

ARTICLE 18 GENERAL PROVISIONS

18.01 GENERAL REGULATIONS

Except as herein provided, no building or structure shall erected, converted, enlarged, reconstructed, moved or structurally altered, nor shall any building or land be used:

1. Except for a purpose permitted in the District in which the building or land is located;
2. Except in conformance to the height or bulk limits established herein for the District in which the building or use is located;
3. Except in conformance to the yard and lot regulations of the District in which the building or use is located.
4. Except in conformance to the off-street parking and off-street loading space regulations of the District in which the building or use is located; and/or
5. **Unless such building or structure is located on a lot as herein defined and in no case shall there be more than one main building on a lot except as specifically provided hereinafter.**

18.02 YARDS REQUIRED FOR CORNER AND THROUGH LOTS

1. Front Yards: All buildings and structures on corner and through lots shall have the same setback requirement along all street frontage as the required front yard in the district in which the lot is located.
2. Rear Yard: The rear yard for a corner lot is an area bounded by the side lot lines and an imaginary line on an arc of fifty (50) feet from a point most distant from the front lot lines at which the side lot lines intersect. (See Figure 1). In the instance of a through lot, there is no rear yard.
3. Side Yards: On a corner lot, a required side yard setback of fifteen (15) feet shall be provided from each side yard lot line, except in ES-2.5 and R-1AA Districts, the side yard setback shall be twenty (20) feet. (See Figure Definition).

18.03 ACCESSORY BUILDINGS ON CORNER LOTS

Where a corner lot adjoins the side boundary of a lot within a residential district, no part of any accessory building within twenty-five (25) feet of the common lot line shall be nearer the street bounding the side lot line than the least depth of any front yard required along such side street, except that in the

case of a narrow lot where compliance would give impractical depth to a private garage, the Board of Zoning Appeals may grant a variance in the front yard requirement along such side street. In no case shall such garage project closer to the street than the building to which it is accessory, nor be located closer than ten (10) feet to any side or rear lot line of the lot on which it located.

18.04 LOTS ADJOINING ALLEYS

For purpose of applying lot area requirements of the Zoning Resolution, one half (1/2) the width of any alley abutting the lot shall be considered as part of such lot.

18.05 ACCESSORY BUILDINGS, STRUCTURES, AND APPURTENANCES WITHIN RESIDENTIAL DISTRICTS

1. Not Permitted in Required Front or Side Yards: In any residential district, no structure or appurtenances other than a fence shall be erected within a required side yard or front yard.
2. Front Setback Less Than Sixty Feet: When located less than sixty (60) feet from the front property line and not completely to the rear of the dwelling, garages shall be constructed as part of the main building or connected thereto by a covered breezeway.
3. Front Setback Greater Than Sixty Feet: When located at least sixty (60) feet from the front property line and completely to the rear of the main dwelling, an accessory building or structure may be erected not less than ten (10) feet from the side or rear lot lines. When access to a garage is from an alley, such garage shall be located not less than ten (10) feet from the alley.
4. Maximum Height Permitted: A detached accessory building or structure within a residential district shall not exceed the height of the main building, or fourteen (14) feet in height, whichever is less.
5. Maximum Size: Within any residential district, the total floor area of accessory buildings shall not be larger than fifty percent (50%) of the footprint of the main building or nine hundred (900) square feet, whichever is less.

18.06 ACCESSORY FENCES, WALLS AND PLANTINGS

1. Fences and Walls in Side and Rear Yards: Fences or walls constructed within a side or rear yard shall not be higher than six (6) feet except as provided herein. Swimming pool and tennis court fences are permitted to a height of ten (10) feet.
2. Height of Hedges, Fences and Walls in Required Front Yard: No fence, wall or hedge shall rise over three (3) feet in height within any required front yard.
3. Front Yard Setback and Visibility Requirements: Fences, walls or hedges shall be prohibited:
 - (a) closer than twelve (12) feet from the back of curb;
 - (b) closer than twenty-five (25) feet from the center line of streets without curbs and gutters;
 - (c) within a public right-of-way;
 - (d) closer than twenty-five (25) feet from the intersection of any existing or projected right-of-way; and/or
 - (e) which interfere with visibility from driveways or at intersections.
4. Security Fences: Security fences up to eight (8) feet high are permitted in business and industrial districts.
5. Prohibited Fences: Chain link fencing, cyclone fencing or similar appurtenances shall be prohibited in the required front yard. Electric and barbed wire fences shall not be permitted within residential districts.

18.07 REMOVAL OF SOIL, SAND, GRAVEL OR STONE FROM A LOT

1. Temporary Conditional Use Permit Required: The removal or extraction, storage and processing of soil, sand, gravel or stone from any lot shall only be conducted in accordance with the requirements of this section and is permitted only in those districts where such use is specifically listed as a conditional use. The temporary conditional use permit may be denied or issued in appropriate cases after the filing of an application accompanied by an agreement secured by a bond, with the terms and amount of such agreement and bond acceptable to the Township. Such agreement and bond shall assure that such removal will not result in poor drainage or leave the surface of the land, at the expiration of such permit, in an unstable condition, or unfit for the growing of turf or for other land uses permitted in the district in which such removal occurs.

2. Extraction and Processing of Sand, Gravel, Stone, or Subsoil's: All mineral extraction and processing operations shall be in accordance with the following provisions:
 - (a) Extraction Less Than Six (6) Feet in Depth Adjacent to Residential Districts: Extraction involving the removal of any material to a depth not exceeding six (6) feet may be conducted up to one hundred (100) feet from a residential district, provided the operation is conducted over a temporary period not to exceed twelve (12) months and operation of equipment is limited to the extraction process between the hours of 7:00 a.m. and 7:00 p.m. Temporary operational roads shall not be closer than two hundred (200) feet to a residential district.
 - (b) Setback from Existing Residential Districts: Extraction which exceeds six (6) feet in depth and processing activities shall not be conducted closer than five hundred (500) feet from any residential district so zoned prior to the issuance of a conditional use permit, nor closer than two hundred (200) feet from any structure used for human occupancy within any district.
 - (c) Setback From Subsequently Created Residential Districts: Permitted uses shall not be located closer than five hundred (500) feet from any residential district except in cases when residential districts are so zoned after the construction of the plant and in these cases no new building or structure to support the extraction and processing function may be located closer than two hundred (200) feet from any residential dwelling.
 - (d) Removal of Unused Buildings or Structures: Buildings and structures for which no future use is contemplated and for which no other acceptable use is practicable or feasible shall be demolished and removed upon the expiration of the conditional use permit.
 - (e) Required Map for Application: At the time of application for a temporary permit for extraction purposes, the applicant shall file with the Board of Zoning Appeals a detailed map of at least two hundred (200) feet to the inch scale which clearly shows areas to be excavated and the location of adjacent properties, roads, and natural features.

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- (f) Erosion Control Plan Required: The applicant shall submit an erosion control plan. Such plan shall comply with the requirements of the Runoff Control and Sediment Abatement Resolution.

- (g) Information on Water Table Required: The applicant shall submit information on the anticipated depth of excavations and on the depth of and the probable effect on the existing water table. The operator shall provide proof that the source of community water supply shall not be adversely affected due to lowering the water table or contaminating the supply before the conditional use permit is granted. If the processing function causes the water table to drop and prevents an adequate supply of water to the homes in the area or causes existing wells to become contaminated, the owner and/or the operator of the extraction process shall be responsible for the cost of drilling new wells or for providing a source of water to the homes deprived of water.

- (h) Restoration Plan Required: The applicant shall also file with the Board of Zoning Appeals a detailed plan of at least two hundred (200) feet to the inch scale for the restoration of the areas to be excavated which include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater interval than five (5) feet. The following shall apply incorporated in the restoration plan.
 - (i) All earthen banks shall be left with a slope no greater than two (2) feet horizontal to one (1) foot vertical, all rock banks may be left at a one (1) to one (1) slope.

 - (ii) The type and number per acre of trees or shrubs and type of ground cover or legumes to be planted shall be determined in consultation with the Zoning Enforcement Officer and County Agriculture Extension agent.

 - (iii) The location of future roads, drives, drainage courses, or other improvements or changes contemplated shall be shown as determined in consultation with the County Engineer and approved by the Planning Director.

 - (iv) The applicant and/or operator shall be required to restore areas within five hundred (500) feet of a residential district within a period of one year from the date of completion of the extraction operations.

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- (i) Bond Required for Restoration Plan: The operator is required to file a bond in such form and with such surety as may be acceptable to Beavercreek Township, payable to the Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The bond amount shall be determined by the type and extent of restoration required, excluding that portion already required and bonded by the State of Ohio. The bond shall be released upon written certification of the Zoning Enforcement Officer that the restoration is complete and in compliance with the restoration plan.
3. Removal or Excavation of Topsoil: Removal or excavation of topsoil to a depth of not more than three (3) feet shall be permitted as a conditional use only in those districts where such conditional use is specifically permitted and shall be in accordance with the following provisions:
 - (a) Removal or Excavation of Topsoil Adjacent to Residential Districts: Removal or excavation of topsoil shall not be conducted closer than one hundred (100) feet to a residential district. Excavation operations within five hundred (500) feet of a residential district shall be completed within one (1) year after the commencement of operations.
 - (b) Accessory Buildings or Structures: Accessory buildings and structures shall not be constructed within five hundred (500) feet of any residential district or any structure used for human occupancy within any other district.
 - (c) Required Map for Application: At the time of application for a temporary conditional use permit for removal of topsoil, the applicant shall submit a detailed map of at least two hundred (200) feet to the inch scale, which clearly shows areas where topsoil will be removed, the location of adjacent properties, roads, and natural features.
 - (d) Erosion Control Plan Required: The applicant shall submit an erosion control plan. Such plan shall comply with the requirements of the Runoff Control and Sediment Abatement Resolution.
 - (e) Information on Water Table Required: Information on the anticipated depth of excavations and on depth and probable effect on the existing water table. The applicant shall provide proof that the water table will not be affected, due to lowering the water table or contaminating the supply before permission for removal of topsoil is given. If the removal of topsoil causes the water table to drop and prevents an adequate supply of water to the homes in the area or if existing wells are contaminated, the owner and/or operator of the removal operation shall be responsible for the cost of drilling new wells or for providing a source of water to the homes deprived of safe drinking water.

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- (f) Restoration Plan Required: The applicant shall also file with the Board of Zoning Appeals, a detailed plan at a scale of two hundred (200) feet to the inch, for the restoration of areas where topsoil will be removed. The plan will include the anticipated future use of the restored land, the proposed final topography indicated by contour lines of no greater intervals than five (5) feet. The following shall apply and be incorporated in the restoration plan:
 - (i) If ponds of water are created by the removal of the topsoil, the plan shall show how the water will be drained off to the nearest stream.
 - (ii) All earthen banks shall be left with a slope no greater than two (2) feet horizontal to one (1) foot vertical. All rock banks may be left one to one slope.
 - (iii) The type and number per acre of trees, the type of ground cover to be planted, and the growing medium shall be determined in consultation with the County Agricultural Extension Agent.
- (g) Time Period for Restoration: The applicant and/or operator shall be required to restore areas within one hundred (100) feet of a residential district within a period of one (1) year from the date of completion of the extraction operations.
- (h) Bond Required for Restoration Plan: The operator is required to file a bond in such form and with such surety as may be acceptable to Beavercreek Township payable to the Township and conditioned on the faithful performance of all requirements contained in the approved restoration plan. The bond amount shall be determined by the type and extent of restoration required, excluding that portion already required and bonded by the State of Ohio. The bond shall be released upon written certification of the Zoning Enforcement Officer that the restoration is complete and in compliance with the restoration plan.

18.08 ESSENTIAL SERVICES

Essential services shall be allowed in any district insofar as permitted, authorized or regulated by law or other Resolution.

18.09 EXTERNAL EFFECTS

No land, building or structure in any district shall be used or occupied in any manner so as to create any dangerous, injurious, noxious or otherwise objectionable fire, explosive or other hazard; noise, brilliant light, vibration, smoke, dust, fumes, odor, or other form of air pollution; heat, cold, dampness; electrical or electronic disturbances, nuclear radiation, or any other condition,

substance or element, to any person or property outside the premises on which such building, structure or use is located. Where uses are permitted under the provisions of this resolution that cause or create objectionable external effects, the use shall be operated in such a manner so as to insure that the objectionable external effects are limited to the property that caused or created the objectionable external effects.

18.10 OUTDOOR STORAGE AND WASTE DISPOSAL

Every use shall be operated in accordance with the following provisions:

1. Flammable or Explosive Substances: No highly flammable or explosive liquids, solids or gasses shall be stored in bulk above ground, except in an industrial district. In an industrial district, storage of such materials shall be prohibited within one thousand (1,000) feet of a residential district. Tanks or drums of fuel directly connected with heating devices or appliances located on the same lot as the tanks or drums of fuel are excluded from this provision. In addition, fuel products stored for use on farms are excluded from the provision.
2. Screening Required: All outdoor storage facilities for fuel, raw materials and products shall be enclosed by a fence, wall or planting to conceal such facilities from adjacent residential districts. Tanks or drums of fuel directly connected with heating devices or appliances located on the same lot as the tanks or drums are excluded from this provision.
3. Securing of Materials or Wastes Required: No materials or wastes shall be deposited upon a lot in such form or manner that they may be transferred off the lot by wind, flood or natural causes or forces.
4. Closed Containers Required: All materials or wastes which might cause fumes, dust or which constitute a fire hazard or which may be edible or attractive to rodents or insects may be stored only in closed containers constructed of impervious material.
5. Discharge of Wastes: No discharge at any point into any public sewer, private storage disposal system or stream or into or onto the ground of any materials of such nature or temperature as can contaminate any water supply, interfere with bacterial processes in sewage treatment, or otherwise cause the emission of dangerous or offensive elements shall be permitted. All nonresidential sewer customers shall be in conformance with the requirements of the local Publicly Owned Treatment Works Pretreatment Program.

18.11 PROJECTIONS INTO REQUIRED YARDS

1. Side Yards: Chimneys, flues, sills, pilasters, cornices, eaves, gutters, and other similar features may project into a required side yard a maximum of eighteen (18) inches.
2. Front Yards: No structure may project into a required front yard, however, unroofed porches and steps may extend from the dwelling into the required front yard a maximum of ten (10) feet.
3. Nonconforming Lot of Record: No structure may project into a required side yard except that, where a single lot under one ownership existed in a residential district at the time of passage of this resolution, and such lot is of insufficient width to meet the side yard requirements of this Zoning Resolution, the Board of Zoning Appeals may grant a minimum variance to permit the construction of a one-family residence.

18.12 EXCEPTIONS TO HEIGHT LIMITATIONS

The height limitations contained in the Official Schedule of District Regulations do not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys or other appurtenances usually required to be placed above the roof level and not intended for human occupancy except where the height of such structures will constitute a hazard to the safe landing and take-off of aircraft at an established airport. Exceptions to height limitations shall not exceed ninety (90) feet, unless approved by the Board of Zoning Appeals.

18.13 TEMPORARY USES

In any district, subject to the conditions stated below, the Enforcing Officer may issue a permit for the following temporary uses:

1. Construction: Temporary building or yard for construction office, material or equipment, provided such use is adjacent to the construction site and removed when construction is completed. Each permit shall be valid for six (6) months and may be renewed if construction is underway and shall be removed when construction is completed or discontinued for more than thirty (30) days.
2. Real Estate Sales: Temporary office incidental and necessary to real estate sales and rentals. Each permit shall be valid for one (1) year and may be renewed for one (1) additional year if conditions warrant such renewal.

3. Location Subject to Enforcing Officer Approval: Temporary building and yard location shall be subject to such conditions and safeguards as the Enforcing Officer may deem necessary to preserve the character of the surrounding area.
4. Gatherings Under Canvas or In Open: Religious service, show, meeting, exhibition, bazaar, carnival or circus except that located within four hundred (400) feet of any residential area no permit will be issued unless there is first filed with the Enforcing Officer the written consent of the owners of sixty percent (60%) of all residentially used property within four hundred (400) feet from the place of such meeting. The permit shall indicate the specific use and extent of time covered by the permit.

18.14 MAJOR STREET SETBACK

Any building or structure shall hereafter be constructed in accordance with the required front yard setback in the district in which it is to be located, measured from the required or proposed right-of-way line on major streets and secondary streets.

18.15 OFF STREET LOADING REGULATIONS

On the same premises with every building or structure or part thereof, erected and occupied for commerce, industry, public assembly or other uses involving the receipt or distribution by vehicles of materials or merchandise, there shall be provided and permanently maintained adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets or alleys in conformance to the following:

1. General Provisions
 - (a) Screening: Whenever a loading area is located adjacent to or across a street or alley from a residential district, it shall be effectively screened on all sides which adjoin or face any property used or zoned for residential purposes, by an acceptably designed wall, fence or planting screen. Such fence, wall or planting screen shall be not less than four (4) feet nor more than eight (8) feet in height and shall be maintained in good condition. The space between such fence, wall or planting screen and the lot line of the adjoining premises in any residential district shall be landscaped with grass, hardy shrubs or evergreen ground cover and maintained in good condition. Required landscaping and screening shall be subject to the provisions set forth in Section 18.17.

- (b) Entrances and Exits: Off street loading spaces shall be provided with entrances and exits not less than twelve (12) feet in width and so located as to minimize traffic congestion.
- (c) Dimensions: Each off-street loading space shall be not less than twelve (12) feet in width, fifty (50) feet in length and fifteen (15) feet in height, exclusive of access drives.
- (d) Projection Into Yards: Off-street loading space may only occupy all or any part of any required side or rear yard space, and shall not occupy any front yard.

2. Amount of Loading Space Required

The minimum amounts of off-street loading space shall be provided according to the table below. An area adequate for maneuvering, ingress and egress shall be provided in addition to required loading space.

<u>Sq. Feet of Gross Floor Area</u>	<u>Required No. of Spaces</u>
a. Up to 10,000 sq. ft.	1
b. 10,001 to 20,000 sq. ft.	2
c. 20,001 to 40,000 sq. ft.	3
d. 40,001 to 75,000 sq. ft.	4
e. 75,001 to 125,000 sq. ft.	5
f. Each additional 50,000 sq. ft. over 125,000 sq. ft.	1

18.16

OFF-STREET PARKING REGULATIONS

- 1. Off-Street Parking Required: Hereafter, no building shall be erected or altered and no land used unless adequate off-street parking space or spaces together with means of ingress or egress for the needs of tenants, personnel and patrons are provided.
- 2. Parking Plan Required: A parking plan shall be submitted with any application involving the construction, expansion, or elimination of any off-street parking space. All parking plans shall be subject to review by the Zoning Enforcement Officer prior to approval of such application. Parking plans shall show, as necessary the following:
 - (a) Boundaries of the property;
 - (b) Parking, loading, and/or drive-through spaces;

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- (c) Access driveways and circulation pattern;
 - (d) All existing or proposed structures on the premises;
 - (e) Drainage facilities;
 - (f) Landscaping;
 - (g) Screening and adjacent residential structures;
 - (h) Storm drainage, utility and/or access easements,
 - (i) On-site water supply and wastewater disposal systems;
 - (j) Fire lanes and access points; and
 - (k) Any other information necessary to determine compliance with this Article.
3. Minimum Parking Space and Driveway Aisle Dimensions: The following minimum dimensions shall apply to all parking spaces and driveway aisles:
- (a) Handicap Spaces: Handicap parking spaces shall not be less than twelve (12) feet in width and twenty (20) feet in length.
 - (b) Standard Width and Length: Parking spaces for retail or similar stores where packages are customarily placed in cars and parking spaces located adjacent to building areas and characterized by short duration and high turnover shall not be less than ten (10) feet in width and twenty (20) feet in length.
 - (c) Reduced Width Permitted: Parking spaces for employees and spaces located at a distance from the building and characterized by medium-to-low use may have minimum width of nine (9) feet and a minimum length of twenty (20) feet.
 - (d) Overhang Permitted: Any parking space adjoining a landscaped area of the parking lot may include a two (2) foot overhang into the landscaped area as part of the required twenty (20) foot length, provided curbing or other well maintained wheel stops are used.
 - (e) Driveway Aisles: Driveway aisles shall have the following dimensions, at a minimum:

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0° Parking (Parallel) One-Way 12 ft Two-Way 24 ft	60° Parking One-Way 17.5 ft Two-Way 24 ft
45° Parking One-Way 13 ft Two-Way 24 ft	90° Parking One-Way 25 ft Two-Way 25 ft

4. Reduction or Change in Required Parking Area: Any area once designated as required off-street parking shall never be changed to any other use unless and until equal facilities are provided elsewhere. Off-street parking existing at the effective date of this Resolution in connection with the operation of an existing building or use shall not be reduced to an amount less than hereinafter required for a similar new building or new use.
5. Special Provisions for Collective and Off-Site Parking Areas: The following special provisions shall be applicable to all collective and off-site parking areas serving non-residential uses:
 - (a) Collective Parking Areas: Two or more uses may collectively provide the required off-street parking area. The required number of parking spaces shall not be less than the sum of the requirements for the individual uses computed separately, unless the parking area is part of an approved planned unit development or Joint use is approved.
 - (b) Joint Use of On-Site Parking Areas: Two or more non-residential uses may jointly provide and use parking spaces on the same lot when their hours of operation do not normally overlap, provided that such an arrangement is provided within written legal documents approved as to form by the Township Solicitor prior to issuance of a Zoning or Occupancy Permit.
 - (c) Off-Site Parking Areas: Parking spaces located within three hundred (300) feet of the building and/or use served on abutting properties may be used toward the calculation of the required number of spaces for a use, provided a written legal instrument is used to reserve such spaces for the subject use. Such legal instruments shall be approved as to form by the Township Solicitor prior to issuance of a Zoning or Occupancy Permit.
6. Other Uses Within Required Parking Areas: No vehicle repair work or service of any kind, except emergency repairs, shall be permitted in or associated with any off-street parking area. Display, sales, or storage of any merchandise within any required parking area shall not be permitted unless otherwise specifically provided within the Zoning Resolution.

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7. Access to Public or Private Streets: All parking lots shall be designed in such manner that any vehicle entering or exiting the parking lot via a public or private street shall be traveling in a forward motion. Access roads or driveways for parking areas shall be located in such a way that any vehicle entering or leaving such lot shall be clearly visible for a reasonable distance to any pedestrian or motorist approaching the access road or driveway from a public or private street. For one way traffic, the minimum width of the access road shall be fourteen (14) feet. For two way traffic the minimum width shall be twenty-four (24) feet. Parking areas having more than one access road shall have directional signs or markings in each aisle or driveway. The Planning Commission may require the owner to provide acceleration and/or deceleration lanes where traffic volumes indicate the need.
8. Curb Required for Interior Access Lanes: All access lanes within a parking lot that serve two or more driveway aisles shall have a curb.
9. Required Surfacing: All parking lots shall be made of a four inch compacted stone base and covered with at least one and one-half inches (1 1/2") of asphaltic concrete or some other comparable all-weather dustless material approved by the Zoning Enforcement Officer.
10. Marking Required: All parking spaces and driveway aisles shall be marked with an all-weather paint, curb stones. Such markings shall be maintained in clearly visible condition and be in accordance with the approved parking plan.
11. Perimeter and Landscape Barriers Required: Fencing, curb, wheel stops or other physical barriers shall be provided for all boundaries of the parking lot and landscaped areas within the lot itself, except at points of ingress and egress, to prevent encroachment of vehicles into non-parking or landscaped areas.
12. Lighting: Any parking area which is intended to be used during non-daylight hours shall be properly illuminated to avoid accidents. Any lights used to illuminate a parking lot shall be arranged and designed so as to deflect the light away from adjoining or opposite residential property and public streets. (lighting plans shall be required)
13. Drainage: All parking areas shall provide for drainage of surface water in accordance with the Runoff Control and Sediment Abatement Resolution. Parking spaces may be located within drainage easements subject to approval by the Township.
14. Screening: Screening shall be installed and permanently maintained along all boundaries of parking areas as required under Section 18.17.

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15. Required Landscaped Area: In order to separate parking areas from moving traffic and to reduce the negative effects of wind and air turbulence, air pollution, heat generation, noise of engines, glare of lights, greater runoff from impervious surfaces, and any blighting appearance of parking areas and accessory access driveways, the following landscaped areas shall be required:
- (a) Separation from Streets: All parking areas shall be separated from rights-of-way for streets by a strip of land which shall be equal to the required front yard depth within any residential district, shall be at least ten (10) feet in depth within all other districts, and shall be at least twenty (20) feet in depth when across the street from any residential district. Such strip shall be reserved as open space, landscaped, possess certain screening as required.
 - (b) Separation from Side or Rear Yard Boundaries: All parking areas shall be set back a minimum of five (5) feet from any side or rear lot line unless a greater setback is required under Section 18.17. Such strip shall be reserved as open space and landscaped.
 - (c) Separation from Residential Districts: All parking areas for non-residential uses located adjacent to any residential district shall be set back and screened in accordance with Section 18.17. All parking areas located across the street from any residential district shall be separated from such street right-of-way by a strip of land at least twenty (20) feet in width. Such strip shall be landscaped with screening in accordance with Section 18.17.
 - (d) Interior Landscaped Areas Required: Within interior vehicular use areas ten thousand (10,000) square feet in size or greater, and for each additional ten thousand (10,000) square foot unit or a proportional fraction thereof, there shall be provided a minimum total of four hundred (400) square feet of planting area consisting of separate sub areas. For individual parking lots with more than five parking spaces and less than ten thousand (10,000) square feet in area, four percent (4%) of the vehicular use area irrespective of the perimeter requirements, shall be devoted to landscape. All interior landscaping shall be in accordance with the following provisions:
 - (i) Required Trees: Trees shall be required within the ORP-1 Office Research Park District and the RP-1 Research Park District only. See Section 13.06(d) for requirements.

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- (ii) Reduction of Landscaping Amount Permit: The total planting area for a unit may be reduced by one hundred (100) square feet if such amount is relocated elsewhere so as to emphasize an entrance corridor or feature.
- (iii) Total Landscaping Required: Grass or other ground cover shall be planted on all portions of the interior planting area not occupied by other approved landscape material. Landscaping, other than grass or ground cover, shall not be located closer than three feet from the edge of any pavement.
- (iv) Arrangement of Landscape Areas: In order that there shall be safe access to parking spaces, landscaped strips shall be arranged so as to divide parking corridors and to limit "cross taxiing" through open parking spaces.
- (v) Minimum Width: The minimum width of landscaped area shall be five (5) feet, except that the minimum distance from a tree to a vehicular use area shall be four (4) feet measured from the face of the tree.
- (vi) Distribution Variances: In vehicular use areas where the Zoning Inspector has determined that the strict application of this section will interfere with the function of the area, the required interior landscaping may be located near the perimeter of the paved area, including such perimeters which may be adjacent to a building.
- (vii) Credit for Preserving Existing Trees: If in the judgment of the Zoning Inspector it is deemed appropriate, credit may be received on the interior landscaping plan by preserving existing trees capable of tolerating adjacent construction. In order to maintain any tree deemed eligible for credit, fifty percent (50%) of the ground area under and within the drip line of the tree shall be preserved from the trunk out to the edge of the drip line and shall be maintained in either vegetative landscape material or pervious surface cover, except when the Zoning Inspector determines that lesser areas and other ground cover treatment will provide sufficient nourishment for the continued growth of the preserved type of tree. The required number of new trees may be reduced in accordance with the following schedule in exchange for preserving existing trees:

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<u>Diameter of Existing Crown Spread of or Preserved Tree (1)</u>	<u>Diameter of Tree Trunk of = Preserved Tree (2)</u>	<u>Number of Trees Credited</u>
90 ft. or greater	36 in. or greater	7
60-89 feet	30-35 inches	6
50-59 feet	26-29 inches	5
40-49 feet	20-25 inches	4
30-39 feet	13-19 inches	3
20-29 feet	8-12 inches	2
16-19 feet	4-7 inches	1

- (1) Rounded off to the nearest whole foot.
- (2) Measured at a height of four and one-half feet above the natural grade and rounded off to the nearest whole inch.

16. Number of Parking Spaces Required: The following minimum number of parking spaces shall be provided on the same lot as the use or building they are intended to serve, or may be provided on adjacent lots subject to other provisions of this Section.

a. RESIDENTIAL & INSTITUTIONAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
1. One Family Dwelling	Two spaces, plus one space for each two roomers.
2. Two Family Dwelling	Two spaces for each unit, plus one space for each two roomers.
3. Multiple Family Dwelling	Two spaces for each unit, plus one space for each employee, plus one space for each five units.
4. Apartment Hotel	Three spaces for each two units, plus one space for each employee.
5. Boarding House	One space for each sleeping room, plus one space for each employee.
6. Group Home	To be determined by the Board of Zoning Appeals for the type of residential population, plus two spaces for each permanent resident employee and one space for each non-resident employee.
7. Hospital	Two spaces for each three beds, plus one space for each staff doctor, plus one space for each full-time employee on the largest shift.
8. Hotel or Motel	One space for each sleeping room, one space for each employee on the largest shift, and one space for each four seats within an accessory restaurant. Accessory meeting room shall require an additional space for each three seats. Adequate space for parking busses and recreational vehicles must be provided to the satisfaction of the Zoning Inspector.

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| 9. Housing for the Elderly | Two spaces for each three units, plus one space for each employee, plus one space for each vehicle used for the complex which is maintained on the premises. |
| 10. Mobile Home | Two spaces for each mobile home. |
| 11. Sanitarium, Convalescent Home, Nursing Home, similar | One space for each two beds, plus one space for each employee on the largest shift. |
| 12. Golf course | Five spaces for each hole, plus one space for each employee, plus one space for each four seats within an accessory restaurant. |
| 13. Library, museum, or art gallery | One space for each 400 square feet of floor area, plus one space for each employee. |
| 14. Private club, lodge, or similar use | One space for each three persons capacity, plus one space for each employee. |
| 15. Tennis facility, racquetball facility or similar use | Two spaces for each court, plus one space for each employee. |

b. SCHOOLS AND CHURCHES

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
1. Business, technical, trade school	One space for each two students, plus one space for each employee.
2. Church or other place of religious assembly	One space for each three seats in the main assembly area plus one space for each vehicle owned by the church.
3. College or University	One space for each four students, plus one space for each employee.
4. Daycare Center/Nursery	One space for each five (5) children plus one space for each employee.

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| 5. Elementary or junior high | Two spaces for each classroom or one space for every eight (8) seats in auditoriums or assembly halls, whichever is greater. |
| 6. High School | 1.) One space for each three seats of the largest assembly area, or 2.) a total of one space for every six students, one space for every teacher, plus one space for every other employee; whichever is greater. |

c. RECREATIONAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
1. Auditorium, sport arena, theater, or similar use	One parking space for each four (4) persons allowed by the fire code up to 1,000 seats, plus one parking space for each three persons allowed by the fire code over 1,000 seats, plus one space for each employee on the largest shift.
2. Bowling Alley	Five spaces for each alley or lane plus one additional space for each four seats within an accessory restaurant.
3. Dance hall, skating rink	One (1) space for each three (3) persons capacity.
4. Swimming pool, recreation club	Two spaces for each three member families, or one for each five person capacity, whichever is greater.

d. COMMERCIAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
1. Automobile Gas Station	One space for each 100 square feet floor area, plus one space for each employee.

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2. Automobile Repair Station
One space for each 500 square feet of floor area, plus one space for each employee, plus one for each vehicle used in the business and kept on the premises.
3. Automobile Service Station
One space for each 100 square of floor area, plus one space for each accessory service bay, plus one for each employee, plus one for each vehicle used in the business and kept on the premises.
4. Automobile Sales Lot
One parking space for each 200 square feet of floor area in the main display room, plus one space for each 1500 square feet of outdoor display area, plus one space for each employee.
5. Automobile Washing Facility
One space for each employee.
6. Bank, Savings and Loan institution, or similar use.
One space for each 250 square feet of floor area, plus one space for each employee.
7. Barber or Beauty Shop
Three (3) spaces for each barber or beauty chair.
8. Contractor
One space for each employee, plus one adequately sized space for each vehicle and machine used in the business and kept on the premises.
9. Funeral parlor, mortuary, or similar use
One space for each 50 square feet of floor area in slumber rooms, parlors, or service rooms, plus one space for each vehicle used in the businesses and kept on the premises.
10. Grocery store or specialty food store
One space for each 200 square feet of floor area, plus one space for each employee.
11. Health Studio
One space for each 100 square feet of gross floor area.

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| 12. Laundromat | One space for each two washing machines, plus one space for each employee. |
| 13. Restaurant | One space for each three seats, plus one space for each automobile in which food is consumed on the premises, plus one space for each employee on the largest shift. |
| 14. Retail store for furniture, large appliances, or similar large items | One space for each 800 square feet of floor area, plus one space for each employee. |
| 15. Retail Stores not specified elsewhere | One space for each 200 square feet of gross floor area. |
| 16. Warehouse Store, building material store, motorcycle sales, or similar store for large items | One space for each 800 square feet of floor display area, plus one space for each employee. |

e. OFFICE

TYPE OF USE

PARKING SPACES REQUIRED

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| 1. Medical and dental office or clinic | Three spaces for every examination or treatment room, plus one space for each employee. |
| 2. Office/Manufacturing Combination | One space for each 300 square feet of office floor area, plus two spaces for each three employees on the largest shift within the manufacturing floor area portion. |
| 3. Professional and/or administrative office | One space for each 300 square feet of floor area, or one space for each employee, whichever is greater, plus one space for each vehicle used in the business and kept on the premises. |
| 4. Real estate, insurance, legal, finance or similar type of office | One space for each 200 square feet of floor area plus one space for each employee. |

5. Veterinarian Three spaces for every examination or treatment room, plus one space for each employee.

f. INDUSTRIAL

<u>TYPE OF USE</u>	<u>PARKING SPACES REQUIRED</u>
1. Manufacturing Plant, Warehouse, Parcel Delivery, Freight Terminal or similar use	Two spaces for each three employees on the largest shift for which the building is designed, plus one for each motor vehicle used in the business and maintained on the premises.

g USES NOT SPECIFICALLY MENTIONED

The requirement for off-street parking facilities shall be in accord with a use which the Board of Zoning Appeals considers as being similar in type.

17. Restricted Accessory Parking Areas: The Board of Zoning Appeals may permit accessory parking upon an adjacent lot within a residential district as a conditional use, providing:
- (a) Such lot is necessary for the public convenience and will not have an adverse effect on adjacent properties.
 - (b) A public hearing is held in accordance with the procedure given in Section 22.06.
 - (c) All provisions of Sections 18.16 and 18.17 of the Zoning Resolution are complied with.
 - (d) No parking shall be permitted within any required front yard of the district in which the proposed parking area is to located. The resulting open area shall be planted in grass or otherwise landscaped to create a permanent green area.
 - (e) Whenever a lot located in a residential district is used for accessory parking purposes and is located across the street from land in a residential district, that portion of the lot used for parking purposes shall be screened from the street line in accordance with Section 18.17, except for the access drive. Such screening shall be placed along or behind the front setback line.

- (f) Ingress and egress for vehicles to any premises used for parking under conditional use permit by the Board of Zoning Appeals shall be by means of streets or alleys through business or industrial areas, not by means of streets or alleys through residential areas.

18.17 SCREENING AND BUFFERING

1. Screening Required: Hereafter, no buildings or structures shall be erected, altered or enlarged nor shall land be used for any non-residential use on a lot that adjoins or faces any residential district until a plan for screening has been submitted and approved by the Enforcing Officer or the Zoning Commission.
2. Purposes for Screening: Screening shall be provided for one or more of the following purposes:
 - (a) A visual barrier to partially or completely obstruct the view of structures or activities in order to minimize or prevent nuisances;
 - (b) As an acoustic screen to aid in absorbing or deflecting noise; and
 - (c) For the containment of ambient debris and litter.
3. Types of Screening Permitted: Screening may be one of the following or a combination of two or more:
 - (a) A solid masonry wall;
 - (b) A solidly constructed decorative fence;
 - (c) A louvered fence;
 - (d) Dense evergreen plantings, and/or
 - (e) Landscaped mounding with ground cover.
4. Side and Rear Yard Requirements for Non-Residential Uses Abutting Residential Districts: Non-residential buildings or uses shall not be located nor conducted closer than fifty (50) feet to any lot line of a residential district. Greater setbacks may be required for specific uses elsewhere in this Zoning Resolution. Screening shall be required along such mutual boundaries. Such screening shall have a minimum height of five (5) feet, six (6) inches and be of sufficient density or opaqueness to accomplish the above stated purposes.

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5. Front Yard Screening Requirements for Parking Lots Across the Street From Residential Districts: All parking lots located within any required front yard across the street from any residential district shall be separated from the street right-of-way according to the requirements of Section 18.16, Paragraph #15-C. Screening three (3) feet in height shall be provided along all sides of parking areas facing residential districts, except where the Zoning Inspector determines that a sight distance hazard would be created.

TABLE 4

SCHEDULE OF REQUIRED BUFFERS BETWEEN ZONING DISTRICTS

	ES-2.5 & R-1AA														
ES-2.5 & R-1AA	B	R-1A													
R-1A	B	B	R-1B												
R-1B	C	C	B	R-2											
R-2	D	D	A	A	R-3										
R-3	D	D	A	A	A	R-4									
R-4	D	D	A	A	A	A	MHP								
MHP	E	E	E	E	E	E	A	B-1							
B-1	F	F	F	F	F	F	F	A	B-2						
B-2	F	F	F	F	F	F	F	A	A	B-3					
B-3	F	F	F	F	F	F	F	A	A	A	B-4				
B-4	F	F	F	F	F	F	F	A	A	A	A	O-1			
O-1	F	F	F	F	F	F	F	A	A	A	A	A	ORP-1		
ORP-1	H	H	H	I	J	J	A	A	A	A	A	A	A	RP-1	
RP-1	H	H	H	I	J	J	A	A	A	A	A	A	A	I-1	
I-1	G	G	G	G	G	G	G	A	A	A	A	A	A	A	I-2
I-2	G	G	G	G	G	G	G	A	A	A	A	A	A	A	A
A-1	F	F	F	F	F	F	F	A	A	A	A	A	A	A	A

- A. None required. Yard requirements of the individual district shall apply.
- B. None required. Yard requirements of the individual district shall apply. Conditional uses require a setback of three (3) feet for each foot of building height.
- C. Adjoining lots shall be a minimum of 20,000 square feet or intervening permanent open space at least 50 feet in depth shall be provided. Conditional uses require a setback of three (3) feet for each foot of building height.
- D. Adjoining lots shall be a minimum of 20,000 square feet or intervening permanent open space at least fifty (50) feet in depth shall be provided.
- E. No mobile home shall be located nearer than two hundred (200) feet from a side or rear yard of any lot in any other residentially zoned district. Mobile homes and accessory buildings shall be located a minimum of seventy (70) feet from any major thoroughfare. Screening in accordance with Section 18.17 shall be provided along all sides and rear lot lines which abut another residential district.
- F. Buildings or uses shall be set back a minimum of fifty (50) feet from all residential district lot lines and screening in accordance with Section 18.17 shall be provided along such mutual property lines.
- G. Buildings or uses shall be set back a minimum of one hundred (100) feet from all residential district lot lines and screening in accordance with Section 18.17 shall be provided along such mutual property lines.
- H. Adjoining two hundred (200) feet developed according to the requirements of the adjacent R-1 district or all non-residential buildings and uses shall be set back a minimum of three hundred and thirty (330) feet from such mutual property lines and screening as specified in Section 18.17 shall be required.
- I. Adjoining one hundred and sixty (160) feet developed according to the requirements of the adjacent R-2 district or all non-residential buildings and uses shall be set back a minimum of two hundred and fifty (250) feet from such mutual property lines and screening as specified in Section 18.17 shall be required.
- J. Adjoining 160 feet shall be left in open space or may be developed according to R-2, R-3, R-4, or O-1 if adjacent to an R-3 or R-4 district.