

1102: Zoning Districts

1102.1: Purpose

1102. ZONING DISTRICTS

1102.1 Purpose

The purpose of this chapter is to:

- A. Establish zoning districts in order to realize the general purposes set forth in this zoning code;
- B. Provide for orderly growth and development; and
- C. Promote development that is in accordance with the City of Brooklyn Master Plan.

1102.2 Districts Established

The following zoning districts are hereby established for the City of Brooklyn:

TABLE 1102.2-1: ZONING DISTRICTS

Abbreviation	District Name	Section
SF-DH	Single Family Dwelling House District	1102.6
D-H	Dwelling House District	1102.6
A-H	Apartment House District	1102.6
MF-PD	Multi-Family Planned Development District	1102.6
R-B	Retail Business District	1102.7
G-B	General Business District	1102.7
L-I	Limited Industrial District	1102.8
G-I	General Industrial District	1102.8
PF ²	Public Facilities District	1102.9
PO ³	Parks and Open Space District	1102.10

² New proposed zoning district

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1102.3 Zoning Map and District Boundaries

- A. Incorporation of the Zone Map⁴.** The districts established in Section 1102.2 are shown upon the official Zone Map of the City of Brooklyn (also referred to as “zoning map” or “zone map”), which, together with all accompanying notations, references, rules, and designations, is hereby adopted and made a part of this Zoning Ordinance. The zone map, with all its future additions, amendments, changes, and supplements, designates the areas assigned to the respective use districts and their boundaries.
- B. District Boundaries**
- 1. Interpretation of District Boundaries.** The zoning district boundaries are designated on the zone map, and generally follow recorded lot lines, the center line of streets, railroad rights-of-way or their extensions, or fixed points.
 - 2. Boundary Disputes.** All questions and disputes concerning the exact location of zoning district boundaries shall be resolved by the planning commission.
 - 3. Boundaries of Vacated Properties.** Whenever any street, alley, or other public way is vacated by official council action, the zoning district adjoining each side of such street, alley, or public way shall automatically be extended to the center of such vacation, and all areas within that vacation shall thenceforth be subject to all regulations appropriate to the respective extended district.

1102.4 Compliance with District Standards⁵

Except as otherwise provided in this section, no building or premises shall be erected, reconstructed, structurally altered, or used for any use or purpose that is not in compliance with this zoning code, except as regulated by section XXX (non-conforming uses and structures).

1102.5 Annexed Territories⁶

All territory which may be hereafter annexed to the city shall be classified in whichever district classification as recommended by the planning commission and approved by city council in accordance with section XXX (zoning text and map amendments).

⁴ Language was word smithed, but no substantive changes

⁵ Regulation relocated from the introductory text to the zoning districts to a generic citywide statement

⁶ New

1102: Zoning Districts

1102.6: Residential Zoning Districts

1102.6 Residential Zoning Districts

- A. Applicability.** The residential zoning districts within the City of Brooklyn Zoning Code include the Single Family Dwelling House (SF-DH) District, the Dwelling House (D-H) District, the Apartment House (A-H) District, and the Multi-Family Planned Development District.
- B. Purpose.** The residential zoning districts, and their regulations, are hereby established to achieve, among others, the following purposes:
1. To regulate the bulk and spacing of buildings or other structures to assure proper light, air, privacy, and usable open space;
 2. To assure adequate access for emergency vehicles and equipment;
 3. To regulate the density and distribution of population to avoid congestion and to maintain adequate services;
 4. To protect residents from objectionable influences such as abnormal vehicular traffic, offensive noises, noxious fumes, odors, and dust;
 5. To foster a variety of residential living types through various densities suitably located;
 6. To protect the desirable characteristics of existing residential development and to promote the most desirable and beneficial use of the land; and
 7. To assure that new construction, renovations, and uses are in accordance with the City of Brooklyn Master Plan and other relevant adopted plans and studies.

1102.7 Commercial Zoning Districts

- A. Applicability.** The commercial zoning districts within the City of Brooklyn Zoning Code include the Retail Business (R-B) District and the General Business (G-B) District.
- B. Purpose.** The commercial zoning districts, and their regulations, are hereby established to achieve, among others, the following purposes:
1. To provide sufficient, but not excessive land area, for the business and commercial needs of the community; and
 2. To promote the most desirable and beneficial use of land and structures to stabilize and protect the character and value of land development within the city.

1102.8 Industrial Zoning Districts

- A. Applicability.** The industrial zoning districts within the City of Brooklyn Zoning Code include the Limited Industrial (L-I) and the General Industrial (G-I) District.
- B. Purpose.** The industrial zoning districts, and their regulations, are hereby established to accommodate and encourage the grouping of:
1. Professional, research, and administrative uses;
 2. Light industrial uses, which are usually controlled operations, that are relatively clean, quiet, and free of objectionable and hazardous elements such as smoke, noise, odor, or dust;
 3. Industrial uses which are generally major operations and extensive in character for the purpose of repairing, storing, manufacturing, processing, or distributing goods; and
 4. Uses that conduct all activities and storage of goods, equipment, and materials completely within enclosed structures.

1102.9 Public and Institutional Zoning Districts⁷

- A. Applicability.** The public and institutional zoning districts within the City of Brooklyn Zoning Code include the Public Facilities (PF) District and the Parks and Open Space (PO) District.
- B. Purpose.** The public and institutional zoning districts, and their regulations, are hereby established to achieve, among others, the following purposes:
1. To promote the establishment and location of governmental, civic, educational, welfare, and recreational facilities which provide necessary services to the city; and
 2. To preserve and protect the city's natural resources and open space areas.

⁷ New zoning district

1103. USE REGULATIONS

1103.1 Purpose

The purpose of this chapter is to protect the property rights of all individuals by assuring the compatibility of uses and practices within districts; and to classify, regulate, and restrict the location of commercial establishments, industries, residents, recreation, and other land uses.

1103.2 Use Provisions⁸

- A. Permitted Uses.** A “P” in a cell indicates that a use is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this code.
- B. Permitted Uses with Standards.** A “PS” in a cell indicates that a use is allowed by-right in the respective zoning district if it meets the additional standards that are identified in the last column of [Table 1103.1-1: Use Table](#). Permitted uses with standards are subject to all other applicable regulations of the code.
- C. Conditional Uses.** A “C” in a cell indicates that a use may be permitted if approved through the conditional use process ([Section XXX](#)). Conditional uses may be subject to use-specific standards that are identified in the last column of [Table 1103.1-1: Use Table](#). Conditional uses are subject to all other applicable regulations of the code, including the conditional use review standards set forth in [Section XXX](#).
- D. Prohibited Uses.** A blank cell in [Table 1103.1-1: Use Table](#) indicates a use is prohibited in the respective zoning district. If a use is not listed on [Table 1103.1-1: Use Table](#), then it shall also be considered prohibited, unless approved by planning commission through the similar use determination ([Section XXX](#)).
- E. Section Reference.** The section references contained in the “Section” column on Table are references to additional standards and requirements that apply to the use listed in the respective row. Standards referenced in the table apply in to all the zoning districts in which the use is permitted or conditionally permitted, unless otherwise expressly stated.

⁸ New

1103.3 Use Table⁹

Table 1103.1-1: Use Table lists the uses that are permitted, conditionally permitted, and permitted with standards within the designated zoning districts.

TABLE 1103.3-1: USE TABLE

	SF-DH	D-H	A-H	MF-PD	R-B	G-B	L-I	G-I	PF	PO	Section
Residential Uses											
Dwelling, Single Family Detached	P	P	P	P							1107.2(F)(2)
Dwelling, Single Family Attached		P	P	P	PS						1107.2(G)
Dwelling, Two Family		P	P	P							
Dwelling, Multi-Family Small Scale			P	P	PS	PS					
Dwelling, Multi-Family Large Scale			P	P		PS					
Dwelling, Live/Work			PS	PS	PS						
Residential Facility, Small	P	P	P	P							
Residential Facility, Large			P	P			C	P			
Residential Treatment Facility, Small	P	P	P	P				C			
Residential Treatment Facility, Large			P	P				C			
Public/Institutional Uses											
Cemetery	C	C	C	C				P	P		
Education Facility, Public or Private	C	C	C	C	C	C			P		
Education Facility, College/University/Trade School						C	C				
Governmental Facility					C	C	C	C	P		
Library	C	C	C	C	C	C			P		

⁹ New

1103: Use Regulations

1103.3: Use Table8F

TABLE 1103.3-1: USE TABLE

	SF-DH	D-H	A-H	MF-PD	R-B	G-B	L-I	G-I	PF	PO	Section
Museum	C	C	C	C	C	C			P		
Public Parks or Playground	P	P	P	P	P	P			P	P	
Religious Facility	C	C	C	C	C	C	C	C	P		
Transit Center					C	C			C		
Utility Substation	C	C	C	C	C	P	P	P	P		
Commercial Uses											
Adult Entertainment Establishment					C	C					
Animal Training, Boarding, and Pet Day Care						C	PS	PS			
Art Gallery/Studio					P	P					
Assisted Living Facility and Skilled Nursing Care				C	C	C					
Automotive Fueling/Charging Station					C	C					
Automotive Repair Facility					C	C					
Automotive Sale or Leasing, New					PS	PS					
Automotive Washing Facility					C	C					
Bar and Tavern					C	PS					
Bed and Breakfast		C	PS	PS							
Brewery, Distillery, Winery, Cidery (Macro)					C	PS	PS	PS			
Brewery, Distillery, Winery, Cidery (Micro)					PS	PS	PS	PS			
Check Cashing, Short Term Loan						C					
Conference or Convention Center					C	P			C		

TABLE 1103.3-1: USE TABLE

	SF-DH	D-H	A-H	MF-PD	R-B	G-B	L-I	G-I	PF	PO	Section
Construction and Large Equipment Rental, Sale, and Service						C	C	PS			
Convenience Store					C	C	C	C			
Day Care					PS	PS					
Financial Establishment					P	P					
Fireworks Retailer						C					
Fitness Center and Studio					P	P					
Food and Beverage					P	P					
Funeral Home and End of Life Services		PS	PS		C	P					
Home, Business Improvement Service					C	PS	PS	PS			
Hospital						C	C				
Hotel, Motel					C	PS					
Landscaping Business and Retail						C	PS	PS			
Mixed Use					PS	PS					
Night Club and Live Music Venue						C					
Medical Clinic, Urgent Care					PS	P	P				
Office					PS	P	P	P			
Parking, Structure					C	P					
Parking, Surface					C	C					
Personal Service					P	P					
Private Club, Lodge					C	C	C	C			
Radio, Television Studio					PS	PS	PS	PS			
Recreation/Entertainment Facility, Indoor					C	C	C				
Recreation/Entertainment Facility, Outdoor					C	P					
Retail Sales, Small Scale					P	P					

1103: Use Regulations

1103.3: Use Table8F

TABLE 1103.3-1: USE TABLE

	SF-DH	D-H	A-H	MF-PD	R-B	G-B	L-I	G-I	PF	PO	Section
Retail Sales, Large Scale					PS	PS					
Self-Storage Facility								C			
Showroom						P	PS				
Small-Format Discount Store						C					
Stone or Monument Work						P	P				
Theater					C	C					
Vape, Tobacco, CBD Sales						C					
Veterinarian Office and Animal Hospital					PS	PS					
Wireless and Cellular Telecommunication Facility	PS	PS	PS	PS	PS	PS	PS	PS			
Wholesale Facility						PS	PS	PS			
Industrial Uses											
Food Production or Processing							P	P			
Fulfillment and Distribution Center							PS	PS			
Laboratory					C	C	P	P			
Manufacturing, Artisan						C	P	P			
Manufacturing, Heavy							C	PS			
Manufacturing, Light							P	P			
Processing, Storage, or Production of Hazardous Materials, Liquid, or Gases							C	C			
Research and Development Facility						C	PS	PS			
Solar Farm							PS	PS	PS		
Truck Terminal								C			
Warehousing								PS			

TABLE 1103.3-1: USE TABLE

	SF-DH	D-H	A-H	MF-PD	R-B	G-B	L-I	G-I	PF	PO	Section
Accessory Uses											
Accessory Structure	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Accessory Use	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Automated Teller Machine (ATM), Outdoor					PS	PS					
Automotive Sales or Leasing, Used					C	PS					
Commercial-Scale Vehicle Parking, Residential	PS	PS	PS	PS							
Construction Equipment Storage							PS	PS			
Drive-Through					C	C					
Dwelling, Accessory	C	C	C	C							
Electric Vehicle Charging Stations	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Fence	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Garage	PS	PS	PS	PS	PS	PS					
Home Occupations	PS	PS	PS	PS	PS	PS					
Outdoor Dining					PS	PS					
Outdoor Display and Retail Area					PS	PS					
Outdoor Recreation, Accessory Non-Residential					PS	PS	PS	PS	PS	PS	
Outdoor Recreation, Accessory Residential	PS	PS	PS	PS							
Solar Panels	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	
Swimming Pool, Residential	PS	PS	PS	PS							
Storage, Outdoor Non-Residential							C	PS			
Warehousing, Accessory						PS	PS	PS			
Temporary Uses											

1103: Use Regulations

1103.4: General Use Regulations

TABLE 1103.3-1: USE TABLE

	SF-DH	D-H	A-H	MF-PD	R-B	G-B	L-I	G-I	PF	PO	Section
Construction Dumpster	PS	PS	PS	PS	PS	PS	PS	PS	PS		
Construction Trailer	PS	PS	PS	PS	PS	PS	PS	PS	PS		
Festival and Circus	PS	PS	PS	PS	PS	PS	PS	PS	PS		
Food Truck					PS	PS	PS	PS	PS		
Residential Outdoor Sale	PS	PS	PS	PS	PS	PS					
Seasonal Sale					PS	PS					
Tent	PS	PS	PS	PS	PS	PS	PS	PS	PS		

1103.4 General Use Regulations

- A. Design Standards.** All new developments, and substantial additions as defined in Section XXX, shall adhere to the design standards set forth in Section XXX except for single family detached and two-family uses.
- B. Multiple Buildings on a Lot¹⁰.** Lots which are in the A-H, MF-PD, R-B, G-B, L-I, G-I, PF and PO Districts may contain more than one principally permitted building or structure on a single lot, provided such principal structures are utilized for the same business, occupant, or for any permitted use, and if approved by the planning commission on a site plan. This condition does not apply to accessory uses or buildings as regulated in [Section XXX \(Accessory Structures\)](#).
- C. Multiple Occupancies¹¹.** Multiple occupancies/uses on a lot shall be permitted in the R-B, G-B, L-I, G-I, PF, and PO Districts provided that such occupancies/uses are permitted within the respective zoning district and are located within the same principal building or in multiple buildings/structures subject to [Section 1103.3\(B\)](#).
- D. Objectionable Odors, Waste, or Noise¹².** Processes, equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by any reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water carried waste that are contrary to public health or interest.

¹⁰ New

¹¹ New

¹² New – similar to regulations contained within the purpose statements for the industrial districts

E. Similar Use Determination¹³

1. Applicability

- a.** Where a specific use is proposed that is not listed in [Table 1103.1-1: Use Table](#) or provided for in this zoning code, the planning commission may determine that the proposed use is substantially similar to a specific use that is listed in [Table 1103.1-1: Use Table](#).
- b.** If the commission finds that a proposed use is substantially similar to a specific use listed in [Table 1103.1-1: Use Table](#), the similar use shall be permitted or conditionally permitted in those districts where the specifically listed is permitted or conditionally permitted.
- c.** If a similar use is determined to be substantially similar to a conditionally permitted use in [Table 1103.1-1: Use Table](#), the use shall be subject to regulations continued in [Section XXX \(Conditional Use Regulations\)](#), and any other standards that apply to the conditional use which the proposed use is most similar.

2. Similar Use Consideration. The following standards shall be considered by the planning commission when determining that a use is substantially similar to a permitted or conditionally permitted use within [Table 1103.1-1: Use Table](#):

- a.** The compatibility of the proposed use with the general classification of uses specified in this zoning code.
- b.** The nature, predominant characteristics, and intensity of the proposed use in relation to the similar principal or conditional use in that district.
- c.** The size, dimensional requirements, parking requirements, traffic generation potential, and other regulatory considerations normally associated with uses as specified in this zoning code.

¹³ Existing regulation – language was word smithed

1103.5 Residential Use Regulations

- A. Conversion of a Dwelling¹⁴.** The conversion of any building into a dwelling, or the conversion of any dwelling to accommodate an increased number of dwelling units or families, shall only be permitted within a zoning district that permits multiple dwelling units or accessory dwelling units. Such use shall be subject to all the applicable regulations contained within the code.
- B. Number of Dwellings.** In the SF-DH and D-H zoning districts, one dwelling unit is permitted per lot, unless specifically permitted herein.
- C. Dwelling, Live/Work.** Live/work dwellings are subject to the following:
1. All uses conducted within the live/work unit must be permitted uses within the zoning district in which the unit is located.
 2. Parking for a live/work dwelling shall be provided on site for both the residential and commercial or office use per section XXX.
 3. The commercial or office component of the use shall not be conducted in the yard, garage, or any accessory structure.
 4. A maximum of one employee (excluding residents of the unit) shall work or report to work on the premises.
- D. Dwelling, Multi-Family Small Scale¹⁵.** Small scale multi-family dwellings are permitted in the R-B and G-B zoning districts subject to the following:
1. The proposed development shall be both located in the R-B zoning district and the “Mixed Neighborhood Commercial” character area or in the G-B zoning district and the “Mixed Interstate Commercial” character area as identified on the Future Character Area Framework Map in the Brooklyn Master Plan.
 2. Each individual dwelling unit shall have its own exterior entrance to the outside.
 3. A private yard area shall be provided for each dwelling unit that is a minimum of 350 sq. ft.
 4. Each unit shall include a minimum of one enclosed parking space that is located in an enclosed garage (either detached, attached, or underground).

¹⁴ New

¹⁵ New – intended to reflect the recommendations of the Master Plan and allow for residential infill in specific locations, while keeping such developments to high standards of development.

- E. **Dwelling, Multi-Family Large Scale**¹⁶. Large scale multi-family dwellings are permitted in the G-B zoning district subject to the following:
1. The proposed development shall be both located in the G-B zoning district and the “Mixed Interstate Commercial” character area as identified on the Future Character Area Framework Map in the Brooklyn Master Plan.
 2. A minimum of 20% of the development shall be occupied by open space or green space that may include landscaping/screening areas, drainage areas, active and passive recreation areas, and other similar uses.
 3. Each unit shall include a minimum of one enclosed parking space that is located in an enclosed garage (either detached, attached, or underground).
 4. A minimum of two amenities that are to be utilized by the residents of the development and/or the public. Such amenities may include club houses, pools, wine bars, coffee shops, dog parks, playgrounds, active or passive parks, walking trails, public gathering areas, and other similar uses.
 5. Such uses shall be setback a minimum of 100 feet from any single family residential zoning district or use.
- F. **Residential Facility**. A residential facility, as defined in this zoning code, is permitted in the residential zoning districts as regulated by the State of Ohio. A residential facility shall be located at least 300 feet from any other residential facility.
- G. **Residential Treatment Facility**. A residential treatment facility, as defined in this zoning code, is permitted in the residential zoning districts as regulated by the State of Ohio and the federal government. A residential treatment facility shall be located at least 500 feet from any other residential treatment facility.

1103.6 Public and Institutional Uses

- A. **Transit Center**. A transit center is subject to the following:
1. A principal building is required on the site.
 2. A minimum setback of 500 feet from a residential zoning district or use is required.

¹⁶ New – intended to reflect the recommendations of the Master Plan and allow for residential infill in specific locations, while keeping such developments to high standards of development.

1103: Use Regulations

1103.7: Commercial and Mixed Use Regulations

3. Long-term vehicle parking and storage areas shall be screened with an opaque, solid wall, fence, or hedge that is at least six feet in height along all sides visible from the public right-of-way and from adjoining residential property. For the purposes of this code, long-term vehicle parking shall be considered parking for any length of time longer than 24 hours.

1103.7 Commercial and Mixed Use Regulations

- A. **Adult Entertainment Establishment.** An adult entertainment establishment is subject to the following:
 1. They are located at least 1,000 feet from the boundaries of any lot containing a church, library, public park or playground, nursery, school, or any other institution where children are kept day or night.
 2. They are located at least 1,000 feet from any other adult entertainment establishment.
 3. They are located at least 1,000 feet away from any residentially zoned parcel in the City of Brooklyn or any adjacent community.
- B. **Animal Training and Day Care.** Animal training and day care is subject to the following:
 1. Any building, run, or enclosure on the premises used for such purposes shall be located at least 500 feet from any residential zoning district or use, and at least 100 feet from any lot in the R-B District.
 2. Any outdoor run or enclosure shall be enclosed (uncovered) with a six-foot high privacy fence or wall and shielded from all abutting residential properties.
 3. Any outdoor run or enclosure shall not be used between the hours of 10:00 pm and 7:00 am.
 4. Any outdoor run or enclosure shall not be located in the front yard and shall comply with the minimum building setback requirements of the district.
- C. **Automotive Fueling/Charging Station.** An automotive fueling and/or charging station is subject to the following:

1. ¹⁷All structures on the property shall be located at least 200 feet from any residential zoning district or use.
2. Fuel canopies, gas pumps, charging stations, air compressors, and similar equipment may be located in the front yard.
3. The only services permitted to be performed on a vehicle on site shall be the dispensing of fuel, oil, air, windshield wiper fluid, the charging of electric vehicles, and other similar activities customarily incidental to such use.
4. Fuel price displays shall be subject to the standards in section XX (signs). ¹⁸
5. The fuel canopy shall be constructed of the same materials used on the principal building. ¹⁹
6. Automobile fueling stations do not include facilities designed for the fueling of semi-trailer trucks. ²⁰
7. An automobile fueling/charging station may be combined with a car wash or auto service garage provided that the minimum lot area shall be at least 30,000 square feet and that the uses proposed are permitted in the zoning district in which they are located.

D. Automotive Rental. An automotive rental use is subject to the following:

1. A principal building is required to be located on the lot.
2. Headlights of the cars parked on the lot shall be completely screened from public streets and adjacent properties unless the adjacent property is an automobile sales or rental use.
3. An opaque, solid wall, fence, or hedge that is at least six feet in height shall be located along all property lines that abut a residential zoning district or use.
4. No auctions or sales of automobiles shall be permitted on the lot.
5. No outdoor speaker systems shall be permitted for uses that are located less than 200 feet from any residential zoning district or use.

¹⁷ Removed dimensional requirements from this use standard as they are the same as the overall district requirements and do not need to repeat here

¹⁸ New

¹⁹

²⁰ New

1103: Use Regulations

1103.7: Commercial and Mixed Use Regulations

6. Automobile repair and service must be performed inside a building.
7. Any area identified for automobile or vehicle storage shall be located in the rear yard.

E. Automotive Repair Facility. An automotive repair facility is subject to the following:

1. A principal building is required to be located on the lot.
2. All repair work shall be conducted within an enclosed building and such building shall be located not less than 200 feet from any residential land use.
3. An opaque, solid wall, fence, or hedge that is at least six feet in height shall be located along all property lines that abut a residential zoning district or use.
4. There shall be a minimum building floor area of 1,200 square feet.
5. An automobile repair facility may be combined with an automotive fueling/charging station provided that the minimum lot area shall be at least 30,000 square feet and that the uses proposed are permitted in the zoning district in which they are located.
6. No more than 20 cars shall be stored at the property at any one time and all cars shall be parked in a marked parking space on a paved surface.

F. Automotive Sales, New. The sale of new automobiles, including sales lots and repair of such, is subject to the following:

1. A principal building is required to be located on the lot.
2. An opaque, solid wall, fence, or hedge that is at least six feet in height shall be located along all property lines that abut a residential zoning district or use.
3. No auctions shall be permitted on the lot.
4. No outdoor speaker systems shall be permitted for uses that are located less than 200 feet from any residential zoning district or use.
5. Automobile repair and service must be performed inside the same building as the new car salesroom.
6. All sales and circulation areas must be paved with asphalt and concrete. There shall be no vehicle storage or sales on unpaved lots.
7. The sale of used automobiles may be only permitted on site as an accessory use per section xxx (automotive sales, used).

8. Such use may be operated in conjunction with another automotive use that is permitted in the district in which the use is located.

G. Automotive Washing Facility. An automotive washing facility is subject to the following:

1. All structures on the property shall be located at least 200 feet from any residential zoning district or use.
2. Automotive washing facilities shall be located entirely within an enclosed building, except that entrance and exit doors may be left open during the hours of operation. Vacuuming and/or steam cleaning equipment may be located outside a building, in the front, side, or rear yard, but shall not be placed in any yard adjoining a residential land use.
3. Stacking spaces shall be provided per section xxx (parking and loading).
4. A paved exit drive, that is at least 40 feet in length, is required between the exit door of the washing facility and the street.
5. In the R-B district, there shall be a minimum building floor area of 1,200 square feet.
6. An automotive washing facility may be combined with an automotive fueling/charging station provided that the minimum lot area shall be at least 30,000 square feet and that the uses proposed are permitted in the zoning district in which they are located.

H. Bar and Tavern. A newly located bar or tavern use within the city, that is established after the date of this code's adoption is subject to the following:

1. Such establishments shall not be located within 1,000 feet of a property line of a church, library, public park or playground, nursery, school, or other similar use.
2. The planning commission may impose restrictions on the house of operation to assure that the business operates in a manner similar to the prevailing characteristics of other businesses in the vicinity.

I. Bed and Breakfast. A bed and breakfast is subject to the following:

1. Such uses must be owner owner-occupied.
2. A maximum of three guest rooms are permitted.

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1103.7: Commercial and Mixed Use Regulations

- J. Brewery, Distillery, Winery, Cidery**²¹. Brewery, distillery, winery, and cidery uses (both macro and micro, as applicable) are subject to the following:
1. Each use shall manufacture and sell alcoholic beverages in accordance with the provisions of the Ohio Division of Liquor Control and shall maintain current licenses as required by said agency.
 2. No outdoor storage is permitted.
 3. All production shall be within completely enclosed structures.
 4. Macro-scale uses shall be setback a minimum of 200 feet from any residential zoning district or use.
 5. Outdoor dining or gathering areas are subject to regulations in section xxx (outdoor dining).
 6. Exterior storage containers that hold materials or products associated with the brewing/distilling process must be located in the side or rear yard. Such facilities shall be subject to the maximum height restrictions of the zoning district they are located. No signage or identification may be located on such containers unless approved by the planning commission.
- K. Construction and Large Equipment Rental, Sale, and Service.** Such uses are subject to the following:
1. There shall be a maximum of 50 vehicles or large equipment located on the site outside of a completely enclosed building, at any one time.
 2. All work on vehicles and equipment, including, but not limited to, cleaning, servicing, and repair shall be done inside of a building.
- L. Day Care.** A day care use is subject to the following:
1. A day care shall not exceed 3,000 square feet of gross floor area.
 2. Outdoor recreation areas shall adhere to the following:
 - a. Be directly accessed from the building;
 - b. Be located in the side or rear yard; and
 - c. Be enclosed with a fence.

²¹ New

- M. Funeral Home and End of Life Services.** A funeral home and end of life services use shall provide a detailed circulation plan indicating the outgoing vehicular traffic movement during high volume periods.
- N. Hotel, Motel.** A hotel and/or motel shall have a minimum lot size of one acre and a minimum lot width of 150 feet.
- O. Home or Business Improvement Service.** A home and/or business improvement service shall be set back a minimum of 200 feet from any residential zoning district or use.
- P. Hospital.** A hospital is subject to the following:
1. A minimum lot size of two acres
 2. A minimum lot width of 200 feet
 3. Minimum front, rear, and side yard setbacks of 50 feet.
 4. Minimum front yard parking setback of 30 feet and side and rear parking setback of 15 feet.
- Q. Medical Clinic, Urgent Care.**²² A medical clinic and/or urgent care use shall not include helipads on site unless they are specifically approved through the conditional use process established in Section XXX.
- R. Mixed Use**²³. Mixed use buildings and developments are subject to the following:
1. All uses within the structure or development are permitted in the zoning district in which the development is located.
 2. To be considered mixed use, there shall be at least two uses integrated within the same building on a lot.
 3. Mixed use developments that are greater than two stories in height (or 30') shall be set back a minimum of 100 feet from any single family zoning district or use.
 4. Mixed use developments shall be accessed from primary thoroughfares and shall be limited to one access point per street frontage, unless specifically permitted otherwise by the City Engineer. Site circulation shall be provided with internal access drives that connect developments, buildings, and parking areas.

²² New

²³ New

1103: Use Regulations

1103.7: Commercial and Mixed Use Regulations

5. If there are multiple lots that make up the overall development, cross access and cross parking agreements shall be established that are agreed upon and executed by all applicable property owners.
6. The project shall provide continuous internal pedestrian walkways, no less than four feet in width, which are provided from the public sidewalk located in the adjacent road right-of-way to each primary entrance of each building within the development.
7. Raised sidewalks, no less than eight feet in width shall be provided along the full length of each building within the development and along any façade featuring a public entrance or which abut public parking areas.
8. All deliveries, loading, and trash storage/removal shall be conducted behind a building, in the rear yard.
9. Mixed use projects that are greater than five acres in size shall:
 - a. Dedicate a minimum of 20% of the development to open space or green space which may include landscaping/screening areas, drainage areas, active and passive recreation areas, and other similar uses.
 - b. Contribute to the establishment or enhancement of community and public spaces by providing at least two of the following, which in combination shall make up a minimum of five percent of the gross floor area of the mixed use development:
 - i. Decorative pedestrian plaza with benches,
 - ii. Pocket park,
 - iii. Outdoor playground area,
 - iv. Kiosk/wayfinding area,
 - v. Water feature,
 - vi. Clock tower, or
 - vii. Other such deliberately shaped area and/or a focal feature of amenity.

S. Retail, Large Scale. Large scale retail establishments are subject to the following:

1. In addition to the architectural and design requirements set forth in Section XXX, large scale retail establishments shall be constructed out of materials that are low

reflective, subtle, neutral, or earth tone in color. High-intensity colors, bright primary colors, metallic colors, or fluorescent colors are prohibited, except in any signage that reflects corporate branding.

2. Large scale retail establishments shall be accessed from primary thoroughfares and shall be limited to one access point per street frontage, unless specifically permitted otherwise by the City Engineer. Site circulation shall be provided with internal access drives that connect developments, buildings, and parking areas.
3. If there are multiple lots that make up the overall development, cross access and cross parking agreements shall be established that are agreed upon and executed by all applicable property owners.
4. The development shall provide continuous internal pedestrian walkways, no less than four feet in width, which are provided from the public sidewalk located in the adjacent road right-of-way to each principal customer entrance of the principal buildings on the site.
5. Raised sidewalks, no less than eight feet in width shall be provided along the full length of the building and along any façade featuring a customer entrance or which abut public parking areas.
6. All deliveries, loading, and trash storage/removal shall be conducted behind the building, in the rear yard.
7. A minimum of 20% of the development shall be occupied by open space or green space that may include landscaping/screening areas, drainage areas, active and passive recreation areas, and other similar uses.
8. The development shall contribute to the establishment or enhancement of community and public spaces by providing at least two of the following, which in combination shall make up a minimum of five percent of the gross floor area of the large retail establishment:
 - a. Decorative pedestrian plaza with benches,
 - b. Pocket park,
 - c. Outdoor playground area,
 - d. Kiosk/wayfinding area,
 - e. Water feature,

- X. **Veterinarian Office and Animal Hospital.** A veterinarian office and/or an animal hospital shall be located completely within an enclosed building, there shall be no outdoor kennels or exercise yards. There shall be no breeding and boarding of dogs or animals, except for in association with a medical treatment or procedure.
- Y. **Wholesale Facility.** A wholesale facility shall conduct all business within an enclosed building.

1103.8 Industrial Use Regulations

- A. **Fulfillment and Distribution Center.** Fulfillment and distribution centers are subject to the following:
 - 1. No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without planning commission approval, except related to construction work that requires an active building permit.
 - 2. Fleet vehicle parking shall be to the side or rear of the property on a striped asphalt or concrete paved surface.
 - 3. Fleet vehicle parking areas shall be screened with an opaque, solid wall, fence, or hedge that is at least six feet in height along all sides visible from the public right-of-way and from adjoining residential property.
 - 4. No junk, inoperative, or unlicensed automobiles, or parts, shall be permitted on the property.
 - 5. No outdoor storage of any material or waste shall be permitted on site.
- B. **Manufacturing, Heavy.** A heavy manufacturing use shall be setback at least 1,000 feet from a residential land use.
- C. **Research and Development Facility.** A research and development facility is permitted provided no retail trade with the general public is involved, and that no stock of goods is maintained for sale to customers.
- D. **Solar Farm.** Solar farms are subject to the following:
 - 1. The minimum lot size shall be five acres.
 - 2. The maximum height of all structures shall be 30 feet.

1103: Use Regulations

1103.8: Industrial Use Regulations

3. Solar farm structures shall meet the setback requirements of a principal building in the zoning district in which they are located.
 4. Solar farm structures shall be setback a minimum of 100 feet from all residential zoning districts and uses.
 5. Any solar farm which has reached the end of its useful life or has been abandoned shall be removed.
- E. Truck Terminal.** A truck terminal is permitted subject to the following:
1. There shall be no more than 50 commercial vehicles located on the site outside of a completely enclosed building at any one time.
 2. All work on vehicles, including but not limited to, cleaning, servicing, and repair shall be done only inside a suitable service building.
 3. Vehicles shall not be located in any of the required setbacks for the principal structure.
 4. All outdoor storage shall be screened from view from adjacent properties and rights-of-way with an opaque, solid wall, fence, or hedge that is at least six feet in height.
- F. Warehousing²⁷.** Warehousing, as a principal use, is permitted subject to the following:
1. The land in which the warehousing use is located is not previously undeveloped. This includes subdividing an existing property to create a new buildable lot and demolishing an existing building in order to construct a new warehouse as a primary use.
 2. No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without planning commission approval, except related to construction work that requires an active building permit.
 3. No outdoor storage of any material or waste shall be permitted on site.
 4. Fleet vehicle parking shall be to the side or rear of the property on a striped asphalt or concrete paved surface.

²⁷ New

5. Fleet vehicle parking areas shall be screened with an opaque, solid wall, fence, or hedge that is at least six feet in height along all sides visible from the public right-of-way and from adjoining residential property.
6. No junk, inoperative, or unlicensed automobiles, or parts, shall be permitted on the property.

1103.9 Accessory Use Regulations

A. Accessory Structure

1. **General Accessory Structure Requirements.** The following requirements shall apply to an accessory structure in any zoning district:
 - a. An accessory structure shall be located on the same lot as the principal use.
 - b. An accessory structure shall be located in the rear yard, unless specifically exempted.
 - c. A maximum of two accessory structures are permitted per lot (this does not include detached garages, pools, fences, solar panels, and personal outdoor recreation equipment).
2. **Residential Accessory Structure Requirements.** In addition to the general requirements in (1), an accessory structure located in a residential zoning district is subject to the following:
 - a. The combined square footage of all enclosed accessory structures, such as storage sheds, is 144 square feet.
 - b. An accessory structure shall meet the following setbacks:
 - i. Minimum side yard setback of three feet.
 - ii. Minimum rear yard setback of five feet.
 - iii. On a corner lot, an accessory structure shall be located behind the building line along both frontages²⁸.

²⁸ Similar to existing requirements, language simplified. The setback could be increased, though to require that accessory structures are not located in the front yard setback on both frontages. That is pretty typical.

1103: Use Regulations

1103.9: Accessory Use Regulations

6. No outdoor speaker systems shall be permitted for uses that are located less than 200 feet from any residential zoning district or use.
7. Automobile repair and service must be performed inside the same building as the new car salesroom.
8. All sales and circulation areas must be paved with asphalt and concrete. There shall be no vehicle storage or sales on unpaved lots.

D. Commercial-Scale Vehicle Parking³⁴. The following requirements shall apply to the parking of commercial-scale vehicles on any private property in the residential zoning districts.

1. No person shall stand, store, or park any vehicle or trailer in excess of 8,500 pounds net weight; or in excess of 8 feet in overall vehicle height, including any rooftop accessories; or in excess of 20 feet in overall vehicle length, on any private property that has been zoned for residential use, except for the minimum time period that may be required in the usual course of business for making a delivery of merchandise or unloading merchandise for delivery.
2. No person shall store or park any vehicle or trailer in excess of 6,000 pounds net weight, except upon a paved parking surface located behind the rear corners of the principal structure or in a garage.
3. In any variance to these regulations granted pursuant to Section 1137.03(b)(2), in addition to all other powers and duties it possesses, the Board of Zoning Appeals may place further restrictions on the areas of residential property on or within which such vehicles may stand, be stored or be parked.

E. Construction Equipment Storage³⁵. Storage of construction equipment that is accessory to a permitted principal use is subject to the following:

1. All work on vehicles and equipment including but not limited to, cleaning, servicing, and repair shall be done only inside a suitable service building.
2. Vehicles and equipment shall not be located in any of the required setbacks for the principal structure.

³⁴ Moved here from the code's parking code (section 1129.02).

³⁵ New

3. All circulation areas, equipment storage, equipment parking, and other similar activities associated with the use on site shall be done on an improved hard surface such as asphalt or concrete.
 4. All storage areas shall be screened from view from adjacent properties and rights-of-way with an opaque, solid wall, fence, or hedge that is at least six feet in height.
- F. Drive-Through.** A use that proposes to utilize a drive-through or pick up window shall be subject to the following³⁶:
1. All drive-through areas, including, but not limited to, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area, should be located in the side or rear yard of a property, and shall not cross, interfere with, or impede any public right-of-way.
 2. Drive-thru structures shall be subject to the vehicle stacking requirements of Section XX (Parking and Loading)
 3. The canopy and structure shall be constructed of the same materials used on the principal building.
 4. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 200 feet from any residential use.
 5. Menu board signage shall comply with Section XXX.
 6. An opaque, solid wall, fence, or hedge that is at least six feet in height shall be located along all property lines that abut a residential zoning district or use.
- G. Dwelling, Accessory**³⁷. An accessory dwelling is conditionally permitted in the residential zoning districts subject to the following:
1. The accessory dwelling shall be located within the principal dwelling so as not to be perceived as an additional dwelling unit.
 2. The accessory dwelling may not have a separate entrance. It shall be accessed within the house.

³⁶ New standards

³⁷ New

1103: Use Regulations

1103.9: Accessory Use Regulations

3. No additional parking is required for the accessory dwelling and no parking shall be removed to accommodate an accessory dwelling.

H. Home Occupation. A home occupation, as an accessory use, shall be permitted in a dwelling unit subject to the following:

1. Only members of the family residing within the dwelling work therein;
2. The occupation is conducted wholly within the dwelling and the space used to conduct the home occupation shall not exceed more than 20 percent of the floor area of the dwelling;
3. The residential character of the dwelling exterior is not changed;
4. No home occupation shall be conducted in an accessory building;
5. There shall be no direct sales of merchandise from the premises in connection with such home occupation;
6. Traffic shall not be generated by the home occupation that significantly increases the volume that would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall be met with off-street parking and not the front yard of the dwelling.
7. No equipment or process shall be used which will create any dust, noise, vibration, glare, fumes, odors, or electrical interference beyond the lot.

I. Garages, Residential. A residential garage is subject to the following:

1. Only one garage is permitted per residential unit. Such garage may be attached to the principal structure or detached.
2. Detached residential garages are considered an accessory structure and are subject to the applicable regulations in section XXX and the regulations set forth in this section. Attached garages shall be considered an extension of the principal structure and are subject to the dimensional requirements of the principal structure.
3. Any new single family dwelling constructed, or the replacement of an existing garage after the date of this code's adoption, shall contain a detached or attached garage that is a minimum of 440 sq. ft. in size and 20 feet in width.

4. The maximum size of a detached garage is 600 square feet. In no case shall the floor area of a detached or attached garage exceed 60% of the area of the dwelling unit³⁸.
5. Detached garages are permitted in the side or rear yard. Detached garages located in the side yard are required to meet the minimum side yard setback of the principal building³⁹.
6. Such uses shall not exceed the height of the principal building or 15', whichever is less.

J. Outdoor Dining⁴⁰. An outdoor dining area is subject to the following:

1. An outdoor dining area, including the fences that surrounds such area, is permitted in any yard.
2. An outdoor dining area shall not be located in such a manner as to require customers and employees to cross driveways or parking areas to go between the food service area and the principal building.
3. A permanently enclosed outdoor dining area, either by permanent roof or to expand the existing structure, shall meet all the requirements of the principal building.
4. Outdoor dining shall not be located in any required parking spot or parking area.
5. An outdoor dining area that utilizes speakers for music, live music, televisions, projecting screens, or other similar noise-producing element shall be located a minimum of 500 feet from any residential zoning district or use.

K. Outdoor Display and Retail Area⁴¹. An area identified for outdoor sales or display (i.e., garden supplies, newspapers, flower stands, etc.) that is accessory to a non-residential principal use is subject to the following:

1. The location of such display or sales area is subject to:

³⁸ New – to promote compatibly sized garages to houses (don't want a 1,000 sq. ft. house with a 750 sq. ft. garage).

³⁹ I think this is your existing regulation – it is a little confusing – but I think it makes sense for detached garages in the side yard to meet the same side yard setback as the principal building (5') and not the side yard setback of the accessory use (3')

⁴⁰ New

⁴¹ New

1103: Use Regulations

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- a. The merchandise is displayed on the sidewalk or walkway adjacent to the building in the front yard; or
 - b. The outdoor display or sales area is in the side or rear yard; or
 - c. The outdoor display or sales area, if not located adjacent to the principal building, shall not be located more than 20 feet away from the principal building.
2. The merchandise displayed shall not be taller than six feet in height.
 3. The outdoor display or sales area shall not be more than 20 percent of the gross floor area of the principal building.
 4. The placement of merchandise shall not interfere with pedestrian movement on any sidewalk or walkway. A minimum of four feet of the sidewalk or walkway shall be clear to allow for safe pedestrian movement.
 5. Fenced or screened outdoor display or sales area must be located in the side or rear yard.
- L. Outdoor Recreation, Accessory Residential.** Outdoor recreation uses that are accessory to a residential use, such as playground equipment, trampoline, play structure, and similar uses, are subject to the following:
1. Such uses shall be located in the rear yard.
 2. Such uses shall not exceed the height of the principal building or 15', whichever is less.
 3. Such uses shall be set back from five feet from the rear property line and three feet from side property lines.
 4. This section does not apply to private residential swimming pools. They are regulated by section XXX.
- M. Outdoor Recreation, Accessory Non-Residential⁴².** Outdoor recreation uses that are accessory to a non-residential use, such as a swimming pool, sports court, sports field, and similar uses, are subject to the following:
1. If the accessory outdoor recreation use is surrounded by a fence or similar enclosure, it shall be located in the side or rear yard.

⁴² New

2. An unfenced or unenclosed accessory outdoor recreation use is permitted in any yard but shall be located outside of the required front yard setback.
3. Such use may be public or private.
4. If the use produces additional traffic, in excess of what the principal use produces, then parking shall be provided for the accessory outdoor recreation use per section XXX (parking).

N. Residential Recreational Vehicle and Equipment Storage. The following requirements shall apply to the storage of recreational vehicles, trailers, boats, or other similar vehicles or equipment in the residential zoning districts:

1. One recreational vehicle, boat, trailer, or similar vehicle or equipment may be stored outside at any one time⁴³.
2. Such vehicle or equipment shall be stored in a garage or structure if possible. If not possible, the vehicle or equipment may be stored outside in the side or rear yard of a property on a paved surface of concrete or asphalt.
3. Minimum setback for such vehicle or equipment is five feet from a side lot line and 10 feet from a rear lot line⁴⁴.
4. The maximum length of time a vehicle or equipment may be parked or stored outside is 72 consecutive hours and shall not exceed a total cumulative time of 144 hours during any calendar month.⁴⁵
5. No temporary or permanent human occupancy may occur therein except for loading, unloading, minor repairs or maintenance, or while in the process of actual transportation⁴⁶.
6. All vehicles and equipment shall be kept in good repair, and where applicable, carry a current year's license plate and registration.

O. Solar Panels. Solar panels are subject to the following:

⁴³ Removed length and height requirement for RV as we are making them temporary and current size restrictions were very limiting and would not accommodate many standard sized RVs

⁴⁴ Added rear yard setback requirement

⁴⁵ New

⁴⁶ New

1103: Use Regulations

1103.9: Accessory Use Regulations

1. Ground-mounted solar panels shall be limited to a maximum height of 15 feet and shall be located in the rear yard of any non-residential zoning district.
2. All solar panels must meet the accessory structure setback requirements for the applicable zoning district in which they are located.
3. Roof-mounted solar panels, on pitched roofs, shall be flush-mounted to the roof and shall not extend higher than the top ridgeline of the roof in which they are located.
4. Roof-mounted solar panels on flat roofs, shall not project more than six feet above the rooftop surface, and shall not exceed the maximum height allowance in the zoning district in which they are located.

P. Storage, Outdoor. Outdoor storage is permitted as an accessory use subject to the following:

1. All storage areas shall meet the setback requirements of the principal use.
2. Storage of any materials outdoors shall be completely screened from all rights-of-way and all residential zoning districts or use.
3. The site plan shall specify the materials to be stored and their respective locations on the site and height limitations.
4. All outdoor storage shall be screened from view from adjacent properties and rights-of-way with an opaque, solid wall, fence, or hedge that is at least six feet in height.

Q. Swimming Pool. A swimming pool that is constructed or maintained on private property shall be subject to the following:

1. Any swimming pool shall be located a minimum of 5 feet from the rear or side lot lines of the lot on which it is situated and a minimum of 10 feet from any building or structure.
2. Any in-ground swimming pool must substantially conform to the natural grade of the surrounding land, and no part thereof, other than equipment such as diving boards and the like, shall be higher than one foot above grade.
3. Every pool shall be constructed so that it can be drained into the municipal sanitary sewer or have a sump pump located in its deepest part, for the purpose of pumping out all of the water to a storm sewer opening. In the case of a pool being constructed on that land is not yet sewered, the owner shall pump or drain the

water from the pool in such a manner as to cause no injury to other property in the vicinity of the pool.

4. All lights used to illuminate the pool, or surrounding areas, shall be designed, located, and installed as to confine the direct beams to the lot on which the pool is located. None of the lights shall be used after 11:00 pm if the pool is located within 200 feet of any building used for dwelling purposes.
5. Any swimming pool maintained on private property shall be enclosed by a fence not less than four feet in height, but not greater than six feet in height. The fence shall have a gate that is kept securely locked during the time the pool is not in use by the owner or by anyone using it with the owner's permission. Such fence shall be permitted in compliance with section XXX (fences). For above-ground pools that are 48 inches or taller in height, no fence is required around the top of the pool as long as the ladder can be locked in an up position.⁴⁷
6. Before any swimming pool may be constructed, a permit shall be secured from the Building Inspector. Application for such permit shall be made in writing and shall include plans and specifications for the pool and the enclosing fence, as well as plans showing the location of the pool with references to lot lines and other buildings on the property and surrounding properties.

R. Warehousing, Accessory⁴⁸. Warehousing, as an accessory use to a permitted principal use, is permitted subject to the following:

1. Such accessory warehousing shall be located on the same lot as the principal use.
2. Accessory warehousing shall not exceed 35 percent of the total building area, unless specifically approved by planning commission.
3. No trailer, camper, manufactured housing unit, modular office trailer or industrialized units shall be placed on the property for any purpose without planning commission approval, except related to construction work that requires an active building permit.

⁴⁷ New requirement for clarifying purposes

⁴⁸ New

1103: Use Regulations

1103.10: Temporary Use Regulations

1103.10 Temporary Use Regulations

- A. Construction Dumpster.** A construction dumpster is permitted in conjunction with a demolition, construction, and/or rehabilitation project. Dumpsters are only permitted during active construction projects and shall be removed upon completion of the project.
- B. Construction Trailer**
1. A construction trailer and offices, with fixed connections to utilities such as electric and telephone, may be used for temporary office and storage use during the duration of construction on a site. Such uses are required to get the approval of the Zoning Inspector prior to locating on a site.
 2. A maximum of three construction trailers are permitted on a lot at one time in a commercial or industrial zoning district and a maximum of one construction trailer is permitted during the construction of a residential subdivision or development⁴⁹.
- C. Festival and Circus.** A festival or circus is subject to the following:
1. Such use shall be required to obtain a special event permit from the city's building department.
 2. Such uses shall not exceed three consecutive days.
 3. Festivals and circuses, that are sponsored by a governmental entity, are exempt from the requirements of this section.
 4. Such activities are required to submit a site plan to the Building Commissioner for approval that illustrates the location of the sales area, parking, circulation, pedestrian and vehicle ingress/egress, surface material, and sanitary facilities, as applicable.
 5. The applicant for the activity shall provide written agreement from the property owner granting permission for the proposed use.
 6. No activities shall take place in the public right-of-way.
 7. Signage for the festival or circus shall be limited to the size requirements of the zoning district in which they are located and shall be attached to and flush-mounted to the temporary sales structures, tent, trailer, or similar use.

⁴⁹ New – change from existing regulations – existing regulations is a maximum of 10 construction trailers, boats, and recreational equipment vehicles on a commercial or industrial lot

- D. Portable Storage Unit.** Specific projects requiring the placement of a portable storage unit for periods exceeding 30 days shall obtain a zoning certificate. Such use shall not exceed 90 days in any 12 month period.
- E. Residential Outdoor Sale.** A residential outdoor sale shall be limited to a period not to exceed three consecutive days and no more than three such sales shall be conducted from the same property in any 12 month period. A permit is required from the city's building department prior to conducting the residential outdoor sale.
- F. Seasonal Sales.** A seasonal sale activity, such as a farmers' market or the sale of Christmas trees, pumpkins, and similar items, is subject to the following:
1. A seasonal sale activity that is sponsored by a governmental entity is exempt from the requirements of this section
 2. A seasonal sale activity is required to submit a site plan to the Building Commissioner for approval that illustrates the location of the sales area, parking, circulation, pedestrian and vehicle ingress/egress, surface material, and sanitary facilities, as applicable.
 3. The applicant for the activity shall provide written agreement from the property owner granting permission for the proposed use.
 4. No activities shall take place in the public right-of-way.
 5. Signage for seasonal sales shall be limited to the size requirements of the zoning district in which they are located and shall be attached to and flush-mounted to the temporary sales structures, tent, trailer, or similar use.
 6. A seasonal sale is limited to a period not to exceed 60 days per calendar year.
- G. Tent.** A tent is permitted in connection with any permitted, accessory, or temporary use. No tent shall be allowed to remain for a period of more than five days, unless approved specifically by the Building Commissioner. Tents shall not be intended for over-night stays or sleeping purposes.