



LEGISLATIVE COVER MEMO

Introduction: January 22, 2025

Public Hearing: February 3, 2025

Effective Date: March 5, 2025

Agenda Item: **Ordinance 2025-01**

AMENDING SECTION 1113.01 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

Submitted by: Jonathan Westendorf, City Manager

Scope/Description: The Ordinance proposes various amendments to Section 1113.01 Conditional Uses. Section references have been updated to include the new use tables.

The specific standards for conditional uses located in Section 1113.01(e) have been removed and incorporated into the use standards located in Chapter 1107 Districts and Land Use Standards.

Planning Commission unanimously recommended approval of the text amendments to Council during its January 8, 2025 meeting.

Exhibits: Exhibit A: Section 1113.01 of the UDO

CITY OF FRANKLIN, OHIO
ORDINANCE 2025-01

AMENDING SECTION 1113.01 OF THE CITY OF FRANKLIN UNIFIED DEVELOPMENT ORDINANCE

WHEREAS, pursuant to Section 1115.04 of the City of Franklin UNIFIED DEVELOPMENT ORDINANCE (the “UDO”), the City of Franklin Planning Commission moved to initiate certain zoning text amendments to Section 1113.01 of the UDO during a public meeting of Planning Commission held on January 8, 2025;

WHEREAS, Planning Commission reviewed the proposed text amendments during its January 8, 2025 meeting and recommended that City Council approve the text amendments in the same form attached as Exhibit A to this Ordinance; and

WHEREAS, City Council finds it to be in the best interests of the City and its residents to adopt Planning Commission’s recommendation and amend Section 1113.01 of the UDO in accordance with Exhibit A.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Franklin, Ohio, a majority of members present concurring, that:

Section 1. Council hereby adopts Planning Commission’s recommendation to amend Section 1113.01 of the City’s Codified Ordinances, and Section 1113.01 is hereby amended as set forth in the attached Exhibit A.

Section 2. All City ordinances, or parts thereof, that conflict with this Ordinance are hereby repealed.

Section 3. It is found that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including Chapter 121 of the Ohio Revised Code, and the Rules of Council.

INTRODUCED: January 22, 2025

ADOPTED: February 3, 2025

ATTEST: _____
Khristi Dunn, Clerk of Council

APPROVED: _____
Mayor

CERTIFICATE

I, the undersigned Clerk of Council for the Franklin City Council, do hereby certify that the foregoing is a true and correct copy of Ordinance 2025-01 passed by City Council on February 3, 2025.

Khristi Dunn, Clerk of Council

APPROVED AS TO FORM:

Ben Yoder, Law Director

1113.01 Conditional Uses.

- (a) **Purpose:** Under some unusual circumstances, a use which more intensely affects an area than those uses which are permitted in the zoning district in which it is proposed to be located may nevertheless be desirable and also compatible with the permitted uses within the zoning district, if the proposed use is properly controlled and regulated. The purpose of this Section is to establish the provisions whereby the Planning Commission may allow such uses to exist as conditional uses in specific zoning districts where these unusual circumstances exist and where the proposed uses will be consistent with the general intent and purpose of this UDO.
- (b) **Applicability:**
- (1) A use designated as a Conditional Use may be permitted in a zoning district, in accordance with this Section, when its location, extent and method of development will not substantially alter the character of the vicinity or unduly interfere with the use of adjacent lots in the manner prescribed for the zoning district. To this end, if the Planning Commission decides to grant a Conditional Use Permit, it may set forth additional requirements or conditions, or modify or waive any requirement, as will, in its judgment, render the Conditional Use compatible with the existing and future use of adjacent lots and the vicinity.
 - (2) When a proposed use involves two ~~(2)~~ or more Conditional Uses, the applicant shall seek a Conditional Use Permit for each such use, which may be done by one application (including one development plan, site plan, and/or construction plan, as required). The proposed uses shall meet the specific standards for each use, except as such requirements are modified or waived by the Planning Commission.
- (c) **General Provisions:** The following general provisions shall apply:
- (1) **Administration:** Any owner of property in the City may submit an application to the Planning Commission requesting a Conditional Use Permit. Conditional Uses may be permitted in certain zoning districts, as listed in ~~Chapter 1107, Table 1107.12-1 and Table 1107.12-2, Table 5 and Table 7.~~ The procedure required prior to authorization of a Conditional Use Permit shall be as prescribed in this Section and ~~S~~section 1115.09.
 - (2) **Use Standards:** A Conditional Use, and its accessory uses, may be permitted in a zoning district only when the use, and its location, extent, and method of development, will not substantially alter the character of the area or interfere with the use of adjacent lots in the manner prescribed for the zoning district. In addition, the particular facts and circumstances of each proposed use shall be reviewed for conformity with the General Standards for Approval outlined in ~~S~~section 1113.01(d), ~~and the Specific Standards contained in section 1113.01(e).~~
 - (3) **Development Standards:** A Conditional Use, and its accessory uses, must meet the ~~dimensional standards for the zoning district in which it is located per Chapter 1107, any applicable use specific standards per Chapter 1107, and any applicable development standards per Chapter 1111. Lot and Dimensional Requirements outlined for the Use or, if not specifically listed, the underlying zoning district, in Chapter 1107, Table s 2-4, Table 6, Table 8 and Table 9, in addition to any applicable Development Standards contained in Chapter 1111.~~
 - (4) **Compatibility:** ~~Unless otherwise specified in the specific standards outlined in section 1113.01(e),~~ Ithe standards established in the underlying zoning district in which the

Conditional Use is proposed to be located shall apply to the Conditional Use and well as any use specific standards in Chapter 1107.-

~~(5)~~ **Similar Uses:** For any proposed use not specifically listed as a conditional use, but that appears to be similar to other listed Conditional Uses, the applicant may file with the Planning Commission for a determination of similar use. Upon such determination, the

Planning Commission shall apply the specific standards for the determined similar use to the proposed use.

(d) General Standards for Approval: A Conditional Use shall not be granted unless it meets all of the following standards, in addition to any Specific Standards for Approval for the particular use under subdivision (e) of this Section:

- (1) The proposed use is a Conditional Use in the zoning district for which it is proposed;
- (2) The proposed Conditional Use will be in accordance with the general objectives, or with any specific objective, of the City's Comprehensive Development Plan or this UDO;
- (3) The proposed Conditional Use will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the neighborhood;
- (4) The proposed Conditional Use will not be hazardous or unreasonably disturbing to existing or future neighboring uses;
- (5) The proposed Conditional Use will be served adequately by essential public facilities and services such as streets, police and fire protection, drainage, water and sewer, or the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services;
- (6) The proposed Conditional Use will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- (7) The proposed Conditional Use will not involve uses, activities, processes, materials, equipment and conditions or operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors;
- (8) The proposed Conditional Use will have vehicular approaches to the property that are designed so as not to interfere with traffic on surrounding public thoroughfares; and
- (9) The proposed Conditional Use will not result in the destruction, loss or damage of a natural, scenic, or historic features of major importance.

~~(e) Specific Standards: This Section presents standards applicable to the specific Conditional Uses listed, which must be met in addition to the General Standards for Approval contained in subdivision (d) of this Section. Unless otherwise noted, the development standards of the zoning district, and any other applicable standards as contained in Chapter 1111 of this UDO, shall apply:~~

~~(1) Alcohol and Drug Addiction Treatment Facilities:~~

~~(A) Purpose: A licensed facility that provides inpatient treatment, including room and board, to individuals addicted to substances of abuse, including alcohol, legal drugs and/or illicit drugs, which treatment may include counseling, psychology, social work, psychiatry, internal medicine and the administering of medication for treatment purposes.~~

~~(B) Standards:~~

~~(i) The proposed use shall meet all applicable Federal, State and/or local licensing requirements, certification requirements and/or business regulations;~~

- ~~(ii) The proposed facility must meet local fire safety requirements and Ohio Building Code requirements for the proposed use and level of occupancy;~~
- ~~(iii) The proposed use shall not generate an unreasonable increase in traffic volume or require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in Section 1111.07;~~
- ~~(iv) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in Section 1111.07;~~
- ~~(v) Any signage shall be of the type and size permitted in the Zoning District under the City's sign regulations, outlined in Section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit;~~
- ~~(vi) The proposed use shall comply with the landscaping standards contained in Section 1111.06;~~
- ~~(vii) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residential properties;~~
- ~~(viii) The applicant shall submit a traffic plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion and promote safety;~~
- ~~(ix) For new buildings, when adjacent to Residential Districts, all buildings shall be set back an additional one foot (1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty-five feet (35') in height;~~
- ~~(x) A solid wood fence, masonry wall, or hedge six feet (6') high shall be required along any property line adjacent to a residential use or Residential District;~~
- ~~(xi) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer;~~
- ~~(xii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer;~~
- ~~(xiii) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided;~~
- ~~(xiv) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve; and~~
- ~~(xv) The applicant will provide documentation indicating the need for the~~

~~facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.~~

~~(2) Assisted Living and Life Care:~~

~~(A) Purpose: A residential facility for the aged or infirm, or any other reasonably independent person in need of limited care, that provides health monitoring services and assistance with daily activities, and may provide other services, such as recreational, social, educational and cultural activities, transportation and financial services.~~

~~(B) Standards:~~

- ~~(i) Single family homes may not be used for such facilities.~~
- ~~(ii) The facility is not equipped for surgical care or for treatment of acute disease or serious injury, and is not primarily designed for patients being treated for mental illness or alcohol or drug addiction.~~
- ~~(iii) The proposed facility must meet all federal and/or state certification, licensing or approval requirements.~~
- ~~(iv) The proposed facility must meet local fire safety and Ohio Building Code requirements for the proposed use and level of occupancy.~~
- ~~(v) The proposed use shall not generate an unreasonable increase in traffic volume or require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it.~~
- ~~(vi) The exterior of the facility shall be compatible with the residential character of the neighborhood.~~
- ~~(vii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(viii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(ix) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(x) The applicant will provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.~~

~~(3) Bar, Lounge, and/or Tavern:~~

~~(A) Purpose: The use shall be for the purpose of selling food and beverages, including alcoholic beverages, to be consumed on the premises.~~

~~(B) Standards:~~

- ~~(i) Such establishment shall be located at least two hundred fifty feet (250') from a residential district, churches and schools.~~
- ~~(ii) All activities shall take place in a fully enclosed sound-resistant building.~~

~~(iii) The site shall be kept free of litter and debris. The use of bars, lounges or taverns shall be no later than 2:30 a.m., unless otherwise specified by Planning Commission in approving a Conditional Use Permit.~~

- ~~(iv) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(v) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(vi) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~

~~(4) **Bed and Breakfasts:**~~

- ~~(A) Purpose: The use shall be for providing only overnight accommodation for guests, in up to five (5) guest rooms, and breakfast for said guests.~~
- ~~(B) Standards:
 - ~~(i) The facility shall be compatible with surrounding uses and shall be of sufficient site area to accommodate existing and future needs.~~
 - ~~(ii) Accessory structures garages used by one or more of the allowed guests shall not contain cooking facilities.~~
 - ~~(iii) Breakfast shall be served on the premises only for the guests of the facility, and no other meals shall be provided. "Restaurants," as defined in Chapter 1103, included in Bed and Breakfasts shall be subject to the approval of Planning Commission.~~
 - ~~(iv) The owner shall maintain a record of the stays of all guests. The same guest or group of registrants shall not stay at the facility for a period of more than seven (7) consecutive days or more than fourteen (14) total days within a given calendar year.~~
 - ~~(v) The operator of the bed and breakfast facility must be the owner of record of the building, and hold no less than a fifty percent (50%) interest in the property. The owner must occupy the property.~~
 - ~~(vi) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
 - ~~(vii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
 - ~~(viii) The proposed use shall comply with the City's Parking Regulations, contained in section 1111.07. Driveways may be used as off-street parking areas, except for that portion of a driveway located between the property line and the curb. For parking, setbacks shall be not less than ten (10) feet from any rear or side-yard lot line.~~~~

~~(5) **Cemeteries and Mortuaries:**~~

~~(A) Purpose: Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums~~

and mortuaries, if operated in connection with and within the boundaries of such cemetery.

~~(B) Standards:~~

- ~~(i) The site shall have direct access to a major thoroughfare, which the Planning Commission determines is adequate to serve the size of the facility proposed.~~
- ~~(ii) All buildings including, but not limited to crematories, mausoleums and mortuaries, shall not be located within one hundred feet (100') of a property line.~~
- ~~(iii) All graves or burial lots shall be setback not less than fifty feet (50') from any property line.~~
- ~~(iv) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(v) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~

~~(6) **Churches and Places of Worship:**~~

~~(A) Purpose: A building, together with its accessory structures and uses, where persons regularly assemble for religious worship, and which, together with its accessory structures and uses, is maintained and controlled by a religious body organized to sustain public worship.~~

~~(B) Standards:~~

- ~~(i) The place of worship shall be used only for the purposes of the local congregation or organization and shall not be operated as or in connection with any commercial use, except that the renting of rooms for community service purposes is permitted.~~
- ~~(ii) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(iii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(iv) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(v) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(vi) In residential districts, all buildings shall be set back an additional one foot~~

~~(1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty-five feet (35') in height.~~

~~(vii) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject~~

~~to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~

~~(viii) A cemetery associated with a church shall require a separate Conditional Use Permit under 1113.01(e)(6).~~

~~(ix) Nursery, kindergarten, day care and compulsory (grades 1 through 12) schools shall be permitted accessory uses to a church; however, any outdoor playgrounds, tot lots, exercise areas, etc., shall be enclosed or otherwise protected from traffic or other hazards. The area shall be enclosed by a fence or wall a minimum of five feet (5') in height, except when the recreational area abuts a residential property, in which case it shall be enclosed by a solid wood fence or masonry wall six feet (6') high along the property line.~~

~~(7) Commercial Entertainment:~~

~~(A) Purpose: A commercial establishment that provides, as its primary activity, space for various types of sporting and/or leisure activities, and is completely contained within an enclosed building. Examples of such uses include skating rinks, bowling alleys, indoor playgrounds and movie theaters.~~

~~(B) Standards:~~

~~(i) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~

~~(ii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~

~~(iii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~

~~(iv) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~

~~(v) A six foot (6') high solid wood fence, masonry wall, or hedge shall be required along any property line adjacent to a residential use or residential district.~~

~~(vi) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~

~~(vii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer. Interconnecting circulation aisles between parcels shall be provided.~~

~~(viii) The circulation areas shall provide smooth, continuous flow with efficient,~~

~~non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Access to an arterial or collector street is required.~~

- ~~(ix) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(x) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion and to promote safety.~~
- ~~(xi) When adjacent to a residential district, all buildings shall be set back an additional one foot (1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty-five feet in height (35').~~
- ~~(xii) If adjacent to a residential use or residential district, such use shall not create excess noise, dust, odors or other nuisances.~~
- ~~(xiii) Planning Commission may limit the hours of operation of such use to assure compatibility with adjacent uses.~~

~~(8) **Community Centers:**~~

~~(A) Purpose: A place, structure, area or other facility used for social and recreational programs open to the public and designed to accommodate and serve significant segments of the community. A community center may also be referred to as a convention center or a civic center.~~

~~(B) Standards:~~

- ~~(i) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(ii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(iii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(iv) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(v) In residential districts, all buildings shall be set back an additional one (1) foot over the usual yard requirements for each one (1) foot of the building that exceeds thirty-five (35) feet in height.~~
- ~~(vi) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~

~~(9) **Day Care, Child and/or Adult:**~~

~~(A) Purpose: The use shall be for the purpose of providing temporary care, for a portion of the day, to children and/or adults. A day care facility also may be~~

~~operated as an accessory use to a place of worship, school, or other public or semi-public organization.~~

~~(B) Standards:~~

- ~~(i) The proposed facility must meet State certification, licensing or approval requirements.~~
- ~~(ii) The proposed facility must meet local fire safety requirements for the proposed use and level of occupancy.~~
- ~~(iii) The exterior of the facility shall be compatible with the residential character of the neighborhood, and the use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(iv) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(v) The proposed use shall not require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in section 1111.07. Required parking shall be on the same lot as the principal use.~~
- ~~(vi) An on-site drop off shall be provided at the main entrance to the facility with queuing area sufficient to accommodate eight (8) automobiles for facilities with twenty or fewer clients plus one (1) additional vehicle for each additional ten (10) clients served.~~
- ~~(vii) The proposed use shall not generate an unreasonable increase in traffic volume and access to an arterial or collector street is required, or access shall be provided in a manner that does not cause heavy traffic on residential streets.~~
- ~~(viii) There shall be on the site a safe outdoor play space or recreation area, which is enclosed or otherwise protected from traffic or other hazards. The space shall contain no less than sixty square feet (60 sq. ft.) per client and shall provide an opportunity for supervised outdoor play or recreation each day in suitable weather. The area shall be enclosed by a fence or wall a minimum of five feet (5') in height, except when the recreational area abuts a residential property, in which case it shall be enclosed by a solid wood fence or masonry wall six feet (6') high along the property.~~
- ~~(ix) The City may require additional fencing, screening, or other measures necessary to protect the health, safety, and welfare of clients using day care centers in commercial, industrial, or other high hazard areas. It may also deny a request to locate a facility in such areas based on these considerations.~~
- ~~(x) Use of outdoor recreational areas shall be limited to between the hours of 7:30 a.m. and 8:00 p.m.~~
- ~~(xi) All day care centers shall provide evidence of comprehensive liability insurance insuring against damage to property or physical injury, in~~

~~combined single limit form, in an amount of twenty-five thousand dollars (\$25,000) per person authorized to be cared for.~~

~~(xii) The applicant will provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of~~

~~similar facilities operated by the applicant.~~

~~(10) Drive-Through Retail:~~

~~(A) Purpose: The use shall be for retail or service establishments which provide a designated place where people can drive up in automobiles and conduct the major portion of business without having to get out of their automobiles or where the serving of the automobile is the major business. Drive-Through Retail uses include, but are not limited to, drive-in theaters, Automatic Teller Machines (ATMs), drive-through party stores, banks with drive-throughs or drive-in banks, and car washes, whether automatic or manual, and any other freestanding drive-through retail structure.~~

~~(B) Standards:~~

- ~~(i) Minimum lot area shall be sufficient area to accommodate the primary use and/or drive-through structure or as approved by City Engineer.~~
- ~~(ii) For car wash facilities, the applicant shall submit a plan of how the facility will prevent excess water from pooling within the right-of-way.~~
- ~~(iii) All outdoor storage, if allowed by Planning Commission, must be completely screened from view from adjacent properties and from the street.~~
- ~~(iv) No portion of the structure or its appurtenances, including ancillary, associated, or auxiliary equipment, shall be located in front of the established building line and at least one hundred feet (100') from any adjacent residential property or residential district.~~
- ~~(v) A solid wood fence, masonry wall, or hedge feet (6') in height shall be required along any property line on any side of the site adjacent to a residential use or residential district.~~
- ~~(vi) Such facilities shall be located on a major street in an area least disruptive to pedestrian and vehicular traffic. Access shall be from an arterial street or commercial collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be one hundred feet (100') from an intersection. One (1) access drive per street frontage shall be permitted and interconnecting circulation aisles between parcels shall be provided in cross-access easements.~~
- ~~(vii) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major pedestrian movements shall not conflict with major vehicular circulation movements.~~
- ~~(viii) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(ix) Off-street queuing space for seven (7) vehicles shall be provided for every drive-through retail facility, unless Planning Commission modifies this requirement. Queuing spaces shall not block or otherwise interfere with parking or site circulation patterns.~~

~~(x) Customer and employee parking shall be separated from drive-through activities, and customer parking shall be located in the area with highest accessibility to customer sales.~~

- ~~(xi) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(xii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(xiii) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(xiv) Hours of operation may be regulated by the Planning Commission, and made a part of the conditions of the Conditional Use Permit.~~
- ~~(xv) This use may be permitted where the applicant can demonstrate that the use is distributed and properly integrated into the site plan to avoid congestion, to minimize conflict points between auto traffic and pedestrians, to reduce the number of curb cuts and to prevent strip type development.~~

~~(11) Dwelling, Row House (or Townhouse):~~

~~(A) Purpose: A building or portion thereof designed, intended or used primarily for residential purposes. Row house dwellings are situated so that their sidewalls are shared with other like structures, all having their own separate entrances and being separate lots of record.~~

~~(B) Standards:~~

- ~~(i) The applicant shall submit construction plans showing that the proposed use is in compliance with the Ohio Building Code and local fire safety requirements for the proposed use and level of occupancy.~~
- ~~(ii) The exterior of the proposed use shall be compatible with the residential character of the neighborhood, and the use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(iii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(iv) The proposed use shall not require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in section 1111.07. Required parking shall be on the same lot as the principal use.~~
- ~~(v) If patios are to be provided, they shall be shown on the construction plans, and may be enclosed with a solid wall or fence. The space between patio fences or walls shall not be less than five feet (5'), unless otherwise approved by Planning Commission.~~

~~(12) Elderly Housing:~~

~~(A) Purpose: An age-restricted residential development in any housing form that qualifies for an exemption as "housing for older persons" under the federal Fair Housing Amendments Act of 1988, 42 U.S.C. § 3607(b).~~

~~(B) Standards:~~

- ~~(i) The area proposed shall be in single ownership, or if in several ownerships, the application shall be filed jointly by all the owners of the properties included in the plan.~~
- ~~(ii) If the proposed use involves new development, the request for a Conditional Use shall be submitted along with the applicant's Development Plan (see Chapter 1111).~~
- ~~(iii) The proposed use shall be appropriately located, and shall be in convenient walking distance of shopping and community facilities wherever possible.~~
- ~~(iv) Each dwelling unit shall be occupied in accordance with the "housing for older persons" exemption under the federal Fair Housing Amendments Act. The applicant shall submit documentation showing that the proposed development will be restricted to elderly housing, in the form of deed restrictions on each lot, or in the case of a condominium development, by the articles of incorporation and the Homeowner's Association bylaws.~~
- ~~(v) No dwelling unit in the development shall include more than two (2) bedrooms.~~
- ~~(vi) Planning Commission may modify the Lot and Dimensional Requirements of the underlying zoning district for the proposed use, where it finds such modification to be in the best interest of allowing an appropriate Elderly Housing Development that will be harmonious with the surrounding neighborhood.~~
- ~~(vii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(viii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(ix) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(x) If patios are to be provided, they shall be shown on the construction plans, and may be enclosed with a solid wall or fence. The space between patio fences or walls shall not be less than five feet (5'), unless otherwise approved by Planning Commission.~~

~~(13) **Electric Fences:**~~

- ~~(A) Purpose: The purpose of this conditional use is to allow for limited use of commercially installed and monitored electrical fencing for industrial storage and/or commercial vehicle uses when there is a proven need to secure outdoor storage areas, and for governmental or institutional uses when there is a proven security need. Electric fences shall remain prohibited in any residential district~~

~~and the Downtown Districts.~~

~~(B) Standards for Motor Vehicle-Oriented Businesses, Vehicle Dealers and Vehicle Repair Services in the C-1 and C-2 Districts:~~

- ~~(i) A conditional use permit shall only be granted under this subsection for uses which have been granted a conditional use permit by the Planning Commission as a motor vehicle-oriented business, vehicle dealer and/or vehicle repair service under this Section; provided, however, that the applicant may apply for a conditional use permit as a motor vehicle oriented business, vehicle dealer and/or vehicle repair service and a conditional use permit for an electrical fence simultaneously.~~
- ~~(ii) The area of the motor vehicle oriented business, vehicle dealer and/or vehicle repair service seeking a conditional use permit for an electric fence shall cover a combined total acreage of at least ten (10) acres, which may consist of lots which are adjacent or contiguous to one another. If the area is not in single ownership, or if in several ownerships, the application shall be filed jointly by all the owners of all the properties included in the combined area.~~
- ~~(iii) A conditional use permit shall only be granted under this subsection for electric fences that are commercially installed and monitored in accordance with International Electric Code standards. If, at any time during the term of a conditional use granted under this section, the electric fence ceases to be commercially monitored by a third party, the conditional use shall stand automatically revoked and the applicant is prohibited from operating said electrical fencing.~~
- ~~(iv) The applicant shall submit with the conditional use application a narrative statement of why such fence is needed, a site plan showing the exact location of the electric fence and the outer fence, and the name of the company that will be installing and monitoring the fence, in addition to any other information required by the application.~~
- ~~(v) The applicant shall install an outer fence at a distance of no less than four inches (4") nor more than twelve inches (12") from the electric fence. When the electric fence is located adjacent to a residential district, the outer fence shall be of a solid, opaque material with no gaps. When an electric fence is adjacent to a residential district that does not contain any dwellings, the Planning Commission, in its sole discretion, may waive the solid fence requirement, but shall make it a condition of the conditional use permit that an outer fence be constructed within thirty (30) days of the commencement of construction of any dwellings on properties adjacent to the electric fence within the residential district.~~
- ~~(vi) The height of the electric fence shall not exceed ten feet (10') and the outer fence shall be between six and eight feet (6' - 8') in height.~~
- ~~(vii) Warning signs shall be erected on the outer fence every fifty feet (50') of fence length, and shall contain a warning symbol and warnings in both English and Spanish.~~
- ~~(viii) A knock box shall be installed that will allow the City's Police Division and Fire & EMS Division a method to deactivate the fence. As a condition of the conditional use permit, the applicant shall be required to sign a release of liability against the City should any City Department have to deactivate or damage the fence due to an emergency.~~

~~(ix) As a condition of the conditional use permit, the applicant shall be required to carry liability insurance in an amount of not less than six million dollars (\$6,000,000). Said policy shall name the City as an~~

~~additional insured and a copy of the current policy shall be provided to the City on a yearly basis. If, at any time during the term of a conditional use granted under this section, such insurance is cancelled or lapses, the conditional use shall stand automatically revoked and the applicant is prohibited from operating said electrical fencing.~~

~~(C) Standards for Industrial Uses in the 1-1 and 1-2 Districts:~~

- ~~(i) The lot size of the industrial use seeking a conditional use permit for an electric fence shall be at least ten (10) acres, and shall consist of a single lot. If the lot is not in single ownership, or if in several ownerships, the application shall be filed jointly by all the owners of the property.~~
- ~~(ii) A conditional use permit shall only be granted under this subsection for electric fences that are commercially installed and monitored in accordance with International Electric Code standards. If, at any time during the term of a conditional use granted under this section, the electric fence ceases to be commercially monitored by a third party, the conditional use shall stand automatically revoked and the applicant is prohibited from operating said electrical fencing.~~
- ~~(iii) The applicant shall submit with the conditional use application a narrative statement of why such fence is needed, a site plan showing the exact location of the electric fence and the outer fence, and the name of the company that will be installing and monitoring the fence, in addition to any other information required by the application.~~
- ~~(iv) The applicant shall install an outer fence at a distance of no less than four inches (4") nor more than twelve inches (12") from the electric fence. When the electric fence is located adjacent to a residential district, the outer fence shall be of a solid, opaque material with no gaps. When an electric fence is adjacent to a residential district that does not contain any dwellings, the Planning Commission, in its sole discretion, may waive the solid fence requirement, but shall make it a condition of the conditional use permit that an outer fence be constructed within thirty (30) days of the commencement of construction of any dwellings on properties adjacent to the electric fence within the residential district.~~
- ~~(v) The height of the electric fence shall not exceed ten feet (10') and the outer fence shall be between six and eight feet (6' - 8') in height.~~
- ~~(vi) Warning signs shall be erected on the outer fence every fifty feet (50') of fence length, and shall contain a warning symbol and warnings in both English and Spanish.~~
- ~~(vii) A knock box shall be installed that will allow the City's Police Division and Fire & EMS Division a method to deactivate the fence. As a condition of the conditional use permit, the applicant shall be required to sign a release of liability against the City should any City Department have to deactivate or damage the fence due to an emergency.~~
- ~~(viii) As a condition of the conditional use permit, the applicant shall be required to carry liability insurance in an amount of not less than six~~

~~million dollars (\$6,000,000). Said policy shall name the City as an additional insured and a copy of the current policy shall be provided to the City on a yearly basis. If, at any time during the term of a conditional use granted under this section, such insurance is cancelled or lapses, the~~

~~conditional use shall stand automatically revoked and the applicant is prohibited from operating said electrical fencing.~~

~~(0) Standards for Government and Institutional Uses in the 0/1 District:~~

- ~~(i) A conditional use permit shall only be granted under this subsection for electric fences that are commercially installed and monitored in accordance with International Electric Code standards. If, at any time during the term of a conditional use granted under this section, the electric fence ceases to be commercially monitored by a third party, the conditional use shall stand automatically revoked and the applicant is prohibited from operating said electrical fencing unless the applicant provides written proof to the Zoning Official that certified staff has been hired as an employee(s) of the governmental or institutional entity to monitor the fencing.~~
- ~~(ii) The applicant shall submit with the conditional use application a narrative statement of why such fence is needed, a site plan showing the exact location of the electric fence and the outer fence, and the name of the company that will be installing and monitoring the fence, in addition to any other information required by the application.~~
- ~~(iii) The applicant shall install an outer fence at a distance of no less than four inches (4") nor more than twelve inches (12") from the electric fence. When the electric fence is located adjacent to a residential district, the outer fence shall be of a solid, opaque material with no gaps. When an electric fence is adjacent to a residential district that does not contain any dwellings, the Planning Commission, in its sole discretion, may waive the solid fence requirement, but shall make it a condition of the conditional use permit that an outer fence be constructed within thirty (30) days of the commencement of construction of any dwellings on properties adjacent to the electric fence within the residential district.~~
- ~~(iv) The height of the electric fence shall not exceed ten feet (10') and the outer fence shall be between six and eight feet (6'–8') in height.~~
- ~~(v) Warning signs shall be erected on the outer fence every fifty feet (50') of fence length, and shall contain a warning symbol and warnings in both English and Spanish.~~
- ~~(vi) A knox box shall be installed that will allow the City's Police Division and Fire & EMS Division a method to deactivate the fence. As a condition of the conditional use permit, the applicant shall be required to sign a release of liability against the City should any City Department have to deactivate or damage the fence due to an emergency.~~
- ~~(vii) As a condition of the conditional use permit, the applicant shall be required to carry liability insurance in an amount of not less than six million dollars (\$6,000,000). Said policy shall name the City as an additional insured and a copy of the current policy shall be provided to the City on a yearly basis. If, at any time during the term of a conditional use granted under this section, such insurance is cancelled or lapses, the conditional use shall stand automatically revoked and the applicant is~~

~~prohibited from operating said electrical fencing. This section shall not apply to applications made by the City of Franklin.~~

~~(14) Fast Food Restaurants and Food-Related Drive-In and Drive-Through Facilities~~

~~(A) Purpose: The use shall be for the sale of food for consumption on the premises and/or pick-up via drive-in or drive-through facility. Food-Related Drive-in and Drive-Through Facilities include, but are not limited to, fast food restaurants, drive-through restaurants that prepare and/or dispense food or beverages and do not provide a place for all its customers to eat inside the building, or which serve food or beverages for carry-out, or drive-in eating and drinking places, or establishments where customers may serve themselves and may eat or drink the food or beverages on the premises, and ice cream stands.~~

~~(B) Standards:~~

- ~~(i) All structures, including drive-in or drive-through windows and lanes, shall be set back at least one hundred (100) feet from any adjacent residential property.~~
- ~~(ii) Drive-through menu board signs shall include freestanding, pole, pylon and monument signs. One drive-through menu board sign may be approved as part of the Conditional Use Permit, but only when all of the following conditions are fulfilled: the sign is located on the property to which it refers; the sign is not visible from the public right-of-way; the sign does not exceed six feet (6') in height; and the sign is located at least seventy-five feet (75') from a residential district.~~
- ~~(iii) Loud speaker systems may be approved as part of the Conditional Use Permit if they do not create a nuisance for adjacent properties.~~
- ~~(iv) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(v) A solid wood fence, masonry wall, or hedge feet (6') in height shall be required along the property line on any side of the site adjacent to a residential property.~~
- ~~(vi) Off-street queuing space for seven (7) vehicles shall be provided for every drive-through and drive-in facility, unless Planning Commission modifies this requirement. Queuing spaces shall not block or otherwise interfere with parking or site circulation patterns.~~
- ~~(vii) Customer and employee parking shall be separated from drive-in and drive-through activities and customer parking shall be located in the area with highest accessibility to dining or sales areas. A bypass lane shall be provided adjacent to the drive through lanes, which shall be separate from space used for maneuvering.~~
- ~~(viii) The circulation system shall provide smooth, continuous traffic flow with efficient, non-conflicting movement throughout the site. Major pedestrian movements shall not conflict with major vehicular circulation movements.~~
- ~~(ix) Access shall be from an arterial street or commercial collector and shall be provided in a manner that does not cause heavy traffic on residential streets. Access to such facilities shall be provided in a manner that is least disruptive to pedestrian and vehicular traffic. Access drives shall be one hundred feet (100') from an intersection. Two (2) access drives per facility~~

~~may be permitted and interconnecting circulation aisles between parcels shall be provided in cross-access easements.~~

- ~~(x) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(xi) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(xii) Hours of operation may be regulated by the Planning Commission, and made a part of the conditions of the Conditional Use Permit.~~
- ~~(xiii) This use may be permitted where the applicant can demonstrate that the use is distributed and properly integrated into the site plan to avoid congestion, to minimize conflict points between auto traffic and pedestrians, to reduce the number of curb cuts and to prevent strip type development.~~

~~(15) **Gasoline Service Station and Gasoline Service Stations with Convenience Food Stores:**~~

~~(A) Purpose: An establishment or business with one or more fueling positions, and of which the sale and storage of automotive fuel to the public is the principal activity, or an establishment or business with one or more fueling positions, which also offers for retail sale other related motor vehicle products, household consumer merchandise, beverages, cigarettes, packaged foods, and/or the preparation and sales of delicatessen sandwiches, ice cream counters or other foods, and other related items.~~

~~(B) Standards:~~

- ~~(i) Facilities shall be compatible with the surrounding area with sufficient site area to accommodate existing and future uses.~~
- ~~(ii) All outdoor storage, if permitted by Planning Commission, must be completely screened from view from adjacent properties and the street.~~
- ~~(iii) No portion of the structure or its appurtenances, including ancillary, associated, or auxiliary equipment shall be located in front of the established building line.~~
- ~~(iv) All outdoor display areas, gasoline pumps, canopies, and any buildings used for service shall be located at least fifty (50) feet from any adjacent residential property or district.~~
- ~~(v) A solid wood fence, masonry wall, or hedge feet (6') high shall be required along any property line adjacent to a residential use or district.~~
- ~~(vi) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~
- ~~(vii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access~~

~~drives shall be as approved by the City Engineer.~~

~~(viii) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation~~

~~movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~

- ~~(ix) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(x) Off-street, queuing space shall be provided for two (2) vehicles for each gasoline pump island located on the site. Queuing spaces shall not block or otherwise interfere with parking or site circulation patterns. Customer and employee parking shall be separated from drive-through activities, and customer parking shall be located in the area with highest accessibility to customer sales.~~
- ~~(xi) All areas not paved or covered by the building shall be landscaped and all landscaped areas shall be separated from all paved areas by six inch (6") high curbing.~~
- ~~(xii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(xiii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(xiv) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(xv) The proposed use shall comply with all federal, state and/or local underground storage facilities requirements, licensing requirements and/or business regulations.~~

~~(16) **Group Homes (includes Adult Group Home, Community Alternative Home and Group Home for the Physically and Mentally Disabled):**~~

~~(A) Purpose: These uses provide accommodation to adults in need, as well as supervision and personal care services.~~

~~(B) Standards:~~

- ~~(i) The proposed facility must meet all federal and/or state certification, licensing or approval requirements.~~
- ~~(ii) The proposed facility must meet local fire safety requirements and Ohio Building Code requirements for the proposed use and level of occupancy.~~
- ~~(iii) The proposed use shall not generate an unreasonable increase in traffic volume or require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in section 1111.07.~~
- ~~(iv) Such facilities shall not be located within six hundred feet (600'), including a public or private right-of-way, of an existing group home.~~

~~(v) The exterior of the facility shall be compatible with the residential character of the neighborhood.~~

- ~~(vi) The facility shall be reasonably accessible, by virtue of its location or transportation provided by the applicant, to medical, recreational and retail services required by its residents, and to employment opportunities, if applicable.~~
- ~~(vii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(viii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(ix) The applicant shall provide a plan indicating the manner in which the facility will maintain contact with neighborhood residents, and will include a structured procedure whereby any neighbor grievances may be filed and resolved.~~
- ~~(x) The applicant will provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.~~

~~(17) Health Care and Human Services:~~

~~(A) Purpose: A facility or institution, whether public or private, principally engaged in providing services for health maintenance, diagnosis or treatment of human needs including, but not limited to, diagnostic centers, treatment centers, rehabilitation centers, extended care centers, intermediate care facilities, outpatient services or central service facilities serving one or more institutions.~~

~~(B) Standards:~~

- ~~(i) The proposed use shall meet all applicable federal, state and/or local licensing requirements, certification requirements and/or business regulations.~~
- ~~(ii) The proposed facility must meet local fire safety requirements and Ohio Building Code requirements for the proposed use and level of occupancy.~~
- ~~(iii) The proposed use shall not generate an unreasonable increase in traffic volume or require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in section 1111.07.~~
- ~~(iv) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(v) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(vi) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~

~~(vii) Cut-off type fighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~

- ~~(viii) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion and promote safety.~~
- ~~(ix) When adjacent to residential districts, all buildings shall be set back an additional one foot (1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty five feet (35') in height.~~
- ~~(x) A solid wood fence, masonry wall, or hedge six feet (6') high shall be required along any property line adjacent to a residential use or residential district.~~
- ~~(xi) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~
- ~~(xii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(xiii) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~
- ~~(xiv) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(xv) The applicant will provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.~~

~~(18) Hotel, Lodge, and Motel:~~

- ~~(A) Purpose: The use shall be for the purpose of providing overnight accommodation to transient guests for compensation.~~
- ~~(B) Standards:~~
 - ~~(i) Parking and service areas shall be completely screened from view by a six foot (6') solid fence, wall or evergreen hedge when adjacent to a residential use or district.~~
 - ~~(ii) Access to an arterial or collector street is required. Sufficient area shall be provided to accommodate vehicular loading, unloading and drop-off without conflicting with parking and drive aisles.~~
 - ~~(iii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~

~~(iv) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~

- ~~(v) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(vi) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(vii) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~
- ~~(viii) This use may be permitted where the applicant can demonstrate that the use is distributed and properly integrated into the site plan to avoid congestion, to minimize conflict points between auto traffic and pedestrians, to reduce the number of curb cuts and to prevent strip type development.~~

(19) In-Law Suites:

~~(A) Purpose: The use shall be for the purpose allowing an independent dwelling unit in conjunction with and clearly subordinate to a primary dwelling unit, for the habitation of family members as described below:~~

~~(B) Standards:~~

- ~~(i) The in-law suite must be located in the principal structure, which includes attached garages or areas over attached garages, and shall only include basements when such basements have their own, separate ingress and egress.~~
- ~~(ii) Maximum size of the in-law suite shall not exceed eight hundred sixteen square feet (816 sq. ft.).~~
- ~~(iii) The structure must maintain a single family residential appearance that blends with the principal structure and the neighborhood. An architectural rendering and floor plan must be provided and approved by Planning Commission. Said plans shall include a landscape plan, which will be followed as approved.~~
- ~~(iv) The in-law suite may be located on the first or second floor.~~
- ~~(v) Maximum lot coverage by all structures on one lot is thirty five percent (35%).~~
- ~~(vi) All in-law suites must meet the current edition of the Ohio Building Code.~~
- ~~(vii) The property owner must live on site, and the in-law suite must be subservient to the principal use of the property as a dwelling.~~
- ~~(viii) The in-law suite shall be occupied only by a member of the family of the owner of the principal residence, who is related to the owner by blood, marriage or adoption.~~

~~(20) **Keeping of Farm Animals in the R-1A District:**~~

~~(A) Purpose: It is recognized that the R-1A Estate Residential District, due to its larger lot size and the location of the District, may provide adequate area for~~

~~some limited agricultural uses. This use shall be for the purpose of allowing limited agricultural uses in the R-1A, Estate Residential District on lots less than two (2) acres. No agricultural uses shall be permitted in the R-1A District on lot less than two (2) acres without a conditional use permit, and such uses shall be subject to the requirements and conditions placed upon them by these standards and any additional conditions set forth by the Planning Commission.~~

~~(B) Limitations: Such uses shall be limited to one (1) sheep, goat, hog or other small farm animal.~~

~~(C) Standards:~~

~~(i) The structure containing the farm animal or horse shall be located not less than one hundred feet (100') from any adjoining residence.~~

~~(ii) No storage of manure or odor or dust-producing substance shall be permitted.~~

~~(iii) Land shall be fenced so as to securely confine such animals. Such fencing shall not be located closer to any public right-of-way or private street than the minimum setback in the District and shall not be located closer than fifteen feet (15') from any other residential property line.~~

~~(iv) The use shall comply in all respects with any and all applicable state and federal regulations.~~

~~(D) Validity: The Conditional Use Permit for the Keeping of Farm Animals in the R-1A District may be issued for an initial period of one (1) year and renewed for three (3) year periods thereafter. Conditional Use Permits shall be specific to the owner and property for which the Permit is approved; they shall not be transferable to a subsequent owner of the property, nor shall they transfer with the owner to another location. Such Permit shall terminate upon the property no longer being used for such use or upon the sale or change of ownership of such dwelling or land, or upon violation of any provisions of this Section.~~

~~(21) **Landing Fields:**~~

~~(A) Purpose: A specific area designated for the take-off and landing of aircraft.~~

~~(B) Standards:~~

~~(i) The applicant must provide documentation that the proposed use meets all FAA requirements.~~

~~(ii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~

~~(iii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~

~~(iv) Cut-off type fighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~

~~(22) Large Format Retail Standards:~~

~~(A) Purpose: The intent of this Section is to provide development standards for retail uses larger than fifty thousand square feet (50,000 sq. ft.) of gross floor area.~~

~~(B) Standards:~~

- ~~(i) All facades of a building that are visible from adjoining properties and/or public streets shall contribute to the pleasing scale features of the building and encourage community integration by featuring characteristics similar to a front facade.~~
- ~~(ii) All sides of a principal building that directly face an abutting public street shall feature at least one (1) customer entrance. Where a principal building directly faces more than two (2) abutting public streets, this requirement shall apply only to two (2) sides of the building, including the side of the building facing the primary street, and another side of the building facing a secondary street.~~
- ~~(iii) Facades greater than one hundred feet (100') in length shall incorporate recesses and projections a minimum of three feet (3') in depth and a minimum of twenty contiguous feet (20') within each one hundred feet (100') of facade length. Windows, awnings, entry areas, and arcades shall total at least sixty percent (60%) of the facade length facing a public street.~~
- ~~(iv) Smaller retail spaces that are part of a larger principal retail building shall be transparent between the height of three feet (3') and eight feet (8') above the walkway grade for no less than sixty percent (60%) of the horizontal length of the building facade. Windows shall be recessed and should include visually prominent sills, shutters, or other such forms of framing. Smaller retail spaces shall have separate outside entrances.~~
- ~~(v) Building facades shall include a repeating pattern that shall include no less than three (3) of the following elements: color change, texture change, material module change, or expression of architectural or structural bay through a change in plane no less than twelve inches (12") in width, such as an offset, reveal, or projecting rib. At least one of these elements shall repeat horizontally. All elements shall repeat at intervals of no more than thirty (30) feet, either horizontally or vertically.~~
- ~~(vi) Rooflines shall provide variations to reduce the massive scale of these structures and to add visual interest. Rooflines shall have a change in height every one hundred linear feet (100') in the building length. Parapets, mansard roofs, gable roofs, hip roofs, or dormers shall be used to conceal flat roofs and rooftop mechanical equipment from public view. Alternating lengths and designs may be acceptable and can be addressed during the Development Plan.~~
- ~~(vii) Predominant exterior building materials shall be of high quality. These include brick, wood, limestone, other native stone, and tinted/textured concrete masonry units. Smooth faced concrete block, tilt up concrete panels, or pre-fabricated steel panels are prohibited as exterior building materials.~~
- ~~(viii) Facade colors shall be of low reflectance, subtle, neutral or earth tone~~

~~colors. The use of high intensity colors, metallic colors, black or fluorescent colors is prohibited.~~

- ~~(ix) Building trim may feature brighter colors than facade colors, but neon tubing is prohibited.~~
- ~~(x) Each principal building or tenant space shall have a clearly defined, highly visible customer entrance with a minimum of three (3) of the following features: canopies, porticos, overhangs, recesses/projections, arcades, raised cornice parapets over the door, peaked roof forms, arches, outdoor patios, display windows, architectural details such as tile work and moldings which are integrated into the building structure and design, integral planters or wing walls that incorporate landscaped areas and/or places for sitting.~~
- ~~(xi) Loading docks, trash collection, outdoor storage and similar facilities and functions, as provided for by the Ohio Building Code, shall be incorporated into the overall design of the building and the landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Use of screening materials that are different from or inferior to the principal materials of the building and landscape is prohibited. No areas for outdoor storage, trash collection or compaction, loading or other such uses shall be located within twenty feet (20') of any public or private street, public sidewalk or access easement, or internal pedestrian way. No delivery, loading, trash removal, or similar operations are permitted between the hours of 10:00 p.m. and 7:00 a.m., except in special circumstances and where steps are taken to reduce noise impacts.~~
- ~~(xii) Each retail development shall contribute to the establishment or enhancement of the community and public spaces by providing at least two (2) community amenities such as a patio/seating area, pedestrian plaza with benches, outdoor play area, kiosk area, water feature, clock tower, steeple, or other such deliberately shaped area and/or a focal feature or amenity that adequately enhances such community and public spaces. Any such areas shall have direct access to the public sidewalk network and such features shall not be constructed of materials that are inferior to the principal materials of the building and landscape.~~
- ~~(xiii) A continuous internal pedestrian walkway shall be provided from the perimeter public sidewalk to the principal customer entrance. This internal walkway must feature landscaping, benches, and other such materials/facilities for no less than fifty percent (50%) of its length.~~
- ~~(xiv) Sidewalks shall be provided along the full length of the building along any facade featuring a customer entrance and along any facade abutting public parking areas. Such sidewalks shall be located at least six feet (6') from the facade of the building to provide planting beds for foundation landscaping.~~
- ~~(xv) Internal pedestrian walkways shall provide a weather protection feature such as an awning within thirty feet (30') of all customer entrances.~~
- ~~(xvi) The internal pedestrian walkways shall be distinguished from driving surfaces through the use of special pavers, bricks, or scored concrete to enhance pedestrian safety and the attractiveness of the walkways.~~

~~(xvii) The proposed use shall comply with the City's Parking Regulations, contained in section 1111.07, and no more than sixty percent (60%) of the off-street parking area for the entire property shall be located between the~~

~~front facade of the principal building and the primary abutting street, unless the principal building and/or parking lots are screened from view by out-lot development and additional tree plantings and/or earth berms.~~

- ~~(xviii) Where building facades face adjacent residential uses, an earthen berm shall be installed, no less than six feet (6') in height, containing at a minimum, a double row of evergreen or deciduous trees planted at intervals of fifteen feet (15') on center. Additional landscaping may be required to effectively buffer adjacent land use as deemed appropriate.~~
- ~~(xix) Primary tenant spaces that exceed seven thousand five hundred gross square feet (7,500 sq. ft.) in area shall be structurally designed to be easily divided into smaller tenant spaces.~~
- ~~(xx) Standing seam metal roofs are strongly preferred.~~
- ~~(xxi) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(xxii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(xxiii) In its discretion, Planning Commission may waive or modify any of these requirements as they apply to a particular use.~~

~~(23) Medical and Health-Related Office:~~

~~(A) Purpose: A commercial or noncommercial establishment that provides, as its primary activity, health-related services to the general public on an outpatient basis. Examples of such uses include, but are not limited to, doctors' offices and dentists' offices.~~

~~(B) Standards:~~

- ~~(i) The proposed use shall not provide space for overnight treatment.~~
- ~~(ii) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(iii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(iv) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(v) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(vi) The proposed use shall meet all applicable federal, state and/or local~~

~~licensing requirements, certification requirements and/or business regulations.~~

~~(vii) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject~~

~~to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~

~~(viii) A solid wood fence, masonry wall, or hedge six feet (6') high shall be required along any property line adjacent to a residential use or district.~~

~~(24) **Motor Vehicle-Oriented Business:**~~

~~(A) Purpose: The use shall be for the purpose of providing services to motor vehicles, including but not limited to oil-change facilities, tire service business, etc. It is exclusive of drive-through structures, such as restaurants, banks, etc.~~

~~(B) Standards:~~

- ~~(i) Facilities shall be compatible with the surrounding area with sufficient site area to accommodate existing and future uses.~~
- ~~(ii) All outdoor storage must be completely screened from view from adjacent properties and the street.~~
- ~~(iii) All hydraulic hoists, oil pits and all lubricants, greasing and repair equipment shall be enclosed entirely within a building. No outdoor assembly or repair of motor vehicles shall be permitted.~~
- ~~(iv) No portion of the structure or its appurtenances, including ancillary, associated, or auxiliary equipment shall be located in front of the established building line.~~
- ~~(v) All outdoor display areas, gasoline pumps, canopies, and any buildings used for service shall be located at least fifty (50) feet from any adjacent residential property or district.~~
- ~~(vi) A solid wood fence, masonry wall, or hedge feet (6') high shall be required along any property line adjacent to a residential use or district.~~
- ~~(vii) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~
- ~~(viii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(ix) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~
- ~~(x) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(xi) Off-street queuing space for seven (7) vehicles shall be provided for every~~

~~drive-through and drive-in facility, unless Planning Commission modifies this requirement. Queuing spaces shall not block or otherwise interfere with parking or site circulation patterns.~~

- ~~(xii) Off street, queuing space shall be provided for two (2) vehicles for each gasoline pump island located on the site. Queuing spaces shall not block or otherwise interfere with parking or site circulation patterns. Customer and employee parking shall be separated from drive-through activities and customer parking shall be located in the area with highest accessibility to customer sales.~~
- ~~(xiii) All areas not paved or covered by the building shall be landscaped and all landscaped areas shall be separated from all paved areas by six inch (6") high curbing.~~
- ~~(xiv) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(xv) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(xvi) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~

~~(25) **Personal Services:**~~

~~(A) Purpose: A commercial establishment that provides, as its primary activity, a service either to an individual or to an individual's personal property (excluding motor vehicles, boats or other vehicles). Examples of such uses include, but are not limited to, shoe repair shops, watch repair shops, banks, and savings and loan institutions.~~

~~(B) Standards:~~

- ~~(i) The proposed use shall not generate an unreasonable increase in traffic volume or require special off street parking, and may not use on street parking to meet the parking requirements applicable to it, as outlined in section 1111.07.~~
- ~~(ii) The lot area shall be adequate to accommodate the required off street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(iii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(iv) The proposed use shall comply with the Landscaping Standards contained in section 1111.05.~~
- ~~(v) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(vi) No portion of the structure or its appurtenances, including ancillary, associated, or auxiliary equipment shall be located in front of the~~

~~established building line.~~

~~(vii) If adjacent to a residential use or residential district, such use shall not create excess noise, dust, odors or other nuisances.~~

- ~~(viii) Planning Commission may limit the hours of operation of such use to assure compatibility with adjacent uses.~~
- ~~(ix) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~
- ~~(x) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(xi) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~
- ~~(xii) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(xiii) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~
- ~~(xiv) This use may be permitted where the applicant can demonstrate that the use is distributed and properly integrated into the site plan to avoid congestion, to minimize conflict points between auto traffic and pedestrians, to reduce the number of curb cuts and to prevent strip type development.~~

~~(26) **Recreation, Commercial:**~~

~~(A) Purpose: A commercial establishment that provides, as its primary activity, outdoor space for various types of sporting and/or leisure activities, though a portion of the activities may be carried on within an enclosed building. Includes all uses such as golf courses, go-cart racing, putt-putt golf, paint ball facilities, and driving ranges that are privately owned and operated with the intention or earning a profit by providing entertainment for the public.~~

~~(B) Standards:~~

- ~~(i) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(ii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(iii) The proposed use shall comply with the Landscaping Standards~~

~~contained in section 1111.06, and the City's Parking Regulations,
contained in section 1111.07.~~

- ~~(iv) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residential properties.~~
- ~~(v) A solid wood fence, masonry wall, or hedge six (6) feet high shall be required along any property line adjacent to a residential use or district.~~
- ~~(vi) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~
- ~~(vii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(viii) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~
- ~~(ix) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(x) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~
- ~~(xi) The exterior of any buildings shall be compatible with the residential character of the neighborhood.~~
- ~~(xii) In residential districts, all buildings shall be set back an additional one foot (1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty-five feet (35') in height.~~
- ~~(xiii) If adjacent to a residential use or residential district, such use shall not create excess noise, dust, odors or other nuisances.~~
- ~~(xiv) Planning Commission may limit the hours of operation of such use to assure compatibility with adjacent uses.~~
- ~~(xv) This use may be permitted where the applicant can demonstrate that the use is distributed and properly integrated into the site plan to avoid congestion, to minimize conflict points between auto traffic and pedestrians, to reduce the number of curb cuts and to prevent strip type development.~~

~~(27) Residential Treatment Facility:~~

- ~~(A) Purpose: This use provides residential services to adults in need, who cannot otherwise care for themselves, or who are convalescing or undergoing rehabilitation and/or treatment.~~

~~(B) Standards:~~

- ~~(i) The proposed facility must meet federal and/or state certification, licensing or approval requirements.~~

- ~~(ii) The proposed facility must meet local fire safety requirements and Ohio Building Code Requirements for the proposed use and level of occupancy.~~
- ~~(iii) The proposed use shall not generate an unreasonable increase in traffic volume or require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in section 1111.07.~~
- ~~(iv) Such facilities shall not be located within six hundred (600) feet, including a public or private right-of-way, of an existing group home or other residential treatment facility.~~
- ~~(v) The exterior of the facility shall be compatible with the residential character of the neighborhood.~~
- ~~(vi) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit~~
- ~~(vii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(viii) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(ix) The applicant shall provide a plan indicating the manner in which the facility will maintain contact with neighborhood residents, and will include a structured procedure whereby any neighbor grievances may be filed and resolved.~~
- ~~(x) The applicant will provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.~~

~~(28) Restaurants:~~

~~(A) Purpose: A commercial establishment that provides, as its primary activity, prepared food for consumption on the premises inside of a building.~~

~~(B) Standards:~~

- ~~(i) The proposed use shall not generate an unreasonable increase in traffic volume or require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in section 1111.07.~~
- ~~(ii) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(iii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use~~

Permit.

~~(iv) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations,~~

contained in section 1111.07.

- ~~(v) Cut-off type fighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(vi) No portion of the structure or its appurtenances, including ancillary, associated, or auxiliary equipment shall be located in front of the established building line.~~
- ~~(vii) A restaurant shall not include drive-through facilities or any other facilities for eating or picking up food outside of the building except upon approval of a Food-Related Drive-Through Conditional Use by the Planning Commission, under section 1113.01(e)(14).~~
- ~~(viii) A solid wood fence, masonry wall, or hedge six feet (6') in height shall be required along any property line adjacent to a residential use or district.~~
- ~~(ix) If adjacent to a residential use or residential district, such use shall not create excess noise, dust, odors or other nuisances.~~
- ~~(x) Planning Commission may limit the hours of operation of such use to assure compatibility with adjacent uses.~~
- ~~(xi) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~
- ~~(xii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(xiii) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~
- ~~(xiv) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(xv) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~
- ~~(xvi) This use may be permitted where the applicant can demonstrate that the use is distributed and properly integrated into the site plan to avoid congestion, to minimize conflict points between auto traffic and pedestrians, to reduce the number of curb cuts and to prevent strip-type development.~~

~~(29) Retail, Including Business Retail, Consumer Retail, General Retail, Grocery Food and Beverage, and Variety Store or Price-Point Retailer):~~

(A) Purpose:

~~(i) *Business Retail*: A commercial establishment that provides, as its primary activity, sales of goods and/or services to other commercial~~

~~establishments. Examples of such uses include, but are not limited to, office furniture stores, uniform and linen services.~~

- ~~(ii) *Consumer Retail*: A commercial establishment (excluding a restaurant or motor vehicle) that provides, as its primary activity, sales of goods to the general public. Establishments in this category retail a wide range of product lines including apparel, appliances and home furnishings, paint, hardware, toiletries, cosmetics, photographic equipment, jewelry, toys, sporting goods, automotive parts, and dry goods.~~
- ~~(iii) *General Retail*: A commercial establishment (excluding a restaurant or motor vehicle) that has, as its primary activity, the sale of goods to the general public. Examples of such uses include garden shops, building supply stores and contractor showrooms.~~
- ~~(iv) *Grocery Food and Beverage*: Establishments that retail food and beverage merchandise from fixed point of sale locations and that have special equipment (e.g., freezers, refrigerated display cases and refrigerators) for displaying food and beverage goods.~~
- ~~(v) *Variety Store or Point-Price Retailer*: Commercial establishments that sell a wide range of inexpensive household goods, often selling or advertising all goods at a single price, which is reflected in the name of the establishment.~~

~~(B) Standards:~~

- ~~(i) The proposed use shall not generate an unreasonable increase in traffic volume or require special off-street parking, and may not use on-street parking to meet the parking requirements applicable to it, as outlined in section 1111.07.~~
- ~~(ii) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~
- ~~(iii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(iv) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(v) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(vi) No portion of the structure or its appurtenances, including ancillary, associated, or auxiliary equipment shall be located in front of the established building line.~~
- ~~(vii) All outdoor display areas, canopies, and any buildings used for service shall be located at least fifty feet (50') from any adjacent residential property or district.~~

~~(viii) When adjacent to residential districts, all buildings shall be set back an additional one foot (1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty five feet (35') in height.~~

- ~~(ix) A solid wood fence, masonry wall, or hedge six feet (6') in height shall be required along any property line adjacent to a residential use or residential district.~~
- ~~(x) If adjacent to a residential use or residential district, such use shall not create excess noise, dust, odors or other nuisances.~~
- ~~(xi) Planning Commission may limit the hours of operation of such use to assure compatibility with adjacent uses.~~
- ~~(xii) The minimum distance of driveways from intersections shall be as approved by the City Engineer. The minimum distance of driveways to an entrance of a school, place of worship, cemetery, or day care center shall be as approved by the City Engineer.~~
- ~~(xiii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(xiv) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~
- ~~(xv) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(xvi) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~
- ~~(xvii) Grocery Food and Beverage establishments shall have staff trained in the processing of food products to guarantee the proper storage and sanitary conditions required by regulatory authority.~~
- ~~(xviii) Such use may be permitted where the applicant can demonstrate that the use is distributed and properly integrated into the site plan to avoid congestion, to minimize conflict points between auto traffic and pedestrians, to reduce the number of curb cuts and to prevent strip type development.~~

~~(30) Schools, including Colleges and Universities:~~

~~(A) Purpose: This use includes Elementary Schools, Junior High Schools, Senior High Schools, and colleges and universities, which are institutions other than a trade schools that provide full-time or part-time education beyond high school.~~

~~(B) Standards:~~

- ~~(i) The lot area shall be adequate to accommodate the required off-street parking requirements without any variances to said requirements, as outlined in section 1111.07.~~

~~(ii) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be~~

~~approved by Planning Commission as a part of the Conditional Use Permit.~~

- ~~(iii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(iv) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(v) In residential districts, all buildings shall be set back an additional one foot (1') over the usual yard requirements for each one foot (1') of the building that exceeds thirty-five feet (35') in height.~~
- ~~(vi) A solid wood fence, masonry wall, or hedge six feet (6') in height shall be required along any property line adjacent to a residential use or residential district.~~
- ~~(vii) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, promote safety, and reduction in the impact on the residential character of the neighborhood, as applicable.~~

~~(31) **Self-Service Storage Facilities or Mini-Warehouses:**~~

~~(A) Purpose: A facility consisting of a building or group of buildings, usually in a controlled access compound, that may contain varying sizes of individual, self-contained, enclosed, compartmentalized and controlled access stalls or lockers for the dead storage of customers' residential goods or wares, that are owned, leased or rented.~~

~~(B) Standards:~~

- ~~(i) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(ii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(iii) A solid wood fence, masonry wall, or hedge six (6) feet in height shall be required along any property line adjacent to a residential use or residential district.~~
- ~~(iv) The proposed facility must meet local fire safety and Ohio Building Code requirements for the proposed use and level of occupancy.~~
- ~~(v) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(vi) The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site. Major vehicular circulation~~

~~movements shall not conflict with major pedestrian movements. Interconnecting circulation aisles between parcels shall be provided.~~

~~(vii) The use shall meet the required number of loading spaces for industrial uses, as outlined in section 1111.07, unless otherwise required by~~

Planning Commission.

- ~~(viii) Every parking and loading space shall have sufficient access and maneuvering area. All maneuvering areas shall be on the same lot as the use the area is intended to serve.~~
- ~~(ix) The applicant shall submit a plan indicating safe traffic ingress and egress, traffic circulation, and on-site parking, which plan shall be subject to approval by Planning Commission to assure reduced congestion, and promote safety.~~
- ~~(x) No outside storage of any type shall be permitted.~~
- ~~(xi) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residential zoned properties.~~

(32) Skilled Nursing Facility:

~~(A) Purpose: A residential facility used for the care of the aged, infirm, chronically ill, incurably ill or any other person dependent on regular and ongoing nursing care.~~

~~(B) Standards:~~

- ~~(i) Such use shall not be equipped for surgical care or for treatment of acute disease or serious injury, nor shall it be primarily designed for patients being treated for mental illness or alcohol or drug addiction.~~
- ~~(ii) The proposed facility must meet federal and/or state certification, licensing or approval requirements.~~
- ~~(iii) The proposed facility must meet local fire safety requirements and Ohio Building Code requirements for the proposed use and level of occupancy.~~
- ~~(iv) The proposed use shall not generate an unreasonable increase in traffic volume or require special off street parking, and may not use on street parking to meet the parking requirements applicable to it, as outlined in section 1111.07.~~
- ~~(v) The exterior of the facility shall be compatible with the residential character of the neighborhood.~~
- ~~(vi) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(vii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06.~~
- ~~(viii) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~
- ~~(ix) The applicant will provide documentation indicating the need for the facility, the specific clientele it will serve, and the location and type of similar facilities operated by the applicant.~~

~~(33) **Small Loan Operations:**~~

~~(A) Purpose: It is the purpose of this section to regulate Small Loan Operations in order to promote the health, safety, morals and general welfare of the citizens of~~

~~the City of Franklin, and to establish reasonable and uniform regulations to prevent the deleterious location, concentration and/or saturation of Small Loan Operations within the City of Franklin.~~

~~(B) Findings: The City Council hereby finds that:~~

- ~~(i) Small Loan Operations create a financial drain on the local community as the more money that is exported from the local economy by excessive fees, the less money there is to spend within the local economy;~~
- ~~(ii) The concentration and/or saturation of Small Loan Operations within the City can have a detrimental impact on economic development and the local economy, as well as causing financial distress in low-to-moderate income areas;~~
- ~~(iii) The concentration and/or saturation of Small Loan Operations can lead to increased loan rates as an offset for lower business volume;~~
- ~~(iv) As a Charter City, the City of Franklin has the right and responsibility to protect the economic health, safety and welfare of its community; and~~
- ~~(v) To prevent the detrimental impact of Small Loan Operations, such uses should be regulated and permitted only as a conditional use when certain requirements are met.~~

~~(C) Definitions: Small Loan Operations include Alternative Finance Service Providers, Check-Cashing Businesses, Credit Service Organizations, Mortgage Loan Lenders, Short Term Loan Lenders, and/or Small Loan Lenders.~~

~~(D) Standards: To protect City neighborhoods from negative secondary effects created by the concentration and/or saturation of Small Loan Operations, the following standards shall apply:~~

- ~~(i) There shall be no more than one (1) Small Loan Operation located within the City of Franklin for each four thousand (4,000) persons residing in the City, as recorded in the most recent decennial U.S. Census. No additional Small Loan Operations shall be established if the current total number of Small Loan Operations within the City meets or exceeds the maximum number permitted under this section.~~
- ~~(ii) The proposed use shall meet all applicable Federal, State and/or local licensing requirements, certification requirements and/or business regulations;~~
- ~~(iii) The proposed facility shall meet local fire safety requirements and/or building code requirements for the proposed use and level of occupancy;~~
- ~~(iv) If adjacent to a residential zoning district or residential use, the exterior of the proposed facility shall be compatible with the residential character of the neighborhood;~~
- ~~(v) The proposed use shall comply with all applicable Landscaping Requirements contained in Section 1111.06;~~
- ~~(vi) The proposed use shall not generate an unreasonable increase in traffic volumes or require special off-street parking, and may not use on-street~~

~~parking to meet the parking requirements applicable to it, as contained in Section 1111.07;~~

- ~~(vii) The lot area shall be adequate to accommodate the required off-street parking requirements without any variance to said requirements, and the required parking shall be on the same lot as the principal use;~~
- ~~(viii) Every parking space shall have sufficient access and maneuvering area;~~
- ~~(ix) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, as contained in Section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit;~~
- ~~(x) Cut-off type lighting fixtures shall be used in parking areas to minimize impact on any neighboring residential uses;~~
- ~~(xi) The proposed use shall have traffic ingress and egress, traffic circulation, and on-site parking, as determined by the Planning Commission to assure reduced congestion and to promote safety. The circulation areas shall provide smooth, continuous flow with efficient, non-conflicting movement throughout the site, and major vehicular circulation movements shall not conflict with major pedestrian movements;~~
- ~~(xii) The minimum distance of driveways from intersections shall be as approved by the City Engineer;~~
- ~~(xiii) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer; and~~
- ~~(xiv) Hours of Operation may be regulated by the Planning Commission and made a part of the conditions of the Conditional Use Permit.~~

~~(34) Upper Floor Dwelling Units~~

- ~~(A) Purpose: The purpose of this use is to conditionally allow upper floor dwelling units in the C-2 District, where ground floor commercial uses, as permitted in the C-2 District, and residential uses on the upper floors of the same building are compatible.~~
- ~~(B) Standards:
 - ~~(i) Such dwelling units may not be located on the ground floor.~~
 - ~~(ii) The proposed dwelling unit must meet local fire safety requirements for the proposed use and level of occupancy.~~
 - ~~(iii) The proposed use must meet all Ohio Building Code requirements.~~
 - ~~(iv) All Upper Floor Dwelling Units shall be provided parking spaces in accordance with the multi-family parking requirements contained in section 1111.07; excepting that parking may be provided by a satellite parking lot.~~~~

~~(35) Vehicle Dealer (including new and used):~~

- ~~(i) Purpose: The use shall be for the display, for sale, lease or rental, of new or used~~

~~passenger motor vehicles, motorcycles, trucks, RV's and boats, where no repair work is done except minor incidental repair.~~

~~(ii) Standards:~~

- ~~(1) There shall be no parking or display of any vehicles within any right-of-way. The side/rear yard minimum dimensions shall be twenty (20') feet.~~
- ~~(2) All outdoor display, storage, and sales facilities and areas shall be maintained in a neat and orderly condition.~~
- ~~(3) The outdoor display of goods for sale shall not be located in areas intended for traffic circulation according to the site plan.~~
- ~~(4) Access shall be from an arterial street or collector or shall be provided in a manner that does not cause heavy impact on residential streets. Access drives shall be as approved by the City Engineer.~~
- ~~(5) Loud speaker systems may be approved as part of the Conditional Use Permit if they do not create a nuisance for adjacent properties.~~
- ~~(6) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residential properties.~~
- ~~(7) All outdoor display, storage, and sales facilities shall be limited to those shown on the approved site plan.~~
- ~~(8) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(9) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~

~~(36) **Vehicle Repair Services:**~~

~~(A) Purpose: A commercial establishment that provides, as its primary activity, repair or restoration of vehicles, including the rebuilding or reconditioning of engines and/or transmissions; collision services, including body, frame or fender straightening or repair; overall painting; vehicle steam cleaning; upholstery; and replacement of parts and motor service of passenger cars and trucks not exceeding one and one-half ton capacity.~~

~~(B) Standards:~~

- ~~(i) All activities, including, but not limited to, repair, restoration, cleaning, washing and drying operations, shall be performed entirely within an enclosed structure. During the time work is performed on a vehicle, the vehicle shall be entirely within the building.~~
- ~~(ii) There shall be no outside display of merchandise.~~
- ~~(iii) No unlicensed and/or inoperable vehicle shall be permitted on the property outside of the principal structure for more than forty-eight (48) hours.~~
- ~~(iv) Where the proposed use includes body and fender repair or painting, there will be no emissions of odors, dust, smoke, gas or fumes from the~~

~~premises on which the use is proposed to be located.~~

~~(v) All EPA guidelines for disposal or use of materials or chemicals shall be strictly complied with.~~

- ~~(vi) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(vii) The proposed use shall comply with the Landscaping Standards contained in section 1111.06, and the City's Parking Regulations, contained in section 1111.07.~~
- ~~(viii) A solid wood fence, masonry wall, or hedge six feet (6') in height shall be required along any property line adjacent to a residential use or residential district.~~
- ~~(ix) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residential properties.~~
- ~~(x) A Conditional Use Permit for a vehicle repair shop to be operated in conjunction with a gasoline service station may be granted by Planning Commission, provided that the proposed use meets the requirements of this paragraph and paragraph (14).~~

~~(37) **Veterinary Services (includes Animal Hospitals/Clinics, Veterinarian Offices and Grooming Services):**~~

~~(A) Purpose: This use provides grooming and/or care, diagnosis and treatment of sick, ailing, infirmed or injured animals and those in need of medical or surgical attention. This use may include overnight accommodations for the treatment, observation or recuperation of such animals, and may also include boarding if it is incidental to the primary activity.~~

~~(B) Standards:~~

- ~~(i) The proposed use shall not be in any structure housing a residential use.~~
- ~~(ii) There shall be no burial or incineration of animals on the premises.~~
- ~~(iii) All activities shall be conducted within a totally enclosed and air-conditioned building. If the applicant proposes outside animal runs, stalls or cages, such use must be specifically approved by Planning Commission, under the conditions that Planning Commission deems appropriate to assure the use will not have a detrimental effect on adjoining uses, and may include, without limitation, restrictions on hours of use and additional buffering requirements. If Planning Commission approves such outside animal runs, stalls or cages, the same shall be kept in a clean and sanitary condition and shall be screened from the view of the traveling public and any adjacent residential uses. A screening plan must be submitted to the Planning Commission for approval.~~
- ~~(iv) Any signage shall be of the type and size permitted in the zoning district under the City's sign regulations, outlined in section 1111.08, and shall be approved by Planning Commission as a part of the Conditional Use Permit.~~
- ~~(v) The proposed use shall comply with the Landscaping Standards~~

~~contained in section 1111.06, and the City's Parking Regulations,
contained in section 1111.07.~~

~~(vi) Cut-off type lighting fixtures shall be used in parking areas to minimize impact to neighboring residentially-zoned properties.~~

~~(f)~~(e) Validity: A Conditional Use Permit issued under this Section shall have no expiration date, but shall be subject to revocation, as provided below. Conditional Use Permits shall be specific to the applicant and the building, structure and/or address for which the Permit is approved; they shall not be transferable to a subsequent owner, tenant or occupant of the designated building, structure and/or address, nor shall they transfer with the applicant to another location. A Conditional Use Permit shall terminate upon the building, structure and/or address no longer being used for such Conditional Use, or upon the change of occupancy of such building, structure and/or address, or upon violation of any provisions of this Section.

~~(g)~~(f) Revocations:

- (1) The following shall be considered as grounds for the revocation of a Conditional Use Permit at any time during the term of the Permit:
 - (A) The violation of any one or more of the general or specific conditions of the Permit or of any special conditions placed upon the Permit by the Planning Commission;
 - (B) Any change in use that is different from that specified as permitted in the granted Permit;
 - (C) Any change in extent of use that results in a violation of the conditions of the Permit or any regulations contained in this UDO; and/or
 - (D) Failure to allow periodic inspections by the Zoning Official or his designee at any reasonable time;
- (2) For any of the reasons listed above, Planning Commission may, upon the recommendation of the Zoning Official, revoke a Conditional Use Permit. The holder of said Permit shall be notified of the time, date and place at which Planning Commission intends to consider a revocation of his Permit, and shall be given an opportunity to address Planning Commission on the matter.
- (3) Conditional Use Permits that have been revoked may not be applied for again until a period of one year has lapsed from the date of revocation.
- (4) The provisions of the Section shall not be construed as limiting in any manner the powers or authority of the City of Franklin to protect the health, safety and welfare of its residents, including the investigation and elimination of nuisances.

(Ord. 2009-14. Passed 7-6-09; Ord. 2010-22. Passed 12-6-10; Ord. 2013-09. Passed 6-17-13; Ord. 2013-18. Passed 11-4-13; Ord. 2014-17. Passed 1-5-15; Ord. 2017-01. Passed 2-6-17.)

HISTORY

Amended by Ord. [2018-08](#) on 5/21/2018

Amended by Ord. [2018-19](#) on 11/5/2018

Amended by Ord. [2022-01](#) on 3/8/2022

Amended by Ord. [2022-12](#) on 5/21/2022

Amended by Ord. [2023-01](#) on 3/17/2023

~~Amended by Ord. [2025-XX](#) on X/XX/XXXX~~