

ZONING ORDINANCES
FOR
THE VILLAGE OF METAMORA
FULTON COUNTY, OHIO



Metamora, Ohio

2026 UPDATE

Passed by Council 6/1/26

2026 Village Officials

**Mayor, Cathy Mossing
Administrator, Keith Torbet**

Council:

Lynda Arquette
Gary Loar
Lee Ann Miller
John Pupos
Karen Siefker
Sandy Witt

2026 Zoning Ordinance Review Committee

Nicki Loeffler-Clark
Gary Loar
Lee Ann Miller
Cathy Mossing
Gail Northcott
Cindi Pawlaczyk
John Pupos
Karen Siefker
Keith Torbet
Jeff Truckor
Sandy Witt
Bryce Young
Jacob Barnes, Zoning Solutions (Consultant)

Rules and regulations for Zoning in the Village of Metamora, Fulton County, Ohio.

Adopted by:
Village of Metamora
114 East Main Street
Metamora, Ohio 43540
Phone: 419-644-2051
www.metamoraohio.org

TABLE OF CONTENTS

		<u>PAGE</u>
SECTION 1	GENERAL PROVISIONS	1 - 1
Section 100	Title	1 - 1
Section 101	Purpose	1 - 1
Section 102	Interpretation and Relationship to Other Regulations	1 - 1
Section 103	Severability	1 - 1
Section 104	Repeal of Conflicting Ordinances	1 - 2
Section 105	Effective Date	1 - 2
Section 106	Area of Jurisdiction	1 - 2
SECTION 2	APPLICABILITY	2 - 1
Section 200	General Applicability of Zoning Ordinance	2 - 1
Section 201	Agriculture	2 - 1
Section 202	Public Utilities	2 - 2
Section 203	Exceptions	2 - 2
Section 204	Special Height Requirements	2 - 2
SECTION 3	OFFICIAL ZONING MAP	3 - 1
Section 300	Official Zoning Map	3 - 1
Section 301	District Boundaries	3 - 1
Section 302	Establishment of Zoning Districts	3 - 2
SECTION 4	VERY LOW DENSITY RESIDENTIAL DISTRICT (R-1)	4 - 1
Section 400	Purpose	4 - 1
Section 401	Permitted Uses	4 - 1
Section 402	Conditional Uses	4 - 1
Section 403	Development Standards	4 - 1
SECTION 5	LOW DENSITY RESIDENTIAL DISTRICT (R-2)	5 - 1
Section 500	Purpose	5 - 1
Section 501	Permitted Uses	5 - 1
Section 502	Conditional Uses	5 - 1
Section 503	Development Standards	5 - 1
SECTION 6	MEDIUM DENSITY RESIDENTIAL DISTRICT (R-3)	6 - 1
Section 600	Purpose	6 - 1
Section 601	Permitted Uses	6 - 1
Section 602	Conditional Uses	6 - 1
Section 603	Development Standards	6 - 1

TABLE OF CONTENTS

		<u>PAGE</u>
SECTION 7	SPECIAL DISTRICT (S-1)	7 - 1
Section 700	Purpose	7 - 1
Section 701	Permitted Uses	7 - 1
Section 702	Conditional Uses	7 - 1
Section 703	Development Standards	7 - 1
SECTION 8	PLANNED UNIT DEVELOPMENT (PUD)	8 - 1
Section 800	Purpose	8 - 1
Section 801	Description	8 - 1
Section 802	Procedure	8 - 1
Section 803	Additional Information	8 - 3
Section 804	Development Standards	8 - 3
SECTION 9	CENTRAL BUSINESS DISTRICT (B-1)	9 - 1
Section 900	Purpose	9 - 1
Section 901	Permitted Uses	9 - 1
Section 902	Conditional Uses	9 - 1
Section 903	Development Standards	9 - 1
SECTION 10	GENERAL BUSINESS DISTRICT (B-2)	10 - 1
Section 1000	Purpose	10 - 1
Section 1001	Permitted Uses	10 - 1
Section 1002	Conditional Uses	10 - 1
Section 1003	Development Standards	10 - 1
SECTION 11	LIGHT INDUSTRIAL DISTRICT (M-1)	11 - 1
Section 1100	Purpose	11 - 1
Section 1101	Permitted Uses	11 - 1
Section 1102	Conditional Uses	11 - 1
Section 1103	Development Standards	11 - 1
SECTION 12	GENERAL INDUSTRIAL DISTRICT (M-2)	12 - 1
Section 1200	Purpose	12 - 1
Section 1201	Permitted Uses	12 - 1
Section 1202	Conditional Uses	12 - 1
Section 1203	Development Standards	12 - 2

TABLE OF CONTENTS

		<u>PAGE</u>
SECTION 13	PLANNED INDUSTRIAL/BUSINESS PARK (M-3)	13 - 1
Section 1300	Purpose	13 - 1
Section 1301	Permitted Uses	13 - 1
Section 1302	Conditional Uses	13 - 1
Section 1303	Development Standards	13 - 2
SECTION 14	SUPPLEMENTAL REGULATIONS	14 - 1
Section 1400	General	14 - 1
Section 1401	Accessory Building or Structure	14 - 1
Section 1402	Architectural Projections	14 - 2
Section 1403	Fences	14 - 3
Section 1404	Home Occupations/Home-Based Business	14 - 4
Section 1405	More Than One Principal Building	14 - 5
Section 1406	Noise	14 - 5
Section 1407	Ponds	14 - 5
Section 1408	Nuisance	14 - 5
Section 1409	Satellite Dish Antennas	14 - 5
Section 1410	Supplemental Yard Regulations	14 - 6
Section 1411	Swimming Pools	14 - 8
Section 1412	Telecommunication Tower	14 - 9
Section 1413	Temporary Buildings and Uses	14 - 10
Section 1414	Yard/Garage Sales	14 - 10
Section 1415	Motor Vehicle Salvage Yards	14 - 11
Section 1416	Private Sports Courts	14 - 11
Section 1417	Self Storage Facilities	14 - 12
Section 1418	Filling of Land	14 - 13
Section 1419	Sexually Oriented Business	14 - 13
Section 1420	Lawn/Tree Service	14 - 14
Section 1421	Parking of Recreational Vehicles and Utility Equipment	14 - 14
Section 1422	Open Storage and Display of Material and Equipment	14 - 15
Section 1423	Solid Waste	14 - 15
Section 1424	Demolition and Disposal of Structures	14 - 15
Section 1425	Small Wind Turbines	14 - 16
Section 1426	Small Solar Facilities	14 - 19
Section 1427	Advanced Manufacturing	14 - 26
Section 1428	Marijuana	14 - 29
Section 1429	Conversion of Dwelling	14 - 29

TABLE OF CONTENTS

		<u>PAGE</u>
SECTION 15	NON-CONFORMITY	15 - 1
Section 1500	Purpose	15 - 1
Section 1501	Non-Conforming Lots of Record	15 - 1
Section 1502	Non-Conforming Use of Land	15 - 2
Section 1503	Non-Conforming Buildings and Structures	15 - 3
Section 1504	Prior Zoning Approvals	15 - 3
Section 1505	Repairs and Maintenance	15 - 3
Section 1506	Moving a Non-Conforming Structure	15 - 3
SECTION 16	SIGNS AND OUTDOOR ADVERTISING	16 - 1
Section 1600	Purpose	16 - 1
Section 1601	Definitions	16 - 1
Section 1602	General Provisions	16 - 4
Section 1603	Prohibited Signs	16 - 6
Section 1604	Exemptions	16 - 8
Section 1605	Off-Premise Sign	16 - 10
Section 1606	Signs in Residential Districts	16 - 10
Section 1607	Signs in Commercial and Industrial Districts	16 - 11
SECTION 17	SITE PLAN REVIEW	17 - 1
Section 1700	Purpose	17 - 1
Section 1701	Application	17 - 1
Section 1702	Requirements	17 - 1
Section 1703	Approval Procedure	17 - 4
Section 1704	Expiration & Extension of Site Plan Approval	17 - 4
SECTION 18	LANDSCAPING REQUIREMENTS	18 - 1
Section 1800	Purpose	18 - 1
Section 1801	Requirements	18 - 1
Section 1802	Plant Material Specifications	18 - 3
Section 1803	Maintenance and Replacement Requirements	18 - 5
SECTION 19	PARKING GUIDELINES	19 - 1
Section 1900	General Parking Requirements	19 - 1
Section 1901	Off-Street Parking Design Standards	19 - 1
Section 1902	Determination of Required Spaces	19 - 4
Section 1903	Parking Space Requirements (by use)	19 - 5
Section 1904	Off-Street Areas with Drive-Up/Drive-Thru Service	19 - 8
Section 1905	Driveways and Curb Cuts	19 - 8

TABLE OF CONTENTS

	<u>PAGE</u>
Section 1906 Private Approaches and Driveways	19 - 8
Section 1907 Access for Fire Protection	19 - 9
 SECTION 20	
PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USES	20 - 1
Section 2000 Procedure	20 - 1
Section 2001 Application for Conditional Use	20 - 1
Section 2002 General Standards for Conditional Uses	20 - 3
Section 2003 Supplementary Conditions	20 - 4
Section 2004 Public Hearing	20 - 4
Section 2005 Action by Village Council	20 - 4
Section 2006 Public Information	20 - 5
Section 2007 Fees	20 - 5
Section 2008 Determination of Similar Uses	20 - 5
Section 2009 Expiration of Conditional Use	20 - 5
 SECTION 21	
ZONING CHANGES AND TEXT AMENDMENTS	21 - 1
Section 2100 Authority	21 - 1
Section 2101 Procedures	21 - 1
Section 2102 Application and Fees	21 - 1
Section 2103 Hearing and Notice	21 - 1
Section 2104 Planning Commission Review	21 - 2
Section 2105 Public Hearing and Notice by the Village	21 - 2
Section 2106 Action by the Village	21 - 3
Section 2107 Effective Date and Referendum	21 - 3
 SECTION 22	
ENFORCEMENT	22 - 1
Section 2200 Zoning Inspector	22 - 1
Section 2201 Zoning Permit Required	22 - 1
Section 2202 Approval of Zoning Permit	22 - 2
Section 2203 Enforcement and Penalties	22 - 2
Section 2204 Schedule of Fees, Charges, and Expenses	22 - 4
 SECTION 23	
PLANNING COMMISSION	23 - 1
Section 2300 Establishment	23 - 1
Section 2301 Organization	23 - 1
Section 2302 Quorum	23 - 1
Section 2303 Powers	23 - 1
Section 2304 Employment of Consultants	23 - 1

TABLE OF CONTENTS

	<u>PAGE</u>
Section 2305 Access to Property	23 - 2
Section 2306 Planning Commission Approval Required	23 - 2
SECTION 24 BOARD OF ZONING APPEALS	24 - 1
Section 2400 Village of Metamora Board of Zoning Appeals	24 - 1
Section 2401 Meetings	24 - 1
Section 2402 Quorum	24 - 2
Section 2403 Duties of the Board of Zoning Appeals	24 - 2
Section 2404 Appeal Requirements	24 - 3
Section 2405 Requirements for a Variance Request and Approval	24 - 3
Section 2406 Conditions of Approval	24 - 4
Section 2407 Applications	24 - 4
Section 2408 Public Hearing and Notice	24 - 5
Section 2409 Appeal to Court	24 - 5
Section 2409 Lapse of Variances	24 - 5
SECTION 25 DEFINITIONS	25 - 1
Section 2500 Definitions	25 - 1
APPENDIX A ZONING MAP	

SECTION 1 GENERAL PROVISIONS

100 TITLE

This document shall be known as and may be cited to as the "Zoning Ordinances" of the Village of Metamora and is referred to herein as the "Ordinance."

101 PURPOSE

The purpose of this Ordinance is to promote the public health, safety, and general welfare (where permitted) of the residents of the Village of Metamora. This Ordinance shall serve the general good of the community, protect property values, and secure the most appropriate use of land in the Village.

102 INTERPRETATION AND RELATIONSHIP TO OTHER REGULATIONS

The interpretation and application of any provisions of this Ordinance shall be held to be the minimum requirements, adopted for the promotion of public health, safety, and general welfare (where permitted). When the requirements of this Ordinance conflict with the requirements of any other lawfully adopted rules, regulation, or Ordinances, the most restrictive requirements imposing the higher standards shall apply. For the purposes of these regulations, certain terms or words used herein shall be interpreted as follows:

- a. The word "person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual.
- b. The word "building" includes the word "structure."
- c. The word "shall" is a mandatory requirement, the word "may" is a permissive requirement, and the word "should" is a preferred requirement.
- d. The word "lot" includes the words "plot" or "parcel."
- e. The words "used" or "occupied" include the words "intended, designed, or arranged to be used or occupied."

103 SEVERABILITY

If this Ordinance, or any section of this Ordinance, is declared by a court to be unconstitutional or invalid, such a decision shall not affect the validity of this Ordinance as a whole, or any other parts thereof, other than the part declared unconstitutional or invalid; in the event of such a declaration, then the applicable provision of the prior Zoning Ordinance is hereby re-instated.

104 REPEAL OF CONFLICTING ORDINANCES

All Ordinances in conflict with this Ordinance, or inconsistent with the provisions of the Ordinance, are hereby repealed to the extent necessary to give this Ordinance full force and effect.

105 EFFECTIVE DATE

This Ordinance shall become effective from the date of its approval and adoption by Village Council.

106 AREA OF JURISDICTION

The provisions of this Ordinance apply to all incorporated areas of the Village of Metamora, Fulton County, Ohio.

SECTION 2 APPLICABILITY

200 GENERAL APPLICABILITY OF ZONING ORDINANCE

No structure shall be placed upon or moved onto land and/or constructed, reconstructed, enlarged, or structurally altered, nor shall any building or land be used or occupied in a manner which does not comply with the District Regulations established by this Ordinance for the District in which the building, structure, and/or land is located.

200.01 Lot Size Requirements and the Subdivision of Land

No lot or lot of land held under one ownership, with or without a building, at the time this Ordinance became effective, shall be reduced or subdivided in any manner below the minimum lot width and lot area required by this Ordinance. No lot(s) shall be built on unless the lot has frontage along a public street or private street.

200.02 Location of Uses on a Single Lot

Unless otherwise specifically allowed in Supplemental Regulations, every principal building whether presently existing or hereafter constructed, relocated, or structurally altered shall be located on a single lot of record. Only one principal building per lot of record shall be permitted.

200.03 Reductions in Yard Requirements

No building may be enlarged which would result in decreasing a yard's setback below the minimum requirements of the applicable zoning district.

200.04 Unsafe Buildings

Nothing in this Ordinance shall prevent the strengthening, or restoring to a safe condition, any structure, or part thereof declared unsafe by a proper authority.

200.05 Conversion of Dwellings

The conversion of any structure into a dwelling or the conversion of any dwelling to accommodate an increased number of dwelling units or families, is permitted only in accordance with all requirements of this Ordinance.

200.06 Parking Requirements

No land use may change from one use to another use, without first assuring that sufficient parking can be provided.

201 AGRICULTURE

The use of land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes is only permitted as allowed in this Section. Nothing in this Section prevents agricultural crop farming in the Village from continuing. The breeding, raising or maintaining of farm animals such as horses, pigs, cows, sheep, goats, chickens, and similar livestock is not permitted except where specifically allowed by Village Council.

202 PUBLIC UTILITIES

This Ordinance does not regulate the location, construction, reconstruction, removal, use or enlargement of any buildings or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad, for the operation of its business. This Ordinance does require that site plans including building setbacks, parking and landscaping be reviewed in accordance with the Site Plan Review regulations.

203 EXCEPTIONS

Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties or unnecessary hardships in carrying out the strict letter of this Ordinance providing such exception is in harmony with the general purpose and intent of the Ordinance and in accordance with the procedures and provisions specified in Section 24 – Board of Zoning Appeals. Hardship shall be based on physical limitations of the land or structures and does not encompass financial considerations.

204 SPECIAL HEIGHT REQUIREMENTS

Any structure over fifty (50') feet in height shall require review by the Village and shall comply with any applicable FAA requirements.

SECTION 3 PROVISIONS FOR OFFICIAL ZONING MAP

300 OFFICIAL ZONING MAP

The location and boundaries of zoning districts are shown on the map titled “The Official Village of Metamora Zoning Map.” A certified copy of this map is on file at the Village of Metamora Hall, on the Village website, and is hereby declared to be a part of this Ordinance. The Official Zoning Map is located at the end of this Section.

301 DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the Zoning Map, the following rules shall apply:

301.01 Parallel District Boundaries

Where district boundaries appear to be approximately parallel to the center lines or street lines of the streets, or the center lines or right-of-way lines of highways, such district boundaries shall be construed as parallel thereto and at such distance therefrom as indicated on the official Zoning Map. If no distance is given, such dimensions shall be determined using the scale shown on the Official Zoning Map.

301.02 Lot Lines, Railroad Lines, and Waterways

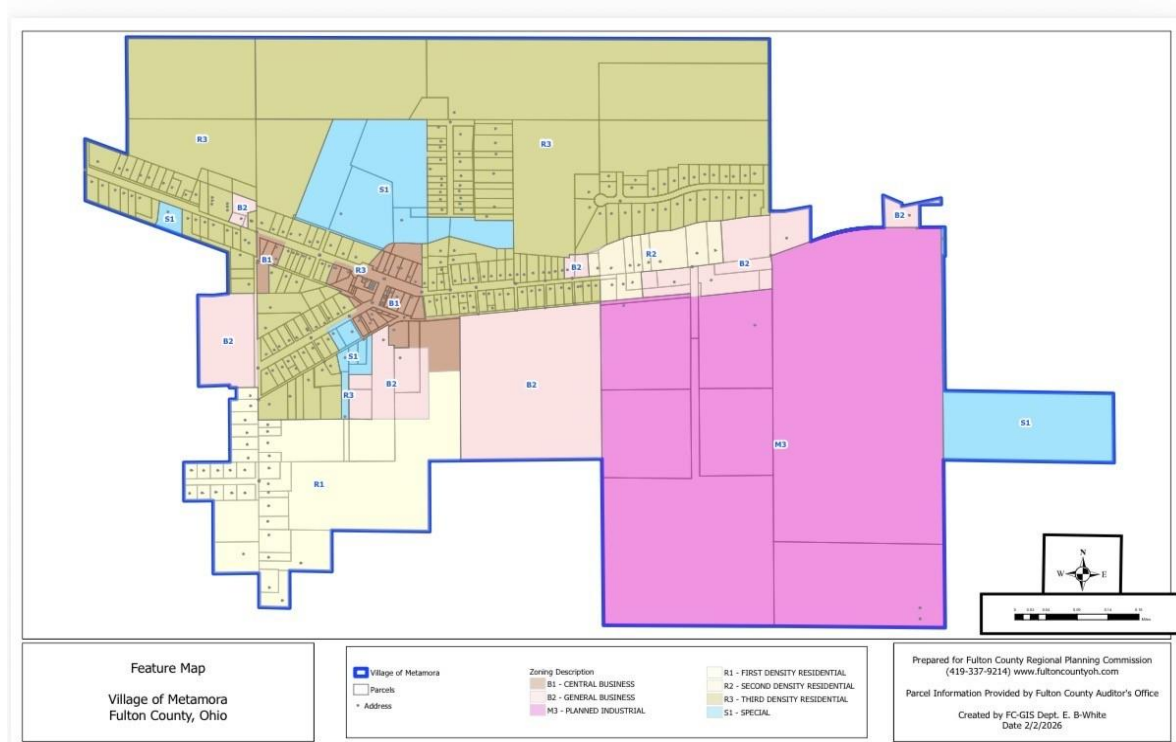
Where district boundaries approximately follow lot lines, such lot lines shall be construed as a boundary of a zoning district. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line. Where the boundary of a district follows (or is parallel with) a waterway, such boundary shall be deemed to be located in the middle of the waterway.

301.03 Interpretation by Zoning Board of Appeals

Any questions of interpretation of the Official Zoning Map, which cannot otherwise be resolved, shall be referred to the Board of Zoning Appeals for determination, in accordance with Section 24 – Board of Zoning Appeals.

302 ESTABLISHMENT OF ZONING DISTRICTS

For the purpose of regulating and restricting the location of buildings, structures and land use, the Village of Metamora is divided into zoning districts as shown on the Official Zoning Map. These districts include the following and may be illustrated on the Official Zoning Map.



Official 2026 Zoning Map

ZONING DISTRICTS

- R-1** Very Low Density Residential District
- R-2** Low Density Residential District
- R-3** Medium Density Residential District
- S-1** Special District
- PUD** Planned Unit Development
- B-1** Central Business District
- B-2** General Business District
- M-1** Light Industrial District
- M-2** General Industrial District
- M-3** Planned Industrial/Business Park

SECTION 4

VERY LOW DENSITY RESIDENTIAL DISTRICT (R-1)

400 PURPOSE

The purpose of the Very Low Density Residential (R-1) District is to provide areas for low density single-family residential dwellings and agricultural uses in the Village of Metamora. Single-family dwellings in this district are typically located on larger single-family parcels in the Village.

401 PERMITTED USES

The following uses are permitted in the R-1 District. See Section 14 for additional information.

Accessory uses and structures
Dwelling, single-family
Home Occupation
Permanently Sited Manufactured Home
Public Uses

402 CONDITIONAL USES

The following use(s) may be approved in accordance with Section 20 – Procedures and Requirements for Conditional Uses:

Assisted Living facility
Bed & Breakfast
Cemetery
Church or place of worship
Group Living
Home Based Business
Recreational Facility, Indoor or Outdoor
Telecommunication Tower (See Section 1412)

403 DEVELOPMENT STANDARDS

All buildings, structures, lots, and land uses within the R-1 District must meet the requirements of Section 14 – Supplemental Regulations, and the following standards:

403.01 Height Limits

No structure shall be constructed or enlarged to exceed thirty-five (35') feet in height from grade.

403.02 Area Requirements

All lots shall meet the following area, coverage, and yard requirements:

Lot Area: Fifteen thousand square (15,000') feet.

Lot Width: One hundred (100') feet measured at the right-of-way.

Front Yard: Forty (40') feet

Side Yard: Fifteen (15') feet

Rear Yard: Forty (40') feet

403.03 Minimum floor area requirement for all dwellings:

1500 sq. ft. for a single-family dwelling
24' minimum width

SECTION 5

LOW DENSITY RESIDENTIAL DISTRICT (R-2)

500 PURPOSE

The Low Density Residential District (R-2) is established to provide for medium density single-family dwellings in the Village. Parcels in this District typically have public water and sewers.

501 PERMITTED USES

The following uses are permitted in the R-2 District. See Section 14 for additional information.

Accessory uses and structures
Dwelling, single-family
Home Occupation
Permanently Sited Manufactured Home

502 CONDITIONAL USES

The following uses may be approved pursuant to Section 20 – Procedures and Requirements for Conditional Uses:

Church or place of worship
Group Living
Home Based Business
Telecommunication Tower

503 DEVELOPMENT STANDARDS

All buildings, structures, lots, and land uses within the R-2 District must meet the requirements of Section 14 – Supplemental Regulations and the following standards:

503.01 Height Limits

No structure shall be constructed or enlarged to exceed thirty-five (35') feet in height from grade.

503.02 Area Requirements

All lots shall meet the following minimum requirements:

Lot Area: Ten thousand square (10,000') feet.

Lot Width: Eighty (80') feet measured at the right-of-way.

Front Yard: Thirty (30') feet

Side Yard: Ten (10') feet

Rear Yard: Thirty (30') feet

503.05 Minimum floor area requirement for all dwellings:

1000 sq. ft. for a single-family dwelling
24' minimum width

SECTION 6

MEDIUM DENSITY RESIDENTIAL DISTRICT (R-3)

600 PURPOSE

The purpose of the Medium Residential District (R-3) is to provide areas for single and two-family dwellings in the Village.

601 PERMITTED USES

The following uses are permitted in the R-3 District. See Section 14 for additional information.

Accessory uses and accessory structures
Dwelling, single-family
Dwelling, two-family
Home Occupation
Permanently Sited Manufactured Home

602 CONDITIONAL USES

The following uses may be approved pursuant to Section 20- Procedures and Requirements for Conditional Uses:

Conversion of Dwelling
Dwelling, multi-family
Group Home
Telecommunication tower

603 DEVELOPMENT STANDARDS

All buildings, structures, lots, and land uses within the R-3 District must meet the requirements of Section 14 - Supplemental Regulations, and the following development standards:

603.01 Height Limits

No structure shall be erected or enlarged to exceed thirty-five (35') feet in height from grade.

603.02 Area Requirements

All lots shall have the following minimum requirements:

Lot Area: Seven thousand five hundred square (7,500') feet.
 (single-family)
 Four thousand square (4,000') feet (per family).
 (two-family and multi- family)

Lot Width: Sixty (60') feet measured at the right-of-way.
 (single-family)
 One hundred (120') feet measured at the right-of-way.
 (two-family and multi- family)

Front Yard: Thirty (30') feet

Side Yard: Six (6') feet (single-family)
 Fifteen (15') (multi-family)

Rear Yard: Twenty-five (25') feet

603.03 Minimum Floor Area for all Dwellings:

900 sq. ft. for a single-family dwelling
800 sq. ft. for a two-family unit (per unit)
800 sq. ft. for a two-bedroom apartment (per unit)
650 sq. ft. for a one-bedroom apartment (per unit)

24' minimum width (single-family)

SECTION 7 SPECIAL DISTRICT (S-1)

700 PURPOSE

The S-1 District is a District that provides for public uses in the Village of Metamora. These uses typically serve the entire community.

701 PERMITTED USES

The following uses are permitted in the S-1 District. See Section 14 for additional information.

Public library
Public parks
Public playgrounds
Public schools

702 CONDITIONAL USES

The following uses may be approved pursuant to Section 20- Procedures and Requirements for Conditional Uses:

Cemetery (public/private)
Public Service Facility
Telecommunication Tower

703 DEVELOPMENT STANDARDS

All buildings, structures, lots, and land uses within the S-1 District must meet the requirements of Section 14 – Supplemental Regulations, and the following development standards:

703.01 Height Limits

No structure shall be constructed or enlarged to exceed forty-five (45') feet in height from grade.

703.02 Area Requirements

All lots shall meet the following requirements:

Lot Area: None

Lot Width: Two hundred fifty (250') feet

Front Yard: Sixty (60') feet

Zoning Ordinances
Village of Metamora
Fulton County, Ohio

Side Yard: Thirty (30') feet

Rear Yard: Sixty (60') feet

SECTION 8

PLANNED UNIT DEVELOPMENT (PUD)

800 PURPOSE

The Planned Unit Development (PUD) is a voluntary procedure that provides an overlay zoning district that is intended to encourage innovative design, conservation of significant natural features, consolidation of open space and provides for a combination of uses with an integrated design. The Planned Unit Development allows greater design flexibility so that natural features and open space may be preserved and enhanced, and development concentrated in a coordinated and efficient manner.

801 DESCRIPTION

The Planned Unit Development may be a residential, commercial, or industrial development or may be a combination of uses with no minimum site area required. Where a combination of uses is proposed, a maximum of twenty-five (25%) percent of the total acreage may be developed with uses not permitted in the underlying zoning district. Signs for uses developed pursuant to the 25% provision shall conform to the district in which the use is permitted and subject to Section 16 – Signs and Outdoor Advertising.

802 PROCEDURE

The Planned Unit Development shall be submitted and processed pursuant to Section 21 – Zoning Changes and Text Amendments. The applicant shall submit a “Request for Zoning Change” application, the development plan, and PDF Files along with the required application fee. The application shall include the following:

802.01 General Information

- A.** Name, address, phone number, and e-mail address of the applicant;
- B.** Name, address, and phone number of registered surveyor, engineer and/or landscape architect who prepared the plan;
- C.** Legal description of the property;
- D.** Present use of the property;
- E.** Conceptual overview of the development;
- F.** Proposed provision of utilities;

- G. Proposed ownership and maintenance of common open space;
- H. Anticipated timing and phasing of the development.
- I. A conceptual landscape plan is required upon submittal to the Planning Commission.

802.02 Development Plan Information

- A. A vicinity/project location map;
- B. Location, type, and density of development types;
- C. Conceptual drainage plan;
- D. Location and amount of open space(s);
- E. Gross lot acreage, net lot acreage, maximum allowable density, proposed density with calculations indicated;
- F. Maximum site coverage (not required for detached single-family PUD's)
- G. Topography at two-foot contour intervals;
- H. Existing features of the development site, including major wooded areas, streets, easements, utility lines, and land uses;
- I. Street layout and names along with sidewalk/pedestrian walkway locations.
- J. Existing buildings to remain or to be removed, and if the existing buildings remain, indicate proposed use;
- K. All proposed signs excluding street signs;
- L. Proposed method of street lighting;
- M. Landscape material to be used, and proposed locations;
- N. Location, area, and dimensions of all lots, setbacks, and building envelopes;
- O. Required number of parking spaces, and number of spaces proposed.
- P. Development plan shall illustrate existing natural land features.

803 ADDITIONAL INFORMATION

The Village Council, Planning Commission, and/or Zoning Inspector may require additional information such as professionally prepared maps, studies or reports including environmental assessments and/or traffic impact studies for the development. The expense for this information is the responsibility of the applicant.

Open Space is defined as:

- A.** Any land area designated in any type of land use or site plan, exclusive of streets, rights of way and buffer zones, which provide for park, playground, school, recreational or similar public purposes, scenic resources and/or historical sites, or
- B.** Any land area in which the preservation in its present use would:
 - 1.** Conserve and enhance natural or scenic resources;
 - 2.** Protect streams or water supply;
 - 3.** Promote conservation of soils, wetlands, or tidal marshes;
 - 4.** Enhance the value to the public of abutting or neighboring parks, forest, wildlife preserves, nature reservations or sanctuaries or other open space;
 - 5.** Enhance recreation opportunities;

804 DEVELOPMENT STANDARDS

804.01 General

- A.** The development shall be in conformance with the goals & objectives of the Village of Metamora Comprehensive Plan and Zoning Ordinances;
- B.** The development shall be compatible with the proposed and existing surrounding land uses;

- C. The arrangement of land uses and buildings on the site integrate the topography, natural features, views, traffic access and the arrangement of usable common open space.

804.02

Specific – Residential

- A. The maximum number of dwelling units (DU's) permitted for the site is listed in the districts below. An additional dwelling unit is permitted in each district subject to each additional acre provided within the Planned Unit Development as common and consolidated open space. Consolidated open space may include recreation areas, ponds/lakes, and natural areas.

<u>R-1 District</u>	4 DU for every one acre of land (gross)
<u>R-2 District</u>	6 DU for every one acre of land (gross)
<u>R-3 District</u>	9 DU for every one acre of land (gross)

- B. No more than sixty (60%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway pavement, and parking area pavement;
- C. No less than fifteen (15%) percent of the gross site acreage, none of which is part of any yard or perimeter open space, shall be allocated to usable, accessible and consolidated, common open space and may be allocated on a plat-by-plat basis;
- a. Fifty (50%) percent of the water surface of a retention pond may be counted towards the requirement for 25% percent useable, accessible, and consolidated open space under the following conditions:
1. It is filled with water year-round.
 2. There is an access area for the pond at least 70 feet wide at the waterfront. It will be connected to an internal subdivision road so that residents that don't live around the pond can access it.

3. The access area may be separated from the private lots around the pond by means of a permanent landscape feature such as bollards, fencing, low stone walls etc. so it is clear it is a common lot.
 4. Provide at least one feature in the access area such as fishing docks, gravel paths or a gazebo to increase enjoyment of the pond.
- b. Useable accessible and consolidated open space quality requirements:
1. It must be accessible by all residents of the subdivision.
 2. It must have at least two amenities such as a gravel or paved walking trail, gazebo, birdhouse, benches, playground, community building, tennis court, community pool etc.
 3. Other than desired buffering from the major road artery of the subdivision the open space should be concentrated for maximum usability.
 4. The open space is separated from the private lots around it by means of a permanent landscape feature such as bollards, fencing, low stone walls etc. so it is clear it is open space.
 5. Areas in the floodway do not count towards useable, accessible, and consolidated open space.
 6. Cemeteries do not count towards useable, accessible, and consolidated open space.
 7. Dry detention ponds cannot count towards the requirement for 25% percent useable, accessible, and consolidated open space.

8. Easements for hazardous materials such as natural gas and oil pipelines that are usable for passive recreation activity can be counted towards the requirement 15% percent useable, accessible, and consolidated open space.
- D. An open space area void of buildings, structures, parking areas, or other above-ground improvements shall be maintained along all perimeter property lines of the Planned Unit Development as follows:
1. When abutting Residential Districts, an open space perimeter area shall be provided that has a minimum depth equal to the required rear yard setback of the PUD's underlying zoning district;
 2. When a residential area of a Planned Unit Development abuts a Non-residential District, an open space perimeter area shall be provided that has a minimum depth of fifty (50') feet.
- E. Building height shall be in accordance with the underlying zoning.
- F. There may be no minimum lot size, lot-width, building or structure setback requirements except as provided in Section 804.
- G. Telephone, electrical, cable, and other utility appurtenances shall be sufficiently screened.
- H. Perimeter landscaping is required for all Planned Unit Developments.
1. This landscaping must be sufficient to supply screening and include a mix of evergreen and deciduous trees and shrubs.

2. Buffering at the main road/entrance to a subdivision to a depth of 25 feet off the road is considered part of the required perimeter landscaping not the required 15% usable consolidated open space. If amenities such as gazebos, benches etc. are added it could be considered part of the required 15% usable consolidated open space on a case-by-case basis.

804.03 Specific – Commercial/Industrial

- A. Commercial/Industrial developments shall be planned with common parking areas and common points of ingress and egress. Parking requirements shall be provided pursuant to Section 19 – Parking Requirements, and the number of spaces required shall be determined by each specific use within the Planned Unit Development;
- B. An open space area void of buildings, structures, parking areas, or other above-ground improvements except fencing shall be maintained on all perimeter property lines of the Planned Unit Development:
 1. A minimum open space depth of 30 feet shall be provided unless a greater setback is required as listed in the underlying zoning district;
 2. A minimum open space distance of fifty (50') feet shall be provided when abutting a Residential District;
- C. No less than ten (10%) percent of the gross lot acreage, (5% of which may be a pond that may not exceed one (1) acre in size), none of which shall be a part of any yard, shall be allocated to usable, accessible, and consolidated, common open space;
- D. No more than fifty (50%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street, driveway, and parking area pavement;
- E. Landscaping or screening for parking shall be required pursuant to Section 18 – Landscaping Requirements;

- F.** There shall be no minimum lot size, lot-width, or building, or structure setback requirements except as provided in Section 804;
- G.** Telephone, electrical, cable, and other utility appurtenances shall be sufficiently screened.

SECTION 9

CENTRAL BUSINESS DISTRICT (B-1)

900 PURPOSE

The purpose of the Central Business District (B-1) is to provide areas of the existing central business district which are structurally sound and functional plus additional areas which are logical for expansion of a unified and compact commercial core. Uses in this District typically provide retail goods and services, not requiring outdoor sales, to the nearby community.

901 PERMITTED USES

The following uses and similar uses as interpreted by the Planning Commission are permitted in the B-1 District. See Section 14 for additional information.

Accessory uses and accessory structures	Personal Service
Bank or financial center	Photo, dance, music studio
Caterer	Professional office
Day care facility	Restaurant
Funeral Home	Veterinary office
Medical/dental office	
Retail sales (less than 5,000 sq. ft. in floor area)	

902 CONDITIONAL USES

The following uses may be approved pursuant to Section 20 – Procedures and Requirements for Conditional Uses:

Automotive sales/repair
Car wash
Church or place of worship
EV charging station
Gasoline sales

903 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the B-1 District shall meet the following minimum development standards. See Section 17 – Site Plan Review.

903.01 Height Limits

No structure shall be constructed or enlarged to exceed forty (40') feet in height from grade.

903.02

Coverage & Setback Requirements

All lots shall meet the following requirements:

Lot Width: None

Lot Area: None

Maximum Lot Coverage: N/A

Front Yard: None

Side Yard: None

Rear Yard: None

SECTION 10

GENERAL BUSINESS DISTRICT (B-2)

1000 PURPOSE

The purpose of the General Business District (B-2) is to provide areas for commercial uses serving a larger area. Parcels in this District are typically located on main arterial streets and are safely accessible to the general public.

1001 PERMITTED USES

The following uses and similar uses as interpreted by the Planning Commission are permitted in the B-2 District. See Section 14 for additional information.

Accessory uses and accessory structures	Gasoline sales
Automobile sales	Hotel/Motel
Automobile service center	Marine sales and service
Bicycle sales	Medical/dental office
Bank and financial center	Movie theater
Bar/lounge/tavern	Personal service
Business school	Professional office
Car wash	Recreation facility
Caterer	Restaurant
Club	Retail Sales
Day care facility	Veterinary hospital
Photo, dance, art, music studio	

1002 CONDITIONAL USES

The following uses may be approved pursuant to Section 20 – Procedures and Requirements for Conditional Uses:

Assisted living facility
Banquet Hall
EV charging station
Funeral home

1003 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the B-2 District shall meet the following minimum development standards. See Section 17 – Site Plan Review.

1003.01 Height Limits

No structure shall be constructed or enlarged to exceed forty (40') feet in height from grade.

1003.02 Coverage & Setback Requirements

All lots shall meet the following requirements:

Lot Area: One (1) acre

Lot Width: One hundred (100') feet

Lot Coverage: Sixty (60%) percent (impervious)

Front Yard: Fifty (50') feet

Side Yard: Twenty (20') feet

Rear Yard: Twenty (20') feet

SECTION 11

LIGHT INDUSTRIAL DISTRICT (M-1)

1100 PURPOSE

The purpose of the Light Industrial District (M-1) is to provide areas for light industrial, mostly indoor uses which are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare, operate entirely within enclosed structures and generate little industrial traffic. Research activities are encouraged. This District is further designed to act as a transitional use between heavy industrial uses and other less intensive business and residential uses. These uses are typically separated from residential uses.

1101 PERMITTED USES

The following uses and similar uses as interpreted by the Planning Commission are permitted in the M-1 District. See Section 14 for additional information.

Accessory uses and accessory structures	Professional office
Electronic equipment manufacture/assembly	Professional/Trade School
Equipment sales & rental	Recreational facility, indoor
Manufacturing, indoor	Research and development facility
Precision instrument manufacture/assembly	Warehousing/Wholesale
Self-Storage Facility	
Lawn/tree service	

1102 CONDITIONAL USES

The following uses may be approved pursuant to Section 20 – Procedures and Requirements for Conditional Uses:

Any use requiring outside storage
Crematorium
EV charging station
Recreational facility, outdoor
Small Solar Facility

1103 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the M-1 District shall meet the following minimum development standards. See Section 17 – Site Plan Review.

1103.01 Height Limit:

No structure shall be constructed or enlarged to exceed forty-five (45') feet in height from grade.

1103.02 Coverage and Setback Requirements

All lots shall meet the following requirements:

Lot Area:	One (1) acre
Lot Width:	One hundred (100') feet
Lot Coverage:	Sixty (60%) percent (impervious)
Front Yard:	Fifty (50') feet
Side Yard:	Twenty (20') feet
Rear Yard:	Thirty (30') feet

SECTION 12

GENERAL INDUSTRIAL DISTRICT (M-2)

1200 PURPOSE

The purpose of the General Industrial District (M-2) is to provide areas for heavy industrial uses. These are typically areas which, because of their access to transportation and community services, and relative isolation from other land uses, provide good sites for most types of general industry. These uses typically are indoor uses but can include outdoor uses as well. The development of major manufacturing, processing, warehousing and major research and testing operations is encouraged. These uses are usually separated from residential uses and commercial uses due to their potential intensity.

1201 PERMITTED USES

The following uses and similar uses as interpreted by the Planning Commission are permitted in the M-2 District. See Section 14 for additional information.

Accessory uses and structures
Assembly of electrical components, instruments, and devices
Building material sales yard (excluding concrete and asphalt production)
Distribution center
Equipment sales & rental
Lumber yard
Machine shop
Manufacturing (indoor)
Professional Office
Plumbing, sheet metal, and woodworking shops
Wholesaling, including the storage, handling, or sale of merchandise to retailers

1202 CONDITIONAL USES

The following uses may be approved pursuant to Section 20 – Procedures and Requirements for Conditional Uses:

Any use requiring outside storage
Asphalt/concrete production
Contractor Yard/Storage
Logging/wood storage
Mineral extraction
Recycle center
Small Solar Facility
Storage lot including automobiles, boats, trucks, and recreational vehicles

Truck repair garage
Truck terminal

1203 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the M-2 District shall meet the following minimum development standards. See Section 17 – Site Plan Review.

1203.01 Height Limits

No structure shall be constructed or enlarged to exceed forty-five (45') feet in height from grade.

1203.02 Coverage & Setback Requirements

All lots shall meet the following requirements:

Lot Area:	One (1) acre
Lot Width:	Two hundred (200') feet
Lot Coverage:	Sixty (60%) percent (impervious)
Front Yard:	Fifty (50') feet
Side Yard:	Thirty (30') feet
Rear Yard:	Forty (40') feet

SECTION 13

PLANNED INDUSTRIAL/BUSINESS PARK DISTRICT (M-3)

1300 PURPOSE

The purpose of the Planned Industrial/Business Park District (M-3) is to provide areas for a mix of industry and business uses that are compatible in a planned park setting. These uses typically are indoor uses but can include outdoor uses as well. The development of major manufacturing, processing, warehousing and major research and testing operations is encouraged. These uses are usually separated from residential uses and commercial uses due to their potential intensity.

1301 PERMITTED USES

The following uses and similar uses as interpreted by the Planning Commission are permitted in the M-3 District. See Section 14 for additional information.

- Accessory uses and structures
- Assembly of electrical components, instruments, and devices
- Distribution center
- Equipment sales & rental
- Hotel/Motel
- Gasoline sales
- Machine shop
- Manufacturing (indoor)
- Professional Office
- Plumbing, sheet metal, and woodworking shops
- Wholesaling and Warehousing

1302 CONDITIONAL USES

The following uses may be approved pursuant to Section 20 – Procedures and Requirements for Conditional Uses:

- Advanced Manufacturing
- Any use requiring outside storage
- Asphalt/concrete production
- Contractor Yard/Storage
- EV charging station
- Sexually Oriented Business
- Small Solar Facility

1303 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the M-3 District shall meet the following minimum development standards. See Section 17 – Site Plan Review.

1203.01 Height Limits

No structure shall be constructed or enlarged to exceed fifty-five (55') feet in height from grade.

1203.02 Coverage & Setback Requirements

All lots shall meet the following requirements:

Lot Area:	One (1) acre
Lot Width:	Two hundred (200') feet
Lot Coverage:	Sixty (60%) percent (impervious)
Front Yard:	Fifty (50') feet
Side Yard:	Thirty (30') feet
Rear Yard:	Forty (40') feet

SECTION 14 SUPPLEMENTAL REGULATIONS

1400 GENERAL

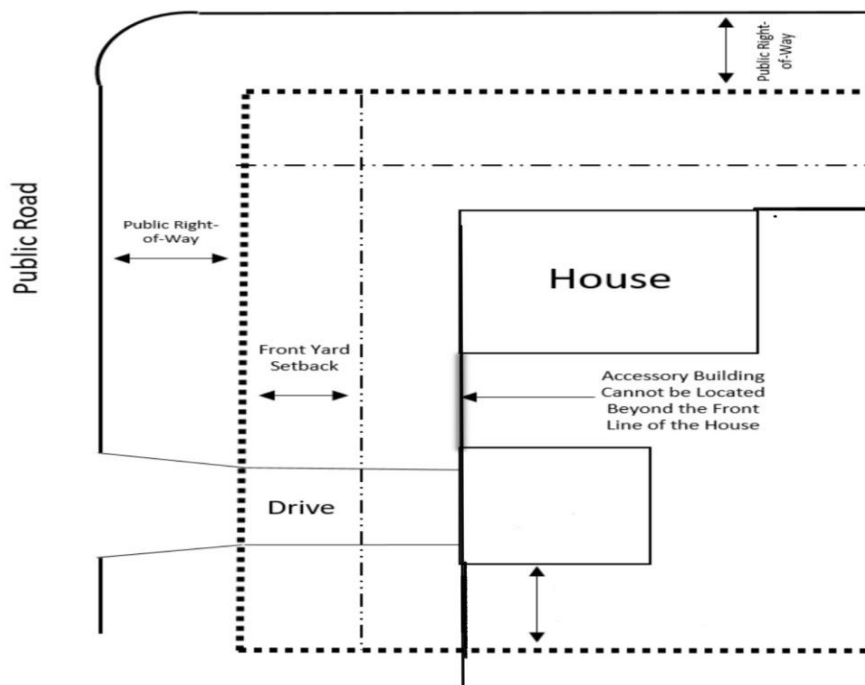
In addition to the Zoning District requirements, the following Supplemental Regulations shall regulate the uses and structures in Village of Metamora.

1401 ACCESSORY BUILDING OR STRUCTURE

An accessory building or structure shall be subject to the following requirements:

1. It shall be located behind or adjacent to the principal building but may not project in front of the principal building.
2. The minimum distance of the accessory building or structure from the principal building shall be ten (10') feet in all residential, commercial, and industrial districts.
3. The minimum distance of the accessory building or structure from any lot line in all districts shall be a minimum distance of five (5') feet and shall not be located within any required planting strip pursuant to Section 17. Where the accessory building is located on a corner lot, it shall not project in front of the principal building from either street. See Diagram 1 below.

DIAGRAM 1



4. In any Residential District, an accessory building shall not exceed twenty-five (25') feet in height or the height of the dwelling, whichever is less.
5. The total square footage for accessory buildings on parcels of less than one (1) acre cannot exceed one thousand (1,000) square feet in any residential district. Total accessory building square footage on parcels over one (1) acre shall not exceed (2,500') square feet in any residential district.
6. No accessory building or structure shall be constructed, reconstructed, or structurally altered nearer to the centerline of the roads listed in Section 1410.04.
7. The dwelling shall be framed, and the roof completed prior to the issuance of an accessory building permit.
8. Outdoor wood-burning stoves/heaters/fire pits are considered accessory structures and must meet the current Ohio and Fire and Building codes.

1402 ARCHITECTURAL PROJECTIONS

1. Cornices, eaves, sills, canopies, window wells, or other similar architectural features (not including vertical projections) may extend or project into the required side yard not more than two (2") inches for each one (1') foot of width of side yard and may extend or project into a required front or rear yard not more than three (3') feet.
2. Chimneys may project into a required yard not more than two (2') feet.
3. Open, unenclosed stairways or balconies, not covered by a roof or canopy, may extend or project into a required rear yard not more than four (4') feet.
4. Open, unenclosed patios, platforms, or decks not covered by a roof or canopy and not extending above the height of the first-floor elevation of the building, may extend or project into a required front yard not more than eight (8') feet and may extend, or project into a required rear yard not more than ten (10') feet.

1403 FENCES

Ornamental fences, plant material, earth mounds, and similar screening devices between the principal building and a street, are permitted in all districts provided that the height of such fence and/or device does not exceed forty-eight (48") inches in height as measured at the adjacent road grade and provided the material is not located within the public right-of-way. Any fence between the building and street shall be decorative in nature. Fences to the rear or to the side of a principal building shall not exceed six (6') feet in height except in Commercial and Industrial Districts in which case, no fence to the rear of the building shall exceed eight (8') feet in height. Motor vehicle salvage yards and sports courts are allowed to have fencing not to exceed ten (10') feet in height. No fence shall create a safety or vision hazard.

1403.01 Fence Placement

Fences may be placed up to a property line with written consent from all abutting property owners. It is the property owner's responsibility to confirm where their property lines are. If there are questions, the property owner is strongly encouraged to hire a professional land surveyor to make that determination. If there are claims that a permitted fence is placed incorrectly in relation to a property line, the matter may be resolved as a civil dispute between property owners. Without the adjoining neighbors written consent, the fence shall be a minimum distance of two (2') feet from the property line.

1403.02 Prohibited Fences

The following types of fencing are prohibited in all zoning districts:

- A. Barbed wire, razor ribbon and similar types except in conjunction with agricultural activities.
- B. Chain-link and/or privacy fences in any front yard area.
- C. Any fence that impedes the view of vehicular traffic or creates any type of safety hazard.
- D. Fencing that is charged or connected with an electrical current, except in conjunction with agricultural activities.

1403.03 Exceptions

The following types of fencing are exempted from the zoning permit process. These fences shall not be located in the right-of-way and shall not cause a safety hazard.

- A. Temporary ornamental/decorative garden and/or landscape fences less than 24" in height.
- B. Temporary snow fence less than forty-eight (48") inches in height.

1404 HOME OCCUPATIONS/HOME BASED BUSINESS

The following Regulations apply to Home Occupations and Home-Based Businesses in residential districts.

A. Home Occupations

Home occupations are allowed in all dwellings in single-family zoned residential districts. They shall be carried on by the resident of the dwelling and shall be clearly incidental and secondary to the use of the dwelling. Home occupations shall not change the external character of the dwelling and/or property, shall not produce a sound that is audible beyond the dwelling, shall not involve the employment of any person(s) other than a resident(s) of such dwelling, and shall not involve the direct sale of commodities and services on the premises. A home occupation may utilize one wall sign not to exceed two (2) square feet with an approved zoning permit.

B. Home-Based Businesses

A property owner may operate a Home-Based Business in the main dwelling or in an accessory building in the R-1 and R-2 Districts with Conditional Use approval from the Board of Zoning Appeals. Home-Based Businesses shall be carried on by the resident of the dwelling and shall be clearly incidental and secondary to the main residential use of the property. These types of businesses may employ up to one individual that does not reside on the premises. Home-based contractors shall comply with this Section and shall not store any items and/or equipment outside when not in use. One wall sign not to exceed six (6) square feet may be permitted with an approved zoning permit. Employee and customer parking locations shall be indicated.

1405 MORE THAN ONE PRINCIPAL BUILDING

No more than one (1) principal building may be located on a single parcel, except for the following uses (when permitted):

Assisted Living Facility	Multiple family dwellings
Church or place of worship	Nursing Home
Manufactured home	Public Use
(In a manufactured home park)	Self-Storage Facilities
School	

1406 NOISE

Noise control will be enforced by local law enforcement in accordance with the applicable Ordinances.

1407 PONDS

Recreational ponds are not permitted in the Village. Small, decorative landscaping ponds less than one-hundred (100) square feet in size which have a maximum depth of twenty-four (24") inches or less are permitted without a zoning permit.

1408 NUISANCE

Please see Chapter 559 of the Village codified ordinances.

1409 SATELLITE DISH ANTENNAS

Any satellite dish antenna that is independently supported in a residential district shall be located toward the rear of the lot, shall be at least 10 feet from any main building, shall have rear and side property line setbacks equal to or greater than the height of the proposed structure, and, in the case of a corner lot, shall not project beyond the front yard required or existing on the adjacent lot. Where a satellite dish antenna is proposed to be independently supported, it shall not exceed 15 feet in height. Where a satellite dish antenna is proposed to be mounted on the roof of a building, it shall not extend more than 15 feet above the highest point of the roof of the building which it serves. In accordance with the Telecommunications Act of 1996, satellite dish antennas with a diameter of one (1) meter (39.37 inches) or less when located in a residential district are exempt from the provisions of the Ordinance.

Satellite dish antennas with a diameter more than one (1) meter (39.37 inches) are permitted in residential districts provided:

1. The satellite dish antenna shall be located toward the rear of the lot, at least ten (10') feet away from the main building, and setback from the rear and side property line a minimum of ten (10') feet.
2. Where a satellite dish antenna is proposed to be independently supported, it shall not exceed fifteen (15') feet above surrounding grade.
3. Where a satellite dish antenna is proposed to be attached to a roof of a building, the maximum height shall not exceed fifteen (15') feet above the highest point of the roof it is located on.

In accordance with the Telecommunications Act of 1996, satellite dish antennas with a diameter of two (2) meters (78.74 inches) or less when located in a Commercial or Industrial District are exempt from the provisions of this Ordinance. Satellite dish antennas with a diameter more than two (2) meters (78.74 inches) are permitted in Commercial and Industrial Districts provided:

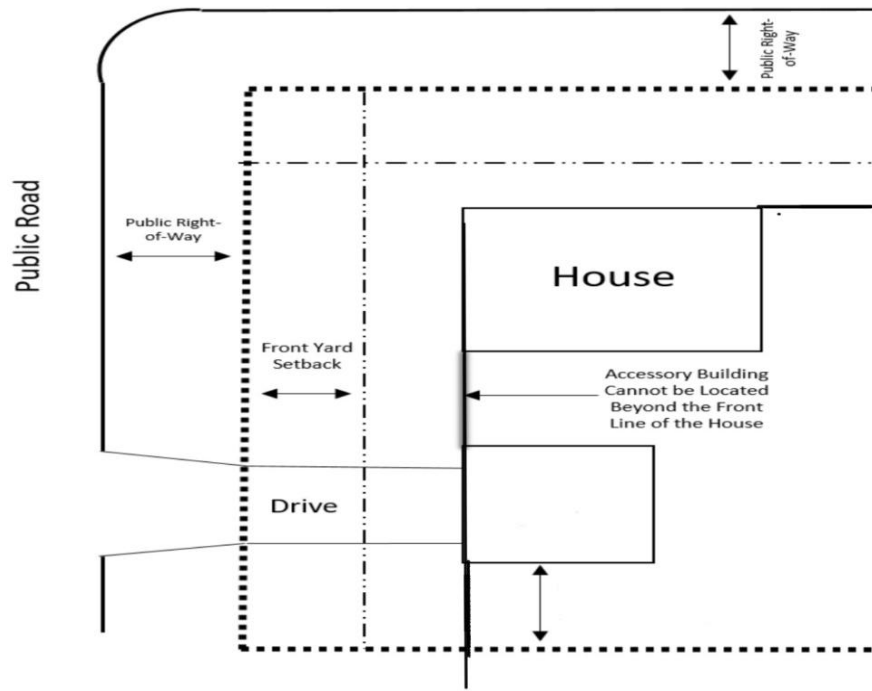
1. The satellite dish antenna shall be located toward the rear of the lot, at least ten (10') feet away from the main building, and setback from the rear and side property line, a minimum of ten (10') feet.
2. Where a satellite dish antenna is proposed to be independently supported, it shall not exceed fifteen (15') feet above surrounding grade.
3. Where a satellite dish antenna is proposed to be attached to a roof of a building, the maximum height shall not exceed fifteen (15') feet above the highest point of the roof it is located on.

1410 SUPPLEMENTAL YARD REGULATIONS

In addition to all yard regulations specified in each Zoning District, the following provisions shall be required as indicated:

1410.01 Setback requirements for Corner Lots

On a corner lot, the principal building and any accessory structures shall be the same setback distance from all right-of-way lines as is required for the front yard setback in the district in which the structures are located.



1410.02 **Visibility at Intersections**

On a corner lot in any zoning district, nothing shall be located, planted or allowed to grow in such a manner as to impede, or restrict vision, between a height of two and one-half (2 ½') feet and ten (10') feet above the center-line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lot, and a straight line joining points along each street's right-of-way lines, which points are located fifty (50') feet from the point of intersection of the right-of-way lines at the corner.

1410.03 **Additional Yard Requirements for Buffering Purposes**

To secure a desirable transition between land zoned for residential purposes and other zoning districts, larger yard setbacks shall be provided on the lot that is not zoned for residential purposes. The additional setback shall be along the lot line(s) that abut land zoned for residential purposes. When property that is zoned commercial abuts residentially zoned property, the yard requirements for that yard adjacent to the residentially zoned property, shall be increased two times the usual required setback.

When industrially zoned property abuts residentially zoned property, the minimum setback shall be 100' from the residentially zoned property. No off-street parking spaces, driveways, aisles, entrances, exits, circulation and maneuvering areas, or internal lanes shall be placed within this required yard.

1410.04 Sidewalks

Sidewalk maintenance shall be the responsibility of the property owner. All sidewalks shall be well maintained and free of safety hazards. Sidewalks shall be cleaned within 24 hours after the conclusion of any snow event producing more than one (1") inch of snow.

1411 SWIMMING POOLS

Outdoor swimming pools are permitted as an accessory use and are regulated as follows:

1411.01 Residential Swimming Pool

Private swimming pools are permitted as an accessory use in any residential zoning district provided the following conditions are met:

- A. The pool shall be used solely for occupants and guests of the principal use of the lot on which the pool is located.
- B. The pool shall not be located closer than ten (10') feet to any lot line and shall be located behind the principal building.
- C. The swimming pool area shall be fenced or walled not less than four (4') feet in height, and the fence or wall shall be maintained. A swimming pool that is at least four (4') feet above grade on all sides shall be secured with a lockable ladder and no fencing shall be required. A motorized cover does not eliminate the need for a secure fence to be installed.

- D. Wading pools, landscape pools, and similar decorative pools which have a maximum depth of twenty-four (24") inches or less are exempt from the provisions of this Section. Hot tubs less than 100 square feet in size are also exempt from the provisions of this section, however, they shall be located to the rear of the home and shall always have a secured cover in place when not in use.

1412 TELECOMMUNICATION TOWER

When a telecommunication tower is planned to be constructed, the procedures indicated therein shall be followed. All zoning districts where dwellings of any kind are permitted shall be construed to be an area zoned for residential use. All telecommunication towers are subject to Section 17 – Site Plan Review and shall meet the following standards when located within a residential district:

- A. The applicant shall provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation);
- B. The applicant shall demonstrate that no suitable site is available in a non-residential district and shall be located on its own lot which meets the area and setback requirement as approved by the Village;
- C. All accessory buildings shall be screened with fencing, masonry, shrubbery, or other screening as approved by the Village;
- D. The applicant shall notify the Village within thirty (30) days of ceasing operations at the site. The removal of the structures and buildings is required within ninety (90) days of ceasing operations;
- E. No advertising or illumination other than that required by law may be located on the structure.
- F. Stealth technology is recommended.
- G. Regulations in Section 1412 do not apply to Amateur Radio towers. Such towers shall comply with all applicable sections of the Ohio Revised Code.

1413 TEMPORARY BUILDINGS AND USES

- A.** Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work may be permitted only on the lot on which construction is occurring and only during the period construction work is in progress. Such temporary facilities shall be removed upon completion of the construction work.
- B.** A zoning permit may be issued by the Zoning Inspector for outside or seasonal sales within any commercial district. All goods located outside must be within four (4') feet of the principal building and not create a traffic, fire, or pedestrian hazard. Temporary structures used for seasonal or outside sales may be permitted for one (1) continuous sixty (60) day period each calendar year. The temporary structure shall not create a traffic, fire or pedestrian hazard and all goods shall be located within the temporary structure.
- C.** On-site construction debris shall be stored in an enclosed container so that debris is not spread to any neighboring properties or streets. Any materials and/or debris cleared from the building site shall be disposed of properly, pursuant to applicable regulations.
- D.** A Single Temporary (POD Style) Storage Container may be allowed to be placed on an occupied lot for a period of 30 days or less without a Zoning Certificate. These shall not be placed in any right-of-way and shall not become a safety hazard.
- E.** All temporary structures not mentioned in this Section shall require a permit and bond/escrow to cover removal and shall be removed within six months of the date of the zoning permit.

1414 YARD/GARAGE SALE

Any individual or family may conduct no more than four (4) yard or garage sales within any consecutive twelve (12) month period not to exceed five (5) consecutive days. Items displayed for sale shall not encroach into the right-of-way at any time. A Zoning Certificate is not required for a garage sale.

1415 MOTOR VEHICLE SALVAGE YARDS

Motor vehicle salvage yards and similar salvage yard/junk yard uses are not permitted in the Village.

1416 PRIVATE SPORTS COURTS

A private sports court shall be allowed in any Residential District as an accessory use, and provided the following conditions and requirements are complied with:

- A. Submit a site plan of the court location to the Zoning Inspector, together with approval of any public utility companies affected by any right-of-way or easement encroachments.
- B. The court area shall not exceed 7,200 sq. ft. in area (60 ft by 120 ft.)
- C. The court is intended and is to be used solely for the enjoyment of the occupants of the principal use of the property on which it is located for sports like tennis, basketball, and other similar sports that require a hard surface court.
- D. The court may not be located, including any walks or paved areas, closer than 10 feet to any property line of the property on which it is located.
- E. If a fence encloses said sports court, the fence shall not exceed ten (10') feet in height and shall be maintained in good condition and free of all advertising or other signs. If any part of a fence is less than twenty (20') feet from any property line, evergreen shrubs and/or trees a minimum of four (4') feet high shall be maintained as a screen between that part of the fence and the property line.
- F. The lighting arrangement for the court shall not project onto any adjacent property except that of the court area.
- G. The site plan shall indicate surface drainage flow directions. Overland flow to abutting properties shall not be permitted.

1417 SELF STORAGE FACILITIES

General requirements:

- A. Self-storage facilities shall be limited to rental of storage units, pickup and deposit of storage.
- B. Radioactive material, explosives and flammable or hazardous chemicals shall be prohibited from storage. This prohibition shall be included in the lease agreement of storage units.

Specific Requirements:

- A. **Lot Area:** Minimum lot area shall be two (2) acres.
- B. **Lot Coverage:** Maximum lot coverage of units and storage areas shall be 50% of gross lot area.
- C. **Setback:**
 - 1) Front Yard – fifty (50') feet
 - 2) Side or Rear Yard – twenty-five (25') when abutting or opposite an residential district and fifteen (15') feet when opposite or abutting a commercial or industrial district.
- D. **Height:** Height of structures shall be in conformance with structures or equal the average height of structures on properties abutting or opposite to self-storage facilities where no adjacent structures exist, the maximum height shall be fifteen (15') feet to highest point of building.
- E. **Lighting:** Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arranged to reflect light away from adjoining residential property or any public way.
- F. **Pavement:** All roadways and parking areas shall be surfaced with concrete, asphalt or similar solid-surface material.
- G. Fencing, walls or landscaping/plant screening shall be required around the perimeter of the facility. Where deemed appropriate under the site plan review, setbacks may be waived, and a unit wall approved in lieu of a fence or landscaping.

H. Special Requirements: Where within 500 feet of a residence:

- 1) Fencing or walls shall consist of decorative wood or stone, decorative concrete block, or similar materials compatible with surrounding residential dwellings.
- 2) The hours of operation shall be no earlier than 7:00 a.m. or later than 8:00 p.m. daily.

1418 FILLING OF LAND

Prior to filling/disturbing land, a property owner shall inquire and obtain any required permits from Fulton County and any other applicable agency. All material which may be excavated prior to filling of the land shall be left on the subject premises. This includes, but is not limited to, construction of driveways, buildings, and other developments which may require filling of land.

1419 SEXUALLY ORIENTED BUSINESS

Sexually oriented businesses are a conditional use in the M-3 District and may be permitted only when the following minimum conditions are met:

A. Sexually Oriented Businesses shall not be located within:

1. 500 ft. of residential zoned districts;
2. 1,000 ft. of any other adult business; and
3. 500 ft. of a day care center, church, public parks, schools, libraries or other public buildings.

NOTE: The distance shall be measured in a straight line, without regard to intervening structures, from the closest exterior structural wall of each business.

- B.** "Sexually Oriented Businesses" shall follow all of the density, setback, and parking requirements of the respective districts and all other zoning, building, and state requirements.
- C.** All building openings, entries, windows, etc. shall be located, covered, or otherwise arranged in such a manner to prevent a view into the interior of the use.

1420 LAWN/TREE SERVICE

Lawn and Tree Service uses may be permitted in the Light Industrial (M-1) District when the following conditions are complied with:

- A.** All Landscape Contractors are subject to Section 17 – Site Plan Review and Section 20 –Procedures and Requirements for Conditional Uses.
- B.** Minimum lot size of five acres.
- C.** When the use is deemed visible from abutting residential uses by the Board of Zoning Appeals, a twenty-five-foot (25') landscaping strip shall be maintained around the perimeter of the property with heavy landscaping and/or mounding.
- D.** The storage of any organic materials shall comply with all applicable agency regulations and shall not emit odors beyond the property lines.
- E.** Any parking of commercial vehicles and equipment shall be to the rear of the main building and no parking shall occur within twenty (20') feet of any property line.

1421 PARKING OF RECREATIONAL VEHICLES AND UTILITY TRAILERS

Any owner of a recreational vehicle, ATV (all-terrain vehicle), golf cart, and/or utility trailer may park or store such equipment on a parcel of land that is occupied by a principal use subject to the following conditions:

- A.** Recreational vehicles and utility trailers parked or stored shall be owned by the occupant of the residence, shall not have fixed connections to electricity, water, gas, or sanitary sewer facilities, and at no time shall this equipment be used for living or housekeeping purposes.
- B.** If the recreational vehicle, ATV, golf cart, or utility trailer is parked or stored outside, it shall not be stored between the principal structure and the street. The setback requirement in the side or rear yard shall be a minimum of ten (10') feet in all residential districts. All such recreational vehicles and utility trailers parked outside shall be owned by the property owner.

- C. Notwithstanding the provisions of paragraph (B), recreational vehicles and utility trailers may be parked anywhere on the premises for loading and unloading purposes, for a period of not more than 72 hours as long as it does not cause a safety or vision hazard.
- D. All recreational vehicles, ATV's, golf carts, and utility trailers must be kept in good repair.

1422 OPEN STORAGE AND DISPLAY OF MATERIAL AND EQUIPMENT

The open storage and display of material and equipment incidental to permitted or conditional non-residential uses shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties by means of walls, fences, or plantings. In no case shall this storage be maintained beyond the front building line. Walls or fences to the side and rear of the building screening such storage shall be a minimum of six (6') feet in height without advertising thereon. A strip of land not less than ten (10') feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4') feet in height at the time of planting may be substituted. Screening shall be maintained indefinitely.

1423 SOLID WASTE

Solid waste that is averse to public health may not be applied to any land within Village of Metamora for purposes of disposal. This includes any Recreational Vehicle waste. Such waste shall be properly disposed of.

1424 DEMOLITION AND DISPOSAL OF STRUCTURES

Persons demolishing or removing any structure in the Village shall adhere to the following requirements:

1. Approval shall be obtained from the Fulton County Health Department to abandon an existing well and/or discontinue the use of an existing sanitary sewer;
2. All debris from the property shall be disposed of within thirty (30) days in a licensed solid waste or construction and demolition landfill; (clean fill is allowed)
3. A demolition permit shall be obtained from the Village of Metamora.

1425 SMALL WIND TURBINES

A. Purpose

The purpose of this section is to promote and accommodate small wind turbines in appropriate locations, while minimizing the adverse visual, safety and environmental impacts of the system. This section provides a review and permitting process for wind energy systems to ensure compliance with the provisions of the requirements and standards established herein. Wind turbines shall only be utilized by the property owner for their own property and shall not be leased to an outside person/company.

B. Definitions

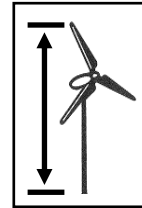
Decibel (dBA): The measurement of sound pressure relative to the logarithmic conversion of the sound pressure reference level often set at 0 dBA (A-weighted). In general, this means the quietest sound we can hear is near 0 dBA (A-weighted) and the loudest we can hear without pain is near 120 dBA (A-weighted). The average background noise in a house is about 50 dBA, while a car driving down a street would be measured at 60 dBA at a distance of 300 feet. A vacuum cleaner emanates sound at 70 dBA.

Meteorological Tower: Means a facility consisting of a tower and related wind-measuring devices, which is used solely to measure wind speed and directions preliminary to construction of a small wind turbine.

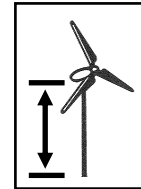
Rated Capacity: The maximum rated output of electric power production equipment. This output is typically specified by the manufacturer with a "nameplate" on the equipment.

Small Wind Turbine: Means a free-standing wind energy electric generation system consisting of a tower, a turbine, and associated control or conversion electronics. This includes, but is not limited to, electrical collection and supply equipment, and transformers.

Total System Height: The vertical distance from ground level to the tip of the wind generator blade when it is at its highest point.



Tower Height: The height above grade of the fixed portion of the tower.



Turbine: The parts of a wind system including the blades, generator, and tail.

C. General Requirements

1. Small wind turbines may be permitted as a Conditional Use in all non-residential zoning districts on parcels greater than five (5) acres in size.
2. A small wind turbine shall service only one residence, any accessory use(s), a non-residential main building, and any other use on the premises.

D. Specific Requirements:

1. Height: The total system height of the tower shall not exceed one hundred (100') feet. The minimum distance between the ground and any protruding blades shall be twenty (20') feet as measured at the lowest point of the arc of the blades.
2. Fall zone: A small wind turbine shall be a distance of at least 125% of the total system height from any property line, dwelling, occupied structure or right-of-way.
3. Lighting: The only permitted lighting on the structure shall be as required and regulated by the Federal Aviation Administration. No lighting shall be used to illuminate or feature the structure.

4. Electrical generator: A small wind turbine in the Residential Districts that is powering an electric generator shall have a rated capacity of not more than 20 kW. There is no maximum rated capacity for a small wind turbine in all other districts.
5. Noise: Noise coming from a small wind turbine shall not exceed 55 dBA at the nearest property line abutting a Residential District. Noise coming from the small wind turbine shall not exceed 65 dBA at the nearest property line in all other districts. Noise shall be enforced by local law enforcement.
6. Fencing: The supporting tower shall be enclosed with a six (6') foot height fence unless the base of the tower is not climbable for a distance of twelve (12') feet.
7. Base: All tower support bases shall meet the requirements of the building regulations department having jurisdiction.
8. The applicant shall notify the Zoning Inspector if operations of the wind turbine cease or has stopped operation for a period of 6 months and the wind turbine shall be removed by the owner within 60 days of ceasing operations.
9. The small wind turbine transmission lines shall be underground.
10. Tower, hub, and blade colors shall be the manufacturer's off-white or light gray with a non-reflective surface finish.
11. The manufacturer shall have its name/logo, system model number, system output, and contact information near the base of the tower. No other signage or advertising is permitted on the system.
12. No part of the wind turbine system or supports shall be located within the required setback for the zoning district in which it is located.
13. The Ohio Department of Natural Resources and the U.S. Fish and Wildlife Department shall be notified of any application to construct a small wind turbine. Only State and Federal agencies with regulatory oversight may object to the application.

1426 SMALL SOLAR FACILITIES

Solar facilities of fifty (50) megawatts or more shall be required to apply with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations. All permitted solar uses in this Section shall be owned and operated by the owner of the parcel where such facilities and/or structures are located.

A. DEFINITIONS

Ground Mounted Solar Energy Systems: A solar energy system that mounts a solar panel or panels and facilities on or above the ground.

Integrated Solar Energy Systems: A solar energy system that is incorporated into or replaces standard building materials and does not have mounting equipment. For example, these systems may include materials that replace traditional roofing, shingle, or siding materials, awnings, canopies, skylights, or windows.

Rooftop Solar Energy Systems: A solar energy system that is mounted to a structure or building's roof on racks.

Small Solar Facility: A Solar Energy System and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than fifty (50) megawatts.

Solar Energy: means radiant energy (direct, diffused, or reflected) received from the sun that can be collected and converted into thermal or electrical energy.

Solar Energy System: means a system and associated facilities that collect Solar Energy, which may include, but is not limited to, an Integrated Solar Energy System, Rooftop Solar Energy System, or Ground Mounted Solar Energy System.

B. WHERE PERMITTED

1. **Integrated Solar Energy Solar Systems:** Construction, erection, or siting of an Integrated Solar Energy System is permitted in all zoning districts. A zoning permit is not required if there is no change in footprint or volume of a building or structure.
2. **Rooftop Solar Energy Systems:** Subject to the restrictions contained in this Section, any construction, erection, or siting of a Rooftop Solar Energy System shall be permitted in all zoning districts.

3. **Ground Mounted Solar Energy Systems:** Such systems are permitted on parcels greater than one (1) acre in size. The construction, erection, or siting of a Ground Mounted Solar Energy System is permitted as an accessory structure and shall comply with the regulations in this Section and Section 1401. A zoning permit is required.
4. **Small Solar Facilities:** Subject to the restrictions contained in this Section, as well as any other relevant conditions as the Board of Zoning Appeals may determine, any construction, erection, or siting of Small Solar Facilities may be permitted as a conditional use on parcels five (5) acres and larger in the non-residential Zoning Districts.
5. A commercial building permit may be required for the above projects.

C. GENERAL REQUIREMENTS

All solar panels utilized shall be non-cadmium panels only.

1. **Integrated or Rooftop Solar Energy Systems**
 - a. **Height:** The maximum height of any Integrated or Rooftop Solar Energy System shall not exceed the maximum height applicable to principal structures located in the zoning district where located. An Integrated or Rooftop Solar Energy System mounted on a roof shall not vertically exceed the highest point of the roof to which it is attached.
 - b. **Coverage:** An Integrated or Rooftop Solar Energy System shall cover no more than 50% of a structure's walls and roof, as applicable.
2. **Ground Mounted Solar Energy Systems**
 - a. **Height:** The maximum height of any Ground Mounted Solar Energy System at any point shall not exceed twelve (12') feet.
 - b. **Coverage:** Ground Mounted Solar Energy Systems shall not exceed three hundred (300) square feet in size in any Residential District. Such systems shall not exceed six hundred (600) square feet in size in Commercial and Industrial Districts.

- c. **Visual Buffer:** A Ground Mounted Solar Energy System shall have a visual buffer of natural vegetation, plantings, and/or fencing that provides reasonable visual screening to minimize view of and noise from the Small Solar Facilities on adjacent lots and from any public right-of-way. Ground Mounted Solar Energy Systems located on corner lots shall comply with all applicable requirements (including, but not limited to, those for yards, buffering, and screening) for lots in the zoning district where located.
- d. **Maintenance:** Ground Mounted Solar Energy Systems shall be maintained in good working order. The owner of the property shall, within thirty (30) days of permanently ceasing operation of a Ground Mounted Solar Energy System, provide written notice of abandonment to the Zoning Inspector. An unused Ground Mounted Solar Energy System may stand no longer than ninety (90) days following abandonment. All costs associated with the dismantling/demolition of the Ground Mounted Solar Energy System and associated equipment shall be the responsibility of the property owner. A Ground Mounted Solar Energy System is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing Ground Mounted Solar Energy System. The property shall be returned to a graded, seeded and/or landscaped state similar to its condition prior to construction/installation.

3. Small Solar Facility

- a. **Height:** The maximum height of Small Solar Facilities at any point shall not exceed fifteen (15') feet in height from grade.
- b. **Coverage:** Small Solar Facilities shall be included as part of any lot coverage calculation applicable to the zoning district where located. Small Solar Facilities shall comply with the 60% maximum lot coverage requirement for non-residential districts.

- c. **Visual Buffer:** Small Solar Facilities shall have a visual buffer of natural vegetation, plantings, and/or fencing that provides reasonable visual screening to reduce view of and noise from the Small Solar Facilities on adjacent lots and from any public right-of-way. Small Solar Facilities located on corner lots shall comply with the applicable requirements (including, but not limited to, those for yards, buffering, and screening) for lots in the zoning district where located.
- d. **Lighting:** All lighting associated with the Small Solar Facility shall focus light inward toward the solar equipment and shall be downlit and shielded. Small Solar Facilities shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways.
- e. **Noise:** Noise control is to be enforced by local law enforcement.
- f. **Setbacks:** Any Small Solar Facility must comply with the setback requirements applicable to the zoning district where located.
- g. **Maintenance:** Small Solar Facilities shall be always maintained in good working order. The owner of the property and owner of the Small Solar Facilities shall, within thirty (30) days of permanently ceasing operation of a Small Solar Facility, provide written notice of abandonment to the Zoning Inspector. An unused Small Solar Facility may stand no longer than ninety (90) days following abandonment. All costs associated with the dismantling/demolition of the Small Solar Facility and associated equipment shall be the responsibility of the property owner. A Small Solar Facility is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing Small Solar Facility. The property shall be returned to a graded, seeded and/or landscaped state similar to its condition prior to construction/installation.
- h. **Building Permits:** All Small Solar Facilities and parts thereof shall obtain all applicable required Building Permits from the State of Ohio, Fulton County, or other local building jurisdiction.

- i. **Advertising:** Small Solar Facilities and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (name, insignia, logo, and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.
- j. **Other Restrictions:** A Small Solar Facility shall comply with all applicable federal, state, and local laws, rules, and regulations.

D. SPECIFIC REQUIREMENTS

- a. A Small Solar Facility to be located in a zoning district in which it is identified as a conditional use is subject to and shall follow the application process for a Conditional Use Permit provided in this Ordinance.
- b. Where identified as a conditionally permitted use, any Small Solar Facility shall comply with the following specific requirements:
 - i. **Road Use Maintenance Agreement:** The property owner shall provide for the adequate maintenance and protection of Village maintained, protected, or managed infrastructure (including, but not limited to roadways, rights-of-way, and easements) to be used in connection with the Small Solar Facility as detailed further in a road use and maintenance agreement ("RUMA") with the Village. Any damaged public roads, culverts, and bridges shall be repaired promptly to their previous or better condition by the property owner or the occupant under the guidance of the appropriate regulatory authority.
 - ii. **Safety Services:** The property owner shall provide sufficient evidence that the property can be adequately served by the appropriate safety services, for example, a letter from the applicable fire department verifying that emergency response personnel and vehicles can safely reach and service the property, including the area where the Small Solar Facility is located.

iii. Location:

1. Any Small Solar Facility other than an Integrated or Rooftop Solar Energy System (except components located entirely underground) shall be located entirely in the rear yard.
2. No Small Solar Facility shall be located in front of a principal building or structure. In the case of corner lots, no Small Solar Facility shall be located between a principal building or structure and a public right-of-way.

iv. Height: the maximum height of any Small Solar Facility shall not exceed ten (10') feet.

v. Buffers and Setbacks:

1. Where a Small Solar Facility is located on property adjacent to or near property zoned for residential use (as determined by the Zoning Inspector), no part of the Small Solar Facility (other than components located entirely underground) shall be located within one hundred (100') feet of an existing residential dwelling.
2. No Small Solar Facility (other than components located entirely underground) shall be located within fifty (50') feet of any property line.
3. No Small Solar Facility (other than components located entirely underground) shall be located within one hundred (100') feet of a public right-of-way or shared-use driveway.

vi. Visual Buffer: A Small Solar Facility shall have a visual buffer of natural vegetation, plantings, and/or fencing designed to and that does all of the following:

1. Enhances the view from any existing residential dwelling and from any public right-of-way;
2. Is in harmony with the existing vegetation in the area; and
3. Provides reasonable visual screening to minimize view of and noise from the Small Solar Facilities to adjacent lots and from any public right-of-way.

vii. Glare: Solar panels shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways.

- viii. **Lighting:** All lights associated with the Small Solar Facility must narrowly focus light inward toward the equipment, be downlit and shielded, and prohibit any light splash onto any adjacent property.
- ix. **Fencing:** Any fencing and/or screening installed in connection with the Small Solar Facility shall be harmonious and compatible with the surrounding properties and uses. Fencing shall always be maintained in good repair.
- x. **Conditions:** Any conditions or other requirements as determined by the Board of Zoning Appeals in connection with the issuance of a Conditional Use Permit.

E. ZONING PERMIT

1. A zoning permit shall be required before any construction is commenced on a Small Solar Facility.
2. Applicant shall provide the Village with the following items and/or information when applying for a zoning permit:
 - a. An engineering report and environmental study that shows:
 1. The total size and height of the proposed Small Solar Facility.
 2. Data specifying the megawatt size and generating capacity in megawatts of the Small Solar Facility.
 3. Hazardous materials containment and disposal plan.
 4. Any potential environmental effects.
 - b. A site drawing showing the location of the Small Solar Facility including all equipment and components thereof in relation to (and measurements of distances from) all existing structures on the property, roads and other public rights-of-way, and neighboring property lines.
 - c. Evidence of compliance with applicable setback and all other applicable zoning restrictions.
 - d. A maintenance schedule as well as a dismantling plan that outlines how the Small Solar Facility including all equipment and components thereof will be dismantled at the end of their use and/or upon abandonment.
 - e. Any other information or materials reasonably requested by the Zoning Inspector.

1427 ADVANCED MANUFACTURING

Advanced Manufacturing uses include uses such as data centers, along with associated accessory uses. Such facilities may be allowed in the M-3 District as a conditional use subject to the following regulations and other applicable regulations in these Ordinances:

A. Intent and Purpose

The purpose of this Section is to regulate advanced industrial and technology-driven operations that rely on automation, precision systems, digital infrastructure, energy-intensive processes, and controlled environmental technologies, while ensuring compatibility with surrounding properties through case-by-case review and enforceable performance standards.

B. Definition

Advanced Manufacturing facilities are engaged in the production, processing, assembly, fabrication, technological operation, digital processing, environmental conditioning, or integrated systems management of goods, materials, components, or data services through the use of advanced automation, robotics, artificial intelligence systems, high-capacity electrical infrastructure, mechanical systems, and/or controlled operational environments. This use classification includes, but is not limited to:

1. High-Technology Manufacturing Facilities

Operations utilizing automated production lines, robotics, additive manufacturing, semiconductor fabrication, precision tooling, computer numerical control (CNC) systems, or similar advanced industrial technologies.

2. Data Centers and Digital Infrastructure Facilities

Buildings or complexes primarily engaged in large-scale data processing, cloud computing, artificial intelligence operations, blockchain validation, colocation services, or digital storage, including associated cooling systems, backup power generation, battery storage, and electrical substations.

3. Technology-Based Environmental Storage Facilities

Facilities in which goods, materials, or digital infrastructure are maintained within controlled environmental conditions through the use of engineered mechanical, refrigeration, heating, humidity-control, or atmospheric regulation systems, including:

- a. Cold Technology Storage-** Digitally monitored and mechanically controlled refrigerated or frozen environments utilizing industrial-scale cooling systems and automated environmental controls.
- b. Hot Technology Storage-** Facilities designed to maintain elevated temperature conditions through engineered heating systems, thermal stabilization systems, or energy-intensive process environments integral to product integrity or operational continuity.
- c. Warm Technology Storage-** Climate-stabilized environments utilizing automated temperature and humidity control systems to protect sensitive materials, equipment, or technology-based assets. Such facilities shall involve integrated technological systems and shall not be classified as traditional passive warehousing or self-storage operations.

4. Integrated Advanced Industrial Campuses

Facilities combining advanced production, digital infrastructure, environmental control systems, research and development, packaging, or distribution within a coordinated industrial operation supported by significant utility infrastructure.

C. Clarification

For purposes of this Section, “Technology-Based Environmental Storage” refers to facilities where environmental conditioning systems are central to the operation and involve industrial-scale mechanical, electrical, monitoring, and backup systems. This term shall not include conventional, non-mechanized storage buildings or distribution-only warehouses lacking integrated technological systems.

D. Exclusions

Advanced Manufacturing shall not include:

1. Heavy industrial uses such as primary metal smelting, petroleum refining, or bulk chemical production.
2. Landfills, extraction activities, or salvage operations.
3. Traditional warehousing or self-storage facilities not meeting the technology-based operational characteristics described herein.

E. General Requirements

Advanced Manufacturing uses may be permitted as a conditional use in the M-3 District. An applicant shall follow the application process for a Conditional Use Permit provided in Section 20 of this ordinance.

F. Specific Requirements

Advanced Manufacturing uses shall also comply with Section 17 – Site Plan Review and may be permitted only when the following minimum conditions are met:

1. Minimum parcel size of five (5) acres.
2. Main building setbacks shall be a minimum of one hundred (100') feet from each property line.
3. Maximum lot coverage shall be sixty (60%) percent.
4. Maximum building height shall not exceed fifty-five (55') feet.
5. Building materials facing any right-of-way shall be comprised of masonry materials such as brick, stone, stucco, or similar material. Glass is recommended as well.
6. All landscaping shall comply with Section 18 – Landscaping Requirements.
7. All parking areas shall comply with Section 19 – Parking Guidelines.

8. All lighting shall be shoebox style with no light splash off-site. Wall pack lighting on the building shall be shielded to prevent glare.
9. Fencing between the building and street shall not exceed six feet in height and shall be decorative. Fencing to the side or rear of the building shall not exceed eight (8') in height and shall be decorative. Barbed wire, razor wire, and electric fencing is not permitted.
10. Any signage shall be low-profile/monument style and shall not exceed eight (8') in height and shall not exceed sixty (60) square feet in size. All such signs shall be setback a minimum distance of ten (10') feet from the right-of-way.

1428 MARIJUANA USES

Marijuana uses are not permitted in the Village of Metamora. (See Ordinances #1057 & 2024-04)

1429 CONVERSION OF DWELLING

In an "R-3" District, as a conditional use, a residence may be converted to accommodate an increased number of dwelling units provided:

- A. If the building is to be altered on the outside, the yards shall not be reduced to less than the yard dimensions required by the Zoning Ordinance for new structures.
- B. The lot area per family is equal to the lot area requirements for new multi-family structures in that district.
- C. The number of square feet of living area per family unit is not less than that which is required for new construction in that district.

SECTION 15

NON-CONFORMITY

1500 PURPOSE

To encourage development consistent with this Ordinance and to enable property owners with a reasonable use of their land, it is the intent of Village of Metamora to allow uses, structures, and lots that came into existence legally and that conformed with the applicable requirements at the time, to continue to exist and to bring as many aspects of such non-conformities into compliance with current requirements as is reasonably possible. Non-conformities shall not be enlarged, expanded, or extended, and shall not be used for adding or substituting other structures, buildings or uses that are prohibited in the same district. Regulations for the continuance, maintenance, repair, restoring, moving and discontinuance of non-conforming structures and/or buildings, or land uses are hereby established in order to achieve, among others, the following purposes:

1. To permit the continuance, but control non-conformity, so as to minimize any adverse effect on the adjoining properties and development;
2. To regulate their maintenance and repair;
3. To restrict their rebuilding if substantially destroyed;
4. To require their permanent discontinuance if not operated for certain periods of time; and
5. To require conformity, if it is discontinued, to bring about eventual conformity in accordance with the objectives of the Zoning Ordinance.

1501 NON-CONFORMING LOTS OF RECORD

Any lot of record with frontage of sixty (60') feet or more existing at the effective date of this Ordinance in any Residential District may be used for a single-family dwelling even though its area and width are less than the minimum requirements set forth herein. Each side yard shall be a minimum of ten (10') feet. Where two adjacent lots of record with less than the required area and width are held by one owner, the lots shall be combined and used for one (1) main building. In either case, the prevailing setback shall be met.

1502 NON-CONFORMING USE OF LAND

The lawful use of land which use would not be permitted by the provisions of this Ordinance may be continued so long as such use remains otherwise lawful, and provided:

- A.** No such non-conforming use shall be enlarged or increased in its size, dimension, intensity and shall not be extended to occupy a greater area of land than such use occupied at the effective date of this Ordinance.
- B.** No such non-conforming use shall be moved in whole or in part to any area of the lot other than that occupied by such use at the effective date of this Ordinance.
- C.** If any such non-conforming use of land is discontinued or abandoned for more than two (2) consecutive years, any subsequent use of land shall conform to the requirements specified by this Ordinance for the district in which such land is located.
- D.** No additional structures shall be located on a lot with a non-conforming use of land.

1503 NON-CONFORMING BUILDINGS AND STRUCTURES

Where a lawful building or structure exists at the effective date of this Ordinance that is not otherwise permitted pursuant to this Ordinance due to building area, lot coverage, height, setbacks, yards, or location on the lot, such building or structure may be permitted so long as it remains otherwise lawful, subject to the following:

- A.** If any non-conforming building, structure, or mobile, manufactured, or modular home is destroyed by any means to the extent or more than fifty (50%) percent of the cost of replacement of such structure, exclusive of foundation, it shall not be rebuilt, restored, or reoccupied for any use unless it conforms to all regulations of this Ordinance and the following conditions:
 - 1.** A zoning permit and building permit for such restoration shall be obtained within six (6) months of such damage or destruction;

2. Such repair shall not cause a new or additional non-conformity and such repair shall not increase the size, dimension or intensity of the non-conformity that existed prior to such damage or destruction.
3. Determination of the reproduction value shall be made by three (3) practicing building construction contractors, one (1) to be appointed by the owner, one (1) to be appointed by the Village and the third to be selected by the mutual consent of the two (2) parties.

1504 PRIOR ZONING APPROVALS

Any zoning or land use approval granted prior to the adoption of this amended Ordinance shall remain in effect pursuant to the provisions of the Section and terms of such approval. Any changes to the approved zoning or site plan shall require re-submittal of the zoning or site plan request and shall meet all requirements of this amended Ordinance.

1505 REPAIRS AND MAINTENANCE

On any non-conforming structure or portion thereof containing a non-conforming use, work may be done on ordinary maintenance repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the footprint of the building/structure shall not be increased. Nothing in this Section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a zoning permit for such activities shall be required.

1506 MOVING A NON-CONFORMING STRUCTURE

A non-conforming structure may be moved to a different location on the same lot or other parcel of land with approval of the Planning Commission, after a hearing, and provided proper adequate alterations are scheduled to make the building or structure conform to the regulations of the district where it is to be located.

SECTION 16

SIGNS AND OUTDOOR ADVERTISING

1600 PURPOSE

This section provides standards for the time, place and circumstances in the use of signs in the Village of Metamora. These standards are to provide for the public health and safety, pedestrian and traffic safety, and to control adverse effects of signs on public and private property; and (where legislatively permitted) to provide for the general welfare of the public.

1601 SIGN DEFINITIONS

Abandoned Sign: A sign or sign structure which no longer identifies or advertises a business, service, owner, product, or activity, or is in disrepair. Such sign and sign structure shall be removed within 30 days of notice to the property owner by the Zoning Inspector.

Animated Sign: A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means of power. Such signs have lights or illuminations that change the visual image depicted, including visual images that may flash, move, rotate, flicker, depict action, or create a scene, blink, vary in intensity or color, or use intermittent electrical impulses, scrolling text or a sign which has revolving, or rotating parts or other visible mechanical movements. An Animated sign does not include a changeable copy sign.

Area Identification Sign: A sign, which identifies a subdivision or a group of building whether residential, commercial, or industrial.

Awning/Canopy Sign: A sign attached to an awning covering a doorway, window, or face of the building. Awning/Canopy signs are wall signs, as provided for in Section 1607.

Banner Sign: A temporary sign display including a sign on a flag, strip of lightweight material, paper, cloth, or fabric which may be located on the ground or attached to a building, another sign, or any other structure.

Billboard: (see Off-Premise Sign)

Building Face or Wall: All window and wall area of a building in one plane or elevation.

Building Frontage: The length of the outside building wall along a right-of-way.

Changeable Copy Sign: A sign, or portion thereof with letters, numbers, or illustrations that can be periodically manually changed or rearranged without altering the underlying or supportive face of or surface of the sign.

Clearance of Sign: The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including its framework extending over that grade.

Commercial Message: Any wording, logo, or other visual copy that directly or indirectly identifies, advertises, or calls attention to a business, product, service, or other commercial activity.

Copy: The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic (logo), or alphabetic form.

Onsite Traffic Directional Sign: An on-premise sign that is designed to facilitate traffic flow, does not contain any advertising and provides direction to an on-premise place or object.

Double-Faced Sign: A sign with two faces.

Electronic Message Center: A sign whose visual display includes alphabetic, numeric or symbolic content that can be changed or altered on a fixed display screen composed of electronically illuminated segments.

Embellishment: The decorative or ornamental structure or frame that contains a sign. Embellishments are not included in the square footage of the sign's area calculation; Embellishments shall not exceed twenty-five percent (25%) of the single face area and shall not exceed the sign's maximum permitted height or be located within required setbacks.

Exempted Signs: Signs that are exempted from sign permit requirements.

Façade: The entire building frontage including the parapet.

Flag: Any fabric displaying the name insignia, emblem, colors, patterns or symbols used as a message of a political subdivision or private entity.

Temporary Future Development Sign: A temporary, freestanding sign located on the premises of a proposed development/construction project that indicates the future construction or development of a building or area which may identify the architect, financial institution, contractor, subcontractor, and/or material supplier participating in the construction on the property.

Height: The vertical distance measure from the highest point of the sign, including decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever vertical distance is less.

Low Profile/ Monument Sign: A sign placed directly on the ground, and independent from any building or other structure on the lot.

Message: The wording or copy on a sign, flag or pennant.

Non-Conforming Sign: A sign which was placed on the lot legally, but which does not comply with Section 16 of this Ordinance.

Off-Premise Sign (Billboard): A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished on the lot on which said sign is located.

Pennant: Any lightweight plastic, fabric, or any other material, frequently in a series, whether or not containing a message of any kind, suspended from a rope, wire, or string, designed to move in the wind.

Pole Sign: Any sign supported by upright structure(s) or support(s) that are anchored in the ground and that are independent from any building or other structure on the lot.

Portable Sign: Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported including, but not limited to: signs designed to be transported by wheels; "A" or "T" frame signs; menu and sandwich board signs; umbrellas used for advertising; and signs and/or copy attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used regularly in the usual and customary operations of the business. Yard signs are not included in this category.

Projecting Sign: A sign that projects more than fifteen inches (15") from a building wall or other structure and not specifically and solely designed to support the sign.

Roof Sign: Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

Sign: Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person, entity, product, service, establishment, activity or sale which communicate information of any kind.

Sign Area: Total area for one (1) side of sign.

Sign Face: Area of the sign upon which copy can be placed.

Sign Structure: Any structure, which supports, has supported, or is capable of supporting a sign, including a decorative cover.

Temporary Sign: A sign not permanently attached to the ground, a wall, or a building, and not designed or intended for permanent display.

Wall Sign: A sign attached to, painted on, or placed against a wall of a building, with the sign face parallel to the building wall and extending away from the building wall parallel to the adjacent grade not more than fifteen (15") inches there from, which copy advertises the use carried on within such building.

Window Sign: Any sign placed inside a window in a building or structure or upon the building's interior window panes or glass or an opening recessed from the building face such that the copy is visible from the exterior of the premises.

1602 GENERAL PROVISIONS

- A. Unless otherwise provided by this Ordinance, all new signs shall require a zoning permit prior to the sign's installation. An application for a zoning certificate shall be made to the Village. Fees shall be in accordance with the permit fee schedule. No zoning permit is required for the maintenance of a sign or for a change of copy on painted, printed, changeable copy signs, or electronic message centers so long as the sign area or sign structure is not modified in any way for the existing business.

- B.** An application for a zoning permit shall include the following information:
- 1.** Name and address of the owner of the sign.
 - 2.** Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
 - 3.** The type of sign or sign structure requested as defined in this Ordinance.
 - 4.** A site plan with dimensions showing the proposed location of the sign with vertical and horizontal measurements from all property lines and rights-of-way along with the location of all existing signs and buildings on the same premises.
 - 5.** A drawing/picture of the proposed sign showing the following specifications: dimensions, height, clearance of sign, copy, illumination, and construction details (materials, structural supports, and electrical components)
 - 6.** A list of the total number and the square footage of existing and proposed signs on the premises.
- C.** No sign shall be placed or project into any right-of-way. No sign shall obstruct traffic visibility at the road or highway intersections.
- D.** If a sign is installed, constructed, or maintained in violation of any of the terms of this Ordinance, the Zoning Inspector shall notify the property owner and the sign owner or lessee thereof to alter such sign so as to comply with this Ordinance or remove the sign. Any owner, lessee, or sign contractor who installs a sign without a Zoning Permit shall be subject to three (3) times the normal fee schedule at the discretion of the Village.
- E.** All signs, marquees, and awnings/canopies shall be maintained at all times in a safe structural condition and in a neat and clean condition, and shall be kept free from defective or missing parts or peeling paint. Signs which provide time and/or temperature readings shall be maintained to reflect current readings.

- F.** All on-site traffic directional signs shall not exceed four (4) square feet per face with a maximum height of forty-two (42") inches. Such signs shall not contain the business name or logo. On-site traffic directional signs are not included in the sign area calculations. A zoning permit is required.
- G.** Signs and advertising structures may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged as to reflect away from the adjoining premises. Such illumination shall not cause a hazard to traffic or conflict with traffic control signs or lights.
- H.** The following regulations shall apply to Electronic Message Centers:

 - 1.** No more than one (1) Electronic Message Center attached to a permitted on-premise freestanding sign shall be allowed per property.
 - 2.** Each message displayed on an Electronic Message Center must be static and must be depicted for a minimum of eight (8) seconds. When an is changed, the change shall occur within three (3) seconds. The continuous scrolling of messages is prohibited.
 - 3.** All Electronic Message Centers shall have a dimming device for day/night operation. The illumination shall not create excessive brightness and/or pose a safety hazard to the public.
 - 4.** No freestanding Electronic Message Center shall exceed fifty (50%) percent of the total allowable square footage for any on premise freestanding sign.
 - 5.** The addition of any Electronic Message Center to any Non-Conforming freestanding sign is prohibited.

1603 PROHIBITED SIGNS

The following types of signs are prohibited in all districts:

- A.** Abandoned Signs
- B.** Animated Signs

- C. Balloon Signs
- D. Blinking Signs
- E. Flashing Signs
- F. Inflatable Signs
- G. Intermittent Signs
- H. Moving Signs
- I. Reflective Signs
- J. Rotating Signs
- K. Scrolling Signs
- L. Signs attached or painted on trees, rocks or natural features.
- M. Signs in the right-of-way.
- N. Signs installed, attached or painted on fences.
- O. Signs or sign support structures that obstruct means of egress, including any fire escape, any window, any door opening, any stairway, any opening, any exit, any walkway, any utility access or fire department connection.
- P. Snipe or Bandit Signs
- Q. Unlawful Vehicle Signs
- R. Portable Signs
- S. Any sign or other object attracting attention to a business that interferes with the safety of the traveling public.
- T. Roof Signs that exceed the highest point of the roof that the sign is installed upon or that expose bracing and other mounting materials.

- U. Signs that resemble or conflict with traffic control signs or signals.
- V. Signs or devices that emit audible sound, smoke, gas and/or odor.
- W. Window signs occupying greater than thirty percent (30%) of the total window area.
- X. Any sign unlawfully installed, erected, or maintained.

1604 EXEMPTIONS

The following signs do not require a zoning permit:

- A. **Government Signs** erected by the Village of Metamora, the State of Ohio, or the Federal government in furtherance of their governmental responsibility.
- B. **Any sign wholly inside a building** which does not exceed thirty percent (30%) of the total window area and is unable to be read or be discerned from any property line or any public right-of-way.
- C. **Informational Signs** attached to a building and not exceeding three (3) square foot and are limited to business identification, hours of operation, address, and emergency information of the occupant(s) of the building. Such signs shall be permitted in addition to other permitted signs.
- D. **Real Estate Signs** - A non-illuminated sign not exceeding four (4') feet in height and twelve (12) square feet in sign area. Such signs may only be placed on the property that is for sale or lease.
- E. **Temporary Future Development Signs and Construction Signs** placed upon the lot under construction. These signs shall not exceed five (5) feet in height and thirty-two (32) square feet in sign area, shall be non-illuminated, and shall be removed upon completion of the project or within two (2) years of the sign's erection, whichever occurs first.
- F. **Memorial Signs or tablets**, name of buildings and dates of construction, provided that such signs do not exceed two (2) square feet in sign area.

- G. Address numbers for dwellings** shall not exceed two (2) square feet in area and address numbers for commercial or industrial buildings shall not exceed six (6) square feet in area unless the address number is an integral component of a sign for which a zoning permit is required by this Ordinance.
- H. Flags.** All flags shall be displayed as follows:
1. Maximum flag size shall be sixty (60) square feet.
 2. Maximum pole height of forty (40') feet.
 3. All flags shall be flown on a pole, with a maximum of three flags per lot with no more than one (1) flag other than that of a nation, state, or political subdivision.
 4. Flags may not be located in such a way as to intentionally attract the attention of the public for commercial purposes.
 5. The flag and flag pole shall be maintained in good condition.
 6. Flag pole(s) must be set back from all property boundaries a minimum of fifteen (15') feet or setback a distance which is at least equal to the height of the pole, whichever is greater.
- I. Political Signs.** Such signs shall not be placed in the right-of-way and shall be removed within 30 days following the election.
- J. Garage Sale Signs** do not require a permit but shall be placed on the lot (outside of the right-of-way) where the sale is occurring and shall be removed upon completion of the event.
- K. Homestead signs.** Such signs typically identify the family name and/or homestead date. These shall not be placed in the right-of-way and shall be limited to six (6') square feet.

1605 OFF-PREMISE SIGN

A total of one (1) Off-Premise sign per parcel is permitted in non-residential districts. Off-Premise signs shall be setback a minimum distance of one hundred (100') feet from the nearest right-of way and one hundred (100') feet from any property line. Off-Premise signs shall not exceed fifteen (15') feet in height and shall not exceed one hundred (100) square feet of sign area.

1606 SIGNS IN RESIDENTIAL DISTRICTS

- A.** One (1) low-profile or one (1) wall sign shall be allowed for each lot which contains a non-residential main building permitted in the district. Low-profile signs in residential districts shall not exceed sixty (60") inches in height and thirty-two (32) square feet per face (maximum of two (2) faces) and shall be setback a minimum distance of ten (10') feet from the nearest right-of-way line and setback a minimum of ten (10') feet to any adjacent lot. Wall signs in residential districts shall not exceed twenty-four (24) square feet of sign area.
- B.** An approved home-based business may locate either one wall sign not to exceed six (6) square feet or one free standing low-profile sign not to exceed six (6) square feet and four (4') feet in height with an approved zoning permit. Home occupation signs shall not exceed two (2) square feet in sign area and shall be a wall sign. (See Section 1404)
- C.** A church or school allowed by this Ordinance may locate two (2) signs on the lot; one sign shall be a wall sign; the face of which shall not exceed thirty-six (36) square feet in area, and a second sign, which shall be a free-standing low-profile sign not to exceed thirty-two (32) square feet per face (maximum of two (2) faces) and shall be setback from the nearest right-of-way a minimum distance of ten (10') feet and setback a minimum distance of ten (10') feet to any adjacent lot. Low-profile signs shall not exceed five (5') feet in height.
- D.** No sign of any type shall be permitted in any residential district, other than as specifically permitted in this Section 1606.

1607 SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS

- A. The following signs as listed below may be permitted on a lot in the commercial and industrial zoning districts as follows:

SIGNS IN COMMERCIAL AND INDUSTRIAL DISTRICTS					
ZONING DISTRICT	TYPE OF SIGN ALLOWED	MAXIMUM SIGN AREA IN SQ. FT. Pole Sign (1)(5)	MAXIMUM SIGN AREA IN SQ. FT. Wall Sign (2) (4)	MAXIMUM SIGN AREA IN SQ. FT. Low Profile / Monument Sign (1) (3) (5)	MAXIMUM SIGN AREA IN SQ. FT. Projecting Sign (1) (3)
B-1/B-2	Wall, Low Profile, Pole	60 per face	1.5 feet per Linear Foot of Building Frontage	80 per face	30 per face
M-1/M-2 M-3	Wall, Low Profile	Not Permitted	1.5 feet per Linear Foot of Building Frontage	80 per face	N/A

- 1) There shall be a maximum of two (2) faces for low-profile/monument, pole, and projecting signs.
- 2) Awning and canopy signs are wall signs for the purposes of this table.
- 3) No low profile/monument sign or projecting sign is permitted when a pole sign is located on the lot.
- 4) For multi-tenant buildings, the total square footage permitted shall be based on each occupant's linear building frontage.
- 5) One pole or one low profile/monument sign, or one projecting sign may be used in combination with a wall sign.

- B. **Pole Signs and Low-profile/Monument Signs on Double Frontage Lots**
If a lot is bordered by two streets that do not intersect at the lot's boundaries (double frontage lot), then the lot may (subject to total sign area limitation in Section 1607 A.) have a pole or Low Profile/Monument sign on each street.

C. Wall Signs

The square footage for a wall sign is calculated on the wall area facing the right of way. On corner lots, only one building frontage may be used in the size calculation. Multiple wall signs are permitted provided the combined sign area is less than the total wall sign size limit set forth in Section 1607 A. Awning/Canopy signs are allowed and are calculated as part of the overall square footage. Awning/Canopy signs shall not be lower than eight feet (8') above curb grade and Awning/Canopy signs shall not project vertically above the surface of the canopy or awning.

D. Low-profile/Monument Signs

Shall be setback from the nearest right-of-way a minimum distance of ten (10') feet and shall be setback a minimum of ten (10') feet to any adjacent lot line, and shall not exceed five (5') in height.

E. Projecting Signs

The maximum projection length beyond the building face shall be four (4') feet. A projecting sign must have its lower edge a minimum of eight (8') feet above the surrounding grade. Projecting signs shall not exceed the height of the wall that they are attached on.

F. Special Event Signs

1. For the opening of a new business or re-opening of a seasonal business located in a commercial or industrial district, a temporary, on-site Sign advertising the grand opening may be permitted for a total period of thirty (30) continuous days. These signs shall be either a wall sign or shall be placed within ten (10') of the building and shall not project into the right-of-way. No zoning permit is required.
2. For existing businesses, temporary, on-site signs advertising a special event may be permitted for two (2) two (2) week continuous periods per calendar year. The sign shall be removed on or before the end of the two-week period. These signs shall not exceed thirty-two (32) square foot in size and shall be located on the wall of the building where the special event is taking place. No zoning permit is required.

SECTION 17

SITE PLAN REVIEW

1700 PURPOSE

This Section provides a procedure with specific standards for commercial, industrial, and multi-family residential development proposals in Village of Metamora. Items considered in this Section include but are not limited to building placement, traffic and storm water management, preservation of existing natural features, adjacent land uses, and general welfare and safety.

1701 APPLICATION

Site plan review and landscaping pursuant to this Section is required for all new commercial, industrial, and multi-family residential main buildings. Site plan review is also required for the alteration, modification, or an enlargement of an existing structure whereby the enlargement is greater than 5,000 square feet or whereby the enlargement is greater than thirty-five (35%) percent of the existing floor area. Site plan review is also required for all new accessory buildings greater than 2,000 square feet in size in the commercial & industrial districts. Single-family and two-family dwellings and related accessory structures and buildings are exempt from the Site Plan Review procedure. Application shall be deemed complete when required application, plans, and correct fee are submitted.

1702 REQUIREMENTS

An applicant shall file the following documents with the Village of Metamora along with the application fee.

1702.01 Basic Requirements

- A.** A letter of submittal from the property owner or an agent authorized in writing by the property owner shall accompany the site plan that contains the applicant's phone number and mailing address.
- B.** The site plan documents shall include a complete legal description of the property and a general location sketch showing nearby section lines and/or residential and major roadways.

- C. All site plans shall indicate the scale of the drawing and shall use an Engineer's scale. The site plan shall have the north arrow pointing either toward the top of the drawing or to the left side of the drawing. The location map and site plan orientation shall be the same.
- D. The following documents shall be filed: Three (3) prints of the site plan on paper no larger than 24" x 36". Detailed drawings other than the site plan need not be submitted for the purpose of site plan review.
- E. A PDF file of the entire set of plans shall be submitted with each submission.

1702.02 Site Plan Requirements

- A. The site plan shall show the zoning classification(s) and existing uses of the property and all abutting property; the approximate location of buildings and driveway locations opposite to, and adjacent to the property.
- B. The site plan shall indicate the dimensions including area of the property, the dimensions of the existing and proposed buildings to be constructed, and any buildings to be removed or other alterations to occur on the property.
- C. The site plan shall indicate the distance of existing and proposed structure(s) to all right-of-way lines and the distances of the structure(s) to the front, side and rear property lines.
- D. The site plan shall indicate the name of all adjacent roadways and right-of-way and pavement widths measured from the centerline of the roadway.
- E. The site plan shall indicate the locations, height, and material of all existing and proposed fencing and/or walls on the property.
- F. The site plan shall show the location, height, lighting, and dimensions of existing or proposed signs on the property.

- G. The site plan shall indicate the width(s) and location(s) of existing or proposed sidewalks, if any, and drive approach aprons. The drive approach width(s) shall be indicated where the apron meets the roadway pavement and shall be dimensioned at the throat.
- H. The site plan shall show any ditches, creeks, or other natural features that may affect the development of the property. Where appropriate, two-foot (2') contours and the 100-year high water elevation shall be shown on the site plan.
- I. The site plan shall show the existing and proposed method of storm water drainage and/or areas to be used for storm water detention.
- J. The site plan shall show existing and proposed sanitary and storm sewers, water mains, and the location of fire hydrants if present.
- K. The site plan shall indicate the location of existing or proposed off-street parking spaces and drive aisles with complete dimensions, the number and size of the proposed parking stalls including handicap spaces and the type of pavement composition of the parking area, such as asphalt or concrete, and if the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any, between the two areas.
- L. A site plan with a proposed drive-thru window operation shall indicate where the vehicles will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and drive-thru window.
- M. Color exterior building elevation(s) visible from all abutting streets and highways.
- N. The site plan shall include a photometric plan showing the existing and proposed lighting, both freestanding and on the building. Wall pack lighting on the building shall be shielded. All freestanding lighting shall be shoebox style with no glare. Pole height shall be a maximum of 20 feet. When abutting a residential district, light splash shall be zero (0) at all lot lines that border those districts.

- O. An environmental impact study shall be submitted showing any potential environmental effects from the proposed development.

1703 APPROVAL PROCEDURE

- A. Site plans shall be submitted to the Village of Metamora. Site plans shall not be circulated for review and recommendation unless all required information is submitted and/or indicated on the site plan.
- B. The applicant shall be aware that there are other governmental agencies that application will need to be made to for review and recommendations.
- C. Once all recommendations have been received, the Village shall transmit the site plan and recommendations to the Village Planning Commission for review and recommendation to Council.
- D. As part of the site plan review, a bond, escrow, or other suitable guarantee to ensure the implementation of site improvements may be required by the Planning Commission.
- E. Changes to the approved site plan may require resubmittal for review pursuant to this Section. The Village may administratively approve changes to the approved plan provided the change(s) in the plan do not:
 - 1. Result in an increase in the number of units;
 - 2. Encroach into required setback areas;
 - 3. Encroach into the parking areas so as to cause an alteration in the layout of the access drives or provisions for additional parking spaces;
 - 4. Alter specific conditions approved by the Council.

1704 EXPIRATION AND EXTENSION OF SITE PLAN APPROVAL

If construction of any phase of the approved site plan begins within one (1) year after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within one (1) year after the approval is granted, the site plan shall be void. An extension of the time limit may be approved by Council.

SECTION 18

LANDSCAPING REQUIREMENTS

1800 PURPOSE

The Village recognizes the importance of a well landscaped community and how such landscaping can enhance any given use and also buffer between different uses. The purpose of this Section is to establish standards to enhance appearance, to preserve native vegetation, and to preserve natural features unique to the Village of Metamora. The use of native vegetation is encouraged and may be approved as part of the landscape review process.

1801 REQUIREMENTS

1801.01 General

Landscaping for all uses except single and two-family dwellings, shall be provided in the following areas:

- A. At the perimeter of sites to buffer, separate, and/or screen adjacent land uses;
- B. At the perimeter of parking lots to shade, separate, and/or screen the view of parked cars from adjacent streets and land uses;
- C. In the interior of parking lots to provide shade;
- D. Around the perimeter of buildings to enhance the appearance of structures;
- E. When barriers or fences are utilized, plant material shall be included;
- F. Required landscape areas shall not include any portion of the right-of-way;
- G. All loading areas shall be landscaped for screening purposes;
- H. Trash receptacles shall be screened and shall not be placed within any required setback areas.

1801.02 Specific

- A. A planting strip at least five (5') feet in width shall be located along the perimeter of a parking area but not within any right-of-way. Within this area, there shall be one (1) two and a half (2.5") inch caliper deciduous shade trees per fifty (50) linear feet of perimeter parking area. There shall also be shrubs (evergreen or deciduous) to provide screening. An alternative arrangement of perimeter landscaping material such as mounding, fencing, or walls may be considered as part of the site plan review process.
- B. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff but to break up visually the expanse of paved areas. The use of shade trees in these landscape areas shall be required. Any open parking area (including loading areas) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide the following interior landscaping in addition to the required perimeter screening:
 - 1. An area equal to five percent (5%) of the total area devoted to parking spaces and aisle ways shall be landscaped and permeable.
 - 2. All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicle encroachment.
 - 3. The required plant materials for the interior of parking areas shall be one deciduous tree for every three thousand (3,000) square feet of area. Where site distance or maneuvering conflicts exist, trees shall have a clear trunk of at least five (5') feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two feet in height.

4. Foundation plantings are required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5') feet of the building perimeter. Ten (10) shrubs shall be required for every one hundred (100') linear feet of horizontal exterior building wall visible from the road, street, or highway. If foundation plantings are deemed not practical due to unique features of the site and/or building, an alternative plan may be considered as part of the site plan review process.
5. A landscape strip between the roadway and parking area shall be provided along the full width of the lot. The width of this landscape strip shall be not less than ten (10') feet measured from the right-of-way line. The landscape strip shall be unoccupied except for landscape material, sidewalks, and driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, there shall be one (1) two and a half (2.5") inch caliper deciduous shade trees or two (2) six (6') foot high evergreen trees, or a combination, per one hundred (100) linear feet of property frontage.
6. An irrigation system is recommended in all required landscape areas unless drought resistant native species are utilized.

1802 PLANT MATERIAL SPECIFICATIONS

The following sections include specifications for plant materials. Alternatives to these specified plant materials which demonstrate both the intent and requirements of this Ordinance may be approved as part of the site plan:

A. Deciduous Trees

A minimum caliper of at least two and one-half (2 ½") inches measured forty-eight (48") inches above ground level at time of planting.

B. Evergreen Trees

A minimum of six (6') feet high and a minimum spread of three (3') feet at time of planting.

C. Shrubs

Shrubs shall be at least twenty-four (24") inches average height and twenty (20") inches width at the time of planting.

D. Ground Cover and Grass

Ground cover shall be planted in such a manner as to present a finished appearance and seventy-five percent (75%) coverage after one complete growing season. If approved as part of a Site Plan, ground cover may also consist of rocks, pebbles, shredded bark, mulch, and other material. Grass shall be planted in species normally grown in permanent lawns.

E. Prohibited Tree/Shrub Species

The following tree and shrub species shall not be used unless already existing in the proposed landscape area:

- Ash (*Fraxinus*)
- Box Elder (*Acer negundo*)
- Bradford Pear (all species)
- Mulberry (*Morus alba*)
- Willow (*Salix babylonica*)
- Siberian Elm (*Ulmus pumila*)
- Hickory (*Carya* sp.*) (*Indicates numerous species)
- European Alder-Buckthorn (*Rhamnus frangula*)
- Common Buckthorn (*Rhamnus cathartica*)
- Autumn Olive (*Elaeagnus umbellata*)
- Multiflora Rose (*Rosa multiflora*)
- Purple Loosestrife (*Lythrum salicaria*)
- Tree of Heaven (*Ailanthus altissima*)
- Black Walnut (*Juglans nigra*)
- Silver Maple (*Acer saccharinum*)
- Black Locust (*Robinia pseudo-acacia*)
- Catalpa (all species)
- Walnut

1803 MAINTENANCE AND REPLACEMENT REQUIREMENTS

The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:

- A.** Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic or safety hazard.
- B.** Within two years of installation (or incorporation of existing vegetation), trees, shrubs, ground covers and other plant materials shall be replaced if they fail to thrive.
- C.** Replacement plants shall conform to the approved plan. Dead or unhealthy plants shall be replaced within the next planting season.
- D.** Reasonable care should be taken to ensure that landscaping areas are well maintained and kept free of overgrown weeds and dead plants. This includes the trimming and upkeep of landscaping areas so that any plants do not become overgrown.
- E.** As part of the site plan review, a bond, escrow, or other suitable guarantee shall be filed with the Village to ensure the landscape material is installed and maintained for a two (2) year period. No zoning permit shall be issued until the bond, escrow or other suitable guarantee is received.

SECTION 19 PARKING GUIDELINES

1900 GENERAL PARKING GUIDELINES

Any building, structure or use of land that is constructed, enlarged, or used shall provide off-street parking spaces for automobiles in accordance with the following provisions. This Section shall serve as a guide for parking so that it is ensured that the overall parcel has the space for current parking needs and for future expansion as needed.

1901 OFF-STREET PARKING DESIGN STANDARDS

All off-street parking including driveways, entrances, exits, circulation and maneuvering areas, aisles and interior lanes, and parking spaces shall be in accordance with the following minimum standards and specifications:

1901.01 Parking Space Dimensions

All new or altered parking lots shall conform to the parking space stall width and length and aisle width, as set out in Table 1 and illustrated in Figure 1.

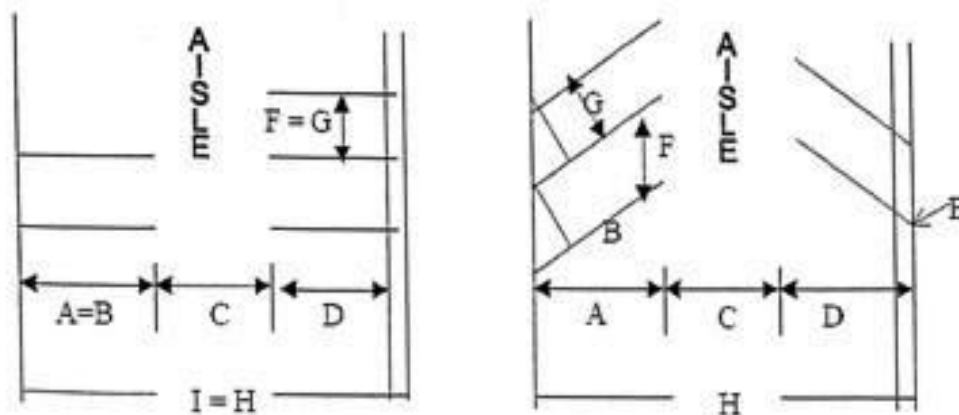
TABLE 1

<u>DIMENSION</u>		<u>ANGLE</u>			
		<u>45°</u>	<u>60°</u>	<u>75°</u>	<u>90°</u>
A.	STALL DEPTH TO WALL	17	18.5	19	18
B.	STALL DEPTH PARALLEL TO VEHICLE	18	18	18	18
C.	VEHICLE AISLE WIDTH	12	18	22	25
D.	STALL DEPTH TO INTERLOCK	15	17	18	18
E.	STALL DEPTH REDUCTION DUE TO INTERLOCK	2	1.5	1	0
F.	STALL WIDTH PARALLEL TO AISLE	12.7	10.4	9.3	9
G.	STALL WIDTH PERPENDICULAR TO VEHICLE	9	9	9	9
H.	MODULE WIDTH WALL TO WALL	45	54	60	61
I.	MODULE WIDTH INTERLOCK TO INTERLOCK	42	51	52	51

Exceptions to TABLE 1:

- A. For bumper overhang deduct one and one-half (1 ½') feet from stall depth to wall or three (3') feet from wall to wall for 45 degree and 60 degree parking. The equivalent dimensions for 75 degree and 90 degree parking is two (2') feet and four (4') feet respectively.
- B. Where natural and/or man-made obstacles, obstructions, or other features such as landscaping, support columns, or grade difference exist, the Village Planning Commission may approve a reduction in required stall width, length, and/or aisle width as part of the site plan review process. In all instances where a reduction is requested, emergency vehicle access shall be considered and incorporated into the parking lot design.

FIGURE 1



1901.02 Access

For single or two-family residential dwellings, driveways shall be a minimum of nine (9') feet in width so as to provide clearance for any fire department vehicles. For all other uses, driveways shall be a minimum width of twenty-two (22') feet.

1901.03 Setbacks

- A. No parking shall be permitted in the front yard of any residential property except on an asphalt, concrete or gravel driveway.

- B. Off-street parking areas in commercial districts shall not be located in the required landscape strips, or closer than five (5') feet from any side or rear property line.
- C. No part of any loading space shall be permitted closer than fifty (50') feet to any residential district nor closer than five (5') feet to any right-of-way.
- D. Whenever any non-residential zoning district adjoins a residential district, the off-street parking for the non-residential use may not be located within twenty (20') feet from the residential district boundary, and shall not be located within ten (10') feet of any right-of-way.

1901.04 Screening
See Section 18 – Landscaping Requirements.

1901.05 Surfacing
All non-residential off-street parking spaces, driveways, aisles, entrances, exits, circulation and maneuvering areas, and interior lanes shall be surfaced prior to occupancy of the building. Surfacing shall be accomplished with asphalt, concrete or masonry-type material. Stone or gravel is not considered a masonry-type material.

1901.06 Drainage
All parking spaces, driveways, entrances, exits, circulation and maneuvering areas and interior lanes, shall be graded and drained so as to dispose of surface water which might accumulate within or upon such area, and shall be designed to prevent the excess drainage of surface water onto adjacent properties, walkways, or onto the public roads. Adequate arrangements shall be made to insure acceptable diversion to an adequate storm water drainage system.

1901.07 Striping
All parking areas in non-residential districts shall be marked with paint lines, curbs, or some other manner approved by the Zoning Inspector, and shall be clearly identified.

1901.08 Maintenance

Parking areas shall be maintained in good condition and free of dust, trash, or other debris.

1901.09 Signs

Where necessary in non-residential districts, entrances, exits, and the intended circulation pattern of the parking area shall be clearly marked.

1901.10 Parking of Commercial Vehicles

Truck tractors and/or truck trailers, dump trucks, and other vehicles with a gross vehicle weight of 12,000 lbs. or greater shall not be parked, stored or kept in front of the principal building on any parcel in any agricultural or residential district except when making deliveries. Vehicles used for agricultural purposes are exempt from this section.

1901.11 Shared Parking

Two (2) or more non-residential uses may jointly provide and use parking spaces when the hours of operation do not normally overlap, provided that a written agreement is submitted and the request is first approved by the Board of Zoning Appeals.

1901.12 Parking of Vehicles for Sale

The parking of any vehicle for sale shall be prohibited on any undeveloped parcel or any parcel which does not have a use occurring on the site. Any vehicle for sale shall not project into the right-of-way, shall not interfere with vision of traffic, and shall not create a safety hazard. There may be only one (1) vehicle for sale at any time on a parcel and personal sales of vehicles may not exceed five (5) vehicles per year.

1902 DETERMINATION OF REQUIRED SPACES

In computing the number of parking spaces for various uses, the following shall apply:

- A. Parking standards in this Section shall be used as a guide so as to both prevent excessive parking and ensure there is sufficient space to cover all parking needs safely. Parking will be reviewed on a case-by-case basis.

- B. Whenever there is more than one type of use on a parcel, the area allocated for each specific use must be identified.
- C. The total number of parking spaces required on-site shall be the sum of the guidelines for each use on the premises.
- D. Whenever the total sum computed for off-street parking or loading spaces includes a fraction, the next higher whole number shall be used.
- E. For purposes of off-street parking and loading guidelines, “gross floor area” shall include all of the area on each floor, whether or not such area is enclosed by walls, exclusive of interior areas used for off-street parking or loading facility.
- F. Where seating capacity is the standard for determining parking space guidelines, the capacity means the number of seating units, or each eighteen (18”) lineal inches of benches, or pews, unless occupancy standards set by the Fire Marshall require a greater number of parking spaces, which shall then be the minimum number of parking spaces recommended.
- G. The parking space guidelines for a use not specifically identified in this Resolution shall be determined by using the use that is most similar.

1903 PARKING SPACE GUIDELINES

1903.01 Residential Uses:

Assisted living facilities/Nursing Homes: One for every three beds.

Multi-family with three or more dwelling units: One and one-half per dwelling unit.

Multi-family with three or more dwelling units designated exclusively for occupancy by the elderly or physically disabled (including congregate housing): One-half per dwelling unit plus an area on the site reserved for future parking to accommodate one parking space per dwelling unit.

Rooming or boarding house: One for each two sleeping rooms.

Single-family or two-family dwelling: Two per dwelling unit.

1903.02 Commercial Uses:

Amusement arcade: One for each two-hundred (200) square feet of gross floor area.

Auditorium, stadium, theater, conference center, or large place of assembly: One for each thirty (30) square feet of gross floor area of the auditorium or assembly space.

Automobile car wash, automatic, self-service: Two per site. A washing space is not a parking space.

Automotive repair: Two per bay. A service bay is not a parking space.

Automobile sales: One for each 5,000 square feet of developed lot area used for vehicle display and one for each 300 square feet of gross floor area.

Bank or financial institution: One for every 200 square feet of floor area.

Barber and beauty shop: One for every 200 square feet of gross floor area.

Bowling Alley: Five per alley or lane.

Funeral Home: One for every 150 square feet of gross floor area.

General Office: One for each 300 square feet of gross floor area.

Golf Course: Five (5) for each hole.

Hotel or motel: One per guest room.

Medical or Dental Office or Clinic: One for each 200 square feet of gross floor area.

Meeting or Reception Hall: One for each 75 square feet of gross floor area.

Outdoor recreation: One for each 500 square feet of use area.

Self-service storage facility: Four plus one space per employee.

Retail: One for each 250 square feet of gross floor area.

Restaurant or tavern: One for each 75 square feet of gross floor area or one for each 125 square feet of gross floor area when located within a multi-tenant building.

Salvage Yard: Five spaces per acre.

Any other type of commercial use: One for each 250 square feet of gross floor area.

1903.03 Institutional Uses:

Church or place of worship: One for each forty square feet of gross seating area of the sanctuary, auditorium, or main place of worship, whichever has the greater area.

Club or lodge: One for each five members.

Correctional Facilities: One for every two beds.

Day Care Facility: One space per each 250 square feet of gross floor area.

Elementary school (K-9): Two per classroom and one for each sixty square feet of gross floor area in the auditorium or assembly hall.

Hospital: One space for every four beds.

Library, museum, or art gallery: Ten plus one for each 300 square feet of gross floor area in excess of 2000 square feet.

1903.03 Industrial Uses

Manufacturing, Utility, Research, and Development Facilities: One per one and one-half employees.

Truck Terminal: One space per loading dock.

1904 OFF-STREET AREAS WITH DRIVE-UP/DRIVE-THRU SERVICE

Establishments shall provide off-street vehicle storage areas in accordance with the following requirements:

- A. Restaurants, drive-thru convenience stores, and other similar commercial establishments that can normally serve customers in three minutes or less shall provide no less than five (5) vehicle storage spaces per window, not including the space at the window. Drive-in restaurants and other similar uses which require an additional stopping point for ordering shall provide a minimum of three (3) additional storage spaces for each stopping point.
- B. Other commercial establishments such as banks, credit unions, or other similar facilities with service or money windows shall provide no less than four (4) storage spaces per window.
- C. Self-serve automobile washing facilities shall provide no less than four (4) stacking spaces per stall. All other automobiles washing facilities shall provide a minimum of ten (10) stacking spaces per entrance.
- D. Motor vehicle service stations shall provide no less than two (2) stacking spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than fifteen (15) feet to any right-of-way line.

1905 DRIVEWAYS AND CURB CUTS

Driveways shall not exceed a ten percent (10%) grade. Curb cuts of straight curbs and the frame of rolled curbs shall be a minimum of five (5) feet wider than the driveway on each side. A permit shall be obtained from the Village of Metamora for all public roads located within the Village.

1906 PRIVATE APPROACHES AND DRIVEWAYS

Private driveways and approaches shall be installed in compliance with the following requirements:

- A. Construction and Maintenance responsibility shall be the responsibility of the property owner. All material, labor and equipment necessary for the construction and maintenance of approaches and driveways shall be furnished by the property owner at his/her expense.

- B.** Commercial and industrial drives and drive aisles shall be designed and installed in accord with Ohio Department of Transportation standards and shall comply with the following requirements:
1. Approach or drive profile adjoining the road pavement shall conform to shoulder contour and be so constructed that no surface water will be drained onto State or Village Road pavement.
 2. Pipe for drives shall be laid in line and with the grade of adjacent roadside ditches. The quality and diameter of pipe being specified shall be approved by the Village before work commences.
 3. To assure proper installation, a qualified representative of the Village of Metamora shall inspect the installation of catch basins, pipes, driveways, and curb cuts authorized by permit. The property owner shall notify the Village at least twenty- four (24) hours prior to such installation.

1907 ACCESS FOR FIRE PROTECTION

On a parcel approved for development, access for fire protection shall be provided to all lots and to all buildings and structures on all lots prior to start of construction. "Access for Fire Protection" means an all-weather driveway capable of supporting fire department vehicles and related equipment from the public roadway to the lot and to the building or structure located or proposed to be located on the lot.

SECTION 20

PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USES

2000 PROCEDURE

The Village of Metamora recognizes that under certain unusual circumstances, a use of property which typically affects surrounding parcels more intensely than those uses permitted in the zoning district in which it is located may still be desirable and compatible with permitted uses, if that use is properly controlled and regulated. Such uses are listed as “Conditional Uses” within the respective zoning districts.

The Village Planning Commission reviews and recommends to Village Council on Conditional Use requests and Village Council will either approve or deny the request. When deciding on a conditional use, Council may approve such a use to be established where such approval will be consistent with the general purpose and intent of this Zoning Ordinance.

2001 APPLICATION FOR CONDITIONAL USE

An applicant shall file with the Village of Metamora the following documents along with the application fee.

2001.01 Basic Requirements

- A.** A letter of submittal from the property owner or an agent authorized in writing by the property owner shall accompany the site plan that contains the applicant’s phone number and mailing address along with a general description of the proposed request.
- B.** A complete legal description of the property shall be submitted.
- C.** All site plans shall indicate the scale of the drawing and shall use an engineer’s scale. The site plan shall have the north arrow pointing either toward the top of the drawing or to the left side of the drawing. The location map and site plan orientation shall be the same.
- D.** The following documents shall be filed: Seven (7) prints of the site plan on paper no larger than 24” x 36”. Detailed drawings other than the site plan typically do not need to be submitted for the conditional use request.

- E. A PDF file of the entire set of plans shall be submitted with each submission.

2001.02 Site Plan Requirements

- A. The site plan shall show the zoning classification(s) and existing uses of the property and all abutting property along with the approximate location of buildings and driveway locations opposite to, and adjacent to the property.
- B. The site plan shall indicate the dimensions including area of the property, the dimensions of the existing and proposed buildings to be constructed, and any buildings to be removed or other alterations to occur on the property.
- C. The site plan shall indicate the distance of existing and proposed structure(s) to all right-of-way lines and the distances of the structure(s) to the front, side, and rear property lines.
- D. The site plan shall indicate the name of all adjacent roadways and right-of-way and pavement widths measured from the centerline of the roadway.
- E. The site plan shall indicate the locations, height, and material of all existing and proposed fencing and/or walls on the property.
- F. The site plan shall show the location, height, lighting, and dimensions of existing or proposed signs on the property.
- G. The site plan shall indicate the width(s) and location(s) of existing or proposed sidewalks, if any, and drive approach aprons. The drive approach width(s) shall be indicated where the apron meets the roadway pavement and shall be dimensioned at the throat.
- H. The site plan shall show any ditches, creeks, or other natural features that may affect the development of the property. Where appropriate, two-foot (2') contours and the 100-year high water elevation shall be shown on the site plan. Information on this requirement may be obtained from the Fulton County Engineer's Office.

- I. The site plan shall show the existing and proposed method of storm water drainage and/or areas to be used for storm water detention.
- J. The site plan shall show existing and proposed sanitary and storm sewers, water mains, and the location of fire hydrants if present. In the event these improvements are not proposed, the site plan shall indicate the location of proposed or existing wells and sewage systems both on-site and on abutting parcels.
- K. The site plan shall indicate the location of existing or proposed off-street parking spaces and drive aisles with complete dimensions, the number and size of the proposed parking stalls including handicap spaces and the type of pavement composition of the parking area, such as asphalt or concrete, and if the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any, between the two areas.
- L. A site plan with a proposed drive-thru window operation shall indicate where the vehicle will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and drive-thru window.
- M. Color exterior building elevation(s) visible from all abutting streets and highway.
- N. For non-residential uses, an environmental impact study shall be submitted showing any potential environmental effects from the proposed development.

2002 GENERAL STANDARDS FOR CONDITIONAL USES

Village Council shall not approve a Conditional Use unless in each specific case, it makes specific findings directly based on the particular evidence presented to them that support conclusions that such use at the proposed location shall meet all the following requirements:

- A. Will be found to be consistent and harmonious with the general objectives, or with any specific objective or purpose, of the Zoning Ordinances.

- B. Will be harmonious with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- C. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and adequate drainage, refuse disposal, water and sewer, and schools.
- D. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be significantly detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, light, noise, smoke, fumes, glare or odors.
- E. Will have vehicular approaches to the property that shall be so designated as not to create interference with existing traffic on the surrounding public streets or roads. Sight distance and safety considerations shall be considered.

2003 SUPPLEMENTARY CONDITIONS

In granting any Conditional Use, the Village Council shall insure that the specific applicable conditions and standards established in Section 14 – Supplemental Regulations have been adequately addressed. The Village Council may prescribe other appropriate conditions and safeguards as it deems necessary to insure that the use will be conducted in conformance with the intent and purpose of this Ordinance.

2004 PUBLIC HEARING

The Village Council shall fix a reasonable time for the hearing of a matter to come before it and shall give at least thirty (30) days notice to the parties in interest, stating the time and place. In addition, notice of such public hearing shall be given in one publication in one or more newspapers of general circulation at least thirty (30) days before the date of such hearing, or by electronic means as allowed by law.

2005 ACTION BY THE VILLAGE COUNCIL

The Village Council shall make its findings and determination in writing within forty-five (45) days from the date of the filing of the request. At the hearing, any party may appear in person by agent or by attorney and shall be given the opportunity to be heard.

2006 PUBLIC INFORMATION

All communications to members of the Planning Commission and/or the Village Council which pertain to any matter before the respective body shall be made in writing and made a part of the record. The official record of the proceedings in any matter shall be kept on file at the Village offices and available for inspection by the public.

2007 FEES

The Village of Metamora shall establish fees as deemed appropriate to defray the costs associated with the advertisement, mailings, or other required or necessary expenses incurred.

2008 DETERMINATION OF SIMILAR USES

Applications for zoning permits for a use not specifically listed in any of the permitted buildings or use classifications in any of the districts shall be submitted to the Planning Commission, and, after approval, approved by Council in compliance with the following standards:

- A. That such use is not listed in any other classification or permitted building or uses;
- B. That such a use is more appropriate and conforms to the basic characteristics of the classification to which it is to be added than to any other classification;
- C. That such use does not create dangers to health and safety, and does not create offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences to an extent greater than normally resulting from other uses listed in the classification to which it is to be added;
- D. That such a use does not create traffic to a greater extent than the other uses listed in the classification to which it is to be added.

2009 EXPIRATION OF CONDITIONAL USE

A Conditional Use shall automatically expire if the Conditional Use has not been instituted or utilized within one (1) year from the date on which the Conditional Use was granted by the Village Council. If for any reason the approved Conditional Use shall cease for more than a two (2) year continuous period, it shall expire. Violation of any condition(s) of approval shall be cause for the revocation of the Conditional Use by the Village Council.

SECTION 21

ZONING CHANGES AND TEXT AMENDMENTS

2100 AUTHORITY

Whenever the public necessity, convenience, general welfare, or good zoning practice requires, the Village of Metamora may amend, supplement, change or repeal the regulation, restrictions and district boundaries or classification of property established by this Ordinance or amendments in this Ordinance, subject to the procedures provided by law and outlined in this Section.

2101 PROCEDURES

The Council, either on petition of a property owner, recommendation of the Planning Commission, or on its own initiative, may amend or change the number, shape, area, or regulations of/or within any zone or district, but no such amendment or change shall become effective unless the proposed amendment or change is first submitted to or considered by the Planning Commission for its approval, disapproval or recommendation.

2102 APPLICATION AND FEES

The application for any change of district boundaries or classifications of property shall be made on forms obtainable at the office of the Zoning Inspector. The application shall be accompanied by information that may be required by the Village Planning Commission and verified by the owner as to accuracy. A fee shall be paid upon the filing of the application and no action shall be taken on an application until all fees are paid in full.

2103 HEARING AND NOTICE BY PLANNING COMMISSION

It shall be the duty of the secretary of the Planning Commission to file with the Village Fiscal Officer, a report of the action and recommendation of the Commission with respect to any referral or submittal. Failure to file such report thirty (30) days after referral or the time otherwise provided, shall be accepted as to be deemed an approval of the proposed change or amendment submitted. This time limit may be extended by agreement of applicant and Planning Commission.

- A. Public Hearing by Commission:** Before submitting its recommendation on a proposed amendment to the Council, the Commission shall hold a public hearing thereon, notice of which shall be posted in two (2) locations within the Village at least thirty (30) days before the date of the hearing. The notice shall state the place or places and times at which the proposed amendment to the Ordinance, including text and maps, may be examined.

- B. Notice to Property Owners:** In addition to the published notice as specified in this Section, the Commission shall give notice of the time, place and purpose of public hearings to be held by on the proposed amendments or supplements, by mailing a postal card or letter to the owners of all properties abutting any part of the property proposed to be changed. The failure to notify, as provided in this Section, shall not invalidate any recommendations adopted hereunder; it being the intention of this Section to provide, as far as may be possible, due notice to the persons substantially interested in the proposed change that an application is pending before the Commission, proposing to make a change in the Zoning District Map or the regulations set forth in this Ordinance.

2104 PLANNING COMMISSION REVIEW

The Village Planning Commission shall study the proposed change in the terms of public necessity, public safety, general welfare, good zoning practice, and any applicable Land Use Plan. The Planning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof, and submit such recommendation together with such application or Ordinance, the text and map, to the Village Council.

2105 PUBLIC HEARING

Before any ordinance, measure or regulations amending or changing the number, shape, area or regulations of/or within any zone or district may be passed, the Council shall hold a public hearing. It shall post notice of such hearing in two (2) locations within the village for the entire thirty (30) days before the hearing, adequately describing the nature of the pending legislation. If the ordinance, measure or regulation intends to rezone, or redistrict fewer than ten (10) or more parcels of land, as listed on the tax duplicate, written notice of the hearing shall be sent by the Village Fiscal Officer, by first class mail at least thirty (30) days before the date of the public hearing, to the owners of property contiguous to and directly across the street from each parcel or parcels to the addresses of such owners appearing on the county Auditor's current tax list or lists or the Treasurer's mailing list and to such other list or lists that may be specified by Council. The failure of delivery of such notice shall not invalidate any such ordinance, measure or regulation. (continued on next page)

During such thirty (30) days the text of such ordinance, measure, regulations or proposed change, together with the map, or plans, or copies thereof forming part of or referred to in such ordinance, measure, regulation or proposed change, and the maps, plans and reports submitted by the Planning Commission shall be kept on file for public examination in the office of the Zoning Inspector or in such other office as may be designated by Council.

2106 ACTION BY THE VILLAGE

At the Public Hearing, or within thirty (30) days after such public hearing, the Village Council shall either adopt or deny the recommendations of the Planning Commission or adopt some modification thereof.

2107 EFFECTIVE DATE AND REFERENDUM

The zoning change or amendment adopted by the Village Council shall become effective in thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is a petition presented to the Village Fiscal Officer. Such petition must be signed by electors of the Village equal to at least thirty-five (35%) percent of the total vote cast in the Village at the last general municipal election. Each part of the petition must contain the number and full/correct title of the zoning change or amendment, a brief summary of its contents, and the proper, signed statement of the circulator. The Village Fiscal Officer will submit the petition to the Board of Elections to verify the signatures. The Board of Elections will return the petition to the Village Fiscal Officer, certifying the number of valid signatures. (ORC 731.29)

- A. No amendment or supplement for which such referendum vote had been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.

SECTION 22 ENFORCEMENT

2200 ZONING INSPECTOR

The Zoning Inspector shall be appointed by the Village of Metamora. The Zoning Inspector works harmoniously with the Planning Commission, Mayor, Village Council and Board of Zoning Appeals and handles the following responsibilities:

- A.** Reviews applications for Zoning Permits, Site Plan Review, Conditional Uses, and Zoning Changes.
- B.** On-site inspections.
- C.** Investigation of violations and enforcement of this Ordinance. Issues stop orders to non-permitted construction activity.
- D.** Maintains records of zoning activity including non-conforming uses and Conditional Uses.

2201 ZONING PERMIT REQUIRED

Before any building or other structure, including temporary structure, is constructed, moved, added to, altered, a zoning permit is required. No building, structure, or land shall be established or changed in use without a zoning permit issued by the Zoning Inspector. Zoning permits shall be issued only in conformity with the provisions of this Ordinance unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal or variance. Zoning permits may be issued for the following:

2201.01 Construction

Before any structure, as defined in this Ordinance, is built, erected, enlarged, or placed on a property, a Zoning Permit shall be required. The Zoning Inspector shall issue a Zoning Permit when satisfied that according to the information submitted by the applicant, the proposed structure will conform to all requirements of this Ordinance.

2201.02 Change of Use/Occupancy

When the use of a property or a building or structure changes, or a new business occupies an existing structure, a Zoning Permit is required. The Zoning Inspector shall issue a Zoning Permit when the requirements of this Ordinance are met.

2201.03 Signs

Before any sign, except those exempted in this Ordinance, may be placed, constructed, or structurally altered, on or attached to a building, or on a parcel of land, a Zoning Permit is required.

2201.04 Work in Right-of-Way

Any work, including boring, in the right-of-way shall comply with all applicable regulations of the Village, County, and State. All such activities in the right-of-way shall be approved by the Village before commencement of work.

2202 APPROVAL OF ZONING PERMIT

Within twenty (20) days after the receipt of an application for a Zoning Permit, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Ordinance. All Zoning Permits shall, however, be conditional upon the commencement of work within six (6) months. If the work described in any Zoning Permit has not begun within six (6) months from the date of issuance thereof, said Zoning Permit shall expire. All Zoning Permits shall expire if the project is not substantially completed within twenty-four (24) months. The Zoning Permit may be renewed subject to filing of a new application and associated fees.

2203 ENFORCEMENT AND PENALTIES

- A. This Ordinance shall be enforced by the Zoning Inspector or such enforcement officer as may be designated by the Village of Metamora. No person shall erect, construct, alter or repair, or maintain any building or structure, or use any land in violation of this Ordinance or the regulations enacted pursuant thereto. In the event of any such violation or imminent threat thereof, upon the request of the Mayor or Council, the Village Solicitor, on behalf of the Village, shall institute a suit for injunction to prevent or terminate such violation.
- B. Except as expressly provided in this Ordinance, it shall be unlawful to locate, erect, construct, reconstruct, enlarge, structurally alter, or use any building or structure or use and land without obtaining a zoning permit.

- C. Any zoning permit issued upon a false statement of any fact which is material to the issuance thereof shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Village, the zoning permit shall be revoked by notice in writing to be delivered to the holder of the void zoning permit upon the premises concerned, or in case such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who proceeds, thereafter, with such work or use without having obtained a new zoning permit, in accordance with this Ordinance, shall be deemed guilty of violation thereof.
- D. In case any building is located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or is proposed to be used in violation of this Ordinance, the Village, Village Legal Council, the Village Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.
- E. Whoever willfully violates any rule or regulation adopted by the Council or the Planning Commission shall forfeit and pay not less than five hundred (\$500.00) to be recovered with costs in a civil action brought by the Solicitor in the name of the Village of Metamora for the use thereof. Each day such violation shall continue it shall constitute a separate forfeiture.
- F. When a common land, a street, recreation area, park or other open land has been set aside with the approval of the Planning Commission for the exclusive use, in common, by abutting or other owners or occupants of land, the sale, transfer or change of use of such land or any part thereof is prohibited unless the Planning Commission has given it prior consent thereto, which shall be confirmed by action of Council. Whoever willfully violates this Section shall forfeit and pay to the Village of Metamora not less than one hundred dollars (\$100.00) as determined by the Council. Such sum shall be recovered, with costs, in an action brought by the Solicitor in the name of the Village of Metamora and for the use thereof.

- G. Failure to obtain a zoning permit shall result in paying a penalty fee as established by the Village. If any structure is placed or constructed without a zoning permit, the Zoning Inspector has the authority to issue a stop order and pursue enforcement of the violation.

2204 SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Village shall, by Ordinance, establish a schedule of fees, charges, and expenses and a collection procedure for Zoning Permits, amendments, appeals, variances, conditional use permits, site plan approvals, and other matters pertaining to the administration and enforcement of this Ordinance requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be available in the Village office and may be amended only by the Village Council. No Zoning Permit will be issued until the appropriate fee has been paid. No hearing or appeal will be conducted until the fee has been paid.

SECTION 23

PLANNING COMMISSION

2300 ESTABLISHMENT

The Village Planning Commission is composed of five (5) members consisting of the mayor, one member of the legislative authority to be elected thereby for the remainder of the individual's term as such member of the legislative authority, two citizens of the village, and one public member to be appointed by the mayor for terms of six years each, except that the term of one of the members of the first commission shall be for four years and one for two years. All members shall serve without compensation. (ORC 713.01)

2301 ORGINAZATION

The Planning Commission shall elect a chairman and secretary from its members. It shall adopt rules or bylaws for the holding of regular and special meetings, the transaction and disposition of its business, and the exercise of the powers of the Commission, and such procedures shall be followed.

2302 QUORUM

All meetings of the Planning Commission shall be open to the public. A majority of its members shall constitute a quorum at any meeting. No action of the Commission shall be deemed taken unless concurred in by a majority of its members.

2303 POWERS

The Village Planning Commission shall have such powers as are conferred by the general laws of Ohio or by ordinance of the Council. This includes review of Site Plan Reviews and Conditional Use Permits.

2304 EMPLOYMENT OF CONSULTANTS

The Planning Commission may control, appoint or employ professional services, and may appoint a secretary, clerks, draftsmen, and other subordinates as it finds necessary in connection with the performance of its functions and duties. Expenditures for such services and employment shall be within the amount appropriated for such purpose by Council.

2305 ACCESS TO PROPERTY

For the purpose of making necessary surveys, engineers, agents and representatives of the Planning Commission may enter upon property within the limits of the Village, as permitted by law. Members, agents, and representatives of the Commission shall have access to property in making any survey in connection with any matter being considered by the Commission.

2306 VILLAGE COUNCIL APPROVAL REQUIRED

No public building or structure, street, park, playground, public ground, bridge, or other public way, ground, works, or utility, whether publicly or privately owned, or a part thereof, shall be constructed or authorized to be constructed within the limits of the Village unless and until it shall have been submitted to the Village Council for report and recommendation. In the case of disapproval, the Village Council shall communicate its reasons to the head of the department which has control of the construction of the proposal. The Council, by vote of not less than two-thirds (2/3) of its members, may overrule such disapproval. If each public way, grounds, works, buildings, structure or utility is one of the authorization or financing of which does not, under the law, fall within the providence of the Council, the submission or body having jurisdiction and the Commission's disapproval may be overruled by such official board, commission or body by a vote of not less than two-thirds (2/3) of its membership. The opening, widening, narrowing, relocation, vacation or change in the use of street and other public ways, grounds and places, shall be subject to similar approval and this approval may be similarly overruled.

SECTION 24

BOARD OF ZONING APPEALS

2400 VILLAGE OF METAMORA BOARD OF ZONING APPEALS

The Village of Metamora Board of Zoning Appeals (BZA) shall consist of five (5) members who are residents of the Village. Terms of membership shall be arranged so that one (1) member's term will expire each year. The members of the Board of Appeals will serve without compensation, and a secretary shall be elected from the members of the Board of Appeals. The Village shall fill by appointment any vacancies including unexpired terms.

2401 MEETINGS

- A. The Board of Zoning Appeals shall schedule regular monthly or semi-monthly meetings, which can be cancelled if no appeals are filed. Special hearings can be arranged at the call of the Chairman. The Board of Zoning Appeals shall elect a Chairperson, Vice-Chairperson, and Secretary for a term of one (1) year. There shall be a fixed place for the meeting and all meetings shall be open to the public. The BZA shall keep a record of its proceedings showing the action of the BZA and showing the vote of each member on each request considered. All records of the BZA shall be filed in the Office of the Village Fiscal Officer and shall be a public record. A quorum to conduct a meeting shall consist of at least three (3) members of the BZA.
- B. All hearings conducted by the Board shall be open to the public. Any person may appear and testify at a hearing, either in person or by duly authorized agent or attorney. The Board shall have the power to subpoena and require the attendance of witnesses, to administer oaths, to compel testimony, to produce reports, findings and other evidence pertinent to any issue referred to it for decision.
- C. The Board is authorized to engage the services of a secretary, and shall provide a detailed report of all of its proceedings, setting forth its reasons for decisions, the vote of each member participating therein, and the absence of a member, or his failure to vote. Immediately following the Board's decision such record, including conditions prescribed by the Board, shall be filed and posted for two (2) weeks in the office of the Zoning Inspector. The report shall be open to the public inspection and copies shall be mailed to each interested party noted therein.

- D. Upon issuance by the Board of Zoning Appeals of any ruling, determination or order, the secretary of the Board shall send, within three (3) days of the date of such ruling, determination or order, a copy thereof to the Village Fiscal Officer who shall present such report at its next regular meeting.

2402 QUORUM

The concurring vote of three (3) members of the Board shall be necessary to reverse any order, requirement, decision, or determination of any duly authorized administrative officer. A member of the Board shall not be qualified to vote if he has not attended the public hearing, or if he has a direct or indirect interest in the issue appealed.

2403 DUTIES OF THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall have the following authority:

- A. To organize, adopt rules, hold meetings, and keep records as required by law.
- B. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determinations made by the Zoning Inspector in the enforcement of this Ordinance. This includes hearing and deciding matters of interpretation of the provisions of the text of this Ordinance and the "Official Village of Metamora Zoning Map".
- C. To authorize, upon appeal, in specific cases such variance 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 Ordinance will result in unnecessary hardship, and so that the spirit of this Ordinance shall be observed and substantial justice done. No variance shall be granted except in conformance with the provisions of Section 2404 of this Ordinance.

2404 APPEAL REQUIREMENTS

Appeals to the Board of Zoning Appeals may be taken by any person aggrieved or by any officer of the Village affected by any decision of the Zoning Inspector. Such appeal shall be taken within thirty (30) days after the decision by filing with the Board of Zoning Appeals, a notice of appeal specifying the grounds. The following information shall be included in any application brought before the Board of Zoning Appeals for consideration of an appeal or matter of interpretation:

- A. The request must include the action or order of the Zoning Inspector such as the citation of zoning violation and/or a zoning permit being denied or revoked.
- B. The specific reference, including chapter(s) and sections(s), of the zoning ordinances or portions of the "Official Village of Metamora Zoning Map" that may be appealed.
- C. The facts and information showing the basis of the appeal, including factors or characteristics unique to a parcel.
- D. The specific remedy proposed or proposed interpretation shall be described.

2405 REQUIREMENTS FOR A VARIANCE REQUEST AND APPROVAL

The Board of Zoning Appeals may authorize upon appeal, in specific cases, such variance from the terms of the Zoning Ordinance as will not be contrary to the public interest, where, owing to specific conditions, a literal enforcement of the Ordinance will result in unnecessary hardship, and so that the spirit of the Ordinance shall be observed and substantial justice done. The Board of Zoning Appeals shall review each variance individually and shall consider the following for each variance request:

- A. That due to exceptional narrowness, shallowness, or shape or exceptional topographic conditions or any other extraordinary situation or condition of a lot, the strict application of the terms of this Ordinance would result in exceptional practical difficulties for the applicant.
- B. That special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or buildings in the vicinity.

- C. That a variance from the strict application of this Zoning Ordinance is necessary to relieve such difficulties or hardship, and that such relief may be granted without substantial detriment to the public good and without substantially altering the intent of this Ordinance.
- D. The granting of the variance is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
- E. If the request is a result of non-permitted action by the applicant, careful consideration is important so as not to alter the intent of this Ordinance and/or set precedent.
- F. No variance may be granted which would allow a use that is specifically not allowed in a zoning district. The applicant should be encouraged to pursue a zoning change or alternate location.
- G. The authorization of a variance will not impair an adequate supply of light to adjacent properties, unreasonably increase the congestion on public streets, increase the danger of fire or imperil the public safety or unreasonably diminish or impair the health, safety, convenience, or general welfare of the inhabitants of the Village.

2406 CONDITIONS OF APPROVAL

In granting a variance, the BZA may stipulate the manner in which the variance shall be carried out and may require other improvements and safeguards for the protection of public health, safety, and welfare. In such cases the BZA may attach conditions.

2407 APPLICATIONS

All applications shall be in writing, shall be signed by the owner of the property involved or his duly authorized agent or attorney, shall specify the request and grounds thereof, and shall be filed in the office of the Zoning Inspector.

2408 PUBLIC HEARING AND NOTICE

The Board shall act within forty-five (45) days after receipt of all required information. Failure to act within such period shall be considered approval of the appeal unless an extension of time is mutually agreed upon. Before making any decisions on an appeal, the Board shall hold a public hearing, or hearings, at such time as shall be determined by the Board itself. Notices of the time and place of hearings shall be mailed to the appellant and to the affected property owners as they appear on the current records of the County Auditor of Fulton County to be published for two (2) successive weeks prior thereto, in a newspaper of general circulation in the Village, or by electronic means as permitted by law.

2409 APPEAL TO COURT

A person aggrieved by a decision of said Board may, within thirty (30) days after the filing of such decision, appeal to the Court of Common Pleas of Fulton County, Ohio. Such appeals may be either on questions of law or on questions of fact and shall be conducted de novo, and the appellant shall be entitled to request and to have a jury appointed to determine the issue in fact.

2410 LAPSE OF VARIANCES

If after the expiration of one (1) year, no substantial construction is done in accordance with the terms and conditions for which such variance was granted, the variance shall be void. Should this occur, the Zoning Inspector shall give notice in writing, and thirty (30) days thereafter the variance shall be deemed null and void and all regulations governing said premises in question shall revert to those in effect before the variance was granted.

SECTION 25 DEFINITIONS

2500 DEFINITIONS

For the purpose of these ordinances, certain terms and words are defined in the various Sections of this Ordinance and in this Section 25. Words used in the present tense include the future, and the plural includes the singular, and the singular the plural. The word “shall” is mandatory; “occupied” or “used” shall be considered as though followed by the words “. . . or intended, arranged, or designed to be used or occupied.” Except where specifically defined, all words used in these Ordinances shall carry their customary meanings.

Abandoned: To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, during normal periods of vacation or seasonal closure.

Accessory Structure: A subordinate structure including those without a permanent foundation, detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

Accessory Use: A use incidental to, and on the same lot as, a principal use. Accessory uses include any use of a subordinate nature to the principal use on the same lot.

Advanced Manufacturing: A term encompassing various light industrial uses such as research and development facilities, data centers, offices and similar indoor uses. Such uses shall be well-screened from any surrounding residential uses.

Agriculture: The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

Air BNB: Temporary, short-term rental of an existing dwelling. The dwelling shall maintain the residential character of the property and shall be subject to all applicable regulations in the Village Ordinances.

Alteration: Any change, addition, or modification in construction or use of an existing structure.

Amusement Arcade: A building or part of a building in which five or more video games or other similar player-operated amusement devices are maintained.

Assisted Living Facility: A residential living facility licensed by the State of Ohio for four or more persons that provides assistance with daily needs which may include medical assistance, transportation, meal preparation, and laundry services. Such facility may also provide other services, such as transportation for routine social and medical appointments, and counseling.

Automobile Service Center: A place that provides routine maintenance and replacement of parts such as tires, mufflers, and oil changes within a completely enclosed building with no service or storage outside.

Automobile Wrecking Yard (see also Salvage Yard): The place where the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding 30 days, have not been capable of operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute evidence of an automobile wrecking yard.

Banquet Hall: A facility used and/or rented to hold indoor events including, but not limited to, weddings, receptions, graduation parties, anniversary parties, funeral dinners and similar gatherings.

Bar or Lounge: Any premises wherein alcoholic beverages are sold at retail for consumption on the premises.

Bed and Breakfast: An establishment located within a single-family dwelling that is the principal residence of the operator, where short-term lodging is offered for compensation and which includes the service of one or more meals to guests. This use shall maintain the residential character of the property.

Building: A structure having a roof supported by columns or walls; for the shelter, support, enclosure or protection of persons, animals, or property. When separated by party or shared walls, each portion of such a building shall be considered a separate structure.

Building, Main: The building on a parcel in which the principal use is conducted.

Canopy: Means any structure, movable or stationary, attached to and deriving its support from framework or posts or other means independent of a connected structure for the purpose of shielding an area from the elements, or a roof-like structure of a permanent nature which projects from the wall of a structure and overhangs a doorway, window, walkway, or driveway.

Car Wash: An area of land and/or structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

Cemetery: Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Church or Place of Worship: A place that people regularly attend for religious services, meeting, and other activities, which may include day care services. The word “Church” shall not carry a secular connotation. Church shall include buildings in which religious services and related activities of any denomination are held.

Clinic: A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.

Club: Buildings or facilities occupied for social, educational, or recreational purposes, but not primarily of profit or for rendering a service that is customarily carried on as business and not open to the general public.

Commercial Vehicle: A cab, limousine, truck, truck trailer, or other vehicle with a total maximum gross vehicle weight of three (3) tons or greater that is used or designed to be used for business or commercial purposes.

Community or Club Swimming Pools: A community or club swimming pool shall be any pool constructed by an association of lot owners, or by a private club for use and enjoyment by members of the association or club.

Conservation Area: Areas having significant natural vegetation, wildlife or physical features.

Contractor Yard: A place used for the storage of heavy equipment, commercial vehicles and materials used for construction or maintenance purposes.

Crematorium: A facility where a dead human or animal corpse is cremated.

Data Center: A facility used primarily for the storage, management, processing, or distribution of digital data, including buildings housing servers, networking equipment, backup systems, cooling systems, and related infrastructure. This definition includes co-location facilities, cloud-computing centers and enterprise data centers.

Data Center Accessory Structures: Generators, chillers, cooling towers, battery storage, transformers, switchgear, and similar equipment necessary for the operation of a data center.

Day Care Facilities: A building or part thereof other than a permanent residence which administers to the needs of children or adults providing social, recreational, or educational activities on a daily basis with no provisions for resident care.

Density: The number of dwelling units permitted per net acre of land (excluding right-of-way).

Design Standards: A set of guidelines defining parameters to be followed in site and/or building design and development.

Detention/Retention Basin: A facility separate and distinct from a lake or pond and for the temporary storage of storm water runoff.

Development: All structures and other modifications of the natural landscape above and below ground or water, on a particular site.

Distribution Center: The storage, wholesale, and distribution of manufactured products, supplies, and equipment.

Drive-Thru Facility: An establishment that by design, and/or service, permits customers to receive a service or obtain a product while remaining in vehicle.

Dwelling: A building or portion thereof use exclusively for residential purposes, including one-family, two-family, and multiple family dwellings. The term “dwelling” shall include permanently sited manufactured homes and Ohio Basic Building Code (OBBC) certified units, but shall not include mobile homes, recreational vehicles, hotels, motels, boarding or lodging houses, and group living.

Dwelling, Multi-Family: A building or portion thereof used for occupancy by three or more families living independently of each other and containing three or more dwelling units.

Dwelling Unit: A place for residential occupancy by one family with separate toilets and facilities for cooking and sleeping.

Electronic Equipment Manufacture/Assembly: An indoor industrial use involving the design, production, assembly, and testing of devices, components, and machinery that use electricity, electromagnetic fields, or electronic circuits to function.

Equipment Sales and Rental: The sale, lease, or renting out of machinery, tools, and equipment to contractors, businesses, and individuals. If items are stored outside, they shall not be stored in the right-of-way. Any outside storage requires conditional use approval.

EV (Electric Vehicle) Charging Station: An electric vehicle (EV) charging station is a location or device that supplies electric energy to recharge the batteries of electric vehicles, including battery electric vehicles (BEVs) and plug-in hybrid electric vehicles (PHEVs).

Exception(s): Permission to depart from the requirements or design standards of this Ordinance with respect to the submission of required documents.

Family: One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house, lodging house or hotel, or group living as herein defined. This definition shall include the following:

- A. A group of persons with disabilities (meaning persons who are considered handicapped or disabled as those terms are defined either by the Fair Housing Act or the Americans with Disabilities Act) who need not be related by blood or marriage or adoption, living together as a single housekeeping unit.
- B. A foster home as defined by the Ohio Revised Code.

Farm Market: A retail establishment where the majority of products for sale have been grown or raised on-site and/or on land owned or operated by the market operator, and then sold directly to the consumer.

Fence: A fence is a structure without a roof, plant material, or similar screening device erected in such a manner and in such a location as to enclose, secure, partially enclose or secure, provide privacy for, decorate, define, or enhance all or any part of a lot. Fencing shall be constructed with an acceptable building material and not random mismatched materials.

Frontage: The side of a lot abutting on a public street or private place and ordinarily regarded as the front of the lot.

Funeral Home: A building or part thereof used for human funeral services. Such building may contain space and facilities for:

- A. Embalming and the performance of other services used in preparation of the dead for burial;
- B. Performance of autopsies and other surgical procedures;
- C. Storage of caskets, funeral urns, and other related funeral supplies;
- D. Storage of funeral vehicles, but shall not include facilities for cremation;
- E. A funeral chapel

Group Living: The residential occupancy of a structure by other than a family, where units or quarters do not each have its own kitchen facilities. Includes the following:

A. Adult Family Home

A state-licensed home or facility that provides accommodations to three to five unrelated adults and supervision and personal care services to at least three of those adults.

B. Drug and Alcohol Residential Facility

A home or facility that provides habilitation services for persons with drug and alcohol addictions but not including methadone treatment.

C. Group Rental

Unrelated persons who do not constitute a family or a functional family as defined in this Ordinance, living as a single housekeeping unit in which individual sleeping quarters may be occupied by the residents of the dwelling thereof, and in which the relationship among the members of the group rests primarily upon a cost-sharing arrangement.

D. Halfway House

A state-licensed facility for the care and treatment of adult offenders. ORC 2967.14(C).

E. Home for the Aging

A state-licensed home that provides services as a Residential Care Facility and a Nursing Home, except that the home provides its services only to individuals who are dependent on the services of others by reason of both age and physical or mental impairment.” ORC 3721.01(A)(8). A facility that conforms to the definition for Residential Facility (Small) or Residential Facility (Large) shall be treated as such a Residential Facility, regardless of the fact that it may also meet this definition.

F. Homeless Shelter

A home or facility that provides temporary housing, with or without meals, to indigent, homeless, or transient persons. Such home or facility shall not provide lodging on a regular basis.

G. Nursing Home

A state-licensed home used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal care services. ORC 3721.01(A)(6). Also includes Residential Care Facility, ORC 3721.01(A)(7).

H. Other Group Living

Includes fraternity and sorority houses and other community-based housing not provided for elsewhere in this code.

I. Residential Facility, Large

A state-licensed or state-regulated home or facility that provides room and board, personal care, habilitation services, and supervision in a family setting for more than 9 but not more than 16 persons who require such care because of any of the following: mental retardation or a developmental disability; physical disability; age; long-term illness, including HIV; domestic violence; or being a runaway minor. Includes the following types of facilities identified under state law: residential facility, ORC 5123.19(L); shelter for victims of domestic violence, ORC 3113.33(C); and other similar uses of the same size licensed by the state but not requiring skilled nursing care.

J. Residential Facility, Small

A state-licensed or state-regulated home or facility that provides room and board, personal care, habilitation services, and supervision in a family setting for as many as six (6) (or, if allowed by state law, eight (8)) persons who require such care because of any of the following: mental retardation or a developmental disability; physical disability; age; long-term illness, including HIV; domestic violence; or being a runaway minor. Includes the following types of facilities identified under state law: residential facility, ORC 5123.19(L); shelter for victims of domestic violence, ORC 3113.33(C); and other similar uses of the same size licensed by the state but not requiring skilled nursing care.

K. Rest Home

A home or facility that provides personal care services but not skilled nursing services to adults who reside at the facility. Includes Residential Care Facility ORC 3721.01(A)(7). A facility that conforms to the definition for Adult Foster Home, Adult Family Home, Residential Facility (Small) or Residential Facility (Large) shall be treated as such, regardless of the fact that it may also meet this definition.

Height (of building or other structure): The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

Highway, Major: A street or road of considerable continuity and used primarily as a traffic artery.

Home Occupation: A use incidental and secondary to a property's primary residential use. A home occupation use shall not change the residential character of the property or the neighborhood and shall meet all requirements of Section 1404.

Home-Based Business: A use incidental and secondary to a property's primary residential use. A home-based business typically has more potential for intensity or impact on surrounding properties than a standard home occupation. A home-based business use shall not change the residential character of the property or the neighborhood and shall meet all requirements of Section 1404.

Hospital: A care facility providing clinical and emergency services of a medical or surgical nature to human patients and licensed by the State of Ohio to provide such facilities and services.

Internet Café: A place or restaurant that provides internet access to the public, usually for a fee. These businesses usually provide snacks and drinks, hence the café in the name. The fee for using a computer is usually charged as a time-based rate. This use does not include viewing or ability to view pornographic or sexually oriented materials, and does not include internet sweepstakes establishments. Internet Cafes are not allowed in the Village.

Internet Sweepstakes Establishment: An establishment that promotes the sale of prepaid internet time cards, phone cards or similar device to retail customers in varying amounts for use at its business location which entitle each cardholder to participate in sweepstakes. The sweepstakes system allows for a customer to use the phone card, internet time cards or similar device at a game terminal to browse the internet or participate in games which reveal sweepstakes entries, prizes, prize values or the like. Internet Sweepstakes Establishments are not permitted in any zoning district.

- Kennel:** An establishment to operate a facility housing more than three (3) dogs, cats, or other household pets, over four (4) months of age, where grooming, breeding, boarding, training, or selling of animals is conducted.
- Lake:** A body of water at least five (5) acres in surface area.
- Landfill:** A site for the disposal of solid wastes in a manner that minimizes environmental hazards by spreading or compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operation day.
- Landscape Contractor:** A business principally engaged in providing landscape services, including construction, soil preparation, and planting. The business may also include growing and selling nursery stock and may include property maintenance services including yard mowing, landscape maintenance, tree trimming, and/or snow plowing.
- Landscape Strip:** An area of land located along the right-of-way which contains decorative treatments, such as fencing or walls, and natural features, such as lawns, trees, plants, or mulch.
- Laundry, Self-service:** A business that provides washing, drying, and/or ironing machines for hire to be used by customers on the premises.
- Limousine/Taxi Fleet Service:** The commercial business of providing motor vehicles for carrying or transportation of passengers for a fixed charge or fee, or offering a vehicle with driver for a fixed charge or fee. This does not include private transportation services from third party ride services.
- Lot:** A parcel of land.
- Lot (corner):** A lot with frontage on and at the intersection of the rights-of-way of two or more streets.
- Lot (interior):** An interior lot is a lot other than a corner lot.
- Lot (through):** A lot, other than a corner lot, having frontage on two parallel, or approximately parallel, roads.

Lot Area: Total area bounded by property lines excluding any roadway easements and rights-of-ways.

Lot Coverage: Determined by dividing the total surface of all buildings, including covered porches and accessory buildings, and any other impervious surfaces, except sidewalks, located on the lot by the total area of the lot.

Lot Depth: The average horizontal distance of the lot between the front and rear lot lines.

Lot Line: A line dividing one lot from another lot or from the street or alley.

Lot of Record: A lot that has been recorded or registered in a deed or on a plat.

Lot Width: The horizontal distance of the lot between side lot lines measured at the required front setback line.

Machine Shop: A facility where metal parts, tools, gears, or machines are fabricated, repaired, or shaped using tools such as lathes, grinders, or mills.

Manufactured Home: A factory-built, single-family structure that is transportable in one or more sections, and is used as a place of habitation. A manufactured home conforms to the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

Permanently Sited Manufactured Home: A "permanently sited manufactured home" means a manufactured home that meets all of the following criteria as specified in ORC 3781.06:

- A. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
- B. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments;

- C. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
- D. The structure was manufactured after January 1, 1995;
- E. The structure is not located in a manufactured home park.

Manufactured Home Park: A parcel of land planned and improved upon which three or more manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes and including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such manufactured home park.

Manufacturing, Indoor: Involves the production, assembly, or processing of goods that takes place entirely within an enclosed building.

Marijuana Facility: Any entity that has been issued a certificate or license by the State of Ohio to operate as a cultivator, dispensary, processor or testing facility of medical marijuana. The following are Marijuana Facility use types:

A. Cultivator

An entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport marijuana.

B. Dispensary

An entity licensed by the State of Ohio to sell marijuana products.

C. Processor

An entity that has been issued a certificate of operation by the State of Ohio to manufacture marijuana products.

D. Testing Laboratory

An independent laboratory that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

Mineral Extraction, Storage, and Processing: Any mining, quarrying or processing of limestone, sand, gravel, oil, natural gas, or other mineral resources.

Mobile Home: A transportable, factory-built home, designed to be used as year-round residential dwelling and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974 which became effective June 15, 1976. Mobile homes and manufactured homes that do not meet the definition of a “Permanently Sited Manufactured Home” shall be located only in a Manufactured Home Park.

Motel/Hotel: A facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.

Motor Vehicle Salvage Yard: The place where the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding 30 days, have not been capable or operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute evidence of an automobile wrecking yard.

Non-Conforming Lot: A lot which does not meet the requirements of this Ordinance.

Non-Conforming Structure (legal): A building or structure which was lawfully existing at the time of adoption, revision, or amendment to this Ordinance that at the present time does not comply with the site area, coverage, setback, height, or other applicable regulations for its zoning district.

Non-Conforming Structure (illegal): A building or structure which did not legally exist at the time of adoption, revision, or amendment to this Ordinance and that does not comply with the site area, coverage, setback, height, or other applicable regulations for its zoning district.

Non-Conforming Use (legal): A use of land which lawfully existed at the time of adoption, revision, or amendment to this Ordinance that at the present time does not comply with the use regulations for its zoning district.

Non-Conforming Use (illegal): A use of land which did not legally exist at the time of adoption, revision, or amendment to this Ordinance and that does not comply with the use regulations for its zoning district.

Outdoor Storage: Any goods, material, merchandise, or vehicles in the same exterior place for more than twenty-four (24) consecutive hours.

Permanent Foundation: A locally approved permanent masonry, concrete, footing or foundation, to which a structure may be affixed.

Personal Service: A business that provides services such as hair care, shoe repair, laundry mat, dry cleaning, travel agency, beauty salon, and other similar activities.

Plant Nursery: The cultivation of crops, fruit trees, nursery stock, and garden products or similar plant materials outside or within greenhouses.

Pond: A body of water with a minimum surface area of one-half (1/2) and a maximum surface area not to exceed five (5) acres.

Precision Instrument Manufacture/Assembly: A specialized indoor industrial use focused on designing, creating, and joining, to extremely tight tolerances, small, complex, and highly accurate components.

Principal Use: The main use of land or structures, as distinguished from a secondary or accessory use.

Principal Building: A building in which the primary use of the lot on which the building is located is conducted.

Private Place: A duly approved and platted private thoroughfare other than a public street permanently reserved as the principal means of access to abutting property and/or platted lots in a subdivision.

Professional Office: Establishments that may cater to a specific professional service such as outpatient medical/dental offices, insurance agencies, real estate offices, travel agencies, and other similar activities.

Professional/Trade School: A facility that provides a curriculum for an occupation, skill, or trade.

Public Service Facility: A government-owned facility that typically includes offices and storage area(s) of vehicles, machinery, and equipment for the Village Public Service Department.

Public Use: Any land, use or activity owned and operated by a public agency such as a post office, government building/structure, school, police or fire station, open space or park.

Public Way: Means an alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

Recreational Facilities:

Indoor: Public or private facilities including bowling alley, racquetball courts, pickleball courts, tennis courts, basketball courts, swimming pools, ice skating rinks, firing range, exercise facilities, arcades, and other similar uses.

Outdoor: Public or private facilities including golf courses, driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, carnivals, campgrounds, pickleball courts, tennis courts, basketball courts, and other similar uses.

Recreational Vehicle: A vehicular portable structure that is designed and constructed to be used as a temporary dwelling for travel, recreation, and vacation uses and is classified as follows:

A. Fifth Wheel Trailer: A vehicle that is of such size and weight as to be movable without a special highway permit, that has gross trailer area of four hundred (400) square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch originally installed in the bed of the truck.

B. Motor Home: A self-propelled recreational vehicle that is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

C. Park Trailer: A vehicle that is commonly known as a park model recreational vehicle, meets the American National Standard Institute standard for park trailers, is built on a single chassis, has a gross trailer area of four hundred (400) square feet or less when set up, is designed for seasonal or temporary quarters, and may be connected to utilities necessary for the operation of installed features and appliances.

D. Tent-Type Foldout Camping Trailers: Any vehicle intended to be used, when stationary, as a temporary shelter with living and sleeping facilities, and which is subject to the following properties and limitations:

1. A minimum of twenty-five (25) percent of the foldout portion of the tip and sidewalls combined must be constructed of canvas, vinyl, or other fabric, and form an integral part of the shelter.
2. When folded, the unit must not exceed:
 - (a) Fifteen (15') feet in length, exclusive of bumper and tongue,
 - (b) Sixty (60") inches in height from the point of contact with the ground,
 - (c) Eight (8') feet in width,
 - (d) One (1) ton gross weight at time of sale.

E. Travel Trailer: A non-self-propelled recreational vehicle that does not exceed an overall length of thirty-five (35) feet, exclusive of bumper and tongue or coupling, and contains less than three hundred and twenty (320) square feet of space when erected on site. "Travel Trailer" includes a tent-type fold-out camping trailer as defined in this Ordinance.

F. Truck Camper: A non-self-propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. “Truck Camper” does not include truck covers that consist of walls and a roof, but do have floors and facilities enabling them to be used as a dwelling.

Recycling Center: An area where recoverable resources, such as newspapers, glassware, and metal cans are collected, but no processing of recyclable materials occur.

Research and Development Facility: A research and development (R&D) facility is an establishment comprising of laboratories, offices, and testing areas—dedicated to scientific research, product design, engineering, and prototyping to create or improve products, technologies, or processes.

Residential Care Facility: Includes Assisted Living Facility, Nursing Home, Rest Home, Adult Day Care, Group Home, or and other similar institution.

Retail: The sale or rental of commonly used goods and merchandise for personal or household use and rendering services incidental to the sale or rental of such goods. Such sale or rental shall be conducted exclusively indoors unless specifically allowed in this Ordinance. Typical uses include grocery stores, department stores, furniture stores, clothing stores and establishments providing the following products or services: household electronic equipment, sporting goods, bicycles, office supplies, home furnishings, household appliances, wallpaper, carpeting and floor-covering, art supplies, kitchen utensils, jewelry, drugs, cosmetics, books, notions, antiques or automotive parts and accessories.

Rooming House: A dwelling that is the primary residence of the owner and where lodging is provided by the owner, for compensation, to three or more unrelated adult persons. This shall maintain the single-family residential character of the dwelling and property.

Salvage Yard: (see also Automobile Wrecking Yard) An area where inoperable used materials are bought, sold, exchanged, stored, processed, or handled. The word “materials” shall include but are not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. An Automobile Wrecking Yard is also considered a Salvage Yard.

- School:** A public or privately funded facility that provides a curriculum of academic instruction, including kindergarten, elementary, middle, junior, and high schools, colleges and universities.
- Screening:** The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other methods.
- Self-Storage Facility:** A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods excluding boats or recreational vehicles.
- Setback(s):** The required minimum distance between the building line and the nearest front, side, or rear property line.
- Sexually Oriented Business:** ‘sexually-oriented business’ means an inclusive term used to describe collectively: adult media store, bathhouse, lingerie modeling or photograph studio, massage parlor/studio (except for massage therapy as licensed by the State of Ohio in Revised Code Section 4731.16), motion picture arcade booth, sex shop, sexual encounter center, sexually-oriented cabaret or sex-oriented cabaret, sexually-oriented cinema, sexually-oriented motion picture theater, or sex-oriented cinema.
- Small Wind Turbine:** A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is intended to primarily reduce on-site consumption of utility power.
- Story:** The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling above it.
- Structure:** A combination of materials constructed or placed for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

Telecommunication Tower: A telecommunication tower is typically a tall, fixed, or elevated structure—such as a monopole, lattice, or guyed tower—designed primarily to support antennas and electronic equipment. These structures are critical components of wireless networks, facilitating voice, data, and radio communications.

Truck Service Center: A place that provides routine maintenance and replacement of commercial vehicle parts such as tires, mufflers, and oil changes within a completely enclosed building with no service or storage outside.

Truck Terminal: Land and buildings used as a relay station for the transfer of a load from one vehicle or building to another or one party to another. The terminal facility may include truck storage and repair.

Warehousing/Wholesale Facility: An industrial building designed for the bulk storage, management, and distribution of goods. Products are typically held for manufacturers, importers, or wholesalers before being distributed to retailers, other businesses, or industrial users.

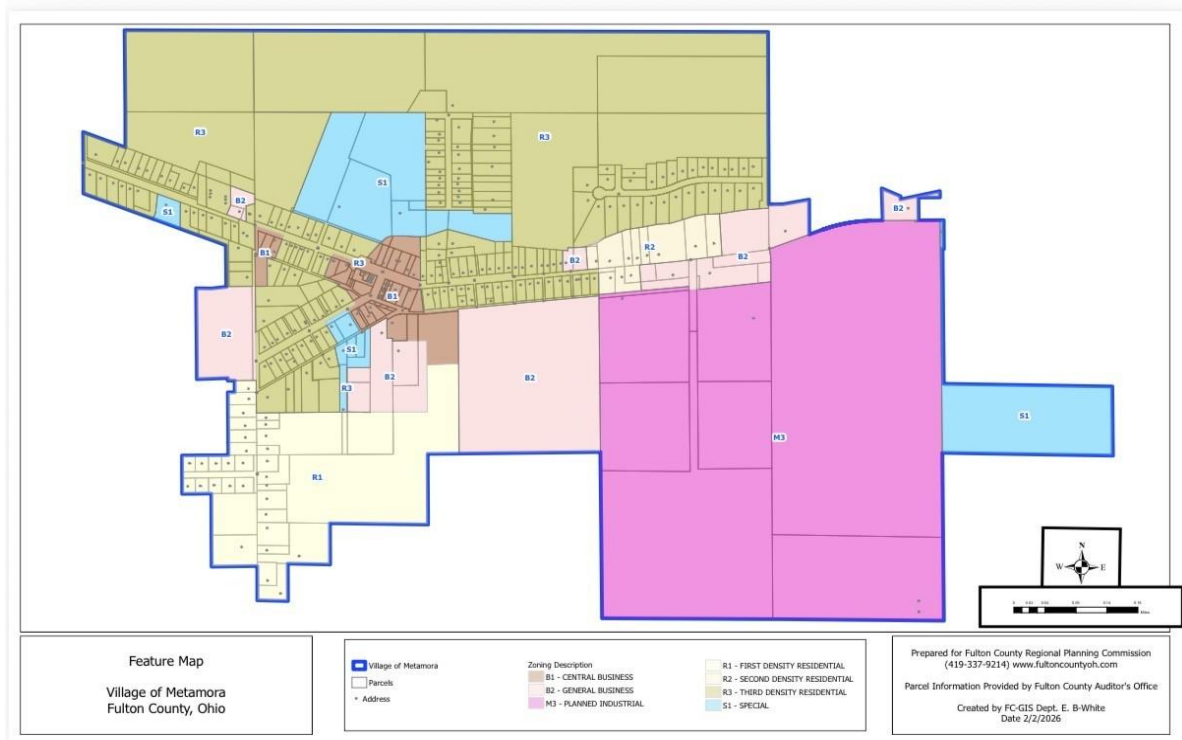
Yard: Any open space located on the same lot with a building, unoccupied and unobstructed from the ground, except for accessory structures, parking, or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard is the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.

Yard, Front: A yard extending along the full width of the lot between side lot lines and from the front lot line to the front building line.

Yard, Rear: A yard extending across the full width of the lot between the side lot lines and lying between the rear lot line and the nearest wall of the main building. Rear yard depth shall be measured from the rear building wall to the nearest point of the rear lot line.

Yard, Side: A yard lying between the side lot line of the lot and the nearest building wall of the main building, between the front yard and the rear yard.

APPENDIX A



Official 2026 Zoning Map