



# Planning and Zoning Code



**Elyria, Ohio**

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# The Planning and Zoning Code of the City of Elyria, Ohio

”

*...to promote the public health,  
safety, morals, convenience, and  
general welfare...*

”

# Introduction to and Using this Ordinance

## Chapter

# 1101

# Districts and Building Standards

## Chapter

# 1102

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# Chapter 1102: Districts and Building Standards



Figure 2: [IMAGE TO BE ADDED LATER]

**SECTION 1102.01** ESTABLISHMENT OF DISTRICTS

**SECTION 1102.02** ESTABLISHMENT OF ZONING MAP

**SECTION 1102.03** MAINTENANCE OF ZONING MAP

**SECTION 1102.04** INTERPRETATION OF ZONING MAP BOUNDARIES

**SECTION 1102.05** ZONING UPON ANNEXATION

# 1102.06 Residential 1 District

## (A) PURPOSE OF THE RESIDENTIAL 1 DISTRICT

The Residential 1 District intends to preserve the character of existing, lower-density neighborhoods while allowing the construction of more compact units that may be attractive to seniors and small households.

## (B) USES ALLOWED IN THE RESIDENTIAL 1 DISTRICT

- (1) Number of Uses per Lot. No more than one principal use is permitted per lot in the Residential 1 District.
- (2) Accessory Uses. Accessory uses shall be permitted in accordance with accessory use regulations found in Chapter XXXX.
- (3) Uses Restricted. No building or land within this district shall be used for any purpose other than for a purpose included in the below list of land uses allowed. Additional use regulations of Chapter X shall apply. All use terms are defined in this Planning and Zoning Code's Glossary in Chapter XXXX.

<b>LAND USES ALLOWED</b>	<b>REQUIRED APPROVAL PROCESS</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>
RESIDENTIAL USES		
One-Unit Residential	Administrative Review	Section XXXX.XX
Two-Unit Residential	Administrative Review	Section XXXX.XX
3-8-Unit Residential	Conditional Use Review	Section XXXX.XX
Townhouse Residential	Administrative Review	Section XXXX.XX
Mobile Home Park	Conditional Use Review	Section XXXX.XX
COMMERCIAL USES		
Small Telecommunications	Administrative Review	Section XXXX.XX
COMMUNITY USES		
Libraries, Museums, Playhouses, and Schools	Conditional Use Review	Section XXXX.XX
Religious Assembly	Administrative Review	Section XXXX.XX
OPEN SPACE USES		
Cemetery	Administrative Review	Section XXXX.XX
Community Gardening	Administrative Review	Section XXXX.XX
Playground or Park	Administrative Review	Section XXXX.XX
Preserves	Administrative Review	Section XXXX.XX
Sports Fields, Courts, Golf Courses, and Pools	Conditional Use Review	Section XXXX.XX
MISCELLANEOUS USES		
Accessory Uses	Administrative Review, except as otherwise noted in use-specific regulations section	Section XXXX.XX
Temporary Uses	Administrative Review	Section XXXX.XX

**(C) DEVELOPMENT STANDARDS IN THE RESIDENTIAL 1 DISTRICT**

- (1) No lot may be created which does not conform with the lot dimension standards listed below.
- (2) No building shall be erected or modified unless such building or the modified portion of such building conforms with the building setback and building scale standards listed below.

<b>DEVELOPMENT STANDARDS</b>		
LOT DIMENSION STANDARDS		
Lot Area	6,000 sq. ft. min.*	PLACEHOLDER FOR GRAPHIC
Lot Width	55 ft. min.*	
Lot Depth	100 ft. min.*	
BUILDING SETBACK STANDARDS		
Front Yard Setback	25 ft. min.*	PLACEHOLDER FOR GRAPHIC
Side Yard Setback	6 ft. min.*	
Rear Yard Setback	25 ft. min.*	
BUILDING SCALE STANDARDS		
Building Height	40 ft. max.	PLACEHOLDER FOR GRAPHIC
NOTES		
* (single asterisk) indicates that special requirements may apply for townhouse development; please see townhouse provisions in Section XXXX-XX.		

**(D) DESIGN STANDARDS APPLICABLE TO THE RESIDENTIAL 1 DISTRICT**

- (1) PLACEHOLDER FOR DESIGN STANDARDS FOR THE RESIDENTIAL 1 DISTRICT

**(E) OTHER STANDARDS APPLICABLE TO THE RESIDENTIAL 1 DISTRICT**

- (1) Parking and Driveway Regulations. Parking and driveway regulations can be found in this Planning and Zoning Code Chapter XXXX “Parking and Driveway Regulations”.
- (2) Fence Regulations. Fence regulations can be found in this Planning and Zoning Code Chapter XXXX “Fence Regulations”.
- (3) Outdoor Lighting Regulations. Outdoor lighting regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Lighting Regulations”.
- (4) Outdoor Storage Regulations. Outdoor storage regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Storage Regulations”.
- (5) Noise Regulations. Noise levels are regulated by the Disorderly Conduct and Peace Disturbance chapter of the City of Elyria Code of Ordinances and is not included in this Planning and Zoning Code; please contact the City of Elyria for details on noise regulations.
- (6) Building Code Regulations. All new buildings and modifications to buildings must adhere to the building code found in Part Thirteen of the City of Elyria Code of Ordinances. The building code is not included in this Planning and Zoning Code; please contact the City of Elyria Building and Land Department for details on conforming to the building code.

# 1102.07 Residential 2 District

## (A) PURPOSE OF THE RESIDENTIAL 2 DISTRICT

The Residential 2 District intends to promote a broad diversity of housing types and compact, walkable, and affordable residential neighborhoods. Small scale commercial, such as coffee shops and neighborhood grocery stores, are intended to be confined to corner lots. Development should feature architectural styles which complement the existing, historic character of the neighborhood. Sidewalk and bicycle connectivity is necessary for supporting nearby mixed-use areas.

## (B) USES ALLOWED IN THE RESIDENTIAL 2 DISTRICT

- (1) Number of Uses per Lot. No more than one principal use is permitted per lot in the Residential 2 District.
- (2) Accessory Uses. Accessory uses shall be permitted in accordance with accessory use regulations found in Chapter XXXX.
- (3) Uses Restricted. No building or land within this district shall be used for any purpose other than for a purpose included in the below list of land uses allowed. Additional use regulations of Chapter X shall apply. All use terms are defined in this Planning and Zoning Code's Glossary in Chapter XXXX.

<b>LAND USES ALLOWED</b>	<b>REQUIRED APPROVAL PROCESS</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>
<b>RESIDENTIAL USES</b>		
One-Unit Residential	Administrative Review	Section XXXX.XX
Two-Unit Residential	Administrative Review	Section XXXX.XX
3-8-Unit Residential	Conditional Use Review	Section XXXX.XX
Townhouse Residential	Administrative Review	Section XXXX.XX
Residential Care Housing	Conditional Use Review	Section XXXX.XX
<b>COMMERCIAL USES</b>		
Day Care Facility (Non-Home)	Conditional Use Review	Section XXXX.XX
Indoor Dining, Drinking, and Entertainment	Conditional Use Review	Section XXXX.XX
Indoor Sales and Services	Conditional Use Review	Section XXXX.XX
Small Telecommunications	Administrative Review	Section XXXX.XX
<b>COMMUNITY USES</b>		
Libraries, Museums, Playhouses, and Schools	Conditional Use Review	Section XXXX.XX
Religious Assembly	Administrative Review	Section XXXX.XX
<b>OPEN SPACE USES</b>		
Cemetery	Administrative Review	Section XXXX.XX
Community Gardening	Administrative Review	Section XXXX.XX
Playground or Park	Administrative Review	Section XXXX.XX
Preserves	Administrative Review	Section XXXX.XX
Sports Fields, Courts, Golf Courses, and Pools	Conditional Use Review	Section XXXX.XX
<b>MISCELLANEOUS USES</b>		



Accessory Uses	Administrative Review, except as otherwise noted in use-specific regulations section	Section XXXX.XX
Temporary Uses	Administrative Review	Section XXXX.XX

**(C) DEVELOPMENT STANDARDS IN THE RESIDENTIAL 2 DISTRICT**

- (1) No lot may be created which does not conform with the lot dimension standards listed below.
- (2) No building shall be erected or modified unless such building or the modified portion of such building conforms with the building setback and building scale standards listed below.

<b>DEVELOPMENT STANDARDS</b>		
LOT DIMENSION STANDARDS		
Lot Area	4,750 sq. ft. min.*	PLACEHOLDER FOR GRAPHIC
Lot Width	39 ft. min.*	
Lot Depth	100 ft. min.*	
BUILDING SETBACK STANDARDS		
Front Yard Setback	20 ft. min.*	PLACEHOLDER FOR GRAPHIC
Side Yard Setback	5 ft. min.* and **	
Rear Yard Setback	25 ft. min.*	
BUILDING SCALE STANDARDS		
Building Height	35 ft. max.	PLACEHOLDER FOR GRAPHIC
Building Footprint	3,000 sq. ft. max. for commercial uses; no max. for all other uses	
NOTES		
<p>* (single asterisk) indicates that special requirements may apply for townhouse development; please see townhouse provisions in Section XXXX-XX.</p> <p>** (double asterisk) indicates that special building code requirements may apply for adjacent structures; please see the City's building code regulations.</p>		

**(D) DESIGN STANDARDS APPLICABLE TO THE RESIDENTIAL 2 DISTRICT**

- (1) PLACEHOLDER FOR DESIGN STANDARDS FOR THE RESIDENTIAL 2 DISTRICT

**(E) OTHER STANDARDS APPLICABLE TO THE RESIDENTIAL 2 DISTRICT**

- (1) Parking and Driveway Regulations. Parking and driveway regulations can be found in this Planning and Zoning Code Chapter XXXX “Parking and Driveway Regulations”.
- (2) Fence Regulations. Fence regulations can be found in this Planning and Zoning Code Chapter XXXX “Fence Regulations”.
- (3) Outdoor Lighting Regulations. Outdoor lighting regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Lighting Regulations”.
- (4) Outdoor Storage Regulations. Outdoor storage regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Storage Regulations”.
- (5) Noise Regulations. Noise levels are regulated by the Disorderly Conduct and Peace Disturbance chapter of the City of Elyria Code of Ordinances and is not included in this Planning and Zoning Code; please contact the City of Elyria for details on noise regulations.
- (6) Building Code Regulations. All new buildings and modifications to buildings must adhere to the building code found in Part Thirteen of the City of Elyria Code of Ordinances. The building code is not included in this Planning and Zoning Code; please contact the City of Elyria Building and Land Department for details on conforming to the building code.

# 1102.08 Downtown District

## (A) PURPOSE OF THE DOWNTOWN DISTRICT

The Downtown District intends to embody the heart of Elyria with mixed-use, pedestrian-oriented development. Public spaces, such as plazas, pocket parks, and outdoor dining areas, are encouraged.

## (B) USES ALLOWED IN THE DOWNTOWN DISTRICT

- (1) Number of Uses per Lot. More than one principal use is permitted per lot in the Downtown District.
- (2) Accessory Uses. Accessory uses shall be permitted in accordance with accessory use regulations found in Chapter XXXX.
- (3) Uses Restricted. No building or land within this district shall be used for any purpose other than for a purpose included in the below list of land uses allowed. Additional use regulations of Chapter X shall apply. All use terms are defined in this Planning and Zoning Code's Glossary in Chapter XXXX.

<b>LAND USES ALLOWED</b>	<b>REQUIRED APPROVAL PROCESS</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>
RESIDENTIAL USES		
One-Unit Residential	Administrative Review	Section XXXX.XX
Two-Unit Residential	Administrative Review	Section XXXX.XX
3-8-Unit Residential	Administrative Review	Section XXXX.XX
9-Plus-Unit Residential	Administrative Review	Section XXXX.XX
Townhouse Residential	Administrative Review	Section XXXX.XX
Residential Care Housing	Conditional Use Review	Section XXXX.XX
Permanent Shelter	Conditional Use Review	Section XXXX.XX
Seasonal Shelter	Administrative Review	Section XXXX.XX
COMMERCIAL USES		
Day Care Facility (Non-Home)	Administrative Review	Section XXXX.XX
Food Truck	Conditional Use Review	Section XXXX.XX
Indoor Sales and Services	Administrative Review	Section XXXX.XX
Indoor Special Events Venue	Administrative Review	Section XXXX.XX
Large Indoor Dining, Drinking, and Entertainment	Administrative Review	Section XXXX.XX
Large Lodging	Administrative Review	Section XXXX.XX
Large Telecommunications	Conditional Use Review	Section XXXX.XX
Marijuana-Dispensing Uses	Conditional Use Review	Section XXXX.XX
Outdoor Special Events Venue	Conditional Use Review	Section XXXX.XX
Small Indoor Dining, Drinking, and Entertainment	Administrative Review	Section XXXX.XX
Small Lodging	Administrative Review	Section XXXX.XX
Small-Scale Utility Transmission and Substation Uses	Conditional Use Review	Section XXXX.XX
Small Telecommunications	Conditional Use Review	Section XXXX.XX
COMMUNITY USES		

Libraries, Museums, Playhouses, and Schools	Administrative Review	Section XXXX.XX
Physical Recreation Centers	Administrative Review	Section XXXX.XX
Religious Assembly	Administrative Review	Section XXXX.XX
Union Hall Uses	Administrative Review	Section XXXX.XX
OPEN SPACE USES		
Cemetery	Administrative Review	Section XXXX.XX
Community Gardening	Administrative Review	Section XXXX.XX
Playground or Park	Administrative Review	Section XXXX.XX
Preserves	Administrative Review	Section XXXX.XX
Sports Fields, Courts, Golf Courses, and Pools	Administrative Review	Section XXXX.XX
MISCELLANEOUS USES		
Accessory Uses	Administrative Review, except as otherwise noted in use-specific regulations section	Section XXXX.XX
Temporary Uses	Administrative Review	Section XXXX.XX

**(C) DEVELOPMENT STANDARDS IN THE DOWNTOWN DISTRICT**

- (1) No lot may be created which does not conform with the lot dimension standards listed below.
- (2) No building shall be erected or modified unless such building or the modified portion of such building conforms with the building setback and building scale standards listed below.

<b>DEVELOPMENT STANDARDS</b>		
LOT DIMENSION STANDARDS		
Lot Area	2,000 sq. ft. min.*	PLACEHOLDER FOR GRAPHIC
Lot Width	15 ft. min.*	
Lot Depth	80 ft. min.*	
BUILDING SETBACK STANDARDS		
Front Yard Setback	0 ft. min.; 30 ft. max.	PLACEHOLDER FOR GRAPHIC
Side Yard Setback	0 ft. min. per side** where abutting another lot in the Downtown District; 10 ft. min. per side where immediately abutting any other district	
Rear Yard Setback	20 ft. min.	
BUILDING SCALE STANDARDS		
Building Height	22 ft. min. and 75 ft. max.	PLACEHOLDER FOR GRAPHIC
Building Footprint	40,000 sq. ft. max.	
Building Frontage	At least 60% of lot width at front yard setback line must be occupied by building or building elements	
NOTES		
* (single asterisk) indicates that special requirements may apply for townhouse development; please see townhouse provisions in Section XXXX-XX.		
** (double asterisk) indicates that special building code requirements may apply for adjacent structures; please see the City's building code regulations.		

**(D) DESIGN STANDARDS APPLICABLE TO THE DOWNTOWN DISTRICT**

- (1) PLACEHOLDER FOR DESIGN STANDARDS FOR THE DOWNTOWN DISTRICT

## **(E) OTHER STANDARDS APPLICABLE TO THE DOWNTOWN DISTRICT**

- (1) Parking and Driveway Regulations. Parking and driveway regulations can be found in this Planning and Zoning Code Chapter XXXX “Parking and Driveway Regulations”.
- (2) Fence Regulations. Fence regulations can be found in this Planning and Zoning Code Chapter XXXX “Fence Regulations”.
- (3) Outdoor Lighting Regulations. Outdoor lighting regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Lighting Regulations”.
- (4) Outdoor Storage Regulations. Outdoor storage regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Storage Regulations”.
- (5) Noise Regulations. Noise levels are regulated by the Disorderly Conduct and Peace Disturbance chapter of the City of Elyria Code of Ordinances and is not included in this Planning and Zoning Code; please contact the City of Elyria for details on noise regulations.
- (6) Building Code Regulations. All new buildings and modifications to buildings must adhere to the building code found in Part Thirteen of the City of Elyria Code of Ordinances. The building code is not included in this Planning and Zoning Code; please contact the City of Elyria Building and Land Department for details on conforming to the building code.

# 1102.09 Corridor District

## (A) PURPOSE OF THE CORRIDOR DISTRICT

The Corridor District intends to (1) encourage a mix of residential and business uses along main streets and near significant intersections, (2) encourage buildings placed near the sidewalk with adequate pedestrian and bicycle connections to and from neighborhoods and parks, and (3) encourage densities that support transit access and improve the mobility of Elyria’s senior citizens.

## (B) USES ALLOWED IN THE CORRIDOR DISTRICT

- (1) Number of Uses per Lot. More than one principal use is permitted per lot in the Corridor District.
- (2) Accessory Uses. Accessory uses shall be permitted in accordance with accessory use regulations found in Chapter XXXX.
- (3) Uses Restricted. No building or land within this district shall be used for any purpose other than for a purpose included in the below list of land uses allowed. Additional use regulations of Chapter X shall apply. All use terms are defined in this Planning and Zoning Code’s Glossary in Chapter XXXX.

<b>LAND USES ALLOWED</b>	<b>REQUIRED APPROVAL PROCESS</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>
<b>RESIDENTIAL USES</b>		
One-Unit Residential	Administrative Review	Section XXXX.XX
Two-Unit Residential	Administrative Review	Section XXXX.XX
3-8-Unit Residential	Administrative Review	Section XXXX.XX
9-Plus-Unit Residential	Administrative Review	Section XXXX.XX
Townhouse Residential	Administrative Review	Section XXXX.XX
Residential Care Housing	Conditional Use Review	Section XXXX.XX
<b>COMMERCIAL USES</b>		
Day Care Facility	Administrative Review	Section XXXX.XX
Food Truck	Conditional Use Review	Section XXXX.XX
Indoor Sales and Services	Administrative Review	Section XXXX.XX
Large Indoor Dining, Drinking, and Entertainment	Conditional Use Review	Section XXXX.XX
Large Lodging	Conditional Use Review	Section XXXX.XX
Small Indoor Dining, Drinking, and Entertainment	Administrative Review	Section XXXX.XX
Small Lodging	Administrative Review	Section XXXX.XX
Small Telecommunications	Conditional Use Review	Section XXXX.XX
<b>COMMUNITY USES</b>		
Libraries, Museums, Playhouses, and Schools	Administrative Review	Section XXXX.XX
Physical Recreation Centers	Administrative Review	Section XXXX.XX
Religious Assembly	Administrative Review	Section XXXX.XX
Union Hall Uses	Administrative Review	Section XXXX.XX
<b>OPEN SPACE USES</b>		
Cemetery	Administrative Review	Section XXXX.XX

Community Gardening	Administrative Review	Section XXXX.XX
Preserves	Administrative Review	Section XXXX.XX
Playground or Park	Administrative Review	Section XXXX.XX
Sports Fields, Courts, Golf Courses, and Pools	Administrative Review	Section XXXX.XX
MISCELLANEOUS USES		
Accessory Uses	Administrative Review, except as otherwise noted in use-specific regulations section	Section XXXX.XX
Temporary Uses	Administrative Review	Section XXXX.XX

**(C) DEVELOPMENT STANDARDS IN THE CORRIDOR DISTRICT**

- (1) No lot may be created which does not conform with the lot dimension standards listed below.
- (2) No building shall be erected or modified unless such building or the modified portion of such building conforms with the building setback and building scale standards listed below.

DEVELOPMENT STANDARDS			
LOT DIMENSION STANDARDS			
	Lot Area	2,000 sq. ft. min.*	PLACEHOLDER FOR GRAPHIC
	Lot Width	15 ft. min.*	
	Lot Depth	80 ft. min.*	
BUILDING SETBACK STANDARDS			
	Front Yard Setback	0 ft. min.; 30 ft. max.	PLACEHOLDER FOR GRAPHIC
	Side Yard Setback	0 ft. min. per side** where abutting another lot in the Corridor District; 20 ft. min. per side where abutting any other district	
	Rear Yard Setback	5 ft. min.* where abutting another lot in the Corridor District; 20 ft. min. where abutting any other district	
BUILDING SCALE STANDARDS			
	Building Height	40 ft. max.	PLACEHOLDER FOR GRAPHIC
	Building Footprint	30,000 sq. ft. max.	
	Building Frontage	At least 60% of lot width at front yard setback line must be occupied by building or building elements	
NOTES			
<p>* (single asterisk) indicates that special requirements may apply for townhouse development; please see townhouse provisions in Section XXXX-XX.  ** (double asterisk) indicates that special building code requirements may apply for adjacent structures; please see the City's building code regulations.</p>			

**(D) DESIGN STANDARDS APPLICABLE TO THE CORRIDOR DISTRICT**

- (1) PLACEHOLDER FOR DESIGN STANDARDS FOR THE CORRIDOR DISTRICT

**(E) OTHER STANDARDS APPLICABLE TO THE CORRIDOR DISTRICT**

- (1) Parking and Driveway Regulations. Parking and driveway regulations can be found in this Planning and Zoning Code Chapter XXXX “Parking and Driveway Regulations”.
- (2) Fence Regulations. Fence regulations can be found in this Planning and Zoning Code Chapter XXXX “Fence Regulations”.

- (3) Outdoor Lighting Regulations. Outdoor lighting regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Lighting Regulations”.
- (4) Outdoor Storage Regulations. Outdoor storage regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Storage Regulations”.
- (5) Noise Regulations. Noise levels are regulated by the Disorderly Conduct and Peace Disturbance chapter of the City of Elyria Code of Ordinances and is not included in this Planning and Zoning Code; please contact the City of Elyria for details on noise regulations.
- (6) Building Code Regulations. All new buildings and modifications to buildings must adhere to the building code found in Part Thirteen of the City of Elyria Code of Ordinances. The building code is not included in this Planning and Zoning Code; please contact the City of Elyria Building and Land Department for details on conforming to the building code.

# 1102.10 Commercial District

## (A) PURPOSE OF THE COMMERCIAL DISTRICT

The Commercial District intends to support businesses, services, and employers that provide jobs and services that may be oriented towards highways or major arterial roads and may not be compatible with residential uses. While some uses may be accessed primarily by vehicles, the Commercial District should respect pedestrian access and safety.

## (B) USES ALLOWED IN THE COMMERCIAL DISTRICT

- (1) Number of Uses per Lot. More than one principal use is permitted per lot in the Commercial District.
- (2) Accessory Uses. Accessory uses shall be permitted in accordance with accessory use regulations found in Chapter XXXX.
- (3) Uses Restricted. No building or land within this district shall be used for any purpose other than for a purpose included in the below list of land uses allowed. Additional use regulations of Chapter X shall apply. All use terms are defined in this Planning and Zoning Code's Glossary in Chapter XXXX.

<b>LAND USES ALLOWED</b>	<b>REQUIRED APPROVAL PROCESS</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>
<b>RESIDENTIAL USES</b>		
9-Plus-Unit Residential	Conditional Use Review	Section XXXX.XX
Residential Care Housing	Conditional Use Review	Section XXXX.XX
Permanent Shelter	Conditional Use Review	Section XXXX.XX
Seasonal Shelter	Conditional Use Review	Section XXXX.XX
<b>COMMERCIAL USES</b>		
Animal Boarding or Shelter	Administrative Review	Section XXXX.XX
Day Care Facility (Non-Home)	Administrative Review	Section XXXX.XX
Emergency and In-Patient Medical Services	Administrative Review	Section XXXX.XX
Food Truck	Conditional Use Review	Section XXXX.XX
Indoor Sales and Services	Administrative Review	Section XXXX.XX
Indoor Special Events Venue	Administrative Review	Section XXXX.XX
Large Indoor Dining, Drinking, and Entertainment	Administrative Review	Section XXXX.XX
Large Lodging	Conditional Use Review	Section XXXX.XX
Large-Scale Utility Transmission and Substation Uses	Conditional Use Review	Section XXXX.XX
Large Telecommunications	Conditional Use Review	Section XXXX.XX
Light Industrial	Conditional Use Review	Section XXXX.XX
Marijuana-Dispensing Uses	Conditional Use Review	Section XXXX.XX
Outdoor Sales	Administrative Review	Section XXXX.XX
Outdoor Special Events Venue	Administrative Review	Section XXXX.XX
Outdoor Storage of Commercial Equipment or Vehicles	Administrative Review	Section XXXX.XX
Principal Solar Energy System	Administrative Review	Section XXXX.XX



Principal Wind Energy System	Conditional Use Review	Section XXXX.XX
Small Indoor Dining, Drinking, and Entertainment	Administrative Review	Section XXXX.XX
Small Lodging	Administrative Review	Section XXXX.XX
Small-Scale Utility Transmission and Substation Uses	Conditional Use Review	Section XXXX.XX
Small Telecommunications	ConditionaI Use Review	Section XXXX.XX
Weapons-Oriented Uses	Conditional Use Review	Section XXXX.XX
TRANSPORTATION USES		
Bus Station or Train Station	Administrative Review	Section XXXX.XX
Taxi, Rideshare, or Limousine Service Hub	Administrative Review	Section XXXX.XX
Tow Yard	Administrative Review	Section XXXX.XX
Vehicle Refueling	Administrative Review	Section XXXX.XX
Vehicle Sales, Rental, Repair, and Servicing	Administrative Review	Section XXXX.XX
AVIATION USES		
Airplane or Helicopter Sales, Repair, Rental, Chartering, Refueling, Educational Services, Landing Strips and Pads, and Storage	Conditional Use Review	Section XXXX.XX
Drone, Remote-Control Plane, and Remote-Control Helicopter Launch or Landing Area	Administrative Review	Section XXXX.XX
COMMUNITY USES		
Libraries, Museums, Playhouses, and Schools	Administrative Review	Section XXXX.XX
Physical Recreation Centers	Administrative Review	Section XXXX.XX
Religious Assembly	Administrative Review	Section XXXX.XX
Union Hall Uses	Administrative Review	Section XXXX.XX
OPEN SPACE USES		
Cemetery	Administrative Review	Section XXXX.XX
Community Gardening	Administrative Review	Section XXXX.XX
Preserves	Administrative Review	Section XXXX.XX
Playground or Park	Administrative Review	Section XXXX.XX
Sports Fields, Courts, Golf Courses, and Pools	Administrative Review	Section XXXX.XX
MISCELLANEOUS USES		
Accessory Uses	Administrative Review, except as otherwise noted in use-specific regulations section	Section XXXX.XX
Temporary Uses	Administrative Review	Section XXXX.XX

**(C) DEVELOPMENT STANDARDS IN THE COMMERCIAL DISTRICT**

- (1) No lot may be created which does not conform with the lot dimension standards listed below.
- (2) No building shall be erected or modified unless such building or the modified portion of such building conforms with the building setback and building scale standards listed below.

**DEVELOPMENT STANDARDS**

LOT DIMENSION STANDARDS

Lot Area	10,000 sq. ft. min.*	PLACEHOLDER FOR GRAPHIC
Lot Width	100 ft. min.*	
Lot Depth	100 ft. min.*	
BUILDING SETBACK STANDARDS		
Front Yard Setback	20 ft. min.	PLACEHOLDER FOR GRAPHIC
Side Yard Setback	100 ft. min. where abutting a lot within the Residential 1 or Residential 2 District; 30 ft. min. where abutting any other district, except 0 ft. min.** where building is part of a contiguous, unified commercial development	
Rear Yard Setback	100 ft. min. where abutting a lot within the Residential 1 or Residential 2 District; 30 ft. min. where abutting any other district	
BUILDING SCALE STANDARDS		
Building Height	55 ft. max.	PLACEHOLDER FOR GRAPHIC
NOTES		
<p>* (single asterisk) indicates that special requirements may apply for townhouse development; please see townhouse provisions in Section XXXX-XX.</p> <p>** (double asterisk) indicates that special building code requirements may apply for adjacent structures; please see the City's building code regulations.</p>		

**(D) DESIGN STANDARDS APPLICABLE TO THE COMMERCIAL DISTRICT**

- (1) PLACEHOLDER FOR DESIGN STANDARDS FOR THE COMMERCIAL DISTRICT

**(E) OTHER STANDARDS APPLICABLE TO THE COMMERCIAL DISTRICT**

- (1) Parking and Driveway Regulations. Parking and driveway regulations can be found in this Planning and Zoning Code Chapter XXXX “Parking and Driveway Regulations”.
- (2) Fence Regulations. Fence regulations can be found in this Planning and Zoning Code Chapter XXXX “Fence Regulations”.
- (3) Outdoor Lighting Regulations. Outdoor lighting regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Lighting Regulations”.
- (4) Outdoor Storage Regulations. Outdoor storage regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Storage Regulations”.
- (5) Noise Regulations. Noise levels are regulated by the Disorderly Conduct and Peace Disturbance chapter of the City of Elyria Code of Ordinances and is not included in this Planning and Zoning Code; please contact the City of Elyria for details on noise regulations.
- (6) Building Code Regulations. All new buildings and modifications to buildings must adhere to the building code found in Part Thirteen of the City of Elyria Code of Ordinances. The building code is not included in this Planning and Zoning Code; please contact the City of Elyria Building and Land Department for details on conforming to the building code.

# 1102.11 Industrial District

## (A) PURPOSE OF THE INDUSTRIAL DISTRICT

The Industrial District intends to promote large job centers, including office, industrial, and medical uses, that are incompatible with residential uses due to noise or traffic generation or other negative externalities. These areas are intended to be located in existing industrial sites and near railroad corridors. Development should be well connected by walking and biking amenities to attract workers who may not have access to a personal vehicle.

## (B) USES ALLOWED IN THE INDUSTRIAL DISTRICT

- (1) Number of Uses per Lot. More than one principal use is permitted per lot in the Industrial District.
- (2) Accessory Uses. Accessory uses shall be permitted in accordance with accessory use regulations found in Chapter XXXX.
- (3) Uses Restricted. No building or land within this district shall be used for any purpose other than for a purpose included in the below list of land uses allowed. Additional use regulations of Chapter X shall apply. All use terms are defined in this Planning and Zoning Code's Glossary in Chapter XXXX.

<b>LAND USES ALLOWED</b>	<b>REQUIRED APPROVAL PROCESS</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>
COMMERCIAL USES		
Adult-Oriented Uses	Conditional Use Review	Section XXXX.XX
Animal Boarding or Shelter	Administrative Review	Section XXXX.XX
Emergency and In-Patient Medical Services	Administrative Review	Section XXXX.XX
Heavy Industrial	Administrative Review	Section XXXX.XX
Indoor Sales and Services	Administrative Review	Section XXXX.XX
Indoor Special Events Venue	Administrative Review	Section XXXX.XX
Large Indoor Dining, Drinking, and Entertainment	Administrative Review	Section XXXX.XX
Large-Scale Utility Transmission and Substation Uses	Administrative Review	Section XXXX.XX
Large Telecommunications	Conditional Use Review	Section XXXX.XX
Light Industrial	Administrative Review	Section XXXX.XX
Marijuana-Dispensing Uses	Conditional Use Review	Section XXXX.XX
Mineral Resource Extraction	Conditional Use Review	Section XXXX.XX
Outdoor Sales	Administrative Review	Section XXXX.XX
Outdoor Special Events Venue	Administrative Review	Section XXXX.XX
Outdoor Storage of Commercial Equipment or Vehicles	Administrative Review	Section XXXX.XX
Principal Solar Energy System	Administrative Review	Section XXXX.XX
Principal Wind Energy System	Administrative Review	Section XXXX.XX
Small Indoor Dining, Drinking, and Entertainment	Administrative Review	Section XXXX.XX
Small-Scale Utility Transmission and Substation	Administrative Review	Section XXXX.XX

Small Telecommunications	Administrative Review	Section XXXX.XX
Weapons-Oriented Uses	Administrative Review	Section XXXX.XX
TRANSPORTATION USES		
Bus Station or Train Station	Administrative Review	Section XXXX.XX
Taxi, Rideshare, or Limousine Service Hub	Administrative Review	Section XXXX.XX
Tow Yard	Administrative Review	Section XXXX.XX
Truck Terminal	Administrative Review	Section XXXX.XX
Vehicle Refueling	Administrative Review	Section XXXX.XX
Vehicle Sales, Rental, Repair, and Servicing	Administrative Review	Section XXXX.XX
AVIATION USES		
Airplane or Helicopter Sales, Repair, Rental, Chartering, Refueling, Educational Services, Landing Strips and Pads, and Storage	Conditional Use Review	Section XXXX.XX
Drone, Remote-Control Plane, and Remote-Control Helicopter Launch or Landing Area	Administrative Review	Section XXXX.XX
COMMUNITY USES		
Libraries, Museums, Playhouses, and Schools	Administrative Review	Section XXXX.XX
Physical Recreation Centers	Administrative Review	Section XXXX.XX
Religious Assembly	Administrative Review	Section XXXX.XX
Union Hall Uses	Administrative Review	Section XXXX.XX
OPEN SPACE USES		
Cemetery	Administrative Review	Section XXXX.XX
Community Gardening	Administrative Review	Section XXXX.XX
Outdoor Arena	Conditional Use Review	Section XXXX.XX
Preserves	Administrative Review	Section XXXX.XX
Playground or Park	Administrative Review	Section XXXX.XX
Sports Fields, Courts, Golf Courses, and Pools	Administrative Review	Section XXXX.XX
MISCELLANEOUS USES		
Accessory Uses	Administrative Review, except as otherwise noted in use-specific regulations section	Section XXXX.XX
Temporary Uses	Administrative Review	Section XXXX.XX

**(C) DEVELOPMENT STANDARDS IN THE INDUSTRIAL DISTRICT**

- (1) No lot may be created which does not conform with the lot dimension standards listed below.
- (2) No building shall be erected or modified unless such building or the modified portion of such building conforms with the building setback and building scale standards listed below.

<b>DEVELOPMENT STANDARDS</b>			
LOT DIMENSION STANDARDS			
	Lot Area	<p>Where all or part of 1 side or of the rear of the lot is immediately abutting a lot(s) within the Residential 1 or Residential 2 District: 20,000 sq. ft. min.</p> <p>Where all or parts of 2 sides of the lot or where all or parts of 1 side of the lot and the rear of the lot are immediately abutting a lot(s) within the Residential 1 or Residential 2 District: 30,000 sq. ft. min.</p> <p>Where all or parts of 2 sides of the lot and the rear of the lot are immediately abutting a lot(s) within the Residential 1 or Residential 2 District: 40,000 sq. ft. min.</p> <p>Where none of the lot is immediately abutting a lot within the Residential 1 or Residential 2 District: 10,000 sq. ft. min.</p>	PLACEHOLDER FOR GRAPHIC
	Lot Width	<p>Where all or part of 1 side of the lot is immediately abutting a lot(s) within the Residential 1 or Residential 2 District: 200 ft. min.</p> <p>Where all or parts of both sides of the lot are immediately abutting a lot(s) within the Residential 1 or Residential 2 District: 300 ft. min.</p> <p>Where no part of the sides of the lot is immediately abutting a lot within the Residential 1 or Residential 2 District: 100 ft. min.</p>	
	Lot Depth	<p>Where all or part of the rear of the lot is immediately abutting a lot within the Residential 1 or Residential 2 District: 200 ft. min.</p> <p>Where none of the rear of the lot is immediately abutting a lot within the Residential 1 or Residential 2 District: 100 ft. min.</p>	
BUILDING SETBACK STANDARDS			

	Front Yard Setback	20 ft. min.	PLACEHOLDER FOR GRAPHIC
	Side Yard Setback	Where all or part of a side lot line is immediately abutting a lot within the Residential 1 or Residential 2 District: 100 ft. min. on that side. Where none of a side lot line is abutting a lot within the Residential 1 or Residential 2 District: 30 ft. min. on that side, except 0 ft. min.** where building is part of a contiguous, unified commercial development	
	Rear Yard Setback	Where all or part of the rear lot line is immediately abutting a lot(s) within the Residential 1 or Residential 2 District: 100 ft. min. Where none of the rear lot line is abutting a lot within the Residential 1 or Residential 2 District: 30 ft. min.	
BUILDING SCALE STANDARDS			
	Building Height	75 ft. max.	PLACEHOLDER FOR GRAPHIC
NOTES			
** (double asterisk) indicates that special building code requirements may apply for adjacent structures; please see the City's building code regulations.			

**(D) OTHER STANDARDS APPLICABLE TO THE INDUSTRIAL DISTRICT**

- (1) Parking and Driveway Regulations. Parking and driveway regulations can be found in this Planning and Zoning Code Chapter XXXX “Parking and Driveway Regulations”.
- (2) Fence Regulations. Fence regulations can be found in this Planning and Zoning Code Chapter XXXX “Fence Regulations”.
- (3) Outdoor Lighting Regulations. Outdoor lighting regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Lighting Regulations”.
- (4) Outdoor Storage Regulations. Outdoor storage regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Storage Regulations”.
- (5) Noise Regulations. Noise levels are regulated by the Disorderly Conduct and Peace Disturbance chapter of the City of Elyria Code of Ordinances and is not included in this Planning and Zoning Code; please contact the City of Elyria for details on noise regulations.
- (6) Building Code Regulations. All new buildings and modifications to buildings must adhere to the building code found in Part Thirteen of the City of Elyria Code of Ordinances. The building code is not included in this Planning and Zoning Code; please contact the City of Elyria Building and Land Department for details on conforming to the building code.

# 1102.12 Parks and Open Space District

## (A) PURPOSE OF THE PARKS AND OPEN SPACE DISTRICT

The Parks and Open Space District intends to comprise existing recreational and natural areas within Elyria. Connecting these areas with other land uses, especially neighborhoods, local businesses, and schools, should be considered with any future improvement or development projects by including robust infrastructure such as sidewalks, transit, trails and other bike facilities. Amenities within parks should be tailored towards a wide range of ages and abilities with specialty parks, such as dog parks, splash pads, or gardens serving nearby residential neighborhoods. Parks are not limited only to this district and should be permitted as allowed uses in all other districts.

## (B) USES ALLOWED IN THE PARKS AND OPEN SPACE DISTRICT

- (1) Number of Uses per Lot. More than one principal use is permitted per lot in the Parks and Open Space District.
- (2) Accessory Uses. Accessory uses shall be permitted in accordance with accessory use regulations found in Chapter XXXX.
- (3) Uses Restricted. No building or land within this district shall be used for any purpose other than for a purpose included in the below list of land uses allowed. Additional use regulations of Chapter X shall apply. All use terms are defined in this Planning and Zoning Code's Glossary in Chapter XXXX.

<b>LAND USES ALLOWED</b>	<b>REQUIRED APPROVAL PROCESS</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>
<b>COMMERCIAL USES</b>		
Indoor Sales and Services	Conditional Use Review	Section XXXX.XX
Large Indoor Dining, Drinking, and Entertainment	Conditional Use Review	Section XXXX.XX
Small Indoor Dining, Drinking, and Entertainment	Conditional Use Review	Section XXXX.XX
Small Telecommunications	Administrative Review	Section XXXX.XX
<b>COMMUNITY USES</b>		
Libraries, Museums, Playhouses, and Schools	Administrative Use Review	Section XXXX.XX
Physical Recreation Centers	Conditional Use Review	Section XXXX.XX
Religious Assembly	Administrative Review	Section XXXX.XX
Union Hall Uses	Conditional Use Review	Section XXXX.XX
<b>OPEN SPACE USES</b>		
Agriculture	Administrative Review	Section XXXX.XX
Agritourism	Administrative Review	Section XXXX.XX
Camping, Nature Retreat Center, or Summer Camp	Administrative Review	Section XXXX.XX
Cemetery	Administrative Review	Section XXXX.XX
Community Gardening	Administrative Review	Section XXXX.XX
Hunting Grounds	Administrative Review	Section XXXX.XX
Preserves	Administrative Review	Section XXXX.XX
Playground or Park	Administrative Review	Section XXXX.XX

Sports Fields, Courts, Golf Courses, and Pools	Administrative Review	Section XXXX.XX
MISCELLANEOUS USES		
Accessory Uses	Administrative Review, except as otherwise noted in use-specific regulations section	Section XXXX.XX
Temporary Uses	Administrative Review	Section XXXX.XX

**(C) DEVELOPMENT STANDARDS IN THE PARKS AND OPEN SPACE DISTRICT**

- (1) No lot may be created which does not conform with the lot dimension standards listed below.
- (2) No building shall be erected or modified unless such building or the modified portion of such building conforms with the building setback and building scale standards listed below.

DEVELOPMENT STANDARDS		
LOT DIMENSION STANDARDS		
Lot Area	N/A	PLACEHOLDER FOR GRAPHIC
Lot Width	N/A	
Lot Depth	N/A	
BUILDING SETBACK STANDARDS		
Front Yard Setback	20 ft. min.	PLACEHOLDER FOR GRAPHIC
Side Yard Setback	15 ft. min.	
Rear Yard Setback	15 ft. min.	
BUILDING SCALE STANDARDS		
Building Height	35 ft. max.	PLACEHOLDER FOR GRAPHIC
NOTES		
None		

**(D) OTHER STANDARDS APPLICABLE TO THE PARKS AND OPEN SPACE DISTRICT**

- (1) **Parking and Driveway Regulations.** Parking and driveway regulations can be found in this Planning and Zoning Code Chapter XXXX “Parking and Driveway Regulations”.
- (2) **Fence Regulations.** Fence regulations can be found in this Planning and Zoning Code Chapter XXXX “Fence Regulations”.
- (3) **Outdoor Lighting Regulations.** Outdoor lighting regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Lighting Regulations”.
- (4) **Outdoor Storage Regulations.** Outdoor storage regulations can be found in this Planning and Zoning Code Chapter XXXX “Outdoor Storage Regulations”.
- (5) **Noise Regulations.** Noise levels are regulated by the Disorderly Conduct and Peace Disturbance chapter of the City of Elyria Code of Ordinances and is not included in this Planning and Zoning Code; please contact the City of Elyria for details on noise regulations.
- (6) **Building Code Regulations.** All new buildings and modifications to buildings must adhere to the building code found in Part Thirteen of the City of Elyria Code of Ordinances. The building code is not included in this Planning and Zoning Code; please contact the City of Elyria Building and Land Department for details on conforming to the building code.



# Land Use Standards

## Chapter

# 1103

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# Chapter 1103: Land Use Standards

## SECTION 1103.01 PURPOSE OF LAND USE STANDARDS CHAPTER

This chapter's regulations are intended to reduce the effects that certain land uses may have on the public's health, safety, and welfare by restricting the use of land district-by-district within the [city].

## SECTION 1103.02 LAND USES RESTRICTED BY DISTRICT AND BY USE TYPE

This [development code] restricts the use of land in two manners: (1) by restricting the use of land within each district to only those land uses expressly allowed in that district and (2) by restricting the use of land by use-specific standards, as described later in this chapter.

## SECTION 1103.03 INTERPRETATION OF LAND USES

- (a) Interpretation and Application of Land Uses by [Planning Director]. As this [development code] cannot conceive of every proposed land use in the [city], it uses general land use terms and defines these terms in Chapter XXXX "Glossary". The [Planning Director] or their designee shall be responsible for analyzing real or proposed land uses and assigning them to one of the listed general land use terms, or a combination of multiple listed general land use terms, or none of the listed general land use terms, based on their professional interpretation of the real or proposed land use and the general land use term's definition.
- (b) Land Uses Not Matching Any Listed Land Use Term. In some cases, the [Planning Director] or their designee may determine that the real or proposed land use does not meet the definitions of any of the defined general land use terms, and, in such case, the [Planning Director] or their designee shall determine that such land use is prohibited in all [districts] in the [city], except where allowed by nonconforming use regulations found in Chapter XXXX "Nonconformities".
- (c) Appeal of Interpretation of Land Uses. Where an affected party believes that the interpretation of the real or proposed land use by the [Planning Director] or their designee as falling into one, more than one, or zero general land use terms was made in error, such party may appeal such interpretation. The appeal process is described in detail in Section XXXX "Appeals".

## SECTION 1103.04 ALLOWED LAND USES

- (a) Unlisted Land Uses Prohibited. No lot, structure, or portion thereof may be used for any purpose, except as expressly allowed in that district by this section.
- (b) Land Use Terms Defined. Land use terms listed in this chapter are defined [CURRENTLY IN THIS CHAPTER, AND] in the Glossary Chapter. See Chapter XXXX.
- (c) Land Use Term Interpretation. It shall be the responsibility of the [planning and zoning director or their designee] to interpret the definitions of the land use terms and determine whether a proposed use of a lot, structure, or portion thereof is appropriately categorized as one or more land use terms allowed in that district. An appeal to an interpretation can be made to the [Board of Zoning Appeals] in a process described in Section XXXX.XX.

- (d) Proposed Land Uses Fitting More Than One Land Use Term. Wherever the proposed use of a lot is a single use and such single use fits the definition of more than one land use term and where at least one of those land use terms is an allowed land use in that district, such proposed use shall be allowed.
- (e) Table of Allowed Land Uses as Permitted and Conditional. Land uses are listed in Table XXXX.X as “Permitted” and “Conditional.” “Permitted” and “Conditional” uses are principal uses and refer to two different approval processes, as described in Chapter XXXX [“Administration and Procedures”]. Where a proposed land use is not listed as “Permitted,” “Conditional,” or “Accessory” in a particular district, such proposed land use shall be interpreted to be prohibited in that district, unless the proposed land use is interpreted by the [planning and zoning director or their designee] as being defined by more than one land use term, and at least one of those land use terms is allowed in that district.

<b>LAND USES</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>	<b>RESIDENTIAL 1</b>	<b>RESIDENTIAL 2</b>	<b>DOWNTOWN</b>	<b>CORRIDOR</b>	<b>COMMERCIAL</b>	<b>INDUSTRIAL</b>	<b>PARKS AND OPEN SPACE</b>
<b>RESIDENTIAL USES</b>								
One-Unit Residential	Section XXXX.XX							
Two-Unit Residential	Section XXXX.XX							
3-8-Unit Residential	Section XXXX.XX							
9-Plus-Unit Residential	Section XXXX.XX							
Townhouse Residential	Section XXXX.XX							
Residential Care Housing	Section XXXX.XX							
Mobile Home Park	Section XXXX.XX							
Permanent Shelter	Section XXXX.XX							
Seasonal Shelter	Section XXXX.XX							
<b>COMMERCIAL USES</b>								
Adult-Oriented Uses	Section XXXX.XX							
Animal Boarding or Shelter	Section XXXX.XX							
Day Care Facility (Non-Home)	Section XXXX.XX							
Emergency and In-Patient Medical Services	Section XXXX.XX							
Food Truck	Section XXXX.XX							
Heavy Industrial	Section XXXX.XX							
Indoor Sales and Services	Section XXXX.XX							
Indoor Special Events Venue	Section XXXX.XX							
Large Indoor Dining, Drinking, and Entertainment	Section XXXX.XX							
Large Lodging	Section XXXX.XX							
Large-Scale Utility Transmission and Substation Uses	Section XXXX.XX							
Large Telecommunications	Section XXXX.XX							
Light Industrial	Section XXXX.XX							
Marijuana-Dispensing Uses	Section XXXX.XX							
Mineral Resource Extraction	Section XXXX.XX							
Outdoor Sales	Section XXXX.XX							

<b>LAND USES</b>	<b>APPLICABLE USE-SPECIFIC REGULATIONS</b>	<b>RESIDENTIAL 1</b>	<b>RESIDENTIAL 2</b>	<b>DOWNTOWN</b>	<b>CORRIDOR</b>	<b>COMMERCIAL</b>	<b>INDUSTRIAL</b>	<b>PARKS AND OPEN SPACE</b>
Outdoor Special Events Venue	Section XXXX.XX							
Outdoor Storage of Commercial Equipment or Vehicles	Section XXXX.XX							
Principal Solar Energy System	Section XXXX.XX							
Principal Wind Energy System	Section XXXX.XX							
Small Indoor Dining, Drinking, and Entertainment	Section XXXX.XX							
Small Lodging	Section XXXX.XX							
Small-Scale Utility Transmission and Substation	Section XXXX.XX							
Small Telecommunications	Section XXXX.XX							
Weapons-Oriented Uses	Section XXXX.XX							
<b>TRANSPORTATION USES</b>								
Bus Station or Train Station	Section XXXX.XX							
Taxi, Rideshare, and Limousine Service Hub	Section XXXX.XX							
Tow Yard	Section XXXX.XX							
Truck Terminal	Section XXXX.XX							
Vehicle Refueling	Section XXXX.XX							
Vehicle Sales, Rental, Repair, and Servicing	Section XXXX.XX							
<b>AVIATION USES</b>								
Airplane or Helicopter Sales, Repair, Rental, Chartering, Refueling, Educational Services, Landing Strips and Pads, and Storage	Section XXXX.XX							
Drone, Remote-Control Plane, and Remote-Control Helicopter Launch or Landing Area	Section XXXX.XX							
<b>COMMUNITY USES</b>								
Libraries, Museums, Playhouses, and Schools	Section XXXX.XX							
Physical Recreation Centers	Section XXXX.XX							
Religious Assembly	Section XXXX.XX							
Union Hall Uses	Section XXXX.XX							
<b>OPEN SPACE USES</b>								
Agriculture	Section XXXX.XX							
Agritourism	Section XXXX.XX							
Camping, Nature Retreat Center, or Summer Camp	Section XXXX.XX							
Cemetery	Section XXXX.XX							
Community Gardening	Section XXXX.XX							
Outdoor Arena	Section XXXX.XX							

LAND USES	APPLICABLE USE-SPECIFIC REGULATIONS	RESIDENTIAL 1	RESIDENTIAL 2	DOWNTOWN	CORRIDOR	COMMERCIAL	INDUSTRIAL	PARKS AND OPEN SPACE
Playground or Park	Section XXXX.XX							
Preserves	Section XXXX.XX							
Sports Fields, Courts, Golf Courses, and Pools	Section XXXX.XX							
ACCESSORY USES								
Accessory Camping	Section XXXX.XX							
Accessory Dwelling Uses	Section XXXX.XX							
Accessory Parking	Section XXXX.XX							
Accessory Solar Energy System	Section XXXX.XX							
Accessory Storage of Home Heating or Cooking Fuels	Section XXXX.XX							
Accessory Wind Energy System	Section XXXX.XX							
Bus Stop Shelter Uses	Section XXXX.XX							
Day-Care Home Services	Section XXXX.XX							
Drive-Thru Services	Section XXXX.XX							
Electric Vehicle Charging	Section XXXX.XX							
Family Burial	Section XXXX.XX							
Home Animal Husbandry	Section XXXX.XX							
Home Gardening	Section XXXX.XX							
Home Occupation	Section XXXX.XX							
Outdoor Dining, Drinking, and Entertainment	Section XXXX.XX							
MISCELLANEOUS USES								
Temporary Uses	Section XXXX.XX							

## SECTION 1103.05 USE TERM DEFINITIONS

General use terms shall be interpreted based on the following definitions:

### (a) Residential Uses

- (1) **One-Unit Residential.** A residential use consisting of exactly one principal dwelling unit per lot. This term shall not include any use considered a Townhouse Residential use. Because this term shall refer only to a residential use conducted within a dwelling with a permanent foundation, this term shall not include any use considered a Mobile Home Residential use.
- (2) **Two-Unit Residential.** A residential use consisting of exactly two principal dwelling units per lot, where both of the units are located within one contiguous structure. This term includes uses generally recognized as duplexes. This term shall not include any use considered a Mobile Home Residential use.
- (3) **3-8-Unit Residential.** A residential use consisting of 3-8 dwelling units per lot, where all of such units are located within one contiguous structure. This term includes structures generally recognized as “Missing Middle” housing, such as triplexes and quadplexes. This term does not

include cottage courts, where the dwelling units are split among independent, separated structures. This term shall not include any use considered a Mobile Home Residential use.

- (4) **9-Plus-Unit Residential.** A residential use consisting of 9 or more dwelling units per lot, where all of such units are located within one contiguous structure. This term includes apartment buildings with 9 or more units and school- or college-related dormitories. This term does not include any uses defined as Residential Care Housing uses. This term shall not include any use considered a Mobile Home Residential use.
- (5) **Townhouse Residential.** A residential use consisting of one dwelling unit, where such dwelling unit is a component of a row of 3-6 contiguous dwelling units, where each dwelling unit in the row is situated on a separate lot, and where each dwelling unit in the row shares a side wall with one or two other dwelling units. This term shall not include any use considered a Mobile Home Residential use.
- (6) **Residential Care Housing.** A residential-medical hybrid use where permanent residents of the property receive on-site care from non-resident therapists, nurses, counselors, or other healthcare providers on a recurring, regular basis. However, this use does not include such situations where there are fewer than 8 residents receiving on-site care or fewer than 3 healthcare providers providing on-site care at any time as regularly occurring per lot; in such case, such use shall be considered a dwelling use.  
This use differs from Emergency or In-Patient Medical Services in that the residents of the Residential Care Housing use are considered permanent residents; the patients of an Emergency or In-Patient Medical Services use are being housed only for the limited duration of their treatment or rehabilitation of a disease or procedure.
- (7) **Mobile Home Park.** A residential use consisting of multiple mobile home residential units arranged according to an approved development plan.
- (8) **Mobile Home Residential.** A residential use consisting of a single-unit dwelling that (1) is not secured to a permanent poured foundation or permanent concrete block foundation and that (2) is mounted on a mobile trailer chassis. This use consists of one dwelling unit per lot, except in the case of a Mobile Home Park, which may have clusters of multiple dwelling units on one lot.
- (9) **Permanent Shelter.** A use consisting of the year-round provision of shelter and/or sleeping and shared bathing facilities for multiple transient guests who do not pay rent or lodging fees as compensation for their stay.
- (10) **Seasonal Shelter.** A use consisting of the seasonal (as opposed to year-round) provision of shelter and/or sleeping and shared bathing facilities for multiple transient guests who do not pay rent or lodging fees as compensation for their stay. Typically, a seasonal shelter is operated during the cold months of the year and may also be referred to as an “emergency cold shelter.”

(b) Commercial Uses

- (1) **Adult-Oriented Uses.** An establishment where a substantial portion of the use is distinguished or characterized by its emphasis on sexually oriented materials. Adult-Oriented Uses include sexually oriented cabarets/theatres, sexually oriented media stores, sexually oriented motels, nude model studios, sexual encounter centers, sexually oriented escort agencies, sexually oriented spas, and sexually oriented viewing booth or arcade booth facilities. Where a use may be defined by multiple terms, and one of such terms is Adult-Oriented Use, the use shall be interpreted to be an Adult-Oriented Use; for example, a shop selling sexually oriented media as a substantial portion of its sales could fit the definition of an Indoor Sales and Services use and an Adult-Oriented Use; in such case, it shall be considered an Adult-Oriented Use.
- (2) **Animal Boarding or Shelter.** A use consisting of the breeding, boarding, grooming, sale, or training of 5 or more adult domestic animals (excluding farm animals) for which a fee is charged to the animals’ owners, or which is operated by a governmental or non-profit organization.

This use term shall not include an animal hospital maintained by a licensed veterinarian as part of the practice of veterinary medicine; such use shall be considered an Indoor Sales and Services use.

- (3) **Day Care Facility (Non-Home).** Any place that is not the permanent residence of the licensee or administrator in which child care is provided, with or without compensation, for 7 to 12 children at one time, or any place in which child care is provided for 13 or more children at one time. This term shall not include any use that can be considered an Emergency and In-Patient Medical Services use.

- (4) **Emergency and In-Patient Medical Services.** A use providing services for the in-patient medical, psychiatric, or surgical care of sick or injured humans and which may include related facilities such as laboratories, outpatient departments, training facilities, central service facilities, and staff offices and bunks, provided, however, that such related facility must be incidental and subordinate to the main use and must be an integral part of the hospital operation. This use shall include in-patient rehabilitation centers.

This use term differs from Residential Care Housing in that the residents of the Residential Care Housing use are considered permanent residents; the patients of an Emergency or In-Patient Medical Services use are being housed only for the limited duration of their treatment or rehabilitation of a disease or procedure.

- (5) **Food Truck.** A use comprising the preparation and/or vending of prepared “carry-out” foods from mobile kitchens direct to consumers. Typically, these food trucks are operated from “box trucks” that are specifically customized for food truck use. This term may comprise 1 food truck or may comprise multiple food trucks in a “food truck court.” This term refers to a food truck or multiple food trucks that operate in a location on a recurring basis; a one-time or special event operation of a food truck at a location may be considered a Temporary Use and be subject to the regulations governing Temporary Uses.

Note that any food truck serving prepared food must conform to any applicable health code regulations.

Note that this Planning and Zoning Code regulates food trucks operating on private lands; any food truck operating on a public right-of-way must secure a right-of-way permit.

- (6) **Heavy Industrial.** Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions. This use term shall also mean those uses engaged in the heavy industrial operation, such as the parking and maintenance of vehicles, cleaning of equipment or work processes involving solvents, solid waste or sanitary waste transfer stations, recycling establishments, truck terminals, public works yards, and container storage. This term also includes any of the following uses: retail concrete mixing, fertilizer mixing plants, alcoholic production facilities, asphalt/concrete plants, scrap material yards, salvage yards, and junkyards, recycling plants, chemical processing and refining, and wrecking. This use includes the outdoor storage and sale of materials used at industrial scales, such as the sale of lime, sand, gravel, coal, or other like material. This use includes water treatment and sewage treatment facilities, as well as waste transfer stations, landfills, and waste incineration facilities. This use includes any use considered industrial-scale production of food products where the majority of ingredients are sourced from off-site. This use term shall include any use considered a slaughterhouse and meat packing use, or a sawmill. This use term may include the large-scale production of beer and spirits, where such beer and spirits are canned or bottled for wholesale distribution; where the beer and spirits are served only on-site or into individually ordered growlers or other legal to-go containers but are not canned or bottled for wholesale distribution, such use shall be considered a Large Indoor Dining, Drinking, and Entertainment use.

- (7) **Indoor Sales and Services.** A use consisting of the sale of goods or provision of services to household consumers or commercial consumers in an indoor setting. This use may include



common commercial uses, such as convenience stores, hair salons, doctor's or dentist's offices, insurance or tax accounting services, professional offices, art galleries, liquor stores, plant shops, hardware stores, physical therapy and chiropractor offices, print shops, sports shops, and dry cleaners without emissions.

This use term does not include any services venting noxious fumes, such as dry cleaners using certain volatile solvents or bio-medical laboratories with a bio-safety level (BSL) of 3 or 4; such uses shall be considered Heavy Industrial uses. Medical laboratories with a bio-safety level (BSL) of 1 or 2 shall be considered Light Industrial uses.

This use term does not include the sale, rental, refueling, repair, or storage of motor vehicles, including cars, trucks, boats, airplanes, farm equipment, or construction equipment.

This use term does not include the sale of materials used at industrial scales, such as the sale of sand or gravel, but may include the sale of materials on a consumer scale, such as 50-lb bags of sand. The indoor sale of materials used at industrial scales shall be considered a Light Industrial use.

This use term does not include in-patient medical services; however, the Indoor Sales and Services use term shall include urgent care clinics without emergency rooms.

This use term does not include child care services; such uses shall be considered Day Care Facility (Non-Home) uses or Day Care Home uses.

- (8) **Indoor Special Events Venue.** A use consisting of a fully enclosed space hosting special events, such as weddings, receptions, galas, or parties, for 50 or more guests, where the entire space is reserved for invited guests or where guests are required to purchase tickets in ad-vance. This use shall not include party rooms associated with hotels or apartments that cannot be reserved for 50 or more attendees; it shall not include reservable tables at restaurants that are otherwise open to the general public.

This use term includes convention centers and hotel-associated events spaces for 50 or more attendees.

This use term includes fully enclosed arenas, such as centers hosting hockey games, basketball games, or indoor arena con-certs or circuses, where attendees must be ticketed. However, this use term does not include bars or other Indoor Dining, Drinking, and Entertainment uses that may employ a "cover charge" for entry.

This use term does not include small events, such as gallery exhibitions with fewer than 50 guests at one time.

This use term differs from Union Hall uses in that a Union Hall hosts events generally for a regular membership; however, a Union Hall may also be used as an Indoor Special Events Venue where it is reserved by for non-membership events.

- (9) **Large Indoor Dining, Drinking, and Entertainment.** A land use consisting of the supply of prepared food and/or beverages to consumers, for dine-in or carry-out consumption, or the hosting of entertainment uses, such as music, dancing, or poetry readings, in an indoor setting, where the indoor facility has a fire occupancy of greater than 20 persons. This use may commonly look like coffee shops, bars, restaurants, and smoothie cafes.

This use does not include stores selling mainly packaged foods or unprepared foods, such as convenience stores and grocery stores, even where such convenience stores and grocery stores may offer a small sampling of prepared foods, such as deli sandwiches; such uses shall be considered Indoor Sales and Services.

This use term does not include ghost kitchens, incubator kitchens, community kitchens, or catering kitchens that do not also serve or vend prepared food directly to consumers; such uses shall be considered Light Industrial uses. However, some uses meeting the Large Indoor Dining, Drinking, and Entertainment use definition and which do serve or vend prepared food directly to consumers may prepare food for delivery dispatch or for catering as an accessory service.

This use term may include wine bars, except where such use is considered a wine tasting room: an Agritourism use of a vineyard.



This use term may include the small-scale production of beer and spirits, where such beer and spirits are served on-site or into individually ordered growlers or other legal to-go containers but are not canned or bottled for wholesale distribution. Where such beer and spirits are canned or bottled for wholesale distribution, such use shall be considered a Heavy Industrial use.

If a use meets the definition of an Adult-Oriented Use, it shall be considered an Adult-Oriented Use, and not a Large Indoor Dining, Drinking, and Entertainment use.

If a use meets the definition of a Union Hall use, it shall be considered a Union Hall use, and not a Large Indoor Dining, Drinking, and Entertainment use.

If a use meets the definition of an Indoor Special Events Venue, it shall be considered an Indoor Special Events Venue, and not a Large Indoor Dining, Drinking, and Entertainment use.

- (10) **Large Lodging.** A building or group of buildings containing guest rooms where, for compensation, lodging is provided for transient visitors, such as a hotel, motel, or inn, and is available for stays of less than 28 consecutive days. This term is differentiated from Small Lodging in that a Large Lodging contains more than 2 guest rooms or suites per lot, whereas a Small Lodging use contains only 1 or 2 guest rooms or suites per lot. This term shall not include nature retreat centers or campgrounds that provide a nature or camp-style bunking experience; however, some state or regional parks may include lodges that resemble hotels, and such lodges shall be considered Large Lodging uses.
- (11) **Large-Scale Utility Transmission and Substation Uses.** Any utility facility occupying 10,000 square feet or greater or exceeding a height of 60 feet.  
This use term does not include sewer and/or water pump houses occupying 10,000 square feet or greater or exceeding a height of 60 feet. However, this use term does not include water treatment or sewage treatment plants; such uses shall be considered Heavy Industrial uses.  
This use term does not include electric vehicle charging stations and their associated converters/inverters; such uses are considered Electric Vehicle Charging (accessory use).
- (12) **Large Telecommunications.** Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas over 50 feet in height for telephone, radio, and similar communication purposes. This use term includes radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers, antenna tower alternative structures, and the like. This use term also includes antenna tower accessory storage sheds.
- (13) **Light Industrial.** Uses consisting of the manufacturing, compounding, processing, packaging, storage, assembly, and/or treatment of finished or semifinished products from previously prepared materials, which activities are conducted wholly within an enclosed building and do not produce fumes, odors, vibrations, dust, or other effects that pose a threat to the safety and health of adjacent land users. Finished or semi-finished products may be temporarily stored outdoors pending shipment.  
This use shall include self-storage centers, warehouses, and data server centers.  
This use term does not include any services venting noxious fumes, such as dry cleaners using certain volatile solvents or bio-medical laboratories with a bio-safety level (BSL) of 3 or 4; such uses shall be considered Heavy Industrial uses.  
This use shall include the indoor sale of materials used at industrial scales, provided such materials are not volatile and do not pose a threat to the safety and health of adjacent land users or ground-water supplies.  
This term shall include the processing and/or taxidermy of hunted game, such as deer.
- (14) **Marijuana-Dispensing Uses.** A use consisting of the sale or dispensation of recreational or medical marijuana or the sale of consumable products containing marijuana-derived psychoactive compounds as regulated by the State.  
This use may be found in conjunction with the sale of other products or packaged foods, in which case the use shall also be considered an Indoor Sales and Services use.

- (15) **Mineral Resource Extraction.** The extraction of minerals, including solids, such as coal and ores; liquids, such as crude petroleum; and gases, such as natural gases. This use term also includes quarrying; well operation; milling of minerals, such as crushing, screening, washing, and flotation; and other preparation customarily performed at the extraction site or as a part of the extractive activity.
- (16) **Outdoor Sales.** The sale of goods in an outdoor setting. This use may include lumber yards, the sale of mulch or plants outdoors, or a regularly occurring outdoor flea market/rummage sale. This use term does not include the sale of agricultural products included within the definition of an Agriculture use. This use term does not include the sale of materials used at industrial scales, such as the sale of sand or gravel, but may include the sale of materials on a consumer scale, such as 50-lb bags of sand. The outdoor sale of materials used at industrial scales shall be considered a Heavy Industrial use.
- (17) **Outdoor Special Events Venue.** A use consisting of any outdoor space hosting special events, such as weddings, receptions, galas, or parties, for 50 or more guests, where the space is reserved for invited guests only or where guests are required to purchase tickets in advance. This use may often be found in conjunction with an Indoor Special Events Venue, such as a wedding venue that includes an indoor and outdoor event space. This use does not include any use considered an Outdoor Arena use or a Sports Fields, Courts, Golf Courses, and Pools use.
- (18) **Outdoor Storage of Commercial Equipment or Vehicles.** A use consisting of the parking of commercial light trucks, heavy trucks, or equipment in an outdoor setting. This use shall also apply to non-commercial fleet trucks, such as work trucks for sewage districts, public utilities, fire departments, government offices, and the like. This use includes the storage of commercial vehicles or equipment at an equipment rental enterprise, such as a crane rental. This use does not include car rentals, car lots, boat rentals, and the like; such uses shall be considered Vehicle Sales, Rental, Repair, and Servicing uses. This use does not include the storage of farm equipment on a lot conducting an Agriculture use; such use shall be considered an Agriculture use. Outdoor storage of aircraft shall be interpreted as an Airplane or Helicopter Sales, Repair, Rental, Chartering, Refueling, Educational Services, Landing Strips and Pads, and Storage use, not as an Outdoor Storage of Commercial Equipment or Vehicles use. The outdoor storage of recreational vehicles (RVs) shall be governed by Section XXXX.XX.
- (19) **Principal Solar Energy System.** Any solar electricity or solar hot water generation system that is a principal use of a lot.
- (20) **Principal Wind Energy System.** Any wind-powered electricity generation system that is a principal use of a lot.
- (21) **Small Indoor Dining, Drinking, and Entertainment.** A land use consisting of the supply of prepared food and/or beverages to consumers, for dine-in or carry-out consumption, or the hosting of entertainment uses, such as music, dancing, or poetry readings, in an indoor setting, but in no case where the indoor space has a fire occupancy of more than 20 persons. This use may commonly look like coffee shops, bars, restaurants, and smoothie cafes. This use does not include stores selling mainly packaged foods or unprepared foods, such as convenience stores and grocery stores, even where such convenience stores and grocery stores may offer a small sampling of prepared foods, such as deli sandwiches; such uses shall be considered Indoor Sales and Services. This use term does not include ghost kitchens, incubator kitchens, community kitchens, or catering kitchens that do not also serve or vend prepared food directly to consumers; such uses shall be considered Light Industrial uses. However, some uses meeting the Small Indoor Dining, Drinking,

and Entertainment use definition and which do serve or vend prepared food directly to consumers may prepare food for delivery dispatch or for catering as an accessory service.

This use term may include wine bars, except where such use is considered a wine tasting room: an Agritourism use of a vineyard.

If a use meets the definition of an Adult-Oriented Use, it shall be considered an Adult-Oriented Use, and not a Small Indoor Dining, Drinking, and Entertainment use.

If a use meets the definition of a Union Hall use, it shall be considered a Union Hall use, and not a Small Indoor Dining, Drinking, and Entertainment use.

If a use meets the definition of an Indoor Special Events Venue, it shall be considered an Indoor Special Events Venue, and not a Small Indoor Dining, Drinking, and Entertainment use.

- (22) **Small Lodging.** A building or group of buildings containing guest rooms where, for compensation, lodging is provided for transient visitors, such as a bed and breakfast or short-term rental house, and is available for stays of less than 28 consecutive days. This term is differentiated from Large Lodging in that a Small Lodging contains only 1 or 2 guest rooms or suites per lot, whereas a Large Lodging use contains more than 2 guest rooms or suites per lot. This term shall not include nature retreat centers or campgrounds that provide a nature or camp-style bunking experience; however, some state or regional parks may include lodges that resemble hotels, and such lodges shall be considered Large Lodging uses.
- (23) **Small-Scale Utility Transmission and Substation.** Any utility facility needed to provide a basic service such as water, sewer, telephone, broadband, fiber-optics, and cable television to individual users, including substations, where such utility facilities do not occupy 10,000 square feet or greater or exceed a height of 60 feet.  
This use term includes sewer and/or water pump houses not occupying 10,000 square feet or greater or exceeding a height of 60 feet. However, this use term does not include water treatment or sewage treatment plants; such uses shall be considered Heavy Industrial uses.  
This use term does not include electric vehicle charging stations and their associated converters/inverters; such uses are considered Electric Vehicle Charging (accessory use).
- (24) **Small Telecommunications.** Any telecommunications antenna, such as an amateur (HAM) radio station licensed by the Federal Communications Commission, including equipment such as but not limited to a tower or alternative tower structure supporting a single, radiating antenna platform and other equipment, not exceeding 50 feet in height, and designed to be used by no more than 1 household.
- (25) **Weapons-Oriented Uses.** A use consisting of the firing or sale of guns, rifles, or other explosive weapons. This use may include indoor rifle and pistol ranges, skeet shooting ranges, war games, and other recreational activities using explosive weapons.  
This use shall also include air-powered pistol uses, such as paint-ball gun ranges and game courses. This use does not include school-administered sports programs involving javelin or discus projectiles; such use shall be considered a Sports Fields, Golf Courses, and Pools use.  
This use shall not include archery target uses; such uses shall be considered Sports Fields, Courts, Golf Courses, and Pools uses.

(c) Transportation Uses

- (1) **Bus Station or Train Station.** A use consisting of the transient housing or parking, servicing, and/or refueling of motor-driven buses and/or passenger trains and may include the waiting, loading, and unloading of passengers.
- (2) **Taxi, Rideshare, and Limousine Service Hub.** A use consisting of the facilities for servicing, storing, repairing, and refueling the taxicabs, rideshare vehicles, limousines, small buses, or vans that offer transportation to persons, including those who are handicapped, in return for remuneration.

This use term does not include a bus depot for intercity or public transit agencies; such uses shall be considered Bus Station or Train Station uses.

- (3) **Tow Yard.** A use consisting of the temporary storage of vehicles that have been towed, also referred to as an impound lot. This use shall also include the reclamation of the vehicles by their owners, but it should not include scrapping of vehicles, which is considered a Heavy Industrial use.
- (4) **Truck Terminal.** The loading or unloading of trucks upon which storage of cargo is incidental to the primary function of motor freight shipment or shipment point and which is designed to accommodate the simultaneous loading or unloading of five or more trucks.  
This use term shall also include refueling and maintenance of heavy trucks, such as retreading tires, and the temporary parking facilities for heavy trucks. Such services are often found at truck stops that also include services for the drivers of heavy trucks, such as food services and sales of sundries; in such cases, the lot shall be considered a Truck Terminal use, an Indoor Sales and Services use, and an Indoor Dining, Drinking, and Entertainment use.
- (5) **Vehicle Refueling.** Any use consisting of storing or dispensing flammable liquids, combustible liquids, liquified flammable gas, or flammable gas into the fuel tanks of passenger motor vehicles. This use does not include the refueling of passenger buses only in exclusion of other vehicles in the public realm; such use shall be considered a Bus Station or Train Station use.  
This use does not include the charging of electric vehicles; such uses shall be considered an Electric Vehicle Charging accessory use.  
This use is commonly accompanied by a convenience store; in such cases, the lot shall be considered both a Vehicle Refueling use and an Indoor Sales and Services use. If such a lot with a gas station and convenience store also hosts a restaurant use, the lot shall be considered a Vehicle Refueling use, an Indoor Sales and Services use, and an Indoor Dining, Drinking, and Entertainment use.
- (6) **Vehicle Sales, Rental, Repair, and Servicing.** A use consisting of the display, leasing, rental, sale, financing, marketing, repair, and servicing of passenger cars, recreational vehicles (excluding watercraft and aircraft), trucks, and other motorized vehicles.  
This use term includes body work and vehicle painting services in fully enclosed buildings.

(d) Aviation Uses

- (1) **Airplane or Helicopter Sales, Repair, Rental, Chartering, Refueling, Educational Services, Landing Strips and Pads, and Storage.** The storage, care, repair, refueling, rental, maintenance, or display of airplanes or helicopters, including provision of flight or pilot training courses; and any land use for the landing and taking off of manned aircraft or of aircraft of similar size to manned airplanes or manned helicopters, including all necessary taxiways.  
This use may include outdoor aircraft storage or tie-down areas or indoor storage in hangars. Outdoor storage of aircraft shall be interpreted as this use, not as an Outdoor Storage of Commercial Equipment or Vehicles use.
- (2) **Drone, Remote-Control Plane, and Remote-Control Helicopter Launch or Landing Area.** Any land use for the landing and taking off of drones, remote-control planes, remote-control helicopters, or similarly sized unmanned aircraft.

(e) Community Uses

- (1) **Libraries, Museums, Playhouses, and Schools.** A use in which literary, musical, artistic, or reference materials, such as, but not limited to, books, manuscripts, computers, recordings, or films, are kept for use by or loaning to patrons of the facility, but are not normally offered for sale; or the exhibition or collection of books or artistic, historical, or scientific objects; or the teaching of children or adults including primary and secondary schools, colleges, professional schools, dance schools, business schools, trade schools, art schools, religious schools, and similar facilities;

or a fully enclosed center for the performance of art, dance, theater, films, or other similar performance. This term includes botanical gardens and greenhouse conservatories.

- (2) **Physical Recreation Centers.** The indoor provision of active physical recreational facilities, such as indoor weight-lifting gyms, indoor exercise course studios, indoor tennis and basketball courts, and indoor pools. This use may also be conducted in a facility with other uses defined under separate use terms, such as sales of gym supplies, concessions or meal services, personal physical trainer services, cosmetology consulting and services, and medical-oriented physical therapy services.

An accessory gym in association with a hotel, office building, or apartment building and which is accessible only to staff, residents, or guests of the hotel, office building, or apartment building shall not be considered a principal Physical Recreation Center use.

- (3) **Religious Assembly.** A use providing space for religious assembly. This use may conventionally look like a church, temple, mosque, or other place of religious worship. This use may be found on lots in conjunction with a rectory or convent, a private school, a meeting hall, offices for administration of the institution, a licensed child or adult daycare, a playground, and/or a cemetery; such associated uses shall be treated as separate uses of the lot.

- (4) **Union Hall Uses.** A use consisting of the assembly of a membership, including service or professional fraternities or sororities and Boy Scout or Girl Scout meeting halls. This use may include events for the membership and may include offices for the administration of the membership. This use differs from Religious Assembly in that, while the fraternity or certain members of the fraternity may be religiously associated, this use is primarily intended to further a community advancement, service, or professional advancement mission, not for religious worship. This use, however, may often be located on the same lot as, such as in the basement of, a Religious Assembly use.

This use does not include the use of space for special events for non-members or for the general public, such as a church festival or a wedding reception; such use shall be considered an Indoor Special Events Venue, an Outdoor Special Events Venue, or a Temporary Use.

(f) Open Space Uses

- (1) **Agriculture.** Agriculture means the following activities: cultivation of crops outdoors; the cultivation and tillage of the soil; composting, production, harvesting and processing of agricultural crops; raising of poultry; production of eggs; production of milk and dairy products; production of livestock, including pasturage; production of bees and their products; inland production of fish; production of fruit, vegetables, and other horticultural crops; cultivation of marijuana; cultivation of nursery plants; cultivation of greenhouse products in fully transparent or semi-opaque structures; sod farming; raising of livestock; raising of wild game conventionally found in the Mid-Atlantic region, such as deer, turkey, pheasants, or quail; stabling, care, and exercise of horses and other equine; silviculture; viticulture; storage of agricultural equipment, agriculture equipment fuels, agricultural products, agricultural wastes, or agricultural supplies, including fertilizer bags; the assembly and repair of all farm implements and equipment conventionally used in agricultural operations on the site; the clearing of land for agricultural purposes; the grading of land for agricultural purposes; or the development of paths, roads, or bridges for farm equipment and distribution of agricultural products across one lot or across multiple lots of common management; the housing of laborers that perform farm labor on site or on a agricultural operation within 1 mile of the housing structure; commercial agricultural procedures performed as incident to or in conjunction with such operations, including preparation for market, delivery to storage or to market or to carriers for transportation to market; storage of grains at grain terminals; the usage of land in furtherance of agricultural education goals, including, but not limited to, 4-H clubs, Future Farmers of America, and farm incubators; alternative agricultural enterprises, and the like. Agriculture uses may include the slaughter, skinning, dehairing, or eviscerating of livestock produced on the premises, provided that the slaughter does not exceed XX head of cattle per year, XX chickens per



year, or the equivalent.

Agriculture shall not mean any of the following: (1) land for hunting grounds; such use shall be considered a Hunting Grounds use; (2) agritourism uses, such as pick-your-own berries, goat yoga, or on-farm event venues; such uses shall be considered Agritourism uses; (3) camping uses; such uses shall be considered Camping, Nature Retreat Center, or Summer Camp uses or Accessory Camping uses; (4) retreat uses; such uses shall be considered Camping, Nature Retreat Center, or Summer Camp uses; (5) any use considered industrial-scale production of food products where the majority of ingredients are sourced from off-site; such uses shall be considered Heavy Industrial uses; (6) slaughterhouse uses; such uses shall be considered Heavy Industrial uses; (7) the processing of hunted game, such as deer; such uses shall be considered Light Industrial uses.

- (2) **Agritourism.** Agritourism means any activity conducted in conjunction with an Agriculture use (located on the same parcel or parcel that is contiguous to a parcel upon which an Agriculture use is conducted) that is intended to attract members of the general public for recreational, entertainment, historical, or educational purposes to view and/or participate in one or more functions of the agricultural operation, including, but not limited to, pick-your-own operations, hay rides, picnics, lectures and presentations, camping, farm or cabin stays, or other activities and attractions. An activity may be considered agritourism regardless of whether the participant paid to participate.
- (3) **Camping, Nature Retreat Center, or Summer Camp.** The temporary lodging of guests in a natural, park or park-like setting, in fabric tents, camper trailers, recreational vehicles, cabins, or dormitories for durations that may range from single-day-use to overnight stays for full seasons. This term may include the use of property for outdoor activities, such as canoeing, swimming, hiking, or fishing, or indoor activities, such as laundry, showering, meetings, purchasing camping-related sundries, or dining, as conventionally associated with camps or nature retreat centers. This term may also include year-round lodging for caretakers of the property. This term shall not include the use of land for hunting by guests; such use of land shall be considered a Hunting Grounds use. This term shall not include uses defined by Sports Fields, Courts, Golf Courses, and Pools uses; however, such uses may occur on the same lot or adjacent lots to the Camping, Nature Retreat Center, or Summer Camp use.
- (4) **Cemetery.** A place for the interment of the remains of the deceased, including mausoleums and the storage of cremated remains. This use may also include burial services, tours of the property, and passive recreation by guests. This term does not include the act of cremation; cremation shall be considered a Heavy Industrial use. This term does not include funeral services; funeral services may occur as part of a Religious Assembly use or an Indoor Special Events Venue use.
- (5) **Community Gardening.** The preparation of the soil, cultivation of vegetables, fruits, and/or flowers, weeding, and harvesting of garden produce by members of multiple households using mainly hand implements for non-commercial purposes. This term may include the use of potable water for the irrigation of the gardens. This term may include the storage of garden implements and supplies within or outside of a garden shed, and the erection of seasonal hoop houses.
- (6) **Outdoor Arena.** The use of land for outdoor events that attract large numbers of visitors, may generate much night-time light emissions, and may cause large volumes of traffic and noise, including uses such as stadiums, coliseums, open-air arenas, horse tracks, dog-racing tracks, motorcycle and car racing tracks, recreational vehicle driving parks, drive-in theaters, amphitheaters with amplification, outdoor concert venues, amusement and theme parks, zoos, fairgrounds, and festival grounds. While termed “Outdoor”, this use may include some indoor facilities, such as barns, concession stands, circus tents, toilets, causeways and mezzanines, and storage sheds. Where a fairground or festival ground is activated with a fair or festival for a duration of less than 2 weeks per year, such use shall be considered a Temporary Use and not an Outdoor Arena use.

- (7) **Playground or Park.** An open-space use designed for passive recreational activities, such as walking, sitting, jogging, or nature-watching, and may include play areas and play structures for children, gardens, naturalized areas, fields for open play, splashpads, fountains, walkways, bike paths, benches, and bathrooms.  
This use shall not include arboreta, which shall be considered a Libraries, Museums, Playhouses, and Schools use. This use shall not include active recreational activity areas, such as swimming pools, sports fields, golf courses, or dog parks; such uses shall be considered Sports Fields, Courts, Golf Courses, and Pools. This use shall not include areas defined as Preserves uses; however, this use may be conventionally conducted in conjunction with or on the same property as a Preserves use.
- (8) **Preserves.** Areas intended to remain in a predominately natural or undeveloped state to provide resource protection and possible opportunities for passive recreation and environmental education for present and future generations. This use is largely limited to natural, undeveloped land uses but may include accessory structures commonly associated with natural areas, such as boardwalks, interpretational and wayfinding signage, bathrooms, and parking areas. This use includes “vacant” land left in a naturalized state.  
This use differs from the Playground or Park use in that its primary purpose is natural preservation with secondary, subordinate use as a passive recreation asset, whereas Playground or Park use is primarily a recreational asset.
- (9) **Sports Fields, Courts, Golf Courses, and Pools.** A land use intended and developed for outdoor active play and recreation, such as swimming pools, dog parks, skate parks, pickleball and tennis courts, basketball courts, baseball fields, soccer fields, football fields, foot-racing tracks, driving ranges, and golf courses.  
This use differs from Outdoor Arena in that it is less intense in noise generation and traffic generation; this use does not include stadiums or open-air arenas, although it may include low-rise bleachers of less than XX rows each in association with sports fields.  
This use does not include hunting grounds or target or skeet shooting ranges; such uses shall be considered Weapons-Oriented uses.  
This use does not include indoor active recreation, such as indoor pools, gyms, or tennis courts; such uses shall be considered Physical Recreation Center uses.  
This use may commonly be located on the same property as a Camping, Nature Retreat Center, or Summer Camp use.

(g) Accessory Uses

- (1) **Accessory Camping.** An accessory use of a property, where overnight lodging in tents, camping trailers, cabins, or RVs occurs in an inconsistent and inconspicuous manner which is subordinate to and does not cause greater impact on surrounding lots than the principal use of the property. Being an accessory use, this use may be conducted in conjunction with other uses.  
This use does not include the principal use of land as a campground, such as may be the case at a summer camp or campground property; such use of land shall be considered a Camping, Nature Retreat Center, or Summer Camp use.
- (2) **Accessory Dwelling Uses.** A second dwelling unit that is part of an existing one-family detached dwelling or is located in a separate accessory structure on the same lot as the main dwelling, for use as a complete, independent facility with provision within the accessory apartment for cooking, eating, personal sanitation and sleeping. Such a dwelling unit is subordinate to the main dwelling.
- (3) **Accessory Parking.** The temporary parking of non-commercial motor vehicles that are used to transport customers, residents, staff, or patrons to a principal use, but excluding the parking of vehicles that are the subject of the lot’s commercial use.  
An Accessory Parking use may include the parking of a family car on a driveway or the parking of

a private car of an employee of a movie theater within a parking structure.

An Accessory Parking use does not include the parking of vehicles for sale by a car dealership or for rent from a car rental; such use shall be considered a Vehicle Sales, Rental, Repair, and Servicing use. Likewise, an Accessory Parking use does not include the storage of vehicles by a car mechanic awaiting repair; such use shall be considered a Vehicle Sales, Rental, Repair, and Servicing use.

An Accessory Parking use does not include the storage of commercial trucks or fleet trucks; such uses shall be considered an Outdoor Storage of Commercial Equipment or Vehicle use.

- (4) **Accessory Solar Energy System.** Any solar electricity or solar hot water generation system that is accessory to a principal use of a lot.
- (5) **Accessory Storage of Home Heating or Cooking Fuels.** Any storage of wood, wood pellets, heating fuel oil, propane, or other heating or cooking fuels, not exceeding 1000 gallons of liquid fuel per dwelling unit.
- (6) **Accessory Wind Energy System.** Any wind-powered electricity generation system that is accessory to a principal use of a lot.
- (7) **Bus Stop Shelter Uses.** A use consisting of the provision of shelter and protection for bus passengers in a small, roofed structure, usually having three walls, located near a street at a designated bus stop.
- (8) **Day-Care Home Services.** Any Family Day Care Home Type A or Family Day Care Home Type B, as defined by the Ohio Revised Code. At the time of the drafting of this chapter, the Ohio Revised Code defined a Family Day Care Home Type A as 7 to 12 children (or 4 to 12 children if 4 children are under 2 years of age) cared for in the provider's home, where the provider's own children under 6 years of age must be included in the total count; and the Ohio Revised Code defined Family Day Care Home Type B as 1 to 6 children cared for in the provider's personal home, where no more than 3 children may be under the age of 2, and where the provider's own children under 6 years of age must be included in the total count.
- (9) **Drive-Thru Services.** An accessory use of a restaurant, bank, pharmacy, or other commercial establishment that allows customers to communicate with an establishment's staff, place orders, receive services or goods, or make payments without exiting their private automobiles. This service is typically provided through a window or a series of windows where transactions can be completed.
- (10) **Electric Vehicle Charging.** The charging of an electric vehicle as an accessory use of other vehicle parking or storage uses, and including charging cables, plugs, and their associated converters/inverters.
- (11) **Family Burial.** A private, nonprofit cemetery used for the burial of deceased members of the extended family of the owner of the land.
- (12) **Home Animal Husbandry.** A use consisting of the non-commercial raising and care of chickens, ducks, peafowl, guinea fowl, pheasants, quail, turkey, geese, rabbits, guinea pigs, goats, sheep, deer, reindeer, elk, mule, donkeys, horses, pigs, cattle, alpaca, llamas, ostriches, emus, and/or bison as an accessory to a principal one-unit residential dwelling use. This term does not include Agritourism or "farm tours." This term does not include the raising of pets, such as dogs, cats, indoor tropical fish, indoor pet parrots and other non-farm-type pet birds, indoor pet reptiles, and indoor pet amphibians. Note that this Planning and Zoning Code regulates certain aspects of this Home Animal Husbandry accessory use, including the number of animals permitted per lot; refer to Section XXXX.XX.
- (13) **Home Gardening.** Any use consisting of the non-commercial growing of flowers, vegetables, trees, shrubs, or other plants as an accessory use to any principal dwelling use. This accessory use differs from a Community Gardening use, as this accessory use is generally



conducted by one household or by a property maintenance service; whereas Community Gardening uses are conducted by multiple households in a community garden setting.

- (14) **Home Occupation.** An activity carried out for financial gain within a dwelling by the resident(s) which is subordinate to the residential use of the property. This use also includes “cottage industry” uses, which are defined as accessory business operations conducted within an existing accessory structure to a principal residential dwelling on a property or within an existing structure located on a farm adjoining and under common ownership with a lot containing the primary domicile of the common property owner. This use does not include the operation of a food truck.
- (15) **Outdoor Dining, Drinking, and Entertainment.** A land use consisting of the supply of prepared food and/or beverages to consumers, for dine-in or carry-out consumption, or the hosting of entertainment uses, such as music, dancing, or poetry readings, in an outdoor setting. This use may commonly look like outdoor areas of bars and outdoor seating at restaurants. This use does not include drive-thru windows; such uses shall be considered Drive-Thru accessory uses.  
This use does not include members of a household dining outdoors at their residence or as guests of another residence.  
If a use meets the definition of an Outdoor Special Events Venue, it shall be considered an Outdoor Special Events Venue, and not an Outdoor Dining, Drinking, and Entertainment use.  
If a use meets the definition of an Outdoor Arena use, it shall be considered an Outdoor Arena use, and not an Outdoor Dining, Drinking, and Entertainment use.
- (h) **Temporary Uses.** A use established for a fixed period of time, with the intent to discontinue such use upon the expiration of such time, that does not involve the construction or alteration of any permanent structure. This term may include a food truck operating as a one-time use or in association with a non-recurring special event.

# Generally Applicable Standards

## Chapter

# 1104

# Subdivision Regulations

## Chapter

# 1105

# Administration and Procedures

## Chapter

# 1106

## Glossary of Terms

### Chapter

# 1107

