

COLERAIN TOWNSHIP BOARD OF TRUSTEES

RESOLUTION NO. 67-07

RESOLUTION ADOPTING AMENDMENTS TO PROVISIONS OF
ZONING RESOLUTION RELATING TO TECHNICAL CORRECTIONS
(CASE ZA 2007-04)

Whereas, the Board of Trustees on October 9, 2007 conducted a public hearing pursuant to Ohio Revised Code Section 519.12, on certain text amendments to the Colerain Township Zoning Resolution initiated by the Colerain Township Zoning Commission as Colerain Case No. ZA 2007-04; and

Whereas, on November 27, 2007, the Board continued its consideration of the proposed text amendments, and at the conclusion of the public hearing voted unanimously to accept the recommendation of the Zoning Commission as to certain provisions, to modify the recommendations of the Zoning Commission as to other provisions, and to reject the recommendation of the Zoning Commission on the remainder of the provisions, all as set out on Exhibit A, attached hereto.


NOW, THEREFORE, be it RESOLVED by the Board of Trustees of Colerain Township, Hamilton County, Ohio, that:

The Board does hereby adopt the amendments to the Colerain Township Zoning Resolution attached hereto as Exhibit A.

Adopted in regular session on this 11th day of December, 2007.

BOARD OF TRUSTEES
COLERAIN TOWNSHIP,
HAMILTON COUNTY, OHIO

Attest:

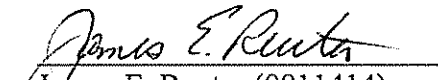

Heather Harlow, Township Fiscal Officer


Bernard A. Fiedeldej, Jr., Trustee


Jeffrey E. Ritter, Trustee


Keith N. Corman, Trustee

Prepared by and Approved as to form:


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Attorney for Board of Trustees

[REVISION 11/27/2007]
Colerain Township
Zoning Code Technical Corrections
Recommended by the Colerain Township Zoning Commission
September 18, 2007 as modified by Unanimous Vote of the
Board of Trustees 10/9/2007 & 11/27/2007

Case ZA 2007-04

In the version of text changes proposed by the Zoning Commission, words to be eliminated are indicated by ~~strikethrough~~, words to be added are indicated in ***bold italics***. Explanatory text is indicated by regular italics. The Zoning Commission's additional modifications after public hearing are highlighted in ***bold blue italics***. Changes made by the Board of Trustees are in ***bold black italics and underlined***.

Proposed Item 1. *Eliminate numbering of definitions (Sec. 16.2)—every time you add or delete one you have to renumber the whole list.*

Zoning Commission: Recommended

Board of Trustees: Recommendation not accepted

Result: No change (i.e., Definitions remain numbered in Sec. 16.2)

Proposed Item 2. *The requirement to locate accessory buildings 10 feet off property lines is problematic in areas with narrower lots. The accessory can make the rear yard almost unusable. Also, accessory buildings are permitted in any yard with a 200' setback. This is not going to work well in subdivisions with a bunch of panhandles.*

10.2.1 (A) (8) Accessory buildings and uses shall be located a minimum of 10 feet from all lot lines ***except on lots of record where the lot width is 65 feet or less, on such lots accessory buildings shall be placed a minimum of 6 feet from the rear and side lot lines;***

Zoning Commission: Recommended

Board of Trustees: Recommendation not accepted as to Sec. 10.2.1.(A)(8);

recommendation accepted as to Sec. 10.2.1(C)(1)(d)

Reuter's proposed language for Sec. 10.2.1.(A)(8):

10.2.1 (A) (8) Accessory buildings and uses shall be located a minimum of 10 feet from all lot lines; however, if a greater side yard setback for the principal building or use is required under the Site Development Standards for the district in which the accessory building or use is proposed, the minimum setback from all lot lines for such accessory building or use shall be the same as the side yard setback for the principal building or use.

10.2.1 (C) (1) (d) An accessory building or use may be located in any yard where such building or use is set back 200 feet **or more** from a street right-of-way **exclusive of panhandles (see also Section 12.1.2)**.

12.1.2 Measurement of Lot Area

(A) The lot area is the total area within the lot lines of a lot, excluding any street right-of-way or other public dedication.

(B) Irregular shapes of land, panhandles, and other narrow appendages to lots with less than 50 feet of width at any point shall not be included in the measurement of a lot area or contribute to the minimum lot area requirement of the applicable zoning district, **nor shall they contribute to the measurement of any setback for the location of any buildings or structures.** See Figure 12-1

Zoning Commission: Recommended
Board of Trustees: Recommendation Accepted

Proposed Item 3. *Abandoned signs confuse drivers and can leave the business district looking cluttered and unkempt. Cutting the time limit from 1 year to 3 months can improve conditions in commercial areas.*

15.6.1 Abandoned Signs

(A) Any sign now or hereafter existing that no longer advertises a commercial message for a bona fide business conducted on the premises or a product sold on the premises for a period of ~~one year~~ **three months** shall be deemed abandoned.

Zoning Commission: Recommended
Board of Trustees: Questioned whether provisions of section 15.6.1 were consistent with other provisions of Chapter 15, and whether a conforming sign could be removed three months after the associated business shuts down.

Reuter’s recommendation: Delete existing Sec. 15.6.1, and replace it with the following:

15.6.1 Signs Referencing Closed Business

(A) No on premises sign shall reference a business which has vacated the premises.

(B) Within thirty (30) days upon vacation of a business from a premises, any sign face referencing such business shall be covered, painted, removed or otherwise modified to obscure or conceal the sign message.

Proposed Item 4. *Electronic Information Signs including LED signs are becoming ubiquitous, so we must be complete and clear in how we permit these. Current code specifies a "colorless background" which is technically impossible. Electronic options also need to be covered under off-premises signs/billboards. Also, changeable copy is not defined. RZC has recently added improved definition of digital message signage, including requirement that each message be displayed a minimum of 7 seconds and that message changes be completed in 3 seconds or less when using a fade or dissolve feature. The name of this signage is changed for consistency.*

15.8.3 (H) ~~Electronic Information~~ **Electrically Activated** Signs

~~(1) Lighted electronic information~~ **electrically activated** signs **are permitted where their** whose only movement is the periodic changing of information against a solid, colorless **black or white** background shall be considered a changeable copy sign for the purpose of this Article.

--insert between (2) and (3)

(2) Such advertising devices shall contain a default design that will freeze the message screen if a malfunction occurs.

(3) Copy changes shall be limited to no more than 4 per minute, with each displayed for a minimum of seven eight seconds, and with changes accomplished in three seconds or less.

(4) Such signs shall not flash as part of a copy change or at any other time.

(5) Brightness of a text message sign shall not exceed 2,000 nits (one nit = one candela per square meter) and the brightness of a graphic image sign shall not exceed 6,000 nits. The sign shall be equipped with a photocell to automatically reduce brightness to correspond with the reduction of available ambient light.

~~(2)-(5)-(6)~~ Any sign under this section shall meet all other zoning requirements.

--add to (147) (e)

e.) Sign, ~~Electronic Information~~ Changeable Copy shall mean a sign whose alphabetic, pictographic, or symbolic information **informational** content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments **by manual, electric, electro-mechanical, or electronic means. Changeable copy signs include the following types.**

1. Manually Activated: ~~Signs whose alphabetic, pictographic, or symbolic~~ informational content can be changed or altered by manual means.

2. Electronic information **Electrically Activated:** Signs whose

alphabetic, pictographic, or symbolic informational content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments. **This includes LED signs.**

--add to 15.9 Off-Premises Signs

15.9.4 Electrically Activated Signs

(1) Lighted electrically activated signs are permitted where their only movement is the periodic changing of information against a solid black or white background.

(2) Bulbs with automatic dimmers and glare screens shall illuminate all such signs.

(3) Such advertising devices shall contain a default design that will freeze the message screen if a malfunction occurs.

(4) Copy changes shall be limited to no more than 4 per minute, with each displayed for a minimum of seven eight seconds, and with changes accomplished in three seconds or less.

(5) Such signs shall not flash as part of a copy change or at any other time.

(6) Brightness of a text message sign shall not exceed 2,000 nits (one nit = one candela per square meter) and the brightness of a graphic image sign shall not exceed 6,000 nits. The sign shall be equipped with a photocell to automatically reduce brightness to correspond with the reduction of available ambient light.

~~(6)~~ **(7) Any sign under this section shall meet all other zoning requirements.**

Zoning Commission: Recommended

Board of Trustees: Recommendation Accepted.

Proposed Item 5. *The issue of when a permit is needed for a face change on a sign is an ongoing source of confusion. By adding a specific definition of face change, we can define the limit of what is permitted for maintenance vs change of sign structure, light type, etc.*

--insert between (62) and (63)

Face Change means the replacing or revision of the logos, wording, etc. included on the front of the sign by means of replacing the physical material or by repainting or similar process. This includes change of business. This does not include reader boards or changeable copy signs.

Zoning Commission: Recommended

Board of Trustees: Recommendation Accepted.

Proposed Item 6. *More and more businesses are placing numerous banner signs. We do not address the smaller, decorative style banners, only the larger, single banners used for grand openings and such.*

Add definition of "decorative banner sign" between 16.2 (147) d and e:

Sign, Decorative Banner means a non-permanent sign, made of durable fabric and designed with non-fade inks or paints, single- or double-sided, oriented vertically, such that its height is greater than its width, fastened from the top and bottom to a pole or similar structure on private property. Seasonal decorations that do not contain any advertising copy placed on light or utility poles shall not be considered banners for the purpose of this Resolution.

Add "decorative banner signs" section to 15.8.3:

(I) Decorative Banner Signs

- (1) Location.** *The entire decorative banner shall be located on private property, outside of vision triangles of motorists and shall not extend into or be allowed to move into the public right-of-way. No decorative banner sign shall be attached to any public utility pole or street tree.*
- (2) Quantity.** *A maximum of one banner may be permitted for every ~~20~~ 50 lineal feet of street frontage.*
- (3) Size.** *Each decorative banner shall be a maximum of 16 square feet.*
- (4) Distance between decorative banners.** *No decorative banner shall be located closer than 10 feet to another banner.*
- (5) Height.** *The bottom of each banner shall be at least 12 feet and not more than 20 feet high measured from the top of the nearest curb. All decorative banners located on a property shall be the same height.*
- (6) Display.** *A decorative banner sign permit may be issued for a maximum of four sets of decorative banners not to be displayed concurrently.*
- (7) Lighting.** *Banner signs shall not be separately lighted or illuminated. If existing approved landscape lighting provides illumination of the banner without alteration of the existing lights, it shall not be considered a violation of this section.*
- (8) Wind Resistance.** *Decorative banner signs shall be perforated over at least ten (10) percent of the area to reduce wind resistance. All decorative*

banners shall be fastened to keep taut and shall not be loose or floppy.

(9) Hardware. *Brackets for mounting the decorative banners to poles shall be of high quality such as stainless steel banding with fiberglass arms which can flex with the wind.*

(10) Maintenance. *Decorative banners shall be promptly replaced when ink fades or fabric tears, frays, or fades. Hardware shall be replaced or repaired when damaged or twisted.*

--insert 15.7.14
15.7.14

Banners which are seasonal and decorative in nature and theme and bearing no commercial message or logo.

Zoning Commission: Recommended
Board of Trustees: Recommendation Accepted.

Proposed Item 7. *We need clarification of what level of maintenance for signs does/doesn't require a permit.*

15.11.1 All on-site advertising signs as herein permitted shall be constructed and maintained and illuminated in a safe manner, comply with applicable codes and kept in good repair.

(A) Signs shall be free from rust, dust, dirt, and other such debris

(B) Exposed surfaces shall be clean and painted if paint is required.

(C) Defective parts shall be replaced.

(D) Maintenance may include upgrading of materials or parts only if such upgrades do not take the sign out of conformance with this Resolution or, in the case of a legal nonconforming sign, if such upgrades do not increase the degree of nonconformity.

~~(E)~~ ***(E)*** The Zoning Administrator shall have the right to order the repair or removal of any sign that is defective, damaged, or substantially deteriorated.

Zoning Commission: Recommended
Board of Trustees: Recommendation Accepted.

Proposed Item 8. *In section 9.5.4(c) "control measures" should read "best management practices"*

9.5.4 (C) Air Pollution

Control measures **Best management practices** shall be implemented on a continuing basis, during times of operation, to control dust on entrance roadways, in equipment operation, and throughout the mining site. The Zoning Commission may require the paving of travel surfaces, the upgrading of dust control devices for processing and on-site manufacturing equipment, and other treatments to control dust as may be needed.

Zoning Commission: Recommended

Board of Trustees: Recommendation Accepted.

Proposed Item 9. *In section 15.7.8 does the word "based" belong in that sentence?*

15.7.8 Permanent freestanding sign on a lot that is considered agricultural land based exempt from zoning certificates pursuant to the ORC and provided the sign meets the following requirements:

Zoning Commission: Recommended

Board of Trustees: Recommendation Accepted.

Proposed Item 10. *clarification:*

8.1.1 (E) Minimize **to the maximum extent feasible** the impact of business development on abutting residential districts; and

Proposed Item 12. *In Section 12.6 the reference to "other junk vehicles" implies that non-junk vehicles may be used for storage. Remove the word "junk" to clarify:*

12.6 Storage in Vehicles

Mobile homes, trailers, or other junk motor vehicles shall not be used for the storage of equipment or materials in any district.

Proposed Item 11. *We define but do not restrict exotic animals (see definition #62), specifically pointing to concerns about potential danger. As the community continues to grow, bringing more people into close proximity, the potential for injury increases. Also, as the community grows, the proximity of numerous domestic pets can become a nuisance. We receive a fair number of complaints regarding several dogs and or cats in a house or yard causing noise or odor concerns. We limit the number of agricultural animals, but not domestic pets. Add:*

12.12 Pets

(A) The keeping of exotic wildlife as a pet is prohibited in all residential districts and uses;

~~(B) In the R-4, R-5, R-6, and R-7 Districts, no more than four dogs and/or cats shall be kept as household pets. In the event of a household pet dog or cat giving birth to young, such young will not be considered as constituting a violation of this Section during a maximum 120 day weaning period.~~

(B) Household pets are permitted in all districts in accordance with the following:

- (1) The yard shall be kept free of pet feces and other pet debris;
- ~~(2) Owners shall be required to maintain a current license for all pets that require a license and shall keep all pets up to date on all required shots; and~~
- (3) All outdoor pens, enclosures, doghouses, and kennels shall be kept in good repair and shall be located as required by §10.2.2(H).

Zoning Commission: Recommended

Board of Trustees: Delete section (2) relating to licenses and shots

Proposed Item 12. In Section 12.6 the reference to "other junk vehicles" implies that non-junk vehicles may be used for storage. Remove the word "junk" to clarify:

12.6 Storage in Vehicles

Mobile homes, trailers, or other junk motor vehicles shall not be used for the storage of equipment or materials in any district.

Zoning Commission: Recommended

Board of Trustees: Recommendation Accepted.

Proposed Item 13. Add requirement for lighting plans in B-3, R-7, and PD-R Districts:

12.9.2 Applicability

(A) The regulations of this section shall apply to all lighting that illuminates the exterior of a building, structure, open space, parking and loading areas, or other feature of a lot.

(B) Lighting plans shall be submitted for approval with all applications for Zoning Certificates in the R-6, **R-7**, B-1, B-2, **B-3**, O-1, I-1, SWD, ME, **PD-R**, PD-B, PD-I, and PD-M Districts.

Zoning Commission: Recommended

Board of Trustees: Recommendation Accepted.

Proposed Item 14. *Clarification of section 10.2.1.*

10.2.1

(D) Attached Versus Detached Accessory Buildings

Accessory buildings shall be considered attached and subject to the site development standards of the applicable zoning district rather than the provisions of this section when they meet any of the following:

- (1) ~~Typical accessory uses, such as a private garage, that are~~ ***The structure is*** an integral part of a principal building and not separated by a porch, walkway, breezeway, or other similar structure; ~~shall not be subject to the provisions of this section. Such uses shall be subject to the site development standards of the applicable zoning district.~~
- (2) ~~Accessory buildings that are~~ ***The structure is*** connected by a permanently enclosed porch, walkway, breezeway, or other similar enclosed structure; ~~shall be considered an integral part of the principal structure and shall be subject to the site development standards of the applicable zoning district.~~

Zoning Commission: Recommended

Board of Trustees: Recommendation Accepted.

Proposed Item 15. *Reorganize satellite dish section for clarity:*

Existing Section 10.2.2 (I) needs to be revised beyond what was recommended by the Zoning Commission, in order to make that section conform to federal law and regulation. Specifically, in Sec. 207 of the Telecommunications Act of 1996, Congress directed the FCC to draft regulations which unnecessarily inhibit direct broad cast satellite services. Pursuant to that direction the FCC on April 17, 1996 issued revised rules which basically preempt local restrictions on satellite dishes smaller than one meter in residential districts, and smaller than two meters in commercial and industrial districts. Accordingly, I recommend the following:

Add a new definition to Article 16:

"Satellite Dish Antenna: A device incorporating a reflective surface that is solid, open mesh, or bar configured and is in the shape of a shallow dish, cone, horn or cornucopia. Such device shall be used to transmit and/or receive radio or electromagnetic waves between terrestrially and/or orbitally based uses. This definition is meant to include but not limited to what are commonly referred to as satellite earth stations, TVROs, and satellite microwave antennas."

Delete Section 10.2.2 (I) in its entirety, and replace it with the following:

10.2.2 (I) A satellite dish antenna, as defined in Article 16, restricted to the sole purpose of receiving and amplifying microwave signals, for television

reception shall be permitted in all Districts subject to the following conditions and restrictions:

10.2.2 (I)(1) Applicability

The following Categories of satellite dish antennas shall be exempt from all zoning requirements and shall not require a zoning certificate:

a. A satellite dish antenna ~~earth station antenna (ground mounted)~~ that is two meters (78.74 inches) or less in diameter and located or proposed to be located in a commercial or industrial zoning district.

b. A satellite dish antenna ~~earth station (ground mounted) antenna~~ that is one meter (39.37 inches) or less in diameter and located in any zoning district.

10.2.2 (I)(2) Site Plan

A plan for a wall or roof mounted satellite dish or a ground mounted satellite dish antenna that is not exempted under 10.2.2 (I) (1) shall be submitted to the Zoning Administrator indicating the proposed height, diameter, location, setbacks. Foundation details, landscaping, and screening shall also be required in the case of a ground mounted satellite dish antenna.

10.2.2 (I)(3) Standards.

(a) Approval of a wall or roof mounted satellite antenna, larger than one meter ~~36 inches~~ in diameter and attached to the main building shall be subject to the following standards.

1. Location. In all zone districts wall or roof mounted satellite dish antennas shall be prohibited on the front elevation of the building.

2. Setbacks. In all zone Districts wall or roof mounted satellite dish antennas shall not be permitted to project into any required side or rear yard area.

(b) Approval of a ground mounted satellite dish antenna shall be subject to the following standards:

1. Location

● In the R-1, R-2, R-3, R-4, R-5, R-6, and RF Districts satellite dish antennas shall be located in the rear yard of the property.

● In all other zone Districts, ground mounted satellite dish antennas shall also be permitted in the side yard.

2. Setbacks. Ground mounted satellite dish antennas shall provide the following minimum setbacks:

• Rear Yard . In all zone Districts, fifteen feet (15').

• Side Yard . In all zone Districts, fifteen feet (15').

• Front Yard. In no case shall a ground mounted satellite dish antenna be located closer to any street adjoining a lot or building site than the main or principal building unless permitted under Section 10.2.1 (C).

• Setback from Power Lines. Satellite dish antennas, or any appurtenances thereto, shall be located at least eight feet (8') from any power line over two hundred fifty (250) volts.

3. Landscaping. Ground-mounted antennas shall be screened from ground view from the street and adjacent property owners by landscaping as shall be approved by the Zoning Administrator. In order to reduce the height of the required plant material, berms may be employed in conjunction with the landscaping plan.

4. Diameter. The diameter of such antenna shall not exceed the following:

• In the R-1, R-2, R-3, R-4, R-5, R-6, and RF Districts, one meter two meters (78.74 inches).

• In the all other Districts, three meters (118.11 inches).

5. Height. Ground-mounted antennas shall be limited to a maximum height of twelve feet (12') above grade in the R-1, R-2, R-3, R-4, R-5, R-6, and RF Districts, and a maximum height of fifteen feet (15') above grade in all other Districts.

6. Ground Coverage. The ground coverage of satellite dish antennas shall be counted in computing the ground coverage for auxiliary and accessory use structures located upon the building site.

7. Number Permitted. Only one satellite dish antenna shall be allowed for each principal building.

8. Installation. The installation or modification of a satellite dish antenna shall be in accordance with all applicable construction and safety codes and procedures and shall meet the requirements of the Hamilton County Building Code.

Proposed Item 16. *We have received some inquiries regarding solar panels, windmills, etc. for energy conservation. Add consideration of solar panels in the Section 10.2 Accessory Buildings and Uses:*

(K) Solar panels, which require a Zoning Certificate, are permitted in accordance with the following:

- (1) Solar energy equipment shall be located in the least visibly obtrusive location where panels would be functional. Solar roof panels which simulate typical roofing materials such as asphalt shingles or clay tiles and are compatible with the design of the structure are preferred.**
- (2) Rooftop solar panels shall be installed on the plane of the roof material (flush mounted) or made a part of the roof design (e.g., utilizing capping or framing compatible with the color of the roof or structure), but shall not extend above the ridgeline of the roof.**
- (3) A ground mounted solar panel shall be subordinate in size to the principal structure it serves, shall not exceed fifteen feet in height, and is subject to lot coverage limitations and accessory structure location requirements.**
- (4) For rooftop or wall mounted solar panels, all exterior electrical lines shall be in conduit and painted in a color scheme that matches as closely as reasonably possible the color of the structure and materials adjacent to the conduit (i.e. conduit on walls should be painted the color of the structure of the walls while conduit on roof should be the color of the roof.)**
- (5) For rooftop or wall mounted solar panels, all exterior plumbing lines must be painted in a color scheme that matches as closely as reasonably possible the color of the structure and materials adjacent to the plumbing lines.**
- (6) For ground mounted solar panels, all exterior electrical lines must be in conduit and conduit and plumbing lines must be buried.**
- (7) Solar energy equipment shall meet setback and height requirements for the zone.**
- (8) Solar energy equipment shall not block required parking.**
- (9) Repair and replacement of existing solar energy equipment is exempt from this chapter provided that there is not expansion in the rooftop or ground area covered by solar panels.**
- (10) Nonfunctioning solar energy equipment shall be removed within three months of becoming nonfunctional.**

Also add definition between current #155 and #156:

SOLAR PANELS -- A solar photovoltaic panel, or solar hot air or water panel collector device, which relies upon solar radiation as an energy source for the generation of electricity or transfer of stored heat.

Zoning Commission: Recommended
 Board of Trustees: Recommendation Accepted.
 * * * * *

Proposed Item 17. *In Article 11.8.2 – the beginning of this section is missing and the end trails off:*

11.8.2 ***The Board of Zoning Appeals shall have the power to*** ~~To~~ grant the extension of a ***legal*** nonconforming use or building upon a lot or tract of land occupied by such use or building, where such extension is necessarily incident to the existing use, provided, however, that the floor area of such extension or extensions shall not exceed in all 50 percent of the total floor area of the original existing building or buildings devoted to a ***legal*** nonconforming use on the effective date of this Resolution ~~and provided.~~

Zoning Commission: Recommended
 Board of Trustees: Added "legal" as a modifier to "nonconforming use".

* * * * *

Proposed Item 18. *Clarifications of Table 13-1.*

Table 13-1 Add

Indoor recreational facility, <i>not otherwise specified</i>	2 spaces per 1,000 square feet
<i>Trails associated with passive recreational or conservation areas</i>	<i>8 spaces per hub or terminus location (requirement may be met with a shared parking agreement with a parking lot within 200 feet)</i>

Rearrange Table 13-1 to mirror Table 8-1, to make it easier to find specific uses:

Table 13-1 Required Number of Parking Spaces	
Use	Required Parking Spaces
<u>Residential Uses</u>	
Adult family homes and small or large residential facilities	1.5 spaces per bedroom
Assisted living, convalescent home, nursing home	1 space per 2 beds
Boarding or lodging houses	1 space per bed <i>(not a permitted use, so remove from table)</i>
Housing reserved for older adults (65 years or older)	1 space per bed
Multi-family dwellings	1.5 spaces per efficiency or single-bedroom dwelling unit and 2 spaces per dwelling unit for multiple bedroom dwelling units.
Open space residential developments	2 spaces per dwelling unit

Table 13-1 Required Number of Parking Spaces	
Use	Required Parking Spaces
Other institutional housing other than those specified in this Table	1.5 spaces per bedroom
Single –family dwellings or permanently sited manufactured homes	2 spaces per dwelling unit
Two-family dwellings	2 spaces per dwelling unit
Commercial Business Uses	
Amphitheaters, auditoriums, stadiums, theaters, and other places of assembly	1 space per 2 fixed seats or 1 space per 2 persons, whichever is greater (<i>relocated</i>)
Automotive body repair, or service	3 spaces per 1,000 square feet of floor area, excluding services bays, plus 2 spaces per service bay (service bay may not be counted as a parking space).
Automotive fuel sales	4 spaces per 1,000 square feet of floor area, excluding services bays, plus 1 space per fuel pump or service bay (service bay may not be counted as a parking space).
Automotive washes	3 spaces per washing bay (washing bay may not be counted as a parking space).
Automotive, truck, boat, or other vehicle sales or rental	10 spaces per 1,000 square feet of indoor floor area, plus 2 spaces per service bay (service bay may not be counted as a parking space).
Automotive wrecking, salvage, or junk facilities	See Industrial or manufacturing uses
<i>Banks or financial institutions</i>	<i>4 spaces per 1,000 square feet.</i>
Banquet halls, exhibition halls	1 space per 2 persons, or 1 per 1,000 square feet, whichever is greater
Bars and taverns	15 spaces per 1,000 square feet
Bed and Breakfast Establishment	2 spaces for the owner or operator, plus 1 space for each bedroom rented to the public
<i>Broadcasting/recording studios</i>	<i>2 spaces per 1,000 square feet plus 1 space per 3 fixed seats.</i>
<i>Clubs</i>	<i>10 spaces per 1,000 square feet or 1 space per 2 persons, whichever is greater</i>
Commercial kennels	2 spaces for drop-off and pick-up of animals
Commercial schools for dance, music, or similar uses	1 space per 2 students
Contractor or construction sales	See retail commercial
Day care centers	1 space for every 4 children
Distribution facilities	See warehousing or storage
Funeral homes	1 space per 50 square feet
Garden store or greenhouse	4 spaces per 1,000 square feet of indoor sales area, plus 1 space per 1,000 square feet of greenhouse or net outdoor sales

Table 13-1 Required Number of Parking Spaces	
Use	Required Parking Spaces
Health and fitness centers	5 spaces per 1,000 square feet
Heavy industrial uses	See Industrial or manufacturing uses
Hotels and motels	1 space per room or suite
<i>Industrial or manufacturing uses</i>	<i>1.5 spaces per 1,000 square feet.</i>
Laboratories	See Professional or business offices
Light industrial uses	See Industrial or manufacturing uses
<i>Medical or dental clinics</i>	<i>4 spaces per 1,000 square feet.</i>
Nurseries	See Retail commercial uses
Outdoor displays, sales or storage	1 space per 750 square feet
Personal services including barber shops and beauty salons	6 spaces per 1,000 square feet, or 2 spaces per station/chair, whichever is greater
Pool or billiard hall	10 spaces per 1,000 square feet
<i>Professional or business General offices (see also specific office types)</i>	<i>3 spaces per 1,000 square feet.</i>
Recycling processing center, recycling collection station	4 spaces per 1,000 square feet
Restaurants	15 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater
Retail commercial uses	4 spaces per 1,000 square feet
Service commercial uses	4 spaces per 1,000 square feet.
Storage facility	1 space per 2 storage units.
Telecommunication structures	1 space per structure.
<i>Theaters, Amphitheaters, auditoriums, stadiums, theaters, and other places of assembly</i>	<i>1 space per 2 fixed seats or 1 space per 2 persons, whichever is greater</i>
Veterinary facilities	4 spaces per 1,000 square feet
<i>Warehousing or storage</i>	<i>1 space per 2,000 square feet.</i>
Wholesale, bulk goods, hardware, furniture, or similar sales	2.5 spaces per 1,000 square feet
Office Uses	
Banks or financial institutions	4 spaces per 1,000 square feet. (relocated)
Broadcasting/recording studios	2 spaces per 1,000 square feet plus 1 space per 3 fixed seats. (relocated)
General offices	3 spaces per 1,000 square feet. (relocated)

Table 13-1 Required Number of Parking Spaces	
Use	Required Parking Spaces
Medical or dental clinics	4 spaces per 1,000 square feet. (relocated)
<u>Manufacturing/Industrial Uses</u>	
Industrial or manufacturing uses	1.5 spaces per 1,000 square feet. (relocated)
Warehousing or storage	1 space per 2,000 square feet. (relocated)
<u>Institutional/Public/Recreational Uses</u>	
Active parks and recreational uses	See specific uses below
Ballfields	20 spaces per field
Bowling alley	5 spaces per bowling lane
Religious places of worship	1 space per 3 fixed seats in the main assembly room or 1 space per 3 persons, whichever is greater
Cemeteries	1 space per 4 seats in a chapel or place of assembly
Colleges, universities and other higher educational facilities	1 space for each 5 classroom seats plus 1 space for each auditorium seat
Educational uses	See specific educational types
Elementary or middle/junior schools	3 spaces per classroom
Golf courses	8 spaces per hole
Golf driving ranges	2 spaces per tee
Hospitals	1 space for every 2 patient beds plus outpatient clinics, laboratories, pharmacies and other similar uses shall have 4 spaces per 1,000 square feet
Indoor recreational facility not otherwise specified	2 spaces per 1,000 square feet
Libraries, museums and galleries	3 spaces per 1,000 square feet
Miniature golf courses	2 spaces per hole
Clubs	10 spaces per 1,000 square feet or 1 space per 2 persons, whichever is greater (relocated)
Parks or playgrounds not otherwise specified	1 space per 10,000 square feet of park or playground area
Passive recreational, or conservation areas with trails or bike paths	8 spaces per hub or terminus location (requirement may be met with a shared parking agreement with a parking lot within 200 feet)
Racquetball, handball and tennis courts	5 spaces per court
Senior high schools	1 space per 5 students.
Skating rinks	5 spaces per 1,000 square feet.
Swimming pool	20 spaces per 1,000 square feet of pool area.
Volleyball courts	16 spaces per court.

Also rename and move accordingly: Financial Institutions in Table 8-1 to **Banks or Financial Institutions**.

Zoning Commission: Recommended
Board of Trustees: Recommendation Accepted.

Proposed Item 19. Section 7.4.8 (G) Appears to need a section break as follows:

7.4.8 (G) Wetlands in Open Space Residential Developments

Wetlands found within a site proposed to be developed as an Open Space Residential Development must remain in a natural state and no off-site mitigation of wetlands shall be permitted. ~~Mandatory Open Space Requirements~~

(H) Mandatory Open Space Requirements

(re-number/letter following sections as needed)

Zoning Commission: Recommended
Board of Trustees: Recommendation Accepted.

Proposed Item 20. There is a discrepancy between 13.4.1 (D) vs. 14.5.1 (A). Need to clarify by settling on either 10 or 15 feet for both. 15 feet is more desirable as it allows room for a gently-sloped berm.

13.4.1 (D) There shall be a minimum 15-foot streetscape buffer yard beginning at the right-of-way line of any street. The area within such buffer yard shall be landscaped in accordance with Subsection 14.5.1 (Streetscape Buffers) and maintained in good condition.

14.5.1 (A) Parking areas with more than 20 spaces shall landscape the ~~±0-foot~~ **15-foot** minimum streetscape buffer required in Subsection 13.4.1 (Location and Setback Requirements) as provided in this Section.

Zoning Commission: Recommended
Board of Trustees: Recommendation Accepted.

Proposed Item 21. Definition of "Preliminary Excavation" to clarify enforcement of Subsection 4.5.6 (reprinted here for reference).

4.5.6 Required Conditions for the Issuance of a Zoning Certificate
No Zoning Certificate shall be issued for any property in a PD District and no construction, except preliminary excavation, shall begin until an approved final development plan is in effect for that phase of the property. The final development plan becomes effective upon approval of a resolution by the Zoning Commission.

Add between current definitions (61) and (62):

Excavation, Preliminary shall mean earth moving activity which does not exceed either (a) ~~12~~ 5 feet in vertical depth at its deepest point or (b) a total of one-half acre of work area.

Zoning Commission: Recommended
Board of Trustees: Recommendation Accepted.

Proposed Item 22. Add requirement that residential fences be installed "good-side" out.

Insert 12.8.4 (compare to 14.4.4 (A) (2)):

12.8.4 Fences in all Districts shall be designed and installed with the ~~best~~ most finished side out, away from the subject lot so the ~~best~~ most finished side faces the adjacent lots and any right of way, or so that both sides are equally attractive finished.

Zoning Commission: Recommended
Board of Trustees: Add "out" and "and any right of way"
