ARTICLE 5

SUPPLEMENTARY REGULATIONS

5.01 Dwellings
5.02 Accessory Uses
5.03 Conditional Uses
5.04 Fire Protection Pond (3/17/04)
5.05 Prohibited Uses in All Zoning Districts

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 Zoning 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 and Structures:

(1) **Locations:** An accessory building or structure may be permitted in any zoning district in accordance with the provisions of the zoning district in which it is located.

(2) **Development and maintenance standards:** An accessory building or structure shall comply with the following regulations, except as may otherwise be provided in the zoning district in which located.

a. No detached accessory building shall be located in a front yard or in front of a dwelling or principal building. Detached accessory buildings shall be located in side or rear yards at least fifteen feet (15') from any side or rear lot line or other building on the same lot. The use of a detached accessory building as a dwelling unit shall be prohibited.

b. Accessory structures including decks, patios, porches, outdoor fireplaces, barbeque facilities, outdoor kitchens, solar panels and solar panel arrays and swimming pools shall be located in conformity with the minimum yards for the zoning district in which located. Swimming pools shall be in conformity with 5.02(g). Solar panels and solar panel arrays shall be in conformity with 5.02(l). 9/2022

c. Fences, landscaping, earthen mounds or berms shall be in conformity with 3.01(g). 9/2022

d. Lakes and ponds shall be in conformity with 3.01(e). 9/2022

e. Driveways shall be in conformity with 3.01(c) and 3.07. 9/2022

f. Freestanding antennas, except telecommunications towers and facilities regulated in Article 7, shall not be located in front of any principal building or in any front yard. The minimum side and rear yard for the affected zoning district shall apply; provided however, an antenna shall be setback in a minimum distance equal to 1.1 times its total height measured from all lot lines. Total height shall mean the vertical distance measured from the finished grade level at the base of the antenna to its highest point. An antenna for amateur radio communications pursuant to O.R.C. 519.214 and O.R.C. 5502.031 shall be subject to these regulations. 4/14/05, 9/2022

(b) Home Occupations: 9/2022

(1) **Locations**: Home occupations shall be permitted in any R-1 or R-2 Zoning District.

(2) **Development and Maintenance Standards**: Home occupations shall comply with the following regulations:

a. A home occupation may be permitted only within a single family dwelling on a lot.

b. Only family members who reside in the dwelling may conduct the home occupation. A home occupation shall not be leased to others or used for transient occupancy.

c. No more than thirty percent (30%) of the total floor area of the dwelling may be devoted to a home occupation.

d. There shall be no change to the exterior appearance of the dwelling or other visible evidence of the conduct of a home occupation, with the exception of one (1) sign per lot. A sign shall have a maximum area of five (5) square feet per sign face per lot.

e. There shall be no exterior storage of materials, products, merchandise, and equipment relating to a home occupation.

f. No products or merchandise related to the conduct of a home occupation shall be displayed or offered for sale outside of the dwelling. Such products or merchandise shall be sold only from/ within that portion of the dwelling devoted to home occupation use.

g. A minimum of two (2) off-street parking spaces shall be provided. No parking spaces may be located in front of the dwelling or the minimum front yard for the affected zoning district. Such spaces shall be a minimum of two hundred (200) square feet in area and shall be paved with asphalt, concrete, or any impervious cover, i.e. crushed limestone. Driveways shall be in conformity with 3.01(c) and 3.07.

h. A home occupation and the dwelling may be subject to inspection by the Auburn Township Volunteer Fire Department prior to the issuance of a zoning certificate to ensure compliance with any applicable fire codes.

i. A home occupation shall conform to 3.01 and 3.02.

(c) Outdoor Displays: 3/6/13 Outdoor displays shall be an accessory use in B-1 B-2, B-1A, B-3, B-4 and I-1 Zoning 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 3/6/13

	B-1 General Business District	**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
Front/Side/Rear Minimum Setback	15 feet	25 feet	10 feet	25 feet	25 feet	15 feet

b. 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.

e. The area devoted to outdoor display shall not exceed twenty percent (20%) of the building floor area. 9/2022

(d) Outdoor Storage: Outdoor storage shall be an accessory use in B-1, B-1A, B-2, B-3, B-4 and I-1 Zoning 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 Zoning 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.

(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. Areas devoted to outdoor storage in B-1, B-1A, B-2, B-3, and B-4 Zoning districts shall not exceed twenty-five percent (25%) of the total lot area.

(e) Parking and Loading Facilities in the B-1A, B-2, B-3 and B-4 Zoning Districts: Parking and loading facilities shall be required and regulated in the B-1A, B-2, B-3 and B-4 Zoning 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).

(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 fifteen (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 Zoning districts as follows. (Effective 7/31/02)

(1) **Required Parking Spaces:** See 4.03(l) and 4A.09(c).

(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 twelve feet (12') wide and fifty feet (50') long with fifteen feet (15') of clearance, excluding any other parking spaces or circulation areas on the lot, shall be required per five thousand (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 fifteen feet (15') from any lot line. No dwelling shall be located further than two hundred feet (200') from at least two (2) parking spaces.

b. Outdoor parking facilities for non-dwelling uses may be located in any yard at least fifteen feet (15') 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 five hundred feet (500') 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 fifteen feet (15') 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 provided in a zoning certificate 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. The regulations in the most current version of the Americans with Disabilities Act (ADA) shall apply to parking facilities. 9/2022

(g) **Swimming Pools:** Swimming pools shall be located only in side or rear yards at least fifteen feet (15') 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 feet (4') nor more than six feet (6') in height. The openings on a chain link fence shall be not more than two inches (2") 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 fifty 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 is permitted. Farm markets and off-street parking for such shall be located at least twenty-five feet (25') from any lot line. Two (2) parking spaces plus one (1) additional space per two hundred (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-1 District Signs**: One or more identification or business signs shall be permitted with their main use on the same lot in all B and I-1 Zoning Districts. The total area of all such signs on a single lot shall not exceed one hundred and fifty (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 Zoning Districts. 8/20/14

b. The total area of all such signs on a single lot shall not exceed one hundred and fifty (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 one hundred and fifty (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 thirty percent (30%) of the overall square footage of the sign.

b. The static electronic message shall be displayed for a minimum of thirty (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, 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 shall not be illuminated.

Temporary Signs Exceeding Fifteen (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 thirty-five (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 (2) directional signs per lot in all B and I-1 districts shall be permitted, provided such signs are located at least three hundred (300') feet from any R-1 or R-2 Zoning district, dwelling, public facility, cemetery or church. Directional signs shall not exceed six (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 thirty-five feet (35') 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, twenty percent (20%) of the length of any main building facing the secondary road shall be added to the building frontage of the lot. 11/19/13

(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, or inflatable signs shall be prohibited.

c. No sign shall be hazardous to any traffic movement and unauthorized traffic control devices shall be prohibited. No sign shall be placed in any public road right-of-way except governmental or public utility signs. No signs shall be placed on a public utility pole, except by a public utility.

d. No sign shall occupy more than twenty percent (20%) 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).

g. Signs and support structures shall consist of weather resistant materials and shall be maintained in good repair and a safe condition. Broken or cracked sign faces or panels, missing letters, malfunctioning electrical or lighting components, and other visual damage or deterioration shall be repaired by the owner.

(j) ACCESSORY DWELLING UNIT

One (1) accessory dwelling unit may be permitted on a lot subject to the following regulations:

(1) It shall be attached to the principal single family dwelling unit by a common wall with at least one point of internal ingress/egress between the dwelling units. The common wall area for the accessory dwelling unit shall be a minimum of fifty percent (50%) of the principal dwelling unit wall to which it is attached. Attachment of an accessory dwelling unit to a principal dwelling unit by an enclosed or unenclosed breezeway, hallway, porch, deck, patio or walkway is not permitted.

(2) The area within an accessory dwelling unit shall not include space for cooking facilities.

(3) The maximum floor area shall be 800 square feet.

(4) An attached garage, if separate from an attached garage serving the principal dwelling unit, shall not be permitted.

(5) The principal single family dwelling unit and accessory dwelling unit shall be occupied by members of one family.

(6) An accessory dwelling unit shall not be classified as a two-family dwelling as defined in this resolution.

(7) It shall be in conformity with all of the other regulations for the affected zoning district that apply to a principal single family dwelling unit.

(7) In order to ensure compliance with the provisions of this section, an application for a zoning certificate shall include an "Affidavit of Fact Deed Addendum" pursuant to O.R.C. 5301.252 and as set forth, in the requisite form available from the Zoning Inspector. The affidavit shall be recorded with the County Recorder, after it has been executed by the real property owner(s) and reviewed by the Zoning Inspector. The zoning certificate shall not be issued until a copy of the recorded affidavit has been provided to the Zoning Inspector.

(k) ELECTRIC VEHICLE SUPPLY EQUIPMENT (EVSE) SPACE 5/5/2022

1. An EVSE space shall comply with the applicable provisions of Sections 4A.09 and 5.02(e) and (f).

2. An EVSE space shall count towards determining the minimum number off-street parking spaces required by this resolution.

3. An EVSE space shall be designated by pavement identification and a permanent sign immediately adjacent thereto with a maximum face size of four (4) square feet, in non-residential zoning district specified in paragraph 5.

4. EVSE shall be protected by permanent concrete filled bollards four (4) feet in height in any non-residential zoning district specified in paragraph 5.

5. An EVSE may be installed as a permitted accessory use to a permitted principal or conditional use in B-1, B-1A, B-2, B-3, B-4 and I-1.

(l) Roof Mounted Solar Panels and Freestanding Solar Panel Arrays 9/2022

1) **Locations**: solar panels and solar panel arrays shall be permitted in any zoning district as an accessory structure in conformity with 5.02.

2) **Development and Maintenance Standards**: solar panels and solar panel arrays shall comply with all of the following regulations:

a. Roof mounted solar panels and solar panel arrays shall not extend beyond the roof line in any direction.
b. Freestanding solar panels and solar panel arrays shall be in conformity with 5.02(a)(2)(b).

(m) Wind Turbines (Under 5 megawatts) 9/2022

(1) **Locations**: wind turbines shall be a permitted use in the I-1 Zoning district.

(2) **Development and Maintenance Standards**: a wind turbine shall comply with all of the following regulations:

a. A wind turbine shall be setback a minimum distance equal to 1.1 times its total height measured from all lot lines or the nearest road right-of-way. Total height shall mean the vertical distance measured from the finished grade level at the base of the wind turbine tower to the tip of the wind turbine blade or airfoil at its highest point.

b. Wind turbines shall conform to 3.01 and 3.02.

c. The maximum number of wind turbines on a lot shall be one (1).

(n) Drive-in, Drive-Through Facility Regulations 6/2023

1. Drive-up windows/station of payment or pick-up of an order shall not be located in front of the front building line of any building.

2. An exterior menu ordering and communication speaker system shall be:

a. Only utilized for communication between employees and customers.
b. Located a maximum of ten (10) feet from the nearest wall of the building that it serves
c. Designed to direct the sound away from any adjacent residential uses
d. Located so that service is to the driver's side door

3. Vehicle queuing or stacking shall be located on the same lot as the principal use.

4. The minimum number of required stacking spaces shall comply with the following table:

USE	MINIMUM STACKING SPACES PER LANE OR AS OTHERWISE NOTED
Banks and Financial Institutions including ATMS And Similar Facilities with Service Windows	6
Restaurants and other Establishments serving and/or Selling food and/or beverages	12
Drug Stores	4
Car Wash Facilities per tunnel	6
Auto Service Station/Auto Repair Garage (Per Accessible Side of Fuel Island)	2
Other Retail/Service Businesses	4

5. Design Regulations
   a. The stacking lane shall be a minimum of nine feet (9') wide
   b. The stacking space shall be a minimum of nine feet (9') in width and twenty-three feet (23') in length.
   c. A stacking lane shall have clear pavement markings and signage to delineate and identify it and shall not interfere with on-site vehicular or pedestrian circulation.
   d. A stacking lane shall not block off-street parking spaces or be located in fire lanes.

e. Any adjacent driveway to a stacking lane shall have clear pavement markings and have a minimum width of fourteen feet (14') for one-way vehicular traffic or twenty-five feet (25') for two-way vehicular traffic.
f. Vehicles waiting to enter a stacking lane shall not be permitted within any public or private road right-of-way.
g. For restaurants and other establishments serving and/or selling food and/or beverages, a minimum of three (3) parking spaces shall be provided for customer vehicles that are waiting for order pick-up. These parking spaces shall comply with the parking arrangements in Appendix "C".

(o) Mobile Food Units

1. A mobile food unit may be permitted only as a temporary use that is accessory to the existing non-residential use in the B-1 General Business, B-1A Auburn Corners Retail, B-2 Village Retail, B-3 Retail/Motorist Services, and B-4 Office/Light Industrial Zoning Districts.

   Provided, however, these regulations shall not apply to special events held by invitation only of the affected property owner for private, noncommercial temporary occasions, gatherings, or celebrations that are not open to the general public in a residential zoning district. A zoning certificate shall not be required for such special events.

2. The affected lot owner and the mobile food unit owner/operator shall be in conformity with the following regulations and the lot owner shall provide the necessary information to ensure compliance to the Zoning Inspector. The Zoning Inspector may require the submittal of a complete zoning certificate application, including a site plan or such additional information necessary to ensure compliance with these regulations. The zoning certificate shall be valid for one (1) year from the date of issuance.

   a. The mobile food unit owner/operator or the affected lot owner shall submit written documentation from the Geauga County Public Health Department or regulating authority demonstrating that applicable health codes have been met.

   b. The mobile food unit owner/operator or the affected lot owner shall submit a copy of the Certificate of Insurance, State of Ohio License, Vendor License, and Auburn Township Volunteer Fire department approval.

   c. The maximum number of mobile food units allowed on a lot shall be one (1) at any one time.

   d. Only food and/or beverages may be cooked, prepared, and served from a mobile food unit. No other retail items may be sold.

e. If located in an off-street parking area, a mobile food unit including any trash receptables, shall be not impede or block pedestrian or vehicular traffic, parking lot area circulation, loading/unloading spaces, fire lanes, and clear sight distance for ingress/egress to any public or private road.

f. Tables and chairs shall be prohibited.

g. Temporary signs may be erected on the affected lot and such signs shall be in accordance with the following regulations. No sign shall be located within a road right-of-way, no more than two (2) signs shall be erected, the maximum sign face shall be six (6) square feet, and no sign shall be erected more than forty-eight (48) hours prior to the location of a mobile food unit on the affected lot and shall be removed within twenty-four (24) hours after the mobile food unit is no longer in active use.

h. Closed lids shall be required on any trash receptables.

i. A mobile food unit shall not be located within any public or private road right-of-way. The parking location of a mobile food unit shall be fully accessible to fire department apparatus and emergency vehicles.

j. A mobile food unit shall be setback a minimum of fifteen (15) feet from any side or rear lot line.

k. The maximum time period permitted for locating and operating a mobile food unit on a lot shall be two (2) days a week four (4) times per month, exclusive of special event days. Upon expiration of this time period, a mobile food unit and any trash receptacles or other related items shall be immediately removed from the affected lot.

l. A mobile food unit shall not be located on a lot for storage while it is not in active use, unless it is owned or leased by the affected lot owner of record.

m. A mobile food unit shall not be permanently connected to any plumbing, electrical, natural gas or other utilities on a lot.

n. Wheels, any hitch, the engine or other components related to the mobility of a mobile food unit shall not be removed, it shall not be erected on any foundation or blocks, and it shall not be permanently attached to any other building or structure on a lot.

o. No mobile food unit may be located on a vacant lot.

p. The regulations contained herein shall apply to a mobile food unit owned or leased by the lot owner of record upon which it is located.

q. A mobile food unit shall be subject to inspections during operation by the Zoning Inspector and the Auburn Township Fire Prevention Officer for compliance and must conform with the Geauga County Public Health Department requirements.

r. Additional regulations pertaining to mobile food units involving a special event shall include the following:

(1) A maximum of two (2) zoning certificates may be issued for a special event, two (2) special events are allowed per quarter: January-March; April-June; July-September; and October-December.

(2) The maximum number of days for a special event shall be three (3) days. Upon expiration of this time period, the mobile food unit and any trash receptables or other related items shall be immediately removed from the affected lot.

(3) The maximum number of mobile food units allowed on a lot during a special event shall be two (2) at any one time and the minimum separation distance between units shall be in accordance with the applicable fire code.

(p) Storage Containers (12/2025)

(1) Locations: a storage container shall be a permitted accessory use in the B-1 General Business, B-1A Auburn Corners Retail, B-3 Retail/Motorist Services, B-4 Office/Light Industrial, and I-1 General Industrial Zoning Districts. A storage container shall be a prohibited accessory use in the R-1 Residential, R-2 Residential, B-2 Village Retail, AP-1 Active Park, and OS-1 Passive Open Space Zoning Districts.

(2) Development and Maintenance Standards: in addition to the regulations provided herein, a storage container shall comply with all of the applicable development and maintenance standards in 3.01 and 3.02. The following regulations shall apply to all storage containers. Provided, however, these regulations shall not apply to temporary storage containers related to construction activities, emergency storage necessitated by damage or destruction of a building, or while the occupants of a building are moving in or out.

a. One storage container per acre of lot area is permitted. The maximum lot coverage requirement for the affected zoning district shall apply.

b. A storage container shall not be located within any public or private road right-of-way, off-street parking space, driveway or driveway aisle, loading/unloading space, fire lane, open space, screening, buffer, or landscaping area as required for the affected zoning district.

c. A storage container shall be located in the side or rear yard and not in the front yard or in front of the principal building(s) on a lot. All other required minimum setbacks, screening, and buffers for the affected zoning district shall apply.

d. A storage container shall not exceed a height of 9.5 feet, a width of 8 feet, and a length of 45 feet by exterior dimensions.

e. A storage container shall not be stacked. Nothing shall be stored on top of or attached to a storage container or used as a cover to increase its height.

f. A storage container shall be located on an impervious surface consisting of concrete, asphalt, or aggregate material.

g. A storage container shall be kept in good condition and free of all rust, peeling paint and other visible forms of deterioration.

h. A storage container shall not be used as a residential dwelling or for any purpose involving human occupancy.

i. No signs shall per permitted on storage containers.

j. Trailers and railroad box cars shall not be used as storage containers, whether or not they are on wheels or mounted on some other means of transportation.

k. A storage container shall not be equipped with any electrical or plumbing equipment or fixtures.

l. A storage container can only be located on a lot with an existing principal building or structure. A storage container cannot be located on a vacant lot.

(q) **Reserved**

(r) **Outdoor Dining** (12/25)

(1) Locations: outdoor dining shall be a permitted accessory use in the B-1 General Business, B-1A Auburn Corners Retail, B-2 Village Retail, B-3 Retail/Motorist Services, and B-4 Office/Light Industrial Zoning Districts. Outdoor dining shall be a conditional accessory use in the I-1 General Industrial Zoning District.

(2) Development and Maintenance Standards: In addition to the regulations provided herein, outdoor dining shall comply with all of the applicable development and maintenance standards in 3.01 and 3.02. The following regulations shall apply to outdoor dining.

a. The outdoor dining area shall be located on a patio or deck, with or without a permanent roof, that is contiguous with the principal permitted restaurant, tavern, or brewery.

b. The minimum lot requirements in 4A.06; front, side, and rear setbacks in 4A.07; maximum height in 4A.08; and landscaping and screening regulations in 4A.10 for the affected zoning district shall apply as well as all other applicable regulations and standards.

c. Entry and exit aisles used by patrons and employees connected to the restaurant, tavern, or brewery shall remain open and unimpeded at all times by tables, chairs, other furnishings and equipment. Ingress/egress shall be compliant with applicable building and fire codes.

d. Umbrellas shall be made of a fire-retardant material in accordance with the applicable fire code per the Auburn Township Volunteer Fire Department.

e. Subject to all relevant regulations of the Ohio Department of Commerce, Department of Liquor Control, the perimeter of the outdoor dining area shall be fully enclosed by a fence, ~~or~~ wall, or railing a minimum of four (4) feet in height with self-closing and latching gates for entry and exit. If adjacent to a off-street parking lot or driveway, permanent concrete filled bollards, or planting boxes affixed to the ground consisting of concrete or masonry material, shall be a minimum of four (4) feet in height and spaced a minimum of four (4) feet apart along the perimeter of the outdoor dining area.

f. The outdoor dining area shall be kept free of litter and in a safe and sanitary condition at all times.

g. No cooking facilities, including permanent or portable grills or similar equipment, shall be permitted within the outdoor dining area.

h. Outdoor dining enclosures consisting of, but not limited to, tents, curtains and vinyl screens shall be prohibited.

i. The outdoor dining area seating capacity shall not exceed two hundred percent (200%) of the indoor seating capacity of the restaurant, tavern, or brewery that is accessible to the public and the capacity shall be determined in accordance with the applicable fire code per the Auburn Township Fire Department by the Chief or the Fire Prevention Officer.

j. Any noise associated with music or entertainment conducted within the outdoor dining area shall not exceed the maximum level set forth in 4A.12.

k. Lighting shall comply with the applicable regulations in 4A.11.

l. Signage shall comply with the applicable regulations in 5.02(i).

m. Off-street parking shall comply with the applicable regulations in 4A.09 and 5.02(f). The number of off-street parking spaces required for outdoor dining shall be one (1) space per four (4) persons at maximum capacity. Maximum capacity shall be determined based upon the fire code per the Auburn Township Volunteer Fire Department.

n. The hours of operation for outdoor dining shall not extend past the normal operating hours of the principal permitted restaurant, tavern, or brewery.

o. The zoning inspector shall submit an application for a zoning certificate for outdoor dining to the Auburn Township Volunteer Fire Department for review by the Chief or the Fire Prevention Officer for compliance with the applicable fire code. No zoning certificate shall be issued without the prior approval of the Fire Department.

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) (2/2025)

(1) **Location and Access:** Cemeteries, except family cemeteries, shall be a conditional use in the R-1 and R-2 Zoning Districts and shall offer natural or man-made features such as variations in grade and landscaping which will assure a compatible development pattern. All points of vehicle ingress/egress shall be located at least two hundred feet (200') from any road intersection. 11/19/13, 9/2022 Driveways for ingress/egress shall be a minimum of fifteen feet (15') from side and rear lot lines. Such driveways shall be a minimum of fifteen feet (15') in width and shall be constructed with an aggregate, asphalt, or concrete material. (2/2025)

(2) **Development Standards:** In addition to the other standards of this Resolution (3.01), all main and accessory uses shall be enclosed by a maximum six (6) foot high fence or wall and maintained in good condition with appropriate security appurtenances. Equipment, tools, and vehicles shall be stored inside a fully enclosed building. All burial grounds shall be setback a minimum of two hundred feet (200') to any potable water well. Exterior storage of landscaping or other materials shall be setback a minimum of thirty feet (30') from all lot lines. A cemetery shall comply with the applicable riparian setback, wetland, and flood plain regulations (3.01 and 3.06).

(3) **Maintenance Standards:** In addition to the other standards of this Resolution (3.02), limitations on the time or extent of operations, and certifications or approvals by applicable agencies on the legal nature of the use may be required. A cemetery shall be in conformity with applicable laws and regulations set forth in O.R.C. Chapters 1721, 3705, and 4767. A township cemetery shall be in conformity with the provisions of O.R.C. Chapter 517.

(4) **Other Regulations and Conditions:** A cemetery shall comply with all other applicable regulations of the zoning district in which it is located including the General Conditions for Conditional Zoning Certificates [6.05(c) (2)], and such other specific conditions as may be determined by the Board of Zoning Appeals.

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

(1) **Location and Access:** Golf Courses shall be a conditional use in the R-1 and R-2 Zoning 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 eighteen (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 one hundred feet (100') from any public or private road right-of-way and a minimum of three hundred feet (300') 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 feet (8') 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 sixty feet (60') in width and constructed of an all-weather surface. Access ways shall be constructed of an all-weather surface of not less than twenty-four feet (24') in width and shall be maintained free of dust at all times. A suitable area, with a radius of fifty-five feet (55'), 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 1514.04 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) Private Recreation Facilities: (7/21/10)

(1) **Location and Access:** Private recreation facilities shall be a conditional use in the B-1, B-1A, B-4 and I-1 Zoning 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.

c. An occupancy permit issued by the Geauga County Building Department shall be required.

(3) **Maintenance Standards:** See 3.02. 9/2022

a. Noise shall not exceed the permitted limit for the zoning district in conformity with 4A.12.

b. Any new or replacement lighting shall be full cut off and comply with the lighting requirements in 4A.11.

c. Outdoor events involving tent activities shall be approved by the Zoning Inspector, the Auburn Township Volunteer Fire Department and the County Building Department.

d. There will be a review of the conditions after one year of operation or as determined by the Board of Zoning Appeals

(e) Hospitals:

(1) **Location and Access:** Hospitals shall be a conditional use in the B-1, B-1A, and B-4 **Zoning 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 foot (6') 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 two hundred feet (200'). 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 five hundred feet (500') 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 five hundred feet (500') 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 five hundred feet (500') 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 fifty feet (50') 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 one hundred feet (100') 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 fifty feet (50') 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 five hundred feet (500') 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 five hundred feet (500') 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 thirty-five feet (35') measured vertically from the average finished grade within ten feet (10') 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 three hundred (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, B-4, and I-1 Zoning districts 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 two thousand (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 feet (20'), 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 feet (30') between such buildings.

c. The ingress and egress for such facility shall provide for a hard surface of a minimum of a fifteen foot (15') wide lane with a radius of fifty feet (50') 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 Resolution, 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 feet (300') 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 feet (25') 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 feet (25') of the road right-of-way and an additional dry standpipe within twenty-five feet (25') of the first building located greater than three hundred feet (300') 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

m. The use of self-storage units for occupancy shall be prohibited, in accordance with the Ohio Revised Code 5322.04. (9/2022)

(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-3, B-4, and I-1 Zoning 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 one hundred (100') 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 feet (15'), and a radius of fifty-five feet (55') 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, B-1A, B-2, B-3, B-4 and I-1 Zoning Districts and shall comply with 3.07. (7/21/10) (9/2022)

(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 feet (50') 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 feet (50') from any adjacent property line, and not less than thirty feet (30') from any road 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.

c. There will be a review of the conditions after one year of operation or as determined by the Board of Zoning Appeals.

(j) Auto Repair Garage:

(1) **Location and Access:** Auto repair garages shall be a conditional use in the B-1, B-1A, B-3, B-4 and I-1 Zoning districts and shall comply with 3.07. (7/21/10) (9/2022)

(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 three (3) vehicles per bay may be stored outside a completely enclosed building. Vehicles must be stored in an area which is screened from the road right-of-way 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.

d. There will be a review of the conditions after one year of operation or as determined by the Board of Zoning Appeals. 9/2022

(k) Car Wash Facility:

(1) **Location and Access:** Car washes shall be a conditional use in B-1, B-1A, B-3, B-4, and I-1 Districts and shall comply with 3.07.

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

a. Car wash facilities shall be located within a detached enclosed building except when combined with an Auto Service Station (5.03(i)).

b. The car wash facilities opening height can be no greater than ten (10') feet.

c. Only car wash facilities as defined herein are allowed. Self-service car washing facilities are prohibited.

d. All vacuum cleaners and customer trash receptacles must be located behind the car wash facility and screened from adjoining lots and the road right-of-way.

e. Storage of car wash facility supplies shall be within the car wash facility building on the lot or in a detached building that may be located behind the car wash facility with a minimum setbacks per 4A.07.

f. Dumpsters shall be screened from adjacent lots and the road right-of-way and shall not be located in front of the car wash facility building.

g. Vehicle entry and exit lanes shall be clearly identified using pavement markings and/or signage and comply with 5.03(n)4 regarding stacking spaces.

h. Any exterior hand drying area shall be located adjacent to the car wash facility tunnel exit.

i. Car wash facility shall comply with all applicable regulations for B-1, B-1A, B-3, B-4 and I-1 zoning districts.

(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. Outdoor vehicle storage is not permitted.

c. A report from a qualified hydrologist demonstrating that an adequate groundwater supply is available to serve the car wash facility shall be provided with an application for a conditional zoning certificate

d. Noise levels shall not exceed those set forth in 4A.12.

e. There will be a review of the conditions after one year of operation or as determined by the Board of Zoning Appeals. 9/2022

(l) Automobile Sales: (7/21/10)

(1) **Location and Access:** Auto sales shall be a conditional use in the B-1 and B-1A Zoning districts 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.

b. All wastewater and other used chemical and petroleum products shall be contained, treated, and/or recycled meeting Ohio E.P.A. standards and regulations. 9/2022

c. There will be a review of the conditions after one year of operation or as determined by the Board of Zoning Appeals. 9/2022

(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.
(a) An occupancy permit, issued by the County Building Department, shall be required. 9/2022

(3) **Maintenance Standards:** See 3.02
(a) There will be a review of the conditions after one year of operation or as determined by the Board of Zoning Appeals. 9/2022

(n) Landscaping & Tree Service Business 5/5/2022

(1) **Location and Access:** Landscaping and Tree Service Business shall be a conditional use in an I-1 District and shall comply with 3.07.

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

(a) Screening of topsoil and composting, including grinding and processing wood, yard waste and other materials to produce mulch or wood chips is prohibited, including mixing wood and yard waste with any other solid waste, organic products, top soil, or materials.

(b) Vehicles or landscaping equipment, including, but not limited to trucks, tractors, mowing equipment and trailers, may be stored inside an enclosed building, screened if located in the side yard, or located behind the principal building.

(c) Fuel pumps, fuel pump canopies, and fuel storage tanks shall not be located in front of any principal building, located no closer than thirty feet (30') from any side or rear lot line and inspected by the Auburn Township Volunteer Fire Department.

(d) Landscaping materials, including but not limited to stones, pavers, bricks, fertilizer, salt, and topsoil and similar products may be stored outside on a paved area. Bulk material, excluding mulch, shall be stored within 3-sided storage bins. Mulch storage shall be screened if located in the side yard or located behind the main building. Outdoor storage shall be in accordance with the applicable provisions of 5.02(d). All outdoor storage shall not exceed a height of twenty-five feet (25').

(e) Maximum lot coverage shall be in conformity with 4A.06 and 5.02(d)(2)(f).

(f) The affected lot shall be fully landscaped and screened in conformity with 4A.10.

(g) A landscaping and tree service business shall be in conformity with all applicable regulations for the I-1 District, including but not limited to, off-street parking spaces 4A.09(b), loading/unloading spaces 5.02(f), lighting 4A.11, signage 5.02(i), and outdoor display 5.02(c).

(h) Chemicals shall be stored in compliance with Ohio E.P.A. regulations.

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

(a) Repairs and servicing of vehicles and equipment shall be within an enclosed building or not visible from the street.

(b) Cleaning and washing of vehicles and equipment shall be in conformity with Ohio EPA requirements

(c) Noise levels shall not exceed those set forth in 4A.12.

(d) All security lights shall have motion sensors and be downward-facing full cut-off lighting.

(e) Conditions will be reviewed as determined by the Auburn Township Board of Zoning Appeals.

(f) No storage of landscape waste and debris.

(o) **Reserved**

(p) **Nursing Homes and Residential Care Facilities** *9/2022*

(1) **Location and Access:** A nursing home and residential care facility shall be a conditional use in the B-4 Districts and shall comply with 3.07.

(2) **Development Standards:** See 3.01, in addition to the other standards of this Resolution, side and rear yards shall be screened from adjoining lots with a six foot (6') high fence, wall or dense hedge; the only exception to this would be, if there is a contiguous parking lot. In such case, the end of the circulated parking lot must be screened in the same manner. Where a nursing home lot is contiguous with any Residential District boundary, a minimum buffer zone setback shall be one hundred feet (100'). There shall be no buildings, structures, uses, off-street parking spaces or signs in the buffer zone setback.

(a) The Board of Zoning 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.

(b) An occupancy permit, issued by the County Building Department, shall be required.

(c) Shall be licensed through the State of Ohio.

(3) **Maintenance Standards: See 3.02**

(a) There will be a review of the conditions, after one (1) year of operation, or as determined by the Board of Zoning Appeals.

(q) Bed and Breakfast 9/2022

(1) **Location and Access:** A bed and breakfast shall be a conditional use in the B-1A and B-2 Zoning 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. An occupancy permit, issued by the County Building Department, shall be required.

b. Approval from the Geauga County Health Department, the Ohio EPA shall be required, and any other applicable governmental agency, i.e. Auburn Volunteer Fire Department.

(3) **Maintenance Standards: See 3.02.**

a. There will be a review of the conditions after one year of operation or as determined by the Board of Zoning Appeals.

b. Noise shall not be excessive and shall not exceed the limit for the zoning district in 4A.12.

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

(r) Party Center 9/2022

(1) **Location and Access:** A party center shall be a conditional use in the B-1, B-1A, B-2, and B-4 Zoning Districts and shall comply with 3.07.

(2) **Development Standards: See 3.01.**

a. An occupancy permit, issued by the County Building Department, shall be required.

(3) **Maintenance Standards: See 3.02.**

a. Noise shall not be excessive and shall not exceed the permitted limit for the zoning district as defined in 4A.12.

b. Outdoor events, involving temporary structures, including but not limited to tent activities, shall be approved by the Zoning Inspector, Auburn Township Volunteer Fire Department and the Geauga County Building Department.

c. There shall be a review of the conditions after one (1) year of operation or as determined necessary by the Board of Zoning Appeals.

(s) Private Schools

(1) **Location and Access:** A private school shall be a conditional use in the B-1, B-1A, B-2, B-4 and I-1 Zoning Districts and shall comply with 3.07.

(a) The driveway for ingress and egress shall consist of concrete, asphalt or an impervious surface with a minimum lane width of fifteen feet (15'), and a radius of fifty-five feet (55') at all turnarounds, drop-off and pick-up areas, in order for school buses, fire, and 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.

(2) **Development Standards: See 3.01.**

(a) See 3.01 In addition to the other standards of this Resolution, side and rear yards shall be screened from adjoining lots with a six (6') high fence, wall or dense hedge. The only exception to this would be, if there is a contiguous parking lot. In such case, the end of the circulated parking lot must be screened in the same manner. Where a private school parcel is contiguous with any Residential District boundary, a minimum buffer zone setback shall be one hundred feet (100'). There shall be no buildings, structures, uses, off-street parking spaces or signs in the buffer zone setback

(b) **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

(c) **Proper and adequate signage** per 5.02 (i) (3) and 5.02 (i) (5) (6) shall be installed to alert and warn vehicles of drop-off and pick-up areas and the existence of a school facility.

(d) The Board of Zoning 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.

(e) An occupancy permit, issued by the County Building Department, shall be required.

(f) Shall be chartered by the Ohio Department of Education on behalf of the State Board of Education with documentation provided to the Auburn Township Zoning Department.

(4) **Maintenance Standards**: See 3.02.

(a) There will be a review of the conditions after one year of operation or as determined by the Zoning Board of Appeals.

(t) **Retail Sales of Products in Completely Enclosed Buildings** shall be a conditional use in a B-4 and I-1 Zoning District.

(1) Retail sales shall comply with 3.07 and shall be an accessory use and be limited to the products that are manufactured on site and in completely enclosed buildings.
(2) Development Standards: See 3.01.
(3) Maintenance Standards: See 3.02.

(u) **Reserved**

(v) **Restaurants, Taverns, Breweries, and Outdoor Dining** (12/2025)

(1) Location and Access: Restaurants, Taverns, Breweries, and Outdoor Dining shall be conditional uses in the I-1 General Industrial District and shall comply with 3.07.

(2) Development Standards: In addition to 3.01, the following conditions shall apply:
a. Dumpsters receptacles shall be located a minimum of fifty (50) feet from an adjoining residential zoning district. They shall be screened from adjacent lots and the road right-of-way. Incineration facilities are prohibited.
b. All storage of supplies shall be within a completely enclosed building.
c. Shall comply with all other applicable regulations for the I-1 General Industrial Zoning District.
d. Outdoor Dining, classified as an accessory use, shall comply with all of the regulations in 5.02(r).

(3) Maintenance Standards: In addition to 3.02 the following conditions shall apply:
a. Noise shall comply with 4A.12.

b. Outdoor events involving temporary structures, including, but not limited to, tents, shall be approved by the Zoning Inspector and the Auburn Township Volunteer Fire Department.

c. There shall be a review of the conditions after one (1) year of operation or as determined by the Board of Zoning Appeals.

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 therefore, 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)

(c) Manufactured home parks. (9/2022)

(d) Junk yards and the storage or burial of junk. (9/2022)

(e) The storage, incineration or burial of infectious waste as defined in O.A.C. 3745-27-01(I)(6) and O.R.C. Section 3734.01(R). (9/2022)

(f) Landfills, open dumping, solid waste facilities, solid waste transfer facilities, construction and demolition debris facilities, and scrap tire collection facilities as defined in O.R.C. Chapter 3734. (9/2022)

(g) The storage of junk vehicles. (9/2022)

(h) The storage, incineration or burial of hazardous waste as defined in O.A.C. 3745-51-03 and O.R.C. Section 3734.01(J). (9/2022)

(i) Medical marijuana cultivators, processors or dispensaries in accordance with O.R.C. Section 519.21 (9/2022)

(j) Any wholesale or retail sales of goods, products, merchandise or services from vehicles or within a public road right-of-way shall be prohibited. (9/2022)

(k) Mobile homes. (9/2022)

(l) Small wind farm as defined in O.R.C. Section 519.213(A)(1). (12/2025)

(m) Small solar facility as defined in O.R.C. 519.213(A)(2). (12/2025)

(n) Body art establishment as defined in O.A.C. 3701-9-01. (12/2025)