

Section XXII – Commercial and Industrial District Regulations

(All Sections 6/15/2007, except as noted)

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22.01 PURPOSE.

The Gateway Business (GB), Restricted Retail (B-1), Town Hall Commons (THC) Town Hall Neighborhood (THN), General Business (B-2), Business Interchange (BX), Manufacturing (M), Research and Limited Industrial (RD-2), and the Special (S) Districts and their regulations are established in order to achieve, among others, the following purposes: (Amended 6/19/2009)

- A. To provide in appropriate and convenient districts, sufficient areas for various business activities, the exchange of goods and services, and the production of goods to serve the community and surrounding areas;
- B. To protect residential neighborhoods adjacent to commercial and industrial uses by regulating the types of establishments, particularly at the common boundaries, that would create congestion, noise or other objectionable influences;
- C. To ensure that proposed developments protect the unique natural features that define the character of Concord Township and are appropriate and compatible with their surroundings, in accordance with the intent, objectives and development criteria of the Districts;
- D. To provide a Gateway Business (GB) District that offers a balance of personal services, office and retail uses along a major thoroughfare while supporting surrounding businesses and local residents. The design of this area will encourage grouping of establishments located in a unified site, providing adequate off-street parking as well as efficient and safe methods of handling vehicular and pedestrian traffic.
- E. To provide a Restricted Retail (B-1) District to accommodate the sale of convenience retail goods and personal services that primarily serves the residents of Concord Township. Business nodes shall be located around key road intersections.
- F. To provide a Town Hall Commons (THC) District that will preserve and enhance the historic center of the Township at the Concord-Hambden/Ravenna Road crossroads area through a mixture of community

facilities, business, and recreational uses that serves as a gathering place for the community. (6/19/2009)

- G. To provide a Town Hall Neighborhood (THN) District that will compliment the historic center of the Township at the Concord-Hambden/Ravenna Road crossroads with selective community oriented business and residential uses while promoting emerging land use patterns. (6/19/2009)
- H. To provide a General Business (B-2) District that provides an opportunity for non-intrusive trade business services and wholesale business that service a regional marketplace. (6/19/2009)
- I. To provide a Business Interchange (BX) District that offers a variety of general commercial, service and light manufacturing uses. This district is intended to accommodate businesses in the community that cannot be practically provided for in a neighborhood business district development.
- J. To provide a Manufacturing (M) District that accommodates the development of light manufacturing enterprises which shall operate in a clean and quiet manner. (6/19/2009)
- K. To provide a Research and Limited Industrial (RD-2) District that encourages and accommodates a growing number of businesses, light manufacturing, management headquarters, research and development operations, executive offices, and supporting services. Facilities should be grouped together in order to provide common amenities, such as adequate and convenient parking, services, utilities and a park-like, harmonious atmosphere. (Amended 1/6/2012)
- L. To provide a Special Interchange (S) District that maximizes the geographic characteristics of the land for hotel and hospitality related businesses. (6/19/2009)
- M. To establish design standards in certain areas that will integrate proposed developments into the surrounding environment and avoid large blank walls typical of big box buildings.

22.02 USE REGULATIONS.

- A. A use listed in Section 22.03 shall be permitted by right as a permitted use in a district when denoted by the letter "P", provided that all the requirements of Section XXXVI, Site Plan Review, and other applicable requirements of this Zoning Resolution and other township resolutions have been met.
- B. A use listed in Section 22.03 shall be permitted as a conditional use in a district when denoted by the letter "C", provided the Board of Zoning Appeals first makes the determination that the requirements and procedures of

Section XIII, Conditional Use Permits, and Section XXXVI, Site Plan Review, of the Zoning Resolution have been met.

- C. A use listed in Section 22.03 shall be permitted as an accessory use in a district when denoted by the letter "A". Such use shall be permitted as a subordinate building or use when it is clearly incidental to and located on the same lot as the principal building or use. Accessory uses are further regulated in subsequent sections of this Zoning Resolution.
- D. Although a use may be indicated as a permitted, conditional or accessory use in a particular business, commercial or industrial district, it shall not be approved on a parcel unless it can be located thereon in full compliance with all of the standards and other regulations of this Resolution applicable to the specific use and parcel in question. Any use that is not specifically listed as either a permitted use or conditional use or that does not meet the requirements for an accessory use shall be a prohibited use in these zoning districts and shall only be permitted upon amendment of this Resolution and/or the Zoning Map, as provided in ORC 519.12.

22.03 TABLE OF USES. (Amended 6/19/2009; 1/6/2012)

	RD-2 Research & Limited Industrial	BX Business Interchange	GB Gateway Business	B-1 Restricted Retail	B-2 General Business	M Manu- facturing	S Special	THN Town Hall Neighborhood	THC Town Hall Commons
Office & Professional Services									
Urgent care/ medical clinic			P	P					
Medical & dental office	P	P	P	P	P	P		P	P
Administrative, business & professional offices	P	P	P	P	P	P		P	P
Research and development labs	P		C			P			
Retail & Personal Services									
Restaurant (table service)		P	P	P				C	C
Restaurant (counter service)		C	C	C				C	C
Retail establishments within an enclosed building		P	P	P					
Personal services including but not limited to hair care, dry cleaning, shoe repair, photography studios, etc.			P	P				P	P
Garden or nursery retail sales (non-wholesale)		C		C					
Bank, financial institutions		P	P	P					
Veterinary services		C		C	C				
Funeral services		C	C	C	C				
Bed and breakfast			C	C				C	C
Hotels/Motels	P	P	P				P		
Business services including mailing and copy centers		P	P	P	P			P	P
Rental services including electronic, furniture and party supplies		P							
Child or adult day care center	C	C	C	C	C	C		C	C
Automotive & Transportation									
Gas stations		P	C	C					
Car wash		C	C	C					
Motor vehicle dealers (new/pre-owned), including recreational vehicle and motorcycle dealers		C							
Automotive rental		P							
<p><u>Notes to Table:</u> P=Permitted Use C=Conditional Use A=Accessory Use Blank cell means the use is not permitted in the district.</p>									

	RD-2	BX	GB	B-1	B-2	M	S	THN	THC
	Research & Limited Industrial	Business Interchange	Gateway Business	Restricted Retail	General Business	Manu-facturing	Special	Town Hall Neighborhood	Town Hall Commons
Automotive services (including instant oil changes)		P	C	C					
Automotive repair		P			P				
Manufacturing & Limited Industrial									
Light manufacturing	P	P				P			
Distribution & Wholesale									
Wholesale business		P			P				
Warehouse facilities		P							
Trade Business Services									
Publishing/printing/bindery	P	P			P	P			
Landscaping services		P			P				
Lumber and building material dealers		P			P				
General building contractors		P			P				
Construction and equipment sales and rental (including misc. yard care equipment)		C			C				
Entertainment/Recreation									
Membership sports/fitness club	P	P		P			P		
Studios for instruction		P		P					
Indoor commercial recreation		P		P			P		
Theater		P	P	P					
Meeting/banquet facilities, clubs	P	P	C	C			P		
Community Facilities									
Library, museum			P	P					P
Community Center									P
School									C
Outdoor recreation									P
Church/place of worship		C	C	C					C
U.S. Postal Service		P	P	P	P				P
Hospital			C						
Residential care facility, nursing home, and home for the aging				C	C			C	
Adult group home				C	C				
Hospice care facility (used for care of hospice patients only)				C	C			C	
Governmental facilities									P
Police and fire services									P
Notes to Table:									
P=Permitted Use C=Conditional Use A=Accessory Use									
Blank cell means the use is not permitted in the district.									

	RD-2	BX	GB	B-1	B-2	M	S	THN	THC
	Research & Limited Industrial	Business Interchange	Gateway Business	Restricted Retail	General Business	Manufacturing	Special	Town Hall Neighborhood	Town Hall Commons
Other									
Utility and communication services		P			P				
Surface extraction of sand, gravel or other earth materials	C	C	C	C	C	C	C	C	C
Accessory Uses									
Outdoor storage and/or display in association with a permitted or conditional use	C	C	C	C	A	A			
Outside dining		C	C	C				C	C
Drive-thru facility in association with a permitted or conditional use		C	C	C					
Retail in association with a permitted or conditional use when conducted and entered only from within the principal building	C								
Warehousing	A	A			A	A			
Child or adult day care	C	C	C	C	C	C	C	C	C
Police, fire services	A	A				A			
Restaurant/cafeteria or pharmacy in association with a permitted or conditional use when conducted and entered only from within the principal building	A		A	A		A	A	A	A
Meeting/banquet facilities (accessory)		A	A	A	A		A		
Outdoor recreation							A	A	A
Golf courses & related facilities (private)							A		
Swimming pools, tennis courts (private)							A	A	
Personal services including but not limited to hair care, dry cleaning, shoe repair, photography studios, etc.							A		
Off-street parking and loading areas	A	A	A	A	A	A	A	A	A
Fences, walls, decks, landscape features	A	A	A	A	A	A	A	A	A
Trash receptacles	A	A	A	A	A	A	A	A	A
Signs	A	A	A	A	A	A	A	A	A
Other permitted accessory uses as specified in Section 22.07.E.	A	A	A	A	A	A	A	A	A
<p><u>Notes to Table:</u> P=Permitted Uses C=Conditional Use A=Accessory Use Blank cell means the use is not permitted in the district.</p>									

22.04 LOT, YARD AND BUILDING REQUIREMENTS.

The minimum lot and building requirements for uses in the commercial and industrial districts set forth in Section XXII are specified in Table 22.04. (Amended 6/19/2009)

- A. Minimum Lot Area. The area of the lot shall not be less than the dimensions set forth in Table 22.04.
- B. Minimum Lot Frontage/Width. The minimum lot frontage shall be the same as the minimum lot width, except for lots fronting on cul-de-sacs as set forth in Table 22.04.
- C. Minimum Lot Width for Corner Lots. Corner lots shall have the same minimum lot width required for both street frontages.
- D. Building Setbacks and Yard Clearances. All buildings and structures shall be located on a lot so as not to obstruct or otherwise encroach upon the minimum front, side and rear yard setback or clearance requirements established in Table 22.04, measured from the appropriate lot line. For corner lots, the minimum front building setback shall be required for both street frontages.
- E. Building Separation. When more than one building is located on a lot, the separation between buildings shall not be less than the minimum distance set forth in Table 22.04, and shall further comply with the applicable requirements set forth in the Ohio Building and Fire Codes.
- F. Maximum Impervious Surface.
 1. The impervious surface on a lot shall comply with the maximum percentage of the total lot area set forth in Table 22.04.
 2. The percentage shall be calculated by dividing the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater by the total horizontal area of the lot. Impervious surfaces include, but are not limited to, roofs, streets, sidewalks, and parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay.
- G. Building Height. The height of principal and accessory buildings shall not exceed the maximum heights established in Table 22.04. Church spires, belfries, clock towers, wireless towers, scenery lofts or other mechanical appurtenances may exceed these height restrictions when erected upon and as an integral part of such building. (10/12/1982; Amended 3/19/2004)
 1. Roof mechanicals: All mechanical appurtenances on the roof top and all visible equipment mounted on the side of a building shall be shielded from public view and adjoining developments. The shielding shall be integrated into the architecture of the building in terms of massing, materials and details. The shielding for the mechanical appurtenances on the roof shall be part of the roof form. (12/15/2006)

H. Table 22.04. (Amended 6/19/2009)

	RD-2	BX	GB	B-1	B-2	S	M	THN	THC
	Research & Limited Industrial	Business Interchange	Gateway Business	Restricted Retail	General Business	Special Interchange	Manufacturing	Town Hall Neighborhood	Town Hall Commons
Lot Requirements									
Minimum Lot Area	3 ac	1 ac	.5 ac	.5 ac	1 ac	5 ac	2 ac	.75 ac	.75 ac
Minimum Lot Frontage/Lot Width	200 ft ^a	100 ft ^a	100 ft ^a	100 ft ^a	100 ft ^a	100 ft ^a	100 ft ^a	100 ft ^a	100 ft ^a
Minimum Front Building Setback Line									
Lots Fronting Auburn Road	150 ft	75 ft	75 ft	75 ft	75 ft	75 ft	150 ft	N/A	N/A
Lots Fronting All Other Streets	100 ft	50 ft	40 ft	50 ft	50 ft	50 ft	150 ft	50 ft	50 ft
Minimum Side Yard Clearance (each side)									
Abutting Residential District	100 ft ^b	70 ft ^b	50 ft ^b	50 ft ^b	50 ft ^b	75 ft ^b	200 ft ^b	50 ft ^b	50 ft ^b
Abutting Non-residential District	50 ft	20 ft	20 ft	20 ft	20 ft	75 ft	50 ft	20 ft	20 ft
Minimum Rear Yard Clearance									
Abutting Residential District	100 ft ^b	70 ft ^b	50 ft ^b	50 ft ^b	50 ft ^b	75 ft ^b	200 ft ^b	50 ft ^b	50 ft ^b
Abutting Non-residential District	50 ft	20 ft	20 ft	20 ft	20 ft	75 ft	50 ft	20 ft	20 ft
Minimum Building Separation	20 ft	20 ft	15 ft	15 ft	20 ft	20 ft	20 ft	20 ft	20 ft
Maximum Impervious Surface	70%	70%	70%	70%	70%	70%	70%	70%	70%
Building Specifications									
Height: Principal Building	40 ft	40 ft	40 ft	40 ft	40 ft	40 ft	40 ft	40 ft	40 ft
Height: Accessory Building	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft	20 ft
Notes to Table:									
^a Lots located in the BX, GB, B-1, B-2, S, M, THN, and THC Districts and around the perimeter of a cul-de-sac shall have a minimum frontage at the street right-of-way line of 60 ft. and width of 100 ft. at the building setback line. Lots located in the RD-2 District and around the perimeter of a cul-de-sac shall have a minimum frontage at the street right-of-way line of 85 ft. and width of 200 ft. at the building setback line. (Amended 6/19/2009)									
^b Clearance requirements include the minimum buffer strip requirement for properties abutting residential districts, as set forth in Section 38.09 of the Landscaping and Screening Requirements, and shall not be additional footage.									

22.05 OFF-STREET PARKING REGULATIONS.

Off-street parking areas shall conform to the off-street parking requirements specified in Section XXIX of the Zoning Resolution.

22.06 DESIGN STANDARDS FOR THE GB, BX, THC, AND THN DISTRICTS.

Design standards are established for the Gateway Business (GB), Business Interchange (BX), Town Hall Commons (THC) and Town Hall Neighborhood (THN) Districts to ensure that new development or redevelopment complies with the purposes of this Section. All uses proposed in the GB, BX, THC, and THN Districts regulated in this Section shall comply with the design requirements set forth in Section XXXVII of the Zoning Resolution. (Amended 6/19/2009)

22.07 ACCESSORY USE REQUIREMENTS.

Accessory uses, buildings and structures permitted in commercial and industrial districts set forth in Section XXII shall comply with the following regulations: (Amended 6/19/2009)

A. Accessory Buildings. Accessory buildings with a floor area 1,500 square feet or less shall conform to all lot and yard requirements for principal buildings of the corresponding zoning district and be subject to the approval of the Zoning Inspector. Accessory buildings with a floor area greater than 1,500 square feet shall conform to all lot and yard regulations and site plan review and approval requirements of the zoning district in which the parcel or lot is located. (Amended 10/17/08)

B. Trash Receptacles. All solid waste resulting from any permitted principal, conditional or accessory use shall either be disposed of, stored in buildings or in a completely enclosed container. Such building, container or dumpster shall comply with the following:

1. All commercial compactors, storage bins, refuse containers, utilities and mechanical equipment shall be contained wholly within enclosed buildings, or enclosed by three solid walls and one gated wall of such nature and height (2 ft. height exceeding enclosed containers) as to conceal completely all operations thereof from grade level.
2. Gates and doors shall be kept closed at all times and only opened when containers are being used or emptied or serviced.
3. All receptacle areas shall be designed and constructed with screening as an integral part of the associated building architecture and using the building massing, materials, and architectural details to unite screening structure with the building when property abuts a residential property.
4. Loading, unloading, opening, closing, or operation of trash containers shall not take place in such a manner as to cause a noise disturbance across a residential real property boundary between the hours of 7:00 p.m. and 6:00 a.m. The actual pick-up time/haul away for trash containers and commercial trash/waste containers shall be prohibited between the hours of 7:00 p.m. and 6:00 a.m. The actual operation of trash compactors shall be prohibited between the hours of 7:00 p.m. and 6:00 a.m., including delivery and loading operations.

(9/14/1982; Amended 12/15/2006)

C. Fences and Walls. Fences and walls may be erected in compliance with the requirements set forth in Section XXXVIII of the Zoning Resolution.

D. Signs. Signs shall conform to the regulations specified in Section XXX of the Zoning Resolution.

E. Other Permitted Accessory Uses. In addition to the accessory uses set forth in Section 22.03, the following items shall be considered permitted accessory

structures within the commercial and industrial districts set forth in Section XXII. The following structures do not require a zoning permit, but shall not be located on a lot where they will impair vehicular or pedestrian traffic movement or visibility both on and off the property. (Amended 6/19/2009)

1. Mailboxes or newspaper tubes.
2. Flag poles.
3. Statuary or art objects.
4. Charity boxes.
5. Public phone facilities.

22.08 LANDSCAPING AND SCREENING REQUIREMENTS.

Visual screening and landscape buffers shall be provided for all lots in the commercial and industrial districts set forth in Section XXII in accordance with the landscaping requirements set forth in Section XXXVIII of the Zoning Resolution. (Amended 6/19/2009)

22.09 SUPPLEMENTAL REQUIREMENTS.

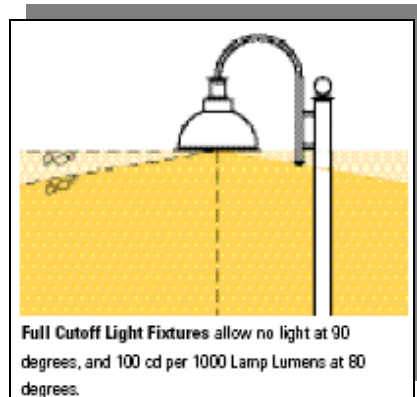
- A. Delivery and Loading Areas: Delivery and loading operations shall be designed and located to mitigate visual and noise impacts to adjoining residential neighborhoods. Delivery and loading areas shall be substantially set back from a residential use or residentially zoned property that is adjacent to that site. The delivery and loading areas shall be enclosed so that they are not visible to adjacent residential properties. The enclosure shall screen the noise and activity at the loading dock. Loading, unloading, opening, closing, or other handling of boxes, crates, containers, building materials, or similar objects between the hours of 7:00 p.m. and 6:00 a.m. shall not take place in such a manner as to cause a noise disturbance across a residential real property boundary. Delivery trucks shall not be parked in close proximity to or within a designated delivery or loading area between 7:00 p.m. and 6:00 a.m. with motor and/or refrigerators/generators running. (12/15/2006)
- B. Outdoor Grilling Adjacent to Residential Areas: No person shall kindle or maintain a fire for the commercial preparation of food in any type of outdoor or portable grill in the rear of the building, adjacent to any residential area. (12/15/2006).
- C. Lighting:
 1. Exterior lighting of buildings and/or parking areas shall be positioned so as not to emit light onto neighboring properties or road right-of-ways, but shall shine directly onto buildings, or be directed downward onto parking areas, access drives and pedestrian walkways. (12/15/2006)
 2. All lighting shall be shielded from adjoining residential properties in such a manner as to prevent distraction and glare. Light pollution control

measures shall be taken to avoid negative impact of misdirected light. Business that utilizes canopy lighting shall use recessed ceiling fixtures with the bottom of the lenses flush with the canopy in addition to meeting other lighting guidelines. No lights shall be oriented towards residential areas. Building-mounted light fixtures and free standing light fixtures should be in proportion with the building and shall not exceed the building height. Pole and building-mounted light fixtures shall not exceed the height of the building as follows: (12/15/2006)

<u>Height of Building</u>	<u>Height of Fixture</u>
< - 50'	fixture 14ft.
50 -100'	fixture 25 ft.
100 – 150'	fixture 35ft.

3. Light Trespass. Light trespass over a commercial or industrial property line when adjoining residential properties shall be limited to no more than 0.5 foot-candles at the property line and one quarter foot candle ten feet over the property line. Lighting levels are based on initial lamp lumens and 1.0 maintenance factor. Fully shielded light source (full cut off) shall be used, as illustrated in Figure 1. They are shielded so that light emitted from a fixture, directly or indirectly, is projected below a horizontal plane through the lowest point of the fixture where light is emitted. (12/15/2006)

Figure 1.



4. Uplighting is not permitted, except for use on flagpoles. (12/15/2006)
5. The IESNA Lighting Handbook, ninth edition or later, is recommended to be used as reference for lighting. It provides explanations of concepts, techniques, applications, procedures, and systems. Specific "lighting measurements" methods and calculations are found in Chapter 2 and Chapter 9 (ninth edition). "Levels of Trespass" explanations are found in Chapter 21. (12/15/2006)

22.10 PERFORMANCE STANDARDS.

The uses set forth in Section 22.03, shall comply with the performance standards outlined in Section 6.12 of the Zoning Resolution, as applicable.

22.11 SITE PLAN REVIEW.

Prior to the construction, alteration, expansion or modification of a use in the commercial and industrial districts set forth in Section XXII, a site plan for such activity shall be reviewed and approved according to the site plan review procedures set forth in Section XXXVI of the Zoning Resolution. (Amended 6/19/2009)