

## ARTICLE 5

### SUPPLEMENTARY REGULATIONS

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|---------------------|--|
| 5.01 Dwellings      | 5.03 Conditional Uses                        |
| 5.02 Accessory Uses | 5.04 Fire Protection Pond (3/17/04)          |
|                     | 5.05 Prohibited Uses in All Zoning Districts |
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**5.01 DWELLINGS:** In addition to the other provisions of this Resolution dwellings shall be regulated as follows:

- (a) **Maximum Densities:** In R-1 and R-2 Districts, the total number of dwelling units in each subdivision shall not exceed the number of units per acre provided in Schedule 4.03(k). There shall be no more than one (1) single family detached dwelling on a lot. (Effective 12/31/03)
- (b) **Minimum Dwelling Unit Areas:** Depending on its number of bedrooms, each dwelling unit shall have at least the following floor area.

Number of Bedrooms	Minimum Floor Area Per Dwelling Unit
Under 3	1200 Square Feet
3	1500
4	1800
Over 4	2100

**5.02 ACCESSORY USES:** In addition to the other provisions of this Resolution, accessory uses shall be permitted and regulated as follows:

- (a) **Accessory Buildings:** No accessory building shall be located in a front yard. Detached accessory buildings may be located in side or rear yards at least 15 feet from any lot line or other building on the same lot; and accessory buildings used for keeping horses or livestock shall be located at least 50 feet from any lot line, or as otherwise regulated by the county Health Department.

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- (b) **Home Occupations:** One (1) parking space per 200 square feet of floor area used by the home occupation shall be provided in addition to the other spaces required on the lot; and its maximum total sign area shall not be increased.
- (c) **Outdoor Displays:** <sup>3/6/13</sup> Outdoor displays shall be an accessory use in B-2, B-1A, B-3, B-4 and I-1 Districts. Such displays must be in compliance with the following:

**(1) Locations:**

- a. Outdoor display setbacks for all zoning districts are as follows:

**Outdoor Display Setbacks** <sup>3/6/13</sup>

	<b>B-1</b> General Business District	<b>B-1A</b> Auburn Corners Retail Business District	<b>B-2</b> “Village” Retail District	<b>B-3</b> Retail/Motori st Service District	<b>B-4</b> Office/Light Industrial District	<b>I-1</b> General Industrial District
<b>Front/Side/Rear Minimum Setback</b>	15 feet	25 feet	N/A	25 feet	25 feet	15 feet

- b. Outdoor displays are not permitted in the B-2 District.
- c. No outdoor display area shall be permitted to occupy or interfere with required parking areas, required open space, public sidewalks or pedestrian access.

**(2) Development and Maintenance Standards:**

- a. Outdoor displays shall be stationary and devices such as flashing lights, searchlights or portable signs shall be prohibited.
- b. No outdoor display shall be hazardous to any traffic movement.
- c. The permitted illumination of outdoor displays shall be of a constant intensity. No illuminated outdoor display shall emit any glare beyond its lot lines.
- d. Areas devoted to outdoor displays shall be constructed on an impervious surface.

- (d) **Outdoor Storage:** Outdoor storage shall be an accessory use in B-1, B-1A, B-3, B-4 and I-1 Districts. Such storage must be in compliance with the following.
- (1) **Locations:**
- a. Areas devoted to outdoor storage shall comply with all building setbacks and yard regulations for the district in which they are located.
  - b. No outdoor storage shall be permitted between the front wall of the principal building and the adjacent road.
  - c. No outdoor storage area shall be permitted to occupy or interfere with required parking areas, required open space, public sidewalks or pedestrian access.
  - d. Outdoor storage shall not be permitted in the B-2 District.
- (2) **Development and Maintenance Standards:**
- a. The permitted illumination of outdoor storage shall be of a constant intensity. No illuminated outdoor storage shall emit any glare beyond its lot lines.
  - b. The bulk storage of material shall be effectively prevented from spreading.
  - c. All outdoor storage areas shall be effectively screened from all adjacent residential districts, public parking areas and public roads by walls, fences or landscaping (or these in combination) which achieve a substantially opaque screen from the ground to the height of the material to be stored or six (6) feet, whichever is less. Any landscape plant material which is used shall be planted at such size and spacing to achieve a substantially opaque screen within two (2) years from the time of planting. 11/19/13
  - d. No outdoor storage or required screening shall be hazardous to any traffic movement.
  - e. Areas devoted to outdoor storage shall be located on an impervious surface.
  - f. Maximum lot coverage including buildings, parking and outdoor storage in the B-1A, B-3 and B-4 Districts shall not exceed 40% of the total lot area. Areas devoted to outdoor storage in B-1 and I-1 shall not exceed 25% of the total lot area.

- (e) **Parking and Loading Facilities in the B-1A, B-2, B-3 and B-4 Districts:** Parking and loading facilities shall be required and regulated in the B-1A, B-2, B-3 and B-4 Districts as follows:
- (1) **Measurement Standards:** The following standards for measuring parking and loading facilities shall apply.
    - a. The dimensions of parking spaces and related circulation areas shall be based on the minimum standards given in Appendix C of the Resolution.  
8/15/18
    - b. The required number of parking and loading spaces shall be provided according to Schedule 4A.09(c).
    - c. If the Zoning Inspector is unable to determine the area or number of parking and loading facilities according to subsection (a) or (b) above, they shall be determined by the Commission.
  - (2) **Development and Maintenance Standards:** Parking and loading facilities shall comply with the general provisions of this Resolution (3.01 and 3.02) and the following standards.
    - a. The location and design of all parking and loading facilities shall be in keeping with the character of the surrounding area.
    - b. All parking and loading areas shall have a hard, dust-free surface; and any area with five (5) or more spaces shall be constructed with a surface of concrete or asphalt. Appurtenances such as curbs, gutters, wheel guards, directional signs, striping, lighting and trash units may be required. (9/6/01)
    - c. All parking and loading facilities shall be completed within one (1) year after the approval date of their Development Plan. See 6.01(b).
    - d. The owner of the lot used by any parking or loading facilities shall be responsible for their maintenance in good condition without holes, dust, trash or debris. The parking of any unlicensed or disabled motor vehicle on any outdoor parking or loading facility for a continuous period of 15 or more days shall be prohibited.
- (f) **Parking and Loading Facilities in the R-1, R-2, B-1 and I-1 Districts:** Parking and loading facilities shall be required and regulated in the R-1, R-2, B-1 and I-1 Districts as follows. (Effective 7/31/02)
- (1) **Required Parking Spaces:** See 4.03(I) and 4A.09(c).

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- (2) **Required Parking Garages:** Parking garages shall be required to accommodate two (2) parking spaces per one-family dwelling on the same lot.  
(Effective 7/31/02)
- (3) **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 circulation areas on the lot, shall be required per 5,000 square feet of floor area or outdoor sales area involving the exchange of goods.
- (4) **Location:** Parking and loading facilities shall comply with the following regulations.
- a. Outdoor parking facilities for dwellings shall be located only in side or rear yards at least 15 feet from any lot line. No dwelling shall be located further than 200 feet from at least two (2) parking spaces.
  - b. Outdoor parking facilities for non-dwelling uses may be located in any yard at least 15 feet from any lot line unless joint facilities on adjoining lots are made a part of their approved Development Plans. See 6.01 (b). No non-dwelling use shall be located further than 500 feet from at least its required number of parking spaces.
  - c. Loading facilities shall be located entirely within enclosed main buildings or in side or rear yards at least 15 feet from any lot line.
- (5) **Measurement Standards:** The following standards for measuring parking and loading facilities shall apply.
- a. The dimensions of parking spaces and related circulation areas shall be based on the minimum standards in Appendix C of the Resolution.  
(Effective 7/31/02)
  - b. The required number of parking and loading spaces shall be based on data such as floor area, room arrangements, seating capacity and employment estimates certified in a given application and verified by County and Ohio Building Departments and comparable uses.
- (6) **Development and Maintenance Standards:** Parking and loading facilities shall comply with the general provisions of this Resolution (3.01 and 3.02) and the following standards.

- a. The location and design of all parking and loading facilities shall be in keeping with the character of the surrounding area.
  - b. All parking and loading facilities shall have a hard dust-free surface; and any area with five (5) or more spaces shall be constructed with a surface of concrete or asphalt. Appurtenances such as curbs, gutters, wheel guards, directional signs, striping, lighting and trash units may be required. (9/6/01)
  - c. Parking and loading facilities used during non-daylight hours shall be properly illuminated to assure traffic safety and security. Such lighting shall not emit any direct or indirect glare beyond the lot served.
  - d. Parking and loading facilities with five (5) or more spaces shall be effectively screened and landscaped.
  - e. All parking and loading facilities shall be completed within one (1) year after the approval date of their Development Plan. See 6.01 (b).
  - f. The owner of the lot used by any parking or loading facilities shall be responsible for their maintenance in good condition without holes, dust, trash or debris. The parking of any unlicensed or disabled motor vehicle on any outdoor parking or loading facility for a continuous period of 15 or more days shall be prohibited.
- (g) **Swimming Pools:** Swimming pools shall be located only in side or rear yards at least 15 feet from any lot line. Each such pool shall be fully enclosed by a permanently constructed chain link fence or equally secure fence or wall not less than four (4) nor more than six (6) feet in height. The openings on a chain link fence shall be not more than two (2) inches knuckled on the top and bottom. All gates shall be self-closing and self-latching with a latch not readily accessible for children to open. Such fences or walls shall be maintained in a safe and secure condition. 6/6/07
- (h) **Farm Markets:** Farm Markets are not prohibited in any district zoned for industrial, residential, or commercial uses. The use of any land for a farm market where 50 percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. Farm markets and parking for such shall be located at least 25 feet from any lot line. Two (2) parking spaces plus one (1) additional space per 200 square feet of floor area used by the farm market shall be provided in addition to the other required parking and loading facilities on the lot.

- (i) **Signs:** Signs, not including billboards, shall be permitted and regulated as follows.
- (1) **Permitted B and I District Signs:** One or more identification or business signs shall be permitted with their main use on the same lot in B and I Districts. The total area of all such signs on a single lot shall not exceed 150 square feet or three (3) square feet per foot of building frontage on the lot, whichever is smaller.
- a. One or more identification or business signs shall be permitted with their main use on the same lot in B and I Districts. 8/20/14
  - b. The total area of all such signs on a single lot shall not exceed 150 square feet or three (3) square feet per foot of building frontage on the lot, whichever is smaller. 8/20/14
- (2) **Electronic Message Signs:** An electronic message sign shall be permitted in the B-1, B-1A, B-3, B-4 and I-1 zoning districts and shall comply with all of the following regulations: 8/20/14
- a. The total area of all such signs on a single lot shall not exceed 150 square feet or three (3) square feet per foot of building frontage on the lot, whichever is smaller. The electronic message display area of the sign shall not exceed 30% of the overall square footage of the sign.
  - b. The static electronic message shall be displayed for a minimum of 30 seconds.
  - c. The change to another static electronic message shall be instantaneous.
  - d. The static electronic message shall not include any image that moves, including animated, flashing, scrolling, intermittent or full motion elements of illumination.
  - e. The electronic signs shall contain a default design that will freeze the electronic message in one position or cause it to go dark if a malfunction occurs.
  - f. The electronic sign must be capable of regulating the digital display intensity and the light intensity level of the display and must automatically adjust to natural ambient light conditions.
  - g. There shall be no more than one (1) electronic message sign per lot consisting of single or double sided displays.

- h. An electronic message sign shall be classified as a ground or pylon sign.
- i. An electronic message sign shall not emulate traffic control devices.
- j. The electronic sign message must be for the use of the business only. Advertisements for products and or services not related to the uses of the parcel where the electronic message sign is located are prohibited.

- (3) **Permitted Temporary Signs:** In addition to other permitted signs, prohibitive signs, or temporary signs not exceeding two (2) square feet in area or located closer than one hundred (100) feet apart shall be permitted on any lot. Other temporary signs not exceeding fifteen (15) square feet in area or located closer than one hundred (100) feet apart shall be permitted on any lot, provided such signs are removed within six (6) months after being posted or erected. A zoning certificate shall be required for temporary signs greater than two (2) square feet. *5/19/04, 8/15/18*

**Temporary Signs Exceeding 15 Square Feet in Area in any District:** The owner of the lot shall provide written verification that such signs will be removed within six (6) months from the date of issuing the zoning permit. *(5/19/04)*

- (4) **Development Signs:** Development signs not exceeding 35 square feet in area and other signs related to common open space or the movement of traffic on a lot shall be made a part of its approved Development Plan. See 6.01(b).
- (5) **Directional Signs:** No more than two directional signs per lot in B and I districts shall be permitted, provided such signs are located at least 300 feet from any R-1 or R-2 District, dwelling, public facility, cemetery or church. Directional signs shall not exceed 6 square feet. *(7/21/10)*
- (6) **Other Signs:** Other signs not otherwise defined or classified, provided the general standards of the Resolution are met. See 6.05(a). *(7/21/10)*
- (7) **Location and Height:** Signs shall comply with the following regulations:
- a. Each sign shall be located at least one (1) foot from any lot line per square foot of sign area.
  - b. Freestanding signs located in a required yard shall not exceed six (6) feet in height.
  - c. Signs connected to a main building shall not project more than five (5) feet into a required yard. Such signs and other signs not located in a



required yard shall not exceed 35 feet in height or be located on the roof of any building.

**(8) Measurement Standards:** The following standards for measuring signs shall apply.

- a. The area of a sign shall include its entire surface or surfaces used for display, excluding only those structural members which are clearly not a part of the display.
- b. Building frontage shall be the length of any main building on a lot facing the principle road. On corner lots, 20 percent of the length of any main building facing the secondary road shall be added to the building frontage of the lot. 11/19/13
- c. Should the Zoning Inspector be unable to determine the area of a sign according to a. or b. above, it shall be determined by the Commission. See 6.03(b).

**(9) Development and Maintenance Standards:** Signs shall comply with the general provisions of this Resolution (3.01 and 3.02) and the following standards.

- a. The location and design of all signs shall be in keeping with the character of the surrounding area.
- b. Signs shall be stationary and devices such as banners, flashing lights, movable parts, searchlights or portable signs designed to be moved shall be prohibited.
- c. No sign shall be hazardous to any traffic movement and unauthorized traffic control devices shall be prohibited.
- d. No sign shall occupy more than 20 percent of a window or door, or obstruct any means of fire escape from a building.
- e. The permitted illumination of certain signs shall be of a constant intensity. No illuminated sign shall emit any direct or indirect glare beyond its lot lines.
- f. Billboards shall be prohibited in residential areas, except on agricultural lands as provided in 5.03 (f) (4) (d).

**5.03 CONDITIONAL USES:** Only those conditional uses defined in this Resolution and specified under a given district on Schedule 4.03(k) and Schedule 4A.05 may be approved in that district. In addition, the following regulations related to particular categories of conditional uses shall apply.

(a) **Cemeteries** (7/21/10)

- (1) **Location and Access:** These uses shall offer natural or man-made features such as variations in grade and landscaping which will assure a compatible development pattern. Direct access to or from local residential roads shall be prohibited; and all points of access shall be located at least 200 feet from any road intersection. 11/19/13
- (2) **Development Standards:** In addition to the other standards of this Resolution (3.01), all main and accessory uses shall be enclosed by a six (6) foot high fence or wall in good condition with appropriate security appurtenances.
- (3) **Maintenance Standards:** In addition to the other standards of this Resolution (3.02), limitations on the time or extent of operations, and certifications by applicable agencies on the legal nature of the use may be required.

(b) **Golf Course** (7/21/10)

- (1) **Location and Access:** Golf Courses shall be a conditional use in the R-1 and R-2 districts and shall comply with 3.07.
- (2) **Development Standards:** See 3.01 and in setting conditions the Board of Zoning Appeals shall consider the following:
  - a. The need for a sufficient buffer zone between the golf course/club, its accessory uses and the adjacent uses.
  - b. A golf course design which minimizes the opportunity for golf balls to be hit outside of the property boundary lines.
  - c. Lot areas, type of construction, parking facilities, traffic, fire hazards, offensive odors, smoke, fumes, noise and lights, the general character of the neighborhood, the nature and use of other premises, and the location and use of other buildings in the vicinity, and whether or not the proposed use will be detrimental to neighborhood property.
  - d. In the case of a golf course of 18 or more holes of play, there may be included the following additional facilities as accessory to the principal use:
    1. Pitch-and-putt course, unlighted.
    2. Outdoor driving range, unlighted
- (3) **Maintenance Standard:** See 3.02.

(c) **Quarries:** (Effective 12/4/02)

The following conditions shall apply:

- (1) **Location and Access Roads:** Quarries and accessory buildings, structures, and uses, including the stockpiling of any excavated minerals, shall be set back a minimum of 100 feet from any public or private road right-of-way and a minimum of 300 feet from any existing dwelling, public facility, nursing home, hospitals, playground, commercial or non-commercial recreation facility, community center, commercial park, cemetery or church. The Board of Zoning Appeals has the power to establish which township roads shall be used for access to and from said quarry operation in order to minimize the hazards and damage to those roads. 6/6/07
- (2) **Performance Bond:** A performance bond or other financial guarantee in an acceptable amount shall be posted with the appropriate governmental entity and a copy thereof provided with the application for a conditional zoning certificate to ensure that any damage to township roads associated with the quarry operation shall be fully repaired. The bond or other financial guarantee shall not be released until all repairs have been fully inspected and found to be acceptable by the affected governmental entity.
- (3) **Development Standards:**
  - a. All of the standards included in Section 3.01 shall apply.
  - b. All of the regulations included in Sections 4.03(k) and 4.03(l) shall apply.
  - c. All of the standards included in Section 6.05(e)(l) shall apply.
  - d. Only quarrying activities, as defined in this Resolution, shall be conducted on that part of the lot subject to quarry regulations.
  - e. A quarry shall comply with all of the applicable regulations contained in this Resolution for the zoning district in which it is located.
  - f. That area of the lot subject to quarry regulations shall be fully enclosed along its perimeter by an earthen mound, opaque or Board of Zoning Appeals approved fence. The earthen mound or fence shall be a minimum of eight (8) feet in height and maintained in good condition and repair with appropriate security appurtenances.
  - g. The area available for ingress and egress shall be a minimum of 60 feet in width and constructed of an all weather surface. Access ways shall be constructed of an all-weather surface of not less than 24 feet in width and shall be maintained free of dust at all times. A suitable area, with a radius of 55 feet, shall be provided at the point of termination of all access ways for a turnaround for firefighting and emergency apparatus. All entrances and exits to public roads shall be gated, which shall be locked when the operation has been closed for the day.

- h. Blasting shall not be permitted in conjunction with the quarry operation on the lot.
- i. Any accessory building or structure erected on the lot shall be completely removed from the lot upon cessation of mining activities or the termination of the conditional zoning certificate if it does not comply with the standards of the zoning district. Thereafter, such building or structure shall be subject to all applicable zoning district standards.

(4) **Maintenance Standards:** See 3.02. 7/21/10

(5) **Conditional Zoning Certificate Application:**

In addition to the items required by Section 6.01 of the Resolution, the applicant shall submit the following information with the application for a conditional zoning certificate:

- a. A map which clearly identifies the area of a subject to quarrying. Said map shall be prepared by and bear the seal of a professional engineer or professional land survey registered with the State of Ohio.
- b. A copy of the surface mining permit as required by Chapter 1514 of the Ohio Revised Code and a copy of all of the information required by Chapter 1514.02 of the Ohio Revised Code. If the conditional zoning certificate is granted, a copy of the surface mining permit as well as the annual report required by Section 1514.03 of the Ohio Revised Code shall be provided by the applicant on an annual basis to the Board of Zoning Appeals.
- c. A copy of the bond or other acceptable financial guarantee as required 514.04 of the Ohio Revised Code. If the conditional zoning certificate is granted, a copy of the bond or other financial guarantee shall be provided by the applicant on an annual basis to the Board of Zoning Appeals.
- d. A schedule of normal hours of operation.
- e. A Reclamation Plan and a copy of the bond related thereto prepared in accordance with Chapter 1514.02 of the Ohio Revised Code, that depicts the grade of the land, drainage courses, storm water management, land cover (landscaping) to prevent soil erosion, and other uses in accordance with the regulations set forth in this Resolution for the zoning district in which the quarry is located. The Reclamation Plan shall include a schedule for its phasing (if any) and completion upon the cessation of quarrying or the termination of the conditional zoning certificate.

(6) **Granting of Conditional Zoning Certificate**

The Board of Zoning Appeals shall act upon an application for a conditional zoning certificate in accordance with the provisions of this Resolution. If a conditional zoning certificate is granted by the Board of Zoning Appeals, it shall be valid for a period of ten (10) years from the date of issuance provided that, said certificate may be extended in intervals up to five (5) years, if all previous conditions have been complied with. The conditions of the zoning certificate shall be reviewed annually by the Board. Modification to the original conditions shall meet conditional uses in existence at the time of any such extension. No conditional zoning certificate shall be transferred or assigned to another owner or lessee.

(d) **Recreation Facilities:** (7/21/10)

- (1) **Location and Access:** Recreation facilities shall be a conditional use in the B-1, B-1A, and B-4 Districts and shall comply with 3.07.
- (2) **Development Standards:** See 3.01 and in setting conditions the Board of Zoning Appeals shall consider the following:
  - a. The need for a sufficient buffer zone between the recreation facility, its accessory uses and the adjacent uses.
  - b. Lot areas, type of construction, parking facilities, traffic, fire hazards, offensive odors, smoke, fumes, noise and lights, the general character of the neighborhood, the nature and use of other premises, and the location and use of other buildings in the vicinity, and whether or not the proposed use will be detrimental to neighborhood property.
- (3) **Maintenance Standard:** See 3.02.

(e) **Hospitals:**

- (1) **Location and Access:** Hospitals shall be a conditional use in the B-1A, B-3, and B-4 Districts and shall comply with 3.07. (7/21/10)
- (2) **Development Standards:** In addition to the other standards of this Resolution, see 3.01, side and rear yards shall be screened from adjoining lots with a six (6) foot high fence, wall or dense hedge unless such yards are used for approved joint parking or circulation. Where a hospital lot is contiguous with any Residential District boundary as shown on the official township zoning map, a minimum buffer zone setback maintained within the hospital lot shall be 200 feet. There shall be no buildings, structures, uses, off-street parking spaces or signs in the buffer zone setback. 9/3/08
- (3) **Maintenance Standards:** See 3.02.

(f) **Billboards** (7/21/10)

- a. Conditional zoning certificate required: A billboard is an off-premises advertising sign and shall be classified as a conditional use. It shall be subject to applicable paragraphs in Article 6. (7/21/10)
- b. No billboard shall be located, erected, constructed, reconstructed, enlarged or altered without first obtaining a conditional zoning certificate in accordance with this Resolution. Alteration shall not include changing the content or elements of the sign face, or ordinary maintenance of structural components such as painting, and such alteration shall not require the issuance of a conditional zoning certificate.
- c. A billboard shall be classified as a business use and may be allowed in any commercial or industrial district or on lands used for agricultural purposes. Billboards shall be prohibited in all other zoning districts.
- d. Conditions: No application for a conditional zoning certificate shall be approved for a billboard and a conditional zoning certificate issued therefor unless it complies with all of the following conditions. Each billboard shall be subject to the issuance of a separate conditional zoning certificate.
  1. There shall be no more than two (2) faces or advertising surfaces on a billboard structure. Each face of a billboard shall be considered a separate sign. The face shall be the readable copy area or panel devoted to advertising purposes visible to

traffic proceeding along a road in one direction. There shall not be more than one (1) billboard structure with a maximum of two (2) sign faces on a lot.

2. A billboard shall be the principal use of the lot on which it is located.
3. Billboards shall be spaced a minimum of 500 feet apart. Such spacing shall be measured in all directions from the nearest portion of the proposed billboard to the nearest portion of the next billboard, whether on the same side or opposite side of the road right-of-way. The measurement shall not be limited to the boundaries of the township, where the affected road extends beyond such boundaries.
4. A billboard shall be setback a minimum of 500 feet from any residential zoning district boundary. The setback shall be measured from the nearest zoning district boundary line to the nearest portion of the billboard.
5. A billboard shall be setback a minimum of 500 feet from an existing residential dwelling, a church or place of worship, a cemetery, a school, a public park or playground, a public library or a day care center. The setback shall be measured from the nearest lot line to the nearest portion of a billboard.
6. A billboard shall be setback a minimum of 50 feet from any front lot line. The setback shall be measured from the front lot line to the nearest portion of the billboard.
7. A billboard shall be setback a minimum of 100 feet from any side lot line. The setback shall be measured from the nearest side lot line to the nearest portion of the billboard.
8. A billboard shall be setback a minimum of 50 feet from any rear lot line. The setback shall be measured from the nearest rear lot line to the nearest portion of the billboard.
9. A billboard shall be setback a minimum of 500 feet from the intersection of any public roads, measured from the edge of the nearest road right-of-way to the nearest portion of the billboard.
10. A billboard shall be setback a minimum of 500 feet from any building on a lot. The distance shall be measured from the

- nearest portion of a building to the nearest portion of the billboard.
11. The maximum height of a billboard shall be 35 feet measured vertically from the average finished grade within ten (10) feet of the support base or pole(s) supporting the billboard to its highest point, including any structural members.
  12. The maximum sign face of a billboard shall be 300 square feet.
  13. No billboard shall be located on top of, cantilevered, or otherwise suspended from or attached to any building.
  14. A billboard projecting over a driveway shall have a minimum clearance of 13'-6" between the lowest point of the sign and the finished driveway grade.
  15. A billboard may be illuminated, provided such illumination is concentrated on the sign face and is so shielded as to prevent glare or reflection onto any portion of an abutting road, oncoming vehicles, or a contiguous lot. Any lighting device shall employ lighting of a constant intensity. Flashing, rotating or oscillating lighting shall be prohibited. Illumination shall not interfere with the effectiveness or obscure an official traffic sign, device or signal.
  16. A billboard shall not employ any elements which revolve, whirl, spin or otherwise make use of motion.
  17. All wiring, fittings, and materials used in the construction, connection and operation of a billboard shall comply with the applicable provisions of the building and electrical codes enforced by the Geauga County Building Department. Proof of compliance with such codes shall be provided by the applicant.
  18. The applicant shall demonstrate that the billboard complies with all of the applicable provisions of O.R.C. Chapter 5516 and O.A.C. Chapter 5501.
  19. A billboard shall be included in determining the maximum coverage of buildings and structures on a lot for the zoning district in which it is located.



20. A billboard shall not be located within a regulatory floodplain per the latest version of the Federal Emergency Management Agency's Flood Insurance Rate Maps of Geauga County.
21. A billboard shall not be located within a jurisdictional wetland as defined by the U.S. Army Corps of Engineers.
22. The name, telephone number, and address of the owner or lessee shall be permanently shown on a billboard.
23. Billboard sign faces shall be neatly painted or posted at all times and the billboard structure shall be kept in a safe state of repair.

- (g) **Self-Storage Facilities:** (Effective 8/18/00)
- (1) **Location and Access:** Self storage facilities shall be a conditional use in the B-1 District and shall comply with 3.07. (7/21/10)
  - (2) **Maintenance Standards:** See 3.02. (7/21/10)
  - (3) **Landscaping:** A landscaping buffer or other natural or man-made features may be required in any front yard and in any side or rear yard abutting a Residential District. All lights shall be shielded to direct light onto the storage buildings and away from adjacent property, and shall utilize down direct lighting that will not beam upwards into the sky, but may be of sufficient intensity to discourage vandalism and theft.
  - (4) **Maximum Floor Area:** No individual Self-Storage rental unit shall exceed 2,000 square feet of floor area.
  - (5) **Parking area:** The required parking shall not be located in the loading area of self-storage rental units.
  - (6) **Building and Safety Requirements:** All construction shall conform to the Ohio Basic Building Code and the National Fire Protection Association Code as determined by the Geauga County Building Department. Each self-storage rental unit facility shall contain, at a minimum, the following requirements:
    - a. An alarm system shall be installed and maintained at all times that will provide for rapid notification to a central monitoring station who shall notify the dispatch service for the Township Fire Department. The alarm system shall utilize a system of heat detectors that will detect the rate of rise of heat. The system shall contain a battery backup.
    - b. The minimum distance between buildings shall be twenty (20) feet, so long as no parking is permitted in between the buildings, and in the event any parking spaces are designated between buildings, the minimum distance shall be increased to thirty (30) feet between such buildings.
    - c. The ingress and egress for such facility shall provide for a hard surface of a minimum of a fifteen (15) foot wide lane with a radius of fifty (50) feet at all cul-de-sacs or turnarounds in order for fire and other safety vehicles to be able to turn in and out of the facility.
    - d. Each facility shall install a Knoxbox, or similar equipment approved by the Township Fire Department, which will allow immediate access by the Township Fire Department to open the box and obtain any keys,

access or scan cards or similar unlocking devices in order for the Township Fire Department to gain immediate access to every unit in the facility.

- e. Each operator of a self-storage rental facility shall require of each tenant, and include in each lease that no explosives, ammunition or highly hazard or highly flammable materials be stored at any time at such facility. In addition, the lease shall contain a requirement to allow the operator of the facility, the Township Fire Department and the law enforcement agencies having jurisdiction in the Township to inspect each rental unit, for either routine inspections, or upon belief that property may be stored in such units, which may either be contraband, or a violation of the Zoning Code, or the criminal or penal laws of the State of Ohio and all other political subdivisions having jurisdiction within the Township, which consent shall include the right for such agencies to use any and all equipment, animals, and other investigative techniques to insure compliance with the laws of the United States, the State of Ohio, Geauga County and the Township. The lease shall specifically provide that each tenant waives their right to object to such inspections and consents to such periodic inspections as deemed appropriate or necessary by the operator of the facility or such governmental agencies. The lease shall contain a provision prohibiting the tenant, its invitees, licensees or any other persons who enter upon the premises from smoking any tobacco products, any other combustible products or similar instruments, devices or products that can be ignited and inhaled.
- f. The self-storage units shall not contain electrical outlets for use by the tenant of such facility, in order to avoid the opportunity for any activities to be engaged in at the unit beyond the mere storage of property in the unit.
- g. No refrigerated storage units shall be permitted in any such facility.
- h. Whenever any self-storage facility contains any buildings that are set back greater than three hundred (300) feet from the main entrance from a road, the operator shall install and properly maintain a dry standpipe system from the road right-of-way to a point no more than twenty-five (25) feet from the front of the first building on such property that is set back greater than three hundred (300) feet from the road entrance, unless the Township Fire Department determines, in any particular case, that the dry standpipe requirement shall not be required. The operator shall comply with the then existing standards of the Fire Department, but at a minimum, shall install a dry standpipe within twenty-five (25) feet of the road right-of-way and an additional dry

standpipe within twenty-five (25) feet of the first building located greater than three hundred (300) feet from the road entrance.

- i. When the Board of Zoning Appeals deems appropriate, it shall require each self-storage operator to install and maintain, at all times, one or more signs that are readily visible to all tenants of the self-storage rental units that flammable or dangerous materials may be encountered at the self-storage facility and they should enter at their own risk. However, nothing contained in this section shall be construed to allow or permit such materials to be stored in such units. The Board of Zoning Appeals shall also determine the locations at the facility where no smoking signs shall be installed, such locations to be based upon the Board's determination of the most likely places for said signs to be observed by persons entering the facility and require such signs to be installed at the appropriate locations.
- j. Each prospective tenant shall be required to provide two forms identification of the tenant to the operator, one of which shall be photographic identification such as a driver's license, State of Ohio identification card, or passport. A copy of such tenant identification cards shall be maintained at all times by the operator of the self-storage rental facility.
- k. The self-storage rental facility shall have a security system requiring the use of cards, keypads, keys or similar security devices limiting access to tenants as well as fire and police officials when required.
- l. Upon receipt of an application for a conditional use certificate for a self-storage rental facility, the Board of Zoning Appeals may require a review of the proposed facility by the Geauga County Sheriff's Office to determine what safety measures may be required to enhance security and protection of property and surrounding properties, as well as the appropriate amount and location of landscaping in order to provide for drive-by patrolling by law enforcement officials to determine whether or not any unlawful entry or other criminal activity may be taking place at such facility. 8/15/18

- (h) **Child Day Care Facilities.** The conditions for a child day care facility shall be as follows:
- (1) **Location and Access:** Child day care facilities shall be a conditional use in the B1, B-1A, B-4, I-1 districts as licensed by the State of Ohio and shall comply with 3.07. (7/21/10)
  - (2) **Development Standards:** In addition to the other standards of this Resolution (3.01), the child day care facility shall meet the requirements of the State of Ohio.
    - a. Any outdoor activity conducted in conjunction with the child day care facility shall only occur between the hours of 7:30 a.m. and 6:00 p.m.
    - b. The outdoor play area required by the state license shall be within a completely secure fenced play lot or lots which shall be no closer than 100 feet from any lot line in a residential zoning district.
    - c. The applicant shall conform to auditory and visual screening and buffering for any outdoor activities engaged in by children as deemed necessary by the Board of Zoning Appeals.
  - (3) **Building and Safety Requirements:** All construction shall conform to the Ohio Basic Building Code and the National Fire Protection Association Code as determined by the Geauga County Building Department. Each child day care facility shall contain, at a minimum, the following conditions:
    - a. The driveway for ingress and egress for such facility shall consist of a concrete or asphalt surface with a minimum lane width of fifteen (15) feet, and a radius of fifty-five (55) feet at all turnarounds and drop-off and pick-up areas in order for school buses, fire, and other safety vehicles to be able to turn in and out of the facility. The drop-off and pick-up area shall be secure and safe for the children and shall not impede traffic flow.
    - b. Proper and adequate signage per 5.02 (i) (3) and 5.02 (i) (6) shall be installed to alert all vehicles as to the drop-off and pick-up area for children and to warn all vehicles the existence of a child day care facility. (3/6/13)
    - c. The child day care facility shall have a least one building entrance/exit dedicated solely for its use.
    - d. The Zoning Board of Appeals may request professional studies that may include, but not be limited to, noise analysis, visual screening, and

traffic studies. These studies, if required, shall be provided at the applicant's sole expense.

(4) **Required Parking Spaces:** Off-street parking spaces shall conform to the requirements specified in Schedule 4A.09 (c).

a. **Location:** Off-street parking and loading areas shall be located in compliance with the minimum setbacks, measured from the road right-of-way or lot line, as specified in Schedule 4A.09 (d), unless otherwise noted.

(i) **Auto Service Station.**

(1) **Location and Access:** Auto Service Stations shall be a conditional use in B-1 and B-3 Districts and shall comply with 3.07. (7/21/10)

(2) **Development Standards:** In addition to 3.01 the following conditions shall apply:

a. Fuel pumps must be under cover. The height of the underside of the canopy over the pumps shall be no greater than 16.5 ft.

b. All gasoline and fuel storage shall be underground.

c. All other storage shall be in a completely enclosed building.

d. Dumpsters/trash receptacles shall be located a minimum of fifty (50) feet from an adjoining zoning district. It shall be screened from adjacent lots and the road right-of-way. Incineration facilities are prohibited.

e. Fuel pumps and pump islands shall be located a minimum of fifty (50) feet from any adjacent property line, and not less than thirty (30) feet from any right-of-way.

(3) **Maintenance Standards:** In addition to 3.02 the following conditions shall apply:

a. All routine maintenance and service of vehicles, other than the dispensing of fuel, oil, air, and windshield washer fluid, shall be in a completely enclosed building.

b. Vehicle storage, except short term parking (72 hours or less) for customer vehicles, shall be in a completely enclosed building.

**(j) Auto Repair Garage:**

- (1) Location and Access:** Auto repair garages shall be a conditional use in the B-1 District and shall comply with 3.07. (7/21/10)
- (2) Development Standards:** In addition to 3.01 the following conditions shall apply:
  - a. Dumpsters/trash receptacles shall be located a minimum of fifty (50) feet from an adjoining zoning district. It shall be screened from adjacent lots and the road right-of-way. Incineration facilities are prohibited.
  - b. All storage of supplies shall be within completely enclosed buildings.
- (3) Maintenance Standards:** In addition to 3.02 the following conditions shall apply:
  - a. Repairs or servicing of vehicles shall be within completely enclosed buildings.
  - b. No more than 3 vehicles per bay may be stored outside a completely enclosed building. Vehicles must be stored in an area which is screened from the roadway and adjacent lots. No vehicle can be stored for more than twenty-one (21) consecutive days.
  - c. The repair, rebuilding, reconstruction and/or other services of vehicles with a gross vehicle weight rating of 26,001 pounds or more shall be prohibited.

**(k) Car Wash:**

- (1) Location and Access:** Car Washes shall be a conditional use in B-1 and B-3 Districts and shall comply with 3.07. (7/21/10)
- (2) Development Standards:** In addition to 3.01 the following conditions shall apply:
  - a. All washing facilities shall be located within an enclosed building. The opening height of any bay shall be no greater than ten (10) feet.
  - b. All vacuum cleaners and customer trash receptacles must be located behind the car wash building and screened from adjoining lots and the road right-of-way.
  - c. Storage of supplies shall be within a completely enclosed building.
  - d. Dumpsters/trash receptacles shall be located a minimum of fifty (50) feet from an adjoining zoning district. It shall be screened from adjacent lots and the road right-of-way.

- (3) **Maintenance Standards:** In addition to 3.02 the following conditions shall apply:
    - a. All wastewater shall be contained, treated, and/or recycled meeting Ohio E.P.A. standards and regulations.
    - b. Vehicle storage is not permitted.
  
- (l) **Automobile Sales:** (7/21/10)
  - (1) **Location and Access:** Auto sales shall be a conditional use in the B-1 District and shall comply with 3.07.
  - (2) **Development Standards:** In addition to 3.01 the following conditions shall apply:
    - a. Dumpsters/trash receptacles shall be located a minimum of fifty (50) feet from an adjoining zoning district. It shall be screened from adjacent lots and the road right-of-way. Incineration facilities are prohibited.
    - b. All storage of supplies shall be within completely enclosed buildings.
  - (3) **Maintenance Standards:** In addition to 3.02 the following conditions shall apply:
    - a. Repairs or servicing of vehicles shall be within completely enclosed buildings.
  
- (m) **Churches** (7/21/10)
  - (1) **Location and Access:** Churches shall be a conditional use in R-1 and R-2 Districts and shall comply with 3.07.
  - (2) **Development Standards:** See 3.01.
  - (3) **Maintenance Standards:** See 3.02.
  
- 5.04 **FIRE PROTECTION POND:** A platted subdivision containing ten (10) or more total sublots, or a building or group of buildings on a lot containing more than 20,000 square feet of gross floor area, shall include a pond for fire protection constructed by the developing owner in accordance with the current standards and specifications of the Natural Resources Conservation Service, and shall be so located as to permit access by firefighting and emergency vehicles. The fire protection pond shall be constructed within the initial phase of said subdivision. (11/16/05)



**5.05 PROHIBITED USES IN ALL ZONING DISTRICTS**

- (a) 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 has been adopted and is in effect or a variance has been granted.
- (b) Short term rental of a dwelling, in whole or in part, involving transient occupancy for thirty (30) consecutive days or less by persons other than the owner for which the owner receives monetary compensation pursuant to a rental agreement shall be prohibited. This shall not apply to a bed and breakfast for which a conditional zoning certificate has been issued as set forth in this Resolution. (11/29/2020)