

ARTICLE XII - NEIGHBORHOOD OFFICE DISTRICT (C-1)

Section 12.01 – PURPOSE

The Neighborhood Office District is created to regulate future commercial development of office uses in the township and to foster expansion and rehabilitation of existing facilities to provide the atmosphere and opportunity to develop neighborhood-oriented office facilities which are small, pleasant, safe, and convenient to the neighborhood.

Section 12.02 – APPLICATION

The provisions of this Article of the Zoning Resolution shall apply to all proposed uses permitted herein which are designed to serve the local community.

Section 12.03 – PERMITTED USES

Within the Neighborhood Office District (C-1) the following uses, developed in accordance with other provisions of this Resolution, shall be permitted.

- A. Office facilities for the providing of personal services such as credit agencies, insurance agencies, insurance brokers, real estate offices, law offices, offices of physicians or veterinarians, and dentists, osteopaths, chiropractors, podiatrists or other licensed allied medical, dental or optical fields, accountants, financial planners, architects, and engineers.
- ~~B. Offices of credit agencies, personal credit institutions or loan offices, provided that no drive-in windows are provided.~~
- ~~C. Offices of veterinarians.~~
- B. Other offices, similar in nature or character, as determined by the Zoning Inspector Commission.
- C. Temporary structures such as mobile offices and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent structure is being constructed. The user of said structure shall obtain a zoning permit for such temporary use, which permit shall be valid for six (6) months and may be renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply, as he/she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structure shall be removed not later than ten (10) days after expiration of said permit. No unit shall be occupied as a residence without approval of the Board of Zoning Appeals as granted in compliance with provisions of Article XXVIII of this Resolution.

Section 12.04 - CONDITIONAL USES

Within this zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Board of Zoning Appeals pursuant to the provisions of Article XXVIII of this Resolution. Conditionally permitted uses shall be considered abandoned if said use or uses are not commenced within one (1) year from the date of approval by the Board of Zoning Appeals, or are discontinued for a period in excess of two (2) years. Unless the conditional use permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land and/or structure wherein the same is located or upon which the same is

granted shall void the conditional use permit, and the subsequent owner(s) or his agent shall be required to reapply for a continuation and/or modification of such uses(s) to the Board of Zoning Appeals. A designation by the Board of Zoning Appeals that a permit is permanent and shall run with the land does not affect the right of ~~authorities~~ **the Board of Zoning Appeals** to revoke the permit for failure to comply with the conditions imposed. No conditional use shall be implemented until a permit of compliance is issued by the Zoning Inspector.

- A. Single family dwelling, provided that the residence constructed within this district shall contain the following minimum living area, exclusive of porches, basements, or garages:

- 1 Story – 1,500 square feet of living area above grade
- 1 ½ Story – 1,875 square feet of living area with 1,125 square feet on the first floor above grade
- Earthberm and Underground – 1,500 square feet of living area
- Split level – 2,000 square feet of living area with 1,250 square feet above grade
- Bi-level – 2,000 square feet of living area with 1,250 square feet above grade
- 2 Story – 2,250 square feet of living area with 1,125 square feet on the first floor above grade

All single family dwellings shall include a garage of a minimum of 480 square feet, complete with operating doors; this area is not to be included in the living area of the dwelling.

- B. Apartments in areas over or adjacent to the office facility provided that apartments constructed within this district shall contain the following minimum living area, exclusive of porches, basements, or garages:

- One (1) bedroom unit 1,000 Sq. ft.
- Two (2) bedroom unit 1,125 Sq. ft.
- Three or more bedroom units 1,250 Sq. ft.

- C. Kindergarten or child **daycare** facilities, provided the building occupied by the use is architecturally compatible with the neighborhood, and provisions are made for vehicular access, parking, and fences to control accessibility of the children to **adjacent yards and/or** adjoining hazardous conditions such as roads, streets, lakes, ponds, etc. ~~or adjacent yards.~~

Section 12.05 – PROHIBITED USES

- A. No use not specifically authorized by the express terms of this article of ~~the~~ **this** Zoning Resolution shall be permitted.
- B. The outdoor storage of junk motor vehicles, as defined by ORC 505.173, for a period exceeding fourteen (14) days is prohibited. Said vehicle, if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.
- C. No trailer of any type, boats, motor homes or equipment of any type shall be parked in front of the front building line on any lot within this district. If a structure is located on the tract of land or lot the building line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by this code or the restrictions on the plat or deed.
- D. Except as specifically permitted by Section 12.03 ~~(C)-(E)~~ herein, no manufactured/mobile office structure shall be placed or occupied in this district.

- E. No cultivators, processors, or retail dispensaries of medical marijuana, licensed under Ohio Revised Code Chapter 3796, shall be located nor operate in this district.
- F. **No drive thru facilities of any kind shall be permitted.**

Section 12.06 - DEVELOPMENT STANDARDS

In addition to any other provisions of this Resolution, all lands and uses within the Neighborhood Office District shall be developed in strict compliance with the standards hereinafter established.

- A. Building Size: No structure in this district shall contain more than three thousand (3,000) square feet of floor space per floor devoted to any permitted or conditional use. ~~Limited to one structure per~~ **No more than one Principal Building shall be located on any** parcel, tract or lot.
- B. Lot Size: **A minimum lot size of two (2) acres is required unless evidence can be provided that all requirements (setbacks, building size, parking, and waste treatment) can be provided.** ~~No minimum lot size shall be required; however, the lot size shall be adequate to provide the yard spaces and off-street parking as herein required.~~
- C. Lot Width: No minimum lot width shall be required; however, all commercial tracts shall have access to approved streets and shall be such width as to provide required yard spaces and off-street parking.
- D. Building Height: No building shall exceed two (2) stories or thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure.
- E. Building Setback: No building or use shall be located closer to the right of way line or center line of the adjacent public or private road than permitted in Article XXI of this Resolution.
- F. Side Yard: Side yards shall be required not less than one-fourth (1/4) of the sum of the height and depth of the buildings but in no case less than twenty-five (25) feet.
- G. Rear Yard: Rear yards of not less than thirty (30) feet shall be required.
- H. Screening: ~~All commercial and office areas shall provide a~~ **A screening of shrubbery, or artificial fencing, or wall shall be provided** so as to hide trash collection areas and service areas from view. All such shrubbery shall be properly trimmed, and all screening shall be maintained in a neat and tidy manner.
- I. Parking: Off-street parking shall be provided within this district in strict compliance with the provisions of Article XXI of this Resolution.
- J. Signs: Signs identifying or advertising uses within this district shall be in strict compliance with the regulations imposed by Article XXII of this Resolution.
- K. Lighting: Exterior lighting fixtures shall be shaded, shielded or, directed so that the light intensity or brightness shall not be objectionable to surrounding areas.
- L. Freight Loading Area: When any use within this district requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading area, as provided shall

be adequate in size to accommodate tractor-trailer (semi) units with adequate room to permit entry to such loading area without interfering with traffic on adjacent streets or highways.

- M. Landscape Plan: When any use abuts on a Class A or Class B road as defined in Section 21.10 herein, a landscape plan shall be developed which is compatible, in the discretion of the **Zoning Inspector** ~~Zoning Commission~~, with the adjoining areas and the owner or occupant of the premises shall at all times maintain all grassed and landscaped areas.

ARTICLE XIV - NEIGHBORHOOD COMMERCIAL (C-2)

Section 14.01 – PURPOSE

The Neighborhood Commercial District is created to regulate development of commercial uses in the township and to foster expansion and ~~It is the intent of Harlem Township to create a commercial district which together with the regulation of future areas and rehabilitation of existing facilities~~ to will provide the atmosphere and opportunities to develop small neighborhood-oriented shopping areas which are pleasant, safe, and convenient to the neighborhood. ~~yet not designed to serve the public at large.~~ The provisions of this article of the Zoning Resolution shall apply to all proposed uses which are designed to serve the local community. ~~limited neighborhood area as opposed to the community at large.~~

Section 14.02 – APPLICATION

The provisions of this Article shall apply to all areas zoned Neighborhood Commercial as of the date of adoption of this amendment and all existing legal neighborhood commercial uses on lands which are zoned Neighborhood Commercial within the township shall be considered, for purposes of this zoning district, permitted uses. All new uses shall conform to all requirements and standards of this amended Resolution.

Section 14.03 - PERMITTED USES:

Within the Neighborhood Commercial District (C-2) the following uses, developed in accordance with other provisions of this Resolution, shall be permitted, provided that all activities and transactions, except off-street parking and loading/unloading, shall be conducted within a closed building.

- A. Retail Stores primarily engaged in selling of merchandise for personal or household consumption and rendering services incidental to the sale of goods, including hardware stores, grocery stores, meat and seafood markets, fruit stores and vegetable markets, bakeries, ice cream, and candy stores, nut and confectionery stores, dairy product stores, ~~retail stores, carry-outs, florists, eating and drinking establishments~~ places where service is provided totally within the building, self-service laundromats, laundry and dry cleaning shops, beauty shops, health spas, barber shops, shoe repair or shining shops, private copying, mailing, and mailbox services or any other like retail establishment consistent with the above listed uses. Businesses providing drive-thru facilities or facilities which do not require the occupant to leave his or her car are not considered permitted uses.
- B. Office facilities for ~~the providing of~~ personal services such as insurance agencies, insurance brokers, real estate offices, law offices, offices of physicians or veterinarians, and other licensed medical fields, dentists, osteopaths, chiropractors, podiatrists or other allied medical, dental or optical fields, accountants and financial consultants, architects, and engineers.
- C. Exercise, fitness, health, and dance studios. ~~Offices of credit agencies, personal credit institutions or loan offices provided that no drive-in windows are provided.~~
- D. Computer sales and repair facilities, lawn and garden equipment sales and service. ~~Offices of veterinarians.~~
- E. Temporary structures such as mobile offices and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent structure is being constructed. The user of said structure shall obtain a zoning permit for such temporary use, which permit shall be valid for six (6) months and may be

renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply, as he/she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structure shall be removed not later than ten (10) days after expiration of said permit. No unit shall be occupied as a residence without approval of the Board of Zoning Appeals as granted in compliance with provisions of Article XXVIII of this Resolution.

Section 14.04 - CONDITIONAL USES

Within this zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Board of Zoning Appeals pursuant to the provisions of Article XXVIII of this Resolution. Conditionally permitted uses shall be considered abandoned if said use or uses are not commenced within one (1) year from the date of approval by the Board of Zoning Appeals, or are discontinued for a period in excess of two (2) years. Unless the conditional use permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land and/or structure wherein the same is located or upon which the same is granted shall void the conditional use permit, and the subsequent owner(s) or his agent shall be required to reapply for a continuation and/or modification of such uses(s) to the Board of Zoning Appeals. A designation by the Board of Zoning Appeals that a permit is permanent and shall run with the land does not affect the right of authorities to revoke the permit for failure to comply with the conditions imposed. No conditional use shall be implemented until a permit of compliance is issued by the Zoning Inspector.

- A. Apartments in areas over or adjacent to the commercial storeroom of the office facility provided that apartments constructed within this district shall contain the following minimum living area, exclusive of porches, basements, or garages:

One (1) bedroom unit	1,000 Sq. ft.
Two (2) bedroom unit	1,125 Sq. ft.
Three or more bedroom units	1,250 Sq. ft.
- B. Outside display of products for sale **and outdoor storage of goods.**
- C. Kindergarten or child **daycare** facilities, provided the building occupied by the use is architecturally compatible with the neighborhood, and provisions are made for vehicular access, parking, and fences to control accessibility of the children to **adjacent yards and/or** adjoining hazardous conditions such as roads, streets, lakes, ponds, etc. ~~or adjacent yards.~~
- D. Drive-thru or drive-in facilities for financial institutions, restaurants, **or other similar retail establishments.** ~~or other businesses.~~
- E. **Outdoor patios for permitted eating and drinking establishments, providing appropriate screening is included and impacts to neighboring properties, such as lighting and noise, are mitigated.** ~~Outdoor storage of goods.~~
- F. **Recreational facilities.**
- G. **Automobile repair and service facilities, except refueling stations and standalone car washes.**

Section 14.05 - PROHIBITED USES

- A. No use not specifically authorized by the express terms of this Article of ~~this~~ the Zoning Resolution shall be permitted.
- B. Outdoor storage of junk motor vehicles, as defined by ORC 505.173, for a period exceeding fourteen (14) days is prohibited. Said vehicle, if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.
- C. No trailer of any type, boats, motor homes, or equipment of any type shall be parked in front of the front building line on any lot within this district. If a structure is located on the tract of land or lot, the building line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by this code or the restrictions on the plat or deed.
- D. Except as specifically permitted by Section 14.03 (E) herein, no manufactured/mobile office structure shall be placed or occupied in this district.
- E. No cultivators, processors, or retail dispensaries of medical marijuana, licensed under Ohio Revised Code Chapter 3796, shall be located nor operate in this district.
- F. **No drive-thru facilities of any kind shall be permitted except as provided in Section 14.04 (D).**

Section 14.06 - DEVELOPMENT STANDARDS

In addition to any other provisions of this Resolution, all lands and uses within the Neighborhood Commercial District shall be developed in strict compliance with the standards hereinafter established.

- A. Building Size: No structure in this district shall contain more than five thousand (5000) square feet of floor space per floor devoted to any permitted or conditional use. No more than one **Principal Building** shall be located on any parcel, tract, or lot.
- B. Lot Size: **A minimum lot size of two (2) acres is required unless evidence can be provided that all requirements (setbacks, building size, parking, and waste treatment) can be provided. No minimum lot size shall be required; however, the lot size shall be adequate to provide the yard spaces and off-street parking as herein required.**
- C. Lot Width: No minimum lot width shall be required; however, all commercial tracts shall have access to approved streets and shall be such width as to provide required yard spaces and off-street parking.
- D. Building Height: No building shall exceed two (2) stories or thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure.
- E. Building Setback: No building or use shall be located closer to the right-of-way line or center line of the adjacent public or private road than permitted in Article XXI of this Resolution.
- F. Side Yard: Side yards shall be required not less than one-fourth (1/4) of the sum of the height and depth of the buildings but in no case less than twenty-five (25) feet.
- G. Rear Yard: Rear yards of not less than thirty (30) feet shall be required.

- H. ~~Screening: All commercial and office areas shall provide a screening of~~ **A screening of shrubbery, or artificial fencing, or wall shall be provided** so as to hide trash collection areas and service areas from view. All such shrubbery shall be properly trimmed, and all screening shall be maintained in a neat and tidy manner.
- I. Parking: Off-street parking shall be provided within this district in strict compliance with the provisions of Article XXI of this Resolution.
- J. Signs: Signs identifying or advertising uses within this district shall be in strict compliance with the regulations imposed by Article XXII of this Resolution.
- K. Lighting: Exterior lighting fixtures shall be shaded, shielded or directed that the light intensity or brightness shall not be objectionable to surrounding areas.
- L. Freight Loading Area: When any use within this district requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading area as provided shall be adequate in size to ~~accommodate tractor-trailer (semi) units with adequate room to~~ permit entry to such loading area without interfering with traffic on adjacent streets or highways.
- M. Landscape Plan: When any use abuts on a Class A or Class B road as defined in Section 21.10 herein, a landscape plan shall be developed which is compatible, in the discretion of the **Zoning Inspector Zoning Commission**, with the adjoining areas and the owner or occupant of the premises shall at all times maintain all grassed and landscaped areas.
- N. **Noise: No use shall emit noise that can be heard from neighboring residential uses. No use shall exceed 55 dB outside the hours of operation, when measured at the boundary of the property from which the sound or noise is emanating.**

ARTICLE XII - NEIGHBORHOOD OFFICE DISTRICT (C-1)

Section 12.01 – PURPOSE

The Neighborhood Office District is created to regulate development of office uses in the township and to foster expansion and rehabilitation of existing facilities to provide office facilities which are small, pleasant, safe, and convenient to the neighborhood.

Section 12.02 – APPLICATION

The provisions of this Article of the Zoning Resolution shall apply to proposed uses permitted herein which are designed to serve the local community.

Section 12.03 – PERMITTED USES

Within the Neighborhood Office District (C-1) the following uses, developed in accordance with other provisions of this Resolution, shall be permitted.

- A. Office facilities for providing of personal services such as credit agencies, insurance agencies, insurance brokers, real estate offices, law offices, offices of physicians or veterinarians, and other licensed medical fields, accountants, financial planners, architects, and engineers.
- B. Other offices, similar in nature or character, as determined by the Zoning Inspector.
- C. Temporary structures such as mobile offices and temporary buildings of a non-residential character may be used incidental to construction work on the premises or on adjacent public projects or during a period while the permanent structure is being constructed. The user of said structure shall obtain a zoning permit for such temporary use, which permit shall be valid for six (6) months and may be renewed not more than twice. Renewal of the permit shall be at the discretion of the Zoning Inspector on finding of reasonable progress toward completion of the permanent structure or project. The Zoning Inspector may require provisions for sanitary waste disposal, solid waste disposal and water supply, as he/she deems necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said temporary structure shall be removed not later than ten (10) days after expiration of said permit. No unit shall be occupied as a residence without approval of the Board of Zoning Appeals as granted in compliance with provisions of Article XXVIII of this Resolution.

Section 12.04 - CONDITIONAL USES

Within this zoning district the following uses may be permitted, subject to the conditions and restrictions imposed by the Board of Zoning Appeals pursuant to the provisions of Article XXVIII of this Resolution. Conditionally permitted uses shall be considered abandoned if said use or uses are not commenced within one (1) year from the date of approval by the Board of Zoning Appeals, or are discontinued for a period in excess of two (2) years. Unless the conditional use permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land and/or structure wherein the same is located or upon which the same is granted shall void the conditional use permit, and the subsequent owner(s) or his agent shall be required to reapply for a continuation and/or modification of such uses(s) to the Board of Zoning Appeals. A designation by the Board of Zoning Appeals that a permit is permanent and shall run with the land does not affect the right of the Board of Zoning Appeals to revoke the permit for failure to comply with the conditions imposed. No conditional use shall be implemented until a permit of compliance is issued by the Zoning Inspector.

- A. Single family dwelling, provided that the residence constructed within this district shall contain the following minimum living area, exclusive of porches, basements, or garages:

- 1 Story – 1,500 square feet of living area above grade
- 1 ½ Story – 1,875 square feet of living area with 1,125 square feet on the first floor above grade
- Earthberm and Underground – 1,500 square feet of living area
- Split level – 2,000 square feet of living area with 1,250 square feet above grade
- Bi-level – 2,000 square feet of living area with 1,250 square feet above grade
- 2 Story – 2,250 square feet of living area with 1,125 square feet on the first floor above grade

All single family dwellings shall include a garage of a minimum of 480 square feet, complete with operating doors; this area is not to be included in the living area of the dwelling.

- B. Apartments in areas over or adjacent to the office facility, provided that apartments constructed within this district shall contain the following minimum living area, exclusive of porches, basements, or garages:

- One (1) bedroom unit 1,000 Sq. ft.
- Two (2) bedroom unit 1,125 Sq. ft.
- Three or more bedroom units 1,250 Sq. ft.

- C. Kindergarten or child daycare facilities, provided the building occupied by the use is architecturally compatible with the neighborhood, and provisions are made for vehicular access, parking, and fences to control accessibility of the children to adjacent yards and/or adjoining hazardous conditions such as roads, streets, lakes, ponds, etc.

Section 12.05 – PROHIBITED USES

- A. No use not specifically authorized by the express terms of this article of this Zoning Resolution shall be permitted.
- B. The outdoor storage of junk motor vehicles, as defined by ORC 505.173, for a period exceeding fourteen (14) days is prohibited. Said vehicle, if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.
- C. No trailer of any type, boats, motor homes, or equipment of any type shall be parked in front of the front building line on any lot within this district. If a structure is located on the tract of land or lot the building line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by this code or the restrictions on the plat or deed.
- D. Except as specifically permitted by Section 12.03 (C) herein, no manufactured/mobile office structure shall be placed or occupied in this district.
- E. No cultivators, processors, or retail dispensaries of medical marijuana, licensed under Ohio Revised Code Chapter 3796, shall be located nor operate in this district.
- F. No drive thru facilities of any kind shall be permitted.

Section 12.06 - DEVELOPMENT STANDARDS

In addition to any other provisions of this Resolution, all lands and uses within the Neighborhood Office District shall be developed in strict compliance with the standards hereinafter established.

- A. Building Size: No structure in this district shall contain more than three thousand (3,000) square feet of floor space per floor devoted to any permitted or conditional use. No more than one Principal Building shall be located on any parcel, tract, or lot.
- B. Lot Size: A minimum lot size of two (2) acres is required unless evidence can be provided that all requirements (setbacks, building size, parking, and waste treatment) can be provided.
- C. Lot Width: No minimum lot width shall be required; however, all commercial tracts shall have access to approved streets and shall be such width as to provide required yard spaces and off-street parking.
- D. Building Height: No building shall exceed two (2) stories or thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure.
- E. Building Setback: No building or use shall be located closer to the right-of-way line or center line of the adjacent public or private road than permitted in Article XXI of this Resolution.
- F. Side Yard: Side yards shall be required not less than one-fourth (1/4) of the sum of the height and depth of the buildings but in no case less than twenty-five (25) feet.
- G. Rear Yard: Rear yards of not less than thirty (30) feet shall be required.
- H. Screening: A screening of shrubbery, fencing, or wall shall be provided so as to hide trash collection areas and service areas from view. All such shrubbery shall be properly trimmed, and all screening shall be maintained in a neat and tidy manner.
- I. Parking: Off-street parking shall be provided within this district in strict compliance with the provisions of Article XXI of this Resolution.
- J. Signs: Signs identifying or advertising uses within this district shall be in strict compliance with the regulations imposed by Article XXII of this Resolution.
- K. Lighting: Exterior lighting fixtures shall be shaded, shielded or directed so that the light intensity or brightness shall not be objectionable to surrounding areas.
- L. Freight Loading Area: When any use within this district requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading area, as provided shall be adequate in size to permit entry to such loading area without interfering with traffic on adjacent streets or highways.
- M. Landscape Plan: When any use abuts on a Class A or Class B road as defined in Section 21.10 herein, a landscape plan shall be developed which is compatible, in the discretion of the Zoning Inspector, with the adjoining areas and the owner or occupant of the premises shall at all times maintain all grassed and landscaped areas.

ARTICLE XIV - NEIGHBORHOOD COMMERCIAL (C-2)

Section 14.01 – PURPOSE

The Neighborhood Commercial District is created to regulate development of commercial uses in the township and to foster expansion and rehabilitation of existing facilities to provide small neighborhood-oriented shopping areas which are pleasant, safe, and convenient to the neighborhood. The provisions of this article of the Zoning Resolution shall apply to all proposed uses which are designed to serve the local community.

Section 14.02 – APPLICATION

The provisions of this Article shall apply to all areas zoned Neighborhood Commercial as of the date of adoption of this amendment and all existing legal uses on lands which are zoned Neighborhood Commercial within the township shall be considered, for purposes of this zoning district, permitted uses. All new uses shall conform to all requirements and standards of this amended Resolution.

Section 14.03 - PERMITTED USES:

Within the Neighborhood Commercial District (C-2) the following uses, developed in accordance with other provisions of this Resolution, shall be permitted, provided that all activities and transactions, except off-street parking and loading/unloading, shall be conducted within a closed building.

- A. Retail Stores primarily engaged in selling of merchandise for personal or household consumption and rendering services incidental to the sale of goods, including hardware stores, grocery stores, meat and seafood markets, fruit stores and vegetable markets, bakeries, ice cream, and candy stores, nut and confectionery stores, dairy product stores, carry-outs, florists, eating and drinking establishments where service is provided totally within the building, self-service laundromats, laundry and dry cleaning shops, beauty shops, health spas, barber shops, shoe repair or shining shops, private copying, mailing, and mailbox services or any other like retail establishment consistent with the above listed uses. Businesses providing drive-thru facilities or facilities which do not require the occupant to leave his or her car are not considered permitted uses.
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- C. Exercise, fitness, health, and dance studios.
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after expiration of said permit. No unit shall be occupied as a residence without approval of the Board of Zoning Appeals as granted in compliance with provisions of Article XXVIII of this Resolution.

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Two (2) bedroom unit	1,125 Sq. ft.
Three or more bedroom units	1,250 Sq. ft.

- B. Outside display of products for sale and outdoor storage of goods.
- C. Kindergarten or child daycare facilities, provided the building occupied by the use is architecturally compatible with the neighborhood, and provisions are made for vehicular access, parking, and fences to control accessibility of the children to adjacent yards and/or adjoining hazardous conditions such as roads, streets, lakes, ponds, etc.
- D. Drive-thru or drive-in facilities for financial institutions, restaurants, or other similar retail establishments.
- E. Outdoor patios for permitted eating and drinking establishments, providing appropriate screening is included and impacts to neighboring properties, such as lighting and noise, are mitigated.
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- G. Automobile repair and service facilities, except refueling stations and standalone car washes.

Section 14.05 - PROHIBITED USES

- A. No use not specifically authorized by the express terms of this Article of this Zoning Resolution shall be permitted.
- B. Outdoor storage of junk motor vehicles, as defined by ORC 505.173, for a period exceeding fourteen (14) days is prohibited. Said vehicle, if stored on the premises shall be enclosed within a building so as not to be visible from any adjoining property or public road.

- C. No trailer of any type, boats, motor homes or equipment of any type shall be parked in front of the front building line on any lot within this district. If a structure is located on the tract of land or lot, the building line shall be considered to be the front wall of the structure, even if said structure is located behind the minimum building line established by this code or the restrictions on the plat or deed.
- D. Except as specifically permitted by Section 14.03 (E) herein, no manufactured/mobile office structure shall be placed or occupied in this district.
- E. No cultivators, processors, or retail dispensaries of medical marijuana, licensed under Ohio Revised Code Chapter 3796, shall be located nor operate in this district.
- F. No drive-thru facilities of any kind shall be permitted except as provided in Section 14.04 (D).

Section 14.06 - DEVELOPMENT STANDARDS

In addition to any other provisions of this Resolution, all lands and uses within the Neighborhood Commercial District shall be developed in strict compliance with the standards hereinafter established.

- A. Building Size: No structure in this district shall contain more than five thousand (5000) square feet of floor space per floor devoted to any permitted or conditional use. No more than one Principal Building shall be located on any parcel, tract, or lot.
- B. Lot Size: A minimum lot size of two (2) acres is required unless evidence can be provided that all requirements (setbacks, building size, parking, and waste treatment) can be provided.
- C. Lot Width: No minimum lot width shall be required; however, all commercial tracts shall have access to approved streets and shall be such width as to provide required yard spaces and off-street parking.
- D. Building Height: No building shall exceed two (2) stories or thirty-five (35) feet in height measured from the finished grade established not closer than fifteen (15) feet to the exterior wall of the structure.
- E. Building Setback: No building or use shall be located closer to the right-of-way line or center line of the adjacent public or private road than permitted in Article XXI of this Resolution.
- F. Side Yard: Side yards shall be required not less than one-fourth (1/4) of the sum of the height and depth of the buildings but in no case less than twenty-five (25) feet.
- G. Rear Yard: Rear yards of not less than thirty (30) feet shall be required.
- H. Screening: A screening of shrubbery, fencing, or wall shall be provided so as to hide trash collection areas and service areas from view. All such shrubbery shall be properly trimmed, and all screening shall be maintained in a neat and tidy manner.
- I. Parking: Off-street parking shall be provided within this district in strict compliance with the provisions of Article XXI of this Resolution.
- J. Signs: Signs identifying or advertising uses within this district shall be in strict compliance with the regulations imposed by Article XXII of this Resolution.

- K. Lighting: Exterior lighting fixtures shall be shaded, shielded or directed that the light intensity or brightness shall not be objectionable to surrounding areas.
- L. Freight Loading Area: When any use within this district requires the pickup or delivery of merchandise or supplies, an adequate loading area for such activity shall be provided on the lot occupied by the use. No such loading area shall be located on any public street or alley. Such loading area as provided shall be adequate in size to permit entry to such loading area without interfering with traffic on adjacent streets or highways.
- M. Landscape Plan: When any use abuts on a Class A or Class B road as defined in Section 21.10 herein, a landscape plan shall be developed which is compatible, in the discretion of the Zoning Inspector, with the adjoining areas and the owner or occupant of the premises shall at all times maintain all grassed and landscaped areas.
- N. Noise: No use shall emit noise that can be heard from neighboring residential uses. No use shall exceed 55 dB outside the hours of operation, when measured at the boundary of the property from which the sound or noise is emanating.