

CHAPTER 1274
Commercial Service District

1274.01	Intent.	1274.07	Yard regulations.
1274.02	Main uses.	1274.08	Schedule of yard regulations.
1274.03	Conditional uses.	1274.09	Landscaping and buffering.
1274.04	Accessory uses.	1274.10	Projections.
1274.05	Regulations as to density, lot width, area and ratio of area of lot covered.	1274.11	Off-street parking and driveway regulations.
1274.06	Schedule as to density, lot width, area and ratio of area of lot covered.	1274.12	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

1274.01 INTENT.

The Commercial Service 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 commercial and similar establishments now present within the community in conformance with recognized and reasonable standards in order that they be compatible with the residential areas of the Village.

- (c) To allow, where appropriate, for the expansion and development of commercial business and similar uses, thereby meeting the future needs within the Village for such activities.
- (d) To prohibit commercial, 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 commercial uses which would create hazards, noise, odors, or other objectionable influences.
- (e) To insure the availability of suitable areas for commercial, 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 commercial establishments.
(Ord. 73-94. Passed 10-4-94.)

1274.02 MAIN USES.

In a Commercial Service 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 uses:

- (a) Any of the following commercial or retail uses shall be permitted within a Commercial Service District:
 - (1) 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:
 - A. Sale of baked goods, confectionery, groceries, meats, fruits, vegetables, dairy products and similar food and beverages, but excluding intoxicating beverages.
 - B. 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.
 - C. 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.

- D. Sale of hardware, tools, paint, household appliances and items customarily found in hardware stores and wall covering stores and floor covering stores.
 - E. Sale of new wearing apparel, dry goods, draperies, curtains and interior household furniture and effects.
 - F. 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.
 - G. Real estate offices, insurance agencies, offices of doctors, dentists, attorneys and other similar professions and dental and medical clinics.
 - H. Assembly and meeting halls and theaters.
 - I. Sale of gardening and landscaping supplies.
 - J. Sale of new automobiles and of new automotive parts.
- (2) Retail stores, service stores, and establishments which deal directly with the ultimate consumer and devoted to supplying the following neighborhood needs:
- A. 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.
 - B. Parking lots, if no automobiles are placed in front of the building setback line.
 - C. Automobile service stations or gasoline stations, but lubrication and minor repairs must be performed wholly within an enclosed building, and sale of gasoline and oil may be permitted in open areas.
- (3) Commercial services which provide the following services to the neighborhood:
- A. Amusement enterprises, bowling alleys, dance halls, skating rinks and sport and recreational establishments.
 - B. Cleaning establishments, laundries, dry cleaning, auto wash and carpet cleaning.
 - C. Mortuaries, laboratories of non-pilot type and letter and small printing shops.
 - D. Greenhouses.
 - E. Sales of Christmas trees and carnivals and fairs of a temporary nature.
 - F. Food and drink preparation, such as baking, canning, dehydrating, freezing and pasteurizing, bottle works, creameries, and ice cream.

- G. Lumber yard and other builders' supplies, excluding sand, gravel and slag, if no old or used material is carried in stock and if use is limited to sale of such supplies and no processing or manufacturing of such supplies is involved.
 - H. Warehouses and storage houses, excluding freight terminals if the material is new and does not consist of explosive and inflammable gases, solids or liquids.
 - I. Animal hospitals, dog kennels and veterinarian offices.
 - J. Plumbing shops, heating and ventilating, paint shops, roofing and sheet metal works and woodworking shops.
 - K. Establishments for making advertising signs, sign painting, awnings, blinds, shades, mattresses and upholstering establishments, establishments for the assembling of lighting fixtures, radio and television equipment, electrical fans, irons, toasters and other electrical household appliances.
 - L. The making of products from screw machines, the making of tools and die for machines, but excluding any forging or hammering.
- (b) All residential, apartment, or institutional uses are prohibited in this District.
 - (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.)

1274.03 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) Yards for public utility material, equipment and vehicles.
- (b) Transmittal towers, telephone exchange and transformer stations.
- (c) Business signs, excluding advertising signs and billboards, if limited to a product sold or service rendered where not permitted by regulations as an accessory use in a Retail Business District, or as hereinafter set forth. (Ord. 73-94. Passed 10-4-94.)

1274.04 ACCESSORY USES.

No accessory use shall be permitted to the main uses set forth in Section 1274.03 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.
- (d) Any use customarily necessary to a main use.
(Ord. 73-94. Passed 10-4-94.)

1274.05 REGULATIONS AS TO DENSITY, LOT WIDTH, AREA AND RATIO OF AREA OF LOT COVERED.

(a) When a lot is to be used for a main use, only one main building or use shall be permitted on the lot and no such building or use shall be located to the rear of another building or use on the same lot.

(b) All lots shall have a frontage upon a duly dedicated and accepted street.

(c) The lot width will be measured at the front building set back line.

(d) All buildings within the Commercial Service District shall conform to the regulations set forth in Section 1274.06.

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

1274.06 SCHEDULE AS TO DENSITY, LOT WIDTH, AREA AND RATIO OF AREA OF LOT COVERED.

District	Number of Main Buildings Per Lot	Minimum Lot Frontage (Ft.)	Maximum Lot Coverage for Main and Accessory Uses
Commercial Service	1	100	35%

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

1274.07 YARD REGULATIONS.

(a) For a main use within a Commercial Service 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) The yard dimensions shall not be less than those set forth in Section 1274.08.
(Ord. 73-94. Passed 10-4-94.)

1274.08 SCHEDULE OF YARD REGULATIONS.

District	Minimum Front Yard Depth (Ft.)	Minimum Single Side Yard (Ft.)	Minimum Single Side Yard Adjoining a Residential District (Ft.)	Minimum Rear Yard (Ft.)	Minimum Rear Yard Adjoining a Residential District (Ft.)
Commercial Service	30	5	50	20	50

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

1274.09 LANDSCAPING AND BUFFERING.

(a) Where a lot within a Commercial Service District adjoins a Residential District, then a wall or fence of not less than five and one-half feet in height shall be required, unless all residential property owners abutting the commercial 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-around visual barrier. The landscape strip shall be a minimum of five 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 commercial structure from the residential property.

(d) Where a lot within a Commercial Service District adjoins a residential lot, the driveway for the commercial use shall not be located nearer to the residential lot line than ten 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-around visual barrier, but maintained so as not to create a traffic safety hazard for patrons entering and exiting the commercial 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 provision of Chapter 1280.
(Ord. 73-94. Passed 10-4-94.)

1274.10 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.)

1274.11 OFF-STREET PARKING AND DRIVEWAY REGULATIONS.

(a) Off-street parking shall be required and regulated by the provisions set forth in Chapter 1282.

(b) No driveway or parking area for any of the uses set forth in this chapter shall be located nearer than twenty-five feet to any adjoining Residential District line.
(Ord. 73-94. Passed 10-4-94.)

1274.12 HEIGHT REGULATIONS.

(a) No building within a Commercial Service District shall be of greater height than five stories or sixty feet, measured at the front building line to the highest part of the main roof.

(b) Chimneys, spires, domes, antennas, and other similar parts of the main building may exceed sixty feet but shall not exceed seventy-five feet from the finished grade line.
(Ord. 73-94. Passed 10-4-94.)

