet above the ground.

(4) All non-essential outdoor lighting fixtures, including parking, sign, display and aesthetic lighting, shall be turned off after business hours. Only that lighting needed for safety or security may remain lit after close of business, in which case the lighting shall be reduced to the minimum level necessary.

(5) Light poles shall not exceed a height of twenty (20) feet.

(c) **Exemptions.**

- (1) Decorative outdoor lighting fixtures with bulbs of less than 25 watts, installed seasonally, are exempt. 6/6/07
- (2) Temporary construction or emergency lighting is exempt provided such lighting is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting. 6/6/07
- (3) Nothing in Section 4A.11 shall apply to lighting required by the FAA or any other federal regulatory authority.

4A.12 NOISE REGULATIONS FOR B-1, B-1A, B-2, B-3, B-4, I-1, AND OS-1 DISTRICTS:

All uses located in a B-1, B-1A, B-2, B-3, B-4, I-1 or OS-1 Districts shall adhere to the requirements of this Section in order to protect Township residents from excessive noise, which may degrade their quality of life or jeopardize their health and welfare. (3/7/07)

- (a) **Average Decibel Limits.** In a B-1, B-1A, B-2, B-3, B-4, I-1 or OS-1 District, a person may not conduct a use so as to create a noise level that exceeds the decibel limits contained in the following table: 7/1917

	Average Sound Level at the Property Line (dBA) 7/19/17	
	6 am to 9 pm 7/19/17	9 pm to 6 am 7/19/17
a. Adjacent to residential district	55	45
b. Adjacent to non-residential district ⁽¹⁾	65	60

⁽¹⁾In no case, however, shall the decibels exceed, at the nearest residential property line, the average sound pressure level indicated in line a. 7/19/17

- (b) **Measurement.**

- (1) The sound level is determined by the average decibel level for the eight (8) highest one (1) hour periods of the day or night as indicated by the above table. 7/19/17
- (2) A sound-level meter may be used by the Zoning Inspector or a qualified sound consultant may be retained to measure sound pressure level; provided however, that prior authorization therefor shall be granted by the Board of Township Trustees. 11/19/13
- (3) Noise levels shall be measured at any point along the property line. 7/19/17

4A.13 SUPPLEMENTAL REGULATIONS FOR SPECIFIC USES IN THE B-1A, B-2, B-3, B-4 AND OS-1 DISTRICTS:

- (a) **Planned Business Development.** Planned Business Development (PBD) is permitted, in the form of a PUD, as a means to accommodate and encourage business uses that have been planned as a unified project. PBD allows for more flexible development on larger sites and results in commercial projects more in keeping with the Township's rural character. PBD offers property owners the incentive of more development rights in return for the increased flexibility, and the Township is rewarded with better circulation patterns, improved access management and better arrangement of uses, as well as an "up front" plan for landscaping, screening and buffering.
- (1) **Permitted Locations.**
- a. Planned Business Development is permitted in the B-1A, B-2, B-3 and B-4 Districts. (Effective 7/07/04)
 - b. The fifteen (15) acres necessary to make a PBD must be contiguous, under the same ownership of record, and be located in any one or a number of the following districts: B-1A, B-2, B-3 and B-4. (Effective 7/07/04)
 - c. Planned Business Development is permitted in the B-4 District only under the following conditions:
 1. When the PBD is contiguous to a B-3 District; and
 2. When a minimum of 400 feet is maintained between the PBD property line and any adjacent residential districts.
- (2) **Permitted Uses.** All uses permitted conditionally and by right in the district in which the PBD is located are permitted within the PBD.
- (3) **Development Standards.** All development within a PBD shall comply with the general development standards of the district in which it is located, as set forth in this Article and in Articles 3 and 5.
- (4) **Development Plan Review.** All Planned Business Development projects are subject to Development Plan Review according to Article 8.

- (b) **3/6/13 Development Guidelines.** The following guidelines are established to ensure all new development or redevelopment in the B-1A, B-2, B-3 and B-4 Districts complies with the purpose and objectives of this Article, as set forth in Section 4A.01 .

(1) **General Criteria.**

- a. The proposal shall enhance and improve the character of the community and be appropriate and compatible with its surroundings in accordance with the intent, objectives and development requirements set forth in this Article.
- b. Buildings, structures and landscaping should be designed and located on the site and be of a scale and massing to complement adjacent buildings and enhance the character of the surrounding area.
- c. Each building or unit of a multiple building development should have its own distinct identity, yet should also be compatible with adjacent units or buildings in terms of proportion, color and materials.
- d. Where natural or existing topographic patterns positively contribute to the appearance and utility of a development, they shall be preserved and developed. Modification of topography will be permitted providing the modifications do not affect surrounding properties or the overall quality of the proposed development in an adverse way.

(2) **Utility Lines.** All on-site power and utility lines shall be buried underground.

(3) **Drainage and Storm Water Management.**

- a. Lots shall be graded so that water runoff is concentrated where it can be most effectively infiltrated and reabsorbed. Stormwater retention areas should be incorporated wherever possible to contribute to aquifer recharge.
- b. Where stormwater retention basins are used, a minimum of 5 feet of silt or sand, whether existing or installed, shall be maintained between the bottom of the retention basin and the underlying aquifer to protect the aquifer from any contamination.
- c. Rooftop downspouts shall be disconnected or redirected from roadway and stormwater collection systems wherever possible; rooftop and other impervious surface runoff should be directed to selected infiltration areas in yards or vegetated areas.
- d. Road layout should take advantage of natural drainage patterns. Roadside swales should be designed to accept stormwater runoff, reduce the velocity of water and increase infiltration.

- e. Development plans shall not include an inverted curvature to roads, and whenever possible, the use of curb and gutter systems should be avoided. 11/19/13
- (4) **Compliance with Other Regulations.** Development in the B-1A, B-2, B-3 and B-4 Districts shall comply with all other applicable regulations as set forth by appropriate county, state and/or federal agencies.
- (5) **B-2 “Village” Retail District Development Criteria.** In addition to the guidelines specified in subsections (1) through (4) above, development within the B-2 District should maintain the existing small-scale retail and residential character of the “village” center area by complying with the following.
- a. **Pedestrian Quality.** Pedestrian activity shall be encouraged and safe pedestrian connections shall be provided between the principal uses, adjacent uses, parking areas and sidewalks.
- b. **Development.**
1. New development shall enhance and improve the character of the community and be appropriate and compatible with its surroundings.
 2. New development shall complement adjacent buildings and enhance the character of the surrounding area.
 3. New development is not restricted as to architectural style; however, a “Western Reserve” style is encouraged so that a harmonious relationship with the prevailing characteristics of the surrounding area is maintained and the rural character of Auburn Township is preserved.
 4. Appropriate means for achieving 1 through 3 above include:
 - i. When buildings have the appearance of being at least two (2) stories in height, which can be accomplished through the use of pitched roofs, dormer windows or other architectural elements.
 - ii. When the minimum pitch of the main roof of a building is less than 4 feet of rise for each 12 feet of horizontal run.
 - iii. When the wall of a building facing a public right-of-way or parking area, or is within 45 degrees of facing a

public right-of-way, has a minimum of fifty percent (50%) of such wall area with display-type windows on the ground floor, with the bottom edge of such windows not higher than three (3) feet above grade and no more than twenty percent (20%) of such windows opaque.

- iv. When walls have no more than twenty (20) feet of contiguous wall length devoid of windows on any ground floor, unless the wall includes architectural features such as piers, columns, defined bays or an undulation of the building, so that a pedestrian scale, rhythm, and visual interest is created.
- v. When the arrangement, proportion and design details of windows, doors, porches and other architectural details is consistent with the patterns currently existing in the district.
- vi. When buildings have finish materials on all sides, and are harmonious with the predominantly Western Reserve architectural style of the surrounding area.

- c. **Development Plan Review.** Development within the B-2 “Village” Retail District is subject to Development Plan Review according to Article 8.

4A.14 APPLICATION OF DISTRICT REGULATIONS: The B-1, B-1A, B-2, B-3, B-4, I-1 and OS-1 Districts and their regulations are established to achieve the purposes set forth in Section 4A.01. In the event there is a conflict between the regulations of this Article and regulations contained elsewhere in the Zoning Resolution, the provisions contained in this Article shall govern.