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ARTICLE 1: INTENT AND INTERPRETATION

SECTION 100: ENACTMENT

Be it resolved by the Board of Township Trustees of Williamsburg Township, Clermont County, State of Ohio, that it finds it necessary and advisable to regulate the location, size, height and use of buildings and other structures; percentages of lot areas which may be occupied; setback building lines; size of yards, courts, and other open spaces; and the uses of land for residences, business, industrial, recreation or other purposes and for such purposes, divides the unincorporated area of the township into zones or districts and hereby so enacts this resolution.

SECTION 101: TITLE

This Resolution shall be known and may be cited and referred to as the "Zoning Resolution of Williamsburg Township, Clermont County, Ohio."

SECTION 102: PURPOSE

This Resolution is enacted for the purpose of promoting public health, safety, and morals, comfort and general welfare; conserving and protecting property and values; securing the most appropriate use of land, and facilitating adequate and economical provisions for public improvement, and providing a method of administration and prescribing penalties for the violations of provisions hereafter described all as authorized by the provisions of the Chapters and the Sections thereunder of the Ohio Revised Code (ORC).

SECTION 103: AUTHORITY

This Resolution is enacted pursuant to the powers and authority granted under the provisions of the Revised Code: State of Ohio, Section 519.02, said Section providing as follows: Township trustees may regulate building and land use in unincorporated territory.

SECTION 104: JURISDICTION

The provisions of this Resolution shall apply to all land, land development, use of all structures, and uses of land within the unincorporated areas of Williamsburg Township, Clermont County, Ohio.

SECTION 105: REPEAL OF CONFLICTING RESOLUTIONS.

All resolutions in conflict with this Resolution or inconsistent with the provisions of this Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect.

SECTION 106: FORM OF PUBLICATION.

The Form of publication shall be accomplished by use of eight and one-half by eleven inch (8 1/2" x 11") paper, double-sided, and appropriately packaged with an acceptable binding material. This shall enable easy replacement of pages as the Resolution is revised in the future. An official copy of the Williamsburg Township Zoning Resolution shall be certified and filed with the Office of the Clermont County Recorder.

SECTION 107: ZONING DISTRICTS

For the purposes set forth in Article 1 above, the unincorporated territory of Williamsburg Township is hereby divided into the following districts:

A	Agricultural District
R-1	Rural Residence District
R-2	One- and Two-Family Residence District
R-3	Multi-Family Residence District
R-4	Urban Residence District
B-1	Neighborhood Business District
B-2	General Business District
I	Industrial District
M-H	Manufactured Home Park District
PUD	Planned Unit Development

SECTION 108: ZONING DISTRICT BOUNDARIES

The boundaries of these districts are hereby established as shown on the map known as the Official Zoning Map of Williamsburg Township, which map accompanies and is hereby declared to be part of this Resolution. The said map and all the notations, references and other information shown thereon are as much a part of this resolution as if the notations, references and other information were fully described herein, which map is properly attested and on file with the Township Trustees.

SECTION 109: ZONING DISTRICT MAPS

The boundaries of each district are intended to follow property lines, lot lines or centerlines of streets and lanes, as they existed at the time of the adoption of this resolution. Distances can generally be scaled directly from the zoning maps but should questions arise concerning the exact location of district boundary lines, the questions shall be determined by factors relevant to the area as interpreted by the Board of Zoning Appeals.

SECTION 110: EFFECTIVE DATE

This Resolution shall become effective from and after the date of its approval and adoption, as provided by law.

SECTION 111: SEPARABILITY

If any part of this Zoning Resolution is held to be unconstitutional or invalid, such decision shall not affect the validity of this document as a whole, or the remaining parts of this Zoning Resolution.

ARTICLE 2: ADMINISTRATION

SECTION 200: PURPOSE

This article sets forth the powers and duties of the Zoning Commission, the Board of Zoning Appeals, Township Trustees, and the Zoning Administrator with respect to the administration of the provisions of this Resolution.

SECTION 201: GENERAL PROVISIONS

The formulation, administration and enforcement of this Resolution is hereby vested in the following offices and bodies within Williamsburg Township, Clermont County, Ohio government:

A. Township Trustees
B. Zoning Administrator
C. Township Zoning Commission (ZC)
D. Township Board of Zoning Appeals (BZA)
E. Legal Counsel
F. Township Fiscal Officer

SECTION 202: TOWNSHIP TRUSTEES

The responsibilities of the Township Trustees pertaining to the Resolution are as follows:

A. Approve the appointments of members to the Zoning Commission.
B. Approve the appointments of members of the Board of Zoning Appeals.
C. Initiate or act upon suggested amendments to the zoning text amendment or zoning map amendment. Final action upon a suggested zoning amendment shall be undertaken at a public hearing.
D. Override a written recommendation of the Zoning Commission on a text or map amendment provided that such legislative action is passed by a unanimous vote of the Township Trustees.

SECTION 203: ZONING ADMINISTRATOR

A Zoning Administrator designated by the Township Trustees shall administer and enforce this Resolution. He/she may be provided with the assistance of such other persons as the Township Trustees may direct.

It shall be the duty of the Zoning Administrator to:

A. Enforce the provisions of this Resolution.
B. Respond to questions concerning applications for amendments to the Resolution text and the Official Zoning District Map.
C. Issue zoning certificates as provided by this Resolution and keep a record of same with a notation of any special conditions involved.
D. Act on all applications upon which he/she is authorized to act by the provisions of this Resolution within the specified time or notify the applicant in writing of his refusal or denial of such application and the reasons, therefore. Failure to notify the applicant in case of such refusal or denial within the specified time shall entitle the applicant to submit his/her request to the Board of Zoning Appeals.

E. Conduct inspections of buildings and uses of land to determine compliance with this Resolution and, in the case of any violation, to notify in writing the person(s) responsible, specifying the nature of the violation and ordering corrective action.
F. To maintain, or cause to be maintained, in current status the Official Zoning District Map which shall be kept on permanent display in the township offices.
G. Maintain permanent and current records required by this Resolution, including but not limited to zoning certificates, inspection documents, and records of all variances, conditional uses, amendments.
H. Make such records available for the use of the Township Trustees, the Zoning Commission, the Board of Zoning Appeals, and the public.
I. Review and approve site plans pursuant to this Resolution.
J. Determine the existence of any violations of this Resolution, and cause such notifications, revocation notices, or stop orders to be issued, or initiate such other administrative or legal action as needed, to address such violations.
K. Prepare and submit bimonthly and annual reports to the Township Trustees, as well as annual reports to the Zoning Commission and Board of Zoning Appeals on the administration of this Resolution, setting forth such information as may be of interest and value in advancing and furthering the purpose of this Resolution, as well as interim reports on other important matters. Such reports shall include recommendations concerning the schedule of fees.
L. Delegate any of the aforementioned tasks to any and all assistants that might be provided to him/her by the Township Trustees. He/she shall personally supervise any and all delegated tasks and shall remain personally responsible for the proper conduct of all tasks conducted under the terms of this Resolution.
M. Act as principal liaison with any and all planning or other consultants retained by the Township Trustees for any purposes or tasks pertaining to this Resolution.

SECTION 204: TOWNSHIP ZONING COMMISSION

The Williamsburg Township Zoning Commission is established in accordance with Section 519.04 of the Ohio Revised Code and as follows:

A. Appointment:

The Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of the Township, to be appointed by the Township Trustees, and the terms of the members shall be of such length and so arranged that the term of one member will expire each year on December 31st. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable for non-performance of duty, misconduct in office, or other cause by the Township Trustees, upon written charges being filed with the Township Trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the members so charged at least ten (10) days prior to the hearing, either personally, by registered mail, or by leaving such copy at their usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by members appointed by the Township Trustees and shall be for the respective unexpired term.

The Township Trustees may appoint two (2) alternate members to the Zoning Commission, for terms to be determined by the Township Trustees. An alternate member shall take the place of an absent regular member at any meeting of the Zoning Commission, according to procedures prescribed by resolution by the Township Trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

B. Organization:

The Zoning Commission shall organize and adopt rules for the transaction of business and keep a record of its actions and determinations. Meetings of the Zoning Commission shall be held at the call of the Secretary or Chairman, and at other times as the Zoning Commission may determine. All meetings of the Commission shall be open to the public. The Zoning Commission shall keep minutes of its proceedings showing the vote of each member upon each case, or if absent, or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the Zoning Department and kept as public record.

Three (3) members of the Zoning Commission shall constitute a quorum. Such quorum may exercise the powers of the Zoning Commission and the actions of a majority of the full Zoning Commission. All actions of the Zoning Commission shall have the concurrence of at least three (3) members, and the failure of any proposed amendment, supplement or action to receive an affirmative vote of at least three (3) members of the Zoning Commission present shall be considered a recommendation or vote against such amendment, supplement, or action and shall be so recorded and certified as applicable.

The Zoning Commission may call upon Township or County Departments for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance as may reasonably be required.

C. Responsibilities:

1. Initiate advisable zoning map amendments or text amendments of the Resolution by the Township Trustees.
2. Review all proposed amendments to this Resolution (text and/or map) and make recommendations to the Township Trustees, as specified in Section 210.
3. Review all Planned Developments and make recommendations to the Township Trustees.

SECTION 205: TOWNSHIP BOARD OF ZONING APPEALS

The Township Board of Zoning Appeals is hereby created in accordance with Section 519.13 of the Ohio Revised Code and as follows:

A. Appointment and Organization:

A quasi-judicial board is hereby created, such board to be known as the (BZA), consisting of five (5) members who shall be residents of the unincorporated area of Williamsburg Township. These members shall be appointed by the Township Trustees and the terms of these members shall be five (5) years and expire on December 31st each year. Each member shall serve until his successor is appointed and qualified. Members of the BZA shall be removable for non-performance of duty, misconduct in office, or other cause by the Township Trustees, upon written charges being filed with the Township Trustees, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the members so charged at least ten (10) days prior to the hearing, either personally, by registered mail, or by leaving such copy at their usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be filled by members appointed by the Township Trustees and shall be for the unexpired term.

The Township Trustees may appoint two (2) alternate members to the BZA, for terms to be determined by the Township Trustees. An alternate member shall take the place of an absent regular member at any meeting of the BZA, according to procedures prescribed by resolution by the

Township Trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote.

The presence of three (3) members shall constitute a quorum. The concurring vote of three (3) members of the BZA shall be necessary to reverse or modify any order, requirement, or decision of the Zoning Administrator or to decide in favor of the applicant in any matter upon which the BZA is required to pass or effect any variation.

The BZA shall adopt rules and regulations as it may deem necessary to carry into effect provisions of this Article. Meetings of the BZA shall be held at the call of the Chairman or Secretary and at such other times as the BZA determines. The Chairman, or in his absence the acting Chairman, may administer oaths and the BZA may compel the attendance of witnesses. The BZA shall keep minutes of its proceedings showing the vote of each member upon each case, or if absent or failing to vote, indicating such fact, and shall keep such records of its examinations and other official actions, all of which shall be immediately filed in the office of the Zoning Department and become a public record.

The BZA shall hear and decide all questions brought before it by appeal from the regular granting or revocation of certificates by the Zoning Administrator under the provisions of this Resolution. It shall also hear and decide all matters referred to it or upon which it is required to pass under this Resolution. Within its powers, the BZA may reverse or affirm, wholly or in part, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all powers of the office from whom the appeal is taken.

B. Jurisdiction:

Any determination by the Zoning Administrator made in the enforcement of this Resolution may be appealed to the BZA by any person deeming himself adversely affected by such decision or by any officer of the Township, pursuant to the Ohio Revised Code 519.15.

C. Public Hearing:

The BZA shall fix a reasonable time for the public hearing of any appeal, give at least ten (10) days' notice in writing to the parties in interest, and give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten (10) days before the date of such hearing. Upon the hearing, any person may appear in person, by agent, or by attorney.

D. Responsibilities:

1. Temporary Zoning Certificate:

Grant a zoning certificate in any district for a temporary building or use incidental to the residential, commercial or industrial development. The BZA's decision regarding the appropriateness of granting such certificate shall be dependent upon the nature and the intensity of the proposed use and a determination that it will not be hazardous or disturbing to existing neighboring uses and that the public health and safety will be maintained through proper provisions for utilities, ingress, egress and parking. Such certificate shall not be issued for a period of more than one (1) year, unless the BZA determines that additional time is necessary and appropriate.

2. Variances:

Where, by reason of exceptional narrowness, shallowness or shape of a specified piece of property at the time of enactment of this Resolution or by reason of the exceptional topographical conditions or other extraordinary and exceptional situations or conditions of such piece of property, the application of these zoning regulations would result in particular and exceptional practical difficulty to or exceptional or undue hardship upon the owner of such property, the BZA shall have the power in this specific case to vary from such strict application so as to relieve such difficulty or hardship, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of the Resolution.

3. Conditional Uses:

Grant a Conditional Use Certificate for the erection of buildings and the use of buildings and lands if such specific uses are provided for in this Resolution. Conditional uses shall be reviewed as per the regulations established in Section 208 of this Resolution.

4. Non-Conforming Uses:

To hear and determine the substitution, enlargement or extension of a nonconforming use existing at the time of enactment of this Resolution. Standards and procedures for non-conforming uses shall conform to Article 3: Non-Conforming Uses of this Resolution.

5. Administrative Appeal:

To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Administrator in the enforcement of this Resolution.

SECTION 206: PROCEDURE FOR OBTAINING A VARIANCE

A. Authorization:

The BZA may authorize variances from the terms of this Resolution when the BZA has made written findings of fact, based upon the standards set out below.

B. Request:

An application for a variance shall be filed with the BZA, which shall contain the following:

1. Description of Property and Nature of Variance.

    a. The nature of the variance including the specific provisions of the Resolution from which the variance is requested.
    b. A description sufficient to identify the property, including a reference of the book and page of the last recorded deed.
    c. A list of property owners, including names and mailing addresses, contiguous to, and directly across the street from the property subject to the variance request.
    d. A statement of the special circumstances or conditions applying to the land or structure and not applying generally throughout the zoning district.
    e. A statement showing that the special conditions and circumstances creating the "unnecessary hardship" for a use variance and a "practical difficulty" for an area variance do not result from the actions of the applicant.
    f. A statement showing that the granting of the variance is necessary to the preservation and enjoyment of substantial property rights.
    g. Such other information regarding the appeal as may be pertinent or required for appropriate action by the BZA.

2. Plot Plan

    The application shall be accompanied by at least six (6) copies of a plot plan drawn to an appropriate scale showing the following:

    a. The boundaries and dimensions of the lot.
    b. The size and location of existing and proposed structures.
    c. The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking and loading spaces and landscaping.
    d. The relationship of the requested variance to the standards set by the Resolution.
    e. The use of land and location of structures on adjacent property.

C. Hearing on Variance:

A hearing on the application shall be held by the BZA and notice thereof given, as specified under Section 205(C) of this Resolution.

D. Standards for Variance:

Where an applicant seeks a variance, said applicant shall be required to supply evidence that demonstrates that the literal enforcement of this Resolution will result in practical difficulty for an area/dimensional variance or unnecessary hardship for a use variance.

1. Area/Dimensional Variance

The following factors shall be considered and weighed by the BZA to determine practical difficulty:

a. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district; examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness or steepness of the lot, or adjacency to non-conforming and inharmonious uses, structures or conditions.
b. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
c. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures.
d. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer substantial detriment as a result of the variance.
e. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, and trash pickup.
f. Whether special conditions or circumstances exist as a result of actions of the owner.
g. Whether the property owner's predicament can feasibly be obviated through some method other than a variance.
h. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.
i. Whether the granting of the variance requested will confer on the applicant any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.
j. No single factor listed above may control, and not all factors may be applicable in each case. Each case shall be determined on its own facts.

2. Use Variance

In order to grant a use variance, the BZA shall determine that strict compliance with the terms of this Resolution will result in unnecessary hardship to the applicant. The applicant must demonstrate such hardship by clear and convincing evidence that all of the following criteria are satisfied:

a. The property cannot be put to any economically viable use under any of the permitted uses in the zoning district in which the property is located.
b. The variance requested stems from a condition which is unique to the property at issue and not ordinarily found in the same zone or district.
c. The variance requested cannot otherwise be resolved by a zoning map amendment.
d. The hardship condition is not created by actions of the applicant.
e. The granting of the variance will not adversely affect the rights of adjacent property owners or residents.
f. The granting of the variance will not adversely affect the public health, safety or general welfare.
g. The variance will be consistent with the general spirit and intent of this zoning resolution.
h. The variance sought is the minimum that will afford relief to the applicant.

E. Conditions and Restrictions:

In granting a variance, the BZA may impose such conditions, safeguards and restrictions upon the premises benefited by the variance as may be necessary to comply with the standards set out in Section 205(E) of this Resolution to reduce or minimize potentially injurious effects of such variance upon other property in the neighborhood, and to carry out the general purpose and intent of this Resolution.

F. Decision on Variance:

The BZA shall have all the powers of the Zoning Administrator with respect to such decision. The concurring vote of three (3) of the members of the BZA shall be necessary to reverse or modify any decision of the Zoning Administrator under this Resolution. The BZA shall render a written decision on the application without unreasonable delay after the close of a hearing, and in all cases, within thirty (30) days after the close of the hearing.

G. Period of Validity:

A variance granted by the BZA shall terminate at the end of twelve (12) months from the date on which the BZA grants the variance, unless within such twelve (12) month period, a Zoning Certificate is obtained

SECTION 207: PROCEDURE FOR CONDITIONAL USE PERMIT

A. Authorization:

Specifically listed Conditional Uses are provided within the zoning district regulations in recognition that such uses, although often desirable, will more intensely affect the surrounding area in which they are located than the Permitted Uses of such zoning district.

The intent of the procedure for authorizing a Conditional Use is to set forth the development standards and criteria for locating and developing Conditional Uses in accordance with the nature of the surrounding area, conditions of development, and with regard to appropriate plans.

B. Application for Conditional Use:

Any person owning or having an interest in property may file an application to use such property for one or more of the Conditional Uses provided for by this Resolution in the zoning district in which the property is situated. An application for a Conditional Use permit shall be filed with the Zoning Administrator and forwarded to the Secretary of the BZA.

The application for a Conditional Use shall contain the following:

1. Description of Property and Intended Use

    a. A description sufficient to identify the property including a reference of the book and page of the last recorded deed.
    b. The proposed use of the property.
    c. A statement of the necessity or desirability of the proposed use to the property and land use.
    d. A statement of the compatibility of the proposed use to adjacent property and land use.
    e. Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the application or required for appropriate action by the BZA.

2. Plot Plan

    The application shall be accompanied by at least six (6) copies of the plot plan, drawn to an appropriate scale clearly showing the following:

    a. The boundaries and dimensions of the lot.
    b. The size and location of existing and proposed structures.
    c. The proposed use of all parts of the lot and structures, including access ways, walks, off-street parking, loading spaces, and landscaping.
    d. The relationship of the proposed development to the development standards in the existing zoning district.
    e. The use of land and location of structures on adjacent property.
    f. A list of property owners, including names and mailing addresses, contiguous to, and directly across the street from the property subject to the Conditional Use request.

C. Hearing on Conditional Use:

A hearing on the application shall be held by the BZA and notice thereof given, as specified under Section 205(C) of this Resolution.

D. Standards for Conditional Use:

The Board shall not grant a Conditional Use unless it shall, in each specific case, make specific written findings of fact directly based upon the particular evidence presented to it, that support conclusions that:

1. The proposed use is in fact a Conditional Use established within the applicable zoning district.
2. Adequate utility, drainage and other such necessary facilities have been or will be provided.
3. Adequate access roads or entrance and exit drives will be provided and will be so designed as to prevent traffic hazards and to minimize traffic conflicts and congestion to public streets and alleys.
4. All necessary permits, and licenses for the use and operation of the Conditional Use have been obtained, or evidence has been submitted that such permits and licenses are obtainable for the proposed Conditional Use on the subject property.
5. The location and size of the Conditional Use, the nature and intensity of the operation involved or conducted in connection with it, the size of the site in relation to it, and the location of the site with respect to streets giving access to it, shall be such that it will be in harmony with the appropriate and orderly development of the district in which it is located.
6. The location, nature, and height of buildings, structures, walls, and fences on the site and the nature and extent of landscaping and screening on the site shall be such that the use will not unreasonably hinder or discourage the appropriate development, use and enjoyment of adjacent land, buildings and structures.
7. Will not be hazardous or disturbing to existing or future neighboring uses.
8. Evidence that the Conditional Use desired will not adversely affect the public health, safety and morals.
9. When considering a Conditional Use request for a use similar to those indicated in a specific district, in addition to the standards in this Section, the BZA shall determine that the proposed use is not specifically identified in another District which would allow the proposed use by a redistricting of the subject property.

E. Conditions and Restrictions:

In granting a Conditional Use Permit, the Board may impose such conditions, safeguards and restrictions upon the premises benefited by the Conditional Use as may be necessary to comply with the standards set out in Section 205(E) to reduce or minimize potentially injurious effects of such Conditional Uses upon other property in the neighborhood, and to carry out the general purpose and intent of this Resolution.

F. Decision on Conditional Use:

The concurring vote of three (3) of the members of the BZA present at the meeting shall be necessary for approval. The BZA shall render a written decision on the application without unreasonable delay after the close of a hearing, and in all cases, within thirty (30) days after the close of the hearing.

G. Period of Validity:

A Conditional Use Permit granted by the BZA shall terminate at the end of twelve (12) months from the date on which the BZA grants the Conditional Use, unless within the twelve (12) month period such use has commenced or a building permit is obtained and the erection or alteration of a structure is started

SECTION 208: ZONING CERTIFICATE

A. Zoning Certificate Required:

It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter created, erected, changed, converted or enlarged, wholly or partly, until a Zoning Certificate has been issued by the Zoning Administrator. Such Certificate shall show that such building or premises or part thereof, and the proposed use thereof, are in conformity with the provisions of this Resolution. A Zoning Certificate shall be required for any of the following:

1. Construction or expansion of any building, including accessory buildings.
2. Change in use of an existing building or accessory building to a use of a different classification.
3. Change in the use of land or excavation in preparation for the change in the use of land to a use of a different classification.
4. Any change a non-conforming use.
5. Installation of signage.

B. Contents of Application for Zoning Certificate:

The application for a Zoning Certificate shall be signed by the owner or applicant attesting to the truth and exactness of all information supplied on the application. Each application shall clearly state that the Certificate shall expire if work has not begun within six months or has not been substantially completed within one year from the date the Certificate is issued. The application shall contain the following information as a minimum:

1. Name, address and phone number of the applicant;
2. Parcel number;
3. Existing use;
4. Proposed use;
5. Zoning district;
6. Every application for a Zoning Certificate shall be accompanied by plans in duplicate, drawn to scale in black line or blueprint, showing:

    a. The actual shape and dimensions of the lot to be built upon or to be changed in its use in whole or in part;
    b. The exact location, size and height of any building or structure, or proposed alteration of an existing building or structure, as would substantially alter its appearance, drawings or

sketches showing the front, sides and rear elevations of the proposed building or structure as it will appear after work for which a Certificate is sought is completed;

c. The existing and intended use of each building or structure or part thereof;
d. The number of families or housekeeping units the building is designed to accommodate, and, when no buildings are involved, the location of the present use and proposed use to be made of the lot; and
e. Such other information with regard to the lot and neighboring lots as may be necessary to determine and provide for the enforcement of this Resolution.

7. Building heights;
8. Number of off-street parking spaces and loading berths and dimensions;
9. Number of dwelling units;
10. The school district boundaries; and
11. Such other information or matters as may be necessary to determine conformance with, and provide for the enforcement of this Resolution.

One (1) copy of such plans shall be returned to the owner when such plans have been approved by the Zoning Administrator, together with Zoning Certificates as may be granted. All dimensions shown on these plans relating to the location and size of the lot to be built upon shall be based on actual survey. The lot and the location of the building thereon shall be staked out on the ground before construction is started with lot line stakes to remain in place until all Zoning Department inspections have been completed.

C. Approval of Zoning Certificate:

Within thirty (30) days after the receipt of an application, the Zoning Administrator shall either approve or disapprove the application. Site plan review in accordance with Article 11 may be required prior to the issuance of a Zoning Certificate. All Zoning Certificates shall, however, be conditioned upon the commencement of work within six (6) months. One (1) copy of the plans shall be returned to the applicant by the Zoning Administrator, after he shall have marked such copy as either approved or disapproved and attested to the same by his signature on such copy. One copy of plans similarly marked shall be retained by the Zoning Administrator.

D. Expiration of a Zoning Certificate:

If the work described in any Zoning Certificate has not begun within six (6) months from the date of issuance thereof, said permit shall expire, and written notice thereof shall be given to the person(s) affected. If the work described in any Zoning Certificate has not been substantially completed within one (1) year from the date of issuance thereof, said certificate shall expire and written notice thereof shall be given to the person(s) affected, together with notice that further work as described in the canceled Certificate shall not proceed unless and until a new Zoning Certificate is obtained or extension is granted.

SECTION 209: ZONING TEXT OR MAP AMENDMENT

The following is in accordance with Chapter 519.1 of the Ohio Revised Code (ORC)

A. Amendment Initiation:

1. Amendments or supplements to the zoning resolution or zoning map may be initiated by:

    a. A motion of the Zoning Commission;
    b. Passage of a resolution by the Township Trustees; or
    c. By the filing of an application by the owners, lessees, or their agents, of property within the area proposed to be changed or affected by the proposed amendment.

2. If the Township Trustees initiates the amendment, the Trustees shall, upon the passage of such resolution, certify such resolution to the Zoning Commission.

B. Review Procedure:

1. Step 1 – Pre-application Conference (Optional)

    a. If initiated by the property owners, the applicant may request to meet with the Zoning Commission to discuss the initial concepts of the proposed amendment and general compliance with applicable provisions of this Resolution prior to the submission of the application.
    b. Discussions that occur during a pre-application conference or any preliminary meeting with the Zoning Commission, or any representative of the township, are not binding and do not constitute official assurances or representations by Williamsburg Township or its officials regarding any aspects of the plan or application discussed.

2. Step 2 – Application

    a. Applications for any change of district boundaries, classifications of property as shown on the zoning map, or changes to the zoning resolution text shall be submitted to the Zoning Commission at the township offices.
    b. The application shall include all such forms, maps, and information, as may be prescribed by the Zoning Administrator to assure the fullest practicable presentation of the facts for the permanent record.
    c. Each application initiated by property owners shall be signed by at least one of the owners, or the authorized agent of the property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications.
    d. Applications for amendments initiated by the Zoning Commission or the Township Trustees shall be accompanied by the initiating board's motion or resolution pertaining to such proposed amendment.
    e. All applications shall be submitted with the required fees as established in the Williamsburg Township fee schedule.

3. Step 3 – Referral to the Clermont County Planning Commission

    a. Within five (5) days after the adoption of a motion, certification of a resolution, or the filing of an application (Step 2), the township shall transmit a copy thereof to the Clermont County Planning Commission.
    b. The Clermont County Planning Commission shall recommend the approval, approval with modifications, or denial of the proposed amendment and shall submit such recommendation to the Zoning Commission.
    c. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment.

4. Step 4 – Public Hearing and Recommendation by the Zoning Commission

    a. Upon adoption of a motion, certification of a resolution, or the filing of an application (certified as complete by the Zoning Administrator) for an amendment (Step 2), the Zoning Commission shall set a date for a public hearing regarding the proposed amendment.
    b. The public hearing shall not be less than twenty (20) or more than forty (40) days after the date the application (Step 2) was certified as complete by the Zoning Administrator.
    c. Notification shall be given in accordance with the ORC.
    d. Within thirty (30) days after the completion of the Zoning Commission's public hearing, the Zoning Commission shall recommend the approval, denial, or modification of the proposed amendment and submit such recommendation together with such application or resolution, the text and map pertaining thereto, and the recommendation of the Clermont County Planning Commission to the Township Trustees.

5. Step 5 – Public Hearing and Decision by the Township Trustees

    a. Upon receipt of the recommendation from the Zoning Commission (Step 4), the Township Trustees shall set a time for a public hearing on such proposed amendment.
    b. The date of the public hearing shall not be more than thirty (30) days after the date of the receipt of such recommendation from the Zoning Commission.
    c. Notification shall be given in accordance with the ORC.
    d. Within twenty (20) days after its public hearing, the Township Trustees shall either adopt or deny the recommendations of the Zoning Commission. If the Township Trustees denies or modifies the Zoning Commission's recommendations, the majority vote of the Township Trustees shall be required.

C. Effective Date and Referendum:

1. Any amendment adopted by the Township Trustees shall become effective thirty (30) days after the date of such adoption.
2. A referendum of any amendments may be undertaken within the thirty (30) days after the date of the Township Trustees decision in accordance with the Chapter 519.12 of the ORC.

D. Review Criteria:

The following criteria shall be used by the Zoning Commission and the Township Trustees in decisions regarding zoning amendments:

1. The amendment is in accordance with and in the spirit of this resolution;
2. The amendment has been reviewed to determine the consistency with the Williamsburg Township Comprehensive Plan and any other applicable adopted plans or policy documents;
3. The applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon the policies of the township; and
4. Any other substantive factor deemed appropriate by the Zoning Commission or Township Trustees.

SECTION 210: FEES, VIOLATIONS, AND REMEDIES

A. Fees

The Township Trustees shall by this Resolution establish a schedule of fees for zoning certificates, amendments, appeals, variances, conditional use permits, plan approvals, and other procedures and services pertaining to the administration and enforcement of this Resolution, after considering the recommendations of the Zoning Administrator with respect to actual administrative costs, both direct and indirect. The schedule of fees shall be posted in the office of the Zoning Administrator, and may only be altered or amended by the Township Trustees. Until all such appropriate fees, charges, and expenses have been paid in full, no action shall be taken on any application, appeal, or administrative procedure.

B. Unlawful Activity

It shall be unlawful to locate, erect, construct, reconstruct, enlarge, maintain, or use any building or land in violation of any regulation or any provision of this Zoning Resolution or any amendment or supplement thereto adopted by the Williamsburg Township Trustees.

C. Violation and Penalties

Any person, firm, or corporation who violates any regulation, provision, amendment or supplement of this Zoning Resolution, fails to obey any lawful order of the Zoning Department issued in pursuance thereof, or otherwise violates sections 519.01 to 519.25 of the Ohio Revised Code, may be fined and/or found guilty of a minor misdemeanor in accordance with Ohio Revised Code. Each and every day during which a violation occurs may be deemed a separate offense.

D. Remedies

In case any building is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land is or is proposed to be used in violation of any regulation, provision, amendment or supplement of this Zoning Resolution, the Board of Township Trustees, the Zoning Department, the County Prosecutor or any adjacent or neighboring property owner who would be specifically damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action, actions, proceeding or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change maintenance or use.

ARTICLE 3: NON-CONFORMING USES

SECTION 300: PURPOSE

Within the districts established by this Resolution or by amendments that may be later be adopted, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated or restricted under the terms of this Resolution or future amendments. It is the intent of this Article to permit these non-conformities to continue until they are removed, but not to encourage the survival. It is further the intent of this Resolution that, except as provided herein, non-conformities shall not be enlarged upon, expanded, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same District. When governmental action results in the creation of or an increase in the degree of a non-conformity, the Zoning Administrator shall administratively authorize such conveyance of property by affixing his/her signature to the recorded plat denoting such conveyance, while acting on the behalf of the Township.

SECTION 301: INCOMPATIBILITY OF NON-CONFORMING USES

Non-conforming uses are declared by this Resolution to be incompatible with permitted uses in the districts in which such uses are located. A non-conforming use of a structure, a non-conforming use of land, or a non-conforming use of a structure and land in combination shall not be extended or enlarged after passage of this Resolution by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.

SECTION 302: AVOIDANCE OF UNDUE HARDSHIP

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual building construction is hereby defined to include the placing of construction material in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

SECTION 303: SINGLE NON-CONFORMING LOTS OF RECORD

In any district where dwellings are permitted, a single-family detached dwelling may be erected on any lot or parcel of record on the auditor’s tax plats at the effective date of adoption or amendment of this Resolution, irrespective of its area, or width, or both, provided the applicable yard and other open space requirements of this Resolution are met.

SECTION 304: NON-CONFORMING LOTS OF RECORD IN COMBINATION

If two (2) or more lots or a combination of lots and portions of lots with continuous frontage in single ownership are of record at the time of passage or amendment of this Resolution, and if all or part of the lots with no buildings do not meet the requirements established for lot width an area, the lands involved shall be considered to be an undivided parcel for the purposes of this Resolution, and no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements by this Resolution, nor shall any division of any parcel be made which creates a lot with a width or area below the requirements stated in this Resolution.

SECTION 305: NON-CONFORMING USES OF LAND

Where, at the time of adoption of this Resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided:

A. No such non-conforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution;
B. No such non-conforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Resolution;
C. If any such non-conforming uses of land are voluntarily discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located;
D. No additional structure not conforming to the requirements of this Resolution shall be erected in connection with such non-conforming use of land.

SECTION 306: NON-CONFORMING STRUCTURES

Where, at the time of adoption of this Resolution, lawful structures exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided:

A. No such non-conforming structure may be enlarged or altered in a way which increases its non-conformity, but any structure or portion thereof may be altered to decrease its non-conformity;
B. Any non-conforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution, but no such use shall be extended to occupy any land outside such building;
C. Any structure, or structure and land in combination, in or on which a non-conforming use is superseded by a permitted use, shall thereafter conform to the regulations for that district, and the non-conforming use may not thereafter be resumed;
D. When a non-conforming use of a structure, or structure and land in combination, is discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), the structure, or structure and land in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.

SECTION 307: TERMINATION OF NON-CONFORMING USE THROUGH DISCONTINUANCE

When any non-conforming use is voluntarily discontinued or abandoned for more than two (2) years, any new use shall not thereafter be used except in conformity with the regulations of the district in which it is located, and the non-conforming use may not thereafter be resumed.

SECTION 308: TERMINATION OF NON-CONFORMING USE BY DAMAGE OR DESTRUCTION

In the event that any non-conforming building or structure is destroyed by any means to the extent of 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 Resolution. When such a non-conforming structure is damaged or destroyed to the extent of fifty (50%) percent or less of the replacement cost, no repairs or rebuilding shall be permitted except in conformity with all applicable regulations of this Resolution and the following conditions:

A. A Zoning Certificate pertaining to such restoration shall be applied for and- issued within 120 days of such destruction, and rebuilding shall be diligently pursued to completion.
B. Such restoration shall not cause a new non-conformity, nor shall it increase the degree of nonconformance or noncompliance existing prior to such damage or destruction.

SECTION 309: REPAIRS AND MAINTENANCE OF NON-CONFORMING STRUCTURES

On any non-conforming structure or portion of a structure containing a non-conforming use, work may be done on ordinary repairs, or on repair or replacement of non-bearing walls, fixtures, wiring, or plumbing, provided that the cubic content existing when it became non-conforming 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 building permit for such activities shall be required.

SECTION 310: CERTIFICATES FOR NON-CONFORMING USES

The Zoning Administrator may upon his/her own initiative, or shall upon the request of any owner, issue a certificate for any lot, structure, use of land, use of structure, or use of land and structure in combination, that certifies that the lot, structure or use is a valid non-conforming use. One (1) copy of the certificate shall be maintained by the Zoning Administrator as a public record. One (1) copy shall be returned to the owner and/or applicant. There shall be no fee charged for such a certificate.

A. The certificate shall specify the reasons why the use is a non-conforming use including the following:

    1. A description of the extent and kind of use made of the property in question;
    2. The portion of the structure or land used for the non-conforming use; and
    3. The extent that dimensional requirements are non-conforming.
    4. All certificates for non-conforming uses are granted to the owner of the subject property and do not run with the land.

ARTICLE 4: GENERAL PROVISIONS

SECTION 400: PURPOSE

The purpose of this Article is to establish general condition that shall be applied to all lots and all uses as indicated to protect the public health, safety, and welfare in the enforcement of this regulation.

SECTION 401: ADMINISTRATIVE STANDARDS

Whenever, in the course of administration and enforcement of this Resolution, it is necessary or desirable to make any administrative decision, which is not specifically addressed by this resolution, and then the decision shall be made so that the result will not be contrary to the purposes and intentions of this resolution.

SECTION 402: ESSENTIAL SERVICES

Essential services, such as the erection, construction, alteration, or maintenance, by public utilities or municipal or other governmental agencies, or underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, telecommunication towers (Sec 507.5 H), supply or disposal systems, including poles, wires, main drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate service by such public health or safety or general welfare, but not including buildings, shall be permitted as authorized and regulated by law and other resolutions of the Township Trustees, it being the intention hereof to exempt such essential services from the application of this resolution.

SECTION 403: PENDING APPLICATION FOR BUILDING PERMITS

Nothing herein contained shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure, or part thereof, for which official approvals and/or required building permits have been granted before the enactment of this resolution, the construction of which, conforming with such plans, shall have been started prior to the effective date of this resolution and completion thereof carried on in a normal manner within the subsequent six (6) month period and not discontinued until completion, except for reasons beyond the builders control.

SECTION 404: LANDFILLS

Privately owned or operated landfills and/or junk yards, shall be prohibited in Williamsburg Township, Clermont County, Ohio, excepting such places where such uses are completely conducted and entirely enclosed within a building.

A. No use of facilities or real estate as a sanitary landfill, garbage or waste dump disposal site, or incinerator shall be allowed unless conditionally permitted by the Board of Zoning Appeals.
B. Before such permission is granted, proof must be shown that all state, federal and county regulations and rules have been complied with and that approval has been given by the appropriate Board of Health.
C. It shall be shown to the satisfaction of the Board of Zoning Appeals that no pollution of the air, ground, or water shall result from said use. The Board of Zoning Appeals shall require the applicant to obtain a permit from the Ohio EPA for the proposed use.
D. No such use shall be permitted on a tract of land less than 250 acres in size.

E. The area of operation, within the tract of land, shall be completely surrounded by a chain link fence, 8 feet high and suitably posted as to warn the public of the operation contained therein. Such fence shall be buffered from public view.
F. All streets and roadways leading into such use shall be free of dust and mud and adequate to accommodate the traffic which they carry. Roads exiting the facility shall be paved with a durable and dustless surface, adequate for the traffic carried, at least one hundred (100) feet from the public right-of-way to prevent mud and gravel from entering onto the roadway.
G. No such use shall be within 1,000 feet of any residence, educational institution sanitarium, hospital, assisted care living facility, religious place of worship, public or private park, or dwelling.
H. No such operation shall be conducted within one-half mile of any water treatment facility.
I. A green belt of one hundred (100) feet shall be maintained around the perimeter of the site.

SECTION 405: AGRICULTURAL USES

Nothing contained in this resolution shall prohibit the use of any land for agricultural purposes or the construction or the use of structures incident to the use for agricultural purposes of the land on which such structures are located and zoning certificates shall not be required for any such use or structure.

SECTION 406: FARMING NOTIFICATION

A. The lawful application of pesticides, herbicides, and fertilizers is vitally important to the success of individual farming operations. Consequently, Rural Characteristics Notification Warning has been established in Williamsburg Township as a means of limiting the circumstances under which farming operations can be classified as a nuisance.
B. All approved requests for development proposed to take place within 1,000 feet of an Agricultural Zoning District shall contain the following warning:
C. Discomfort or inconvenience attributable to noise, odors, fumes, dust, smoke, burning, vibrations, insects, rodents, and the operation of machinery may, from time to time, occur. Anyone choosing to live near, or in close proximity, to an Agricultural Zoning District should be prepared to accept potential inconvenience and discomfort as a normal and necessary aspect of living in an area with a strong rural character and an active agricultural sector. As a public service, all developers and builders involved in the creation of residential lots in areas bordering an Agricultural Zoning District are encouraged to notify potential buyers and lessees of the contents of the Rural Characteristics Notification Warning.

SECTION 407: FARM POND/LAKES

A. Ponds/lakes located at no less than one hundred (100) feet from the right-of-way and/or a property line do not require fencing.
B. Ponds/lakes located less than one hundred (100) feet from the right-of-way and/or a property line must be completely fenced with a minimum height of four (4) feet high.

SECTION 408: LAND USES

No structure shall be erected, converted, enlarged, re-constructed or altered, nor shall any structure or land be used which does not comply with the regulations established by this resolution for the district in which the structure or land is located.

SECTION 409: GENERAL PROPERTY MAINTENANCE REQUIRMENTS

A. Yards:

1. All yards and lots shall be kept free of overgrown grasses, debris, junk, junk vehicles, and other materials that may cause a fire, health, or safety hazard, or general unsightliness.
2. No owner or person in control of parcel, dwelling, business, building or premises shall allow grass, weeds, noxious weeds, brush or similar vegetation to remain on the premises at such a height and density as to constitute harborage, actual or potential, for rodents or vermin.

    a. For the purpose of this section, a height of twelve (12) inches constitutes a potential hazard.
    b. The forgoing shall not apply to premises or part thereof on which such growth may be reasonably demonstrated to be for agricultural, horticultural, or natural prairie or wooded areas.

3. All plant materials, especially trees and shrubs, afflicted with decay, disease, insect infestation, or otherwise considered dangerous to other plants material shall be removed or appropriately treated. All sound plant materials, especially trees and shrubs, shall be properly maintained and not evidence signs of neglect.
4. Certain vegetative areas shall be exempt from this provision including, but not limited to properly maintained and active bioswales, detention basins, and rain gardens.

B. Hazards:

1. Hazards and unsanitary conditions shall be eliminated. The storage of flammable or hazardous materials must conform to the ORC and the requirements of the OEPA.

C. Inoperable or Unlicensed Vehicles:

1. No junk, inoperable, unlicensed, or unregistered vehicle shall be located on any property, except when stored within a completely enclosed building or when such storage is permitted as a principal use in the applicable zoning district.
2. Except as permitted elsewhere in this code, no person shall use any property in any district for the purpose of parking, keeping, or storing any inoperable motor vehicle. As used in this section, parking, keeping, or storing of any inoperable motor vehicle means and includes storing, maintaining, collecting, depositing, reserving, allowing to stand, or permitting to remain, one or more inoperable motor vehicles at any place other than in a fully enclosed garage.

SECTION 410: TEMPORARY PLACEMENT (*PERMITS REQUIRED)

In all Districts, storing a utility trailer, travel trailer, camper, recreational vehicle or boat shall be permitted providing that no habitation be maintained and no business conducted therein while such vehicle is so parked or stored, however occupying such a vehicle for a period of thirty (30) days or less and deemed vacationing or recreation shall not be prohibited. Should the occupation of such a vehicle extend beyond a thirty day period a permit will be required from the Zoning Administrator for an additional period of sixty (60) additional days. The Zoning Administrator if deems it necessary shall seek a ruling of the Board of Zoning Appeals. Not more than one such vehicle shall be permitted during the same time. All such vehicles shall be parked within the setback lines for the district where the vehicle is being stored, and in the case of residential zoned districts shall be parked behind the rear building line of the residential dwelling.

SECTION 411: GREEN BELTS

Where green belts are required between two different land uses, a buffer screen shall be used to provide an adequate site, noise and pollution barrier. Depressions, raised berms, landscaping, fencing or any combination thereof are satisfactory methods to create such a barrier. Where a landscape buffer screen is used, an evergreen planting screen shall be used to provide an adequate barrier. The plant material used shall be a minimum height of four (4) feet at the time of planting and shall be planted to create a solid buffer. Deciduous and semi-deciduous plant material may be used with evergreens to provide an immediate effect and accent in color and must be kept out of Traffic Safety Visibility Triangles (Article 7 Sec 700 E).

SECTION 412: CEMETERIES

Any cemetery established after the effective date of this resolution must contain no less than twenty (20) acres. Grounds must be landscaped so as to be an asset to the district in which it is located.

SECTION 413: TEMPORARY BUILDINGS

In all Districts a certificate shall be obtained from the zoning administrator for placement of a construction trailer or temporary building for uses incidental to construction work for a period not to exceed 1 year, providing the owner has a building permit and shows evidence of continued progress. The unit shall be removed upon completion or abandonment of the construction work or until issuance of a certificate of occupancy by the building department. (Article 5 Sec 509 Table 5-6)

SECTION 414: CARPORTS

For the purpose of this resolution, an attached or detached carport is considered the same as an attached or detached garage.

SECTION 415: IRREGULARLY SHAPED PARCELS OF LAND

For irregular shaped lots the following interpretation shall be used:

A. The average front yard width shall be not less than one-half (1/2) of the required width with the required width being provided at the minimum building setback line and the average lot width

shall be not less than the required lot width. The minimum front yard setback line shall be measured from the nearest part of the front lot line to the face of the building.

B. The required minimum side yards shall be the average of the distance at the front and rear of the building to the side lot line with the minimum side yard not less than two-thirds (2/3) the required side yard.
C. The rear yard depth shall be the average depth from each corner of the building to the lot line for a skewed lot line with the minimum depth not less than two-thirds (2/3) the required depth.
D. The minimum building setback line on a panhandle lot shall be measured from the point where the lot achieves the minimum required lot width.

SECTION 416: COMPLIANCE WITH REGULATIONS

No structure shall be constructed, erected, placed or maintained and no land use commenced or continued within the unincorporated area of the Township except as specifically, or by necessary implication, authorized by this Resolution. Conditional uses shall be allowed only by certificate granted by the Board of Zoning Appeals upon finding that the specified, allowable conditions exist. Where a lot is devoted to a permitted principal use, customary accessory uses and structures are authorized except as prohibited specifically or by necessary implication. Violators of these provisions will be prosecuted and penalized to the fullest extent as described elsewhere in this Resolution.

SECTION 417: CONVERSIONS OF DWELLINGS

The conversion of any building into a dwelling or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this resolution, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to minimum lot size, lot area per dwelling unit, percentage of lot coverage, dimensions of yards and other open space, and off-street parking. Each conversion shall be subject also to such further requirements as may be specified hereinafter with the article applying to such district. The requirements regarding lot coverage, yards and other open spaces shall not apply in the following cases:

A. The conversion is part of a dwelling group.
B. The conversion will not involve any structural changes.
C. There is a shortage of no more than ten percent (10%) in the required dimension or area of the requirements as to coverage, yards, and other open spaces.
D. The conversion will result in lot areas per dwelling unit or family at least twenty percent (20%) greater than required for new buildings in the district.

SECTION 418: TRAFFIC VISIBILITY ACROSS CORNER LOTS

Development proposed adjacent to any public or Private Street, in every district, shall be designed to provide a clear visibility area for pedestrian and traffic safety. See General Site Development Standards (Sec 700 E).

SECTION 419: PRIVATE STREETS

For developments served by private streets, the minimum yards, lot widths, parking spaces, open spaces, including lot area per family, required by the Resolution based upon a private street right-of-way width of not less than fifty (50) feet and shall conform to the requirements of this Resolution for the district in which such lot is located exclusive of street right-of-way. When such private street serves as access to two

(2) or more dwelling units, or business, commercial, industrial or other such uses, the Developer shall notify the County Engineer giving them the name of the private street and the name of the development. The County Engineer will be requested to place the street name/s and the name of the development on the County Engineers official street guide map as notice to all, including emergency vehicles. House numbers shall not be issued until the private streets and/or development are approved by the Township Trustees.

SECTION 420: DRIVE-IN SERVICE

Commercial establishments should provide sufficient stacking spaces for vehicles, in accordance with the following requirements.

A. Restaurants, fast: minimum stacking space for five (5) vehicles at drive thru windows.
B. Automobile Service Station and Repair: Two (2) spaces for each service bays and two (2) spaces for each gasoline pump. Stations with car washes shall provide sufficient stacking spaces for three (3) vehicles per washing unit.

SECTION 421: REQUIRED TRASH AREAS

All commercial, industrial, business, and multi-family residential buildings of more than two (2) units shall have a designated area for an exterior trash or garbage deposit for use by the tenant/s, employees or owners and shall comply with the following standards:

A. They shall be located in compliance with the same minimum setbacks as a main building as determined by the district in which such accessory structure is constructed, however only a 10 foot rear and side yard minimum setback is required if the abutting property is within a district of the same zoning classification.
B. Any such accessory structure shall be screed on no less than three sides by a fence or wall. The trash recovery side shall be directed away from the public street unless fitted with closeable gates that are opaque to shield from view of the interior service area.
C. The fence or wall shall have a height of no less than five (5) feet or no more than eight feet (8) feet and must be constructed in a durable fashion of wood, brick, stone, or other masonry materials.

SECTION 422: TEMPORARY AMUSEMENT PARKS

Temporary amusement parks shall be permitted in the Agricultural District. If approved by the Board of Zoning Appeals. The Board of Zoning Appeals shall be guided by the requirements of this section and by the general purposes of this Resolution.

A. Temporary amusement parks shall be allowed only when shown that the atmospheric and weather conditions are such that no danger would result to the public from their erection and usage. Certification of the safety of such devices and equipment must be made in writing to said Board of Zoning Appeals.
B. No operation of such use shall be allowed after 11:30 P.M. on weekends and 9:30 P.M. during the week.
C. No usage shall be allowed to continue for a period in excess of ten (10) days.

SECTION 423: SETBACKS

For the purpose of this resolution, no street or road right-of-way shall be considered to be part of a lot when determining building setbacks.

SECTION 424: FRONTAGE

All lots shall have legal road frontage of twenty-five (25) feet for ingress/egress, unless the parcel of land is five (5) acres or above.

SECTION 425: RADIOACTIVITY OR ELECTRICAL DISTURBANCE

No activity shall emit dangerous radioactivity at any point, or electrical disturbance adversely affecting the operation of any equipment at any point other than that of the creator of such disturbances.

SECTION 426: MULTIPLE DWELLINGS PROHIBITED

No more than one principle building or structure may be constructed upon any one lot for the purposes of this resolution.

SECTION 427: PARKING AND STORAGE OF VEHICLES AND TRAILERS.

Parking or storing of single wide or double wide mobile homes shall be prohibited, except on a sales lot properly zoned for the conduct of a business.

A. No commercial vehicles, including commercial tractors, automobiles, trucks, buses, house trailers, semi-trailers, shall be parked or stored on any property within a residential zoning district other than in a completely enclosed building, except those commercial vehicles conveying the necessary tools, materials and equipment to be performed during the actual time of parking.
B. No vehicles or trailers of any type without current license plates shall be parked or stored on any residential property other than in a completely enclosed building.
C. A maximum of one (1) boat or one recreational vehicle may be stored on a paved driveway or in the rear yard of any residentially zoned property if boat or recreational vehicle has current licenses and meets the setback requirements of this resolution for accessory structures, and is screened according to the requirements of this Resolution.

SECTION 428: MEDICAL MARIJUANA

Marijuana cultivators, processors and retail or wholesale dispensaries are prohibited within all Zoning Districts.

SECTION 429: YARD EXCEPTIONS, INTERPRETATIONS AND MODIFICATIONS

A. Miscellaneous Height and Open Space Requirements.

The following regulations shall supersede the height and open space requirements found in this Resolution:

1. Parapet walls not exceeding four (4) feet in height, chimneys, ventilators, cooling towers, elevators, bulkheads, tanks, telecommunication towers, radio towers, ornamental towers, monuments, cupolas, domes, and church spires may be erected above the height limits herein established.
2. Every part of a yard required herein shall be open and unobstructed from the lowest point at ground level to the sky except for the ordinary projections of windowsills and other ornamental features to the extent of not more than four (4) inches.
3. Chimneys and bay windows may be erected within the limits prescribed for yards provided that they do not extend more than two (2) feet into any such yard.
4. Only one principal building shall be erected or used on a residential lot. A group of multi-family dwelling structures shall be considered as one principal building for purposes of this provision only.
5. Barns, silos or other farm and agricultural related structures on farms shall meet the minimum yard requirements for the district in which it is located if the agricultural use or property is located on a lot of less than five (5) acres in size and is adjacent to or is abutting an area consisting of fifteen (15) or more residential lots or a platted subdivision.

B. Permitted Uses Revoked

Any use permitted in this Resolution shall be revoked and discontinued if because of dust, odors, smoke, noise, fumes, flame, vibration, or physical deterioration it becomes a hazard to the neighborhood in which the use is located.

C. Frontage

Every lot with an area of less than five (5) acres shall front on a public street, and shall have a minimum street frontage of twenty-five (25) feet. An access easement does not constitute ownership and therefore does not fulfill the public street frontage requirement. This Section shall not apply to any lot five (5) acres or more in size.

D. Setback Requirements for Corner Buildings

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

E. Architectural Projections

Open structures such as porches, decks, canopies, balconies, platforms, carports, covered patios, and similar architectural projections shall be considered parts of the building to which attached and shall not project into the required minimum front, side, or rear yard.

F. Height Regulations

No Residential building may be over forty (40) feet in height without Board of Zoning Appeal approval, unless specifically exempted herein.

The following shall be required for approval:

1. All necessary fire equipment has been provided.
2. Local fire and building department permits have been obtained.
3. A Clermont County airport Zoning Certificate has been obtained.
4. Statement from FCC that building will not interfere with air communications.

SECTION 430: SWIMMING POOLS

A private swimming pool, but not including farm ponds, as regulated herein, shall be any pool above or below ground, pond, lake or open tank, not located within a completely enclosed building, and containing, or normally capable of containing water to a depth at any point greater than one and one-half (1 1/2) feet. No such swimming pool shall be allowed in any district except as an accessory use and unless it complies with the following conditions and requirements:

A. The pool is intended and is to be used solely for the enjoyment of the occupants and/or guests of the principal use of the property on which it is located.
B. It may not be located closer than twenty (20) feet to any property line and it be located in the rear yard and behind the rear line (rear exterior wall) of the residential dwelling.
C. The depth of the swimming pool shall be clearly marked at each end of the pool and the depth in feet shall be clearly marked along the side of the pool for each foot of depth.
D. The swimming pool and all of the area used by the bathers shall be walled or fenced to prevent uncontrolled access by children from the street or adjacent properties. Said fence or wall shall not be less than four (4) feet in height, must be constructed of a substantial material, be a minimum of five (5) feet from the outer walls or edge of the pool, and shall be maintained in good condition with a gate and lock except for aboveground pools with fencing which meets the provisions of subparagraph E below.
E. The fencing for an aboveground pool under four (4) feet may be located on the outer pool walls. The combined height of the pool wall and fence shall be a minimum of four (4) feet above ground, the four (4) foot wall of the aboveground pool shall fulfill the requirement of a four (4) foot wall. All pool access points are to be provided with a lockable fence gate and a removable (or) retractable ladder to prohibit access to the pool when not in use.
F. The drains for draining the pool shall be so located that the water will not flow onto the property of an adjoining property owner so as to constitute a nuisance or a health hazard.

SECTION 431: COMMUNITY OR CLUB SWIMMING POOLS

A. Community and club swimming pools are permitted in all districts as a conditional use and shall comply with the following conditions and requirements:
B. The pool is intended solely for the enjoyment of the members and families and guests of members of the association or club under whose ownership or jurisdiction the pool is operated;
C. The pool and accessory structures thereto, including the areas used by the bathers, shall not be closer than fifty (50) feet to any property line; and
D. The swimming pool and all of the area used by the-bathers shall be walled or fenced to prevent uncontrolled access by children from the street or adjacent properties. The fence or wall must be constructed of a substantial material. Said fence or wall shall not be less than six (6) feet in height with a lockable gate and maintained in good condition.

ARTICLE 5: ZONING DISTRICTS AND USE REGULATIONS

SECTION 500: PURPOSE

The purpose of this Article is to establish zoning districts in order to:

A. Realize the general purpose set forth in the Williamsburg Township Resolution;
B. Classify, regulate and restrict the location of industries, residences, recreation, trades, and other land uses and the location of building designated for specified uses;
C. The purpose will also regulate height, number of stories, and size of buildings and other structures hereafter erected or altered;
D. Regulate and limit the percentages of lot areas which may be occupied;
E. Establish building setback lines, size of yards, and other open spaces within and surrounding such buildings.

SECTION 501: LIMITATIONS ON PRINCIPAL STRUCTURES

In any residential district or on any lot used for residential purposes, unless otherwise provided, no more than one principal structure may be constructed per lot, except that more than one building may be constructed for educational institutions and religious places of worship permitted in residential district.

D. Applicability:

    1. The standards of this section shall apply to buildings, structures, and lots in Williamsburg Township.
    2. Violation of these standards shall be considered a violation of this Resolution.

501.1: OUTSIDE STORAGE OF MATERIAL IN RESIDENTIAL DISTRICTS

No person shall store, collect, leave, deposit, maintain, reserve, put aside for future use, permit, allow in a yard area, in any residential district, the following, except in a completely enclosed building or structure:

A. Lumber or other building materials except those related to a project for which a current building permit has been issued and for firewood for the personal use of the resident;
B. Automotive parts, including tires;
C. Materials used in the construction trade;
D. Household appliances;
E. Furniture capable of harboring rodent; or
F. Junk, salvage or miscellaneous.

SECTION 502: ESTABLISHMENT OF ZONING DISTRICTS

For the purposes stated above, the unincorporated territory of Williamsburg Township is hereby divided into the zoning districts established in the table below. The regulations are uniform for each class or kind of building or structure or use throughout each district, except in the Planned Unit Development District.

DISTRICT	DISTRICT DESIGNATION
BASE ZONING DISTRICTS	
A	Agriculture District
R-1	Rural Residence District
R-2	One and Two Family Residence District
R-3	Multi-Family Residence District
R-4	Urban Residence District
B-1	Neighborhood Business District
B-2	General Business District
I	Industrial District
M-H	Manufactured Home Park District
ZONING OVERLAY DISTRICTS	
PUD	Planned Unit Development

SECTION 503: OFFICIAL ZONING DISTRICT MAP

The boundaries of the zoning districts are shown upon the official zoning map of the unincorporated areas of the township, which map and all notations thereon are incorporated herein and are made a part of this Resolution. The zoning map and all notations, references, and other matters shown thereon constitute a part of this Resolution and have the same force and effect as if fully described or illustrated herein. The Official Zoning District Map shall remain on file with Williamsburg Township.

503.1: ZONING DISTRICT BOUNDARY INTERPRETATION

Where uncertainty exists with respect to the boundaries of the various districts shown on the zoning map, the following rules apply:

A. Where the districts designated on the zoning map are bounded approximately by street or alley pavement edges or right-of-way lines, such lines shall be construed to be the boundary of the districts.
B. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines. Where the districts on the zoning map are bounded approximately by lot lines, such lines shall be construed to be the boundary of districts unless the boundaries are otherwise indicated on the zoning map.
C. In un-subdivided property, the district boundary lines on the zoning map shall be determined by dimensions or the use of the scale appearing on the zoning map.
D. The Zoning Administrator shall make the determination with respect to measuring district boundary lines. The decision of the Zoning Administrator may be appealed to the Board of Zoning Appeals.

503.2: STREET VACATION

Wherever any street or public way is vacated in the manner authorized by law, and where no zoning exists for the vacated right-of-way, the board of township trustees, zoning commission or property owner shall initiate a zoning map amendment to establish a zoning district(s) for the vacated public way.

SECTION 504: ZONING DISTRICT PURPOSE STATEMENTS

The following are the statements of purpose for each of the zoning districts established in this Resolution.

504.1: (A) AGRICULTURE DISTRICT

This district serves to protect land best suited for agricultural use from the encroachment of incompatible land uses and to preserve valuable agricultural land for agricultural uses and to retain land suited for eventual development for urban uses in a productive agricultural use until an adjoining community can grow and expand in an orderly manner.

504.2: (R-1) RURAL RESIDENCE DISTRICT

It is the purpose of the (R-1) Rural Residence District to establish and maintain an area that allows residential development densities based on the land use plan, protecting rural character, natural areas and agriculture, directed within the Township's Land Use Plan.

504.3: (R-2) ONE AND TWO FAMILY RESIDENCE DISTRICT

It is the purpose of the (R-2) One and Two Family Residence District to establish and maintain an area within the Township's Land Use Plan and to direct higher density single family detached dwellings and two family dwellings where they are appropriate.

504.4: (R-3) MULTI-FAMILY RESIDENCE DISTRICT

It is the purpose of the (R-3) Multi-Family Residence District to establish and maintain an area within the Township's Land Use Plan for multi-family residential development, as well as two family, single family attached and detached dwellings.

504.5: (R-4) URBAN RESIDENCE DISTRICT

It is the purpose of the (R-4) Urban Residence District to establish and maintain an area for single family attached and detached dwellings with higher density, as directed within the Township's Land Use Plan.

504.6: (B-1) NEIGHBORHOOD BUSINESS DISTRICT

It is the purpose of the (B-1) Neighborhood Business District to accommodate land areas for convenience goods and personal service establishments located in close proximity to residential areas which they are intended to serve.

504.7: (B-2) GENERAL BUSINESS DISTRICT

It is the purpose of the (B-2) General Business District to provide for the wide variety of needs for both convenience goods and the more common and often recurring shopping trips for goods, and personal and household services. The location and nature of commercial activity is intended to serve the greater community and /or region.

504.8: (I) Industrial District

It is the purpose of the (I) Industrial District to accommodate and encourage the development of light industry uses which generally operate within enclosed structures and are primarily clean, quiet and emit minimal hazardous or objectionable elements such as noise, odor, dust, smoke, glare or vibration.

504.9: (M-H) Manufactured Home Park District

It is the purpose of the (M-H) Manufactured Home Park District to provide areas for only expansion of previously approved mobile and non-permanently sited manufactured home parks.

504.10: (PUD) Planned Unit Development District

The (PUD) Planned Unit Development District is developed under the provisions of the ORC Section 519.021 (Planned Unit Development Regulations) to promote the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and design of development while also promoting public health, safety. The PUD provisions are intended to provide permissive, voluntary and alternative zoning procedures for well planned developments in harmony with public health, safety, and general welfare in any zoning district provided for otherwise in this zoning code. These regulations are designed to provide flexibility to use sites efficiently, to encourage sustainable design, and to create innovative projects with many amenities. It is expected that PUD projects will demonstrate design excellence that cannot be achieved by the base zoning district.

SECTION 505: PERMITTED USE TABLE

The Permitted Use Table sets forth the principally permitted uses within the zoning districts. Permitted uses within Planned Unit Development districts are identified in Section 6 Planned Unit Development Regulations. The abbreviations used in the table are described as follows.

505.1: Permitted Use (P)

A. A “P” in a cell indicates that a use category is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations.
B. Uses permitted with conditions under this category are approved administratively by the zoning inspector pursuant to the zoning certificate review procedure or during site plan review, if applicable.

505.2: Permitted Uses with Use-Specific Standards (PS)

A. A “PS” in a cell indicates that a use category is allowed by-right in the applicable zoning district if it meets the additional standards set forth in the numerically referenced sections. Permitted uses with use-specific standards are subject to all other applicable regulations of this zoning code.
B. Uses permitted with use-specific standards under this category are approved administratively by the zoning inspector pursuant to the zoning certificate review procedure or during site plan review, if applicable.

505.3: Conditional Use (C)

A. A “C” in a cell indicates that a use category is allowed only if reviewed and approved as a conditional use by the Board of Zoning Appeals in accordance with these Zoning Regulations.

B. Conditional Uses are subject to all other applicable regulations of this zoning code including the use specific standards referenced in the "Use-Specific Standards" column.

505.4: Prohibited Uses (Blank Cells)

A blank cell indicates that a use is prohibited in the respective zoning district. Additionally, any use that is not listed is considered prohibited unless the zoning inspector makes a determination that the use is similar to an existing use in accordance with these Zoning Regulations.

505.5: Numerical References (Last Column)

The numbers contained in the "Additional Requirements" column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the "Additional Requirements" column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and /or a permitted use with use specific standards.

TABLE 5-1: PERMITTED USE TABLE

USE P = Permitted Use PS = Permitted Use with Use Specific Standards C = Conditional Use	ZONING DISTRICTS									
	A	**R-1**	**R-2**	**R-3**	**R-4**	**M-H**	**B-1**	**B-2**	**I**	**Use Specific Standards**
AGRICULTURAL USES										
Agriculture – Raising of Crops	P	P	P	P	P	P	P	P	P	
Agriculture – Raising of Livestock	P	PS	PS	PS	PS	PS	PS	PS	PS	507.1(A)
RESIDENTIAL USES										
Adult Family Home or Small Residential Facility	P	P	P	P	P					
Adult Group Home or Large Residential Facility				P	P					
Conservation Design, Single Family		PS	PS							507.2(A)
Dwelling, Attached Single Family			P	PS	PS					507.2(B)
Dwelling, Multi-Family				PS	PS					507.2(C)
Dwelling, Single Family		P	P	P	P					
Dwelling, Two Family			P	P	P					
Institutional Housing		PS	PS	PS	PS					507.2(D)
Non-Permanently Sited Manufactured Home Park						PS				507.2(E)

RESIDENTIAL USES										
Permanently Sited Manufactured Home	PS	PS	PS	PS	PS					507.2(F)
BUSINESS USES										
Agribusiness & Greenhouses	C						P	P	P	
Animal Hospital or Veterinary Clinic							PS	PS	PS	507.3(A)
Automotive Fuel Sales							P	P	P	
Automotive Repair							C	PS	PS	507.3(B)
Automotive Sales or Rental							C	PS	PS	507.3(C)
Bakery							P	P		
Bar or Tavern							PS	PS		507.3(D)
Bed and Breakfast	C	C	C	C						507.3(E)
Building Material Sales							P	P	P	
Building Trades							P	P	P	
Club, Lodge or Other Social Meeting Place	C	C	C	C	C		PS	PS	PS	507.3(F)
Conference Center, Assembly Hall, or Banquet Facility								P	P	
Day Care Center							PS	PS	PS	507.3(G)
Dry Cleaner							P			
Equipment Rental								C	P	
Family Day Care Home		C	C	C	C					
Financial Institution							P	P		
Funeral Home							P	P		
Garden or Landscape Supply Store							P	P	P	
Hotel or Motel								P		
Indoor Recreation or Entertainment Facility								P		
Internet Sweepstakes Establishment								P		
Kennel							PS	PS		507.3(H)
Laundry or Laundromat							P			
Law Offices		C	C	C	C		P	P		
Lumber Yard									P	

BUSINESS USES										
Medical and Dental Center or Outpatient Clinic							P	P		
Office							P	P	P	
Outdoor Commercial Recreation or Entertainment Facility	PS						PS	PS	PS	507.3(I)
Paint Shop								P	P	
Printing Shop								P	P	
Race Track or Course								C		
Restaurant							PS	PS	C	507.3(J)
Retail and Service Commercial Use							P	P		
Self-Storage Facility								C	C	507.3(K)
Sexually Oriented Business									C	507.3(L)
Sheet Metal Shop								P	P	
Stable, Public	C						C	C		
Tattoo/Piercing Parlor or Studio								P		
Travel Trailer Camp or Overnight Port								C		507.3(M)
Truck, Trailer, or Farm Implement Sales and Service								P	P	
Wholesale Business								P	P	
INDUSTRIAL AND WAREHOUSE USES										
Concrete Mixing									P	
Contractor Offices and Storage									P	507.4(A)
Crematory									PS	507.4(B)
Gravel or Sand Extraction									P	
Heavy Manufacturing									C	
Junkyard/ Landfill									C	507.4(C)
Light Manufacturing									P	
Mining									C	507.4(D)
Office-Warehouse								C	P	
Research and Development Facility or Laboratory								C	P	
Sawmill									P	

INDUSTRIAL AND WAREHOUSE USES										
Truck Terminal									P	
Warehousing, Distribution or Storage Facility								P	P	
PUBLIC AND INSTITUTIONAL USES										
Park or Recreation Facility	PS	PS	PS	PS	PS	PS	PS	PS	PS	507.5(A)
Cemetery	PS	PS	PS	PS	PS			PS	PS	507.5(B)
Community Garden	PS	PS	PS	PS	PS	PS	PS	PS	PS	507.5(C)
Educational Institution	PS	PS	PS	PS	PS			PS	PS	507.5(D)
Hospital	PS	PS	PS	PS	PS			P	P	507.5(E)
Public and Government Building or Use	PS	PS	PS	PS	PS	P	P	P	P	507.5(F)
Religious Place of Worship	PS	PS	PS	PS	PS	PS	PS	P	P	507.5(G)
Telecommunication Tower	P	C	C	C	C	P	P	P	P	507.5(H)

SECTION 506: SIMILAR USE DETERMINATION

A. Where there is a proposed use that is not currently listed in the permitted use tables of this zoning code, the Zoning Administrator may review the use to determine the appropriate zoning districts, if any, where the use may be permitted.
B. The Zoning Administrator should consider the nature, operation and function of the use in his/her determination of an appropriate district.
C. The Zoning Administrator may find that the use is not compatible with any existing zoning district and not permit the use under the current Resolution or, as an alternative, the Zoning Administrator may make a recommendation to the Zoning Commission that a new district and/or new provisions be adopted through the zoning text amendment procedure, pursuant to this Resolution.

SECTION 507: USE SPECIFIC REGULATIONS

The following section contains additional standards that shall be met by an applicant for uses that are permitted either with use specific standards or as conditional uses. In addition to meeting the following standards, all applicants for conditional uses shall be required to comply with any and all other applicable provisions of this Resolution.

507.1: AGRICULTURAL USES

A. Raising of Livestock:

1. The raising of livestock shall be prohibited on lots of less than one acre in lot area. With the exception of the accessory keeping of chickens as regulated in Section 508.5.J: Keeping of Chickens.
2. Lots that are larger than one (1) acre in area shall be subject to the provisions of Section 432: Agricultural Exception.

507.2: RESIDENTIAL USES

A. Conservation Design Development:

1. Purpose:

   a. Conservation design developments are permitted in designated residential districts in order to preserve rural landscape character, natural resource areas, farmland, and other large areas of open land, while permitting residential development at low, rural densities, in an open space setting, located and designed to reduce the perceived intensity of development and provide privacy for dwellings.
   b. Conservation design is intended for building sites outside of the urban service area and not connected to a central sanitary sewage system are otherwise approved by the Clermont County Public Health and/or the Ohio Environmental Protection Agency for individual on-site wastewater disposal system.
   c. Conservation design developments are subject to site plan review in accordance with Article 10: Site Plan Review.

2. Specific Objectives:

   a. To maintain and protect the township's rural character by preserving important landscape elements, including those areas containing unique and environmentally-sensitive natural features such as woodlands, hedgerows, stream corridors, wetlands, floodplains, prairies, ridge tops, steep slopes, critical species habitat, and natural areas by setting them aside from development.
   b. To preserve scenic views and to minimize views of new development from existing streets;
   c. To provide for the unified and planned development of parcels ten (10) acres or larger for clustered, single family, low density residential uses, incorporating large areas of permanently protected common open space;
   d. To provide for greater design flexibility in the siting of dwellings and other development features than would be permitted by the application of standard zoning regulations in order to minimize the disturbance of rural landscape elements, scenic quality and overall aesthetic value of the landscape;

e. To increase flexibility and efficiency in the siting of services and infrastructure by reducing street length, utility requirements and the amount of paving required for residential development where possible;
f. To create groups of dwellings with direct visual and physical access to common open space;
g. To permit active and passive recreational use of common open space by residents of a conservation development or the public;
h. To reduce erosion and sedimentation by retaining existing vegetation and minimizing development on steep slopes;
i. To allow for the continuation of agricultural uses in those areas best suited for such activities and when such activities are compatible with adjoining residential uses; and
j. To permit various means for owning common open space and for protecting it from development in perpetuity.

3. Minimum Project Area:

   a. The gross area of a tract of land proposed for development according to the conservation design option shall be a minimum of ten (10) acres, but shall not include area within any existing public street right-of-way.

4. Use:

   a. Single family detached dwellings are the only principal uses permitted in a conservation design development.
   b. Uses accessory to single family detached dwellings are also permitted.

5. Maximum Density and Required Open Space:

   a. For land without the availability of sanitary sewer, the maximum density and open space shall be in accordance with the table below:

TABEL 5-3: MAXIMUM DENSITY AND OPEN SPACE

Dwelling Units Per Acre	Minimum Open Space
.50 up to .53	0%
More than .53 up to .56	5%
More than .56 up to .59	10%
More than .59 up to .63	15%
More than .63 up to .67	20%
More than .67 up to .71	25%
More than .71 up to .77	30%
More than .77 up to .80	35%
.80 to Max	38%

   b. The gross project density may not exceed (.50) dwelling units per acre. Gross density is determined by dividing the total size of the project area in acres by the total number of proposed dwelling units.
   c. Lot size may not be lower than (1.25) acres per dwelling.

6. Other Development Standards:

    a. Each lot shall have an average width at the building line of one hundred twenty (120) feet or more, with a minimum lot width of one hundred (100) feet. The average width shall be calculated by adding together the building line for all residential lots within the development and then dividing by the total number of residential lots.
    b. All lots shall have a minimum of twenty-five (25) feet of frontage along a dedicated public right-of-way and have a minimum lot area of 54,450 square feet (1.25 acres). Lots larger than the minimum may be required by the Clermont County Health District, or other applicable authority, contingent on the suitability of soils present on the lot.
    c. All front yards shall have an average minimum depth of forty-five (45) feet.
    d. The minimum side yard setback shall be ten (10) feet, and the combined total of both side yards shall be a minimum of thirty-five (35) feet. All lots with more than one front yard shall have minimum side yard setbacks of ten (10) feet with no rear yard setback requirement.
    e. There shall be a minimum rear yard setback of thirty-five (35) feet.
    f. The maximum height limitation shall be thirty-five (35) feet.
    g. Any dwelling shall have a minimum area of 1,200 square feet of living space measured in accordance with Article 7: Area, Development Standards.

7. Regulations for Required Open Space:

    a. Active open space shall be designed with the goal to encourage active recreational use for the residents of the development. Active open space may include, but may not be limited to, the following uses:

        i. Pedestrian walkways;
        ii. Mowed parkland;
        iii. Picnic groves;
        iv. Maintained ball fields;
        v. Maintained open areas;
        vi. Horse trails;
        vii. Swimming pools;
        viii. Clubhouses;
        ix. Tennis courts;
        x. Golf courses; or
        xi. Fishing and boating.

    b. Active open space amenities shall be constructed and completed before seventy-five percent (75%) of the dwellings within the conservation design development have been issued an certificate of occupancy by the Clermont County Building Department or other applicable authority.
    c. Passive open space shall be designed with the goal to preserve the significant natural environmental features of the site, features primarily of undisturbed or unimproved character.

d. No more than twenty percent (20%) of the open space may consist of the following:

    i. Isolated or fragmented pieces of land that are less than 10,000 square feet in area or less than fifteen (15) feet in width (excluding maintained pocket parks);
    ii. Land that is unusable or presents maintenance difficulties including, but not limited to, steep slopes over forty percent (40%) grade, wetlands (as defined by the State of Ohio or the Federal Government), retention/detention ponds primarily used for storm water management, areas within the 100-year flood plain and other areas deemed unusable by the board of township trustees.
    iii. Off-street parking areas or sidewalks required by the Clermont County Subdivision Regulations or land within public rights-of way may not be included in any open space calculation(s).

8. Pedestrian Circulation System:

    a. The conservation design development shall have a pedestrian circulation system and shall be designed to ensure that pedestrians can safely and easily walk throughout the development.
    b. The pedestrian system shall provide connections between properties and activities or special features within the common open space system and need not always be located along streets.
    c. Alternative pedestrian walkways in lieu of required sidewalks shall require approval by the Board of Township Trustees.

9. Open Space Ownership:

    a. Open space shall be prohibited from further subdivision or development by conservation easement or other agreement in a form acceptable to the Williamsburg Township Legal Counsel and duly recorded in the office of the Clermont County Recorder.
    b. Open space in a conservation design development shall be located on dedicated common parcels owned by an association, the township, county or state, or may remain in private ownership in accordance with the restriction set forth above.

10. Neighborhood Facilities:

    a. In order to encourage the development of neighborhood facilities within a conservation design development and make those facilities accessible to residents by pedestrian walkways, the developer may sell up to twenty-five percent (25%) of the total open space within the conservation design development for the following nonresidential uses:

        i. Educational Facilities;
        ii. Religious places of worship; or
        iii. Public and governmental buildings or uses.

    b. The buildings for the neighborhood facilities listed above shall be located on a parcel of ground no less than five acres in size, be located a minimum of one hundred (100) feet from any property line, and occupy no more than ten percent (10%) of the total site area.
    c. In no case may a commercial or industrial use be permitted within a conservation design development.

11. Review of Conservation Design Development:

    a. Review of conservation design development shall be in accordance with the procedures of Article 10: Site Plan Review.
    b. Once the application and conservation design plan has been approved by the zoning administrator, the applicant may then submit to the Clermont County Planning Commission.

B. Dwelling, Attached Single Family:

The following standards shall apply to attached single family dwellings in the R-3 and R-4 Districts:

1. Minimum lot area of one (1) acre.
2. Minimum of one hundred (100) feet of frontage on a public right-of-way.
3. Maximum project density six (6) units per one (1) acre excluding public right-of-way.
4. Each unit shall have a thirty (30) foot setback from the project boundary.
5. Maximum height of all buildings shall be thirty-five (35) feet.
6. Minimum of two (2) off-street parking spaces shall be located within a fully enclosed attached structure.
7. Minimum of two (2) unenclosed, paved surface parking spaces shall be provided for each unit.
8. Any single family attached structure in the R-4 District shall be set back at least seventy-five (75) feet from any adjacent Residential District.
9. Minimum front yard setback shall be as follows:

    a. From an arterial or collector street shall be fifty (50) feet.
    b. From a local or private street thirty-five (35) feet from the edge of pavement.

10. Minimum of twenty-five (25) feet between attached single family homes.

C. Dwellings, Multi-family:

1. There shall be adequate fire extinguishing facilities as approved by the Williamsburg Township Fire and Rescue Department appropriate for the height of multifamily dwellings in the R-3 and R-4 District.

D. Institutional Housing:

1. Minimum lot area of five (5) acres.
2. Shall have direct ingress and egress from an arterial or collector street and shall not use a local residential street as the principal access route.

E. Non-Permanently Sited Manufactured Home

1. No zoning certificate shall be issued unless the non-permanently sited manufactured home is for the expansion of a previously approved non-permanently sited manufactured home park.
2. No zoning certificate shall be issued unless a site plan for the use has first been approved in accordance with the Ohio Public Health Council rules so regarding, as administered and enforced by the Ohio Department of Health, or as otherwise delegated thereby for permitting through the Clermont County Public Health District, and licensed by and in accordance with applicable rules of the State of Ohio.

3. A manufactured home park shall only contain the following:

    a. Single family residential use of rented or leased spaces accessed by private streets and driveways as individual sites for temporary placement of mobile homes or other types of non-permanently sited manufactured homes, or
    b. Accessory buildings and uses for the manufactured home park including, clubhouse, administrative office, laundry and swimming pool, and other similar on-site facilities for the exclusive use of the park residents and their guests.

4. Minimum District Size, Configuration, Frontage Setback and Buffering:

    a. Minimum lot area of five (5) acres.
    b. Minimum of one hundred (100) feet of frontage on a public right-of-way.
    c. Minimum setback of one hundred (100) feet is required from any adjacent residential district.
    d. A buffer no less than six feet in height consisting of evergreen or solid landscaping, or solid board fencing around the perimeter of the non-permanently sited manufactured home.

5. No individual home site in a manufactured home park shall be subdivided from or sold as own able or buildable lots independent of the overall manufactured homes park property that they are part of as a rentable or leasable space.
6. Sanitary sewer, water supply and trash disposal provisions shall be designed, installed, operated and maintained in accordance with the Ohio Public Health Council rules adopted so regarding, as administered by the Ohio Board of Health and delegated thereby for enforcement by the Clermont County Health District.
7. The location and design of any required private driveway entrance from and/or exit to a public road shall be to the satisfaction of the Clermont County Engineer's Office or the Ohio Department of Transportation (ODOT), as applicable.

F. Permanently Sited Manufactured Home

1. The structure shall be affixed to a permanent foundation and be connected to appropriate facilities.
2. The structure, excluding any addition, shall have 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, excluding garages, porches, or attachments, of at least 960 square feet.
3. The structure shall be manufactured after January 1, 1995.
4. Minimum District Size, Configuration, Frontage Setback and Buffering:

    a. Minimum lot area of two (2) acres.
    b. Minimum of fifty (50) feet of frontage on a public right-of-way.

5. The title, if applicable, must be intended to be assessed and taxed as permanent real estate, not personal property. The title for such structure as a mobile home shall be surrendered to the county auditor when such is permitted for attachment onto its permanent foundation and such surrender shall be notice to the auditor to tax the structure as real property from that day forward.
6. The indicia of mobility (i.e. temporary axles, trailer tongue, running lights) shall be removed upon placement upon the foundation.

7. The structure shall not be located in a manufactured home park as defined in ORC Section 3733.01.

507.3: Business Uses

A. Animal Hospital/ Veterinary Clinics:

1. All soundproofed structures shall have a minimum setback of fifty (50) feet from any abutting residential district.
2. All non-soundproofed structures shall have a minimum setback of one hundred (100) feet from any abutting residential district.
3. If the animal hospital or veterinary clinic includes a kennel use for the temporary boarding of animals for purposes other than medical or dental treatment, it shall also be subject to the standards in Section 507.H Kennel.

B. Automotive Repair and Automotive Service:

1. All automotive service or automotive repair shall be performed and conducted in an enclosed structure.
2. All vehicles or parts shall be kept inside through the use of a solid fence, masonry wall or an enclosed structure.

C. Automotive Sales and Rental:

Automotive sales or rental uses are subject to the following standards:

1. Minimum lot area of two (2) acres.
2. A principal structure shall be located on the lot.
3. No auctions shall be permitted on the lot.
4. No outdoor speaker systems shall be permitted for uses that abut or are across the street from residential districts.
5. Delivery and loading shall not be permitted on a public street.
6. Minimum setback of one hundred (100) feet from an abutting residential district.
7. No storage or display of vehicles shall be permitted in any required landscape area.
8. Automotive service or repair, if permitted, shall be performed and conducted in an enclosed structure.
9. One additional freestanding sign shall be permitted if multiple vehicle band dealerships share the lot, with a maximum of two signs. Each sign shall not exceed the sign area permitted per Article 8: Signage Standards.

D. Bars, Taverns and Billiard Parlors:

1. Minimum setback of one hundred (100) feet from any abutting residential district.
2. Shall have direct ingress and egress from an arterial or collector street.

E. Bed and Breakfast Establishments:

1. The owner or caretaker shall reside on the property.
2. All such uses shall be located in a single family dwelling consistent in character (e.g., height, scale, setbacks, massing, etc.) with the surrounding residential uses, and shall not include facilities for receptions, weddings, or other events.
3. Parking areas shall be located behind the bed and breakfast establishment.

4. Parking areas shall be screened from adjacent residential uses by landscaping and/or fencing as determined by the Board of Township Trustees.
5. The establishment shall conform to state health and building code requirements and shall show proof of inspection or proof of proper operating licenses by the state and/or county.
6. The facility shall be limited to no more than four guestrooms with a maximum guest capacity as determined by fire and building regulations.
7. No external vending machines shall be allowed.

F. Clubs, Lodges, or other Social Meeting Places:

1. Minimum lot area of two (2) acres.
2. Minimum Setback of fifty (50) feet from any abutting residential district.
3. Minimum of one hundred (100) feet for any parking area from any abutting residential district.
4. Shall have direct ingress and egress from an arterial or collector street.

G. Day Care Center:

1. Minimum setback of fifty (50) feet from any abutting residential district.
2. All exterior activity areas and play lots shall be fenced and screened with appropriate landscape materials as determined by the Zoning Administrator.
3. Picking up and dropping off of children shall not create unsafe conditions. Loading and unloading of children from vehicles shall only be allowed in the driveway or in an approved parking area.

H. Kennel:

1. Minimum setback of one hundred (100) feet from side and rear lot lines, except that when located adjacent to a residential district, the following additional restrictions shall apply:

    a. All non-soundproofed structures or areas where animals are confined shall have a minimum setback of five hundred (500) feet from any residential district.
    b. Soundproofed buildings shall have a minimum setback of one hundred (100) feet from any residential district.
    c. All non-soundproofed structures for the confinement of animals shall be screened by a solid fence or wall that is a minimum of six (6) feet in height and located within fifty (50) feet from the principle structure.
    d. Animals shall be confined in an enclosed building between the hours of 10:00 p.m. and 7:00 a.m. of the following day.
    e. There shall be no burial or incineration of animals on the premises.

I. Outdoor Commercial Recreation or Entertainment Facilities:

1. Minimum setback of one hundred (100) feet for all enclosures, pools and buildings from any residential district.

J. Any additional uses or structures that add to or change the scope of the original zoning approval shall go through the conditional use procedure laid out in Section 208: Procedure for Conditional Use Permit.

K. Restaurants:

1. Minimum setback of one hundred (100) feet from any abutting residential district.
2. All audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within three hundred (300) feet of any adjacent residential dwelling unit.

L. Self-Storage Facility:

1. Minimum lot area requirement of two (2) acres.
2. Minimum Setback of one hundred (100) feet from any abutting residential district.
3. The only commercial uses permitted on-site shall be the rental of storage space and the pick-up and/or deposit of goods on the property in storage. Storage spaces, including outdoor storage areas, shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, small engines, or electrical equipment, or to conduct similar activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on-site.
4. A commercial accessory dwelling unit may be permitted in connection with office/watchman purposes.
5. A solid wall shall be required around the perimeter of the storage area. All storage units with access from the exterior of the building shall be located behind the screen wall.
6. Ornamental gates may be used for ingress and egress.
7. Outdoor storage is permitted with the exception of inoperative vehicles.

M. Sexually Oriented Businesses:

An adult entertainment establishment is a Conditional Use within the Industrial Districts. The purpose of these regulations is to regulate the potential secondary effects that are often caused by adult entertainment establishments, and not to regulate the content of the message promoted by the business. Distances shall be measured in a straight line from the nearest wall of the proposed adult entertainment establishment to the property line of the potentially restrictive structure. A Conditional Use for such facilities shall not be approved unless the following minimum conditions are complied with:

1. No adult entertainment establishment shall be established within a radius of 1,000 feet of any area that principally permits residential use.
2. No adult entertainment establishment shall be established within a radius of 2,000 feet of any school, library or teaching facility, whether public or private, governmental or commercial, which school, library or teaching facility is attended by persons under eighteen (18) years of age.
3. No adult entertainment establishment shall be established within a radius of 1,000 feet of any park or recreational facility attended by persons under eighteen (18) years of age.
4. No adult entertainment establishment shall be established within a radius of 1,000 feet of any other adult entertainment establishment.
5. No adult entertainment establishment shall be established within a radius of 2,000 feet of any religious place of worship or permanently established place of religious services.
6. Displays or other promotional materials shall not be shown or exhibited so as to be visible to the public from the right-of-way, pedestrian sidewalks or walkways, or from other areas public or semi-public.
7. All building openings, entries, windows, etc. for adult entertainment establishment shall be located in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street.

8. No employees of the subject establishment shall conduct themselves outside the confines of the structure in such attire and/or by actions, in a manner distracting, distasteful and/or detrimental to adjacent business interests, residents or passersby.
9. No screens, loudspeakers or sound equipment shall be used for an adult entertainment establishment (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.
10. In granting any such Conditional Use, the Board of Zoning Appeals may prescribe additional conditions it deems necessary in the public interest. However, no Conditional Use shall be approved by the Board of Zoning Appeals unless it finds that the use for which such approval is sought is not likely to be dangerous or detrimental to nearby properties, that the use will not be contrary to any program of conservation or improvement, either residential or non-residential, or be contrary to the public health, safety, morals and general welfare of the Township.

N. Travel Trailer Camp

1. No zoning certificate shall be issued unless a site plan for the use has first been approved in accordance with the Ohio Public Health Council rules so regarding, as administered and enforced by the Ohio Department of Health, or as otherwise delegated thereby for permitting through the Warren County Combined Health District.
2. Recreation parks, recreation camps, recreational vehicle park, and temporary park camps, wherein one or more travel trailers, motor homes, truck campers or other types of dependent or self-contained recreational vehicles or otherwise portable camping units, such as tents, can be placed on leased or otherwise contracted spaces for recreation, vacation purposes.
3. Accessory buildings and uses customarily incidental to any of the above uses, including the sale of food and refreshments are permitted, provided such accessory facilities are only for exclusive use by the principal permitted use occupants and their guests.
4. Minimum District Size, Configuration, Frontage, Setback and Buffering

    a. Minimum lot area of five (5) acres.
    b. Minimum of one hundred (100) feet of frontage on a public right-of-way.
    c. Minimum setback of one hundred (100) feet is required from any residential district.
    d. A buffer no less than six feet in height consisting of evergreen or solid landscaping, or solid fencing.

5. Duration of Placement or Occupancy
    a. No placement of a recreational vehicle or portable camping unit, or occupancy thereof by the same tenant shall exceed 120 days in any twelve (12) month period following the beginning of placement or occupancy, unless otherwise specified by the Ohio Department of Health.
    b. Otherwise permanent occupancy of such a single family residence is prohibited, except by the managing operator and the immediate family members legally dependent thereon.
    c. The owner or operator of a permitted travel trailer camp shall maintain a constant record of each tenant or visitor, noting their name, date of stay, home address and the make, model year and license number of their vehicles, which shall be available for inspection by the zoning inspector or other law enforcement agencies.

6. No individual camping sites shall be subdivided from or sold as ownable or buildable lots independent of the overall recreation park, camp or combined park-camp property that they are part of as rentable or leasable spaces.

7. Sanitary sewer, water supply and trash disposal provisions shall be designed, installed, operated and maintained in accordance with the Ohio Public Health Council rules adopted so regarding, as administered by the Ohio Board of Health and delegated thereby for enforcement by the Clermont County Public Health District.
8. The location and design of any required private driveway entrance from and/or exit to a public road shall be to the satisfaction of the Clermont County Engineer's Office or ODOT, as applicable.
9. All aspects of development internal to a site in a travel trailer camp are subject to plan approval and subsequent licensing of the developed use, in accordance with the Ohio Public Health Council rules so regarding, as administered by the Ohio Board of Health and delegated thereby for enforcement by the Clermont County Public Health District.

507.4: Industrial and Warehouse Uses

A. Contractor Offices and Storage:

1. All outdoor storage of equipment, supplies, and materials shall be screened and directed to the rear of the property.

B. Crematory:

1. A crematory shall be located a minimum of two hundred (200) feet from any residential district.

C. Landfills and/or Junkyard:

1. See Article 4 General Provisions Section 404: Landfills.

D. Mining:

1. Mining constitutes of the planned extraction and removal of minerals, coal, or other organic materials from the property for sale or transfer to any other property that is not part of the mining operation.
2. Time Requirements:

    a. Development and/or construction of the site must begin within two years of approval of the Conditional Use.
    b. Extraction of the minerals, coal, or other organic materials as outlined in the original plan, and for which the mining district was established must be actively underway within five years of the approval of the Conditional Use.

3. Plans & Standards:

    a. Annual inspections by MSHA, EPA and any other governing or regulatory body responsible for the over-sight of such matters and shall submit a copy of the findings to the Zoning Administrator within 30 days for records.
    b. All expenses incurred for the inspections and subsequent repairs are the responsibility of the owner.
    c. Any division or sale of the property that effects the area, setbacks, buffers shall constitute a breach of the minimum requirements for the conditional use and will signal a halt to all mining operations on the site.

d. Applicant shall follow all MSHA Codes, 30 CFR § 57.1 et seq.
e. The location and design of any required private driveway entrance from and/or exit to a public road shall be to the satisfaction of the Clermont County Engineer's Office or ODOT, as applicable.
f. Storage and usage of explosives shall follow MSHA Codes, 30 CFR § 57.1 et seq.
g. Reclamation Plan shall follow MSHA Code, 30 CFR § 57.1 et seq.

4. Minimum District Size, Configuration, Frontage, Setback and Buffering

a. Minimum lot area of six hundred (600) acres.
b. Mining activity shall have a Minimum setback of five hundred (500) feet is from all property lines.
c. Minimum setback for any accessory building outside of the direct mining operation from all property lines shall be two thousand (2,000) feet.
d. A continuous buffer consisting of a mixture of grass- covered contoured hills across any property lines including road frontage, except for ingress and egress.
e. Minimum buffer height of fifteen (15) feet.
f. Minimum buffer width of fifty (50) feet.
g. The owner shall be responsible for the maintenance of the buffer area.

507.5: Public and Institutional Uses

A. Park or Recreation Facility:

1. All structures, public swimming pools, and ball fields shall have a minimum setback of fifty (50) feet and all parking areas shall have a minimum setback of one hundred (100) feet from any abutting residential district. This standard shall not apply to fences associated with this use. Areas devoted to a golf course including tee areas and greens shall not be subject to this setback.
2. Private recreation facilities within residential districts shall be a minimum of thirty (30) acres and shall be fenced on all sides.
3. Parks and recreational facilities in residential districts shall have primary access along an arterial or collector street.

B. Cemetery:

1. All structures, except for grave markers, shall have a minimum setback of two hundred (200) feet from any abutting residential district.
2. The cemetery shall be a minimum of twenty (20) acres.

C. Community Garden:

1. The owner of the property shall have an established set of operating rules addressing the governance structure of the garden; hours of operation; maintenance and security requirements and responsibilities; and distribution of garden plots.
2. The name and telephone number of the owner and any designated caretaker of the property, along with a copy of the operating rules shall be kept on file with the zoning administrator.
3. The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.
4. There shall be no retail sales on site.

5. No enclosed building or structures shall be permitted on the site unless the structure is for maintenance of the property.
6. Benches, bike racks, raised/accessible planting beds, picnic tables, garden art, rain barrel systems, children's play areas and similar equipment may be permitted.

D. Higher Educational Facility and Educational Institution:

1. Minimum lot area of five (5) acres.
2. Minimum Setback of two hundred (200) feet from any abutting residential district

E. Hospital:

1. In residential districts, a minimum lot area of five (5) acres.

F. Public and Government Building or Use:

1. The following standards shall apply to fire stations:
   a. Front yard, side yard and rear yard requirements for the district are met.
   b. Enough area shall be set aside for future parking spaces, for a minimum of forty (40) vehicles, with a parking space provided at any given time for each member of the fire company. If an assembly hall is included in the building, additional parking spaces shall be provided.

G. Religious Place of Worship:

1. In residential districts, a minimum building setback of one hundred (100) feet from the sides and rear lot line.

H. Telecommunication Tower:

The purpose of this section is to regulate the placement, construction, and modification of telecommunication facilities and their support structures in order to protect the public health, safety, welfare, and morals, while at the same time not unreasonably interfering with the competitiveness in the wireless telecommunications industry in the region.

This Section shall only apply to the review of wireless telecommunication facilities in residential zoning districts pursuant to Section 519.211 of the Ohio Revised Code.

1. Procedure for Telecommunication Towers in Residential Districts:

   a. Any person who plans to construct a telecommunications tower in a residential zoning district shall provide written notice in accordance to Section 519.211 of the Ohio Revised Code.

b. If the Williamsburg Township Board of Trustees receives notice from a property owner in accordance with ORC Section 519.211 or if a board member makes an objection to the proposed location of the telecommunications tower within fifteen (15) days after the date of mailing of the notice sent under ORC Section 519.211, the Williamsburg Township Board of Trustees shall request that the township fiscal officer send the person proposing to construct the facility written notice that the tower is subject to the power conferred by and in accordance with ORC. The notice shall be sent no later than five (5) days after the earlier of the date the Williamsburg Township Board of Trustees first receives such a notice from a property owner or the date upon which a board member makes an objection. Upon the date of mailing of the notice to the person, Sections 519.02 to 519.25 of the ORC shall apply to the facility. Such tower or facility shall be subject to a Conditional Use review pursuant to Section 208: Procedure for Conditional Use Permit.
c. If the Williamsburg Township Board of Trustees receives no notice under ORC Section 519.211 within the time prescribed by that division or no board member has an objection as provided under ORC Section 519.211 within the time prescribed by that subsection, the tower shall be permitted as-off right pursuant to the applicable Sections of this zoning resolution.

2. Review Standards for Conditional Use Towers:

a. The proposed site meets the minimum site development standards for the applicable zoning district.
b. The maximum height of the tower shall be two hundred (200) feet.
c. The lot on which the tower is to be located shall be owned or leased by the telecommunications tower company, and the parcel shall be of sufficient size to allow the minimum setback from this parcel's lot line to the base of the telecommunication tower. The minimum setback shall be a 1:1.1 ratio (for every foot in tower height there shall be 1.1 feet of distance from the tower base to the nearest lot line and/or closest unrelated structure). The equipment shelter shall comply with minimum setback requirements for the established zoning district. New structures not related to the telecommunication facility cannot be added within the area of the tower's parcel. If the parcel on which the tower is located has road frontage, the tower must be located three hundred (300) feet from the right-of-way.
d. Proof shall be provided by the applicant in a form satisfactory to the Board that the proposal has been approved by all agencies and governmental entities with jurisdiction, including but not limited to the Ohio Department of Transportation, the Federal Aviation Administration (FAA), the Federal Communication Commission (FCC), or the successors to their respective functions.
e. In order to minimize tower proliferation, the applicant shall provide documentation regarding efforts to exhaust all possible avenues to share space on existing towers. This shall include, but not be limited to, a certified mail announcement to all other tower users in the vicinity stating siting needs and/or sharing capabilities. Applicants shall not be denied, nor shall they deny space on a tower, unless available space, structural capacity, radio frequency interference, geographic service area requirements, mechanical or electrical incompatibilities, comparative costs of co-location versus new construction, any FCC limitations on tower sharing preclude co-location and a list of their existing equipment in the area.
f. The Board shall require a bond to cover tower removal and full site restoration after discontinued use.
g. The applicant shall demonstrate that the proposed tower is the least aesthetically intrusive facility for the neighborhood and function. Monopole installations are recommended.

h. No telecommunication facility shall be located within a "wetland" as defined by federal law.
i. A telecommunication facility shall not be located upon a property listed on a federal, state, or local historic register, or be mounted on a building or structure listed on a federal, state, or local historic register.
j. No advertising sign(s) shall be permitted anywhere on a telecommunication tower, equipment building, and appurtenances or on the site.
k. There shall be no outdoor storage of equipment or other items on the site except during the facility construction period or to supply emergency power to the facility only during a power outage.
l. The owner/operator of the telecommunication facility shall, by January 15th of every year from the date of issuance of the Zoning Certificate, file a declaration with the Zoning Administrator, including verification that the radio frequency (electromagnetic) emissions are in compliance with the current FCC regulations. The appropriate fee(s) will be included to permit the continuing operation of every facility, which is subject to these regulations.
m. The maximum cumulative total size of all equipment buildings accessory to a telecommunication tower or antenna on a parcel shall be 800 square feet. All telecommunication equipment shelters shall be configured to appear as one building on any one parcel.
n. The applicant shall demonstrate to the township that it is licensed by the FCC, and shall notify the township of any special conditions conveyed by the license.
o. One fence, not less than six feet in height, shall fully enclose all parts of the facility, including but not limited to, the base of the tower, guy wires, base of guy wires, and building. Gates shall be locked at all times when the facility is unattended by an agent of the telecommunication provider.
p. A landscaped buffer area, not less than fifteen (15) feet in depth shall be placed between the fence surrounding the telecommunication facilities and the public right-of-way and any adjacent properties with a direct view of the facilities, other than the tower itself. The fifteen (15) feet landscaped buffer shall be of hardy evergreen shrubbery not less than six feet in height and of a density to obstruct the view. The landscaping shall be continuously maintained and promptly restored, if necessary.
q. Telecommunication towers shall not be artificially lighted unless required by the FAA or other applicable federal or state authority. When so required, it shall be oriented inward, so as not to project onto surrounding residential properties. In any case, overall site illumination shall be such that measurements along the perimeter of the site shall not exceed 0.20 foot-candles.
r. The applicant (or its successors) shall, within thirty (30) days of ceasing operation at the site of a telecommunication tower, give notice of such ceasing of operation to the Board. Facilities shall be removed from the site within twelve (12) months of ceasing operations. Resale or renting of facilities is permissible only to other cellular communications systems subject to obtaining a zoning certificate.

3. Telecommunications Equipment Mounted on Existing Structures:

An antenna for a telecommunication facility may be attached to an existing residential building two and one-half (2 1/2) stories in height or to an existing non-residential structure, excluding residential accessory structures, subject to the following conditions:

a. The antenna shall not extend more than ten (10) feet above the roof of the existing building or top of the existing structure.

b. If the applicant proposes to locate the telecommunications equipment in a separate telecommunications equipment shelter, not located in or attached to the building, the equipment shelter shall comply with the accessory building regulations of the district.
c. Vehicular access to the equipment shelter shall be via the existing road circulation system.

SECTION 508: ACCESSORY USE AND STRUCTURE REGULATIONS

508.1: PURPOSE

This section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to principal uses. The intent of this section is to allow a broad range of accessory uses while not creating adverse impacts on surrounding lands.

508.2: GENERAL PROVISIONS

The following general provisions apply to all accessory uses or structures.

A. The structure or use shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.
B. The structure or use shall be located on the same lot as the principal use for which it serves.
C. Unless otherwise stated in this section, a zoning certificate shall be required prior to construction or establishment of an accessory use or structure.
D. An accessory use or structure shall not be established unless a principal use has first been established on a site in conformance with the applicable provisions of this Resolution.
E. Unless permitted by the Zoning Commission or Board of Township Trustees as part of a PUD approval, accessory uses and structures shall be prohibited in any open space area dedicated as part of a PUD, except buildings for the storage of equipment or maintenance items for the open space.
F. Accessory structures on properties with a lot area of five acres or more and used for agricultural purposes shall be exempt from these regulations. To be exempt, the building should be one which is necessary for, or customarily used in conjunction with, the specific agricultural use that is active on the property. Such structures include, but are not limited to, barns, greenhouses, and other buildings that are specifically designed for agricultural uses. Although such a structure may have some incidental use for other than agricultural activities, the principal use of the structure must be agricultural.

508.3: PERMITTED ACCESSORY USES

Table 5-4: Permitted Accessory Uses lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 5-4: Permitted Accessory Uses.

A. Permitted Use (P):

    1. A “P” in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted accessory uses and structures are subject to all other applicable regulations of this Resolution, including the additional standards set forth in this section.

B. Permitted Use with Use-Specific Standards (PS):

1. A “PS” in a cell indicates that an accessory use or structure is allowed by-right in the applicable zoning district if it meets the additional standards set forth in the numerically referenced sections in the last column of Table 5-4: Permitted Accessory Uses. Permitted uses and structures with use-specific standards are subject to all other applicable regulations of this Resolution.
2. Accessory uses and structures permitted with use-specific standards under this category are approved administratively by the Zoning Administrator pursuant to the zoning certificate review procedure (where required).

C. Conditional Use (C):

1. A “C” in a cell indicates that, in the respective zoning district, an accessory use or structure is permitted if reviewed and approved as a conditional use pursuant to Section 208: Procedure for Conditional Use Permits.

D. Prohibited Uses (Blank Cells):

1. A blank cell indicates that the listed accessory use or structure is prohibited in the applicable zoning district.

E. Zoning Certificate Required:

1. The “Zoning Certificate Required” column identifies if a zoning certificate is required for the applicable accessory use or structure in districts where it is permitted.

F. Yards Permitted:

1. The “Yards Permitted” column identifies in which yards the applicable accessory use or structure is permitted.

G. Additional Requirements (Last Column):

1. The numbers contained in the “Additional Requirements” column are referenced to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the “Additional Requirements” column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

TABEL 5-4: PERMITTED ACCESSORY USES

USE P = Permitted Use PS = Permitted Use with Use Specific Standards C = Conditional Use	ZONING DISTRICTS						Zoning Certificate Required	Yards Permitted F= Front S=Side R=Rear	Use Specific Standards
	A	R-1,R-2	R-3,R-4	B-1	B-2	I			
Accessory Retail Sales					P	P	Yes	Inside principal building	See 508.5(A)
Amateur Radio Transmitter/Antenna	PS	PS	PS				Yes	S or R	See 508.5(B)
ATM					P	P	Yes	F, S or R	
Beekeeping	PS	PS					No	S or R	See 508.5(C)
Caretaker Dwelling				P	P	P	Yes	S or R	
Community Garden	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(D)
Detached Accessory Building	P	P	P	P	P	P	Yes	R	
Drive-Through Facility					PS	PS	Yes	S or R	See 508.5(E)
Drop-Off Box					PS	PS	No	S or R	See 508.5(F)
Dumpster or Refuse Container		PS	PS	PS	PS	PS	No	S or R	See 508.5(G)
Home Occupation	PS	PS	PS				Yes	Inside principal building	See 508.5(H)
Keeping of Chickens	P	PS	PS				No	S or R	See 508.5(I)
Outdoor Dining Area					PS	PS	Yes	F, S or R	See 508.5(J)
Outdoor Wood Furnace	PS						Yes	S or R	See 508.5(K)
Porch or Deck	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(L)
Private or Public Swimming Pool	PS	PS	PS	PS			Yes	S or R	See 508.5(M)
Roadside Stand	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(N)
Satellite Dish	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(O)
Small Wind Energy Conservation System	PS	PS	PS	PS	PS	PS	Yes	R	See 508.5(P)
Solar Panels	PS	PS	PS	PS	PS	PS	See Section 508.5(Q)	On roof of structure or rear yard	See 508.5(Q)

Stable, Private	PS						Yes	S or R	See 508.5(R)
Tennis Court or Other Game Court	PS	PS	PS	PS	PS	PS	Yes	S or R	See 508.5(S)
Tree House, Play Set, or Trampoline	P	P	P	P			No	R	
Unenclosed Patio	P	P	P	P	P	P	No	R	
Other Accessory Uses	C	C	C	PS	PS	PS	See Section 508.5(T)		

NOTES: For the purposes of the placement of accessory uses or structures on a corner lot, the side yard located opposite of the front door of the structure shall be considered the rear yard; and for through lots, the front yard located to the rear of the structure shall be considered the rear yard.

ATMs and drive-through facilities shall be permitted in the stated zoning district when they are accessory to the building containing the principal use. The zoning certificate approval may be part of the zoning certificate application for the principal use.

508.4: Setback, Yard Coverage and Height Requirements

A. An accessory structure may be erected as an integral part of a principal building or it may be connected thereto by a breezeway or other similar structure.
B. An accessory structure may be detached from the principal building.
C. Accessory structures that are structurally connected to the principal structure, either as an extension of the principal use or through a breezeway, shall meet the setback requirements of the applicable zoning district. Such requirements shall not apply to unenclosed patios.
D. Accessory uses or structures shall be set back a minimum of five (5) feet from any lot line unless otherwise specified.
E. Table 5-4: Permitted Accessory Uses identifies the yards in which accessory uses are permitted to be located as it relates to a standard interior lot.

508.5: Use-Specific Standards

A. Accessory Retail Sales:

1. Principal uses in the applicable zoning district may include some retail sales provided:
2. The floor area dedicated to retail sales is less than ten percent (10%) of the total building floor area;
3. The retail sales take place in the principal building; and
4. The retail sales are related to the services rendered, products stored, or products produced as part of the principal use.

B. Amateur Radio Transmitter or Antenna:

Noncommercial amateur radio antenna structures for use by amateur radio operators licensed by the FCC shall be authorized for use by licensed amateur radio operators in all residential districts, provided that:

1. The plans for all new and altered amateur radio towers shall be prepared by a certified professional engineer or in accordance with the tower manufacturer's guidelines for installation. The applicant must show evidence that the proposed facility will have sufficient structural strength to support the radio tower and related equipment.

2. Amateur radio towers thirty-five (35) feet and under shall be set back a minimum distance of five feet from the rear and side property lines, but may not project into any front yard of the residence.
3. In order to make reasonable accommodations for amateur radio towers, there shall be a height limit of thirty-five (35) feet in all residential areas.

    a. An additional height limit up to seventy (70) feet for amateur radio towers may be granted when the tower setback meets a ratio of one foot from the base of the tower to all adjoining property boundaries for every one foot of tower height up to seventy (70) feet.
    b. Height measurements shall be taken from the top of the tower or the highest antenna to the finished grade.

4. Amateur radio towers shall not be artificially lighted unless required by the FAA or other applicable federal or state authorities. When so required, lighting shall be oriented upwards, so as to not project onto surrounding residential properties. In any case, overall site illumination shall not exceed 0.20 footcandles along the perimeter of the site.
5. Permission for the amateur radio tower resides with the applicant for the specific property and does not transfer to a different site or to new owners of the property. New owners may apply to the township for permission to retain the tower for amateur radio antenna under this provision. The applicant (or its successors) shall within thirty (30) days of ceasing operation of the amateur radio or tower, provide written notice of abandonment to the Zoning Administrator. An amateur radio tower may not stand longer than twelve (12) months following abandonment.

C. Beekeeping:

Beekeeping is permitted provided that:

1. The principal use is a single family dwelling.
2. No more than two (2) hives is permitted on lots less than one acre.
3. A beehive shall be kept no closer than ten (10) feet to any lot line and no closer than twenty-five (25) feet to any residential structure on an adjacent lot, or shall comply with the setbacks of the applicable zoning district, whichever is greater.
4. The front of any beehive shall face away from the property line of the adjoining residential property closest to the beehive.
5. A solid fence or dense hedge, known as a flyaway barrier, at least five (5) feet in height shall be placed around the beehive. A boundary fence or hedge at least five (5) feet in height may be used to meet this requirement. No such flyaway barrier shall be required if all beehives are located at least twenty-five (25) feet from all property lines and for beehives that are located on porches or balconies at least ten (10) feet above grade, except if such porch or balcony is located less than five (5) feet from a property line.
6. No Africanized bees may be kept on a property.
7. A supply of fresh water shall be maintained in a location readily accessible to all beehives on the property.
8. These regulations to not apply to agricultural uses exempted.

D. Community Garden:

1. Community gardens may be allowed as an accessory use when associated with public or institutional principal use (e.g., religious institution or educational facility).
2. Community gardens shall be subject to the provisions of Section 507.5(C).

E. Drive-Through Facility:

The following standards shall apply to businesses that contain a drive-through facility, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

1. General Standards:

    a. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within three hundred (300) feet of any residential dwelling unit.
    b. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area, shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.
    c. An opaque fence or screen between four and six (6) feet in height shall be constructed along any property line abutting a residential district.

2. Stacking Space and Lane Requirements:

    a. The number of required stacking spaces shall be as provided for in Table 5-5 Stacking Space Requirements.
    b. Stacking spaces do not count towards the parking spaces required in accordance with Article 9 Off-Street Parking Space Requirement.
    c. Stacking lanes shall be provided for any use having a drive-through facility and shall comply with the following standards:

        i. Drive-through stacking lanes shall have a minimum width of ten (10) feet.
        ii. Stacking lanes shall be set back twenty-five (25) feet from rights-of-way.
        iii. Stacking spaces shall be a minimum of nine feet by eighteen (18) feet in size.

TABLE 5-5 STACKING SPACE REQUIREMENTS

ACTIVITY	MINIMUM STACKING SPACES (PER LANE)	MEASURED FROM
Financial Institution or (ATM)	5	Teller or Window
Fuel or Gasoline Pump Island	2	Pump Island
Full Service Automotive Washing Establishment	6	Outside of Washing Bay
Restaurant	6	Pick-Up Window
Self-Service Automotive Washing Establishment	2	Outside of Washing Bay
Other	As determined by the Zoning Administrator	

3. Menu Board Signs:

    a. One menu board sign for each stacking lane shall be allowed provided it does not exceed thirty-five (35) square feet in sign area. Any additional attachments such as pictures or photographs of food and other items shall be included within the maximum signage area.
    b. Menu board signage shall not be included in the total calculated allowed signage for a property.

        i. No menu board sign shall exceed seven feet in height measured from the grade of the adjacent driving surface to the top of the sign.
        ii. Illuminated menu board signs shall be internally illuminated.
        iii. Menu boards shall be reviewed and approved as part of the zoning certificate for the drive-through facility or, when a menu board is to be added, as part of a separate zoning certificate application.

F. Drop-off Box:

Drop-off boxes and dumpster style recycling collection containers for public use are permitted in accordance with the following standards:

1. A drop-off box may be located in any yard area, but shall not be located in any area that is required to be landscaped.
2. Drop-off boxes must be placed on a hard paved surface and located outside of driveways and parking spaces required in conformance with Article 9: Off-Street Parking Space Requirement.
3. Drop-off boxes must either be enclosed or kept in a clean, new appearing condition.
4. Drop-off boxes which are not kept within an enclosure shall not have dents, any deformation to the outside painted surface, any dirt or residue on the outside surface, graffiti, etc.
5. If two (2) or more drop-off boxes are kept on a site, all boxes shall be kept within a common enclosure. The common enclosure for multiple boxes shall not be located in any area that is required to be landscaped, nor shall it be located in front yard or corner side yard areas. No more than three boxes may be kept on a single site.
6. Each drop-off box shall be limited in size to ten (10) cubic yards and shall have a lid.
7. Recycling collection containers for private, on-site use only are considered trash and/or garbage collection areas.

G. Dumpster:

1. The dumpster shall be screened at a minimum on three (3) sides to a height that fully screens the use by a solid fence or masonry wall.

H. Home Occupation:

Home occupations shall be subject to the following conditions in addition to any other applicable use standards of the applicable zoning district:

1. A person whose principal employment is outside of the home but who temporarily works out of a home office shall not be considered as operating a home occupation subject to these standards.
2. Home occupations shall be clearly incidental and subordinate to the use of the property for residential purposes and shall be completely conducted within the dwelling.

3. The external appearance and/or use of the structure or lot in which the home occupation is conducted shall not be altered to indicate the presence of the home occupation.
4. There shall be no outside storage of any kind related to the home occupation and only commodities made on the premises may be sold on the premises. No display of the products shall be visible from the street.
5. No expansion of existing off-street parking shall be permitted. Furthermore, no additional parking burden, due to the home occupation, shall be created.
6. No equipment, process, materials, or chemicals which create offensive noises, vibration, smoke, dust, odor, heat, glare, x-rays, radiation, or electrical disturbances shall be utilized in the home occupation.
7. Not person who is not a resident of the premises may participate in the home occupation as an employee.
8. No more than one home occupation shall be permitted within any single dwelling unit.
9. Delivery of any materials necessary for a home occupation shall be limited to automobiles, light duty trucks (e.g., typical FedEx or UPS home delivery vans and trucks) or vans.
10. No building or structure shall be used to operate a business, store equipment used for a business, or serve as a location where multiple employees meet or park prior to going to work off-site.
11. Hours of operation for a home occupation that entails client visits or incoming deliveries is restricted to no earlier than 8:00 a.m. and no later than 8:00 p.m. each day of the week.
12. No sign, other than one non-illuminated nameplate, two square feet in area and mounted flat on the front face of the dwelling or on a driveway lamppost, shall be erected or maintained on the premises.
13. In those instances when the Zoning Administrator denies an application, or if the Zoning Administrator is uncertain of the appropriateness of a proposed home occupation, the matter may be appealed or taken to the Board of Zoning Appeals for interpretation.
14. The following are examples of permitted home occupations:

    a. Clerical and other similar business services;
    b. Instruction in music, dance or other type of teaching that does not require an expansion in parking;
    c. The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office oriented occupations;
    d. Artists, sculptors, photographers, and other providers of home crafts;
    e. Barber shop/beauty salon with a maximum of one chair;
    f. A licensed massage therapist who provides massage therapy for a maximum of one client at any given time; or
    g. Any similar use as determined by the Zoning Administrator.

I. Keeping of Chickens:

The keeping of up to six (6) chickens is permitted provided that:

1. The principal use is a single family dwelling.
2. No person shall keep any rooster.
3. No person shall slaughter any chickens for commercial sales.
4. The chickens shall be provided with a covered enclosure for protection from the elements.
5. Chickens must always be confined within a fenced area of the yard at all times.
6. A covered enclosure or fenced area shall be located no closer than twenty-five (25) feet to any residential structure on an adjacent lot, or shall comply with the setbacks of the applicable zoning district, whichever is greater.

J. Outdoor Dining Area:

1. Outdoor dining areas in a public right-of-way shall be prohibited.
2. Outdoor dining area on a private property shall be regulated as follows:

    a. An outdoor dining area may be allowed as an accessory use to a restaurant with an indoor eating area on the same site; provided the outdoor dining area shall not replace any off-street parking, loading, or landscaping areas as may be required by this code.
    b. If no grade separation is provided between vehicular traffic and the outdoor dining area, permanent railings or fencing shall be provided around the dining area. If the outdoor dining area is adjacent to an area that is closed to vehicular traffic, no railing or fencing shall be required.
    c. Umbrellas, or other protective elements, that shelter diners from the elements shall be secured so as not to create a hazard.
    d. Enclosing an outdoor dining area either by a permanent roof or to expand the existing structure shall meet all the requirements of a building within the applicable zoning district and shall require the issuance of a zoning certificate.
    e. There shall be no use of electronics (e.g., televisions, radios, or speakers) in the outdoor dining areas that generate noise.

3. The location of outdoor dining areas is subject to review by the township to ensure that access to the building and pedestrian walkways are not obstructed.

K. Outdoor Wood Furnaces:

Outdoor wood furnaces shall only be permitted as an accessory use on lots with a minimum lot area of five acres.

1. Setbacks:

    a. A minimum of one hundred (100) feet from all lot lines;
    b. A minimum of two hundred (200) feet from the boundaries of all recorded subdivisions with lots less than five acres in size; and
    c. A minimum of two hundred (200) feet from all residential dwellings not located on the property where the outdoor wood furnace will be situated.

2. Permitted and Prohibited Fuels:

    a. Fuel burned in any new or existing outdoor wood furnace shall be only natural untreated wood, wood pellets, corn products, biomass pellets, or other listed fuels specifically permitted by the manufacturer’s instructions such as fuel oil, natural gas, or propane backup.
    b. The following fuels are strictly prohibited in new or existing outdoor wood furnaces:

        i. Wood that has been painted varnished or coated with similar material and/or has been pressure-treated with preservatives and contains resins or glues as in plywood or other composite wood products.
        ii. Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.

iii. Any plastic materials, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
iv. Rubber, including tires or other synthetic rubber-like products.
v. Any other items not specifically allowed by the manufacturer or this section.

3. Non-conforming Use:

a. Outdoor wood furnaces that were installed prior to the effective date of this amendment shall be permitted to continue. However, if the existing outdoor wood furnace does not meet the standards of this section, the outdoor wood furnace shall be considered a non-conforming use subject to Article 3: Non-conforming Uses.

L. Porch or Deck:

1. Porches or decks that are enclosed (with screening or other materials), have a roof, or that are physically attached to the principal structure shall meet the setback requirements for principal buildings in the applicable zoning district.
2. Unenclosed porches and decks may encroach into required setbacks.
3. Porches or decks that are less than eighteen (18) inches in height do not require a zoning certificate.

M. Private Swimming Pool or Public Swimming Pool:

1. The swimming pool shall be set back a minimum of twenty 20 feet from any property line. This setback shall be measured from the edge of the pool water.
2. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition with a self-closing, self-latching gate that can be locked.
3. Above grade pool walls may be counted toward the height of the required fence.
4. Any swimming pool for the use of occupants of multi-family dwellings containing over three dwellings or those that are accessory to a nonresidential use shall meet the structural and sanitary requirements of the Ohio Department of Health.
5. The swimming pool shall be intended and used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

N. Roadside Stand:

1. A roadside stand shall only be permitted where at least fifty percent (50%) of the total value sold from the stand is derived from produce raised on farms owned or operated by the stand operator in a normal crop year.
2. Off-street parking shall be provided as required.
3. One ground-mounted sign may be permitted provided it does not exceed twelve (12) square feet in sign area, six (6) feet in height.
4. No illuminated signs are permitted.

O. Satellite Dish:

1. Satellite dishes that exceed one (1) meter in diameter shall be subject to the following standards:

a. Satellite dishes may be erected or installed on the ground of any property.
b. Ground-mounted satellite dishes shall be setback a minimum five (5) feet from all lot lines.
c. Satellite dishes shall be prohibited in the front yards of any property on which it is located.
d. Installation of these type of satellite dishes shall require a zoning certificate.
e. The maximum height of the satellite dish shall be twelve (12) feet.

2. Satellite dishes smaller than one (1) meter do not require zoning approval.

P. Small Wind Energy System:

1. Small wind energy systems that are attached to a roof or structure are permitted provided that the measurement from the average grade to the tip of the blade of the system does not exceed the maximum height of buildings permitted in the applicable zoning district.
2. Stand-alone small wind energy systems may be permitted on lots with a minimum lot area of one acre. The pole or supporting structure shall be set back a minimum of fifty (50) feet from any lot line.
3. The maximum height shall be seventy-five (75) feet measured from the average grade to the highest point on the blade.
4. The height and location of a stand-alone small wind energy system shall be such that if the system were to collapse it would fall within the boundaries of the subject lot.

Q. Solar Panels:

1. Roof-mounted solar panels shall not count toward the maximum number of accessory structures permitted on the property and shall not require a zoning certificate.
2. Freestanding solar panels shall be limited to a maximum height of five feet and shall be located in the rear yard. Such freestanding solar panels shall count toward the maximum number of accessory structures permitted on the property and shall require a zoning certificate.

R. Stable, Private:

1. A private riding stable shall only be permitted as an accessory use on lots with a minimum area of five (5) acres.

S. Tennis Court or Other Fame Court:

1. Minimum setback of five (5) feet from all lot lines.

T. Other Accessory Uses:

1. Other accessory uses in a residential zoning district shall be subject to a conditional use review.
2. Other accessory uses in a nonresidential zoning district may be permitted by the zoning administrator if they are customarily found in conjunction with and required for the full utilization and economic viability of the principal business use.
3. The zoning administrator shall have the authority to determine that a proposed accessory use (not otherwise defined in Table 5-4: Permitted Accessory Uses shall be subject to conditional use review.

SECTION 509: TEMPORARY USE REGULATIONS

509.1: PURPOSE

This section allows for the establishment of certain temporary uses and structures of limited duration, provided that such uses or structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period. Temporary uses and structures shall not involve the construction or alteration of any permanent building or structure.

509.2: PERMITTED TEMPORARY USES AND STRUCTURES

Table 5-6: Temporary Uses and Structures summarize allowed temporary uses and structures and any general or specific standards that apply. Temporary uses or structures not listed in the table are prohibited.

TABLE 5-6: TEMPORARY USES AND STRUCTURES

Temporary Use or Structure	Allowable Duration (Per Site)	Zoning Certificate Required	Additional Requirements
Construction Dumpster	For construction use – Until issuance of a certificate of occupancy by the building department. For use during temporary cleaning, clearing, or renovations - 60 days per calendar year	No	Sec 509.3 (C)
Construction Office or Trailer	Until issuance of a certificate of occupancy by the building department	Yes	Sec 509.3 (D)
Gravel Surface Parking Lots	Until issuance of a certificate of occupancy by the building department	No	
Real Estate Sales/ Model Homes	While lots are for sale	Yes	Sec 509.3 (E)
Seasonal Agricultural Sales	120 days per calendar year	Yes	Sec 509.3 (F)
Temporary Housing During Construction	Sec 509.3 (F)	Yes	Sec 509.3 (G)
Temporary Special Events	Sec 509.3 (G)	Yes	Sec 509.3 (H)

Temporary Use or Structure	Allowable Duration (Per Site)	Zoning Certificate Required	Additional Requirements
Temporary Storage During Construction	Sec 509.3 (H)	Yes	Sec 509.3 (I)
Temporary Storage in a Portable Container	Maximum of 14 consecutive days	Yes	Sec 509.3 (J)
Temporary Structure for Public or Institutional Uses	3 years	Yes	Sec 509.3 (K)

509.3: Temporary use and Structure Standards

A. General Standards:

1. All temporary uses or structures shall be reviewed in accordance with this section and all other applicable sections of this Resolution.
2. All temporary uses or structures shall:

    a. Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
    b. Be compatible with the principal uses taking place on the site;
    c. Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
    d. Not include permanent alterations to the site;
    e. Not maintain temporary signs associated with the use or structure after the activity ends;
    f. Not violate the applicable conditions of approval that apply to a site or use on the site;
    g. Not interfere with the normal operations of any permanent use located on the property; and

B. Contain sufficient land area to allow the temporary use , structure, or special event to occur , as well as adequate land to accommodate the parking and traffic movement.

C. Construction Dumpsters:

Temporary trash receptacles or dumpsters shall be located outside public right-of-way and shall comply with the following standards:

1. Not be located within a floodplain or otherwise obstruct drainage flow; and
2. Not be placed within five (5) feet of a fire hydrant or within a required landscaping.
3. Minimum of five (5) feet from the property line.

D. Construction Office or Trailer:

One (1) trailer used as a temporary construction office within a subdivision or nonresidential development which is being developed provided:

1. The subdivision shall be at least five (5) acres. No minimum is established for nonresidential construction sites.
2. A zoning certificate has been issued for the placement of the trailer within the subdivision or development site.
3. The trailer is incidental to and located within the subdivision or site that is subject to development.
4. The placement of the trailer shall conform to all setback requirements for the district in which it is located. In no case shall the trailer be located in the public right-of-way or in proposed or completed roadways.
5. Only one such trailer shall be permitted for each phase of development of the subdivision or nonresidential development.
6. The trailer shall have a parking area with a minimum of one (1) parking space and one additional parking space for each employee within the trailer.
7. The parking area will be surfaced with gravel and the entrance/exit to the parking area shall be paved. This requirement may be waived by the zoning inspector for good cause shown.
8. All doors and entries to the trailer shall be secured and lighted as required by the zoning administrator.
9. Sales activity shall not be conducted at or within the trailer but only such activities as may be related to the development of the subdivision or nonresidential site shall be permitted.
10. A sketch plan shall be submitted to the zoning inspector showing the dimensions of the lot or other land upon which the trailer is located and showing compliance with other location requirements of this subsection.
11. The trailer shall be removed when seventy-five (75%) percent of the lots within the phase of development have been developed.
12. A deposit is made with Williamsburg Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the trailer.

E. Real Estate Sales Office:

One (1) temporary sales office or trailer is permitted in a residential district provided:

1. The subdivision shall consist of at least five (5) acres.
2. A zoning certificate has been issued for the placement of the trailer within the subdivision.
3. The trailer is incidental to and located within the subdivision subject to development.
4. The trailer may not be placed within the subdivision until an application for construction of a model home within the subdivision has been issued. In no case shall the trailer be located in the public right-of-way, or in proposed or completed roadways. The trailer shall be removed upon completion of the model home.
5. Placement of the trailer shall conform to all the setback requirements for the district, which it is located.
6. Only one (1) such trailer shall be permitted in a subdivision.
7. The trailer shall have a parking area with a minimum of four parking spaces and one additional parking space for each employee who works within the trailer.
8. The entrance to the parking area shall be from an interior street within the subdivision.

9. The parking area will be surfaced with gravel and the entrance/exit to the parking area shall be paved. This requirement may be waived by the zoning inspector for good cause shown.
10. All doors and entries to the trailer shall be secured and lighted as required by the zoning inspector.
11. Only one wall sign which is attached to the trailer shall be permitted. The sign shall not exceed thirty-two (32) square feet in size.
12. A sketch plan is submitted to the zoning inspector setting forth the dimensions of the lot or other land within the subdivision upon which the trailer is placed and in compliance with the location requirements of this subsection.
13. A deposit is made with Williamsburg Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the trailer.

F. Seasonal Agricultural Sales:

Seasonal agricultural sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards:

1. Location:

    a. The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability.
    b. The display or storage of goods for sale shall not occur within the public right-of-way, or within two hundred (200) feet of a dwelling.

2. Range of Goods Limited:

3. The range of goods or products available for sale shall be limited to non-processed products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, and firewood; bees and beekeeping products; seafood; and dairy products.

4. Hours of Operation:

    a. The hours of operation of the seasonal sale of agricultural products shall be from 7:30 a.m. to 10:00 p.m., or the same hours of operation as a principal use on the same lot, whichever is more restrictive.

G. Temporary Housing During Construction:

A zoning certificate shall be issued for temporary housing on the lot on which a building is being erected provided:

1. A building permit has been issued for construction of a residence on the same lot or tract of ground, and that actual construction has commenced before the temporary housing is placed on the property.
2. The temporary housing shall be located behind the residence site.
3. Before occupying the temporary housing it shall be connected to the sewage disposal system required for the residence under construction.
4. The electrical service for the temporary housing shall meet the requirements of the applicable building codes.
5. The temporary housing shall be securely anchored to the ground.
6. A safe and substantial set of entrance steps of steel, wood or concrete shall be installed.
7. A deposit is made with Williamsburg Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the temporary housing is permanently removed. Should the temporary housing not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the temporary housing.
8. The temporary housing may be occupied for a period of six (6) months and an additional six (6) month period if the Zoning Administrator and the Clermont County building inspector are satisfied that work is progressing and additional time is required for completion of the residence. Occupancy of the temporary housing will not be permitted for longer than one (1) year.
9. The temporary housing must be vacated and its sewer and electrical connection removed within thirty (30) days after the residence is approved for occupancy or at the end of one year, whichever occurs first, at which time the temporary housing shall either be removed from the premises, or located on the premises.

H. Temporary Special Events:

1. A zoning certificate for temporary special events such as festivals, circuses, concerts, and similar uses shall only be required if tents or structures are required on the applicable lot where the event will occur.
2. The zoning certificate shall be valid for no more than two (2) weeks provided the event meets the following conditions:

    a. For a lot that is zoned residentially or that is within five hundred (500) feet of a residential zoning district, there shall be a limit of two temporary special events per lot, per calendar year.
    b. The applicant receives other applicable permits from the Clermont County Building Department and the Williamsburg Township Fire and Rescue Department.
    c. The plans receive approval by the Clermont County Sheriff's Office for the purposes of protecting the public safety.

3. Temporary tents for outdoor sales may be permitted for a fourteen (14) day period once every ninety (90) days.
4. Buildings and structures for circuses, carnivals, or similar transient enterprises shall be located a minimum of five hundred (500) feet from any residential district.

I. Temporary Storage During Construction:

One (1) trailer used as a temporary storage of tools and materials used for construction is permitted on a lot on which a building is being constructed provided:

1. A building permit has been issued for the construction of a residence on the same lot or tract of land upon which the trailer is situated and actual construction has commenced.
2. A zoning certificate has been issued for the placement of the trailer on the lot or other tract of ground.
3. The placement of the trailer shall comply with the front and side yard setback requirements for the district within which it is placed.
4. A sketch plan is submitted to the Zoning Administrator showing the dimensions of the property upon which the trailer is to be placed with front, side and rear lot dimensions and showing compliance with the location requirements of this subsection.
5. The trailer may remain for a period of one (1) year from the date of issuance of the zoning certificate. Upon application to the Zoning Administrator, the trailer may remain an additional period of six months provided that the construction of the residence is progressing and additional time is required for completion of the residence.
6. A deposit is made with Williamsburg Township in an amount set forth upon the Williamsburg Township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the required time period set, then the township may apply the deposit to defray the cost of removing the trailer.

J. Temporary Storage in a Portable Shipping Container:

Storage containers that are loaded with materials and placed on a property for the purpose of temporarily storing materials are permitted with the following regulations:

1. Portable storage containers shall be kept in the driveway of the property at the furthest accessible point from the street. The location of the portable storage container on a driveway shall not obstruct visibility nor block the sidewalk. If no driveway is present, approval from the zoning inspector for the placement of the portable storage container prior to its delivery is required.
2. Only one portable storage container shall be placed at any residential property at one time.
3. The zoning inspector, upon good cause shown, may approve a one-time extension of the zoning certificate for an additional fourteen (14) days. Portable storage containers shall not be located on any parcel for a period exceeding twenty-eight (28) days per calendar year.

K. Temporary Structures for Public or Institutional Uses:

Temporary structures serving public or institutional uses shall comply with the following standards:

1. Location:

    a. The use shall be located to the side or rear of the principal structure(s) and at least five (5) feet from any other structure.
    b. The use shall not be permitted within required off-street parking spaces, required open space areas, or required landscaping areas.

2. Standards:

    a. Under skirting or other materials shall be used to prevent unauthorized access underneath the structure.
    b. Parking shall be provided for the temporary structure in conformance with Article 9: Off-Street Parking Space Requirements.

3. Approval and Duration:

    a. This use is permitted if approved by the zoning inspector, and may remain on the site for no more than three years. This period may be renewed for two additional years, for good cause shown, upon approval of a written request, submitted to the zoning inspector at least thirty (30) days prior to the expiration of the zoning certificate. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than five years.

ARTICLE 6: PLANNED UNIT DEVELOPMENT REGULATIONS

SECTION 600: PURPOSE

The Planned Unit Development (PUD) District and the associated planning and development standards as set forth and referred to herein are designed to achieve the following objectives.

A. Provide flexibility in the regulation of residential, and commercial land development;
B. Encourage a variety of housing and building types, a compatible mix of commercial and residential development and creative site design;
C. Encourage provision of useful open space, and preservation of valuable and unique natural resources.
D. Provide a development pattern which preserves and utilizes natural topography and geological features, scenic vistas, trees and other vegetation, prevents the disruption of natural drainage patterns, and contributes to the ecological wellbeing of the community.
E. Promote efficiency through a more effective use of land than is generally achieved through conventional residential and/or commercial development resulting in substantial savings through shorter utilities, streets and other public services, and
F. Provide a residential and/or commercial development pattern in harmony with land use, density, transportation facilities, and community facilities.

SECTION 601: TYPE OF PUD DISTRICTS

A. The PUD District shall be established as a zoning district that overlays a base zoning district. Therefore, a PUD can be created to overlay any of the zoning districts provided for in this Resolution. An approved PUD shall be referenced using both the base zoning district and PUD, example “R-1 PUD”.
B. Upon application of the property owners or their agent, the Board of Township Trustees may establish a PUD by designating the property as such on the zoning map in accordance with the procedures set forth in Section 210: Zoning Text or Map Amendment.
C. Once the property has been zoned as a PUD, subsequent use of the property shall comply with the regulations of the underlying zoning designation and other conditions of approval of the PUD or modifications to the underlying zoning district regulations as determined by the Board of Township Trustees.

SECTION 602: PUDS APPROVED PRIOR TO THE EFFECTIVE DATE OF THIS CODE

Any PUD approved prior to the effective date of this Resolution shall continue in accordance with the approved plans. Modifications, amendments, and expansion of existing PUDs shall be in accordance with this chapter.

SECTION 603: COMPLIANCE WITH PLANS

All PUDs approved after the effective date of this Resolution should comply with the Williamsburg Township Land Use Plan, and other adopted plans, including compliance with the permitted uses, densities, intensities, and other recommendations of the plan specific to the applicable property.

SECTION 604: REVIEW PROCEDURES FOR PUDS

All PUDs shall be processed in three stages that include a PUD Preliminary Plan (Stage 1), PUD Design Site Plan (Stage 2) and a PUD Final Site Plan (Stage 3).

A. Combined Review:

1. In the event an applicant/developer is sufficiently far along with their plans, a combined PUD design site plan and PUD final site plan approval may be requested.
2. A combined PUD design and final site plan application shall be reviewed in accordance with the process and procedures set forth in Section 604(D).
3. Approval of a Stage 1 - PUD preliminary plan and Zone Map Amendment (see Section 604(C)) is required prior to application for combined PUD review.

B. PUD Initiation:

1. A PUD may be initiated by the filing of an application by one or more of the owners or their agents of property within the area proposed to be changed or affected by the proposed amendment. An application initiated by the owner or their agents shall be subject to the complete review procedure established below.
2. The Zoning Commission or the Board of Township Trustees may initiate a rezoning of a property to establish a PUD overlay district without submitting a PUD design plan. Upon rezoning a property to establish a PUD overlay district, development may occur in one of the two following methods:

    a. The property owner may submit an application for a use that is permitted in any method (permitted, permitted with use-specific standards, or as a conditional use) in Table 5-1: Permitted Use Table without being subject to the PUD standards of this chapter; or
    b. The property owner may submit an application of a PUD design plan pursuant to this chapter. The review shall follow the same procedure established herein for Stage 2 or Stage 3.

C. Stage 1 – PUD Preliminary Plan and Zone Map Amendment:

The PUD preliminary plan is intended to establish the major governing principles of a development related to land uses, density, open space and circulation. Specific details related to issues such as the number of parking spaces, the type and location of landscaping, or the location of individual lots and buildings shall be reviewed during the PUD design plan.

1. Step 1 – Pre-application Conference:

    a. Applicants for any PUD Overlay District are required to meet with the Zoning Administrator for a pre-application conference prior to submitting a formal application for a PUD.
    b. The purpose of the pre-application conference is to informally discuss application requirements, review procedures, and details of the proposed development. More than one pre-application conference between the applicant and township staff may be necessary.
    c. Applicants are encouraged to bring a preliminary plan to the pre-application conference.

d. No formal application is required to facilitate a pre-application conference. The applicant need only contact the Zoning Administrator to set up a meeting date.
e. Discussions that occur during a pre-application conference with township staff are not binding on the township and do not constitute official assurances or representations by Williamsburg Township or its officials regarding any aspects of the plan or application discussed.

2. Step 2 – PUD Preliminary Plan Application:

   a. Applications for the PUD preliminary plan shall be submitted to the Zoning Administrator at the township offices.
   b. Where the property is not already zoned as a PUD, the PUD preliminary plan shall be submitted as part of a zoning map amendment.
   c. The application shall include all such forms, maps, and information as may be prescribed for that purpose by the Zoning Administrator to assure the fullest practicable presentation of the facts for the permanent record.
   d. Each application shall be signed by at least one (1) of the owners, or the owner's authorized agent, of each property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications.
   e. Applications for amendments initiated by the zoning commission or the board of township Trustees shall be accompanied by the initiating board's motion or zoning resolution pertaining to such proposed amendment.
   f. All applications shall be subject to Section 212: Common Review Requirements.
   g. All applications shall be submitted with the required fees as established in the Williamsburg Township fee schedule.

3. Step 3 – Referral to the Clermont County Planning Commission:

   a. Within five (5) days after filing of an application, the township shall transmit a copy thereof to the Clermont County Planning Commission.
   b. The Clermont County Planning Commission shall recommend the approval, approval with modifications, or denial of the proposed amendment and shall submit such recommendation to the zoning commission.
   c. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment.

4. Step 4 – Public Hearing and Recommendation by the Zoning Commission:

   a. Upon the filing of an application for an amendment (Step 2), the Zoning Commission shall set a date for a public hearing regarding the proposed PUD amendment and the PUD preliminary plan.
   b. The public hearing shall not be less than twenty (20) or more than forty (40) days after the date the application (Step 2) was submitted.
   c. For an amendment that intends to rezone or redistrict ten (10) or fewer parcels of land, notification shall be given in accordance with ORC Section 519.12 to all owners of property within and contiguous to and directly across the street from the area of the proposed amendment. If the amendment rezones more than 10 parcels of land as listed on the county auditor's current tax list, a published notice is required in accordance with ORC Section 519.12.

d. Within thirty (30) days after the Zoning Commission's public hearing, the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed amendment and PUD preliminary plan, and submit such recommendation together with the application, text and plans pertaining thereto, and the recommendation of the Clermont County Planning Commission to the Board of Township Trustees.

5. Step 5 – Public Hearing and Decision by the Board of Township Trustees:

   a. Upon receipt of the recommendation from the Zoning Commission (Step 4), the Board of Township Trustees shall set a time for a public hearing on such proposed amendment.
   b. The date of the public hearing shall not be more than thirty (30) days after the date of the receipt of such recommendation from the Zoning Commission.
   c. For an amendment that intends to rezone or redistrict ten (10) or fewer parcels of land, notification shall be given in accordance with ORC Section 519.12 to all owners of property within and contiguous to and directly across the street from the area of the proposed amendment. If the amendment rezones more than ten (10) parcels of land as listed on the county auditor's current tax list, a published notice is required in accordance with ORC Section 519.12.
   d. Within twenty (20) days after its public hearing, the Board of Township Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Township Trustees modifies or overturns the recommendation of the Zoning Commission, the majority vote of the Board of Township Trustees shall be required.
   e. Review and approval of the PUD preliminary plan shall be limited to:

      i. Defining the uses permitted within the PUD, the general location of such uses (footprints of individual dwellings or buildings are not required), and any use-specific standards that may apply to the permitted uses;
      ii. Establishing the maximum density or intensity of development that is permitted in the PUD;
      iii. Establishing the minimum lot area and lot width requirements for residential uses;
      iv. Defining any deviations from the standard of the underlying district;
      v. Establishing the general layout of any new streets or major access drives for the development and pedestrian circulation; and
      vi. Defining the amount and general location of open space.

   f. In accordance with the standards set forth herein, the Board of Township Trustees may explicitly impose special conditions relating to the PUD as the board may determine necessary in order to best promote the public health, safety and welfare.

6. Review Criteria for PUD Preliminary Plan:

The following criteria shall be used in recommendations and decisions regarding the PUD preliminary plan:

   a. The PUD preliminary plan is consistent with the intent and purposes of the Resolution to promote public health, safety, morals, community stability and the general welfare of Williamsburg Township.
   b. The PUD preliminary plan is consistent with the Williamsburg Township Land Use Plan.

c. The uses proposed will not be detrimental to the present surrounding uses or to the uses authorized under the Resolution for the surrounding real estate, and will be harmoniously related to the surrounding area.
d. The PUD preliminary plan provides adequate safeguards to protect the general public, owners, and occupants of nearby real estate from nuisances, noise, air pollution, water pollution, soil pollution, visual blight or any other environmental contamination.
e. The uses proposed will not be detrimental to existing and potential future surrounding uses and will be harmoniously related to the surrounding area.
f. The internal streets and primary and secondary roads that are proposed shall properly interconnect with the surrounding existing primary and secondary road network. A traffic impact study may be required by the township, and the Zoning Commission and the Board of Trustees shall coordinate cross access easements or stubbed streets to all adjacent parcels as needed to facilitate better traffic flow between individual developments in conjunction with the Clermont County Engineer's Office.
g. The minimum common open space areas have been designated in accordance with the provisions of this chapter. The PUD preliminary plan shall provide for the preservation of as many trees as practicable.
h. The PUD preliminary plan may vary from the requirements of the Resolution upon approval by the Board of Township Trustees of the preliminary plan.

D. Stage 2 – PUD Design Plan:

The PUD design plan is intended to be in accordance with the approved PUD sketch plan and to provide greater detail of the design of the development. Specific details related to issues such as the number of parking spaces, the type and location of landscaping, the location of buildings, or residential lots shall be reviewed during the PUD design plan.

1. Step 6 – Pre-application Conference:

    a. Applicants for any PUD District are encouraged to meet with the Zoning Administrator for a pre-application conference prior to submitting a formal application for a PUD design plan.
    b. The purpose of the pre-application conference is to informally discuss application requirements, review procedures, and details of the proposed development, and to review any specific conditions applied to the PUD preliminary plan by the Board of Township Trustees so that such conditions are addressed in the PUD preliminary site plan application.
    c. Discussions that occur during a pre-application conference with township staff are not binding on the township and do not constitute official assurances or representations by Williamsburg Township or its officials regarding any aspects of the plan or application discussed.

2. Step 7 – PUD Design Plan Application:

    a. Applications for the PUD design plan shall be submitted to the Zoning Administrator at the township offices.
    b. The application shall include all such forms, maps, and information as may be prescribed for that purpose by the Zoning Administrator to assure the fullest practicable presentation of the facts for the permanent record.
    c. All applications shall be subject to Section 212: Common Review Requirements.

d. All applications shall be submitted with the required fees as established in the Williamsburg Township fee schedule.

3. Step 8 – Public Meeting and Recommendation by the Zoning Commission:

    a. Upon the filing of an application for a PUD design plan (Step 7), the zoning commission shall set a date for a public meeting regarding the proposed PUD design plan.
    b. After the Zoning Commission's public meeting, the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed PUD design plan and submit such recommendation together with the application, text and plans pertaining thereto, and the recommendation of the Clermont County Planning Commission to the Board of Township Trustees.

4. Step 9 – Public Meeting and Decision by the Board of Township Trustees:

    a. Upon receipt of the recommendation from the zoning commission (Step 8), the Board of Township Trustees shall set a time for a public meeting on such proposed amendment.
    b. The Board of Township Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Township Trustees modifies or overturns the recommendation of the Zoning Commission, the majority vote of the Board of Township Trustees shall be required.
    c. In accordance with the standards set forth herein, the Board of Township Trustees may explicitly impose special conditions relating to the PUD design plan as the board may determine necessary in order to best promote the public health, safety and welfare.

5. Review Criteria for PUD Design Plan:

The following criteria shall be used in recommendations and decisions regarding the PUD design plan:

    a. The PUD design plan is in accordance with the PUD preliminary plan as adopted by the Board of Township Trustees.
    b. The arrangement of vehicular access and circulation, including intersections, road widths, channelization structures and traffic controls are adequately designed for the proposed uses and existing surrounding development.
    c. The design generally addresses stormwater management and erosion control, and avoids flood hazard areas.

d. The minimum common open space areas have been designated and designed in accordance with the provisions of this chapter, and shall be conveyed to a legally established home owners or property owners association, commercial management group, the township, or other agency as herein provided.
e. That any part of the PUD not used for structures, parking and loading areas, streets, public improvements, or walkways shall be landscaped or otherwise improved for the purpose intended or otherwise left in its natural state.
f. The comments and recommendations from the Clermont County Engineer's Office and other departments or officials of the township and Clermont County, as well as representatives of federal and state agencies including the Soil Conservation Service, the Department of Conservation, the Environmental Protection Agency and similar agencies are adequately addressed.
g. The PUD design plan may vary from the requirements of the Resolution upon approval by the Board of Township Trustees of the design plan.
h. Approval of the PUD design plan may be conditional upon provisions that are necessary for the protection of public health, safety, and general welfare. The Zoning Commission or Board of Township Trustees may require that a revised PUD design plan be submitted if, in its opinion, substantial changes are required to comply with this chapter.

6. Step 10 – Referral to the Clermont County Planning Commission for approval of PUD Design Plan:

a. After filing of the application, the township shall transmit a copy thereof to the Clermont County Planning Commission with Township Conditions.
b. The Clermont County Planning Commission shall approve, approve with modifications, or deny the proposed PUD design plan.

E. Stage 3 – PUD Final Site Plan:

The PUD final site plan is intended to establish the construction details of the PUD approved by the Board of Township Trustees.

1. Step 11 – Final PUD Plan Submittal:

A PUD final site plan may be submitted for approval after the Board of Township Trustees grants approval of the PUD design plan and after a traffic impact study has been performed for all access points on a state and/or county roadway.

2. Step 12 – Public Meeting and Decision by the Zoning Commission:

a. Upon the filing of an application for an amendment (Step 11), the Zoning Commission shall set a date for a public meeting regarding the proposed PUD final site plan.
b. After the Zoning Commission's public meeting, the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed PUD final site plan and submit such recommendation together with the application, text and plans pertaining thereto, to the Board of Township Trustees.

3. Step 13 – Public Meeting and Decision by the Board of Township Trustees:

a. Upon receipt of the recommendation from the Zoning Commission (Step 12), the Board of Township Trustees shall set a time for a public meeting on such proposed amendment.

b. The Board of Township Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Township Trustees modifies or overturns the recommendation of the Zoning Commission, the majority vote of the Board of Township Trustees shall be required.
c. Upon final approval by the Board of Township Trustees, the township shall forward the approved PUD final site plan to the Clermont County Building Department with an endorsement of the approval thereon. The Building Department shall not issue a building permit to the applicant until the approved PUD final site plan is received from the Township Zoning Administrator and has received evidence of the owner's compliance with Sec 604(E)(3)(d).
d. PUD final site plan approvals shall not be effective until the property owner causes the terms and conditions of the PUD final site plan to be placed in the chain of title of the real estate to which it applies as a restrictive covenant, running with the land, incorporated into a deed of conveyance or other legal documents. This restrictive covenant may be altered with the consent of the property owner and the Board of Township Trustees. The developer will require the assistance of an attorney to place the terms of the PUD final site plan in record form so that it may be placed as a matter of record in the records kept by the Clermont County Recorder pursuant to ORC Section 317.08.

4. Review Criteria for PUD Final Site Plan:

The following criteria shall be used in decisions regarding all phases of PUD final site plans:

a. The PUD final site plan shall substantially conform to the approved PUD design plan, including any revisions or conditions of approval by the Board of Township Trustees.
b. All necessary legal documentation relating to the incorporation of a home owners or property owners association for residential PUDs, or other similar associations for nonresidential PUDs, and copies of any restrictive covenants or agreements that are to be recorded, have been submitted and approved as part of the PUD final site plan. Such legal documentation shall demonstrate how the common open space will be maintained over the life of the development.

F. Phasing Plan:

Any plan that will require more than twenty-four (24) months to complete, shall be constructed in phases and a phasing plan shall be developed accordingly. In a phased PUD, it is expected that changes in the approved PUD final site plan may be required from time to time. In order to preserve the flexibilities which are fundamental to a PUD, planned changes or modifications are permitted subject to the procedures of Section 604(G) Modifications.

G. Modifications:

1. Major modifications to an approved PUD preliminary plan shall be processed in accordance with the procedures in Section 604(C)
2. Modifications to an approved PUD design plan or PUD final site plan shall be considered in accordance with this section.
3. A request for a modification shall be submitted to the zoning inspector.
4. The Board of Township Trustees shall have the authority to determine if the proposed modification is a major modification or minor modification in accordance with this section. Such decision may be appealed to the BZA.

5. Major Modifications:

    a. Major modifications to an approved PUD design plan or PUD final site plan shall include but not be limited to:

        i. An increase in residential density;
        ii. An expansion in nonresidential floor area that exceeds ten percent (10) of the total floor area that was previously approved;
        iii. Changes to the PUD boundaries;
        iv. Changes in the amount (percentage of the total development) or location of different land uses; or
        v. Changes to internal street patterns that alter the intersection points with existing streets.
        vi. Major modifications shall be reviewed in accordance with the entire procedure set forth in Section 604(D).

6. Minor Modifications:

Other amendments or modifications that are in compliance with the regulations of this code shall be classified as a minor modification and shall be reviewed and approved by the Zoning Administrator, except that the Zoning Administrator may elect to submit the minor modification to the Zoning Commission for review and a decision. Such review shall occur at a public meeting of the Zoning Commission and shall be subject to notice and fees as established by the Board of Township Trustees and state law.

H. Enforcement:

1. The terms and conditions of the PUD and the covenant that runs with the land shall be enforceable by owners of real estate covered by the PUD, the home owners association for residential PUDs, or other similar associations for nonresidential PUDs, or by Williamsburg Township.
2. Failure to enforce shall not be deemed a waiver of rights of enforcement.
3. The owners and all subsequent owners must take action subject to a covenant running with the land whereby they waive the defense of laches against any person or body that has the power to enforce the PUD.

SECTION 605: DEVELOPMENT STANDARDS

A. Permitted Uses:

1. Any permitted use may be included within a PUD regardless of the underlying zoning. It is essential however, that the PUD be planned, developed and operated in accordance with the approved PUD plan. The PUD plan must assure that the uses, structures and developments are properly integrated with the surrounding area and promote the health, safety, morals, general welfare and provides for a wholesome environment, free of nuisances for the entire community.
2. Development of the PUD property shall comply with the use regulations established during the Stage 1 and Stage 2 PUD plans and the underlying zoning district as determined by the Board of Township Trustees.

B. Site Development Standards:

Development of the PUD property shall comply with the site development standards established during the Stage 1 and Stage 2 PUD plans as determined by the Board of Township Trustees.

1. Permitted Density:

    a. The permitted density is subject to approval by the Board of Township Trustees as part of the PUD plan approval.
    b. The density for each PUD plan will be reviewed on a case-by-case basis taking into account:

        i. Adjacent land uses;
        ii. Unique features and characteristics of the land;
        iii. The proposed site layout; and
        iv. Quality and character of the proposed open space.

    c. Any change to the density of an approved Stage 1 or Stage 2 plan shall be considered a major modification, and shall be reviewed in accordance with Section 604(G).

2. Accessory Uses and Structures:

Accessory uses and structures shall conform to the provisions of Section 508.3 for the applicable zoning district that is part of the PUD.

3. Minimum Dwelling Size:

The minimum dwelling size in a PUD shall be in accordance with the minimum size established in the residential district where the PUD is located, unless modified in the PUD plan.

4. Lot Area and Yards:

    a. The minimum lot area and lot width requirements shall be established in the PUD plan approval based on:

        i. Adjacent land uses;
        ii. Unique features and characteristics of the land;
        iii. The proposed site layout; and
        iv. Quality and character of the proposed open space.

    b. To the maximum extent feasible, when a PUD is proposed adjacent to the open space of an existing PUD, the proposed PUD shall establish open space adjacent thereto to create larger areas of open space within the township.
    c. The minimum setbacks for individual lots shall be those of the underlying zoning district unless varied as part of the PUD approval.

5. Height Requirements:

The maximum height of structures shall be as established in the underlying zoning district unless modified as part of the PUD approval.

6. Open Space:

All common open space shall be subject to Section 606: Open Space Standards.

7. Parking:

Off-street parking shall be in accordance with the provisions of Article 9: Off-street Parking Space Requirement, unless modified as part of the PUD approval.

8. Signs:

a. Signs in a PUD shall comply with the regulations in Article 8: Signage Standards for the underlying zoning district, unless the Board of Township Trustees approves modifications to the sign standards during the PUD plan approval.
b. Signs in a PUD approved prior to the adoption of this regulation shall continue to be regulated by the PUD regulations applicable to the property.

9. Residential Design Standards:

The overall quality of the design of the development shall be considered when reviewing a PUD application. The Zoning Commission and Board of Township Trustees shall review:

a. The use of unique street design and landscaping;
b. The use of a sufficient number of house types to avoid a monotonous streetscape;
c. The incorporation of limitations on the use of certain building materials in accordance to Section 605(B)(10);
d. The incorporation of pedestrian and/or bicycle paths or trails to the extent reasonably possible and reasonably desirable; and
e. The incorporation of ponds or other water or land features to the extent reasonably possible and desirable, including sustainable, low maintenance and natural appearance.

10. Building Materials:

All PUD developments are encouraged to maximize the use of natural building materials such as brick, jumbo brick, stone, wood, fiber cement siding, glass, stucco, cement use siding or cultured stone.

11. Nonresidential Design Standards:

The overall quality of the design of the development shall be considered when reviewing a PUD application. The Zoning Commission and Board of Township Trustees shall review:

a. The use of unique street design and landscaping;
b. The use of a sufficient number of building types to avoid a monotonous streetscape;
c. The incorporation of limitations on the use of certain building materials in accordance to Section 604(B)(12);
d. The incorporation of pedestrian and/or bicycle paths or trails to the extent reasonably possible and reasonably desirable; and
e. The incorporation of ponds or other water or land features to the extent reasonably possible and desirable.

12. Architectural and Building Material Standards:

    a. All PUD developments shall maximize the use of natural building materials such as brick, jumbo brick, stone, wood, fiber cement siding, glass, stucco, cement use siding or cultured stone. The Zoning Commission and Board of Township Trustees reserve the right to regulate building materials on each PUD plan on a case-by-case basis.
    b. Metal siding, vinyl siding, and exposed smooth face concrete masonry unit (CMU) block is prohibited as a primary exterior building material on all building elevations visible from a public road right-of-way.
    c. All visible elevations shall include decorative features such as cornices, pilasters, and contrasting horizontal bands. Building recesses and protrusions are strongly encouraged on larger buildings to break long uninterrupted building walls.

13. Circulation and Access:

    a. A PUD in a nonresidential district shall have primary access from an arterial or collector road as defined ODOT Roadway Classification Map when such access is feasible. Secondary access points on local streets may be permitted with approval from the Zoning Commission and Board of Township Trustees during the PUD plan review.
    b. Cross access easements to adjacent parcels may be required by the Zoning Commission and Board of Township Trustees to provide better circulation and access between adjacent developments.

14. Size of PUD:

    a. It is suggested that the size of a PUD be a minimum of five (5) acres or more.
    b. In circumstances where the project area is less than five (5) acres, the Board of Township Trustees may determine that common open space is not necessary or if common open space is necessary, the establishment of a trust for the preservation of common open space may not be required.

SECTION 606: OPEN SPACE STANDARDS

The purpose of this section is to establish the types of land that are appropriate for open space areas, and to regulate the manner in which open space areas are preserved and maintained.

The PUD shall provide for the reservation of land within the tract to be developed as common or public open space, unless the board of township trustees decides that this requirement is not necessary for the proper execution of the PUD.

A. Required Amount of Open Space:

    1. A minimum of twenty percent (20%) of the total PUD development proposed for residential uses shall be set aside for common open space.
    2. A minimum of fifteen percent (15%) of the total PUD development proposed for nonresidential uses shall be set aside for common open space.
    3. The open space for a PUD with mixed uses is determined by calculating the area used for residential purposes, separate from the area used for nonresidential purposes and then applying the total acreage for each use to the required percentage of open space listed above. If mixed uses occur in the same building, open space shall be required using nonresidential standard.

4. Williamsburg Township strongly encourages applicants to exceed the standard percentage of open space whenever possible.
5. In circumstances where a development is planned near an existing public park or when the board of township trustees determines open space is not necessary within the project, the developer may donate funding towards existing public parks in lieu of common open space.

B. Types of Land to Be Preserved:

1. Floodways and the one hundred (100) year flood plain as determined by FEMA shall be required to be preserved in a natural state as part of the minimum open space requirement for each development type.
2. The following types of land are encouraged, but not required, to be preserved in a natural state as part of the minimum open space requirement for each development type:

    a. Stream corridor setback areas (both sides) as established below based on the drainage area of the stream. The drainage area is to be determined by the Clermont County Soil and Water Conservation District and the setbacks measured from the centerline of the stream.

        i. A minimum setback of fifty (50) feet for streams with a drainage area of up to (320) acres.
        ii. A minimum setback of seventy-five (75) feet for streams with a drainage area between (320) acres and twenty (20) square miles.
        iii. A minimum setback of one hundred (100) feet for streams with a drainage area between twenty (20) square miles and three hundred (300) square miles.
        iv. A minimum (300) feet for streams and rivers with a drainage area over (300) square miles.

    b. Mature woodlands and existing vegetation;
    c. Intermittent streams;
    d. Wetlands as determined by the EPA; and
    e. Areas with slope twenty percent (20%) or greater or other unique natural and/or geological features.

3. No more than thirty-five (35%) percent of the standard open space for residential areas may consist of the following:

    a. Isolated or fragmented pieces of land that are less than (10,000) square feet in area or less than fifteen (15) feet in width (excluding maintained pocket parks); or
    b. Perimeter or interior buffers are required or
    c. Land that is unusable or presents maintenance difficulties including, but not limited to, the following:

        i. Steep slopes over twenty-five percent (25%) grade.
        ii. Wetlands (as determined by the EPA).
        iii. Retention/detention ponds primarily used for stormwater management.
        iv. Areas within the 100 year flood plain as determined by FEMA.
        v. Other areas deemed unusable by the Zoning Commission or Board of Township Trustees.

4. The following areas shall not count toward the minimum open space requirements:

a. Private and public roads, and associated rights-of-way.
b. Public or private parking areas, access ways, and driveways related to any residential use.
c. Required minimum setbacks or spacing between buildings and parking areas.
d. Required setbacks between buildings and streets.
e. Private yards, including front, rear and side yards.
f. Off-street parking areas.
g. Above-ground buildings, pipes, apparatus, and other equipment for community or individual septic or sewage disposal systems.

5. Minimum Percentage Devoted to Active Recreation:

a. A minimum of twenty-five percent (25%) of the required open space for each development type shall be improved for active park and recreational uses or facilities including but not limited to: community facilities, pedestrian or bicycle paths; benches or other seating areas; pedestrian scaled lighting; gazebos or other decorative structures; fountains or other water features; play structures for children; gardens or seasonal planting areas; pools; athletic fields; fishing and boating; mowed parkland; picnic areas; horse trails; courts; golf courses; and clubhouses used primarily for recreational purposes (equipment or structures for such uses shall be indicated on the site plan).
b. Commercial or industrial may not be included.
c. These active recreation areas shall be located in areas with the least impact on natural amenities and resources.
d. Passive open space shall be designed with the goal to preserve the significant natural environmental features of the site, features primarily of undisturbed or unimproved character. They shall not include the items listed in Section 606(B)(2) and (3).
e. All areas designated for open spaces shall be improved for active park and recreational uses or preserved in a natural state unless otherwise permitted as follows:

i. They are designated to be utilized for farming when authorized in a conservation easement as outlined in Section 606(B)(8), or in home owners association covenants and restrictions recorded with the Clermont County Recorder's Office; or
ii. They are designated to be utilized for stormwater management facilities. Easements shall be required to enable the maintenance of these facilities; or
iii. Disturbance of the open space is required for the construction of improvements and infrastructure or for mitigation efforts that may be required by FEMA, the Army Corps of Engineers, or other county or federal agencies.

6. Reclamation of Disturbed Open Space:

Any area designated as required open space or for community facilities that is to be preserved in its natural state but is disturbed during construction shall be landscaped with vegetation native to the area similar to that which existed prior to construction.

7. Protection and Ownership of Open Space:

    a. Further subdivision of the open space for uses other than those prescribed in this section and the approved PUD plan shall be prohibited.
    b. All required open space shall be owned by either:

        i. The township, county, state, or park district subject to acceptance by the appropriate legislative body; or
        ii. Held jointly or in common by the owners of the building lots with maintenance provided through a home owners association or similar association. If the open space is to be owned jointly or in common by a home owners association, the open space shall be protected through the establishment of a conservation easement as outlined in Section 606(B)(8) below. Such easement, along with any deed restrictions or covenants of the home owners association, shall be recorded with the Clermont County Recorder's Office.

8. Conservation Easements:

    a. At the time when an applicant records the plat for the approved PUD development as a subdivision, a conservation easement shall be placed on all lands and private waters used to satisfy the open space requirement. The conservation easement shall:

        i. Run with the land, regardless of ownership;
        ii. Provide for protection of the land in perpetuity;
        iii. Be granted and deeded to the township, a township approved land trust, or other qualified organization approved by the township;
        iv. Be solely for the purpose of ensuring the land remains undeveloped; and
        v. Shall not, in any way, imply the right of public access or any other right or duty not expressly established by the terms of the easement.

    b. While township approved land trust, or other qualified organization may hold the conservation easement, the property itself shall still be owned by the original property owner, the developer, or the home owners association. If it is to be owned by the home owners association, the association's documents shall be recorded with the subdivision plat and a copy submitted to the Zoning Administrator to be maintained as part of the township's records.
    c. The conservation easement shall include information on how the property will be maintained by the property owner and shall also state that failure to maintain the property in accordance with the conservation easement agreements shall be considered a violation of this Resolution. In addition, the holder of the easement may pursue any remedy provided by law or equity, including, but not limited to, the remedies in ORC Section 5301.70.
    d. As an alternative to a conservation easement, the township may approve the designation of a separate parcel of land with deed restriction, or other suitable legal protection of the property to ensure open space will be provided.

9. Home Owners Associations:

    a. A home owners association shall be established to permanently maintain all open space and common areas if such areas are not transferred and accepted by the township, county, state, or park district.
    b. All home owners association agreements shall be submitted to the Zoning Administrator as part of the PUD final site plan. No set of proposed covenants, articles of incorporation, or bylaws of a home owners association shall permit the abrogation of any duties set forth in this section.
    c. All home owners associations shall guarantee the maintenance of all open space and common areas within the boundaries of the PUD through the deed restrictions or covenants.
    d. Membership in the association shall be mandatory for all purchasers of lots in the development.
    e. The association shall be responsible for maintenance, control, and insurance of all common areas, including required open space.
    f. These regulations are not applicable to commercial establishments.

ARTICLE 7: AREA, DEVELOPMENT STANDARDS

SECTION 700: MEASUREMENTS, COMPUTATIONS, EXCEPTIONS

A. Lot Area Measurements:

1. The area of a lot includes the total horizontal surface area within the lot's boundaries.
2. The area of a panhandle on a flag lot when narrower than fifty (50) feet and other narrow appendages to lots with less than fifty (50) feet of width, shall not count toward the minimum lot area requirement for the applicable zoning district.

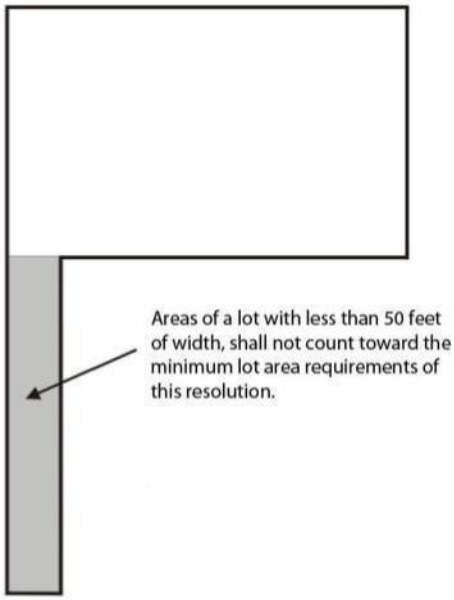

Figure 7-A: Areas not contributing to the minimum lot area requirement

3. For non-conforming lots, see Section 306.
4. With the exception of approval of a smaller lot as part of a PUD Overlay District or governmental acquisition of land, no lot shall be reduced in area so that the lot area per dwelling unit, lot width, yards, building area, or other requirements of this Resolution are not met.

B. Setbacks and Yards:

1. Measurements:

Setbacks refer to the unobstructed, unoccupied open area between the furthermost projection of a structure and the property line of the lot on which the structure is located. Setbacks shall not contain any structure except when in conformance with this resolution. See Figure 7-B.

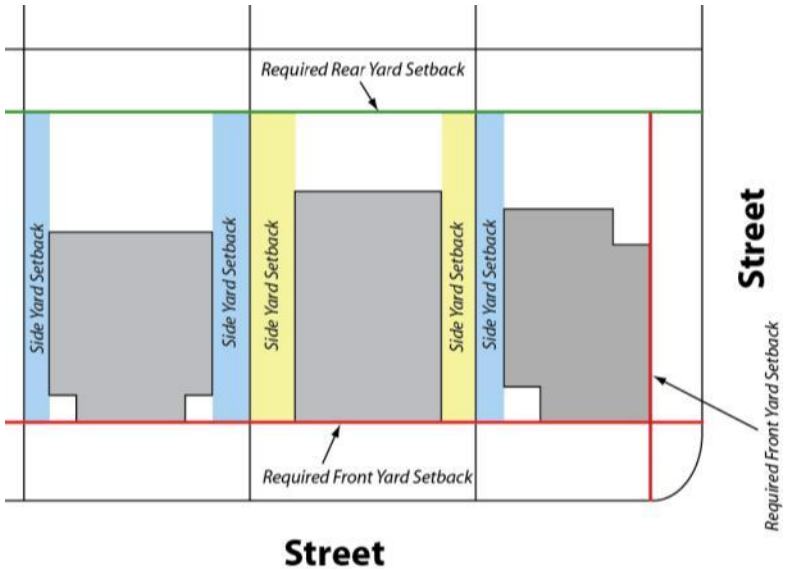

Figure 7-B: Measurement of typical front, side, and rear yard setbacks.

2. Yards and Obstructions:

    a. Every part of a required yard shall be open to the sky and unobstructed except:

        i. As otherwise provided in this section;
        ii. For accessory buildings as allowed in Section 508;
        iii. For the ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting into the yard a distance not to exceed twelve (12) inches;
        iv. Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a yard not more than five feet; and
        v. The ordinary projections of chimneys and flues may be permitted by the Clermont County Building Department when placed so as not to obstruct light and ventilation but not closer than two (2) feet to any lot line.

    b. Terraces, uncovered porches, platforms and ornamental features which do not extend more than three (3) feet above the floor level of the ground (first story) may project into a required front or rear yard, but shall maintain a minimum of seven (7) feet in setback from the front lot line and three (3) feet from all other lot lines.
    c. An open unenclosed porch, or paved terrace may project into a front yard for a distance not exceeding five (5) feet but cannot encroach upon the setbacks.
    d. Awnings and canopies may extend into any required setback but shall maintain a minimum setback of one (1) foot from all lot lines.

3. Front Yard Setback:

    a. Unless otherwise noted, the required minimum front yard setback shall be measured from each street right-of-way or, where a right-of-way is not identified, the lot line adjacent to the street. See Figure 7-C.

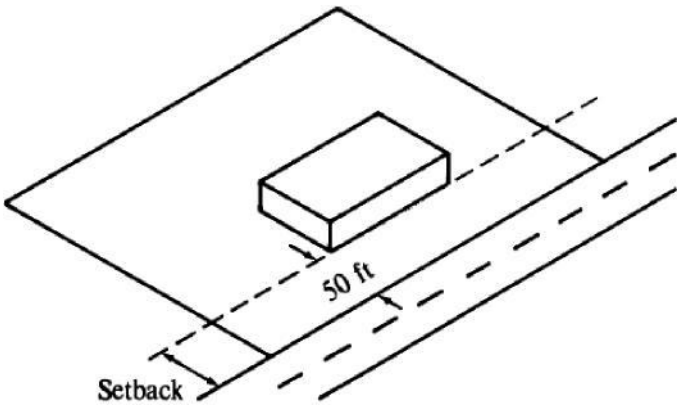

Figure 7-C: Measurement of a fifty (50) foot front yard setback.

b. Front Yard Modifications:

Notwithstanding Section 700(B)(3): Front Yard Setback, in areas where fifty percent (50%) of the street frontage on any block is occupied by principal buildings erected prior to the effective date of this resolution, the minimum required front yard setback shall not be less than the average depth of the existing front yards along that same block frontage. See Figure 7-D.

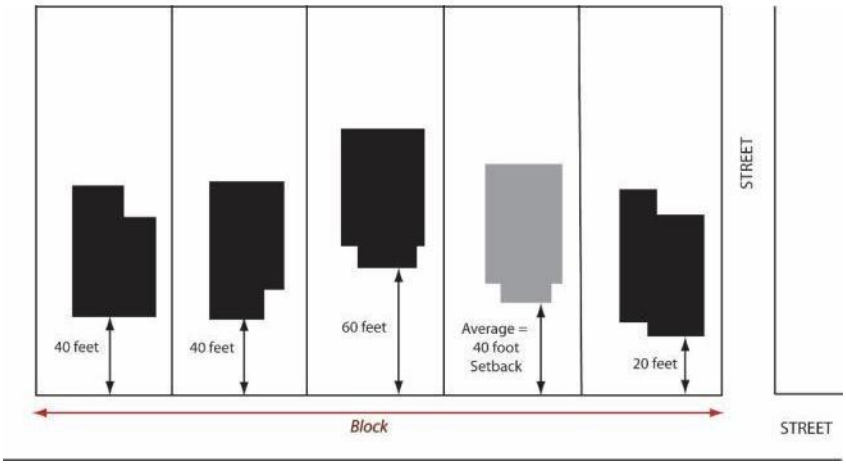

Figure 7-D: Setback averaging along a block for lots of record.

4. Interior Lots:

a. The lot line located along the street shall be the front lot lines and the front yard setback shall be applied. See Figure 7-E.
b. The lot line located directly behind the rear of the structure shall be the rear lot line and the rear yard setback shall be applied. See Figure 7-E.
c. All other lot lines shall be considered the side lot line and the side yard setback shall be applied. See Figure 7-E.

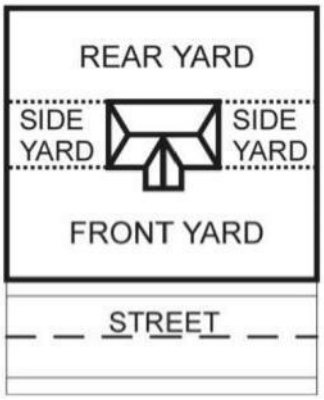

Figure 7-E: Typical yard locations for an interior lot.

5. Corner Lots:

    a. On corner lots, the required minimum front yard setback shall be provided from each street or section thereof. See Figure 7-F.
    b. The lot line that runs parallel with the rear façade of the building shall be the rear lot line and the minimum rear yard setback shall be applied from such lot line. See Figure 7-F.
    c. All other lot lines shall be a side lot line and the minimum side yard setback shall be applied from such lot lines. See Figure 7-F.

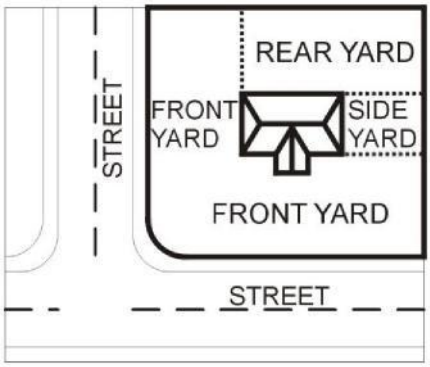

Figure 7-F: Typical yard locations for a corner lot.

6. Through Lots:

    a. Where a lot is considered a through lot, the required minimum front yard setback shall be provided on all lot lines that abut a street. See Figure 7-G.

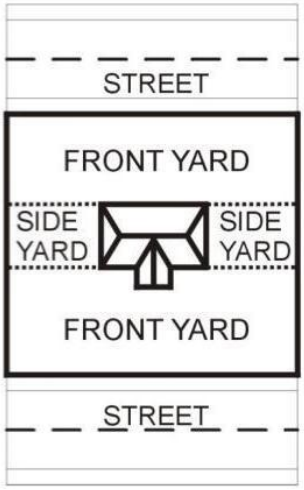

Figure 7-G: Typical yard locations for through lots.

b. The remaining lot lines not abutting a public road right-of-way shall be considered as side yards and shall have the required minimum side yard setback provided for each side lot line. See Figure 7-G.
c. For the purposes of allowing accessory uses in a rear yard, the front yard that is located to the rear of the house shall be considered the rear yard.

7. Flag or Panhandle Lots:

a. Flag or panhandle lots shall not be used to avoid the construction of a street.
b. The panhandle shall have a minimum street frontage as required the applicable zoning district.
c. The minimum front yard setback requirement shall be measured from the lot line that creates the rear lot line of the adjacent lot as illustrated in Figure 7-H.
d. The panhandle portion of the lot shall not be used for storage nor shall any structures be permitted in such portion of the lot.

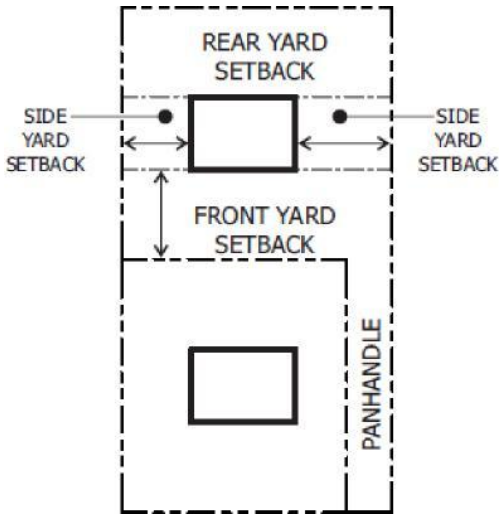

Figure 7-H: Yard and front yard setback locations on a flag or panhandle lot.

e. The stacking of flag or panhandle lots shall be prohibited. See Figure 7-I.

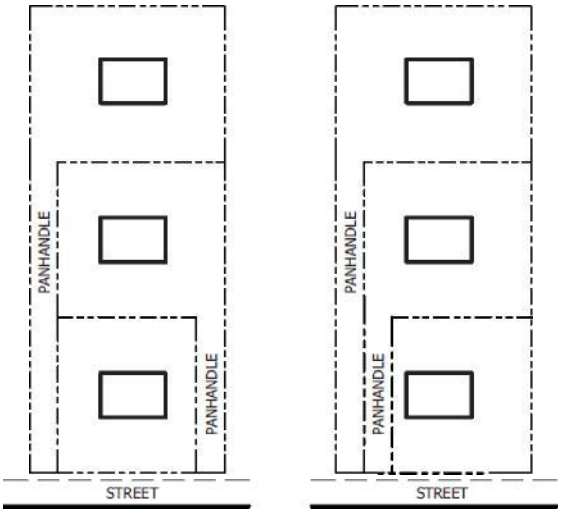

Figure 7-I: The above illustration shows the stacking of flag or panhandle lots, which is prohibited.

8. Cul-de-Sac or Curved-Street Lot:

    a. For a cul-de-sac lot or a lot abutting a curved street, the front-yard setback shall follow the curve of the front property line. See Figure 7-J.

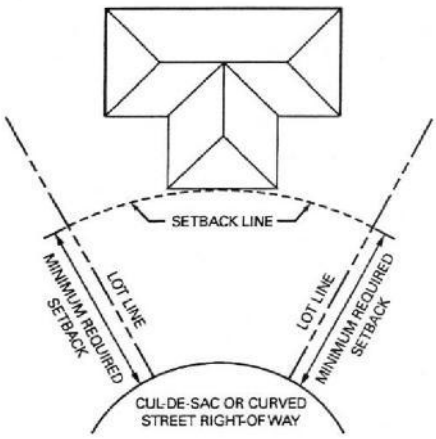

Figure 7-J: Setback line of a lot with frontage on a curved street or cul-de-sac.

    b. On a cul-de-sac roadway, knuckle, or eyebrow, the required street frontage shall be required and measured at the street right-of-way on the curve of the cul-de-sac, knuckle, or eyebrow.

9. Other Lot Types

For any type of irregular lot not addressed in this section, the Zoning Administrator shall determine the location of the front, side, and rear yard taking into consideration the effect on adjoining properties.

C. Lot Width and Street Frontage Measurements:

Lot width is the distance between the side lot lines measured along the front yard setback line. See Figure 7-K.

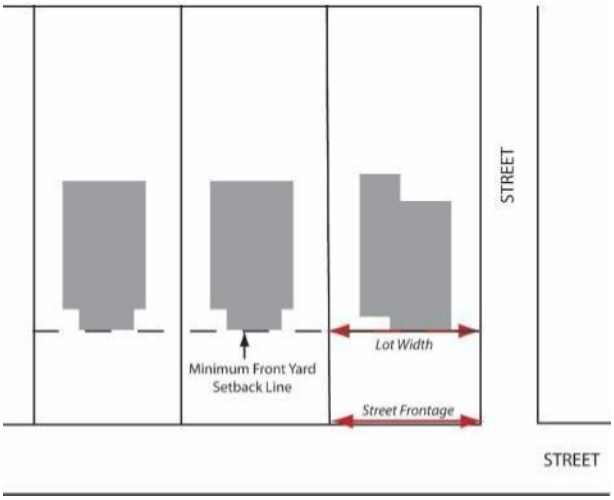

Figure 7-K: Measurement location of lot width and street frontage

D. Height Measurement and Exceptions:

1. Height Measurement:

a. Where specified in stories, building height shall be measured in number of stories above the finished grade for any elevation fronting on a public street including attics, half-stories, mezzanines, and at-grade structured parking. This excludes features that are less than one-half story or completely below grade, such as basements, cellars, crawl spaces, sub-basements, and underground parking structures.
b. Where specified in feet, the building height shall be measured from the average grade at the corners of the structure to the highest point on the roof, regardless of roof type. See Figure 7-L.

Figure 7-L: Measurement of building or structure height

c. The height of all other structures shall be measured from the lowest grade adjacent to the structure to the highest point of the structure.

2. Exceptions to Height Limits:

Height limitations stipulated in this resolution shall not apply:

a. To barns, silos or other agricultural buildings or structures on farms (not located in an improved platted subdivision); to church spires, belfries, cupolas and domes, monuments, chimneys, smokestacks, flag poles; to parapet walls extending not more than four feet above the limiting height of the building.
b. To bulkheads, elevator penthouses, water tanks, monitor and lookout towers, provided:

i. The height of any such structure shall not be greater than the number equal to the height of the first story of the principal structure; and
ii. The total footprint of the structure shall not exceed sixty percent (60%) of the footprint of the principal structure and shall have the same materials as the principal structure unless an alternative material is approved by the Zoning Inspector.

E. General Site Development Standards:

1. Height Limit at Street Corners (Traffic Safety Visibility Triangle)

Development proposed adjacent to any public or private street, in every district, shall be designed to provide a clear visibility area for pedestrian and traffic safety.

a. A traffic safety visibility triangle area, which may include private property and/or public right-of-way, is a triangle area defined by measuring thirty (30) feet from the intersection of the extension of the front and side street curb lines (or the right-of-way lines where there is no curb) and connecting the lines across the property. See Figure 7-M.

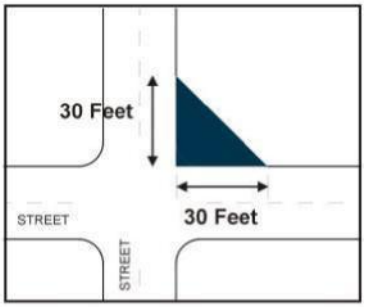

Figure 7-M: Traffic safety visibility triangle for intersecting streets.

b. For intersections of streets and driveways, the traffic safety visibility area shall be created by measuring twenty five (25) feet from the edge of the driveway along the street and twenty (20) feet along the driveway, perpendicular from the street. See Figure 7-N.
c. This requirement shall not apply to lots with single-family or two-family dwellings.

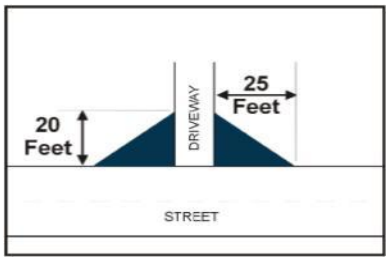

Figure 7-N: Traffic safety visibility triangle for driveway and street intersections.

d. No structure, sign, or landscape element shall exceed thirty (30) inches in height, measured from the top of the curb, within the traffic safety visibility area, unless approved by the Zoning Administrator.
e. An exception to this requirement shall be for existing trees where the canopy is trimmed to a minimum of eight (8) feet above grade.

F. Site Development Standards for Residential Zoning Districts:

1. Table 7-1 establishes the minimum site development standards for residential zoning districts.
2. All dwellings shall have at least one (1) story above ground level.
3. There shall not be more than one principal building on an individual lot except as otherwise permitted as part of a PUD Overlay District.
4. Development in the R-3 and R-4 must be connected to a centralized water and sewer system regardless if privately or publicly owned (i.e., no on-site wells or septic systems allowed in these districts).
5. The maximum lot coverage for any single-family lot shall be fifty percent (50%) including, but not limited to, the footprints of the principal building, any accessory buildings, pools, and similar structures.
6. Floor Area Requirements:

In order to promote healthful living conditions and to stabilize the value and character of residential areas, dwelling units shall be erected, altered, moved, maintained and occupied only in accordance with the following minimum floor area requirements. For the purposes of calculating the floor area, all areas within basements, garages and any attached or detached accessory building or structure shall not be included.

a. The total minimum floor area for a single-family dwelling unit shall be (1,400) square feet.
b. The total minimum floor area for a dwelling unit in a two-family dwelling or multi-family dwelling shall be (700) square feet per unit.

7. Conversion of Dwelling to More Units

A residence may not be converted to accommodate an increased number of dwelling units unless:

a. The number of dwelling units in the principal building is permitted in the applicable zoning district;
b. The lot will still meet all applicable lot area, setback, and use standards as established in this resolution;
c. The floor area per dwelling unit is not reduced to less than that which is required for new construction in that district; and
d. The conversion is in compliance with all other relevant codes and resolutions.

TABLE 7-1: SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS						
	MINIMUM LOT AREA [1]	MINIMUM LOT WIDTH (ft)	MINIMUM SETBACKS			MAX. BUILDING HEIGHT (ft) [2]
			FRONT YARD (ft)	SIDE YARD (ft)	REAR YARD (ft)	
AGRICULTURAL DISTRICT (A)						
Single-Family Dwellings	87,120 sq. ft. (2 acres)	150	50	10	35	40
All Other Principal Uses	217,800 sq. ft. (5 acres)	150	50	15	50	40
RURAL RESIDENCE DISTRICT (R-1)						
Single-Family Dwellings	87,120 sq. ft. (2 acre)	125	50	15	35	40
w/ Public Water & Sewer	43,560 sq. ft. (1 acre)	125	50	15	35	40
All Other Permitted Uses	87,120 sq. ft. (2 acre)	125	50	15	35	40
ONE AND TWO FAMILY RESIDENCE DISTRICT (R-2)						
Single-Family Dwellings	21,780 sq. ft. (.5 acre)	100	50 [3]	15	35	40
Two-Family Dwellings	43,560 sq. ft. (1 acre)	125	50	15	35	40
All Other Permitted Uses	43,560 sq. ft. (1 acre)	125	50	15	35	40
MULTI-FAMILY RESIDENCE DISTRICT (R-3)						
Single-Family Dwellings	10,890 sq. ft. (.25 acre)	90	50 [3]	15	35	40
Two-Family Dwellings	21,780 sq. ft. (.5 acre)	90	50 [3]	15	35	40
All Other Permitted Uses	21,780 sq. ft. (.5 acre)	90	50	15	35	40
URBAN RESIDENCE DISTRICT (R-4)						
Single-Family Dwellings	10,890 sq. ft. (.25 acre)	70	50 [3]	15	35	40
Two-Family Dwellings	21,780 sq. ft. (.5 acre)	90	50 [3]	15	35	40
Multi-Family Dwellings	32,670 sq. ft. (.75 acres) for 3 units + 5,000 sq. ft. for each additional unit up to a maximum of 6 units	120	50	20 [4]	50	40
All Other Principal Uses	43,560 sq. ft. (1 acre)	120	50	20	50	40

NOTES:

1. sq. ft. = square feet – The Clermont County General Health District may require a larger lot area than established for the applicable zoning district if an on-site wastewater system (e.g., septic system) is required.
2. Building heights are maximum heights except as provided in Section 700(D)(2)
3. The front yard setback shall be 50 feet for all streets except for local residential streets (township streets), where the setback may be reduced to 35 feet.
4. If the multi-family dwelling is located adjacent to an existing lot in the R-1, R-2, R-3, or R-4 Districts, then the side yard setback from such lot shall be increased to a minimum setback of 50 feet

G. Site Development Standards for Nonresidential Zoning District

1. Table 7-2 establishes the minimum site development standards for non-residential zoning districts.
2. There can be more than one principal building on an individual lot. When multiple principal buildings are located on an individual lot, the spacing between the buildings shall be reviewed and approved by the Williamsburg Township Fire Chief or their designee.
3. The maximum impervious surface coverage shall be calculated by dividing the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater by the total lot area. Impervious surfaces include, but are not limited to, roofs, streets, sidewalks, and parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay.

TABLE 7-2: SITE DEVELOPMENT STANDARDS FOR NON-RESIDENTIAL ZONING DISTICTS

DISTRICT	MINIMUM LOT AREA [1]	MINIMUM LOT WIDTH (FEET)	MAXIMUM IMPERVIOUS SURFACE COVERAGE	SETBACKS			MAX. BUILDING HEIGHT (FEET) [3]
				FRONT YARD (FEET)	SIDE AND REAR YARD [2]ADJACENT TO A RESIDENTIAL DISTRICT (FEET)	SIDE AND REAR YARD [2] ADJACENT TO A NON-RESIDENTIAL DISTRICT (FEET)	
All Principal Uses in the Local Business District (B-1)	21,780 sq. ft. (.5 acre)	70	75%	50	35	35	50
All Principal Uses in the General Business District (B-2)	43,560 sq. ft. (1 acre)	80	75%	50	50	35	50
All Principal Uses in the Industrial District	87,120 sq. ft. (2 acres)	80	75%	50	50	35	50

NOTES:

1. sq. ft.= square feet
2. The applicable standard shall apply to each side and rear lot line.
3. Building heights are maximum heights except as provided in Section 700(D)(2)

ARTICLE 8: SIGNAGE STANDARDS

SECTION 800: PURPOSE

The purpose of this Article is to promote and protect the public health, welfare, and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs, and outdoor signs of all types. It is intended to protect property values, create a more visually attractive economic and business climate, enhance and protect the physical appearance of the community, and preserve the scenic and natural beauty of the designated areas. It is further intended to reduce sign and advertising clutter, distraction, and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs over hanging or projecting over public right-of-ways, provide more open space, curb the deterioration of the natural environment, and enhance community development by permitting signs which are compatible with their surroundings.

SECTION 801: GENERAL PROVISIONS

A. Compliance and Enforcement:

No sign shall be erected, displayed, relocated or altered unless it is in full compliance with the regulations for the zoning district in which it is located, and, meets all applicable provisions of this Article. It shall be the responsibility of the Zoning Administrator to enforce the provisions of this Article regarding any and all signage which is in violation of the requirements of this Article. In such instances, the tenant and the property owner of the sign in violation shall bear the full cost of removal, along with any penalty assessed.

B. Sign Permit:

No sign, except as specifically exempted in Section 803, shall be permitted unless an application has first been filed and approved by the Zoning Administrator. Said application shall include, but not be limited to:

1. A site plan and/or building elevation drawn to scale showing the location of the proposed signage on the lot or building, including required setbacks;
2. A detailed sign drawing which identifies the type of construction, method of illumination, dimensions, copy, and method of mounting and/or erecting;
3. The written consent of the tenant and property owner or his or her authorized agent; and
4. Permit fees as required.

C. Maintenance:

All signs and component parts thereof, as well as braces, cables, poles, uprights, and other supporting structures shall be kept in good repair and shall be maintained in a safe, clean, and attractive condition. Should any sign become unsafe or be abandoned, the person or party responsible for maintaining the sign shall proceed to either remove or repair said sign within thirty (30) days of the receipt of written notice from the Zoning Administrator.

D. Standards:

All signs shall be designed and constructed in a manner that:

1. Supports the weight of the sign;
2. Prevents significant movement due to wind; and
3. Is in full conformance with both the National Electrical Code and the Ohio Basic Building Code.

E. Traffic Hazards:

In accordance with Section 418 of this Resolution, no sign shall be erected within the required sight triangle of any intersection, nor shall any sign be erected within the public right of way unless specifically exempted in Section 803. Where permitted, such signs shall not obstruct clear and free vision, or, by reason of position, shape, or color interfere with any authorized traffic sign, signal, or device. In addition, no sign shall be designed or erected in such a manner or location as to imitate or resemble any official traffic sign, signal or device, phrase, symbol, or character.

F. Illuminated and Attention Getting Signs:

With the exception of signs indicating time, temperature, day, and/or date, all illuminated signs shall employ only light which emits constant intensity. In no instance shall a sign be placed so as to direct or permit light beams or glare to be cast directly upon a public right of-way or an adjoining property. Furthermore, no sign shall be permitted to be displayed which includes parts or elements which, by revolving, rotating, whirling, spinning, flashing; blinking, or other means, could become a distraction.

G. Nuisance Signs:

Nowhere shall the display of ribbons, spinners, streamers or strings of lights be permitted.

H. Miscellaneous Sign Limitations:

No sign shall be located on a vacant lot except for the purpose of advertising the lot for sale or lease, or, prohibiting trespassing or hunting. In addition, no tree(s) shall be permitted to be either cut down or substantially trimmed in order to increase sign visibility.

I. Clearance:

The bottom edge of any freestanding pole or pylon sign erected on any property used for vehicular movement or parking shall be located at least ten (10) feet above any paved area.

J. Setbacks:

All signs, with the exception of those classified as temporary, shall be required to be placed a minimum of ten (10) feet back from the edge of the designated right-of-way. All freestanding pole or pylon signs shall be setback a minimum of twenty (20) feet from the edge of the designated right of way. Where freestanding or pylon signs exceed fifty (50) feet area, the setback shall be increased by one (1) foot for each additional two (2) square feet of sign area.

SECTION 802: TEMPORARY SIGNS

Temporary signs such as banners, pennants, and posters, as well as hot air balloons, beacons, search, and spot lights shall be permitted, but, not more than two (2) times and not more than twenty-eight (28) days during any one calendar year. In all instances, a sign permit shall first be secured from the Zoning Administrator.

SECTION 803: EXEMPT SIGNS

The following signs shall not require a permit, but are subject to all applicable restrictions contained herein:

A. Signs which are erected and maintained pursuant to and in discharge of any governmental function or required by any law, ordinance, resolution, or governmental regulation.
B. Signs not exceeding one (1) square foot in area and bearing only address numbers, street names, post box numbers, or names of property owners.
C. Real estate signs advertising the sale, lease, or rental of property which do not exceed eight (8) square feet in area. Such signs shall not be permitted to be lighted in any manner, Open house signs shall only be displayed a maximum of seventy-two (72) hours before an open house, and, shall be removed the day of the open house.
D. Political signs advertising candidates for national and statewide offices shall be permitted to be displayed a maximum of (240) days prior to an election, but only with the permission of the property owner. Such signs shall be removed within five (5) days of an election.
E. Other political signs advertising candidates or issues where permission has been granted by the property owner. Such signing shall be displayed not more than ninety (90) days before an election, and, shall be removed no more than five (5) days afterwards.
F. Auction signs not exceeding thirty-two (32) square feet in area which are posted not more than twenty-eight (28) days prior to a sale. Such signs shall be removed within two (2) days of the conclusion of an auction.
G. Holiday signs celebrating the occasion of traditionally accepted patriotic, historic, or religious celebrations.
H. Signs identifying historical structures, sites, or landmarks.
I. Circulation and directional signs which do not individually exceed eight (8) square feet in area.

SECTION 804: PROHIBITED SIGNS AND DISPLAYS

The following signs or displays shall not be permitted:

A. Off premise advertising and billboard signs.
B. Mobile signs attached, mounted, pasted, painted, or otherwise affixed to a vehicle, whether motorized or not, which are placed, parked, or maintained at a particular location for longer than seventy-two (72) hours for the express purpose and intent of promotion or conveying an advertising message.
C. Overhanging signs.
D. Abandoned signs.
E. Sandwich board signs which, when set in place, resemble the letter "A".
F. Roof signs.
G. Animated, flashing, blinking, and rotating signs.
H. Portable signs mounted on a chassis.
I. Signs which prevent free and easy ingress to or egress from any door, window, or fire escape.
J. Strings of light bulbs, except when used for decorative purposes during the holiday season.
K. Vehicles or trailers parked on premises which advertise a business, product, service, event, object, location, or organization unless used to conduct everyday business
L. Signs attached to or painted on the surface of any tree, utility pole, street light, fence, or dilapidated structure.

SECTION 805: NON CONFORMING SIGNS

Any sign which no longer conforms to these provisions but legally existed at the time of the adoption of this Article; and which has not been voluntarily discontinued or abandoned for more than two (2) years shall, in accordance with Section 310 of this Resolution, be deemed legally non-conforming. Such a sign, if properly maintained, may be continued but may not be moved, enlarged, increased, or extended to occupy a greater area. Where a legal non-conforming sign has been damaged to more than one half its total reconstruction value it shall neither be repaired nor replaced. Whenever a non-conforming sign is structurally altered, relocated, or replaced, it shall immediately conform to the requirements of this Article.

SECTION 806: CLASSIFICATIONS OF SIGNS

Unless otherwise indicated, the following types of signs shall, pending issuance of a permit, be allowed to be displayed in all zoning districts:

A. Freestanding or pylon:

Any sign which is suspended or supported by one or more poles, uprights, or braces in or upon the ground. Such signs shall not exceed twenty-five (25) feet in height in any area located within (300) feet of State Route 32. Otherwise, the maximum permitted height shall be twenty (20) feet. Such signs shall not be permitted in all residential zoning districts.

B. Monument:

Any ground mounted sign whose foundation or base sits directly upon the ground. Such signs shall have a maximum height of eight (8) feet above ground level.

C. Wall:

Any sign which is attached to or painted on to the exterior surface of a building or structure, and, does not extend more than eight (8) inches beyond the surface of such building or structure.

D. Window:

Any sign, picture, symbol, or combination thereof which is painted, glued, taped, suspended, or otherwise affixed to a window. Such signs shall not be limited in number, but, shall not be permitted to exceed thirty percent (30%) of total window area.

SECTION 807: PERMITTED SIGN AREA

Upon issuance of a permit, the following signs shall be allowed:

A. Canopy:

Any sign placed on an unenclosed roof structure which is supported by poles or columns.

B. Circulation:

Any sign which are intended to promote orderly vehicular movement directly onto or within the premises.

C. Construction:

Any sign which identify the name, address, telephone number, and/or email address of a development, or, one or more of the following: a builder, an architect, an engineer, a contractor, a developer, a landscape architect, a plumber, an electrician, or other business firm providing a specialized skill.

D. Directional:

Any off premise signs which direct movement to a particular location.

E. Electronic Information Board:

Any sign which incorporates the use of lights, neon, liquid crystal display, or other device in order to display a message or pattern that informs people about information items such as, but not limited to, time, temperature, and events.

F. Garage or Yard:

Any sign which directs the attention of the general public to the sale of personal property. Not more than three (3) temporary signs promoting garage or yard sales shall be permitted. Furthermore, said signs shall be posted and removed the day such sales are held. A maximum of two (2) garage or yard sales shall be permitted to be held annually.

G. Government:

Any sign which is displayed and maintained in the public interest by a municipal, county, state, or federal entity.

H. Home Occupation:

Any sign identifying a business which is operated from a place of residence.

I. Identification:

Any sign which includes items such as the name, address, telephone-number, business occupation, and/or service being provided at a particular address.

J. Menu Board:

Any sign which displays menu items and pricing.

K. Message Board:

Any sign which displays the name of a religious, educational, community, or other public or semi-public institutional building for the announcement of related activities, events, or services.

L. Multi-Tenant:

Any sign containing the names of two or more businesses occupying space within a building.

M. Name Plate:

Any sign which displays only the name and address, or, name, address, and occupation of a person(s) living on the premises or providing services at a particular address.

N. Real Estate:

Any sign which announces the sale, rental, lease, selling, or development of a building, land, or structure.

O. Roadside Stand:

Any sign which advertises the seasonal sale of agricultural produce which is grown exclusively on the premise where the roadside stand is located.

P. Special Event:

Any temporary sign which advertise a group event or activity such as, but not limited to, grand openings, going out of business sales, and events open to the general public. In accordance with an adopted fee schedule, a security deposit shall be posted with the Zoning Administrator prior to the issuance of a permit by the person, organization, or group wishing to place or post one or more signs promoting such an event. Said deposit shall be refunded upon the removal, within five (5) days of the conclusion of an event, of all signs and supporting materials. If any sign and/or supporting materials remain after the five (5) day expiration period, the cash deposit shall be forfeited in its entirety. The responsibility for removing any remaining signing and/or supporting materials shall continue to be the responsibility of the sponsoring person, organization, or group.

Q. Subdivision Entry:

Any sign which is incorporated into an entry feature which identifies the name of the development with a maximum of two (2) features permitted.

R. Window:

Any sign which is painted, glued, taped or otherwise affixed to a window; maximum size: thirty percent (30%) of window surface area in business districts, and five percent (5%) in all other zoning districts.

TABLE 8-1: SUMMARY SIGN TABLE				
TYPES OF SIGNS & PERMITTED AREA		ZONING DISTRICTS		
SIGN TYPE	TOTAL AREA	A	R	B & I
Canopy	20 sq. ft. per face	yes	yes	yes
Circulation	4 sq. ft. per face	yes	yes	yes
Construction	24 sq. ft. per face	yes	yes	yes
Directional	8 total sq. ft.	yes	yes	yes
E. Message B.	60 sq. ft. per face	no	no	yes
Garage/Yard	6 sq. ft. per face	yes	yes	no
Government	no sq. ft. limit	yes	yes	yes
Home	1 sq. ft. per face	yes	yes	no
Identification	per Section 730	yes	yes	yes
Menu Board	20 sq. ft. per face	no	no	yes
Message Board	24 sq. ft. per face	yes	yes	yes
Name Plate	3 sq. ft. per face	yes	yes	yes
Political	not limited	yes	yes	yes
Real Estate	48 total sq. ft.	yes	yes	yes
TABLE 8-1: SUMMARY SIGN TABLE				
TYPES OF SIGNS & PERMITTED AREA		ZONING DISTRICTS		
SIGN TYPE	TOTAL AREA	A	R	B & I
Roadside Stand	20 sq. ft. per face	yes	no	no

Special Event	not limited	yes	yes	yes
Subdivision Entry	32 sq. ft. = 1	yes	yes	no
Window	Thirty percent (30%) of window surface area in business districts & five percent (5%) in all other zoning districts	yes	yes	Yes

SECTION 808: RELOCATING SIGNS

If any legally permitted sign is moved from one location to another, a new sign permit shall first be obtained.

SECTION 809: ALTERATIONS OR ENLARGEMENT OF SIGNS

Alteration or enlargement of any legally existing sign shall comply with the requirements of this Article, and shall first require the issuance of a new sign permit.

SECTION 810: MISREPRESENTATION OF INFORMATION

Any sign not constructed as represented on an approved sign permit application shall be construed as a misrepresentation of facts and a violation of the Resolution. In such instances, the sign in violation shall be removed or the error in violation corrected within fourteen (14) days of receipt of a notice of zoning violation.

SECTION 811: SIGNS PERMITTED IN INDIVIDUAL ZONING DISTRICTS

A. Agricultural Zoning Districts:

In addition to temporary and exempt signs, all of the following functional signs shall be permitted: canopy, circulation, construction, directional, government, garage or yard, government, home occupation, identification, message board, name plate, political, real estate, roadside stand, special event, subdivision entry, and window.

B. Residential and Planned Unit Development Zoning Districts:

In addition to temporary and exempt signs, all of the following functional signs shall be permitted: canopy, circulation, construction, directional, garage or yard, government, home occupation, identification, message board, name plate, political, real estate, special event, subdivision entry, and window.

C. Business and Industrial Zoning Districts:

In addition to temporary and exempt signs, all of the following functional signs shall be permitted: canopy, circulation, construction, directional, electronic information board, government, identification, message board, name plate, political, real estate, special event, and window.

SECTION 812: PERMITTED SIGN AREA FOR FREESTANDING, MONUMENT, AND WALL SIGNS

No individual sign or combination of freestanding, monument, or wall signs shall be permitted to exceed one hundred (100) total square feet of sign area per street frontage in any residential zoning district, or, (150) total square feet of sign area per street frontage in any agricultural zoning district. In business and industrial zoning districts, the maximum amount of total sign area permitted shall be (200) square feet per street frontage unless additional sign area is earned as a result of the bonus provisions identified in (B,) (C), (D), and (G) below.

For purposes of determining maximum allowable sign area, the following methodology shall be used:

A. Two (2) square feet of sign area will be permitted for every 1 lineal foot of building facing the street where an address is displayed.
B. An automatic bonus of twenty percent (20%) will be permitted for a sign which is situated on a corner lot.
C. One (1) additional square foot of sign area will be permitted for every additional foot that a sign is setback beyond the required minimum setback up to a maximum of fifty (50) square ft. and automatic sign area bonus of ten percent (10%) will be permitted for signs which are setback two hundred (200) or more feet from the edge of the future right of way along State Route 32.
D. Freestanding and monument signs shall be limited to 1 per road frontage.
E. A maximum of three (3) wall signs shall be permitted on individual buildings.
F. Freestanding and monument signs placed in a landscape planter which contains one hundred (100) or more square feet of planted area shall be entitled to an automatic ten percent (10%) sign area bonus.
G. Freestanding and monument signs placed in a landscape planter which contains (150) square feet or more of planted area shall be entitled to an automatic fifteen percent (15%) sign area bonus

ARTICLE 9: PARKING, LOADING AND CIRCULATION

SECTION 900: PURPOSE

The purpose of this chapter is to:

A. Relieve congestion on the streets by requiring that parking, loading, and associated circulation be provided on property and off streets in relation to the parking demand generated by the property user;
B. Promote safety and convenience for people by requiring that vehicular use areas and driveways be located and constructed according to good standards for visibility and accessibility;
C. Encourage the incorporation of alternative modes of transportation by emphasizing pedestrian circulation and encouraging provision of bicycle parking; and
D. Protect the visual amenities and values of residential areas by the visual screening of large parking areas and by limiting the parking and storage of vehicles, boats, trailers and trucks in residential areas.

SECTION 901: APPLICABILITY

All vehicular use areas (e.g., parking spaces, loading spaces, stacking spaces, driveways, etc.) shall be provided in conformance with the provisions of this chapter prior to occupying or using any building, structure, land, or portion thereof.

A. New, Expanded and Existing Uses

The requirements of this chapter shall apply to the following:

1. A zoning certificate application for the construction of a new building.
2. When a building or use constructed or established after the effective date of this code is changed in use or enlarged in floor area, number of employees, number of dwelling units, seating capacity or otherwise to create a need for an increase of ten percent (10%) or more in the number of existing parking spaces required by this code, such spaces shall be provided on the basis of the enlargement or change.
3. When a building or use existing prior to the effective date of the code is enlarged in floor area or changed in use to create a need for fifty percent (50%) or more parking spaces required by this chapter than required for such a building or use as it existed prior to the enlargement or change, said building or use shall then and thereafter comply with the parking regulations of this chapter.
4. Where an expansion of a vehicular use area is proposed.
5. Any vehicular use areas now serving such existing buildings or uses shall not be reduced below the requirements established in this chapter in the future.

B. Plan Review

1. For any off-street parking, loading, or vehicular use area required under this chapter with five (5) or more parking spaces, a plan shall be submitted with the application for a zoning certificate or zoning compliance inspection. The required contents of the plan shall be as established by the Zoning Administrator.

C. Maintenance
   1. All vehicular use areas shall be maintained and kept free from debris, litter, junk, or rubbish.
   2. All signs, markers or any other methods used to indicate direction of traffic movement and location of parking and/or loading spaces shall be maintained in a neat and legible condition.
   3. The duty to provide and maintain all parking, loading, or other vehicular use areas shall be the responsibility of the property owner where the vehicular use areas are required. The owner shall maintain all paved surfaces and repair any disintegration of the surface by patching or resealing when such disintegration takes place.

D. Storage

   1. All vehicular use areas for nonresidential uses shall not be used for the continuous storage of a vehicle for more than forty-eight 48 hours visible from a public right-of-way, except where expressly permitted in this code as accessory to the principal use of the lot.

E. Fire Code

   1. All parking and loading plans shall conform to all requirements set forth in the fire code as adopted by Williamsburg Township Fire Rescue, or as approved by Williamsburg Township Fire Rescue.

F. Drainage

   1. All vehicular use areas shall provide for the proper drainage of surface water in accordance with all applicable federal, state, and county runoff control and sediment abatement regulations, to prevent the drainage of such water onto adjacent properties and onto sidewalks.

G. Other Uses within Required Vehicular Use Areas

   1. No vehicle repair work or service of any kind, except emergency repairs, shall be permitted in or associated with any vehicular use area. Outdoor display, sales, or storage of any merchandise within any required vehicular use area shall not be permitted.

H. Surfacing

   1. All vehicular use areas shall be graded and paved with an asphalt or concrete surface unless otherwise provided in this chapter. The use of granular parking surfaces are permitted for new development in (I) Industrial Districts for vehicular use areas that are not required for compliance with the minimum parking, loading or circulation requirements of this chapter, subject to proper drainage of surface water.
   2. Residential subdivision parcels on roadways greater than 35 MPH, shall be required to have a minimum twenty five (25) foot deep apron that shall be surfaced with an asphaltic, Portland cement binder, or other like pavement. See Figure 7-1.

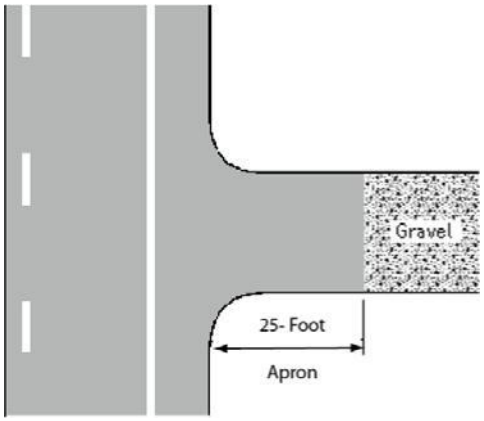

Figure 9-1: A 25-foot driveway apron.

3. Pavers or porous pavement systems that allow for stormwater drainage to pass through or grass to grow through them may be permitted for use in up to fifty (50%) percent of the parking areas and aisles in nonresidential districts, and up to one hundred percent (100%) in residential districts.

I. Striping

1. The individual parking spaces and loading spaces shall be striped according to the approved layout of the vehicular use area.

SECTION 902: OFF-STREET PARKING REGULATIONS

A. Units of Measure

The following rules shall apply when computing parking spaces:

1. On-Street Parking:

   a. On-street parking spaces shall not be counted toward off-street parking space requirements.

2. Multiple Uses:

   a. Unless otherwise noted or approved, off-street parking areas serving more than one use shall provide parking in an amount equal to the combined total of the requirements for each use.

3. Area Measurements:

   a. Unless otherwise specifically noted, all square footage-based parking standards shall be computed on the basis of gross floor area of all floors in a nonresidential building, measuring from the exterior surface of exterior walls or from the centerline of walls separating buildings, including all such space except porches, garages or parking area, areas occupied by mechanical equipment, toilet or rest rooms and any basement or cellar space used for storage or incidental purposes.
   b. When calculating the required parking and fractional spaces result, the parking spaces required shall be construed to be the nearest whole number.

4. Occupancy- or Capacity-Based Standards:

    a. For the purpose of computing parking requirements based on employees, students, residents, or occupants, calculations shall be based on the largest number of persons working on a single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable, and whichever results in a greater number of parking spaces.
    b. In hospitals, bassinets shall not be counted as beds.
    c. In the case of benches, pews and similar seating accommodations, each twenty-four (24) inches thereof shall be counted as one seat for the purpose of determining the parking requirements.

5. Stacking Spaces:

    a. Vehicle stacking spaces that are required for drive-through facilities shall not count toward the off-street parking requirements of this section, and shall be in accordance with Section 508.5(E) Drive-Through Facility.

6. Unlisted Uses:

    a. Upon receiving an application for a use not specifically listed in the parking schedule below, the Zoning Administrator shall apply the parking standard specified for the listed use that is deemed most similar to the proposed use in regards to use, size and intensity of use.
    b. If the Zoning Administrator determines that there is no listed use similar to the proposed use, intensity, or size, they may refer to the estimates of parking demand based on recommendations from parking studies prepared by the Institute of Traffic Engineers (ITE), Urban Land Institute (ULI), and/or the American Planning Association (APA).

B. Required Number of Parking Spaces

Table 9-1: Minimum Off-Street Parking Standards defines the number of parking spaces required for each use within Williamsburg Township.

1. Reduction in the Number of Required Parking Spaces

    a. Any use that requires site plan review as specified in Article 10: Site Plan Review, the applicant may request up to a fifteen percent (15%) reduction in the number of parking spaces required in Table 9-1: Minimum Off-Street Parking Standards without requiring a variance. Such request shall be considered during the site plan review process and shall require approval by the review board.
    b. Applicants may propose fewer parking spaces than provided in this section through the use of shared parking or off-site parking as established in Section 903: Alternative Parking Options.

2. Maximum Number of Parking Spaces

For any use listed under the business uses classification in Table 9-1: Minimum Off-Street Parking Standards, the number of off-street parking spaces shall not exceed (125%) percent of the

minimum number of parking spaces required, unless an alternative parking plan is approved in accordance with the provisions of Section 902C(3) below.

3. Alternative Parking Plan

An alternative parking plan may propose to exceed the maximum number of off-street parking spaces allowed by Table 9-1. The alternative parking plan shall be submitted with an application for site plan approval (Article 10: Site Plan Review) or zoning certificate (Section 209: Zoning Certificate), as appropriate. Applicants may propose more than (125%) percent of spaces allowed in Table 9-1: Minimum Off-Street Parking Standards by complying with the following standards:

a. Parking Demand Study

An alternative parking plan proposing to exceed the maximum number of off-street parking spaces allowed shall include a parking demand study demonstrating how the maximum number of parking spaces specified by Table 9-1, is insufficient for the proposed development.

b. Maximum Amount Required

The maximum number of off-street spaces allowed shall be limited to the minimum number of additional spaces recommended as needed by the required parking demand study.

TABLE 9-1: MINIMUM OFF-STREET PARKING STANDARDS	
USE	REQUIRED NUMBER OF PARKING SPACES
AGRICULTURAL USES	
Agricultural Use	No parking spaces required
RESIDENTIAL USES	
Adult Family Home or Small Residential Facility	1.5 spaces per bedroom not counting garages
Adult Group Home or Large Residential Facility	1.5 spaces per bedroom not counting garages
Conservation Development, Single Family	2.0 spaces per dwelling unit
Dwelling, Attached Single Family	2.0 spaces per dwelling unit
Dwelling, Multi-Family	2.0 spaces per dwelling unit
Dwelling, Single Family	2.0 spaces per dwelling unit
Dwelling, Two Family	2.0 spaces per dwelling unit
Institutional Housing	1.0 space per 3 bedrooms
Non-Permanently Sited Manufactured Home	2.0 spaces per dwelling unit
Permanently Sited Manufactured Home	2.0 spaces per dwelling unit
BUSINESS USES	
Animal Hospital or Veterinarian Clinic	1.0 space per 250 square feet
Automotive Fuel Sales	1.0 space per point of sale fuel pump filling area
Automotive Repair	1.0 space per 300 square feet for facilities under 5,000 square feet or 1.0 space per 500 square feet for facilities of 5,000 square feet or larger.

BUSINESS USES	
Automotive Sale or Rental	1.0 space per 400 square feet of indoor display area and 1.0 space per 3,000 square feet of outdoor display area; this does not include spaces for display of vehicles for sale, lease or rent.
Automotive Service	1.0 space per 300 square feet for facilities under 5,000 square feet or 1.0 space per 500 square feet for facilities of 5,000 square feet or larger.
Automotive Washing Facility	2.0 spaces plus stacking spaces as required per 4.9.5.F
Bakery	1.0 space per 250 square feet
Bar or Tavern	1.0 space per 100 square feet
Bed and Breakfast	1.0 space per guest room plus requirement for dwelling unit
Call Center	1.0 space per 50 square feet of telephone work station area, plus 1.0 space per 400 square feet of office area
Club, Lodge or Other Social Meeting Place	1.0 space per 125 square feet
Commercial Greenhouse	1.0 space per 500 square feet of sales area
Conference Center, Assembly Hall, or Banquet Facility	1.0 space per 100 square feet
Day Care Center	1.0 space per 500 square feet
Dry Cleaner	1.0 space per 250 square feet
Equipment Rental	2.0 spaces plus 1.0 space per 300 square feet
Family Day Care Home	2.0 spaces in addition to that required for the dwelling unit
Financial Institution	1.0 space per 200 square feet
Funeral Home	1.0 space per 50 square feet
Garden or Landscape Supply Store	1.0 space per 300 square feet plus 1.0 space per 1,500 square feet of outdoor sales or display area
Hotel and Motel	1.0 space per room or suite, plus 1.0 space per 200 square feet of commercial or public meeting space
Indoor Recreation or Entertainment Facility	1.0 space per 200 square feet or 1.0 space per 5 persons at maximum capacity, whichever is greater
Internet Café	1.0 space per 100 square feet
Kennel	1.0 space per 400 square feet
Laundry or Laundromat	1.0 space per 400 square feet
Lumber Yard	1.0 space per 400 square feet
Medical or Dental Center or Outpatient Clinic	1.0 space per 200 square feet
BUSINESS USES	
Office	1.0 space per 250 square feet
Outdoor Commercial Recreation or Entertainment Facility	1.0 space per 5,000 square feet of land area or 1.0 space per 3 persons at maximum capacity, whichever is greater
Paint Shop	1.0 space per 3 employees

Printing Shop	1.0 space per 3 employees
Race Track or Course	1.0 space per 5 seats
Restaurant	1.0 space per 100 square feet
Retail and Service Commercial Use	1.0 space per 250 square feet
Roadside Stand	1.0 space per 250 square feet; minimum of 2.0 spaces
Self-Storage Facility/Mini-Warehouse	3.0 spaces plus 1.0 space per 50 units
Sexually Oriented Business	1.0 space per 250 square feet
Sheet Metal Shop	1.0 space per 3 employees
Stable, Public	1.0 space per 2 stalls
Tattooing/Piercing Parlor	2.0 spaces per station or service chair
Travel Trailer Camp or Overnight Port	1.0 space per camping unit site; such space may be part of each travel trailer parking area
Truck, Trailer or Farm Implement Sale and Service	1.0 space per 1,000 square feet of indoor display area and 1.0 space per 3,000 square feet of outdoor display area
Wholesale Business	2.0 spaces plus 1.0 space per 300 square feet over 1,000 square feet
INDUSTRIAL AND WAREHOUSE USES	
Concrete Mixing	See Section 902B(4)
Contractor Office and Storage Use	1.0 space per 200 square feet plus 1.0 space per 5,000 square feet of storage area
Crematory	See Section 902B(4)
Gravel or Sand Extraction	See Section 902B(4)
Heavy Manufacturing	1.0 space per 2 employees on the maximum working shift plus space to accommodate all trucks and other vehicles used
Junkyard	See Section 902B(4)
Light Manufacturing Use	1.0 space per 2 employees on the maximum working shift plus space to accommodate all trucks and other vehicles used
Office-Warehouse	1.0 space per 2 employees on the maximum working shift plus space to accommodate all trucks and other vehicles used
INDUSTRIAL AND WAREHOUSE USES	
Research and Development Facility or Laboratory	1.0 space per 2 employees on the maximum working shift plus space to accommodate all trucks and other vehicles used
Sawmill	See Section 902B(4)
Truck Terminal	See Section 902B(4)

Warehousing, Distribution or Storage Facility	1.0 space per 2 employees on the maximum working shift plus space to accommodate all trucks and other vehicles used
PUBLIC AND INSTITUTIONAL USES	
Ball Field	30.0 spaces per field
Basketball Court	5.0 spaces per court
Golf Course	8.0 spaces per hole
Golf Driving Range	2.0 spaces per tee
Miniature Golf Course	2.0 spaces per hole
Racquetball, Handball and Tennis Court	5.0 spaces per court
Swimming Pool (Not Associated with a Residence)	1.0 space per 50 square feet of swimming area including water, lawn, deck, and bathhouse
Park or Playground Not Otherwise Specified	1.0 space per 10,000 square feet of park or playground area
Cemetery	1.0 space per four seats in a chapel or place of assembly
Community Garden	No parking spaces required
Cultural Institution	See Section 902B(4)
Educational Facility	1.0 space per 10 seats in auditorium or main assembly room, or 1.0 space per classroom, whichever is greater
	High Schools or Colleges, 1.0 space per 8 seats in auditorium or main assembly room, or 3.0 spaces per classroom, whichever is greater
Hospital	1.0 space for every three patient beds
Recreation Facility, or Open Space	1.0 space per 10,000 square feet of park, recreation, or open space
Public and Government Building or Use	See Section 902B(4)
Religious Place of Worship	1.0 space per 4 fixed seats in the main assembly room
Telecommunication Tower	1.0 space per provider

4. Uses With Variable Parking Demand Characteristics and Unlisted Uses

For some listed uses, Table 9-1 refers to this subsection because the use has widely varying parking and loading demand characteristics, making it difficult to establish a single appropriate off-street parking or loading standard. On receiving an application proposing such a use, or proposing a use not expressly listed in Table 9-1, the Zoning Administrator is authorized to:

a. Apply the minimum off-street parking space requirement specified in Table 9-1 for the listed use that is deemed most similar to the proposed use; or
b. Establish the minimum off-street parking space requirement by reference to standard parking resources published by the National Parking Association or the American Planning Association; or
c. Establish the minimum off-street parking space requirement based on a parking demand study prepared by the applicant that estimates parking demand based on the recommendations of the Institute of Traffic Engineers (ITE) or other acceptable source of parking demand data, and that includes relevant data collected from uses or combinations of uses that are the same or comparable to the proposed use in terms of density, scale, bulk, area, type of activity, and location.

C. Bicycle Parking Spaces:

The following standards for bicycle parking are recommended and are not required.

1. All nonresidential uses containing fifty (50) parking spaces or more should provide two (2) bicycle parking spaces for each fifty (50) parking spaces provided, or fraction thereof.
2. Bicycle racks or other accommodations to allow locking of bicycles should be provided and placed within reasonable access to the main entrance.
3. The space should be at least two (2) feet wide by six (6) feet long in size.
4. The location of bicycle racks should not obstruct access to building entrances.

D. Parking Requirements for Physically Disabled

Applicants shall provide parking spaces for the physically disabled as required by the Ohio Basic Building Code and shall include all necessary markings, striping, and signage.

SECTION 903: ALTERNATIVE PARKING OPTIONS

The following are methods of accommodating parking as an alternative to constructing the required number of parking spaces on an individual lot.

A. Shadow Parking:

A portion of the required parking spaces may remain landscaped and unpaved or paved with porous pavement provided that the parking and unpaved areas comply with the following standards. See Figure 9-2.

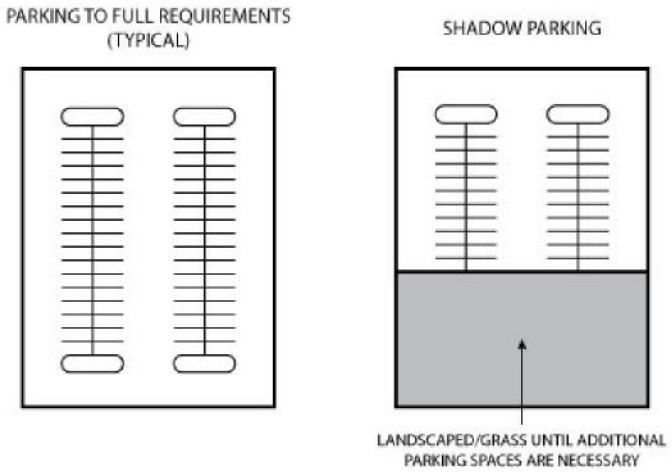

Figure 9-2: Shadow Parking

1. No more than thirty percent (30%) of the required number of parking spaces may be designated for shadow parking.
2. The plans submitted with the zoning certificate application shall denote the location and layout of that portion of the parking area that is deemed currently not required. The plan shall indicate that the "shadow" parking spaces will be constructed according to this Resolution in the event that the Zoning Administrator makes a finding, at any time, that all or any portion of this parking is necessary.
3. At no time shall any portion of the required parking area that is so designated for future construction be used for the construction of any structure or paved surface with the exception that grass pavers or reinforced turf may be used to provide temporary parking provided that the pavers allow for grass and other vegetation to grow through the material.
4. At no time shall any portion of the required parking or loading that is so designated for future construction as provided herein be counted as open space or other non-paved areas required by other provisions of this article.
5. The owner shall initiate construction of the approved "future" parking area, as identified on the approved plan, within three months of the receipt of a certified letter or a letter through normal postal service (in the event that the certified letter is not accepted) sent to the owner of record from the Zoning Administrator, identifying that such parking is determined to be necessary.

B. Shared Parking:

A portion of the required parking spaces may be located on an adjacent property if the parking area complies with the following:

1. Shared parking is encouraged and permitted if the multiple uses that the shared parking will benefit can cooperatively establish and operate the facilities.
2. The applicant shall have the burden of proof for reduction of the total number of parking spaces and shall document and submit information substantiating their request.
3. Shared parking may be approved if:

    a. A sufficient number of spaces are provided to meet the highest demand of the participating uses.
    b. The uses are located adjacent to each other.

c. Evidence has been submitted by the parties operating the shared parking facility, to the satisfaction of the Zoning Administrator, documenting the nature of uses and the times when the individual uses will operate so as to demonstrate the lack of potential conflict between them.
d. The shared parking space shall be located not more than (300) feet from a public or institutional use, or not more than (500) feet from another use, from the primary entrance of the use served, measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
e. A legal shared parking agreement is submitted and approved by the Williamsburg Township Legal Counsel, that provides for the rights of the respective parties to use the shared parking areas in a manner adequate to accommodate multiple users or that parking spaces will be shared at specific times of the day (i.e., one activity uses the spaces during daytime hours and another activity uses the spaces during evening hours). This agreement shall include provisions, evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.
f. The approved shared parking agreement shall be filed with the application for a zoning certificate and shall be filed with the Clermont County Recorder and recorded in a manner as to encumber all properties involved in the shared parking agreement.
g. No zoning certificate will be issued until proof of recordation of the agreement is provided to the Zoning Administrator.
h. Shared parking shall not account for more than fifty percent (50%) of the required parking spaces as established in Section 902B.

C. Off-Site Parking

A portion of the required parking spaces may be located on a separate lot from the lot on which the principal use is located if the off-site parking complies with the following standards:

1. Off-site parking shall not be used to satisfy the off-street parking standards for residential uses, hospitals, bars, or convenience stores and other convenience-oriented uses.
2. No off-site parking space shall be located more than (500) feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
3. Off-site parking shall not be permitted on a vacant lot in a residential zoning district.
4. In the event that an off-site parking area is not under the same ownership as the principal use served, a written off-site parking agreement shall be required.
5. An off-site parking agreement shall be submitted and approved as to form by the Williamsburg Township Legal Counsel. This agreement shall include provisions, evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.
6. The off-site parking agreement approved by the Williamsburg Township Legal Counsel and shall be filed with the application for a zoning certificate and shall be recorded as a deed restriction or covenant in a manner as to encumber all properties involved in the off-site parking agreement.
7. A zoning certificate shall not be granted until proof of recordation of the agreement is provided to the Zoning Administrator.
8. Required parking spaces reserved for persons with disabilities shall not be located in an off-site parking facility.
9. Off-site parking shall be used and maintained solely for parking as long as the use, as recorded and approved, exists. The off-site parking agreement may be terminated when the

additional site is no longer necessary, there is a change of use, or the approved conditions are no longer applicable.

10. Obtain approval or termination from the Zoning Administrator.

SECTION 904: DESIGN STANDARDS FOR PARKING AREAS

Unless otherwise specified, the standards of this section shall apply to all parking lots or vehicular use areas that are subject to this chapter.

A. Location:

All driveways and open off-street parking areas shall comply with the following:

1. All vehicles shall be parked in an open off-street parking space or garage.
2. All parking spaces shall be connected to a public street by a driveway, except dwelling units which may be accessed from an alley.
3. All required off-street parking spaces shall have direct access to an aisle or driveway without the need to move any other vehicle.
4. Parking spaces shall be located on the same lot as the principal use they serve, unless the spaces meet the requirements of Section 903B or Section 903C
5. Parking for business, or industrial uses shall not be permitted in residential districts.
6. Parking areas are encouraged to be located, to the maximum extent feasible, to the rear and side of buildings.
7. No part of a parking area for ten (10) or more vehicles shall be closer than ten (10) feet to the side lot line of any lot in a residential district, except that this limitation shall not apply within the required rear yard.

B. Access:

1. Cross access easements to adjacent parcels shall be provided in order to achieve better circulation throughout the township and to minimize driveway cuts along public roads. If only one (1) of the adjacent parcels is subject to review, this cross access easement requirement shall be established as a condition of the zoning certificate approval, prohibiting the applicant from denying cross access from adjacent parcels. At the establishment of the easement, shared maintenance agreements shall be filed with the Clermont County Recorder and provided to the Zoning Administrator for the township files. All cross access easements shall comply with the county's access management requirements.
2. No entrance to or exit from a parking area for ten (10) or more vehicles shall be closer than fifty (50) feet to any street intersection. See Figure 9-3.

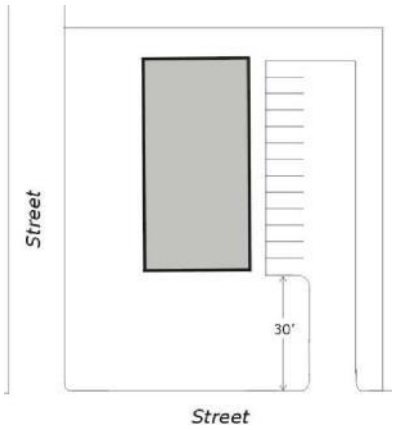

Figure 9-3: Parking Location Along Entry Drive

3. Driveways shall be located so loading and unloading activities will not hinder vehicular ingress and egress.
4. To the maximum extent feasible, provisions for primary access along secondary streets shall be provided to minimize traffic congestion on primary arterial streets.
5. The township, with guidance from the Clermont County Engineer, may require the owner to provide acceleration and/or deceleration lanes where traffic volumes indicate the need for such improvements.
6. Maneuvering aisle widths for parking areas shall be a minimum of twenty-four (24) feet wide for two-way access aisles.
7. The township may allow a reduced width for one-way access aisles.

C. Parking Space Size:

1. Parking spaces shall contain an area of not less than twelve (12) feet x fifteen (15) feet, exclusive of driveways and access drives.

D. Wheel Stops and Curbing:

1. Continuous curbs of concrete, asphalt, stone or other similar material at least six inches high and six inches wide shall be provided for parking spaces located adjacent to fences, walls, property lines, landscaped areas, and structures, unless the elimination of this curbing is required to adhere to stormwater management requirements.
2. Continuous curbs shall be located a minimum of four feet from any structures, buildings, or walls to prevent a vehicle from hitting any structure at the edge of a parking area. See Figure 7-4.
3. Individual wheel stops may be provided in lieu of continuous curbing only when the parking is adjacent to a landscaped area, and the drainage is directed to the landscaped area.
4. Parked vehicles may overhang an interior landscaped area no more than two (2) feet.
5. The minimum height of a wheel stop device shall be five (5) inches and the minimum distance from a wheel stop device to a property line or protected area shall be two and one-half (2 ½)feet. An internal, non-public raised sidewalk may function as a wheel stop device if the sidewalk is at least six feet

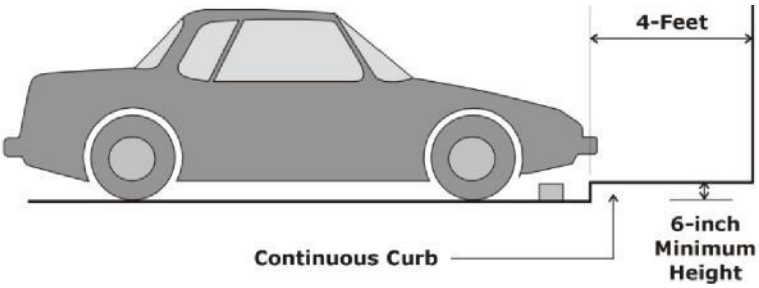

Figure 7-4: Continuous Curbs.

SECTION 905: MOBILITY AND SIDEWALKS

A. Sidewalks Along a Public Street:

1. Any use or building subject to the provisions of this article and established after the effective date of this Resolution shall be required to provide a four (4) foot wide sidewalk along all public streets for the full length of street frontage.
2. Any established use or building that is expanded more than fifty percent (50%) of the existing floor area after the effective date of this code shall be required to install a four (4) foot wide sidewalk along all public streets for the full length of street frontage.
3. All sidewalks shall meet the minimum design requirements of the rules and regulations of the Clermont County Subdivision Regulations.

B. Walkway Connections to Public Sidewalks:

1. There shall be one internal continuous sidewalk of at least four (4) feet in width that provides a direct connection from the public street to the primary customer entrance or to the sidewalk along a multi-tenant building.
2. Lane striping may be used to designate pedestrian sidewalks.
3. At a minimum, all internal pedestrian walkways shall be constructed of a surface that is visually distinct from the parking area surface by use of pavers, scored or stamped concrete, or bricks. Applicants are strongly encouraged to physically separate internal walkways from the vehicular circulation drives.
4. Sidewalks, at least eight (8) feet in width, shall be provided along any facade featuring a customer entrance.
5. At all times, such sidewalks shall maintain a clear pedestrian passage not less than five (5) feet in width.
6. Additionally, such sidewalks shall connect all customer entrances to other internal sidewalks.

SECTION 906: OFF-STREET LOADING REGULATIONS

A. Applicability:

On the same premises with every building, structure, or part thereof, erected and occupied for commerce, industry, public assembly, or other uses involving the receipt or distribution by vehicles of materials or merchandise, there shall be provided and permanently maintained adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets or alleys in conformance with this section.

B. Number of Loading Spaces Required:

The minimum number of loading spaces provided for various uses shall be as follows:

1. Public and Government Buildings, Educational Institutions, Cultural Institutions, Hospitals, Religious Places of Worship, Places of Assembly or Athletics Fields, Clubs, Lodges, and Multi-Family Dwellings shall provide loading spaces as specified in Table 9-2:

TABLE 9-2: LOADING SPACE REQUIREMENTS	
BUILDING FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
Up to 100,000 sq. ft.	1
Each additional 100,000 sq. ft.	1

2. Financial Institutions, Medical and Dental Offices and Clinics, Offices, Indoor Recreation or Entertainment Facilities, or Other Office Uses shall provide loading spaces as specified in Table 9-3:

TABLE 9-3: LOADING SPACE REQUIREMENTS	
BUILDING FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
Up to 100,000 sq. ft.	1
Each additional 100,000 sq. ft.	1

3. Retail and Service Commercial Uses, Wholesale Stores, Restaurants, and Other Commercial Uses shall provide loading spaces as specified in Table 9-4:

TABLE 9-4: LOADING SPACE REQUIREMENTS	
BUILDING FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
Up to 30,000 sq. ft.	1
30,001 to 50,000 sq. ft.	2
Each additional 100,000 sq. ft. over 50,000 sq. ft.	1

4. Uses first permitted in the (I) Industrial District shall provide loading spaces as specified in Table 9-5:

TABLE 9-5: LOADING SPACE REQUIREMENTS	
BUILDING FLOOR AREA	REQUIRED NUMBER OF LOADING SPACES
Up to 20,000 sq. ft.	1
20,001 to 40,000 sq. ft.	2
40,001 to 60,000 sq. ft.	3
Each additional 100,000 sq. ft. over 60,000 sq. ft.	1

C. Unlisted Uses:

1. Upon receiving an application for a use not specifically listed in this section, the Zoning Administrator shall apply the loading standard specified for the listed use that is deemed most similar to the proposed use in regards to use, size and intensity of use.
2. If the Zoning Administrator determines that there is no listed use similar to the proposed use, intensity, or size, they may refer to the estimates of loading space demand based on

recommendations from studies prepared by the Institute of Traffic Engineers (ITE), Urban Land Institute (ULI), and/or the American Planning Association (APA).

3. Off-street loading spaces shall not count toward any minimum parking space requirements.

D. Loading Space Design Standards:

Every loading space shall be designed, constructed, and maintained in accordance with the standards and requirements set forth below:

1. Location of Required Loading Spaces:

    a. Loading spaces shall be located on the same lot as the building or structure to which they are accessory.
    b. No loading space shall be located in any required front yard, nor shall it permit any vehicle to extend into any required front yard or across any lot lines of a more restrictive district while the vehicle is being loaded or unloaded.
    c. No loading space shall be closer than one hundred (100) feet to any residential use or district, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or solid fence not less than six (6) feet in height.

2. Dimensions:

    a. Loading spaces shall have a minimum width of ten (10) feet, a minimum length of twenty-five (25) feet and a minimum vertical clearance of fourteen (14) feet.

3. Access:
    a. Loading spaces shall be designed and arranged to provide access to a street or alley in a manner that will create the least possible interference with traffic movement and parking lot circulation. The Zoning Administrator shall approve access to and from loading spaces.
    b. No part of any truck or van that is being loaded or unloaded may extend into the right-of-way of a public thoroughfare.
    c. Loading spaces shall be designed with sufficient apron area to accommodate truck-turning movements and to prevent backing of trucks onto any street right-of-way.

4. Screening:

    a. All operations, materials, and vehicles within any loading space that are visible from a public street or from any residential use shall be screened.
    b. The screening material shall be at least six (6) feet in height and one hundred percent (100%) opaque and shall satisfy the buffer requirements of the most restrictive adjacent district.

5. Surfacing:

    a. All loading spaces shall be graded and provided with a durable and dustless hard surface of asphalt, concrete, or other suitable materials.

6. Drainage:

a. All loading space areas shall provide for the proper drainage of surface water in accordance with all applicable federal, state, and county runoff control and sediment abatement regulations, to prevent the drainage of such water onto adjacent properties and onto sidewalks.

SECTON 906: PARKING OF RECREATIONAL AND COMMERCIAL VEHICLES

In any residential district, a recreational vehicle, travel trailer or boat trailer shall be prohibited, except:

A. One recreational vehicle, one boat on a trailer, and one (1) trailer may either be parked on the property or stored in a garage or other accessory building or rear yard, provided:

    1. No occupancy for human habitation be maintained, and
    2. No business conducted therein while such trailer is so parked or stored.

B. No more than one (1) trailer may be placed, parked or stored upon any lot, parcel or other tract of land whether such trailer is authorized by Section 906A(1) and Section 906A(2) above.
C. The wheels of any trailer or similar transporting devices shall not be removed. No trailer shall be connected to the ground or any structure.
D. One licensed commercial vehicle, and/or one recreational vehicle, and/or one (1) commercial trailer may be stored or parked on a lot of two (2) acres in size or more in a residential district in compliance with the regulations below. Parking commercial vehicles on lots less than two (2) acres in size in a residential district is not permitted.

    1. Such vehicles must be parked in a manner as to not obstruct sidewalks and pedestrian pathways or the sight distance from vehicular traffic.
    2. Infrequent, short-term parking of a commercial vehicle or trailer for conveying tools and materials to premises where labor using such tools is being performed, delivering goods to a residence, or moving furniture to or from a residence, during the time such parking is actually necessary, is hereby exempted from this section.
    3. The occupant of the residence may have one (1) commercial trailer on the premises which is accessory to the commercial vehicle normally parked on the property.

ARTICLE 10: SITE PLAN REVIEW

SECTION 1000: PURPOSE

It is the purpose of this article to ensure that all developments are reviewed for compatibility with the regulations and intent of this Zoning Resolution, Township policies and plans, and good site planning practice.

SECTION 1001: APPLICABILITY

Site plan review and approval is required for the following:

A. Any zoning map amendment, except any zoning map amendment initiated by the Township; or
B. Any nonresidential use or development in any residential District.
C. Any use or development in the "B-1" or "B-2" Business District or the "I" Industrial District.

SECTION 1002: SITE PLANNING GUIDELINES

In reviewing the site plan, the Zoning Administrator shall determine whether the proposed development meets all requirements of the Zoning Resolution, including but not limited to those of the particular zoning district in which the development would be located and those presented below in Section 1003 through 1014.

SECTION 1003: GENERAL

A. The proposed development shall reflect all Township plans and policies affecting the site, including the Williamsburg Township Land Use Plan, and any concept plans, planned development plans, or planned business plans previously adopted for adjacent properties.
B. The proposed development shall be consistent with the statement of intent for the zoning district in which it is located or proposed.

SECTION 1004: SITE PLANNING / OPEN SPACE

A. To the extent possible, the natural topographic and significant landscape features of the site shall be incorporated into the development in order to preserve the site's natural resources and enhance its visual character;
B. Where appropriate, the design of green areas should incorporate plant materials to define space, provide screening and privacy, define views, serve as focal points, and soften views of buildings and pavement.

SECTION 1005: GRADING AND DRAINAGE

A. Grading should be performed with sensitivity to existing topography and other natural resources on the site and on adjacent sites. To the extent practicable, grading should minimize environmental impacts.
B. Drainage shall be designed and constructed so as to not detrimentally affect adjacent properties. These systems shall provide for the safety and convenience of occupants and protection of dwellings, other development, and usable lot areas from water damage, flooding, and erosion.

C. The site plan should conform to the requirements of the Clermont County Stormwater and Sediment Control Regulations.

SECTION 1006: CIRCULATION

A. The street, access and parking system shall provide for the smooth, safe, convenient and functional movement of vehicles and pedestrians both on and off site.
B. Circulation shall:

1. Minimize the conflict between pedestrian and vehicular traffic; and
2. Minimize the number of vehicular turning movements and points of vehicular conflict, particularly at access points.

C. Vehicular Access:

1. Acceleration, deceleration and/or left turn lanes may be required if the Township finds that they are necessary to preserve safety and/or the traffic carrying capacity of the existing street.
2. The Township may require a traffic impact study by the Clermont County Engineer, the Ohio Department of Transportation or some other recognized and qualified traffic engineer if one or more of the following conditions exist. Any fee for this study shall be paid directly to the agency conducting the study.

    a. If the proposed development or redevelopment may increase the number of trips entering or leaving the property by ten percent or more;
    b. If the proposed development or redevelopment may adversely change the type of traffic generated within the property, for example, addition of truck traffic;
    c. The scale or use of the proposed development might cause deterioration of service levels on the street and/or deterioration of safety or service levels at intersections in the vicinity;
    d. The proposed development is in the vicinity of a street or intersection with a history of safety and /or accident problems; and
    e. The geometry of existing or proposed improvement might cause a safety hazard.

D. Sight Distance Triangles:

1. All sites shall be designed so that plants and structures on the site do not interfere with the safe movement of motor vehicle traffic, bicycles or pedestrians.
2. The sight distance triangle shall conform to the requirements of Section 700E(1) of the Zoning Resolution, except that, if warranted, the dimensions of the sight distance triangle may be varied depending on the width and design speed of the street.

SECTION 1007: PEDESTRIAN CIRCULATION

A. Sidewalks and/or pedestrian paths shall be constructed and located in order to provide a convenient, safe, and visible pedestrian path between parking area and building entrance. Whenever a pedestrian path or a bike path traverses a parking lot, a safe and efficient pedestrian system shall be clearly designated.

SECTION 1008: LIGHTING

A. On-site exterior lighting should provide illumination adequate to permit safe nighttime activities.

B. All roadway street, parking lot, and walkway lights shall be shielded so that substantially all the directly emitted light falls within the property line.

SECTION 1009: SCREENING AND BUFFERING

A. Screening areas shall be provided for the purpose of minimizing the friction between incompatible land uses and improving the aesthetic and functional quality of new development.
B. Where vegetative and/or topographic conditions that provide a natural screening and buffer exist prior to development of properties in question, every effort shall be made to retain such conditions. In such cases, additional screening may not be required, provided that provision is made for maintenance of such areas.

SECTION 1010: SITE PLAN REVIEW PROCEDURES

The Township shall review all required site plans using the procedures, standards, limitations and guidelines set forth in this Article. Site plans submitted for review shall demonstrate the proposed development meets the guidelines and performance standards set forth in the Zoning Resolution. The site plan shall contain sufficient detailed information about existing and proposed site conditions to allow an informed decision to be made by the Zoning Administrator, Zoning Commission, Board of Township Trustees, and County Planning Commission as may be required concerning the general acceptability of the proposed development.

To be considered complete, a site plan shall identify and provide all the information required under Section 1012 of this Article.

At the time of the filing of an application for site plan review, the applicant shall pay the required site plan review fee in accordance with the Township's effective schedule of fees.

SECTION 1011: SITE PLAN

All applications for site plan review shall be accompanied by the following:

A. A completed application form provided by the Zoning Department of Williamsburg Township;
B. The required site plan review fee in accordance with the Williamsburg Township fee schedule; and
C. Copies of the site plan drawn in accordance with Section 1012.

SECTION 1012: CONTENTS

A. Legend:

1. Date plan created/modified;
2. Scale (appropriate for review);
3. Vicinity map;
4. North arrow;
5. Development name;
6. Development address;
7. Property owner name and address; and
8. Plan creator name and address.

B. Parcel Data:

1. Auditor's parcel number
2. Parcel lines
3. Directional bearings and distances (if parcel split or consolidation involved)
4. Legal description (if parcel split or consolidation involved)
5. Net acreage and square footage (acreage/square footage less right-of-way area)
6. Adjacent parcels
7. Zoning
8. Adjacent parcel zoning
9. Adjacent land uses
10. Adjacent street names
11. Street names forming nearest intersection
12. Distance from nearest intersection

C. Development Data:

1. Description of all proposed uses
2. Existing structures to be retained

    a. Gross floor area
    b. Setback distances from adjoining properties
    c. Setback distances from rights-of-way

3. Proposed structure location

    a. Number of floors
    b. Structure height
    c. Gross floor area
    d. Setback distances from adjoining parcels
    e. Setback distances from rights-of-way

4. Addition/Modification location

    a. Number of floors
    b. Addition/modification height
    c. Gross floor area
    d. Setback distances from adjoining parcels
    e. Setback distances from rights-of-way

5. Floodplain

    a. Identification whether any structure will lie within one hundred year floodplain

6. Parking and circulation

    a. Curb cut locations
    b. Drive aisle locations and dimensions
    c. Off-street parking space locations and dimensions
    d. Off-street parking space count
    e. Parking lot screening locations
    f. Parking barrier locations
    g. Off-street loading/unloading locations and dimensions
    h. Loading/unloading screening locations
    i. Street locations
    j. Right-of-way line locations
    k. Measurements from center line to rights-of-way line
    l. All parking, loading, and circulation areas marked as paved
    m. Pedestrian walkway locations

7. Stormwater facility location
8. Outdoor lighting locations

    a. All lighting marked inward (or downward) directed and shielded

9. Sign location (subject to separate approval)
10. Vegetation screening locations

    a. Description of vegetation used, including container size or caliper.

11. Fence locations

    a. Description of fencing used including height.

12. Landscaping locations;

    a. Description of landscaping including size or caliper.

13. Waste/dumpster location and screening;

    a. Description of screening used including height.

14. Estimated construction schedule
15. Rendering of structure face
16. Additional information necessary to determine compliance

SECTION 1013: WAIVER OF SITE PLAN REQUIRMENTS

Depending on the nature of the site plan review application, one (1) or more of the the site plan requirements may be waived by the Zoning Administrator. To obtain a waiver the applicant must submit a statement to the Zoning Administrator indicating reasons why the requirements should be waived. The Zoning Administrator may grant waivers only when the material supplied by the applicant clearly demonstrates that the required information is unnecessary for a full and adequate review of the impact the proposed development shall have on the existing character of the neighborhood and/or the spirit of the Zoning Resolution. The decision of the Zoning Administrator with respect to the waiver is subject to review upon appeal to the Board of Zoning Appeals.

SECTION 1014: REVISIONS OF SITE PLAN AFTER APPROVAL

No changes, erasures, modifications or revisions shall be made to any site plan after approval has been given unless said changes, erasures, modifications or revisions are first submitted to and approved by the Zoning Administrator.

SECTION 1015: COMPLIANCE AND ENFORCEMENT

It shall be incumbent upon the Zoning Administrator or his duly authorized representative to make all inspections and certifications necessary to ensure that development occurs in accordance with the approved site plan.

In the event that the Zoning Administrator finds that construction is not in accordance with the site plan, he shall issue a stop work order. It shall be incumbent upon the contractor or developer to correct those items that are in violation before construction may resume. All action required to bring development into compliance with the approved site plan shall be at the developer’s, builder’s, contractor’s, or owner’s expense.

Article 11: Alternate Energy

Section 1100: Purpose

The intent of these regulations is to preserve growth for business, residential and farming use activities above other interests and by doing so to help to ensure other permitted land uses in agriculturally zoned areas do not become detrimental to that primary concern and endeavor, either by intensity, incompatibility, or encroachment.

The property owner(s), including the owner(s) and lessee(s) of any wind or solar facilities located within or that overlap into any part of the Township shall abide by all regulations as set forth in the Ohio Revised Code, Clermont County Building Code and Williamsburg Township Zoning Resolutions.

This Article shall apply to all alternate energy facilities and structures as defined in this Article. No Wind Energy Conversion System, or private stand-alone solar panel, or commercial solar panel installation, or any components thereof shall be constructed, erected, installed, or located within Williamsburg Township, Clermont County until prior siting approval has been obtained pursuant to the Williamsburg Township Zoning Plan Development Resolution.

Section 1101: The Power to Regulate Wind Energy Systems

Ohio Revised Code (ORC) section 519.213 confers power on the board of trustees or board of zoning appeals with respect to the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any small wind farm, whether publicly or privately owned, or the use of land for that purpose, which regulations may be stricter than the regulations prescribed in rules adopted under division (B)(2) of section 4906.20 of the Revised Code.

A. Residential Wind Energy System (WES)

Residential wind energy systems shall be conditional use in all zoning districts and shall be designed for, or capable of, operation at an aggregate capacity of less than five megawatts. A residential wind energy system shall be considered as an accessory use that is intended to primarily serve the needs of the consumer at that site. All proposed residential wind energy systems shall be subject to certain requirements as set forth below and after review by the Board of Zoning Appeals. Upon review by the Board of Zoning Appeals, additional restrictions or conditional uses may be added as warranted. No roof mounted residential wind turbines are allowed.

1. Minimum Parcel Size: Two (2) Acres

2. Tower Height:

(a) For property sizes between 2 and 5 acres the tower height shall be limited to 65 feet including the highest point of the turbine blades.

(b) For property sizes of five (5) acres or more, tower heights shall be limited to a height of eighty (80) feet, including the highest point of the turbine blades, except as may be imposed by FAA regulations.

3. Clearance of Blade:

The minimum distance of the wind energy blade system shall not be less than 20 feet from the ground. No ground mounted blade sweep may extend over parking areas, driveways, property lines, or any type of building.

4. Set-Backs:

All towers must be located 1.5 times the tower height from any public right of way, property line and any inhabitable structure, provided that that setback also complies with any applicable fire setback requirements. Anchoring systems and all components of such systems shall not project to within 10 (ten) feet of any adjacent property or any right of way.

5. Automatic Over-speed Controls:

All wind energy conversion systems shall be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the residential wind energy system. Turbine blade systems shall be rated to wind speeds of no less than 110 MPH measured at sea level.

6. Noise:

Residential wind energy systems shall not exceed 55 dBA, as measured at the closest property line to the tower. The level, however, may be exceeded during short-term events such as utility outages and/or severe windstorms.

7. Approved Wind Turbines:

Residential wind turbines must be approved by a small wind certification program recognized by the American Wind Energy Association.

8. Compliance with FAA Regulations:
Residential wind energy systems must comply with applicable FAA regulations.

9. Utility Notification:

No residential wind energy system shall be installed until evidence has been given that the utility company has been informed of the customer's intent to install an interconnected, net metered customer-owned generator. Off-grid systems shall be exempt from this requirement.

B. Utility Grid Wind Energy Systems (UGWES)

1. Compliance with the Federal Aviation Administration:

   The applicant shall comply with all applicable Federal Aviation Administration (FAA) requirements. If lighting is required by the FAA the light shall not be strobe lighting or any other intermittent white lighting fixtures, unless expressly required by the FAA. Such intermittent lighting shall be alternated with steady red lights at night if acceptable.

2. Climb Protection:

   All UGWES towers must be unclimbable by design or protected by anti-climbing devices.

3. Parcel Size:

   Minimum of twenty (20) acres

4. Setbacks:

   a. All UGWES towers shall be set back a distance of not less than 1.5 times the UGWES tower height from any other building or structure. The distance for indicated setback shall be measured from the point of the other building or structure foundation closest to the UWES tower to the center of the UWES tower.

   b. All UGWES towers shall be set back a distance of at least 1.5 times the UGWES combined tower height and highest point of the turbine blades from the right of way. The distance for the indicated setback shall be measured from the edge of the right of way to the center of the UGWES tower foundation.

   c. UGWES towers shall be set back a distance of at least 1.5 times the combined tower height and highest point of the turbine blades from any property line.

5. Signage:

   A sign of no less than four square feet must be displayed in an easily noticed area from a public roadway indicating the property address and toll-free telephone number, answered by a person twenty-four hours per day, seven days per week, for emergency calls. No UGWES tower or any part thereof, no fence surrounding the UGWES site, or any building or structure located upon the UGWES site may include or display any advertising sign, banner, insignia, graphics or lettering.

6. Wind Access Buffer:

   A wind access buffer of a minimum of nine hundred (900) feet must be observed to protect the wind rights of landowners adjacent to, but not participating in, the permitted project.

7. Birds:

   A qualified professional such as an ornithologist, shall conduct an avian habitat study, equivalent to: Tier 3 evaluation under Land Base Wind Energy guidelines and Stage 2 Eagle Conservation plan guidance, as part of the siting approval application process, to determine if the installation of the UGWES project will have a substantial adverse impact on birds.

8. Shadow Flicker:

   Site plan and other documents and drawings shall show mitigation measures to minimize potential impacts from shadow flicker. Shadow flicker shall not exceed thirty (30) hours per rolling year.

9. Compliance with Other Standards:

   All power and communication lines running between UGWES towers, any adjacent structures, and electric substations or interconnections with buildings shall be buried underground. Exemptions may be granted by the Williamsburg Township Board of Zoning Appeals in instances where shallow bedrock, water courses, or other elements of the natural landscape interfere with the ability to bury lines.

Section 1102: Regulations - Solar Energy

A. Small Scale - Systems with the primary intent of providing power for the site where such system is located.

Solar Panels, either free-standing or roof mounted, shall be permitted as an accessory use in all districts with zoning requirements related to visual appearance and appropriate safeguards.

1. Site Approval Application: In all districts, the applicant shall submit to the Zoning Administrator, along with a zoning permit application, the following information:
   a) Maps, plans and/or detailed sketches showing the proposed location of the proposed solar panels.
   b) Measurements from property lines and the public right-of-way.

2. In the all-Zoning Districts all solar panels exceeding two square feet in area are prohibited in any front yard, on any face of a primary building or structure facing a street unless integrated with the ordinary construction of said building or structure except roof-mounted solar panels as set forth below.

3. Disposal of solar panels considered hazardous waste must follow the Federal Resource Conservation and Recovery Act of 1976.

4. Ground mounted solar panels shall:

   a) Be considered an accessory use.
   b) Be located in the rear yards
   c) A variance granted by the Board of Zoning Appeals is required for ground mounted solar energy equipment which does not meet established setback requirements for accessory use.
   d) Have valid permits from the Clermont County Building Department and the Williamsburg Township Zoning Administrator.
   e) Shall not exceed 60 (sixty) inches maximum height as measured from the ground to the top of the highest part of the panel. Panels with height greater than this maximum require a variance granted by the Board of Zoning Appeals
   f) The minimum setback distance from the property lines for solar equipment shall be per the zoning district.
   g) Shall meet isolation distances required for underground utilities and septic systems. Any required modifications will be at the expense of the owner after receiving the appropriate approvals.
   h) Screening shall be a minimum of 6 feet. The solar systems shall be fully screened from adjoining properties and adjacent roadways using natural topography or by installation of an evergreen buffer.
   i) Parcel size minimum of 2 acres.

5. Roof mounted solar panels shall:

a) Not to be installed without a valid permit from the Clermont County Building Department.

b) Solar panels installed on a building or structure with a sloped roof surface shall not project vertically above the peak of the roof to which it is attached, extend over the roof edge or project more than five (5) feet above a flat roof installation.
c) In the Residential and Business Districts roof mounted solar panels shall be located on a rear or side facing roof, as viewed from any adjacent street, unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front facing installation.
d) Roof mounted solar panels shall not increase the total height of the structure above the maximum allowable height of the structure on which it is located, in accordance with the applicable zoning regulations.

B. Utility Grid Solar Energy Systems (UGSES)

For the purposes of this article, a UGSES shall only be permitted as a Planned Development (PD).

1. Lighting:

a) During construction shall be limited to 6:00 a.m. to 7:00 p.m. lighting should be angled inward and downward to eliminate glare on adjacent properties.
b) Special considerations are provided for emergency and safety lighting.
c) Post construction lighting will be limited to important and emergency areas (entrances, exits, buildings) at any time and at other areas as needed for repairs etc.
d) Downlighting is to be used and in no case shall illumination extend beyond the perimeter of the solar facility.
e) Lighting shall not impact or interfere with traffic on roads or properties adjoining or bordering the solar facility.

2. Noise:

a) Noise associated with construction and operation shall be maintained at minimal levels. Construction shall only be conducted between the hours of 6:00 a.m. to 7:00 p.m. Monday through Saturday.
b) The use of pile driving equipment is prohibited within 600 (six hundred) feet of any structure or private or public water system unless pile driving monitoring equipment is utilized to evaluate vibration.

3. Erosion and Sediment Control:

a) Should be incompliance with Clermont County Water Management and Sediment Control Regulations.

4. Setbacks:

a) All aspects and components of the facility shall meet the minimum setback requirement of three hundred (300) feet. This is in addition to the buffer vegetation requirement for streams and bodies of water.

5. Buffers:

a) A vegetative buffer shall be installed and maintained around the entire circumference of the facility and its components to reduce the visual impact on the surrounding property owners. In areas where there is not at least fifty (50) feet of a native timber buffer, a barrier consisting of a minimum of a double row of evergreens, with a beginning height of six feet and an anticipated height of thirty (30) to forty (40) feet shall be planted by six months subsequent to the completion of construction. The property owner shall replace any dead or diseased tree in the buffer within six (6) months. All landscaping shall be approved by the township.

b) buffer vegetation of at least one hundred fifty (150) feet is required on either side of a stream, wetland or other bodies of open water. This vegetation buffer shall not include any plant listed as a prohibited noxious weed by Rule 901:5-37-01 of the Ohio Administrative Code.

6. Signage:

a) A sign of no less than four square feet must be displayed in an easily noticed area from a public roadway at all entrances, viewable at a reasonable distance. Indicating the property address and a toll-free phone number answered by a person twenty-four hours per day, seven days per week, for emergency calls and information inquires. No UGSES panel or any part thereof, no fence surrounding the UGSES site, or any building or structure located upon the UGSES site may include or display any advertising sign, banner, insignia, graphics or lettering.
b) Appropriate signage shall be placed at the entrance and perimeter of the solar field. The height, area and material are to be established through the Planned Development process.

7. Height of Panels:

a) The height of the solar panels shall not exceed twelve (12) feet when oriented at its maximum tilt.
b) Solar energy components shall contain an anti-reflective coating,

8. Maintenance/Reclamation of Obsolete or Damaged Panels:

a) Solar panel collection systems and all solar equipment shall be completely removed from the property within three (3) months from the date they are not producing electricity or are damaged.
b) Any earth disturbance shall be graded and reseeded.
c) Soil testing shall be conducted to assess chemical leaching from damaged panels in compliance with the Ohio EPA spill hotline. Documentation of clean-up procedure

and result of retesting must be submitted to Williamsburg Township.

9. General Site Requirements:

a) Damaged or inoperable drainage tiles will be repaired prior to construction by the landowner and developer/owner. Repairs will be documented in a report provided to the landowner and township trustees with the location, nature and satisfactory completion of repairs.
b) The landowner and owner/operator shall be responsible for all drainage tiles.
c) The township trustees reserve the right to have representation present during repairs. Repairs shall follow County water management and soil regulations. Notification shall be given to Williamsburg Township 48 hours prior to commencing repairs.

10. Safety:

a) All UGSES platforms must be unclimbable by design or protected by anti-climbing devices.
b) The property shall be maintained by the landowner, owner and developer. It is to be kept free of hazards including but not limited to faulty wiring, loose fastenings and the creation of unsafe conditions or detriment to the public health and safety.

11. Parking Lot Applications: Exceptions to setbacks, the buffer and maximum solar panel height requirements for parking lot applications shall be addressed as part of the PD.

C. Review Process:

1. Compliance with Other Standards:

a) If applicable, all solar facilities must meet or exceed the standards and regulations of all other local, state, or federal governmental agencies with the authority to regulate such facilities.
b) All facilities must meet or exceed standards as noted in the Fire Code.

Section 1103: Application Process – Utility Scaled Alternative Energy Systems

A Utility Grid Wind Energy System (UGWES) as well as a Utility Grid Solar Energy System (UGSES) are designed and built to commercially provide electricity to the electric utility grid. These systems shall only be permitted as a Planned Unit Development.

There shall not be any Utility Scale Alternative Energy Systems built within one (1) mile of East Fork State Park or within one (1) mile of State Route 32 Corridor.
To prevent creating energy systems greater than 50-megawatt, combined energy systems are not permitted.

A. Site Approval Application:

The applicant must apply for an application consistent with Section 604 Review Procedures for PUD/PD with the applicable fees, to the Zoning Administrator for review.

1. Utility interconnection data and a copy of written notification to the utility company of the proposed connection.
2. Specific information: all components of the respective alternative energy systems, for UGWES: the type, size, height, rotor material, rated power output, performance, safety, and noise characteristics of each Wind Turbine Generator (WTG) model, tower and electrical transmission equipment. All electrical components and equipment used to mount panels.
3. A soil boring report.
4. Any additional information as normally required by the Township as part of this Zoning Resolution.
5. Prior to receiving site approval under this Resolution, the applicant, owner, and/or operator shall include and submit for review, a Decommissioning Plan to ensure that the UGWES and UGSES and all facilities in the project are properly decommissioned after their useful life.
6. Applications will not be processed until appropriate non-refundable fees including those expenses incurred by the Williamsburg Township Zoning Commission, The Williamsburg Township Board of Zoning Appeals and the Williamsburg Township Board of Trustees are submitted with a complete application.
7. Road Use Maintenance Agreement: Prior to the start of construction, the applicant and/or owner/operator shall enter into a Road Use Maintenance Agreement (RUMA) with the Clermont County Board of Commissioners and the Williamsburg Township Trustees to assure repairs to public roads, including anything in the right-of-way which may be damaged by the construction of the project.

B. In Case of Bankruptcy:

1. All property owner(s), entity owner(s) and leasers of any wind or solar facilities located with-in or that over-lap into any part of Williamsburg Township shall provide a bond(s) naming the Williamsburg Township Fiscal Office as a holder/barer to ensure the properties included shall be returned to its' original agricultural and previous land state or better.

2. For maintaining the purpose of these bonds, the original or re-evaluation and cost analysis shall be conducted every three years by a licensed engineer(s) with proper training and experience in construction and decommissioning of the applicable commencing on the first day of construction. All bonds issued shall be updated for the purpose stated above. Re-issued bond(s) value(s) shall not be less than the previous bond and shall remain in the possession/barer of the Williamsburg Township Fiscal Officer.

3. Bonds related to decommissioning cost estimates shall not include costs to offset for resale or salvage values of equipment and materials. The applicant shall reimburse the township for an independent, third-party review and analysis by a licensed engineer regarding construction plans, initial cost analysis and decommissioning cost estimates for re-issued bonds every three years.

4. Bond(s) are to be completed within ninety (90) days of the original construction start date and within ninety (90) days of the re-evaluated cost issuance period.

C. Emergency Services:

Local Fire Department: The applicant, owner or operator shall submit to the local Fire Department a copy of the site plan. All electrical equipment associated with and necessary for the operation of the facility shall comply will all provisions of the National Electric Code (NEC), Ohio Commercial Building Code. Use of above ground lines are to be kept to a minimum.

a.) The applicant shall provide applicable training before, during and after construction for all emergency services for the Township and selected members of emergency service members in supporting Townships. The applicant shall provide a set of procedures and protocols for managing the risk of fire and for responding in the event of an emergency at the facility. The applicant shall conduct on-going regular training for the first responders during the operation of the facility on a regular basis, with intervals not to exceed 24 (twenty-four) months.

b.) All means of shutting down the solar system will be clearly communicated to the fire chief and local emergency services. A final copy of the project summary, electrical schematic and site plan will be provided to the township fire chief.

c.) Special equipment which may be required to ensure the safety of fire and rescue personnel when responding to an emergency at the facility shall be provided at no cost to the Township, prior to the site being operational.

d.) The applicant shall provide for and maintain a reasonable means of access for emergency services. Lock boxes and keys (or an equivalent) shall be provided at locked entrances for emergency personnel access. Warning signage shall be placed on electrical equipment and entrances to accessory buildings.

e.) The Photovoltaic/Solar panels shall not contain harmful chemicals such as cadmium or amorphous silicon, Prior to construction, the applicant shall provide written panel specifications to include composition, toxicological information and physical and chemical properties of all panels used in the facility. Only biodegradable cleansers and water shall be used to clean the panels.

f.) Re-evaluation of state-of-the-art equipment and appropriate trainings shall take place at intervals not to exceed 24 (twenty-four) months.

D. Decommissioning Plan:

Any Utility Scaled Alternative Energy System which is not used for six (6) consecutive months shall be deemed abandoned and shall be dismantled and removed from the property at the expense of the company /owner. The company/owner has forty-five (45) days from the date of the notice of abandonment to start the decommissioning process**.**

a.) The decommissioning plan, as had been submitted at the time of application, shall be submitted to the Clermont County Building Department with the application of the building permit.
b.) The plan shall include provisions for removal of all ground mounted installations, structures, equipment security barriers and transmission lines.
c.) Restoration, stabilization of soil and vegetation to minimize erosion. The township may permit landscaping or designated below grade foundations to remain to minimize erosion.
d.) Plan ensuring financial resources will be available to fully decommission the site.
e.) Disposal of structures and/or foundations shall meet the provisions of the Clermont County Building Department and the requirements of the state and federal regulations for solid waste and/or hazardous waste disposal.
f.) A valid demolition permit from the Clermont County Building Department shall also be required before removal of any towers, debris, access roads, electrical cabling, or structures.

ARTICLE 12: DEFINITIONS

Access Roads

Provide construction and service access to each wind turbine.

ACCESSORY STRUCTURE

See Structure, Accessory.

ACCESSORY USE

See Use, Accessory.

ADULT ENTERTAINMENT ESTABLISHMENT

An establishment that has a significant portion of its daily function presenting adult material and/or entertainment.

ADULT ENTERTAINMENT

The sale, rental, or exhibition, for any form of consideration, of books films, video cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.

ADULT FAMILY HOME

A residence or facility, as defined and regulated in Chapter 3722 of the Ohio Revised Code, which provides accommodations for three to five unrelated adults and provides supervision and personal care services to at least three of the unrelated adults.

ADULT GROUP HOME

A residence or facility, as defined and regulated in Chapter 3722 of the Ohio Revised Code, which provides accommodations for six to sixteen unrelated adults and provides supervision and personal care services.

ADULT MATERIALS

Any book, novelty, sexual paraphernalia, sex toy, sexual devise, magazine, periodical, newspaper, pamphlet, poster, print picture, slide, transparency, figure, image, description, motion picture film, video, phonographic record or tape, compact disc (CD), digital video disc (DVD), computer hardware or software, or other tangible thing that is distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas.

ADULT MOTEL OR HOTEL

An establishment offering public accommodations, for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions, characterized by the depiction of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this type of material by means of a sign visible from the public right-of-way, or by means of off-premises advertising; or offers a sleeping room for rent for a period of time less than 10 hours; or allows a tenant or occupant to sub-rent the sleeping room for a period of time less than 10 hours.

ADULT THEATER

A commercial establishment where films, motion pictures, videocassettes, slides or similar photographic reproductions that are characterized by their emphasis upon the display of specified sexual activities or specified anatomical areas are regularly shown to more than five individuals for any form of consideration.

Adverse Visual Impact

An unwelcome visual intrusion that diminishes the visual quality of an existing landscape.

AGRICULTURE

The use of land for agricultural purposes including farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry; including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production, and as defined in Section 519.01 of the Ohio Revised Code and provided further that the above uses shall not include the commercial feeding of garbage or offal to swine or other animals.

AGRIBUSINESS

Any commercial activity that primarily serves the agricultural community. Agricultural Services shall include: tractor and farm implement and materials sales, grain elevators and farming machinery and agricultural equipment repair.

AIRPORT

Any runway, land area or other facility designed and used either publicly or privately by any person for the landing and taking off of aircraft, including all necessary taxiways, aircraft storage and tie-down areas, hangars and other necessary buildings, and open spaces.

ALLEY

See. Thoroughfare.

ALTERATIONS, STRUCTURAL

Any change in the supporting members of a building such as bearing walls, columns, beams or girders.

Anemometer

The instrument for measuring and recording the speed of the wind.

Anemometer Tower

A free-standing or guyed structure, which includes all accessory facilities on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of a wind turbine generator. May also be referred to as a meteorological tower.

APARTMENT UNIT

A dwelling unit in an apartment building, intended, designed or used as a residence by a single-family unit.

APPLICANT

A person commencing proceedings under this Resolution to effect the development or use of land for himself or for another, or for the reconstruction or construction of structures already built upon the land which may include but is not limited to the fee simple owner or the designee of the property owner bearing written authorization of the fee simple owner(s).

ASSISTED LIVING FACILITY

A residential care facility, other than a licensed nursing home, that provides personal care for persons with impairments in performance of activities of daily living and has the capacity to meet unscheduled needs for assistance. Typical to this facility is that each residence is private occupancy, furnished by occupant, with food service, laundry and gathering areas shared in the facility.

AUTOMOTIVE, MOBILE HOME, TRAILER AND FARM IMPLEMENT SALES

The sale or rental of new and/or used motor vehicles, mobile homes, trailers or farm implements, but does not include repair work except for incidental warranty repair of the same to be displayed and sold on the premises. The sale of used items must not include merchandise of such poor condition that it can no longer satisfy its intended purpose.

AUTOMOTIVE FILLING STATION

Buildings and premises where gasoline, oil, grease, batteries, tires and motor vehicle accessories may be supplied and dispensed at retail, and where, in addition, minor repairs, tune-ups and adjustments may be performed. Furthermore, the sale of convenience goods, such as prepackaged foods and drinks, may be permitted as an accessory use.

AUTOMOTIVE SERVICE AND REPAIR

Any building, structure or premises in which or upon which a business, service, or industry involving the maintenance, servicing, repair or painting of motor vehicles is conducted or rendered.

AUTOMOTIVE WRECKING

The dismantling, disassembling, or wrecking of used motor vehicles, mobile homes or trailers or the storage, sale or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

BASEMENT

A story which is all or partly underground but having at least one-half of its height below the average level of the adjoining ground. Basement area shall not be included in the minimum square footage required for a dwelling unit.

BED AND BREAKFAST ESTABLISHMENT

Any owner-occupied home, or portion thereof, where lodging, with meals, is provided for compensation.

BOARD OF ZONING APPEALS

See Township Board of Zoning Appeals.

BOARD OF TRUSTEES

See Township Board of Trustees.

BUFFER YARD

Any open space areas, landscaped areas, fences, walls, earthen berms or any combination thereof, used to physically separate or screen one use or property from another so as to visually shield or block noise, light, or other nuisances.

BUILDING

Any structure having a roof supported by columns or walls, designed or intended for the support, enclosure, shelter, or protection of persons, or animals, chattels or property.

A. ACCESSORY

A subordinate building detached from, but located on the same lot or on an adjoining lot of common ownership, as the principal building, the use of which is incidental and accessory to that of the main building or use.

B. HEIGHT

The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof.

C. SETBACK LINE

A line parallel to the street right-of-way line at any story level of a building representing the minimum distance which all or any part of the building is set back from said right-of-way line.

D. PRINCIPAL

The building in which is conducted the main or principal use of the lot on which said building is situated.

BUSINESS, CONVENIENCE

Commercial establishments which cater to and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise, or other objectionable influences. Uses in this classification tend to serve the daily needs of residents in the neighborhood and may include small bakeries, florists, coffee shops, convenience stores, self-serve laundromats, and neighborhood branches of financial institutions.

BUSINESS, RETAIL

Any commercial establishment selling goods, wares or merchandise to the ultimate consumer for direct consumption or use and not for resale.

BUSINESS SERVICES

Any profit-making activity which renders services primarily to other commercial or industrial enterprises, or which serves and repairs appliances and machines used in homes and businesses.

BUSINESS WHOLESALE

Business establishments that generally sell commodities in large quantities or by the piece to retailers, jobbers, or other wholesale establishments, or manufacturing establishments. These commodities are basically for further resale, for use in the fabrication of a product, or for use by a business service.

CEMETERY

Land used or intended to be used for the burial of the animal or human dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries if operated in connection with and within the boundaries of such cemetery.

CHANNEL

A natural or artificial watercourse of perceptible extent, with bed and banks to confine and conduct continuously or periodically flowing water.

CLINIC

A place used for the care, diagnosis and treatment of sick, ailing, infirm, or injured persons and those who are in need of medical and surgical attention but who are not provided with board or room or kept overnight on the premises.

CLUB

A club shall mean a nonprofit association of persons who are bona fide members paying regular dues, and are organized for some common purpose, but excludes religious places of worship or a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.

Combined Energy System

Energy systems that are located on the same parcel or parcels of land that are within 2 miles of another energy system**.**

COMMERCIAL ENTERTAINMENT FACILITY

Any profit-making activity that is generally related to the entertainment field such as motion picture theaters, carnivals, comedy clubs, theaters, bingo, amusement parks, and similar entertainment facilities. Commercial entertainment facilities shall not include adult entertainment establishments.

CONDITIONAL USE

See Use, Conditional.

CONDITIONAL USE CERTIFICATE

A certificate issued by the Zoning Administrator upon approval by the Board of Zoning Appeals to allow a use other than a principally permitted use to be established within the district.

CONSTRUCTION SERVICES

The offices related to building trades and construction contractors including, but not limited to, plumbing, electrical, heating, landscaping, excavating, roofing and remodeling.

CONSTRUCTION SERVICES STORAGE YARDS

The land, grounds or buildings used primarily for the storage of equipment, vehicles, machinery, building materials, paints, pipes or electrical components used by the owner or occupant of the premises for the conduct of a construction service operation.

CONVALESCENT CARE FACILITY

A place, residence or home used for the boarding and care, for compensation, of not less than three (3) persons, not members of the immediate family operating such facilities, who by reason of age or infirmity are dependent upon the services of others.

CORNER LOT

See Lot Types.

CUL-DE-SAC

A street having only one outlet for vehicular traffic (to another street) and where the other terminus is either a turnaround or is a dead-end or stub street to an adjacent, undeveloped property.

CULTIVATOR

A person(s)/machine which is used to prepare land for planting, tending or harvesting crops or plats.

DAY CARE CENTER

A facility operated for the purpose of providing care, protection, and guidance to individuals during part of a 24-hour day. This term includes nursery schools, preschools, adult day care centers, child day care centers, or other similar uses. Day care centers do not include public or private educational facilities or any facility offering care to individuals for a full 24-hour period.

Decibel

A logarithmic unit of measurement that expresses the magnitude of sound pressure and sound intensity.

Db(A)

The sound pressure level in decibels. Refers to the “a” weighted scale defined by the American National Standards Institute (ANSI). A method for weighing the frequency spectrum to mimic the human ear.

DENSITY

A unit of measurement; the number of dwelling units per acre of land.

A. GROSS DENSITY

The number of dwelling units per acre of land of the total land to be developed, except that density for Planned Developments shall be determined according to Article 6.

B. NET DENSITY

The number of dwelling units per acre of land when the acreage involved includes only the land devoted to residential uses, except that density for Planned Developments shall be determined according to Article 6.

DEVELOPER

A person commencing proceedings under this Resolution to effect the development or use of land for himself or for another, or for the construction or reconstruction of structures already built upon the land.

DISABLED VEHICLES

One which is extensively damaged including but not limited to missing wheels, tires, motor or transmission, apparently inoperable or unlicensed. The mere licensing of an otherwise inoperable or extensively damaged vehicle will not cause the vehicle to conform to this Zoning Resolution.

DISPENSARY

A store or other facility for the sale, purchase or dispensing of products.

DISTRICT

A portion of the territory of the unincorporated areas of Batavia Township, within which certain uniform regulations and requirements or various combinations thereof, apply under the provisions of this Resolution.

A. SPECIAL PLANNING OVERLAY

A district established to prescribe special regulations to be applied to a site in combination with the underlying or base district that may further restrict or relax the underlying regulations.

DRIVE-THROUGH FACILITY

A building opening, including windows, doors, or other mechanical devices through which occupants of a motor vehicle receive or obtain a product or service.

DWELLING

A dwelling is any building or portion thereof designed or used exclusively as the residence or sleeping place of one or more families, but not including a tent, trailer or trailer coach, boarding or rooming house, hotel, or mobile home.

A. DWELLING UNIT

Space within a building comprised of living, dining and sleeping room or rooms, storage closets, as well as space and equipment for cooking, bathing and toilet facilities, all used by only one family and its household employees.

B. PERMANENTLY SITED MANUFACTURED HOME

A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with 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," 88 Stat. 700, 42 U.S.C.A. 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards and which meets the following requirements for a permanently sited manufactured home:

1. The structure is affixed to a permanent foundation and is connected to appropriate facilities. “Permanent foundation” means permanent masonry, concrete, or a locally approved footing or foundation, to which a manufactured or mobile home may be affixed;
2. The structure, excluding any addition, has a width of at least twenty-two feet at one point, a length of at least twenty-two feet at one point, and a total living area, excluding garages, porches, or attachments, of at least nine hundred square feet subject to other minimum dwelling size standards applicable to the district.
3. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
4. The structure was manufactured after January 1, 1995;
5. The structure is not located in a manufactured home park as defined by Section 3733.01 of the Ohio Revised Code.

C. MOBILE HOME

A movable dwelling for occupancy on land made of one or more units, and having minimum width of ten feet, minimum area of four hundred square feet, and year-round living facilities for one family, including permanent provision for cooking, eating, sleeping, and sanitation.

D. MODULAR HOME

A detached, componentized, factory assembled, dwelling unit or units, designed for initial, one-time transportation over highways, for installation on a permanent foundation when arriving at the site; requiring only the assembly of units and the connection of mechanical subsystems (i.e., plumbing, sewer, electrical and fuel supply). The state certification must be presented with the application. A modular home shall be considered real property.

E. MULTI-FAMILY

A building consisting of three or more dwelling units, including condominiums with varying arrangements or entrances and party walls. Each dwelling unit shall be considered the residence of a single household, which may vary from building to building in ownership and possession rights and physical features.

F. SEMI-DETACHED

A building containing two attached dwelling units that share a common wall at the lot line and that are on separate lots (includes Townhouses, Condominiums, Patio Homes, etc.).

G. SINGLE-FAMILY

A building consisting of a single dwelling unit only, separated from other dwelling units by open spaces.

H. TOWNHOUSE

A single-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more vertical common fire-resistant walls.

I. TWO-FAMILY

A building consisting of two, and no more than two single-family dwelling units, which may be either attached side by side or one above the other, and each unit having either a separate or combined entrance or entrances.

J. ATTACHED

Two or more dwelling units within a structure.

EASEMENT

Authorization by a property owner for the use by another, and for a specified purpose, of any designated part of his real property.

EDUCATIONAL INSTITUTION

A public or private facility that provides a curriculum of elementary or secondary academic instruction, including kindergartens, elementary schools, junior high schools, high schools, technical and collegiate level courses.

ESCORT AGENCY

A person or business association that, for any form of consideration, furnishes, or offers to furnish an escort(s), guide(s), date(s), or companion(s) for another person.

FAMILY

A person living alone or two or more persons not necessarily related by blood, marriage, adoption or guardianship, living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability.

FENCE

A man-made yard structure, other than a building, used for decorative purposes or to form a barrier to light, sound, wind, snow, animals, vehicles, or pedestrians and is constructed of customary building materials.

FINANCIAL INSTITUTION

Any building, property or activity of which the principal use or purpose of which is the provision of financial services including, but not limited to banks, facilities for automatic teller machines (ATM's), credit unions, savings and loan institutions and mortgage companies.

FLEA MARKET

An occasional or periodic market held on weekends or holidays located within an enclosed building or structure where groups of individual sellers offer goods, new or used, for sale to the public, not to include private garage or yard sales.

FLOOR AREA OF A NON-RESIDENTIAL BUILDING

The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows and fitting rooms and similar areas.

FLOOR AREA, USABLE

Measurement of the usable floor area shall be the sum of the horizontal area of the floor(s) of the dwelling unit or building measured from the interior faces of the exterior walls. In the case of residential dwelling units, this area shall exclude basement floor area.

GROSS FLOOR AREAS

The total floor area used for the main and accessory activities and storage area of the building served.

NET FLOOR AREA

The total floor area of a building, excluding stairwells, elevator shafts, equipment and mechanical rooms, and all floors below the first or ground floor, except when used or intended to be used for service to the public.

GARAGE, PRIVATE

A detached accessory building or portion of a principal building used for the parking or temporary storage of automobiles, travel trailers and/or boats of the occupants of the premises. The design of the building shall include doors or openings of no less than 8 feet in width for vehicle access. An attached or detached carport shall be included in this definition.

GARAGE, PUBLIC

A principal or accessory building other than a private garage, used for the parking or temporary storage of passenger automobiles, and in which no service shall be provided for recuperation.

GARDEN CENTER

A place of business where retail and wholesale products and produce are sold to the consumer. These centers, which may include a nursery and/or greenhouses, import most of the items sold, and may include plants, nursery products and stock, potting soil, hardware, power equipment and machinery, hoes, rakes, shovels, and other garden and farm variety tools and utensils.

GOLF COURSE

A tract of land laid out for at least nine holes for playing the game of golf and improved with tees, greens, fairways and hazards and may include a clubhouse and shelter.

GOVERNMENT BUILDING

A structure or portion of a structure owned, operated or controlled by a government agency for the performance of certain specialized governmental activities required for its day-to-day functions.

GRAVEL PITS AND QUARRIES

An open land area where sand, gravel, stone or rock fragments are mined or excavated for sale or off tract use.

GROWTH MANAGEMENT PLAN

A plan or any portion thereof adopted by the legislative authority of the Township of Batavia of Clermont County, Ohio, showing the general location and extent of present and proposed physical facilities including housing, industrial and commercial uses, major streets, parks, schools, and other community facilities. The plan establishes the goals, objectives and policies of the community and may also be referred to as the Batavia Township Land Use Plan or Comprehensive Plan.

HEDGE

A row of shrubs or bushes, whose intended purpose either at planting or maturity is to form a barrier to light, sound, wind, snow, animals, vehicles, and pedestrians.

HIGHWAY DIRECTOR

The director of the Ohio Department of Transportation.

HOME OCCUPATION

Any occupation, profession, use or activity which is customarily incidental to the principal residential use of the premises and is conducted by a resident occupant which does not alter the exterior of the property or affect the residential character of the neighborhood, and shall not serve as a gathering point for employees engaged in the business that takes place off the premises.

HOSPITAL

An institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices that are an integral part of the facilities.

HOTEL OR MOTEL

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

IMPERVIOUS SURFACE

Any material that prevents the absorption of storm water into the ground.

IMPERVIOUS SURFACE RATIO

(I.S.R.) A ratio derived by dividing the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of storm water by the total horizontal area of the lot. Impervious surfaces include, but are not limited to, roofs, streets, sidewalks, and parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay.

INCIDENTAL

An object or use necessarily found in connection with the principal structure or use, but subordinate and secondary thereto.

INSTITUTION

Building and/or land designed to aid individuals in need of mental, therapeutic, rehabilitative, counseling or other correctional services.

INTERNET CAFÉ

A place which 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 SWEEPSTAKES ESTABLISHMENT

An establishment that promotes the sale of prepaid internet time cards, phone cards or similar devise to retail customers in varying amounts for use at its business location which entitle each cardholder to participate in sweepstakes. The sweepstakes system allows 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.

JUNK BUILDINGS, JUNK SHOPS, JUNK YARDS AND SALVAGE YARDS

Any land, property, structure, building or combination of the same on which junk is stored or processed. Located either within an enclosed building or in the open, where discarded or inoperable vehicles, appliances, building materials, tires and other such material are collected, dismantled, stored and sold to be used as parts or for salvage. This term includes buildings or yards for the collection, sorting or processing of scrap metal.

JUNK

Disabled, dismantled or inoperative machinery, vehicle or equipment, vehicle or machinery parts, rags or any other discarded objects or debris as defined in the Ohio Revised Code.

KENNEL

Any lot or premises on which five (5) or more domesticated animals, more than four (4) months of age are housed, groomed, bred, boarded, trained or sold or which offers provisions for minor medical treatments.

LANDSCAPE CONTRACTOR

See Construction Services.

LEGAL COUNSEL

Clermont County Prosecutor’s Office or hired legal consultant and/or firm.

LIVESTOCK

Any hoofed mammal, including but not limited to horses, cattle, sheep, swine, goats, bison, llamas and other species typically raised for food, fiber or draft. “Livestock” also includes domestic fowl and game birds.

LOADING SPACE, OFF-STREET

Space logically and conveniently located for the bulk pick up and deliveries scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required off-street loading space is not to be included as off-street parking space in computation of required off-street parking spaces. All off-street loading spaces shall be located totally outside of any street or alley right-of-way and may be located within the facility they serve if appropriate access is provided.

LOCATION MAP

See Vicinity Map.

LOT

A designated parcel, tract, or area of land established by plat, subdivision or as otherwise permitted by law, to be separately owned, used, developed or built upon.

A. MINIMUM AREA

The smallest lot area established by the Zoning Resolution on which a use or structure may be located in a particular district.

LOT COVERAGE

The ratio of the enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

LOT FRONTAGE

The front of a lot shall be construed to be the portion nearest the street. For the purpose of determining yard requirements on corner lots and through lots, all sides of a lot adjacent to a street shall be considered frontage, and yards shall be provided for as indicated under “Yards” in this Resolution. Lot frontage requirements shall not apply to properties over five (5) acres in size where an easement is used for access.

LOT LINE

The boundary of a lot separating it from adjoining public, common, or private land, including a public street.

A. FRONT

The lot line separating an interior lot from the street upon which it abuts; or the lot line of a corner lot upon which the building fronts.

B. REAR

A lot line parallel or within 45 degrees of being parallel to, and most distant from, the front lot line.

C. SIDE

A lot line which is neither a front nor rear lot line.

LOT MEASUREMENTS

A lot shall be measured as follows:

A. Depth of a lot shall be considered to be the horizontal distance between the front and rear lot lines.
B. Width of a lot shall be considered to be the horizontal distance between the side lot lines, measured at the building setback line.

LOT OF RECORD

A lot which is part of a subdivision recorded in the office of the County Recorder, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

LOT TYPES

Terminology used in this Resolution with reference to corner lots, interior lots and through lots is as follows:

A. CORNER LOT

Is a lot located at the intersection of two or more intersecting streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines, drawn from the foremost points of the side lot lines to the foremost points of the lot meet at an interior angle of less than 135 degrees.

B. INTERIOR LOT

Is a lot other than a corner lot with only one frontage on a street.

C. THROUGH LOT

Is a lot other than a corner lot with frontage on more than one street. Through lots abutting two streets may be referred to as a double frontage lot.

D. REVERSED FRONTAGE LOT

Is a lot on which frontage is at right angles to the general pattern in the area. A reversed frontage lot may also be a corner lot.

MAINTENANCE AND STORAGE FACILITY

Land, buildings, and structures devoted primarily to the maintenance and storage of construction equipment and materials for use on the property where they are stored.

MANUFACTURING

The process of making, assembling, adding value added improvements or fabricating raw materials by hand, machinery or the combination thereof into finished or semi-finished parts or products.

MANUFACTURED HOME

See Dwelling, Manufactured Home.

MANUFACTURING, LIGHT

A use engaged in the processing and manufacturing of materials and products predominately from previously prepared materials, of finished products or parts, including processing, fabricating, assembly, treatment, packaging, incidental storage, sales and distribution of such products which would not generate objectionable or hazardous elements such as smoke, odor, vibration, water pollution or dust.

MANUFACTURING, HEAVY

A use engaged in the processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions which would generate objectionable or hazardous elements such as: heat, smoke, odor, vibration, water pollution, electromagnetic disturbances, radiation or dust.

MASSAGE

A method of treating or stimulating the external parts of the human body by rubbing, stroking, kneading, tapping, touching or vibrating with the hand or any instruments for pay.

MASSAGE ESTABLISHMENT

Any establishment having a fixed place of business where massages are administered for pay. This definition shall not be construed to include a hospital, nursing home, medical clinic, or the office of a physician, surgeon, chiropractor, osteopath, or therapist duly licensed by the State of Ohio, nor barber shops or beauty salons in which massages are administered only to the scalp, the face, the neck, or the shoulder, or recreation centers and sports complexes.

MEDICAL AND DENTAL LABORATORIES

An establishment or other facility for carrying on investigation and/or testing in the medical or dental fields.

Megawatt

A unit used to measure power, equal to one million watts.

MOBILE HOME

See Dwelling, Mobile Home.

MOBILE HOME PARK

Any site or tract of land under single ownership, upon which three or more mobile homes used for habitation are parked, either free of charge or for revenue purposes, including any roadway, building, structure, vehicle or enclosure used or intended for use as a part of the facilities of such park.

MOBILE HOME SUBDIVISION

A subdivision designed and intended for residential use where residence is in Mobile Homes exclusively.

MODULAR HOMES

See Dwelling, Modular Homes.

MOTOR HOME

A self-propelled recreational vehicle constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

NONCONFORMING USE

A building, structure or use of land existing at the time of enactment of this Resolution, and which does not conform to the regulations of the District or Zone in which it is situated.

NUDE MODEL STUDIO

Any place where a person, who regularly appears in a state of nudity, semi-nudity, is provided for money or any other form of consideration to be observed, sketched, drawn, painted, sculpted, photographed, or similarly depicted by other persons A modeling class or studio is not a nude or semi-nude model studio and is not subject to this chapter if it is operated in any of the following ways: (i) By a college or university supported entirely or partly by taxation; (ii) By a private college or university that maintains and operates educational programs, the credits for which are transferable to a college or university supported entirely or partly by taxation; (iii) In a structure that has no sign visible from the exterior of the structure and no other advertising indicating that a person appearing in a state of nudity or semi-nudity is available for viewing, if in order to participate in a class in the structure, a student must enroll at least three days in advance of the class and if not more than one nude or seminude model is on the premises at any one time.

NURSERY, PLANT

Land, building, structure or combination thereof for the storage, cultivation, transplanting of live trees, shrubs or plants offered for retail or wholesale on the premises, and may include accessory products used for gardening or landscaping.

NURSING HOME

See Convalescent Care Facility.

OFFICE

A building or portion of a building wherein services are performed involving predominately administrative, professional, consultative, or clerical operations, that may include ancillary services for office workers.

OFFICE, MEDICAL OR DENTAL

An office, clinic or facility operated by medical professionals such as medical practitioners, chiropractors or dentists, used for the care, diagnosis or treatment of sick, ailing, infirm, or injured persons and those who are in need of medical, dental or outpatient surgical attention but who are not provided with room or board or kept overnight on the premises.

OPEN SPACE

An area open to the sky which may be on the same lot with a building. The area may include, along with the natural environmental features, swimming pools, tennis courts and other recreational facilities. Streets, structures for habitation, and the like shall not be permitted in any required or designated open space.

OUTDOOR DISPLAY

An outdoor arrangement of objects, items, products, or other material, typically not in a fixed position and capable of rearrangement, designed and used for the purpose of advertising or identifying a business, product or services for sale.

OUTDOOR STORAGE

The keeping of goods, materials, or equipment in a location not enclosed by walls and a roof.

OUTDOOR STOVE/FURNACE

A freestanding outdoor unit that provides heat and/or hot water to buildings, swimming pools or hot tubs, through the heating of water by burning seasoned wood, wood pellets or corn with the hot water being circulated to and from the home or commercial building through underground, insulated piping. These units are also classified as hydronic heaters.

OWNER

An individual firm, association, syndicate, partnership or corporation having sufficient proprietary interest to seek development of land.

PARCEL

See Lot.

PNG SPACE, OFF-STREE

An area adequate for parking an automobile with room for opening doors on both sides, together with properly related access to a public street or alley and maneuvering room, but located totally outside of any street or alley right-of-way.

PARKING AREA" OR "PARKING LOT

An area of ground upon a lot covered with a cementitious or asphaltic surface and used for the parking of vehicles.

PERFORMANCE STANDARD

A criterion established to control the dust, effluent, smoke, fire and explosive hazards, glare, heat, noise, odor, toxic and noxious matter, vibrations, and other conditions created by, or inherent in uses of land or buildings.

PERSON

An individual, firm, partnership, association, joint venture, corporation, trust, or any other legal entity, including his, her or its agents.

PERSONAL SERVICES

Any commercial enterprise catering to the personal needs of a customer, such as, but not limited to those services provided by a barber, beautician, photographer, fitness trainer, seamstress or tailor, or at tattooing and piercing parlors or health and fitness facilities, and including limited sales of products associated with such services.

PLANNED UNIT DEVELOPMENT (PUD)

An area of land, in which a variety of housing types and commercial uses may be accommodated in a preplanned unified environment under more flexible standards, than those restrictions that would normally apply under standard zoning district guidelines, such as variable lot sizes, setbacks and density requirements. The procedure for approval of such development includes detailed submittals and requirements in addition to those of the standard subdivision, such as building design principles and landscaping plans.

PLANNING COMMISSION

The Planning Commission of Clermont County.

PLAT

A map of a lot, parcel, subdivision, or development area on which the lines of each element are shown by accurate distances and bearings.

PRINCIPAL USE

The primary purpose or function that a lot serves or is proposed to serve.

PROCESSORS

A person(s), machine or company which treats, prepares or handles a product.

PROFESSIONAL SERVICES

The use of offices and related spaces for such professional services as are provided by medical practitioners, lawyers, architects, engineers and similar professions.

PUBLIC SERVICE FACILITY

The erection, construction, alteration, operation, or maintenance of buildings, power plants, or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electric, gas, rail, transport, communication, public water and sewage services.

PUBLIC USES

Public parks, schools, and administrative and cultural buildings and structures, not including public land or buildings devoted solely to the storage and maintenance of equipment and materials and public service facilities.

PUBLIC WAY

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

RECREATION, COMMERCIAL

Any land or facility operated as a business and which is open to the general public for a fee that shall include, but not be limited to: roller blade rental, billiard parlors, video amusement arcades, pay-to-play athletic fields, ice skating rinks, tennis courts, swimming pools, fishing pay lakes, paint ball facilities, canoe liveries, etc.

RECREATION, NON-COMMERCIAL

Any land or facility operated by a governmental agency or non-profit organization and is open to the general public or members of the non-profit organization without a facility or entrance fee that shall include, but not be limited to: picnic areas, bike/hike trails, riding stables, and athletic fields.

RECREATIONAL FACILITIES

Public or private facilities that may be classified as either “extensive” or “intensive” depending upon the scope of services offered and the extent of use. Extensive facilities generally require and utilize considerable areas of land and include, but need not be limited to, hunting, fishing and riding clubs and parks. Intensive facilities generally require less land (used more intensively) and include, but need not be limited to: miniature golf courses, amusement parks, stadiums, tennis courts, health and fitness facilities and bowling alleys.

RECREATIONAL VEHICLE PARK

A parcel of land upon which two or more recreational vehicle sites are located, established or maintained for occupancy by recreational vehicles of the general public as temporary living quarters for recreation or vacation purposes.

RECREATIONAL VEHICLE SITE

A plot of ground within a recreational vehicle park intended for the accommodation of either a recreational vehicle, tent or other individual camping unit on a temporary basis.

RECREATIONAL VEHICLE STORAGE FACILITY

A business devoted primarily to seasonal or year round outdoor storage of recreational vehicles, including boats, campers and other items related to recreational use.

RECYCLING CENTER

An operation, potentially located within a fully enclosed building, utilized for the collection, initial processing and resale of: aluminum, glass, paper, plastics and other used materials.

RELIGIOUS PLACES OF WORSHIP

An institution that a congregation of people regularly attend to participate in or hold religious services, meetings and other activities, including buildings in which the religious services of any denomination are held.

RESEARCH AND DEVELOPMENT LABORATORIES

An establishment in which scientific research, investigation, testing or experimentation is conducted, but not including the manufacturing or sale of products, except as incidental and accessory to the main purpose of the laboratory.

RESIDENTIAL FACILITY, SMALL

A home or facility, as defined and regulated in Section 5123.19 of the ORC, in which a mentally retarded or developmentally disabled person resides, except the home of a relative or legal guardian in which a mentally retarded or developmentally disabled person resides, a respite care home certified under Section 5126.05 of the Ohio Revised Code, a county home or district home operated pursuant to Chapter 5155 of the Ohio Revised Code, or a dwelling in which the only mentally retarded or developmentally disabled residents are in an independent living arrangement or are being provided supported living. Residential Facility, Small shall mean a residential facility where there is supervision in a family setting of 6 to 8 persons.

REST HOME

See Convalescent Care Facility.

RESTAURANT

An establishment with or without table service whose principal business is the selling of unpackaged food and beverages to the customer in a ready to consume state, in individual servings or in non disposable containers.

RESTAURANT, FAST FOOD

An establishment whose principal business is the sale of prepared or rapidly prepared food, in disposable containers, with or without table service, directly to the consumer in a ready-to-consume state.

RIGHT-OF-WAY

A strip of land taken or dedicated for use as a public way. In addition to the roadway, it normally incorporates the curb, lawn strips, sidewalks, lighting, and drainage facilities and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges. The right-of-way of any street, except as specified in the Official Highway Plan for Clermont County, Ohio, shall be deemed to be 50 feet in width.

ROADSIDE STAND

A temporary structure designed or used for the display or sale of agriculturally related products where fifty percent or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the stand operator in a normal crop year.

SCADA Tower

A freestanding tower containing instrumentation that is designed to provide present moment wind data for use by the supervisory control and data acquisition (SCADA) system.

SEAT

For the purposes of determining the number of off-street parking spaces for certain uses, the number of seats is the number of seating units installed or indicated, or each twenty-four (24) lineal inches of benches, pews, or space for loose chairs.

SEATING CAPACITY

The maximum seating capacity of the building as determined by the Ohio Building Code.

SECONDARY DWELLING UNIT

An additional dwelling unit, attached to a single-family dwelling, for residential purposes for related family members which is clearly subordinate to the primary unit.

SELF-SERVICE STORAGE FACILITY

A structure containing separate, individual and private storage spaces of varying sizes that are owned, leased or rented, for varying periods of time, for the storage of customer's goods or wares.

SETBACK LINE

The required minimum horizontal distance between the building line and the related front, side or rear property line in which no building, other than an accessory building or structure, may be located above ground.

SEWERS, CENTRAL OR GROUP

An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for single development, community or region.

SEWERS, ON-SITE

A septic tank or similar installation on an individual lot which utilizes an aerobic bacteriological process or equally satisfactory process for the elimination of sewage and provides for the proper and safe disposal of the effluent, subject to the approval of health and sanitation officials having jurisdiction.

SEXUAL DEVICE SHOP

A commercial establishment that regularly features sexual devices, but not including any pharmacy, drug store, medical clinic, or establishment primarily dedicated to providing medical or healthcare products or services, and not including any commercial establishment that does not restrict access to its premises by reason of age.

SEXUAL ENCOUNTER CENTER

A business or commercial enterprise that, as one of its principal business purposes, purports to offer for any form of consideration physical contact in the form of wrestling or tumbling between individuals of the opposite sex when one or more of the individuals is nude or semi-nude.

SEXUAL ENCOUNTER ESTABLISHMENT

A business or commercial establishment, that as one of its primary business purposes, offers for any form of consideration, a place where two or more persons congregate, associate or consort, for the purpose of specified sexual activities, or the exposure of specified anatomical areas, or activities when one or more of the persons is in a state of nudity or semi-nude (not including an establishment where a medical practitioner, psychologist, psychiatrist or similar person licensed in the State of Ohio, engages in medically approved and recognized sexual therapy).

Shadow Flicker

The effect caused by the sun's casting shadows from moving wind turbine blades.

SHALL

Imposes a mandatory requirement or restriction.

SHOPPING CENTER

A grouping of retail and service uses on a single site that is developed, owned and managed as a unit with off-street parking as an integral part of that unit.

SHOULD

Expresses that the application of such criteria, standard, or course of conduct is desired and essential unless commensurate criteria or standards are permitted or achieved.

SIDEWALK

That portion of the road right-of-way outside of the roadway, which is improved for the use of pedestrian traffic and therefore must be maintained in a manner that does not impede such traffic flow.

SIGN

Any surface, fabric, device, or display which bears lettered, pictured, or sculptured matter, including forms shaped to resemble any human, animal, or product, designed to convey information visually and which is exposed to public view. The term sign shall include all structural members. A sign shall be construed to be a display surface or device containing organized and related elements composed to form a single unit. In cases where matter is displayed in a random or unconnected manner without organized relationship of the components, each such component shall be considered a single sign.

A. ABANDONED

A sign, the use for which it represents, has been discontinued for any period of time.

B. AREA

See Article 8.

C. BANNER

Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations, or ornamentations applied to paper, plaster or fabric of any kind. National flags of political subdivisions, and symbolic flags of any institution or business shall not be considered banners.

D. BILLBOARD

A nonpoint-of-sale sign which advertises a business, organization, event, person, place or thing unless such sign is more specifically defined herein.

E. CANOPY

A sign attached to the soffit or fascia of a canopy, of a covered entrance or walkway, or to a permanent awning or marquee.

F. CHANGEABLE COPY

A sign designated so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign. This shall also include the changing of copy on billboards. Changeable copy shall include copy that is changed mechanically, electronically or manually.

G. CONSTRUCTION

Any sign giving the project name, architect or engineer, contractor, lending institutions, materials supplier, or others engaged in work on the construction site on which the sign is located.

H. DIRECTIONAL

A non-commercial sign of an instructional nature, such as “parking”, “exit”, or “entrance”, displayed solely for the convenience of the public. No more than twenty-five (25%) of such sign shall be devoted to the name or logo of the property, business, or profession on the site and containing no business advertising, product trade name identification, or listing of any product sold or offered on or off the premises.

I. ELECTRONIC MESSAGE

A sign whose alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments.

J. FREESTANDING

Any sign which is supported by structures or supports in or upon the ground and independent of support from any building not to include portable or mobile signs.

K. GROUND-MOUNTED

A sign supported by direct contact with the ground, a permanent base, or rests upon one or more posts or supports that are no more than 4 feet high.

L. ILLUMINATED

Any sign illuminated in any manner by an artificial light source.

M. MOBILE OR PORTABLE

A sign which is affixed to a frame having wheels or capable of being carried, or otherwise portable, which does not have a permanent foundation and cannot withstand the stress and wind loads of the building code and designed to stand free from a building or structure. Signs designed to be affixed to the surface of real estate shall be deemed freestanding signs and not mobile signs, but the mere removal of wheels or temporary securing of a sign to the surface of real estate shall not prevent its being a mobile sign.

N. MARQUEE

Any sign attached to and made part of a marquee. A marquee is defined as a permanent roof-like structure projecting beyond a building wall at an entrance to a building or extending along and projecting beyond the building wall and generally designed and constructed to provide protection against the weather.

O. OFF PREMISE

A sign that advertises goods, products, services, or facilities or diverts persons to a different location from where the sign is installed.

P. PREMISE

A sign identifying or advertising a business, person, activity, goods, products or services located on the premise where the sign is installed and maintained.

POLE

A sign which is supported by a pole or poles and designed to permit pedestrian or vehicular traffic thereunder.

Q. POLITICAL

A sign advocating action on a public issue or indicating a candidate for public office.

R. PROJECTING

A sign, other than a wall sign, affixed to any building or wall whose leading edge extends beyond such building or wall.

S. REAL ESTATE

A sign which is used to offer for sale, rental, or lease of the premises or part of the premises on which the sign is placed.

T. ROOF

Any sign erected or constructed wholly upon and over the roof of any building and supported solely on the roof structure.

U. SNIPE

Any sign of any material whatsoever that is attached in any way to a utility pole, tree or any object located or situated on a public or private property.

V. TEMPORARY

A sign or searchlight of any type, including banners and pennants, to announce special events or sales, to announce the sale, lease, or rental of property, designed for use for a limited period of time.

W. WALL

A sign painted on or attached to and erected parallel to the face of, or erected and confined within the limits of the outside wall of, any building and supported by such wall or building and which displays only one advertising surface.

X. WINDOW

A sign painted, attached, or affixed inside or upon a window or doors of a building, facing the outside, or any sign placed, hung, or affixed on the inside of a premises which is intended to be seen from the exterior of the building.

SMALL WIND ENERGY CONSERVATION SYSTEM

An engine or motor having a drive shaft driven by the impulse air to create power for the site where such system is located. For the purposes of this zoning resolution, a small wind energy conservation system is one that creates under 100 Kilowatts of power.

SOLAR PANEL

A single photovoltaic panel or a group of photovoltaic panels that convert solar energy to electricity.

SPECIFIED ANATOMICAL AREAS

Anatomical areas that include human genitals, pubic region, or buttocks or human female breast below a point immediately above the top of the areola.

SPECIFIED SEXUAL ACTIVITIES

Real or simulated sexual intercourse, oral copulation, masturbation, or sodomy, or excretory functions as a part of, or in connection with, any of these activities.

STABLE

A structure for the keeping of livestock such as: horses, ponies, goats or cows.

STORY

That part of a building, other than a basement as defined herein, included between the finished floor and the finished floor next above, or, if no floor above, the space between the floor and the ceiling immediately above.

STORAGE OR UTILITY SHED

An accessory structure devoted to the storage of household items, including lawn equipment, pool equipment, and similar domestic type belongings. The structure, by size and design, is not intended for the storage of automobiles, travel trailers and other such vehicles. If the structure is 25 square feet or less, it shall be classified as a utility shed.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground, or attachment of something having a fixed location on the ground. Among other things, structures include buildings, mobile homes, walls, fences and billboards.

STRUCTURE, ACCESSORY

A subordinate structure detached from the main building on the same lot, or on an adjoining lot of common ownership, the use of which is incidental and accessory to that of the main building or principal use.

SUPPLY YARDS

A commercial establishment storing and offering for sale building supplies, steel supplies, coal, heavy equipment, feed and grain, and similar goods.

SURFACE MINES

See gravel pits and quarries.

SWIMMING POOL, PRIVATE

Any indoor or outdoor structure, chamber or tank containing a body of water for swimming, diving, or bathing located at a dwelling housing no more than three families and used exclusively by the residents and their nonpaying guests.

SWIMMING POOL, PUBLIC

Any indoor or outdoor structure, chamber or tank containing a body of water for swimming, diving, or bathing that is intended to be used collectively for swimming, diving or bathing and is operated by any person whether as the owner, lessee, operator, licensee, or concessionaire, regardless of whether or not fee is charged for use, but does not mean any private swimming pool or impounding reservoir, basin, lake, pond, creek, river, or other similar natural body of water.

TAVERN

An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where food is available for consumption on the premises.

TELECOMMUNICATION TOWER

Any structure or device, including accessory structures, used to receive or transmit electromagnetic waves between cellular phones, pagers, and ground wired communications systems including both directional antennas, such as panels, microwave dishes and satellite dishes, and omni-directional antennas such as whips and other equipment utilized to serve personal communication services or other structures that meets all of the criteria as established in the Ohio Revised Code, Section 519.211(B).

TELECOMMUNICATIONS TOWER, HEIGHT.

The height from the base of the structure to its top; including any antenna located thereon.

THROUGH LOTS

See Lot Types.

TOWNSHIP BOARD OF ZONING APPEALS

The Board of Zoning Appeals for Williamsburg Township.

TOWNSHIP BOARD OF TRUSTEES

The Williamsburg Township Board of Trustees.

TOWNSHIP FISCAL OFFICER

The person(s) responsible for maintaining the “official” text of this Williamsburg Township Zoning Resolution as established herein.

TOWNSHIP ZONING ADMINISTRATOR

The person(s) responsible for administering the regulations of the Williamsburg Township Zoning Resolution as established herein.

TOWNSHIP ZONING COMMISSION

The Zoning Commission of Williamsburg Township.

TOWNSHIP ZONING INSPECTOR

The Zoning Inspector of Willaimsburg Township.

TRAILER

Any vehicle without motor power designed or used for carrying property or persons wholly on its own structure and for being drawn by a motor vehicle, and includes any such vehicle when formed by or operated as a combination of a semitrailer and a vehicle of the dolly type such as that commonly known as a trailer dolly, and a vehicle used to transport agricultural produce or agricultural production materials between a local place of storage or supply and the farm when drawn or towed on a public road or highway at a speed greater than 25 miles per hour, except a house trailer and travel trailer.

TRAVEL TRAILER

A non-self-propelled recreational vehicle not exceeding an overall length of 35 feet, exclusive of bumper and tongue or coupling, and includes tent type fold out camping trailer.

TRUCK CAMPER

A non-self-propelled recreational vehicle, without wheels for road use, and designed to be placed upon and attached to a motor vehicle. Truck camper does not include truck covers which consist of walls and roof but do not have floors and facilities for using same as a dwelling.

USE

The specific purpose for which land or a building is designated, arranged, intended, or for which it is or may be occupied or maintained.

A. ACCESSORY

A use located on the same zoning lot or adjacent lot of common ownership with the main building, other structure, or land, which is subordinate and related to that of the main building or principal use.

B. CONDITIONAL

A use that owing to some special characteristics, may be permitted in a district but only after approval of the Board of Zoning Appeals, and may be subject to special requirements or conditions to ensure that the use and operation will not be detrimental to the public health, safety or general welfare of the Township.

B. PRINCIPAL

A use which is permitted, as of right, in a district for which a Zoning Certificate shall be issued by the Zoning Administrator, provided that the applicant meets the applicable requirements of this Code.

C. TEMPORARY

A use established for a fixed period of time with the intent that such use will terminate upon expiration of the fixed time period unless permission to conduct the use is renewed.

Utility Grid Solar Energy System (UGSES)

Is designed and built to commercially provide electricity to the electric utility grid.

Utility Grid Solar Energy System

A Utility Grid Solar Energy System is defined as an energy generation facility or area of land principally used to convert solar energy to electricity for resale at a profit.

Utility Grid Wind Energy System

A Utility Grid Wind Energy System is defined as an energy generation facility primarily consisting of Wind Turbines principally used to convert wind energy to electricity for resale at a profit.

VARIANCE

A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

VEHICLE, COMMERCIAL

Any vehicle used or designed to be used for business or commercial purposes that includes, but is not necessarily limited to: a bus, cement truck, commercial tree trimming equipment, construction equipment, dump truck, garbage truck, panel truck, semi-tractor, semi-trailer, step van, tank truck, tar truck or other commercial type vehicle licensed by the state as a commercial vehicle or truck.

VEHICLE, RECREATIONAL

A vehicular portable structure designed and constructed to be primarily used as a temporary dwelling for travel, recreational, and vacation uses including but not limited to the following:

VETERINARY HOSPITAL OR CLINIC

A place used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals, and those who are in need of medical or surgical attention and may include overnight accommodations on the premises for treatment, observation and/or recuperation. This facility may also provide relevant services related to the daily care and wellbeing of healthy animals. If accessory services include a boarding kennel with outdoor runs, additional setback requirements will apply.

VICINITY MAP

A drawing located on the plat which sets forth by dimensions or other means, the relationship of the proposed subdivision or use to other nearby developments or landmarks and community facilities and services within Clermont County in order to better locate and orient the area in question.

WALKWAY

A dedicated public way, four (4) feet or more in width, for pedestrian use only, whether or not along the side of a road.

WAREHOUSE

A building used primarily for the storage of goods and materials.

Wetlands

Lands on which water covers the soil or is present either at or near the surface of the soil or within the root zone, all year or for varying periods of time during the year, including during the growing season.

WHOLESALE BUSINESS

Establishments or places of business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutions, or professional business users; to other wholesalers; or acting as agents or brokers and buying merchandise for, or selling merchandise to, such individuals or companies.

Wind Access Buffer

The distance from adjacent landowners' properties to the nearest wind turbine generator. In a Utility Grid Wind Energy System, this term also applies to the distance between any two or more wind turbine generators.

Wind Energy Conversion Systems

Wind Turbines and associated facilities for generating electric power from wind with an interconnection to the common electrical grid, or an on-site single building, or a series of buildings.

YARD

A required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure from the general ground level of the graded lot upward; provided, accessories, ornaments, and furniture may be permitted in any yard, subject to height limitations and requirements limiting obstruction of visibility.

A. FRONT

A yard extending between side lot lines across the front of a lot and from the front lot line to the front of the principal building.

B. REAR

A yard extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.

C. SIDE

A yard extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.

D. REQUIRED

The minimum yard required between a lot line and building line or the line of any parking area or any other use requiring a yard in order to comply with the zoning regulations of the district in which the lot is located. A required yard shall be opened and unobstructed from the ground upward except for projections on buildings as permitted in this code, and except for walks and landscaping and other permitted yard or site features.

ZONING ADMINISTRATOR

See Township Zoning Administrator.

ZONING CERTIFICATE

A document, also known as a Zoning Permit, issued by the Zoning Department authorizing the use of lots, structures, uses of land and structures, and the characteristics of those uses.

ZONING COMMISSION

See Township Zoning Commission.

ZONING INSPECTOR

See Township Zoning Inspector.