

ARTICLE 2

CHAPTER 3: ZONING DISTRICT STANDARDS

SEC 2.301 GENERAL PROVISIONS: The provisions of this Chapter shall apply to the uses, buildings and structures, regulated by the requirements of the zone in which they are located along with other provisions, standards and requirements specified elsewhere as applicable in this Code. In addition to the below standards, provisions for Off-Street Parking and Loading (Article 3, Chapter 3), Landscaping and Screening (Article 3, Chapter 4), Lighting (Article 3, Chapter 5), and Signage (Article 3, Chapter 6) are outlined within separate chapters.

SEC 2.302 RESIDENTIAL ZONING STANDARDS:

2.302.1 Residential Zones Development Standards Table:

| Development Standard | | | Residential Zoning Districts | | | | | |
|--|------------------|--------------------------|--|---|---|-----|---|----|
| | | | RU | R-1A | R1 | R1B | R2 | R3 |
| Density (Units per acre) | | | 0.2 | 0.33 | 0.5 | 1.0 | 3 | 4 |
| Minimum *Yard (feet) | Front | | 50 | 50 | 50 | 40 | 40 | 35 |
| | Side | | Total of 50 feet with a minimum side of 20 feet | Total of 50 feet with a minimum side of 20 feet | Total of 50 feet with a minimum side of 20 feet | 15 | 15 | 10 |
| | Rear | | 50 | 50 | 50 | 40 | 40 | 30 |
| Maximum Height (feet)* | | | 35 | 35 | 35 | 35 | 35 | 35 |
| Minimum Lot Frontage (feet) | Standard | Lots ≤ 2 Acres | 150 | 150 | 140 | 100 | 75 | 65 |
| | | Lots > 2 Acres | 200 | 200 | 140 | 100 | 75 | 65 |
| | Curved* Frontage | At road right-of-way | 50 | 50 | 50 | 50 | 25 | 25 |
| | | At building setback line | 150 | 150 | 140 | 100 | 75 | 65 |
| Minimum Lot Width | | | The minimum continuous width and frontage shall be equal to required lot width determined by applying the minimum depth to width ratio. Unless otherwise provided in Section 3.103.2(c) (Panhandle Lots) Refer to Maximum Lot Depth to Width Ratio below | | | | | |
| Maximum Lot Depth to Width Ratio (Applies to lots ≤ 5 acres. Irregularly shaped panhandle lots are exempt) | Lots ≤ 2 Acres | | 4:1 | 4:1 | | | | |
| | Lots > 2 Acres | | 5:1 | | | | | |
| Minimum House Size (Sq. Ft. of living space per unit) | | | Single Family: 1,200 | | | | Single Family: 1,200 Two-Family or Multi-Family: 960 | |

1. *Minimum Yard: No front yard depth shall be required to exceed the average of the minimum depth of the existing front yards on the lots adjacent on each side, if each of such lots are within the same block and within one hundred (100) feet of a building.

2. *Height Exceptions: Refer to Section 3.103.3.

3. *Minimum Lot Frontage and Width: Lots along a road curve with a centerline radius of less than or equal to three hundred (300) feet are permitted to have a continuous minimum frontage at the required road right-of-way or easement and the required width measured at the building setback line. Except as otherwise provided in Section 3.103.2(C) Panhandle Lots)

Note: Non Residential Development Standards: Non Residential Developments within a residential district shall comply with the floor area ratio, minimum lot area, and impervious surface ratio standards of the B-1 zoning district.

2.302.2 Minimum Lot Size Standards:

| Two, Multi-Family and Lot-line Buildings | | | |
|--|------------------------|--|--|
| Single Family Residential(excludes Lot Line buildings) | | | |
| Zoning District | Minimum Lot Size (sf.) | | |
| RU, R1A & R1 | 54,450 (1.25 acres) | | |
| R1B | 32,670 (0.75 acre) | | |
| R2, R3 & MXU-N | 9,000 | | |

| Zoning District | Housing Type | Minimum Lot Size (sf.) | Minimum Site Area (sf.) |
|-----------------|--------------------------|------------------------|-------------------------|
| R2 | Two Family | 14,000 per Building | 14,000 |
| R3 | Two Family | 14,000 per Building | 14,000 |
| | Multi-Family | 3,000 per Unit | 5 Acres |
| MXU-N | Two Family | 14,000 per Building | 14,000 |
| | Lot-Line | 7,900 per Building | 5 Acres |
| | Patio, Atrium, Townhouse | 3,500 per Unit | 5 Acres |
| | Apartment Houses | 12,000 per Building | 12,000 |
| | Other Multi-Family | 3,000 per Unit | 5 Acres |

2.302.3 Conservation Design Option (CDO): Developments utilizing this option shall undergo the Major or Alternative Subdivision process. CDO is permitted in accordance with the following regulations:

(A) Subject to the following subparagraphs, Conservation Design Option (CDO) need not meet the lot width requirements set forth in Section 2.302.1 (Minimum Frontage and Width) and 2.302.2 (Minimum Area Requirements).

(B) **Minimum Lot Size:**

| District | District Density (units per acre) | Minimum Lot Size (acres) |
|----------|-----------------------------------|--------------------------|
| RU | 0.20 | 1.25 |
| R-1A | 0.33 | 1.25 |

(C) For projects within the RU zoning district, a minimum of forty percent (40%) of the total project area shall be dedicated as open space. Projects within R1A zoning district shall dedicate and minimum of thirty percent (30%) open space

(D) **Density:**

(1) **Base Density:** The base density for a conservation option shall be determined by the following steps:

- (a) Determine gross tract acreage;
- (b) Multiply by the zoning district density (Units Per Acre); calculate proportionally if the tract lies in two zoning districts; and,
- (c) Multiply by 1.3 (density bonus).

(2) **Density Bonus Enhancements:** Density enhancements beyond the base density determined above shall be awarded where the approval authority determines that the applicant meets the intent of the requirements below. Each enhancement percentage shall be based upon the number of dwelling units established in the base density. Multiple enhancements are cumulative and shall be added to the base density. Appropriate easements, covenants, and/or deed restrictions shall be incorporated to protect the enhancements where deemed necessary. Dwelling units are rounded down to the nearest whole number.

(a) **Open Space:**

- 1. RU Zoning District: ten percent (10%) enhancement shall be awarded where the percentage of open space exceeds fifty percent (50%).
- 2. R1A Zoning District: ten percent (10%) enhancement shall be awarded where the percentage of open space exceeds forty percent (40%).

(b) **Agriculture Enhancement:** A five percent (5%) enhancement shall be awarded where the development provides for agricultural use by appropriate commitment. The affected lands must constitute a minimum of 10 acres. It is required only that the commitment is granted in a way that reasonably provides for agricultural use; whether the lands are actually placed in agricultural use does not affect the validity of this enhancement.

(c) **Natural Resources Enhancement:** A two and half percent (2.5%) enhancement shall be awarded where significant environmental resources are protected, including specimen trees, other important vegetation, or important wildlife habitats.

(d) **Historic Resources Enhancement:** A two and half percent (2.5%) enhancement shall be awarded where historically or architecturally significant buildings or structures are preserved, restored, and/or protected, as appropriate.

(3) **Approval of Density Enhancements:**

- (a) A dwelling, in excess of the density bonus, is permitted on open space committed to agricultural use.
- (b) Upon the Zoning Inspector's determination and approval by the County Commissioners a development may be approved for a density bonus enhancement.
- (c) In deciding whether or not the property is awarded the Historic Resources Enhancement, the zoning inspector shall be guided by the following:
 - 1. The structure's value as a significant reminder of an event, the cultural or archaeological heritage of the county, state, or nation; or,
 - 2. The structure's identification with a person or persons who significantly contributed to the development of the county, state, or nation; or,
 - 3. Its identification as the work of a master builder, designer, or architect whose individual work was influential; or,
 - 4. The value of the structure that is recognized for the quality of its architecture, or
 - 5. The manner in which the development proposal preserves the character of the structure's setting.

(E) **Open Space:** Open space and/or conservation easements shall be designed to protect the natural open areas on the property such as streams, farmlands, densely vegetated areas, or steep slopes, and preserved using any of the following applicable techniques or standards:

- (1) **Ownership Alternatives:** An individual, a group of individuals, a nonprofit organization, a homeowners' association, a public body, or a combination of these entities may hold fee simple title to the open space area. Any use of the open space areas shall be in conformance with the Development Plan.
- (2) **Public Agency:** A public agency involved in conservation or preservation may be designated as the holder of the conservation easement for the open space land if formally accepted by the public agency.
- (3) **Legal Instrument for Permanent Protection:** Open space shall be in place before building permits are issued. Dedicated open space shall be set aside in perpetuity by the developer through a conservation easement or a permanent restrictive covenant for conservation/preservation purposes that is approved by the BOCC. Such covenant or easement shall assure that the open space will be protected from all forms of development by being recorded and filed with the final development plan.
 - (a) Identified as an open space parcel or parcels on the final plat.
 - (b) Recorded as an open space/limited agricultural easement applied to a parcel or parcels on the final plat.

- (c) Open space shall only be credited once and it shall be associated with a single subdivision.
- (F) **Open Space on Platted Lots:** This section provides the rules by which open space is permitted to occur on a lot. The construction envelope is defined as a delineated area that identifies the location within which all grading, clearing, excavation, and development shall occur, including, but not limited to, septic systems, wells, dwellings, storage buildings, or other structures or improvements. Construction envelopes shall be identified on the record plat and may be changed through the amendment process. The following standards apply:
 - (1) The construction envelope shall extend at least fifteen (15) feet from the foundation and five feet from any other area to be developed or disturbed to provide for machinery and earth movement.
 - (2) All eligible lots shall conserve the resource area in question, restricting the use of that land to passive open space uses and prohibiting fencing and the clearing, cutting, or disturbing of vegetation with the exception of invasive, dead, or diseased vegetation.
 - (3) All lot construction and clearing shall be confined to a construction envelope that includes buildings, decks or patios, driveways, lawns, pools, tennis courts, septic tanks and tile fields, and utility access.
 - (4) The construction envelope shall be designated on the subdivision plan.
 - (5) The areas outside of the construction envelope may be credited toward the open space.
- (G) Buffer Standards for Conservation Design Option (CDO) Subdivisions: Along collector and/or arterial street networks, a buffer shall be required to separate CDO dwelling lot(s) from the road right-of-way in accordance with Article 3 Landscaping and Screening Requirements.
- (H) The required lot area shall not include any road or street right-of-way as shown on the Warren County, Ohio Official Thoroughfare Plan, and shall also be exclusive of easements and or setbacks for streams, wetlands, floodways, high-pressure gas pipelines, railroads, and high-tension power lines.
- (I) No minimum frontage is required, except for panhandle lots that shall meet the requirements of Section 3.103.2(C) and lots fronting on a cul-de-sac that require a minimum frontage of twenty-five (25) feet, and a minimum width of seventy-five (75) feet at the minimum building setback line. Lots within the Conservation Option are exempt from the Maximum Lot Depth to Width Ratio requirements of Section 2.302.1 (Residential Zone Development Standards Table).
- (J) Acceptable open space uses shall be identified prior to final plat approval. The allowable uses shall be listed and recorded with the final plat. In general, open space uses are limited to recreational, natural resource preservation, and agricultural uses.

- (K) An amendment of open space uses is subject to an amendment of the subdivision plat. All property owners of the development shall be notified and shall consent to the proposed changes.

SEC 2.303 COMMERCIAL AND INDUSTRIAL ZONING STANDARDS

2.303.1 Commercial Zones Purpose & Applicability:

- (A) **Neighborhood Business Zone:** The B1 Zone and regulations are for purposes of permitting development of a limited range of business establishments located near or adjacent to residential uses. These business establishments should provide essential everyday goods and services to residents in the immediate surrounding area. These regulations are intended to allow such uses while limiting the adverse impacts on adjacent residential communities and on the road network.
- (B) **Community Business Zone:** The B2 Zone and regulations are for purposes of permitting and encouraging business establishments in centralized locations to allow a wide range of uses to meet the needs of the community. Design standards are intended to limit the impacts on the roadway network through the layout of sites and internal vehicular access between sites.
- (C) **Regional Business Zone:** The B3 Zone and regulations are for purposes of permitting and encouraging regional retail shopping facilities and related activities which will allow for larger-scale retail establishments and consumer services for all segments of the population. It is intended that developments be in the form of multi-tenant shopping centers or individual sites, but that all development be located along primary thoroughfares. In all cases, it is intended that the design standards limit the impacts on the roadway network through the layout of sites and internal vehicular access between sites.
- (D) **Office Research Business Zone:** The B4 Zone and regulations are for purposes of permitting and encouraging development of intensive office and research facilities in a campus or park-like setting, with adequate access to primary thoroughfares and in close proximity to commercial uses. It is intended that this district will provide areas for concentrations of employment opportunities that will increase economic development opportunities in the County.
- (E) **Warehouse Depot Business Zone:** The B5 Zone and regulations are for purposes of permitting and encouraging development of warehouse facilities with or without showrooms, with adequate access to primary thoroughfares and in close proximity to commercial uses. It is intended that this district will provide areas for concentrations of employment opportunities that will increase economic development opportunities in the County.

2.303.2 **Principal Building Groups Permitted:** Industrial or commercially zoned lots may contain multiple principal buildings and may include multiple permitted commercial or industrial uses within each building.

2.303.3 **Setback From Residential Property Or District:** All structures and buildings permitted in the business or industrial zoning districts shall be setback a minimum of two-hundred (200) feet from any residential property or district, or one-hundred (100) if buffered and screened as specified in Article 3 Chapter 4 or unless otherwise required specific to a use in Article 3 Chapter 2 or otherwise specified.

2.303.4 Use and Performance Standards Required: All uses and structures permitted in the business or industrial zoning districts shall comply with the use and performance standards set forth in Article 3, Chapter 2 (Use Standards).

2.303.5 Commercial and Industrial Zones Development Standards Table:

| Development Standard | | Zoning Districts | | | | | | |
|--|-------|------------------|--|------|------|------|-----------------|------------------|
| | | Commercial | | | | | Industrial | |
| | | B1 | B2 | B3 | B4 | B5 | I-1 | I-2 |
| Maximum Floor Area Ratio | | 0.20 | 0.25 | 0.27 | 0.27 | 0.30 | 0.27 | 0.37 |
| Minimum Lot Area (Sq. Ft.) | | 20,000 | No minimum lot area shall be required, but all other provisions of this Chapter and Zoning Code must be met. | | | | 43,560 (1 acre) | 130680 (3 acres) |
| Minimum Yard (feet)* | Front | 50 | 50 | 50 | 50 | 50 | 50 | 50 |
| | Side | 20 | 20 | 50 | 50 | 50 | 50 | 50 |
| | Rear | 40 | 40 | 50 | 50 | 50 | 50 | 50 |
| Maximum Height (feet)* | | 40 | 50 | 60 | 60 | 75 | 60 | 60 |
| Maximum Impervious Surface Ratio* | | 0.53 | 0.55 | 0.57 | 0.60 | 0.60 | 0.63 | 0.70 |

* **Floor Area** shall mean the sum of the horizontal areas of each floor of the building, measured from the exterior walls or from the center of party line walls, including the floor area of accessory buildings and structures. FAR is the sum of the area of all floors of buildings or structures compared to the total area of the site.

* **Setbacks:** All structures or buildings shall be setback the minimum as stated, except as stipulated in Section 2.303.3 (Setback From Residential Property Or District), The setbacks standards within the B3 and B4 zones shall be increased by one foot for every foot of building height over fifty (50).

* **Maximum Height:** The maximum height of any structure or building is subject to input from the applicable fire/EMS jurisdictions as to emergency response capabilities.

* **Impervious Surface Coverage** shall mean that portion of a lot that is, unless otherwise specified, covered by the principal and accessory building, structures, and surfaces that prevent the passage or absorption of stormwater including paving and driveways. Impervious surface coverage shall be calculated by measuring, in a horizontal plane, the outer limits of all impervious surfaces on a lot and comparing the total square footage thereof with the total lot area exclusive of protected resource areas. For the purpose of determining impervious surface coverage, areas designed to allow the infiltration of stormwater such as grass pavers, pervious pavement, specially designed graveled areas, and other such innovative methods, shall not be included.

SEC 2.304 BASE DENSITY/INTENSITY CALCULATIONS: The base density, intensity, and minimum buildable lot area for non-conservation option development shall be determined by the following steps:

For Major Subdivisions and Non-Residential Subdivisions:

- (A) Determine gross tract acreage;
- (B) Subtract the acreage of any rights-of-way purposes for roads, existing utilities and Thoroughfare Plan Right of Way.
- (C) Subtract the acreage of areas within the following areas at the specified percentage:

- (1) Floodway one hundred percent (100%);
- (2) Flood Fringe fifty percent (50%);
 - (a) Fifty percent (50%) of the flood fringe shall be preserved or undeveloped.
- (3) Wetlands and Ponds one hundred percent (100%);
- (4) Slopes of forty-five percent (45%) or greater: Seventy percent (70%).
Slope Percent = (Amount of Rise/Amount of Run) X 100.
- (D) For Residential Development: Multiply by the zoning district density; calculate proportionally if the tract lies in two zoning districts or for mixed use developments; or
- (E) For Non Residential Development: Multiply by the zoning district floor area ratio (FAR).

For Minor Residential Subdivisions:

- (A) Determine gross tract acreage;
- (B) Subtract the acreage of any right of way purposes for roads and the Thoroughfare Plan Right of Way.
- (C) Multiply by the zoning district density; calculate proportionally if the tract lies in two zoning districts or for mixed use developments.
- (D) Designate a Minimum Buildable Lot Area of fifty Percent (50%) of the lot. The buildable lot area shall be sufficient to accommodate the construction of buildings, sewage treatment systems and accessory structures; while still providing for the required setbacks. The following shall not be included in calculating the buildable area: floodways; wetlands; existing utility easements.