

SECTION 400.00 ZONING DISTRICTS AND REGULATIONS

Section 400.01 Purpose

The purpose of this Section is to establish Zoning Districts in order to carry out the general purposes and objectives set forth in Section 100.00 of this Zoning Resolution, to provide for orderly, sustainable growth and development, to aid in the implementation of the Mantua Township Land Use Plan, and to protect the property rights of all individuals by assuring the compatibility of uses and practices within districts, in accordance with Section 519.02 of the Ohio Revised Code.

All such regulations shall be uniform for each class or kind of building or other structure or use throughout any zoning district, but the regulations of one zoning district may differ from those in another zoning district.

Section 400.02 Establishment of Zoning Districts

For the purpose of promoting the public health and safety of the community, Mantua Township is hereby divided into zoning districts. Each zoning district shall be of such number, area, shape, kind, common unity of purpose, and adaptability of the use that is deemed most suitable to carry out the purpose of this Resolution. In addition, all new non-contiguous districts must consist of a minimum of twenty five (25) acres.

The following zoning districts are hereby established for Mantua Township:

Section 401.00	RRNOSO	Rural Residential Neighborhood Open Space Overlay
Section 402.00	R-1	Residential District
Section 403.00	R-2	Residential District
Section 404.00	R-3	Residential District
Section 409.00	C-1	Commercial District
Section 410.00	LRM	Light Restricted Manufacturing
Section 411.00	I-1	Industrial District

Section 400.03 Official Zoning Map

The districts established in Section 400.02 shall be shown on the Official Zoning Map, which together with all data, references, explanatory material, and notations shown thereon, is hereby made a part of this Resolution. A legal copy of this map is on file in the office of the Township Fiscal Officer.

Section 400.04 Interpretation of Zoning District Boundaries

Where uncertainty exists with respect to the boundaries of any of the aforementioned zoning districts as shown on the “Zoning Districts Map of Mantua Township, Ohio”, the following rules shall apply:

A. Where boundaries approximately follow streets, alleys or highways

Where boundaries are indicated as approximately following the centerline or pavement edge of streets, the centerline of alleys, or the centerline or right-of-way lines of highways, such lines shall be construed to be district boundaries.

B. Where boundaries parallel streets, alleys or highway rights-of-way

Where district boundaries are so indicated that they are approximately parallel to the centerlines or pavement edges of streets, the centerlines of alleys or the centerlines or rights-of-way of highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the map. If no distance is given, such dimensions shall be determined by the use of the scale shown on said zoning map.

C. Where boundaries approximately follow lot lines

Where district boundaries are indicated as approximately following lot lines, such lot lines shall be construed to be said boundaries, and shall be construed to be boundaries of lots of ownership as shown on current Tax Maps.

D. Vacation of public ways

Whenever any street, alley or other public way is vacated in a manner authorized by Law, the zoning district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all areas included in the vacation shall then and henceforth be subject to all regulations of the extended district.

Section 400.05 Compliance with These Requirements

A. No building shall be erected, placed, converted, enlarged, demolished, reconstructed, or structurally altered, nor shall any building or land be used, arranged to be used, or designed to be used in a manner which does not comply with all of the district requirements established by these Regulations for the districts in which the building or land is located, unless otherwise stated in Section 602.00.

B. Uses which are omitted from these Regulations, not being specifically permitted, shall be considered prohibited until such uses are incorporated into these Regulations by amendment.

C. Determination of whether or not a use is permitted by virtue of being similar in character to a specified permitted use in the district shall be made by the Board of Zoning Appeals based on the purpose of the district, adopted policies regarding development and this Zoning Resolution.

Section 401.00
RURAL RESIDENTIAL NEIGHBORHOOD
OPEN SPACE OVERLAY DEVELOPMENTS

Section 401.01 Purpose

The primary purpose of Rural Residential Neighborhood Open Space zoning, also known as conservation development zoning, is to promote the health and safety of the community through the application of flexible land development techniques in the arrangement and construction of dwelling units and roads. Such flexibility is intended to maximize the conservation of open spaces while accepting development and retaining, for the property owner, the development rights (the number of residential dwelling units) that are permitted under the existing conventional zoning requirements of the underlying zoning district.

These regulations are intended to achieve corollary purposes:

- A. To conserve (within the framework of natural resource conservation) the rural quality of the community characterized by:
 - 1. Large, aggregated, undeveloped land areas
 - 2. Scenic vistas and rural views
 - 3. Natural features such as woodlands, steep slopes, floodplains, wetlands, stream and river corridors, hedgerows and rock outcroppings
 - 4. Appropriate topographic or vegetative screening
 - 5. Significant historic features such as old barns, heritage trees, etc.
 - 6. Traditional rural settlement patterns characterized by compact groupings of development in otherwise wide open spaces

- B. To maximize protection of the community's natural resources by:
 - 1. Conserving areas of prime agricultural soils, to the extent possible
 - 2. Avoiding development on and destruction of sensitive natural resource areas
 - 3. Maintaining natural characteristics (such as woods, hedgerows, natural vegetation, meadows, slopes and streams)
 - 4. Reducing the amount of disturbed land, the conversion of areas to landscaped areas for lawns, and the use of invasive vegetation

- 5. Reducing the quantity and improving the quality of storm water runoff from expected development
- C. To encourage more efficient use of land and public services through unified development.
- D. To establish development review criteria which promote creative design solutions in a manner which best conserves the area's resources.
- E. To establish a review process which maintains local review and approval of the overall development plan and which results in the timely consideration of an application.
- F. To ensure that the proposed conservation development complies with the objectives of Mantua Township as expressed in the Mantua Township Land Use Plan.

Section 401.02 Special Definitions for Rural Residential Neighborhood Open Space Developments

For the purpose of these regulations the following terms, whenever used in Section 401.00, shall have the meaning herein indicated:

- A. DEVELOPMENT PLAN: A proposal including drawings and maps for a conservation development, prepared in accordance with these regulations, illustrating the proposed design, layout, and other features for the development and including all elements set forth in Section 401.09.
- B. LOT or SUBLLOT:
For the purposes of the conservation development regulations, a lot or subplot shall be a parcel of land owned fee simple and intended for one dwelling unit whether or not such lot or subplot is located with frontage on a dedicated street.
- C. PROJECT BOUNDARY: The boundary defining the tract(s) of land that is included in a development project to meet the minimum required project area for a conservation development. The term "project boundary" shall also mean "development boundary."
- D. STANDARD SUBDIVISION: A major or minor subdivision, as defined by the Ohio Revised Code, in which property is subdivided into lots having the minimum front, side and rear yards as specified by the Zoning Resolution and with each lot having the requisite frontage on a dedicated public street.

Section 401.03 Permitted Uses

Conservation development shall be permitted in accordance with the regulations set forth in Sections 401.04 through 401.09 inclusive, for the following uses:

- A. Detached single-family dwellings

- B. Single-family cluster dwellings
- C. Single-family attached dwellings
- D. Recreation facilities for use by residents
- E. Restricted open space as required in Section 401.05
- F. Home Day Care for Children and Adults (Section 610.11)

Section 401.04 Minimum Project Area for Rural Residential Neighborhood Open Space Developments

The gross area of a tract of land proposed for development according to the conservation development option shall be a minimum of twenty (20) acres, but shall not include area within any existing public street right-of-way.

The area proposed shall be in one ownership, or if in multiple ownership, the application shall be filed jointly by all the owners of the properties included in the conservation development.

Section 401.05 Permitted Density and Restricted Open Space

- A. The minimum restricted open space shall be 40% of the total project area.
- B. The maximum density shall be R1 = .28, R2 = .44, R3 = .58 dwelling units per acre which incorporates a 10% density bonus for choosing this RRNOSO overlay. The maximum number of dwelling units permitted in a conservation development shall be calculated by:
 1. Deducting the following from the total project area:
 - a. Any public right-of-way within the project boundary existing at the time the Development Plan is submitted and
 - b. The area of land within special flood hazard areas, designated wetlands, or existing waterbodies that exceed the minimum acreage required for restricted open space as set forth in Section 401.05A. Where special flood hazard areas and wetlands overlap, they shall be counted only once.
 2. Multiplying the result of Section 401.05.B.1 by the maximum density permitted per acre as set forth in this Section above.

Section 401.06 Regulations for Restricted Open Space

- A. General standards

The restricted open space required in Section 401.05 shall comply with the following:

1. Restricted open space shall be designed and located to conserve significant natural features and historical and cultural elements located on the site.
2. Areas designated for restricted open space purposes may be:
 - a. Preserved in its natural state
 - b. Designed and intended for the use and/or enjoyment of residents of the proposed development
 - c. Utilized for farming when authorized in a conservation easement or in the association's covenants and restrictions
3. Restricted open space shall be interconnected with open space areas on abutting parcels.
4. Sewage service, storm water management, and/or water supply facilities may be located partially or entirely within restricted open space areas. Where such facilities are so located, easements satisfactory to the Portage County Health Department or other appropriate agencies shall be established to enable maintenance of such facilities by the appropriate parties.
5. In order to encourage the creation of large areas of contiguous open space, areas that shall not be considered restricted open space include:
 - a. Private roads and public road rights-of-way
 - b. Parking areas, access ways and driveways
 - c. Required setbacks between buildings, parking areas and project boundaries
 - d. Required setbacks between buildings and streets
 - e. Minimum spacing between buildings and between buildings and parking areas
 - f. Private yards
 - g. A minimum of fifteen (15) feet between buildings and restricted open space
 - h. Other small fragmented or isolated open space areas
6. Any restricted open space intended to be devoted to recreational activities shall be of a usable size and shape for the intended purposes. The maximum percentage of restricted open space that may be developed for active recreation areas, including a community center, shall be 5%.
7. Any area within the restricted open space that is disturbed during construction or otherwise not preserved in its natural state, other common areas such as required setback

areas, and both sides of new streets shall be landscaped with vegetation that is compatible with the natural characteristics of the site.

8. The restricted open space, including any recreational facilities proposed to be constructed in such space, shall be clearly shown on the general development plan.

B. Prohibition of Further Subdivision of Restricted Open Space

Restricted open space in a conservation development shall be prohibited from further subdivision or development by deed restriction, conservation easement, or other agreement in a form acceptable to the township's legal advisor and duly recorded in the Office of the Recorder of Deeds of Portage County.

C. Ownership of Restricted Open Space

Subject to such permanent restriction as set forth above, restricted open space in a conservation development may be owned by an association, the Township, a land trust or other conservation organization recognized by the township, or by a similar entity, or may remain in private ownership.

1. Offer of Dedication

The township may, but shall not be required to, accept dedication in the form of fee simple ownership of the restricted open space.

2. Associations

Restricted open space may be held by the individual members of a Condominium Association as tenants-in-common or may be held in common ownership by a Homeowners' Association, Community Association, or other similar legal entity. The Township's legal advisor shall determine that, based on documents submitted with the development plan, the association's bylaws or code of regulations specify the following requirements:

- a. Membership in the Association shall be mandatory for all purchasers of lots in the development or units in the condominium.
- b. The association shall be responsible for maintenance, control, and insurance of common areas, including the required open space.

3. Transfer of Conservation Easements

With the permission of the Township, the owners(s) of the restricted open space may, in accordance with the provisions of ORCS 5301.67-70, grant a conservation easement in perpetuity to any of the entities listed in ORCS 5301.68, provided that:

- a. The entity is acceptable to the Township;

- b. The provisions of the conservation easement are acceptable to the Township; and
- c. The conveyance contains appropriate provision for assignment of the conservation easement to another entity authorized to hold conservation easements under ORCS 5301.68 in the event that the original grantee becomes unwilling or unable to ensure compliance with the provisions of the conservation easement.

4 Private Ownership of Restricted Open Space

Restricted open space may be retained in ownership by the applicant or may be transferred to other private parties subject to compliance with all standards and criteria for restricted open space herein.

Section 401.07 Development and Site Planning Standards

Buildings, structures, pavement, and streets shall be located in compliance with the following development and site planning standards.

A. Ownership

Any ownership arrangement, including, but not limited to, fee simple lots and condominiums, is permitted in a conservation development. Regardless of the ownership of the land, the arrangement of the dwelling units shall comply with the spacing requirements of this Section.

B. Lot Requirements

- 1. Units are not required to be on lots. However, when lots for standard detached single family dwellings or sublots for single-family cluster or attached dwelling units are included as part of a conservation development, such lots or sublots shall be of sufficient size and shape to accommodate dwelling units in compliance with the spacing requirements of this Section.
- 2. The applicant shall depict, on the development plan, the maximum parameters, or building envelopes, to indicate where buildings shall be located, and shall demonstrate that such building locations will be in compliance with the spacing requirements of this Section.

C. Perimeter Building Regulations

- 1. The minimum setback from an existing public street shall be thirty five (35) feet.
- 2. The minimum setback from the project boundary shall be twenty (20) feet.

D. Interior Building Setback and Spacing Regulations

1. The minimum setback from a proposed local public right-of-way shall be thirty five (35) feet.
2. The minimum setback from the edge of the pavement of a private street shall be forty (40) feet.
3. The minimum separation between dwellings shall be fifty (50) feet.
4. Accessory buildings shall be located to the rear of the residence and a minimum of five (5) feet from side and rear lot lines.

E. Height

The maximum building height shall be thirty-five (35) feet.

F. Resource Protection Regulations

1. Special Flood Hazard Areas

No buildings or structures are permitted to be located within a Special Flood Hazard Area as defined by the National Flood Insurance Program or other appropriate agencies. The types of uses permitted in Special Flood Hazard Areas are listed below:

- a. Agriculture
- b. Public or private parks and outdoor recreational facilities which should be limited to playfields, ball fields, trails, and other similar unimproved amenities
- c. Fencing that allows the passage of water
- d. Off-street parking areas accessory to the above uses provided that such areas are improved with pervious pavement materials, such as pervious asphalt or pervious concrete or combinations of geotextiles with sand, gravel and sod
- e. Any proposed land use or development wholly within, partially within, or in contact with any Special Flood Hazard Area as established in the current Special Purpose Flood Damage Reduction Regulations for Portage County, Ohio, should be submitted to the appointed Floodplain Administrator.

2. Wetlands Protection

Wetlands that are required by the Army Corp of Engineers or the Ohio EPA to be preserved shall be protected by the following:

- a. A buffer area having a width not less than twenty five (25) feet, measured from the edge of the designated wetland. The area within this buffer shall not be disturbed and shall be retained in its natural state, and
- b. A minimum building and pavement setback of forty (40) feet, measured from the edge of the designated wetland.

3. Conservation of Riparian Zones

- a. A riparian buffer shall be provided along the entire length and on both sides of a river or perennial stream channel. The buffer area shall have a width not less than twenty five (25) feet, measured from the river or stream bank. Small streams without clearly defined high water marks can be measured from the centerline. This buffer may be required to be increased based upon the type of stream, slope of the stream banks, surrounding soils, vegetation, land uses, and the function of the stream, but in general shall not exceed three hundred (300) feet. In making a determination on the appropriate buffer width, the Zoning Commission may consult with technical experts such as the Soil and Water Conservation District, Portage Park District, County Engineer, Regional Planning Commission or others qualified to provide a recommendation to the Zoning Commission.
- b. A minimum building and pavement setback of forty (40) feet, measured from the edge of the designated riparian zone.
- c. Walkways may be located within riparian buffers when the Zoning Commission determines that such will have minimal impacts on the riparian buffer, provided the walkway is not within a Special Flood Hazard Area. If the proposed walkway is within a Special Flood Hazard Area, the Floodplain Administrator should be contacted as in Sec. 401.07.F1.

G. General Street Design Criteria

1. Street alignments should follow natural contours and be designed to conserve natural features.
2. Locations of streets should be planned to avoid excessive storm water runoff and the need for storm sewers.
3. The area of the project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.
4. Single-loaded residential access streets are preferred in order that the maximum number of homes in the open space development may enjoy views of the open space areas.

Where foreground meadows are created between existing public roadways and such single-loaded residential streets, residences shall be located on the far side of the access streets as seen from the public roadways.

5. The road design should incorporate as much as possible, commons or ovals rather than cul-de-sacs.

H. Pedestrian Circulation Systems

1. A pedestrian circulation system shall be included in the conservation development and shall be designed to ensure that pedestrians can walk safely and easily throughout the development. The pedestrian system shall provide connections between properties and activities or special features within the restricted open space system and need not always be located along streets.
2. Trails for which public right of passage has been established should be incorporated in the pedestrian circulation system.

I. Sewage Disposal

Development shall be served by individual or public sewage disposal structures consistent with the Portage County Health Department or other appropriate agency. Individual sewage disposal systems shall comply with all applicable regulations of the Portage County Health Department and may be located within restricted open space areas when approved by the Township and the Portage County Health Department.

J. Waivers

In the event the Zoning Commission determines that certain standards set forth in this section do not or should not apply specifically to the circumstances of a particular project and an alternative method of achieving the objectives of the numerical standard is equal to or better than the strict application of the specified standard, the Township Zoning Commission may relax such standard to an extent deemed just and proper, provided that the granting of such relief shall be without detriment to the health and safety of the community and without detriment to or impairment of the intent of this Section.

Section 401.08 Development Design Criteria

In addition to the development and site planning standards set forth in Section 401.07, all elements of a conservation development, particularly the restricted open space areas, shall be designed in accordance with the following criteria to ensure that the project is appropriate for the site's natural, historic and cultural features and meets the objectives of this district.

A. Conservation of prime farmland

Farmland that satisfies the USDA definition of "prime" or "locally unique" farmland should be conserved.

B. Conservation of existing scenic vistas and visual quality of the environment

Buildings should be located to ensure that scenic views and vistas are unblocked or uninterrupted.

C. Conservation of woodlands, vegetation and other natural areas

The design and layout of the development should conserve, maintain, and incorporate existing wooded areas, meadows, and hedgerows and tree lines between fields or meadows, especially those containing significant wildlife habitats.

D. Conservation of wildlife habitats

Wildlife habitat areas of species listed as endangered, threatened or of special concern by the U.S. Environmental Protection Agency and/or by the Ohio Department of Natural Resources should be protected.

E. Conservation of cultural resources

Sites of historic, archaeological, or cultural value and their environs should be protected insofar as needed to safeguard the character of the feature, including stone walls, spring houses, barn foundations, underground fruit cellars, earth mounds and burial grounds.

F. Conservation of sloping land

The road system and buildings should be located to minimize changes to the topography and the need for cutting and filling.

Section 401.09 Project Review Procedures

Under the authority established in ORCS 519.021, the Township Zoning Commission shall review and approve development plans for a proposed conservation development according to the procedures set forth in this Section.

A. Submission of General Development Plan

The applicant shall submit a General Development Plan application to the township Zoning Inspector. The application shall include documentation illustrating compliance with the standards and criteria set forth in this Section. The application and documentation shall include, but is not necessarily limited to:

1. Identification of existing site characteristics, including a general depiction of:
 - a. Boundaries of the area proposed for development, dimensions and total acreage
 - b. Contour lines at vertical intervals of not more than five (5) feet, highlighting ridges, rock outcroppings and other significant topographical features

- c. Location of wetlands (and potential wetlands); special flood hazard area boundaries and base flood elevations as delineated by the Federal Emergency Management Agency; rivers and streams and their related river or stream banks, ponds, and water courses
 - d. Existing soil classifications
 - e. Locations of all wooded areas, tree lines, hedgerows, and specimen trees
 - f. Delineation of existing drainage patterns on the property, existing wells and well sites
 - g. Description of significant existing vegetation by type of species, health, quality, etc.
 - h. Existing buildings, structures and other significant man-made features on the site and within two hundred (200) feet of the project boundary
 - i. Description of all structures and areas of known or potential historical significance
 - j. Existing viewsheds and identification of unique vistas
2. The preliminary site plan shall be drawn at a scale not less than 1" to 100', except that projects over two hundred (200) acres may be drawn at a scale of 1" to 200', and shall include:
 - a. A summary of the proposed development including the total acreage, number of residential units, type of dwellings, density by type of dwelling, and acreage density by type of dwelling, and acreage of restricted open space to be conserved
 - b. A sketch layout of standard single family lots, if any
 - c. The location of the restricted open space and any proposed recreational facilities
 - d. Natural features to be conserved and any required buffer areas
 - e. Natural features to be altered or impacted by the development and areas where new landscaping will be installed, etc.
 - f. General location of public street rights-of-way and private roadways
 - g. Proposed utility easement locations
 3. An outline of the method/structure to perpetually preserve the required restricted open space which indicates:
 - a. The structure of the Association

- b. Membership requirements
 - c. Financial responsibilities
 - d. The relationship of the entity to public agencies having responsibilities related to the project
4. A description of the project phasing including the phased construction of open space improvements.

B. Review for completeness

Within ten (10) business days of receiving the application, the Zoning Inspector shall review the application to determine that the application includes all the items required in Section 401.09.A. If the application is deemed complete and the application fee paid, the Zoning Inspector shall officially accept the application on that date.

C. Review of General Development Plan by others

The Township Zoning Inspector shall distribute the general development plan application to the following for review and comment:

1. Regulatory agencies which have statutory authority to subsequently review and approve any aspect of the development, including but not limited to the Regional Planning Commission, the County Health Department, the County Water Resource Department, and the Ohio EPA
2. Other agencies which, at the discretion of the Township, may have appropriate technical expertise
3. Appropriate local Township administrative officials, including the Township's legal advisor
4. Consultants retained by the Township

All comments shall be returned to the Township Zoning Inspector within thirty (30) days from the date distributed. However, if comments are not received within such thirty (30) day period, the Zoning Commission is not precluded from proceeding to review and consider the application.

D. Site visit

The Township Zoning Commission shall, together with the applicant and the applicant's consultant(s), visit the site to gain a thorough understanding of the characteristics of the site.

E. Review and approval by Township

The Township Zoning Commission shall review the General Development Plan and the comments received from Section 401.09.C above. The Township Zoning Commission shall take action on the submitted General Development Plan by either:

1. Approving the General Development Plan as submitted; or
2. Approving the General Development Plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general building layout or open space arrangement; or
3. Denying approval of the General Development Plan; or
4. Signing a written agreement with the applicant to extend the review period. This agreement shall include the date the Zoning Commission must take action on the issue.

F. Significance of approved General Development Plan

Approval of the General Development Plan shall:

1. Establish the development framework for the project, including the general location of open space, development areas, densities, unit types, recreational facilities, and street alignments.
2. Be the basis for the application to proceed with detailed planning and engineering in reliance on the approved General Development Plan.
3. Provide the benchmark for the Township Zoning Commission to consider and approve suggested amendments to the General Development Plan.
4. Authorize the applicant to apply for all other required regulatory approvals for the project or subsequent phases thereof.

G. Final Development Plan

After a General Development Plan has been approved, an applicant shall submit for review and approval a Final Development Plan. The Final Development Plan may be submitted either for the entire project or for each construction phase.

1. Submission Requirements

The Final Development Plan shall include:

- a. A site plan drawn at a scale not less than 1" = 100' indicating:

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1. Boundaries of the area proposed for development, accurate dimensions and total acreage;
 2. The exact location and dimension of private streets, common drives and public street rights-of-way;
 3. Exact location of building footprints or envelopes within which dwelling units are to be constructed, and lot lines with dimensions for all residential units for which individual ownership is proposed;
 4. Dimensions of building or unit spacing;
 5. The extent of environmental conservation and impacts and the exact location of all no cut/no disturb zones; and
 6. Designated restricted open space areas and a description of proposed open space improvements.
- b. A grading plan drawn at a scale of 1" = 100', showing all information pertaining to surface drainage.
 - c. A detailed landscaping plan for new landscaping, including entry features and signs.
 - d. The Declaration, Articles of Incorporation and either Bylaws (for a Condominium Association) or Code of Regulations (for a Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon all the use of land and pertaining to the ownership, use, and maintenance of all common areas, including restricted open space.
 - e. Conditions imposed by other regulatory agencies.
2. Review for completeness

Within ten business days of receiving the application, the Zoning Inspector shall review the application to determine that the application includes all the items required in subsection 401.09.G.1, above. If the application is deemed complete and the application fee paid, the Zoning Inspector shall officially accept the application on that date.

3. Distribution of Final Development Plan

The Zoning Inspector shall distribute the Final Development Plan application to the Zoning Commission, the township's legal advisor, and other appropriate administrative departments or professional consultants for review and comment. Any reports, comments, or expert opinions shall be compiled by the Zoning Inspector and transmitted to the Zoning Commission prior to the time of the Commission's review.

4. Review by the Township's legal advisor

The township's legal advisor may review the Declaration, Articles of Incorporation and either Bylaws (for a Condominium Association) or Code of regulations (for a Homeowners' Association) and any other final covenants and restrictions and maintenance agreements to be imposed upon the conservation development. He shall provide a written opinion to the Zoning Commission documenting that the above demonstrate full compliance with the requirements of this chapter.

5. Review and approval by Township

The Zoning Commission shall review the Final Development Plan and the comments received from Section 401.09.G.3 and 401.09.G.4 above. The Zoning Commission shall determine if the Final Development Plan is in compliance with the General Development Plan and take action on the submitted Final Development Plan by either:

- a) Approving the Final Development Plan as submitted; or
- b) Approving the Final Development Plan subject to specific conditions not included in the plan as submitted, such as, but not limited to, improvements to the general building layout or open space arrangement; or
- c) Deny approval of the Final Development Plan; or
- d) Signing a written agreement with the applicant to extend the review period. This agreement shall include the date the Zoning Commission must take action on the issue.

The Township Zoning Commission must act upon the Final Development Plan within sixty (60) days from the date the application was determined complete, or an extended review period as may be agreed upon.

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SECTION 402.00 RESIDENTIAL DISTRICT (R-1)

Section 402.01 Purpose

The purpose of this zoning district is to accommodate low-density residential development and discourage concentrated living areas in and at the periphery of the floodplains and where the underground water supply or the soil conditions for on-site sewage disposal are inadequate to accommodate higher density development while encouraging agriculture and open space preservation.

Section 402.02 Uses

Within an R-1 District no building, structure, or premises shall be used, arranged to be used, or designed to be used except for one (1) or more of the following uses:

A. Permitted Uses

1. Single-family dwellings
2. Accessory buildings
3. Home based business Permitted By Right in accordance with the provisions of Section 615.00
4. Signs as regulated in Section 1000.00
5. Home Day Care for Children and Adults (Section 610.11)

B. Conditionally Permitted Uses

All conditionally permitted uses must adhere to the General Standards for all Conditional Uses (Sec. 500.10.A) and applicable requirements of Sec. 500.10.B.1-B.26.

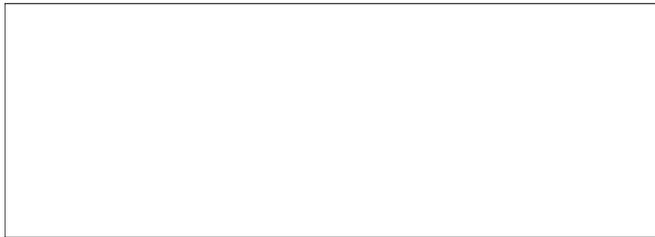
1. Animal hospitals, veterinary offices and clinics, subject to the provisions of Section 500.10.B.36
2. Bed and breakfast establishments, subject to the provisions of Section 500.10.B.37
3. Extractive operations, subject to the provisions of Section 500.10.B.44
4. Farm related businesses, subject to the provisions of Section 500.10.B.45
5. Home based business, conditionally permitted, subject to the provisions of Section 500.10.B.49
6. Rooming/boarding houses, subject to the provisions of Section 500.10.B.57

7. Wireless telecommunication service facilities proposed by a public utility company and subject to local zoning procedures, subject to the provisions of Section 500.10.B.60

Section 402.03 Area, Yard and Height Requirements

- A. Minimum Lot Area: Three (3) acres
- B. Minimum Frontage on a Street:
 1. Lots with partial or no frontage on a cul-de-sac circle: Two hundred fifty (250) feet.
 2. Lots with total frontage on a cul-de-sac circle: One hundred (100) feet.
- C. Minimum Lot Width at Minimum Building Setback Line: Two hundred fifty (250) feet.
- D. Minimum Rear Yard Width: 50 % of required frontage.
- E. Minimum Front Yard Setback:
 1. Lots with partial or no frontage on a cul-de-sac circle: Fifty (50) feet.
 2. Lots with total frontage on a cul-de-sac circle:

The distance at which a two hundred fifty (250) foot lot width is achieved, as measured along an arc intersecting both side lot lines an equal distance from the road right-of-way; however, the minimum front yard depth cannot be less than fifty (50) feet from the road right-of-way.



- F. Minimum Rear Yard Setback: Twenty-five (25) feet.
- G. Minimum Side Yard Setback: Fifteen (15) feet for each side.
- H. Maximum Building Height
 1. Principal Building: Thirty-five (35) feet (all non-agricultural buildings).
 2. Accessory Buildings: As specified in Section 610.03 (all non-agricultural buildings).

- I. Maximum Lot Coverage: The maximum lot coverage per parcel shall not exceed 20% of the total lot area.
- J. Off-street Parking
 - 1. Not more than one (1) unlicensed, inoperable or dismantled automobile, truck, or trailer may be parked at any residential parcel longer than a total of forty-five (45) days.
 - 2. Only one (1) commercial vehicle may be parked or stored on any residential parcel.

Section 402.04 Minimum Residential Living Floor Area per Dwelling Unit

Unless otherwise specified, the minimum residential living floor area per dwelling unit is as follows:

- A. Single-family Dwelling
 - 1. One-story or split without basement One thousand two hundred (1,200) square feet
 - 2. One-story or split with basement One thousand one hundred (1,100) square feet
 - 3. Two-story with or without basement One thousand two hundred (1,200) square feet total, with a minimum of nine hundred (900) square feet on at least one of the stories
 - 4. Multi-level with or without basement One thousand two hundred (1,200) square feet

Section 402.05 Parking and Loading Requirements

Parking and loading requirements as specified in Section 900.00.

Section 402.06 Lighting

Lighting requirements, as specified in Section 800.10.

SECTION 403.00 RESIDENTIAL DISTRICT (R-2)

Section 403.01 Purpose

The purpose of the R-2 Zoning District is to accommodate medium density residential development that will promote the continuation of the predominantly rural residential character of the Township.

Section 403.02 Uses

Within an R-2 District no building, structure, or premises shall be used, arranged to be used, or designed to be used except for one (1) or more of the following uses:

A. Permitted Uses

1. Single-family dwelling
2. Two-family dwelling
3. Accessory buildings
4. Home based businesses Permitted By Right in accordance with the provisions of Section 615.00
5. Signs as regulated in Section 1000.00
6. Home Day Care for Children and Adults (Section 610.11)

B. Conditionally Permitted Uses

All conditionally permitted uses must adhere to the General Standards for all Conditional Uses (Sec. 500.10.A) and applicable requirements of Sec. 500.10.B.1-B.26.

1. Animal hospitals, veterinary offices and clinics, subject to the provisions of Section 500.10.B.36
2. Bed and breakfast establishments, subject to the provisions of Section 500.10B.37
3. Campgrounds, subject to the provisions of Section 500.10.B.1, 2, 4, 5, 6, 8, 9, 12, 21 and Section 500.10.B.38
4. Cemeteries, subject to the provisions of Section 500.10.B.40
5. Churches, temples and other places of worship, subject to the provisions of Section 500.10.B.41
6. Congregate care/assisted living facilities, subject to the provisions of Section 500.10.B.42

7. Child or adult day care facilities, subject to the provisions of Section 500.10.B.43
8. Extractive operations, subject to the provisions of Section 500.10.B.44
9. Farm related businesses, subject to the provisions of Section 500.10.B.45
10. Flag shaped lots, subject to the provisions of Section 500.10.B.46
11. Funeral home subject to the provisions of Section 500.10.B 4, 7 and Section 500.10.B.47
12. Home based businesses, conditionally permitted, subject to the provisions of Section 500.10.B.49
13. Kennels for properties meeting the criteria of Section 650.00.C, subject to the provisions of Section 500.10.B.51
14. Public and private schools and institutions of higher education, subject to the provisions of Section 500.10.B. 4, 6, 12, 18 and Section 500.10.B.58
15. Public and private parks and playgrounds, subject to the provisions of Section 500.00, Section 500.10.B.1, 2, 4, 5, 6, 12 and 500.10.B.54
16. Public and private recreational facilities, such as, but not limited to swimming pools, golf courses (except miniature golf) tennis clubs, riding academies, and associated dining facilities, subject to the provisions of Section 500.10.B.1, 2, 4, 5, 6, 8, 9, 12 and Section 500.10.B.54
17. Rooming/boarded houses, subject to the provisions of Section 500.10.B.57
18. Wireless telecommunication service facilities proposed by a public utility company and subject to local zoning procedures; subject to the provisions of Section 500.10.B.60

Section 403.03 Area, Yard and Height Requirements

A. Minimum Lot Area

1. Single-family Dwelling: Two (2) acres
2. Two-family Dwelling and all other uses not listed in this Section: Two and one-half (2-1/2) acres

B. Minimum Frontage on a Street

1. Lots with partial or no frontage on a cul-de-sac circle
 - a. Single-family Dwelling: Two hundred (200) feet.
 - b. Two-family Dwelling and all other uses: Two hundred (200) feet.

2. Lots with total frontage on a cul-de-sac circle
 - a. Single-family Dwelling: Seventy five (75) feet.
 - b. Two-family Dwelling and all other uses: One hundred (100) feet.

C. Minimum Lot Width at Minimum Building Setback Line

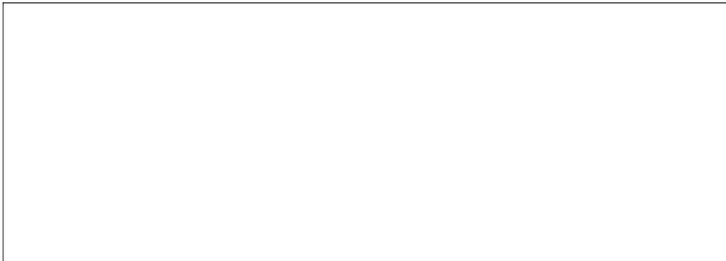
1. Single-family Dwelling: Two Hundred (200) feet.
2. Two-family Dwelling and all other uses: Two hundred twenty-five (225) feet.

D. Minimum Rear Yard Width: 50% of required frontage

E. Minimum Front Yard Setback

1. Lots with partial or no frontage on a cul-de-sac circle: Fifty (50) feet.
2. Lots with total frontage on a cul-de-sac circle:

The distance at which the minimum lot width is achieved for the proposed type of use per Section 403.03.C, as measured along an arc intersecting both side lot lines an equal distance from the road right-of-way; however, the minimum front yard depth can not be less than fifty (50) feet from the road right-of-way.



F. Minimum Rear Yard Setback: Twenty five (25) feet

G. Minimum Side Yard Setback: Fifteen (15) feet for each side.

H. Maximum Building Height

1. Main building: Thirty five (35) feet (all non-agricultural buildings)
2. Accessory buildings: As specified in Section 610.03 (all non-agricultural buildings)

I. Maximum Lot Coverage: The maximum lot coverage per parcel shall not exceed 20% of the total lot area.

J. Corner Lots: On corner lots, no building shall be erected, reconstructed or altered so as to project in any manner nearer than fifty (50) feet from both street side lines.

K. Off-street Parking

1. Not more than one (1) unlicensed, inoperable or dismantled automobile, truck, or trailer may be parked at any residential parcel for longer than a total of forty five (45) days.
2. Only one (1) commercial vehicle may be parked or stored on any residential parcel.

Section 403.04 Minimum Residential Living Floor Area per Dwelling Unit

Unless otherwise specified, the minimum residential living floor area per dwelling unit is as follows:

A. Single-family Dwelling

- | | |
|---|---|
| 1. One-story or split without basement | One thousand two hundred (1,200) square feet |
| 2. One-story or split with basement | One thousand one hundred (1,100) square feet. |
| 3. Two story with or without basement | One thousand two hundred (1,200) square feet total, with a minimum of nine hundred (900) square feet on at least one of the stories |
| 4. Multi-level with or without basement | One thousand two hundred (1,200) square feet |

B. Two-family Dwelling

- | | |
|---|--|
| 1. One-story or split without basement
(side by side with common walls) | One thousand two hundred (1,200) square feet per dwelling unit |
| 2. One-story or split with basement
(side by side with common walls) | One thousand one hundred (1,100) square feet 1st floor per dwelling unit |
| 3. Two story with or without basement
(1 st and 2 nd floor combined) | One thousand one hundred (1,100) square feet total per dwelling unit |

Section 403.05 Parking and Loading Requirements

Parking and loading requirements as specified in Section 900.00.

Section 403.06 Lighting

Lighting requirements as specified in Section 800.10.

SECTION 404.00**RESIDENTIAL DISTRICT (R-3)****Section 404.01 Purpose**

This district is established to promote a higher density residential development in areas generally adjacent to the built up portions of the community and to thereby provide a more orderly extension of public facilities by encouraging redevelopment to take place in these areas. The district is also established recognizing the community's greater housing demand for single-family, two (2) family and multi-family units.

Section 404.02 Uses

Within an R-3 District no building, structure, or premises shall be used, arranged to be used, or designed to be used except for one or more of the following uses:

A. Permitted Uses

1. Single-family dwelling
2. Two-family dwelling
3. Multi-family dwelling
4. Accessory buildings
5. Home based businesses Permitted By Right in accordance with the provisions of Section 615.00
6. Signs as regulated in Section 1000.00
7. Home Day Care for Children and Adults (Section 610.11)

B. Conditionally Permitted Uses

All conditionally permitted uses must adhere to the General Standards for all Conditional Uses (Sec. 500.10.A) and applicable requirements of Sec. 500.10.B.1-B.26.

1. Bed and breakfast establishments, subject to the provisions of Section 500.10.B.37
2. Cemeteries, subject to the provisions of Section 500.10.B.40
3. Churches, temples and other places of worship, subject to the provisions of Section 500.10.B.41
4. Congregate care/assisted living facilities, subject to the provisions of Section 500.10.B.42
5. Conversion of a single-family dwelling unit to a two-family dwelling unit, subject to the provisions of Section 500.10.B.17, 24 and Section 500.10.B.59

6. Farm based businesses, subject to the provisions of Section 500.10.B.45
7. Child or adult day care facilities, subject to the provisions of Section 500.10.B.43
8. Extractive operations, subject to the provisions of Section 500.10.B.44
9. Home based businesses, conditionally permitted, subject to the provisions of Section 500.10.B.49
10. Institutions for human medical care, such as but not limited to hospitals, clinics, mental health care facilities and nursing homes, subject to the provisions of Section 500.10.B.6,15 and Section 500.10.B.50
11. Kennels for properties meeting the criteria of Section 650.00.B.3, subject to the provisions of Section 500.10.B.51
12. Public and private schools and institutions of higher education, subject to the provisions of Section 500.10.B.4, 6, 12, 18 and Section 500.10.B.58
13. Public and private parks and playgrounds, subject to the provisions of Section 500.10.B.1, 2, 4, 5, 6, 12 and Section 500.10.B.54
14. Public and private recreational facilities, such as, but not limited to, swimming pools, golf courses (except miniature golf) tennis clubs, riding academies and associated dining facilities, subject to the provisions of Section 500.10.B.1, 2, 4, 5, 6, 8, 9, 12 and Section 500.10.B.54
15. Publicly owned and/or operated buildings and facilities (other than those listed in Items 13, 14 and 15 of this subsection), subject to the provisions of Section 500.10.B.1, 4, 5, 8, 9 and Section 500.10.B.56
16. Rooming/boarding houses, subject to the provisions of Section 500.10.B.57
17. Wireless telecommunication service facilities proposed by a public utility company and subject to local zoning procedures, subject to the provisions of Section 500.10.B.60

Section 404.03 Area, Yard and Height Requirements

A. Minimum Lot Area

1. Single-family dwelling: One and one-half (1-1/2) acres
2. Two-family dwelling and all other uses not listed in this Section: One and three-quarter (1-3/4) acres
3. Multi-family dwellings: Thirty thousand (30,000) square feet per family one-bedroom unit, plus five thousand (5,000) square feet for each additional bedroom per unit.

B. Minimum Frontage on a Street

1. Lots with partial or no frontage on a cul-de-sac circle
 - a. Single-family Dwelling: One hundred fifty (150) feet.
 - b. Two-family Dwelling: One hundred fifty (150) feet.
 - c. Multi-family Dwelling: Two hundred (200) feet.
2. Lots with total frontage on a cul-de-sac circle
 - a. Single-family Dwelling: Sixty (60) feet.
 - b. Two-family Dwelling: Seventy five (75) feet.
 - c. Multi-family Dwelling: One hundred (100) feet.

C. Minimum Lot Width at Minimum Building Setback Line

1. Single-family Dwelling: One hundred fifty (150) feet.
2. Two-family Dwelling: One hundred fifty (150) feet.
3. Multi-family Dwelling: Two hundred (200) feet.

D. Minimum Rear Yard Width: 50% of required frontage**E. Minimum Front Yard Setback**

1. Lots with no road frontage on a cul-de-sac circle: Fifty (50) feet.
2. Lots with partial or total frontage on a cul-de-sac circle:

The distance at which the minimum lot width is achieved for the proposed type of use per Section 403.03.C, as measured along an arc intersecting both side lot lines an equal distance from the road right-of-way; however, the minimum front yard depth cannot be less than fifty (50) feet from the road right-of-way.



- F. Minimum Rear Yard Setback: Twenty-five (25) feet.
- G. Minimum Side Yard Setback: Fifteen (15) feet for each side.
- H. Maximum Building Height
 - 1. Principal Building: Thirty-five (35) feet (all non-agricultural buildings).
 - 2. Accessory Buildings: As specified in Section 610.03 (all non-agricultural buildings).
- I. Maximum Lot Coverage: The maximum lot coverage per parcel shall not exceed 20% of the total lot area.
- J. Off-street Parking
 - 1. Not more than one (1) unlicensed, inoperable, or dismantled automobile, truck, or trailer may be parked or stored on any residential lot for longer than a total of forty five (45) days.
 - 2. Only one (1) commercial vehicle may be parked or stored on any residential lot.

Section 404.04 Minimum Residential Living Floor Area per Dwelling Unit

Unless otherwise specified, the minimum residential living floor area per dwelling unit is:

- A. Single-family Dwelling
 - 1. One-story or split without basement One thousand two hundred (1,200) square feet
 - 2. One-story or split with basement One thousand one hundred (1,100) square feet
 - 3. Two-story with or without basement One thousand two hundred (1,200) square feet total, with a minimum of nine hundred (900) square feet on at least one of the stories.
 - 4. Multi-level with or without basement One thousand two hundred (1,200) square feet
- B. Two-family Dwelling
 - 1. One-story or split without basement (side by side with common walls) One thousand two hundred (1,200) square feet per dwelling unit.
 - 2. One-story or split with basement (side by side with common walls) One thousand one hundred (1,100) square feet 1st floor per dwelling unit
 - 3. Two story with or without basement (1st and 2nd floor combined). One thousand one hundred (1,100) square feet total per dwelling unit
- C. Multi-family Dwelling
 - 1. Units shall be in one building. Each unit shall contain at least one bedroom Nine hundred (900) square feet total per dwelling unit

2. For each additional bedroom per dwelling unit. One hundred fifty (150) square feet

Section 404.05 Parking and Loading Requirements

Parking and loading requirements as specified in Section 900.00

Section 404.06 Lighting

Lighting requirements as specified in Section 800.10

Section 405.00 **Intentionally Left Blank**

Section 406.00 **Intentionally Left Blank**

Section 407.00 **Intentionally Left Blank**

Section 408.00 **Intentionally Left Blank**

SECTION 409.00**COMMERCIAL DISTRICT (C-1)****Section 409.01 Purpose**

The purposes of the Commercial District are to:

- A. Encourage expansion and development of commercial and service uses primarily to accommodate the sale of convenience retail goods and personal services purchased frequently for daily or weekly needs by the residents in the immediate neighborhood area as well as the Township in general.
- B. Encourage the type and design of commercial uses that are compatible in scale, character, and intensity with the neighboring residential development.
- C. Encourage groupings of commercial establishments at a unified site.
- D. Provide for adequate off-street parking facilities as well as an efficient and safe method of handling vehicular and pedestrian traffic.

Section 409.02 Uses**A. Permitted Uses**

1. Banks and other financial institutions
2. Food and drink preparation/sales on premises, including, but not limited to, bakeries, cafes, delicatessens, grocery stores, meat markets, restaurants (sit down and carry out), and taverns
3. Personal services establishments, including, but not limited to, barber shops, beauty salons, and shoe repair shops
4. Professional and commercial offices, including, but not limited to, accountants, architects, interior designers, lawyers, dentists, doctors, insurance agents, real estate brokers, travel agents, and printing/copying services
5. Retail establishments, including, but not limited to, antiques stores, clothing and shoe stores, florists, gift shops, nurseries and green houses, office supply, furniture, hardware, drug stores, electronic stores, art and craft supply stores, and jewelry stores
6. Studios such as dance, art, music, photography and interior design
7. Theaters, auditoriums and assembly halls
8. Accessory buildings and uses incidental to the primary use (such uses shall be situated on the same lot with the principal building)

B. Conditionally Permitted Uses

All conditionally permitted uses must adhere to the General Requirements (Sec. 500.10.A) and applicable requirements of Sec. 500.10.B.1-B.26.

1. Carpenter, cabinet, upholstery, plumbing, heating, air conditioning shops and similar establishments subject to the provisions of Section 500.10.B.9, 12, 20 and 26
2. Congregate care/assisted living facilities, subject to the provisions of Section 500.10.B.42
3. Child or adult day care facilities, subject to the provisions of Section 500.10.B.43
4. Funeral homes, subject to the provisions of Section 500.10.B.4, 7 and Section 500.10.B.47
5. Gasoline sales and service stations, subject to the provisions of Section 500.10.B.48
6. Hotels and motels subject to the provisions of Section 500.10.B.5, 6, 8, 11, and 12
7. Institutions for human medical care, including, but not limited to, hospitals, clinics, mental health care facilities and nursing homes, subject to the provisions of Section 500.10.B.6, 15 and Section 500.10.B.50
8. Motor vehicle sales/repair facilities, including, but not limited to, automobiles, boats and farm equipment subject to the provisions of Section 500.10.B.9, 12, 20 and 26
9. Private schools and institutions of higher education, subject to the provisions of Section 500.10.B.4, 6, 12, 18 and Section 500.10.B.58
10. Public and private parks and playgrounds, subject to the provisions of Section 500.10.B.2, 4, 5, 6, 12, 25 and Section 500.10.B.54
11. Public and private recreational facilities, including, but not limited to, swimming pools, golf courses, tennis clubs, riding academies, and associated dining facilities, subject to the provisions of Section 500.10.B.54
12. Publicly owned and/or operated buildings and facilities (other than those listed in Items 9, 10 and 11 of this subsection), subject to the provisions of Section 500.10.B.4, 5, 6, 8, 9, 25 and Section 500.10.B.56
13. Wireless telecommunication service facilities, subject to the provisions of Section 500.10.B.60

C. Non-permitted Uses: Residences**Section 409.03 Area, Yard and Height Requirements**

- A. Minimum Lot Area: Two (2) acres

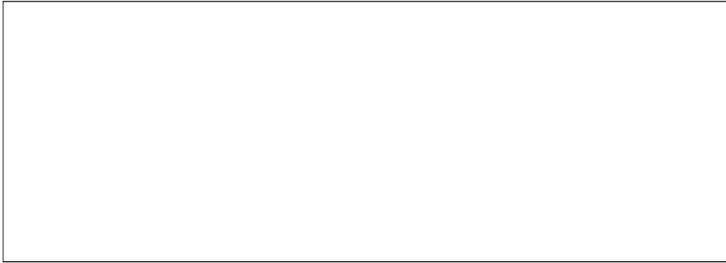
B. Minimum Frontage on a Street:

1. Lots with partial or no frontage on a cul-de-sac circle: One hundred (150) feet.
2. Lots with total frontage on a cul-de-sac circle: Seventy-five (75) feet.

C. Minimum Lot Width at Minimum Building Setback Line: One hundred fifty (150) feet.**D. Minimum Rear Yard Width: 50% of required frontage.****E. Minimum Front Yard Setback**

1. Lots with partial or no frontage on a cul-de-sac circle: Seventy-five (75) feet.
2. Lots with total frontage on a cul-de-sac circle:

The distance at which a one hundred fifty (150) foot lot width is achieved, as measured along an arc intersecting both side lot lines an equal distance from the road right-of-way, however, the minimum front yard depth can not be less than fifty (50) feet from the road right-of-way.

**F. Minimum Rear Yard Setback: Twenty-five (25) feet.****G. Minimum Side Yard Setback**

1. Twenty-five (25) feet for each side.
2. Where adjacent to a residential district, the minimum side yard depth shall be thirty (30) feet. Within this increased setback, a landscaped buffer per Section 700.05.A2 shall be provided.

H. Maximum Building Height

1. Main building: Thirty-five (35) feet.
2. Accessory buildings: As specified in Section 610.03.

I. Maximum Lot Coverage: The maximum lot coverage per parcel shall be in accordance with Section 610.01.I

Section 409.04 Maximum Building Size

A commercial building shall not exceed ten thousand (10,000) square feet of gross floor area per primary business, per story level, and thirty thousand (30,000) square feet in total gross floor area. Each additional business in the same building, shall not exceed six thousand (6,000) square feet, and is not to exceed 20% of the total lot coverage.

Section 409.05 Parking and Loading Requirements

Parking and loading requirements as specified in Section 900.00.

Section 409.06 Driveway and Access Limits

Driveway and Access Limits shall be in accordance with the provisions of Section 900.00.

Section 409.07 Landscape Buffering

Landscape buffering shall be in accordance with the provisions of Section 700.00.

Section 409.08 Lighting

Lighting shall comply with standards as specified in Section 800.10.

SECTION 410.00
LIGHT RESTRICTED MANUFACTURING DISTRICT (LRM)

Section 410.01 Purpose

The Light Restricted Manufacturing District is established to:

- A. Provide appropriate and convenient locations and sufficient area for industrial and manufacturing activities and the distribution of goods and materials.
- B. Provide for and accommodate light industrial uses such as manufacturing, office, wholesale and distribution establishments that operate within completely enclosed structures whose products are derived from previously prepared materials or finished products or parts.
- C. Provide for establishments that do not utilize processes in which dust, smoke, fumes, glare, odors or other objectionable elements occur, and that do not involve any process or materials that are potentially dangerous or hazardous.

Section 410.02 Uses

A. Permitted Uses

- 1. Administrative, executive, financial, accounting, clerical, drafting, and professional offices
- 2. Warehousing
- 3. Wholesale establishments
- 4. Assembly, manufacturing, servicing or repair of products, including, but not limited to:
 - a. Pottery, figurines or porcelain products using previously pulverized clay and kilns fired by natural gas or electricity
 - b. Musical instruments, toys, novelties, rubber or metal stamps
 - c. Electrical appliances and instruments, television sets, computers, radios, electronic and/or video players, household appliances, electric motors and devices, or signs
 - d. Clothing, leather goods, and athletic equipment but not to include dyeing or handling of dyestuffs
 - e. Machinery, appliances, tools, motors, pumps, equipment, welding, on-road vehicles, wood products, plumbing, heating, electrical, upholstery, air conditioning and signs
- 5. Veterinary hospitals or clinics
- 6. Research laboratories and offices
- 7. Printing, reproduction or duplicating facilities

8. Metal processing, including, but not limited to, fabrication, stamping, extrusion, welding, finishing, and polishing
9. Production of bakery goods, candy, and related food products
10. Accessory buildings
11. Signs as regulated by Section 1000.00

B. Conditionally Permitted Uses

All conditionally permitted uses must adhere to the General Requirements (Sec. 500.10.A) and applicable requirements of Sec. 500.10.B.1-B.26.

1. Manufacturing of cosmetics, pharmaceuticals and toiletries subject to the provisions of Section 500.10.B.9, 12, 20
2. Mini storage facilities, subject to the provisions of Section 500.10.B.52
3. Motor vehicle sales/repair facilities, including, but not limited to, automobiles, boats and farm equipment subject to the provisions of Section 500.10.B. 9, 12, 20, 26
4. Publicly owned and/or operated buildings and facilities, subject to the provisions of Section 500.10.B.1, 4, 5, 8, 9 and Section 500.10.B. 56
5. Research and testing facilities subject to the provisions of Section 500.10.B. 9, 12, 20
6. Wireless telecommunication service facilities, subject to the provisions of Section 500.10.B.60
7. Mulching facility subject to Sections 500.10A and B.1 through 26, and Section 500.10.B.61.

C. Prohibited Uses (Also see Section 605, Dangerous/Objectionable/Prohibited Uses):

1. Residences
2. Retail sales of products, the majority of which are not manufactured or assembled on the premises.
3. Outside storage of goods, materials, equipment or parts.
4. Storage or sales of hazardous materials, liquid, flammable or explosive gasses, gasoline, or radioactive materials except in small quantities necessary for operation of the business; fireworks, coal, coke, mining materials, grain or livestock.
5. Recycling facilities
6. Any manufacturing or assembly process that is considered by any or all government standards to be hazardous or polluting, unless such manufacturing or assembly complies with all current government regulations.

Section 410.03 Area, Yard and Height Requirements

A. Minimum Lot Area: Two (2) acres

B. Minimum Frontage on a Street

1. Lots with partial or no road frontage on a cul-de-sac circle: One hundred fifty (150) feet.
2. Lots with total road frontage on a cul-de-sac circle: Seventy-five (75) feet.

C. Minimum Lot Width at Minimum Building Setback Line: One hundred fifty (150) feet

D. Minimum Rear Yard Width: 50% of required frontage.

E. Minimum Front Yard Setback

1. Lots with no frontage on a cul-de-sac circle: Fifty (50) feet.
2. Lots with partial or total frontage on a cul-de-sac circle:

The distance at which a one hundred (100) feet lot width is achieved, as measured along an arc intersecting both side lot lines an equal distance from the road right-of-way, however, the minimum front yard setback can not be less than fifty (50) feet from the road right-of-way.



F. Minimum Rear Yard Setback

1. Twenty-five (25) feet.
2. Where adjacent to a residential district, then minimum rear yard depth shall not be less than fifty (50) feet. Within this increased setback, a landscaped buffer per Section 700.05.A2 shall be provided.

G. Minimum Side Yard Setback

1. Twenty-five (25) feet for each side.
2. Where adjacent to a residential district, then minimum side yard depth shall not be less than fifty (50) feet. Within this increased setback, a landscaped buffer per Section 700.05.A2 shall be provided.

H. Maximum Building Height

1. Main building: Thirty-five (35) feet.
2. Accessory buildings: As specified in Section 610.03.

Section 410.04 Maximum Lot Coverage

The maximum lot coverage per parcel shall not exceed 40%.

Section 410.05 Parking and Loading Requirements

Parking and loading requirements as specified in Section 900.00.

Section 410.06 Driveway and Access Limits

Driveway and Access Limits shall be in accordance with the provisions of Section 900.00.

Section 410.07 Landscape Buffering

Any landscape buffering shall be in accordance with the provisions of Section 700.00.

Section 410.08 Lighting

Lighting shall comply with standards as specified by Section 800.10.

Section 410.09 Supplemental Accessory Building Requirements

- A. Only one (1) accessory building is permitted for incidental use to the principal building.
- B. Overall size shall not be in excess of 25% of the principal building.
- C. Permissible uses of the accessory building shall be for storage, generating equipment, parking, recreation area, employee clinic and cafeteria, heating and cooling equipment, water tanks and refuse storage.

SECTION 411.00 INDUSTRIAL DISTRICT (I)

Section 411.01 Purpose

The Industrial District is established to provide for and accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling and distribution.

Section 411.02 Uses

A. Permitted Uses

1. Any use permitted in the LRM District
2. Warehousing (all storage or warehousing shall be entirely within enclosed structures)
3. The following types of manufacturing, processing, servicing, assembly or repair facilities, which will not be injurious or offensive to adjacent properties and will be consistent with the purpose of this district:
 - a. Lumber yards
 - b. Grain elevators
 - c. Soft drink processing
 - d. Railroad facilities
4. Accessory buildings
5. Signs as regulated by Section 1000.00

B. Conditionally Permitted Uses

All conditionally permitted uses must adhere to the General Requirements (Sec. 500.10.A) and applicable requirements of Sec. 500.10.B.1-B.26.

1. Any use conditionally permitted in the LRM District
2. Adult entertainment uses, subject to the provisions of Section 500.10.B.35
3. Contractor yards and storage facilities subject to the provisions of Section 500.10.B.9, 12, 20
4. Extractive operations, subject to the provisions of Section 500.10.B.44
5. Recycling center subject to the provisions of Section 500.10.B.9, 12, 20, 25

- 6. Wholesale storage of petroleum, gasoline, and oil subject to the provisions of Section 500.10.B.1, 9, 12, 20

C. Non-permitted Uses: Residences

Section 411.03 Area, Yard and Height Requirements

A. Minimum Lot Area: Two (2) acres

B. Minimum Frontage on a Street

- 1. Lots with partial or no road frontage on a cul-de-sac circle: One hundred fifty (150) feet.
- 2. Lots with total road frontage on a cul-de-sac circle: Seventy-five (75) feet.

C. Minimum Lot Width at Minimum Building Setback Line: One hundred fifty (150) feet.

D. Minimum Rear Yard Width: 50% of required frontage.

E. Minimum Front Yard Setback

- 1. Lots with no frontage on a cul-de-sac circle: Fifty (50) feet.
- 2. Lots with partial or total frontage on a cul-de-sac circle:

The distance at which a one hundred (100) feet lot width is achieved, as measured along an arc intersecting both side lot lines an equal distance from the road right-of-way, however, the minimum front yard setback can not be less than fifty (50) feet from the road right-of-way.



F. Minimum Rear Yard Setback

- 1. Twenty-five (25) feet.
- 2. Where adjacent to a residential district, then minimum rear yard depth shall not be less than one hundred (100) feet. Within this increased setback, a landscaped per Section 700.05.A2 shall be provided.

G. Minimum Side Yard Setback

- 1. Twenty-five (25) feet for each side.

2. Where adjacent to a residential district, then minimum side yard depth shall not be less than one hundred (100) feet. Within this increased setback, a landscaped buffer per Section 700.05.A2 shall be provided.

H. Maximum Building Height

1. Main building: Thirty-five (35) feet.
2. Accessory buildings as specified in Section 610.03.

J. Maximum Lot Coverage: The maximum lot coverage per parcel shall not exceed 40%.

Section 411.04 Parking and Loading Requirements

Parking and loading requirements as specified in Section 900.00.

Section 411.05 Driveway and Access Limits

Driveway and Access Limits shall be in accordance with the provisions of Section 900.00.

Section 411.06 Landscape Buffering

Landscape buffering shall be in accordance with the provisions of Section 700.00.

Section 411.07 Lighting

Lighting shall comply with standards as specified by Section 800.10.

Section 411.08 Outdoor Storage Yards

Outdoor storage for above uses must be located in rear yard and completely screened from adjoining properties by a solid fence or wall, a minimum of six (6) feet in height and compatible with the structure, or in an enclosed structure. No materials shall be stored so as to project above the fence or wall.

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