

**CHAPTER 450  
Conditional Use Regulations**

450.1	Purpose.	450.5	Minimum lot and yard
450.2	General criteria for all conditional uses.		regulations for conditional uses in commercial districts.
450.3	Specific conditions for conditional uses.	450.6	Supplemental regulations for certain uses.
450.4	Minimum lot and yard regulations for conditional uses in residential districts.		

**Sec. 450.1 PURPOSE.**

Conditional uses are a classification of uses that are determined to generally be compatible in the district in which they are listed as a conditional use. However, this category of uses is so classified because of the need to adequately monitor the proposed use in order to ensure that the use and its operational aspects are indeed appropriate in the specific location in which the use is proposed. Such monitoring is necessary because the external impacts of a particular use are either sufficiently varied or indeterminable in advance, making it possible that, without the Board of Zoning Appeals’ review, a particular use could be inappropriate in certain locations within the district.

These regulations are intended to ensure that conditional uses are reviewed in a reasonable and equitable manner, while safeguarding the property rights of all individuals and the public health, safety, convenience, comfort prosperity and general welfare (Effective June 22, 2006) of the community. Toward these ends, it is recognized that this Zoning Resolution should provide for a more detailed evaluation of each use listed as a conditional use in a specific district with respect to such considerations as location, design, size, method(s) of operation, intensity of use, requirements for public facilities and traffic generation. In considering a proposed conditional use, the Board of Zoning Appeals may assign reasonable requirements to ensure that the proposed development is appropriate in the location in which it is proposed. Accordingly, conditional use applications shall conform to the procedures and requirements of Chapter 730.

**Sec. 450.2 GENERAL CRITERIA FOR ALL CONDITIONAL USES.**

A conditional use, and uses accessory to such conditional use, shall be permitted in a district only when specified as a conditional use in said district. In order to be approved in a district, a proposed conditional use shall comply with the following general criteria, which are in addition to specific conditions, standards and regulations set forth in Sections 450.3 through 450.6. The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following criteria and shall find adequate evidence that:

- A. The establishment, maintenance or operation of the conditional use will not be detrimental to or endanger the public health, safety or general welfare.
- B. In areas where a cohesive pattern of development exists, the conditional use will be designed, constructed, operated and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity, and that such use will not essentially change the character of the same area.
- C. The conditional use will not be hazardous or disturbing to the existing and future use and enjoyment of properties in the immediate vicinity, nor substantially diminish or impair property values within the neighborhood.
- D. The hours of operation of the proposed conditional use are similar to other uses permitted in the district.
- E. The establishment of the conditional use in the proposed location will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
- F. Adequate measures have been or will be taken to provide ingress and egress designed to minimize traffic congestion on the surrounding public streets.
- G. The establishment of the conditional use should not be detrimental to the economic welfare of the community by creating excessive additional requirements at public cost for public facilities such as police, fire and schools.
- H. There is minimal potential for future hardship on the conditional use that could result from the proposed use being surrounded by uses permitted by right that may be incompatible.

**Sec. 450.3 SPECIFIC CONDITIONS FOR CONDITIONAL USES.**

In addition to the general criteria established in Sec. 450.2, the following specific conditions shall apply.

- A. Supplementary Conditions and Safeguards. Nothing in these regulations shall prohibit the Board of Zoning Appeals from prescribing conditions and safeguards that are in addition to these requirements in order to ensure compliance with the criteria set forth in Sec. 450.2.
- B. Conformance with District Regulations. A conditional use shall conform to the regulations of the district in which it is located and to other substantive requirements of this Zoning Resolution, as well as satisfy the conditions, standards and requirements of this Chapter. Whenever there is a difference between the provisions of the conditional use regulations and the district

regulations, the provisions of this Chapter shall prevail, unless clearly indicated differently in the regulations.

C. Overall Development Standards.

1. The Board of Zoning Appeals may limit the hours of operation to ensure that a conditional use is compatible with the surrounding uses.
2. No lighting shall constitute a nuisance and in no way shall impair safe movement of traffic on any street or highway. All outside lighting shall be shielded from adjacent properties.
3. Floodlights, loudspeakers or similar structures shall not be erected or used in any manner that will cause hazards or annoyance to the public generally or to the occupants of adjacent property.
4. Landscaping and buffering shall be provided in compliance with Chapter 530.
5. The proposed use shall not generate excessive noise, odor, dust or smoke beyond the premises. In order to minimize any effects of the above, the Board of Zoning Appeals may require all applicable surface areas to be paved, and impose additional noise reduction measures, including mounding, landscaping and sound barriers, to ensure that the level of noise is less than or the same as the prevailing noise levels of permitted uses in the district in which the conditional use is proposed.
6. All trash receptacles shall be adequately screened in compliance with the regulations set forth in Chapter 530.
7. The conditional use will be designed and constructed so that all access drives, access points to public streets, driveways, parking and service areas shall be in compliance with the regulations set forth in Chapter 520.
8. In a residential district, on lots of one (1) acre or more, all points of entrance or exit should be no closer than 75 feet from an intersection.
9. In any residential district, the percentage of a lot covered by buildings shall not exceed 30% of the total area of the lot.
10. Public or semipublic buildings permitted as a conditional use in a district may be permitted to be erected to a height not to exceed 45 feet, provided the building is set back from each lot line at least one foot for each foot of additional building height above the height limit otherwise provided for in the district in which the building is located.

**Sec. 450.4 MINIMUM LOT AND YARD REGULATIONS FOR CONDITIONAL USES IN RESIDENTIAL DISTRICTS.**

Schedule 450.4 sets forth regulations governing minimum lot area, minimum lot width and minimum yard requirements for principal and accessory buildings and parking areas for conditional uses in residential districts. Supplemental requirements pertaining to such uses are set forth in 450.6, and the specific subsections are referenced in Schedule 450.4, below.

Schedule 450.4 (Revised 09/10/09)  
**MINIMUM LOT AND YARD REGULATIONS  
 FOR CONDITIONAL USES IN RESIDENTIAL DISTRICTS**

Conditional use	Conditional use in District	Minimum Lot Regulations		Minimum Building Setbacks		Minimum Parking Setbacks		Also See Section:
		Area	Width	Front	Side/Rear	Front	Side/Rear	
Accessory living quarters	R-R, R-1	(1)	(1)	(1)	(1)	NP	(1)	450.6 A
Camp facility including overnight and related accommodations	R-R, R-1	50 ac	500 ft	100 ft	100 ft	NP	50 ft	450.6 P
Cemetery	R-R, R-1, R-2, R-3	40 ac	500 ft	100 ft	100 ft	NP	50 ft	450.6 G
Church or other place of worship	R-R, R-1, R-2, R-3	2 ac <sup>(1)</sup>	200 ft <sup>(1)</sup>	(1)	50 ft <sup>(1)</sup>	NP	35 ft <sup>(1)</sup>	450.6 H
Congregate care facility	R-3	2 ac	200 ft	(1)	50 ft	NP	35 ft	450.6 I
Day care center, child and adult	R-R, R-1, R-2	2 ac <sup>(1)</sup>	200 ft <sup>(1)</sup>	(1)	50 ft <sup>(1)</sup>	NP	35 ft <sup>(1)</sup>	450.6 K
Golf course, private, public, or semi-private; country club, public or private. (Revised 1/13/11)	R-R, R-1, R-2	40 ac	500 ft	100 ft	100 ft	NP	50 ft	450.6 P
Group home for handicapped persons	R-3	2 ac	200 ft	(1)	(1)	(1)	(1)	450.6 N
Institution for higher education	R-2	10 ac	500 ft	100 ft	100 ft	NP	50 ft	450.6 H
Institutional meeting facility	R-2	2 ac	200 ft	(1)	50 ft	NP	35 ft	450.6 B
Oil, gas, and brine well, drilling and operations and storage	R-R, R-1	See Chapter 550						
Parking area for adjacent lot in a commercial district	R-R, R-1, R-2, R-3	(1)	(1)	NA	NA	NP	35 ft <sup>(1)</sup>	450.6 Q
<p><b>Notes to Schedule 450.4:</b>                      Uses shall comply with the standards in this table or the corresponding district standard whichever is greater.                      (1) Shall comply with the regulations for the district in which the conditional use is located.                      (2) Parking spaces for more than 2 vehicles shall be located in the rear yard.                      (3) Shall comply with the side yard setback requirements for principal buildings.                      NP = Not Permitted      NA = Not Applicable</p>								

Conditional use	Conditional use in District	Minimum Lot Regulations		Minimum Building Setbacks		Minimum Parking Setbacks		Also See Section:
		Area	Width	Front	Side/Rear	Front	Side/Rear	
Park, playground, picnic area, public or private	R-R, R-1, R-2, R-3,	(1)	(1)	(1)	(1)	(1)	(3)	450.6 P
Public safety facility	R-R, R-1, R-2, R-3	2 ac <sup>(1)</sup>	200 ft <sup>(1)</sup>	(1)	35 ft <sup>(1)</sup>	NP	35 ft <sup>(1)</sup>	450.6 R
Riding facility, noncommercial public or private	R-R, R-1	5 ac	300 ft	100 ft	100 ft	NP	50 ft	450.6 P
School, public or private, library	R-R, R-1, R-2, R-3	2 ac <sup>(1)</sup>	200 ft <sup>(1)</sup>	(1)	35 ft <sup>(1)</sup>	NP	35 ft <sup>(1)</sup>	450.6 H
Tennis club, club swimming pool or similar noncommercial recreation facility	R-R, R-1, R-2, R-3	5 ac	300 ft	100 ft	100 ft	NP	50 ft	450.6 P
Wireless telecommunication tower and/or facility (Revised 5/28/09 & 10/28/10)	R-R, R-1, R-2, R-3	See Chapter 540						
<p><u>Notes to Schedule 450.4:</u>                      Uses shall comply with the standards in this table or the corresponding district standard whichever is greater.                      (1) Shall comply with the regulations for the district in which the conditional use is located.                      (2) Parking spaces for more than 2 vehicles shall be located in the rear yard.                      (3) Shall comply with the side yard setback requirements for principal buildings.                      NP = Not Permitted                      NA = Not Applicable</p>								
<p><u>List of Districts:</u>                      R-R Rural Residential District                      R-1 Single-Family and Low Density Residential District                      R-2 Single-Family Suburban Residential District                      R-3 Single-Family Urban Residential District</p>								

**Sec. 450.5 MINIMUM LOT AND YARD REGULATIONS FOR CONDITIONAL USES IN COMMERCIAL DISTRICTS.**

Schedule 450.5 sets forth regulations governing minimum lot area and minimum lot width requirements for conditional uses in a commercial district. Supplemental requirements pertaining to such uses are set forth in Sec. 450.6, and the specific subsections are referenced in Schedule 450.5, below.

Schedule 450.5

**MINIMUM LOT AND YARD REGULATIONS FOR CONDITIONAL USES IN COMMERCIAL DISTRICTS.**

Conditional Use	Conditional Use in District	Minimum Lot Regulations		Also See Section:
		Area	Width	
Assembly hall, meeting place for fraternal, charitable, social or other organization	C-B	(1)	(1)	450.6 B
Automated teller machine	O, C-B, H-C, R-C	(1)	(1)	450.6 C
Automobile dealership (Effective October 12, 2006 )	H-C, R-C	4 ac	300 ft	450.6 D
Automotive service station	C-B, H-C, R-C	(1)	(1)	450.6 E
Business school, college or university	O, C-B, H-C, R-C	(1)	(1)	450.6 H*
Car wash establishment (CB Effective 9/27/07)	C-B, H-C	(1)	(1)	450.6 F
Church or other place of worship	O, H-C	(1)	(1)	450.6 H
Congregate care facility	O, C-B, R-C	2 ac	200 ft	450.6 I
Copying services	O	(1)	(1)	450.6 J
Day care center, child and/or adult	O, C-B, R-C	(1)	(1)	450.6 K
Drive-thru facility associated with a permitted use	C-B, H-C, R-C	(1)	(1)	450.6 L
Gasoline station with more than 5 islands or 10 pumps	H-C	3 ac	300 ft	450.6 M
Gasoline station with not more than 5 islands or 10 pumps in association with a retail store not exceeding 5,000 square feet	C-B, H-C, R-C	(1)	(1)	450.6 M
Hotel, motel	C-B	2 ac	200 ft	--
Indoor recreation	C-B, H-C, R-C	(1)	(1)	450.6 O
Library, museum	O, C-B, R-C	(1)	(1)	450.6 H
Outdoor recreation	R-C	(1)	(1)	450.6 P
Park or playground	O, C-B, H-C, R-C	(1)	(1)	450.6 P
Post office	O, C-B	(1)	(1)	--
Research/testing laboratory	O	(1)	(1)	450.6 S
Restaurant	O	(1)	(1)	450.6 T
School, public or private	C-B	(1)	(1)	450.6 H

Notes to Schedule 450.5: \*Effective 10/12/06  
 Uses shall comply with the standards in this table or the corresponding district standard whichever is greater.  
 (1) Shall comply with the regulations for the district in which the conditional use is located.

Conditional Use	Conditional Use in District	Minimum Lot Regulations		Also See Section:
		Area	Width	
Self-service storage facility	R-C	2 ac	200 ft	450.6 U
Sports/fitness center	C-B, H-C, R-C	(1)	(1)	450.6 O
Theater, indoor	C-B, H-C, R-C	(1)	(1)	450.6 O
Trade contractor's facility	R-C	(1)	(1)	450.6 E
Vehicle, equipment and machinery repair garage	R-C	(1)	(1)	450.6 E
Veterinary clinic (no outside kennel)	C-B, R-C	(1)	(1)	450.6 V
<p><u>Notes to Schedule 450.5:</u>                      Uses shall comply with the standards in this table or the corresponding district standard whichever is greater.                      (1) Shall comply with the regulations for the district in which the conditional use is located.</p>				
<p><u>List of Districts:</u>                      O Office District                      C-B Community Business District                      H-C Highway Commercial District                      R-C Rural Commercial District</p>				

**Sec. 450.6 SUPPLEMENTAL REGULATIONS FOR CERTAIN USES.**

The following are specific conditions, standards and regulations for certain conditional uses and are in addition to the criteria and standards set forth in Sections 450.2 through 450.5.

- A. Accessory living quarters. An accessory living quarter, when permitted by the Board of Zoning Appeals, shall comply with the following:
  - 1. The accessory living quarter shall not constitute a dwelling unit and shall not include kitchen facilities.
  - 2. There shall be no indication from the exterior of the single-family dwelling unit that it contains accessory living quarters.
  
- B. Assembly hall, meeting hall; clubs, lodges, fraternal, charitable or social organization's meeting place; institutional meeting facilities: All activities, programs and other events shall be directly related to the conditional use so granted.
  
- C. Automated teller machine:
  - 1. Such facilities shall be located so as to be the least disruptive to pedestrian and vehicular traffic.

2. There shall be adequate and safe standing space for people waiting to use the facility.
3. The Police Department shall determine that the location of the proposed ATM will not constitute a traffic safety hazard.

D. Automobile Dealership (Effective October 12, 2006; Revised June 21, 2007)

1. The building setback for such establishment shall be located a minimum of 150 ft. from a residential district and the minimum parking setback shall be 50 ft.
2. All work shall be performed entirely within a building. During the time work is performed on a vehicle, the vehicle shall be entirely within the building.
3. Vehicle parking areas, vehicle and equipment storage areas, maneuvering lanes and access ways to public streets shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site.
4. No scrap metal, scrap or salvaged parts, junk vehicles or used oil, antifreeze, transmission or other such fluids shall be stored above ground on the site.
5. Any proposed loudspeaker system shall be approved as part of the development plan.

E. Automotive service station; trade contractor's facility, vehicle, equipment and machinery repair garage. (Revised June 21, 2007)

1. The building setback for such establishment shall be located a minimum of 150 ft. from a residential district and the minimum parking setback shall be 50 ft.
2. All work shall be performed entirely within a building. During the time work is performed on a vehicle, the vehicle shall be entirely within the building.
3. Vehicle parking areas, vehicle and equipment storage areas, maneuvering lanes and access ways to public streets shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site.
4. No scrap metal, scrap or salvaged parts, junk vehicles or used oil, antifreeze, transmission or other such fluids shall be stored above ground on the site.

5. No junk or inoperative or unlicensed motor vehicles shall be permitted to remain on the property outside an enclosed structure for more than 48 hours.

F. Car wash establishments.

1. Establishments shall be serviced by county water and sanitary sewers. (Effective September 27, 2007)
2. The building shall be located on the lot so as to utilize the maximum amount of lot area for the purpose of containing the waiting line of cars prior to the time the cars or other vehicles are actually serviced.
3. All car wash establishments shall be equipped with blow dryers to prevent excess water from pooling in the right-of-way.
4. A car wash establishment may be combined with a gasoline station provided that the minimum lot area for the combined uses shall be two (2) acres.

G. Cemetery.

1. Except for office uses incidental to cemetery operation, no business or commercial uses of any kind shall be permitted on the cemetery site.
2. Interior drives having a minimum width of 20 feet shall be installed as development progresses and as indicated in the final plans by the Board of Zoning Appeals.
3. Sufficient pull-off areas for vehicles shall be provided throughout the cemetery so as not to hinder traffic flow.
4. No gravesite, mausoleum or crematory shall be located within 100 feet of a public street right-of-way or residential property line.
5. All maintenance equipment and materials shall be stored in a completely enclosed building.
6. Landscaping shall be provided throughout the cemetery.

H. Church/place of worship; library; museum; school, public or private; institution for higher education.

1. Such uses should be located on an arterial or collector street or have direct access to an arterial or collector street to minimize impacts on local streets and residential neighborhoods.

2. In any district, the Board of Zoning Appeals may require all outdoor children's activity areas to be enclosed by a fence or wall having a height of at least five (5) feet but not exceeding six (6) feet. An entry gate shall be securely fastened.
  3. All access drives shall be located as far as practicable from an existing intersection in order to maximize traffic safety and minimize congestion and constricted turning movements.
  4. All activities, programs and other events shall be directly related to the conditional use permit so granted, and shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents or to the community in general.
  5. Associated uses such as a convent, faculty residence, cafeteria, dormitory, fieldhouse, or infirmary shall be located on the same lot as the principal use and comply with the building setback requirements set forth in this Chapter.
  6. The development plan shall indicate the building's emergency entrances or exits.
- I. Congregate care facility.
1. A congregate care facility may include one or more of the following types of residential facilities:
    - a) Independent living with congregate dining facilities;
    - b) Congregate living;
    - c) Assisted living; or
    - d) Nursing care.
  2. Such uses shall be located on an arterial or collector street or have direct access to an arterial or collector street without going through a residential neighborhood to lessen the impact on the residential area.
  3. The density of a congregate care facility shall not exceed the net density set forth below for each area included in the facility.
    - a) The net density of an assisted living and or nursing home and its associated parking facilities shall not exceed 25 patients per acre.
    - b) The net density of independent living and/or congregate living units and its associated parking facilities shall not exceed 15 dwelling units per acre.

4. The facility shall provide safety features to ensure the safety of its residents and patients:
  - a) Local police and fire officials shall be provided with an evacuation plan which following approval, shall be posted in a conspicuous location within the facility.
  - b) An overall floor plan of the facility shall be provided to the local police and fire departments, which shall keep the floor plan on file.
5. The development plan shall indicate the building's emergency entrances or exits.
6. The facility and its staff shall be in full compliance with all applicable Federal, State and local laws and regulations, including facility licensure to begin and continue operation. Evidence of such compliance shall be furnished to the Township. Failure to maintain such license, certification or other approval requirements shall constitute a violation of this Zoning Resolution.

J. Copying services.

1. The design of the structure and any signage shall be visually compatible with the surrounding area as determined by the Board of Zoning Appeals.
2. On-site overnight storage of delivery vehicles shall be within a completely enclosed building.

K. Day care center, child or adult.

1. For the protection of children and adults enrolled in the day care center, a fence or wall having a height of at least five (5) feet shall enclose all outdoor activity areas. An entry gate shall be securely fastened. The location and height of the fence shall also comply with the fence standards set forth in the District regulations.
2. A drop-off/pick-up location that will not impede traffic on or off the site shall be provided to ensure the safety of the children and adults.
3. In an R-R, R-1, R-2 or R-3 District, such use shall only be permitted in a church, other place of worship or a school facility.
4. The location and design of the center shall provide for the protection of the children and adults from the traffic, noise, and other hazards of the area and/or the arterial street location.

5. A day care center for children shall comply with the following:
  - a) An outdoor play area equal in area to the ground floor area of the day care facility is required. The required outdoor activity area shall not be located closer than twenty (20) feet to any residential property.
  - b) Play structures and other similar apparatus shall not be located closer than forty (40) feet to any residential property.
6. The center and its staff shall be in full compliance with all applicable Federal, State and local laws and regulations, including facility licensure to begin and continue operation. Evidence of such compliance shall be furnished to the Township. Failure to maintain such license, certification or other approval requirements shall constitute a violation of this Zoning Resolution.

L. Drive-thru facility associated with a permitted use.

1. The building setback for such establishment shall be located a minimum of 150 ft. from a residential district and minimum parking setback shall be 50 ft.
2. Such facilities shall be located on an arterial street in an area least disruptive to pedestrian and vehicular traffic.
3. Any proposed loudspeaker system shall be approved as part of the development plan.
4. All access drives shall be located as far as practicable from an existing intersection in order to minimize congestion and constricted turning movements, but not less than 100 feet from an intersection.

M. Gasoline station.

1. For gasoline stations with more than 5 islands or 10 pumps:
  - a) The building setback for such establishment shall be located a minimum of 100 ft. from a residential district and the minimum parking setback shall be 50 ft.
  - b) When located on a corner lot, such uses shall have not less than 300 feet frontage on each of the two intersecting streets.
2. The building setback for such establishment shall be located a minimum of 100 ft. from a residential district and the minimum parking setback shall be 50 ft.

3. When located on a corner lot, such uses shall have not less than 200 feet frontage on each of the two intersecting streets.
4. The location of access drives shall be placed as far as possible from the intersection and shall be limited to no more than one access drive per street frontage.
5. Fuel pumps may be erected in a front yard provided the fuel pump complies with the off-street parking setback.
6. Driveways to provide access to a gasoline pump, platforms and curbs shall be designed in accordance with regulations adopted by the Ohio Department of Transportation.
7. A canopy may be constructed over the pump island, provided the canopy complies with the off-street parking setback and shall not exceed 20 feet in height.
8. No junk or inoperative or unlicensed motor vehicles shall be permitted to remain on the property for more than 48 hours.
9. All activities provided at gasoline stations, except those required to be performed at a fuel pump, air dispenser, or self-serve automobile vacuum, shall be carried on entirely inside a building.
10. On a corner lot, the location of access drives to the street shall be placed as far from the intersection as possible and shall be limited to no more than one access drive per fronting street.
11. A gasoline station may be combined with any other permitted use provided the parking space requirements for both uses are met.

N. Group home for handicapped persons.

1. The facility and its staff shall be in full compliance with all applicable Federal, State and local laws and regulations, including facility licensure to begin and continue operation. Evidence of such compliance shall be furnished to the Township. Failure to maintain such license, certification or other approval requirements shall constitute a violation of this Zoning Resolution.
2. In considering whether to grant the conditional use permit, the Board of Zoning Appeals shall take into consideration the proximity and location of other such homes for handicapped persons within the neighborhood so as not to change the character of the area, create undue congestion in the public ways, or otherwise adversely impact upon a given area with such use, but in no event shall a group home be closer than 1,000 feet from where a group home for handicapped persons is located.

3. The applicant shall comply with the applicable parking regulations of this Zoning Resolution for the type of residential structure used by the residential home and shall make adequate provision for on-site parking of vehicles used by visitors and the home supervisors.
  4. The architectural design and site layout of a group home and the height of any walls, screens, or fences connected with any said group home shall be compatible with adjoining land uses and the residential character of the neighborhood.
- O. Indoor recreation; sports/ fitness center; indoor theatre:
1. Such uses shall not include an archery range, pistol range or other place for the use of firearms of any nature including paint ball guns.
  2. The use of exterior loud speakers shall not be permitted.
  3. All activities, programs and other events shall be properly supervised so as to ensure against any disturbance or nuisance to the surrounding properties, residents, or to the community in general.
- P. Outdoor recreation; campground; country club or tennis club; golf course, private, public or semi-private; public park or playground; riding facility; swimming facility. (Revised 1/13/11)
1. The proposed use shall not generate excessive noise, odor, dust or smoke beyond the premises. In order to minimize any effects of the above, the Board of Zoning Appeals may require all applicable surface areas to be paved, and impose additional noise reduction measures, including mounding, landscaping and sound barriers, to ensure that the level of noise is less than or the same as the prevailing noise levels of permitted uses in the District.
  2. The Board of Zoning Appeals may require active recreation areas to be enclosed by a fence having a minimum height of five (5) feet. The location and height of the fence shall also comply with the fence standards set forth in the District regulations.
  3. No drive-in theaters, amusement parks, race tracks of any kind, rifle ranges, skeet shooting ranges, pistol ranges, and other activities involving the use of firearms including high-powered air rifles shall be permitted in any district.
  4. Delivery trucks shall not be used as refreshment stands, souvenir stands and/or concession stands.
  5. All activities, programs and other events shall be directly related to the conditional use permit so granted, and shall be adequately and properly

- supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents or to the community in general.
6. An adequate number of public restrooms for both men and women shall be provided and maintained.
  7. Vehicular approaches to the property shall be designed so as not to create an interference with traffic on surrounding public streets or roads.
  8. In a residential district, only incidental retail uses such as a snack bar, shall be permitted as an accessory use to a public or private recreation facility. Such facility shall be provided for the convenience of customers attending the public or private recreation facility and no sign advertising the retail use shall be permitted.
  9. Swimming pools shall comply with the following additional requirements:
    - a) Pools shall be adequately fenced to prohibit unauthorized access to the facility.
    - b) Pools and their enclosures shall comply with the building setback requirements set forth in Schedule 450.4.
    - c) The enclosure required in subsection 9.a) above shall be kept locked at all times the pool is not in use.
    - d) The Board of Zoning Appeals may limit the maximum lot coverage of related buildings and lounging/deck areas.
  10. Golf courses, including tees, fairways, greens and golf driving ranges shall be designed and landscaped in such a manner as to reasonably prevent a golf ball from landing out of the golf course.
  11. Campsites in a campground shall comply with the building setback set forth in Schedule 450.4.
- Q. Parking area for a lot in an adjacent commercial district: A lot in a residential district may be permitted as a conditional use to be utilized for accessory parking area for an adjacent nonresidential use in compliance with the following:
1. The adjacent lot is in a commercial zoning district and the existing use(s) on such adjacent lot is permitted by right or conditionally permitted in an adjoining commercial district,
  2. The applicant shall demonstrate that existing parking conditions on the adjacent lot do not meet the parking needs of the permitted or

conditional use and are less than what is currently required by Chapter 520.

3. The residential lot on which the accessory parking area is proposed shall adjoin at least 100 feet of the lot in the commercial district.
4. Any such accessory parking area on a residential lot shall be used solely for the parking of passenger vehicles and no commercial repair work, service or overnight storage of fleet vehicles shall be permitted.
5. No sign of any kind, other than those designating entrances, exits, and conditions of use shall be maintained on such parking lot and no charge shall be made for parking.
6. Entrances and exits shall be located at least 25 feet from any lot line that abuts a lot in the residential district.

R. Public safety facility.

1. Facilities shall be limited to structures that are essential for the distribution of services to the local area.
2. Outdoor storage of fleet vehicles used in the operation of the facility may be permitted provided such storage areas are located in the rear yard in compliance with the building setback requirements and are screened in accordance with Chapter 530.
3. The areas devoted to the outdoor storage of fleet vehicles shall be enclosed with a fence six (6) feet in height. Such fence shall be screened according to the requirements of Chapter 530.

S. Research and testing laboratories:

1. The building setback for such establishment shall be located a minimum of 150 ft from any residential district and the minimum parking setback shall be 50 ft.
2. Uses that employ hazardous materials as defined and classified in the H-1, H-2, H-3 and H-4 Use Groups in Chapter 3 of the Ohio Basic Building Code shall be specifically prohibited.

T. Restaurants.

1. A restaurant may be permitted in an O District, provided that the lot area shall be adequate to accommodate the required off-street parking.
2. The design of the structure and any signage shall be visually compatible with the surrounding area as determined by the Board of Zoning Appeals.

3. All access drives shall be located as far as practicable from an existing intersection in order to maximize traffic safety and minimize congestion and constricted turning movements.
4. The applicant shall demonstrate to the satisfaction of the Board of Zoning Appeals that the development will have minimal impact on traffic in adjacent residential areas.

U. Self-Service Storage Facility.

Such uses subject to the following conditions:

1. Maximum size of individual storage spaces shall be limited to 750 square feet.
2. Such uses should be located on an arterial street adjacent to non-residential uses or in sparsely settled residential areas.
3. The Medina Fire Department and the Montville Police Department shall be provided with 24-hour access to the grounds. A lock box shall be provided for their use.
4. The leases for all self-storage units shall include clauses prohibiting the following:
  - a) The storage of hazardous substances as defined in Chapter 210 Definitions of the Zoning Resolution.
  - b) The use of property for uses other than dead storage.
  - c) Outdoor storage pursuant to Section 430.10.C.4.
5. Paved, off-street parking and service areas shall be required. All parking and service areas shall be paved with concrete, asphalt or equivalent. One parking space for every ten (10) individual storage units distributed equally throughout the storage area.
6. The following is prohibited:
  - a) Auctions other than the disposal of unit contents, commercial, wholesale, or retail sales, or miscellaneous or garage sales;
  - b) The servicing, repair, or fabrication of motor vehicles, boats, trailers, lawnmowers, appliances, or other similar equipment.  
(Effective June 22, 2006)

V. Veterinary clinic.

1. The building setback for such establishment shall be located a minimum of 100 ft from a residential district and minimum parking setback shall be 50 ft.

2. There shall be no outside runs or kennels associated with the veterinary office.
3. The boarding of animals shall be restricted to short-term overnight lodging only as necessary for animals receiving medical attention.
4. Odor and noise shall be adequately controlled to ensure that animals do not create a nuisance.
5. No animals shall be buried on the premises and incineration shall not create odors or smoke off the premises.