West Chester
OHIO

ZONING RESOLUTION

2025

West Chester Township
Butler County, Ohio
Effective May 8, 2025

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ZONING CODE ICONS

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LIST OF REVISIONS

Resolution #	Date Passed	Revision Summary

1. GENERAL PROVISIONS

1.01. Purpose

This Resolution is enacted for the purpose of promoting the public health, safety, morals, comfort, and general welfare; to conserve and protect property values; to preserve the property rights of citizens while creating a business-friendly environment; and to secure the most adequate and economical provisions for public improvement. This shall be done in accordance with the Township's adopted Comprehensive Master Plan, Zoning Map, and additional plans, documents, and records of West Chester Township that depict the desired future development of the Township. The Zoning Resolution shall provide a method of administration and shall prescribe penalties for the violations of the provisions hereafter described. The Resolution is authorized by the provisions of Chapter 519 and the sections thereto of the Ohio Revised Code.

1.02. Title

This Resolution shall be known and be cited and referred to as the "West Chester Township, Butler County, Zoning Resolution", "Zoning Resolution", or "Resolution".

1.03. Effective Date

A. This Resolution shall be in full force and effect from and after the earliest period allowed by law. Adopted April 8, 2025 and effective May 8, 2025, Resolution 05-2025, West Chester Township Board of Trustees, Butler County, Ohio.

B. Nothing contained in this Resolution shall require any change in the plans, constructions, size, or designated use of a building, for which a valid permit has been issued or lawfully approved before the effective date of this Resolution; provided, however, construction under such permit or approval be started within six months and the entire building complete within two years after the effective date of this Resolution.

1.04. Enforcement

It shall be the duty of the West Chester Township Administrator or their designee to enforce this Resolution.

1.05. Interpretation

A. In their interpretation and application, the provision of this Resolution shall be held to be minimum requirements for the promotion of the public health, safety, morals, comfort, and general welfare.

B. Where this Resolution imposes a greater restriction than is imposed or required by other provisions of law or by other rules, regulations, or Resolution, the provisions of this Resolution shall control.

1.06. Severability

If any section, subsection, sentence, clause, or phrase of this Resolution is for any reason adjudged to be unconstitutional or invalid by a court of competent jurisdiction, the remainder shall not be affected thereby. All Resolutions or parts of Resolutions of West Chester Township, in conflict with any regulations, provisions, amendment, or supplement of this Resolution, are to the extent of such conflict hereby repealed.

1.07. Transition Rules

A. Violations. Any violation that existed at the time this Resolution became effective shall continue to be a violation under this code and is subject to the penalties and enforcement under Section 11.07, unless the use, development, construction, or any other activity complies with the provisions of this code.

B. Nonconformities. Any legal nonconformity that existed at the time this Resolution became effective shall continue to be a legal nonconformity under this Resolution, if the situation that resulted in the nonconforming status under the previous Resolution continues to exist.

1.08. Use of Graphics, Illustrations, Figures, and Cross-References

A. Graphics, illustrations, and figures are provided for illustrative purposes only and shall not be construed as regulations. Where a conflict may occur between the text and the graphic, illustration, or figure, the text shall control.

B. In some instances, cross-references between sections and subsections are provided that include the section or subsection number along with the name of the reference. Where a conflict may occur between the given cross reference number and name, the name shall control.

1.09. How to Use This Document

The structure of the text of this Resolution is as follows: Title (not indicated by a number), Article (indicated by a 1, etc.), Section (indicated by a 1.01, etc.), and subsequent Subsections (indicated by A, 1, a, i, etc.).

2. ZONING DISTRICTS

2.01. General Zoning Regulations

A. Purpose. The purpose of this section is to establish land use regulations for lots within West Chester Township, Ohio.

B. Zoning Map. The boundaries of the township's zoning districts are hereby established as shown on the map accompanying and made part of this zoning code. The Zoning Map shall be on file in the West Chester Township Community Development Department.

C. Zoning District Boundaries

1. Where a zoning district boundary line divides a single lot, the uses and development regulations for the most restrictive district shall be applied to the entire lot.
2. Whenever any street, alley, or other right-of-way is vacated by Butler County, the zone boundary shall be automatically extended to the center of the vacated right-of-way, and all areas included in the vacated area in question shall be subject to all appropriate regulations of the extended area.
3. In all cases where a district boundary line, as shown on the Zoning Map, divides a lot that is of single ownership, the use authorized thereon and the district requirements applying to the least restricted portion of such lot may be extended a maximum of 50 feet into the more restricted portion of such lot. The use so extended shall be deemed to be conforming.

D. Compliance with District Standards. Except as otherwise provided in this section, no building or premises shall be erected, reconstructed, structurally altered, or used for any purpose that is not in compliance with the Zoning Resolution, except as regulated by Subsection 11.06.E.

2.02. Established Zoning Districts

For the purpose of this code, all land within West Chester Township is hereby divided into the districts established in Table 2-1: Zoning Districts. See Zoning Map for the designation and location of all zoning districts. The Zoning Map can be accessed here.

TABLE 2.02-1: ZONING DISTRICTS		
ABBREVIATION	**DISTRICT NAME**	**LOCATION**
A-1	Agricultural District	Section 2.03
R-1	Suburban Residence District	Section 2.04
R-1A	Suburban Residence District	Section 2.05
R-2	Single-Family Residence District	Section 2.06
R-3	Transitional Residence District	Section 2.07
R-4	Multiple-Family District	Section 2.08
O	Office District	Section 2.09
B-1	Neighborhood Business District	Section 2.10
B-2	General Business District	Section 2.11
CBD	Central Business District	Section 2.12
M	Industrial District	Section 2.13
R-PUD	Residential Planned Unit Development	Section 10.01
C-PUD	Commercial Planned Unit Development	Section 10.01
I-PUD	Industrial Planned Unit Development	Section 10.01
SP-PUD	Special Purpose Planned Unit Development	Section 10.01
RCO	Road Corridor Overlay	Section 10.02
OWC-RCO	Olde West Chester Road Corridor Overlay	Section 10.02.D
SOB	Sexually Oriented Business Overlay	Section 10.03

2.03. "A-1" Agricultural District

TABLE 2.03-1: A-1 DISTRICT INTENT AND USES

DISTRICT INTENT

The "A-1" District promotes and protects certain land areas exclusively for agricultural cultivation, low density one-family homes, and related compatible uses.

PERMITTED USES

Residential Uses

- Dwelling, one-family detached
- Residential facilities, small
- Residential treatment facilities, small.

Public/Institutional Uses

- Parks, open spaces, and public recreation facilities

Commercial Uses

- *Agricultural and farm uses (3.04.A)
- *Off-premises advertising (billboard signs) (3.04.P)
- *Wireless and cellular telecommunication facilities (3.04.U)

CONDITIONAL USES

Public/Institutional Uses

- Cemeteries
- Community social service facilities
- Places of worship
- Public and private preschools and elementary through high schools

Commercial Uses

- Commercial recreation (3.04.J)
- Daycare centers (3.04.L)

ACCESSORY USES

- *Accessory dwelling (3.06.A)
- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Daycare homes (3.06.D)
- *Home office (3.06.F)
- *Residential garages (3.06.M)
- *Storage of recreational vehicles (3.06.P)
- *Swimming pools (3.06.Q)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Mobile restaurant (food truck) (3.07.D)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.03-2: A-1 DISTRICT DIMENSIONAL STANDARDS							
Use	**Minimum Lot Area**	**Minimum Lot Frontage**	**Minimum Front Yard Setback**	**Minimum Side Yard Setback**	**Minimum Rear Yard Setback**	**Maximum Lot Coverage**	**Maximum Height**
Agricultural Uses	3 acres	200 ft.	50 ft.	50 ft.	100 ft.	35%	**Principal Structure**: 2.5 stories or 35 feet (whichever is less) **Accessory Structure:** 20 feet
One-family dwelling	80,000 sq. ft.	200 ft.	50 ft.	35 ft.	100 ft.	25%	
Other permitted uses	80,000 sq. ft.	200 ft.	50 ft.	50 ft.	100 ft.	35%	

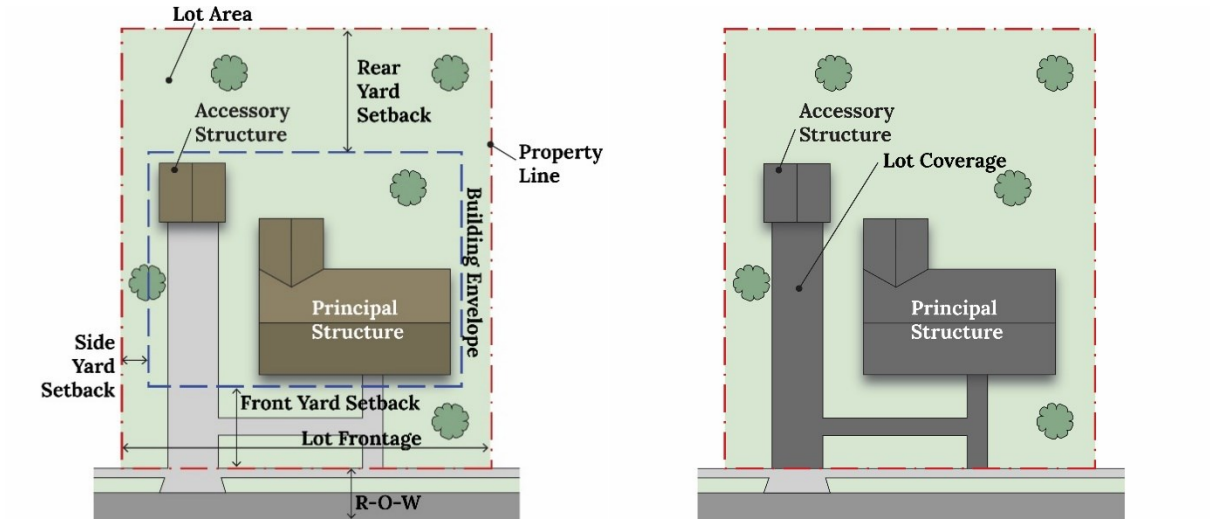


Figure 2-1: Graphic Representation of Lot Definitions and Terms

2.04. "R-1" Suburban Residence District

TABLE 2.04-1: R-1 DISTRICT INTENT AND USES

DISTRICT INTENT

The "R-1" District is intended to reserve certain land area for one-family homes and related compatible uses.

PERMITTED USES

Residential Uses

- Dwelling, one-family detached
- Residential facilities, small
- Residential treatment facilities, small

Public/Institutional Uses

- Parks, open spaces, and public recreation facilities

Commercial Uses

- *Agricultural and farm uses (3.04.A)
- *Wireless and cellular telecommunication facilities (3.04.U)

CONDITIONAL USES

Public/Institutional Uses

- Cemeteries
- Community social service facilities
- Places of worship
- Public and private preschools and elementary through high schools

Commercial Uses

- Commercial recreation (3.04.J)
- Daycare centers (3.04.L)

ACCESSORY USES

- *Accessory dwellings (3.06.A)
- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Daycare homes (3.06.D)
- *Home office (3.06.F)
- *Residential garages (3.06.M)
- *Storage of recreational vehicles (3.06.P)
- *Swimming pools (3.06.Q)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Mobile restaurant (food truck) (3.07.D)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.04-2: R-1 DISTRICT DIMENSIONAL STANDARDS							
Use	**Minimum Lot Area**	**Minimum Lot Frontage**	**Minimum Front Yard Setback**	**Minimum Side Yard Setback**	**Minimum Rear Yard Setback**	**Maximum Lot Coverage**	**Maximum Height**
One-family dwelling	20,000 sq. ft.	100 ft.*	35 ft.	15 ft.	45 ft.	50%	**Principal Structure**: 2.5 stories or 35 feet (whichever is less) **Accessory Structure:** 20 feet
Other permitted uses	40,000 sq. ft.	200 ft.	100 ft.	50 ft.	100 ft.	45%	
**See Section 4.01.C for exceptions*							

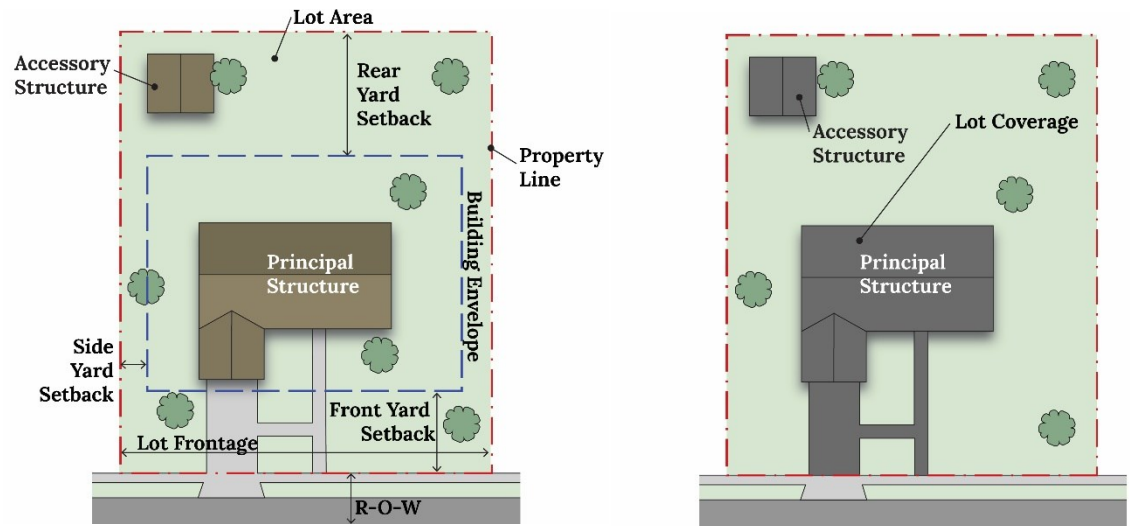


Figure 2-2: Graphic Representation of Lot Definitions and Terms

2.05. "R-1A" Suburban Residence District

TABLE 2.05-1: R-1A DISTRICT INTENT AND USES

DISTRICT INTENT

The "R-1A" District is intended to reserve certain land area for one-family homes and related compatible uses.

PERMITTED USES

Residential Uses

- Dwelling, one-family detached
- Residential facilities, small
- Residential treatment facilities, small

Public/Institutional Uses

- Parks, open spaces, and public recreation facilities

Commercial Uses

- *Agricultural and farm uses (3.04.A)
- *Wireless and cellular telecommunication facilities (3.04.U)

CONDITIONAL USES

Public/Institutional Uses

- Cemeteries
- Community social service facilities
- Places of worship
- Public and private preschools and elementary through high schools

Commercial Uses

- Commercial recreation (3.04.J)
- Daycare centers (3.04.L)

ACCESSORY USES

- *Accessory dwellings (3.06.A)
- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Daycare homes (3.06.D)
- *Home office (3.06.F)
- *Residential garages (3.06.M)
- *Storage of recreational vehicles (3.06.P)
- *Swimming pools (3.06.Q)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Mobile restaurant (food truck) (3.07.D)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.05-2: R-1A DISTRICT DIMENSIONAL STANDARDS

Use	Minimum Lot Area	Minimum Lot Frontage	Minimum Front Yard Setback	Minimum Side Yard Setback	Minimum Rear Yard Setback	Maximum Lot Coverage	Maximum Height
One-family dwelling	15,000 sq. ft.	90 ft.*	30 ft.	10 ft. one side 25 ft. total both sides	45 ft.	50%	**Principal Structure**: 2.5 stories or 35 feet (whichever is less) **Accessory Structure:** 20 feet
Other permitted uses	40,000 sq. ft.	200 ft.	100 ft.	50 ft.	100 ft.	45%	
See Section 4.01.C for exceptions							

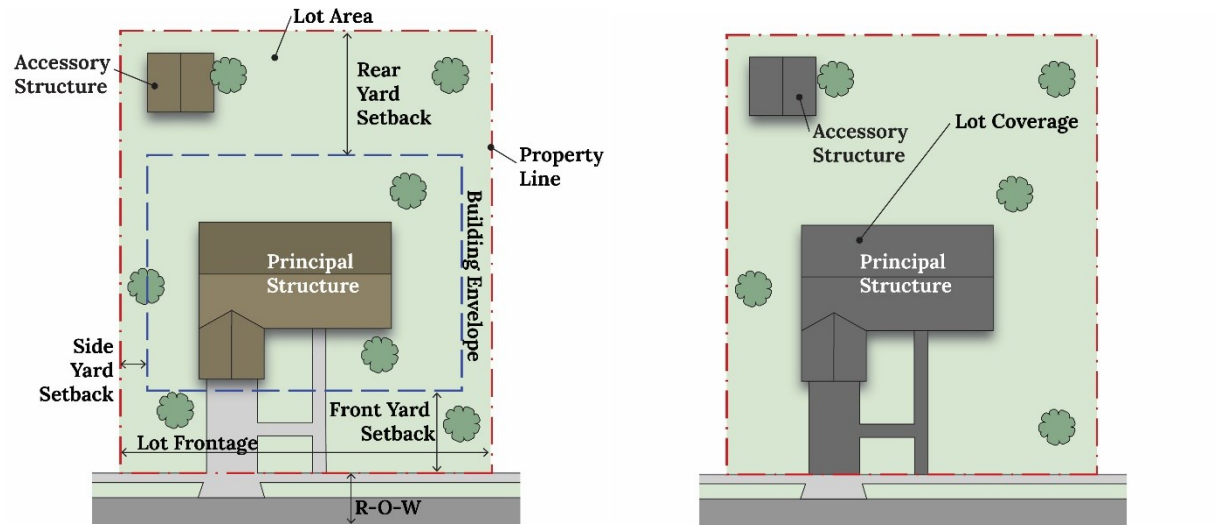


Figure 2-3: Graphic Representation of Lot Definitions and Terms

2.06. "R-2" Single-Family Residence District

TABLE 2.06-1: R-2 DISTRICT INTENT AND USES

DISTRICT INTENT	CONDITIONAL USES	ACCESSORY USES
The "R-2" District reserves certain land areas for one-family homes and related compatible uses. **PERMITTED USES** **Residential Uses** • Dwelling, one-family detached • Residential facilities, small • Residential treatment facilities, small **Public/Institutional Uses** • Parks, open spaces, and public recreation facilities **Commercial Uses** • *Agricultural and farm uses (3.04.A) • *Wireless and cellular telecommunication facilities (3.04.U)	**Public/Institutional Uses** • Cemeteries • Community social service facilities • Places of worship • Public and private preschools and elementary through high schools **Commercial Uses** • Commercial recreation (3.04.J) • Daycare centers (3.04.L)	• *Accessory dwelling (3.06.A) • *Accessory structures (3.06.B) • *Accessory uses (3.06.B) • *Daycare homes (3.06.D) • *Home office (3.06.F) • *Residential garages (3.06.M) • *Storage of recreational vehicles (3.06.P) • *Swimming pools (3.06.Q) **TEMPORARY USES** • *Contractor's offices and equipment sheds (3.07.A) • *Festivals and circuses (3.07.B) • *Mobile restaurant (food truck) (3.07.D) • *Model units, including real estate offices (3.07.F) • *Portable storage units (3.07.G) • *Residential outdoor sales (3.07.H) • *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.06-2: R-2 DISTRICT DIMENSIONAL STANDARDS							
Use	**Minimum Lot Area**	**Minimum Lot Frontage**	**Minimum Front Yard Setback**	**Minimum Side Yard Setback**	**Minimum Rear Yard Setback**	**Maximum Lot Coverage**	**Maximum Height**
One-family dwelling	8,000 sq. ft.	65 ft.*	30 ft.	8 ft. one side 20 ft. total both sides	40 ft.	50%	**Principal Structure**: 2.5 stories or 35 feet (whichever is less) **Accessory Structure:** 20 feet
Other permitted uses	40,000 sq. ft.	200 ft.	100 ft.	50 ft.	100 ft.	45%	
**See Section 4.01.C for exceptions*							

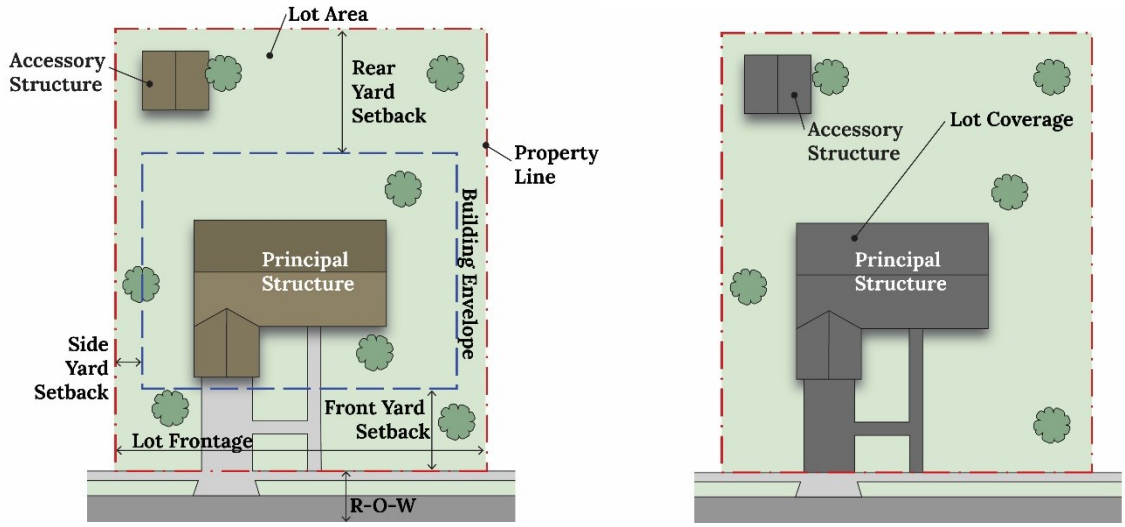


Figure 2-4: Graphic Representation of Lot Definitions and Terms

2.07. "R-3" Transitional Residence District

TABLE 2.07-1: R-3 DISTRICT INTENT AND USES

DISTRICT INTENT

The "R-3" District reserves certain land areas for one- and two-family homes and related compatible uses.

PERMITTED USES

Residential Uses

- Dwelling, one-family detached
- Dwelling, two-family
- Residential facilities, small
- Residential treatment facilities, small

Public/Institutional Uses

- Parks, open spaces, and public recreation facilities

Commercial Uses

- *Agricultural and farm uses (3.04.A)
- *Wireless and cellular telecommunication facilities (3.04.U)

CONDITIONAL USES

Public/Institutional Uses

- Cemeteries
- Community social services facilities
- Places of worship
- Public and private preschools and elementary through high schools

Commercial Uses

- Commercial recreation (3.04.J)
- Daycare centers (3.04.L)

ACCESSORY USES

- *Accessory dwelling (3.06.A)
- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Daycare homes (3.06.D)
- *Home office (3.06.F)
- *Residential garages (3.06.M)
- Short-term rental
- *Storage of recreational vehicles (3.06.P)
- *Swimming pools (3.06.Q)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Mobile restaurant (food truck) (3.07.D)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.07-2: R-3 DISTRICT DIMENSIONAL STANDARDS							
Use	**Minimum Lot Area**	**Minimum Lot Frontage**	**Minimum Front Yard Setback**	**Minimum Side Yard Setback**	**Minimum Rear Yard Setback**	**Maximum Lot Coverage**	**Maximum Height**
One-family dwelling	6,000 sq. ft.	50 ft.*	25 ft.	8 ft. one side 20 ft. total both sides	35 ft.	50%	**Principal Structure**: 2.5 stories or 35 feet (whichever is less) **Accessory Structure:** 20 feet
Two-family dwelling	12,000 sq. ft.	80 ft.	30 ft.	10 ft. one side 25 ft. total both sides	45 ft.	50%	
Other permitted uses	40,000 sq. ft.	200 ft.	100 ft.	50 ft.	75 ft.	45%	
**See Section 4.01.C for exceptions*							

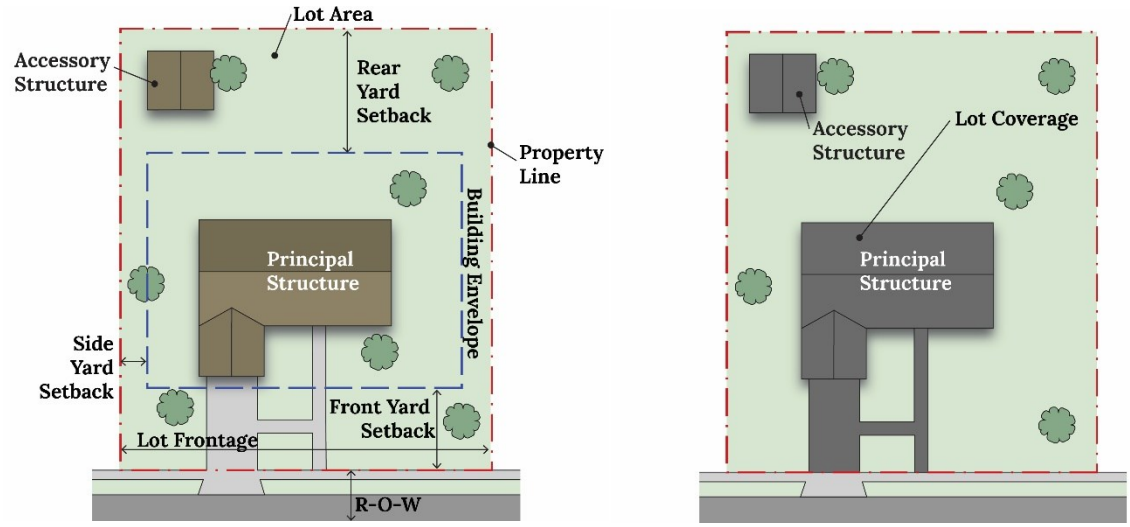


Figure 2-5: Graphic Representation of Lot Definitions and Terms

2.08. "R-4" Multiple-Family District

TABLE 2.08-1: R-4 DISTRICT INTENT AND USES

DISTRICT INTENT

The "R-4" District reserves certain land areas for one and two-family homes, and multiple-family residential development.

PERMITTED USES

Residential Uses

- Dwelling, one-family detached
- Dwelling, one-family attached
- Dwelling, two-family
- Multiple-family dwellings
- Residential facilities, small
- *Residential facilities, large (3.03.C)
- Residential treatment facilities, small
- *Residential treatment facilities, large (3.03.D)

Public/Institutional Uses

- Parks, open spaces, and public recreation facilities

Commercial Uses

- *Agricultural and farm uses (3.04.A)
- *Wireless and cellular telecommunication facilities (3.04.U)

CONDITIONAL USES

Public/Institutional Uses

- Cemeteries
- Community social service facilities
- Places of worship
- Public and private preschools and elementary through high schools

Commercial Uses

- Commercial recreation (3.04.J)
- Daycare centers (3.04.L)
- Institutional care facilities

ACCESSORY USES

- *Accessory dwellings (3.06.A)
- *Accessory structures (3.06.B)
- *Accessory Uses (3.06.B)
- *Daycare homes (3.06.D)
- *Dumpster and trash enclosures (4.02.C.7)
- *Home office (3.06.F)
- *Parking garages (3.06.J)
- *Residential garages (3.06.M)
- Short-term rentals
- *Storage of recreational vehicles (3.06.P)
- *Swimming pools (3.06.Q)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Mobile restaurant (food truck) (3.07.D)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.08-2: R-4 DISTRICT DIMENSIONAL STANDARDS							
Use	**Minimum Lot Area**	**Minimum Lot Frontage**	**Minimum Front Yard Setback**	**Minimum Side Yard Setback**	**Minimum Rear Yard Setback**	**Maximum Lot Coverage**	**Maximum Height**
One-family detached dwelling	6,000 sq. ft.	50 ft.*	25 ft.	8 ft.	35 ft.	50%	**Principal Structure**: 3 stories or 45 feet (whichever is less) **Accessory Structure:** 20 feet
One-family attached dwelling	3,500 sq. ft.	25 ft.	25 ft.	0 ft.	35 ft.	50%	
Two-family dwelling	12,000 sq. ft.	80 ft.	30 ft.	10 ft.	45 ft.	50 %	
Multi-family dwellings (3 or more families)	7,260 sq. ft. per unit	100 ft.	30 ft.	20 ft.	60 ft.	50%	
Other permitted uses	40,000 sq. ft.	200 ft.	50 ft.	50 ft.	75 ft.	45%	
**See Section 4.01.C for exceptions*							

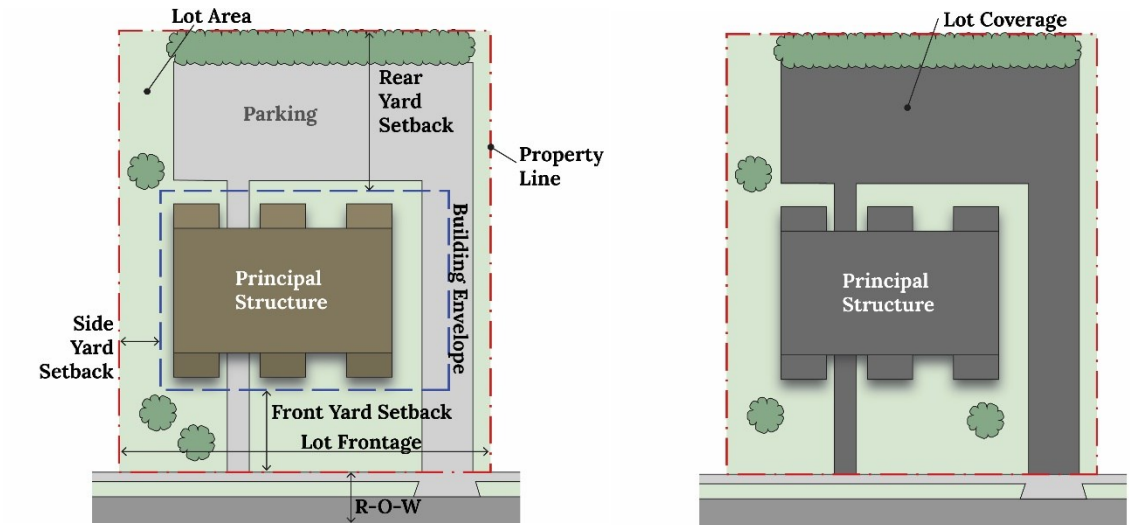


Figure 2-6: Graphic Representation of Lot Definitions and Terms

2.09. "O" Office District

TABLE 2.09-1: O DISTRICT INTENT AND USES

DISTRICT INTENT

The "O" District reserves certain land areas for office, institutional, and professional service establishments.

PERMITTED USES

Public/Institutional Uses

- Community social service facilities
- Places of worship
- Public and non-profit buildings, properties, and administrative offices
- Public and private preschools and elementary through high schools

Commercial Uses

- Art galleries and studios
- *Banks and financial institutions (3.04.H)
- *Business services (3.04.I)
- *Commercial recreation (3.04.J)
- Funeral homes and death services (3.04.M)
- Hospital and medical office/center/clinics
- Museum and cultural centers
- Offices
- Radio/television studios
- *Veterinarian offices and clinics (3.04.T)
- *Wireless and cellular telecommunication facilities (3.04.U)

Industrial Uses

- *Research and development facilities (3.05.I)

CONDITIONAL USES

Commercial Uses

- Daycare centers (3.04.L)
- Institutional care facilities
- Personal services
- Restaurants, standard

Accessory Uses

- *Personal service (3.06.N)
- *Restaurants, accessory (3.06.N)
- *Retail sales, accessory (3.06.O)

ACCESSORY USES

- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Drug store, accessory (3.06.N)
- *Dumpster and trash enclosures (4.02.C.7)
- *Parking garages (3.06.J)
- *Recycling containers, donation bins, and propane cages (3.06.K)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Mobile restaurant (food truck) (3.07.D)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.09-2: O DISTRICT DIMENSIONAL STANDARDS						
Minimum Lot Area	**Minimum Lot Frontage**	**Minimum Front Yard Setback**	**Minimum Side Yard Setback**	**Minimum Rear Yard Setback**	**Maximum Lot Coverage**	**Maximum Height**
10,000 sq. ft.	None	**Building Setback:** 40 ft. **Parking Setback:** 10 ft.	25 ft.	50 ft.	80%	**Principal Structure**: 48 ft. **Accessory Structure:** 20 ft.

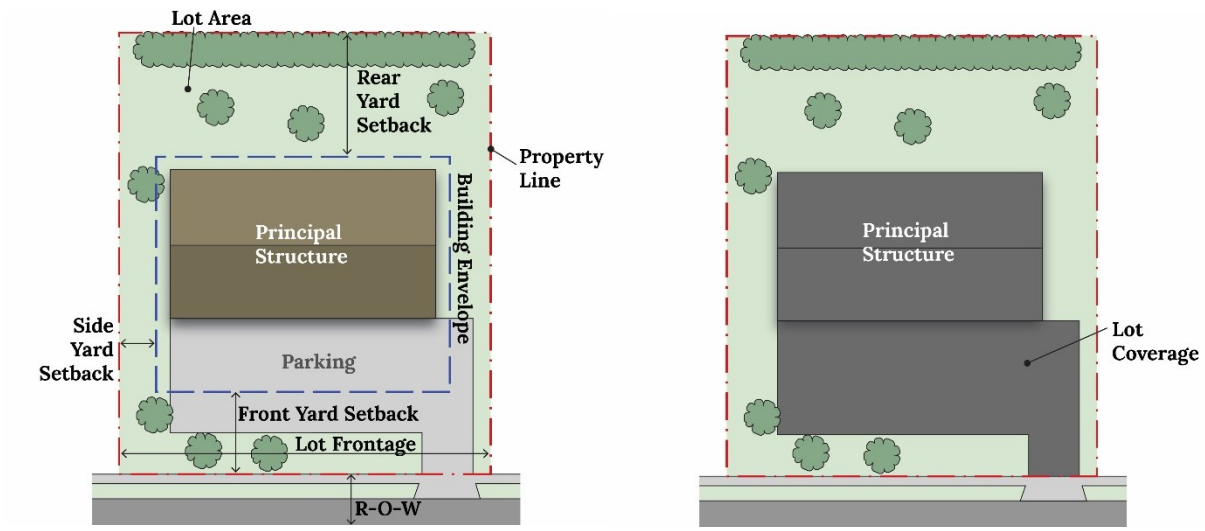


Figure 2-7: Graphic Representation of Lot Definitions and Terms

2.10. "B-1" Neighborhood Business District

TABLE 2.10-1: B-1 DISTRICT INTENT AND USES

DISTRICT INTENT

The "B-1" District promotes and protects land areas for convenience commercial, personal services, and certain types of business and professional uses which are located in close relationship to areas of surrounding residential development.

PERMITTED USES

Public/Institutional Uses

- Community social service facilities
- Places of worship
- Public and non-profit buildings, properties, and administrative offices
- Public and private preschools and elementary through high schools
- Schools and universities including private, public, and business

Commercial Uses

- Art galleries and studios
- *Banks and financial institutions (3.04.H)
- Beauty salons and spas
- Breweries, distilleries, wineries, cideries (micro)
- *Business services (3.04.I)
- *Commercial recreation (3.04.J)
- Convenience store
- *Daycare centers (3.04.L)
- Fitness centers and studios
- *Funeral homes and death services (3.04.M)
- *Garden and landscaping retail stores (3.04.N)
- Hospital or medical office/center/clinics
- Museum and cultural centers
- *Off-premises advertising (billboard signs) (3.04.P)
- Offices
- Personal services
- Private clubs/lodges
- Radio/television studios
- *Restaurants, quick-service (3.04.Q)
- Restaurants, standard
- Retail sales, general
- Therapeutic massage establishments
- *Veterinarian offices and clinics, animal hospitals (3.04.T)
- *Wireless and cellular telecommunication facilities (3.04.U)

CONDITIONAL USES

Commercial Uses

- Institutional care facilities
- Theaters, including drive-ins and outdoor theaters

ACCESSORY USES

- *Accessory dwelling (3.06.A)
- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Drive-throughs/pick-up windows (0)
- *Drug store, accessory (3.06.N)
- *Dumpster and trash enclosures (4.02.C.7)
- *Home office (3.06.F)
- *Outdoor dining (3.06.G)
- *Outdoor display areas (3.06.H)
- *Recycling containers, donation bins, and propane cages (3.06.J.2)
- Short-term rentals

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Indoor and outdoor art, craft, and plant shows/exhibits/sales (3.07.C)
- *Mobile restaurant (food truck) (3.07.D)
- *Mobile use (retail and medical) (3.07.E)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Seasonal sales (3.07.I)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.10-2: B-1 DISTRICT DIMENSIONAL STANDARDS						
Lot Area	**Lot Frontage**	**Front Yard Setback**	**Side Yard Setback**	**Rear Yard Setback**	**Lot Coverage**	**Maximum Height**
10,000 sq. ft.	None	**Building Setback:** 25 ft. **Parking Setback:** 10 ft.	15 ft.	35 ft.	80%	**Principal Structure**: 35 ft. **Accessory Structure:** 20 ft.

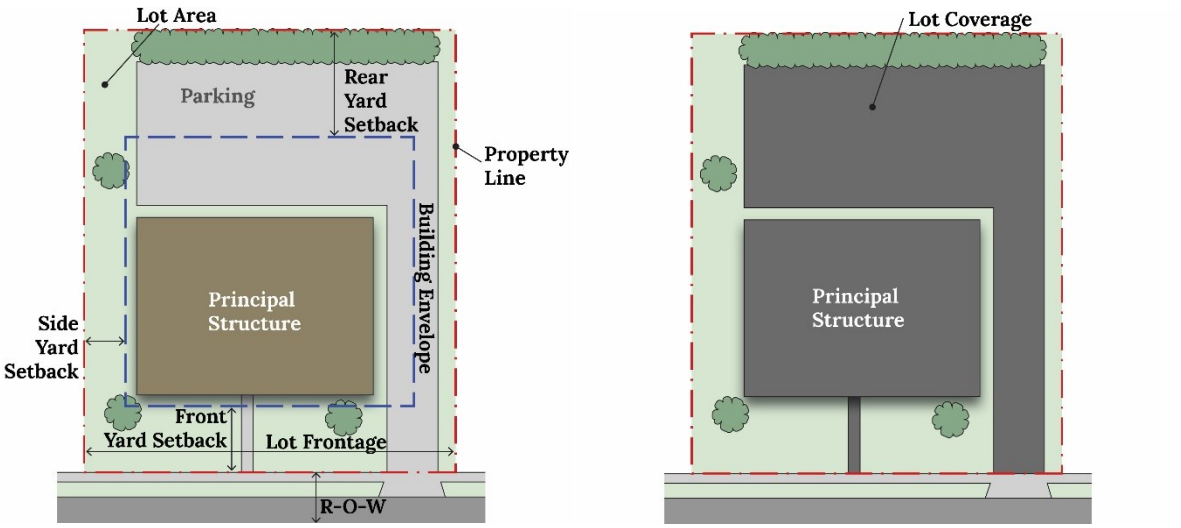


Figure 2-8: Graphic Representative of Lot Definitions and Terms

2.11. "B-2" General Business District

TABLE 2.11-1: B-2 DISTRICT INTENT AND USES

DISTRICT INTENT

The "B-2" District promotes and protects certain land areas for community and highway oriented retail and service establishments which serve the residents of the township.

PERMITTED USES

Public/Institutional Uses

- Community social service facilities
- Places of worship
- Public and non-profit buildings, properties, and administrative offices
- Public and private preschools and elementary through high schools
- Schools and universities including private, public, and business

Commercial Uses

- *Animal boarding, kennels, daycares, and training facilities (3.04.B)
- Art galleries and studios
- *Automobile fueling/recharging stations (3.04.C)
- *Automobile and vehicle rental (3.04.D)
- *Automobile and vehicle repair and service (3.04.E)
- *Automobile and vehicle sales (new) (3.04.F)
- *Automobile washing facilities (3.04.G)
- *Banks and financial institutions (3.04.H)
- Beauty salons and spas
- Breweries, distilleries, wineries, cideries (micro)
- *Business services (3.04.I)
- *Commercial recreation (3.04.J)
- *Construction equipment shops (3.04.K)
- Convenience store
- *Daycare centers (3.04.L)
- Fitness centers and studios
- *Funeral homes and death services (3.04.M)
- *Garden and landscaping retail stores (3.04.N)
- Hospital and medical office/center/clinics
- Hotels/motels
- Museum and cultural centers
- *Night clubs (3.04.O)
- *Off-premises advertising (billboard signs) (3.04.P)
- Offices
- Personal services
- Private clubs/lodges
- Radio/television studios
- *Restaurants, quick-service (3.04.Q)
- Restaurants, standard
- Retail sales, general
- *Retail sales, large scale (3.04.R)
- *Self-storage units (3.04.S)
- *Sexually oriented businesses (10.03)
- Therapeutic massage establishments
- Vape, tobacco, and CBD sales
- *Veterinarian offices and clinics, animal hospitals (3.04.T)
- *Wireless and cellular telecommunication facilities (3.04.U)

Industrial Uses

- *Building material sales yard (3.05.C)
- *Retail lumberyards (3.05.J)
- *Stone or monument works (3.05.K)

CONDITIONAL USES

Commercial Uses

- Breweries, distilleries, wineries, cideries (macro)
- Institutional care facilities
- Methadone and similar high-volume drug treatment clinics
- Theaters, including drive-ins and outdoor theaters

Industrial Uses

- Contractors' equipment storage yard or plant
- *Trucking terminal (3.05.L)

ACCESSORY USES

- *Accessory dwelling (3.06.A)
- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Automobile and vehicle sale, used (3.06.C)
- *Drive-throughs (3.06.E)/pick-up windows (3.06.K)
- *Drug store, accessory (3.06.N)
- *Dumpster and trash enclosures (4.02.C.7)
- *Outdoor dining (3.06.G)
- *Outdoor display areas (3.06.H)
- *Parking garages (3.06.J)
- *Recycling containers, donation bins, and propane cages (3.06.J.2)
- Short-term rentals

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Indoor and outdoor art, craft, and plant shows/exhibits/sales (3.07.C)
- *Mobile restaurant (food truck) (3.07.D)
- *Mobile use (retail and medical) (3.07.E)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sales (3.07.H)
- *Seasonal sales (3.07.I)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.11-2: B-2 DISTRICT DIMENSIONAL STANDARDS						
Lot Area	**Lot Frontage**	**Front Yard Setback**	**Side Yard Setback**	**Rear Yard Setback**	**Lot Coverage**	**Maximum Height**
10,000 sq. ft.	None	**Building Setback:** 25 ft. **Parking Setback:** 10 ft.	15 ft.	35 ft.	85%	**Principal Structure**: 50 ft. **Accessory Structure:** 20 ft.

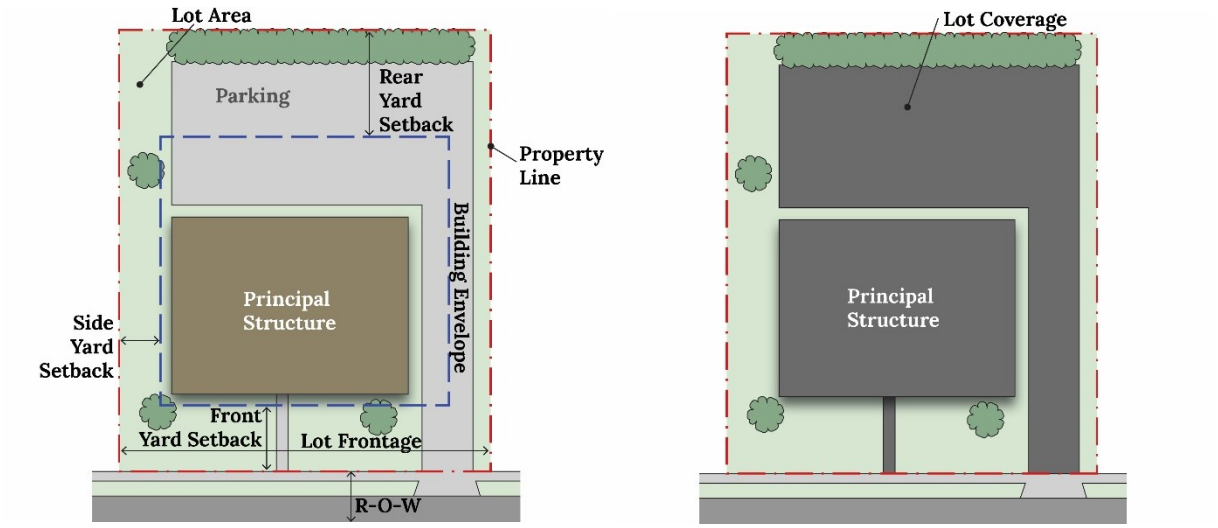


Figure 2-9: Graphic Representation of Lot Definitions and Terms

2.12. "CBD" Central Business District

TABLE 2.12-1: CBD DISTRICT INTENT AND USES

DISTRICT INTENT

The "CBD" promotes and protects land areas for mixed use residential, professional, and corporate offices, convenience commercial, community and highway oriented retail and service establishments, and light industrial development which are located in close relationship to development areas of the Union Centre Boulevard Interchange.

The development provisions of this district assure compatibility with the unique natural and physical characteristics of the area to achieve a desired character which promotes the public health, safety, morals, comfort, and general welfare.

PERMITTED USES

Public/Institutional Uses

- Community social service facilities
- Parks, open spaces, and public recreation facilities
- Places of worship
- Public and non-profit buildings, properties, and administrative offices
- Public and private preschools and elementary through high schools
- Schools and universities including private, public, and business

Commercial Uses

- Art galleries and studios
- *Automobile fueling/recharging stations (3.04.C)
- *Automobile and vehicle rentals (3.04.D)
- *Automobile and vehicle sales (new) (3.04.F)
- *Automobile washing facility (3.04.G)
- *Banks and financial institutions (3.04.H)
- Beauty salons and spas
- Breweries, distilleries, wineries, cideries (micro)
- *Business services (3.04.I)
- *Commercial recreation (3.04.J)
- Convenience store
- *Daycare centers (3.04.L)
- Fitness centers and studios
- *Funeral homes and death services (3.04.M)
- *Garden and landscaping retail stores (3.04.N)
- Hospital and medical office/center/clinics
- Hotels/motels
- Museum and cultural centers
- *Night clubs (3.04.O)
- Office
- Personal service
- Private clubs/lodges
- Radio/television studios
- *Restaurants, quick-service (3.04.Q)
- Restaurants, standard
- Retail sales, general
- Theaters, including drive-ins and outdoor theaters
- *Wireless and cellular telecommunication facilities (3.04.U)

Industrial Uses

- Research and development facilities

CONDITIONAL USES

Residential Uses

- Dwelling, multi-family
- Dwelling, one-family detached
- Dwelling, one-family attached

Commercial Uses

- Institutional care facilities

ACCESSORY USES

- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Automobile and vehicle sales, (used) (3.06.C)
- *Drive-throughs (3.06.E)/pick-up windows (3.06.K)
- *Drug store, accessory (3.06.N)
- *Dumpster and trash enclosures (4.02.C.7)
- *Outdoor dining (3.06.G)
- *Parking garages (3.06.J)
- *Recycling containers, donation bins, and propane cages (3.06.K)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Indoor and outdoor art, craft, and plant sows, exhibits, and sales (3.07.C)
- *Mobile restaurant (food truck) (3.07.D)
- *Mobile use (retail and medical) (3.07.E)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sale (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.12-2: CBD DISTRICT DIMENSIONAL STANDARDS							
Lot Area	**Lot Frontage**	**Street Frontage**	**Front Yard Setback**	**Side Yard Setback**	**Rear Yard Setback**	**Lot Coverage**	**Maximum Height**
1 acre	None	Dedicated Roads	**Pavement:** 25 ft. **Building:** 50 ft.	15 ft.	35 ft.	75%	**Principal Structure**: 120 ft. **Accessory Structure:** 20 ft.

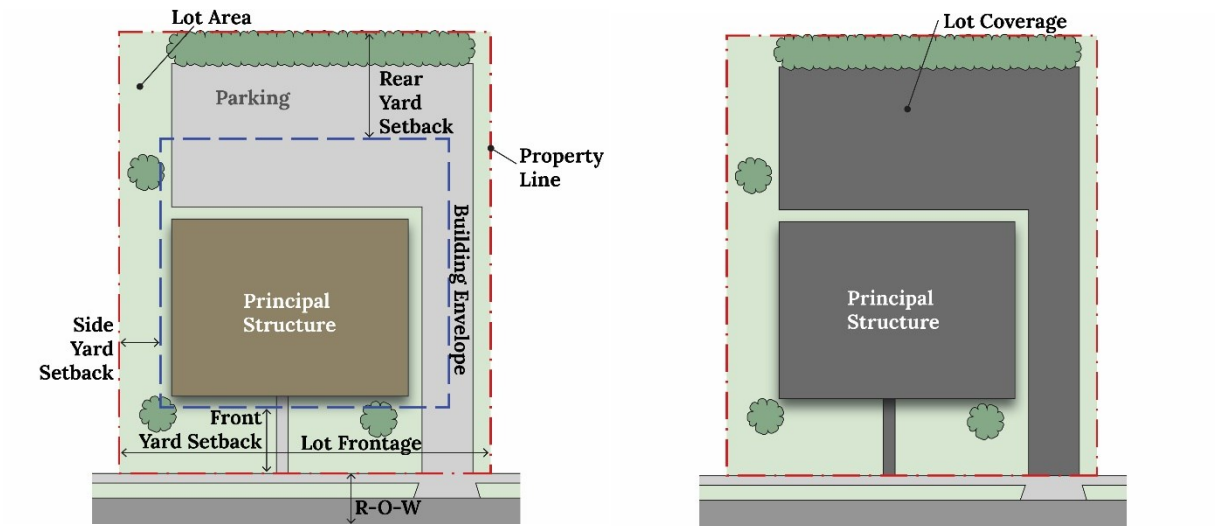


Figure 2-10: Graphic Representation of Lot Definitions and Terms

2.13. "M" Industrial District

TABLE 2.13-1: M DISTRICT INTENT AND USES

DISTRICT INTENT

The "M" District promotes and protects certain land areas for general industrial development, manufacturing, processing, and related operations.

PERMITTED USES

Public/Institutional Uses

- Community social service facilities
- Places of worship
- Public and non-profit buildings, properties, and administrative offices
- Public and private preschools and elementary through high schools
- Schools and universities including private, public, and business

Commercial Uses

- *Animal hospitals, kennels, daycares, and training facilities (3.04.B)
- Art galleries and studios
- *Automobile fueling/recharging stations (3.04.C)
- *Automobile and vehicle rental (3.04.D)
- *Automobile and vehicle repair and service (3.04.E)
- *Automobile and vehicle sales (new) (3.04.F)
- *Automobile washing facilities (3.04.G)
- *Banks and financial institutions (3.04.H)
- Beauty salons and spas
- Breweries, distilleries, wineries, cideries (macro)
- Breweries, distilleries, wineries, cideries (micro)
- *Business services (3.04.I)
- *Commercial recreation (3.04.J)
- *Construction equipment shops (3.04.K)
- Convenience store
- *Daycare centers (3.04.L)
- Fitness centers and studios
- *Funeral homes and death services (3.04.M)
- *Garden and landscaping retail stores (3.04.N)
- Hospital and medical office/center/clinics
- Hotels/motels
- Museum and cultural centers
- *Night clubs (3.04.O)
- *Off-premises advertising (billboard signs) (3.04.P)
- Office
- Personal service
- Private clubs/lodges
- Radio/television studios
- *Restaurants, quick-service (3.04.Q)
- Restaurants, standard
- Retail sales, general
- *Self-storage units (3.04.S)
- *Sexually oriented businesses (10.03)
- Theaters, including drive-ins and outdoor theaters
- *Veterinarian offices and clinics (3.04.T)
- *Wireless and cellular telecommunication facilities (3.04.U)

Industrial Uses

- *Automobile and vehicle storage (3.05.A)
- *Building material sales yard (3.05.C)
- Contractors' equipment storage yard or plant
- Fulfillment and distribution
- *Landscaping businesses (3.05.D)
- Manufacturing, assembling, processing, recycling, fabricating, finishing, testing, storing, or other similar industrial actions
- Research and development facilities
- *Retail Lumberyards (3.05.J)
- *Stone or monument works (3.05.K)
- *Trucking terminal (3.05.L)
- Warehousing

CONDITIONAL USES

Commercial Uses

- Institutional care facilities

Industrial Uses

- Animal slaughtering, stock yards
- Automobile wrecking and junk yards (3.05.B)
- Processing, storage, incineration, reduction of garbage, debris, waste, dead animals, or other types of refuse
- Processing, storage, or production of hazardous materials, liquid, or gases (3.05.H)

ACCESSORY USES

- Accessory dwelling (3.06.A)
- Retail sales, accessory (3.06.O)
- *Accessory structures (3.06.B)
- *Accessory uses (3.06.B)
- *Drive-throughs (3.06.E)/pick-up windows (3.06.K)
- *Dumpster and trash enclosures (4.02.C.7)
- *Outdoor dining (3.06.G)
- *Outdoor storage and activities (3.06.I)
- *Parking garages (3.06.J)
- *Recycling containers, donation bins, and propane cages (3.06.J.2)

TEMPORARY USES

- *Contractor's offices and equipment sheds (3.07.A)
- *Festivals and circuses (3.07.B)
- *Mobile restaurant (food truck) (3.07.D)
- *Mobile use (retail and medical) (3.07.E)
- *Model units, including real estate offices (3.07.F)
- *Portable storage units (3.07.G)
- *Residential outdoor sale (3.07.H)
- *Tents (3.07.J)

(*) Indicates *uses that have additional use-specific standards. See Article 3 or click the link following the use.*

TABLE 2.13-2: M DISTRICT DIMENSIONAL STANDARDS						
Lot Area	**Lot Frontage**	**Front Yard Setback**	**Side Yard Setback**	**Rear Yard Setback**	**Lot Coverage**	**Maximum Height**
10,000 sq. ft.	None	**Building Setback:** 25 ft. **Parking Setback:** 10 ft.	5 ft.	40 ft.	85%	**Principal Structure**: 120 feet **Accessory Structure:** 20 feet

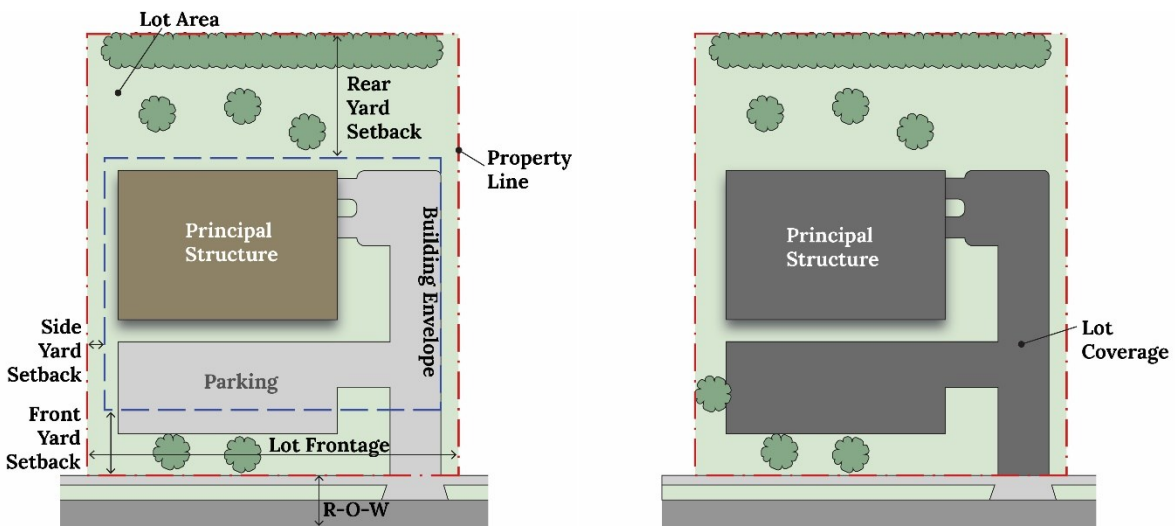


Figure 2-11: Graphic Representation of Lot Definitions and Terms

3. USE REGULATIONS

3.01. Table of Permitted Uses

A. General. TABLE 3.01-1: lists the uses allowed within each zoning districts.

B. Types of Uses Allowed

1. **Permitted Uses.** A "P" in a cell indicates that a use is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this code.

2. **Permitted Uses with Specific Standards.** A "PS" in a cell indicates that a use category is allowed by-right in the respective zoning district if it meets the additional standards as identified in Article 3, or in the last column of TABLE 3.01-1: . Permitted uses with standards are subject to all other applicable regulations of this code.

3. **Conditional Uses.** A "C" in a cell indicates that a use may be permitted if approved through a Conditional Use Permit review (see Subsection 11.05.B). Conditional uses may be subject to use-specific standards as identified in Article 3 or in the last column of TABLE 3.01-1: . Conditional uses are subject to all other applicable regulations of this code.

4. **Accessory Uses**. Permitted accessory uses are listed in TABLE 3.01-1: under the heading "Accessory Uses". The standards associated with the permitted accessory uses are listed in Section 3.06: Accessory Use Standards.

5. **Temporary Uses.** Permitted temporary uses are listed in TABLE 3.01-1: under the heading "Temporary Uses". The standards associated with the permitted accessory uses are listed in 3.07: Temporary Use Standards.

6. **Numerical Reference.** The numbers contained in the "additional use standards" column in TABLE 3.01-1: are references to additional standards and requirements that apply to the specific use listed. Standards referenced in the "additional use standards" column apply in all zoning districts unless otherwise expressly stated.

7. **Uses Not Permitted.** A blank cell indicates that a use is not permitted in the respective zoning district. If a use is not listed in the table, then it shall be considered prohibited within the township.

TABLE 3.01-1: PERMITTED USE TABLE

P = Permitted Use | **PS** = Permitted Uses with Standards | **C** = Conditional Use | **Blank Box** = Not Permitted

USES	A-1	R-1	R-1A	R-2	R-3	R-4	O	B-1	B-2	CBD	M	ADDITIONAL STANDARDS
RESIDENTIAL USES												
Dwelling, multi-family (three or more units)						P				C		
Dwelling, one-family detached	P	P	P	P	P	P				C		
Dwelling, one-family attached						P				C		
Dwelling, two-family					P	P						
Residential facilities, small	P	P	P	P	P	P						
Residential facilities, large						PS						3.03.C
Residential treatment facilities, small	P	P	P	P	P	P						
Residential treatment facilities, large						PS						3.03.D
PUBLIC/INSTITUTIONAL USES												
Cemeteries	C	C	C	C	C	C						
Community social service facilities	C	C	C	C	C	C	P	P	P	P	P	
Parks, open spaces, and public recreation facilities	P	P	P	P	P	P				P		
Places of worship	C	C	C	C	C	C	P	P	P	P	P	
Public and non-profit buildings, properties, and administrative offices							P	P	P	P	P	
Public and private preschools and elementary through high schools	C	C	C	C	C	C	P	P	P	P	P	
Schools and universities including private, public, and business								P	P	P	P	
COMMERCIAL USES												
Adult use and medical cannabis distributor												
Agricultural and farm uses	PS	PS	PS	PS	PS	PS						3.04.A
Animal boarding, kennels, daycares, and training facilities									PS		PS	3.04.B
Art galleries and studios							P	P	P	P	P	
Automobile fueling/recharging stations									PS	PS	PS	3.04.C
Automobile and vehicle rentals									PS	PS	PS	3.04.D
Automobile and vehicle repair and service									PS		PS	3.04.E
Automobile and vehicle sales (new)									PS	PS	PS	3.04.F
Automobile washing facilities									PS	PS	PS	3.04.G
Banks and financial institutions							PS	PS	PS	PS	PS	3.04.H
Beauty salons and spas								P	P	P	P	
Brewery, distillery, winery, cidery (macro)									C		P	
Brewery, distillery, winery, cidery (micro)								P	P	P	P	
Business services							PS	PS	PS	PS	PS	3.04.I
Commercial recreation	C	C	C	C	C	C	PS	PS	PS	PS	PS	3.04.J
Construction equipment shops									PS		PS	3.04.K
Convenience store								P	P	P	P	
Daycare centers	C	C	C	C	C	C	C	PS	PS	PS	PS	3.04.L
Fitness centers and studios								P	P	P	P	

TABLE 3.01-1: PERMITTED USE TABLE

P = Permitted Use | **PS** = Permitted Uses with Standards | **C** = Conditional Use | **Blank Box** = Not Permitted

USES	A-1	R-1	R-1A	R-2	R-3	R-4	O	B-1	B-2	CBD	M	ADDITIONAL STANDARDS
COMMERCIAL USES CONTINUED												
Funeral homes and death services							PS	PS	PS	PS	PS	3.04.M
Garden and landscaping retail stores								PS	PS	PS	PS	3.04.N
Hospital and medical office/center/clinics							P	P	P	P	P	
Hotels, motels									P	P	P	
Institutional care facilities						C	C	C	C	C	C	
Massage, non-therapeutic												
Methadone and similar high-volume drug treatment clinics									C			
Museum and cultural centers							P	P	P	P	P	
Night clubs									PS	PS	PS	3.04.O
Off-premises advertising (billboard signs)	PS								PS		PS	3.04.P
Office							P	P	P	P	P	
Personal service							C	P	P	P	P	
Private clubs/lodges								P	P	P	P	
Radio/television studios							P	P	P	P	P	
Restaurants, quick-service								PS	PS	PS	PS	3.04.Q
Restaurants, standard							C	P	P	P	P	
Retail sales, general								P	P	P	P	
Retail sales, large scale									PS			3.04.R
Self-storage units									PS		PS	3.04.S
Sexually oriented businesses									PS		PS	10.03
Theaters, including drive-ins and outdoor theaters								C	C	P	P	
Therapeutic massage establishments								P	P			
Vape, tobacco, and CBD sales									P			
Veterinarian offices and clinics, animal hospitals							PS	PS	PS		PS	3.04.T
Wireless and cellular telecommunication facilities	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.04.U
INDUSTRIAL USES												
Adult use and medical cannabis cultivator												
Adult use and medical cannabis processor												
Animal slaughtering, stock yards											C	
Automobile and vehicle storage											P	3.05.A
Automobile wrecking and junk yards											C	3.05.B
Building material sales yard									PS		PS	3.05.C
Contractors' equipment storage yard or plant									C		PS	3.05.D
Fulfillment and distribution											PS	3.05.E
Landscaping businesses											PS	3.05.F

TABLE 3.01-1: PERMITTED USE TABLE

P = Permitted Use | **PS** = Permitted Uses with Standards | **C** = Conditional Use | **Blank Box** = Not Permitted

USES	A-1	R-1	R-1A	R-2	R-3	R-4	O	B-1	B-2	CBD	M	ADDITIONAL STANDARDS
INDUSTRIAL USES CONTINUED												
Manufacturing, assembling, processing, recycling, fabricating, finishing, testing, storing, or other similar industrial actions											PS	3.05.G
Processing, storage, incineration, or reduction of garbage, debris, waste, dead animals, or other types of refuse											C	
Processing, storage, or production of hazardous materials, liquids, or gases											C	3.05.H
Research and development facilities							PS			PS	PS	3.05.I
Retail lumberyards									PS		PS	3.05.J
Stone or monument works									PS		PS	3.05.K
Trucking terminal									C		PS	3.05.L
Warehousing											PS	3.05.M
ACCESSORY USES												
Accessory dwelling	PS	PS	PS	PS	PS	PS		C	C		C	3.06.A
Accessory structures	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.06.B
Accessory uses	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.06.B
Automobile and vehicle sales (used)									PS	PS		3.06.C
Daycare home	PS	PS	PS	PS	PS	PS						3.06.D
Drive-through									PS	PS	PS	3.06.E
Drug Stores, accessory							C	PS	PS	PS		3.06.N
Dumpster and trash enclosures						PS	PS	PS	PS	PS	PS	4.02.C.7
Home office	PS	PS	PS	PS	PS	PS						3.06.F
Outdoor dining								PS	PS	PS	PS	3.06.G
Outdoor display areas								PS	PS			3.06.H
Outdoor storage and activities											PS	3.06.I
Parking garages						PS	PS		PS	PS	PS	3.06.J
Personal service							C					3.06.N
Pick-up windows								PS	PS	PS	PS	3.06.K
Recycling containers, donation bins, and propane cages							PS	PS	PS	PS	PS	3.06.L
Residential garages	PS	PS	PS	PS	PS	PS						3.06.M
Restaurants, accessory							C					3.06.N
Retail sales, accessory							C				C	3.06.O
Short-term rentals					C	C		C	C			
Storage of recreational vehicles	PS	PS	PS	PS	PS	PS						3.06.P
Swimming pools	PS	PS	PS	PS	PS	PS						3.06.Q
TEMPORARY USES												
Contractor's offices and equipment sheds	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.07.A
Festivals and circuses	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.07.B
Indoor and outdoor art, craft, and plant shows, exhibits, and sales								PS	PS	PS		3.07.C

TABLE 3.01-1: PERMITTED USE TABLE												
P = Permitted Use | **PS** = Permitted Uses with Standards | **C** = Conditional Use | **Blank Box** = Not Permitted												
USES	**A-1**	**R-1**	**R-1A**	**R-2**	**R-3**	**R-4**	**O**	**B-1**	**B-2**	**CBD**	**M**	**ADDITIONAL STANDARDS**
TEMPORARY USES CONTINUED												
Mobile restaurant (food truck)	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.07.D
Mobile use, retail and medical								PS	PS	PS	PS	3.07.E
Model units, including real estate offices	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.07.F
Portable storage units	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.07.G
Residential outdoor sale	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.07.H
Seasonal sales								PS	PS			3.07.I
Tents	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.07.J
For uses not listed in the table, see 3.02.B: General Use Standards for further guidance												

3.02. General Use Standards

A. Use Separation Measurements. Measurements from use to use shall be done so from the property line to the property line, as measured from the nearest point along the closest property line to the proposed use's nearest point along the closest property line.

B. Determination of Similar Use

1. Where there is a proposed use that is currently not listed in Table 3.01, the Community Development Director may review the use to determine the appropriate zoning district(s), if any, where the use may be permitted. The nature, operation, and function of the use shall be analyzed in the determination of the appropriate district(s).

2. The Community Development Director may find that the proposed use is not compatible with existing zoning districts and does not permit the use under the current zoning regulations.

3. If such a finding is made, the property owner or agent may appeal the decision to the Board of Zoning Appeals for review and final decision.

C. Mixed Uses and Multiple Occupancies. Multiple occupancies/uses on a lot shall be permitted in the O, B-1, B-2, CBD, and M-Districts provided such uses/occupancies are located within the same principal building or comply with (3.02.E) below.

D. Nuisances Prohibited

1. No inoperable vehicle, unlicensed trailer, discarded furniture, appliances, or other miscellaneous junk materials shall be permitted to remain on the premises outside of an enclosed structure for more than seven days. Specific demolition and rehabilitation projects requiring the placement of a dumpster for periods exceeding 30 days shall be permitted provided a Zoning Certificate has been issued under Section 11.05.E.

E. Number of Permitted Structures Per Parcel

1. In the A-1, R-1, R-1A, R-2, and R-3 Zoning Districts, a maximum of one principal permitted structure or building shall be permitted per parcel.
2. In the O, B-1, B-2, M, and CBD Zoning Districts or within a Planned Unit Development, lots may contain more than one principal building provided such buildings are utilized for the same business or company for a use that is permitted in the district in which it is located.

F. Objectionable Odors, Waste, or Noise. Process and equipment employed, and goods processed or sold, shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter, or water-carried waste to the public interest.

3.03. Residential Use Standards

A. Conversion of a Dwelling. 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.

B. Sidewalks Required. Sidewalks shall be required on both sides of the street, in accordance with the Butler County Engineer standards for all lots platted in a subdivision after the effective date of this Resolution which are located in a residential zoning district (R-1A, R-1, R-2, R-3, R-4, or residential Planned Unit Development).

C. Residential Facilities, Large. Residential facilities are permitted in the residential zoning districts as regulated by the State of Ohio and this zoning code. A residential facility shall be located at least 300 feet from another residential facility.

D. Residential Treatment Facilities, Large. Residential treatment facilities are permitted in the residential zoning districts as regulated by the State of Ohio and this zoning code. A residential treatment facility shall be located at least 500 feet from another residential facility.

3.04. Commercial Use Standards

A. Agricultural and Farm Uses. Agricultural and farm uses, including animal and poultry husbandry, are permitted subject to the following regulations:

1. Agricultural and farm uses including any customary agricultural use, building, or structure for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, greenhouses, and nurseries are permitted, but not including garden stores or supply centers. Such uses shall be located on lots that contain three or more acres and comply with all other applicable regulations of this article.
2. Animal and poultry husbandry or the keeping of farm animals is permitted provided that such uses are located on lots that contain three or more acres and comply with all other requirements of this article and further provided that a maximum of one animal per acre, up to five animals be permitted, and any building or structure used for the keeping of animals be located at least 100 feet from any other lot in a residential district or recorded residential subdivision.
3. Agricultural and farm uses which are located on lots containing more than five acres are not subject to the provisions in Subsections (1) or (2) of this subsection.

B. Animal Boarding, Kennels, Daycares, and Training Facilities. Animal hospitals, kennels, daycares, and training facilities are permitted subject to the following regulations:

1. Any building, run, or enclosure on the premises used for such purposes shall be located at least 200 feet from any residential district or recorded residential subdivision, and at least 100 feet from any lot in the B-1 District.
2. Any outdoor run or enclosure shall be enclosed (uncovered) with a six-foot-high privacy wood or vinyl fence, wall, or other similar material as approved by the Community Development Director. Chain link fences, with or without slats, do not meet this requirement.
3. Any outdoor run or enclosure shall not be used between the hours of 10:00 pm and 7:00 am.
4. Any outdoor run or enclosure shall not be located in the front yard and shall comply with the minimum building setback requirements of the district.

C. Automobile Fueling/Recharging Stations. Automobile fueling stations are permitted subject to the following regulations:

1. The use shall be located at least 200 feet from any lot located in a residential district or recorded residential subdivision.
2. Fuel canopies and buildings shall both be set back a minimum of 25 feet from the front lot line. Fuel canopies may be located in the front yard.

3. Lubrication, washing, incidental servicing of automobiles, and all supply and merchandising shall be completely within an enclosed building except as otherwise provided herein.

4. Electronic fuel price displays shall be subject to the standards in Article 9.

5. The parking spaces adjacent to each fuel pump may count towards the parking requirements set forth in Article 5.

6. Headlights shall be 100 percent screened from public streets and adjoining property unless the adjacent property is for automobile-related purposes.

7. Automobile fueling stations do not include facilities designed for the fueling of semi-trailer trucks.

8. There shall be no outdoor storage of car parts, wrecked cars, or other similar materials.

9. This section shall not apply to EV chargers as an accessory use in a parking lot for use by customers or employees.

D. **Automobile and Vehicle Rental.** Automobile rental uses are permitted subject to the following regulations:

1. A principal structure is located on the lot.

2. Headlights shall be 100 percent screened from public streets and adjoining property unless the adjacent property is an automobile-related use.

3. No auctions shall be permitted on the lot.

4. No outdoor speaker systems shall be permitted for uses that are located less than 200 feet from any residential district or recorded residential subdivision.

5. Automobile repair and service work shall be conducted within an enclosed building and such building shall be located at least 200 feet from any residential district or recorded residential subdivision.

6. There shall be no outdoor storage of car parts, wrecked cars, or other similar materials.

E. **Automobile and Vehicle Repair and Service.** Automobile or vehicle repair and service uses are permitted subject to the following regulations:

1. All repair work shall be conducted within an enclosed building and such building shall be located at least 200 feet from any residential district or recorded residential subdivision.

2. There shall be no outdoor storage of car parts, wrecked cars, or other similar materials unless such storage is located in the rear yard and completely screened by a six-foot-high privacy wood or vinyl fence, wall, or other similar material as approved by the Community Development Director. Chain link fences, with or without slats, do not meet this requirement.

F. **Automobile and Vehicle Sales (New).** The sale of new automobiles, including sales lots and repair of such, is permitted subject to the following regulations:

1. A principal structure is located on the lot.
2. Headlights shall be 100 percent screened from public streets and adjoining property unless the adjacent property is an automotive sales or rental use.
3. No auctions shall be permitted on the lot.
4. No outdoor speaker systems shall be permitted for uses that are located less than 200 feet from any residential district or recorded residential subdivision.
5. Automobile repair and service work shall be conducted within an enclosed building and such building shall be located at least 200 feet from any residential district or recorded residential subdivision.
6. All sales and circulation areas must be paved with asphalt or concrete. There shall be no vehicle storage or sales on unpaved and unstriped areas.
7. There shall be no outdoor storage of car parts, wrecked cars, or other similar materials.
8. Such uses shall be subject to the loading area requirements in Section 5.16, which shall be required to occur completely on-site.

G. **Automobile Washing Facilities.** Automotive washing facilities are permitted subject to the following regulations:

1. The use shall be located at least 200 feet from any lot located in a residential district or recorded residential subdivision.
2. A solid fence, wall, or hedge at least six feet in height shall be required when an automobile washing facility is located adjacent to a residential district or subdivision.
3. Automobile washing facilities shall be located entirely within an enclosed building, except that entrance and exit doors may be left open during the hours of operation. Vacuuming and/or steam cleaning equipment may be located outside a building in the side or rear yard but shall not be placed in any yard adjoining a residential district or subdivision.
4. Stacking spaces shall be provided per Section 5.18.
5. There shall be no outdoor storage of car parts, wrecked cars, or other similar materials.

H. **Banks and Financial Institutions.** Any drive-through or pick-up windows that are proposed for a bank or financial institution are subject to the drive-through regulations in 3.06.E or pick-up window regulations in 3.06.K

I. **Business Services.** Business service uses are permitted provided that all buildings and facilities shall be located at least 200 feet from any residential district or recorded residential subdivision.

J. **Commercial Recreation.** Commercial recreation uses are permitted provided that all commercial recreation buildings and facilities shall be located at least 200 feet from any residential district or subdivision.

K. **Construction Equipment Shops.** Construction equipment shops are permitted subject to the following:

1. No portion of the use shall be located less than 200 feet from any lot in a residential district or recorded residential subdivision.
2. There shall be no outdoor storage of equipment or materials.
3. Fleet vehicles shall be parked/stored to the side or rear of the property on a striped paved surface.
4. Fleet vehicle parking areas shall be screened by a six-foot-high privacy wood or vinyl fence, wall, or other similar material as approved by the Community Development Director, from the public right of way and all adjoining residential districts or subdivisions. Chain link fences, with or without slats, do not meet this requirement.

L. **Daycare Centers**

1. Daycare centers are conditionally permitted in the R-Districts and the "A-1" District provided that such building does not exceed 3,000 square feet of gross floor space.
2. Daycare centers, where permitted, may have outdoor play areas located in the side or rear yard of the property. Such outdoor play areas must be enclosed with a minimum six-foot fence. When located adjacent to a residential district or subdivision, such fence shall be a solid wood or vinyl opaque fence, or screened with adequate landscaping, as determined by the Community Development Director.

M. **Funeral Homes and Death Services.**

1. There shall be adequate facilities for storage and parking of vehicles on the premises for employees, patrons, and visitors.
2. A detailed circulation plan indicating the outgoing vehicular traffic movement during high-volume periods shall be included in the application for a funeral home.

N. **Garden and Landscaping Retail Store**. Garden and landscaping retail stores are permitted subject to the following:

1. A principal structure is required.
2. All garden supplies and landscaping materials for sale shall be located in a dedicated area as identified on a site plan. Such an area shall be located in the side or rear yard.
3. Any storage of bulk landscaping materials shall be stored in bins or storage containers that are located in the rear yard, behind the principal building.

O. **Night Clubs.** Night Club uses are permitted provided that all portions of such use shall be located at least 200 feet from any residential district or recorded residential subdivision.

P. **Off-Premises Advertising Signs (Billboard Signs).** An off-premises advertising device, also known as a billboard sign, is permitted subject to the following regulations:

1. No off-premises advertising sign shall exceed 448 square feet, excluding cutouts, extensions, and embellishments.
2. The off-premises advertising sign shall comply with the setback and side yard requirements for a principal building in the district where it is located.
3. The off-premises advertising sign shall be located at least 500 feet from any parcel located in a residential district or subdivision.
4. The off-premises advertising sign shall be located at least 500 feet from the entrance to any public park, public or private school, library, place of worship, or museum.
5. No off-premises advertising sign shall be located within 500 feet on either side of the street of another off-premises advertising sign visible to traffic approaching from the same direction.
6. No off-premises advertising sign or any portion of the structure they may be integral with, shall exceed 45 feet in height from grade.
7. No off-premises advertising sign shall be located on a parcel that contains another principal structure.

Q. **Restaurants, Quick-Service.** Any drive-through or pick-windows that are proposed, shall be subject to the drive-through regulations in 3.06.E or pick-up window regulations in 3.06.K. Quick-service restaurants located in the B-1 Zoning District shall not be permitted to have a drive-through or pick-up window.

R. **Retail Sales, Large Scale.** A large-scale retail sales establishment is subject to the following:

1. All facades of the buildings that face a public right-of-way or residential zoning district or use, shall be articulated to reduce the massive scale and the uniform, impersonal appearance of large-scale retail buildings and provide visual interest. This visual articulation shall be achieved by the following:
   a. Incorporating at least three of the following elements: color change, texture change, material change, or dimensional variation that is at least 12" in depth.
   b. There shall be no uninterrupted lengths of blank wall that exceed 30 feet; and
   c. Ground floor facades shall incorporate clear glass display windows, entry areas, awnings, or other such features along at least 60 percent of the horizontal length of the facade.

d. There shall be a clear distinction between the building base, body, and cap.

2. All facades of the buildings that face a public right-of-way or residential zoning district or use shall utilize the following permitted building materials:

a. The primary building materials shall be stone, brick, wood siding, glass, fiber cement siding, glass, and architectural grade metal panels.

b. EIFS (Exterior Insulation and Finish System), stucco, and vinyl siding shall only be permitted as accent materials and may not account for more than 20 percent of each building facade.

c. Other building materials or treatments may be considered but are subject to approval by the zoning commission.

S. **Self-Storage Units.** Self-storage units are permitted subject to the following:

1. In the B-2 District, self-storage units shall not include any outdoor storage of any kind and such use shall be located at least 100 feet from any lot in a residential district or recorded subdivision.

2. In the M-District, self-storage units may include outdoor storage if located in the rear yard. Such outdoor storage shall be fully screened with a six-foot-high privacy wood or vinyl fence, wall, or other similar material as approved by the Community Development Director. Chain link fences, with or without slats, do not meet this requirement. Such use shall be located at least 100 feet from any lot in a residential district or recorded residential subdivision.

T. **Veterinarian Offices and Clinics, Animal Hospitals.** Veterinarian offices and clinics shall be permitted provided that the entire establishment is completely within an enclosed building and that there is no breeding and boarding of dogs or other animals, except for confinement under emergency treatment in facilities within the building. Facilities that include non-emergency boarding are prohibited in the B-1 District.

U. **Wireless and Cellular Telecommunication Facilities.**

1. **Exemptions.** Non-cellular wireless and telecommunication towers and facilities licensed by the Federal Communications Commission, and Public Utilities licensed by the Public Utilities Commission of Ohio (PUCO) are exempted from the requirements of this Resolution.

2. **Applicability.** Any cellular or wireless telecommunication tower proposed to be located in any district, other than a residential district, shall provide the following information to the Community Development Department unless such tower or facility is exempt per Subsection (1):

a. Illustration showing the multi-antennae tower;

b. Site plan showing the location of the tower, shelters, cabinets, landscape, and screening;

c. Description of method to keep people from underneath the tower; and

d. Description of arrangements to remove the tower upon discontinued use.

3. There is a maximum height of five feet for any freestanding or attached structure that is proposed to have a radio frequency transmission or reception equipment attached to it, which is located in an R-District and owned or to be principally used by a public utility engaged in the provision of telecommunication services. A cellular wireless telecommunication tower or pole may be greater than five feet in height if it is otherwise in compliance with all of the regulations of this section.

4. Any cellular wireless telecommunication tower or pole, as defined in Ohio Revised Code Section 519.211 B(1), proposed to be located within a right-of-way, utility easement, or on private property in any residential district, recorded residential subdivision, or within 100 feet of a residential dwelling shall be required to receive conditional use approval by the Board of Zoning Appeals. Under Subsection 11.05.B, the Board of Zoning Appeals shall have the power to hear and decide whether the proposed tower or pole is in keeping with the intent of this Resolution and policy established by the Board of Trustees to maintain the public health, safety, morals, comfort, and general welfare of the residents of West Chester Township. In addition to the standards for a conditional use, in considering an application for a cellular wireless telecommunication tower or pole, the Board shall give due regard to the nature and condition of all adjacent uses, structures, and existing utility infrastructure and ensure that the height and location of the tower or pole has been approved by all other governmental agencies charged with the responsibility of maintaining air or traffic safety. The Board shall also consider the availability of other locations in the right of way, the impact of the proposed location on the public health, safety, morals, comfort, and general welfare, and the degree of disruption to residents that may result from the use of that portion of the right-of-way. The Board shall also ensure that no other structure is located within a distance from the base of the tower or pole that is less than the height of the tower or pole itself. If the application is approved, the Board of Zoning Appeals may impose conditions and requirements as deemed necessary for the protection of adjacent properties and the public interest. In those areas where utilities are underground, telecommunication towers, poles, and accessory equipment must also be located underground.

5. Any person or company proposing to construct a cellular wireless telecommunication tower or pole within a right-of-way, utility easement, or on private property in a residential district, recorded residential subdivision, or within 100 feet of a residential dwelling shall provide written notice by certified mail to property owners whose land is contiguous to or directly across the street from the property where the tower or pole is proposed to be located and to the Community Development Director, on behalf of the Township Board of Trustees, of its intention to construct a tower or pole. Notices to property owners and the Community Development Director must state the intention to construct a tower or pole, provide an identifiable description of the property,

and advise owners that they have 15 days to give notice to the Community Development Director requesting that the tower or pole be subject to township zoning. If either an affected property owner or a Township Trustee has an objection to the location of the tower or pole, the Fiscal Officer or the Community Development Director, on behalf of the Fiscal Officer, must provide written notice to the person or company within 20 days of the mailing date of the notice to affected property owners and to the Township Trustees advising that the person or company will be subject to application and review procedures of the Board of Zoning Appeals. However, failure of this notice shall not be grounds to deprive the Board of Zoning Appeals of jurisdiction over the application. If no notice is received from a property owner and no objection is filed by a Township Trustee, then the Board of Zoning Appeals shall not exercise jurisdiction over the application as described in the preceding paragraph and the Community Development Department shall issue a zoning certificate authorizing the construction of the tower or pole.

3.05. Industrial Use Standards

A. **Automobile and Vehicle Storage.** Automobile and vehicle storage yards shall have no outdoor storage of car parts, wrecked cars, or other similar materials. The storage of automobiles and vehicles shall comply with the outdoor storage regulations in Subsection 3.06.I.

B. **Automobile Wrecking and Junk Yards.** Automobile wrecking and junk yards are permitted subject to the following:

1. The site shall be at least ten acres in size.

2. The site shall be completely enclosed by a solid fence that is free of any type of advertising and shall be at least eight feet in height.

3. Stacking of automobiles shall not be permitted unless they are completely screened from surrounding roadways and properties.

C. **Building Material Sales Yard.** Building material sales yards, which do not include concrete mixing, are permitted in the B-2 District provided that such use is located at least 200 feet from a residential district or recorded residential subdivision. Such use shall be permitted to conduct business outside of the principal building if done within an area enclosed on all sides with a solid wall or uniformly painted solid board fence, not less than six feet in height.

D. **Contractor's Equipment Storage Yard or Plan.** Contractor's equipment storage yard or plant, or storage and rental commonly used by a constructor must be at least 200 feet from a residential district or recorded residential subdivision.

E. **Fulfillment and Distribution.** Fulfillment and distribution uses are permitted provided that all portions of the use are located at least 100 feet from any residential district or subdivision.

F. **Landscaping Businesses.** Landscaping businesses are permitted subject to the following regulations:

1. All landscaping materials stored in bins or storage containers must be located behind the principal building.
2. A principal structure shall be located on the lot.

G. **Manufacturing, Assembling, Processing, Recycling, Fabricating, Finishing, Testing, Storing, or other Similar Industrial Actions.** Manufacturing, assembling, processing, recycling, fabricating, finishing, testing, storing, or other similar industrial actions must be at least 500 feet from residential districts or recorded residential subdivision.

H. **Processing, Storage, or Production of Hazardous Materials, Liquids, or Gases.** Any use, other than automobile service stations, which conducts as its principal activity, the production, processing, storage, or similar industrial action of solids, liquids, or gases, that have a degree of hazard rating in health, flammability, or reactivity of 2, 3, or 4 as ranked by the National Fire Protection Association 704 is conditionally permitted in the M-District.

I. **Research and Development Facilities.** Research facilities are permitted provided no retail trade with the general public is involved, and that no stock of goods is maintained for sale to customers. Such uses shall be located at least 100 feet from any residential district or recorded residential subdivision.

J. **Retail Lumberyard**

1. Retail lumberyards that only include incidental millwork are permitted in the B-2 District provided that such use is located at least 300 feet from a residential district or recorded residential subdivision. Such use shall be permitted to conduct business outside of the principal building if done within an area enclosed on all sides with a solid wall or uniformly painted solid board fence, not less than six feet in height.
2. Retail lumberyards, which may include millwork, are permitted in the M-District provided that such use is located at least 200 feet from a residential district or recorded residential subdivision.

K. **Stone or Monument Works.** Stone or monument works that do not employ power-driven tools are permitted in the B-2 District provided that such use is located at least 300 feet from a residential district or recorded residential subdivision. Such use shall be permitted to conduct business outside of the principal building if done within an area enclosed on all sides with a solid wall or uniformly painted solid board fence, not less than six feet in height. If such use does employ power-driven tools, it shall be done only within a completely enclosed building that is located at least 300 feet from a residential district or recorded residential subdivision.

L. **Trucking Terminal.** Trucking terminals are permitted provided that such use or principal building is located at least 200 feet from any residential district or recorded residential subdivision.

M. **Warehousing.** Warehousing uses are permitted provided that all portions of the use are located at least 100 feet from any residential district or subdivision.

3.06. Accessory Use Standards

A. Accessory Dwelling

1. An accessory dwelling or dwellings may be conditionally permitted in the B-1, B-2, or M-District if accessory to an approved principal use.
2. Accessory dwellings (also known as in-law suites) are permitted in all residential zoning districts subject to the following:
   - **a.** Each parcel shall be limited to one accessory dwelling, which shall be subordinate to the principal dwelling unit.
   - **b.** The property owner shall be required to live in the principal dwelling unit or the accessory dwelling. If the property owner lives in the accessory dwelling, the limitations of (c) and (d) below shall apply to the principal dwelling.
   - **c.** The residents of the accessory dwelling shall be limited to a family member of the property owner(s).
   - **d.** A nurse, homemaker, nanny, or similar individual shall also be permitted to reside in the accessory dwelling if documentation can be provided that demonstrates that they are providing care for a legal resident.
   - **e.** Shall be accessible only through common entrances of the principal dwelling unit and shall maintain an interior common pass through the principal dwelling unit. A separate entrance may not be added for the accessory dwelling.
   - **f.** Shall be limited to a maximum of two dwelling units.
   - **g.** A separate address may not be created for the accessory dwelling and mail shall be delivered to one common mailbox for the principal dwelling.
   - **h.** Common meters for electric, water, gas, and other utilities shall be shared with the principal dwelling unit.
   - **i.** At no time shall the accessory dwelling be permitted to be deeded separately from the principal dwelling unit.

B. Accessory Structures and Uses. Accessory structures and uses shall be permitted subject to the following regulations:

1. It is incidental to and customarily found in connection with a principal building permitted by the zoning district in which it is located.
2. It is subordinate to and serves the principal building or use.
3. It is subordinate in area, extent, or purpose to the principal building.
4. It is located on the same lot as the principal building or use for which it serves.

5. No accessory structure shall exceed 200 square feet or 20% of the square footage of the principal building or use, whichever is less unless used for the storage of vehicles (see Subsection 3.06.M). In-ground swimming pools shall be permitted to exceed 20% of the square footage of the principal building or use.

6. Multiple accessory structures are permitted provided they do not exceed the calculation of the lot coverage percentage under the district in which it is located. If one accessory structure is proposed, the maximum size is 200 square feet. If two or more accessory structures are proposed, the maximum size of the second structure is 100 square feet. Swimming pools are exempt from this requirement.

7. No accessory structure shall contain facilities used for dwelling purposes, except when specified as a conditional use.

8. No accessory structure shall be located in a front or side yard, except on a corner or double frontage lot. Accessory structures are permitted in the side yard area which is parallel to the rear of the house on corner lots, and in the front yard, parallel to the rear of the house on double frontage lots, provided they are not located within the required yard setback area.

9. Accessory uses and structures shall be located at least 10 feet from the principal building and at least 10 feet from all property lines. Swimming pools shall not be required to be set back at least 10 feet from the principal structure when connected to the principal structure by a deck.

C. **Automobile and Vehicle Sales, Used.** Used automobile sales are permitted as an accessory use subject to the following:

1. Used automobile sales are permitted when they are located on the same lot as a new automotive sales lot.

2. The number of used automobiles shall not exceed 40 percent of the total automobile inventory.

3. A principal structure shall be located on the lot.

4. No outdoor speaker systems shall be permitted for uses that abut or are across the street from a residential district or subdivision.

5. Automobile service or repair, if permitted and approved, shall be performed, and conducted inside or a building.

D. **Daycare Home.** Home daycares shall comply with the regulations for “type B family day-care homes” as defined and regulated by the State of Ohio. “Type A family daycare homes”, as defined and regulated by the State of Ohio are not permitted in West Chester Township.

E. **Drive-Throughs.** A use that proposes to utilize a drive-through shall be subject to the following:

1. All drive-through areas, including, but not limited to stacking lanes, trash receptacles, loudspeakers, drive-up windows, and other objects associated with the drive-through should be located in the side or rear yard of a property, and shall not cross, interfere with, or impede any public right-of-way.
2. Drive-through structures are subject to the vehicle stacking requirements of Section 5.18.
3. The canopy and structure shall be constructed of the same materials used in the principal building.
4. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 200 feet from any residential district or subdivision.
5. Menu board signage shall comply with Article 9.
6. Drive-through facilities shall be prohibited within the Olde West Chester Road Corridor Overlay (OWC-RCO) District.

F. **Home office.** Home offices are permitted as an accessory use to a dwelling unit, subject to the following regulations:

1. A Zoning Certificate is required per Subsection 11.05.E.
2. All such activity is conducted completely within a dwelling unit.
3. No person other than members of the family residing on the premises is engaged in such an occupation.
4. The number of vehicles attracted to the premises as a result of the home office shall not exceed two at any one time, excluding delivery vehicles temporarily stopped for purposes of pick-up or delivery.
5. No expansion of existing off-street parking shall be permitted. Furthermore, no additional parking burden, due to the home occupation, shall be created. Home occupation shall be operated in a manner as to not create a need for off-street parking in excess of what is customarily provided and required for the residential use.
6. The home office does not occupy more than 25 percent of the floor area within the dwelling unit and does not require alteration to the structure or include a private entrance.
7. No mechanical equipment is installed which is rated for more than 1.5 horsepower.
8. No outside storage of materials, equipment, vehicles, or products is permitted.
9. The nature of the home office as an accessory use relative to its location and conduct of activity is such that the average neighbor, under normal circumstances, would not be aware of its existence.

10. No semi-trailer, semi-truck, or box-truck associated with a home office shall be parked or located on any property within a residential zoning district, recorded residential subdivision, or on any lot used for residential purposes as established by Section 5.13.

G. **Outdoor Dining.** Outdoor dining areas in association with a permitted restaurant or market are permitted in the B-1 or B-2 District subject to the following:

1. The outdoor seating areas shall be located a minimum of 200 feet from any residential district or subdivision.
2. A minimum of four feet shall be maintained between the seating area and the public right-of-way.
3. An outdoor dining area, including the fences that surround such an area, is permitted in any yard.
4. An outdoor dining area shall not be located in such a manner as to require customers and employees to cross driveways or parking areas to go between the outdoor dining area and the principal building.
5. Outdoor dining areas shall not be located in any required parking spots or parking areas.

H. **Outdoor Display Areas.** For single tenants, 20,000 square feet and larger in the B-1 and B-2 Districts, for-sale items may be displayed under a permanent canopy, awning, or roof that is attached to the principal building, as long as a five-foot minimum paved walkway that is separate from the driveway and parking lot is maintained. This area shall not exceed 50% of one length of the building wall on which it is located. The total amount of all outdoor display areas shall not exceed 25 percent of the total interior tenant space.

I. **Outside Storage and Activities**

1. In the B-2 and CBD Districts, outside storage and activities shall comply with the following requirements unless specifically permitted by the district in which it is located:

   a. All business, service, or processing uses shall be conducted within a completely enclosed building, except for off-street parking, off-street loading, and specifically permitted uses such as outdoor dining or outdoor display.

   b. Except as explicitly recognized in this Resolution, at no time shall any items be sold, displayed, or kept outside of a completely enclosed building, including items that may be considered accessories to the principal use.

   c. Automobiles, motorcycles, boats, trailers, and campers/recreational vehicles may be displayed outside but not within the required customer and/or employee parking areas.

   d. Propane gas exchange cylinders may also be displayed outside when located against the side or rear wall of the principal structure.

2. In the O-District, no outside storage of products or other miscellaneous items shall be permitted (garbage disposal dumpsters are excluded but are regulated by Subsection 4.02.C.7.

3. In the M-District outside storage shall adhere to the following regulations:

   a. Outside open storage of materials used in conjunction with the principal use is permitted and may be stored anywhere on the property, except in front of the principal building or a required yard setback. Such storage shall be screened on all sides that are visible from and located within 200 feet of the street right-of-way by a minimum six-foot berm, fence, wall, or landscaping.

   b. If landscaping is chosen as the screening technique, a landscape plan must be submitted to and approved by the Community Development Director, on the basis that such landscaping will achieve the desired screening. Landscaping shall be maintained in trimmed, healthy condition.

   c. All storage yards shall be located on a paved surface unless specifically approved by the Community Development Director.

   d. The storage of materials shall not exceed 16 feet in height.

J. **Parking Garages.** All structured parking facilities, either attached to the principal structure or a multi-storied, above-grade parking garage shall be located on the same parcel as the principal building or use served, unless subject to 5.07, subject to the following requirements:

1. All structured parking facilities shall be constructed of the same materials and colors used on the majority of the principal structure.

2. Steel materials shall not be visible from the exterior of the structure.

K. **Pick-Up Windows.** A use that proposes to utilize a pick-up window shall be subject to the following:

1. All pick-up areas, including, but not limited to stacking lanes, trash receptacles, window openings and other objects associated with the pick-up window should be located in the side or rear yard of a property, and shall not cross, interfere with, or impede any public right-of-way.

2. Pick-up windows are subject to the vehicle stacking requirements of Section 5.18.

3. Pick-up windows shall be prohibited within the Olde West Chester Road Corridor Overlay (OWC-RCO) District.

L. Recycling Containers, Donation Bins, and Propane Cage Regulations

1. Recycling containers shall be permitted in B-2 District, M-District, or on the grounds of institutional uses (such as schools and places of worship) located in any zoning district. Such containers shall provide screening as required for dumpster enclosures, as specified in Subsection 4.02.C.7, if such containers are visible from the street right-of-way. Such containers shall be located at least 10 feet from any property or right-of-way line.

2. Propane gas exchange cylinders shall be permitted outside when located against the side or rear wall of the principal structure.

3. Donation bins shall be subject to the following:

   a. A maximum of one donation bin is permitted per lot.

   b. No articles shall be permitted to accumulate outside of the bin.

   c. The bin and the immediate surrounding area shall be kept clean and free from trash and debris and shall be emptied on a regular schedule to prevent overflow.

   d. The bin shall not impede motorists' drive aisles lines-of-site, or pedestrian walkways.

   e. The bin shall be placed on a paved surface.

M. Residential Garages. Residential garages, attached and detached, shall be permitted subject to the following regulations:

1. Detached residential garages shall not exceed 50% of the square footage of the principal building or 1,000 square feet, whichever is greater. Additionally, detached residential garages shall be limited to coverage of 35% of the rear yard.

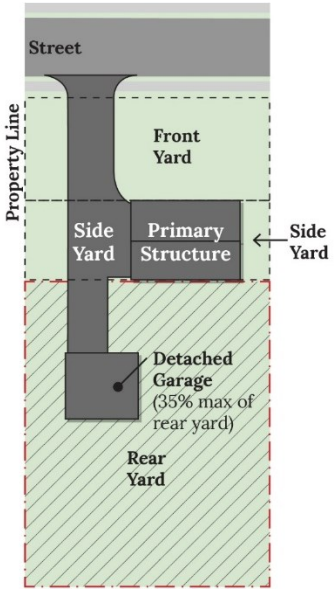


Figure 3-1: Graphic Representation of Detached Garage in Rear Yard

2. Residential garages shall be connected to a concrete or asphalt driveway and must have an overhead or swing door to accommodate a minimum of one vehicle. Gravel drives are not permitted.

3. Attached garages shall be considered an extension of the principal structure and shall be subject to the applicable dimensional regulations for the principal structure.

4. The interior of an enclosed residential garage for a new single family dwelling shall contain a minimum of 360 sq. ft. and be not less than 16 feet in width.

5. Maximum height for a residential garage is 20 feet.

N. **Restaurants, Drug Stores, and Personal Service Uses in the O-District.** Restaurants, drug stores, and personal services uses are conditionally permitted in the O-district subject to the regulations in Section 11.05 and provided that they are located within a building or structure containing a permitted use in the O-District.

O. **Retail Sales, Accessory.** Any use which involves the sale of retail goods or products to customers shall be conditionally permitted provided that such use is incidental and an integral part of a permitted use in the district and shall consist of not more than 25% of the square footage of the permitted use.

P. **Storage of Recreational Vehicles.** The storage of recreational vehicles in the A-1 and R-Districts shall be subject to the following regulations:

1. The recreational vehicles shall be owned by the owner or renter of the premises on which they are being stored.

2. A maximum of two recreational vehicles may be stored on the premises outdoors, provided that no such vehicle may be stored in a front yard, and not more than one such vehicle may be stored in any side yard.

3. Recreational vehicles must be parked on a paved surface.

4. For corner lots, up to two recreational vehicles are permitted in the side yard area which is parallel to the rear of the house. For double frontage lots, up to two recreational vehicles are permitted in the front yard, parallel to the rear of the house provided they are not located within the required setback area.

5. All recreational vehicles shall be stored at least five feet from any side property line and at least 25 feet from any rear property line.

6. Recreational vehicles are permitted in the front yard for a period not to exceed 48 hours in any 30-day period for purposes of loading, unloading, and accommodating visitors.

7. All recreational vehicles and equipment shall be free of fixed connections to water, gas, electric, or sanitary sewer facilities, and at no time be used for living or housekeeping purposes while stored on the premises, unless accommodating visitors during the limited 48-hour period as authorized in (5) above.

8. Recreational vehicles shall carry a current-year license and registration.

Q. **Swimming Pools.** Swimming pools are permitted as accessory uses in all R-Districts and the "A-1" District is subject to the following regulations:

1. Swimming pools shall be located in the rear yard and shall adhere to the corner visibility triangle regulations as defined in this Resolution.

2. Such pool area, or the entire property on which they are located, must be enclosed completely by a fence or wall of at least four feet in height above the elevation of the ground before completion of the pool. All gates in said fence or wall shall be self-closing and self-latching. No Zoning Certificate shall be issued for any pool which does not include in the submitted plans, an existing or proposed fence meeting these requirements. Both above-ground pools and in-ground pools shall be subject to this provision. A two-foot fence around the top circumference of an above-ground pool with a lockable ladder is acceptable, in place of a ground fence, provided that the height from the finish grade to the top of the fence is a minimum of four feet.

3.07. Temporary Use Standards

Temporary uses are subject to the specific regulations and time limits that follow and to other applicable regulations of the district in which the use is located. Temporary uses are required to obtain zoning certificates per Subsection 11.05.E unless specifically exempted. The following temporary uses, and no others, are permitted in the Zoning Districts as herein specified:

A. **Contractor's Offices and Equipment Sheds.** Contractor's offices and portable equipment sheds are permitted when accessory to a construction project. No such use shall contain any sleeping or cooking accommodations. Such use shall be limited to a period not to exceed the duration of the active construction phase of such project.

B. **Festivals and Circuses.** Festivals and circuses are permitted only when sponsored by a not-for-profit religious, philanthropic, or civic group or organization. Such use shall be limited to a period not to exceed three consecutive days.

C. **Indoor and Outdoor Art, Craft, and Plant Shows, Exhibits, and Sales.** Indoor and outdoor art, craft, and plant shows, exhibits, and sales are permitted in all Business Districts when in conjunction with the principal use on the property or when sponsored solely by a non-profit organization. Such uses shall be limited to three periods per calendar year, not exceeding three days per period.

D. **Mobile Restaurant.** Mobile restaurants, otherwise known as "food trucks", are permitted as a temporary use for special events subject to the following regulations:

1. **Approval**

a. A zoning certificate is not required for mobile restaurants, but the use shall comply with the regulations contained within this section.

b. The mobile restaurant shall have all permits and licenses required by the State of Ohio and Butler County prior to operating.

c. Mobile restaurant operations shall be limited to the hours of 7:00 am to 10:00 pm, unless specifically approved by the township.

2. **Location**

   a. Mobile restaurants are permitted on private property subject to the permission of the property owner. The operator shall have written permission from the property owner to operate on their property, which shall be kept with the mobile restaurant and made immediately available to the township upon request.

   b. Mobile restaurants shall be allowed in the public right-of-way if the right-of-way is closed in accordance with an approved road closure permit and the use is approved by the township. Vehicles cannot operate on a public sidewalk or park on the side of the road unless it has been closed for an event.

   c. Mobile restaurants shall be allowed at events located at parks or gathering areas, with the approval of the township.

   d. Overnight parking of the mobile restaurant is not permitted except in the case where it is associated with the principal use on the property and the vehicle is kept on the same lot.

3. **Site Standards**

   a. The mobile restaurant shall be parked on a paved surface, unless it is located in a park as approved by the township.

   b. The mobile restaurant shall be located at least 30 feet away from an access point or driveway.

   c. The mobile restaurant shall not disrupt parking and traffic.

   d. There shall be at least six feet of safe pedestrian passage around the mobile restaurant.

   e. The mobile restaurant may not set up tables and chairs unless coinciding with a festival or special event.

   f. Patrons of the mobile restaurant shall only utilize private property for vehicle parking.

   g. Mobile restaurants shall be located on a lot with a principal building.

4. **Signage.** Signage must be attached to the mobile restaurant and may not extend above the roof or beyond the sides of the vehicle.

E. **Mobile Use, Retail, and Medical.** Retail and medical mobile uses are permitted as temporary uses subject to the following regulations:

1. **Approval**

   a. A zoning certificate is not required for mobile medical or retail uses, but the use shall comply with the regulations contained within this section.

   b. The mobile use shall have all permits and licenses required by the State of Ohio and Butler County prior to operating.

2. **Location**

   a. Mobile uses are permitted on private property subject to the permission of the property owner. The operator shall have written permission from the property owner to operate on their property, which shall be kept with the mobile use and made immediately available to the township upon request.

   b. Overnight parking of mobile uses is not permitted except in the case where it is associated with the principal use on the property and the vehicle is kept on the same lot.

3. **Duration**. Mobile uses shall be limited to a maximum of four times per calendar year.

4. **Site Standards**

   a. The mobile use shall be parked on a paved surface, unless it is located in a park as approved by the township.

   b. The mobile use shall be located at least 30 feet away from an access point or driveway.

   c. The mobile use shall not disrupt parking and traffic.

   d. There shall be at least six feet of safe pedestrian passage around the mobile use.

   e. The mobile use may not set up tables and chairs unless coinciding with a festival or special event.

   f. Patrons of the mobile use shall only utilize private property for vehicle parking.

5. **Signage**. Signage must be attached to the mobile vehicle and may not extend above the roof or beyond the sides of the vehicle.

F. **Model Units, Including Real Estate Offices.** Model units including real estate offices are permitted when an accessory use to a new development. No such use shall contain sleeping or cooking accommodations unless located in a model dwelling unit. Such use shall be limited to a period of the active selling or leasing of units or space in such development and to the activities related to the development in which such office is located. No such office shall be used as the general office or headquarters of any firm. Such uses shall require the issuance of Zoning Certificate specifying such use as an approved model unit or real estate office.

G. **Portable Storage Unit.** Portable storage units are permitted for a period not to exceed 30 days, and for a time period not to exceed 90 days in any 12-month period. A zoning certificate is required prior to the installation of such use.

H. **Residential Outdoor Sale.** Residential outdoor sales are permitted in any district, but only when limited to the personal possessions of the owner or occupant of the dwelling unit at which such sale is being conducted. Such use shall be limited to a period not to exceed no more than two consecutive days and no more than three such sales shall be conducted from the same property in any 12-month period. No Zoning Certificate shall be required for such use.

I. **Seasonal Sales.** Seasonal sale activities, such as Christmas tree sales, pumpkin sales, and flower sales are permitted in all B-1 and B-2 Districts. Such uses shall be limited to a period not to exceed 60 days per calendar year.

J. **Tents.** Tents are permitted in connection with any permitted, accessory, or temporary use. No tent shall be allowed to remain for a period of more than two days longer than the period during for which it is associated is allowed to remain.

4. DIMENSIONAL AND DESIGN STANDARDS

4.01. Dimensional Standards

A. **Purpose.** The purpose of this section is to establish dimensional standards for lots within West Chester Township.

B. **Dimensional Standards.** The following dimensional standards shall apply to each building or structure, as applicable, in the district where they are located.

TABLE 4.01-1: A-1, R-1, R-1A, R-2 DISTRICT DIMENSIONAL STANDARDS

	A-1 Agricultural Uses/Other Uses	**A-1** One-Family Dwellings	**R-1** One-Family Dwellings	**R-1A** One-Family Dwellings	**R-2** One-Family Dwellings	**R-1, R-1A, and R-2** Other Uses
Minimum Lot Area	**Agricultural Uses:** 3 acres **Other Uses:** 80,000 sq. ft.	80,000 sq. ft.	20,000 sq. ft.	15,000 sq. ft.	8,000 sq. ft.	40,000 sq. ft.
Minimum Lot Frontage	200 ft.	200 ft.	100 ft.	90 ft.	65 ft.	200 ft.
Minimum Front Yard Setback	50 ft.	50 ft.	35 ft.	30 ft.	30 ft.	100 ft.
Minimum Side Yard Setback	50 ft.	35 ft.	15 ft.	10 ft. one side, 25 ft. total both sides	8 ft. one side, 20 ft. total both sides	50 ft.
Minimum Rear Yard Setback	100 ft.	100 ft.	45 ft.	45 ft.	40 ft.	100 ft.
Maximum Lot Coverage	35%	25%	50%	50%	50%	45%
Maximum Principal Building Height	2.5 stories or 35 ft. (whichever is less)	2.5 stories or 35 ft. (whichever is less)	2.5 stories or 35 ft. (whichever is less)	2.5 stories or 35 ft. (whichever is less)	2.5 stories or 35 ft. (whichever is less)	2.5 stories or 35 ft. (whichever is less)
Maximum Accessory Structure Height	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

TABLE 4.01-2: R-3 AND R-4 DISTRICT DIMENSIONAL STANDARDS

	R-3 One-Family	**R-3** Two-Family	**R-4** One-Family Detached	**R-4** One-Family Attached	**R-4** Two-Family	**R-4** Multi-Family (3+ units)	**R-3/R-4** Other Uses
Minimum Lot Area	6,000 sq. ft	12,000 sq. ft.	6,000 sq. ft	3,500 sq. ft.	12,000 sq. ft.	7,260 sq. ft. per unit	40,000 sq. ft.
Minimum Lot Frontage	50 ft.	80 ft.	50 ft.	25 ft.	80 ft.	100 ft.	200 ft.
Minimum Front Yard Setback	25 ft.	30 ft.	25 ft.	25 ft.	30 ft.	30 ft.	**R-3** 100 ft. **R-4** 50 ft.
Minimum Side Yard Setback	8 ft. one side, 20 ft. total both sides	10 ft. one side, 25 ft. total both sides	8 ft.	0 ft.	10 ft.	20 ft.	50 ft.
Minimum Rear Yard Setback	35 ft.	45 ft.	35 ft.	35 ft.	45 ft.	60 ft.	75 ft.
Maximum Lot Coverage	50%	50%	50%	50%	50%	50%	45%
Maximum Principal Building Height	2.5 stories or 35 feet (whichever is less)	2.5 stories or 35 feet (whichever is less)	2.5 stories or 35 feet (whichever is less)	2.5 stories or 35 feet (whichever is less)	2.5 stories or 35 feet (whichever is less)	2.5 stories or 35 feet (whichever is less)	2.5 stories or 35 feet (whichever is less)
Maximum Accessory Structure Height	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

TABLE 4.01-3: O, B-1, B-2, CBD, AND M DISTRICT DIMENSIONAL STANDARDS					
	O	**B-1**	**B-2**	**CBD**	**M**
Minimum Lot Area	10,000 sq. ft.	10,000 sq. ft.	10,000 sq. ft.	43,560 sq. ft.	10,000 sq. ft.
Minimum Lot Frontage	None	None	None	None	None
Minimum Front Building Setback	40 ft.	25 ft.	25 ft.	50 ft.	25 ft.
Minimum Front Pavement Setback	10 ft.	10 ft.	10 ft.	25 ft.	10 ft.
Minimum Side Yard Setback	25 ft.	15 ft.	15 ft.	15 ft.	5 ft.
Minimum Rear Yard Setback	50 ft.	35 ft.	35 ft.	35 ft,	40 ft.
Maximum Lot Coverage	80%	80%	85%	75%	85%
Maximum Principal Building Height	48 ft.	35 ft.	50 ft.	120 ft.	120 ft.
Maximum Accessory Structure Height	20 ft.	20 ft.	20 ft.	20 ft.	20 ft.

C. Frontage Regulations

1. Except as provided herein, all lots used for residential purposes shall have frontage on a public dedicated right-of-way in accordance with the district where it is located.
2. Frontage along limited access or interstate roadways shall not be considered as part of the required street frontage.
3. Frontage regulations for specific lot types are further regulated in Subsection 4.01.H.

D. Measurement Regulations

1. Minimum lot width is measured at the building line.
2. The maximum distance from the street right-of-way to the principal building or accessory structure shall not exceed 450 feet without written authorization from the West Chester Fire Department.
3. In no case shall an accessory building located within 100 feet of the principal building exceed the height of the principal building.

E. Setbacks and Yards

1. Setbacks refer to the minimum open space that is required by the specific district provisions, which must be provided between a principal building and the front, side, and rear property lines, unoccupied from the ground upward.

2. Yards refer to the open space extending the full width of the lot between the furthermost projection of a structure and the front, side, or rear property line.

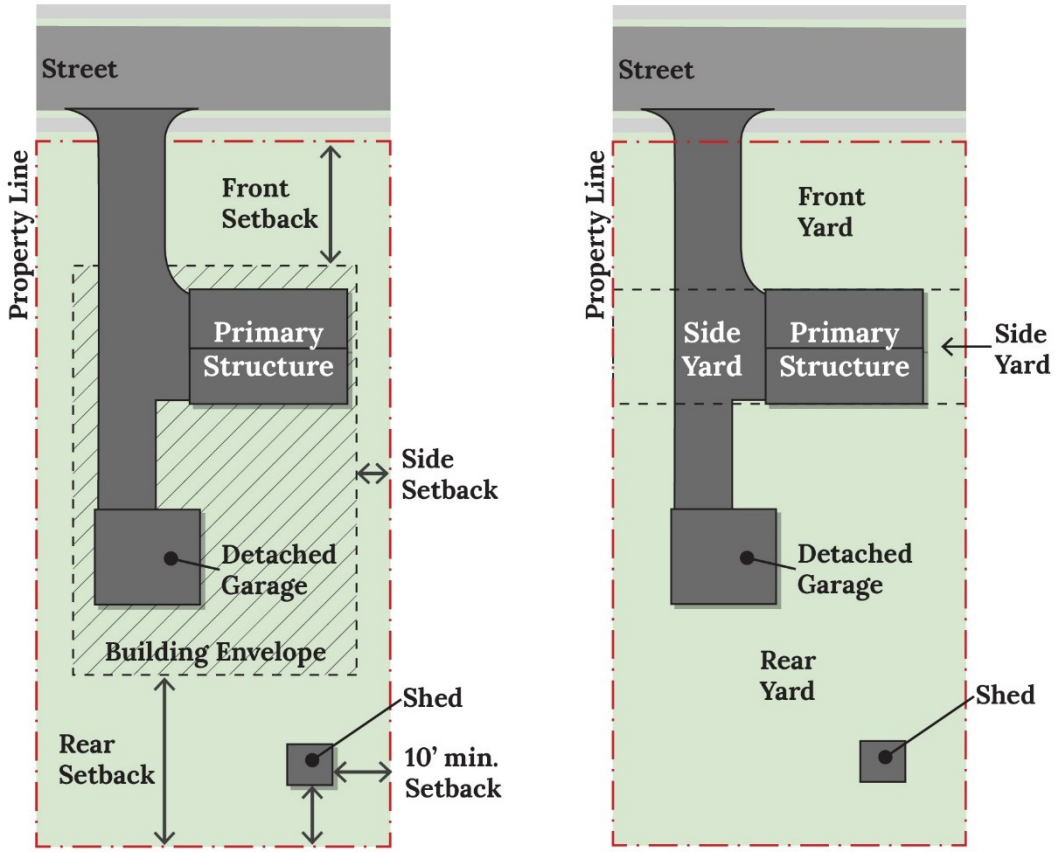


Figure 4-1: *Illustration of Setbacks (Left) and Yards (Right)*

3. **Front Yard Modifications**

   a. In areas of the township where there is an established development pattern, as determined by the Community Development Director, the required minimum front yard setback shall be the average of the existing front yard setbacks of all principal structures on the same side of the street and within 300 feet of the subject lot.

   b. If the calculated average described in (a) is less than the district requirements, the required minimum front yard setback for the subject lot is the average as calculated.

   c. This does not apply to panhandle lots which must meet the frontage dimension requirements for the zoning district in which they are located.

d. Modification of the front yard setback in accordance with this section will not create a non-conforming lot unless the lot or structure does not meet other applicable provisions of this code.

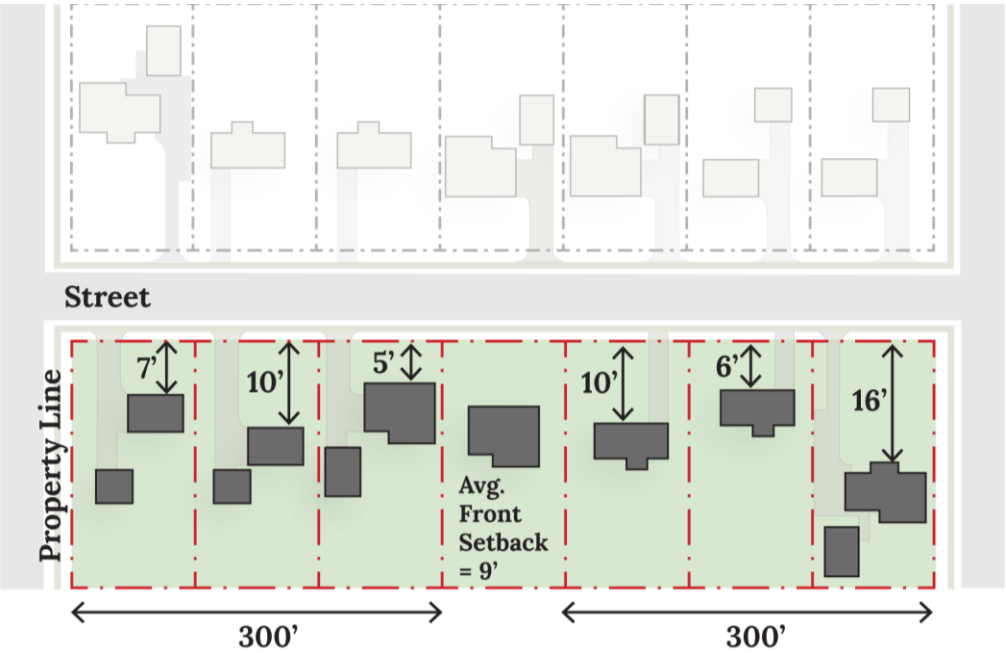


Figure 4-2: *Illustration of Front Yard Modification*

F. **Height Exceptions.** Height limitations stipulated in this Resolution shall not apply to the following:

1. Barns, silos, or other farm buildings or structures on farms;

2. Water towers;

3. Transmission towers;

4. Parapet walls extending a maximum of four feet above the maximum height of the building;

5. Places of public assembly in worship or religious facilities, schools, and other permitted public and semi-public buildings provided that for each three feet by which the height of such building extends the maximum height otherwise permitted in the district, its side and rear setbacks shall be increased in width or depth by an additional foot over the minimum requirement.

G. Yard Projections. The following architectural features may project into the required front or side yard as follows:

1. Cornices, canopies, eaves, or other architectural features not to exceed 2.5 feet.
2. Fire escapes may project a distance not to exceed four feet.
3. An open air stair and necessary landing may project a distance not to exceed four feet.
4. Bay windows, balconies, or chimneys not exceeding three feet, provided that the aggregate width of such projections shall not exceed one-third of the length of the wall on which it is located.
5. Decks may project into the rear yard setback a maximum of eight feet provided it is open on three sides, except for railings or banisters. Decks that project into the rear yard setback may not be enclosed or roofed (including open roofs structures like a trellis or a pergola).
6. Handicap accessible ramps may be located in any yard if such ramp is constructed out of materials and is of a color that is consistent with the principal structure on the property. Additionally, such ramps shall not be located in the right-of-way and shall be removed from the property if no longer needed.

H. Lot Requirements

1. **Interior Lot**

   a. The required minimum front yard setback shall be measured from the front property line.

   b. The lot line located directly behind the rear of the structure, as determined by the Community Development Director, shall be the rear lot line and the rear setback shall be applied.

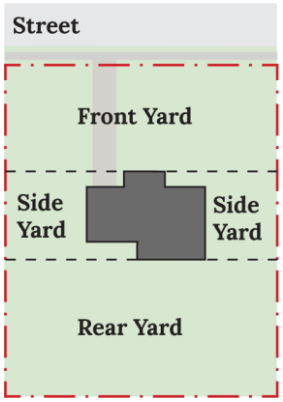


Figure 4-3: *Illustration of an Interior Lot*

2. **Corner Lot.** Buildings on corner lots shall be required to have two front yards of the required depth pursuant to the district in which it is located. Such corner lots do not have a rear property line or rear yard, but two side property lines and a side yard instead.

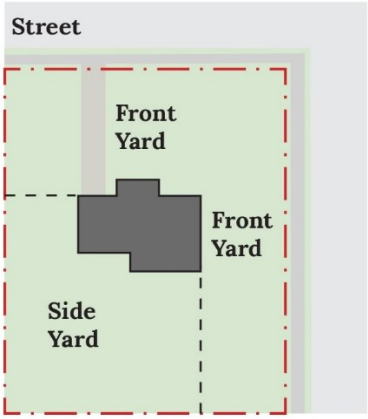


Figure 4-4: *Illustration of a Corner Lot*

3. **Double Frontage**. Buildings on lots having two frontages on two non-intersecting streets shall not be required to provide a rear yard, however, a minimum front yard depth, pursuant to the district where such building is located, must be maintained on both streets.

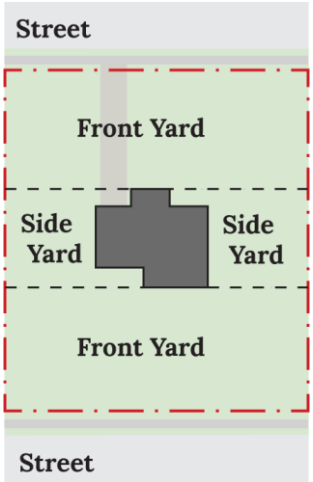


Figure 4-5: *Illustration of a Double Frontage Lot*

4. **Cul-de-sac or Curved Lot**

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

   b. The specific district requirements regarding lot frontages may be reduced to 40 feet on lots located along a cul-de-sac or curved road. The required 40 feet shall be measured at the street right-of-way on the ball of the cul-de-sac or curve. The frontage required by the specific district shall be maintained at the designed building setback line, for such lots.

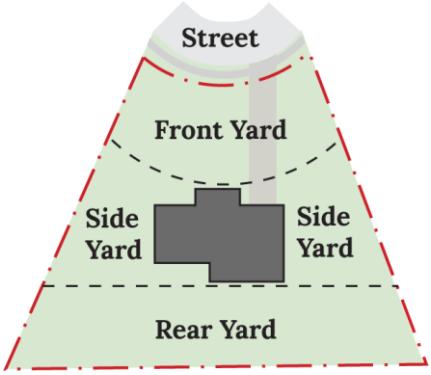


Figure 4-6: *Illustration of a Cul-de-sac or Curved Lot*

5. **Panhandle or Flag Lot**. The specific district requirements regarding lot frontages may be reduced to 20 feet on panhandle lots, subject to the following requirements:

   a. A minimum width of 20 feet shall be provided for the complete length of the "handle".

   b. The frontage required by the specific district shall be maintained at the designed building setback line.

   c. All such panhandle lots shall be located within a recorded subdivision, and the number of panhandle lots shall not exceed 10 percent of the total number of lots in the subdivision.

   d. The area containing the "handle" of the panhandle lot shall not be used for purposes of calculating the required lot area.

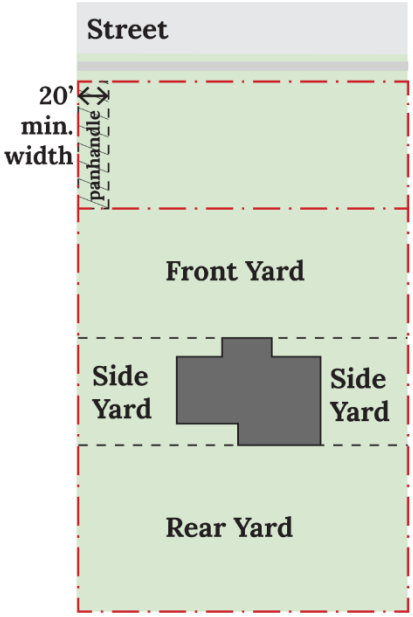


Figure 4-7: *Illustration of a Panhandle or Flag Lot*

4.02. Architectural and Design Standards

A. **Purpose.** The purpose of this section is to encourage development that contributes to the architectural aesthetic of West Chester's built environment. The Community Development Director shall review applications against the following regulations.

B. **Applicability.** The development standards within this article shall apply to all new nonresidential and multi-family developments including substantial exterior renovations or substantial additions within West Chester Township. Substantial shall mean an enlargement of 50% or more of the existing floor area of the current structure or a renovation of an existing building façade of more than 50% of the total combined exterior building facades. Substantial additions shall adhere to the standards within this section, while also ensuring compatibility with the existing building that is to remain.

C. **Architectural Standards**

1. Building Orientation

a. A single building shall be oriented, so the primary façade faces the street from which the site obtains its address on.

b. For corner lots, the building may face either street, or the center of the intersection.

c. For lots fronting two non-intersecting streets, the primary façade shall face the street with the higher street classification as identified on the Butler County Thoroughfare Plan.

d. Multi-building developments should be arranged in a manner that allows for mobility through the street blocks via streets, pedestrian walkways, or other mobility and connectivity routes.

e. Buildings facing the street and pedestrian walkways should include windows or transparent materials that equals a minimum of 25% of the length of the front façade of the building, or store frontage.

2. **Building Entrances**. The primary building entrance for non-residential uses shall be clearly defined, visible, and include at least three of the following design features:

a. Roof overhang or awning above entrance,

b. Entry recess/projection,

c. Arcades that are integrated with the entrance,

d. Outdoor plaza adjacent to entrance having seating and a minimum depth of 20 feet,

e. Display windows that are adjacent to the entrance,

f. Architectural details, such as but not limited to tile work and moldings, that are integral or adjacent to the building entrance.

g. Raised corniced parapets above entrance,

h. Gabled roof forms or arches above entrance, and

i. Integral planters or wing walls that incorporate landscaped or seating areas.

3. **Building Massing**. There shall be no uninterrupted lengths of blank wall longer than 40 feet, for facades that are at least 60 feet wide. This applies to all elevations visible from rights-of-way and from residential zoning districts or uses. The following techniques may be used to implement this standard:

a. Recesses of projections in the wall that are at least two feet in depth,

b. Façade material or color changes following the same dimensional requirements,

c. Pilasters measuring a minimum of one foot by one foot with a minimum height of 80% of the building façade, or

d. Roofline changes that correspond to the aligned material changes in the façade.

4. **Multi-Sided Architecture**

   a. The sides and rear of a structure shall include consistent detail such as the front façade of the structure in terms of architectural features.

   b. Sides and rears of a structure that are not visible from adjacent properties or the right-of-way are exempt from this standard.

5. **Roofs**

   a. Roof line changes shall be aligned vertically with the corresponding business frontage, offset, or material or color changes.

   b. Flat roofs shall be screened from view with parapet walls that have 3-dimensional cornice treatment or other screening methods.

   c. Chimneys do not have to be screened with a parapet wall.

6. **Mechanical Equipment**

   a. **Wall Mounted**. Mechanical, electrical, communications, gutters, downspouts, and other building wall mounted utility fixtures, shall be designed to match the paint or materials of the building. Such fixtures shall also be located to blend into the façade as much as possible.

   b. **Ground Mounted.** All ground mounted mechanical equipment shall be screened from view from all rights-of-way and residentially zoned property or residential use.

   c. **Roof Mounted.** All pipes, mechanical equipment, vents, antennas, and satellite dishes (excluding chimneys), shall be located on top of the rear of the structure and be screened with a parapet wall that has a 3-dimensional cornice treatment when visible from any right-of-way or residential zoned property, including residential uses in non-residential zoning.

   d. Screening elements shall include walls that match the design of the principal structure, mounds, landscaping, parapets, or enclosures, that are made of the same material as most of the principal structure. A combination of the above or otherwise required by the Zoning Commission.

   e. Screening components shall be maintained in good condition.

   f. Any noise generated from mechanical equipment shall be subject to any applicable noise regulations adopted by the township.

   g. Alternative screening requests can be made when topographical constraints affect the screening requirements and shall be reviewed and approved by the Community Development Director.

7. Dumpster and Trash Receptacle Enclosures

a. All trash receptacles and dumpsters that are 32 gallons and larger and are located outside of an enclosed building, shall be located in the rear or side yard, and shall be located within an enclosure as stipulated herein.

b. The enclosure shall be located on a concrete pad, or other paved surface.

c. The exterior of the enclosure shall be constructed out of masonry materials that are consistent with the principal building. The fourth side of the structure shall include an opaque gate for access to the receptacle for emptying the containers. Such gates shall remain closed unless the waste containers are being accessed. The enclosure shall be at least 6 feet tall and no taller than 8 feet.

d. The enclosure shall be maintained in good condition without any form of advertising thereon.

8. Loading Docks and Service Doors

a. All loading or truck docks shall not be visible from adjacent residential zoned property, including residential uses in non-residential zoning, and all rights-of-ways.

b. Overhead service doors and doors larger than six feet wide used for commercial purposes shall not be visible from residential zoned property, including residential uses in non-residential zoning, unless the residential use is established after the commercial use.

D. Alternate Standards Request

1. An applicant may submit a waiver request to the architectural standards contained within this section to the Community Development Department, which may be approved administratively for minor modification requests per 11.05.D, or forwarded to the Board of Zoning Appeals for other requests. In doing so, the following standards must be met:

a. The waiver request or modification does not adversely affect the intent of these regulations to adequately safeguard the general public and surrounding properties.

b. A special circumstance warrants a change and whereby the modification or waiver is determined to be in the best interest of the general public.

c. The proposed alternative achieves the intent of the subject design standards, to the same or better degree than the subject standard, and results in benefits to the community that is equivalent to or better than compliance with the subject design standard.

2. The waiver request shall include the following:

a. A narrative that describes the nature of the request and the justification for why the request is needed for the success of the project or development.

b. Site plans, building elevations, and perspective drawings or photo overlays of the proposed building/development. These shall illustrate the improvement(s) in relation to the neighboring facilities including, but not limited to:

i. Building shapes and sizes, colors, shade and shadow, signage, entrance treatment, edge treatments and appurtenances;

ii. Construction material type and quality;

iii. Exterior lighting including location, lamp type, size, and fixture type; and,

iv. Treatment of mechanical equipment and service operations.

c. Additional presentation tools such as material samples, models or electronic visualizations are encouraged but not mandatory.

E. **Enforcement.** The Community Development Director shall be responsible for reviewing and enforcing the provisions of this section during the review of a Development Plan application or zoning permit application.

5. OFF-STREET PARKING AND LOADING

5.01. Purpose

The purpose of this section is to regulate the amount and location of vehicle parking, loading areas, access, and mobility to promote more efficient use of land, enhance the development form, encourage the use of alternative modes of transportation, provide for better pedestrian movement, and protect air and water quality.

5.02. Applicability

Any building, structure, or use of land, when erected or enlarged, increased in capacity, or results in the addition of employees, dwelling units, or seating capacity, shall provide a parking plan, as established in Section 5.04, to be reviewed and approved by the West Chester Community Development Department.

5.03. Maintenance

The duty to provide and maintain all parking, loading, and/or other vehicular use areas shall be the responsibility of the property owner where the vehicular use area is required. This includes maintaining curbing, paving surfaces, and pedestrian ways in good condition without failing materials, potholes, or other similar deterioration.

5.04. Parking Plan

A parking plan, as required in the applicability section, shall be required for all uses, except for detached single-household dwellings and two-household dwellings. The parking plan shall be submitted to the Township's Community Development Department as part of the applicable development plan or zoning certificate application. The plan shall be drawn to scale, and shall show the following:

A. The boundaries of the property;

B. The proposed number of parking spaces, including typical dimensions;

C. Access drives and maneuvering aisles, including dimensions and locations;

D. Vehicular and pedestrian circulation patterns;

E. Preliminary drainage and grading plans;

F. A lighting and photometric plan if the proposed property abuts a residential zoning district or use;

G. The locations of any proposed fences or walls;

H. A landscaping and buffering plan;

I. An analysis of the required parking spaces according to Section 5.05; and

J. Any additional information as requested by the Community Development Department.

5.05. Parking Requirements

A. Each applicant is required to provide an adequate number of parking spaces for the proposed use or expansion of uses, following the minimums established in the following table.

TABLE 5.05-1: PARKING SPACE REQUIREMENTS	
Uses	**Number of Spaces Required**
RESIDENTIAL USES	
Dwelling, multi-family	1 space per dwelling plus 1 space per 10 dwelling
Dwelling, one-family (detached and attached)	2 spaces per dwelling
Dwelling, two-family	2 spaces per dwelling
Residential facilities, small	2 spaces per dwelling
Residential facilities, large	1 space per every 2 beds plus one space per office
Residential treatment facilities, small	2 spaces per dwelling
Residential treatment facilities, large	1 space per every 2 beds plus one space per office
PUBLIC/INSTITUTION USES	
Cemeteries	N/A
Community social service facilities	1 space per 400 sq. ft.
Parks, open spaces, and public recreation facilities	1 space per acre of parkland,
Places of worship	1 space per 8 seats in the principal auditorium
Public and non-profit buildings, properties, and administrative offices	1 space per 400 sq. ft.
Public and private preschools and elementary through high schools	4 spaces per classroom and office
Schools and universities including private, public, and business	6 spaces per classroom and office
COMMERCIAL USES	
Agricultural and farm uses	2 spaces per dwelling plus 1 space per employee on the largest shift
Animal boarding, kennels, daycares, and training facilities	1 space per employee plus 2 spaces
Art galleries and studios	1 space per 250 sq. ft.
Automobile fueling/recharging stations	1 space per 400 sq. ft. plus 1 space per employee
Automobile and vehicle rentals	1 space per 500 sq. ft. plus 1 space per employee
Automobile and vehicle repair and service	2.5 spaces per service bay
Automobile and vehicle sales (new)	1 space per 500 sq. ft. plus 1 space per employee
Automobile washing facilities	1 space per employee
Banks and financial institutions	1 space per 300 sq. ft.
Beauty salons and spas	2 spaces per chair or service room
Brewery, distillery, winery, cidery (macro & micro)	1 space per employee plus 1 space per 3 seats for any restaurant or taproom
Business services	1 space per 300 sq. ft.
Commercial recreation	1 space per 300 sq. ft.
Construction equipment shops	1 space per 400 sq. ft.

TABLE 5.05-1: PARKING SPACE REQUIREMENTS	
Uses	**Number of Spaces Required**
Convenience store	1 space per 250 sq. ft.
Daycare centers	1 space per employee on the largest shift plus 3 spaces per classroom
Fitness centers and studios	1 space per 250 sq. ft.
Funeral homes and death services	1 space per 50 sq. ft. of public area
Garden and landscaping retail stores	1 space per 500 sq. ft. of land area used for display plus 1 space per employee
Hospital and medical office/center/clinics	1 space per 200 sq. ft.
Hotels, motels	1 space per sleeping room
Institutional care facilities	2 spaces per sleeping room and office
Methadone and similar high-volume drug treatment clinics	1 space per treatment room plus 1 space per employee
Museum and cultural centers	1 space per 400 sq. ft.
Night clubs	1 space per 300 sq. ft.
Off-premises advertising (billboard signs)	N/A
Office	1 space per 400 sq. ft.
Personal service	1 space per 250 sq. ft.
Private clubs/lodges	1 space per 300 sq. ft.
Radio/television studios	1 space per 500 sq. ft.
Restaurants, quick-service	1 space per 200 sq. ft.
Restaurants, standard	1 space per 250 sq. ft.
Retail sales, general	1 space per 300 sq. ft.
Retail sales, large scale	1 space per 400 sq. ft.
Self-storage units	1 space per employee
Sexually oriented businesses	1 space per 300 sq. ft.
Theaters, including drive-ins and outdoor theaters	1 space per every 4 seats (indoor) 1 space per employee (outdoor)
Therapeutic massage establishments	1 space per treatment room plus 1 space per employee
Vape, tobacco, and CBD sales	1 space per 300 sq. ft.
Veterinarian offices and clinics, animal hospitals	1 space per 500 sq. ft.
Wireless and cellular telecommunication facilities	N/A
INDUSTRIAL USES	
Animal slaughtering, stock yards	1 space per employee plus 1 space per 10 employees
Automobile and vehicle storage	1 space per employee plus 1 space per 10 employees
Automobile wrecking and junk yards	1 space per employee plus 1 space per 10 employees
Building material sales yard	1 space per employee plus 1 space per 10 employees
Contractors' equipment storage yard or plant	1 space per employee plus 1 space per 10 employees
Fulfillment and distribution	1 space per employee plus 1 space per 10 employees
Landscaping businesses	1 space per employee plus 1 space per 10 employees
Manufacturing, assembling, processing, recycling, fabricating, finishing, testing, storing, or other similar industrial actions	1 space per employee plus 1 space per 10 employees

TABLE 5.05-1: PARKING SPACE REQUIREMENTS	
Uses	**Number of Spaces Required**
Processing, storage, incineration, or reduction of garbage, debris, waste, dead animals, or other types of refuse	1 space per employee plus 1 space per 10 employees
Processing, storage, or production of hazardous materials, liquids, or gases	1 space per employee plus 1 space per 10 employees
Research and development facilities	1 space per 1,200 sq. ft.
Retail lumberyards	1 space per employee plus 1 space per 10 employees
Stone or monument works	1 space per employee plus 1 space per 10 employees
Trucking terminal	1 space per employee plus 1 space per 10 employees
Warehousing	1 space per employee plus 1 space per 10 employees

B. **Uses Not Listed.** For uses not listed in this section or such instances when the requirement for an adequate number of spaces is unclear, the number of parking spaces shall be determined by the West Chester Township Zoning Commission on the basis of similar requirements, the number of persons served, number of employees, typical visitors, and other similar factors.

C. **Units of Measurement.** For this section, the following unit measurements shall apply:

1. Fractional units shall be rounded up to the next whole number for calculating required parking spaces.

2. For parking requirements that use floor area (example: 1 space per 300 sq. ft.) as the standard, floor area shall:

a. Include the gross floor area used or intended to be used by tenants or for service to the public as customers, clients, patients, or patrons, including areas occupied by fixtures and equipment, used for the display or sale of merchandise.

b. Not include areas used principally for non-public purposes such as storage, incidental repair, processing or packing of merchandise, show windows, offices incidental to the management or maintenance of stores or buildings, toilet or restrooms, utilities, dressing rooms, or alteration rooms.

3. Where the required parking is determined by the number of employees, the maximum number of employees on duty at one time, or any two successive shifts, whichever is greater, shall be used.

4. In places of public assembly in which patrons occupy benches, pews, or other similar seating facilities, every 30 inches of such seating shall be counted as one seat for the purpose of determining the parking requirements.

5. For mixed use developments, the parking requirement shall be the sum of the parking requirements for each use considered separately. The West Chester Township Zoning Commission may consider modifying the required number of spaces on an individual basis as enumerated in Subsection 5.05.D.

D. Modification of Requirements

1. The West Chester Zoning Commission may modify the number of required parking spaces if it is deemed appropriate based on the following factors:
   - **a.** Parking demand of the proposed use;
   - **b.** Number of typical patrons or employees;
   - **c.** Shared parking opportunities;
   - **d.** Off-street parking availability;
   - **e.** Alternative transportation usage;
2. As part of the approval for a reduction in the number of required parking spaces, the approving body may require the applicant to reserve land on the subject property to be reserved for a future parking area.

E. Shared Park. Subject to approval by the West Chester Township Zoning Commission, up to 50 percent of required off-street parking spaces for two or more uses located on the same parcel or adjacent parcels may be shared provided the developer and/or landowner can demonstrate that the uses will not substantially overlap in hours of operation or demand for the shared spaces. This shall be guaranteed by a written agreement properly drawn up and executed by the parties concerned, approved as to form by the Township Law Director, and filed with the application for a zoning certificate.

5.06. Parking for the Disabled

Parking spaces required for people with disabilities shall be provided in compliance with the Americans with Disabilities Act (ADA) and other applicable state and federal requirements. All spaces shall include the necessary markings, striping, and signage. All spaces should be located so that they provide easy access from the closest parking spaces to the major entrances of the use for which they are provided.

5.07. Surfacing

All off-street parking areas, parking spaces, parking lots, and all access drives to such areas shall be surfaced with asphalt or concrete of sufficient depth to meet the standard engineering practice for the design of pavements for the anticipated traffic load, in accordance with the standards of the Butler County Engineer's Office.

5.08. Lots Under Construction

Lots under construction shall pave the first 20 feet of all access roads/drives in order to keep debris off the public right-of-way.

5.09. Grading and Drainage

Such areas shall be graded and drained as to dispose of all surface water accumulated within the area, utilizing best practices including but not limited to, rain gardens and pervious pavers, in accordance with the standards of the Butler County Engineer's Office.

5.10. Markings

Parking areas shall be arranged and marked as to provide for safe loading, unloading, and parking of vehicles and self-propelled vehicles (such as bicycles and scooters).

5.11. Parking Location and Design

A. Uses which utilize private common parking areas must demonstrate that legal rights of easements exist and have been recorded to permit the use of parking spaces on the adjacent or surrounding property. This documentation shall be provided to Community Development Department staff before a Zoning Certificate is issued for said use.

B. All off-street parking areas shall be designed in a way to prevent vehicles from having to directly back out of the lot onto a public street.

C. The spacing, location, and number of entrances and exits from parking areas shall be approved by the Butler County Engineer or the Community Development Department.

5.12. Residential Parking Requirements

A. Single-family residential dwellings (attached or detached) shall provide a minimum of two parking spaces. Two-family residential dwellings shall provide a minimum of three parking spaces unless an alternate parking plan is approved by the Township. Parking spaces within a garage or in the driveway area shall count towards this requirement.

B. Vehicles shall be required to park in the garage or driveway area only. The parking of vehicles on the lawn, or in other areas not designated for parking, for more than twenty-four hours in any seven day period shall be prohibited. This subsection does not regulate parking in the street right of way.

C. The impervious surface ratio of the required front yard shall not exceed 30 percent. The impervious surface ratio shall include porches, sidewalks, driveways, and/or other impervious surfaces that project into the required front yard (excluding the public right-of-way).

D. The storage of recreational vehicles is subject to Subsection 3.06.P.

5.13. Parking of Commercial Vehicles

A. **Commercial Vehicles in Residential Districts.** No commercial vehicle shall be parked on any lot within any R-District or the "A-1" District unless to provide commerce or services to that property unless being stored within an entirely enclosed building under the same ownership as the commercial vehicle, or as permitted herein. One commercial vehicle shall be permitted to be parked or stored on a driveway in an R-District or A-1 District if:

1. It does not exceed eight feet in height and/or 20 feet in length;
2. Does not provide occupancy for human habitation;
3. No business is conducted therein; and,
4. It is not a bus, cement truck, box truck, box van, semi-tractor, semi-trailer, stake bed truck, step van, tank truck, tar truck, dump truck, tow truck, or wrecker.

B. Commercial Vehicles in Commercial Districts. No commercial vehicle shall be parked on any lot within any commercial district (O, B-1, B-2, CBD, and M Zoning Districts) unless:

1. The commercial vehicle is for the purposes of providing commerce or services to that property; or,
2. The commercial vehicle is licensed to or affiliated with the business located thereon; or,
3. The commercial vehicle is being repaired thereon; or,
4. The lot is an approved truck terminal or truck stop; or,
5. The commercial vehicle is parked at an establishment that offers overnight accommodations, provided the driver of the vehicle is a guest at such an establishment.

5.14. Parking Aisle and Space Dimensions

Each off-street parking space and maneuvering aisle shall have the minimum width as set forth in the following table.

TABLE 5.14-1: PARKING AISLE AND SPACE DIMENSIONS

	A		B	C	D	E
	Aisle Width					
Parking Aisle	One-way	Two-way	Space Width	Length of Space	Approximate Curb to Curb (Single Bay)	Approximate Bay Width (Center to Center)
0 degree/parallel	12 feet	20 feet	9 feet	21 feet	38 feet	38 feet
45 degrees	14 feet	20 feet	9 feet	18 feet	56 feet	53 feet
60 degrees	18 feet	22 feet	9 feet	18 feet	60 feet	58 feet
90 degrees	24 feet	24 feet	9 feet	18 feet	60 feet	60 feet

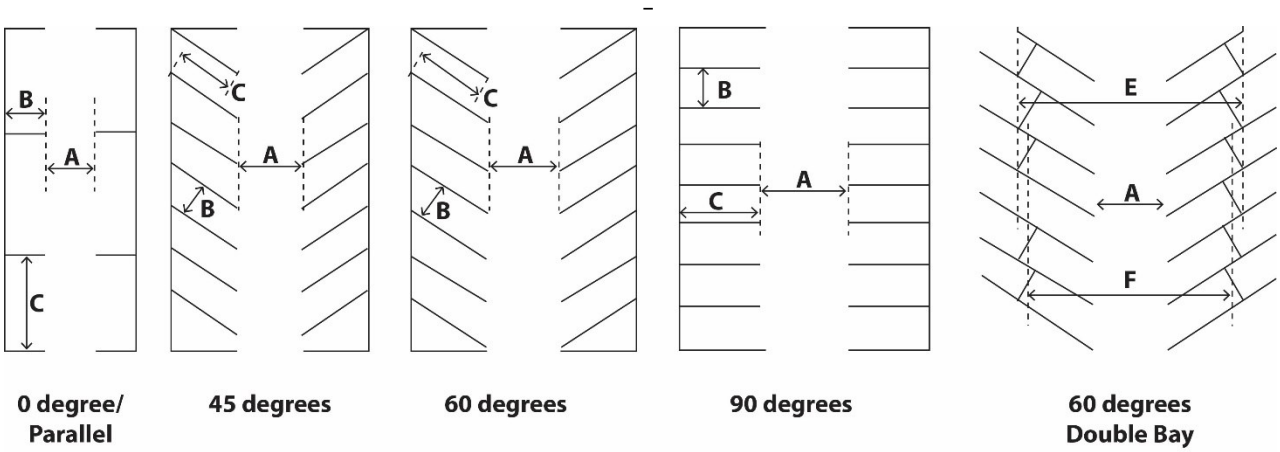


***Figure 5-1**: Illustration of parking angles and related dimensional references.*

5.15. Vehicle Overhang

When parking spaces abut a landscaped area, grassy strip, or yard, a reduction of a maximum of two feet of the overall length of any such space or spaces may be allowed as vehicles may extend into the landscaped area, grassy strip, or yard. When parking spaces abut a pedestrian path, a reduction of a maximum of two feet of the overall length of any such space or spaces may be allowed provided that the vehicle overhang does not reduce the pedestrian path to less than four feet in width and does not encroach on the pedestrian circulation. A concrete wheel stop, or concrete curb, shall be utilized to delineate the limitations of the parking area.

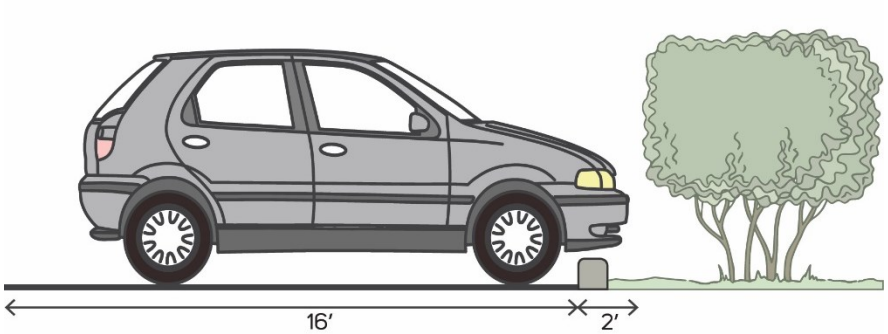


***Figure 5-2:** Illustration of vehicle overhang and related reduction in parking space length.*

5.16. Continuous Curbs

Continuous curbs shall be provided, located, and designed to protect required screening devices, landscaping, and pedestrian ways from damage or encroachment of vehicles and to provide necessary traffic control in the parking area. Continuous curbs shall be made of asphalt, concrete, or stone, and shall be a minimum of six inches in height and six inches in width. They shall form a non-interrupted edge around all landscaped areas adjacent to parking and turn-around areas that are not protected by wheel stops. Breaks may be incorporated into curbing to allow for the strategic flow of surface drainage.

5.17. Off-Street Loading Standards

A. **Dimensions.** Each off-street loading space shall be at least 10 feet in width, 50 feet in length and have a vertical clearance of 15 feet or more. Access aisles shall be provided in order to provide the necessary maneuvering space for delivery trucks.

B. **Paving and Drainage.** All loading spaces shall be graded and improved with bituminous concrete or Portland concrete and provide drainage in accordance with the standards of the Butler County Engineer's office.

C. **Location.** All required loading spaces shall be off-street and shall be located on the same lot as the specific use to be served. No loading space shall be located within a front, side, or rear yard setback and in no case shall any space be located less than 50 feet from any R-District.

D. **Number of Off-Street Loading Spaces Required.** In connection with every building or part thereof erected for commercial and industrial uses which customarily receive or distribute material or merchandise by vehicle (such as food deliveries to restaurants, merchandise deliveries to retail stores, materials delivered to manufacturing facilities, etc.), there shall be provided, on the same lot with such buildings, off-street loading spaces with the requirements herein, except for existing legal non-conformities. Off-street loading requirements shall be as follows:

TABLE 5.17-1: OFF-STREET LOADING REQUIREMENTS

Square Footage of Principal Building	Number of Loading Spaces Required
Commercial Uses	
< 1,000 sq. ft.	0
1,001 – 10,000 sq. ft.	1
10,001 – 40,000 sq. ft.	2
> 40,000 sq. ft.	3, plus one space for each 30,000 sq. ft. over 40,000 of building area
Industrial Uses	
< 2,000 sq. ft.	0
2,001 – 10,000 sq. ft.	1
10,001 – 40,001 sq. ft.	2
> 40,000 sq. ft.	3, plus one space for each 30,000 sq. ft. over 40,000 of building area

E. **Exceptions and Modifications.** The Board of Zoning Appeals may authorize a modification, reduction, or waiver of the foregoing requirements if they should find that there is an exceptional situation or condition that justifies such action.

5.18. Off-Street Stacking Spaces

A. The minimum number of required stacking spaces shall be as provided in the following table.

TABLE 5.18-1: STACKING SPACE REQUIREMENTS

Activity	Minimum Stacking Spaces (per lane)	Measured From
Restaurant with a drive-through/pick-up window	6	Pick-up window
Restaurant with a pick-up window	2	Pick-up window
Bank, financial institution, or ATM	4	Teller or window
Fuel or gas pump island	2	Pump island
Pharmacy	5	Pick-up window
Automobile washing facility, full-service	6	Outside of washing bay
Automobile washing facility, self-service	2	Outside of washing bay
Other	As determined by the Community Development Director	

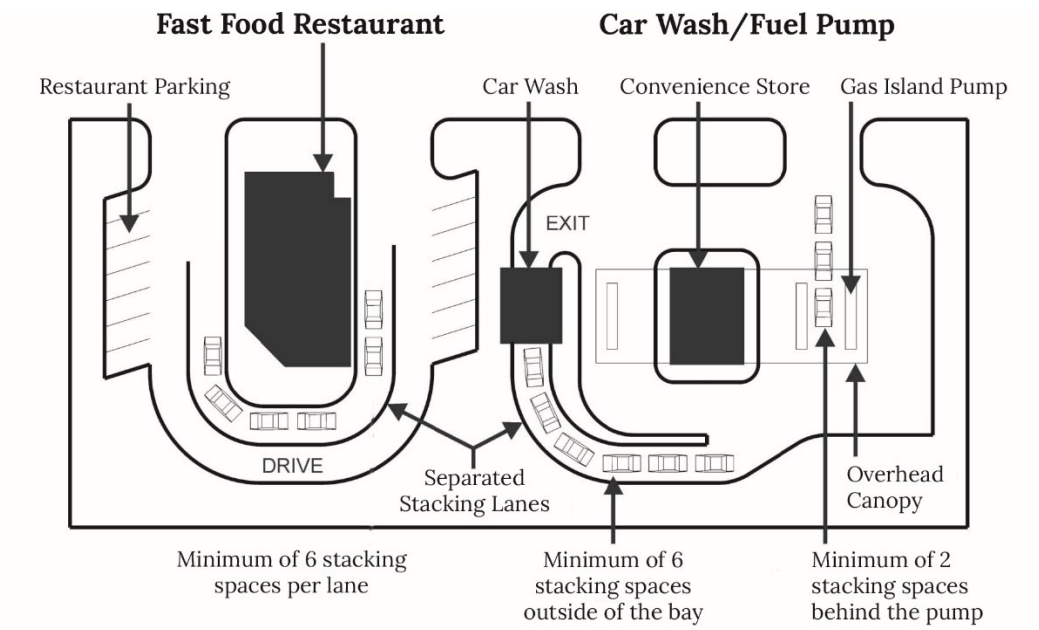


Figure 5-3: *Illustration of stacking spaces for different uses*

B. Each off-street stacking space shall have a minimum dimension of 10 feet in width and 20 feet in length and shall be set back a minimum of 25 feet from rights-of-way.

C. Drive-through lanes must be separated by striping or curbing from other parking and circulation areas. Individual lanes must be striped, marked, or otherwise distinctly delineated.

D. Vehicle stacking lanes shall be located on the side and rear of the building.

E. Vehicle stacking shall not interfere with access to the site and not impede traffic on the adjacent streets.

F. The Zoning Commission and/or Board of Zoning Appeals may authorize a modification, reduction, or waiver of the foregoing requirements if they should find that there is an exceptional situation or condition that justifies such action.

5.19. Appeals

The Community Development Department has the authority to reject a parking plan and/or analysis if they determine that an adequate amount of parking has not been provided. The applicant may appeal the decision to the West Chester Township Board of Zoning Appeals per the appeals regulations in Subsection 11.05.F.

6. LANDSCAPING, BUFFERING, AND SCREENING

6.01. Purpose

The purpose of this article is to establish standards and regulations to promote and protect the interest of the public welfare by requiring buffering between incompatible land uses, screening visually undesirable areas, and providing attractive views from rights-of-ways and adjacent properties, as well as all applicable regulations in Article 3.

6.02. Applicability

This section shall apply to new property development, any expansion of existing structures or parking lots, or significant remodels to existing buildings as set forth herein, except for individual single family dwellings, two family dwellings, and parking lots of less than 10 spaces.

A. If the expansion results in a parking lot of greater than 10 spaces, the regulations of this section shall apply to the entire development. The landscape plan for the development shall be reviewed and approved by the appropriate approval body that is reviewing and approving the site expansion.

B. Existing buildings that are being remodeled or reconstructed to the extent of 50 percent or more of the appraised value of the building shall meet the landscaping requirements of this Article.

C. The parking lot area and parking spaces contained entirely within a parking garage shall not be subject to the landscaping requirements of this Article.

6.03. Landscape Plan

A landscape plan is required, and all applicable development applications shall submit a landscape plan to the Community Development Department for review and approval. This plan may be incorporated into a parking/paving plan or may be included in the overall development plan for a property. The following elements shall be shown on the landscape plan, which shall be drawn at a reasonable scale:

A. Zoning of the site and adjacent properties;

B. Existing and proposed contours at two feet intervals;

C. Property boundary lines and lot dimensions;

D. Date, graphic scale, north arrow, title and name(s) of owner(s), and the address and phone number of the person or firm responsible for preparing the plan;

E. Location of all proposed structures and storage areas;

F. Drainage features and 100-year flood plain, if applicable;

G. Parking lot layout including parking stalls, bays, and driving lanes, including typical dimensions and the total number of parking spaces provided;

H. Existing and proposed utility lines and easements;

I. All paved surfaces, sidewalks, and curbs;

J. Existing trees, shrubs, and/or natural areas to be retained;

K. The location of all required landscaped areas (street yard, landscaped peninsulas, landscaped islands, and screening buffers);

L. The location, installation size, scientific and common names of landscaped materials to be installed; and

M. The spacing between trees and shrubs used for screening.

6.04. Street Tree Requirements

It shall be required that all developments plant trees along public or private streets of a development in such a manner, type, and location as approved by the West Chester Township Director of Community Development and as defined by the following conditions:

A. Large trees with a mature height of over 50 feet shall be planted every 45-50 lineal feet, medium trees with a mature height of between 35 and 50 feet shall be planted every 35-40 lineal feet, and small trees with a mature height of less than 35 feet shall be planted every 25-30 lineal feet.

B. The minimum distance between the tree and the edge of the street shall be two feet. In areas where a sidewalk exists or is proposed, the minimum distance between the tree trunk and both the edge of the street and the sidewalk shall be two feet.

C. Street trees shall be of a minimum caliper of two inches as measured six inches above grade level.

D. Street trees shall be located at least 20 feet from any street intersection and 10 feet from any fire hydrant or utility pole.

E. Small trees shall be used when planting under or within 20 lateral feet of overhead utility wires.

F. Developers shall be required to maintain the trees for one year after the street trees and the road rights-of-ways are dedicated to the Township or Butler County. The same developers shall replace any tree which fails to survive or does not exhibit normal growth characteristics of health and vigor within such one-year period.

6.05. Interior Parking Lot Landscaping Requirements

All parking areas, greater than five spaces, shall adhere to the following landscape requirements.

A. All parking areas shall contain landscape areas that equal at least five percent of the internal parking and vehicular circulation area. Each landscape area shall contain a mixture of shrubs and trees. Access drives that go through the development shall not be counted as internal parking areas. The overall percentage may be reduced if pervious pavement and/or rain gardens are utilized as part of parking plan.

B. Trees shall be provided at a rate of one tree for each 15 parking spaces. Any fractional number shall be rounded up to the next whole number.

C. Shrubs shall be provided at a rate of six shrubs for each 15 parking spaces.

D. Landscape areas shall be distributed throughout the parking area. Rows of parking spaces shall be interrupted, at a minimum, every 15 spaces by a planter island that is a minimum of eight feet wide and 18 feet in length or a parallel eight-foot planting strip shall separate rows of parking spaces.

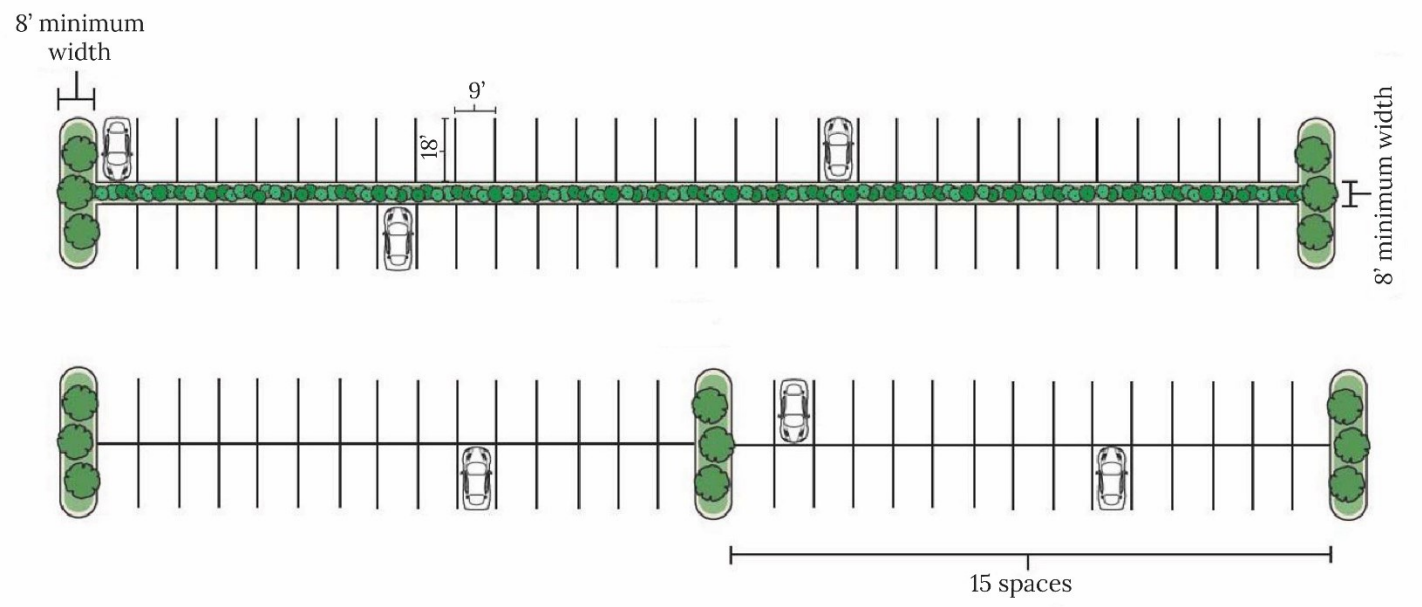


***Figure 6-1**: Parking lot landscaping*

E. One tree may be substituted by 3 shrubs. Such substitutions may not exceed 20 percent of the required number of trees.

F. Trees and shrubs may be grouped; they do not have to be equally spaced.

G. All parking spaces shall be within 125 feet of a landscaped area.

H. Per the approval of the Community Development Director, the required parking lot landscaping may be designed in an alternate fashion, such as relocating some of the required plantings to other areas of the site, locating the landscaping in medians for access drives or around entrances, or other manners where the alternate design provides an enhanced aesthetic look, is incorporated into a sustainable design, or for stormwater purposes. This would not allow a reduction in the number of required plantings.

I. No landscaping shall obscure visibility at a vehicular intersection within the parking area or other areas where clear visibility is necessary to assure safe circulation. Where safe visibility is impaired, canopy trees shall have branches removed from the trunk at least eight feet above the ground, and shrubs and groundcover shall not exceed three feet in height. Evergreen trees and understory trees that would impair visibility for safe circulation shall not be planted in these areas.

J. Any landscape area provided under this section shall not contain bare soil.

K. Trees and shrubs as required in this section are subject to the regulations set forth in Subsection 6.06.B.

6.06. Screening and Buffering Requirements

A. Buffer Yard Requirements. New development shall provide buffering as provided in Table 6.06-1: Buffer Yard Requirements below between land uses of varying intensities.

TABLE 6.06-1: BUFFER YARD REQUIREMENTS

When...	Is Proposed to Abut...	A Minimum Buffer Yard of...	Plant Material
Any non-residential use	A detached or attached single-family use, two-family use, or institutional premises (places of worship, schools, public buildings of an administrative or cultural type)	10 feet side and 15 feet rear yard is required with...	**Either:** One deciduous tree planted every 25 lineal feet plus a continuous row of minimum 6-foot high evergreen plantings. **OR** Minimum 6-foot tall wall, brick faced on both sides, and 8 inches wide with a top course to be row locked, or 6-foot tall fence, plus 1 deciduous tree planted every 25 lineal feet. **OR** A double row, staggered planting of minimum 6-foot high evergreen trees planted every 15 lineal feet. **OR** A 40-foot wide, 6-foot tall earthen berm with deciduous trees planted every 25 lineal feet.
Any multi-family dwelling use	A detached or attached single-family use, two-family use, or institutional premises (places of worship, schools, public buildings of an administrative or cultural type)	10 feet side or rear yard is required with...	
Any off-street parking lot for any multi-family or attached single-family use	The public right-of-way, public or private street, or a detached single-family use	10 feet shall be landscaped with...	One deciduous tree planted every 25 lineal feet plus shrubs planted every 3 lineal feet that are a minimum height of 36 inches.
Any off-street parking lot for any non-residential use	The public right-of-way, public or private street	10 feet shall be landscaped with...	One deciduous tree planted every 25 lineal feet plus shrubs planted every 3 lineal feet that are a minimum height of 36 inches (1 tree minimum).

B. Landscaping and Screening Material Standards. The following items are suitable for screening a use individually or in combination with each other provided they create a dense screen, subject to review and approval by the Community Development Department.

1. **Walls and Fences.** When walls or fences are used to fulfill buffering requirements, they shall be detailed on the plan and shall be consistent with the regulations set forth in Article 7. Chain link fences, with or without slats, are not permitted to be used to screen activities from residential zoning districts or uses and rights-of-ways.

2. **Plants.** All plant species used shall be identified as appropriate for this region by the United States Department of Agriculture's Plant Hardiness Zone Map and approved by the Community Development Department.

   a. Deciduous trees shall be of a minimum caliper of two inches as measured six inches above grade level and shall conform to acceptable nursery industry procedures at the time of planting. If deciduous trees are to be used for screening purposes, additional materials must be used to create the required dense buffer.

   b. Evergreen trees shall be a minimum of six feet in height at the time of planting.

   c. Shrubs, except for ground cover, shall be a minimum of three gallons in size upon installation and shall be at least 36 inches in height at maturity. Ground cover shrubs shall be a minimum of one gallon in size. All shrubs shall be full foliaged and well-developed.

   d. Hedges shall be designed to provide an effective, dense screen with a mature height of at least six feet in height within four years of the time of planting.

   e. Grass species that are planted shall be species that are normally grown as permanent lawns in West Chester Township. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover shall be planted at a maximum spacing of one foot on center to provide 75% complete coverage after two growing seasons.

   f. The following plant species shall not be used:

      i. Invasive species to this region;

      ii. Species that are prone to disease and/or insect problems;

      iii. Species with messy or objectionable flowers, fruit, or bark;

      iv. Species with drooping branches or weak-wooded characteristics leading to the loss of branches due to wind or age;

      v. Species with unpredictable or irregular habits;

      vi. Species that have shallow or destructive root systems;

vii. Species with dangerously thorny or poisonous parts that present safety risks; and

viii. Species that have a lack of winter hardiness.

3. **Earth**. Mounds may be used as physical barriers that block or screen a view. Differences in elevation between areas requiring screening do not constitute an earth mound. Earth mounds shall be constructed of earthen materials and shall conform to the following standards:

a. The maximum side slope shall be three horizontals to one vertical (3:1) and the design shall be reviewed by the Township to ensure that proper erosion prevention and control practices have been utilized.

b. Berms and earth mounds shall be designed with physical variations in height and alignment throughout their length.

c. Landscape plant material installed on berms and earth mounds shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.

d. The landscape plan shall show sufficient detail, including a plan and profile of the berm or earth mound, soil types, and construction techniques to demonstrate compliance with the above provisions.

e. Berms and earth mounds shall be located and designed to minimize the disturbance to existing trees located on the site or adjacent thereto.

f. Adequate ground cover shall be used and maintained to prevent erosion of the earth mound.

4. **Existing Landscape Material**. Any existing landscape material that is in satisfactory condition may be used to satisfy buffering requirements in whole or in part when, in the opinion of the Community Development Department, such material meets the requirements and achieves the objectives of this section.

6.07. Buffer Yard Establishment

Once a buffer yard has been approved by the Township and established by the owner, it may not be used, disturbed, or altered for any purpose, unless specifically approved by the Community Development Department.

6.08. Utility Easement Policy

Required landscaping may be placed wholly or partially in utility or other easements providing all requirements can be fulfilled and the holder of the easement grants approval. Trees placed under overhead utility wires must be small trees with a mature height of less than 35 feet.

6.09. Maintenance

A. All landscaping, screening materials, and landscape areas shall be maintained in good condition and kept free from debris, litter, junk, rubbish, weeds, overgrowth, and deceased planting materials.

B. Landscaping of parking areas shall be maintained in living and well-trimmed condition.

C. All dead, damaged, or missing landscape materials will be replaced by the property owner per the approved landscape plan.

D. Screening, if completed by utilizing non-landscaping materials, shall be maintained in good repair through the use of proper building materials.

6.10. Modifications

The West Chester Township Board of Zoning Appeals (BZA) may approve modifications to the landscaping and buffer yard requirements contained within this section if an applicant applies for a variance per Subsection 11.05.C. For Planned Unit Developments, the Zoning Commission may approve modifications to the landscaping and buffer yard requirements as part of the Final Development Plan review. The commission shall base its decision on all the following factors:

A. Specific conditions which are unique to the applicant's land.

B. How the strict application of the provisions of this section would deprive the applicant of a reasonable use of the land in a manner equivalent to the use permitted by other landowners in the same zone.

C. The unique conditions and circumstances are not the result of the actions of the applicant after the adoption of this section.

D. Reasons that the modification shall preserve, not harm, the public safety and welfare, and shall not alter the essential character of the neighborhood.

E. A demonstration that the applicant has provided for a buffer that achieves the spirit of this section.

7. FENCES AND WALLS

7.01. General Requirements

The following standards apply to all fences and walls, regardless of zoning district, unless specifically exempted.

A. **Height.** Fences and walls shall be measured from the surface of the ground to the highest point of the fence or wall.

B. **Visibility.** All fences, walls, and associated gates, posts, and pilasters shall conform to the corner visibility requirements set forth in Section 7.02.C.

C. **Materials**

1. All fences or walls must be of wood, stone, brick, metal, chain link, or synthetic materials and shall be maintained in good repair and appearance. Paint shall be applied to all painted surfaces, with sufficient frequency so that no bare wood or material is exposed.
2. No fence or wall shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street.
3. The use of scrap or salvage materials, barbed wire, or electrical above ground fences shall be prohibited.
4. Chain link fences, with or without slats, cloth, or fabric, is not an approved screening material for activities from residential zoning districts or uses and rights-of-way.

7.02. Fences in Agricultural and Residential Districts

A. **Recorded Subdivisions.** For lots in recorded residential subdivisions:

1. Fences and walls that do not exceed six feet in height may be located in any side or rear yard.
2. For double frontage lots, fences and walls that do not exceed six feet in height may be located in the front yard, parallel to the rear of the house, provided they are not located within the required front yard setback.

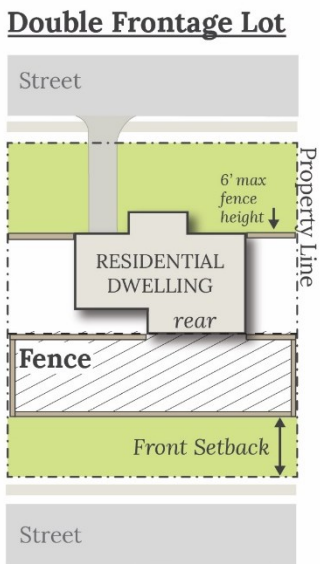


***Figure 7-1**: Illustration of allowed fence location on double frontage lot*

3. For corner lots, fences and walls that do not exceed six feet in height (and are 100% opaque) may be located in the front yard, parallel to the side of the house provided they are not located within the required front yard setback.

4. For corner lots, fences and walls that do not exceed four feet in height (and are 0-50% opaque) may be permitted within the front setback., Fences that exceed four feet in height (or are greater than 50% opaque) shall not be permitted within the front setback. Chain link fences are not permitted in the front yard.

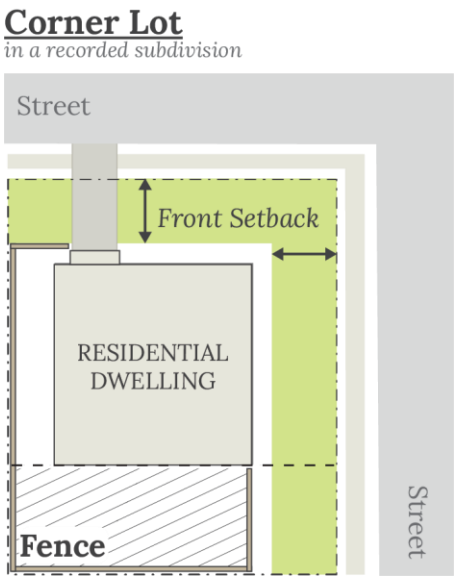


***Figure 7-2**: Illustration of allowed 100% opaque fence located on a corner lot (in a recorded subdivision)*

B. **Lots Not in Recorded Subdivisions.** For lots not located in recorded residential subdivisions:

1. Fences and walls that do not exceed four feet in height may be located in any yard. Fences and walls that do not exceed six feet in height may be located in any side or rear yard.
2. For double frontage lots, fences and walls that do not exceed six feet in height may be located in the front yard, parallel to the rear of the house, provided they are not located within the required front yard setback (*See Figure in Subsection* A).
3. For corner lots, fences and walls that do not exceed six feet in height (and are 100% opaque) shall be set back one-half the distance of the front yard setback, or 10 feet, whichever is greater.
4. For corner lots, fences and walls that do not exceed six feet in height (and are 0-50% opaque) shall be set back one-half the distance of the front yard setback, or 10 feet, whichever is greater.

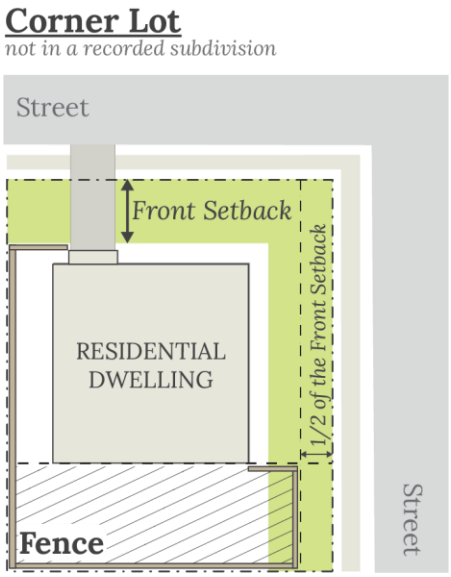


***Figure 7-3**: Illustration of allowed fence location on a corner lot (not in a recorded subdivision)*

C. **Entrance Gates, Walls, and Fences.** Entrance gates, fences, walls, posts, and pilasters are subject to the following:

1. Entrance gates and walls shall be located within 25 feet of either side of an entrance driveway and shall not be permitted in the public right-of-way.
2. Entrance gates, fences, walls, posts, or pilasters shall be of wood, stone, brick, metal, or synthetic materials. The use of chain link, barbed wire, stock fence, or strand wire is prohibited.
3. Gates, fences, and walls, except for posts and pilasters, are not to exceed six feet in height. Posts and pilasters shall not exceed eight feet in height.

4. If a sign is proposed on the entrance gate, wall, or fence, it shall conform to Article 9.

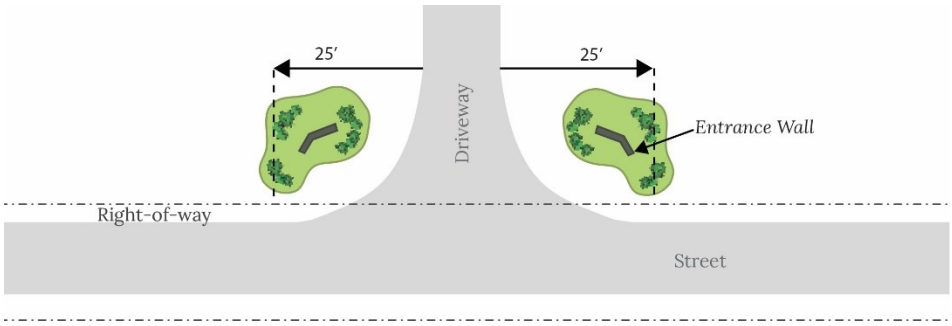


***Figure 7-4**: Entrance Gate/Wall/Fence Location*

7.03. Fences in Office and Business Districts

Fences and walls that do not exceed six feet in height may be located in the side and rear yards.

7.04. Fences and Walls in Industrial Districts

A. Fences and walls that do not exceed 10 feet in height may by located in the front yard, provided said fence is constructed out of a decorative chain link material, such as vinyl coated, or another permitted transparent material, provided they are not located within the required yard setback.

B. Fences and walls that do not exceed 10 feet in height may be located in any side or rear yard. The use of barbed wire shall be permitted on fences in the side and rear yards provided said barbed wire is not less than six feet nor more than 10 feet in height above the elevation of the surface of the ground.

C. All entrance gates or emergency access gates shall provide an opening of at least 24 feet in width and 14 feet in height to allow for the passage of emergency vehicles.

7.05. Fences in Central Business District

A. Fences and walls that do not exceed six feet in height may be located in the side or rear yard and fences and walls not do not exceed four feet in height may be located in the front yard.

B. Fences located in the front yard shall be setback a minimum of 25 feet from the right-of-way.

C. Fences and walls shall not be constructed of chain link, untreated wood, low-grade vinyl, smooth-faced vinyl, or wire. Woodgrain vinyl fences are allowed.

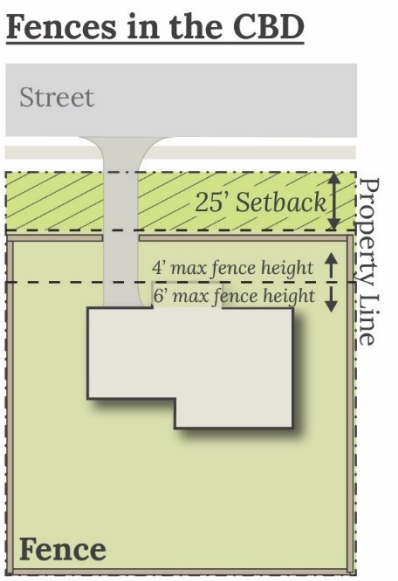


***Figure 7-5**: Illustration of allowed fence height and location in the CBD District*

8. OUTDOOR LIGHTING

8.01. Purpose

The purpose of this section is to regulate the placement, orientation, distribution patterns, and fixture types of outdoor lighting in order to preserve, protect, and enhance the character of the township and the lawful nighttime use and enjoyment of property located within the township. All outdoor lighting fixtures located on the applicable site including sign and building lightings, shall be arranged to reduce atmospheric light pollution, control light trespass and glare on adjacent properties and public roadways, and to provide safety, utility, and security.

8.02. Applicability

This section is applicable to all new outdoor lighting fixtures in all zoning districts within West Chester Township.

8.03. Exemptions

The following lighting scenarios are exempt from the regulations contained herein:

A. Holiday lighting of a temporary nature of not more than two months of continuous display per every six months.

B. All temporary emergency lighting needed by police, fire department, other emergency service vehicles, and public service vehicles. This includes vehicular lights, which are exempt from the requirements of this section including flashing or blinking lights;

C. Street and traffic lights; and

D. All lighting required by the Federal Aviation Administration (FAA) or any other federal regulatory agency.

8.04. Prohibited Lights

The following types of lights are prohibited within the Township:

A. Search lights.

B. Beacons.

C. Laser source lights,

D. Any high-intensity or flashing light not associated with emergency services or public safety.

E. LED, neon tube lighting, or string lights that are used as building accent lighting and window trimming.

8.05. Lighting Standards

A. Lighting Plan. A lighting plan is required, unless specifically exempted herein. At a minimum, the lighting plan shall provide the following information:

1. The location of each existing and proposed fixtures, including wall-mounted, security, flood, and parking lot lighting.
2. The height of proposed lighting fixtures.
3. The minimum and maximum intensity/illumination for the site.
4. A photometric plan showing the proposed intensity levels of lighting that extends as far as any proposed light will reach or up to 30 feet into the adjacent properties, whichever is greater. The photometric plan shall include all lighting, existing and proposed that is over 25 watts.
5. Details of all proposed lighting fixtures, indicating manufacturer, model, and style of fixture including a graphic representation of the fixture and the fixture lamp type.
6. Any additional submittal requirements as may be determined by the Community Development Department.

B. Height

1. All lighting fixtures attached to an exterior of the structure shall not exceed the height of the structure.
2. All freestanding lighting fixtures shall not exceed a maximum height of 24 feet above grade.
3. Non-cutoff decorative freestanding lighting fixtures shall not exceed 12 feet in height.

C. Lighting Styles and Types

1. All outdoor lighting shall be located, screened, or shielded so that adjacent lots and the public right-of-way are not directly illuminated.
2. Parking lot lighting shall be required to utilize full cutoff fixtures that are pointed down and away from the property line.
3. Wall-mounted lights shall be screened by the building's architectural features, or contain a cutoff shield, to direct lighting onto the building and not into adjacent lots.
4. All outdoor lighting fixtures shall not exceed a color temperature of 4000 Kelvin.
5. Statues, monuments, flags, fountains, or other similar objects, as determined by the Community Development Department, may utilize upward lighting in the form of spotlights to illuminate the object of interest.
6. The type of lighting fixture should match the existing character of the surrounding community.

7. Non-cutoff lighting shall only be used for decorative purposes only.

Figure 8-1: Picture of decorative streetlights within West Chester

D. **Illumination Levels.** Light originating on a site shall not exceed illumination levels beyond the property lines as established in the following table.

TABLE 8.05-1: ILLUMINATION LEVELS

When a Non-Residential Land Use abuts a....	The Maximum Illumination Level at the Property Line is...
Single-family or two-family residential dwelling	0.2 Footcandles
Multi-family residential development	0.5 Footcandles
Non-Residential use	1.0 Footcandles

E. **Measurement.** Light levels shall be measured in footcandles with direct reading, portable light meter. Readings shall be taken only after the cell has been exposed long enough to take a constant reading.

9. SIGNS

9.01. Purpose

A. The purpose of this section is to promote public health, safety, morals, comfort, and general welfare by establishing regulations that govern the size, character, location, and structural integrity of signs and other advertising structures.

B. All standards are intended to promote and enhance the ability of residents and visitors to speak freely. Furthermore, the intent of these sign regulations is to:

1. Encourage the effective use of signs as a means of communication in the Township while preserving the rights of free speech under the First Amendment to the United States Constitution. The provisions of this section shall be uniformly enforced without regard to the content of any advertising message or the identity of the proponent of that message;
2. Maintain and enhance the aesthetic environment and the township's ability to attract economic development and growth;
3. Improve pedestrian and traffic safety;
4. Minimize the possible adverse effect of signs on nearby public and private property; and
5. Enable the fair and consistent enforcement of these sign regulations.

9.02. Applicability

A. The regulations contained within this section shall apply to all signs and to all zoning districts unless specifically exempted in these regulations.

B. No sign shall be erected, established, modified, created, or maintained in West Chester Township unless it follows the regulations of this section.

C. This section shall regulate the height, area, location, materials, and other visual aspects of signs and other advertising structures.

9.03. General Sign Provisions

The following provisions apply to signs in all districts within the Township. Additional specific requirements regarding the type, size, location, and other requirements for signs in the residential, office, business, and industrial districts are included in the respective General Provisions of each use category.

A. **Application to Accessory Uses.** The setback and location requirements of accessory uses, pursuant to Section 3.06, shall not apply to signs. Specific setback and location requirements as well as other requirements for signs are included with each permitted sign type.

B. **Zoning Certificate Required.** A Zoning Certificate shall be obtained from the West Chester Township Community Development Department before any sign (except signs exempted by this article) is located, erected, constructed, reconstructed, enlarged, structurally modified, or used in any Zoning District in West Chester Township.

C. **Exempted Signs.** Except as otherwise provided, the following signs shall not be subject to the provisions of this Zoning Resolution:

1. Governmental signs for identification, control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public utility companies for the purpose of identification or public safety;
2. Flags, emblems, insignia, and signs of any governmental agency or political subdivision;
3. Signs within a stadium, theater, building, arena, or other structure, provided that such signs can be viewed only by persons within such stadium, theater, building, arena, or other structure.
4. Signs not visible from the public right-of-way as determined by the Community Development Director.

D. **Nonconforming Signs**

1. All signs legally existing before the effective date of this Resolution may be continued, even though such sign may not conform with the provisions (excluding safety, maintenance, and repair) of this Resolution, provided, such signs are properly maintained and do not endanger the public health, safety, morals, comfort, and general welfare of the community.
2. Such signs shall be issued a Legal Nonconforming Structure Certificate, pursuant to Section 11.06. Message or copy changes and general maintenance shall be permitted on all nonconforming signs. However, relocation or replacement of the sign, or any alteration in the size or structure of the sign, except toward compliance with this Resolution shall cause the sign to lose its status as legally nonconforming.

E. **Maintenance and Repair.** All signs and sign structures, including the component parts of each, shall be kept in good repair and in a proper state of preservation by the owners of the sign or property owners of the lot on which the sign is located.

F. **Message Changes.** If a permitted sign utilizes message changes with a manual message board, electronic changeable copy, menu boards, bulletin boards, marquees, or other similar signage types; the changing of the message and the repositioning of existing panels is permitted and does not require a Zoning Certificate. Message or copy changes that require permanent replacement panels, or the replacement of the sign surface area shall require a Zoning Certificate.

G. Reader Boards and Electronic Message Boards. Reader boards and electronic message boards are considered as part of the permitted display area of a sign. Each separate message copy must be displayed a minimum of five seconds. The business name must be prominently displayed at all times and in the same location on either the reader board or permanent sign. Reader Boards and Electronic Message Boards shall require approval of a Conditional Use Permit.

9.04. Sign Computations

A. Measurement of Sign Area

1. The display surface area of a sign shall be considered as including the entire area within a single continuous rectangular perimeter enclosing the extreme limits of writing, representations, emblems, or any figure of similar character together with any frame or other material or color forming an integral part of the display area or used to differentiate such sign from the background against which it is placed; excluding supports, trim, uprights, or base which are necessary for structural purposes.
2. The sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces that are visible from any one point.
3. Street addresses which are made an integral part of the sign, and which do not exceed nine square feet in area, shall not be considered part of the sign display area.

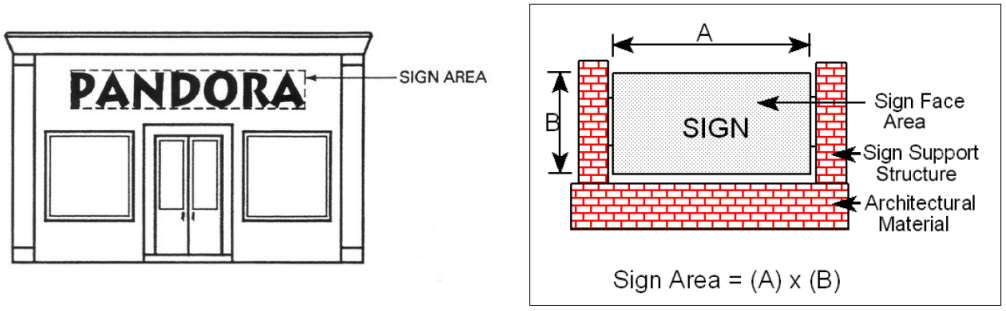


Figure 9-1: Illustration of Sign Area

B. Building Frontage

1. For multi-occupant buildings and structures, the portion of a building or structure that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.
2. The building frontage is the length of an outside building wall which fronts a dedicated street right-of-way or access drive.

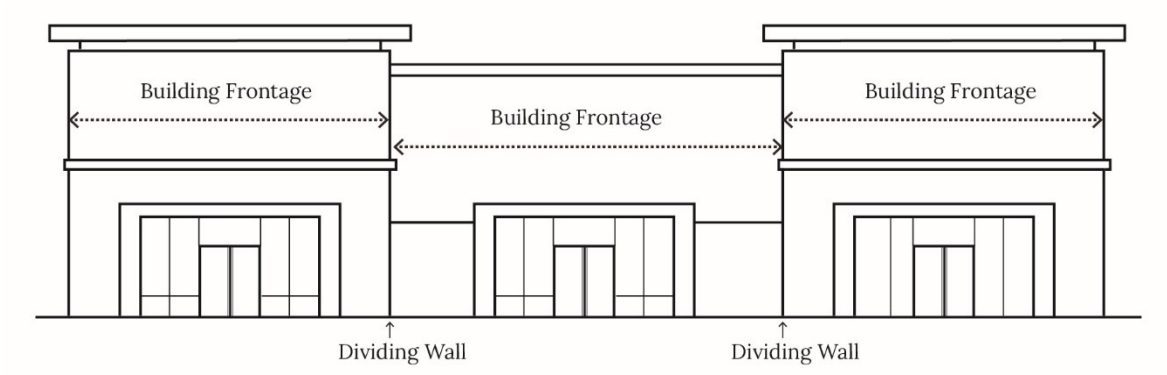


Figure 9-2: Illustration of Building Frontage for Multi-Occupant Building

C. Sign Height

1. The height of a sign shall be computed as the distance from the average natural grade at the base of the sign or support structure to the top of the highest attached component of the sign.
2. The height of a freestanding sign on a man-made base or mounding that has been installed to meet required screening or buffering requirements, shall be measured from the average natural grade, where the sign is to be located, prior to the addition of the sign. If mounding is installed solely for the purpose to increase sign height, the sign height measurements shall be taken from the average natural grade, prior to the addition of the mounding.

D. Sign Setback

1. The required setback for a sign shall apply to all elements of the sign, including its frame and base.
2. The setback of a freestanding sign shall be measured horizontally from the nearest edge of any part of the sign structure to the street right-of-way or lot or access drive, as applicable.

9.05. Prohibited Signs

A. Types of Prohibited Signs. The following types of signs are specifically prohibited:

1. Pennants, feather / flutter flags, streamers, inflatable characters or objects, and similar type devices;
2. Signs which employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention, other than electronic message boards pursuant to the requirements of this article;
3. Portable signs;
4. Beacons and searchlights;
5. Signs attached to, painted on, or placed on a stationary vehicle, trailer, or other licensed or unlicensed vehicle or conveyance that is located in such a manner to serve exclusively as a permanent, temporary, or portable sign;

6. Promotional balloons filled with helium, gas, air, or any other gaseous material either suspended from or affixed to a structure, vehicle, or ground;
7. Pole signs and pylon signs;
8. Roof signs; and
9. Billboards, except as permitted by the Ohio Revised Code.
10. Signs within the right-of-way, unless exempted per Section 9.03.C.

Figure 9-3: Examples of Prohibited Signs (top row from left to right: feather / flutter flags, streamers, and pole sign, bottom row from left to right: pylon sign and roof sign)

B. Prohibited Sign Locations

1. Sign locations shall be in accordance with the particular regulations of this article or the Zoning District in which the sign is to be located. Under no circumstances shall a sign (other than those specifically exempted by this article) be located in a right-of-way (including those infixed in the ground), or applied to trees, utility poles, fences, supporting structures for street signs and other governmental signs, bus shelters, benches, trash receptacles, newspaper vending machines or boxes, or any other portable or temporary supporting device. Trash receptacles, newspaper vending machines, and similar devices may contain the identification of the owner of such device.
2. No sign shall be erected in such a manner as to obstruct free and clear vision to any public thoroughfare or traffic flow along a designated parking lot aisle way for use by the general public.
3. Signs shall not be located upon or mounted to the roof of a structure or extend above the roof of the structure to which the sign is mounted.

9.06. Sign Lighting

A. Lighting of signs shall comply with the unique lighting regulations per district and use type contained herein.

B. Light sources used to illuminate signs shall be shielded from all adjacent properties and rights-of-way and shall not be of such intensity to cause glare to pedestrians or drivers of vehicles, or to cause any reasonable objection from adjacent uses.

C. All lighting shall be fully functional as designed or the lighting shall be turned off until the time in which such non-functional lighting has been fixed.

D. Lighting of signs shall comply with Article 8 of this code.

9.07. Permitted Sign Types & Allowances

A. The following types of signs are permitted according to the following table. These signs shall comply with the applicable regulations of this article and shall require the issuance of a Zoning Certificate.

TABLE 9.07-1: PERMITTED SIGN TYPES								
Sign Type	**A-1**	**R-1, R-1A, R-2, and Single Family R-PUD**	**R-3, R-4, and Multi-Family R-PUD**	**O**	**B-1, B-2, CBD, C-PUD**	**M, I-PUD**	**SP-PUD**	**Ref.**
Wall Signs	PS	PS	PS	PS	PS	PS	PS	9.07.B
Freestanding Signs	PS	PS	PS	PS	PS	PS	PS	9.07.C
Multi-Tenant Development Signs				PS	PS	PS	PS	9.07.D
Signs for Drive-Through Uses/Pick-Up Windows					PS		PS	9.07.E
Directional Signs				PS	PS	PS	PS	9.07.F
Projecting Signs					PS			9.07.G
Window Signs				PS	PS	PS	PS	9.07.H
Canopy/Awning Signs					PS		PS	9.07.I
Murals			PS	PS	PS	PS	PS	9.07.J
Temporary Signs	PS	PS	PS	PS	PS	PS	PS	9.07.K
PS = the sign type is permitted in that zoning district per the standards for that sign type								

B. Wall Signs

TABLE 9.07-2: WALL SIGN REQUIREMENTS			
Regulation	**A-1 and R-Districts** (one- and two-family dwellings)	**A-1 and R-Districts** (multi-family dwellings)	**O, B-1, B-2, CBD, M, and Special Use Districts**
Quantity	1	1 per building frontage	N/A
Maximum Area	6 sq. ft.	4% of the façade of the building that faces a public right-of-way	1 sq. ft. per 1 foot of building frontage
Maximum Projection	10 inches	10 inches	10 inches
Allowable Illumination	External illumination	External illumination	Backlit, internal, and external illumination

1. General Wall Sign Regulations

a. Wall signs shall not extend beyond the roof or wall extents of the structure.

b. No changeable copy sign shall be permitted on wall signs.

2. Wall Signs in the Agricultural and Residential Zoning Districts

a. Wall signs are permitted for one- and two-family residential dwellings if they are associated with a permitted home occupation.

b. Wall signs are permitted for multi-family residential developments. If a wall sign is indirectly lit, such lighting shall not be directed toward any residential windows.

3. **Wall Signs in the Office, Business, Industrial, and Special Use Districts**

   a. The allowable wall sign area may be allocated to more than one sign.

   b. Wall sign area shall apply separately to each building frontage that faces a dedicated right-of-way or access drive.

   c. Allowable sign area may be allocated to a wall that does not have building frontage that faces a public or private street, but the combined sign area shall not exceed the maximum square feet allowed.

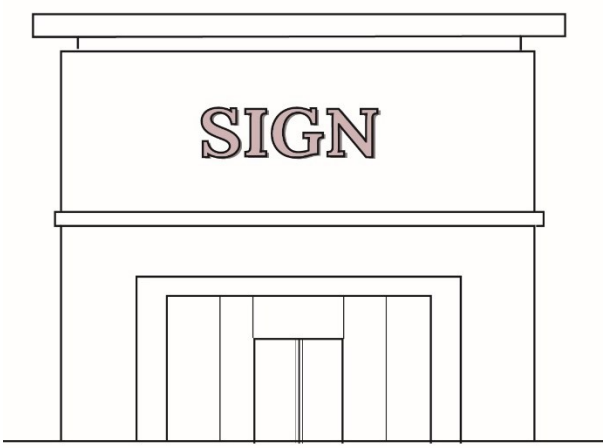


Figure 9-4: Example of a Wall Sign

C. **Freestanding Signs**

TABLE 9.07-3: FREESTANDING SIGN REQUIREMENTS

Regulation	A-1 and R-Districts (agricultural uses, subdivision entrance signs, and multi-family dwellings)	O, B-1, B-2, CBD, M, and Special Use Districts
Quantity	1 per lot frontage	1 per lot frontage
Maximum Area	20 sq. ft.	0.5 square foot per lineal foot of lot frontage or 80 square feet, whichever is less
Maximum Height	6 feet	10 feet
Minimum Setback	10' from all rights-of-way 15' from side property lines 50' from another freestanding sign	10' from all rights-of-way 15' from side property lines 50' from another freestanding sign
Allowable Illumination	External illumination	External and internal illumination

1. **General Freestanding Sign Regulations**. The following regulations shall apply to all freestanding signs.

   a. All freestanding signs shall be located outside of the corner visibility triangle.

b. Freestanding signs shall be located in a landscaped bed that includes a mix of grasses, shrubs, perennials, and/or annuals. The size of the landscaped bed shall be equal or greater in size to the square footage of the sign.

2. Freestanding Signs in the Agricultural and Residential Zoning Districts

a. For subdivision entrance signs, a maximum of one sign is permitted on each side of each primary entrance of a residential subdivision. Such signs may be mounted to a wall, fence, or gate or may be freestanding in nature.

b. Freestanding signs for home offices are prohibited in Residential Zoning Districts.

3. Freestanding Signs in the Office, Business, Industrial, and Special Use Districts

a. Freestanding signs shall be mounted on a base of brick or stone which must be equal to or greater than the width of the sign.

b. A freestanding sign may utilize manual or electronic changeable copy with the approval of a conditional use permit as stipulated in Subsection 9.03.G.

Figure 9-5: Example of a Freestanding Sign

D. Multi-Tenant Development Sign

TABLE 9.07-4: MULTI-TENANT DEVELOPMENT SIGN REQUIREMENTS

Quantity	1
Maximum Area	120 sq. ft.
Maximum Height	16 feet
Minimum Setback	10' from all rights-of-way 15' from side property lines 50' from another freestanding sign
Allowable Illumination	External and internal illumination

1. A development that contains multiple users with a combined square footage of at least 80,000 may qualify for a multi-tenant development sign.

2. Multi-tenant development signs shall be constructed out of materials, colors, and design details that match or correlate to one of the principal buildings on the site.

3. The sign shall be mounted on a base of brick or stone which must be equal to or greater than the width of the sign.

4. Multi-tenant development signs shall be located in a landscaped bed that includes a mix of grasses, shrubs, perennials, and/or annuals. The size of the landscaped bed shall be equal or greater in size to the square footage of the sign.

5. A multi-tenant development sign may utilize manual or electronic changeable copy with the approval of a conditional use permit as stipulated in Article 9.

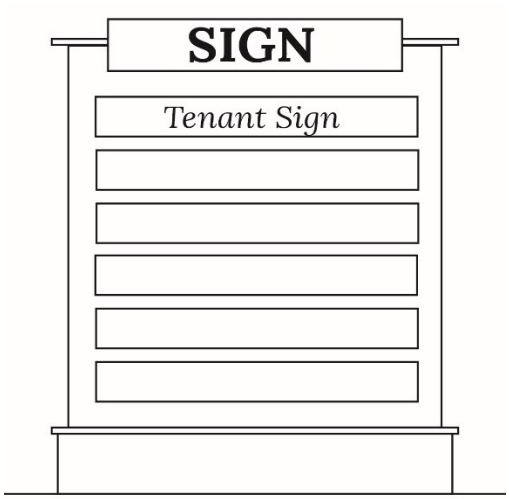


Figure 9-6: Example of a Multi-Tenant Development Sign

E. Signs for Drive-Through Uses/Pick-Up Windows

TABLE 9.07-5: DRIVE-THROUGH/PICK-UP WINDOW SIGN REQUIREMENTS

	Uses with a Drive-Through	Uses with a Pick-Up Window
Quantity	2 per drive-through lane	1 per pick-up lane
Maximum Area	48 square feet	48 square feet
Maximum Height	8 feet	8 feet
Minimum Setback	10' from all rights-of-way 15' from side property lines 50' from another freestanding sign	10' from all rights-of-way 15' from side property lines 50' from another freestanding sign
Allowable Illumination	External and internal illumination	External and internal illumination

1. Two additional freestanding signs are permitted for principal uses that have drive-through lanes associated with them. The additional signs are to be used only for the purpose of menu/order boards. Such signage shall be located adjacent to the drive-through lanes.

2. Such signs shall be located adjacent to drive-through/pick-up lanes.

3. Signs for pickup windows shall not have any noise-making devices associated with them.

F. **Directional Signs.** Directional signs are signs that may be strategically located on retail, office, or industrial properties to direct on-site traffic and are subject to the requirements in the following table.

TABLE 9.07-6: DIRECTIONAL SIGN REQUIREMENTS	
Quantity	N/A
Maximum Area	6 square feet
Maximum Height	4 feet
Minimum Setback	10' from all property lines
Allowable Illumination	External illumination

G. **Projecting Signs**

TABLE 9.07-7: PROJECTING SIGN REQUIREMENTS	
Quantity	1 per use
Maximum Area	9 square feet
Minimum Clearance	8 feet above the sidewalk and 15 feet above any access drive
Maximum Projection	6 feet
Minimum Setback	10' from all property lines
Allowable Illumination	External illumination

1. Projecting signs, when used, may be attached to the building wall or canopy and project at an angle of approximately 90 degrees from the building wall or canopy.

2. Sign supports shall be made of cut steel iron, metal, finished wood, and/or synthetic material that has the appearance of steel, iron, metal, and/or finished wood.

3. All projecting signs shall be rigidly fastened to allow no structural movement.

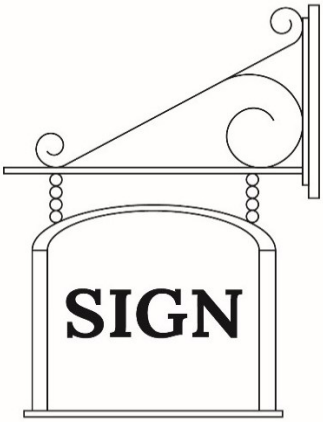


Figure 9-7: Example of a Projecting Sign

H. Window Signs

TABLE 9.07-8: WINDOW SIGN REQUIREMENTS	
Quantity	N/A
Maximum Area	20% of the area of the window or 100 sq. ft. whichever is less
Allowable Illumination	None

1. Window signs may be affixed or attached to the interior or exterior surface of windows. If a window sign is affixed to the interior of the window, it shall only be regulated by this section if the sign content is facing outward, so it is visible from outside of the subject use.
2. Shall not be suspended and/or placed against the interior or exterior of the windows. If signs are suspended and/or placed against the interior or exterior of windows, they shall be classified as temporary signage.
3. Signs attached to a door shall not be considered window signs.
4. Window signs shall be static and may not display animations, scrolling, moving, or flashing messages or video.
5. Window sign regulations do not pertain to illuminated or non-illuminated "Open" signs

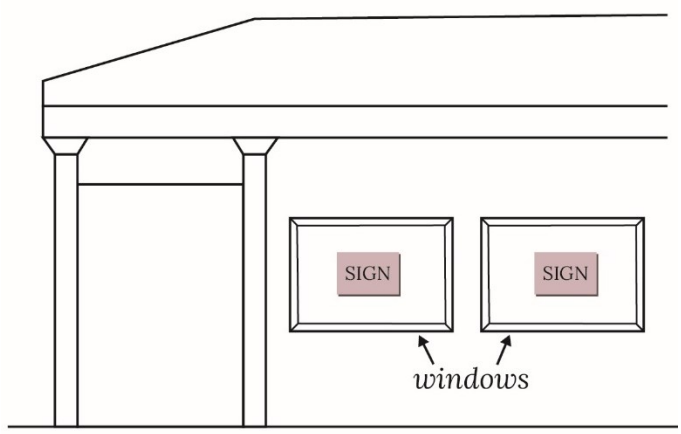


Figure 9-8: Example of Window Signs

I. Canopy/Awning Signs

1. A maximum of 32 square feet of signage is permitted on a canopy or awning.
2. The 32 square feet may be located on the top, front, or side(s) of the awning or canopy in full or split up into multiple signs on the awning or canopy's exterior surfaces, which may not total more than 32 square feet.

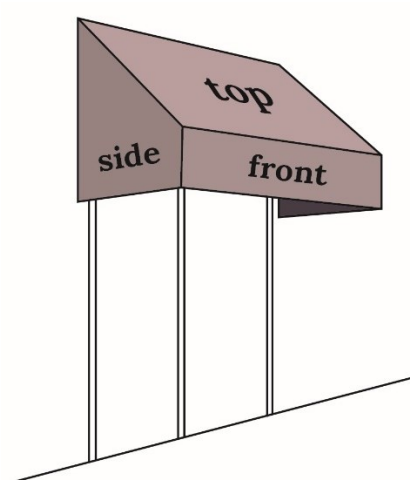


Figure 9-9: Example of a Canopy/Awning Sign

J. Murals. Murals may be considered by the Township. Murals are subject to a public hearing and approval by the Board of Zoning Appeals.

K. Temporary Signs

1. **Generally.** Temporary signs include banners, A-Frame type signs, yard signs, and other temporary signs as permitted herein.
2. **Standards that Apply to All Temporary Signs**
   a. **Permits.** A zoning certificate is not required for temporary signs.
   b. **Residential Zoning Districts**. Temporary signs in residential zoning districts are limited to 16 square feet in area and six feet in height.
   c. **Non-Residential Zoning Districts (including the Agricultural Zoning District)**. Two temporary signs are permitted per lot at one time, and such temporary signs shall conform to the applicable regulations in this article. Such signs shall not exceed 32 square feet in area and 10 feet in height.
   d. **Properties Under Construction.** For properties under construction, a maximum of two temporary signs are permitted at any one time that each have a maximum sign area of 36 square feet in area and six feet in height. Such signs are permitted for the duration of construction.
   e. **Duration.** For properties not under construction, temporary signs in non-residential zoning districts shall be displayed no more than twice per year, per lot, for 90 days at a time. There is no maximum duration for temporary signs in residential zoning districts.

f. Installation Requirements

i. Temporary signs shall not lean or rest against a structure.

ii. Temporary signs shall not be mounted, attached, affixed, installed, or otherwise secured by any means to any permanent sign, accessory structure, light pole, utility pole, utility wire, tree/landscaping material, or by any means to protrude above the roof of a structure.

iii. Temporary signs shall be durable, weather-resistant, and be able to withstand wind without the aid of additional weighted materials (blocks, stones, sandbags, etc.) that are not part of the original sign structure.

iv. Temporary signs shall not be illuminated by anything other than daylight or ambient lighting.

v. If a freestanding temporary sign is used (such as an A-Frame Sign) on any sidewalk, a minimum of four-foot pedestrian clearance shall be maintained around the sign. Such signs shall also only be displayed during business hours.

g. Setbacks. Temporary signs must be a minimum of 10' from the right-of-way and all property lines.

10. SPECIAL DISTRICTS AND OVERLAYS

10.01. "PUD" Planned Unit Development Districts

A. **Purpose.** This article authorizes the creation of certain types of planned unit development districts that provide a flexible zoning procedure for residential, commercial, industrial, and special purpose land uses. These districts permit new techniques in community development and flexible design and development regulations which assure an efficient utilization and allocation of land. Maximum overall gross densities and intensities can be achieved on tracts within these districts when approved by the Board of Trustees and/or Zoning Commission which assures a minimum adverse effect on natural features and the environment, and assure greater efficiency in providing public and utility services or which due to key design, land use, or public amenities offer an increased overall benefit to the community and promotes the public health, safety, morals, comfort, and general welfare.

B. **Types of Planned Unit Development Districts.** The following are the planned unit development districts that are available to property owners at their election.

1. "R-PUD" Residential Planned Unit Development

2. "C-PUD" Commercial Planned Unit Development

3. "I-PUD" Industrial Planned Unit Development

4. "SP-PUD" Special Purpose Planned Unit Development

C. **Principal Permitted Uses.** All uses in a Planned Unit Development District are subject to the approval of a preliminary and final development plan by the Zoning Commission and Board of Township Trustees pursuant to Subsections 10.01.A through 10.01.R, inclusive. The following explains the uses permitted by each of the Planned Unit Development Districts. Uses not specifically listed as permitted or conditional by these districts may be permitted if determined by the Zoning Commission and/or Board of Trustees to be of the same general character as the above permitted uses.

1. The following uses are principal permitted uses in the "R-PUD" District:

a. Any use permitted either as a principal or conditional use in the "R-1", "R-1A", "R-2", or "R-3" Districts.

b. Multiple-family dwellings, row house type dwellings, and townhouses. The density of these uses in a Residential Planned Unit Development shall be determined pursuant to the General Design Standards listed in Subsection 10.01.D and shall not necessarily be restricted to the development standards of the "R-4" (Multiple-Family) District.

2. The "C-PUD" District shall allow any use permitted either as a principal or conditional use in the "O" or "B" Districts.

3. The "I-PUD" District shall allow any use permitted either as a principal or conditional use in the "O", "B", or "M" Districts.

4. The "SP-PUD District" shall be designated for those uses approved on a planned unit basis that are not generally included in other districts of this Resolution, which employ a combination of district provisions, or due to unique circumstances or unusual characteristics requiring special design consideration. These uses include, but are not limited to:

   a. Airports;

   b. Amusement centers or parks;

   c. Colleges or universities;

   d. Community centers and recreational areas;

   e. Museum and cultural centers, including outdoor theaters;

   f. Stadiums and sport arenas;

   g. Mass transit terminals;

   h. Zoos; and

   i. Mixed use developments.

D. **General Design Standards.** Design standards for area, lot coverage, density, yard requirements, parking, landscaping, architecture, and screening for a proposed Planned Unit Development shall be established by the Zoning Commission and Board of Township Trustees on the Preliminary Development Plan. Exceptions and variations from these standards provided by the non-planned Zoning Districts of this Resolution may and should be granted by the Zoning Commission and Board of Township Trustees when it is determined that due to certain design elements, natural features, and public amenities, the exceptions are warranted. Standards for public infrastructure and improvements shall be governed by the applicable regulations of Butler County.

E. **Minimum Lot Area.** The tract of land to be developed on a planned unit basis shall be a minimum of five acres. Infill and redevelopment tracts of less than five acres may be considered and approved by the Zoning Commission and Board of Township Trustees on an individual basis. The proposed use shall comply with the recommendations of the West Chester Township Land Use Plan, shall be compatible in terms of use and intensity with surrounding properties, and shall not negatively impact adjacent properties.

F. **Common Open Space.** There shall be reserved, within the tract to be developed on a planned unit basis, a minimum percentage of land area of the entire tract for use as common opens space. The Zoning Commission and Board of Trustees may require additional open space as warranted by the individual development plan. The minimum percentage of land shall be as follows:

TABLE 10.01-1: PUD OPEN SPACE REQUIREMENTS

PUD District	Minimum Open Space Requirement
R-PUD	10% for projects of exclusively single-family units 15% for projects of mixed residential units 20% for projects of exclusively multi-family units
C-PUD	15% for all projects
I-PUD	15% for all projects
SP-PUD	15% for all projects

1. The required common open space shall not consist of isolated or fragmented pieces of land which will serve no useful purpose, or which will present maintenance difficulties.

2. Required common open space may include pedestrian walkways, parkland, open areas, bridle paths, drainage ways and detention basins, swimming pools, clubhouses, tennis courts, golf courses, parking areas for any of the above, and other lands of essentially open or undisturbed or improved character, exclusive of off-street parking areas and street right-of-way.

3. Ownership of common open space in an "R-PUD" shall be transferred by the developer to a legally established homeowners association, or if accepted, to the Board of Township Trustees, or other public or quasi-public agency. Common open space that includes a clubhouse, golf course or other recreational facilities may remain in private ownership, subject to size and special conditions applied by the Zoning Commission and Board of Township Trustees. Common open space in a "C-PUD", "I-PUD", or "S-PUD" may also be dedicated to the Township or other public or quasi-public agency pursuant to the above requirements or remain in private ownership, provided public easement, as determined necessary by the Zoning Commission and Board of Trustees, is granted, and officially recorded on the plat.

G. Planned Unit Developments Require District Change. In addition to the following specific procedures and provisions of this article regarding requirements for the application and approval of planned districts, an application request for any of the Planned Unit Development Districts included in this article is also subject to the procedures set forth in Subsection 11.05.A. The original establishment and application of a planned unit development shall be regarded as and subject to the same requirements as a district change.

H. Procedures for Application

1. The PUD application process is generally illustrated on the following flowchart. The regulations within this article provide additional detail and clarification on the process.

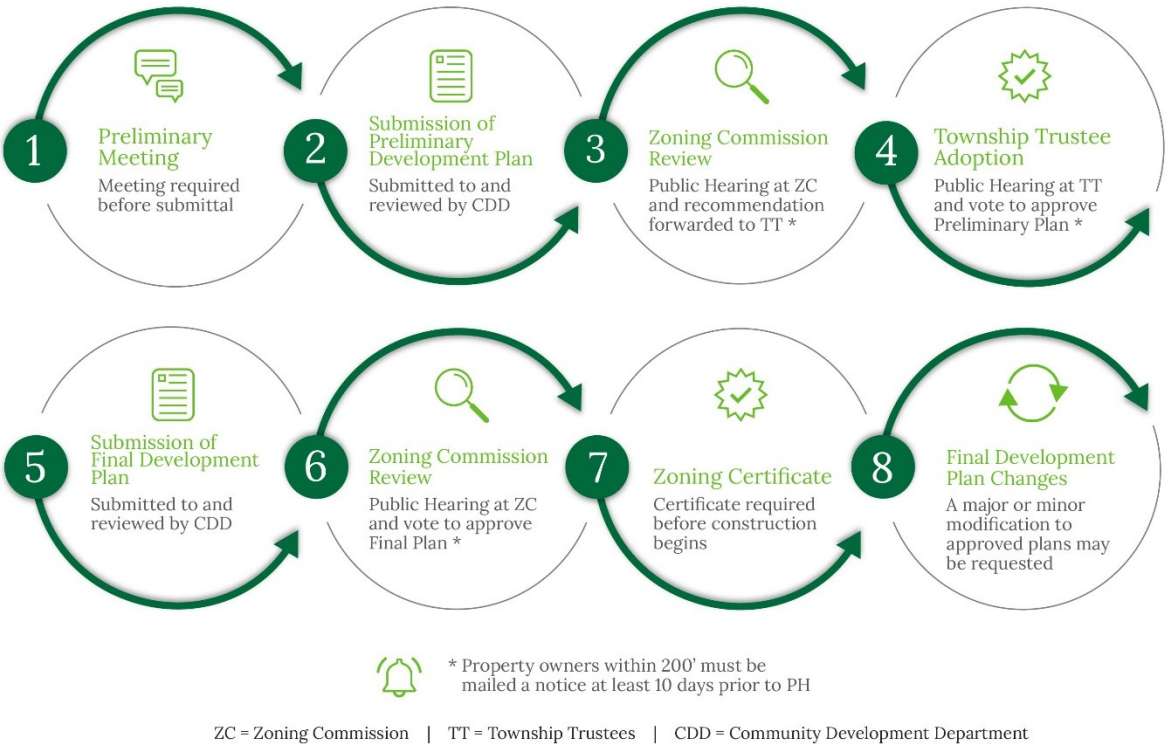


Figure 10-1: Flowchart Illustration of the Planned Unit Development Process

2. The owner/developer(s) shall engage in informal consultation with the Director prior to filing any application request for a planned unit development. The purpose of said consultation is to explain the application procedures and the submission requirements to the applicant. No statement or representation by the Director, however, shall be binding on either the Zoning Commission or Board of Township Trustees.

3. After meeting with the Director to discuss the procedures, the applicant must submit the Planned Unit Development Application Packet (available from the Community Development Department), fully completed, along with a fee in the amount determined by the Board of Trustees to cover the cost of the publishing, posting and/or mailing the notices of the hearings required by the foregoing provisions and/or other expenses in conjunction therewith. In addition to the application packet, a Preliminary Development Plan pursuant to Subsection 10.01.I, must also be submitted with the application.

I. **Submission of Preliminary Development Plan.** The applicant shall submit the necessary copies of the Preliminary Development Plan and all other information required by the application packet. The application packet is available from the Community Development Department and contains a checklist of submission requirements and application procedures for Planned Unit Developments. The Preliminary Development Plan shall include the following items:

1. A survey of the tract to be developed, showing a metes and bounds description of property lines and total acreage, existing zone district boundaries, the area and district which is proposed to be rezoned, and property ownership of the subject site and all adjacent parcels and parcels within 200 feet of the subject site.

2. Base mapping of the tract to be developed and surrounding property within 100 feet, showing existing features of the property including streets, alleys, easements, utility lines, existing land use and structures, and general topography (minimum of five-foot intervals) and physical features.

3. A preliminary site plan showing the following: the approximate areas and arrangement of the proposed uses and the relationship of abutting land uses and zone districts; the proposed general location of vehicular circulation, showing how this circulation pattern relates to the primary and secondary road alignments designated on the Butler County Thoroughfare Plan; the proposed treatment of existing topography, drainage ways and tree cover; and the location of schools, parks, community amenities or facilities, if any.

4. Anticipated schedule of projected development, if the total landholding is to be developed in stages, or if construction is to extend beyond a two-year time period.

5. In the case of an "R-PUD" District, the Preliminary Development Plan shall also include the proposed type of unit, density level, and proposed area setbacks of each residential area, and the type, general location and approximate acreage of the common open space. All other miscellaneous and accessory uses shall also be included.

6. In the case of a "C-PUD", "I-PUD", or a "SP-PUD" the Preliminary Development Plan shall identify the principal and accessory types of uses that are to be included in the proposed development, including their approximate location, size, and intensity. The proposed type, general location and approximate acreage of common open space shall also be included.

J. **Procedures for Approval of Preliminary Development Plan.** The applicant shall submit the Planned Unit Development Application Packet and Preliminary Development Plan to the West Chester Township Community Development Department.

1. The Community Development Department, upon receiving such application and Preliminary Development Plan shall determine if the application is complete or if additional information if needed. Upon determination that the application is complete, it shall be referred to the West Chester Township Zoning Commission for review.

2. The West Chester Township Zoning Commission shall advertise and hold a public hearing by the procedures outlined in Subsection 11.04.E of this Resolution. The Zoning Commission may explicitly impose special conditions relating to the Planned Unit Development about the type and extent of public improvements to be installed, landscaping, development, improvement and maintenance of common open space, and other pertinent development characteristics.

3. Following the public hearing by the Zoning Commission, the application, Preliminary Development Plan, staff report, and recommendation of the West Chester Township Zoning Commission shall be forwarded to the West Chester Township Board of Trustees. The Trustees shall advertise and hold a public hearing and approve, modify, or deny the application and request for the zoning amendment and Preliminary Development Plan, by the procedures outlined in Subsection 11.04.E of this Resolution.

4. Approval of the Preliminary Development Plan shall include density, intensities, land uses and their inter-relationship, design standards, and building location. Location of buildings (if applicable) and uses may be altered slightly due to engineering feasibility which is to be determined in the subsequent preparation of the detailed Final Development Plans.

5. Approval of the Preliminary Development Plan shall constitute the creation of a separate Planned Unit Development Zoning District. After approval of a Preliminary Development Plan by the Board of Trustees and after the subsequent referendum period has ended, the Official Zoning Map is changed to reflect this amendment.

K. **Required Conditions for Approval of Preliminary Development Plan.** The Township Zoning Commission and Board of Trustees shall study and review all applications for Planned Unit Developments. The Township Zoning Commission and Board of Trustees may impose conditions that should generally be satisfied before the approval of the Preliminary Development Plan. In reviewing a Preliminary Development Plan, the Township Zoning Commission and Board of Trustees shall make the following determinations before approving the plan:

1. The Planned Unit Development District is consistent with the adopted West Chester Township Land Use Plan (if applicable).

2. The use(s) proposed will not be detrimental to present and potential surrounding uses but will have a beneficial effect which could not be achieved as well under other Zoning Districts.

3. The internal streets and primary and secondary roads that are proposed properly interconnect with the surrounding existing road network and are not in conflict with the design indicated in the current Butler County Thoroughfare Plan.

4. The site will be accessible from public roads that are generally adequate to carry the traffic that will be imposed upon them by the proposed development and the streets and driveways on the site will be adequate to serve the residents or occupants of the proposed development.

5. The minimum common open space area(s) have been designated and shall be duly transferred to a legally established Homeowner's Association or has been dedicated to West Chester Township or another public or quasi-public agency as herein provided in Subsection 10.01.F.

6. The Preliminary Development Plan is consistent with the intent and purpose of this Resolution, to promote the public health, safety, morals, comfort, and general welfare of the residents of West Chester Township, Butler County, Ohio.

7. The Preliminary Development Plan has been transmitted to all other agencies and departments charged with the responsibility of review.

L. **Time Limits and Extensions.** The approval of a Preliminary Development Plan shall become null and void and the Board of Trustees or Zoning Commission may initiate proceedings to rezone the land to its former zoning classification unless within three years of the date of the approval of the Preliminary Development Plan all of the following have been completed:

1. A Final Development Plan for the first phase of the development has been approved per the provisions of this article and Resolution; and

2. The final subdivision plat, when applicable, has been recorded in the Office of the Butler County Recorder.

3. An extension of the time limit for the Preliminary Development Plan may be approved by the Zoning Commission. Such approval shall be given upon a finding of the purpose and necessity for such extension, and evidence of reasonable effort toward the accomplishment of the Preliminary Development Plan.

M. **Submission of Final Development Plan.** Once the Planned Unit Development District and Preliminary Development Plan have been approved by the Board of Township Trustees, the applicant shall proceed with the preparation of the detailed Final Development Plan(s) in whole or in phases. The applicant shall submit the necessary copies of the Final Development Plan(s) and all other information required by the application packet. The application packet is available from the Community Development Department and contains a checklist of requirements and application procedures for Planned Unit Developments.

1. The detailed Final Development Plan shall be consistent with the contents of the approved Preliminary Development Plan, and be prepared by a professional urban planner, engineer, architect, or landscape architect and include the following items:

a. Site plan(s) of the development showing a survey of the tract, lot lines, building outlines, off-street parking areas and spaces, pedestrian walkways, and vehicular circulation.

b. Preliminary building plans, including floor plans and exterior elevations.

c. Landscaping plans showing quantity, size, and varieties of landscaping that are proposed.

d. Specific engineering plans, showing site grading, street plans and improvements, drainage and utility improvements and extensions, and treatment of general topography and common open space.

e. In the case of an "R-PUD", the Final Development Plan shall also include the proposed type of unit, density level, area and setback requirements of each residential area, and the type, location, and acreage of common open space. All other miscellaneous and accessory structures shall also be indicated.

f. In the case of a "C-PUD", "I-PUD", and "SP-PUD", the Final Development Plan shall identify the principal and accessory types of uses that are to be included in the development, and the area and setbacks which are proposed. The proposed type, location, and acreage of all common open space shall also be included.

g. All necessary legal documentation relating to the incorporation of a Homeowner's Association to maintain the specified common open space within the Planned Unit Development.

h. Copies of any restrictive covenants that are to be recorded.

N. **Approval Procedures for Final Development Plans.** The applicant shall submit the Final Development Plan Application Packet and the Final Development Plan(s) to the West Chester Township Community Development Department.

1. The West Chester Township Community Development Department staff shall study the material received and confer with other agencies of government as appropriate in the case, to determine the general acceptability of the proposal submitted. Staff shall submit written recommendations to the Zoning Commission and the applicant before the public meeting held by the Zoning Commission.

2. Upon receipt of the detailed Final Development Plan and recommendations of staff, the Zoning Commission shall, at a public meeting of the Commission, study and review the detailed Final Development Plan(s) on the basis that all requirements have been satisfied, and the conditions specified in Subsection 10.01.K have been met.

3. Following the public meeting by the Zoning Commission to study and review the Final Development Plan(s), the Zoning Commission shall approve, modify, or deny the plan(s).

O. Required Conditions for Approval of Final Development Plan. The Township Zoning Commission shall study, and review the Final Development Plan to ensure the following specific conditions have been met:

1. Appropriate arrangements with the applicant have been made which will ensure the accomplishment of the public improvements and reservation of common open space as indicated in the Preliminary and Final Development Plan. If deemed necessary by the Board of Township Trustees during the Preliminary Plan process, the applicant may be required to secure a bond, held by and according to the standards and specifications of Butler County to the benefit of the Township to ensure the successful and proper completion of the proposed public improvements and reservation of common open space.
2. The proposed detailed Final Development Plan(s) for the individual section(s) of the overall Planned Unit District is consistent in contents (building location--as applicable, land uses, densities and intensities, yard requirements, and area and frontage requirements) with the approved Preliminary Development Plan and the West Chester Township Land Use Plan.
3. Each phase of the development can exist as an independent unit that is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained.
4. That any part of the Planned Unit Development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Zoning Commission, left in its natural state.
5. That any exception from the design standards provided in the PUD is warranted by the design and amenities incorporated in the detailed Final Development Plan.
6. That the internal streets and thoroughfares proposed are suitable and adequate to accommodate the anticipated traffic within and through the development.
7. That the detailed Final Development Plan is consistent with the intent and purpose of this Resolution to promote the public health, safety, morals, comfort, and general welfare of the residents of West Chester Township, Butler County, Ohio.
8. The Final Development Plan has been transmitted to all other agencies and departments charged with the responsibility of review.

P. **Effects of Final Development Plan Approval.** The approved Final Development Plan is kept on record in the West Chester Township Community Development Department together with all Resolutions, applications, plats, plans, and other information regarding the development. The Resolutions prepared by the Zoning Commission and Township Trustees serve as the official record for the permitted uses and activities that are approved for the planned unit landholding. The use of the planned unit landholding or the location, erection, construction, reconstruction, enlargement, or change of any building or structure in a manner that is not consistent with the Final Development Plan shall be considered a violation of this Resolution and subject to the procedures and penalties specified in Section 11.07.

Q. **Required Conditions for the Issuance of a Zoning Certificate and Final Inspection Certificate**

1. No Zoning Certificate shall be issued for any property in a Planned Unit Development District and no construction, except preliminary excavation, shall begin until an approved Final Development Plan is in effect for that phase or property. The Final Development Plan becomes effective upon approval of a Resolution by the Zoning Commission.

2. No Final Inspection Certificate shall be granted for any property in a Planned Unit Development District until the Director receives written certification that all public and private improvements, such as roads, utilities, drainage basins, and other improvements have been satisfactorily installed under applicable regulations. In the case of public improvements, such certification shall be by the government agencies charged with the applicable responsibility. In the case of private improvements, the certification shall be provided by a professional registered engineer or architect.

R. **Adjustments to Planned Unit Developments.**

1. **Major Changes.** Major Changes to an existing Planned Unit Development, modifications from the Preliminary Development Plan, or revisions to a Final Development Plan for a tract of land in which development has not already begun or is completed, in light of technical or engineering considerations, shall include the following. Such changes shall be subject to reconsideration and approval by the Board of Township Trustees and shall be required per the procedures specified in Subsections 11.04.A-E inclusive. Major changes shall be determined by the Zoning Commission and include:

a. An increase in density or intensity.

b. Changes in the outside boundaries of the Planned Unit Development District.

c. Significant modification of the type, location or amount of land designated for a specific land use or open space.

d. Modifications in the internal street and thoroughfare locations or alignments that significantly impact traffic patterns or safety considerations.

2. **Minor Changes.** All changes not deemed to be major changes or qualify as a staff revision, shall be considered minor changes. Minor changes shall be subject to the approval of the Zoning Commission and the procedures set forth in Subsections 11.04.A-E as applicable.

3. **Staff Revisions.** Minor revisions to items of an approved Final Development Plan that have a minor cosmetic impact on the overall project may be approved by the Community Development Department Director. This shall only apply if it can be demonstrated the intent of the Final Development Plan is met and the minimal revision does not reduce the quality of the development. The Community Development Director, at his or her sole discretion, reserves the right to nonetheless require Zoning Commission review of any minimal revision to an approved Final Development Plan that might otherwise qualify for a staff change generally authorized under this subsection.

10.02. "RCO" Road Corridor Overlay District

A. Purpose

1. The RCO District supplements the standards of the underlying zoning districts through the use of an overlay district along certain specified roadway corridor areas where a specific Road Corridor Land Use/Urban Design Plan has been adopted by the West Chester Township Board of Trustees.

2. The RCO District, and supplementary Road Corridor Land Use/Urban Design Plan, which is incorporated into the RCO regulations, provide design standards that are unique to a particular area. The standards are created specifically to address the unique existing and desired physical and architectural characteristics that are inherent to a particular area in order to:

   a. Mitigate the detrimental effects of intensity of use within the corridor upon the safety of residents and the use and enjoyment of their property;

   b. Preserve and enhance the streetscape along the roadway, to maintain the character and to promote safe pedestrian movement;

   c. Improve the compatibility between residential and non-residential uses;

   d. Improve the appearance, usefulness, and signage; and

   e. Help reduce traffic congestion.

B. Use Regulations

1. **Principal Permitted Uses**. Any use that is permitted in the zoning district(s) underlying an RCO District shall be permitted with either a Permitted or Conditional Use Zoning Certificate under the procedures and requirements of Subsection 11.05.B.

2. **Use Exempt from RCO District Requirements.** The RCO District requirements shall not apply to properties that are used exclusively for single-family, two-family, and three-family dwellings and related accessory uses, nor agricultural uses and related structures.

C. **Designation Procedure**

1. **Procedures for RCO District Designation.** The Board of Trustees, Zoning Commission, or owners or lessees of property within the area proposed for an RCO District, by the procedures for amending the Zoning Map set forth in Article 10, may designate an area along a roadway as an RCO District. Such amendment shall include the area to be included within the RCO District and a Road Corridor Land Use/Urban Design Plan containing the information pursuant to Subsection (2) setting forth the supplemental development provisions for the area within the RCO District.

2. **Required Contents of a Road Corridor Land Use/Urban Design Plan.** The designation of any area within the township as an RCO District shall require the preparation and adoption of a Road Corridor Land Use/Urban Design Plan. Such plan shall contain the following information:

   a. A survey of the area to be included in the RCO District, showing property lines, existing Zoning District boundaries, and property ownership of all parcels to be included with the RCO.

   b. Base mapping of the area to be included in the RCO showing existing features of the properties, including streets, alleys, easements, utility lines, existing land use and structures, and general topography and physical features.

   c. Base mapping of the area to be included in the RCO showing the recommended land uses for all properties in the RCO and plans for the entire area regarding pedestrian movement and vehicular access control.

   d. Written or graphic requirements for building and structure setbacks, heights, maximum building coverage, and floor area ratios.

   e. Written or graphic requirements for off-street parking and loading.

   f. Written or graphics requirements for signage.

   g. Written or graphic requirements for landscaping and screening between adjacent sites, and land uses.

   h. Written or graphic requirements for the architectural character of buildings and structures and exterior lighting of streets, parking areas, buildings, and signs.

   i. Written policy statements regarding recommended key public improvements necessary to achieve substantial elements of the plan.

3. **Preparation of a Road Corridor Land Use/Urban Design Plan**. A Road Corridor Land Use/Urban Design Plan may be prepared by any appointed agent of the Board of Trustees (i.e., Community Development Department, or independent consultant) or any appointed agent of a property owner, or group of property owners, located within the subject area to be classified in a designated RCO District, pursuant to the requirements of this article and other applicable requirements of this Resolution.

4. **Effects of Adopted RCO District and Road Corridor Land Use/Urban Design Plan**. Upon the adoption of an RCO District and Road Corridor Land Use/Urban Design Plan for a designated area, these regulations shall supersede or supplement, as applicable, the regulations of the underlying zoning district. In the case of conflict with other provisions of this Resolution, the regulations of the RCO District and Road Corridor Land Use/Urban Design Plan shall prevail.

5. **Procedures for Obtaining a Zoning Certificate on Property Within an RCO District.** Upon the designation of an area as an RCO District, the use of any structure, building, land, or part thereof, hereinafter created, erected, changed, converted, or enlarged, wholly or partly, shall require the issuance of a Zoning Certificate in accordance with the following procedures and requirements:

   a. Each application for a Zoning Certificate shall be accompanied by the proper number of plan sets pursuant to the amount specified by the application instructions. Plans shall be drawn to scale in blackline or blueprint, showing the following:

      i. The actual shape and dimensions of the lot to be built upon or changed in its use, in whole or in part;

      ii. The exact location, size and height of any building or structure to be erected or altered;

      iii. The existing or intended use of each building or structure or part thereof;

      iv. The number of families or housekeeping units the building is designed to accommodate;

      v. When no buildings are involved, the location of the present use and the proposed use to be made of the lot; and

      vi. All other applicable information as required by the Road Corridor Land Use/Urban Design Plan.

b. Within 15 days of the date of said application for a Zoning Certificate, the Community Development Department staff shall review the proposal to determine consistency with the adopted Road Corridor Land Use/Urban Design Plan and underlying zoning district and report to the applicant and Zoning Commission. In preparing its report, the Community Development Department staff shall confer with all other applicable township, county, and state departments and agencies and incorporate their recommendations into the report to the Zoning Commission.

c. Within 30 days of receipt of said report from the Community Development Department, the Zoning Commission shall hold a public hearing, and by Resolution, either approve, deny, or modify the application for the Zoning Certificate. In rendering its decision, the Zoning Commission shall give due regard to the report presented by staff, testimony presented by proponents and opponents of said proposal, and the requirements and objectives of the applicable Road Corridor Land Use/Urban Design Plan.

d. Upon the approval of a Zoning Certificate by the Zoning Commission, the Community Development Department shall issue the Zoning Certificate and return the approximate number of approved plans, stamped with Community Development Department approval, to the applicant in order that he/she may proceed with the applications necessary for all building and other applicable permits.

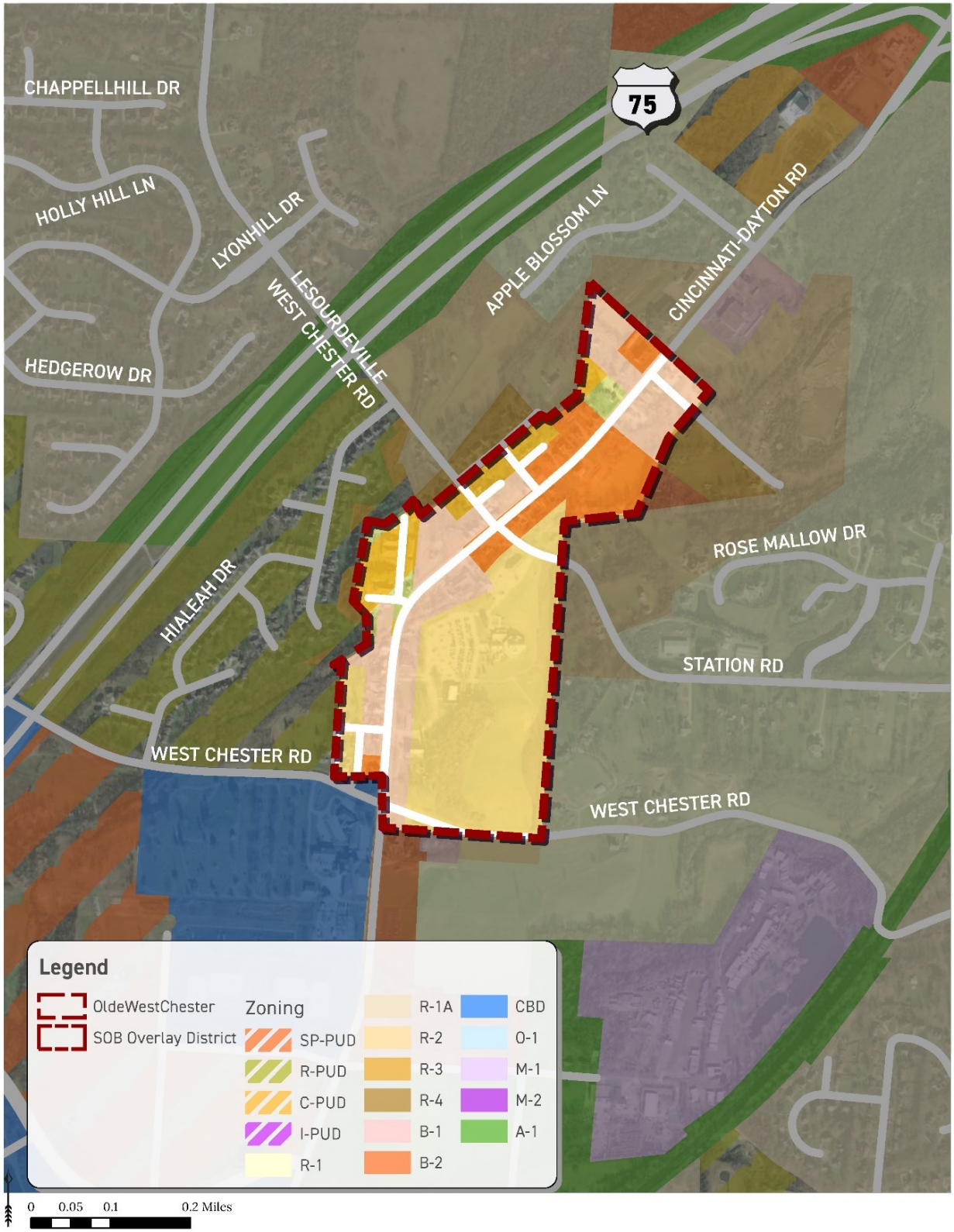
6. **Improvements Exempt from the Requirements of the RCO District**. Interior remodeling and exterior maintenance work and repairs (new roofs, painting etc.) shall be exempt from the requirements of this section.

D. Olde West Chester Road Corridor Overlay

1. **Purpose.** The Olde West Chester Road Corridor Overlay (OWC-RCO) District supplements the standards of the underlying zoning district to provide development provisions which assure compatibility with the unique natural and physical characteristics of the area and achieve a desired character which promotes the public, health, safety, and general welfare of the residents and property owners.

2. **Zoning Code Provisions Apply**. This subsection shall serve as the governing regulations for the OWC-RCO District pursuant to Section 10.02. These regulations shall apply to property contained in the OWC-RCO District as shown on the zoning map. All provisions of the West Chester Township Zoning Resolution shall also apply unless the provisions of the OWC-RCO District specifically address otherwise.

3. **Exempt and Existing Uses.**
   a. Any building, structure, or the use thereof, legally existing at the time this OWC-RCO District becomes effective, may be continued as a legal non-conforming use, building, or structure, even though such use, building, or structure may not conform with the provisions of this overlay district.
   b. The OWC-RCO District provisions shall not apply to properties used exclusively for single-family, two-family, and three-family dwellings and related accessory uses, nor to agricultural uses and related structures.
   c. Height, area, frontage, and yard requirements for existing buildings on existing lots of record shall be permitted to be maintained at the current as-built dimensions. Such provision shall also apply to all buildings and structures involving a change of use.
4. **Principal Permitted Uses**. Any principal permitted use of the applicable underlying zoning district is permitted if it is determined to be consistent with the intent of the OWC-RCO District pursuant to the requirements and process defined in this article with the following exception:
   a. Those uses indicated in the B-2 zoning district as "Permitted Uses with Standards" in TABLE 3.01-1: PERMITTED USE TABLE, shall be prohibited within the OWC-RCO District.
5. **Conditional Uses**. Any conditional use of the B-1 zoning district if it is determined to be consistent with the intent of OWC-RCO District pursuant to the process defined in this article.
6. **Accessory Uses**. Any accessory use of the underlying zoning district is permitted if it is determined to be consistent with the intent of OWC-RCO district pursuant to the requirements and process defined in this article with the following exceptions:
   a. Drive-throughs/pick-up windows shall be prohibited within the OWC-RCO as stated in Sections 3.06.E and 3.06.K.



Map 10.02-1: Olde West Chester Road Corridor Overlay (OWC-RCO) District Boundaries

7. Type of Change

a. Use Change

i. A use change is a change in the use of a property that is consistent with the principally permitted uses that are defined in Subsection 10.02.D.4.

ii. A zoning certificate is required for a use change, which is processed at the staff level. If other improvements are proposed in conjunction with the use change, the appropriate process shall be followed for each improvement.

b. Staff Level Improvement

i. A staff level improvement is any improvement that is consistent with the OWC design standards defined for the district and meets development standards in Subsection 10.02.D.8 and the access management recommendations defined in Subsection 10.02.D.9.

ii. A zoning certificate is required for any staff level improvement, which is processed at the staff level. However, if at any time staff believes that a proposed improvement may have a potential negative impact on the structure, property or overlay district it may refer it to the Zoning Commission for review and approval under the procedure set forth in Subsection 10.02.D.10

c. Board Level Improvement or Request for a Variance

i. Any improvement that is not consistent with the design standards defined in Subsection 10.02.D.8 or the access management recommendations defined in Subsection 10.02.D.9; or

ii. A permit is required for board level improvements. Applications shall be submitted to the Zoning Commission for architectural review and approval under the procedure set forth in Subsection 10.02.D.10, and the Board of Zoning Appeals to apply the standards for a variance under the procedure set forth in Subsection 11.03.D.2.b.

d. Accessory Structures. A zoning certificate is required for accessory structures which will be processed at the staff level under Subsection 11.05.E. However, staff may refer highly visible or otherwise unusual accessory structures to the Zoning Commission for review and approval under the procedure set forth in Subsection 10.02.D.10, and the Board of Zoning Appeals to apply the standards for a variance under the procedure set forth in Subsection 11.03.D.2.b.

8. **Design Standards.** The following architectural requirements shall only apply when a new principal structure is built, or a substantial modification occurs that affects more than 25% of the specific architectural feature. The purpose of these requirements is to ensure that new development and extensive redevelopment projects continue to enhance the existing character and development characteristics of the area. The Olde West Chester Architectural Advisory Standards may be referenced for examples of the following architectural features:

   a. **Masonry and Siding**

      i. Any replacement masonry shall be similar in nature to the existing masonry on the structure with regard to color, texture, and size;

      ii. Painting masonry is not permitted, but staining of masonry is acceptable;

      iii. All siding shall be wood or composite material (such as fiber cement siding); and,

      iv. Vinyl siding is not permitted.

   b. **Windows.** The original windows shall be retained, if possible. Any replacement windows shall comply with the following:

      i. The original shape and configuration of window openings shall be maintained; and

      ii. The windows shall closely represent the original windows or enhance the character of the building.

   c. **Doors.** The original doors and entrance features shall be retained, if possible. Any replacement doors and entrance features shall comply with the following:

      i. The door shall be the same size and style of the original door;

      ii. Composite fiber doors that have a wood-grain finish area acceptable; and,

      iii. Metal and steel doors are not permitted.

   d. **Shutters.** The original wood shutters shall be retained, if possible. Any replacement shutters shall comply with the following:

      i. The shutters shall be wood or composite fiber wood-grain; and

      ii. The shutters shall be proportionate to the window size.

e. **Porches and Decks.** The original porches and decks shall be retained, if possible. Any replacement porches and decks shall comply with the following:

i. The materials and design shall match and complement the character of the existing structure;

ii. Accessibility ramps shall also match the character of the existing structure;

iii. Wood or composite wood-grain decking is acceptable; and

iv. Aluminum and vinyl porch cover and outdoor carpeting are not permitted.

f. **Painting**

i. Any painting shall utilize a color from a "historic" type palette;

ii. Trim shall be painted in a contrasting complementary color; and

iii. Any paint removal shall be done with caution due to the potential presence of lead-based paint.

g. **Awnings.** The use of awnings is encouraged, which shall comply with the following:

i. The material shall be fabric. Vinyl and plastic awnings are not permitted;

ii. The awning style shall be complementary to the architectural character of the building; and,

iii. The color shall be complementary to the building color.

h. **Roofs.** The original roof pitches and shapes shall be retained, if possible. Any replacement roofs shall comply with the following:

i. Roof material shall be dimensional shingle, decorative metal, wood/shake shingles or slate;

ii. The color shall be complementary to the building color; and

iii. Solar panels may be installed on the roof structure as long as they are not visible from the public right-of-way.

i. **Sidewalks.** All sidewalks along the frontage of a public roadway shall be consistent with the existing sidewalks in regard to maintaining accessibility and design standards.

j. **Landscaping.** A variety of deciduous and evergreen plantings shall be required along the side of the building that faces the public right-of-way, which shall complement the architectural features of the building and contain a sufficient amount and height of plants, to "break up" the base of the building. The landscaping shall be installed and maintained to a professional standard.

k. Decorative/Retaining Walls, Fences and Railings

i. All decorative/retaining walls shall be constructed of natural materials such as standard brick, natural stone, tumbled concrete, or pre-engineered stone that resembles natural stone;

ii. All fences located in the front yard shall be wood picket fences with the finished side facing outward, or decorative metal. Privacy fences may only be approved in areas with limited public view. Chain link, split rail, low-grade vinyl, smooth faced vinyl, and stockade fences are not permitted; and,

iii. All railings shall be decorative metal, wood, or composite wood when integrated with a wood or composite wood porch or deck.

l. Mailboxes. All mailboxes shall be consistent with the character set forth by the OWC-RCO District. As mailboxes are added or replaced within the district, they shall follow the standard set by the OWC-RCO District, which includes:

i. Single non-security mailbox;

ii. Single security mailbox; and,

iii. Group security mailboxes.

Figure 10-2: Example representation of single non-security mailbox

m. Light Fixtures

i. All light fixtures shall be complementary to and in scale with the overall design of the building and site;

ii. Uplighting fixtures may be permitted to highlight buildings, landscaping, and signage if the light fixtures are hidden from view or blended into the landscaping and minimize the light spillover onto the public road;

iii. Elevated spotlights may be permitted at the rear of the building for security purposes, but shall be directed down and away from adjoining properties; and

iv. All outdoor lighting fixtures shall be between a color temperature of 2700-3000 Kelvin.

v. LED lighting is permitted. Internal and neon lighting is not permitted.

9. Access Management Recommendations

a. The Olde West Chester Road Corridor Overlay Plan contains access management recommendations that advocates for rear alley access drives with identified ingress/egress points along the primary roadways.

b. All minor and major use changes shall be recommended, but not required, to work toward the accomplishment of this access plan according to the following guidelines:

i. If the subject property contains an identified ingress/egress point, the curb cut, internal access drive and rear alley access drive should be installed immediately.

ii. If there is a rear alley access drive on an adjoining property that provides direct access to the subject property, the rear alley access drive should be extended onto the subject property and installed immediately. All other curb cuts should be closed immediately.

iii. If the subject property does not have direct access to an adjoining property via the rear alley access drive, the existing curb cut from the main roadway may be maintained as a temporary ingress/egress until permanent access to the rear alley access drive can be accomplished. However, a cross-access easement should be recorded immediately in the location of the future rear alley access drive.

iv. A cross-access easement should be recorded for all rear alley access drives and identified ingress/egress points, which should benefit all properties in the OWC-RCO District.

10. **Zoning Commission Architectural Review Procedure.** Applications that require the review and approval of the Zoning Commission, shall adhere to the following review procedure:

a. Each application shall be accompanied by a completed application form, and the application materials described on the form. To scale drawings in 11" x 17" format including a site plan, landscaping plan, and architectural elevations showing the proposed design, features, and color must be included in the application.

b. The Zoning Commission shall hold a public hearing on each application pursuant to 0. However, prior to appearing before the Zoning Commission, the applicant shall meet with and obtain the staff considerations pursuant to Subsection 10.02.D.10.

c. Staff shall forward all applications, a staff report, and the Zoning Commission's recommendation to the commission members prior to the public meeting. In preparing its report, staff shall confer with other applicable agencies and incorporate their recommendations into the report.

d. The Zoning Commission shall study, and review applications to ensure the following specific conditions are met:

i. The proposed internal vehicular circulation and parking plan for the site is consistent with the Access Management Plan of the Olde West Chester Road Corridor Overlay Plan and properly connects with the primary and secondary road network.

ii. The proposed architectural character, landscaping, scale, massing, and materials of the structure or building and exterior lighting is consistent with standards contained within the Olde West Chester Architectural standards as outlined in Subsection 10.02.D.8.

iii. The site plan contains elements and components which create an area of sustained desirability and stability and achieve the goals and objectives of the Olde West Chester Road Corridor Overlay Plan and the Olde West Chester Development Plan.

iv. The application is consistent with planned future public improvements necessary in the area.

v. The proposed use does not employ process, equipment, or goods that are objectionable by reason of odor, dust, smoke, cinders, gas, fumes, vibration, refuse matter, water-carried waste, etc.

vi. Attention shall also be given to promoting a diverse mix of land uses within the OWC-RCO District in order to ensure the presence of a vibrant and sustainable business and social community within the district.

e. Upon conclusion of the presentations, comment and deliberations, the commission shall adopt a Resolution of approval or motion of denial by no later than the next regularly scheduled meeting date. The commission's approval or denial shall take into account all aspects of the application, including but not limited to site layout, landscaping, building appearance, access, circulation, and use compatibility within Olde West Chester. The commission shall further take into account the recommendation of the Zoning Commission and those recommendations contained in the Olde West Chester Development Plan and the Olde West Chester Road Corridor Overlay Plan. The commission may attach conditions to any approval.

f. Staff decisions on applications that do not require Zoning Commission approval, may be appealed to the Board of Zoning Appeals.

11. **Zoning Certificate Required.** Pursuant to Subsection 11.05.E, zoning certificates shall be required for work or new uses within the Overlay District as in any other zoning district. The applicant shall then apply for and receive a Zoning Certificate prior to commencing any work or use. Pursuant to Subsection 11.05.E, a Final Inspection Certificate shall be obtained prior to occupancy or as otherwise required under that section.

12. **Modifications and Other Uses**

a. **Modifications.** For matters before the Zoning Commission under the above OWC-RCO District procedures, those boards may grant minor area modifications from the terms of the underlying zoning district or the OWC-RCO District if such modifications do not create a safety hazard and are in keeping with the character of Olde West Chester. Board members should reference the design standards within this section to determine if such approval is appropriate. The Commission may also grant a variance from the design standards of Subsection 10.02.D.8 and sign requirements of Subsection 10.02.D.16 if the request for a variance is in keeping with the character of Olde West Chester.

b. **Conditional and Special Exceptions Uses.** The Board of Zoning Appeals may approve uses like those authorized as a conditional use or special exception under the underlying zoning district if reviewed in association with the above Overlay District procedures. Board members should reference the review standards of Subsection 11.05.B to determine if such approval is appropriate.

c. **Other Uses.** Uses not specifically listed as permitted, conditional, or special exception by the underlying zoning district are prohibited. When conducting a review under the above Overlay District procedures, the Zoning Commission may authorize a use determined to be of the same character as the principally permitted, conditional, or special exception uses of the specific underlying zoning district. Commission members should reference standards of Subsection 11.05.B.2 to determine if such approval is appropriate.

13. Miscellaneous

a. All business, service or processing shall be conducted within a completely enclosed building, except for off-street automobile parking, off-street loading, outdoor dining, and similar uses as specifically permitted herein, specifically permitted by the district where it is located.

b. Process and equipment employed, and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water carried waste.

c. **Sidewalks.** Sidewalks shall be required for all portions of a parcel which front along a public street and shall be constructed in accordance with Butler County Engineer standards.

d. **Outdoor Storage and Display.** No outside storage of any kind, excluding dumpsters, shall be permitted. Limited outdoor display of merchandise currently for sale is authorized provided such display does not last overnight. Such display shall not interfere with pedestrian access and shall not exceed 10 percent of the principal building's interior floor space occupied by that business.

e. **Dumpsters.** All dumpsters and trash containers must be completely screened by a fence, wall, or earth berm of not less than six feet, or more than eight feet in height on at least three sides. Such screening shall be maintained in good condition without any form of advertising thereon. The side of the enclosure used for access shall be equipped with gates, so the dumpster can be fully enclosed.

f. **Recreational Vehicles, Campers, Watercraft, and Commercial Vehicles.** Recreational vehicles, campers, watercrafts, and commercial vehicles shall be stored within a fully enclosed building. All such vehicles and equipment shall be free of fixed connections to water, gas, or sanitary sewer facilities, and at no time be used for living or housekeeping purposes. Commercial vehicles are subject to the regulations set forth in Section 5.13.

14. **Off-Street Parking.** Requirements for off-street parking shall be pursuant to Article 5 of the West Chester Township Zoning Resolution, with the following exception:

    a. Required off-street parking spaces shall not be required to be on the same parcel as the principal use served, provided the required number of spaces can be accommodated within three hundred (300) feet of the parcel.

15. **Off-Street Loading.** Each building or part thereof erected for uses which customarily receive or distribute material or merchandise shall comply with Section 5.16 of the West Chester Township Zoning Resolution with the following exception: required off-street loading spaces shall not be required to be located on the same parcel as the specific uses to be served, provided said loading space can be accommodated within 150 feet of said use and further provided that the documentation of legal right of easement has been provided to Community Development Department staff.

16. **Signs**. The following provisions apply to all signs in the Overlay District. Specific setback and location requirements as well as other requirements for signs are included with each permitted sign type.

    a. **Prohibited Signs.** In addition to prohibitions stated elsewhere in this Zoning Resolution, the following types of signs are specifically prohibited in the Overlay District:

        i. Billboard signs

        ii. Pole Signs

    b. **Reader Boards for Changeable Copy Permitted.** Reader boards which allow non-digital changeable copy may be authorized by the Architectural Advisory Committee or the Zoning Commission and are considered as part of the permitted display area of a sign. Signs which employ electronic message changes are prohibited.

    c. **Freestanding Signs.** Freestanding signs, accessory to a business use, are permitted in the form of a ground-mounted sign, subject to the following requirements.

        i. All such signs shall conform to the following maximum display area requirements:

TABLE 10.2: FREESTANDING SIGN MAXIMUM DISPLAY AREA REQUIREMENTS

Lot Frontage Along Public Street Right-of-Way	Permitted Square Feet of Display Area
0 – 150 feet	32 square feet
151+ feet	48 square feet
Lot Area	**Permitted Square Feet of Display Area**
0 – 5,000 square feet	32 square feet
5,000+ square feet	48 square feet

ii. The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

A. Such signs shall be limited to one sign per parcel.

B. All such signs shall set back a minimum of five feet from any street right-of-way or adjoining property line and shall conform with the corner visibility triangle as defined in this Resolution.

C. No such signs or any portion of the structure they may be integral with shall exceed eight feet from grade.

D. No such sign shall be internally illuminated.

E. Such sign shall be a sandblasted-type sign, which may be constructed with a composite material that has a sandblasted appearance.

F. Such sign shall be located in a non-residential underlying zoning district.

d. **Building Signs.** In addition to the above-mentioned ground-mounted freestanding signs, commercial buildings may also contain a wall (integral or attached), projecting, or awning signs which are accessory to the business or use located on the premise. Such signs shall be subject to the following requirements:

i. The total amount of square feet permitted for such signs shall not exceed one square foot for every lineal feet of building frontage.

ii. No sign shall project more than four feet beyond any building or roof line.

iii. No such sign shall be internally illuminated, except for awning signs.

iv. Except for awning signs, such signs shall be a sandblasted-type sign, which may be constructed with a composite material that has a sandblasted appearance.

v. Such sign shall only be located in a non-residential underlying zoning district of the West Chester Township Zoning Resolution.

e. **Temporary Signs.** Sandwich Boards shall be permitted if meeting the following design standards:

i. Chalkboard or chalkboard-like appearance, which has a black display area and contrasting lettering;

ii. Wood or faux wood-grain vinyl structure;

iii. Located on private property and affixed to the ground; and

iv. Only displayed during hours of operation.

17. **Development Standards**. The following standards shall supersede the development standards provided for by the underlying zoning district.

    a. No structure shall exceed 35 feet in height.

    b. The following minimum area, frontage, and yard requirements shall apply to each new principal building or structure within the Overlay District:

TABLE 10.3: OLDE WEST CHESTER OVERLAY DISTRICT DIMENSIONAL STANDARDS

Lot Area	Lot Frontage	Front Yard Setback	Side Yard Setback	Rear Yard Setback	Lot Coverage	Maximum Height
6,000 sq. ft.	None	10 ft.	5 ft.	20 ft.	80%	35 ft.

10.03. Sexually Oriented Business District Overlay

A. Location of Sexually Oriented Businesses

1. A Sexually Oriented Business may be located only in accordance with the restrictions contained in this section.

2. A Sexually Oriented Business may be located only in a Sexually Oriented Business Overlay District.

3. A Sexually Oriented Business Overlay District is hereby created comprising those portions of the zoning districts in which the use is permitted, located south of the centerline of Port Union Road and West of the centerline of Princeton-Glendale Road (SR 747).

4. No Sexually Oriented Business may be established within 500 feet of:

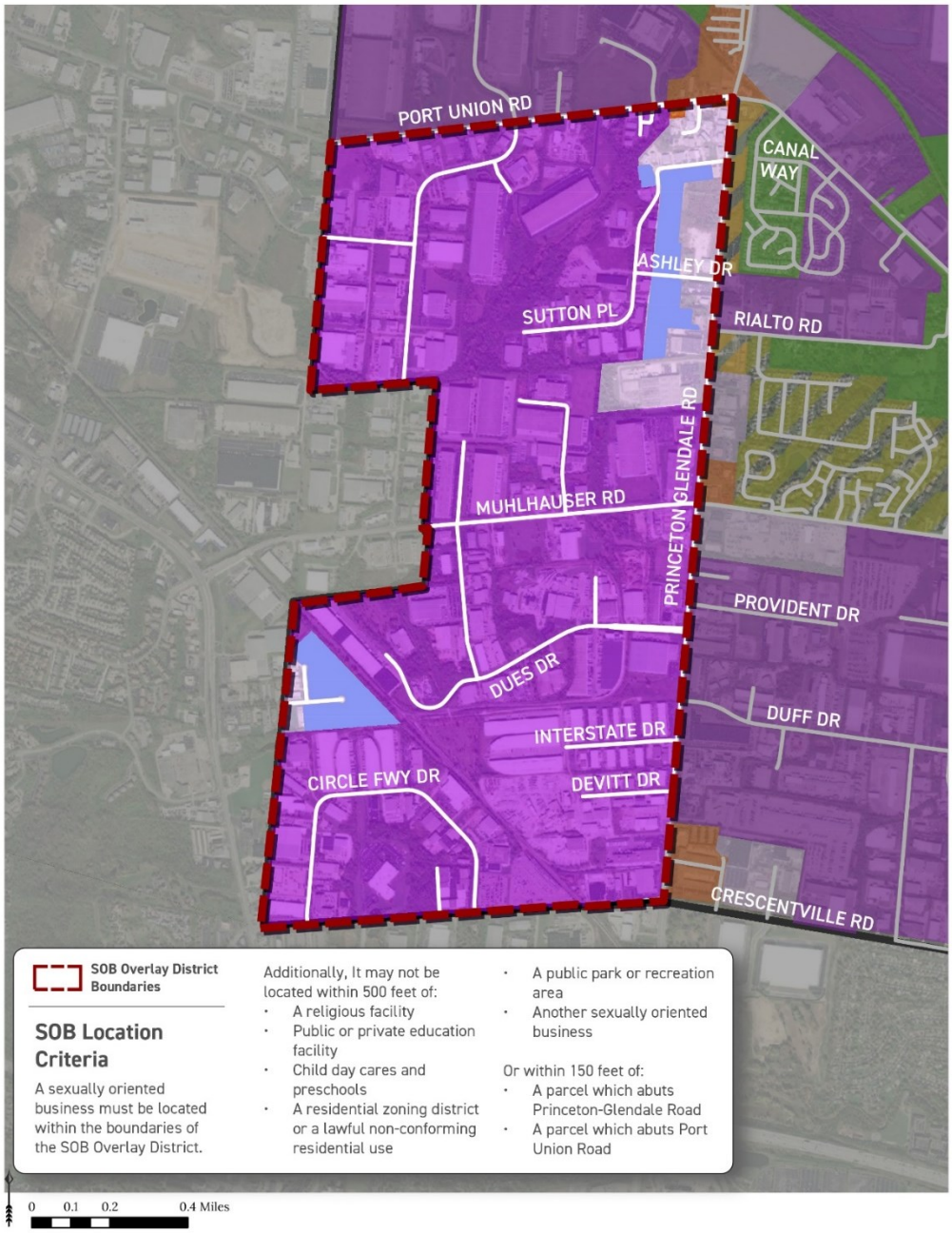
    a. A church, synagogue, mosque, temple or building which is used primarily for religious worship and related religious activities;

    b. A public or private educational facility including but not limited to kindergartens, elementary schools, private schools, intermediate schools, junior high schools, middle schools, high schools, public vocational schools, secondary schools, continuation schools, special education schools, junior colleges, and universities which have students regularly attending classes and which either teach an elementary education or secondary education curriculum that is the same as or comparable to that commonly taught in the public schools of the state of Ohio, or regularly confer Associate, Baccalaureate, Master, or Doctorate degrees to graduates; school includes the school grounds, but does not include facilities used primarily for another purpose and only incidentally as a school;

    c. Child daycare facilities, nursery schools and preschools, where children from the age of one year old or less to 12 years old are regularly in attendance;

d. A boundary of a residential district as shown on the Zoning Map;

e. A public park or recreational area which has been designated for park or recreational activities including but not limited to a park, playground, nature trails, swimming pool, reservoir, athletic field, basketball or tennis courts, pedestrian/bicycle paths, wilderness areas, or other similar public land within the Township which is under the control, operation, or management of either the Township or which is operated or managed by another public entity.



Map 10.03-1: The Sexually Oriented Business District Boundaries

5. No Sexually Oriented Business may be established within 500 feet of the property line of a lot regulated as a lawful non-conforming residential use as defined in the Zoning Resolution.

6. No Sexually Oriented Business may be established on a parcel any portion of which is within 150 feet of the right-of-way line of Princeton-Glendale Road (SR 747).

7. No Sexually Oriented Business may be established on a parcel any portion of which is within 150 feet of the right-of-way line of Port Union Road.

8. No Sexually Oriented Business may be established, operated, or substantially enlarged within 500 feet of another Sexually Oriented Business.

9. Not more than one Sexually Oriented Business shall be established or operated in the same building, structure, or portion thereof, and the floor area of any Sexually Oriented Business in any building, structure, or portion thereof containing another Sexually Oriented business may not be increased.

10. For the purpose of Subsections 4) and 5), measurement shall be made in a straight line, without regard to the intervening structures or objects, from the nearest portion of the principal building or structure, or tenant space if located in a multi-tenant building, used as the part of the premises where a Sexually Oriented Business is operated, to the nearest property line of the premises of a use listed in Subsections 4) and 5).

11. For the purpose of Subsections 6) and 7), measurement shall be made in a straight line, without regard to the intervening structures or objects, from the right-of-way line of Princeton-Glendale Road (SR 747) to the nearest property line of the parcel containing the proposed Sexually Oriented Business.

12. For purposes of Subsection 8), the distance between any two Sexually Oriented Businesses shall be measured in a straight line, without regard to the intervening structures or objects, from the closest exterior wall of the structure, or tenant space if located in a multi-tenant building, in which each business is located.

13. No Sexually Oriented Business that was in compliance with the above locational restrictions at the time that it received a Zoning Certificate will be subsequently found not to be in compliance if, subsequent to the Sexually Oriented Business receiving a Zoning Certificate, a use listed in Subsection 4) is newly established or expands so as to be within 500 feet of the Sexually Oriented Business.

B. Additional Regulations

1. Lot area and width, setbacks, buffering, yard area, height provisions and other site development requirements for a Sexually Oriented Business are those specified in the district in which the use is located.

2. Parking requirements for any Sexually Oriented Business shall be dictated by the parking requirements for the closest analogous use identified elsewhere in this Zoning Resolution.

3. The only permitted uses of property as a Sexually Oriented Business will be those identified on a valid license issued by the West Chester Township Community Development Department to an applicant or owner pursuant to the West Chester Township Resolution Governing Sexually Oriented Businesses and Employees Pursuant to Sections 503.51 and 503.52 of the Ohio Revised Code and as Authorized by the Township Limited Home Rule Provisions of Ohio Revised Code Chapter 504, as such Resolution may be amended from time to time. Notwithstanding any other provision of this Zoning Resolution, no Zoning Certificate shall be issued for any Sexually Oriented Business unless the Sexually Oriented Business is also found to be entitled to a valid license under that same Resolution.

4. Live Sex Act Businesses are prohibited.

5. A final finding that a Sexually Oriented Business is no longer entitled to a Sexually Oriented Business license for any reason (including expiration of an existing license after failure to renew, failure to appeal a decision of the Community Development Department to revoke or deny a license, or the receipt of a final ruling on any appeal by the license holder from revocation or denial of a license) shall constitute immediate grounds to revoke a Zoning Certificate previously issued to a Sexually Oriented Business, and no zoning certificate will be reissued for the Premises to be used as a Sexually Oriented Business until such time as a Sexually Oriented Business license may be reissued for the Premises.

C. Sign Regulations for Sexually Oriented Businesses

1. Review and approval procedures for a sign permit for a Sexually Oriented Business, as well as the types of signs and maximum allowable sign area for Sexually Oriented Business signs, shall be in accordance with the applicable sign regulations elsewhere in this Zoning Resolution except as modified herein.

2. No merchandise or pictures of the products or entertainment on the premises shall be displayed in window areas or any area where they can be viewed from the sidewalk or street in front of the exterior of the premises.

3. Window areas shall not be covered or made opaque in any way from the external side of the structure.

11. ADMINISTRATION AND PROCEDURES

11.01. Purpose

The purpose of this article is to:

A. Identify the roles and responsibilities of the various elected and appointed boards, and the duties of Township Staff, in the administration of this Zoning Resolution; and

B. Identify the development review procedures used in the administration of this Zoning Resolution.

11.02. Summary Table of Review Bodies and Procedures

Table 11.1: Summary Table of Procedures summarizes the review and decision-making responsibilities of the entities that have roles in the procedures set forth in Section 11.05.

TABLE 11.02-1: SUMMARY TABLE OF PROCEDURES

Procedure	Section Reference	Court of Common Pleas	Board of Trustees	Zoning Commission	Board of Zoning Appeals	Community Development Department
Zoning District and Resolution Amendments	11.05.A		H-D	H-R		R
Conditional Use and Special Exemption Permits	11.05.B	A			H-D	R
Variances	11.05.C	A			H-D	R
Administrative Relief of Area Standards	11.05.D					
Zoning Certificates	11.05.E				A	R-D
Administrative Appeals	11.05.F				A	R-D
Substitution of Non-Conforming Use	11.06	A			H-D	R
PUD – Preliminary Development Plan and Rezoning	10.01.J		H-D	H-R		R
PUD – Final Development Plan	10.01.N		A	M-D		R
PUD - Major Change	10.01.R		H-D	H-R		R
PUD – Minor Change	10.01.R		A	M-D		R
Temporary Structures and Uses	3.07				A	R-D

H = Public Hearing Required
M = Public Meeting Required
R = Review or Recommendation
D = Responsible for Final Decision
A = Appeal Body
Shaded Box = No review or approval authority

11.03. Review and Decision Making Bodies

A. Court of Common Pleas

For the purpose of this Zoning Resolution, the appeal body for decisions made by the Board of Zoning Appeals is the Butler County Court of Common Pleas.

B. Board of Trustees

For the purpose of this Zoning Resolution, the West Chester Board of Trustees shall have the following duties:

1. Initiate proposed amendments to this Resolution text and/or the official zoning map.
2. Review and decide on all proposed zoning text and zoning map amendments to this Resolution.
3. Review and decide on Concept Planned Unit Development applications.
4. Preform all other duties as specified in Chapter 519 of the Ohio Revised Code and as specified in this Resolution.

C. Zoning Commission

1. **Appointment.** A Zoning Commission is hereby created. The Commission shall be composed of five regular members and one alternate member who shall be residents of the unincorporated area of the township. The terms of all regular members shall be of such length and so arranged that the term of one member will expire each year. The alternate member shall be appointed for a three-year term. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable as provided in the Ohio Revised Code. Vacancies shall be appointed by the Board of Township Trustees and shall be for the unexpired term.
2. **Power.** The Zoning Commission shall have the power to adopt rules and procedures for the transaction of business and to exercise those powers provided to township zoning commissions by the Ohio Revised Code, and those powers delegated to the Zoning Commission by the Board of Township Trustees, including but not limited to jurisdiction over properties zoned as PUD – Planned Unit Development Districts (final development plans only). The Zoning Commission shall also have the authority to submit recommendations on special issues as requested by the Board of Township Trustees.
3. **Procedure.** 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 Board shall be held at the call of the Secretary or Chairperson, and at other times as the Commission may determine. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent, or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed with the Community Development Department and kept as public record.

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

5. **Assistance.** The 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.

6. **Applications**

   a. Applications for district changes and Resolution amendments shall be filed in accordance with Article 11.

   b. Applications for a Final Development Plan shall be filed in accordance with Article 11.

   c. Applications for a property located within an Overlay District shall be in filed accordance with Articles 10 and 11 as applicable.

7. **Hearings.** Hearings of the Zoning Commission regarding district changes and Resolution amendments shall be held in accordance with Section 519.12 of the Ohio Revised Code.

8. **Meetings.** The Commission shall schedule a meeting once per month. At the beginning of each year, the Community Development Department shall publish a schedule of the regular monthly meeting times and filing deadlines for the year. All complete applications filed by the deadlines shall be heard at the following month's meeting.

D. Board of Zoning Appeals

1. **Appointment.** A Board of Zoning Appeals is hereby created. Such Board shall consist of five regular members and one alternate member, who shall be residents of the unincorporated area of the township. The terms of all regular members shall be of such length and so arranged that the term or one member will expire each year. The alternate member shall be appointed for a three-year term. Each member shall serve until their successor is appointed and qualified. Members of the Board shall be removable as provided in the Ohio Revised Code. Vacancies shall be appointed by the Board of Township Trustees and shall be for the unexpired term.

2. **Powers of the Board of Zoning Appeals**

a. **Appeal**. The Board shall have the power to hear and decide appeals, where it is alleged by the appellant that there is an error in any order, requirement, decision, grant, or refusal made by the Community Development Director or a designated subordinate in the interpretation of the provisions of this Resolution. In exercising its power, the Board may in conformity with the provisions of statute and of this Resolution, reverse or affirm wholly or partly, 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.

b. **Variances**. The Board shall have the power to authorize upon application in specific cases, such area variances from the terms of the Zoning Resolution as will not be contrary to the public interest, and that are consistent with the criteria provided herein. Use variances are prohibited under this Resolution, and the Board is not authorized to grant use variances.

c. **Conditional Uses/Special Exceptions**. The Board shall have the power to authorize upon application, conditional use, or special exemption Zoning Certificates for those uses which are specified as such by this Resolution.

d. **Non-Conforming Uses**

i. The Board shall have the power to grant the substitution of a non-conforming use, existing at the time of enactment of this Resolution, by another non-conforming use, provided however, that the substituted use appears and is first permitted in the same article of this Resolution as the current non-conforming use, and the Board determines the proposed substituted use is not of greater intensity or density than the existing non-conforming use.

ii. The Board shall have the power to grant the extension of a non-conforming use upon the lot occupied by such use, or on an adjoining lot, provided that such extension is necessary and incidental to such existing non-conforming use.

e. **Temporary Structures and Uses**. The Board shall have the power to grant the temporary use of a structure or premises in any district for a purpose or use that does not conform to the provisions of this Resolution, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. Special Exception Zoning Certificates granted for such uses shall be in the form of a temporary and revocable permit, for not more than a 12 month period, subject to such conditions as will safeguard the public health, safety, morals, comfort, and general welfare.

3. Procedure

a. The Board shall organize and adopt rules for its own governance in accordance with this Resolution. Meetings of the Board shall be held at the call of the Secretary of the Chairperson, and at such other times as the Board may determine. The Chairperson, or in their absence, the acting Chairperson, may administer oaths and the Board may compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent, or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the Township Community Development Department and shall be public record.

b. Three members of the five-member Board shall constitute a quorum, regardless of the number of members present at a meeting. The Board shall act by Resolution, and the concurring vote of three members of the Board shall be necessary to reverse any order or determination of the Property Advisor or to decide in favor of an application in any matter of which the Board has jurisdiction under this Resolution, or to grant any variance from the requirements stipulated in this Resolution.

c. The Board may call upon Township and 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.

4. Applications, Appeals, Hearings, and Stay of Proceedings

a. **Applications**. An application may be filed by any property owner or agent thereof. Such application shall be filed with the Community Development Director who shall transmit same to the Board. Each application or appeal shall be accompanied by payment to West Chester Township, in the amount to be determined by the Board of Trustees to cover the cost of publishing and/or posting and mailing the notice of the hearing or hearings and other expenses in conjunction therewith.

b. **Appeals**. An Appeal to the Board may be taken by any person aggrieved, or by an officer of the Township affected by any decision of an enforcement officer of the Community Development Department. Such appeal must be made within 20 days after the decision by filing with the Board, the property application specifying the grounds thereof for the appeal. The Community Development Director shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

c. **Hearings**. The Board shall meet once per month. At the beginning of each year, the Community Development Department shall publish a schedule of the regular monthly meeting times and filing deadlines for the year. All complete applications and appeals filed by the deadline shall be heard at the following month's meeting.

d. **Decision of the Zoning Board of Appeals**

i. The Board shall decide all applications and appeals by the next month's meeting date after the conclusion of the hearing thereon. Any party in interest or person adversely affected by the decision of the Board may appeal to the Court of Common Pleas of Butler County as provided in the Ohio Revised Code.

ii. A certified copy of the Board's decision shall be transmitted to the applicant or appellant, and to the Community Development Director. Such decision shall be binding upon the Community Development Director and on appointed inspectors, and observed by them, and they shall incorporate the terms and conditions of the same in the permit to the applicant or appellant, whenever a permit is authorized by the Board.

iii. The decision of the Board shall not become final until the expiration of 30 days from the date such decision. During the 30-day period but before the decision becomes final, a successful applicant may apply for a Zoning Certificate and upon issuance proceed at their own risk.

iv. **Stay of Proceedings.** An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Community Development Director certifies to the Board, after notice of appeals shall have been filed with them, that by reasons of facts or conditions existing, a stay would, in their opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by an order which may, on due cause shown, be granted by the Board or judicial proceedings on application after notice to the Community Development Director.

E. **Township Community Development Department**

1. The Board of Township Trustees hereby creates the West Chester Township Community Development Department and a Director to administer the activities of said department. The Director shall be appointed by the Township Administrator.

2. The Director of the Community Development Department is authorized to issue Zoning Certificates and the Director may authorize other employees to issue Zoning Certificates. Any Zoning Certificate issued by the Director, or their designated subordinate, shall conform to the provisions of this Resolution, and no Zoning Certificate for a use or building which is in conflict with the provisions of this Resolution shall be issued. Any Zoning Certificate issued in conflict with this Resolution shall be null and void.

11.04. Common Review Requirements

A. Purpose

The purpose of this section is to identify procedures and applicable requirements that apply to all applications and procedures subject to development review under this Resolution, unless otherwise stated.

B. Authority to File Applications.

Unless otherwise specified in this Resolution, development applications may be initiated by:

1. The owner(s) of the property(ies) that is (are) the subject of the application;
2. The owner's authorized agent; or
3. West Chester Township, Butler County, Ohio.

C. Application Continuances

An applicant may request one continuance for a specific application from the applicable Board or Commission. If circumstances arise wherein the applicant requires another continuance and is not able to attend their scheduled meeting for the submitted application, the application shall be considered expired. If the applicant wishes to proceed with the submittal, a new application and fee will need to be submitted to the Township for processing.

D. Fees

1. Fees shall be determined by the Board of Trustees from time to time and presented via an adopted "fee schedule", copies of which shall be available from the Community Development Department.
2. No fee shall be required to be paid by any public agency for applications to West Chester Township.
3. No application shall be processed, or permit issued until the established fee has been paid by the applicant.

E. Public Hearing Requirements

TABLE 11.04-1: PUBLIC HEARING REQUIREMENTS

Procedure	Section Reference	Published Notice Requirements	Mailed Notice Requirements
Zoning District and Resolution Amendments	11.05.A	Published no less than 10 days prior to the date of the hearing	Sent no less than 10 days prior to the date of the hearing to surrounding property owners
Conditional Use and Special Exception Permits	11.05.B	Published no less than 10 days prior to the date of the hearing	Sent no less than 10 days prior to the date of the hearing to property owners within 200 feet of the subject property
Variances	11.05.C	Published no less than 10 days prior to the date of the hearing	Sent no less than 10 days prior to the date of the hearing to property owners within 200 feet of the subject property
PUD – Preliminary Development Plan and Rezoning	10.01.J	Published no less than 30 days prior to the date of the hearing	Sent no less than 10 days prior to the date of the hearing to surrounding property owners
PUD - Major Change	10.01.R	Published no less than 30 days prior to the date of the hearing	Sent no less than 10 days prior to the date of the hearing to surrounding property owners
Substitution of Non-conforming Use	11.06	Published 10 days prior to the date of the hearing	Sent 10 days prior to the date of the hearing to surrounding property owners

1. **Mailed Notice**

   a. Mailed notice shall comply with Table 11.04-1: Public Hearing Requirements and shall meet or exceed the notice standards required by the Ohio Revised Code.

   b. Notice shall be sent to the person or entity identified as the tax mailing recipient in the Butler County Auditor's records. Failure of receiving a notice shall not be grounds to invalidate a decision.

2. **Published Notice.** Published notice shall occur in one or more newspapers in general circulation in the township.

3. **Representation at the Hearing.** At the hearing, any party may appear in person, by attorney or other authorized representative.

4. **Hearing Continuance.** In any case where the Board, Commission or Trustees may deem it necessary or desirable to continue a hearing, such meeting may be recessed or continued. In such cases, public announcement shall be made as to the date and the time of the continuance, and no further notice need to be given thereof.

11.05. Specific Procedures

A. Zoning District Amendments and Resolution Amendments

1. **General.** District changes and amendments to the text of this Resolution shall be made in accordance with the provisions of 519.12 (E)(1)(b) of the Ohio Revised Code as it may be amended from time to time by the Ohio General Assembly. These provisions may be obtained from the West Chester Township Community Development Director.

2. **Fees.** Each application for zoning amendment, except those initiated by the Zoning Commission or Board of Township Trustees, shall be accompanied with payment to West Chester Township in an amount to be determined by the Board of Township Trustees to cover the cost of publishing, posting, and/or mailing of notices of the hearing or hearings required by the foregoing provisions and/or other expenses in conjunction therewith.

3. **Process.** Applications for Zoning District Amendment and Resolution Amendments shall follow the procedure outlined in the below flowchart.

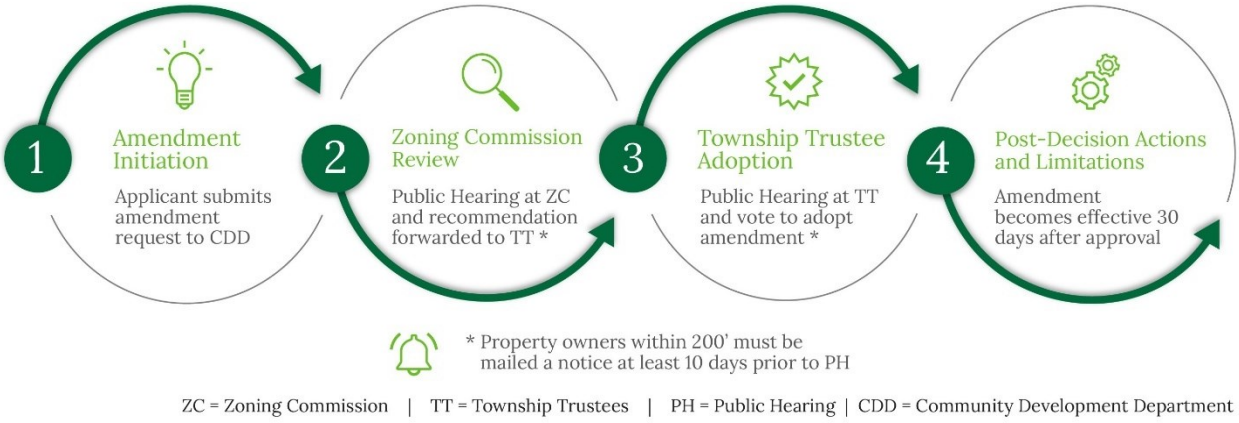


Figure 11-1: Rezoning Process Flowchart

B. Conditional Uses and Special Exceptions

1. **Conditional Use and Special Exception Application Requirements.** The property owner or owner's representative shall submit to the Board of Zoning Appeals an application for a Conditional Use Permit or Special Exception Permit (as applicable), on a form that may be obtained from the West Chester Township Community Development Director. The application and site plan shall address applicable site plan features and considerations applicable to the request, including but not limited to:

   a. The location of all adjoining properties;

   b. The lot size of the subject property;

   c. The location and setbacks of existing and proposed structures;

d. The location and setbacks of all existing and proposed off-street parking and loading areas;

e. Location of all existing and proposed open spaces;

f. The location of all existing and proposed landscape areas;

g. The location of all existing and proposed refuse and service areas;

h. The location of all existing and proposed utility lines; and

i. The location and size of all existing and proposed signage.

2. Standards for Conditional Uses and Special Exceptions

a. In hearing applications for conditional uses or special exceptions, the Board shall give due regard to the nature and condition of all adjacent uses. In authorizing a conditional use or special exception, the Board shall impose requirements and conditions with respect to location, construction, maintenance, and operation that are deemed necessary to mitigate the special characteristics of the use in order to make it compatible with adjacent properties, and for the properties of adjacent properties and the public interest.

b. In reviewing an application for a conditional use or special exception, the Board shall use the following standards in rendering a determination:

i. The proposed conditional use or special exception is compatible in size, character, scale, and intensity with adjacent existing uses, or is in keeping with the general vicinity in which it is located.

ii. Special conditions or requirements imposed, can mitigate the special characteristics which are inherent to the use and enable compatibility with the existing neighborhood, and maintain the spirit of this Resolution.

iii. The authorizing of such conditional use or special exception will not be of substantial detriment to the adjacent property or surrounding neighborhood.

3. Enforcement of Conditional Uses. A property owner, agent, or lessee, upon receiving a conditional use permit shall have the right to continue using the property under the conditional use permit as long as the property owner, agent, or lessee complies with the conditions established therewith. Violations of said conditions will be processed pursuant to the provisions of Section 11.07 of this Resolution.

4. Process. Applications for Conditional Uses shall follow the procedure outlined in the below flowchart.

Figure 11-2: Conditional Use Process Flowchart

C. Variances

1. Area Variance Application Requirements. The property owner or owner's representative shall submit to the Board of Zoning Appeals an application for an Area Variance on a form that may be obtained from the West Chester Township Community Development Director. The application and site plan shall address applicable site plan features and considerations applicable to the request, including but not limited to:

a. The location of all adjoining properties;

b. The size of the subject property;

c. The location and setbacks of existing and proposed structures;

d. The location and setbacks of all existing and proposed off-street parking and loading areas;

e. The location of all existing and proposed open spaces;

f. The location of all existing and proposed landscape areas;

g. The location of all existing and proposed refuse and service areas;

h. The location of all existing and proposed utility lines; and

i. The location and size of all existing and proposed signage.

2. Standards for Area Variances

a. An area variance may be granted where literal enforcement of this Zoning Resolution will result in unnecessary hardship. The factors to be considered and weighed in determining whether a property owner seeking an area variance has encountered unnecessary hardship in the use of the property include, but are not limited to:

i. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property within a variance.

ii. Whether the variance is substantial.

iii. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.

iv. Whether the variance would adversely affect the delivery of governmental services.

v. Whether the property owner purchased the property with knowledge of the zoning restriction.

vi. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.

b. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice is done by granting the variance. 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.

c. No grant of a variance shall be authorized by the Board for requests that are of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situations.

d. In authorizing a variance, the Board may attach thereto such conditions regarding the location, character, and other features of the proposed structure or use of the proposed structure as it may deem necessary in the interest of the furtherance of the purposes of the Resolution and in the public interest. In authorizing a variance with attached conditions, the Board shall require such evidence and guarantee or bond as it may deem to be necessary, that the conditions attached are being complied with.

3. **Process.** Applications for Variances shall follow the procedure outlined in the below flowchart.

Figure 11-3: Variance Process Flowchart

D. Administrative Relief of Area Standards

1. The Community Development Director, in conjunction with the approval of the Law Director, shall be granted the ability to approve minor modifications to a site plan for area requirements up to 25 percent of the maximum or minimum requirement for the following standards:

   a. Front, side, or rear yard setback

   b. Height

   c. Lot coverage

2. The applicant must justify the need for relief in writing to the Community Development Director.

E. Zoning Certificates

1. **Applicability**

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

   b. The Community Development Department shall act upon all applications for Zoning Certificates on which they are authorized to act by the provisions of this Resolution within 30 days after receiving an application which is in full compliance with the applicable requirements as specified under Subsection 11.05.E of this article. The Community Development Department shall issue either a Zoning Certificate or a Notice of Refusal to the applicant for a Zoning Certificate within 30 days unless the applicant has consented in writing to an extension of the 30-day period. Said Notice of Refusal shall indicate the reasons and relevant provisions of this Resolution which warrant the issuance of the refusal.

   c. No Zoning Certificate for excavation use or construction shall be issued by the Development Department unless the plan specifications and the intended use conform to the provisions of this Resolution.

   d. A Zoning Certificate shall expire if the applicant has not begun construction within one year of the date the Zoning Certificate was issued. Expired Zoning Certificates shall be required to submit a new Zoning Certificate application.

2. **Applications for Zoning Certificates and Final Inspection Certificates.**

   a. The applicant shall submit the proper Zoning Certificate Application form, signed by the property owner or agent, together with the appropriate plan sets, as determined by the Community Development Department. Plans shall be drawn to scale in blackline or blueline showing the following:

      i. The actual shape and dimensions of the lot to be built upon or changed in its use, in whole or in part. Dimensions relating to the size of the lot to be built upon shall be based on an actual survey prepared by a registered surveyor, unless specifically waived by the Community Development Director.

      ii. The exact location, size, and height of any building or structure to be erected or altered;

      iii. The existing and intended use of each building or structure or part thereof;

      iv. The number of families or housekeeping units the building(s) is designed to accommodate;

      v. When no buildings are involved, the location of the present use and the proposed use to be made of the lot;

      vi. Any other such information as required by this Zoning Resolution, approved Zoning Commission, Township Trustee, or Board of Zoning Appeals' Resolutions, or the Community Development Department.

   b. The Community Development Department shall retain one set of the plans for its files and the Zoning Certificate if in compliance with the provisions of this Resolution. The applicant shall then take the approved plan sets and Zoning Certificate to the Butler County Building Department to make application for the necessary building permits, if applicable.

   c. Upon receiving the necessary building and other applicable permits as necessary, and the completion of the requested use of the lot, and before occupying the building or structure or using the land, the applicant or owner shall request, in writing, a final inspection of the premise by the Community Development Department. The Department shall issue either the said Final Inspection Certificate or a Refusal Notice stating the reasons and relevant provisions of the Resolution not being complied with, within seven working days for the request for final inspection.

3. **Temporary Zoning Certificates.** The Community Development Department may issue Temporary Zoning Certificates, pursuant to the provisions of 11.05.E: Zoning Certificates.

4. **Non-Conforming Use Zoning Certificates.** The Community Development Department may, during specific inspection or under written request from the owner or tenant, issue a Non-Conforming Use Zoning Certificate for any building or premises legally existing prior to the effective date of this Resolution. Said Certificate shall be issued pursuant to the provisions in Subsection 11.05.E.

5. **Final Inspection Certificate.** A Final Inspection Certificate shall be required upon the completion of any work for which a Zoning Certificate was issued. Said Final Inspection Certificate shall state the building, structure, or land complies with the provisions of this Resolution, has been built or occupied according to the plans submitted for a Zoning Certificate, and has been inspected by the Community Development Department to determine said compliance.

6. **Fees.** There shall be a fee for all Zoning Certificates. Fees shall be determined by the Board of Township Trustees and a copy of such fee schedule shall be available from the Community Development Department. The fee charged for Zoning Certificates includes the Final Inspection Certificate.

7. **Process.** Applications for Zoning Certificates shall follow the procedure outlined in the below flowchart.

Figure 11-4: Zoning Certificate Process Flowchart

F. Administrative Appeal

1. **Applicability.** Where it has been alleged by an appellant there is error in any order, requirement, decision, grant, or refusal made by the Community Development Department, the Board of Zoning Appeals shall request from the Community Development Director, a report stating the position of the department and the rationale for the decision made, or order served. Said report shall be made part of the report at the hearing regarding the appeal, and staff shall present all testimony in support of its decision. The appellant shall then present information and reasons why they feel the decision of staff is in error. Upon hearing from both the staff and the appellant and all others who wish to be heard, the Board shall reverse or affirm wholly, or partly, or modify the decision appealed from. In rendering its decision, the Board shall give due

regard to this evidence presented and ensure that the spirit and purpose of this Resolution is observed and maintained.

2. **Process.** Applications for an Administrative Appeal shall follow the procedure outlined in the below flowchart.

Figure 11-5: Administrative Appeal Process Flowchart

11.06. Pre-Existing Development and Non-Conformities

A. Continuing Existing Uses

Except as hereafter specified, any use, building or structure, legally existing at the time this amendment to the Zoning Resolution becomes effective may be continued as a legal non-conforming use, even though such use, building, or structure may not conform with the provisions of this Resolution for the District in which it is located.

B. Lot of Record

In any district where dwellings are permitted, a single-family dwelling may be located on any lot of record in existence as of the effective date of this Resolution, irrespective of its area or dimensions, provided any one of the following conditions exist:

1. All front, side, and rear yard requirements of this Resolution for the district in which the lot is located are met;
2. A building permit for said dwelling has been properly granted and remains effective by the Butler County Building Commissioner prior to the amendment and effective date of this Resolution; and
3. The West Chester Township Board of Zoning Appeals grants a variance in area requirements.

C. Burden of Establishing Legality of Non-conformity

The burden of establishing that any use or structure is lawfully non-conforming under the provisions of this Resolution shall in all cases be upon the owner of such non-conformity and not upon the Township.

D. Zoning Certificates for Legal Non-Conformities

1. The owner of any non-conforming use, structure, or lot may at any time apply to the Community Development Department for a Zoning Certificate of Non-conformance to establish the legality of such non-conformity as of a specified date. Such application shall be filed and processed pursuant to the provision of Subsection 11.05.E.

2. If, upon reviewing an application for a Zoning Certificate of Non-conformance, the Community Development Department shall determine that the use, structure, or lot in question lawfully existing at the time of the effective date of the provision creating the non-conformity in question, and remains lawfully existing subject only to such non-conformity at the time of such application, and that any required affidavit is in order, the Community Development Department shall issue a Zoning Certificate of Non-conformance, evidencing such facts and setting forth the nature and extent of the non-conformity. Otherwise, the Department shall refuse to issue such certificate and shall declare such use, structure, or lot to be in violation of this Resolution.

E. Non-Conforming Uses

Whenever a non-conforming use has been changed back to a conforming use, such use shall not thereafter be changed to a non-conforming use.

F. Alteration of Non-Conforming Buildings

No building, structure, or premises devoted to a use not permitted by the district in which such building or premises is located, except when required to do so by law or order, shall be enlarged, reconstructed, or structurally altered, unless the use thereof is changed to a use permitted in the district in which such building or premises is located, except as follows:

1. When authorized by the Board, in accordance with the provisions of 11.06: Pre-Existing Development and Non-Conformities, the substitution for a non-conforming use for another non-conforming use or an extension of a non-conforming use may be made.

2. Any non-conforming building or structure damaged by fire, flood, explosion, wind, earthquake, war, riot or other calamity or Act of God; may be restored or reconstructed and used as before such happening provided: that within 180 days of such happening an application for a Zoning Certificate has been applied for and the required plans are submitted containing the seal of a registered architect or engineer and certification is given by said architect or engineer that the proposed restoration can be done safely; and further provided that building size or square are not increased.

3. Such repairs and maintenance work as required to keep a non-conforming structure in sound condition may be made to a non-conforming building or structure, provided no structural alterations be made except such as required by law or authorized by the Board of Zoning Appeals pursuant to Section 11.06.

G. Non-Conforming Use or Structure Discontinued

No building, structure, or premises where a non-conforming use has been discontinued for six months or more, shall again be used for any use non-conforming to the district in which it is located.

11.07. Violations and Penalties

A. Applicability

No building or land shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used in violation of the provision of this Resolution, or amendment or supplement to this Resolution (collectively, "Resolution") adopted by the Board of Township Trustees. Each day's continuation of a violation of this Resolution may be deemed a separate offense. The maximum daily fine amount shall be established on the Township's official fee schedule.

B. Remedies

In case any building or land is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used in violation of the provisions of this Resolution, or any amendment or supplement to this Resolution adopted by the Board of Township Trustees, the Board of Township Trustees, the Prosecuting Attorney of Butler County, the Township Community Development Director, or any adjacent neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use. The Board of Township Trustees may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this section.

12. DEFINITIONS

12.01. Terms Not Defined

If a term used in this Resolution is not defined herein or elsewhere in this Resolution, the Community Development Department as appropriate, shall have the authority to provide a definition based on the definition's use in accepted sources including, but not limited to, A Planners Dictionary, A Glossary of Zoning, Development, and Planning Terms, and A Survey of Zoning Definitions (all published by the American Planning Association), as well as general dictionaries such as Merriam-Webster, American Heritage, Webster's New World, and New Oxford American dictionaries.

12.02. Defined Words

The following definitions shall be used in the interpretation and construction of the Resolution. Words used in the present tense include the future; the singular number shall include the plural, and the plural the singular; the word "shall" is mandatory and not a directory; and words used in the masculine gender include the feminine gender and non-binary gender, and vice-versa.

TABLE 12.02-1: DEFINITIONS

Word	Definition
Accessory Structure	A structure that is incidental to and customarily found in connection with a principal building; is subordinate to and serves a principal building; is subordinate in area, extent, or purpose to the principal building and; is located on the same lot as the principal building.
Accessory Use	A use subordinate to the principal use of a building or to the principal use of land, located on the same lot as such principal use and serving a purpose customarily incidental to the use of the principal building or land use.
Abut	Touching and sharing a common point or line.
Adult Use Cannabis, Cultivator	A person who has a certificate of operation as a level I or level II cultivator and who is licensed pursuant to section 3780.12 of the Ohio Revised Code, that chapter, and any rules promulgated thereunder to cultivate adult use cannabis as authorized. Level I cultivators may operate up to 100,000 square feet of space designated as the cultivation area. Level II cultivators may operate up to 15,000 square feet of space designated as the cultivation area.
Adult Use Cannabis, Distributor	A person licensed pursuant to Section 3780.15 of the Ohio Revised Code, that chapter, and any rules promulgated thereunder to sell adult use cannabis as authorized.
Adult Use Cannabis, Processor	A person licensed pursuant to Section 3780.14 of the Ohio Revised Code, that chapter, and any rules promulgated thereunder to manufacture adult use cannabis as authorized.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Agriculture and Farm Uses	The use of land for agricultural purposes, including farming, ranching; algaculture meaning the farming of algae; 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; and 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 the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include commercial feeding of garbage or offal to swine or other animals.
Agriculture Structure	A structure used solely for the purpose of agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.
Animal Hospital, Kennel, Daycare, and Training Facility	An establishment where animals or pets are given emergency medical or surgical treatment and are cared for during the time of such treatment; or a structure or premises providing overnight accommodations of more than four household pets with or without compensation; or a structure or premises used for the schooling, exercising, socializing attending to the care of household pets, with or without compensation, during the day and without overnight stays.
Animal Slaughtering, Stock Yards	A facility where livestock is kept and slain for the purposes of food production.
Art Gallery and Studio	A facility that includes work, with display or teaching space for one or more artists, artisans, or musicians.
Automobile Fueling/Recharging Station	A place where gasoline or alternative fuel/power/energy is sold at retail to the public and deliveries are made directly into or onto motor vehicles and no other motor vehicle service is performed. The sale of gasoline or other motor vehicle fuel, alternative power/energy under this definition must be the primary use. Retail grocery and/or convenience store sales are permitted. Vending machines and outdoor retail display do not constitute retail sales under this definition unless specifically approved by the zoning commission. Such use does not include facilities designed for the fueling of tractor-trailer trucks.
Automobile and Vehicle Rental	Any building or land used for the display and rental of motor vehicles, motorcycles, recreational vehicles, and trucks in operable condition. The act of renting an automobile is the use of a motor vehicle for a temporary period of time at an agreed amount of money for the rental.
Automobile and Vehicle Repair and Service	A facility that performs all customary repair and services for automobiles or other motorized equipment owned by the general public.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Automobile and Vehicle Sales (New)	A building and land used by a franchised automobile dealer principally for the sale of new automobiles. The sale of used automobiles may be permitted provided the inventory of used automobile does not exceed 50 percent of the overall inventory at any one time.
Automobile and Vehicle Sales (Used)	The sale of used automobiles, as a subordinate use to a franchised automobile dealer selling new automobiles, may be permitted provided the inventory of used automobile does not exceed 50 percent of the overall inventory at any one time.
Automobile and Vehicle Storage	Any building or premises used for storage of motor-driven vehicles pursuant to previous arrangements and not to transients, and at which automobile fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired, or sold. This excludes the storage of recreational vehicles.
Automobile Washing Facility	A facility for washing, cleaning, drying, and waxing of passenger vehicles, motorcycles, and trucks of one ton rating or less. An automotive washing facility may be self-service or full service.
Automobile Wrecking and Junk Yard	A place where waste, discarded, or salvaged materials are brought, sold, exchanged, baled, packed, disassembled, or handled, including wrecking yards, house wrecking yards, used lumber yards, and yards for the storage of salvaged structural steel materials and equipment; but not including such places where uses are conducted entirely within a completely enclosed building, and not including, used cars in operable condition, or salvaged materials incidental to manufacturing operations, or recycling operations as defined and regulated by this Resolution.
Banks and Financial Institution	A facility or building feature, of which the principal use or purpose of which is the provision of financial services including, but not limited to banks, credit unions, savings and loan institutions, and mortgage companies. Such uses do not include check cashing or short-term loan establishments. The use may or may not include a drive-through.
Beauty Salon and Spa	Any establishment where cosmetology services are provided including hair care, nail care, and skin care on a regular basis for compensation.
Berm	Landscaped mounds used to buffer and to shield.
Board	The Board of Zoning Appeals of West Chester Township, Butler County, Ohio.
Box Truck or Step Van	A truck with an enclosed cargo space or a small box-shaped van.
Brewery, Distillery, Winery, Cidery (Macro)	Brewery, distillery, winery, or cidery that produces more than 15,000 barrels per year and may distribute outside the region. Such uses may include accessory uses including tap/tasting rooms, food service, retail sales of merchandise and alcohol, entertainment space for live music, and other similar uses.
Brewery, Distillery, Winery, Cidery (Micro)	A limited production brewery, distillery, winery, or cidery that produces less than 15,000 barrels per year and that typically produces specialty beers, spirits, wines, or ciders that are generally sold locally. Such uses may include accessory uses including tap/tasting rooms, food service, retail sales of merchandise and alcohol, entertainment space for live music, and other similar uses.
Building	Any structure having a roof supported by columns or walls, used, or intended to be used for the shelter or enclosure of persons, animals, or property.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Building Envelope	The area of a lot that is defined by the front, side, and rear building restriction or setback lines. The principal building must be located within this area. Also referred to as "buildable area".
Building Frontage	The length of an outside building wall that fronts a dedicated street right-of-way or access drive. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.
Building, Height of	The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or the deck line of a mansard roof, or to the main height level between eaves and the ridge for gable, hip or gambrel roofs.
Building Material Storage Yard	A building and land used for the storage of building materials and lumber for sale that may be sold to the general public or contractors.
Building, Principal	A building in which the primary use of the lot on which the building is located is conducted.
Building, Public	A building used for administrative, service, or cultural purposes operated by a tax-supported agency.
Business Service	A commercial use where services are performed either on-premises or at the customer's location, and which support other businesses, such as the repair and maintenance of heating and cooling equipment, copying and printing machines, plumbing or building services, or other similar services.
Cemetery	An area of land set apart for the purpose of the burial of remains of deceased persons or animals, and for the erection of customary markers, monuments, columbaria, and mausoleums.
Chassis Van	A cutaway van chassis generally features a van front end and cab design, with a bus and truck bodies, motor homes, and other specialized vehicles. Many chassis vans are equipped with dual rear wheels and can handle greater weight loads than the basic vans.
Commercial Recreation	Facilities for sports, recreational, and entertainment activities that may be conducted outdoor or indoor such as soccer, bowling, skating, swimming, sports courts, golf courses, driving ranges, and similar indoor activities taking place inside an enclosed building. This definition shall not include gambling devices, sexually oriented businesses, gun ranges, or any other activities prohibited by law.
Commission, Planning	Butler County, Ohio Planning Commission.
Commission, Zoning	West Chester Township Zoning Commission.
Community Development Department	The West Chester Township Community Development Department.
Community Social Service Facility	An establishment housing a public or non-profit agency that provides counseling, therapy, or other social or human service to persons needing such services due to physical, mental, emotional, or other disability or hardship. This definition does not include education facilities, government facilities, political organizations or headquarters, medical offices, hospitals, daycare centers, residential facilities, residential treatment facilities, or residential uses.

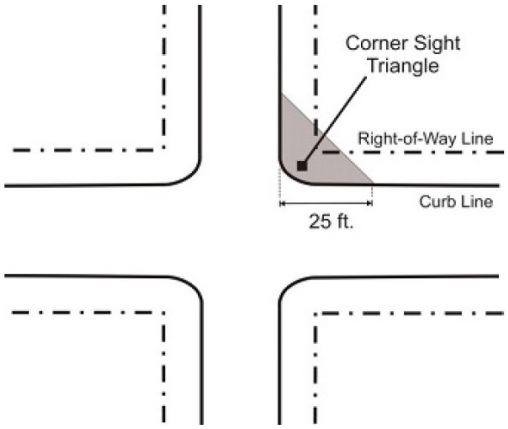
TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Conditional Use	A use permitted in a district other than a principally permitted use or a permitted use with standards, and which requires the approval of a conditional use permit, in accordance with this Resolution. Such use may be subject to special requirements to ensure the use and operation is not detrimental to public health, safety, morals, comfort, and general welfare.
Conditional Use Certificate	A certificate issued by the Community Development Department upon approval by the Board of Zoning Appeals to allow a use, other than a permitted use, to establish within a Zoning District, provided that the prior conditions for approval have been met.
Construction Equipment Shop	Retail establishments selling or renting heavy construction equipment, including cranes, earth moving equipment, heavy trucks, and other equipment used for construction.
Contractors' Equipment Storage Yard of Plant	An area used for the storage of building materials and/or construction equipment for use by the business owner and not available for sale to the general public or other contractors. The area is accessory to an enclosed structure used as an office for the operation of the construction business on the same or adjoining premises.
Contractor's Office and Equipment Shed	A temporary and/or mobile structure used as an office for contractors and builders during construction and which is located at a construction site that serves only as an office until the given construction work is complete. This includes contractor's offices, equipment storage, and portable lavatories.
Convenience Store	Small-scale retail stores used for the sale of goods used on an everyday basis by consumers including, but not limited to, pre-packaged food and drink products, household items, newspapers, and magazines; and which are typically associated with an automotive fueling/charging establishment
Corner Visibility Triangle	An area of unobstructed sight distance for the traveling public (between 2.5 ft. to 10 ft. in height) which shall be measured 25 feet back from the imaginary line of the extended curb, as shown below. If there are no curbs, the measurements will be from the point of intersection of the pavement. The "corner visibility triangle" may also be known as the "corner sight triangle". 
Daycare Center	An establishment providing continuous supervised temporary care for more than six people, for compensation.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Daycare Home	An in-home service providing continuous supervised temporary care for six (6) or fewer children as regulated by the State of Ohio as a 'type B family day-care home'.
Density	The number of dwelling units per gross acre.
Director	The Director of the West Chester Township Community Development Department who shall exercise all powers conferred by law on a Property Advisor either personally or through individuals under his/her control and supervision.
District	A portion of the unincorporated territory of West Chester Township throughout which certain uniform regulations and requirements apply.
Donation Bin	A receptacle or other portable structure made of metal, steel or similar durable material placed outdoors and intended and used for the collection of clothing, shoes, books, toys, household items or other non-perishable goods and materials donated by the public but not including facilities and structures owned and operated by a governmental entity such as but not limited to post office mail drop boxes, bill payment drop boxes, library collection boxes and Recycling Containers.
Drive-Through/Pick-Up Window	Any operation by a business establishment where the transfer of goods and services to the customers is designed to be done while the customer remains in their vehicle.
Drug Store	An establishment engaged in the retail sale of prescription drugs, nonprescription medicines, cosmetics, and related supplies.
Dumpster or Trash Enclosure	A walled structure designed to conceal a dumpster or large trash bin.
Dwelling	A building or portion thereof used exclusively for residential purposes, including one-family, two-family, three-family, and multi-family dwellings, but not including hotels, extended stay hotels/motels, boarding and lodging houses.
Dwelling, Accessory	A dwelling unit that is accessory, supplementary, and secondary to a principal use.
Dwelling, Multi-Family	A building or portion thereof designed for or used exclusively for three or more families.
Dwelling, One-Family	A building designed for or used exclusively for residential purposes by one family or housekeeping unit.
Dwelling, One-Family Attached	One-family dwelling units that are typically located on separate parcels and that share an unpierced common wall extending from ground to roof, such as townhomes.
Dwelling, One-Family Detached	A single detached dwelling on a lot, other than a manufactured home, which contains a single dwelling unit, which sits on a permanent foundation.
Dwelling, Two-Family	A residential structure containing exactly two dwelling units that, when arranged side-by-side, are separated from each other by an unpierced common wall extending from ground to roof. The units may either be attached and consist of one or more stories or stacked vertically with one dwelling unit located on top of the other.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Dwelling Unit	One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.
Electronic Message Board	Any sign that uses plasma display panels (PDPs), liquid crystal displays (LCDs), light emitting diode signs (LEDs), and/or television (CRTs), or other electronic medium.
Family, or Family Unit	One or more persons related by blood, adoption, or marriage, living, and cooking together in a dwelling unit, exclusive of household servants. A number of persons, but not exceeding five, living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage shall constitute a family. (For purposes of this Resolution only).
Fence	A structure, other than a building, comprised of customary building materials, which serves to form a barrier or boundary for means of protection, privacy, confinement, or used for decorative purposes.
Festival and Circus	A temporary civic, recreational, fund-raising, or promotional activity or event that typically has a specific focus with its own social activities, food, music, or ceremonies. Such use typically takes place in a specified location and on a specific day or days.
Final Inspection Certificate	A document issued by the Community Development Department stating that the building, structure, or land has been inspected by the Department and complies with the provisions of this Resolution and conforms with the application and plans submitted for a Zoning Certificate.
Final Development Plan	A detailed site plan, submitted as part of the Planned Unit Development process of a proposed development prepared by a professional urban planner, engineer, architect, or landscape architect which indicates the proposed use, building plans, engineering plans, and landscaping plans for a specific project.
Fitness Center and Studio	A small scale facility, not exceeding 15,000 square feet, where members or non-members use equipment or space for the purpose of physical exercise, instructional fitness activities, and/or weight control. This use includes but is not limited to fitness training studios and exercise facilities.
Flag	A sign made of flexible material which is mounted on a pole, and which represents or symbolizes an organization, group, cause, event, activity, or unit of Government.
Flood Plain	Land areas susceptible to being inundated by water as determined by the Butler County Flood Plain Administrator.
Fulfillment and Distribution	A place where goods are received and/or stored for delivery to the ultimate customer at remote locations.
Floor Area	The total horizontal area of all floors finished as usable area. Measurement of floor area shall be taken to the outside of the exterior walls. Floor area shall not include unfinished basement; elevator and stair bulkheads; attic space; terraces, breezeways, and open porches; uncovered steps and garages.
Funeral Home and Death Service	A building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services in the preparation of the dead for burial; the performance of autopsies; the storage of caskets, funeral urns, and other related funeral supplies; and the storage of funeral vehicles. Facilities for cremation shall not be included.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Garden and Landscaping Retail Store	A business which sells landscaping related products to the general public including grasses, shrubs, trees, and other similar vegetation, which may or may not be grown on premises and/or ornamental objects. Greenhouses may or may not be included. Landscaping services supplemental to the retail business may be permitted.
Grade Level	The average of the finished ground level at the center of the walls of a building or structure.
Gross Vehicle Weight Rating (GVWR)	The weight of a vehicle including all equipment, fuel, body, load, and occupants as specified by the manufacturer.
Home Occupation	Any occupation conducted in its entirety within a dwelling unit.
Hospital Or Medical Office/Center/Clinic	A facility providing physical and mental health services, outpatient, inpatient, or overnight stays of a predominantly short-term nature, and medical or surgical care of the sick or injured.
Hotel	A building in which lodging is provided and offered to the public for one or more days for compensation, and in which ingress and egress to and from all rooms are made through an inside office or lobby under supervision at all times.
Husbandry, Animal/Poultry	The care, raising or breeding of farm animals or poultry, such as cattle, horses, hogs, sheep, chickens, turkeys, ducks, geese et., for the purpose of meat, eggs, milk, or other products.
Impervious Surface	Any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land. Impervious surface shall include paved driveways and parking areas, sidewalks, roofs, and other similar structures.
Indoor and Outdoor Art, Craft, and Plant Show, Exhibit, and Sale	Display of art, crafts, or plants in a setting of either a show, exhibit, or sale either completely indoor, outdoor, or a combination of both. This does not include outdoor display of merchandise for a commercial business.
Inoperable Vehicle	Any transportation device which is not currently licensed for use on roads or is unfit for use due to all of the following conditions: apparently inoperable, and extensively damaged, including, but not limited to missing wheels, tires, engine, or transmission.
Institutional Care Facility	Any facility for the elderly, infirm, or individuals requiring rehabilitation or treatment for addiction, mental health disorders, or physical infirmities, in which three or more unrelated individuals may stay on a predominantly intermediate or long term basis, and where inpatient care and living accommodations are provided in exchange for compensation from any source. Institutional care facilities include, but are not limited to, nursing homes, assisted living facilities, hospices, addiction treatment facilities, mental health treatment facilities, inpatient physical rehabilitation facilities, convalescent homes, or similar uses. Institutional care facilities shall not include hospitals, medical offices, medical or dental clinics, urgent care centers, outpatient physical rehabilitation centers, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured without a component of predominantly intermediate or long-term stays.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Junk	Scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, rags, rubber, inoperable Vehicles, and parts thereof, except when processed as part of a recycling operation as defined and regulated by this Resolution.
Land Use Plan	The West Chester Township Comprehensive Land Use Plan, as adopted by the Township Trustees.
Landscaping Business	A business which installs landscaping and provides lawn and yard maintenance services to a business or residential premises. The growing of landscape material is permitted and shall be used for personal use and not available for retail sale to the public.
Licensed Massage Therapist	A person who has obtained and currently holds an active certificate from the Ohio State Medical Board to practice a limited branch of medicine involving the administration of massage or similar touching techniques.
Loading Space, Off Street	An off-street area, used exclusively for loading and unloading, at least 10 feet wide, 50 feet long, and 15 feet high; within or outside a building, and located outside of the front, side, or rear setback area required of the building it serves; for the temporary parking of commercial vehicles which are loading or unloading merchandise or materials.
Lot	A piece or parcel or tract of land, which is legally recorded by the Butler County Recorder's Office, occupied or intended to be occupied by a principal building or structure or utilized for a principal use and uses accessory thereto, together with such open spaces and frontage as required by this Resolution.
Lot, Corner	A lot abutting on and at the intersection of two or more public dedicated rights-of-way .
Lot Coverage	The percentage of the site which is covered by impervious surface.
Lot, Double Frontage	An interior lot having frontage on two non-intersecting legally recorded public streets.
Lot Frontage, or Frontage	The length of any one property line of a premises which property line abuts a legally recorded public street right-of-way.
Lot, Interior	A lot other than a corner lot.
Lot, Area	The computed area contained within the lot lines.
Lot, Depth	The average horizontal distance between the front and rear lot lines
Lot, Lines	The property lines which bound the lot.
Lot Line, Front	On an interior lot, the lot line abutting a street; on a corner lot, the shorter lot line abutting the street; or on a panhandle lot, the interior lot line most parallel to and nearest the street from which access is obtained.
Lot, Panhandle or Flag	Lots approved under certain conditions that contain less frontage on a street than is normally required. The panhandle is typically an access corridor to lots or parcels located behind parcels with normally required street frontage.
Lot Line, Rear	The lot line opposite and most distant from the front lot line.
Lot Line, Side	Any lot line which is not a front or rear lot line.
Lot Width	The horizontal distance between side lot lines, measured at the designed front setback line.
Luminaire	A complete electric light unit (used especially in technical contexts).

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Manufacturing, Assembling, Processing, Recycling, Fabricating, Finishing, Testing, Storing, or Other Similar Industrial Actions	The assembling, altering, converting, fabricating, finishing, processing, or treatment that combines one or more raw materials or components into a product. Such use shall only involve previously prepared materials or finished parts, including minor assembling, altering, fabricating, finishing, processing, treatment, storage, and incidental sales of such products.
Methadone and Similar High Volume Drug Treatment Clinic	A place used for the care, diagnosis, and treatment of sick, ailing, infirm and injured persons, but who are not provided with board or room or kept overnight on the premises, of more than 40 persons/patients per day. This use includes medical care centers, dental care, urgent care, and outpatient care centers.
Mobile Restaurant (Food Truck)	Any apparatus or equipment that is used to cook, prepare, or serve food, and that routinely changes or can change location and is operated from a moveable vehicle or apparatus, including but not limited to motorized vehicles, trailers, and hand propelled carts.
Mobile Use (Retail and Medical)	A vehicle or cart used for retail or medical purposes. Mobile medical uses include vehicles used for blood donations, immunizations, medical evaluation, imaging, and diagnostic testing. Mobile retail uses include a vehicle from which goods or merchandise are sold.
Model Unit, Including Real Estate Office	A dwelling unit temporarily used for display purposes as an example of dwelling units available or to be available for sale or rental in a particular subdivision or other residential development approved by the Township. Model homes may also incorporate sales or rental offices for dwellings within the development.
Motel	A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for travelers and having automobile parking adjacent or conveniently located on the premises.
Museum and Cultural Center	A building, place, or institution devoted to the acquisition, conservation, study, exhibition, and educational interpretation of objects having significant scientific, historical, cultural, or artistic value.
Night Club	A bar, restaurant, coffee house or similar establishment where a dance floor or entertainment is provided as a primary attraction.
Non-Conformance, Certificate of	A certificate issued by the Community Development Department which certifies that a building, structure, or premises legally existed prior to the enactment of this Resolution or amendments, thereto.
Non-Conforming Building	Any building that does not meet the limitations on building size and location on a lot, for the district in which such building is located, for the use to which such building is being put to use.
Non-Conforming Use	Any use legally existing and used at the time of enactment of this Resolution and the adoption of a map incorporated by reference in this Resolution or any amendments to this Resolution or the map, which does not conform with the regulations of the district in which it is located.
Non-Therapeutic Massage Establishment	Any place of business or establishment that administers, practices, uses, or from which is dispatched a person for the purpose of administering, practicing, or using any non-therapeutic massage or touching techniques, where not all of the persons administering, practicing, or using any massage or touching techniques are licensed massage therapists.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Off-Premises Advertising (Billboard Sign)	A sign that directs attention to a business, commodity, service, or entertainment conducted, sold, or offered at a location other than the premises on which the sign is located.
Office	A room, group of rooms, building, or portion of a building that is used for conducting the affairs of a business, profession, service industry, or government.
Outdoor Dining	A porch, patio, deck, or other area used for consumption of food and/or beverage by the public which is not completely enclosed within the exterior building walls, windows, and doors of a restaurant or drinking establishment, and which may or may not have a solid roof cover.
Outdoor Display Area	An outdoor area where merchandise is displayed for sale, or lease, which is accessible to the public during business hours, not including principally permitted uses where outdoor display of the merchandise is the primary business, such as automobile sales and similar uses.
Outdoor Storage and Activity	The keeping, in an unroofed area, of any goods, material, merchandise, or vehicles in the same place for more than 48 hours.
Park, Open Space, and Public Recreation Facility	An area open to the general public and available for recreational, educational, cultural, or aesthetic use.
Parking Area	A permanently surfaced open area, other than a street or other public way, which is used for the parking of vehicles and trailers.
Parking Garage	A building, or an enclosed space within the principal building, where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.
Parking Space	A permanently surfaced area for the parking of a vehicle.
Personal Service	An establishment which offers low intensity, retail services to members of the general public.
Pickup Truck	A small truck with an enclosed cab and open cargo area with sides.
Place of Worship	A building in which people regularly attend to participate in or hold religious services, meetings, or other religious activities. Such uses shall be limited to activities that directly relate to the religious service, meeting, or activity.
Planned Unit Development	Land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned unit development. A planned development is built according to general and detailed plans that include not only street, utilities, lots and building and building locations, and the like, but also site plans for all buildings as are intended to be located, constructed, used, and related to each other, and plans for other uses and improvements on the land as related to the buildings. A planned unit development includes a program for the provisions, operations and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the planned unit development or community.
Preliminary Development Plan	A site plan submitted as part of the Planned Unit Development process during the amendment process for district designation indicates the approximate areas and arrangement of the proposed uses and zone districts.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Private Club/Lodge	A building or portion thereof, or premises owned by a corporation, association, person, or persons for a social, educational, or recreational purpose, not primarily for profit nor to render a service which is customarily carried on as a business.
Portable Storage Unit	A portable and temporary structure that is placed on a property and is used for storage of items, including but not limited to clothing, equipment, goods, household or office fixtures or furnishings, materials, and merchandise.
Processing, Storage, Incineration, or Reduction of Garbage Debris, Waste, Dead Animals, or Other Types of Refuse	Any facility that treats or stores waste generated on properties other than those on which the off-site facilities are, including an enclosed device using controlled flame combustion to break down waste.
Processing, Storage, or Production of Hazardous Materials, Liquid, or Gases	A use engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of or manufacturing process using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous or commonly recognized offensive conditions.
Promotional Costume Device	A person dressed in a costume used for the purpose of identifying, providing directions, or advertising any establishment, product, goods, or services.
Propane Cage	An accessory structure used for the purposes of safely enclosing canisters of propane gas from all sides including a roof.
Property Advisor	The Community Development Director, his/her assistants, or any other person designated by the Board of Township Trustees to perform the statutory duties of Property Advisor.
Public and Non-Profit Building, Property, and Administrative Office	A structure principally of an institutional nature and serving a public need, such as governmental and non-profit organizations, public utilities, and administrative offices, but not including the operation of a public bar, restaurant, or recreational facility as a commercial enterprise.
Public and Private Preschools and Elementary Through High Schools	Any institution organized and operated under the laws of Ohio to provide regular courses of instruction for students in kindergarten through grade 12 by the Ohio Department of Education or by an accrediting association recognized by the United States Office of Education.
Radio/Television Studio	Studio spaces for the creation of and broadcasting of radio or television programs.
Reader Boards	Any sign that displays changeable copy through manual changing of copy that prohibits the utilization of computer-generated messages or some other electronic means of changing copy.
Recycling	The collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics, and other materials which would otherwise be disposed or processed as waste or the mechanized separation and treatment of waste (other than combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Recycling Container	A receptacle or other portable structure made of metal, steel or similar durable material placed outdoors and intended and used for the collection of Recycling materials from the public but not including facilities and structures owned and operated by a governmental entity such as, but not limited to, post office mail drop boxes, bill payment drop boxes, library collection boxes and Donation Bins.
Research and Development Facility	A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

Residential Facility	A residential dwelling or facility that falls into one of the following categories:
	• Provides accommodations, supervision, personal care services, and mental health services for one or more unrelated adults with mental illness or one or more unrelated children or adolescents with severe emotional disturbances.
	• Provides accommodations, supervision, and personal care services to any of the following:
	  ○ One or two unrelated persons with mental illness,
	  ○ One or two unrelated adults who are receiving payments under the residential state supplement program,
	  ○ Three to 16 unrelated adults

Residential Facility, Small	A residential facility that is designed for and occupied by five or fewer residents living together.
Residential Facility, Large	A residential facility that is designed for and occupied by six or more residents living together.
Residential Garage	A detached accessory building or a portion of the principal building used only for the storage of self-propelled passenger vehicles or trailers by the family's resident upon the premises. Such garage, except on farms for agricultural purposes, shall not be used for the storage of more than one Commercial Vehicle. Overhead doors and connection to a driveway are required to be considered a garage.
Residential Outdoor Sale	The sale of personal property owned and sold by the occupants of the household at which such personal property is sold.
Residential Short-Term Rental	A dwelling which is rented, wholly or in part, to a person or person(s) for a fee for less than 30 consecutive days. A short-term rental owner/operator may or may not be present when a short-term rental guest is on the premises. Short-term rentals do not include hotels, or motels.
Residential Treatment Facility	A residential dwelling or facility where persons are living together, with or without staff, as a single housekeeping unit providing care, supervision, or treatment to reduce dependence or maintain independence of opioid drugs. A "residential treatment facility" is subject to the protections of the federal Fair Housing Act Amendments of 1988, as defined in that Act and interpreted by the courts, as they apply to citizens in drug addiction treatment programs, and by any similar legislation of the State of Ohio.
Residential Treatment Facility, Small	A residential treatment facility that is designed for and occupied by five or less residents living together.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Residential Treatment Facility, Large	A residential treatment facility that is designed for and occupied by six or more residents living together.
Restaurant, Quick-Service	Any restaurant whose service or facility is designed for food and drink to be obtained over the counter by persons desiring quick service and the option to carry-out their food order. These establishments do not typically include table service or wait staff. A patron generally orders from a menu board and pays before receiving the meal.
Restaurant, Standard	Any establishment where food or drinks are primarily served by a waitress or waiter to the general public in a dining area for consumption within the principal building.
Retail, Lumberyard	An area used for the sale of finished or rough-cut lumber and lumber products, but not including the manufacture or fabrication of lumber, lumber products, or firewood.
Retail Sales, Discount and Variety	A small scale retail store that sells a wide range of inexpensive or discount goods, generally located in a standalone building.
Retail Sales, General	A facility or establishment up to 20,000 square feet of gross floor area, which engages in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Within a multi-tenant or mixed-use building, the overall building may be more than 20,000 as long as each tenant does not exceed the square footage threshold.
Retail Sales, Large Scale	A facility or establishment greater than 20,000 square feet of gross floor area, which engages in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
Retaining Wall	Retaining walls are walls that are at least three feet in height and are designed to hold back dirt, earth, or water so that the material can be retained at different levels on either side of the wall.
Right Of Way, Street	A public thoroughfare used, or intended to be used, for the passage or travel by vehicles.
Road Corridor Urban Design Plan	A plan adopted by the Board of Trustees in connection with a Road Corridor Overlay District which provides design standards and provisions for a specifically designated area along a road corridor.
School and University Including Private, Public, and Business	Any institution organized and operated under the laws of Ohio to provide regular courses of instruction for students in any college or university accredited by the Ohio Department of Education or by an accrediting association recognized by the United States Office of Education.
Seasonal Sale	The temporary sale of seasonal goods, which may include, but is not limited to, the sale of Christmas trees, pumpkins, and similar items. This use does not include the outdoor display or sales of goods from the principal business in which the display or sales is associated with. See Outdoor Display and Retail Area.
Self-Storage Unit, Indoor	A structure or group of structures used for the storage of personal property where individual owners control individual storage spaces.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Self-Storage Unit, Outdoor	A structure or group of structures used for the storage of personal property where individual owners control individual storage spaces where access to the individual units are from the outdoors.
Semi-Trailer	Non-motive powered commercial vehicle that is designed and intended to be towed by another vehicle in a manner that part of the weight of the vehicle being towed rests on and is carried by the towing vehicle.
Semi-Truck	Motor vehicle designed and used primarily for towing other vehicles and not so constructed so as to carry a load other than a part of the weight of the vehicle and load so towed.
Sexually Oriented Business	"ADULT ARCADE," "ADULT BOOKSTORE," "ADULT VIDEO STORE," "ADULT CABARET," "ADULT MOTION PICTURE THEATER," "ADULT THEATER," "LIVE SEX ACT BUSINESS," "SEMINUDE MODEL STUDIO," "SEXUAL DEVICE SHOP," "SEXUAL ENCOUNTER CENTER," "SEXUAL ENCOUNTER ESTABLISHMENT," and "SEXUALLY ORIENTED BUSINESS" have the same meanings as in the West Chester Township Resolution Governing Sexually Oriented Businesses and Employees Pursuant to Sections 503.51 and 503.52 of the Ohio Revises Code and as Authorized by the Township Limited Home Rule Provisions of Ohio Revised Code Chapter 504, as such Resolution may be amended from time to time.
Sexually Oriented Business, Established	Means and includes any of the following: the opening or commencement of any Sexually Oriented Business as a new business; or the conversion of an existing business, whether or not a Sexually Oriented Business, to any Sexually Oriented Business; or the addition of any Sexually Oriented Business to any other existing Sexually Oriented Business; or the relocation of any Sexually Oriented Business.
Sexually Oriented Business, Premises	The real property on which the Sexually Oriented Business is located and all appurtenances to the real property, including, but not limited, to the Sexually Oriented Business, the grounds, private walkways, and parking lots or parking garages adjacent to the real property under the ownership, control, or supervision of the owner or operator of the Sexually Oriented Business.
Sexually Oriented Business, Substantially Enlarged	An increase in the floor area occupied by a Sexually Oriented Business by 25 percent or more. For a Sexually Oriented Business that is lawfully operating on the date this Resolution takes effect, the increase shall be measured from the floor area that is lawfully occupied by the Sexually Oriented Business on the date this Resolution takes effect. For a Sexually Oriented Business that begins operating as a lawful Sexually Oriented Business after the date this Resolution takes effect, the increase shall be measured from the floor area that is occupied by the Sexually Oriented Business on the date the Sexually Oriented Business receives its initial Zoning Certificate under this Resolution.
Sign	Any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, product, goods, or services.
Sign, Banner	A sign of lightweight fabric or similar non-rigid material mounted to a pole and/or building with a design, picture, or writing on it.
Sign, Billboard	An off-site sign structure advertising an establishment, merchandise, service, special message, or entertainment.
Sign, Changeable Message	A sign whose information content can be altered manually or by electronic means.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Sign, Construction	A temporary sign to give information about construction that is soon to commence or is currently in progress on the property on which the sign is located.
Sign, Copy	The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.
Sign, Directional	A sign which provides directional assistance to access an establishment conveniently and safely.
Sign, Feather / Flutter Flag	A sign of lightweight fabric or similar non-rigid material generally shaped like a feather commonly attached to a pole, which is intended to flutter in the wind.
Sign, Freestanding	A sign supported permanently upon the ground by poles or braces and not attached to any building or structure.
Sign, Government	Any temporary or permanent sign erected and maintained by the township, county, state, or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.
Sign, Ground	A sign mounted directly to the ground with a base, which occupies a majority of the area beneath the display, and not attached to any building or structure.
Sign, Non-Commercial	A work of art or sign for the expression of a message which is political, religious, or pertaining to a point of view, expression, opinion, or idea that contains no reference to the endorsement, advertising of, or promotion of a patronage of a business, commodity, service, entertainment, or attraction that is sold, offered, or existing.
Sign, Pennants, Streamers	An individual object and/or series of small objects made of lightweight plastic, fabric, or other non-rigid material, which may or may not contain text, and is suspended from and/or twined around a rope, wire, or string.
Sign, Portable Reader Board	A sign that is self-supporting but not permanently attached to the ground or building and can be moved from one location to another and may or may not be internally illuminated; also known as a trailer sign.
Sign, Real Estate	A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale.
Sign, Subdivision	A freestanding or wall sign identifying a recognized subdivision, condominium complex, residential development, or a business or industrial park.
Sign, Temporary	A sign not constructed or intended for long-term use.
Sign, Wall	A sign attached essentially parallel to and extending not more than 24 inches from the wall of a building with no copy on the sides or edges. This definition includes painted, individual letter, and cabinet signs.
Special Exception	An exception pertaining to an uncommon or infrequent use which may be permitted in specific districts subject to compliance with certain standards and explicit conditions as set forth by the Board of Zoning Appeals.
Stone or Monument Works	Manufacturing establishments primarily engaged in cutting, shaping, and finishing marble, granite, slate, and other stone for building and miscellaneous uses.
Story	That portion of a building included between the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Structure	Anything constructed, excluding pavement, the use of which requires the permanent location on the ground, or attachment to something having permanent location on the ground.
Structural Alteration	Any change in the structural members of a building, such as walls, columns, beams, or girders.
Subdivision	The division of land, lot, tract, or parcel into two or more parcels, plats, or sites, approved by the Butler County Planning Commission, for sale, lease, offer, or development.
Swimming Pool	A permanent, open tank or other structure not located within a completely enclosed building so as to contain at least three feet of water at any point.
Tent	A temporary structure for the protection from weather, in association with and accessory to a temporary event. Tents are not to be used for overnight accommodations.
Theater, Including Drive-In and Outdoor Theater	Any facility for showing motion pictures on a projection screen, excluding adult motion pictures and adult entertainment businesses. Such use may include a lobby area and refreshment stand for the patrons.
Therapeutic Massage Establishment	Any place of business or establishment that administers, practices, uses, or from which is dispatched a person for the purpose of administering, practicing, or using, any massage or touching techniques, provided that all persons administering, practicing, or using any massage or touching techniques are licensed massage therapists.
Township Trustees	The West Chester Township, Butler County, Ohio Board of Township Trustees.
Trucking Terminal	An enclosed structure or structures used for the temporary storage of cargo or freight owned by others in the process of transferring the cargo or freight to another location by truck or other mode of transportation.
Use, Principal	The primary use and chief purpose of a lot or structure.
Vape, Tobacco, CBD Sales	Any store, stand, booth, or concession that devotes 30 percent or more of its display floor area to tobacco products, or to the display and sale of tobacco, electronic smoking devices, or drug paraphernalia to purchasers for consumption of use. This classification of use does not include medical marijuana dispensaries, which are prohibited by West Chester Township.
Variance	A modification approved by the Board of Zoning Appeals regarding area or dimension requirements of this Resolution, where such modification will not be contrary to the public interest and where due to conditions unique to the property and not the result of the actions by the applicant, a literal enforcement of the requirement would result in unnecessary and undue hardship for the property owner.
Vehicle	Any self-powered unit moving on wheels or runners and used as a means of transport.
Vehicle, Commercial	Any truck, trailer, or other vehicle which displays any commercial activity and which use is primarily for commercial purposes.
Vehicle, Recreational	A vehicle or trailer used exclusively for personal use and includes watercrafts, motor homes, pop-up campers, truck campers, travel trailers, and similar vehicles that are not used in whole or in part for occupational, commerce or employment purposes.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Veterinarian Office and Clinic	An establishment where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. This use does not include 'animal boarding/kennel,' and overnight boarding of animals shall only be permitted when incidental to such medical treatment and limited to short periods of time. This use shall not include any outdoor animal runs, play areas, or other similar outdoor activities.
Warehousing	An enclosed structure used for the storage of goods of any type by or on behalf of the owner of the goods when 80 percent or more of the enclosed structure is designed or used for storage space. This definition includes distribution and fulfillment facilities.
Wing Wall	A wall secondary in scale projecting from a primary wall and not having a roof.
Wireless And Cellular Antenna	Any exterior apparatus designed for telephonic, radio, television, or other electronic telecommunications, through the transmission, relay or receiving of electromagnetic waves.
Wireless And Cellular Telecommunication Equipment	Any antenna, satellite dish, communication device or equipment which is used for transmitting, relaying, or receiving communication signals except equipment preempted from regulators by the Telecommunications Act of 1996 (P.L. 104-104), as amended.
Wireless And Cellular Telecommunication Facility	Any cables, wires, lines, wave guides, antennas, equipment or structures associated with the transmission or reception of communications as authorized by the Federal Communications Commission (FCC) which an applicant seeks to locate or has installed upon a tower or existing structure.
Wireless And Telecommunication Tower	Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, monopole towers, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and alternative tower structures.
Yard, Front	An open space extending the full width of the lot, between a principal building and the front lot line, unoccupied and unobstructed from the ground upward.
Yard, Rear	An open space extending the full width of the lot between a principal building and the rear lot line, unoccupied and unobstructed from the ground upward.
Yard, Side	An open space extending from the front yard to the rear yard between a principal building and the nearest side lot line, unobstructed from the ground upward.
Yard Requirement, Front Yard Depth (Front Yard Setback)	The minimum open space, required by the specific district provisions, which must be provided between a principal building and the front lot line, unoccupied from the ground upward.
Yard Requirement, Rear Yard Depth (Rear Yard Setback)	The minimum open space, required by the specific district provisions, which must be provided between a principal building and the rear lot line, unoccupied from the ground upward.
Yard Requirement, Each Side Yard (Side Yard Setback)	The minimum open space, required by the specific district provisions, which must be provided between a principal building and each side lot line, unobstructed from the ground upward.

TABLE 12.02-1: DEFINITIONS	
Word	**Definition**
Zoning Certificate	A document issued by the Community Development Department which certifies that a building, structure, or use has been reviewed by the department and found to be consistent with the terms of this Resolution.
Zoning Map	The Zoning Map of West Chester Township, Butler County, Ohio.