

Highlighted =New Proposal  
Underlining =New Language  
Strikeout = Deleted Language

## § 158.002 DEFINITIONS.

**BUSINESS/INDUSTRIAL PARK.** A project/development approved under the Business Park provisions in effect prior to April 1, 2019.

### § 158.079 I-1 LIGHT INDUSTRIAL DISTRICT.

(A) **Purpose and intent.** The purpose of the I-1 District is to provide locations for certain types of nonagricultural, nonresidential, and generally nonretail commercial activities characterized by light manufacturing, assembling, fabricating, warehousing, wholesale distribution, and limited office and commercial uses which are supportive or directly related to industrial uses, which may not be as intense as those provided for in the I-2 District and which, with proper landscaping, separation, setback, and buffering, will not significantly detract from adjoining residential or commercial properties. It is intended that such districts be located in areas with access to major thoroughfares or other major modes of transportation, depending upon the specific demands of the industry being served. Industrial Parks are encouraged in this district to provide for clustering of similar industrial uses with common access and infrastructure, as well as the provision of open spaces, stormwater management, and adequate buffering.

(B) **Applicability.** The following regulations and applicable regulations contained in other sections shall be permitted in the I-1 District.

(C) **Principal uses.** The regulation of principal uses is set forth in § [158.082](#).

(D) **Business/Industrial Parks.** Business/Industrial Parks, approved as Business Parks prior to April 1, 2019, and any subsequent revisions or amendments thereto, are permitted in the I-1 District, as regulated in § [158.079](#)(D). Commercial uses which are delineated as accessory uses in division (D)(8) below, or general service, general retail and other commercial uses delineated as principal permitted and conditional uses in § [158.082](#)(A), which are not otherwise permitted or conditional uses in the I-1 District, may be located on separate lots or parcels within a Bbusiness/Industrial Ppark provided that:

(1) The gross acreage of such uses does not exceed 15% or 15 acres, whichever is lesser, of the Business/Industrial Park.

(a) The area of the commercial uses not otherwise permitted in the I-1 District shall be computed as the building area containing the commercial uses and the supporting parking lot area, but shall not include required yard setbacks and open space;

(b) No variance of the 15% limitation may be granted; and

(c) Medical or dental centers and self-service storage facilities, while not otherwise permitted in the I-1 District, shall be permitted in a Bbusiness/Industrial Ppark

and shall not be included in the calculation of commercial uses which are not otherwise permitted in the I-1 District;

(2) With the exception of the uses listed in 158.079(D)(1)(c), the size of any individual commercial use permitted in the commercial districts but not otherwise permitted in the I-1 District may not exceed a maximum of 25,000 square feet. The area of a canopy over gasoline pumps shall not be included in the size limitation for a convenience store with gasoline pumps. Self-service storage facilities shall be regulated by the requirements of Section 158.079, which shall prevail over any conflict or inconsistency with any other provisions required pursuant to this Chapter. The requirements of Section 158.158 shall not apply to self-service storage facilities developed within a Business/Industrial Park;

(3) The Business/Industrial Park shall be ineligible for additional accessory uses under § 158.083(B)(2);

(4) The development of the Business/Industrial Park with retail or commercial uses shall not constitute a substantial change in the neighborhood with respect to a petition to change the zoning of the property pursuant to § 158.134(C);

(5) An average of ~~3.5~~ four plus parking spaces per 1,000 square feet of building area shall be provided for the lots within a Business/Industrial Park, with the exception of self-service storage facilities, which shall require two (2) parking spaces for employees and the greater of one (1) parking space for each 20,000 square feet of building area or five (5) spaces. The minimum number of spaces as required herein and any modifications to the parking space design standards, as previously approved by Planning Commission during the site development plan approval of the Business/Industrial Park, shall supersede any parking requirements and design standards of Chapter 155;

(6) Notwithstanding anything in this subchapter to the contrary, the following uses are prohibited in a Business/Industrial Park:

- (a) Day treatment or care facility;
- (b) Funeral establishments;
- (c) Kennels, commercial;
- (d) Nonprofit clubs and fraternal organizations;
- (e) Religious establishments;
- (f) Residential dwelling units;
- (g) Retail greenhouses;
- (h) Retirement homes;
- (i) Tattoo or body-piercing shops; and
- (j) Vehicle repair shops;

(7) Signage requirements are as follows:

(a) A signage plan shall be submitted with the site plan.

(b) One freestanding sign, or an additional sign if fronting on more than one street, shall be allowed to identify the Business/Industrial Park. This sign may not exceed 30 feet in height or 200 square feet per side, unless a variance is granted pursuant to § [158.130](#). This sign may include identification of the tenants or other entities within the Business/Industrial Park.

(c) ~~All other~~ In addition to the signage allowed by Section 158.079(D)(7)(b), each ~~building~~ or lots within the Business/Industrial Park may have signs in accordance with § [158.114](#);

(8) Provided all accessory uses do not exceed 15% of the lot or parcel, and provided no individual use exceeds 3,000 square feet except as provided below, the following retail or other commercial uses in conjunction with a principal permitted or approved conditional use, not exceeding 15% of the lot or parcel, and subject to authorization of the BZA after a public hearing:

(a) Retail bakeries;

(b) Banks or savings and loan institutions;

(c) Beauty salons or barbershops;

(d) Convenience stores, including gasoline pumps, however the area of canopy over the gasoline pumps is excluded from the 3,000 square foot size limitation but included as part of the 15% gross acreage limitation;

(e) Day care centers not exceeding 6,000 square feet;

(f) Pharmacies;

(g) Laundry or dry-cleaning establishments;

(h) Office supply stores;

(i) Shoe repair shops;

(j) Restaurants or lunchrooms;

(k) Tailor establishments;

(l) Health clubs not exceeding 6,000 square feet; and

(m) Florist or garden shops.

(E) **Site plan review.** Site plan review, if required, shall be the same as provided as per [Chapter 155](#).

(Ord. 2019-06, passed 12-12-2019)

## **§ 158.084 COMMERCIAL AND INDUSTRIAL DISTRICTS: BULK REQUIREMENTS.**

### **(A) Bulk requirements in the Commercial Districts.**

(1) The following requirements shall be observed for nonresidential and group living uses in the commercial districts, subject to the provisions of § [158.130](#):

- (a) Front yard: minimum 10 feet.
- (b) Side yard: minimum 10 feet.
- (c) Rear yard: minimum 15 feet.
- (d) Height: maximum 50 feet.

(2) Additional bulk requirements for Planned Commercial Centers are as provided for in § [155.094](#).

(3) The bulk requirements for dwellings in the Rural Villages shall be the same as in the R-10,000 District, and where adjoining any Residence District, the side yard shall be not less than 25 feet.

(4) The bulk requirements for dwellings not in the Rural Villages shall be as follows:

(a) For dwellings that were in the B-NR District, the bulk requirements shall be the same as in the R-10,000 District, and where adjoining any Residence District, the side yard shall be not less than 25 feet.

(b) For dwellings that were in the B-G District, the bulk requirements shall be the same as in the R-7,500 District, and where adjoining any Residence District, the side yard shall not be less than 15 feet.

(5) The bulk requirements for age-restricted housing shall be the same as for nonresidential uses.

(6) Within a Business Park, the yards on both sides of an interior lot line may be zero, and the Planning Commission may reduce other yard requirements. Where a zero yard is proposed, setbacks, buffers and/or landscape screening requirements shall not be applicable.

### **(B) Bulk requirements in the Industrial Districts.**

(1) The following requirements shall be observed in the industrial districts, subject to the provisions of § [158.130](#):

- (a) Front yard: minimum 10 feet.
- (b) Side yard: minimum 20 feet.
- (c) Rear yard: minimum 20 feet.
- (d) Height: maximum 50 feet.

(C) Bulk requirements for accessory uses in the commercial and industrial districts shall be as set forth in § 158.130(C)(2).

(D) Within a Business/Industrial Park or an Industrial Park, the yards on both sides of an interior lot line may be zero, and the Planning Commission may reduce other yard requirements. Where a zero yard is proposed, setbacks, buffers and/or landscape screening requirements shall not be applicable.

(Ord. 2019-06, passed 12-12-2019)

## **§ 158.156 INDUSTRIAL PARK.**

(A) An Industrial Park is a self-contained development area of at least ten acres that is cohesive, with a common development scheme, and approved as a single development plan.

(1) An Industrial Park is permitted in the I-1 District, and principal uses include all uses permitted by right or authorized by conditional use in the I-1 District, except the following:

- (a) Airport;
- (b) Bus terminal;
- (c) Concrete or asphalt recycling;
- (d) Contractor's equipment storage facility;
- (e) Oil contaminated soil facility;
- (f) Solar energy conversion facility, ground-mounted; and
- (g) Storage of sludge.

(2) Additional principal uses permitted may include uses permitted by right or authorized by conditional use in the Commercial Districts, provided that these uses and the supporting parking lot area collectively comprise no more than 20% of the land area of the entire Industrial Park. However, the following uses permitted in the Commercial Districts are prohibited in an Industrial Park:

- (a) Adult day care facility;
- (b) Assisted Living Facility;
- (c) Cemetery or mausoleum;
- (d) Commercial kennel;
- (e) Retail store greater than 40,000 25,000 square feet in size;
- (f) Crematorium;
- (g) Drug rehabilitation clinic;
- (h) Dwellings;

- (i) Funeral establishment;
- (j) Hospice facility;
- (k) Hospital;
- (l) Indoor theater;
- (m) Nursing home;
- (n) Outdoor drive-in theater;
  
- (o) Outdoor recreation;
- (p) Outdoor trap, skeet, rifle, or archery ranges, including gun clubs;
- (q) Self-service storage facility;
- (r) Tattoo or piercing establishment;
- (s) Vehicle repair; and
- (t) Vehicle sales.

(3) The following principal uses are also permitted by right in an Industrial Park, without being subject to the percentage limitations above:

- (a) Conference center; ~~and~~
- (b) Hotel; and

(c) Medical or dental centers.

(4) The following temporary use is prohibited in an Industrial Park: Flea market.

(5) Multiple nonindustrial accessory uses may be permitted, provided that no accessory use shall exceed 5,000 square feet, except a day care center or health club, which may be up to 6,000 square feet, and provided that, in aggregate, the nonindustrial accessory uses do not exceed 10% of the acreage of the entire Industrial Park. To the extent that this section conflicts with Section 158.083(B)(2), the provisions of this section shall prevail.

(6) Landscaping, signs, walkways, and parking will be provided in an integrated and harmonious design.

(7) An Industrial Park shall be permitted to subdivide at the option of the developer, subject to all applicable requirements of Chapter 155 related to subdivision. may be subject to subdivision if it is over 20 acres in size. If an Industrial Park is between ten and 20 acres in size, it may not be further subdivided and must remain under common ownership.

(8) An average of 2.3 parking spaces per 1,000 square feet of building area shall be provided for the lots within an Industrial Park. The minimum number of spaces as

required herein and any modifications to the parking space design standards, as previously approved by Planning Commission during the site development plan approval of the Industrial Park, shall supersede any parking requirements and design standards of Chapter 155.

(Ord. 2019-06, passed 12-12-2019)

### **§ 158.159 BUSINESS PARK.**

A Business Park is a self-contained development area of at least ten acres that is cohesive, with a common development scheme, and approved as a single development plan.

(A) A Business Park is permitted in the C-3 District, and principal uses include all uses permitted by right or authorized by conditional use in the C-3 District, except the following:

- (1) Cemetery or mausoleum;
- (2) Crematorium;
- (3) Funeral establishment;
- (4) Outdoor drive-in theater; and
- (5) Self-service storage facility.

(B) Additional principal uses may include uses permitted by right or authorized by conditional use in the I-1 District, except an oil-contaminated soil facility, provided that these uses and the supporting parking lot area collectively comprise no more than 20% of the land area of the entire Business Park.

(C) Dwellings may also be permitted in a Business Park, provided that the total developed area for dwellings collectively comprises no more than 20% of the total land area of the Business Park development.

(D) The Planning Commission shall require phasing of construction of the residential portion of the Business Park to ensure that this component is in support of the primary employment uses.

(E) Landscaping, signs, walkways, and parking will be provided in an integrated and harmonious design.

(F) A Business Park shall be permitted to subdivide at the option of the developer subject to all applicable requirements of Chapter 155 related to subdivision. ~~may be subject to subdivision if it is over 20 acres in size. If a Business Park is between ten and 20 acres in size, it may not be further subdivided and must remain under common ownership.~~

(G) A Business Park shall provide an average of 3.5 parking spaces per 1,000 square feet of building area. The minimum number of spaces as required herein and any modifications to the parking space design standards, as previously approved by Planning Commission during the site development plan approval of the Business Park, shall supersede any parking requirements and

design standards of Chapter 155.