

CHAPTER 1272
Retail Business District

1272.01	Intent.	1272.07	Yard regulations.
1272.02	Main uses.	1272.08	Schedule of yard regulations.
1272.03	Conditional uses.	1272.09	Landscaping and buffering.
1272.04	Accessory uses.	1272.10	Projections.
1272.05	Regulations as to density, lot width, and lot coverage.	1272.11	Off-street parking.
1272.06	Schedule as to density, lot width, and lot coverage.	1272.12	Height regulations.

CROSS REFERENCES

Division of municipal corporation into zones - see Ohio R.C. 713.06
 Notice and hearing on municipal zoning regulations - see Ohio R.C. 713.12
 Effect of zoning on laws and charters - see Ohio R.C. 713.14
 Retroactive zoning ordinances prohibited - see Ohio R.C. 713.15
 Landscaping and environmental preservation - see P. & Z. Ch. 1280
 Off-street parking - see P. & Z. Ch. 1282
 Signs - see P. & Z. Ch. 1284
 Nonconforming uses - see P. & Z. Ch. 1286
 Wireless telecommunications facilities - see P. & Z. Ch. 1288
 Supplementary regulations - see P. & Z. Ch. 1290

1272.01 INTENT.

The Retail Business District and its regulations are established in order to achieve, among others, the following purposes:

- (a) To provide sufficient but not excessive land area for the business needs of the Village.
- (b) To foster the continuation of retail business and similar establishments now present within the community in conformance with recognized and reasonable standards in order that they may be compatible with the residential areas of the Village.

- (c) To allow, where appropriate, for the expansion and development of retail business and similar uses, thereby meeting the future needs within the Village for such activities.
- (d) To prohibit retail business and similar development which would create conditions detrimental to the public health, safety and general welfare and which would be incompatible with and detrimental to adjacent and surrounding uses, by regulating and controlling the types of uses which would create substantial hazards, noise, odors, traffic and other objectionable influences.
- (e) To insure the availability of suitable areas for retail business and similar uses by discouraging any undesirable uses in such areas.
- (f) To protect permitted development from congestion by limiting the bulk and density of development in relation to adjacent buildings and available land, by requiring sufficient off-street parking and loading facilities, and by requiring buffers and screening to protect adjacent areas from objectionable influences.
- (g) To promote the most desirable use of land and buildings in accordance with a well considered plan in order to stabilize residential and business development and enhance property values.
- (h) To encourage the tendency of business to group in centers for the mutual advantage of customers and retail establishments.
(Ord. 73-94. Passed 10-4-94.)

1272.02 MAIN USES.

In a Retail Business District, no land shall be used, or any building erected, which is arranged, intended or designed to be used for any other use than the following:

- (a) Retail stores and service stores which deal directly with the ultimate consumer, when conducted wholly within an enclosed building, and devoted to supplying the following neighborhood needs:
 - (1) Sale of baked goods, confectionery, groceries, meats, fruits, vegetables, dairy products and similar food and beverages, but excluding intoxicating beverages.
 - (2) Sale, servicing and consumption of food, soft drinks, juices and ice cream, if no dancing or entertainment is provided and if no food or beverage is consumed outside of the building.
 - (3) Sale of drugs and items customarily found in drug stores, gifts, antiques, tobacco, art goods, flowers, periodicals, musical instruments and items customarily found in music stores, sporting and athletic goods, bicycles and motorcycles.

- (4) Sale of hardware, tools, paint, household appliances and items customarily found in hardware stores, wall covering stores and floor covering stores.
 - (5) Sale of new wearing apparel, dry goods, draperies, curtains and interior household furniture and effects.
 - (6) Beauty shops, barber shops, laundromats, laundry agencies, shoe and hat repair shops, radio and television repair shops, pressing and dry cleaning stores, if limited to the use of nonexplosive solvents, and if no work is done for retail outlets elsewhere, and dressmaking and tailor shops.
 - (7) Real estate offices, insurance agencies, offices of doctors, dentists, attorneys and other similar professions and dental and medical clinics.
 - (8) Assembly and meeting halls and theaters.
 - (9) Sale of gardening and landscaping supplies.
 - (10) Sale of new automobiles and of new automotive parts.
- (b) Retail stores, service stores, and establishments which deal directly with the ultimate consumer and devoted to supplying the following neighborhood needs: Sale of new automobiles, and sale of used automobiles if operated by the dealer of a new automobile agency, and, in both instances, no automobiles shall be placed in front of the building setback line.
- (c) Any use determined by the Board of Zoning Appeals to be similar to the above uses and permitted by it in accordance with the provisions set forth in Chapter 1264. (Ord. 73-94. Passed 10-4-94.)

1272.03 CONDITIONAL USES.

Because of their uncommon characteristics, infrequent occurrences, large area requirements or for any other reason they should not be permitted as a matter of right without special requirements, the following conditional uses are permitted only when the same is approved by the Board of Zoning Appeals, after a public hearing in accordance with the regulations hereinafter set forth.

- (a) Municipal and public buildings, parks, playgrounds and public schools.
 - (b) Churches, day nurseries and parochial and private schools.
- (Ord. 73-94. Passed 10-4-94.)

1272.04 ACCESSORY USES.

No accessory use shall be permitted to the main uses set forth in Section 1272.03 other than the following:

- (a) Storage garages, maintenance and storage facilities and loading facilities.
 - (b) Repairing and servicing of goods sold or carried in stock, excluding repairing and servicing for other stores or shops.
 - (c) Business signs as regulated under Chapter 1284.
- (Ord. 73-94. Passed 10-4-94.)

1272.05 REGULATIONS AS TO DENSITY, LOT WIDTH, AND LOT COVERAGE.

(a) When a lot is used for any main use in a Retail Business District, only one building shall be located or one use shall be conducted upon the same lot, and no such building or use shall be located or conducted to the rear of another building or use on the same lot.

(b) A lot intended to be used for any main retail business use must have a frontage upon a duly dedicated and accepted street measured at the front building setback line established for it or as shown on the Zoning Map.

(c) All buildings within the Retail Business District shall conform to the regulations set forth in Section 1272.06.

(Ord. 73-94. Passed 10-4-94.)

1272.06 SCHEDULE AS TO DENSITY, LOT WIDTH, AND LOT COVERAGE.

District	Permitted Main Use	Number of Main Use Buildings Per Lot	Lot Coverage	Minimum Lot Width (Ft.)
Retail District	Retail Business	1	Maximum 30% of the lot area	50

(Ord. 73-94. Passed 10-4-94.)

1272.07 YARD REGULATIONS.

(a) For a main use within a Retail Business District, all front yards shall be measured at right angles from the side line of the street to the foundation wall.

(b) For a main use, each lot shall have two side yards.

(c) No business shall conduct loading or unloading within the front yard.

(d) The yard dimensions shall not be less than those set forth in Section 1272.08.

(Ord. 73-94. Passed 10-4-94.)

1272.08 SCHEDULE OF YARD REGULATIONS.

District	Main Use	Min. Front Yard (Ft.)	Min. Single Side Yard Width (Ft.)	Min. Combined Side Yard Width (Ft.)	Min. Rear Yard (Ft.)
Retail District	Retail Business	30	10	25	20

(Ord. 73-94. Passed 10-4-94.)

1272.09 LANDSCAPING AND BUFFERING.

(a) Where a lot within a Retail Business District adjoins a Residential District, then a wall or fence of not less than seven feet in height shall be required, unless all residential property owners in the rear and on either side, as the case may be, abutting the retail development, waive, in writing, such requirements and the same be filed with the Village.

(b) Where a proposed building is to be located on a dead-end street with a turn-around, no wall of such proposed building, when measured along the projection of the center line of the street leading to such turn-around, shall extend more than 260 feet in distance from the center point of the subject turn-around.

(c) In addition to a wall or fence, there shall also be required a landscape buffer along the boundary with an adjoining Residential District. Such buffer shall contain deciduous and evergreen trees or shrubs sufficient to create a year-round visual barrier. The landscape strip shall be a minimum of ten feet wide and on the side adjacent to the residential property. All exposed surfaces of walls must be faced in brick or stone. The design of the landscape buffer shall take into consideration changes in topography which create increased views of the retail structure from the residential property.

(d) Where a lot within a Retail Business District adjoins a residential lot, the driveway for the commercial use shall not be located nearer to the residential lot line than twenty-five feet. There shall also be a landscape buffer between the driveway and the adjacent residential property. Such buffer shall contain deciduous and evergreen shrubs sufficient to create a year-round visual barrier but maintained so as not to create a traffic safety hazard for patrons entering and exiting the retail establishment. The landscape strip shall be a minimum of five feet wide and on the side adjacent to the residential property.

(e) All refuse storage and pick-up facilities shall be fenced, screened or landscaped to prevent the blowing or scattering of refuse and to provide an adequate visual barrier of the facilities from locations both on and off the site upon which they are located.

(f) All landscaping shall be in accordance with the provisions of Chapter 1280.
(Ord. 73-94. Passed 10-4-94.)

1272.10 PROJECTIONS.

For a main use, projections of structures into required yards are only permitted in accordance with the provisions of Section 1290.12.
(Ord. 73-94. Passed 10-4-94.)

1272.11 OFF-STREET PARKING.

Off-street parking shall be required and regulated by the provisions set forth in Chapter 1282.
(Ord. 73-94. Passed 10-4-94.)

1272.12 HEIGHT REGULATIONS.

(a) A lot intended for a main use permitted in a Residential District shall not consist of more than one and one-half stories or more than twenty-five feet in height, measured at the front building line from the finished grade to the ridge line or highest point of the main roof.

(b) Any building for a main use within a Retail Business District shall not be greater than two stories or more than thirty feet from the finished grade line to the highest part of the main roof.
(Ord. 73-94. Passed 10-4-94.)