ARTICLE 1

TITLE AND ENACTMENT

1.05 **EXEMPTIONS:** Powers not conferred by Chapter 519 of the ORC or this Resolution follow

(k) Home Education Learning Pod: This Resolution does not prohibit or restrict the location of a home education learning pod, as defined in Section 5104.01 of the Ohio Revised Code and this resolution, in any zoning district. Additional or more stringent regulations on a building or residence based solely on its association with or use by a home education learning pod shall not be imposed by this Resolution. Provided, however, a building or residence used by a home education learning pod shall be required to comply with zoning requirements that otherwise apply to the building or residence if it was not associated with or used by a home education learning pod. A home education learning pod is not agritourism as defined in 2.02.

EXHIBIT A

2.02 DEFINITIONS

AUTO REPAIR GARAGE: A building or part of a building that is used for the major repair, rebuilding or reconstruction of motor vehicles or parts thereof including collision service, painting, washing and steam cleaning of vehicles. **An Auto Repair Garage shall not include Tractor-Trailer Services and off-street parking spaces for tractor-trailers. The sale and dispensing of fuels into fuel tanks of motor vehicles including tractor-trailers ~~are~~ shall be prohibited.**

AUTO SERVICE STATION: A~~n~~ retail establishment where liquids used as motor fuels are stored and dispensed for sale into the fuel tanks of motor vehicles **excluding tractor-trailers**, or where electric vehicles may be recharged, by an attendant or by persons other than the station attendant. These establishments may include the routine maintenance and service of vehicles except that major **and other** repairs as described in **the definition of** auto repair garage shall not be permitted. Such an establishment may include space/floor area for the sale of ~~other~~ food, **beverages and other products only for off-premises consumption. An Auto Service Station shall not include Tractor-Trailer Services.**

TRACTOR-TRAILER SERVICES: A building that is used for routine maintenance and mechanical repairs of tractor-trailers including, but not limited to, the engine, transmission, brakes, suspension, and electrical systems, and may include the storage, sale, and dispensing of fuel into the fuel tanks of tractor-trailers and motor vehicles.

HOME EDUCATION LEARNING POD: as defined in O.R.C. Section 5104.01, means a voluntary association of parents who direct their children's education through home education and includes the following characteristics:

(a) The parents choose to group their children together in a home or other location at various times, which may include hours when home education is not provided.
(b) The pod includes only the parents' children who are receiving home education, except that it may also include siblings of those children, or other children who are under the care of the parents, regardless of age.
(c) At least one parent of any of the children participating in the pod must be on the premises while the pod is meeting.

HOME EDUCATION: shall have the same meaning as in O.R.C. Section 3321.042. Home education means the education of a child, between the ages of si and eighteen years of age, that is directed by the child's parent. Home education does not include education provided to a child who is enrolled full time in a public or chartered nonpublic school.

~~MEDICAL~~ MARIJUANA: ~~Marijuana~~ a**A**s defined in O.R.C. **Section 3719.01 and also known as marihuana.** ~~3796.01(A)(1), that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose per O.R.C. Section 3796.01(A)(2). 6/14/17~~

EXHIBIT A

Schedule 4A.05: Schedule of Uses

LAND USE CATEGORY	B-1 General Business District (1)	B-1A Auburn Corners Retail Business District	B-2 "Village" Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District
(d) Lodging Establishments						
Bed-and-Breakfast	N/P	C	C (7/21/10)	N/P	N/P	N/P
Hotel, motel	N/P	N/P	N/P	P	P	N/P
(e) Automotive Uses						
(1) Auto repair garage	C	~~C~~ N/P	N/P	C	C	C
(2) Auto service station	C	~~C~~ N/P	C	C	C	C
(3) Automobile sales	C	C	N/P	N/P	N/P	N/P
(4) Car wash	C	C	N/P	C	C	C
(5) Reserved						
(6) Tractor-trailer services – repair, overnight parking, fuel sales (3/11/08)	N/P	N/P	N/P	N/P	N/P	P C
(f) Community Facility						
(1) Party Center (2/25/09)	C	C	C	N/P	C	N/P
(2) Private Recreation Facilities	C	C	N/P	N/P	C	C
(3) Public Facilities	P	P	P	P	P	P
(4) Hospitals	C	C	N/P	N/P	C	N/P
(5) Schools, private	C	C	C	N/P	C	C
(6) Schools, public	P	P	P	N/P	P	P
(g) Industry						
(1) General industries	N/P	N/P	N/P	N/P	P	P
(2) Light industries (in completely enclosed buildings)	N/P	N/P	N/P	N/P	P	P
(3) Warehouses	N/P	N/P	N/P	N/P	P	P
(4) Self-Storage Facilities	C	N/P	N/P	N/P	C	C
(5) Sexually Oriented Businesses	N/P	N/P	N/P	N/P	N/P	C
(h) Billboards						
(1) Billboards	C	C	C	C	C	C

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LAND USE CATEGORY	B-1 General Business District (1)	B-1A Auburn Corners Retail Business District	B-2 "Village" Retail District	B-3 Retail/Motorist Service District	B-4 Office/Light Industrial District	I-1 General Industrial District

P = Permitted Use
C = Conditional Use
N/P=Not Permitted
(1) R-1 District permitted main and conditional uses apply to B-1 District. 8/20/14
(2) *Reserved*
(3) Limited to if it is manufactured on site.
(4) In completely enclosed buildings (see General Business definition)
(5) For the protection and sanctity of the family cemetery, an affidavit of fact per O.R.C. 5301.252 regarding notice of its location should be filed with the County Recorder's office. **2/2025**

(i) Auto Service Station.

(1) Location and Access: Auto Service Stations **in accordance with 4A.05** shall be a conditional use in B-1 **General Business**~~;~~; ~~B-1A~~, B-2 **Village Retail**; B-3 **Retail/Motorist Services**; B-4 **Office/Light Industrial**, and I-1 **General Industrial** Zoning Districts and shall comply with 3.07. (7/21/10) (9/2022) (10/2026)

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

a. Fuel pumps ~~must~~ **shall** be under **a canopy**~~. cover~~. The height of the underside of the canopy over the pumps ~~shall be no greater than~~ **a maximum of** 16.5 ft. **The minimum setback for a canopy shall be twenty feet (20') from a road right-of-way and forty feet (40') from any other lot line.**

b. All gasoline **, diesel** and **other** and fuel storage **tanks** shall be underground.

c. All ~~other~~ storage **of supplies and vehicle repair waste materials including, but not limited to, fluids and tires shall be in a completely enclosed building that is not visible from the road right-of-way and shall be screened and fully enclosed by an opaque fence or wall that is a minimum of six feet (6') in height.**

d. Dumpsters/trash receptacles shall be located a minimum of fifty feet (50') from an adjoining **residential** zoning district. ~~It~~ **They** shall be screened from adjacent lots and the road right-of-way **and fully enclosed by an opaque fence or wall that is a minimum of six feet (6') in height.** Incineration facilities are prohibited.

e. Fuel pumps and pump islands shall be ~~located~~ **set back** a minimum of thirty feet (30') from **the** road right-of-way **and fifty feet (50') from any other lot line.**

f. Public restrooms are permitted; however, shower facilities shall be prohibited.

g. Tractor-trailer services shall be prohibited.

h. Sale and dispensing of fuel into the fuel tanks of tractor-trailers shall be prohibited. A sign shall be posted at all fuel pump islands stating this prohibition.

i. Parking tractor-trailers in any off-street parking spaces, driveway aisles, and fire lanes shall be prohibited. A sign shall be posted stating this prohibition in such areas.

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j. Written proof of approval by the Geauga Water Resources Department of a central sanitary sewage line tie-in shall be required.

k. Written proof of approval by the Geauga Soil and Water Conservation District of a Water Management and Sediment Control Plan shall be required.

l. A Traffic Impact Study (TIS) shall be required. Components of the TIS shall include, but may not be limited to, traffic counts, trip generation, capacity analysis, safety evaluation, and mitigation measures. The TIS shall be prepared by a licensed professional traffic engineer and shall be signed, sealed, and dated.

m. Written proof of approval by the Ohio Department of Transportation of the issuance of a driveway access permit shall be required if the lot has frontage on a designated State route. If the lot has frontage on a designated County road, written proof of approval by the Geauga County Engineer for the issuance of a driveway permit shall be required.

n. An Auto Service Station shall comply with all other applicable regulations for the affected zoning district in which it is located.

o. The Board of Zoning Appeals shall consider the standards in Section 6.05(e) and may impose such additional conditions in order to ensure compliance with the applicable provisions of the Zoning Resolution.

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

a. All routine maintenance and service of vehicles, other than the sale and dispensing of fuel, oil, air, for tires, and windshield washer fluid, shall be within a completely enclosed building. Routine maintenance shall include oil changes; lubrication, tune-ups; installation of tires, batteries, lights and accessories; addition of fluids; exhaust system repair; shock absorber and strut replacement; air conditioning repair and recharge; wheel balancing and alignment; replacement of minor mechanical parts including, but not limited to, hoses, windshield wiper blades; spark plugs, ignition wiring, brakes, alternators, radiators, water pumps; and other parts not requiring extensive repairs. Routine maintenance and repairs or service on tractor-trailers, collision repair or any major repairs as defined in Auto Repair Garage shall be prohibited.

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b. Vehicle storage, except outdoor short-term parking ~~(72 hours or less)~~ for customer being repaired, shall be within a completely enclosed building. Outdoor short-term parking or storage of vehicles being repaired shall be a maximum of seven (7) consecutive days and no more than three (3) customer vehicles per service bay may be permitted. Vehicles shall be parked or stored in an area which is screened from the road right-of-way and adjacent lots and not in front of the principal building. Storage or parking of tractor-trailers shall be prohibited.

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~~ shall be a review of the conditions after one year from the date of approval of the conditional use zoning certificate or as determined by the Board of Zoning Appeals.

(j) Auto Repair Garage:

(1) Location and Access: Auto repair garages in accordance with 4A.05 shall be a conditional use in the B-1 General Business~~;~~; B-3 Retail/Motorist Services; B-4 Office/Light Industrial~~,~~ and the I-1 General Industrial Zoning Districts and shall comply with 3.07. (7/21/10) (9/2022) (10/2026)

(2) Development Standards: In addition to 3.01 the following conditions shall apply to an Auto Repair Garage::

a. Dumpsters/trash receptacles shall be located a minimum of fifty feet (50') ~~feet~~ from an adjoining residential zoning district, ~~It~~ They shall be screened from adjacent lots and the road right-of-way and fully enclosed by an opaque fence or wall that is a minimum of six feet (6') in height. Incineration facilities are prohibited.

b. All storage of supplies and vehicle repair waste materials including, but not limited to, fluids and tires shall be within a completely enclosed buildings or within an area located behind the building that is not visible from the road right-of-way and shall be screened and fully enclosed by an opaque fence or wall that is a minimum of six feet (6') in height.

c. Fuel pumps and fuel pump islands, and the sale of dispensing of fuel into the tanks of motor vehicles and tractor-trailers shall be prohibited.

c. Public restrooms are permitted; however, shower facilities shall be prohibited.

c. Tractor-trailer services shall be prohibited.

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f. Parking tractor-trailers in any off-street parking spaces, driveway aisles, and fire lanes shall be prohibited. A sign shall be posted stating this prohibition in such areas.

g. Written proof of approval by the Geauga Water Resources Department of a central sanitary sewage line tie-in shall be required.

h. Written proof of approval by the Geauga Soil and Water Conservation District of a Water Management and Sediment Control Plan shall be required.

i. A Traffic Impact Study (TIS) shall be required. Components of the TIS shall include, but may not be limited to, traffic counts, trip generation, capacity analysis, safety evaluation, and mitigation measures. The TIS shall be prepared by a licensed professional traffic engineer and shall be signed, sealed, and dated.

j. Written proof of approval by the Ohio Department of Transportation of the issuance of a driveway access permit shall be required if the lot has frontage on a designated State route. If the lot has frontage on a designated County road, written proof of approval by the Geauga County Engineer for the issuance of a driveway permit shall be required.

k. An Auto Repair Garage shall comply with all other applicable regulations for the affected zoning district in which it is located.

l. The Board of Zoning Appeals shall consider the standards in Section 6.05(e) and may impose such additional conditions in order to ensure compliance with the applicable provisions of the Zoning Resolution.

~~l. An Auto Repair Garage Sshall comply with all other applicable regulations for the affected zoning district in which the auto repair garage it is located.~~

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

a. Repairs or servicesing of vehicles shall be within a 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.~~

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Vehicle storage, except outdoor short-term parking for customer vehicles being repaired, shall be within a completely enclosed building. No more than three (3) customer vehicles per service bay may be stored or parked for a short-term outside of a completely enclosed building. Outdoor short-term parking or storage of vehicles being repaired shall be a maximum of seven (7) consecutive days. Customer vehicles shall be parked or stored in an area which is screened from the road right-or-way and adjacent lots and not in front of the principal building. Storage or parking tractor-trailers shall be prohibited.

c. ~~The~~ **Repair**, ~~rebuilding, reconstruction and/~~ or other services of vehicles with a gross vehicle weight rating of 26,001 pounds or more **including tractor-trailers** shall be prohibited.

d. There ~~will~~ **shall** be a review of the conditions after one year ~~of operation~~ **from the date of approval of the conditional use zoning certificate** 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.

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(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**~~ **Tractor-Trailer Services**

(1) Location and Access: Tractor-Trailer Services in accordance with 4A.05 shall be a conditional use in the I-1 General Industrial Zoning 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 feet (50') from an adjoining residential zoning district. They shall be screened from adjacent lots and the road right-of-way and fully enclosed by an opaque fence or wall that is a minimum of six feet (6') in height. Incineration facilities are prohibited.

b. All storage of supplies and vehicle repair waste materials including, but not limited to, fluids and tires shall be within a completely enclosed building or within an area located behind the building that is not visible from the road right-of-way and shall be screened and fully enclosed by an opaque fence or wall that is a minimum of six feet (6') in height.

c. Sale and dispensing of fuel into fuel tanks of tractor-trailers and motor vehicles shall be permitted.

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d. All gasoline, diesel and other fuel storage tanks shall be underground.

e. Fuel pumps and pump islands shall be set back a minimum of thirty feet (30') from the road right-of-way and fifty feet (50') from any other lot line. The height of the underside of a canopy over the fuel pumps and pump islands shall be a maximum of 16.5 feet. The minimum setback for a canopy shall be twenty feet (20') from a road right-of-way and forty feet (40') from any other lot line.

f. Public restrooms are permitted; however, shower facilities shall be prohibited.

g. Parking tractor-trailers in any driveway aisles, fire lanes, and overnight in off-street parking spaces, except in accordance with Maintenance Standards sub-paragraph (3)b herein, shall be prohibited. A sign shall be posted stating this prohibition in such areas.

h. Written proof of approval by the Geauga Water Resources Department of a central sanitary sewage line tie-in shall be required.

i. Written proof of approval by the Geauga Soil and Water Conservation District of a Water Management and Sediment Control Plan shall be required.

j. A Traffic Impact Study (TIS) shall be required. Components of the TIS shall include, but may not be limited to, traffic counts, trip generation, capacity analysis, safety evaluation, and mitigation measures. The TIS shall be prepared by a licensed professional traffic engineer and shall be signed, sealed, and dated.

k. Written proof of approval by the Ohio Department of Transportation of the issuance of a driveway access permit shall be required if the lot has frontage on a designated State route. If the lot has frontage on a designated County road, written proof of approval by the Geauga County Engineer for the issuance of a driveway permit shall be required.

l. The Board of Zoning Appeals shall consider the standards in Section 6.05(c) and may impose such additional conditions in order to ensure compliance with the applicable provisions of the Zoning Resolution.

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m. Tractor-Trailer Services shall comply with all other applicable regulations for the affected zoning district it is located.

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

a. Repairs or servicing of tractor-trailers shall be within a completely enclosed building.

b. Tractor-trailer storage, except outdoor short-term parking for customer tractor-trailers being repaired, shall be within a completely enclosed building. No more than three (3) customer tractor-trailers per service bay may be stored or parked for a short-term outside of a completely enclosed building. Outdoor short-term parking or storage of tractor-trailers being repaired shall be a maximum of seven (7) consecutive days. Tractor-trailers shall be parked or stored in an area which is screened from the road right-of-way and adjacent lots and not in front of the principal building.

c. There shall be a review of the conditions after one year from the date of approval of the conditional use zoning certificate or as determined by the Board of Zoning Appeals.

(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).

EXHIBIT 4