

CITY OF YOUNGSTOWN



ZONING ORDINANCE

**ORDINANCE 93-637
AS AMENDED: NOVEMBER 2009**

TABLE OF CONTENTS

| | PAGE |
|---|-------------|
| PREAMBLE AND ENACTMENT CLAUSE | 1 |
| ARTICLE I DEFINITIONS | 3 |
| SECTION 11 Interpretation of Certain Terms and Words | 3 |
| SECTION 12 List of Definitions | 3 |
| ARTICLE II APPLICATION OF REGULATIONS | 8 |
| SECTION 21 Interpretation and Application | 8 |
| SECTION 22 Use | 8 |
| SECTION 23 Height and Density | 8 |
| SECTION 24 Reduction of Lot Size | 8 |
| SECTION 25 Yards and Other Spaces | 8 |
| SECTION 26 Principal Buildings on a Lot | 9 |
| SECTION 27 Multiple Frontage Lots | 9 |
| SECTION 28 Public Street Frontage | 9 |
| SECTION 29 Annexed Territory | 9 |
| ARTICLE III ESTABLISHMENT OF DISTRICTS | 10 |
| SECTION 31 Designation of Districts | 10 |
| SECTION 32 Zoning Map | 12 |
| SECTION 33 Interpretation of District Boundaries | 12 |
| ARTICLE IV USE DISTRICTS | 13 |
| RESIDENTIAL, SINGLE-FAMILY, R-20 & R-12 | 13 |
| RESIDENTIAL, SINGLE-FAMILY, R-7.2 | 14 |
| RESIDENTIAL, ONE- AND TWO-FAMILY, R-5.5 | 15 |
| RESIDENCE-APARTMENT | 16 |
| RESIDENTIAL, MULTI-FAMILY, R-1.5 | 17 |
| RESIDENTIAL, GENERAL, R-1.0 | 19 |

| | PAGE |
|---|---------------|
| MIXED USE (M-U) | 21 |
| SECTION 1 INTENT | 21 |
| SECTION 2 PERMITTED USES | 21 |
| 2 (a) ADDITIONAL STANDARDS FOR ADAPTIVE USES | 22 |
| SECTION 3 CONDITIONAL USES | 22 |
| SECTION 4 ACCESSORY BUILDINGS AND USES | 23 |
| SECTION 5 AREA, YARD AND HEIGHT REQUIREMENTS | 23 |
| SECTION 6 OFF STREET PARKING | 24 |
| SECTION 7 SIGNS | 25 |
| SECTION 8 LANDSCAPING | 25 |
| INSTITUTIONAL (I) | 26 |
| BUSINESS, CENTRAL (B-1) | 28 |
| BUSINESS, GENERAL (B-2) | 32 |
| BUSINESS, COMMUNITY (B-3) | 37 |
| BUSINESS, LOCAL (B-4) | 41 |
| INDUSTRIAL, LIMITED (I-L) | 43 |
| INDUSTRIAL, UNLIMITED (I-L) | 47 |
| ARTICLE IV(a) PLANNED DEVELOPMENT OVERLAY ZONING | 51 |
| SECTION 1 Purpose | 51 |
| SECTION 2 Permitted Uses | 51 |
| SECTION 3 Criteria for Approval | 51 |
| SECTION 4 Procedure | 52 |
| SECTION 5 Submittal Requirements/Contents of the Development Plan | 54 |
| SECTION 6 Administration and Enforcement | 55 |
| SECTION 7 Supplementary Conditions and Safeguards | 55 |
| SECTION 8 Failure to Begin Development | 55 |
| SECTION 9 Fee | 55 |
| ARTICLE V SCHEDULE OF PROHIBITED, PERMITTED AND SPECIAL USES | 56 |
| SECTION 51 Schedule of Uses | 56 |
| SECTION 52 Prohibited Uses | 56 |
| SECTION 53 Permitted Uses | 56 |
| SECTION 54 Special Uses | 56 |

| | PAGE |
|---------------------|---|
| ARTICLE VI | AREA, YARD AND HEIGHT REQUIREMENTS 57 |
| ARTICLE VII | SUPPLEMENTARY REGULATIONS 58 |
| SECTION 71 | Lots in Two Districts 58 |
| SECTION 72 | Residential and Non-Residential Abutting Lots 58 |
| SECTION 73 | Corner Lot 58 |
| SECTION 74 | Front Yard Transition 58 |
| SECTION 75 | Visibility at Intersection 58 |
| SECTION 76 | Non-Conforming Uses and Structures 59 |
| SECTION 77 | Off-Street Parking Requirements 60 |
| SECTION 78 | Off-Street Loading Requirements 66 |
| SECTION 79 | Home Occupation 68 |
| SECTION 79.01 | Prohibiting Parking of Commercial Vehicles 68 |
| SECTION 79.02 | Regulating Open Parking of Recreational Vehicles 68 |
| SECTION 79.03 | Abatement of Nuisances 68 |
| SECTION 80 | Regulation of Accessory Buildings in Residential Districts 69 |
| SECTION 80.01 | Regulation of Abandoned Public Buildings 69 |
| ARTICLE VIII | EXCEPTIONS 72 |
| SECTION 81 | Existing Lots 72 |
| SECTION 82 | Adjoining and Vacant Land 72 |
| SECTION 83 | Height Limits 72 |
| SECTION 84 | Front-yard Setbacks for Dwellings 72 |
| SECTION 85 | Projections into Yards 73 |
| SECTION 86 | Group Development Projects 73 |
| SECTION 87 | Fences, Walls & Hedges 75 |
| ARTICLE IX | ADMINISTRATION, ENFORCEMENT, PENALTIES AND REMEDIES 76 |
| SECTION 91 | Zoning Enforcement Officer 76 |
| SECTION 92 | Zoning Permit Required 76 |
| SECTION 93 | Application for Zoning Permit 76 |

| | PAGE |
|--------------------|--|
| SECTION 94 | Certificate of Occupancy Required 76 |
| SECTION 95 | Penalties for Violation 77 |
| SECTION 96 | Remedies 77 |
| SECTION 97 | Certificate of Zone Classification 78 |
| ARTICLE X | BOARD OF ZONING APPEALS 79 |
| SECTION 101 | Establishment of Board of Zoning Appeals 79 |
| SECTION 102 | Proceedings of the Board of Zoning Appeals 79 |
| SECTION 103 | Appeals, How Made 79 |
| SECTION 104 | Hearings and Notices 80 |
| SECTION 105 | Stay of Proceedings 80 |
| SECTION 106 | Powers and Duties of Board of Zoning Appeals 80 |
| SECTION 107 | Decisions of the Board of Zoning Appeals 81 |
| SECTION 108 | Forms 81 |
| SECTION 109 | Appeals from the Board of Zoning Appeals 81 |
| ARTICLE XI | AMENDMENTS 82 |
| SECTION 111 | General Provisions 82 |
| SECTION 112 | Amendment Procedures 82 |
| SECTION 113 | Public Hearing 83 |
| SECTION 114 | Notice 83 |
| SECTION 115 | Withdrawal of Amendment Petition 83 |
| ARTICLE XII | LEGAL STATUS PROVISIONS 84 |
| SECTION 121 | Conflict With Other Laws 84 |
| SECTION 122 | Separability 84 |
| SECTION 123 | Effective Date 84 |

| | PAGE |
|---|-------------|
| ARTICLE XIII TABLE OF SPECIAL CONTROLS | 85 |
| Abrasive Manufacture. | 87 |
| Acid Manufacture. | 88 |
| Amusement Park. | 89 |
| Asphalt Manufacture or Refining. | 90 |
| Assembly Halls, Gymnasiums and similar structures when part of a place of Worship. | 91 |
| Assembly of Machines & Appliances from Previously Prepared Parts. | 92 |
| Automatic Car Wash. | 93 |
| Automobile Repair Shop. | 94 |
| Automotive Service Station. | 95 |
| Cemetery in R-20, R-12, R-7.2, R-5.5, R-A, R-1.5, r-1.0, and I districts. | 96 |
| Churches and other places of worship including parsonage or rectory. | 97 |
| Convalescent & Nursing Homes. | 98 |
| Day Nurseries and Kindergartens | 99 |
| Distillation of Bones, Coal, Petroleum, Refuse, Grain, Tar & Wood. | 100 |
| Drive-in Food Dispensary. | 101 |
| Drive-in Theatre. | 102 |
| Dwelling, Multi Family. | 103 |
| Dwelling, Upper Floor, Mixed Use in I, B-1, B-2, B-3, and B-4. | 104 |
| Fire Station on a major or secondary major street in all zone districts. | 105 |
| Heliport. | 106 |
| Hospital. | 107 |
| Incidental Accessory Retail Uses. | 108 |
| Iron and Steel Manufacture. | 109 |
| Junk Yards, Auto Wrecking, Salvage and Scrap Yards. | 110 |
| Kennel (Accessory Residential) in R-12, R-20, R-7.2 and R-5.5 districts. | 111 |
| Libraries in R-7.2, R-5.5, R-A, R-1.5, R-1.0, I, B-1, B-2, B-3, B-4, & B-T districts. | 112 |
| Meat Processing & Packing. | 113 |

| | PAGE |
|---|------------------|
| Metal Fabrication Plants. | 114 |
| Mining & Processing of Natural Resources. | 115 |
| Museums and Art Galleries. | 116 |
| Orphanages and/or Rehabilitation Centers. | 117 |
| Playgrounds (principal use). | 118 |
| Playgrounds, Tot Lots. | 119 |
| Police Station on a major or secondary major street in all zone districts. | 120 |
| Public & Private Utilities structures; telephone exchange buildings, gas regulator & similar strct. | 121 |
| Public & Private Utility service facilities; transformer stations, transmission towers, radio & TV. | 122 |
| Rubber Manufacture or Reclamation. | 123 |
| Schools, Public and Private. | 124 |
| Sewage Treatment and Disposal Facilities and Water Treatment Plants in all districts. | 125 |
| Signs, Separate Use and Outdoor Advertising. | 126 |
| Stables. | 127 |
| Stadia. | 128 |
| Swimming Pools & Bathing Areas, Public and Private, as Primary Uses. | 129 |
| Swimming Pools, Recreational, Accessory. | 130 |
| Zoos. | 131 |
| SCHEDULE OF USES | 132 - 144 |

**A ZONING ORDINANCE
FOR THE CITY OF YOUNGSTOWN, OHIO**

TITLE

AN ORDINANCE TO REGULATE AND RESTRICT THE LOCATION, HEIGHT AND BULK OF BUILDINGS AND DIMENSIONS OF YARDS, COURTS AND OTHER OPEN SPACES, THE DENSITY AND DISTRIBUTION OF POPULATION, AND THE USES OF BUILDINGS, STRUCTURES AND LAND FOR TRADE, INDUSTRY, RESIDENCE, OR OTHER SPECIFIED USES: RATING DISTRICTS FOR SAID PURPOSES AND ESTABLISHING THE BOUNDARIES THEREOF; DEFINING CERTAIN TERMS HEREIN; PROVIDING FOR THE METHOD OF ADMINISTRATION AND AMENDMENT, AND REPLACING CONFLICTING ORDINANCES.

PREAMBLE AND ENACTMENT CLAUSE

IN PURSUANCE OF AUTHORITY CONFERRED BY CHAPTER 713, SECTIONS 713.06 TO 713.15, INCLUSIVE OF THE REVISED CODE, AS AMENDED BY THE GENERAL ASSEMBLY OF OHIO AND FOR THE FOLLOWING PURPOSES:

1. TO PROMOTE THE PUBLIC SAFETY, HEALTH MORALS, CONVENIENCE, PROSPERITY, OR WELFARE;
2. TO LESSEN CONGESTION IN THE STREETS;
3. TO SECURE SAFETY FROM FIRE, PANIC, AND OTHER DANGERS;
4. TO PROVIDE ADEQUATE LIGHT AND AIR;
5. TO PREVENT OVERCROWDING OF LAND;
6. TO AVOID UNDUE CONCENTRATION OF POPULATION;
7. TO FACILITATE THE ADEQUATE PROVISION OF TRANSPORTATION, WATER, SEWERAGE, SCHOOLS, PARKS, AND OTHER PUBLIC REQUIREMENTS;
8. TO GIVE REASONABLE CONSIDERATION, AMONG OTHER THINGS, TO THE CHARACTER OF THE DISTRICT AND ITS PECULIAR SUITABILITY FOR PARTICULAR USES;
9. TO PROMOTE DESIRABLE LIVING CONDITIONS AND THE SUSTAINED STABILITY OF NEIGHBORHOODS;
10. TO PROTECT PROPERTY AGAINST BLIGHT AND DEPRECIATION;
11. TO SECURE ECONOMY IN GOVERNMENTAL EXPENDITURES;
12. TO CONSERVE THE VALUE OF BUILDINGS;
13. TO ENCOURAGE THE MOST APPROPRIATE USE OF LAND, BUILDINGS AND OTHER STRUCTURES THROUGHOUT THE CITY OF YOUNGSTOWN IN ACCORDANCE WITH A COMPREHENSIVE PLAN;

THE COUNCIL OF THE CITY OF YOUNGSTOWN, STATE OF OHIO DOES ENACT INTO LAW THE FOLLOWING ARTICLES AND SECTIONS.

INDEX OF DEFINITIONS IN ARTICLE I

| | |
|-------------------------------|--------|
| Accessory Use or Building | 12.10 |
| Alteration | 12.20 |
| Apartment Hotel | 12.30 |
| Automobile service station | 12.40 |
| Boarding or rooming house | 12.50 |
| Building | 12.60 |
| Care Home | 12.70 |
| Clubs or lodges | 12.80 |
| Day Nursery School | 12.90 |
| Dwelling | 12.100 |
| Dwelling unit | 12.110 |
| Dwelling, Single-Family | 12.120 |
| Dwelling, Two-Family | 12.130 |
| Dwelling, Multi-Family | 12.140 |
| Family | 12.150 |
| Floor Area, Gross | 12.160 |
| Graffiti | 12.450 |
| Group Homes | 12.161 |
| Height of Building | 12.170 |
| Hotel | 12.180 |
| * Kennel | 12.185 |
| Kennel, Accessory Residential | 12.186 |
| Lot, Residential | 12.190 |
| Lot, Coverage | 12.200 |
| Lot, Corner | 12.210 |
| Lot, Through | 12.220 |
| Lot, Width | 12.230 |
| Motel | 12.240 |
| Net Acre | 12.241 |
| Non-Conforming Use | 12.250 |
| Non-Conforming Structure | 12.260 |
| Parking Space | 12.270 |
| Public Use | 12.280 |
| Public Utility | 12.290 |
| Screening Device | 12.295 |
| Setback | 12.300 |
| Sign | 12.310 |
| Sign, Directional | 12.320 |
| Sign, Incidental Use | 12.330 |
| Sign, Principal Use | 12.340 |
| Sign, Separate Use | 12.350 |
| Street, Major | 12.360 |
| Street, Secondary Major | 12.370 |
| Street, Minor | 12.380 |
| Structure | 12.390 |
| Use, Principal Use | 12.400 |
| Yard | 12.410 |
| Yard, Front | 12.420 |
| Yard, Rear | 12.430 |
| Yard, Side | 12.440 |
| ** Zoning Enforcement Officer | 12.455 |

* As Amended by Ordinance No. 01-182, 7/24/02

** As Amended by Ordinance No. 96-108, 3/19/97

ARTICLE I
DEFINITIONS

Except where specifically defined herein, all words used in this ordinance shall carry their ordinary dictionary meanings.

SECTION 11 Interpretation of Certain Terms and Words

Words used in the present tense include the future tense. Words used in the singular number include the plural, and words used in the plural include the singular.

The word “person” includes a firm, co-partnership, company, association, organization, corporation, as well as an individual.

The word “lot” includes the words “plot” or “parcel.”

The word “building” includes the word “structure.”

The word “shall” is always mandatory and not merely discretionary.

The word “may” is permissive, not mandatory.

The word “used” or “occupied” as applied to any land or buildings shall be construed to include the words “intended, arranged or designed to be used or occupied.”

The word “map” means the zoning map of the City of Youngstown.

SECTION 12 List of Definitions

Section 12.10 – Accessory Use or Building. A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Section 12.20 – Alteration, Building. Any change in supporting members of a building such as walls, columns, girders, except such change as may be required for its safety; any addition to a building; any change in use from one zoning classification to another; or moving a building from one site to another.

Section 12.30 – Apartment Hotel. A hotel which is primarily intended to provide dwelling facilities for non-transient persons.

Section 12.40 – Automobile service station. A building or lot having pumps and underground storage tanks at which fuels, oils or accessories for the use of motor vehicles are sold at retail and where only minor repair service is incidental. No painting, body work, major engine or transmission repairs are permitted, nor is storage or sale of motor vehicles permitted.

Section 12.50 – Boarding or rooming house. Any dwelling, or that part of any dwelling containing one or more rooming units, in which space is let by the owner or operator to three (3) or more persons who are not related to the owner or operator as husband, wife, son, daughter, parent, grandparent, father-in-law, mother-in-law, brother or sister.

Section 12.60 – Building. Any structure built for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind. The term building shall be construed as if followed by the words “or part thereof.”

Section 12.70 – Care Home. A rest home, nursing home, convalescent home, boarding home for the aged, or similar use established to render domiciliary care for chronically ill or convalescent patients, but not including facilities for the care of mental patients, alcoholics, senile psychotics or drug addicts.

Section 12.80 – Clubs or lodges. Buildings and facilities owned or operated by a corporation or association of persons for social, civic, cultural, religious, literary, political, recreational, professional or other similar purposes, but not operated primarily for profit or to render a service which is customarily carried on as a business, or anything requiring licensing by a governmental agency.

Section 12.90 – Day Nursery School. A building designed and intended to be used for the daytime care or instruction of two (2) or more children and operated on a regular basis.

Section 12.100 – Dwelling. A building designed, arranged, or used for permanent living quarters for one (1) or more families.

Section 12.110 – Dwelling Unit. A building or portion thereof providing complete living facilities for a single housekeeping unit.

Section 12.120 – Dwelling, Single-Family. A building containing one (1) housekeeping unit only, in which roomers or boarders are prohibited.

Section 12.130 – Dwelling, Two-Family. A building containing two (2) non-communicating housekeeping units, each with its own separate exterior entrance.

Section 12.140 – Dwelling, Multi-Family. A building containing three (3) or more non-communicating housekeeping units, each with its own entrance.

Section 12.150 – Family. One (1) or more persons occupying the premises and living as a single housekeeping unit, as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.

Section 12.160 – Floor Area, Gross. The total number of square feet of floor area in a building determined by horizontal measurements between the exterior faces of walls including basement area used for office, sales, or dwelling space, but excluding basement areas used for the storage of goods, equipment or vehicles.

*Section 12.161 – “Group Home” means any building, structure, home, facility or place operated by person(s) other than the residents themselves, in which three (3) to 19 unrelated persons reside for a period of more than 24 hours, and which is used or intended to be used for the purpose of letting rooms, providing meals and/or providing personal assistance, personal services, personal care and protective care, but not skilled nursing care, designed to help the residents adjust to the community and society. Group Homes shall be further defined as follows:
1. Small group home – a home in which personal service, personal assistance, personal care and/or protective care are provided to between 3 and 5 unrelated individuals, except those foster homes licensed by child-placing agencies. 2. Medium group home – a home in which personal service, personal care and/or personal assistance pursuant to Section 1744.11 of Ordinance 88-566, as amended, are provided to between six (6) and ten (10) unrelated individuals. This shall include any and all foster homes. 3. Large group home – a home in which personal service, personal care and/or personal assistance pursuant to Section 1744.11 of Ordinance 88-566, as

* As Amended by Ordinance No. 88-566, 4/24/91

Section 12.161 – Group Homes (continued)

amended, are provided to between 11 and 19 unrelated individuals. This shall include any and all foster homes. (Further defined in the “Group Home” Ordinance 88-566, as amended.)

Section 12.170 – Height of Building. The vertical distance measured from a point of established grade of the street on record between lot lines, to the highest point of the roof. See Article VII Section 83 for exceptions.

Section 12.180 – Hotel. A building designed for and occupied as the temporary dwelling place for individuals who are lodged with or without meals and in which no provision is made for cooking in any room or suite. Ingress and egress is from the corridor and the structure is generally more than two stories high.

* Section 12.185 – Kennel. Any property where four (4) or more adult dogs are kept.

* Section 12.186 – Kennel, Accessory Residential. Any property where between four (4) and six (6) adult dogs are kept and are all owned by the property owner/tenant.

Section 12.190 – Lot, Residential. A parcel of land defined by metes and bounds or boundary lines in a recorded deed or shown on a recorded plat and fronting on a street.

Section 12.200 – Lot Coverage. All of the land covered by principal and accessory buildings or other facilities as may be applicable in this ordinance, upon a lot, expressed as a percentage of the gross lot area.

Section 12.210 – Lot, Corner. A lot having frontage on two or more streets at the intersection of the streets.

Section 12.220 – Lot, Through. A lot other than a corner lot with frontage on more than one street other than an alley.

Section 12.230 – Lot Width. The horizontal distance between the side lot lines measured along the right-of-way line of the established fronting street. (See Sections 7 or 8 for exceptions.)

Section 12.240 – Motel. A group of temporary accommodations generally limited to one or two stories in which individual outdoor ingress and egress is available to each living unit.

Section 12.241 – Net Acre. That portion of land legally usable for building exclusive of land dedicated for public right-of-way or land subject to highway easement.

Section 12.250 – Non-Conforming Use. A use of land or building, legally existing at the time of passage of this ordinance, or subsequent amendments thereto, and which does not comply with the “Schedule of Permitted Uses” for the district in which it is situated, as provided in this ordinance.

Section 12.260 – Non-Conforming Structure. A building or structure, legally existing at the time of passage of this ordinance, or subsequent amendments thereto, and which does not comply with the dimensional requirements of the district in which such structure is located, as provided in this ordinance.

Section 12.270 – Parking Space. A off-street storage area for the parking of one (1) motor vehicle.

* As Amended by Ordinance No. 01-182, 7/24/02

Section 12.280 – Public Use. Buildings, structures, and uses of land owned , operated and maintained by a government unit or government agency, including but not restricted to public schools, fire stations, libraries, recreation sites and facilities, water and sewage treatment facilities.

Section 12.290 – Public Utility. A building, structure or use of land for pipelines, power transmission lines, telephone and telegraph lines, railroad tracks, but not a railroad yard, and such related public utility structure or station necessary for the installation and maintenance of franchised utility services.

*Section 12.295 – Screening Device. A fence, wall or evergreen hedge which blocks the view of objects on the other side.

Section 12.300 – Setback. The minimum distance measured perpendicularly or radially from the right-of-way line of the street to the nearest face of a structure’s most exterior wall.

Section 12.310 – Sign. Any notice, device, announcement or display, pictorial or otherwise, that is used for the purpose of advertising or directing attention to a commodity, business property, service or entertainment conducted, sold or offered, either on the premises or elsewhere, providing general information.

Section 12.320 – Sign, Directional. A sign which contains only the name or location of, and/or direction to a business, commodity, service or other activity, and is located other than on the premises where such business, commodity, service or other activity is carried on.

Section 12.330 – Sign, Incidental Use. A single professional or announcement sign, displayed on the premises, not exceeding two (2) square feet in area; a home occupation sign or a sign pertaining to the rent, lease or sale of property upon which it is displayed.

Section 12.340 – Sign, Principal Use. A Sign which directs attention to a business, commodity, service or other activity conducted upon the premises upon which said sign is located.

Section 12.350 – Sign, Separate Use. Any sign, including an outdoor advertising sign, which directs attention too a business, commodity, service, entertainment or other activity, conducted sold or offered elsewhere than on the premises on which said sign is located.

Section 12.360 – Street, Major. A public thoroughfare or way shown as a Major Street on the Official Zoning Map.

Section 12.370 – Street, Secondary Major. A public thoroughfare or way shown as a Secondary Major Street on the Official Zoning Map.

Section 12.380 – Street, Minor. A public thoroughfare or way shown as a Minor Street on the Official Zoning Map.

Section 12.390 – Structure. Anything constructed or erected, the use of which requires more or less permanent location on the ground, below the ground, or which is attached to something having a more or less permanent location on the ground, or below the ground.

Section 12.400 – Use, Principal Use. The primary purpose for which a lot or the main building thereon is designed, arranged, or intended to be used, in accordance with the provisions of these regulations.

* As Amended by Ordinance No. 90-930, 1/31/91.

Section 12.410 – Yard. Any open space on a lot between the principal building on such lot and the lot lines of such lot or situated between the principal building on such lot and the right-of-way line of an abutting street right-of-way.

Section 12.420 – Yard, Front. A yard extended across the front of a lot between side lot lines and lying between the right-of-way line of the abutting street and the front of the principal building on the lot.

Section 12.430 – Yard Rear. A yard extending across the rear of a lot from side lot line to side lot line and lying between the rear property line and the rear of the principal building on the lot.

Section 12.440 – Yard, Side. A yard extending along either side of a lot between the front and rear lot lines and lying between the side lot line and the principal building on the lot. In the event of a corner lot, the side yard on the street side shall be the land lying between the street property line and the and the side of the principal building extending from the front property line and the rear property line.

^{*}Section 12.450 – Graffiti means any inscription, design, word, figure or mark of any type drawn, marked, painted, tagged or written upon any building, bridge, fence, gate, rock, structure, tree, wall or other property visible to the public which defaces, damages or destroys any public or private, real or personal property.

^{**}Section 12.455 – Zoning Enforcement Officer. That officer, official or designated employee given the duties of enforcement of all of the zoning ordinances of the City of Youngstown and related regulations. For purposes of this definition, the terms Zoning Enforcement Officer, Zoning Analyst, Zoning Officer and Associate Planner are synonymous.

* As Amended by Ordinance No. 96-13, 5/2/96

** As Amended by Ordinance No. 96-108, 3/19/97

ARTICLE II

APPLICATION OF REGULATIONS

Except as hereinafter provided:

SECTION 21 Interpretation and Application

In interpreting and applying these regulations, the requirements contained herein are declared to be the minimum requirements necessary to carry out the purpose of these regulations. Except as hereinafter provided, these regulations shall not be deemed to interfere with, abrogate, annul, or otherwise affect in any manner whatsoever any easements, covenants or other agreements between parties. Whenever the provisions of these regulations impose greater restrictions upon the use of land or buildings, or upon the height or buildings or require a larger percentage of lot to be left unoccupied than the provisions of other ordinances, rules, regulations, permits, or any easements, covenants, or other agreements between parties, the provisions of these regulations shall govern.

SECTION 22 Use

Except as provided in Article VII, Section 76, Non-conforming Uses and Structures, no building or structure or land shall hereafter be used or occupied and no building or structure or part thereof shall be erected, constructed, reconstructed, moved or altered, except in conformity with the regulations herein specified for the district in which it is located.

SECTION 23 Height and Density

No building or structure shall hereafter be constructed, reconstructed or altered to:

Section 23.1 – Exceed the height limits as herein required.

Section 23.2 – House a larger number of families or occupy a smaller lot area per family as herein required.

Section 23.3 – Have a narrower or smaller front or side yard than is herein required.

SECTION 24 Reduction of Lot Size

No lot, at the time of passage of this ordinance, shall be reduced in size so that lot width or size of yards or lot area per family or any other requirements of this ordinance are not maintained. This section shall not apply when a portion of a lot is acquired for a public purpose.

SECTION 25 Yards and Other Spaces

No part of a yard or other open space or the off-street parking or loading space required about any building for the purpose of complying with the provisions of this ordinance shall be included as part of the yard or the off-street parking or loading space required for another building.

SECTION 26 * Principal Buildings on a Lot

Residential – in any residential district only one principal building and its customary accessory buildings may hereafter be erected on any one lot, except as may be permitted by Section 86 of this ordinance relating to Group Development Projects.

Non-Residential – in any institutional, business or industrial district, any number of buildings, structures, and uses, except for residential buildings, may be erected or established on any one lot.

SECTION 27 Multiple Frontage Lots

Any building constructed on a through lot shall be so located as to comply with the regulations governing the front yard setbacks on all streets on which such lot has frontage.

SECTION 28 Public Street Frontage

No building shall be erected on a lot which does not have legal access to a public street.

SECTION 29 Annexed Territory

Territory which has been zoned by another governmental authority and which may be annexed to the city shall remain as zoned until otherwise rezoned according to the provisions of this ordinance.

* As Amended by Ordinance No. 883-90, 5/30/97

ARTICLE III

ESTABLISHMENT OF DISTRICTS

SECTION 30 Designation of Districts

For the purpose of this ordinance, the City of Youngstown is hereby divided into fifteen (15) districts designated and identified as follows:

- 1) (R-20) Residential, Single-Family
This district is for the purpose of maintaining and protecting low-density single-family residential areas which have a density of not more than two single family dwellings per net acre.
- 2) (R-12) Residential, Single-Family
This district is for the purpose of maintaining and protecting low-density single-family residential areas which have a density of not more than four single-family dwellings per net acre.
- 3) (R-7.2) Residential, Single-Family
This district is for the purpose of maintaining and protecting low-density single-family residential areas which have a density of not more than six single-family dwellings per net acre.
- 4) (R-5.5) Residential, One- and Two-Family
This district is for the purpose of maintaining and protecting medium-density residential areas for single-family and two-family dwellings at a density of not more than eight dwellings per net acre.
- 5) (R-A) Residence-Apartment
This district is for the purpose of maintaining and protecting medium-density residential areas for multi-family dwellings.
- 6) *(R-1.5) Residential, Multi-Family
This district is for the purpose of maintaining and protecting medium-density residential areas for the full range of housing, from the single-family dwelling to the multi-family apartment, at a density of not more than twenty-nine (29) dwellings per net acre.
- 7) (R-1.0) Residential, General
This district is for the purpose of providing and maintaining residential areas in which a variety of residential types (such as: single-family and two-family dwellings, town houses, garden apartments, apartment-hotels, medium rise apartment houses) may be intermixed in order to achieve the optimum use of land while maintaining high standards for healthful, urban living. In this district, density shall not exceed forty-three (43) dwellings per net acre.

* As Amended by Ordinance No. 78-227, 10/18/78.

- 8) (I) Institutional
This district is for the purpose of creating an institutional area where certain types of allied accessory commercial uses may be mixed with institutional uses to form desirable and compatible arrangements of land use.
- 9) (B-1) Business, Central
This district is for the purpose of protecting and promoting the stable development of downtown Youngstown which serves as the central location for retail, service, financial, administrative, professional and governmental activities in the metropolitan area.
- 10) (B-2) Business, General
This district is fore the purpose of providing areas for those commercial and certain industrial-like uses which require large amounts of space involving retailing, wholesaling, servicing, distributing, storing, processing, or a combination of such activities.
- 11) (B-3) Business, Community
This district is for the purpose of providing areas for a variety of retail and services uses serving secondary market areas in the city.
- 12) (B-4) Business, Local
This district is for the purpose of providing areas for neighborhood or local shopping facilities which offer convenience goods and personal services to residents of the immediate market area.
- 13) (I-L) Industrial, Limited
This district is for the purpose of providing areas for those manufacturing or industrial uses which are engaged primarily in the assembly, handling, storage, processing, distributing and non-chemical treatment of materials, goods and products.
- 14) (I-H) Industrial, Unlimited
This district is for the purpose of providing areas for those manufacturing or industrial uses which are not permitted in an I-L District nor expressly prohibited from the city.
- 15) *(M-U) Mixed Use
This district is intended to provide flexibility and incentives for the retention of large, old single-family homes and/or historic structures which are economically unproductive for continued use solely for single-family purposes; to permit business and residential uses to be mixed or intermingled in the same building, and to promote the physical and economic stabilization of existing residential uses through the process of conversion and adaptive re-use.
- 16) **(P-D) Planned Development Overlay Zoning
The purpose of the Planned Development Overlay (PD) zoning is to provide an opportunity for appropriate, creative planned development and redevelopment to occur within designated areas. Planned Development Overlay zoning allows for more flexible use of land than does a more rigid zoning classification in return for adherence to a land use and development plan (development plan) which ensures the protection of the public

* As Amended by Ordinance No. 86-455, 9/17/86.

** As Amended by Substitute Ordinance No. 99-37, 2/3/99.

health, safety and welfare. Property owners within a PD district have the option of developing subject to the requirements of either the approved development plan or the underlying zoning classification.

SECTION 31 Zoning Map

The boundaries of these districts are hereby established as shown on a map entitled ZONING MAP OF THE CITY OF YOUNGSTOWN, OHIO, dated and certified by the City Clerk. The map is hereby made a part of this ordinance and shall be on file in the office of the City Clerk.

Section 32.1 – Changes to the Official Zoning Map. When, in accordance with the provisions of this ordinance, changes are made in district boundaries or other matter shown on the Official Zoning Map, such changes shall be made promptly after the amendment has been approved by City Council.

Section 32.2 – Copies of Official Zoning Map. From time to time copies of the Official Zoning Map may be made, published or distributed, but the final authority for the current zoning status of lands, buildings, and other structures in the city, shall be the Official Zoning Map located in the office of the City Clerk.

SECTION 32 Interpretation of District Boundaries

Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

Section 33.1 – Where district boundaries are indicated as approximately following the center lines of streets or highways, street lines or highway right-of-way lines, such center lines, street lines, or highway right-of-way lines shall be construed to be such boundaries.

Section 33.2 – Where district boundaries are so indicated that they approximately follow the lot lines, such lot lines shall be construed to be such boundaries.

Section 33.3 – Where district boundaries are so indicated that they are approximately parallel to the center lines or street lines of streets, or the center lines, or right-of-way lines of highways, such district shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map. If no distance is given by ordinance, such dimension shall be determined by the use of scale shown on said zoning map.

Section 33.4 – Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of the said railroad line.

ARTICLE IV

RESIDENTIAL, SINGLE – FAMILY, R-20 & R-12

SECTION 1 INTENT: The R-20 district is for the purpose of maintaining and protecting low-density single-family residential areas which have a density of not more than two (2) single-family dwellings per net acre.

The R-12 district is for the purpose of maintaining and protecting low-density single-family residential areas which have a density of not more than four (4) single-family dwellings per net acre.

SECTION 2 PERMITTED USES:

Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool sheds.

Assembly halls, coliseums, gymnasiums and similar structures when part of a place of worship (with special controls).

Automobile parking operated in conjunction with permitted uses and, in accordance with the requirements of Article VII, Section 77.

Cemeteries (with special controls).

Churches and other places of worship including parsonage or rectory (with special controls).

Crop or tree farming, greenhouses and truck gardening including the sale of products raised on the premises provided that no retail stand or other commercial structure shall be located thereon and no greenhouse heating plant shall be operated within twenty (20) feet of any lot line.

Dwellings, detached single-family.

Farm, minimum of three acres used for agricultural purposes.

Fire stations on a major or secondary major street (with special controls).

Golf courses, but not including commercially operated driving ranges, pitch & putt, miniature or par 3 courses.

Ground and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.

Incidental home occupations as defined in Article VII Section 79.

* Kennel (Accessory Residential) (with special controls).

Parks, permitted in R-20 only.

Playgrounds, principal use (with special controls).

Police Stations located on a major or secondary major street (with special controls).

Public and private utilities building structures: telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service buildings or yards (with special controls).

Schools, public and private (with special controls).

Sewage treatment and disposal facilities and water treatment plant (with special controls).

Sign, incidental use.

Swimming pools, recreational, accessory outdoor use (with special controls).

* As Amended by Ordinance No. 01-182, 7/24/02

ARTICLE IV

RESIDENTIAL, SINGLE – FAMILY, R-7.2

- SECTION 1 INTENT: This district is for the purpose of maintaining and protecting low-density single-family residential areas which have a density of not more than six (6) single-family dwellings per net acre.
- SECTION 2 PERMITTED USES:
- Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool sheds.
 - Assembly halls, coliseums, gymnasiums and similar structures when part of a place of worship (with special controls).
 - Automobile parking operated in conjunction with permitted uses and, in accordance with the requirements of Article VII, Section 77.
 - Cemeteries (with special controls).
 - Churches and other places of worship including parsonage or rectory (with special controls).
 - Crop or tree farming, greenhouses and truck gardening including the sale of products raised on the premises provided that no retail stand or other commercial structure shall be located thereon and no greenhouse heating plant shall be operated within twenty (20) feet of any lot line.
 - Dwellings, detached single-family.
 - Farm, minimum of three acres used for agricultural purposes.
 - Fire stations on a major or secondary major street (with special controls).
 - Golf courses, but not including commercially operated driving ranges, pitch & putt, miniature or par 3 courses.
 - Ground and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.
 - Incidental home occupations as defined in Article VII Section 79.
 - * Kennel (Accessory Residential) (with special controls).
 - Parks, permitted in R-20 only.
 - Playgrounds, principal use (with special controls).
 - Police Stations located on a major or secondary major street (with special controls).
 - Public and private utilities building structures: telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service buildings or yards (with special controls).
 - Schools, public and private (with special controls).
 - Sewage treatment and disposal facilities and water treatment plant (with special controls).
 - Sign, incidental use.
 - Swimming pools, recreational, accessory outdoor use (with special controls).

* As Amended by Ordinance No. 01-182, 7/24/02

ARTICLE IV

RESIDENTIAL, ONE – AND TWO – FAMILY, R-5.5

SECTION 1 INTENT: This district is for the purpose of maintaining and protecting medium-density residential areas for single-family dwellings at a density of not more than eight (8) dwellings per net acre.

SECTION 2 PERMITTED USES:

Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool sheds.

Assembly halls, coliseums, gymnasiums and similar structures when part of a place of worship (with special controls).

Automobile parking operated in conjunction with permitted uses and, in accordance with the requirements of Article VII, Section 77.

Cemeteries (with special controls).

Churches and other places of worship including parsonage or rectory (with special controls).

Crop or tree farming, greenhouses and truck gardening including the sale of products raised on the premises provided that no retail stand or other commercial structure shall be located thereon and no greenhouse heating plant shall be operated within twenty (20) feet of any lot line.

Day nurseries and kindergartens (with special controls)

Dwellings, detached single-family.

Dwellings, two-family.

Fire stations on a major or secondary major street (with special controls).

Golf courses, but not including commercially operated driving ranges, pitch & putt, miniature or par 3 courses.

Ground and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.

Group Homes, Small.

Group Homes, Medium.

Group Homes, Large.

Incidental home occupations as defined in Article VII Section 79.

* Kennel (Accessory Residential) (with special controls).

Libraries (with special controls).

Playgrounds (with special controls).

Playground, tot-lot (with special controls).

Police Stations located on a major or secondary major street (with special controls).

Public and private utilities building structures: telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service buildings or yards (with special controls).

Public and private utilities service facilities: transfer stations, transmission towers for radio & television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).

Rooming and boarding houses.

Schools, public and private (with special controls).

Sewage treatment and disposal facilities and water treatment plant (with special controls).

Sign, incidental use.

Swimming pools, accessory use (with special controls).

Swimming pools and bathing areas, public or private as primary use (with special controls).

* As Amended by Ordinance No. 01-182, 7/24/02

ARTICLE IV

RESIDENCE – APARTMENT

- SECTION 1 INTENT: This district is for the purpose of maintaining and protecting medium-density residential areas for multi-family dwellings.
- SECTION 2 PERMITTED USES:
- Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool sheds.
 - Assembly halls, coliseums, gymnasiums and similar structures when part of a place of worship (with special controls).
 - Automobile parking operated in conjunction with permitted uses and, in accordance with the requirements of Article VII, Section 77.
 - Cemeteries (with special controls).
 - Churches and other places of worship including parsonage or rectory (with special controls).
 - Convalescent and nursing homes (with special controls).
 - Day nurseries and kindergartens (with special controls).
 - Dwellings, attached single-family such as apartment buildings, row or town houses in groups of not less than four (4), nor more than ten (10) units.
 - Dwellings, multi-family with a minimum of four (4) units.
 - Fire stations on a major or secondary major street (with special controls).
 - Golf courses, but not including commercially operated driving ranges, pitch & putt, miniature or par 3 courses.
 - Ground and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.
 - Incidental accessory retail uses such as cafeteria, gift or variety shops, soda bars conducted solely for the convenience of the employees, patients, patrons or visitors on the premises wholly within the principal building and without exterior advertising display (with special controls).
 - Incidental home occupations as defined in Article VII, Section 79.
 - Libraries (with special controls).
 - Playgrounds (with special controls).
 - Police Stations located on a major or secondary major street (with special controls).
 - Public and private utilities building structures: telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service buildings or yards (with special controls).
 - Public and private utilities service facilities: transfer stations, transmission towers for radio & television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).
 - Sewage treatment and disposal facilities and water treatment plant (with special controls).
 - Sign, incidental use.
 - Swimming pools, accessory use (with special controls).
 - Swimming pools and bathing areas, public or private as primary use (with special controls).

ARTICLE IV

RESIDENTIAL, MULTI – FAMILY, R-1.5

- SECTION 1 INTENT: This district is for the purpose of maintaining and protecting medium-density Residential areas for the full range of *housing, from the single-family dwellings to the multi-family apartment, at a density of not more than twenty-nine (29) dwellings per net acre.
- SECTION 2 PERMITTED USES:
- Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool sheds.
 - Assembly halls, coliseums, gymnasiums and similar structures when part of a place of worship (with special controls).
 - Automobile parking operated in conjunction with permitted uses and, in accordance with the requirements of Article VII, Section 77.
 - Cemeteries (with special controls).
 - Churches and other places of worship including parsonage or rectory (with special controls).
 - Crop or tree farming, greenhouses and truck gardening including the sale of products raised on the premises provided that no retail stand or other commercial structure shall be located thereon and no greenhouse heating plant shall be operated within twenty (20) feet of any lot line.
 - Day nurseries and kindergartens (with special controls).
 - **Dwellings, multi-family with a minimum of four (4) units.
 - Dwellings, single-family.
 - Dwellings, two-family.
 - Fire stations on a major or secondary major street (with special controls).
 - Fraternity Houses.
 - Golf courses, but not including commercially operated driving ranges, pitch & putt, miniature or par 3 courses.
 - Ground and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.
 - Group Homes, Small.
 - Group Homes, Medium.
 - Group Homes, Large.
 - Incidental home occupations as defined in Article VII, Section 79.
 - Libraries (with special controls).
 - Playgrounds (with special controls).
 - Police Stations located on a major or secondary major street (with special controls).
 - Public and private utilities building structures: telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service buildings or yards (with special controls).
 - Public and private utilities service facilities: transfer stations, transmission towers for radio & television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).
 - Rooming and boarding houses.
 - Schools, public and private (with special controls).

* As Amended by Ordinance No. 78-227, 10/18/78.

** As Amended by Ordinance No. 92-148, 5/6/92.

Residential, Multi – Family, R-1.5 (Cont'd)

Sewage treatment and disposal facilities and water treatment plant (with special controls).

Sign, incidental use.

Sorority Houses.

Swimming pools, accessory use (with special controls).

Swimming pools and bathing areas, public or private as primary use (with special controls)

ARTICLE IV

RESIDENTIAL, GENERAL, R-1.0

SECTION 1 INTENT: This district is for the purpose of protecting and maintaining residential areas in which a variety of residential types such as: Single-Family and Two-Family dwellings, town houses, garden apartments, apartment hotels, and medium-rise apartment houses may be intermixed in order to achieve the optimum use of the land while maintaining high standards for healthful urban living. In this district, density shall not exceed forty-three (43) dwellings per net acre.

SECTION 2 PERMITTED USES:

Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses or tool sheds.

Assembly halls, coliseums, gymnasiums and similar structures when part of a place of worship (with special controls).

Automobile parking operated in conjunction with permitted uses and, in accordance with the requirements of Article VII, Section 77.

Cemeteries (with special controls).

Churches and other places of worship including parsonage or rectory (with special controls).

Crop or tree farming, greenhouses and truck gardening including the sale of products raised on the premises provided that no retail stand or other commercial structure shall be located thereon and no greenhouse heating plant shall be operated within twenty (20) feet of any lot line.

Custodial and diagnostic centers.

Day nurseries and kindergartens (with special controls).

Dormitories.

Dwellings, attached single-family such as apartment buildings, row or town houses in groups of not less than four (4), nor more than ten (10) units.

Dwellings, multi-family with a minimum of four (4) units.

Dwellings, single-family.

Dwellings, two-family.

Fire stations on a major or secondary major street (with special controls).

Fraternity Houses.

Golf courses, but not including commercially operated driving ranges, pitch & putt, miniature or par 3 courses.

Ground and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.

Group Homes, Small.

Group Homes, Medium.

Group Homes, Large.

Incidental home occupations as defined in Article VII, Section 79.

Libraries (with special controls).

Orphanages and/or rehabilitation centers (with special controls).

Playgrounds (with special controls).

Playground, tot-lot (with special controls).

Police Stations located on a major or secondary major street (with special controls).

Residential, General, R-1.0 (Cont'd)

Public and private utilities building structures: telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service buildings or yards (with special controls).

Public and private utilities service facilities: transfer stations, transmission towers for radio & television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).

Rooming and boarding houses.

Schools, public and private (with special controls).

Sewage treatment and disposal facilities and water treatment plant (with special controls).

Sign, incidental use.

Sorority Houses.

Swimming pools, accessory use (with special controls).

Swimming pools and bathing areas, public or private as primary use (with special controls)

Zoos (with special controls).

ARTICLE IV

*MIXED USE (M-U)

SECTION 1 INTENT: The intent of this section is to establish a zoning classification which provides flexibility in residential, commercial use mixtures and development concepts not otherwise permitted within the standard zone districts established by this ordinance. I is the intent of this district to:

- guide development in certain older residential areas in which there is a desire to provide for an increased variety of living work arrangements;
- create incentives for the retention of the distinct residential character and rehabilitation of large, old single-family homes and/or historic structures which are economically unproductive for continued use solely for single-family purposes and to return them to physical and economic stability;
- permit new developments which are compatible with existing uses on neighboring properties and which support the residential character and architectural style of the area.

The mixed use district occupies the middle ground between residential and local business district; it is mapped along some major streets and connector streets in older residential areas having an identity or character worthy of retention and enhancement. Very little vacant land is included within this district since the primary purpose is to promote the physical and economic stabilization of existing residential uses through the processes of conversion and adaptive re-use.

SECTION 2 PERMITTED USES:

Uses, together with their customary accessory uses or buildings,

Accessory uses or buildings, subject to the provisions of Section 4.

Dwellings, detached single-family.

Fire stations or police stations on a major or secondary major street (with special controls).

Public and private utility structures or utility service facilities (with special controls).

ADAPTIVE USES:

The following uses may be mixed or intermingled in the same building or as in-fill development on vacant parcels, subject to the standards set forth herein and the additional requirements contained under Sub-section 2 (a):

Business and professional offices.

Business, professional and technical training schools.

Group homes, small.

** Medical Offices: Physician, dentists, chiropractors, optometrists, and veterinarians (handling small household pets only).

* As Amended by Ordinance No. 86-455, 9/17/86.

** As Amended – Deletion: Food and grocery stores, etc., Ordinance No. 90-209, 9/25/90.

Mixed – Use (M-U) (Cont'd)

Personal service shops: Barber shops, beauty salon, tailor, dressmaking shops, milliner, manicurists, wig and toupee consultants, bridal consultants, shoe repair shop.

Restaurants, excluding drive-in service

Specialty shops: Including but not limited to; antique or gift shops, art supplies, stationary or office supplies, coin shop, luggage and leather goods, hobby shops, florists (retail only), apothecary, or drug store, camera shop, apparel shop, bookstore (excluding adult bookstores as defined in City Ordinance No. 92-588).

Studios for the arts: Painting, music, dance, photography, crafts and similar uses.

Theatre, featuring drama, dance and comedy (excluding adult theatres and movie houses as defined in City Ordinance No. 92-588).

SUB-SECTION 2 (a) ADDITIONAL STANDARDS FOR ADAPTIVE USES:

An existing residential structure may have up to 100 percent of its gross floor area converted to one or more of the above uses provided that:

- 1) Structural alterations shall be limited to interior changes. Exterior alterations that are made solely for the purpose of adaptive re-use and whose appearance is non-residential in character shall not be permitted. This condition shall not apply to restoration or repair work.
- 2) All re-use proposals shall be subject to review and approval by the Board of Zoning Appeals.

SECTION 3 CONDITIONAL USES:

The following conditional uses may be permitted subject to review and approval by the Board of Zoning Appeals.

- A. An existing one- or two-family dwelling may be converted to contain additional dwelling units, provided that:
 1. A minimum of 400 square feet of habitable floor area is provided for each dwelling unit after conversion.
 2. Structural alterations are limited to interior changes. Exterior alterations that are made solely for the purpose of conversion shall not be permitted. This condition does not apply to alterations deemed necessary by the Board of Zoning Appeals to provide desirable means of ingress and egress to and from all dwelling units.
 3. After conversion, the converted dwelling shall retain the appearance of a single-family dwelling. Any outside fire escape or stairway leading to an upper floor shall be located on the rear of the building and shall not be located on any building wall facing any street upon which the lot has frontage.

Mixed – Use (M-U) (Cont'd)

4. Such dwelling, when converted, shall not have more than one front entrance. All other entrances will be on the side or in the rear of the building. An entrance leading to a foyer with entrances leading from such foyer to additional dwelling units is desirable.
- B. Day nurseries and kindergartens, provided that the ratio of building to total lot area shall not exceed 20 percent; that a fence or wall shall be provided along all side and rear lot lines as regulated under Section 87 of this ordinance, and that off-street passenger loading facilities shall be provided, which facilities may be located within the setback area.
- C. Fraternity and sorority houses occupied by and maintained exclusively for students affiliated with Youngstown State University and other recognized institution of higher learning and when regulated by such institution, provided that such houses shall be located or established not more than 1000 feet distant from the land occupied by the institution to which they are affiliated.

SECTION 4 ACCESSORY BUILDINGS AND USES:

- A. Accessory buildings (such as garages, carports, greenhouses, tool sheds) and uses incidental to any permitted use provided, however, that such accessory buildings and uses shall comply with the Area, Yard and Height requirements, as provided under Section 5, and provided further that such accessory building and uses, if not located in the rear yard, shall be an integral part of the principal building to which it is accessory. A detached accessory building shall occupy not more than 30 percent of the required rear yard for the principal building.
- B. A structure for storage incidental to a permitted use provided that no such structure shall exceed 100 square feet in gross floor area.
- C. The renting of rooms by a resident family to not more than two (2) roomers or boarders provided that at least one off-street parking space shall be provided for each roomer or boarder and provided further that such occupancy shall meet all applicable requirements of the City's Housing Code and Building Code.
- D. Home Occupations, subject to the requirements of Section 79.
- E. Fences, walls and hedges, subject to the requirements of Section 87.

SECTION 5 AREA, YARD AND HEIGHT REQUIREMENTS:

The lot frontage, lot area per family, and yard space requirements for uses in the Mixed-Use District shall be as follows:

Minimum Lot Frontage – 50 feet at the building setback line.

Mixed – Use (M-U) (Cont'd)

Minimum Lot-Area per Family:

| | |
|----------------------------------|----------------------------|
| Single-Family Dwelling, detached | 7,200 square feet |
| Two-Family Dwelling | 11,000 square feet |
| Multi-Family Dwelling | 2,000 square feet per unit |

Exceptions for existing lots: As provided under Section 81.

Minimum Yard Space Requirements for Principal Buildings:

| | |
|--------------------|--|
| Front Yard Setback | 35 Feet. No portion of the front yard setback aside from designated driveways shall be used for vehicular maneuvering or parking. |
| Rear Yard | 25 feet. |
| Side Yard | Each lot shall have two side yards having a combined total of at least 15 feet and the width of the smaller of the two yards shall be at least five feet. of the smaller of the two yards shall be at least five feet. |

Minimum Yard Space Requirements for Accessory Buildings:

| | |
|-----------|--------|
| Rear Yard | 5 feet |
| Side Yard | 5 feet |

On corner lot the distance from the side lot line shall be the same as required for the principal structure on the lot.

| | |
|---|---------|
| Distance between principal building and detached accessory building | 10 feet |
|---|---------|

Maximum Height of Buildings:

| | |
|--------------------|---------|
| Principal Building | 35 feet |
| Accessory Building | 12 feet |

Height exceptions: As provided in Section 83.

Permitted projections into Required Yards: as provided under Section 85.

SECTION 6 OFF-STREET PARKING

The number of off-street parking spaces required for certain uses permitted in the Mixed-Use District shall be governed by the requirements of Section 77 with the exception of the following:

Mixed – Use (M-U) (Cont'd)

Multi-Family Dwellings:

One parking space per efficiency or one-bedroom unit;

Two spaces for units with two (2) spaces or more.

SECTION 7 SIGNS:

The following functional types of signs are permitted in the Mixed-Use District:

For residential Use: An incidental Use Sign defined under Section 12.330 of the Zoning Ordinance as a single professional or announcement sign, displayed on premises, not exceeding two (2) square feet in area; a home occupation sign or a sign pertaining to the rent, lease or sale of property upon which the sign is displayed.

For Non-Residential Use: A incidental Use Sign as defined above, and a Principal Use Sign as defined under Section 12.340 of the Zoning Ordinance which directs attention to a business, commodity, service or other activity conducted upon the premises upon which the sign is located.

SECTION 8 LANDSCAPING:

All areas not used for access, parking, circulation or buildings shall be completely and permanently landscaped and the entire site maintained in well-kept condition. Landscaping shall consist of the planting of some combination of trees, shrubs, vines, ground cover, flowers or lawn. The combination or design may include rock and such structural features as fountains, reflecting pools, statuary, fences, walls and hedges. Such required landscaping shall be subject to review and approval by the Board of Zoning Appeals.

ARTICLE IV

INSTITUTIONAL (I)

SECTION 1 INTENT: This district is for the purpose of creating an institutional area where certain types of allied accessory uses may be mixed with institutional uses to form desirable and compatible arrangements of land use.

SECTION 2 PERMITTED USES:

Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard.

Agencies and offices rendering specialized services in the professions, real estate and brokerage, including service agencies not involving on-premises retail trade nor wholesale trade on-premises, nor maintenance of a stock of goods for sale to the general public.

Assembly halls, gymnasiums and similar structures.

Assembly halls, gymnasiums and similar structures when part of a place of worship (with special controls).

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77.

Banks.

* Blood banks, plasma centers and/or blood donor centers.

Book and stationary stores.

Cemeteries (with special controls).

Charitable institutions.

Churches and other places of worship including parsonage or rectory (with special controls).

Colleges, universities, business colleges, trade schools, music conservatories, dancing schools and similar organizations offering training in specific fields.

Convalescent and nursing homes (with special controls).

Custodial and diagnostic centers.

Day nurseries and kindergartens (with special controls).

Dormitories.

** Dwellings, Upper Floor, Mixed Use.

Field houses.

Fire stations on a major or secondary major street (with special controls).

Fraternity houses.

Funeral homes, undertaking establishments, embalming.

Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes except for garages, repair or storage yards, warehouses and buildings used as correctional or penal institutions.

Grounds and facilities for open air games or sports.

Grounds and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.

Group Homes, Small.

Group Homes, Medium

Group Homes, Large.

* As Amended by Ordinance No. 87-64, 5/20/87.

** As Amended by Ordinance No. 94-568, 3/8/95.

INSTITUTIONAL (I) (Cont'd)

Heliport (with special controls).

Hospitals and sanitariums located on a major street or secondary major street (with special controls).

Incidental accessory retail uses such as cafeterias, gift or variety shops, soda bars conducted solely for the convenience of the employees, patients, patrons, or visitors on the premises wholly within the principal building and without exterior advertising display (with special controls).

Laboratories for research and testing.

Libraries (with special controls).

Museums and art galleries.

Musical instrument store, sale of and instruction.

Newsstand as an accessory use.

Office buildings: Governmental and private office buildings including professional offices.

Orphanages and/or Rehabilitation Centers (with special controls).

Playgrounds (with special controls).

Police stations on a major or a secondary major street (with special controls).

Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards (with special controls).

Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).

Radio and television studios.

Schools, public or private (with special controls).

Sewage treatment and disposal facilities, and water treatment plant (with special controls).

Sign, incidental use.

Sorority Houses.

Swimming pools, accessory use (with special controls).

Swimming pools and bathing areas, public or private as primary uses (with special controls).

Taxi stand.

Vocational or trade school.

ARTICLE IV

BUSINESS CENTRAL (B-1)

SECTION 1 INTENT: This district is for the purpose of protecting and promoting the stable development of downtown Youngstown which serves as the central location for retail services, financial, administrative, professional, and governmental activities in the metropolitan area.

SECTION 2 PERMITTED USES:

Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard.

Agencies and offices rendering specialized services in the professions, real estate and brokerage, including service agencies not involving on-premises retail trade nor wholesale trade on-premises, nor maintenance of a stock of goods for sale to the general public.

Alcohol beverage packaged retail stores.

Amusement enterprises such as billiards, pool, bowling, skating rink, dance hall and similar activities when housed in a permanent structure but not including theater.

Antiques and gift retail sales.

Art supply retail sales.

Assembly halls, gymnasiums and similar structures.

Automobile commercial parking enterprise.

Automobile and truck leasing.

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77.

* Automobile Repair Shop (with special controls).

Bakery shops and confectionaries operating both wholesale and retail business provided such operations are limited to 1500 square feet of manufacturing area and to the use of non-smoke producing types of furnaces.

Banks.

Barber, beauty and other personal services.

Barber, beauty equipment sales and supply.

Bicycle sale and repair.

Blueprinting and photostatting establishments.

Bookbindery.

Book and stationary stores.

Bus and Railroad passenger stations.

Camera sales, supplies, services.

Candy products, retail.

Catering establishments.

Charitable institutions.

Churches and other places of worship including parsonage or rectory (with special controls).

Clothing sales.

Clubs and other places of entertainment.

Cold storage plants for food.

* As Amended by Ordinance No. 94-326, 9/21/94.

Business, Central (B-1) (Cont'd)

Colleges, universities, business colleges, trade schools, music conservatories, dancing schools and similar organizations offering training in specific fields.

Custodial and diagnostic centers.

Dairy bars for retail sale on the premises only.

Dancing schools.

Day nurseries and kindergartens (with special controls).

Department stores.

Dental laboratories.

Drug stores.

Dormitories.

Dry cleaning, pressing and dyeing plants operated in conjunction with retail service counter provided that not more than 2,000 square feet is devoted to these processes.

Dwellings, multi-family with a minimum of four (4) units (with special controls).

*Dwellings, Upper Floor, Mixed Use.

Eating and drinking establishments.

Electrical supplies, retail.

Electrical repair.

Fertilizer, retail sales.

Finance and loan companies.

Fire stations on a major or a secondary major street (with special controls).

Florist, retail.

Food processing: For sale at retail on premises, but excluding the killing and dressing of any flesh or fowl.

Food stores (retail only) grocery, delicatessen, meat and fish excluding the killing of any flesh or fowl.

Footwear, retail.

Frozen food lockers.

Furniture and floor covering retail sales.

Furriers, retail sales.

Gift shop, cards.

Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes.

Grounds and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.

Group Homes, Small.

Group Homes, Medium

Group Homes, Large.

Hardware, appliances, and electrical items, retail sales.

Hat cleaning and blocking.

Heliport (with special controls).

Hotels and Inns.

Jewelry and watch sale and repair.

Laboratories for research and testing.

* As Amended by Ordinance No. 94-568, 3/8/95

Business, Central (B-1) (Cont'd)

Laundries: All hand laundries And any small power laundries operated in conjunction with a retail service counter on the premises where not more than 2,000 square feet of floor space is devoted to the laundering and finishing processes, provided the total operating capacity of all commercial washing machines shall not exceed 400 pounds and no coal-burning or smoke producing equipment is used.

Laundry pick-up stations.

Libraries (with special controls).

Lock and gunsmiths.

Lodges, fraternal and social organizations.

Motels.

Museums and art galleries.

Music stores.

Musical instrument store, sale and instruction.

Newsstands as an accessory use.

Office buildings: Governmental and private office buildings including professional offices.

Office equipment and supplies sales and service.

Office and secretarial service establishments.

Optical supplies sales.

Orphanages and/or rehabilitation centers (with special controls).

Paint, retail sales.

Pawn shops or second hand stores.

Penal institutions.

Pet shops, bird stores, taxidermists.

Photographic studios and camera supply stores.

Physical cultural establishments.

Playgrounds (with special controls).

Police stations on a major or secondary major street (with special controls).

Postal facilities privately or publicly owned.

Poultry dressing but only for sale at retail on the premises.

Printing, publishing and reproduction establishments.

Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards (with special controls).

Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).

Radio, television, retail sales and service.

Radio and television studios.

Railroad right-of-way.

Retail stores similar to those otherwise named on this list.

School, specialty, trade or vocational.

Sewage treatment and disposal facilities and water treatment plant (with special controls).

Shoe repair.

Sign, incidental use.

Business, Central (B-1) (Cont'd)

* Sign, outdoor advertising, except in district bounded by Wood Street to the north, Front Street to the south, South Avenue/Watt Street to the east, and Belmont Avenue to the west (with special controls).

Sign, principal use.

* Sign, separate use, except in district bounded by Wood Street to the north, Front Street to the south, South Avenue/Watt Street to the east, and Belmont Avenue to the west: Provided no outdoor advertising structure shall contain over one (1) sign per facing, nor exceed a length of 52 feet, nor be erected within 100 feet of any R, residential district if visible from such district and designed to face therein. In addition, ground mounted outdoor advertising structures erected in the B-1 district are deemed transitional uses and shall be removed upon 30 days notice by the property owner that a new development is being constructed on the premises where such structure is located, or by 30 days written notice of the City Council (with special controls).

Sporting goods sales.

Storage, under cover, of goods intended for retail sale on the premises, but not including combustibles.

Swimming pools, accessory use (with special controls).

Tailors, dressmakers, milliners.

Taverns, bars and nightclubs.

Taxi stand.

Theaters, housed in a permanent indoor structure, exhibition halls and other similar structures.

Upholstery, paper hanging and decorator shops.

Variety stores.

Vocational or trade schools.

* As Amended by Ordinance No.87-193, 6/10/87.

ARTICLE IV

*BUSINESS, GENERAL (B-2)

SECTION 1 INTENT: This district is for the purpose of providing areas for those commercial and certain industrial-like uses which require large amounts of space involving retailing, wholesaling, servicing, distributing, storage, processing, or a combination of such activities.

SECTION 2 PERMITTED USES:

Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard.

Agencies and offices rendering specialized services in the professions, real estate and brokerage, including service agencies not involving on-premises retail trade nor wholesale trade on-premises, nor maintenance of a stock of goods for sale to the general public.

Alcohol beverage packaged retail stores.

Amusement enterprises such as billiards, pool, bowling, skating rink, dance hall and similar activities when housed in a permanent structure but not including theater.

Amusement parks (with special controls).

Animal hospital.

Antiques and gift retail sales.

Appliance distributors for wholesale.

Art supply retail sales.

Assembly halls, gymnasiums and similar structures.

Assembly of machines and appliances from previously prepared parts (with special controls).

Automobile, automatic car wash (with special controls).

Automobile commercial parking enterprise.

Automobile (new & used) and accessory sales.

Automobile and truck leasing.

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77.

** Automobile Repair Shop (with special controls).

Automotive service station (with special controls).

Bakeries or baking plants.

Bakery shops and confectionaries operating both wholesale and retail business provided such operations are limited to 1500 square feet of manufacturing area and to the use of non-smoke producing types of furnaces.

Banks.

Barber, beauty and other personal services.

Barber, beauty equipment sales and supply.

Bedding, carpet and pillow manufacturing, cleaning, and renovating.

Bicycle sale and repair.

*** Blood banks, plasma centers and/or blood donor stations.

Blueprinting and photostating establishments.

* As Amended by Ordinance No. 06-214, 1/17/07

** As Amended by Ordinance No. 94-326, 9/21/94

*** As Amended by Ordinance No. 86-64, 5/20/87

Business, General (B-2) (Cont'd.)

Bookbindery.
Book and stationary stores.
Bottling works for soft drinks.
Camera sales, supplies, services.
Candy products, retail.
Catering establishments.
Charitable institutions.
Churches and other places of worship including parsonage or rectory (with special controls).
Clothing sales.
Clubs and other places of entertainment.
Cold storage plants for food.
Colleges, universities, business colleges, trade schools, music conservatories, dancing schools and similar organizations offering training in specific fields.
Custodial and diagnostic centers.
Dairy products processing, bottling and distribution, cream manufacture, all on a wholesale basis.
Dairy bars for retail sale on the premises only.
Dancing schools.
Day nurseries and kindergartens (with special controls).
Department stores.
Dental laboratory.
Drive-in food dispensary (with special controls).
Drive-in theater, on a major or secondary major street (with special controls).
Drug stores.
Dry cleaning, pressing and dyeing plants, and related retail service counter.
Dry cleaning, pressing and dyeing plants operated in conjunction with retail service counter provided that not more than 2,000 square feet is devoted to these processes.
*Dwellings, Upper Floor, Mixed Use.
Eating and drinking establishments.
Electrical supplies, retail.
Electrical repair.
Farm machinery
Feed sales and storage.
Fertilizer, retail sales.
Field houses.
Finance and loan companies.
Fire stations on a major or a secondary major street (with special controls).
Florist: Greenhouses, cultivation facilities and warehousing for wholesale and related retail trade.
Florist, retail.
Food processing: For sale at retail on premises, but excluding the killing and dressing of any flesh or fowl.
Food stores (retail only) grocery, delicatessen, meat and fish excluding the killing of any flesh or fowl.
Footwear, retail.
Frozen food lockers.
Funeral homes, undertaking establishments, embalming.

* As Amended by Ordinance No. 94-568, 3/8/95

Business, General (B-2) (Cont'd.)

Furniture retail sales and floor covering retail sales.
Furriers, retail sales.
Gift shop, cards.
Golf course, commercially operated: Driving ranges, pitch & putt, miniature or par 3 courses.
Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes.
Grounds and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.
Group Homes, Small.
Group Homes, Medium
Group Homes, Large.
Hardware, appliances, and electrical items, retail sales.
Hat cleaning and blocking.
Heliport (with special controls).
Hotels and Inns.
Ice manufacture, storage and sales.
Jewelry and watch sale and repair.
Kennels.
Laboratories for research and testing.
Launderette service: Where individual, family-sized laundry equipment is rented for use by the customer.
Laundry pick-up stations.
Libraries (with special controls).
Lock and gunsmiths.
Lodges, fraternal and social organizations.
Lumber yards, building materials storage and sale.
Meat processing and packing, including the slaughter of fowl and small game only (with special controls).
Motorcycle sales and repair.
Motels.
Museums and art galleries.
Music stores.
Musical instrument store, sale and instruction.
Newsstands as an accessory use.
Office buildings: Governmental and private office buildings including professional offices.
Office equipment and supplies sales and service.
Office and secretarial service establishments.
Optical and scientific instrument, jewelry and clock, and musical instrument manufacture.
Optical supplies sales.
Orphanages and/or rehabilitation centers (with special controls).
Paint, retail sales.
Pawn shops or second hand stores.
Penal institutions.
Pet shops, bird stores, taxidermists.
Pharmaceutical products manufacture.
Physical cultural establishments.
Playgrounds (with special controls).
Plumbing shop and yard.

Business, General (B-2) (Cont'd.)

Police stations on a major or secondary major street (with special controls).
Postal facilities privately or publicly owned.
Printing, publishing and reproduction establishments.
Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards (with special controls).
Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).
Radio, television, retail sales and service.
Radio and television studios.
Rag, bag, and carpet cleaning establishments.
Railroad right-of-way.
Railroad freight yards, terminals or classification yards and right-of-way.
Repair and servicing of office and household equipment.
Retail stores not otherwise named on this list including those conducting incidental light manufacturing or processing of goods above the first floor or in the basement to be sold exclusively on the premises and employing not more than ten operatives.
School, specialty, trade or vocational.
Sewage treatment and disposal facilities and water treatment plant (with special controls).
Shoe repair.
Sign manufacture, painting and maintenance.
Sign painting, exclusive of manufacture.
Sign, directional.
Sign, incidental use.
* Sign, outdoor advertising (with special controls).
* Sign, separate use, provided no outdoor advertising structure shall contain over one (1) sign per facing, nor exceed a length of 52 feet, nor be erected within 100 feet of any R, residential district if visible from such district and designed to face therein (with special controls).
Sign, principal use.
Sporting goods sale.
Stadiums (with special controls).
Storage, under cover, of goods intended for retail sale on the premises, but not including combustibles.
Swimming pools, accessory use (with special controls).
Swimming pools, and bathing areas, public or private as primary uses (with special controls).
Tailors, dressmakers, milliners.
Taverns, bars and nightclubs.
Taxi stand.
Theaters, housed in a permanent indoor structure, exhibition halls and other similar structures.
Tire recapping and retreading.
Upholstery, paper hanging and decorator shops.
Variety stores.

* As Amended by Ordinance No.87-193, 6/10/87.

Business, General (B-2) (Cont'd.)

Vocational or trade schools.

Wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale.

Woodworking shops, mill work.

ARTICLE IV

BUSINESS, COMMUNITY (B-3)

SECTION 1 INTENT: This district is for the purpose of providing areas for a variety of retail and service uses serving secondary market areas in the city.

SECTION 2 PERMITTED USES:

Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard.

Agencies and offices rendering specialized services in the professions, real estate and brokerage, including service agencies not involving on-premises retail trade nor wholesale trade on-premises, nor maintenance of a stock of goods for sale to the general public.

Alcohol beverage packaged retail stores.

Amusement enterprises such as billiards, pool, bowling, skating rink, dance hall and similar activities when housed in a permanent structure but not including theater.

Amusement parks (with special controls).

Animal hospital.

Antiques and gift retail sales.

Art supply retail sales.

Assembly halls, gymnasiums and similar structures when part of a place of worship (with special controls).

Automobile, automatic car wash (with special controls).

Automobile commercial parking enterprise.

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77.

* Automobile (new & used) and accessory sales.

** Automobile Repair Shop (with special controls).

Automotive service station (with special controls).

Bakery shops and confectionaries operating both wholesale and retail business provided such operations are limited to 1500 square feet of manufacturing area and to the use of non-smoke producing types of furnaces.

Banks.

Barber, beauty and other personal services.

Barber, beauty equipment sales and supply.

Bedding, carpet and pillow manufacturing, cleaning, and renovating.

Bicycle sale and repair.

*** Blood banks, plasma centers and/or blood donor stations.

Blueprinting and photostating establishments.

Bookbindery.

Book and stationary stores.

Bottling works for soft drinks.

Camera sales, supplies, services.

Candy products, retail.

Catering establishments.

* As Amended by Ordinance No. 94-469, 11/6/94.

** As Amended by Ordinance No. 94-326, 9/21/94.

*** As Amended by Ordinance No. 87-64, 5/20/87.

Business, Community (B-3) (Cont'd.)

Charitable institutions.
Churches and other places of worship including parsonage or rectory (with special controls).
Clothing sales.
Clubs and other places of entertainment.
Cold storage plants for food.
Colleges, universities, business colleges, trade schools, music conservatories, dancing schools and similar organizations offering training in specific fields.
Custodial and diagnostic centers.
Dairy products processing, bottling and distribution, cream manufacture, all on a wholesale basis.
Dairy bars for retail sale on the premises only.
Day nurseries and kindergartens (with special controls).
Department stores.
Drive-in food dispensary (with special controls).
Drive-in theater, on a major or secondary major street (with special controls).
Drug stores.
Dry cleaning, pressing and dyeing plants, and related retail service counter.
Dry cleaning, pressing and dyeing plants operated in conjunction with retail service counter provided that not more than 2,000 square feet is devoted to these processes.
*Dwellings, Upper Floor, Mixed Use.
Eating and drinking establishments.
Electrical supplies, retail.
Electrical repair.
Fertilizer retail sales.
Finance and loan companies.
Fire stations on a major or a secondary major street (with special controls).
Florist, retail.
Food processing: For sale at retail on premises, but excluding the killing and dressing of any flesh or fowl.
Food stores (retail only) grocery, delicatessen, meat and fish excluding the killing of any flesh or fowl.
Footwear, retail.
Frozen food lockers.
Funeral homes, undertaking establishments, embalming.
Furniture retail sales and floor covering retail sales.
Furriers, retail sales.
Gift shop, cards.
Golf course, commercially operated: Driving ranges, pitch & putt, miniature or par 3 courses.
Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes.
Grounds and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.
Group Homes, Small.
Group Homes, Medium
Group Homes, Large.

* As Amended by Ordinance No. 94-568, 3/8/95

Business, Community (B-3) (Cont'd.)

Hardware, appliances, and electrical items, retail sales.
Hat cleaning and blocking.
Hospitals and sanitariums located on a major street or secondary major street (with special controls).
Hotels and inns.
Jewelry and watch sale and repair.
Laundries: All hand laundries And any small power laundries operated in conjunction with a retail service counter on the premises where not more than 2,000 square feet of floor space is devoted to the laundering and finishing processes, provided the total operating capacity of all commercial washing machines shall not exceed 400 pounds and no coal-burning or smoke producing equipment is used.
Launderette service: Where individual, family-sized laundry equipment is rented for use by the customer.
Laundry pick-up stations.
Libraries (with special controls).
Lock and gunsmiths.
Lodges, fraternal and social organizations.
Motels.
Motorcycle sales and repair.
Museums and art galleries.
Music stores.
Musical instrument store, sale and instruction.
Newsstands as an accessory use.
Office buildings: Governmental and private office buildings including professional offices.
Office equipment and supplies sales and service.
Office and secretarial service establishments.
Optical and scientific instrument, jewelry and clock, and musical instrument manufacture.
Optical supplies sales.
Orphanages and/or rehabilitation centers (with special controls).
Paint, retail sales.
Pet shops, bird stores, taxidermists.
Photographic studios and camera supply stores.
Physical cultural establishments.
Playgrounds (with special controls).
Police stations on a major or secondary major street (with special controls).
Postal facilities privately or publicly owned.
Printing, publishing and reproduction establishments.
Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards (with special controls).
Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).
Radio, television, retail sales and service.
Radio and television studios.
Repair and servicing of office and household equipment.
Retail stores similar to those otherwise named on this list.
School, specialty, trade or vocational.
Sewage treatment and disposal facilities and water treatment plant (with special controls).

Business, Community (B-3) (Cont'd.)

Shoe repair.

Sign manufacture, painting and maintenance.

Sign painting, exclusive of manufacture.

Sign, incidental use.

* Sign, outdoor advertising (with special controls).

Sign, principal use.

* Sign, separate use, provided no outdoor advertising structure shall contain over one (1) sign per facing, nor exceed a length of 52 feet, nor be erected within 100 feet of any R, residential district if visible from such district and designed to face therein (with special controls).

Sporting goods sale.

Swimming pools, accessory use (with special controls).

Swimming pools, and bathing areas, public or private as primary uses (with special controls).

Tailors, dressmakers, milliners.

Taverns, bars and nightclubs.

Taxi stand.

Theaters, housed in a permanent indoor structure, exhibition halls and other similar structures.

Upholstery, paper hanging and decorator shops.

Variety stores.

Vocational or trade schools.

Zoos (with special controls).

* As Amended by Ordinance No.87-193, 6/10/87.

ARTICLE IV

BUSINESS, LOCAL (B-4)

SECTION 1 INTENT: This district is for the purpose of providing areas for neighborhood or local shopping facilities which offer convenience goods and personal services to residents of the immediate market area.

SECTION 2 PERMITTED USES:

Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard.

Agencies and offices rendering specialized services in the professions, real estate and brokerage, including service agencies not involving on-premises retail trade nor wholesale trade on-premises, nor maintenance of a stock of goods for sale to the general public.

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77.

* Automobile Repair Shop (with special controls).

Automotive service station (with special controls).

Bakery shops and confectionaries operating both wholesale and retail business provided such operations are limited to 1500 square feet of manufacturing area and to the use of non-smoke producing types of furnaces.

Barber, beauty and other personal services.

Bottling works for soft drinks.

Dairy bars for retail sale on the premises only.

Day nurseries and kindergartens (with special controls).

Drive-in food dispensary (with special controls).

Drug stores.

Dry cleaning, pressing and dyeing plants operated in conjunction with retail service counter provided that not more than 2,000 square feet is devoted to these processes.

* Dwellings, Upper Floor, Mixed Use.

Fire stations on a major or a secondary major street (with special controls).

Florist, retail.

Food stores (retail only) grocery, delicatessen, meat and fish excluding the killing of any flesh or fowl.

Funeral homes, undertaking establishments, embalming.

Grounds and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.

Group Homes, Small.

Group Homes, Medium

Group Homes, Large.

Hardware, appliances, and electrical items, retail sales.

Launderette service: Where individual, family-sized laundry equipment is rented for use by the customer.

Laundry pick-up stations.

Libraries (with special controls).

Museums and art galleries.

* As Amended by Ordinance No. 94-326, 9/21/94.

* As Amended by Ordinance No. 94-568, 3/8/94

Business, Local (B-4) (Cont'd.)

Office buildings: Governmental and private office buildings including professional offices.
Playgrounds (with special controls).
Police stations on a major or secondary major street (with special controls).
Postal facilities privately or publicly owned.
Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards (with special controls).
Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).
Sewage treatment and disposal facilities and water treatment plant (with special controls).
Shoe repair.
Sign, incidental use.
Sign, principal use.
Tailors, dressmakers, milliners.

ARTICLE IV

INDUSTRIAL, LIMITED (I-L)

SECTION 1 INTENT: This district is for the purpose of providing areas for those manufacturing or industrial uses which are primarily engaged in the assembly, handling, treating, distribution, storage, processing, or non-chemical treatment of goods, material or products.

SECTION 2 PERMITTED USES:

Abrasive manufacture (with special controls).

Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard.

Airports and landing fields for fixed wing aircraft.

Appliance distributors for wholesale.

Assembly halls, coliseums, gymnasiums, and similar structures.

Assembly of machines and appliances from previously prepared parts.

Automobile commercial parking enterprise.

Automobile (new & used) and accessory sales.

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77.

* Automobile Repair Shop (with special controls).

Automobile and truck assembly.

Bakeries or baking plants.

Bedding, carpet and pillow manufacturing, cleaning, and renovating.

Blueprinting and photostating establishments.

Bookbindery.

Bottling works for soft drinks.

Bus repair and storage terminals.

Candy products manufacture.

Canvas and burlap products manufacture, sale and storage.

Clothing manufacture.

Clubs and other places of entertainment.

Coal or coke yards.

Cold storage plants for food.

Construction materials, manufacture, storage and sales.

Contractor's plants and storage yards.

Cooperage works.

Cosmetics and perfume manufacture.

Crop and tree farming, greenhouses and truck gardening including the sale of products raised on the premises.

Dairy products processing bottling and distribution, cream manufacture, all on wholesale basis.

Dry cleaning, pressing and dyeing plants, and related retail service counter.

Eating and drinking establishments.

Electric light or power generating station.

Electric repair.

Electronic assembly plant.

* As Amended by Ordinance No. 94-326, 9/21/94.

Industrial, Limited (I-L) (Cont'd.)

Emery cloth or sandpaper manufacture.
Enameling, japanning, lacquering of metals.
Excelsior and fiber manufacture.
Farm, minimum of three (3) acres used for agricultural purposes.
Farm machinery assembly, repair and sales.
Feed sales and storage.
Felt manufacture.
Fertilizer wholesale sales.
Fertilizer retail sales.
Field houses.
Fire stations on a major or a secondary major street (with special controls).
Flammable liquids: Handling and storage in bulk plants.
Flour and other grain products, milling and storage.
Food processing in wholesale quantities except meat, fish, poultry, vinegar and yeast.
Frozen food lockers.
Fur storage.
Gas storage in quantities provided such facilities are not located within 100 feet of any lot line.
Gases or liquidified petroleum gases in approved portable metal cylinders for storage or sale.
Glass manufacture.
Golf course, commercially operated: Driving ranges, pitch & putt, miniature or par 3 courses.
Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes.
Grounds and facilities for open air games or sports.
Grounds and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.
Heliport (with special controls).
Hosiery manufacture.
Ice manufacture, storage and sales.
Incidental accessory retail uses such as cafeterias, gift or variety shops, soda bars conducted solely for the convenience of the employees, patients, patrons, or visitors on the premises wholly within the principal building and without exterior advertising display (with special controls).
Insulation material manufacture and sale.
Kennels.
Laboratories for research and testing.
Laundries, steam.
Leather goods, manufacture (tanning prohibited).
Livestock, auction or sales.
Lodges, fraternal and social organizations.
Lumber yards, building materials storage and sales.
Machine shops.
Machine tool manufacture.
Machinery manufacture.
Marine terminals, passenger and freight.
Meat processing and packing, including the slaughter of fowl and small game only.

Industrial, Limited (I-L) (Cont'd.)

Metal fabrication plants using plate and structural shapes and including boiler or tank works (with special controls).

Mining and processing of natural resources (with special controls).

Mixing plants for concrete, or paving materials and manufacture of concrete products.

Mobile homes, sales.

Motorcycle sales and repair.

Motor vehicle and motor vehicle equipment manufacture.

Office buildings: Governmental and private office buildings including professional offices.

Optical and scientific instrument, jewelry and clock, and musical instrument manufacture.

Oxygen manufacture and/or storage.

Paint and enamel manufacture not employing a boiling process.

Penal institutions.

Pharmaceutical products and manufacture.

Planing or saw mills.

Plastics manufacture.

Plating works.

Plumbing shop and yard.

Police stations, on a major or secondary major street. (with special controls).

Pottery, porcelain and vitreous china manufacture.

Poultry dressing for wholesale and related retail activities.

Poultry dressing but only for sale at retail on the premises.

Prefabricating buildings and structural members.

Printing, publishing and reproduction establishments.

Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards (with special controls).

Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).

Public utility service and storage yards.

Rag, bag, and carpet cleaning establishments.

Railroad rights-of-way.

Railroad freight yards, terminals or classification yards and rights-of way.

Repair and servicing of office and household equipment.

Repair and servicing of industrial equipment machinery, except railroad equipment.

Riding stables (with special controls).

Rodenticide, insecticide and pesticide sales, storage and service.

Sanitary landfill excluding the burning of trash out of doors.

Scrap paper or rag storage, sorting or bailing when conducted within a building.

Sewage treatment and disposal facilities and water treatment plant (with special controls).

Sheet metal shops.

Sign manufacture, painting and maintenance.

Sign painting, exclusive of manufacture.

Sign, directional.

Sign, incidental use.

* Sign, outdoor advertising (with special controls).

* As Amended by Ordinance No.87-193, 6/10/87.

Industrial, Limited (I-L) (Cont'd.)

*Sign, separate use, provided no outdoor advertising structure shall contain over one (1) sign per facing, nor exceed a length of 52 feet, nor be erected within 100 feet of any R, residential district if visible from such district and designed to face therein (with special controls).

Sign, principal use.

Soap, detergent and washing compound manufacture.

Stadiums (with special controls).

Stonecutting, monument manufacture and sales.

Storage warehouses and yards.

Swimming pools, accessory use (with special controls).

Textile machinery manufacture.

Textile manufacture.

Tire recapping and retreading.

Tractor or trailer sales or leasing areas.

Truck terminals, repair shops, hauling and storage yards.

Upholstery, paper hanging and decorator shops.

Vocational or trade schools.

Waste paper and rags, collection and bailing.

Wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale.

Woodworking shops, mill work.

Zoos (with special controls).

ARTICLE IV

INDUSTRIAL, UNLIMITED (I-H)

SECTION 1 INTENT: This district is for the purpose of providing areas for those manufacturing or industrial uses which are not permitted in an I-L District nor expressly prohibited from the city.

SECTION 2 PERMITTED USES:

Abrasive manufacture.

Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard.

Acetylene gas manufacture and/or storage.

Acid manufacture (with special controls).

Airports and landing fields for fixed wing aircraft.

Alcohol and alcoholic beverage manufacture.

Ammonia, bleaching powder or chlorine manufacture.

Annealing and anodizing.

Asphaltic concrete plant.

Asphalt manufacture or refining (with special controls).

Assembly halls, coliseums, gymnasiums, and similar structures.

Assembly of machines and appliances from previously prepared parts.

Automobile commercial parking enterprise.

Automobile (new & used) and accessory sales.

Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77.

* Automobile Repair Shop (with special controls).

Automobile and truck assembly.

Automobile wrecking or dismantling.

Bakeries or baking plants.

Bedding, carpet and pillow manufacturing, cleaning, and renovating.

Billboards (see signs).

Blast furnaces.

Blueprinting and photostatting establishments.

Bottling works for soft drinks.

Brick, tile or terra cotta manufacture.

Bus repair and storage terminals.

Candy products manufacture.

Canvas and burlap products manufacture, sale and storage.

Cellophane manufacture.

Cement, lime, plaster manufacture.

Chemicals, manufacture of.

Clothing manufacture.

Cold storage plants for food.

Construction materials, manufacture, storage and sales.

Contractor's plants and storage yards.

Cooperage works.

Cosmetics and perfume manufacture.

* As Amended by Ordinance No. 94-326, 9/21/94.

Industrial, Unlimited (I-H) (Cont'd.)

Creosote manufacturing or treatment plants (with special controls).
Crop and tree farming, greenhouses and truck gardening including the sale of products raised on the premises.
Dairy products processing bottling and distribution, cream manufacture, all on wholesale basis.
Distillation of bones, coal, petroleum, refuse, grain, tar and wood (with special controls).
Die manufacture.
Eating and drinking establishments.
Electric light or power generating station.
Electronic assembly plant.
Emery cloth or sandpaper manufacture.
Enameling, japanning, lacquering of metals.
Excelsior and fiber manufacture.
Farm, minimum of three (3) acres used for agricultural purposes.
Farm machinery assembly, repair and sales.
Feed sales and storage.
Felt manufacture.
Fertilizer wholesale sales.
Fertilizer retail sales.
Field houses.
Fire stations on a major or a secondary major street (with special controls).
Flammable liquids: Handling and storage in bulk plants.
Floor covering, manufacture of.
Florist: Greenhouses, cultivation facilities and warehousing for wholesale and related retail trade.
Flour and other grain products, milling and storage.
Food processing in wholesale quantities except meat, fish, poultry, vinegar and yeast.
Footwear manufacturing and storage.
Forging plants.
Foundries.
Galvanizing.
Garbage and waste incinerators.
Gas, manufacture of.
Gas storage in quantities provided such facilities are not located within 100 feet of any lot line.
Gases or liquidified petroleum gases in approved portable metal cylinders for storage or sale.
Glass manufacture.
Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes.
Grounds and facilities for open air games or sports.
Grounds and facilities for recreational and community center buildings, country clubs, lakes and other similar facilities operated on a non-profit basis.
Heavy industry not otherwise listed, provided the industry is similar to other industries permitted in an Industrial-Heavy District. Such industry shall comply with the design controls of any similar industry.
Heliport (with special controls).
Hosiery manufacture.

Industrial, Unlimited (I-H) (Cont'd.)

Ice manufacture, storage and sales.

Incidental accessory retail uses such as cafeterias, gift or variety shops, soda bars conducted solely for the convenience of the employees, patients, patrons, or visitors on the premises wholly within the principal building and without exterior advertising display (with special controls).

Industrial chemical manufacture except highly corrosive materials.

Insulation material manufacture and sale.

Iron and steel manufacture.

Junk yards, auto wrecking, salvage and scrap yards (with special controls).

Kennels.

Laboratories for research and testing.

Laundries, steam.

Leather goods, manufacture (tanning prohibited).

Linseed oil, shellac, turpentine, lubricating oils or greases, manufacture or refining.

Livestock, auction or sales.

Lodges, fraternal and social organizations.

Lumber yards, building materials storage and sales.

Machine shops.

Machine tool manufacture.

Machinery manufacture.

Marine terminals, passenger and freight.

Metal fabrication plants using plate and structural shapes and including boiler or tank works (with special controls).

Mining and processing of natural resources (with special controls).

Mixing plants for concrete, or paving materials and manufacture of concrete products.

Motorcycle sales and repair.

Motor vehicle and motor vehicle equipment manufacture.

Office buildings: Governmental and private office buildings including professional offices.

Open hearth and blast furnaces.

Oxygen manufacture and/or storage.

Paint and enamel manufacture not employing a boiling process.

Paper, pulp, cardboard and building board manufacture.

Pharmaceutical products and manufacture.

Planing or saw mills.

Plastics manufacture.

Plating works.

Police stations, on a major or secondary major street. (with special controls).

Potash works.

Pottery, porcelain and vitreous china manufacture.

Poultry dressing for wholesale and related retail activities.

Poultry dressing but only for sale at retail on the premises.

Prefabricating buildings and structural members.

Printing, publishing and reproduction establishments.

Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards (with special controls).

Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls).

Industrial, Unlimited (I-H) (Cont'd.)

Public utility service and storage yards.
Rag, bag, and carpet cleaning establishments.
Railroad car repair and manufacture.
Railroad rights-of-way.
Railroad freight yards, terminals or classification yards and rights-of way.
Refuse and waster equipment storage.
Refuse and waste, solid, industrial, such as slag, flue dust, refractories, disposal of.
Repair and servicing of office and household equipment.
Repair and servicing of industrial equipment machinery, except railroad equipment.
Riding stables (with special controls).
Rodenticide, insecticide and pesticide sales, storage and service.
Sanitary landfill excluding the burning of trash out of doors.
Scrap paper or rag storage, sorting or bailing when conducted within a building.
Sewage treatment and disposal facilities ands water treatment plant (with special controls).
Sheet metal shops.
Sign, directional.
Sign, incidental use.
*Sign, outdoor advertising (with special controls).
*Sign, separate use, provided no outdoor advertising structure shall contain over one (1) sign per facing, nor exceed a length of 52 feet, nor be erected within 100 feet of any R, residential district if visible from such district and designed to face therein (with special controls).
Sign, principal use.
Soap, detergent and washing compound manufacture.
Stonecutting, monument manufacture and sales.
Storage warehouses and yards.
Swimming pools, accessory use (with special controls).
Tar and waterproofing materials manufacture, treatment and storage.
Textile machinery manufacture.
Textile manufacture.
Tire recapping and retreading.
Truck terminals, repair shops, hauling and storage yards.
Upholstery, paper hanging and decorator shops.
Waste paper and rags, collection and bailing.
Wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale.
Woodworking shops, mill work.

* As Amended by Ordinance No.87-193, 6/10/87.

* **ARTICLE IV (a)**

PLANNED DEVELOPMENT OVERLAY ZONING

SECTION 1 PURPOSE: The purpose of the Planned Development Overlay (PD) zoning district is to provide an opportunity for appropriate, creative planned development and redevelopment to occur within designated areas. Planned Development Overlay zoning allows for more flexible use of land than does a more rigid zoning classification in return for adherence to a land use and development plan which ensures the protection of the public health, safety and welfare. Property owners within a PD district have the option of developing subject to the requirements of either the approved development plan or the underlying zoning classification.

SECTION 2 PERMITTED USES:

Any use permitted in the Youngstown City Zoning Ordinance, with the exception of those permitted exclusively in the I-H, Industrial Unlimited, zone classification, may potentially be permitted in a PD district, subject to the criteria and other provisions outlined in this section. The uses must be identified in the required development plan, must not adversely affect the adjacent property or the public health, safety and general welfare. The development plan must either designate uses on a parcel-by-parcel basis or establish zoning districts within the planned development that list permitted uses that will be allowed conditionally or as of right. If conditional uses are listed, the plan must include criteria and procedures for approval of such conditional uses. If a proposed use is not consistent with an approved development plan, it shall not be permitted unless it meets the requirements of the underlying zoning classification.

SECTION 3 CRITERIA FOR APPROVAL:

In considering an application for PD zoning, the City shall consider factors that are relevant to ensure protection of the public health, safety and welfare. The level of justification and assurances required to approve a proposed development plan will vary with the degree to which the plan calls for uses that will not be permitted under the current zoning classification. Plans which call for significant deviation from the current zoning (e.g., manufacturing use within a residentially zoned district) will require strong justification and assurances.

Any planned development proposal must meet the following standards and criteria.

- (1) The proposed development shall be in accordance with the general objectives of any relevant City plan or ordinance.
- (2) The physical character of the site **and proposed improvements to the site** shall be suitable for development in the manner proposed, without safety hazards to persons or property on or off the site, from possible flooding, erosion, or other **environmental** dangers.
- (3) The proposed development shall not involve activities, processes, materials or methods of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of noise smoke, fumes, glare or odors.

* As Amended by Ordinance No. 99-37, 2/3/99.

PLANNED DEVELOPMENT OVERLAY ZONING (Cont'd)

- (4) The proposed development shall not generate levels of traffic that cannot be adequately served by the existing or proposed transportation system. Provision shall be made at the points of ingress, egress and within the districts to insure a free and safe flow of vehicular and pedestrian traffic.
- (5) In determining the potential impact of a proposed development on the neighboring property, the Planning Commission shall take into account the size of the property in question, the ratio of building to total area, the nature of land use within the proposed development area and in the immediate vicinity, and the proximity of the proposed activity to existing dwellings.
- (6) Where applicable, the proposed development shall provide for efficient, safe and convenient grouping of structures, uses and facilities.
- (7) Parking requirements set forth in Section 77 shall generally apply, but where a change of use is involved, the exception for existing structures shall not necessarily apply. Any reduction in the required number of parking spaces must be specifically justified within, and approved as a part of, the development plan. Measures (e.g. shared parking) to reduce the amount of property used for parking are encouraged where appropriate.
- (8) The proposed development plan must be **economically feasible**.
- (9) The proposed development can be substantially completed within the period of time specified in the development plan.
- (10) The existing or proposed infrastructure, including utilities and sewers must be adequate to support the proposed development.
- (11) The proposed development will not impose an undue burden on public services and facilities such as police and fire.

SECTION 4 PROCEDURE:

1. At his or her option, the potential applicant for a PD district may request an informal review of the proposed development concept by the City Planning Commission before initiating the formal zone change process. Such review will take place at a regular meeting of the City Planning Commission but shall not constitute a formal public hearing.
If this option is used, the applicant should permit sufficient information to allow the level of review desired. However, the applicant should understand that the Planning Commission acts in an advisory capacity to City Council which makes the final decision on the application.
2. The party proposing the PD district shall obtain an application from the City Planning Commission office, complete said application and return it, along with the required preliminary development plan and application fee. If the property included in the proposed PD district has multiple owners, the owners of a majority of the land area involved must sign a petition supporting the application. Alternately, the City Planning Commission or City Council can propose a PD district. No change in zoning shall become effective unless first submitted to the City Planning Commission for review and recommendation.
3. Legislation is prepared that proposes to change the zoning as requested and incorporates, by reference, the preliminary development plan. The preliminary development plan, and later the final development plan, will be kept on file in the Planning Commission office and be available for public inspection.

PLANNED DEVELOPMENT OVERLAY ZONING (Cont'd)

4. Said legislation is referred to the City Planning Commission for review and recommendation. Before making a recommendation to City Council, the Planning Commission shall hold a public hearing, having first advertised such hearing in a newspaper of general circulation within the City of Youngstown, Ohio, at least seven (7) days prior to the date of said hearing. Said public hearing shall be scheduled for the earliest regular Planning Commission meeting possible, taking into account the notice requirements. Following the public hearing, the Planning Commission shall submit a written report to City Council communicating its recommendation. Prior to submitting its report, the Planning Commission may seek the advice or opinion of other relevant City departments.
The applicant will be given the opportunity to revise the preliminary development plan before the Planning Commission sends its report to Council. If the Planning Commission agrees with the revisions proposed by the applicants, the report to City Council shall incorporate a recommendation to amend the proposed legislation by substituting the revised preliminary plan.
The Planning Commission shall attempt to make its recommendation as expeditiously as possible, considering the complexity of the application and other relevant factors. Unless an extension is agreed to in writing by the applicant, the Planning Commission must report to Council within 90 days from the initial public hearing.
5. Upon receipt of the Planning Commission's report, City Council shall set and hold a public hearing. Council shall provide at least 30 days notice in advance of the public hearing by advertising in a newspaper of general circulation within the City of Youngstown, Ohio. Notice shall also be mailed to property owners within, contiguous to, and across the street from the area that is the subject of the application, at least 20 days prior to the public hearing. However, mailing of notices is optional where such action would involve more than 100 property owners. In such cases, an alternative method of notification, such as the placement of a display ad in a newspaper of general circulation, may be used.
6. Following the public hearing, City Council shall approve, disapprove, or amend the proposed legislation, including the preliminary plan. Amendments not originally recommended by the Planning Commission must be referred to the Planning Commission for their review and recommendation prior to Council action. Council may affirm any report of the Planning Commission or disapprove a favorable report of the Commission by a majority vote of its members. A vote of not less than three-quarters of Council members is required to approve proposed legislation (including the preliminary plan) if the Planning Commission recommends disapproval.
7. Following approval by City Council, the clerk shall notify the applicant of such action by registered or certified mail, and authorize the applicant to proceed with preparation of the final plan in accordance with the approved preliminary plan, with procedures and criteria set forth in this zoning ordinance, and with any special conditions under which this authorization to proceed was granted.
8. The applicant shall file the final development plan with the Planning Commission which shall certify whether the final development plan is in conformance with the approved preliminary development plan. The applicant shall be informed in writing of the Planning Commission's findings.

PLANNED DEVELOPMENT OVERLAY ZONING (Cont'd)

If the Planning Commission finds that the final plan is not in conformance with the approved preliminary plan, the developer may amend the final plan and resubmit to the Planning Commission. Alternately, the developer shall have the right to appeal the decision to City Council within 20 days of such disapproval. City Council shall hold a hearing within 30 days of the filing of the appeal in order to consider the question as to whether the final development plan is in conformance with the preliminary plan. Council's decision is final.

Approved final development plans shall be kept on file in the Planning Commission office and shall be the basis on which development projects within the PD district are approved or denied. Staff decisions to deny a permit based on nonconformity with the approved final development plan may be appealed to the Board of Zoning Appeals in the usual fashion as outlined in Article X of the zoning ordinance.

9. An application for a PD district may be withdrawn at any time at the discretion of the applicant upon written request to the City Clerk. However, the application fee shall not be refunded unless the application is withdrawn before any processing costs are incurred.

SECTION 5 SUBMITTAL REQUIREMENTS / CONTENTS OF THE DEVELOPMENT PLAN:

A land use and development plan (development plan) shall accompany each application for a PD district. The development plan can take one of two basic forms.

The **first** form identifies specific uses at specific locations. This form would be applicable where all of the property is controlled by the applicant and where precise development plans are known. The **second** form designates districts within the planned development and identifies permitted and conditionally permitted uses within these districts. This second form is likely to be more appropriate in extensive areas with multiple ownership and/or where more flexibility is desired or needed.

The preliminary land use and development plan shall contain the following information:

- 1) The proposed use of each parcel (or the permitted and conditionally permitted uses within designated districts) within the planned development.
- 2) Standards and procedures governing change of use.
- 3) A map indicating the area to be affected.
- 4) A generalized site plan for any new construction or building.
- 5) A list of buildings to be demolished.
- 6) A list of buildings to be renovated.
- 7) A list of buildings to be built.
- 8) A generalized parking and traffic circulation system and utility plan.
- 9) A generalized plan for landscaping and buffers.
- 10) Designation of any public or park area within the District.
- 11) A timetable for commencement of construction and implementation of various stages of the proposed development.
- 12) Area, yard, and height requirements / restrictions.
- 13) A description of preliminary elevation drawings indicating proposed architectural design.
- 14) Documentation indicating that the proposed development is economically feasible.

PLANNED DEVELOPMENT OVERLAY ZONING (Cont'd)

In addition to the above, the final development plan shall contain the following:

1. A detailed site plan at an appropriate scale depicting the precise location and dimensions of all new construction, parking, streets, drives, landscaping and utilities.
2. Elevations or architectural drawings depicting all proposed rehabilitation and new construction.
3. A detailed landscape plan.
4. A detailed development schedule.
5. A preliminary plat drawing (if proposed development requires subdivision or reconfiguration of lot lines).

Depending on the nature and scope of the proposed development, the City may require additional information or may waive the requirement for any of the above mentioned information.

SECTION 6 ADMINISTRATION AND ENFORCEMENT:

Any ordinance approving a PD zoning district shall incorporate the required development plan and development standards so that the district so designated shall be governed by the adopted plan and standards. Property owners within a PD district have the option of developing subject to the requirements of either the approved final development plan or the underlying zoning classification(1). Enforcement of Planned Development Zoning shall be accomplished in the same manner, and carry the same penalties, as provided for in Article IX of the Zoning Ordinance.

SECTION 7 SUPPLEMENTARY CONDITIONS AND SAFEGUARDS:

In approving any application for a PD zoning, both the Planning Commission and the Council may prescribe appropriate conditions or safeguards, which have been made a part of the terms under which the final development plan has been approved, shall constitute a violation of this Ordinance and be punishable as such.

SECTION 8 FAILURE TO BEGIN DEVELOPMENT:

If no construction has begun in the development within two years from the date of approval of the final development plan, the approval shall lapse and be of no further effect.

SECTION 9 FEE:

1. The fee for an application for PD zoning is \$250.00. **Fees shall be made payable to the City of Youngstown.**
2. Upon proper notice and if the City deems it necessary to contract for outside professional assistance to properly review the application, the fee for such consultation will be paid by the applicant. Applicant must agree to said fee prior to finalization of the application.

ARTICLE V

SCHEDULE OF PROHIBITED, PERMITTED AND SPECIAL USES

SECTION 51 Schedule of Uses

Within the various zoning districts established by this ordinance and shown on the Official Zoning Map and subject to the provisions of this ordinance, no land, building or structure shall be used and no building or structure shall be erected which is intended or designed to be used, in whole or in part, except as provided in the accompanying schedule, entitled "Schedule of Uses" which is attached hereto, found at page 133, marked Exhibit "A" and incorporated as though same were fully written herein, be and the same is hereby amended to read as set out in attached Exhibit "B", which is also incorporated as though same were fully rewritten herein.*

SECTION 52 Prohibited Uses

Prohibited uses are identified by the symbol X in the prohibited column of the Schedule of Uses. If a specific use is not listed, then it shall be considered a prohibited use.

SECTION 53 Permitted Uses

Permitted uses in the various districts are identified by the symbol X in the appropriate column of the Schedule of Uses.

SECTION 54 Special Uses

Special uses may be permitted in the various districts identified by the Symbol S in the appropriate column of the Schedule of Uses, provided such use shall meet all requirements specified under the section Special Controls.

* As Amended by Ordinance No. 86-455, Adopted 9/17/86.

ARTICLE VI

AREA YARD AND HIEGHT REQUIREMENTS

| DISTRICT | Lot Area In Sq. Ft. | Lot Area Per Family in Sq. Ft. | Lot Width in Ft. | Front Yard Setback from Right of Way Line | Minimum Side Yard in Ft.* | Minimum Rear Yard in Ft.** | Minimum Height in Feet |
|--|---|--------------------------------|------------------|---|---------------------------------|-------------------------------------|------------------------|
| | Minimum Lot Sizes | | | | | | |
| M-U, Mixed Use | Area Yard and Height Requirements as Provided Under Article IV, Mixed Use (M-U) Section 5 | | | | | | |
| R-20, Single-Family | 20,000 | 20,000 | 100 | 35% of Depth of Lot or 60 Ft. # | 15 ft. or 10% of Lot Width # | 35% of Depth of Lot or 60 Ft. # | 35 feet |
| R-12, Single-Family | 12,000 | 12,000 | 75 | 30% of Depth of Lot or 60 Ft. # | 10 ft. or 10% of Lot Width # | 30% of Depth of Lot or 60 Ft. # | 35 feet |
| R-7.2, Single-Family | 7,200 | 7,200 | 60 | 35 feet | 10 ft. or 10% of Lot Width # | 25 feet | 35 feet |
| R-5.5, 1- & 2-Family | 7,200 | 5,500 | 60 | 35 feet | 10 ft. or 10% of Lot Width # | 25 feet | 35 feet |
| R-A, Residence-Apartment | 22,500 | 2,200 | 150 | 50 ft. or 66% of Bldg Height*** | 15 ft. or 33% of Bldg Height*** | 30 ft. or 66% of Bldg Height*** | 150 ft. or 15 Stories |
| R-1.5, 1-Family 2- Family Multi-Family | 7,200 | 7,200 | 60 | 35 feet | 10 Feet | 25 feet | 35 feet |
| | 11,000 | 5,500 | 60 | 35 feet | 10 Feet | 25 feet | 35 feet |
| | 6,000 | 1,500 | 50 | 35 feet | 10 ft. or 15% of Bldg Height*** | 25 ft. or 30% of Bldg Height*** | 150 ft. or 15 Stories |
| R-1.0, General Residence | 5,000 | 1,000 | 50 | 35 feet | 10 ft. or 15% of Bldg Height*** | 25 ft. or 30% of Bldg Height*** | 150 ft. or 15 Stories |
| INS, Institutional | 18,000 | **** | 100 | 50 feet | 20 feet | 30 feet | 75 ft. or 6 Stories |
| B-1, Central Business | **** | **** | **** | **** | **** | **** | **** |
| B-2, General Business | **** | **** | **** | 10 feet | **** | 25 feet | 75 ft. or 6 Stories |
| B-3, Community Business | 12,000 | **** | 75 | 25 feet | 10 feet | 25 feet | 40 ft. or 3 Stories |
| B-4, Local Business | 18,000 | **** | 100 | Same as Max. Adjacent Res. District | 20 feet | Same as Max. Adjacent Res. District | 35 ft. or 2 Stories |
| I-L, Industrial Limited | **** | **** | 120 | 25 feet | 15 feet | 30 feet | **** |
| I-H, Industrial Unlimited | 100,000 | **** | 200 | 25 feet | 30 feet | 30 feet | **** |

*Minimum side yard requirement for lots which have a lot width of 50 ft. or less in a R-20, R-12, R-7.2, or R-5.5 district is 5 ft., unless otherwise stipulated in Amended Section 81 (Exceptions).

AS AMENDED BY ORD.:

#78-227 (10/18/78)

#86-239 (7/16/86)

#90-827 (1/31/91)

**Rear Yard for detached accessory buildings shall be the same as side yards.

***Whichever provides the greater yard

Whichever provides the lesser yard.

ARTICLE VII

SUPPLEMENTARY REGULATIONS

SECTION 71 Lots in Two Districts

In the case of a through lot, the restrictions of the district applying to adjoining lots which front on the same street as the lot frontage in question shall apply to such depth as exists on adjacent districts.

SECTION 72 Residential and Non-Residential Abutting Lots

Where a lot in a non-residential district abuts a lot in a residential district there shall be provided, along such abutting lines, a side or rear yard equal in width or depth to that required in the residential district or that required for the non-residential district, whichever is the greater distance. *Where non-residential use abuts residentially zoned property, a screening device is required and shall be set back no less than eight (8) feet from the property line of said non-residential use with a landscaped strip maintained between the property line and the screening device; no such screening shall extend into the established setback of the adjoining residential lot. The landscaped strip shall be established and maintained in conformity with the Use of Yards Sub-section of Section 77 (Article VII).

SECTION 73 Corner Lot

On every corner in a residential district, there shall be provided on the side street a side yard equal in depth to two-thirds the required front yard setback for such side street. The front yard setback shall be considered to be that setback which is required on the street which contains the greater number of lots within the block.

SECTION 74 Front Yard Transition

Where a non-residential district adjoins a residential district in the same block, a front yard setback shall be provided which is equal in depth to the average setback required for the residential district and the front yard setback required for the non-residential district.

SECTION 75 Visibility at Intersections

On corner lots within all residential districts nothing, except utility poles, or light or sign standards, shall be erected, planted, or allowed to grow in such a way as to impede vision between a height of two and a half (2-1/2) and ten (10) feet above the center line grades of intersecting streets in the triangular area bounded by the street right-of-way lines of such corner lots and a diagonal line joining said right-of-way lines at a point fifty (50) feet from the point of intersection or in the case of rounded corner, from the point of intersection of their tangents.

* As Amended by Ordinance No. 90-829, 11/31/91

Article VII – Supplementary Regulations (Cont'd)

SECTION 76*

Non-Conforming Uses and Structures

The lawful use of any building or structure or land existing at the time of the enactment of this ordinance may be continued on the same parcel even though such use does not conform with the provisions of the district in which it is located, subject to the conditions and limitations set forth in this section:

Section 76.1 – A non-conforming may not be re-established after being voluntarily discontinued for two years or more.

Section 76.2 – Substitution of a non-conforming use is permitted if the proposed use is permitted within a less intensive zone classification than the least intensive zone classification that permits the current non-conforming use. Alternately, upon appeal, the Board of Zoning Appeals may allow substitution of a non-conforming use upon finding that the proposed substitution is equally appropriate to the district than the existing non-conforming use. The order of intensity among zone classifications, from least intensive to most intensive, is as follows: R-20, R-12, R-7.2, R-5.5, R-A, R-1.5, R-1.0, M-U, INS, B-4, B-3, B-2, B-1, I-L, I-H.

Section 76.3 – A non-conforming use may not be extended or enlarged except in conformity with the area, yard and height requirements of that land use zone as set forth in this ordinance provided, however, that there is no extension or expansion of the original parcel regardless of the zone.

Section 76.4 – Reconstruction. Any non-conforming use, structure or building that is destroyed or damaged may be repaired, restored or reconstructed provided that such repair, restoration or reconstruction is completed within two (2) years of the date of destruction or damage. If a destroyed or damaged non-conforming structure is not repaired, restored, or reconstructed during the time limit provided, any use of land or structure thereafter shall be in accordance with the provisions of this ordinance and the district in which it is located.

Section 76.5 – Relocation. When a non-conforming structure or building is moved or relocated to another lot, it shall thereafter conform to the provisions for the district in which it is relocated.

Section 76.6 – Extension. Any non-conforming use may be extended throughout any parts of its building, except as provided in Section 76.3 of this ordinance.

Section 76.7 – Construction prior to adoption of or amendment to this ordinance. If at the time of enactment of this ordinance or an amendment thereto, a lawful use, building or structure is under construction, such use or structure may be completed even though such use would be non-conforming to the provisions of the district in which it is located.

Section 76.8 – Unsafe Structures. Nothing in this ordinance shall be deemed to prevent the strengthening or restoring to a safe condition any building or part thereof declared to

* As Amended by Ordinance No. 93-552, 10/20/93

Article VII – Supplementary Regulations (Cont’d)

be unsafe by any city official charged with protecting the public safety, upon order of such official.

SECTION 77

Off-Street Parking Requirements

Off-street automobile storage or parking space, as required under this section, shall be provided for all new structures or uses hereafter established and for any existing structure which, is hereafter relocated or enlarged as indicated herein. Such space shall be in place and ready for use before a certificate of occupancy is issued and shall be maintained for as long as the structure or use is used for the purpose approved for its occupancy. *The parking requirements hereafter listed do not apply to the Central Business District except for the following uses: Bus or railroad station, multi-family dwellings, hotels, inns, and motels. *For the purpose of this section, the Central Business District is hereby defined as that area which is bounded by Wood Street on the north, South Avenue/Watt Street on the east, the north bank of the Mahoning River on the south, and Belmont Avenue on the west.

In applying these regulations the following general rules and exceptions shall govern:

- (a) Structures in existence at the time of the passage of this amendment shall not be affected by the requirements of this section except as follows:
 - 1) Structures relocated on a different site shall provide off-street parking spaces as required for new buildings.
 - 2) Structures enlarged so as to increase the floor area, seating capacity, dwelling units, or otherwise increasing the unit of measurement used to determine the number of required parking spaces, shall provide off-street parking spaces on the basis of the enlargement. In the case of non-residential uses, whenever the aggregate number of spaces required for such enlargement is less than five spaces, the off-street parking need not be provided.
- (b) Garage space or space within building, in basements or on the roofs of buildings, may be used to meet the off-street parking requirements of this section provided such space is designed to serve as off-street parking space.
- (c) Separate off-street parking space shall be provided for each use, or the parking space required of two or more uses located on the same lot may be combined and used jointly, provided the parking spaces, when used together equal the amount required for each use if computed separately.
- (d) The term “gross floor area” as used herein shall mean the total area of each floor within the surrounding walls of a building, including basements, mezzanines and upper floors, if any, the measurements to be taken from the out facing of the exterior walls.

* As Amended by Ordinance No. 87-194, 10/20/88.

Article VII – Supplementary Regulations (Cont’d)

GENERAL REQUIREMENTS

Location:

Off-street parking facilities where required shall be located as follows:

- (a) For dwellings – on the same lot occupied by the main building.
- (b) For other uses more than 50% on the same lot, with the balance provided on private property within 400 feet of the main use. Such off-site property shall be located within the same zoning specified for the main use or in less restricted districts, and shall be bound by recorded legal control running with requirements in this section. The distance stated herein shall be measured along lines of public access from the nearest point of access of the parking lot to the nearest public entrance to the building such parking lot is required to serve.

Size:

Each required open parking space shall be not less than nine (9) feet wide and nineteen (19) feet long, exclusive of access drives, aisles and maneuvering areas.

Access:

Each required off-street storage or parking space shall be provided with vehicular access to a public street or alley or open directly upon an aisle or driveway leading to a public street or alley.

Driveways:

Access drives shall not cross the street right-of-way line of an intersecting street. Where more than one driveway approach is intended to serve the same parking facility, the curb returns of such driveways shall be not less than 25 feet apart.

*Use of Yards:

A required setback or required side yard abutting a street shall be landscaped (landscape plan approved by Zoning Officer) and kept free of all parking except for temporary parking in a permitted driveway. Temporary parking shall be no more than 24 hours. A permitted driveway is a driveway that leads to the rear of the building or to a permitted accessory building (garage) attached or detached from the principal and structure subject to approved plans.

** In situations where it is not possible or practical to access or utilize the rear yard for parking purposes, a permitted driveway may also include an extension for parking adjacent and parallel to the driveway, in the front or side yard. Such an extension may be no greater than ten feet in width and must be paved in a material similar to that of the rest of the driveway or as approved by the Zoning Officer. Parking of vehicles in a direction perpendicular to the driveway is prohibited except in the rear yard. A site plan including landscaping must be submitted, and a zoning permit must be obtained, prior to construction of a driveway extension.

* As Amended by Ordinance No. 90-828, 1/30/91.

** As Amended by Ordinance No. 99-56, 10/6/99.

Article VII – Supplementary Regulations (Cont’d)

All areas not used for access, parking, circulation or buildings shall be completely and permanently landscaped and the entire site maintained in a well-kept condition. Landscaping shall consist of the planting of some combination of trees, shrubs, vines, ground cover, flowers or lawn. In the design of the landscape plan, a combination of the following may include such structural features as fountains, reflecting pools, statuary, fences, walls and hedges.

In residential districts, rear yards may be used for open parking subject to the maintenance of a landscaped strip not less than eight (8') feet in width along the lot lines, and the erection of a screening device not less than four (4') feet nor more than six (6') feet in height. Where a non-residential use abuts residentially zoned property, the required screening device shall be set back not less than eight (8') feet from the property line of said non-residential use with a landscaped strip maintained between the property line and the screening device; no such screening shall extend into the established setback of the adjoining residential lot.

Space Requirements:

Off-street parking space shall be provided as set forth in the following schedule. In computing the required number of parking spaces where fractional spaces result, fractions of one-half or over shall be counted as one parking space.

| <u>TYPE OF USE</u> | <u>PARKING SPACES</u> |
|---|---|
| 1. Auto supply store | 1 for each 200 sq. ft. of gross floor area |
| 2. Automatic car wash | Space on the same lot or parcel equal in number to 3 times the maximum capacity of the automatic car wash, plus 1 additional space for each 2 employees at maximum employment |
| 3. Bowling establishments | 5 for each bowling lane, 1 for each pool or billiard table |
| 4. Business or professional offices, area studio, bank, or offices of civic, religious or charitable organizations | 1 for each 250 sq. ft. of gross floor area |
| 5. Churches or temples | 1 for each three units of seating capacity in the largest meeting or worship hall |
| 6. Dance hall, skating rink, meeting or exhibition hall or other similar place used for public assembly without fixed seats | 1 for each 40 sq. ft. of floor area used for amusement or assembly purposes |
| 7. Day nursery and kindergarten | 1 for each employee plus 1 for each 200 sq. ft. of gross floor area with a minimum of 5 spaces |
| 8. Dental practitioners | 3 for each doctor and 1 for each employee |

Article VII – Supplementary Regulations (Cont'd)

| <u>TYPE OF USE</u> | <u>PARKING SPACES</u> |
|--|---|
| 9. Dormitories – not a part of a campus development | 2 for each 3 beds |
| 10. Dry cleaners, coin operated | 1 for each two units or each fraction of a multiple of two units |
| 11. Dwellings, multi-family | 2 for each family or dwelling unit |
| 12. Dwellings, single family and two family | 2 for each family or dwelling unit; 1 for each roomer or boarder |
| 13. Establishments retailing or servicing furniture and appliances | 1 for each 1,000 sq. ft. of gross floor area |
| 14. Fraternities and sororities | 1 for each 200 sq. ft. of gross floor area Including usable basement area |
| 15. Gasoline filling station | 2 for each service bay, plus 1 additional space for each employee |
| 16. Golf courses | 10 parking spaces per hole |
| 17. Hardware store | 1 for each 150 sq. ft. of gross floor area |
| 18. Hospitals | 1 for every bed for patients, excluding bassinets |
| 19. Hotels and inns | 1 for each guest room |
| 20. Industrial buildings | 1 for each company vehicle, and 1 for each two employees on the largest working shift at maximum rated employment whichever will require the greater amount of spaces |
| 21. Laundromats | 1 for each two units or each fraction of a multiple of two units |
| 22. Medical practitioners offices | 6 for each doctor and 1 for each employee |
| 23. Mixed uses or premises used for more than one use | Spaces equal to the sum of the requirements for the various individual uses |
| 24. Mortuary or funeral home | 1 for each 40 sq. ft. of floor area in each parlor or potential parlor room |
| 25. Motels and motor courts | 1.25 for each guest room |
| 26. Motor vehicle, machinery or equipment sales | 1 for each 800 sq. ft. of gross floor area plus 1 for each employee |
| 27. No parking required | |

Article VII – Supplementary Regulations (Cont’d)

| <u>TYPE OF USE</u> | <u>PARKING SPACES</u> |
|--|--|
| 28. Open land storage, plant nurseries and greenhouses | 5 per gross acre or any part thereof |
| 29. Printing or plumbing shop or Similar service establishment | 1 for each 200 sq. ft of gross floor area |
| 30. Private clubs & lodges | 1 for each 100 sq. ft. of gross floor area up to 4,000 sq. ft. and 1 for each 200 sq. ft. of gross floor area over 4,000 sq. ft. |
| 31. Publicly operated buildings or uses such as libraries & museums | 1 for each 300 sq. ft. of gross floor area |
| 32. Railroad or bus terminal | 1 for each 5 permanent seats in the waiting rooms and 1 for each employee |
| 33. Restaurants, night clubs, bars taverns or similar eating or drinking establishments | 1 for each 80 sq. ft. of gross floor area & 1 for each employee |
| 34. Retail and personal service establishments, except as otherwise specified herein | 1 for each 150 sq. ft. of gross floor area |
| 35. Rooming houses, boarding houses And tourist homes | 1 for each accommodation |
| 36. Sanitariums, convalescent homes, Homes for the aged, and similar Institutions housing bed patients | 1 for every 3 beds, plus 1 for each employee and 1 per staff member |
| 37. School, public or private, elementary | 25 spaces plus 1 for each staff member and 1 for each employee |
| Intermediate or junior high | 25 spaces plus 1 for each staff member and 1 for each employee |
| High, trade or vocational | 1 for each staff member, 1 for each employee and 1 for each 10 students at capacity |
| College or university | 1 for each 2-1/2 students based on the total student enrollment at the beginning of the academic year and 1 for each employee |

Article VII – Supplementary Regulations (Cont’d)

TYPE OF USE

PARKING SPACES

- | | | |
|-----|---|---|
| 38. | Shopping centers: Neighborhood, up to 50,000 sq. ft. of gross floor area | 1 parking space for each 100 sq. ft. of leaseable area |
| | Community, 50,000 to 250,000 sq. ft. of gross floor area | 9 parking spaces for each 1,000 sq. ft. of gross leaseable area |
| | Regional, over 250,000 sq. ft. of gross floor area | 6 parking spaces for each 1,000 sq. ft. gross leaseable area |
| 39. | Supermarkets or food stores | 1 for each 100 sq. ft. of gross floor area |
| 40. | Theatre, auditorium, stadium or other similar place of public assembly having fixed seats | 1 for each 4 units of seating capacity for the first 400 seats, and 1 for each 6 units of seating capacity in excess of 400 seats |
| 41. | Uses not specifically mentioned herein | Spaces equal to the number of spaces required for the most nearly similar use which is mentioned herein |
| 42. | Vehicle repair garage | 1 for each 400 sq. ft. of gross floor area, plus 1 additional space for each employee |
| 43. | Wholesale warehouse or area storage plants | 1 for each 4,000 sq. ft. of gross floor area or 1 for each two employees whichever will require the greater number of spaces |

***Design Standards:** In addition to the other requirements set forth in this section, all parking areas* consisting of five (5) or more spaces shall comply with the following minimum specifications, and shall be shown on a site plan for approval of the Commissioner of Engineering.

Surfacing: The parking area shall be provided with a permanent, hard surface pavement and shall be graded and drained to dispose of all surface water.

Screening: Parking areas shall be effectively screened along all side and/or rear property lines in or abutting a residential district by a suitable fence, wall or compact evergreen hedge, or combined fence and hedge, not less than 4 nor more than 6 feet in height. No such screening shall extend beyond the established setback of the adjoining residential lot.

Protective Barriers: Fixed and permanent barriers shall be provided around the area used for parking for protection of surrounding buildings and to prevent front or rear vehicle overhang over property lines or public streets as may be required and approved by the Commissioner of Engineering.

* As amended by Ordinance No. 87-194, adopted 10/20/88

Article VII – Supplementary Regulations (Cont'd)

Egress: Parking areas having an exit on a public street shall be designed so that each vehicle leaving such parking area shall be traveling in a forward motion when entering traffic.

Lighting: Lighting shall be provided in all parking areas coming under the Design Standards and shall be designed to meet the following requirements:

- (a) Lighting shall be so arranged as to reflect away from residential areas and public streets.
- (b) Average lighting maintained shall be a minimum of two (2) foot candles at any point.
- (c) A site plan showing application of design standards must be submitted and approved by the Commissioner of Engineering.

Where it appears impractical by reason of the unavailability of land or otherwise to provide parking spaces, the Board of Appeals may, after public notice and hearing, grant a permit for the establishment of an off-street parking area in any residential district, provided the following terms and conditions are met:

- (a) The lot proposed for parking either abuts or is across the street from a district other than a residential district.
- (b) The lot is accessory to a use which conforms with all other requirements of the district in which it is located.
- (c) No off-street parking shall be permitted within 40 feet of an existing dwelling.
- (d) The parking lot shall be used exclusively for the parking of vehicles of customers, employees or guests.
- (e) No charge shall be made for parking.
- (f) No signs shall be displayed except such signs as may be essential to the orderly use of the parking facility.
- (g) The established setback, side yards and rear yards in the residential district shall be maintained in lawn or shrubbery or other suitable planting to prevent its use for parking.
- (h) The application for such off-street parking permit shall not be approved by the Board unless there is included with the application a plot plan containing sufficient detail to show compliance with these conditions and with all other requirements for parking areas as provided under Section 77.
- (i) Any permit granted under this provision shall be conditioned upon compliance with the terms and conditions enumerated above and may be revoked by the Board and subject to the penalties described in Article IX, Section 95 of this zoning ordinance upon a finding that such terms and conditions have not been complied with and that the intent of these regulations have been violated to the detriment of adjoining properties.
- (j) Unless otherwise specified by the Board, such parking exception permit shall expire if the applicant fails to obtain a building permit or occupancy permit, as the case may be, within 6 months from the date of authorization of such permit.

Article VII – Supplementary Regulations (Cont’d)

SECTION 78

OFF-STREET LOADING REQUIREMENTS

Off-street loading and unloading space shall be provided as accessory to every residential, retail, wholesale, office, institutional, public and industrial building or use hereafter erected or established and every such building now existing which is enlarged as indicated herein.

In applying the provisions of this section the following general rules and exceptions shall govern:

- (a) Existing buildings shall not be effected by the requirements of this section except as follows:
 - 1) If the aggregate gross floor area of any existing building shall be increased by more than fifty (50) percent, off-street loading space shall be provided to the extent required for the original use and its enlargement. If the aggregate gross floor area of any existing building shall be increased by 50% or less, then the off-street loading space shall be provided to the extent required for the enlargement only.
- (b) Off-street loading space shall not be occupied or considered as any part of the required customer or employee parking area.
- (c) Off-street loading space, including maneuvering areas thereto, shall not occupy any part of the required yard areas, nor shall such space be used for the sale, repair, dismantling or servicing of any vehicles, equipment, materials or supplies.
- (d) All off-street loading space shall be maintained in compliance with the regulations relating to surfacing and drainage, and screening where applicable, as established for off-street parking space under Section 77, Design Standards.

MINIMUM REQUIREMENTS FOR OFF-STREET LOADING SPACE

Off-street loading space shall be provided as set forth in the following schedule. Such space shall be located on the same lot occupied by the use served and shall be accessible from a public street or alley.

Retail Business

| <u>Gross Floor Area (sq.ft)</u> | <u>Minimum Number of Loading Spaces</u> | <u>Size Of Loading Spaces</u> |
|---------------------------------|---|-------------------------------|
| Less than 20,000 | 1 | minimum |
| Over 20,000 – 70,000 | 2 | width |
| Over 70,000 – 120,000 | 3 | shall be |
| Over 120,000 – 200,000 | 4 | 12 feet |
| Each 100,000 above 200,000 | 1 additional | |

Article VII – Supplementary Regulations (Cont’d)

Wholesale and Industrial

| <u>Gross Floor Area (sq.ft)</u> | <u>Minimum Number of Loading Spaces</u> | <u>Size Of Loading Spaces</u> |
|---------------------------------|---|-------------------------------|
| Less than 10,000 | 1 | minimum |
| Over 10,000 – 50,000 | 2 | width |
| Over 50,000 – 100,000 | 3 | shall be |
| Each 50,000 over 100,000 | 1 additional | 12 feet |

Bus and Truck Terminals

Off-street loading space sufficient to accommodate the maximum number of buses or trucks to be stored or to be loading or unloading at the terminal at any one time.

Unspecified Uses

Uses not specifically covered in the above schedule but similarly involving the pickup or delivery by vehicles, of materials or merchandise shall provide one off-street loading space for every 20,000 sq. ft. or fraction thereof in excess of 3,000 sq. ft. of gross floor area. Such unspecified use includes, but is not limited to, hotels, mortuaries and office buildings.

SECTION 79

*Home Occupation

A home occupation shall be considered as any use conducted within a dwelling and carried on by the occupants and clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character of the dwelling.

Home occupations shall have no display, no stock-in-trade nor commodity sold upon the premises and no person, not a resident on the premises, shall be employed specifically in connection with the incidental home occupation, provided, however, that such occupation shall not occupy more than 15% of the gross floor area of the dwelling. Home occupations may include, but are not limited to such professional offices as offices for a physician, dentist lawyer, individual musical instruction, individual dancing instruction, insurance offices, photography studio, engineer, architect, accountant, or art instructor, and the occupation of dressmaker, milliner, or seamstress. Not considered as home occupations are animal clinics, or hospitals, convalescent homes or care homes, tea rooms, antique shops, tourist homes, real estate office, restaurants or other similar uses.

**** SECTION 79.01**

PROHIBITING PARKING OF COMMERCIAL AND INDUSTRIAL VEHICLES ON RESIDENTIALLY-ZONED LAND

There shall be no parking or storage of commercial or industrial vehicles on any residentially-zoned land at any time.

Industrial and commercial vehicles are defined as all vehicles over the size of ¾ ton truck and all vehicles used for towing purposes regardless of size.

* As Amended by Ordinance No. 94-467, 1/11/95.

** Supplement, Section 79, As Amended by Ordinance No. 88-650, 5/30/90.

Article VII – Supplementary Regulations (Cont’d)

That the Chief of Police or his designee shall assist in the enforcement of this section and other sections of the Zoning Ordinance.

SECTION 79.02 REGULATING OPEN PARKING OR STORAGE OF ALL RECREATIONAL VEHICLES ON ALL RESIDENTIALLY ZONED LAND

Recreational vehicles shall include but are not limited to boats, trailers, campers, motor homes, competition vehicles, snowmobiles, dune buggies, jet skis, motorcycles, historic or antique vehicles, and equipment or parts.

A Maximum of one recreational vehicle may be stored for a period of more than 72 hours in the rear yard, not violating any required side or rear yard setbacks, of any residentially zoned land. And recreational vehicles stored in this fashion shall have current license and shall not exceed twenty (20) feet in length.

Storage of any other recreational vehicle shall be in an approved accessory building which shall be completely enclosed. All permits shall be issued before work is started on the building and the vehicles shall not be stored on the property until the building is completed, inspected, and permission to occupy the structure has been granted.

* SECTION 79.03 ABATEMENT OF NUISANCES.

Unlicensed or inoperable or junk vehicles or parts thereof, trash, junk or graffiti shall not be allowed to remain on any lot or structure, outside of approved containers. Weeds in excess of ten (10) inches in height shall not be allowed to remain on any lot.

** SECTION 80 REGULATION OF ACCESSORY BUILDINGS IN RESIDENTIAL DISTRICTS.

Purpose: It is the purpose of this Section to regulate accessory buildings in residential districts in order to promote the public health, safety and welfare. It is the intent of this Section to permit buildings that are compatible with principal uses and harmonious with uses upon adjacent properties.

Definition: In residential districts, “Accessory Building” means a structure constructed or installed on, above, or below the surface of a parcel, which is located on the same lot as a principal use or structure, and which is subordinate to or serves the principal use or structure. “Accessory Building” includes any building of a subordinate nature attached to or detached from a principal structure or use, including but not limited to sheds, garages and greenhouses.

GENERAL REQUIREMENTS

In residential districts, except as otherwise provided in this Ordinance, an accessory building shall be permitted in association with a principal use or structure provided that:

- *** 1. The total area occupied by accessory buildings shall not exceed:

* Supplement, Section 79, As Amended by Ordinance No. 96-13, 5/2/96.

** Supplement, Section 80, As Amended by Ordinance No. 90-365, 11/21/90.

*** As Amended by Ordinance No. 93-551, 10/20/93.

Article VII – Supplementary Regulations (Cont’d)

- a) thirty-five percent of the gross floor area of the principal structure or
 - b) 770 square feet. One shed, not to exceed 120 square feet, shall be permitted in excess of the above area limits.
2. It shall not contain or be used as a dwelling unit.
 3. It shall not exceed eighteen (18) feet at the highest point, and the side walls shall not exceed twelve (12) feet in height.
 4. It shall meet all yard requirements of this zoning ordinance.
 5. If not located in the rear yard, it shall be an integral part of the principal building to which it is necessary.

***SECTION 80.01 REGULATION OF ABANDONED PUBLIC BUILDINGS

Recognizing that population shifts can necessitate the closing of schools and other public facilities, and that appropriate re-use of such facilities is in the best interest of the neighborhood and of the City, the Board of Zoning Appeals is empowered to review and decide upon related re-use proposals subject to the standards and criteria outlined below. Nothing in this section negates the ability of a property owner to use an abandoned building for use that is permitted in the zoning district in which the building is located.

Conditionally Permitted Uses

Subject to Board of Zoning Appeals review and approval, and to the standards and criteria set forth below, the following are permitted uses of abandoned public buildings. For purposes of this section, abandoned public buildings are defined as former schools, churches, ^{*} libraries, federal, state, or local government office facilities and fire stations, along with their customary accessory structures. Agencies and offices rendering specialized services in the professions, real estate and brokerage, including services agencies neither involving on-premises retail trade nor wholesale trade on-premises, nor maintenance of a stock of goods for sale to the general public:

Antiques and gift retail sales

Book and stationary stores

Colleges, universities, business colleges, trade schools, music conservatories, dancing schools and similar organizations offering training in specific fields

Dancing schools

Day nurseries and kindergartens

Florist

Funeral homes

Gift shop, cards

Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes except for garages, repair or storage yard, warehouse and buildings used or intended to be used as correctional or penal institutions

*** As Amended by Ordinance No. 96-12, 5/2/96.

* As amended by Ordinance No. 96-12, 5/2/96.

Article VII – Supplementary Regulations (Cont’d)

Libraries
Museums and art galleries
Musical instrument store, lessons
Office buildings
Photography studio
Radio and television studio
Tailor
Upholstery, paper hanging and decorator shops

Additional, any use judged to be substantially similar to those listed above may be permitted by the Board, subject to the standards and criteria set forth below.

Standards and Criteria

1. The proposed use shall be in accordance with the general objectives of any relevant City plan or ordinance.
2. The proposed use shall not involve activities, processes, materials or methods of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of noise, smoke, fumes glare or odors.
3. The proposed use shall not generate levels of traffic that significantly exceeds that generated by the original use.
4. In determining the potential impact of a proposed use on the neighboring uses, the Board of Zoning Appeals shall take into account the size of the property in question, the ratio of building to total area, the nature of land use in the immediate vicinity and the proximity of the proposed activity to existing dwellings.
5. Parking requirements set forth in Section 77 shall apply, but the exception of existing structures shall not apply. The required number of parking spaces shall be determined based on the proposed use(s).
6. Any proposed work which would change the exterior appearance of the property, including any proposed signs or additional parking, is subject to approval by the Design Review Committee.

In applying the standards and criteria listed above, the Board of Zoning Appeals must ultimately weigh the potential impacts of the proposed use against the likelihood of a more appropriate use and the possible effects of continuously abandoned property.

ARTICLE VIII

EXCEPTIONS

SECTION 81

Existing Lots

An existing lot in any residential zone in which single-family dwellings are permitted which does not meet the requirements for lot area, or lot width, or both, that are applicable in this district, may be occupied by a single-family dwelling and its customary accessory buildings provided that:

- (a) Such lot is in separate ownership and not of continuous frontage with other lots in the same ownership;
- (b) Such lot contains a lot area of at least 5,000 sq. ft.;
- (c) Yard requirements shall conform to the regulations for the district in which the lot is located. However, on lots which have a lot width of fifty (50) feet or less, accessory buildings shall be at least three (3) feet from any property line and at least ten (10) feet from the principal structure.
- (d) Any future alteration or extension shall be in conformance with the regulations for the district in which such lot is located.

SECTION 82

Adjoining and Vacant Lots

If two or more adjoining and vacant lots with continuous frontage are in a single ownership at any time after the adoption of this ordinance and such lots individually are less than the lot width or lot area requirements for the district in which they are located, such groups of lots shall together be considered a single lot or shall be grouped into several lots of minimum permitted size and the resulting lot or lots shall be subject to the dimensional requirements of this ordinance, provided however that a replatting shall take place before a use may be made of the lot by the construction of any structure.

SECTION 83

Height Limits

Unless specifically covered in the design controls, the height limitations of this ordinance shall not apply to church spires, monuments, water towers, elevator penthouses, cooling towers, condensing units, flag poles, and other such structures not intended for human occupancy, providing they do not encroach on an airport approach zone.

SECTION 84

Front-yard Setbacks for Dwellings

Within all residential zoning districts, if the adjacent structures within the same zoning classification do not meet the required front-yard setback, a new structure may be built in line with the existing structures so long as the resulting setback is not less than twenty-five (25) feet, and so long as all other provisions of the zoning ordinance, including minimum side and rear yard requirements are met.

Article VIII – Exceptions (Cont'd)

SECTION 85 Projections into Yards

The following projections of a structure may extend into required yard setbacks, the minimum distances specified below:

- | | | |
|-----|---|--|
| (a) | Cornice, eaves, belt courses, Sills, bay windows, buttresses or other similar architectural features. | 4 feet, but not more than 50% of the yard requirement. |
| (b) | Attached planting boxes or masonry planters not exceeding forty-two (42) inches in height. | 4 feet, but not more than 50% of the yard requirement. |
| (c) | Fire escapes and outside stairways. | 4 feet, but not more than 33% of the yard requirement. |
| (d) | Covered walkways | to the right-of-way line. |
| (e) | Marquee | equal distance from the lowest point of the marquee from the ground level, provided however, that the marquee does not project in to the right-of-way. |
| (f) | Unenclosed porch | 8 feet |

SECTION 86 Group Development Projects

Group development projects consisting of two or more principle buildings devoted to a common or similar use and constructed on a single lot may be permitted as a special use in three districts established in this ordinance provided such group development projects comply with the requirements of section 106.2 (Special Uses) and the following appropriate standards.

Section 86.1 – Group housing projects. A group housing development may be constructed in any apartment district subject to the following provisions:

- (a) Such developments shall be located on a plot of ground at least six (6) acres in area;
- (b) The minimum width permitted for attached single-family units shall be not less than twenty-one (21) feet;
- (c) Attached single-family dwellings shall be in groups of not less than four (4) nor more than eight (8) dwelling units;

Article VIII – Exceptions (Cont’d)

- (d) A minimum distance of at least thirty (30) feet or a distance equal to the highest point of the building, whichever is greatest, shall separate the end faces of all buildings established as part of a group housing development;
- (e) Front faces of adjoining buildings shall be a minimum of 100 feet;
- (f) There shall be a minimum of at least seventy-five (75) feet between rear faces;
- (g) No dwelling units shall be situated in such a manner that it faces the rear of another dwelling structure within the development or on adjoining property;
- (h) Not more than forty (40) percent of the total land area shall be occupied by buildings;
- (i) Such development shall conform to the height, population density, and off-street parking requirements of the zoning district in which it is located;
- (j) A development plan prepared by and carrying the seal of an architect, or civil engineer duly registered to practice in this state must be filed with the Board of Zoning Appeals and show:
 - (1) Topography.
 - (2) Proposed street system.
 - (3) Proposed lot layout.
 - (4) Proposed reservations for parks, playgrounds, school sites, existing and facilities and other open spaces.
 - (5) Proposed location of neighborhood business areas and off-street parking spaces.
 - (6) Types of dwellings and portions of the area proposed therefore.
 - (7) Proposed location of dwellings, garages and/or parking spaces.
 - (8) A tabulation of the total number of acres in the proposed project and the percentage thereof designated for each of the proposed dwelling types, neighborhood retail businesses, other non-residential uses, off-street parking, streets, parks, schools and other reservations.
 - (9) A tabulation of over-all density per net acre.
 - (10) Preliminary plans and elevations of the several dwelling types.
- (k) The Board of Zoning Appeals shall determine conformity of the proposed development with the standards of the official comprehensive plan and recognized principles of civic design, land use planning and landscape architecture. The Board may approve the plan as submitted or before approval may require the applicant to modify, alter, adjust or amend the plan.
- (l) Before approval of a development plan the Board may require safeguards satisfactory to the City, to guarantee completion of the development of all lands dedicated for public use. In addition, the development plan shall comply with the Subdivision Regulations, Housing Code and the Building Code for the City of Youngstown.

Section 86.2 – Urban Renewal projects sponsored by the City of Youngstown where the parcelization is a series of interrelated developments consisting of a “group development,” shall be exempt from

Article VIII – Exceptions (Cont'd)

the conditions of this ordinance only where a conflict exists between this ordinance and the Urban Renewal Plan.

SECTION 87 *Fences, Walls and Hedges

Except as provided under Section 75 relating to corner lots, within any residential district, fences, walls and hedges may be permitted in any required setback yard or along the edge of any yard, provided that no fence, wall or hedge along the sides or front edge of any front yard shall be over three (3) feet in height for the first twenty-five (25) feet from the street right-of-way line. This provision shall not apply to open mesh –type fences erected on public recreational areas, school grounds, parks or playgrounds. ** Fences and walls more than twenty-five (25) feet from the street right-of-way line shall not exceed six (6) feet in height.

*** Fences, walls and hedges may be placed up to the property line, and any outstanding posts or supporting rails shall face toward the center of the property being fenced.

* As Amended by Ordinance No. 88-390, 5/30/75

** As Amended by Ordinance No. 09-290, 11/23/09

*** As Amended by Ordinance No. 83-12, 5/11/83

ARTICLE IX

*ADMINISTRATION, ENFORCEMENT, PENALTIES AND REMEDIES

**SECTION 91 Zoning Enforcement Officer

The enforcing officer is that officer, official or designated employee given the duties of enforcement of all of the zoning ordinances of the City of Youngstown and related regulations. For purposes of this definition, the terms Zoning Enforcement Officer, Zoning Analyst, Zoning Officer and Associate Planner are synonymous.

SECTION 92 Zoning Permit Required

The Building Inspector shall issue building permits and the Zoning Analyst shall issue zoning permits, subject to the following provisions:

Section 92.1 – It shall be unlawful to commence the excavation or filling of any lot for any construction of any building, or to commence construction of any building, or to commence the development of land for a use not requiring a building, until a building permit has been issued for such work in accordance with the Youngstown Building Code. No building permit shall be issued until a zoning permit has been issued by the Zoning Analyst. *** Zoning Permits are required when:

- (a) any lot or use is established;
- (b) a building or structure is erected;
- (c) a building or structure is altered;
- (d) the use of any building or land is changed.

| <u>Section 92.2 – Fees:</u> | <u>New Building 92.1 (b)</u> | <u>Other 92.1 (a,c,d)</u> |
|--|------------------------------|---------------------------|
| Residential Use | \$25.00 | \$10.00 |
| Commercial Use or Institutional Use | \$50.00 | \$25.00 |
| Industrial Use | \$150.00 | \$75.00 |

SECTION 93 Application for Zoning Permit

In applying to the Zoning Analyst for a Zoning Permit, the applicant shall submit duplicate copies or a dimensional sketch or to scale plan signed by the owner or his authorized agent, indicating the shape, size, height, use and location of the buildings to be erected, demolished, altered or moved and of any building already on the lot, the number of dwelling units the building is designed to accommodate, if any, the setback lines buildings on adjoining lots as may be essential for determining whether the provisions of this ordinance are being observed. If the proposed excavation, filling, construction or

* As Amended by Ordinance No. 85-386, 12/4/85.

** As Amended by Ordinance No. 96-108, 3/19/97

*** As Amended By Ordinance No. 09-315, 11/23/09

movement set forth in said sketch or plan are in conformity with the provisions of this ordinance, the Zoning Analyst shall issue a zoning permit upon payment of any required fees. The Zoning Analyst shall retain one copy of the zoning permit and one copy of the sketch or plans.

Section 93.1 – Refusal of Zoning Permit. If the sketch or plan submitted describes work which does not conform to the requirements of this ordinance, the Zoning Analyst shall not issue a zoning permit but shall return one copy of the sketch or plan to the applicant with a signed refusal in writing. Such refusal shall state the reasons, therefore, and shall cite the portions of this ordinance with which the submitted sketch or plan does not conform. The Zoning Analyst shall retain one copy of the sketch or plan and two copies of the refusal.

SECTION 94

Certificate of Occupancy Required

Certificate of Occupancy shall be issued by the Zoning Analyst and is required in accordance with the following provisions:

Section 94.1 – A Certificate of Occupancy issued by the Zoning Analyst is required in advance of occupancy or use of:

- (a) any lot or use thereof;
- (b) a building hereafter erected;
- (c) a building hereafter altered;
- (d) a change of use of any building or land; and
- (e) each non-conforming use created by the passage of and subsequent amendment of this ordinance shall obtain a certificate of occupancy within thirty (30) days of a written notice to the owner advising him of the non-conformance.

Section 94.2 – Upon payment of any required fees, Zoning Analyst shall sign and issue a certificate of occupancy if the proposed use of land or a building, as stated on the certificate of occupancy and signed by the owner or his appointed agent, is found to conform to the applicable provisions of this ordinance, and if the building, as finally constructed complies with the plans submitted for the building and zoning permits. One copy of all certificates of occupancy issued, which contain a statement of the intended use of the applicable property signed by the owner of the property or his agent shall be kept on file in the office of the Zoning Analyst. Copies shall be furnished on request to any person having a propriety or tenancy interest in the building or land involved, at said person’s expense.

* Section 94.3 – Fees: New Building 94.1(b) Other 94.1(a,c,d,e)

| | | |
|-------------------------------------|----------|---------|
| Residential Use | \$ 75.00 | \$25.00 |
| Commercial Use or Institutional Use | 100.00 | 50.00 |
| Industrial Use | 200.00 | 75.00 |

* As Amended by Ordinance No. 77-929, 11/13/91

Temporary Use Permit 100.00 (\$25.00 if minor: Where maximum number of attendees does not exceed 100 at any given time as certified in form ZA-4).

SECTION 95 Penalties for Violation

Any person violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction shall be punished for each offense according to law. Each day such violation continues shall be deemed a separate offense. The minimum fine for each such offense shall be one hundred dollars (\$100.00).

SECTION 96 Remedies

In case any building is erected, constructed, altered, repaired, converted or maintained, or any building or land is used in violation of this ordinance, the Zoning Analyst or any other appropriate city authority, or any contiguous or neighboring property owner who would be especially damaged by such violation, in addition to any other remedies provided by law, may institute a suit for injunction to prevent or terminate such violation.

SECTION 97 Certificate of Zone Classification

No person, firm or corporation shall sell real estate in the city without first informing the prospective purchaser of the real estate of the zoning classification of the property being purchased. Such information shall be in the form of a Certificate of Zone Classification obtained from an authorized Zoning Enforcement Officer of the City.

Every Person selling real estate in the City of Youngstown must provide the purchaser with said Certificate of Zone Classification prior to the execution of a Purchase Agreement and/or any other document intended to convey title in real estate.

Section 97.1 – Application for such certificate shall be made in writing to the Zoning Enforcement Officer, as defined in Section 91, Article IX, of the Zoning Ordinance of the City of Youngstown, Ohio. The application shall contain the name of the applicant, if an individual, the names of the partners, if a partnership, or the names of the principal officers, if a corporation, and shall include the description and location of the real estate to be sold.

Upon receipt of an application, the Zoning Enforcement Officer shall issue a certificate indicating thereon the existing zoning classification and the intent and permitted uses of said real estate. The fee to be charged for such application is five dollars (\$5.00). No certificate shall be valid for more than thirty (30) days.

Section 97.2 – Whoever violates Section 97 and 97.1 Article IX, of the Zoning Ordinance of the City of Youngstown, Ohio, shall be fined not less than twenty-five dollars (\$25.00) nor more than five hundred dollars (\$500.00) for the first offense; for each subsequent offense such person shall be fined not less than twenty five dollars (\$25.00) nor more than five hundred dollars (\$500.00) and imprisoned not less than five (5) nor more than thirty (30) days.

ARTICLE X
BOARD OF ZONING APPEALS

SECTION 101 Establishment of Board of Zoning Appeals

The Board of Zoning Appeals of the City of Youngstown, Ohio, is hereby established. This Board shall be composed of the same seven members appointed by the Mayor as members of the City Planning Commission, consisting of the Mayor, Director of Law, Commissioner of Engineering, one member of the Park and Recreation Commission who shall be appointed by the Mayor, and three citizens at least one of whom shall be a woman, to be appointed by the Mayor for terms of four (4) years each. Any vacancy in the membership shall be filled for the unexpired term in the same manner as the initial appointment. Members shall be removable for cause by the appointing authority upon written charges and after public hearings.

The Board of Zoning Appeals shall adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this Zoning Ordinance.

The Board shall have the power to review any order or decision of the Zoning Analyst where such order or decision is based upon the requirements of this ordinance.

* After the refusal of the Zoning Analyst to issue a zoning permit where such refusal is for non-compliance with the provisions of this ordinance, the Board shall hear and determine appeals from the decisions of the Zoning Analyst and after public notice and hearing, may permit exceptions to and variations from the district regulations in the classes of cases or situations herein specified.

SECTION 102 Proceedings of the Board of Zoning Appeals

The Board of Zoning Appeals shall adopt rules in accordance with the provisions in this ordinance for the conduct of its affairs. The Board of Zoning Appeals shall elect a chairman, and a vice-chairman. The Board shall appoint a secretary who shall be a member of the Planning Commission. Meetings of the Board shall be held at the call of the chairmen and at such other times as Board may determine. The chairman or in his absence, the vice-chairman may administer oaths and compel the attendance of witnesses by subpoena. All meetings of the Board shall be open to the public, except those requiring deliberation by the Board. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

**** SECTION 103** Appeals, How Made

* As Amended by Ordinance No. 85-386, 12/4/85.

** As Amended by Ordinance No. 85-386, 12/4/85.

Appeals to the Board of Zoning Appeals may be made by any person aggrieved, or by any officer, department, board or bureau of the City of Youngstown, Ohio, affected by any decision of the Zoning Analyst or his agents based on this ordinance. Such appeals shall be made within a reasonable time, as provided by the rules of the Board, by filing

Article X – Board of Zoning Appeals (Cont'd.)

with the Board of Zoning Appeals, a written notice of appeal specifying the grounds thereto. All papers constituting the record upon which the action appealed from was made shall forthwith be transmitted to the Board of Zoning Appeals.

SECTION 104 Hearings and Notices

The Board of Zoning Appeals shall fix a reasonable time for the hearing of any appeal, request for permission to establish a special use, request for a variance, or other matters referred to, and give at least seven (7) days public notice, and decide the same within a reasonable time upon a hearing. Any party may appear in person or by agent.

SECTION 105 Stay of Proceedings

An appeal stays all legal proceedings in furtherance of the action appealed from, unless the Zoning Analyst certifies to the Board of Appeals after the notice of appeal shall have been filed with him that, by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record application on notice to the official from whom the appeal is taken and on due cause shown.

SECTION 106 Powers and Duties of Board of Zoning Appeals

The Board of Zoning Appeals shall have the following powers and duties:

* Section 106.1 – Administrative Review. To hear and decide appeals where it is alleged there is error on any order, requirement, decision or determination of the Zoning Analyst in the enforcement of this ordinance.

Section 106.2 – Special Uses. To hear and decide upon request for permission to establish special uses other than is specified in this ordinance.

Section 106.3 – Variances. To authorize upon appeal in specific individual case, such variances from the terms of this ordinance as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this ordinance would, in an individual case, cause practical difficulty or unnecessary hardship and only upon a finding by the Board of Zoning Appeals that all of the following conditions exist:

- (a) There are extraordinary and exceptional conditions pertaining to the particular land, structure, or building involved because of its size, shape or topography; and

* As Amended by Ordinance No. 85-386, 12/4/85.

- (b) The application of the ordinance to this particular piece of property would create an unnecessary hardship; and
- (c) Granting this variance will be in harmony with the overall intent of this ordinance, and will not be detrimental to the public interest; and
Article X – Board of Zoning Appeals (Cont’d.)
- (d) The existence of non-conforming uses in this district or of similar non-conforming uses in other districts will not be considered as a basis on which to grant other variances; and
- (e) The variance requested is the minimum variance which will permit reasonable use of land.

Section 106.4 – Use Variance Prohibited. No variance may under any circumstances be granted for a use of land or premises.

SECTION 107 Decisions of the Board of Zoning Appeals

In exercising the above powers, the Board of Appeals may, in conformity with the provisions of this ordinance, reverse or affirm wholly or in part, or may modify the order, requirement, decision or determination, and to that end shall have all the powers of the officer from whom the appeal is taken and may issue or direct the issuance of a permit.

SECTION 108 *Forms

Appeals, requests to establish special uses, and requests for variances shall be made on forms provided therefore, and all information required on said forms shall be provided by the appellant. Forms shall be with the Secretary of the Board of Appeals or his agent, and the appellant shall pay a fee based on the following schedule:

- ** (a) A fee of \$50.00 payable to the City of Youngstown for any appeal case involving any residential use. (\$25.00 where the cost of the improvement is \$2,500 or less).
- ** (b) A fee of \$75.00 payable to the City of Youngstown for any appeal case involving any commercial use.
- ** (c) A fee of \$100.00 payable to the City of Youngstown for any appeal case involving any industrial use.

All fees to the Board of Appeals are not refundable and shall be paid prior to any hearing by the Board. No forms shall be accepted by the Secretary or his agent unless it contains all pertinent information and is accompanied by the requested fee.

SECTION 109 Appeals from the Board of Zoning Appeals

* As Amended by Ordinance No. 81-396, 9/16/81.
 ** As Amended by Ordinance No. 77-929, 11/13/91.

Every decision of the Board of Zoning Appeals shall be subject to review by proceedings in the nature of certiorari. Any person or persons, jointly or severally, aggrieved by any decision of the Board of Zoning Appeals shall have recourse to the Courts as provided by law.

ARTICLE XI

AMENDMENTS

SECTION 111 General Provisions

This ordinance, including the Official Zoning Map, may be amended from time to time by the City Council on their own motion, on petition, or on recommendation of the City Planning Commission, but no amendment shall become effective unless it shall have been proposed by or shall first have been submitted to the City Planning Commission for review and recommendation. From the time a proposed zoning amendment is placed on the Commission's agenda for a regularly scheduled meeting, the Commission shall have ninety (90) days within which to consider such amendment and submit its report to City Council. If the Commission fails to submit a report within the ninety (90) day period, it shall be deemed to have approved the proposed amendment.

SECTION 112 Amendment Procedures

* Section 112.1 – Petition for a Zoning Map Amendment. Amendments to the zoning map may be initiated by petition to Council only by the owner of the parcel or parcels of land for which the amendment is proposed. Such petition for amendment shall be on a form supplied by the Secretary of the Planning Commission or his agent and, when properly filled out, submitted to Council with the following fee:

- (a) A fee of \$100.00 payable to the City of Youngstown for changes to any Residential classification.
- (b) A fee of \$200.00 payable to the City of Youngstown for changes to any Commercial or Institutional classification.
- (c) A fee of \$250.00 payable to the City of Youngstown for changes to any Industrial classification.

* No person, including the original petitioner, shall apply for a zoning map amendment affecting the same parcel more often than once every twelve (12) months from the date of the final disposition on such previous petition by the City Council. This provision shall not impair the right of the City Council or the City Planning Commission to propose a change of zoning on such land on its own motion.

Section 112.2 – Submission to Council. Upon receipt of a petition for a map amendment, Council shall have an ordinance prepared incorporating the proposed amendment, which shall be submitted to the City Planning Commission for its review and recommendations.

* As Amended by Ordinance No. 88390, 5/30/75

Section 112.3 – Amendments recommended by the Planning Commission. Upon receipt of a recommendation from the City Planning Commission to amend this ordinance, including the zoning map, Council shall have an ordinance prepared incorporating the proposed amendments.

Article XI – Amendments (Cont’d.)

Section 112.4 – Amendments by Council. This ordinance, including the zoning map, may be amended by Council’s own motion, but no amendment shall become effective unless first submitted to the City Planning Commission for review and recommendation.

Section 112.5 – Referral to Planning Commission. All amendments to this ordinance, including the zoning map, except those initially recommended by the City Planning Commission to City Council, shall be referred to the Planning Commission for review and recommendation. City Council shall transmit two (2) copies of any proposed zoning ordinance amendment to the Planning Commission, at least seven (7) days in advance of a regularly scheduled meeting of the Planning Commission. The proposed zoning ordinance amendment shall then be placed on the Commission’s agenda. Within ninety (90) days from the date of its regularly scheduled meeting, the Commission shall consider a proposed zoning ordinance amendment and submit its report or recommendations to City Council. If the Planning Commission fails to submit a report within a ninety (90) day period, it shall be deemed to have approved the proposed amendment.

SECTION 113

Public Hearing

The Planning Commission shall hold a public hearing prior to making a recommendation to City Council. Before enacting an amendment to this ordinance, City Council shall hold a public hearing, thereon, and shall give at least thirty (30) days notice of the time and place thereof in a newspaper of general circulation in the City of Youngstown, Ohio.

SECTION 114

Notice

Whenever a proposed amendment to this ordinance involves changing the zoning classification of property from one type of district to another, written notice of the public hearing shall be mailed to the City Clerk, by first class mail, at least twenty (20) days before the date of the public hearing, to the owners of property within and contiguous to and directly across the street from such parcel or parcels to the addresses of such owners appearing on the county auditor’s current tax list.

During such thirty (30) days, the text or copy of the text of such amendment, together with the maps or plans or copies thereof forming part of or referred to in such amendment and the maps, plans, and reports submitted by the Planning Commission shall be on file, for public examination, in the office of the City Clerk.

SECTION 115

Withdrawal of Amendment Petition

Any petition for an amendment to this ordinance may be withdrawn at any time at the discretion of the person or agency initiating such a request upon written notice to the City Clerk.

ARTICLE XII

LEGAL STATUS PROVISIONS

SECTION 121 Conflict With Other Laws

When the regulations of this ordinance impose more respective standards than are required in or under any statute or other legal document, the requirements of this ordinance shall govern.

SECTION 122 Separability

Should any section or provision of this ordinance be declared by the courts to be unconstitutional or invalid, such declaration shall not affect any other portion or provision of this ordinance.

SECTION 123 Effective Date

This ordinance shall take effect and be enforced from and after the earliest period allowed by law.

TABLE OF SPECIAL CONTROLS

- Abrasive Manufacture in I-L districts.
- Acid Manufacture I-H districts.
- Amusement Parks in B-2 districts.
- Asphalt Manufacture or Refining in I-H districts.
- Assembly Halls, Gymnasiums and similar structures when part of a place of worship in R-20, R-12, R-7.2, R-5.5, R-A, R-1.5, R-1.0, I, and B-3 districts.
- Assembly of machines and appliances from previously prepared parts in B-2 districts.
- Automatic Car Wash in B-2 and B-3 districts.
- Automobile Repair Shop in B-1, B-2, B-3 and B-4 districts.
- Automotive Service Station in B-2, B-3 and B-4 districts.
- Cemetery in R-20, R-12, R-7.5, R-5.5, R-A, R-1.5, R-1.0 and I districts.
- Churches and other places of worship including parsonage or rectory in R-20, R-12, R-7.2, R-5.5, R-A, R-1.5, R-1.0, I, B-1, B-2, and B-3 districts.
- Convalescent and Nursing Homes in r-1.0 and I districts.
- Day Nurseries and Kindergartens in R-5.5, R-A, R-1.5, R-1.0, I, B-1, B-2, B-3, and B-4 districts.
- Distillation of Bones, coal, petroleum, refuse, grain, tar & wood in I-H districts.
- Drive-In Food Dispensary in B-2, B-3, and B-4 districts.
- Drive-In Theater, on a major or secondary major street in only in B-2 and B-3 districts.
- Dwelling, Multi-Family in B-1 district.
- Dwellings, Upper Floor, Mixed Use in I, B-1, B-2, B-3, and B-4 districts.
- Fire Stations on a major or secondary major street in all districts.
- Heliport in I, B-1, B-2, I-L and I-H districts.
- Hospitals in I and B-3 districts.
- Incidental accessory retail uses in R-A and I districts.
- Iron and Steel Manufacture in I-H districts.
- Junk Yards and Auto Wrecking in I-H districts.
- * Kennel (Accessory Residential) in R-20, R-12, R-7.2 and R-5.5 districts.
- Libraries in R7.2, R-5.5, R-A, R-1.5, R-1.0, I, B-1, B-2, B-3, and B-4 districts.
- Meat Processing and Packing in B-2 districts.
- Metal Fabrication Plants in I-L districts.
- Mining and Processing of Natural Resources in I-L and I-H districts.
- Orphanages and/or Rehabilitation Centers in R-1.0, I, B-2 and B-3 districts.
- Playgrounds, (principal use) in R-20, R-12, R-7.2, R-5.5, R-A, R-1.5, R-1.0, I, B-1, B-2, B-3 and B-4 districts.
- Playgrounds, Tot-Lot in R-5.5, R-1.5, and R-1.0 districts.
- Police Station on a major or secondary major street in all districts.
- Public and private utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping station, and other similar structures not including storage or service buildings or yards in all districts.
- Public and private utility service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities in all districts.
- Rubber Manufacture or reclamation in I-H districts.

* As Amended by Ordinance No. 01-182, 7/24/02.

Schools, public and private in R-20, R-12, R-5.5, R-1.5, R-1.0, and I districts.

Sewage Treatment and Disposal Facilities and Water Treatment Plant in all zone districts.

** Signs, outdoor advertising in B-1, B-2, and B-3 districts.

** Signs, separate use in B-1, B-2 and B-3 districts.

Table of Special Controls (Cont'd.)

Stables in I-L districts.

Stadia in B-2 and I-L districts.

Swimming Pools and Bathing Areas, public and private, as primary uses in R-7.2, R-5.5, R-A, R-1.5, R-1.0, I, B-2 and B-3 districts.

Swimming Pools, Recreational, Accessory Outdoor in all zones except B-4.

Zoos in R-1.0, B-3 and I-L districts.

** As Amended by Ordinance No. 87-193, 6/10/87.

ARTICLE XIII

SPECIAL CONTROLS

USE: Abrasive Manufacture in an I-L district.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** 80,000 square feet.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 35% of the lot.
- 4) **Setback:** 50 feet from the front property line, minimum.
- 5) **Side Yard:** 35 feet minimum.
- 6) **Rear Yard:** 90 feet minimum.
- 7) **Off-street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yards adjacent to non-industrial zoned property shall be suitably landscaped.
- 12) **Fencing:** A fence not less than six feet in height shall be erected along all lines abutting non-industrial zoned property.
- 13) **Lighting:** The parking lot shall meet the standard lighting requirements.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** All work performed shall be in an enclosed building.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Acid Manufacture in I-H districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** 100,000 square feet.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 35% of the lot.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping and Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** All land used for this purpose shall be totally enclosed with a fence. The minimum height of such fence shall be six (6) feet.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes and shall comply with the industrial waste regulatory ordinance.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** All work performed shall be in an enclosed building.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Amusement Park in a B-2 district.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Thirty (30) acres.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No amusement device, structure, or parking facility shall be permitted within one hundred (100) feet of any lot line enclosing the amusement area.
- 5) **Side Yard:** No amusement device, structure, or parking facility shall be permitted within one hundred (100) feet of any lot line enclosing the amusement area.
- 6) **Rear Yard:** No amusement device, structure, or parking facility shall be permitted within one hundred (100) feet of any lot line enclosing the amusement area.
- 7) **Off-Street Parking:** There shall be a minimum of forty-five (45) off-street parking spaces per gross acre. A maximum of 60% of the parking shall be permitted in one lot. There shall be a minimum of two (2) lots which shall be as remotely located from each other as possible.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust and Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All required yard areas shall be seeded and planted with deciduous trees spaced not more than 30 feet apart in all directions.
- 12) **Fencing:** Fencing shall be eight (8) feet high, shall enclose the entire site and shall be located not less than one hundred (100) feet from all property lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** A minimum of two (2) means of ingress and egress must be provided, one (1) of which must be located on a major or secondary major street.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** There shall be a minimum of two (2) primary points of ingress and egress located as remotely from each other as possible.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Asphalt Manufacture or Refining in an I-H district.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** The Building shall not cover more than 35% of the lot.
- 4) **Setback:** Minimum setback shall be fifty (50) feet, measured from the front property line.
- 5) **Side Yard:** Thirty-five (35) feet minimum.
- 6) **Rear Yard:** Ninety (90) feet minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yards adjacent to non-industrial zoned property shall be suitably landscaped.
- 12) **Fencing:** A fence, six (6) feet in height, shall be erected along all lot lines abutting non-industrial zoned property.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** All operations shall be carried on within an enclosed building.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** Readily available access for fire fighting equipment to all elevations shall be maintained.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Assembly Halls, Gymnasiums and similar structures when part of a place of worship in R-20, R-12, R-7.2, R-5.5, R-A, R-1.5, R-1.0, I and B-3 districts.

- 1) **Height:** Thirty (30) feet maximum.
- 2) **Minimum Lot Area:** In addition to the place of worship, the minimum lot area shall be twice the gross floor area.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** See minimum lot area.
- 4) **Setback:** Shall be the same as for the place of worship.
- 5) **Side Yard:** Shall be the same as for the place of worship.
- 6) **Rear Yard:** Shall be the same as for the place of worship.
- 7) **Off-Street Parking:** Credit shall be given for parking spaces in existence as part of a place of worship.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** Parking areas shall be fenced when they abut a Residential zone with a five (5) foot fence.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** A minimum of two (2) means of ingress and egress shall be required for parking areas with an eighty (80) foot minimum distance between drives.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** Off-street passenger service area for off-street loading and unloading shall be provided.
- 20) **Vehicular Controls:** Off-street passenger loading facilities must be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: **Assembly of Machines & Appliances from Previously Prepared Parts in a B-2 district.**

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** 80,000 square feet.
Minimum Frontage: One hundred twenty (120) feet.
- 3) **Ratio if Building to Total Area:** The building shall not cover more than 35% of the lot.
- 4) **Setback:** Minimum setback shall be twenty-five (25) feet, measured from the front property line.
- 5) **Side Yard:** Thirty (30) feet, minimum.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities must be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Automatic Car Wash in B-2 and B-3 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Thirty-five thousand (35,000) square feet.
Minimum Frontage: One hundred Twenty (120) feet.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 15% of the lot.
- 4) **Setback:** Sixty (60) feet, minimum.
- 5) **Side Yard:** Twenty (20) feet, minimum.
- 6) **Rear Yard:** Minimum of seventy (70) feet to building, ten (10) feet to paved areas.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** A six (6) foot fence shall be erected along all Residential lot lines
- 13) **Lighting:** The lighting shall be the same as that required for parking lots.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: * **Automobile Repair Shop in B-1, ** B-2, B-3 and B-4 districts.**

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Fifteen thousand (15,000) square feet.
Minimum Frontage: One hundred (100) feet.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Fifty (50) feet to building from all right-of-way lines.
- 5) **Side Yard:** Twenty (20) feet.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** In accordance with Article VII, Section 77, Off-Street Parking Requirements.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No repair work will be performed on any vehicle outside of a building. All vehicle repair work will be performed within a building.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **Extra Special Controls:** There shall be no storage of automobile parts outside of the building at any time. No vehicles will be parked or stored outside of the building for a period in excess of five (5) days.

* As Amended by Ordinance No. 94-236, 9/21/94.

** As Amended by Ordinance No. 98-192, 7/29/98.

ARTICLE XIII

SPECIAL CONTROLS

USE: Automotive Service Station in B-2, B-3 and B-4 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Forty thousand (40,000) square feet.
Minimum Frontage: One hundred seventy-five (175) feet.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Fifty (50) feet to building from all right-of-way lines. Twenty (20) feet to service area.
- 5) **Side Yard:** Fifty (50) feet to service area on interior lots, Twenty (20) feet to service area on corner lots.
- 6) **Rear Yard:** Fifty (50) feet to service area.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** A Six (6) foot high fence shall be erected along all Residential lot lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Cemetery in R-20, R-12, R-7.2, R-5.5, R-A, R-1.5, R-1.0, and I districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Ten (10) acres.
Minimum Frontage: Five hundred (500) feet.
- 3) **Ratio of Building to Total Area:** None.
- 4) **Setback:** One hundred (100) feet or zone requirements, whichever is greater.
- 5) **Side Yard:** Fifty (50) feet, minimum.
- 6) **Rear Yard:** Fifty (50) feet, minimum.
- 7) **Off-Street Parking:** Required parking to be located in close proximity to permanent building structure.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard areas shall be suitably landscaped and planted.
- 12) **Fencing:** Minimum six (6) foot high fence installed at front setback and along all side and rear property lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** There shall be a minimum of two (2) means of access, at least 300 feet apart.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **Roadway Controls:** All one-way roadways to be a minimum of twenty (20) feet wide. All two-way roadways to be a minimum of twenty-eight (28) feet wide.
- 22) **In addition to those controls listed above, a site plan showing all existing and proposed related facilities shall be submitted for review and approval of the Board of Zoning Appeals which shall set any additional controls that it deems applicable.**

ARTICLE XIII

SPECIAL CONTROLS

USE: Churches and other places of worship including parsonage or rectory in R-20, R-12, R-7.5, R-5.5, R-A, R-1.5, R-1.0, Inst, B-1, B-2 and B-3 districts. (See assembly halls and schools, public and private for further controls).

- 1) **Height:** Maximum height shall be forty-five (45) feet to the main roof structure. Spires & towers attached or detached, one (1) foot setback from all property lines measured from the center of the tower or spire for each foot of total height.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: One hundred fifty (150) feet.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 10% of the lot.
- 4) **Setback:** Minimum setback shall be 35% of the depth of the lot, measured from the front property line, with a minimum depth of sixty (60) feet.
- 5) **Side Yard:** Thirty (30) feet, minimum for a building or parking area.
- 6) **Rear Yard:** Thirty (30) feet, minimum for a building or parking area.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** All parking areas shall be fenced where they abut a Residential zone with a five (5) foot high fence.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** All parking areas shall have a minimum of two (2) means of ingress or egress with a minimum distance of 80 feet between drives.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities must be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Convalescent & Nursing Homes in R-A, R-1.0 and I districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Twenty-two thousand five hundred (22,500) square feet.
Minimum Frontage: One hundred fifty (150) feet.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 20% of the lot.
- 4) **Setback:** Minimum of fifty (50) feet or 66% of the height of the building, whichever is greater.
- 5) **Side Yard:** Minimum of twenty (20) feet or 33% of the height of the building, whichever is greater.
- 6) **Rear Yard:** Minimum of thirty (30) feet or 66% of the height of the building, whichever is greater.
- 7) **Off-Street Parking:** Required parking to be located in close proximity to permanent building structure.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping and Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Day Nurseries and Kindergartens in R-5.5, R-A, R-1.5, R-1.0, I, B-1, B-2, B-3, and B-4 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Eighteen Thousand (18,000) square feet.
Minimum Frontage: One Hundred (100) feet.
- 3) **Ratio of building to Total Area:** The building shall not cover more than 20% of the lot.
- 4) **Setback:** Fifty (50) feet, minimum.
- 5) **Side Yard:** Twenty (20) feet, minimum.
- 6) **Rear Yard:** Thirty (30) feet, Minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All Yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** Five (5) foot high fence along all side and rear yard lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Distillation of Bones, Coal, Petroleum, Refuse, Grain, Tar & Wood in I-H districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled by good housekeeping procedures and enclosures so as not to endanger the health, safety and welfare of the general public. Afterburners shall be used for the breakdown and neutralization of gaseous odors.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening or washing process shall be employed with high efficiency collector burners.
- 11) **Landscaping & Planting:** All yards adjacent to non-industrial zoned property shall be suitably landscaped and planted.
- 12) **Fencing:** Fencing shall not be less than six (6) feet in height along lot lines abutting non-industrial zoned property.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** All work shall be performed in an enclosed building.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Drive-In Food Dispensary in B-2, B-3, and B-4 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** One (1) acre, minimum.
Minimum Frontage: Two hundred (200) feet, minimum.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Twenty-five (25) feet to the parking area, service area or building area, minimum.
- 5) **Side Yard:** Thirty-five (35) feet to the parking area, service area or building area, minimum.
- 6) **Rear Yard:** Thirty-five (35) feet to the parking area, service area or building area, minimum.
- 7) **Off-Street Parking:** There shall be a minimum of four (4) off-street parking spaces provided for each 100 square feet of gross building area.
- 8) **Loading Requirements:** One off-street loading space shall be provided.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** A six (6) foot high fence shall be required along Residential lot lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** There shall be a minimum of two (2) means of vehicular access.
- 16) **Noise:** No exterior loudspeaker shall be permitted.
- 17) **Sanitation:** Storm and sanitary sewers shall be separate.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Drive-In Theatre, on a major or secondary major street only in B-2 and B-3 districts.

- 1) **Height:** Fifty-five (55) feet, maximum.
- 2) **Minimum Lot Area:** Ten (10) acres minimum.
Minimum Frontage: Six Hundred (600) feet, minimum.
- 3) **Ratio of building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Minimum setbacks: Twenty-five (25) feet to the service area; Four hundred (400) feet if one (1) two-lane ticket booth is used; two hundred (200) feet if two (2) two lane ticket booth is used.
- 5) **Side Yard:** Twenty-five (25) feet to the service area, minimum.
- 6) **Rear Yard:** Twenty-five (25) feet to the service area, minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** All ingress areas, egress areas, service areas and peripheral collector roads shall have a permanent type hard surface.
- 11) **Landscaping & Planting:** The setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** Minimum six (6) foot high, light shielding fence along all yard lines except the front setback area.
- 13) **Lighting:** Minimum of two (2) foot candles at all ingress and egress areas.
- 14) **Drainage:** Sanitary and storm sewers shall be separate systems.
- 15) **Access:** There shall be a minimum of two (2) means of access, two hundred (200) feet apart, with an acceleration lane twelve (12) feet wide, two hundred (200) feet long and a deceleration lane twelve (12) feet wide, two hundred (200) feet long, including taper for all driveways.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** The theatre must furnish, install and maintain any vehicular controls which may be required by the Commissioner of Engineering at any time deemed necessary.

ARTICLE XIII

SPECIAL CONTROLS

USE: Dwelling, Multi-Family in B-1 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** Parking shall be provided at the rate of 1.25 spaces per dwelling unit, plus parking required for other uses on the property.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **Mixed Land & Building Use:** A minimum of 25% of the gross floor area, exclusive of parking areas, must be utilized for uses as described for B-1, Central Business Zone.

ARTICLE XIII

SPECIAL CONTROLS

USE: Dwelling, Upper Floor, Mixed Use in Institutional, B-2, B-3 and B-4 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **Mixed Land & Building Use:** A minimum of 25% of the gross floor area, exclusive of parking areas, must be designated for permitted non-residential uses. Dwelling units shall not be permitted on the ground floor. Main entrances to dwelling units shall be from the side or rear of the property.

ARTICLE XIII

SPECIAL CONTROLS

USE: Fire Station on a major or secondary major street in all zone districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** One (1) acre, minimum.
Minimum Frontage: One hundred Fifty (150) feet, minimum.
- 3) **Ratio of Building to Total Area:** The Building shall not cover more than 15% of the lot.
- 4) **Setback:** Forty (40) feet, minimum, or the standard for that district, whichever is greater.
- 5) **Side Yard:** Thirty (30) feet, minimum, exclusive of driveway areas.
- 6) **Rear Yard:** Shall be the standard for the zone district, exclusive of drive areas.
- 7) **Off-Street Parking:** There shall be provided a minimum of five (5) off-street parking spaces plus four (4) for each unit of firefighting equipment.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** All yards abutting residential lots shall have a hedgerow.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Heliport in I, B-1, B-2, I-L and I-H districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **Extra Special Controls:** Heliports may be permitted in zones as set forth in the schedule of uses, subject to all requirements of the Federal Aviation Administration and the Ohio State Department of Aviation. This use shall be subject to the submission and approval of an operational development plan by the Board of Zoning Appeals.

ARTICLE XIII

SPECIAL CONTROLS

USE: Hospitals in I and B-3 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** One hundred thousand (100,000) square feet.
Minimum Frontage: Three hundred (300) feet.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 25% of the lot.
- 4) **Setback:** Seventy-five (75) feet from the front property line, minimum.
- 5) **Side Yard:** Fifty (50) feet, exclusive of parking, minimum.
- 6) **Rear Yard:** Fifty (50) feet, exclusive of parking, minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** All parking areas shall be fenced where they abut a Residential zone with a five (5) foot high fence.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** All parking areas shall have a minimum of two (2) means of ingress or egress with a minimum distance of 80 feet between drives.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities must be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Incidental Accessory Retail Uses in R-A and I districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** The floor area so used, shall not exceed 10% of the total gross floor area of the main use.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Iron and Steel Manufacture in an I-H district.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** 80,000 square feet.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 35% of the lot.
- 4) **Setback:** Fifty (50) feet from the front property line, minimum.
- 5) **Side Yard:** Thirty-five (35) feet minimum.
- 6) **Rear Yard:** Ninety (90) feet minimum.
- 7) **Off-street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yards adjacent to non-industrial zoned property shall be suitably landscaped.
- 12) **Fencing:** A fence not less than six (6) feet in height shall be erected along all lines abutting non-industrial zoned property.
- 13) **Lighting:** The parking lot shall meet the standard lighting requirements.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** All work performed shall be in an enclosed building.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: **Junk Yards, Auto Wrecking, Salvage and Scrap Yards in an I-H district.**

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Five (5) acres.
 Minimum Frontage: Three hundred (300) feet.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Fifty (50) feet from the property line to the fence.
- 5) **Side Yard:** Fifty (50) feet from the property line to the fence.
- 6) **Rear Yard:** Fifty (50) feet from the property line to the fence.
- 7) **Off-street Parking:** Five (5) off-street parking spaces per acre inside the required fence, minimum.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** Shall be subject to local codes and ordinances.
- 11) **Landscaping & Planting:** There shall be a hedgerow planted and maintained immediately adjacent to and outside the required fence.
- 12) **Fencing:** A ten (10) foot high opaque fence shall be provided along all yard lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** There shall be a minimum of two (2) means of ingress or egress with a minimum of not less than one hundred (100) feet between drives.

ARTICLE XIII

SPECIAL CONTROLS

USE: ***Kennel (Accessory Residential) in R-20, R-12, R-7.2 and R-5.5 districts.**

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Three (3) acres.
Minimum Frontage: One hundred (100) feet.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Must be located in the rear yard.
- 5) **Side Yard:** Thirty (30) feet, minimum.
- 6) **Rear Yard:** Sixty (60) feet, minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Kennel must be cleaned daily (see C.O. 505.20(c))
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** A six (6) foot screening fence shall be provided along the kennel area.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** Owners are responsible for barking animals and are subject to C.O. 505.09.
- 17) **Sanitation:** Animal waste shall be kept in double bagged container with an air tight lid.
- 18) **Special Hazards:** Animals shall be kept on a leash or in cages.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **Other Controls:** The kennel shall be a minimum of 100 feet from any neighboring dwelling unit.

* As Amended by Ordinance No. 01-182, 7/24/02

ARTICLE XIII

SPECIAL CONTROLS

USE: Libraries in R-7.2, R-5.5, R-A, R-1.5, R-1.0, I, B-1, B-2, B-3, and B-4 districts.

- 1) **Height:** Fifty-five (55) feet or four (4) stories, maximum.
- 2) **Minimum Lot Area:** One (1) acre.
Minimum Frontage: 200 feet.
- 3) **Ratio of Building to Total Area:** Maximum coverage of the lot shall be 20%.
- 4) **Setback:** Fifty (50) feet from the front property line, minimum.
- 5) **Side Yard:** Thirty-five (35) feet from the property line, minimum.
- 6) **Rear Yard:** Twenty (20) feet from the property line, minimum.
- 7) **Off-Street Parking:** All required parking shall be in the rear yard.
- 8) **Loading Requirements:** A minimum of one (1) off-street loading space must be provided.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No driveway shall be permitted in the required side yard.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Meat Processing and Packing in B-2 districts.

- 1) **Height:** No special requirements, see standard requirements for the district..
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** All drainage shall be subject to sewer regulatory ordinances.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** Shall be subject to all health regulations.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Metal Fabrication in an I-L district.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** One hundred thousand (100,000) square feet.
Minimum Frontage: Two hundred (200) feet.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 30% of the lot.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yards and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** Fencing shall be provided along all side and rear yard lines at a minimum height of six (6) feet, except when abutting industrial zones. When abutting industrial zones, fencing may be installed at lot lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Mining and processing of Natural Resources in I-L and I-H districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yards and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** Fencing shall be provided along all side and rear yard lines at a minimum height of six (6) feet, except when abutting industrial zones. When abutting industrial zones, fencing may be installed at lot lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** Readily available access for fire fighting equipment shall be maintained to all elevations.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Museums and Art Galleries in R-1.0 districts.

- 21) **Height:** Fifty-five (55) feet or four (4) stories, maximum.
- 22) **Minimum Lot Area:** One (1) acre.
Minimum Frontage: 200 feet.
- 23) **Ratio of Building to Total Area:** Maximum coverage of the lot shall be 20%.
- 24) **Setback:** Fifty (50) feet from the front property line, minimum.
- 25) **Side Yard:** Thirty-five (35) feet from the property line, minimum.
- 26) **Rear Yard:** Twenty (20) feet from the property line, minimum.
- 27) **Off-Street Parking:** All required parking shall be in the rear yard.
- 28) **Loading Requirements:** A minimum of one (1) off-street loading space must be provided.
- 29) **Odor:** No special requirements, see standard requirements for the district.
- 30) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 31) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 32) **Fencing:** No special requirements, see standard requirements for the district.
- 33) **Lighting:** No special requirements, see standard requirements for the district.
- 34) **Drainage:** No special requirements, see standard requirements for the district.
- 35) **Access:** No driveway shall be permitted in the required side yard.
- 36) **Noise:** No special requirements, see standard requirements for the district.
- 37) **Sanitation:** No special requirements, see standard requirements for the district.
- 38) **Special Hazards:** No special requirements, see standard requirements for the district.
- 39) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 40) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Orphanages and/or Rehabilitation Centers in R-1.0, B-1, B-2 and B-3 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Eighteen Thousand (18,000) square feet.
Minimum Frontage: One Hundred (100) feet.
- 3) **Ratio of building to Total Area:** The building shall not cover more than 20% of the lot.
- 4) **Setback:** Fifty (50) feet from the front property line, minimum.
- 5) **Side Yard:** Twenty (20) feet from the property line, minimum.
- 6) **Rear Yard:** Shall be a minimum of 50% of the depth of the lot.
- 7) **Off-Street Parking:** There shall be a minimum of one (1) space for each staff member, one (1) space for each two (2) employees, plus one (1) space for each five (5) occupants.
- 8) **Loading Requirements:** One (1) off-street loading space, minimum.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All Yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** A six (6) foot high fence along all side and rear yard lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Playgrounds (Principal Use) in R-20, R012, R-7.2, R-5.5, R-1.0, I, B-1, B-2, B-3 and B-4 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Two (2) acres.
Minimum Frontage: Two hundred (200) feet.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Fifty (50) feet from the front property line, minimum.
- 5) **Side Yard:** Thirty (30) feet from the Property line, minimum.
- 6) **Rear Yard:** Thirty (30) feet from the Property line, minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** A fence, at least six (6) feet in height, shall be provided along all lot lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** Adequate comfort stations shall be provided.
- 18) **Special Hazards:** A public telephone shall be provided.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Playgrounds, Tot-Lots in R-5.5, R-1.5, and R-1.0 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Six thousand (6,000) square feet and the maximum lot area shall not exceed eighteen thousand (18,000) square feet.
Minimum Frontage: Fifty (50) feet.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** Five (5) feet.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** A fence, at least six (6) feet in height, shall be provided along all lot lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Police Station on a major or secondary major street in all zone districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** One (1) acre, minimum.
Minimum Frontage: One hundred Fifty (150) feet, minimum.
- 3) **Ratio of Building to Total Area:** The Building shall not cover more than 20% of the lot.
- 4) **Setback:** Fifty (50) feet, minimum, or the standard for that district, whichever is greater.
- 5) **Side Yard:** Twenty (20) feet, minimum, exclusive of driveway areas.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** There shall be a minimum of one (1) off-street parking space for each administrative employee plus three (3) per cruiser and three (3) per cell, with a minimum of twenty-five (25) spaces.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** All yards abutting residential lots shall have a hedgerow.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: **Public and Private Utilities building structures; telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service building or yards in all zone districts.**

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas, excluding service areas, shall be suitably landscaped and planted.
- 12) **Fencing:** An eight (8) foot fence shall be provided twenty-five (25) feet or more from the property line. Electrical transmission towers shall be fenced in with an eight (8) foot fence eight (8) feet from the foundation.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: **Public and Private Utilities service facilities; transformer stations, transmission towers for radio and television and similar uses, elevated water storage tanks, standpipes, and other similar elevated service facilities in all zone districts.**

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Seventy-five (75) feet from the front property line, minimum.
- 5) **Side Yard:** Seventy-five (75) feet from the property line, minimum.
- 6) **Rear Yard:** Minimum shall be 1.2 times the height of the facility or seventy-five (75) feet, whichever is greater.
- 7) **Off-Street Parking:** There shall be a minimum of four (4) off-street parking spaces provided..
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** The exterior of the building finish shall be compatible with the exterior of neighboring buildings.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Rubber Manufacture or Reclamation in an I-H district.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 35% of the lot.
- 4) **Setback:** Fifty (50) feet from the front property line, minimum.
- 5) **Side Yard:** Thirty-five (35) feet minimum.
- 6) **Rear Yard:** Ninety (90) feet minimum.
- 7) **Off-street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** Obnoxious odors shall be kept at a minimum and shall be controlled with good housekeeping procedures and enclosure so as not to endanger the health, safety and welfare of the general public.
- 10) **Dust & Smoke Emissions:** An acceptable filtering and screening and washing process shall be employed with high efficiency collector burners, subject to the existing air pollution control law.
- 11) **Landscaping & Planting:** All yards adjacent to non-industrial zoned property shall be suitably landscaped.
- 12) **Fencing:** A fence not less than six (6) feet in height shall be erected along all lines abutting non-industrial zoned property.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** Combined process and storm waste systems shall be carried to the public sewer systems in a separate conduit from the sanitary wastes.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** All work performed shall be in an enclosed building.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Schools, Public and Private in R-20, R-12, R-7.2, R-5.5, R-1.5, R-1.0 and I districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** For an elementary school the minimum lot area shall be five (5) acres plus one (1) acre for each one hundred (100) students. The minimum for junior high and high school shall be ten (10) acres plus one (1) for each one hundred (100) students.
Minimum Frontage: Three hundred (300) feet.
- 3) **Ratio of Building to Total Area:** The building shall not cover more than 20% of the lot.
- 4) **Setback:** One hundred (100) feet from the front property line, minimum.
- 5) **Side Yard:** Fifty (50) feet from the property line, minimum.
- 6) **Rear Yard:** Fifty (50) feet from the property line, minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yards and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** A fence, eight (8) feet in height, shall be provided along all side and rear yard lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** Two (2) independent means of ingress and egress at least one hundred fifty (150) feet apart shall be provided.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. Such loading facilities may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Sewage Treatment and Disposal Facilities and Water Treatment Plant in all districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Shall be subject to approval of the Board of Zoning Appeals.
Minimum Frontage: Shall be subject to approval of the Board of Zoning Appeals.
- 3) **Ratio of Building to Total Area:** Shall be subject to approval of the Board of Zoning Appeals.
- 4) **Setback:** Shall be subject to approval of the Board of Zoning Appeals.
- 5) **Side Yard:** Shall be subject to approval of the Board of Zoning Appeals.
- 6) **Rear Yard:** Shall be subject to approval of the Board of Zoning Appeals.
- 7) **Off-Street Parking:** Shall be subject to approval of the Board of Zoning Appeals.
- 8) **Loading Requirements:** Shall be subject to approval of the Board of Zoning Appeals.
- 9) **Odor:** Shall be subject to approval of the Board of Zoning Appeals.
- 10) **Dust & Smoke Emissions:** Shall be subject to approval of the Board of Zoning Appeals.
- 11) **Landscaping & Planting:** All yards and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** 1) All sludge shall be incinerated. 2) No sludge drying bed shall be permitted. 3) No open sludge storage shall be permitted. 4) No lagooning shall be permitted.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **A site plan, previously approved by the Commissioner of Engineering, must be submitted for approval by the Board of Zoning Appeals.**
- 22) **The total plan shall conform with all existing regulatory ordinances.**

ARTICLE XIII

SPECIAL CONTROLS

USE: ***Signs, Separate Use and Outdoor Advertising in the B-1, B-2 and B-3 districts, but excluding the area within the B-1 zone district bound by Wood Street to the north, Front Street to the south, South Avenue/Watt Street to the east, and Belmont Avenue to the west.**

Outdoor advertising signs, also commonly referred to as billboards or poster panels, which advertise businesses or products not connected to the site or building on which they are located, are considered by this ordinance to be Separate Use Signs.

- 1) No Billboard Structure shall be located closer than five hundred (500) feet from any other billboard structure.
- 2) No outdoor advertising structure or billboard shall contain over one (1) sign per facing no exceed the length of fifty-two (52) feet, nor be erected within one hundred (100) feet of any residential district if visible from such district and designed to face therein.
- 3) No outdoor advertising sign or billboard shall be erected within one hundred fifty (150) feet of the nearest property line of any public park, playground, municipal, county, state or federal public or semi-public building, nor within one hundred fifty (150) feet of any park-drive, or parkway, nor shall any property within such area be leased, rented or sold for such use.
- 4) Outdoor advertising signs shall be subject to the same yard area requirements established for the zoning district in which such sign is to be located. The maximum height of a sign shall not exceed seventy-five (75) feet in the B-1 and B-2 districts, nor forty (40) feet in the B-3 district.
- 5) No billboard shall be erected or maintained within any residential district as defined in the zoning ordinance.
- 6) No outdoor advertising signs or billboards shall be placed on the roof of any building.
- 7) On corner lots, no billboard shall be erected or project within the triangular area formed by the street right-of-way lines of such corner lot and a diagonal line joining said lines at a point twenty-five (25) feet from the point of intersection of such right-of-way lines.
- 8) Any illumination for billboard signs shall be installed so as to concentrate the illumination on the sign and to minimize glare upon a public street or adjoining property.

* As Amended by Ordinance No. 87-193, 6/10/87.

- 9) Landscaping is required to screen the base of the pole or foundation for the billboard, and lots are to be maintained with suitable ground cover, except where structures are to be located in a paved area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Stables in I-L districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **Extra Special Control:** Riding stables will be permitted in Industrial-Light districts and official park areas subject to all current applicable laws and ordinances provided that a development and operational plan has been submitted to, and approved by, the Board of Zoning Appeals.

ARTICLE XIII

SPECIAL CONTROLS

USE: Stadia in B-2 and I-L districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Nine (9) acres for the structure plus three hundred (300) square feet per parking space plus the standard yard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Fifty (50) feet from the front property line, minimum.
- 5) **Side Yard:** Fifty (50) feet from the property line, minimum.
- 6) **Rear Yard:** Fifty (50) feet from the property line, minimum.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dist & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** There shall be a fence, a minimum of eight (8) feet in height, along all property lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Swimming Pools & Bathing Areas, Public & Private, as Primary uses in R-7.2, R-5.5, R-A, R-1.5, R-1.0, B-2 and B-3 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** Three (3) acres including related pool uses such as off-street parking, bath-house and deck area but not including picnic areas and other sporting facilities.
Minimum Frontage: Three hundred (300) feet.
- 3) **Ratio of Building to Total Area:** The fenced area shall not occupy more than 40% of the lot.
- 4) **Setback:** Seventy-five (75) feet from the front property line, minimum.
- 5) **Side Yard:** Fifty (50) feet from the property line to the paved area or building, minimum.
- 6) **Rear Yard:** Twenty-five (25) feet to the parking area and one hundred (100) feet to the building, minimum.
- 7) **Off-Street Parking:** There shall be a minimum of fifty (50) parking spaces plus one (1) space for each two hundred (200) square feet of pool area.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dist & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** There shall be a fence, a minimum of eight (8) feet in height, along all property lines.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** Off-street passenger loading facilities shall be provided. This facility may be located in the setback area.

ARTICLE XIII

SPECIAL CONTROLS

USE: Swimming Pools, Recreational, Accessory Outdoor in all except B-4 districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** Minimum setback to the deck of the pool shall be the same as the principal building structure.
- 5) **Side Yard:** Minimum side yard to the deck of the pool shall be the same as the principal building structure.
- 6) **Rear Yard:** Minimum rear yard to the deck of the pool shall be the same as the principal building structure.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dist & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** All yard and setback areas shall be suitably landscaped and planted.
- 12) **Fencing:** There shall be a six (6) foot high enclosure fence and screening device around the entire facility. A fence that is attached to or is a part of the pool does not meet this requirement. Access to the pool shall be through the residence or through a self-closing and childproof gate only.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.

ARTICLE XIII

SPECIAL CONTROLS

USE: Zoos in R-1.0, B-3 and I-L districts.

- 1) **Height:** No special requirements, see standard requirements for the district.
- 2) **Minimum Lot Area:** No special requirements, see standard requirements for the district.
Minimum Frontage: No special requirements, see standard requirements for the district.
- 3) **Ratio of Building to Total Area:** No special requirements, see standard requirements for the district.
- 4) **Setback:** No special requirements, see standard requirements for the district.
- 5) **Side Yard:** No special requirements, see standard requirements for the district.
- 6) **Rear Yard:** No special requirements, see standard requirements for the district.
- 7) **Off-Street Parking:** No special requirements, see standard requirements for the district.
- 8) **Loading Requirements:** No special requirements, see standard requirements for the district.
- 9) **Odor:** No special requirements, see standard requirements for the district.
- 10) **Dust & Smoke Emissions:** No special requirements, see standard requirements for the district.
- 11) **Landscaping & Planting:** No special requirements, see standard requirements for the district.
- 12) **Fencing:** No special requirements, see standard requirements for the district.
- 13) **Lighting:** No special requirements, see standard requirements for the district.
- 14) **Drainage:** No special requirements, see standard requirements for the district.
- 15) **Access:** No special requirements, see standard requirements for the district.
- 16) **Noise:** No special requirements, see standard requirements for the district.
- 17) **Sanitation:** No special requirements, see standard requirements for the district.
- 18) **Special Hazards:** No special requirements, see standard requirements for the district.
- 19) **Pedestrian Controls:** No special requirements, see standard requirements for the district.
- 20) **Vehicular Controls:** No special requirements, see standard requirements for the district.
- 21) **A site plan showing all existing and proposed related facilities shall be submitted for a review and approval of the Board of Zoning Appeals which shall set those controls that it deems applicable.**

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two Family Residential | R-A Residential - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking | Section 77 |
|--|------------|--------------------------------|--------------------------------|---------------------------------|------------------------------------|-----------------------------|--------------------------------|---------------------------|-----------------|----------------------|----------------------|------------------------|--------------------|-------------------------|---------------------------|--------------------|------------|
| | | | | | | | | | | | | | | | | | |
| *The various types of uses permitted in the "Mixed-Use District" are listed under Article IV, Mixed Use District (M-U) beginning at Page 21 of this ordinance. | | | | | | | | | | | | | | | | | |
| *As Amended by Ordinance No. 86-455, 9/17/86 | X | | | | | | | | | | | | | | | | |
| Abattoirs (slaughter house) | X | | | | | | | | | | | | | | | | |
| Abrasive manufacture | | | | | | | | | | | | | | S | X | | 20 |
| Accessory uses and structures incidental to any permitted residential use, such as garages, greenhouses, or tool shed. | | X | X | X | X | X | X | X | | | | | | | | | 41 |
| Accessory uses clearly incidental to a permitted use and which will not create a nuisance or hazard. | | | | | | | | | X | X | X | X | X | X | X | | 41 |
| Acetylene gas manufacture and/or storage | | | | | | | | | | | | | | | X | | 20 |
| Acid manufacture | | | | | | | | | | | | | | | S | | 20 |
| Agencies and offices rendering specialized services in the professions, real estate, and brokerage, including service agencies not involving on-premises retail trade nor wholesale trade on-premises, nor maintenance of a stock of goods for sale to the general public. | | | | | | | | | X | X | X | X | X | | | | 4 |
| Airports and landing fields for fixed wing aircraft | | | | | | | | | | | | | | X | X | | 28 |
| Alcohol and alcoholic beverages manufacture | | | | | | | | | | | | | | | X | | 20 |
| Alcoholic beverage packaged retail sales | | | | | | | | | X | X | X | | | | | | 34 |
| Ammonia, bleaching powder or chlorine manufacture | | | | | | | | | | | | | | | X | | 20 |
| Amusement enterprises such as billiards, pool, bowling, skating rink, dance hall and similar activities when housed in a permanent structure, but not including theater | | | | | | | | | X | X | X | | | | | | 3 |
| Amusement parks | | | | | | | | | | X | | | | | | | 6 |
| Animal hospital | | | | | | | | | | X | X | | | | | | 34 |
| Annealing, anodizing | | | | | | | | | | | | | | | X | | 20 |
| Antiques and gift retail sales | | | | | | | | | X | X | X | | | | | | 34 |
| Appliance distributors for wholesale | | | | | | | | | | X | | | | X | | | 43 |
| Art supply, retail sales | | | | | | | | | X | X | X | | | | | | 34 |
| Asphaltic concrete plant | | | | | | | | | | | | | | | X | | 20 |
| Asphalt manufacturing or refining | | | | | | | | | | | | | | | S | | 20 |

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two Family Residential | R-A Residential - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking Section 77 |
|--|---|--------------------------------|--------------------------------|---------------------------------|------------------------------------|-----------------------------|--------------------------------|---------------------------|-----------------|----------------------|----------------------|------------------------|--------------------|-------------------------|---------------------------|-------------------------------|
| | Assembly halls, gymnasiums and similar structures | | | | | | | | | X | X | X | | | X | X |
| Assembly halls, gymnasiums and similar structures when part of a place of worship | | S | S | S | S | S | S | S | S | | | S | | | | 5 |
| Assembly of machines and appliances from previously prepared parts | | | | | | | | | | | S | | | X | X | 20 |
| Automobile automatic car wash | | | | | | | | | | | S | S | | | | 2 |
| Automobile commercial parking enterprise | | | | | | | | | | X | X | X | | X | X | 27 |
| *Automobile (new and used) and accessory sales | | | | | | | | | | | X | X | | X | X | 26 |
| Automobile leasing and truck leasing | | | | | | | | | | X | X | | | | | 26 |
| Automobile parking operated in conjunction with permitted uses and in accordance with the requirements of Article VII, Section 77 | | X | X | X | X | X | X | X | X | X | X | X | X | X | X | 27 |
| **Automobile repair shop | | | | | | | | | | S | S | S | S | X | X | 42 |
| Automobile Service Station | | | | | | | | | | | S | S | S | | | 15 |
| Automobile truck assembly | | | | | | | | | | | | | | X | X | 20 |
| Automobile wrecking or dismantling | | | | | | | | | | | | | | | X | 20 |
| Bakeries or baking plants | | | | | | | | | | | X | | | X | X | 20 |
| Bakery shops and confectionaries both wholesale and retail business, provided such operations are limited to 1,500 sq. ft. of manufacturing area and to the use of non-smoke producing types of furnaces | | | | | | | | | | X | X | X | X | | | 43 |
| Banks | | | | | | | | | X | X | X | X | | | | 4 |
| ***Barber, beauty and other personal services. | | | | | | | | | | X | X | X | X | | | 34 |
| Barber and beauty equipment sales and supply | | | | | | | | | | X | X | | | | | 34 |
| Bedding, carpet and pillow manufacturing, cleaning and renovating | | | | | | | | | | X | | | | X | X | 20 |
| Bicycle sale and repair | | | | | | | | | X | X | X | | | | | 34 |
| Billboards (see signs) | | | | | | | | | | | | | | | | |
| Blast furnaces | | | | | | | | | | | | | | | X | 20 |

*As Amended by Ordinance No. 94-469, 11/18/94

**As Amended by Ordinance No. 94-326, 9/22/94 and Ordinance No. 98-192, 7/29/98

*** As Amended by Ordinance No. 79-204, 1/2/79 and Ordinance No. 94-467, 11/11/95

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two Family Residential | R-A Residential - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking | Section 77 |
|--|---|--------------------------------|--------------------------------|---------------------------------|------------------------------------|-----------------------------|--------------------------------|---------------------------|-----------------|----------------------|----------------------|------------------------|--------------------|-------------------------|---------------------------|--------------------|------------|
| | *Blood banks, plasma centers and/or blood donor centers | | | | | | | | X | | | | X | X | | | |
| Blueprinting and photostatting | | | | | | | | | X | X | X | | | X | X | | 34 |
| Bookbindery | | | | | | | | | | X | X | X | | X | | | 34 |
| Book and stationary stores | | | | | | | | | X | X | X | X | | | | | 34 |
| Bottling works for soft drinks | | | | | | | | | | | X | X | X | X | X | | 20 |
| Brick, tile or terra cotta manufacture | | | | | | | | | | | | | | | X | | 20 |
| Bus or railroad passenger stations | | | | | | | | | | X | | | | | | | |
| Bus repair and storage terminals | | | | | | | | | | | | | | X | X | | 32 |
| Camera sales, supplies and service | | | | | | | | | | X | X | X | | | | | 34 |
| Candy products manufacture | | | | | | | | | | | | | | X | X | | 20 |
| Candy products, retail | | | | | | | | | | X | X | X | | | | | 34 |
| Canvas and Burlap products manufacture, sales and storage | | | | | | | | | | | | | | X | X | | 20 |
| Catering establishments | | | | | | | | | | X | X | X | | | | | 34 |
| Cellophane manufacture | | | | | | | | | | | | | | | X | | 20 |
| Cement, lime, plaster manufacture | | | | | | | | | | | | | | | X | | 20 |
| Cemeteries | | S | S | S | S | S | S | S | S | | | | | | | | 28 |
| Charitable institutions | | | | | | | | | X | X | X | X | | | | | 31 |
| Chemicals, manufacturing of | | | | | | | | | | | | | | | X | | 20 |
| Churches and other places of worship including parsonage or rectory | | S | S | S | S | S | S | S | S | S | S | S | | | | | 5 |
| Clothing manufacture | | | | | | | | | | | | | | X | X | | 20 |
| Clothing sales | | | | | | | | | | X | X | X | | | | | 34 |
| Clubs and other places of entertainment | | | | | | | | | | X | X | X | | X | | | 33 |
| Coal or coke yards | | | | | | | | | | | | | | X | | | 28 |
| Cold storage plants, food | | | | | | | | | | X | X | | | X | X | | 43 |
| Colleges, universities, business colleges, trade schools, music conservatories, dancing schools and similar organizations offering training in specific fields | | | | | | | | | X | X | X | X | | | | | 37 |
| Construction materials, manufacture, storage or sales | | | | | | | | | | | | | | X | X | | |
| Contractor's plants or storage yards | | | | | | | | | | | | | | X | X | | 43 |
| Convalescent and nursing homes | | | | | | S | | S | S | | | | | | | | 36 |
| Cooperage works | | | | | | | | | | | | | | X | X | | 20 |
| Cosmetics and perfume manufacture | | | | | | | | | | | | | | X | X | | 20 |

*As Amended by Ordinance No. 86-66, 5/20/87

| SCHEDULE OF USES | PROHIBITED | R-20 | R-12 | R-7.2 | R-5.5 | R-A | R-1.5 | R-1.0 | I | B-1 | B-2 | B-3 | B-4 | I-L | I-H | Off-Street Parking | Section 77 |
|---|-------------------|---------------------------|---------------------------|---------------------------|------------------------------|-----------------------|--------------------------|---------------------|---------------|------------------|------------------|--------------------|----------------|---------------------|-----------------------|--------------------|------------|
| | | Single-Family Residential | Single-Family Residential | Single-Family Residential | One & Two-Family Residential | Residence - Apartment | Multi-Family Residential | General Residential | Institutional | Central Business | General Business | Community Business | Local Business | Industrial, Limited | Industrial, Unlimited | | |
| Creosote manufacturing or treatment plants | | | | | | | | | | | | | | | S | 20 | |
| Crop or tree farming, greenhouses and truck gardening including the sale of products raised on the premises | | | | | | | | | | | | | | X | X | 28 | |
| Crop or tree farming, greenhouses and truck gardening including the sale of products raised on the premises provided that no retail stand or other commercial structure shall be located thereon and no greenhouse heating plant shall be operated within twenty (20) feet of any lot line. | | X | X | | X | | X | X | | | | | | | | 28 | |
| Custodial and diagnostic centers | | | | | | | | X | X | X | X | X | | | | 31 | |
| Dairy products processing, bottling, and distribution, cream manufacture, all on a wholesale basis | | | | | | | | | | | X | | | X | X | 43 | |
| Dancing schools | | | | | | | | | | X | X | | | | | 34 | |
| Day nurseries and kindergartens | | | | | S | S | S | S | S | S | S | S | S | | | 7 | |
| Department and variety stores | | | | | | | | | | X | X | X | | | | 34 | |
| Dental laboratory | | | | | | | | | | X | X | | | | | 34 | |
| Distillation of bones, coal, petroleum, refuse, grain tar, and wood | | | | | | | | | | | | | | | S | 20 | |
| Drive-in food dispensary | | | | | | | | | | | S | S | S | | | 33 | |
| Drive-in Theater, on a major or secondary major street only | | | | | | | | | | | S | S | | | | 33 | |
| Drug stores | | | | | | | | | | X | X | X | X | | | 34 | |
| Dormitories | | | | | | | | X | X | X | | | | | | 9 | |
| Dry cleaning, pressing, and dyeing plants, and related retail service counter | | | | | | | | | | | X | | | X | | 34 | |
| Dry cleaning , pressing, and dyeing plants operated in conjunction with retail service counter provided that not more than 2000 square feet is devoted to these processes | | | | | | | | | | X | X | X | X | | | 34 | |
| Dwellings, attached single-family such as apartment buildings, row or town houses in groups of not less than 4 nor more than 10 units | | | | | | X | | X | | | | | | | | 12 | |
| Dwellings, multi-family with a minimum of 4 units | | | | | | X | X | X | | S | | | | | | 11 | |
| *Dwellings, detached single-family | | X | X | X | X | | X | X | | | | | | | | 12 | |

*As Amended by Ordinance No. 78-227, 10/18/78 (permits single-family in an R-1.5 district)

| SCHEDULE OF USES | PROHIBITED | | | | | | | | | | | | | | Off-Street Parking | Section 77 |
|---|---------------------------|---------------------------|---------------------------|------------------------------|-----------------------|--------------------------|---------------------|---------------|------------------|------------------|--------------------|----------------|---------------------|-----------------------|--------------------|------------|
| | R-20 | R-12 | R-7.2 | R-5.5 | R-A | R-1.5 | R-1.0 | I | B-1 | B-2 | B-3 | B-4 | I-L | I-H | | |
| | Single-Family Residential | Single-Family Residential | Single-Family Residential | One & Two-Family Residential | Residence - Apartment | Multi-Family Residential | General Residential | Institutional | Central Business | General Business | Community Business | Local Business | Industrial, Limited | Industrial, Unlimited | | |
| Dwellings, two-family | | | | X | | X | X | | | | | | | | 12 | |
| **Dwellings, upper floor, mixed use | | | | | | | | S | S | S | S | S | | | | |
| Dye manufacture | | | | | | | | | | | | | | X | 20 | |
| Eating and drinking establishments | | | | | | | | | X | X | X | | X | X | 33 | |
| Electric light or power generating station | | | | | | | | | | | | | X | X | 20 | |
| Electric supplies, retail | | | | | | | | | X | X | X | | | | 17 | |
| Electrical repair | | | | | | | | | X | X | X | | | | 34 | |
| Electronic assembly plant | | | | | | | | | | | | | X | X | 20 | |
| Emory cloth or sand paper manufacture | | | | | | | | | | | | | X | X | 20 | |
| Enameling, japanning, lacquering of metals | | | | | | | | | | | | | X | X | 20 | |
| Excelsior and fiber manufacture | | | | | | | | | | | | | X | X | 20 | |
| Explosives, ammunition, fireworks, gunpowder manufacture and match manufacture | X | | | | | | | | | | | | | | | |
| Farm, minimum of 3 acres, used for agricultural purposes | | X | X | | | | | | | | | | X | X | 12 | |
| Farm machinery assembly, repair and sales | | | | | | | | | | X | | | X | X | 20 | |
| Fat rendering, production of fats and oils from animal or vegetable products by boiling or distillation | X | | | | | | | | | | | | | | | |
| Feed sales and storage | | | | | | | | | | X | | | X | X | 43 | |
| Felt manufacture | | | | | | | | | | | | | X | X | 20 | |
| Fertilizer manufacture | X | | | | | | | | | | | | | | | |
| Fertilizer wholesale sales | | | | | | | | | | | | | X | X | 43 | |
| Fertilizer retail sales | | | | | | | | | X | X | X | | X | X | 34 | |
| Field houses | | | | | | | | X | | X | | | | X | 40 | |
| Finance and loan companies | | | | | | | | | X | X | X | | | | 4 | |
| Fire stations on a major street or secondary major street | | S | S | S | S | S | S | S | S | S | S | S | S | S | | |
| Flammable liquids: Handling and storage in bulk plants | | | | | | | | | | | | | X | X | 20 | |
| Floor covering, manufacture of | | | | | | | | | | | | | | X | 20 | |
| Florist: Greenhouses, cultivation facilities and warehousing for wholesale and related retail trade | | | | | | | | | | X | | | X | X | 28 | |
| Florist retail | | | | | | | | | X | X | X | X | | | 34 | |

**As Amended by Ordinance No. 94-568, 3/9/95

| SCHEDULE OF USES | PROHIBITED | R-20 | R-12 | R-7.2 | R-5.5 | R-A | R-1.5 | R-1.0 | I | B-1 | B-2 | B-3 | B-4 | I-L | I-H | Off-Street Parking | Section 77 |
|--|---------------------------|---------------------------|---------------------------|------------------------------|-----------------------|--------------------------|---------------------|---------------|------------------|------------------|--------------------|----------------|---------------------|-----------------------|------------|---------------------------|-------------------|
| | Single-Family Residential | Single-Family Residential | Single-Family Residential | One & Two-Family Residential | Residence - Apartment | Multi-Family Residential | General Residential | Institutional | Central Business | General Business | Community Business | Local Business | Industrial, Limited | Industrial, Unlimited | | | |
| Flour and other grain products, milling and storage | | | | | | | | | | | | | | X | X | 20 | |
| Food processing in wholesale quantities except meat, fish poultry, vinegar and yeast | | | | | | | | | | | | | | X | X | 43 | |
| Food processing: For sale at retail on the premises, but excluding the killing and dressing of any flesh or fowl | | | | | | | | | | X | X | X | | | | 39 | |
| Food stores (retail only) - grocery, delicatessen, meat and fish - but excluding the killing and dressing of any flesh or fowl | | | | | | | | | | X | X | X | X | | | 39 | |
| Footwear manufacturing and storage | | | | | | | | | | | | | | | X | 20 | |
| Footwear , retail | | | | | | | | | | X | X | X | | | | 34 | |
| Forging plants | | | | | | | | | | | | | | | X | 20 | |
| Foundries | | | | | | | | | | | | | | | X | 20 | |
| Fraternity houses | | | | | | | X | X | X | | | | | | | 14 | |
| Frozen food lockers | | | | | | | | | | X | X | X | | X | | 34 | |
| Funeral homes. undertaking establishments embalming | | | | | | | | | X | | X | X | X | | | 24 | |
| Furniture retail sales and floor covering retail sales | | | | | | | | | | X | X | X | | | | 34 | |
| Furriers, retail sales | | | | | | | | | | X | X | X | | | | 34 | |
| Fur storage | | | | | | | | | | | X | | | | X | 43 | |
| Galvanizing | | | | | | | | | | | | | | | X | 20 | |
| Garbage and waste incinerators | | | | | | | | | | | | | | | X | 20 | |
| Gas, manufacture of | | | | | | | | | | | | | | | X | 20 | |
| Gas storage in quantities provided such facilities are not located within 100 feet of any lot line | | | | | | | | | | | | | | X | X | 20 | |
| Gases or liquefied petroleum gases in approved portable metal cylinders for storage or sale | | | | | | | | | | | | | | X | X | 20 | |
| Gift shop, cards | | | | | | | | | | X | X | X | | | | 34 | |
| Glass manufacture | | | | | | | | | | | | | | X | X | 20 | |
| Glue and size manufacture | X | | | | | | | | | | | | | | X | 20 | |
| Golf courses, but not including commercially operated driving ranges, pitch & putt, miniature or par 3 courses | | X | X | X | X | X | X | X | | | | | | | | 16 | |

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two-Family Residential | R-A Residence - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking | Section 77 |
|--|--|---------------------------------------|---------------------------------------|--|---|----------------------------------|---------------------------------------|----------------------------------|------------------------|-----------------------------|-----------------------------|-------------------------------|---------------------------|--------------------------------|----------------------------------|--------------------|------------|
| | Golf courses, commercially operated driving ranges, pitch & putt, miniature or par 3 courses | | | | | | | | | | | X | X | | X | | 28 |
| Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes | | | | | | | | | | X | X | X | | X | X | 31 | |
| Government buildings: Buildings used exclusively by the Federal, State, County or City Government for public purposes except for garages, repair or storage yard, warehouses and buildings used or intended to be used as correctional or penal institutions | | | | | | | | | X | | | | | | | 31 | |
| Grounds and facilities for open air games or sports | | | | | | | | | X | | | | | X | X | 31 | |
| Grounds and facilities for recreational and community center buildings, country clubs, lakes, and other similar facilities operated on a non-profit basis | | X | X | X | X | X | X | X | X | X | X | X | X | X | X | 31 | |
| Group homes, small | | | | | X | | X | X | X | X | X | X | X | | | | |
| Group homes, medium and large | | | | | X | | X | X | X | X | X | X | X | | | | |
| Hardware, appliances and electrical items, retail | | | | | | | | | | X | X | X | X | | | 34 | |
| Hat cleaning and blocking | | | | | | | | | | X | X | X | | | | 34 | |
| Heavy industry not otherwise listed, provided that the industry is similar to other industries permitted in an Industrial Unlimited District. Such industry shall comply with the design control of any similar industry | | | | | | | | | | | | | | | X | 36 | |
| Heliport | | | | | | | | | | S | S | S | | S | S | 28 | |
| Hosiery manufacture | | | | | | | | | | | | | | X | X | 20 | |
| Hospitals and sanitariums located on a major street or secondary major street | | | | | | | | | S | | | S | | | | 18 | |
| Hotels and inns | | | | | | | | | | X | X | X | | | | 19 | |
| Ice manufacture, storage and sales | | | | | | | | | | | X | | | X | X | 20 | |

| SCHEDULE OF USES | PROHIBITED | R-20 | R-12 | R-7.2 | R-5.5 | R-A | R-1.5 | R-1.0 | S I | B-1 | B-2 | B-3 | B-4 | I-L | I-H | Off-Street Parking Section 77 |
|---|---------------------------|---------------------------|---------------------------|------------------------------|-----------------------|--------------------------|---------------------|---------------|------------------|------------------|--------------------|----------------|---------------------|-----------------------|------------|-------------------------------|
| | Single-Family Residential | Single-Family Residential | Single-Family Residential | One & Two-Family Residential | Residence - Apartment | Multi-Family Residential | General Residential | Institutional | Central Business | General Business | Community Business | Local Business | Industrial, Limited | Industrial, Unlimited | | |
| Incidental accessory retail uses such as cafeterias, gift shops and soda bars conducted solely for the convenience of the employees, patients, patrons, or visitors on the premises wholly within the principal building and without exterior advertising display | | | | | | S | | | S I | | | | | X | X | 34 |
| Incidental home occupations as defined in Article VII | | X | X | X | X | X | X | X | | | | | | | | 23 |
| Industrial chemical manufacture except highly corrosive materials | | | | | | | | | | | | | | | X | 20 |
| Insulation material manufacture and sale | | | | | | | | | | | | | | X | X | 20 |
| Iron & steel manufacture | | | | | | | | | | | | | | | S | 20 |
| Jewelry and watch sale and repair | | | | | | | | | | X | X | X | | | | 34 |
| Junk yards, auto wrecking, salvage yards or scrap yards | | | | | | | | | | | | | | | S | 28 |
| Kennels | | | | | | | | | | | X | | | X | X | 34 |
| *Kennel (accessory residential) | | S | S | S | S | | | | | | | | | | | 41 |
| Laboratories for research and testing | | | | | | | | | X | X | X | | | X | X | 20 |
| Laundries: All hand laundries and any small power laundries operated in conjunction with a retail service counter on the premises where not more than 2000 square feet of floor space is devoted to the laundering and finishing process, provided the total operating capacity of all commercial washing machines shall not exceed 400 pounds and no coal burning or smoke-producing equipment is used | | | | | | | | | | X | | X | | | | 34 |
| Laundries, steam | | | | | | | | | | | | | | X | X | 20 |
| Launderette service: Where individual, family-sized laundry equipment is rented for use by the customer | | | | | | | | | | | X | X | X | | | 21 |
| Laundry pick-up stations | | | | | | | | | X | X | X | X | | | | 34 |
| Leather goods manufacture (tanning prohibited) | | | | | | | | | | | | | | X | X | 20 |
| Libraries | | | | S | S | S | S | S | S | S | S | S | S | | | 31 |

*As Amended by Ordinance 01-182, 7/24/02

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two-Family Residential | R-A Residence - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking | Section 77 |
|---|--|---------------------------------------|---------------------------------------|--|---|----------------------------------|---------------------------------------|----------------------------------|------------------------|-----------------------------|-----------------------------|-------------------------------|---------------------------|--------------------------------|----------------------------------|--------------------|------------|
| | Linseed oil, shellac, turpentine, lubricating oils or greases, manufacture or refining | | | | | | | | | | | | | | | X | 20 |
| Livestock, auction or sales | | | | | | | | | | | | | | X | X | 28 | |
| Lock and gunsmiths | | | | | | | | | | X | X | X | | | | 34 | |
| Lodges, fraternal and social organizations | | | | | | | | | | X | X | X | | X | X | 30 | |
| Lumber yards, building materials storage and sale | | | | | | | | | | | X | | | X | X | 43 | |
| Machine shops | | | | | | | | | | | | | | X | X | 20 | |
| Machine tool manufacture | | | | | | | | | | | | | | X | X | 20 | |
| Machinery manufacture | | | | | | | | | | | | | | X | X | 20 | |
| Marine terminals, passenger & freight | | | | | | | | | | | | | | X | X | 32 | |
| Meat processing and packing, including the slaughter of fowl and small game only | | | | | | | | | | | S | | | X | | 43 | |
| Metal fabrication plants using plate and structural shapes and including boiler or tank works | | | | | | | | | | | | | | S | X | 20 | |
| Mining and processing of natural resources | | | | | | | | | | | | | | S | X | 20 | |
| Mixing plants for concrete, or paving materials and manufacture of concrete products | | | | | | | | | | | | | | X | X | 20 | |
| Mobile homes, sales | | | | | | | | | | | | | | X | | 28 | |
| Mobile homes, parks or courts | X | | | | | | | | | | | | | | | | |
| *Motorcycle sales and repair | | | | | | | | | | | X | X | | X | X | 42 | |
| Motels | | | | | | | | | | X | X | X | | | | 25 | |
| Motor vehicle and motor vehicle equipment manufacture | | | | | | | | | | | | | | X | X | 20 | |
| Museums and art galleries | | | | | | | | S | X | X | X | X | X | | | 31 | |
| Music stores | | | | | | | | | | X | X | X | | | | 34 | |
| Musical instrument store, sale or instruction | | | | | | | | | X | X | X | X | | | | 34 | |
| Newsstands as an accessory use | | | | | | | | | X | X | X | X | | | | 34 | |
| Office buildings: Governmental and private office buildings including professional offices | | | | | | | | | X | X | X | X | X | X | X | 4 | |
| Office equipment and supplies sales and service | | | | | | | | | | X | X | X | | | | 34 | |

*As Amended by Ordinance No. 94-434, 10/27/94

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two-Family Residential | R-A Residence - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking | Section 77 |
|--|---|---------------------------------------|---------------------------------------|--|---|----------------------------------|---------------------------------------|----------------------------------|------------------------|-----------------------------|-----------------------------|-------------------------------|---------------------------|--------------------------------|----------------------------------|--------------------|------------|
| | Office and secretarial service establishments | | | | | | | | | X | X | X | X | | | | 4 |
| Optical and scientific instrument, jewelry and clock, musical instrument manufacture | | | | | | | | | | | X | | | X | | | 20 |
| Optical sales | | | | | | | | | | X | X | X | | | | | 34 |
| Open hearth & blast furnaces | | | | | | | | | | | | | | | X | | 20 |
| Orphanages and/or rehabilitation centers | | | | | | | | S | S | S | S | | | | | | |
| Oxygen manufacture and/or storage | | | | | | | | | | | | | | X | X | | 20 |
| Paint and enamel manufacture, not employing a boiling process | | | | | | | | | | | | | | X | X | | 20 |
| Paint retail sales | | | | | | | | | | X | X | X | | | | | 34 |
| Paper, pulp, cardboard, and building board manufacture | | | | | | | | | | | | | | | X | | 20 |
| Parks | | X | | | | | | | | | | | | | | | 28 |
| Pawn shops or second hand stores | | | | | | | | | | X | X | | | | | | 34 |
| Penal institutions | | | | | | | | | | X | X | | | X | | | 31 |
| Pet shops, bird stores, taxidermists | | | | | | | | | | X | X | X | | | | | 34 |
| Pharmaceutical products manufacture | | | | | | | | | | | X | | | X | X | | 20 |
| Photographic studios and camera supply stores | | | | | | | | | | X | X | X | | | | | 34 |
| Physical cultural establishments | | | | | | | | | | X | X | X | | | | | 6 |
| Planing or saw mills | | | | | | | | | | | | | | X | X | | 20 |
| Plastics manufacture | | | | | | | | | | | | | | X | X | | 20 |
| Plating works | | | | | | | | | | | | | | X | X | | 20 |
| Playgrounds (principal use) | | S | S | S | S | S | S | S | S | S | S | S | S | | | | 28 |
| Playground, tot-lot | | | | | S | | S | S | | | | | | | | | |
| Plumbing shop and yard | | | | | | | | | | | X | | | X | | | 29 |
| Police stations on a major or a secondary major street | | S | S | S | S | S | S | S | S | S | S | S | S | S | S | | |
| Postal facilities, privately or publicly owned | | | | | | | | | | X | X | X | X | | | | 31 |
| Potash works | | | | | | | | | | | | | | | X | | 20 |
| Pottery, porcelain and vitreous china manufacture | | | | | | | | | | | | | | X | X | | 20 |
| Poultry dressing for wholesale and related retail activities | | | | | | | | | | | | | | X | X | | 43 |
| Poultry dressing but only for sale at retail on the premises | | | | | | | | | | X | | | | X | | | 34 |

| SCHEDULE OF USES | PROHIBITED | R-20 | R-12 | R-7.2 | R-5.5 | R-A | R-1.5 | R-1.0 | I | B-1 | B-2 | B-3 | B-4 | I-L | I-H | Off-Street Parking Section 77 |
|--|---------------------------|---------------------------|---------------------------|------------------------------|-----------------------|--------------------------|---------------------|---------------|------------------|------------------|--------------------|----------------|---------------------|-----------------------|------------|-------------------------------|
| | Single-Family Residential | Single-Family Residential | Single-Family Residential | One & Two-Family Residential | Residence - Apartment | Multi-Family Residential | General Residential | Institutional | Central Business | General Business | Community Business | Local Business | Industrial, Limited | Industrial, Unlimited | | |
| Prefabricating buildings and structural members | | | | | | | | | | | | | | X | X | 20 |
| Printing publishing and reproduction establishments | | | | | | | | | | X | X | X | | X | X | 29 |
| Public and private utilities building structures: Telephone exchange buildings, gas regulator structures, water pumping station, sewage pumping stations, other similar structures not including storage or service buildings or yards (with special controls) | | S | S | S | S | S | S | S | S | S | S | S | S | S | S | |
| Public and private utilities service facilities: Transformer station, transmission towers for radio and television and similar use, elevated water storage tanks, standpipes, and other similar elevated service facilities (with special controls) | | S | S | S | S | S | S | S | S | S | S | S | S | S | S | |
| Public utility service and storage yard | | | | | | | | | | | | | | X | X | 28 |
| Racing of motor vehicles or animals | X | | | | | | | | | | | | | | | |
| Radio and television studios | | | | | | | | | X | X | X | X | | | | 4 |
| Rag, bag and carpet cleaning establishments | | | | | | | | | | | X | | | X | X | 20 |
| Railroad car repair and manufacture | | | | | | | | | | | | | | | X | 20 |
| Railroad rights-of-way | | | | | | | | | | X | X | | | X | X | |
| Railroad freight yards, terminals, or classification yards and rights-of-way | | | | | | | | | | X | X | | | X | X | 28 |
| Refuse & waste equipment storage | | | | | | | | | | | | | | | X | 43 |
| Refuse & waste, solid such as garbage and trash disposal, non-municipal | X | | | | | | | | | | | | | | | |
| Refuse & waste solid, industrial, such as slag, flue dust, refractories, disposal of | | | | | | | | | | | | | | | X | 20 |
| Repair and servicing of office and household equipment | | | | | | | | | | | X | X | | X | X | 13 |
| Repair and servicing of industrial equipment machinery, except railroad equipment | | | | | | | | | | | | | | X | X | 20 |
| Retail stores similar to those otherwise named on this list | | | | | | | | | | X | | X | | | | 34 |

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two-Family Residential | R-A Residence - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking | Section 77 |
|--|---|---------------------------------------|---------------------------------------|--|---|----------------------------------|---------------------------------------|----------------------------------|------------------------|-----------------------------|-----------------------------|-------------------------------|---------------------------|--------------------------------|----------------------------------|--------------------|------------|
| | Retail stores not otherwise named on this list including those conducting incidental light manufacturing or processing of goods above the first floor or in the basement to be sold exclusively on the premises and employing not more than ten operative | | | | | | | | | | | X | | | | | 41 |
| Riding stables | | | | | | | | | | | | | | S | | | 28 |
| Rock and slag reclamation and crushing and processing | | | | | | | | | | | | | | | X | | 20 |
| Rodenticide, insecticide and pesticide mixing plants | | | | | | | | | | | | | | | X | | 20 |
| Rodenticide, insecticide and pesticide sales, storage and service | | | | | | | | | | | | | | X | | | 43 |
| Rooming and boarding houses | | | | | X | | X | X | | | | | | | | | 35 |
| Rubber manufacture or reclamation | | | | | | | | | | | | | | | S | | 20 |
| Sanitary landfill excluding the burning of trash out of doors | | | | | | | | | | | | | | X | X | | 28 |
| Schools, public and private | | S | S | S | S | | S | S | S | | | | | | | | 37 |
| School, specialty, trade or vocational | | | | | | | | | | X | X | X | | | | | 37 |
| Scrap paper or rag storage, sorting or baling when conducted within a building | | | | | | | | | | | | | | X | X | | 20 |
| Sewage treatment and disposal facilities and water treatment plant | | S | S | S | S | S | S | S | S | S | S | S | S | S | S | | |
| Sheet metal shops | | | | | | | | | | | | | | X | X | | 20 |
| Shoe repair | | | | | | | | | | X | X | X | X | | | | 34 |
| Sign manufacture, painting and maintenance | | | | | | | | | | | X | | | X | | | 43 |
| Sign painting, exclusive of manufacture | | | | | | | | | | | X | X | | X | | | 34 |
| Sign, directional | | | | | | | | | | | X | | | X | X | | |
| Sign, incidental use | | X | X | X | X | X | X | X | X | X | X | X | X | X | X | | |
| Sign, outdoor advertising | | | | | | | | | | S | S | S | | X | X | | 28 |
| Sign, separate use (see provision) | | | | | | | | | | S | S | S | | X | X | | 28 |
| Sign, principal use | | | | | | | | | | X | X | X | X | X | X | | 28 |
| Soap, detergent and washing compound manufacture | | | | | | | | | | | | | | X | X | | 20 |
| Sorority houses | | | | | | | X | X | X | | | | | | | | 14 |
| Sporting good sales | | | | | | | | | | X | X | X | | | | | 34 |
| Stadia | | | | | | | | | | | S | | | S | | | 40 |
| Stockyards | X | | | | | | | | | | | | | | | | |

| SCHEDULE OF USES | PROHIBITED | R-20 Single-Family Residential | R-12 Single-Family Residential | R-7.2 Single-Family Residential | R-5.5 One & Two-Family Residential | R-A Residence - Apartment | R-1.5 Multi-Family Residential | R-1.0 General Residential | I Institutional | B-1 Central Business | B-2 General Business | B-3 Community Business | B-4 Local Business | I-L Industrial, Limited | I-H Industrial, Unlimited | Off-Street Parking | Section 77 |
|---|--|---------------------------------------|---------------------------------------|--|---|----------------------------------|---------------------------------------|----------------------------------|------------------------|-----------------------------|-----------------------------|-------------------------------|---------------------------|--------------------------------|----------------------------------|--------------------|------------|
| | Stonecutting, monument manufacture and sales | | | | | | | | | | | | | | X | X | 20 |
| Storage, under cover, of goods intended for retail sale on the premises, but not including combustibles | | | | | | | | | | X | X | X | | | | 34 | |
| Storage warehouses and yards | | | | | | | | | | | X | | | X | X | 43 | |
| Swimming pools, accessory use | | S | S | S | S | S | S | S | S | S | S | S | | S | S | 28 | |
| Swimming pools and bathing areas, public or private as primary uses | | | | S | S | S | S | S | S | | S | S | | | | | |
| Tailors, dressmakers, milliners | | | | | | | | | | X | X | X | X | | | 34 | |
| Tanning, cutting curing, cleaning or storing of green hides or skins | X | | | | | | | | | | | | | | | | |
| Tar and waterproofing materials manufacture treatment and storage | | | | | | | | | | | | | | | X | 20 | |
| Taverns, bars and nightclubs | | | | | | | | | | X | X | X | | | | 33 | |
| Taxi stand | | | | | | | | | X | X | X | X | | | | | |
| Textile machinery manufacture | | | | | | | | | | | | | | X | X | 20 | |
| Textile manufacture | | | | | | | | | | | | | | X | X | 20 | |
| Theaters, housed in a permanent indoor structure, exhibition halls and other similar structures | | | | | | | | | | X | X | X | | | | 40 | |
| Tire recapping and retreating | | | | | | | | | | | X | | | X | X | 20 | |
| Tractor or trailer sales or leasing areas | | | | | | | | | | | | | | X | | 28 | |
| Trailer camps | X | | | | | | | | | | | | | | | | |
| Truck terminals, repair shops, hauling and storage yards | | | | | | | | | | | | | | X | X | 43 | |
| Upholstery, paper hanging, and decorator shops | | | | | | | | | | X | X | X | | X | X | 34 | |
| Variety stores | | | | | | | | | | X | X | X | | | | 34 | |
| Vocational or trade school | | | | | | | | | X | X | X | X | | X | | 37 | |
| Waste paper and rags, collection and baling | | | | | | | | | | | | | | X | X | 20 | |
| Wholesale and jobbing establishments including incidental retail outlets for only such merchandise as is handled at wholesale | | | | | | | | | | | X | | | X | X | 43 | |
| Woodworking shops, mill work | | | | | | | | | | | X | | | X | X | 20 | |
| Zoos | | | | | | | | S | | | | S | | S | | 41 | |