

ARTICLE 4

DISTRICT REGULATIONS

SECTION 401

USES NOT SPECIFICALLY MENTIONED

- 401.1 Uses Not Specifically Mentioned: Any use of land or buildings which is not specifically mentioned as a permitted principal, permitted accessory, or conditional use within any district shall not be permitted by the Zoning Inspector until it is determined by the Board of Appeals that such use is similar and compatible to uses permitted within such district. In determining if such uses are similar and compatible, the process outlined under Article 10, Section 1003 for Appeals shall be followed.

SECTION 402

A-10 PRIME AGRICULTURAL DISTRICT

402.1 Intent and Purpose: The intent of the Prime Agricultural District is to recognize the long-range physical, social, and economic needs of the agricultural community within Spring Valley Township. Since agricultural pursuits provide a substantial economic base for Spring Valley Township, and many areas still exist which possess an existing agricultural character and prime agricultural soils, it is the intent of this district to maintain and protect such areas. Only those land uses, which perform necessary functions within the agricultural community, will be encouraged to locate within the Prime Agricultural District. Rural farm dwellings are permitted to locate within the Prime Agricultural District at a maximum density of one dwelling unit per ten acres. Unnecessary encroachment by nonagricultural land uses which limits agricultural effectiveness either through encroachment of land resources or through incompatibility of land uses will be discouraged.

402.2 Permitted Principal Uses:

- a. Agriculture.
- b. Churches.
- c. One single-family dwelling in accordance with Section 529.
- d. Essential services.
- e. Plant materials nurseries.
- f. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed through studies. Such uses include, but are not limited to: parks; playgrounds; libraries; schools; fire stations; community centers; water treatment, pumping, and storage facilities; and waste water treatment and pumping facilities;

402.3 Permitted Accessory Uses:

- a. Bona fide accessory agricultural structures or buildings including but not limited to barns, stables, sheds, tool rooms, shops, bins, tanks, silos, and fences.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. Private garages.
- e. Home occupations regulated in Section 528.

- f. Accessory storage of recreational vehicles as regulated in Section 517.
- g. Temporary uses incidental to construction work as regulated in 524.
- h. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- i. Fences as regulated in Section 510.
- j. Private accessory landing strips as regulated in Section 531.
- k. Accessory structures necessary for domestic activities and storage, which does not include any business activity or other use not otherwise permitted within this Resolution.

402.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002 upon the satisfaction of the Board of Zoning Appeals that such use will not pose, by means of location or mode of operation, a threat to surrounding agricultural activities or needless encroachment of prime agricultural soils:

- a. Commercial airports as per Section 531.
- b. Cemeteries as regulated in Section 525.
- c. Agribusiness operations as regulated in Section 519.
- d. Private recreation facilities, including but not limited to fishing lakes, swimming pools, tennis courts, gun clubs, country clubs, recreational vehicle parks and campgrounds, and golf courses (excluding driving ranges and miniature golf) as regulated in Section 514.
- e. Private schools and child care nurseries.
- f. Billboards as regulated in Article 7.
- g. Public or private sanitary landfill operations as regulated in Section 522.
- h. Construction equipment storage as per Section 517.
- i. Contract Construction Companies subject to Section 515 and 517 requirements.
- j. Bed and Breakfast as permitted in Section 534. 402.4.
- k – Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years

eff 8/17/16

402.5 Minimum Dimensional Requirements:

As shown in Section 416.

SECTION 403

A-5 GENERAL AGRICULTURAL DISTRICT

403.1 Intent and Purpose: The General Agricultural District is intended for or application in outlying rural areas where urbanization and the extension of central water supply is not expected within the foreseeable future. It should be encouraged in rural areas where the Prime Agricultural District is not appropriate due to such factors as soil types, topography, existing land use and potential encroachment upon substantial agricultural activities. Rural home sites with secondary agricultural activities are permitted to locate within the General Agricultural District at a maximum density of one dwelling unit per five acres.

403.2 Permitted Principal Uses:

- a. Agriculture.
- b. Churches.
- c. One single-family dwelling in accordance with Section 529.
- d. Essential Services.
- e. Forests and wildlife preserves.
- f. Plant materials nurseries.
- g. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed through studies. Such uses include, but are not limited to: parks; playground; libraries; schools; fire stations; community centers; and waste water treatment and pumping facilities.

403.3 Permitted Accessory Uses:

- a. Bona fide accessory agricultural structures or buildings including but not limited to barns, stables, sheds, tool rooms, shops, bins, tanks, silos, and fences.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. Private garages.
- e. Home occupations as regulated in Section 528.
- f. Accessory storage of recreational vehicles as regulated in Section 517.
- g. Temporary uses incidental to construction work regulated in Section 524.
- h. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- i. Fences as regulated in Section 510.
- j. Private accessory landing strips as regulated in Section 531.

- k. Accessory structures necessary for domestic activities and storage, which does not include any business activity or other use not otherwise permitted within this Resolution.

403.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Commercial Airports as regulated in Section 531.
- b. Cemeteries as regulated in Section 525.
- c. Private recreation facilities, including but not limited to fishing lakes, swimming pools, tennis courts, gun clubs, and golf courses (excluding driving ranges and golf courses) as regulated in Section 514.
- d. Private schools and child care nurseries.
- e. Billboards as regulated in Section 701.
- f. Public or private sanitary landfill operations as regulated in Section 522.
- g. Storage of construction equipment as regulated in Section 517.
- h. Bed and Breakfast as permitted in Section 534.
- i.- Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

403.5 Minimum Dimensional Requirements:

As shown in Section 416.

SECTION 404

E-3 RURAL RESIDENTIAL DISTRICT

404.1 Intent and Purpose: The intent of the Rural Residential Estate District is to recognize the existence of and the demand for residential lots of a relatively rural and spacious nature on which agricultural activities may represent only a minor use by the occupants. Its purpose is to allow platted rural estate development to occur at an overall net density of three (3) acres per dwelling unit yet allow variable lot sizes within the development based on the physical characteristics of the site. Individual lots created outside of a plat by survey record shall be no less than 3 acres in area and have at least 200 feet frontage. This district is intended for application in outlying rural areas where urbanization and the extension or creation of central water supply and wastewater disposal systems are either not appropriate or not expected to occur for an extended period of time into the future. It is the intent of this district to encourage the proper placement of planned residential estate development within Spring Valley Township in coordination with Greene County Subdivision Regulations through flexible lot requirements in an effort to insure the following:

- (1) On-going adequacy of the underground water supply, (2) sufficient lot area for long term use of individual on-site leaching devices for waste water disposal, and (3) the protection of prime agricultural soils and other irreplaceable natural resources. The Rural Residential Estate District

should only be encouraged in those areas of Spring Valley Township which do not possess prime agricultural soils and/or in areas where similar non-farm residential development has already occurred to such an extent that the principal use of the land for large scale agricultural activities is no longer desirable.

404.2 Permitted Principal Uses:

- a. One single-family dwelling as per Section 529.
- b. Churches/places of worship as per Section 530.
- c. Essential Services.
- d. Forests and wildlife preserves.
- e. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water pumping and storage facilities. No outside storage or stockpiling of materials shall be permitted.
- f. Community Based Residential Social Service Facilities: Family Care Homes as per Section 518.

404.3 Permitted Accessory Uses:

- a. Accessory structures necessary for domestic activities and storage, which does not include any business activities.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. Private garages.
- e. Home occupations as regulated in Section 528.
- f. Accessory storage of recreational vehicles as regulated in Section 517.
- g. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- h. Fences as regulated in Section 510.

404.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Private recreation facilities, including but not limited to swimming pools, tennis courts, country clubs and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- b. Private accessory landing areas as regulated in Section 531.
- c. Private schools and child care nurseries.
- d. Extensions of existing cemeteries as regulated in Section 525.
- e. Bed and Breakfast as permitted in Section 534.
- f. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years

404.5 Minimum Dimensional Requirements:

As shown in Section 416 amended effective 11/3/88.

SECTION 405

E-1 SUBURBAN RESIDENTIAL ESTATE DISTRICT

405.1 Intent and Purpose: The intent of the Suburban Residential Estate District is to recognize the existence of and the demand for residential lots of a relatively spacious nature located both within and contiguous to urban areas. The density of residential development should be limited to a maximum of one acre per dwelling unit. This district should be applied to areas where physical land characteristics, central water or sewer system constraints and/or accessibility to community services require the lowest densities of urban residential development and should not be encouraged outside of the designated urban service boundaries of public utility systems. Agricultural activities should be limited to minor accessory uses within this District.

405.2 Permitted Principal Uses:

- a. One single-family dwelling in accordance with Section 529.
- b. Churches and other places of worship as regulated in Section 530.
- c. Essential Services.
- d. Forests and wildlife and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water pumping and storage facilities, and waste water pumping facilities. No outside storage or stockpiling of materials shall be permitted.
- f. Community Based Residential Social Service Facilities: Family Care Homes as regulated in Section 518.

405.3 Permitted Accessory Uses:

- a. Accessory structures necessary for domestic activities and storage, which does not include any business activity.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. Private garages. Home occupations as regulate Accessory storage of recreate regulated in Section 517. Private accessory swimming courts for occupants and regulated in Section 513. Temporary uses incidental to construction work as regulated in Section 524.
- e. Home occupation as regulated in Section 529.
- f. Accessory storage of recreational vehicles as regulated in Section 517.

- g. Private accessory swimming pools and game courts for occupants and their guests as regulated in Section 513.
- h. Temporary used incidental to construction work as regulated in Section 524.
- i. Fences as regulated in Section 510.

405.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Private recreation facilities, including but not limited to swimming pools, tennis courts, country clubs and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- b. Private accessory landing areas as regulated in Section 531.
- c. Private schools and child care nurseries.
- d. Extensions of existing cemeteries as regulated in Section 525.
- e. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

405.5 Minimum Dimensional Requirements:

As shown in Section 416.

SECTION 406

RS-2 LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

406.1 Intent and Purpose: The intent of the Low Density Single-Family Residential District is to recognize the existence of and the demand for residential lots at a density of approximately two dwelling units per acre. Necessary services and accessory uses compatible with low-density residential surroundings are encouraged to locate within this district. Central water supply and wastewater disposal facilities shall be required for land placed in this district.

406.2 Permitted Principal Uses:

- a. One single-family dwelling in accordance with Section 529.
- b. Churches and other places of worship as regulated in Section 530.
- c. Essential services.
- d. Forests and wildlife preserves.
- e. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water pumping and storage facilities, and waste water pumping facilities. No outside storage or stockpiling of material shall be permitted.
- f. Community Based Residential Social Service Facilities: Family Care Homes as regulated in Section 518.

- 406.3 Permitted Accessory Uses:
- a. Accessory structure necessary for domestic activities and storage, which does not include any business activity.
 - b. Accessory off-street parking and loading spaces as regulated in Article 6.
 - c. Accessory signs as regulated in Article 7.
 - d. One private garage.
 - e. Home occupations as regulated in Section 528.
 - f. Accessory storage of recreational vehicles as regulated in Section 517.
 - g. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
 - h. Temporary uses incidental to construction work as regulated in Section 524.
 - i. Fences as regulated in Section 510.

- 406.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:
- a. Private schools and child care nurseries.
 - b. Extensions of existing cemeteries as regulated in Section 525.
 - c. Private recreation facilities, including but not limited to swimming pools, tennis courts, country clubs, and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
 - d. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

- 406.5 Minimum Dimensional Requirements:
- As shown in Section 416.

SECTION 407 RS-3 MEDIUM-LOW DENSITY SINGLE-FAMILY RESIDENTIAL DISTRICT

407.1 Intent and Purpose: The intent of the Medium-Low Density Single-Family Residential District is to recognize the existence of and the demand for residential lots at a density of approximately three dwelling units per acre. Necessary services and accessory uses compatible with medium-low density residential surroundings are encouraged to locate within this district. Central water supply and wastewater disposal facilities shall be required for land placed in this district.

- 407.2 Permitted Principal Uses:
- a. One single-family dwelling in accordance with Section 529.
 - b. Churches and other places of worship as regulated in Section 530.
 - c. Essential services.

- d. Forests and wildlife preserves.
- e. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water pumping and storage facilities, and waste water pumping facilities. No outside storage or stockpiling of material shall be permitted.
- f. Community Based Residential Social Service Facilities: Family Care Homes as regulated in Section 518.

407.3 Permitted Accessory Uses:

- a. Accessory structures necessary for domestic activities and storage, which does not include any business activity.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. One private garage.
- e. Home occupations as regulated in Section 528.
- f. Accessory storage of recreational vehicles as regulated in Section 517.
- g. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- h. Temporary uses incidental to construction work as regulated in Section 524.
- i. Fences as regulated in Section 510.

407.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Private schools and child care nurseries.
- b. Extensions of existing cemeteries as regulated in Section 525.
- c. Private recreation facilities, including but not limited to swimming pools, tennis courts, country clubs, and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- d. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years

407.5 Minimum Dimensional Requirements:

As shown in Section 416.

SECTION 408

RT-3 MEDIUM-LOW DENSITY TWO-FAMILY RESIDENTIAL DISTRICT

408.1 Intent and Purpose: The intent of the Medium-Low Density two-family Residential District is to provide for both single-family and two-family residential development at a density of approximately three dwelling units per acre. Necessary services and accessory uses compatible with

single-family and two-family dwellings are encouraged to locate within this district. Central water supply and wastewater disposal facilities shall be required for land placed in this district.

408.2 Permitted Principal Uses:

- a. One single-family dwelling or two-family in accordance with Section 529.
- b. Churches and other places of worship as regulated in Section 530.
- c. Essential services.
- d. Forests and wildlife preserves.
- e. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water pumping and storage facilities, and waste water pumping facilities. No outside storage or stockpiling of material shall be permitted.
- f. Community Based Residential Social Service Facilities: Family Care Homes as regulated in Section 518.

408.3 Permitted Accessory Uses:

- a. Accessory structures necessary for domestic activities and storage, which does not include any business activity.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. One private garage.
- e. Home occupations as regulated in Section 528.
- f. Accessory storage of recreational vehicles as regulated in Section 517.
- g. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.
- h. Temporary uses incidental to construction work as regulated in Section 524.
- i. Fences as regulated in Section 510.

408.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Private schools and child care nurseries.
- b. Extensions of existing cemeteries as regulated in Section 525.
- c. Private recreation facilities, including but not limited to swimming pools, tennis courts, country clubs, and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- d. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

408.5 Minimum Dimensional Requirements:

As shown in Section 416.

SECTION 409

RM-8 MEDIUM-HIGH DENSITY MULTIPLE RESIDENTIAL DISTRICT

409.1 Intent and Purpose: The intent of this district is to provide for both two-family and multiple-family residential development at a density up to approximately eight units per acre. Necessary services and accessory uses compatible with medium-high density residential surroundings are encouraged. This district should only be encouraged at locations which possess adequate access to schools, employment areas, shopping facilities, and other community services via major streets without passage through areas of lower density. Central water and sewer facilities shall be required for land placed within this district.

409.2 Permitted Principal Uses:

- a. One two-family dwelling or multiple-family dwelling structure in accordance with Section 529.
- b. Churches and other places of worship as regulated in Section 530.
- c. Essential services.
- d. Forests and wildlife preserves.
- e. Public buildings and/or uses which are supported in whole or in part by taxes or special assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, playgrounds, libraries, schools, fire stations, community centers, water pumping facilities. No outside storage or stockpiling shall be permitted.
- f. One boarding house.
- g. Community-Based Residential Social Service Facilities: Family Care Homes as regulated in Section 518.

409.3 Permitted Accessory Uses:

- a. Accessory structures necessary for domestic activities and storage, which does not include any business activity.
- b. Accessory off-street parking and loading spaces as regulated in Article 6.
- c. Accessory signs as regulated in Article 7.
- d. Home occupations as regulated in Section 528.
- e. Accessory storage of recreational vehicles as regulated in Section 517.
- f. Private accessory swimming pools and game courts for the use of occupants and their guests as regulated in Section 513.

- g. Temporary uses incidental to construction work as regulated in Section 524.
- h. Fences as regulated in Section 510.

409.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Private schools and child care nurseries.
- b. Extensions of existing cemeteries as regulated in Section 525.
- c. Private recreation facilities, including but not limited to swimming pools, tennis courts, country clubs, and golf courses (excluding driving ranges and miniature golf courses) as regulated in Section 514.
- d. Community Based Residential Social Services Facilities: Group Care Homes or Homes for Adjustment as regulated in Section 518.
- e. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

409.5 Minimum Dimensional Requirements:

As shown in Section 416.

SECTION 410

R-MH MOBILE HOME PARK DISTRICT

410.1 Intent and Purpose: The purpose of the Mobile Home Park District is to provide sites for mobile homes at appropriate locations in relation to existing and potential development of the surroundings, other land uses, and community facilities. By realizing the special requirements of the mobile home and specifying the provisions under which mobile home parks may be established, this district is intended to provide a proper setting for such uses in relationship to other land uses and to *Perspectives: A Future Land Use Plan for Greene County*.

410.2 Permitted Principal Uses: The following uses may be permitted provided all the requirements of the Mobile Home Park District are met:

- a. Mobile homes.
- b. Essential Services.
- c. Public parks, playgrounds, and other public recreation facilities, including but not limited to community swimming pools, golf courses (excluding driving ranges and miniature golf), game courts, ball fields and country clubs.

410.3 Accessory Uses:

- a. Those uses required for the direct servicing and well being of mobile home park residents, and for the management and maintenance of the mobile home park, including but not limited to offices, storage facilities, laundry facilities, and recreation areas.

- b. Structural additions to mobile homes which include awnings, cabanas, carports, Florida rooms, porches, armadas, storage cabinets, and similar accessory structures. All such additions shall be considered as part of the mobile home for the purpose of determining compliance with the general provision requirements of this section.

410.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Home occupations as regulated in Section 528.
- b. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

410.5 General Provisions: The location and operation of all mobile home parks shall be in accordance with the following provisions:

- a. It shall be unlawful for any person, firm, and/ or corporation to open, operate, or administer any mobile home park within Spring Valley Township unless a valid license is obtained from the proper health authorities in the name of such person, firm, or corporation for the specific mobile home park.
- b. Any mobile home not located within a licensed mobile home park and not used for agricultural tenants on or after the effective date of this Resolution is privileged to remain at its present location, but may not be relocated within the Township except by meeting the requirements of this Section.
- c. No existing mobile home park may be expanded or altered without first obtaining the licenses required, meeting the requirements of this Section, and obtaining a Mobile Home Park Permit.
- d. At least forty percent (40%) of the mobile home park lots shall be completed and ready for occupancy before the owner may initiate rental of any space within the development. Such completion shall include installation of roadways, sidewalks, lighting, public utilities, and service and management buildings.
- e. Conditions of soil, ground water level, drainage, and topography shall not hazards to the property or the health or safety of the occupants. The site shall not be exposed to objectionable smoke, dust, noise, odors, or other adverse influences. No portion subject to predictable sudden flooding or erosion shall be used for any purpose, which would expose persons or property to hazards.
- f. Mobile home parks shall be served adequately by essential public facilities and services such as water supply, wastewater disposal, highways, streets, police and fire protection, drainage, refuse disposal, and schools. Persons or agencies responsible for the establishment of Mobile Home Parks shall be able to adequately provide any such services.
- g. Mobile home parks shall be consistent with the intent and purpose of *Perspectives: A Future Land Plan for Greene County, Ohio*.

- h. Mobile home parks shall have vehicular approaches to the property, which shall be so designed as not to create an interference with or hazard to traffic on surrounding public streets or roads.
- i. Development of a mobile home park shall not result in the destruction, loss, or damage of natural, scenic, or historic features of major importance.
- j. Mobile home parks shall meet those requirements of the Ohio Revised Code and Sanitary Codes and the regulations of the Greene County Health Department, which are more restrictive than the requirements of this Resolution.
- k. Every mobile home park shall not contain less than ten (10) acres of land.
- l. All mobile home parks shall have a not less than two hundred fifty along a public thoroughfare.
- m. Signs shall be permitted only in with the provisions of Article otherwise approved by the Board Appeals.

SECTION 411

TB

TOWNSHIP BUSINESS DISTRICT

- 411.1 Intent and Purpose: The purpose of the Township Business District is to provide for the establishment of areas devoted for the use of those retail and personal service businesses that operate as a response to the daily needs of the residents of Spring Valley Township. Uses in this district are intended to be located on major streets at strategic access points to surrounding areas minimizing the potential adverse effects on surrounding residential property. It is the intent of this District to encourage clustering of businesses in order to discourage "strip" development, provide for a minimum of traffic interference and encourage pedestrian access.
- 411.2 Permitted Principal Uses: Public water supply and sanitary sewer service shall be available to the site, or the owner shall present proof that proposed on-site water and/or sewage disposal facilities have been approved by the Greene County Health Department and/or the Ohio Environmental Protection Agency before any Zoning Permit shall be issued to such use.
 - a. Antique Shops.
 - b. Automobile Parts and Accessory Sales.
 - c. Automobile Service Stations.
 - d. Bakeries.
 - e. Banks.
 - f. Book and Stationary Shops.
 - g. Business Services.
 - h. Candy and Ice Cream Stores.
 - i. Contract Construction Businesses.
 - j. Convenience Carry-out Stores.
 - k. Clothing and Apparel Stores.
 - l. Delicatessens.

- m. Department and/or Discount Stores.
- n. Drug Stores.
- o. Farm Supply Stores.
- p. Food Stores and Groceries.
- q. Furniture Repair and Upholstery Stores.
- r. Hardware Stores.
- s. Ice Sales.
- t. Indoor Commercial Entertainment Facilities.
- u. Inside and Outside Storage Facilities.
- v. Laundry and Dry Cleaning, self-service or Pick-Up.
- w. Medical Clinics.
- x. Personal Services.
- y. Post Offices.
- z. Professional Offices.
- aa. Restaurants, Sit-Down Service.
- bb. Variety Stores.
- cc. Veterinary Services, Without Kennels or the Outside Keeping of Animals.
- dd. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include, but are not limited to: parks, playgrounds, libraries, schools, fire stations, police stations, public administrative offices, public maintenance garages, community centers, water storage, and water and waste water pumping stations.
- ee. Essential services.

411.3 Accessory Uses:

- a. Off-street parking and loading spaces as regulated in Article 6.
- b. Signs as regulated in Article 7.
- c. Storage within an enclosed building of supplies or merchandise, which are normally carried in stock in connection with a permitted use.
- d. Temporary buildings or uses as regulated in Section 524.
- e. Outside Storage of Equipment and Materials as regulated by Sections 512 and 515.

411.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Accessory living quarters for persons employed on the premises.
- b. Auction Houses.

- c. Automobile Repair Stations.
- d. Automobile Sales or Rentals.
- e. Automobile Washing Facilities.
- f. Boat Sales, Repair, and Storage.
- g. Billboards as regulated in Article 7.
- h. Clubs, Lodges, Civic or Fraternal Organizations.
- i. Lumber and Building Material Sales.
- j. The creation or making of goods for sale at retail on premises, which have a high volume-to, balk ratio and not involving extensive mechanization.
- k. Motels or Hotels.
- l. Off-Street Parking Lots.
- m. Outdoor Commercial Recreation Facilities.
- n. Restaurants, Drive-In.
- o. Retail Nursery.
- p. Veterinary Services with Kennels, or Outside Keeping of Animals.
- q. Bed and Breakfast as permitted in Section 534.
- r. Sexually Oriented Facilities. A conditional use permit shall not be authorized unless the following conditions at a minimum are complied with:

1. Minimum Setback from Residential District or Parcel used for Residential Purposes: No sexually oriented facility shall be established within 1000 feet of any residential district and/or parcel used for residential purposes.
2. Minimum Setback from Library, Schools, and Child Care Facilities Parcel: No sexually oriented facility shall be established within a radius of 1000 feet from any school, library, or teaching facility, whether public or private, governmental or commercial, which school, library or teaching facility is attended by persons under 18 years of age.
3. Minimum Setback from Park, Recreation Facility and Bikeway Corridor Parcel: No sexually oriented facility shall be established within a radius of 1000 feet from any park, recreational facility, and bikeway corridor attended by persons under 18 years of age.
4. Minimum Setback from Churches Parcel: No sexually oriented facility shall be established within a radius of 1000 feet from any church, synagogue, or permanently established place of religious services which is attended by persons under 18 years of age.
5. Minimum Setback from Other Sexually Oriented Facilities Parcel: No sexually oriented facility shall be shown or exhibited with a radius of 1000 feet of any other sexually oriented facility.
6. Prohibited Public Display: No advertisements, displays or other promotional materials shall be shown or exhibited so as to be visible to the public from pedestrian sidewalks or walkways, or from other public or semi-public areas.
7. Public View to be Prevented: All building openings, entries, windows, etc. shall be located, covered, or serviced in such a manner as to prevent a view into the interior from any public or

semi-public area, sidewalk or street. For new construction, the building shall be oriented so as to minimize any possibility of viewing the interior from public or semi-public areas.

8. External Audio and Visual Impact: No screens, loudspeakers or sound equipment shall be used that can be seen or discerned by the public off the premise of the sexually oriented facility.
 9. Prohibited Sale or Consumption of Alcohol: No sale or consumption of alcoholic beverages shall be permitted on property with a sexually oriented facility.
- .s. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

411.5 Minimum Dimensional Requirements:

As shown in Section 416.

SECTION 412

LI LIGHT INDUSTRIAL DISTRICT

412.1 Intent and Purpose: The purpose of the Light Industrial District is to provide space for those industrial uses which operate in a clean and quiet manner and generate only light to moderate amounts of traffic. This district is not intended for the use of industries which deal with hazardous elements of emit noise, glare, dust, odor, smoke, or possess other offensive characteristics detrimental to surrounding land uses such as large traffic generators. The intent is to create and protect efficient light industrial areas by insuring careful design, placement, and grouping of industries, which will promote the protection of any adjacent residential or business activities. Land to be placed in this district is intended to have level topography, public utilities, and major transportation facilities readily available.

412.2 Permitted Principal Uses: Manufacturing or industrial uses including, but not limited to, the following uses provided that by nature of the materials, equipment, or processes utilized, such use is not objectionable by reason of odor, radiation, noise, vibration, cinders, gas fumes, dust, smoke, refuse matter, or waste water generation. Public water supply and a public sanitary sewer system shall be available to the site, or the owner shall present proof that proposed on-site water and/or sewage disposal facilities have been approved by the Greene County Health Department and/or the Ohio Environmental Protection Agency before any Zoning Permit shall be issued to such use.

- a. Fabrication, processing, packaging and/or assembly of articles or merchandise from the following previously prepared materials: bone, canvas, cellophane, cloth, cork, feathers, felt, fiber, horn, leather, paint, paper, plastics, precious or semi-precious metals or stones, textiles, tobacco, wax, wood, and yarn.
- b. Fabrication, processing, packaging and/or manufacture of food products and condiments, excluding slaughterhouses and rendering and refining of fats, oils, fish, vinegar, yeast and sauerkraut.

- c. Manufacturing, assembling or repairing of electrical and electronic products components, and equipment.
- d. Machine shops and tool and die shops.
- e. Lumber yards including incidental millwork, coal, brick, and stone.
- f. Recycling center collection points, provided materials are kept in an enclosed building.
- g. Warehouses and warehouse distribution centers.
- h. Research and engineering laboratories.
- i. Cold storage and frozen food lockers.
- j. Publishing and printing.
- k. Automobile repair and painting but no commercial wrecking, dismantling or salvage yard.
- l. Auto Service station.
- m. Parcel post delivery stations.
- n. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed by studies. Such uses include but are not limited to: Water storage, water and waste water pumping facilities; sanitary landfills as regulated in Section 522, excluding hazardous waste storage or burial; fire stations, police stations; parks, and public maintenance facilities.
- o. Auction Centers
- p. Boat Sales, Repair, and Storage.
- q. Inside and Outside Storage Facilities.
- r. Contract Construction Company.

412.3 Accessory Uses:

- a. Off-street parking and loading spaces regulated in Article 6.
- b. Signs as regulated in Article 7.
- c. Temporary buildings as per Section 524.
- d. Storage of materials within an enclosed building normally utilized in connection with a permitted use.
- e. Accessory landing areas as per Section 531.
- f. Outside Storage of Equipment and Materials as regulated by Sections 512 and 515.

412.4 Conditional Uses: The following uses shall be permitted only in accordance with Article 10, Section 1002:

- a. Manufacturing or industrial enterprises operations, or processes similar to any permitted principal use provided that any resulting cinders, dust, flashing, fumes, gas, noise, odor, refuse matter, smoke, vapor or vibration is no greater or more detrimental to the neighborhood than the above specified uses, that no extra fire hazard is created and that the proposed use is determined by the Board of Zoning Appeals to be of the same general character as the above uses.
- b. Billboards as regulated in Article 7.

- c. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years
- 412.5 Minimum Dimensional Requirements:

As shown in Section 416.
- 412.6 Landscaping: Landscaping shall be required subject to approval of the Zoning Commission. Proposals for such landscaping shall be provided with the Zoning Amendment Application. All landscaping shall be completed within six (6) months of completion of the building.

SECTION 413

HI HEAVY INDUSTRIAL DISTRICT

- 413.1 Intent and Purpose: The purpose of the Heavy Industrial District is to create and protect areas for industries which require large sites and should be isolated from other land uses by virtue of their external effects such as heavy traffic generation, open storage materials, and possible emission of noise, glare, dust, odor, smoke, or other offensive characteristics. This district is intended to insure proper design, placement, and grouping of all types of industries of this nature within the Township so as not to create a nuisance to other surrounding land uses. Land to be placed in this district is intended to have level topography, sufficient public utilities, and major transportation facilities readily available.
- 413.2 Permitted Principal Uses: Manufacturing or industrial uses including but not limited to the following uses. Public water supply and a public sanitary sewer system shall be available to the site or the owner shall present proof that proposed on-site water and/or sewage disposal facilities have been approved by Greene County Health Department and/or the Ohio environmental Protection Agency before any Zoning Permit shall be issued to such use.
 - a. Any principal use permitted in the LI Light Industrial district.
 - b. Contractor sales, storage and equipment yards.
 - c. Flour or grain mills.
 - d. Truck terminals provided that truck entrances and exits are on to streets where pavement width is at least thirty (30) feet.
 - e. Mobile home and recreational vehicle storage.
 - f. Manufacture and storage of building materials.
 - g. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which have been fixed by studies. Such uses include but are not limited to: water treatment, pumping, and storage facilities; waste water treatment and pumping facilities; sanitary landfills in accordance with Section 522; fire stations; police stations; parks; and public maintenance facilities.
 - h. Essential services.
 - i. Agri-business.

- 413.3 Accessory Uses:
- a. Indoor or outdoor storage of materials normally utilized in connection with a permitted use.
 - b. Off-street parking and loading spaces as regulated in Article 6.
 - c. Signs as regulated in Article 7.
 - d. Temporary buildings or uses as regulated in Section 524.
 - e. Accessory landing areas as per Section 531
 - f. Outside Storage of Equipment and Materials as regulated by Sections 512 and 515.

413.4 Conditional Uses: The following shall be permitted only in accordance with Article 10, Section 1002:

- a. Automotive, tractor-trailer farm implement assembly or manufacture.
- b. Boiler shops, machine shops, structural steel fabricating shops, or metal working shops.
- c. Manufacturing of cement products, including ready mix concrete batching plants.
- d. Manufacture of glass products, pottery, figurines or similar products using previously pulverized clay.
- e. Storage facilities for fuels, coal, chemicals, or other similar flammable or toxic materials not defined as hazardous waste. The storage or disposal of hazardous waste materials shall only be permitted within an approved sanitary landfill site as regulated in Section 522.14.
- f. Manufacture of asphalt and asphalt products.
- g. Solid waste reduction and/or recycling facilities.
- h. Junk yards as regulated in Section 521.
- i. Manufacturing or industrial enterprises, operations, or process similar to any permitted principal use provided that any resulting cinders, dust, flashing, fumes, gas, noise, odor, refuse matter, smoke, vapor, or vibration shall not be greater or more detrimental to the neighborhood than the above specified uses and that no extra fire hazards be created.
- j. Billboards as regulated in Article 7.
- k. Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years.

413.5 Minimum Dimensional Requirements:
As shown in Section 416.

SECTION 414

FPO FLOOD PLAIN OVERLAY DISTRICT

This district encompasses underlying zoning districts and imposes additional requirements above that required by the underlying zoning districts.

414.1 Intent and Purpose: The purpose of the Flood Plain Overlay District is to prevent the loss of property and life, to prevent the disruption of

commerce and governmental services, to prevent the unnecessary and extraordinary expenditure of public funds for flood protection and relief, and to prevent the impairment of the tax base, by:

- a. Restricting, regulating, or prohibiting certain uses, activities, and developments from locating within areas subject to flooding;
- b. Regulating uses, activities, and developments which, acting alone or in combination with other existing or future uses, activities, and developments, will cause unacceptable increases in flood heights, velocities and frequencies;
- c. Requiring all those uses, activities, and developments that occur in flood-prone areas to be protected and/or flood proofed against flooding and flood damage; and
- d. Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

414.2 Basis for Establishing the initial areas of the Flood Plain Overlay District: The degree of flood protection required by this Resolution is considered reasonable for regulatory purposes and is based upon the *Flood Insurance Study for the Unincorporated Areas of Greene County, Ohio* prepared by the Federal Emergency Management Agency. The Flood Insurance Study, with accompanying maps is adopted by reference and declared to be a part of this Resolution. Where detailed studies of the Floodway and Floodway Fringe have not been made available within the Flood Insurance Study, the following sources of data may be used to determine the necessary district boundaries for the purposes of this Resolution:

- a. Corps of Engineers-Flood Plain Information Reports.
- b. U.S. Geological Survey-Flood Prone Quadrangles.
- c. U.S.D.A., Soil Conservation Service-Flood Hazard Analysis Studies and County Soil Surveys (Alluvial Soils).
- d. Ohio Department of Natural Resources-Flood Hazard Reports and Flood Profile Charts.
- e. Known high-water marks from past floods.
- f. Other sources acceptable to the appropriate Spring Valley Township authority.

This Resolution does not imply that areas outside of the Flood Plain Overlay District as designated on the Official Zoning District Map or land uses permitted within such district will be free from flooding damages. This Resolution shall not create liability on the part of Spring Valley Township or any official or employee thereof for any flood damages that result from reliance on this Resolution.

414.3 Flood Plain Overlay District Sections: The Flood Plain Overlay District is hereby divided into three (3) areas in accordance with the *Flood Insurance Study for the Unincorporated Areas of Greene County, Ohio*: Floodway, Floodway Fringe, and General Flood Plain.

- a. Floodway: The floodway is delineated for purposes of this resolution using the criteria that a certain area within the flood plain must be capable of carrying the waters of the one-hundred (100) year flood. The floodway is shown on the Flood Insurance Study maps and tables.
- b. Floodway Fringe: The Floodway Fringe is defined as that area of the one-hundred (100) year flood plain not included in the Floodway. The basis for the outermost boundary of this area shall be the one-hundred (100) year flood elevations contained in the flood profiles of the above referenced Flood Insurance Study and as shown on the accompanying Flood Boundary and Floodway Map and on the Spring Valley Township Official Zoning Map.
- c. General Flood Plain: The general flood plain shall be that one-hundred (100) year flood plain area for which the floodway and floodway fringe areas have not been delineated, and for which no detailed flood profiles or elevations are provided. In determining the necessary elevations for the purposes of this Resolution, sources of data as identified in Section 414.02 a-f may be used when available.

Where the one-hundred (100) year flood elevation cannot be determined for an area using other sources of data, the applicant for the proposed use, development and/or activity shall, if requested to do so by the Zoning Inspector, determine the one-hundred (100) year flood elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analysis shall be undertaken only by registered professional engineers, who shall demonstrate that the technical methods used correctly reflect current accepted technical concepts. Studies, analysis, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review as provided for in 414.06.

414. 4 Overlaying of Existing Districts:

- a. The Flood Plain Overlay District described above shall be an overlay to the existing underlying district(s) as shown on the Official Zoning Map, and as such, the provisions for the Flood Plain Overlay District shall serve as a supplement to the underlying district provisions.
- b. Where there happens to be any conflict between the provisions or requirements of the Flood Plain Overlay District and those of any underlying district(s) the more restrictive provisions and/or those pertaining to the Flood Plain Overlay Districts shall apply.
- c. In the event any provision concerning a Flood Plain Overlay District is declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the basic underlying district provisions shall remain applicable.

414. 5 Zoning Map: The boundaries of the Flood Plain Overlay District are established per the *Flood Insurance Study for the Unincorporated Areas of Greene County, Ohio* and as shown on the Official Zoning Map of Spring Valley Township which is declared to be a part of this Resolution

and which shall be kept on file at the Spring Valley Township Zoning Inspectors Offices.

- 414.6 Boundary Changes: The delineation of the Flood Plain Overlay District boundary shall be revised as outlined in Section 1004 of this Resolution.

Where natural or man-made changes have occurred and the Flood Insurance Study, with accompanying maps have been revised or letters of amendment have been issued by the Federal Emergency Management Agency and/or more detailed studies are conducted by the Federal Emergency Management Agency, Federal Insurance Administration or sources listed in Section 414.02, boundary amendments may be considered. However, prior to any such legislative change, approval must be obtained from the Federal Emergency Management Agency, Federal Insurance Administration.

- 414.7 Interpretation of Boundaries: The Zoning Inspector shall make initial interpretations of the boundaries of the Flood Plain Overlay District.

Should a dispute arise concerning the boundaries of the Flood Plain Overlay District the Board of Zoning Appeals shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board and to submit such technical evidence as the Board requests.

- 414.8 Floodway:

- a. Permitted, Conditional and Accessory Uses within the Floodway: Uses shall be that of the underlying district and shall be permitted outside the buffer area described in 414.11, as long as they do not include structures, require fill or storage of materials or equipment. No uses shall be allowed which require below ground placement of materials. In addition, no use shall adversely affect the efficiency or restrict the capacity of the channels or floodways of any tributary to the main stream, drainage ditch or other drainage facility or system.
- b. Prohibited Uses: The following prohibited uses apply to the Floodway Fringe, and General Flood Plain.
 1. Automobile and scrap metal wrecking; junk and salvage yards.
 2. Automobile service stations.
 3. Automobile, tractor, trailer, farm implement assembly and/or manufacturing.
 4. Battery manufacturing and tire re-capping or re-treading.
 5. Cemeteries.
 6. Channel modifications that increase flow and/or reduce the storage capacity and/or increases velocity.
 7. Commercial machine and tool and die shops.
 8. Commercial chemical and paint warehouse/storage.
 9. Commercial feedlots.
 10. Commercial fertilizer and agri-chemical distribution centers.

11. Commercial quarries, gravel pits, and asphalt production.
12. Commercial repair garages, storage, or repair yards or warehouses.
13. Dry cleaners.
14. Foundries.
15. Industrial research laboratories.
16. Motor freight depots and trucking terminals.
17. Underground storage tanks.
18. Landfills.
19. Sludge and septic waste disposal, including the disposal of bio-solids from waste water treatment facilities.
20. Structures, fill or storage of materials and/or equipment.
21. Uses similar to the above, as determined by the Board of Zoning Appeals.

414.9 Floodway Fringe:

- a. Conditional uses to the extent that they are not prohibited elsewhere and are constructed on fill or elevated with the first floor or basement floor at least two (2) foot above the one-hundred (100) year flood plain elevations. The fill shall extend at least fifteen (15) feet beyond the limits of any structure or building erected thereon. Where existing streets or utilities are at elevations which make compliance with this provision impractical or in other special circumstances, the Board of Zoning Appeals may authorize other techniques for elevation as long as the use does not adversely affect the efficiency or restrict the capacity of the flood plain.

414.10 General Flood Plain:

- a. Permitted, Conditional and Accessory Uses within the General Flood Plain: Uses shall be that of the underlying district and shall be permitted outside the buffer area described in 414.11, as long as the use does not adversely affect the efficiency or restrict the capacity of the flood plain. All uses specified, or similar to those specified in the underlying district that require fill, are permitted only as conditional uses. No conditional use shall be located in the established buffer area as described in Section 414.11. The General Flood Plain encompasses both floodway and floodway fringe areas. Therefore, the Zoning Inspector and Board of Zoning Appeals as provided in Section 414.07, shall determine whether the proposed conditional use is located within a floodway or floodway fringe area. If it is determined that the proposed use is located within the floodway, the provisions of Section 414.09 shall apply. If it determined that the proposed use is located within the floodway fringe, the provision of Section 414.12 shall apply. All uses shall be subject to performance and other standards contained in this resolution. The applicant shall be required to supply necessary data to enable this determination when not otherwise available.

414.11 Establishment of Buffer Area: A buffer area shall be maintained along both sides of all stream and river channels listed – Little Miami River, Glady Run, Anderson Fork, and Caesar Creek. The boundary for the buffer area shall be 120 feet in horizontal plain outward from the normal edge of the stream channel. Natural land cover is to be preserved within the buffer area. The buffer area is thus intended to limit impact of non-agricultural land uses on the stream in order to: preserve and conserve the quality, purity, clarity, and free-flowing condition of its waters; cool water temperatures, lessen the impact of siltation on stream waters and reserve valuable resources in the interest of present and future generations. *(Consider having the buffer area placed in a conservation easement).*

414.12 Minimum Dimensional Requirements:

The following standards shall be adhered to within the Flood Plain Overlay District where such uses are permitted.

1. The minimum lot size, width and percent of coverage shall be that of the underlying district.
2. In the Flood Plain Overlay District, the yard areas shall be that of the underlying district.
3. Maximum permitted building height regulations in this district shall be that of the underlying district.

414.13 Required Conditions:

- a. All applications for a Conditional Use Permit within the Flood Plain Overlay District shall be accompanied by a report and recommendation bearing the seal of a professional surveyor registered in the State of Ohio certifying the elevation of the 100-year regional flood on the property, the location and elevation of existing and proposed fill and/or structures not elevated above the 100-year regional flood elevation.
- b. Upon consideration of the application for a Conditional Use Permit, the Board of Zoning Appeals may attach conditions to such uses as it deems necessary to further the purposes of this Section. Such conditions may include but not limited to the following:
 1. Requirements for the elevation of structures of a minimum of twenty-four (24) inches above the one-hundred year flood elevation;
 2. Modification of waste disposal and water supply facilities to the satisfaction of the Greene County Combined Health District the Greene County Sanitary Engineer, and/or the Ohio EPA;
 3. Limitations on periods of use and operation;
 4. Imposition of operational controls, sureties, and deed restrictions;
 5. Requirements for construction of channel modifications, dikes, levees, and other protective measures; and/or

6. Flood proofing measures such as the following may be required and shall be designed consistent with the regional flood protection elevation for the particular area, flood velocities, duration's, rate of rise, hydrostatic and hydrodynamic forces and other factors associated with the regional flood. The Board of Zoning Appeals shall require that the applicant submit a plan or document certified by a registered professional engineer that the flood proofing measures are consistent with the regional flood protection elevation and associated flood factors for the particular area. The following flood proofing measures may be required:

- a. Anchorage to resist flotation and lateral movement;
- b. Installation watertight doors, bulkheads, and shutters, or similar methods of construction;
- c. Reinforcement of walls to resist water pressures;
- d. Use of paints, membranes, or mortars to reduce seepage or water through walls;
- e. Addition of mass or weight to structures to resist flotation.
- f. Installation of pumps to lower water levels in structures.
- g. Construction of water supply and waste treatment systems so as to prevent the entrance of flood waters;
- h. Pumping facilities or comparable practices for sub-surface drainage systems for buildings to relieve external foundation wall and basement flood pressures;
- i. Construction to resist rupture of collapse caused by water pressure of floating debris;
- j. Installation of valves or controls on sanitary and storm drains which will permit the drains to be closed to prevent back up of sewage and storm waters into the buildings or structures. Gravity drainage of basements may be eliminated by mechanical devices;
- k. Location of all electrical appliances in a manner which will assure they are not subject to flooding and to provide protection from inundation by the regional flood; and/or
- l. Location of any structural storage facilities for chemicals, explosives, buoyant materials, flammable liquids or other toxic materials which could be hazardous to public health, safety, and welfare in a manner which will assure that the facilities are situated at elevations above the height associated with the regional flood protection elevation or are adequately flood proofed to prevent flotation of storage containers which could result in the escape of toxic materials into floodwaters

c. In passing upon such applications, the Board of Zoning Appeals shall consider the following relevant factors:

1. The danger of life and property due to increase flood heights or velocities caused by encroachments.
2. The danger that materials may be swept on to other lands or downstream to the injury of others.

3. The proposed water supply and sanitation systems and the ability of these systems to prevent disease, contamination and unsanitary conditions.
4. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the owner.
5. The importance of the services provided by the proposed facility to the community.
6. The requirements of the facility for a waterfront location.
7. The availability of alternative locations not subject to flooding for the proposed use.
8. The compatibility of the proposed use with existing development and development anticipated in the foreseeable future.
9. The relationship of the proposed use to *Perspectives 2020: A Future Land Use Plan for Greene County, Ohio*, as amended.
10. The safety of access to the property in times of flood by ordinary and emergency vehicles.
11. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters expected at the site.
12. Other factors which are relevant to the purposes of this Resolution.

SECTION 415

PUD PLANNED UNIT DEVELOPMENT DISTRICTS

- 415.01 Intent and Purpose: The intent and purpose of the Planning Unit Development Districts is to provide a means for encouraging ingenuity, imagination, and flexibility on the part of engineers, architects, site planners, and developers in the planning and design of development within Spring Valley Township. The arrangement and design of such developments shall be based upon a unified development plan conceived and carried out for the entire site.
- 415.02 Criteria for Approval of Planned Unit Developments: Before the approval of any Planned Unit Development is granted, the Zoning Commission and Township Trustees shall find that the facts submitted with the application meet the following criteria:
- a. The Planned Unit Development shall be consistent in all respects with the comprehensive plan of Spring Valley Township;
 - b. The Planned Unit Development shall provide a more desirable and more diverse environment than would be possible under strict application of the standard minimum design requirements of other districts provided within this Resolution;
 - c. The Planned Unit Development shall provide a development pattern, which preserves and utilizes the natural topography, geologic features, scenic vistas, natural vegetation, and natural drainage patterns of the site;

- d. The Planned Unit Development shall provide an environment of stable character, which promotes a harmonious relationship between land uses within the site and a harmonious relationship with surrounding development;
- e. The Planned Unit Development shall promote greater efficiency in the use of land, but shall not impose an undue burden on public services and facilities such as fire and police protection, schools, water supply, and wastewater disposal due to excessive population densities;
- f. The Planned Unit Development shall be accessible from public thoroughfares adequate to accommodate the traffic which will be imposed on them by the proposed development, and the proposed streets and parking areas within the site shall be adequate to serve the proposed arrangement of land uses;
- g. The Planning Unit Development shall provide a more spacious and useful pattern of open space and recreation areas than would normally be required under the strict application of existing zoning and subdivision requirements;
- h. The Planned Unit Development shall be designed in such a way that each individual section of the development, as well as the total development, can exist on an independent section capable of creating an environment of sustained desirability and stability, or that adequate assurance has been provided that such an objective will be attained;
- i. If governmental ownership is planned for common open space or recreational facilities within the Planned Unit Development, its acceptance shall be approved prior to approval to the PUD.

If it is proposed that such open space be owned and/or maintained by any entity other than a governmental authority, copies of the proposed articles of incorporation and by-laws of such entity shall be submitted; and

- j. The Planned Unit Development shall be substantially completed within the time specified in the schedule of development submitted by the developer and the proposed development shall be initiated within five (5) years of the date of final approval.

415.03 Conflict With Other Articles: Because of the special characteristics of planned unit developments, special provisions governing the development of land for this purpose are required. Whenever that is a conflict or difference between the provisions of this Section and those of the other Sections of this Resolution, the provisions of this Section shall prevail. Subjects not covered by this Section shall be governed by the respective provisions found elsewhere in this Resolution.

- 415.04 Ownership and Divisions of Land: No tract of land may be considered for or approved as a planned unit development unless such tract is under single ownership or evidence of unified control of the entire site is submitted with the application. The landowner of an approved planned unit development shall not divide and/or transfer parts of such development unless any successor in title has been bound to complete, use, and maintain each such unit in strict conformance with the adopted final master development plan.
- 415.05 Relationship to the Subdivision Regulations: The uniqueness of each proposal for a planned unit development may require that there be modification from the specifications established in the Subdivisions Regulations of Greene County, Ohio. Modifications may be incorporated only with the approval of the Regional Planning and Coordinating Commission of Greene County.
- 415.06 Underground Utilities Required: Underground utilities, including telephone and electrical systems, are required within the limits of all planned unit developments. Appurtenances to these systems, which can be effectively screened, may be excepted from this requirement if the Zoning Commission finds that such exemption will not violate the intent or character of the proposed planned unit development.
- 415.07 PUD-R Residential Planned Unit Development District: This district is intended to provide flexibility in the arrangement and design of residential neighborhoods, based upon a unified development plan conceived and carried out for an entire area. Within this district, appropriate and reasonable population is maintained while a variety of dwelling unit types is encouraged. Natural features such as topography, trees, and drainage ways are encouraged to remain in their natural state to the degree possible. Such developments are generally characterized by a significant proportion of usable open space and a unified design concept with particular attention devoted to the periphery of the development, the overall objective being the compatibility of the development with its surroundings.
- a. Minimum Project Area: The minimum land area required for a residential planned unit development shall be ten (10) acres. This area required may only be reduced through the variance procedure outlined in Article 10, Section 1003. Such a variance procedure shall only be granted if it can be demonstrated that an improved site design under PUD is necessary to achieve an improved site design and that surrounding neighborhoods and public facilities will not be adversely affected.
 - b. Density: Every preliminary plan application for a residential planned unit development shall designate the corresponding residential district or districts which reflect the intended density and types or residential land uses are to be located. Although the lot design requirements may be waived for the approval of the final plan, the overall gross density,

which would normally be permitted under the designated residential district or districts. Increased densities may be permitted by the Zoning Commission and Township Trustees where the developer provides a proportionate increase in the amount of open space.

- c. Permitted Uses: Only those uses which are specified as permitted, accessory, or conditional uses within the designated residential district or districts on the preliminary plan may be included within the planned unit development.
- d. Minimum Area, Frontage, and Yard Requirements: The minimum area, frontage, and yard maximum lot coverage requirements may be varied to allow for greater creativity in site design and structural design within the residential planned unit development. However, all spacing between principal structures shall be subject to the approval of the Zoning Inspector with input from the Spring Valley Township Fire Chief.
- e. Height Requirements: The height of any structure within a residential planned unit development shall not exceed thirty-five (35) feet or 2 1/2 stories. However, the Zoning Commission may grant an exception if it is demonstrated that the additional height has the approval of the Zoning Inspector with input from the Spring Valley Township Fire Chief and that there will not be an adverse reduction of light and air to adjacent properties.
- f. Required Off-Street Parking and Loading: All accessory off-street parking and loading spaces shall be provided in accordance with Article 6 unless otherwise approved by the Zoning Commission.
- g. Signs: All signs within the residential planned unit development shall be in accordance with Article 7 unless otherwise approved by the Zoning Commission.
- h. Perimeter Uses Abutting Lower Residential Density: The outside perimeter of any residential planned unit development which adjoins any existing residential district which requires a lower density, shall be developed into a pattern of residential lots and structures permitted within such district. Adequate screening which consists of mounding and vegetative plantings sufficient to protect the privacy and amenity of adjoining residential uses may be substituted for the required perimeter development at the discretion of the Zoning Commission.
- i. Accessory Commercial Uses: Convenience commercial establishments may be permitted within a planned unit development of fifty (50) acres or more upon presentation of a market study which demonstrates a need for such establishments within the development. The amount of land devoted to such commercial use within that planned unit development shall be subject to approval by the Zoning Commission, but in no case shall exceed five percent (5%) of the total

site. Commercial areas within the planned unit development shall be located, designed, and operated to serve primarily the needs of the residents of the unit development with no direct access or advertising signs visible from the exterior of such development. All accessory commercial areas not intended for immediate development shall be landscaped or otherwise maintained in a neat and orderly manner, subject to Zoning Commission approval.

- j. Required Open Space: Each residential planned unit development shall have acreage devoted to common open space which shall be designed for the leisure and recreational use of the general public. All common open space shall be accordance with the following:
 1. The location, shape, size and character of common open space shall be suitable for the planned unit development in relation to the location, number, and types of dwelling units it is intended to serve. In any case, it shall be highly accessible to all residents or users of the planned unit development.
 2. The common open space shall be used for amenity and/or recreational purposes. Any uses and/or buildings authorized for the common open space must be appropriate to the scale and character of the planned unit development in relation to its size, density, expected population, topography, and the type of dwellings.
 3. The common open space must be suitably improved for its intended use, but common open space containing natural features worthy of preservation may be left unimproved. The buildings, structures, and improvements, which are permitted in the common, open space and must conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.
 4. The proposed common open space may be conveyed to a public authority which will agree to maintain the common open space and any buildings, structures or improvement, which have been placed on it. All land dedicated to the public must meet the requirements of the appropriate authority as to size, shape, and location. Public utility or other similar easements and right-of-way for water courses or other similar channels are not acceptable for common open space dedication unless such land or right-of-way is usable as a trail or other similar purpose and approved by the authority to which the land is dedicated.
 5. The proposed common open space may be conveyed to the trustees of a Homeowners Association or similar organization formed for the maintenance or the planned development. The common open space may be conveyed by covenants under such an arrangement subject to approval by the Zoning Commission. Such covenants shall restrict the common open space to the uses specified on the final development plan and provide for the

maintenance of common open space in a manner, which assures its continuing use for its intended purpose.

- 415.08 PUD-B Business Planned Unit Development District: This district is provided in recognition that many commercial establishments seek to develop within unified commercial areas, usually under single ownership and control, and typically called "shopping centers". Within the premises of the zone, such centers shall have all necessary services and facilities comprehensively provided in accordance with an approved development plan. Provisions of this zone are formulated to achieve harmoniously designed structures upon a well-landscaped site, achieving a high degree of pedestrian-vehicular separation, all of which shall be compatible with surrounding land uses.
- a. Minimum Project Area: The minimum land use required for commercial planned unit development shall be five (5) acres. This area requirement may only be reduced through the variance procedure outlined in Article 10, Section 1003. Such a variance should only be granted if it can be demonstrated that an improved site design under PUD will help to alleviate traffic congestion, sign clutter, mixed land use conflicts, deterioration or existing structures, and other negative qualities of strip commercial development.
 - b. Permitted Uses: Every preliminary plan application for a commercial the corresponding commercial uses which are to be located in each segment of such planned unit development. Only those uses which are specified as permitted, accessory, or conditional uses within the designated commercial districts on the preliminary plan may be included within the planned unit development.
 - c. Minimum Area, Frontage, and Yard Requirements: The minimum are, frontage, yard and maximum lot coverage requirements may be varied to allow for greater creativity in site design and structural design within the commercial planned unit development. However, all spacing between principal structures shall be subject to the approval of the Zoning Inspector with input from the Spring Valley Township Fire Chief.
 - d. Maximum Height Requirements: The height of any structure within a commercial planned unit development shall not exceed thirty-five (35) feet. However, the Zoning Commission may grant an exception if it is demonstrated that the additional height has the approval of the Zoning Inspector with input from the Spring Valley Township Fire Chief and that there will not be an adverse reduction of light and air to adjacent properties.
 - e. Required Off-Street Parking and Loading: All accessory off-street parking and loading spaces shall be provided in accordance with the provisions of Article 6 unless otherwise approved by the Zoning Commission.

- f. Signs: All signs within the commercial planned unit development shall be in accordance with the provisions of Article 7 unless otherwise approved by the Zoning Commission.
- g. Arrangement of Commercial Uses: Commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with streets. The plan of the projects shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the adjoining and surrounding non-commercial areas. All spacing between principal structures shall be subject to the approval of the Zoning Inspector with input from the Spring Valley Township Fire Chief.
- h. Perimeter Uses Abutting Residential Districts: The outside perimeter of any commercial planned unit development which adjoins any existing residential district shall be developed into a pattern of residential lots and uses which are permitted within such an adjoining residential district. The Zoning Commission may waive such requirement only if it is satisfied that the natural topography and vegetative cover of the site provide sufficient screening or the developer has provided adequate landscaped mounding to protect the privacy and amenity of surrounding residential development.
- i. Perimeter Uses Abutting Non-Residential Districts: Where the outside perimeter of any commercial planned unit development adjoins any non-residential district, setback and screening requirements shall be at the discretion of the Zoning Commission.

415.09 PUD-I Industrial Planned Unit Development District: The provisions of this district are provided in recognition that many industrial establishments seek to develop within unified industrial areas having all necessary services and facilities comprehensively provided in accordance with a predetermined plan. The provisions of this district are formulated to encourage a high degree of coordinated development upon well-landscaped premises. Particular attention is devoted to design of the periphery of the development with the objective of achieving compatibility with existing and potential surrounding land uses.

- a. Minimum Project Area: The minimum land area required for industrial planned unit development shall be twenty (20) acres. This area requirement may only be reduced through the variance procedure outlined in Article 10, Section 1003. Such a variance shall only be granted if it can be demonstrated that an improved site design under PUD is necessary to achieve an improved site design, which will help to alleviate traffic congestion, mixed land use conflicts, deterioration

of existing structures, and other negative qualities of isolated industrial development.

- b. Permitted Uses: Only those uses which are specified as permitted, accessory, or conditional uses within the I-1 Light Industrial District may be included within the planned unit development.
- c. Minimum-Area, Frontage, and Yard Requirements: The minimum area, frontage, yard and maximum lot coverage requirements may be varied to allow for greater creativity in site design and structural design within the industrial planned unit development. However, all spacing between principal structures shall be subject to the approval of the Zoning Inspector with input from the Spring Valley Township Fire Chief.
- d. Maximum Height Requirements: The height of any structure within an Industrial planned unit development shall not exceed thirty-five (35) feet. However, the Zoning Commission may grant an exception if it is demonstrated that the additional height has the approval of the Zoning Inspector with input from the Spring Valley Township Fire Chief and that there will be an adverse reduction of light and air to adjacent properties.
- e. Required Off-Street Parking and Loading: All accessory off-street parking and loading spaces shall be provided in accordance with Article 6 unless otherwise approved by the Zoning Commission.
- f. Signs: All signs within the Industrial planned unit development shall be in accordance with Article 7 unless otherwise approved by the Zoning Commission.
- g. Arrangement of Industrial Uses: Industrial uses and parcels shall be developed in park like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks, and/or outdoor storage of raw materials or products. A planned industrial area shall provide for harmony of buildings and a compact grouping in order to economize in the provision of utility services as they are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order to reduce through traffic.
- h. Accessory Commercial Uses: Convenience commercial establishments may be included within the planned unit development upon presentation of a market study, which demonstrates a need for such establishments within the development. The amount of land devoted to such commercial uses within an industrial planned unit development shall be subject to approval by the Zoning Commission, but in no case shall exceed five percent (5%) of the total site. Commercial areas within the planned unit development shall be located, designed, and operated to serve primarily those employees of

the planned unit development with no direct access from the exterior of such development. All accessory commercial areas not intended for immediate development shall be landscaped or otherwise maintained in a neat and orderly manner, subject to the approval of the Zoning Commission.

- i. Perimeter Uses Abutting Residential Districts: The outside perimeter of any industrial planned unit development which adjoins any existing residential district shall be developed into a pattern of residential lots and uses which are permitted within such an adjoining residential district. The Zoning Commission may waive such requirement only if it is satisfied that the natural topography and vegetative cover of the site provide sufficient screening and landscaped mounding to protect the privacy and amenity of surrounding residential development.
- j. Perimeter Uses Abutting Non-Residential Districts: Where the outside perimeter of any industrial planned unit development adjoins any non-residential district, setback requirements shall be equal to those of the adjoining district at a minimum and screening may be required at the Zoning Commission.

415.10 Procedure for Approval of Planned Unit Development Districts: All applications for the approval of planned unit development districts shall be processed in accordance with the following:

- a. Pre-Application Meeting: The applicant shall meet with the Zoning Commission, and the staff of the Regional Planning and Coordinating Commission of Greene County prior to the submission of the preliminary plan. The purpose of these meetings is to discuss, both early and informally, the relationship of the plan to this Resolution, the comprehensive plan, Greene County Subdivision Regulations, the thoroughfare plan, the park and open space plan, and the drainage, water, and waste water systems of the Township.
- b. Content of Application for Approval of Preliminary Plan: An application for preliminary plan approval for the planned unit development shall be filed with the Chairman of the Zoning Commission by at least one owner of property for which the planned unit development is proposed. At a minimum, the application shall contain the following information filed in triplicate:
 - 1. Name, address, and phone numbers of the applicant and all property owners within the proposed development, evidence of unified control of the entire area of the development, and tentative agreement of all owners to proceed with development according to plan or to provide adequate sureties for completion;
 - 2. Map(s) indicating the relation of the proposed development to the surrounding area. As appropriate to the development, such

map(s) shall demonstrate access to major streets, and community facilities, and show the approximate location and sizes of existing public sewers, water lines, and storm drainage systems;

3. Name, address and phone number of registered surveyor, registered engineer and/or urban professional planner assisting in the preparation of the Preliminary Development;
 4. A legal description of the property;
 5. A description of existing uses both upon and surrounding the site;
 6. A map illustrating the existing zoning districts within and surrounding the site;
 7. A topographic data map drawn to a scale of 100 feet or less to one inch by a registered surveyor and/or engineer showing boundary lines, easements, ground elevations, and wooded areas, streams, lakes, marshes, flood plains, and other physical conditions affecting the site;
 8. A preliminary development plan and report presenting, in generalized form, the proposed location and type of residential, commercial, and/or industrial zones; the proposed circulation pattern including all public and private streets; proposed off street parking or loading areas; a preliminary layout of lots, land uses, and the location of all principal structures; the general location of utility installations and easements; proposed parks and other community spaces; and other information which the Zoning Commission deems necessary;
 9. A proposed schedule for the development of the site; and
 10. Evidence that the applicant has sufficient control over the land in question to initiate the proposed development plan within five (5) years. The application for preliminary planned unit development shall be accompanied by a written statement by the developer setting forth the reasons why in his opinion, the planned unit development would be in the public interest and would be consistent with the statement of intent and purpose and the criteria for approval of developments.
- c. Approval Process of Preliminary Plan by Zoning Commission: The public hearing and notification process for the preliminary plan by the Zoning Commission shall be in accordance with Article 10, Section 1004 procedures.
- d. Approval in Principle by the Zoning Commission: Within thirty (30) days after the public hearing, the Zoning Commission shall review

the preliminary plan to determine if it is consistent with the intent and purpose of this Resolution; whether the proposed development advances the general welfare of the community and neighborhood; and whether the benefits, combination of various land uses, and the interrelationship with the land uses in the surrounding area justify the deviation from standard district regulations. The approval in principle shall be necessary before the applicant may submit a final plan. Approval in principle shall not be construed to endorse a precise location of uses, configuration of parcels, or engineering feasibility.

- e. Approval of Preliminary Subdivision Plan requirement: The proposed planned unit shall receive either approval or conditional approval of a preliminary subdivision plan from the Regional Planning and Coordinating Commission of Greene County prior to the submission of a final plan for final zoning approval.
- f. Final Plan: After approval in principle of the preliminary plan, the developer shall submit a final plan to the Zoning Commission. The final plan shall be in general conformance with the preliminary development plan approved in principle. Five (5) copies of the final development plan shall be submitted.
- g. Contents of Application for Approval of Final Plan: An application for approval of the final plan shall be filed with the Chairman of the Zoning Commission by at least one (1) owner of property for which the planned unit development is proposed. Each application shall be signed by the owner or lessee, attesting to the truth and exactness of all information supplied on the application for final development plan. At a minimum, the application shall contain the following information:
 - 1. A survey of the proposed development site, showing the dimensions and bearings of the property lines, area in acres, topography, and existing features of the development site including major wooded areas, structures, streets, easements, utility lines, and land uses.
 - 2. A map or maps in the form required of dwelling units, non-residential building intensity; and land use considered suitable for adjacent properties;
 - 3. A schedule for the development of units to be constructed in progression and the anticipated timing for each unit; tabulation of the number of acres in the proposed project for various uses; the number of housing units and bedrooms proposed by type of housing; estimated non-residential population where appropriate; and standards for height, open space, building density, parking areas, population density and public improvements proposed for each unit of the development whenever the applicant proposes an

exception from standard zoning district requirements governing the development;

4. Engineering feasibility studies and plans showing necessary water, sewer, and storm drainage installations; waste disposal facilities; street improvements, and the nature and extent of earthwork required for site preparation and development;
 5. The site plan, showing buildings, various functional use areas, circulation, and their relationship;
 6. Preliminary building plans, including floor plans and exterior elevations;
 7. Landscaping plans; and
 8. Deed Restrictions, protective covenants, and other legal statements or devices to be used to control the use, development, and maintenance of the land, and the improvements thereon, including those areas to be commonly owned and maintained.
- h. Approval Process of Final Plan: The approval process for the final plan by both the Zoning Commission and the Township Trustees shall be in accordance with the district amendment procedure outlined in Article 10, Section 1004.
- i. Supplementary Conditions and Safeguards: In approving any planned unit development district, the Township Trustees may prescribe appropriate conditions and safeguards, in conformity with this Resolution. Violation of such conditions or safeguards, when made a part of the terms under which the final development plan is approved, shall be deemed a violation of this Resolution and punishable under Article 10, Section 1005, of this Resolution.

SECTION 416 MINIMUM DIMENSIONAL REQUIREMENTS: Minimum dimensional requirements for each district shall apply as shown in the following table.

| ZONING DISTRICT | PERMITTED PRINCIPAL USES | MINIMUM LOT AREA PER FAMILY OR PER PRINCIPAL STRUCTURE | | | MINIMUM LOT FRONTAGE | MINIMUM CORNER LOT FRONTAGE | MINIMUM YARD REQUIREMENTS | | | | MAXIMUM HEIGHT | MAXIMUM LOT COVERAGE |
|-----------------|---|--|----------------------------|-----------------------|----------------------|-----------------------------|---------------------------|------------|------------|-------------|----------------|--|
| | | ON-SITE WATER & SEWER (a) | ON-SITE WATER OR SEWER (a) | CENTRAL WATER & SEWER | | | FRONT (b) | SIDE | | REAR | | |
| | | | | | | | | ONE | TOTAL BOTH | | | |
| A-10 | Article 4 Section 402.2 | 10 Acres | 10 Acres | 10 Acres | 350 ft. | 350 ft. | 50 ft. | 20 ft. | 50 ft. | 50 ft. | 35 ft. | 10% |
| A-5 | Article 4 Section 403.2 | 5 Acres | 5 Acres | 5 Acres | 250 ft. | 350 ft. | 50 ft. | 20 ft. | 50 ft. | 50 ft. | 35 ft. | 10% |
| E-3 | Single Family Dwellings | PLANNED SUBDIVISION LOTS AVERAGE NET DENSITY MUST EQUAL 3 ACRES | | | | | 50 ft. | 20 ft. | 50 ft. | 50 ft. | 35 ft. | 10% |
| | | 5 + Acres | 5 + Acres | 5 + Acres | 250 ft. | 250 ft. | | | | | | |
| | | 4 Acres | 4 Acres | 4 Acres | 225 ft. | 225 ft. | | | | | | |
| 3 Acres | | 3 Acres | 3 Acres | 200 ft. | 200 ft. | | | | | | | |
| | | 2 Acres | 2 Acres | 2 Acres | 175 ft. | 175 ft. | | | | | | |
| | All other Permitted Uses in Article 4 Section 404.2 | 1 Acre | 1 Acre | 1 Acre | 150 ft. | 150 ft. | 50 ft. | 20 ft. | 50 ft. | 50 ft. | 35 ft. | |
| E-1 | Article 4 Section 405.2 | 1 Acre | 1 Acre | 1 Acre | 150 ft. | 150 ft. | 50 ft. | 20 ft. | 50 ft. | 50 ft. | 35 ft. | 10% |
| RS-2 | Article 4 Section 406.2 | 1 Acre | 1 Acre | 20,000 Sq. Ft. | 100 ft. | 125 ft. | 40 ft. | 10 ft. | 25 ft. | 50 ft. | 35 ft. | 20% |
| RS-3 | Article 4 Section 407.2 | 1 Acre | 1 Acre | 15,000 Sq. Ft. | 100 ft. | 125 ft. | 40 ft. | 10 ft. | 25 ft. | 50 ft. | 35 ft. | 20% |
| RT-3 | Single-Family Dwellings | 1 Acre | 1 Acre | 15,000 Sq. Ft. | 100 ft. | 125 ft. | 40 ft. | 10 ft. | 25 ft. | 50 ft. | 35 ft. | |
| | Two-Family Dwellings | Not Permitted | Not Permitted | 12,000 Sq. Ft. | 125 ft. | 125 ft. | 40 ft. | 15 ft. | 30 ft. | 50 ft. | 35 ft. | 20% |
| | All Other Permitted Uses in Article 4 Section 408.2 | 1 Acre | 1 Acre | 1 Acre | 150 ft. | 150 ft. | 40 ft. | 15 ft. | 30 ft. | 50 ft. | 35 ft. | |
| RM-8 | Two-Family Dwellings | Not Permitted | Not Permitted | 6,000 Sq. Ft. | 100 ft. | 125 ft. | 35 ft. | 10 ft. | 25 ft. | 30 ft. | 35 ft. | 30% |
| | Multiple Family Dwellings | Not Permitted | Not Permitted | 5,000 Sq. Ft. | 130 ft. | 130 ft. | 35 ft. | 20 ft. | 40 ft. | 30 ft. | 35 ft. | |
| | All Other Permitted Uses in Article 4 Section 409.2 | Not Permitted | Not Permitted | 1 Acre | 150 ft. | 150 ft. | 35 ft. | 20 ft. | 40 ft. | 30 ft. | 35 ft. | |
| R-MH | AS REGULATED IN ARTICLE 4, SECTION 410 | | | | | | | | | | | |
| TB | Article 4 Section 411.2 | 2 Acres | 2 Acres | 1 Acres | 200 ft. | 200 ft. | 50 ft. | 15 ft. (e) | 30 ft. (c) | 50 ft. | 35 ft. | 30% Buildings 75% Total |
| LI | Article 4 Section 412.2 | 2 Acres | 2 Acres | 2 Acres | 200 ft. | 200 ft. | 40 ft. | 15 ft. (d) | 30 ft. (d) | 50 ft. (e) | 35 ft. | 30% Buildings 75% Total |
| HI | Article 4 Section 413.2 | 5 Acres | 5 Acres | 5 Acres | 300 ft. | 300 ft. | 70 ft. | 30 ft. (d) | 60 ft. (d) | 100 ft. (e) | 35 ft. | 40% Buildings 85% Total |
| FP | Article 4 Section 414.2 | 3 Acres | 3 Acres | 3 Acres | 200 ft. | 200 ft. | 50 ft. | 20 ft. | 50 ft. | 50 ft. | 35 ft. | Subject to Approval by the Board of Zoning Appeals |
| R-MH | AS REGULATED IN ARTICLE 4, SECTION 410 | | | | | | | | | | | |

- (a) Lot size is the required minimum. Final lot size shall be subject to approval by the Greene County Health Department or the Ohio Environmental Protection Agency, whichever is applicable.
- (b) A minimum setback of seventy (70) feet shall be required along major thoroughfares or where off-street parking is provided within the front yard.
- (c) Side yards abutting residential districts shall be a minimum of fifty (50) feet. However, where some natural barrier such as a railroad, stream, or limited access highway intervenes the Board of Zoning Appeals may reduce this requirement.
- (d) Side yards and rear yards abutting residential districts shall be a minimum of two-hundred (200) feet for the LI District and two-hundred feet for the HI District.
- (e) The rear yard shall not be less than two-hundred (200) feet when abutting a residential district. However, where some natural barrier such as a railroad, stream, or limited access highway intervenes, the Board of Zoning Appeals may reduce this minimum requirement.

417.1 Intent and Purpose: The intent and purpose of the Agricultural/Mineral Resource District is to provide a zoning district within Spring Valley Township which recognizes the importance and value of both agricultural and mineral resource extraction within the Township, and provides reasonable regulation of said uses which allows them to be conducted in a manner not detrimental to the health, safety, morals, and general welfare of the residents of the Township. Agricultural land uses provide a substantial economic base for the Township. Land within the Agricultural/Mineral Resource District is substantially agricultural in character, with prime agricultural soils and other attributes favorable for agricultural uses.

Also within the district are mineral deposits and mineral extraction and processing land uses whose unregulated activities could potentially adversely impact adjoining properties and the community by the creation of excessive traffic, noise, dust, airborne particulate, smoke, fumes, glare, odors, and vibrations from the operation of heavy equipment. The regulations within the Agricultural/Mineral Resource District are intended to allow Mineral Extraction to be conducted as a permitted conditional use under reasonable regulations and restrictions intended to protect and preserve the health, safety, morals and general welfare of the community and adjoining land owners and uses, as well as to provide for prompt reclamation of depleted mining sites and allow management of these limited resources for the future as proposed by *Perspectives 2020: A Future Land Use Plan for Greene County, Ohio*.

417.2 Permitted Principal Uses:

- a. Agricultural as defined under Section 202.003 of this Resolution.
- b. Churches.
- c. Essential services.
- d. Plant materials nurseries.
- e. Public buildings and/or uses which are supported in whole or in part by taxes or special public assessments, the location of which has been fixed through studies. Such uses include, but are not limited to: parks; playgrounds; libraries, schools; fire stations; community centers; water treatment, pumping, and storage facilities; and waste water treatment and pumping facilities.

417.3 Permitted Accessory Uses:

Bona fide accessory agricultural structures or buildings including (but not limited to) barns, stables, sheds, tool rooms, shops, bins, tanks, silos, and fences.

417 Accessory off-street parking and loading spaces as regulated in Article 6.

- b. Accessory signs as regulated in Article 7.
- c. Private garages.
- d. Temporary uses incidental to construction work as regulated in Section 524.
- e. Fences as regulated in Section 510.
- f. Private accessory landing strips as regulated in Section 531.

417.4 Permitted Conditional Uses:

- a. Mineral extraction as defined under Spring Valley Zoning regulation’s definition (Section 202.076). If any of the proposed area is within the regulatory flood plain, Section 414 requirements and considerations of the Spring Valley Township zoning regulation will apply. No conditional use for mineral extraction will be approved which will cause or allow the total acreage in Spring Valley Township currently under permits issued by Spring Valley Township Board of Zoning Appeals and State regulations for mineral extraction to exceed 800 acres.

(At the time of this amendment 787+/- acres have received State approval of which approximately 373 acres in Spring Valley Township has received a conditional use permit, according to township records. All mineral extraction operations listed on Resolution #___ shall be considered pre-existing for the purpose of this section, and shall be considered a part of the 800 acres.)
- b - Agritourism as regulated in Section 537 if the property has been in CAUV for a minimum of three years

417.5 Minimum Dimensional Requirements:

Minimum lot size: 25 acres
 Minimum frontage: 350 feet

SECTION 418 WFPDO WELL FIELD PROTECTION DISTRICT OVERLAY

- 418.1 Intent and Purpose: The intent and purpose of this Well Field Protection District Overlay is to provide for the protection of community groundwater supplies within Spring Valley Township through the regulation of potentially polluting land uses and Regulated Substances.
- 418.2 Scope: The provisions contained herein shall apply to community water supply systems within the Township that have scientifically delineated and currently maintained protection areas endorsed by the Ohio EPA. The Well Field Protection District Overlay shall include the lands, located within the current boundaries of the one year capture area or Inner Management Zone as defined by Ohio EPA and the five year capture area. Parcels wholly located or portions of parcels located within these boundaries are subject to the requirements of this Section. The provisions for the Well Field Protection District Overlay shall be supplemental to the regulations of the underlying zoning district. Where the requirements of

this Section are in conflict with the regulations of the underlying district, the more restrictive regulations shall apply.

418.3 Land Use Changes: Each and every zoning and rezoning application and/or change in use and/or zoning permit request that is wholly or partially within the Well Field Protection District be submitted to the water purveyor for review and comment.

418.4 Permitted Principal Uses: Within the Well Field Protection District Overlay, the permitted uses shall be those of the underlying zoning district in addition to the requirements contained in this regulation.

418.5 Permitted Conditional Uses:

- a. Within Well Field Protection District Overlay, the conditional uses shall be those of the underlying zoning district, unless listed in 418.6 Prohibited Uses, and any other requirements contained herein.
- b. In addition to the conditional use procedure requirements, if a proposed activity/use will involve quantities of Regulated Substances meeting the criteria set forth in 418.9 (f) Reporting Regulated Substance Spills, and is not prohibited under 418.6 Prohibited Uses, the applicant shall provide the Township Zoning Inspector with a written plan with the following:
 1. Description of proposed activity.
 2. List the specific Regulated Substances and quantities involved.
 3. Analyze any potential threats posed by the activity to groundwater resources.
 4. Provide information on the Best Management Practices that will be utilized to reduce and/or alleviate those threats. This plan shall be used by the Board of Zoning Appeals and the Zoning Commission to render a decision on the proposed conditional use.

418.6 Prohibited Uses:

- a. Automobile and scrap metal wrecking; junk and salvage yards.
- b. Automobile service stations.
- c. Automobile, tractor, trailer, farm implement assembly and/or manufacturing.
- d. Battery manufacturing and tire re-capping or re-treading.
- e. Cemeteries.
- f. Commercial machine and tool and die shops.
- g. Commercial chemical and paint warehouse/storage.
- h. Commercial feedlots.
- i. Commercial fertilizer and agrichemical distribution centers.
- j. Commercial quarries, gravel pits, and asphalt production.
- k. Commercial repair garages, storage, or repair yards or warehouses.
- l. Dry cleaners.
- m. Foundries.

- n. Industrial research laboratories.
- o. Motor freight depots and trucking terminals.
- p. New underground storage tanks.
- q. Landfills.
- r. Sludge and septic waste disposal, including the disposal of biosolids from waste water treatment facilities.
- s. Uses similar to the above, as determined by the Board of Zoning Appeals.

418.7 Non-Conforming Uses:

- a. A property or business having an amount of Regulated Substances exceeding the quantities set forth in 418.8 is a non-conforming use and is allowed to remain, however, no expansion involving Regulated Substances, or modification resulting in an increased amount of Regulated Substances greater than the quantities set forth in Section 418.8 on the property is permitted, without first obtaining conditional use approval in accordance with this Resolution.
- b. If a non-conforming use of any land, building, or structure is discontinued for two years or more, any further use shall be in conformity with these zoning regulations.

418.8 Groundwater Protection Standards:

- a. Quantity Limitations: Use, storage, handling, and/or production of Regulated Substances in connection with permitted and conditional uses within the Well Field Protection District Overlay shall be limited by aggregate of Regulated Substances. The aggregate of Regulated Substances in use, storage, handling and/or production on any single parcel or portion thereof located within the District may not exceed 55 gallons or 440 pounds, which ever is less at any time.
- b. Limited Exclusions: The following activities and Regulated Substances and associated amounts are exempt from the requirements of these regulations.
 - 1. Regulated Substances used for non routine maintenance and repair of property or equipment. The use, storage, handling and/or production of Regulated Substances under the exclusion shall be limited to:
 - a) The aggregate of Regulated Substances in use, storage, handling, and/or production may not exceed 50 gallons or 400 pounds at any time.
 - b) The total use, storage, handling and/or production of Regulated Substances may not exceed 100 gallons or 800 pounds in any twelve months.
 - 2. Medical and laboratory research substances used in containers not larger than five gallons or 40 pounds.

3. Cleaning agents, medicines, and cosmetics packaged for personal or household use.
4. Animal maintenance and medicinal substances packaged for residential and farm use.
5. Lawn care, garden, and home and equipment chemicals packaged for personal or residential use.
6. Construction materials stored at or being transported to a permitted construction site which do not pose real or present danger of causing contamination.
7. Office supplies packaged for personal or office use.
8. Refrigerants contained in on-site cooling equipment or contained in household appliances, including refrigeration repair service storage vessels.
9. Properly maintained liquid-filled electrical transformers.
10. Motor vehicle fuels and other liquids that are stored on or are an integral part of an operable motor vehicle in which the substances are contained. This does not include the tanker portion of a tractor-trailer or similarly purposed vehicle.
11. Heating oil for residential uses stored in tanks with a total aggregate capacity of less than 550 gallons per residential lot.
12. On-site storage of agricultural chemicals to be used for routine on-site agricultural operations and application provided such substances are stored in standard approved packaging and such chemicals are applied to cropland under Best Management Practices as indicated by soil tests, agricultural experts, or label direction approved by the United States Environmental Protection Agency (EPA) or the Ohio Department of Agriculture. This exclusion also applies to the application of agricultural chemicals to cropland where such chemicals are brought in from other locations.
13. The use of agricultural chemicals applied in accordance with Best Management Practices and/or label directions.

418.9 Best Management Practices: To the maximum extent practicable, owners and operators that use, store, handle and/or produce applicable Regulated Substances within the Well Field Protection District in the quantities provided in Section 418.8 shall implement Best Management Practices to reduce risk of release and pollution of environment.

- a. Inventory Information: Owners and operators with applicable types and quantities of Regulated Substances within the Overlay shall, upon written request of the Township Zoning Inspector, provide inventory information on those Regulated Substances and evidence and/or documentation of the applicable Best Management Practices being utilized to manage them. Information including, but not limited to, types, quantities, containment, and location of Regulated Substances may be required in writing.
- b. Secondary Containment: Drums and other types of containers holding Regulated Substances and wastes of such substances shall be stored within secondary containment. The containment system shall be

designed to capture 110 percent of a release from a primary containment unit. Existing containment systems and procedures shall not be removed, nor shall their ability to contain spills be compromised, so long as Regulated Substances are stored, transferred or used within the containment areas. Improvements and/or additions to containment systems may be performed so long as the ability to contain a spill is not compromised. Temporary approved containment systems may be required during maintenance and/or improvement activities.

- c. Spill Response: Standardized spill response procedures shall be adopted and documented and training will be provided to employees to help insure response protocols are enacted if a spill or release occurs.
- d. Existing Tanks: All existing underground storage tanks shall be removed.
- e. Septic Systems: Residential septic systems shall be permitted by the Greene County Combined Health District and maintained by the owner in accordance with Health District regulations. Such systems shall be periodically pumped out at the interval recommended by the Greene County Combined Health District. Commercial septic systems shall be permitted by Ohio EPA and be maintained in accordance with state law.
- f. Reporting Regulated Substance Spills, Leaks or Discharges: Any person with direct knowledge of a spill, leak or discharge of a regulated substance that escapes containment or contacts a pervious ground surface within Well Field Protection District and such spill, leak, or discharge is not immediately and completely remediated, shall give notice to the Township Fire Department (911) by telephone as soon as feasibly possible. Such notification shall not alleviate other local, state, and federal reporting obligations.
- g. Application of Agricultural Chemicals Not a Spill, Leak or Discharge: The application of agricultural chemicals, fertilizers, mineral acids, organic sulfur compounds, etc. used in routine agricultural operations, including plant nutrients and crop protection materials, applied under Best Management Practices as indicated by soil tests, agricultural experts, or label directions approved by the United States EPA or the Ohio Department of Agricultural, shall not be considered a spill, leak, or discharge subject to the requirements of this Section.
- h. Liability and Required Documentation: Any entity or person who spills, leaks or discharges Regulated Substances shall be liable for any reasonable expense, loss or damages incurred by the Township in response to such an incident, in addition to the amount of any fines imposed on account thereof under state and federal law. Said entity or person shall document and maintain sufficient records so as to reflect accurately the circumstances related to any such incident and develop and implement procedures to substantially eliminate the likelihood of reoccurrence of such spills, leaks, or discharges as soon as practicable following the incident, but no later than 180 days after the incident.
- i. Clean Closure Requirements: Except in the case of a seasonal discontinuation of operation, the owner or operator of any non residential property that becomes unoccupied or has discontinued

operation for a period of ninety consecutive days shall remove all Regulated Substances from the property, other than those used exclusively for heating, cooling, and providing electrical lighting for the premises, within ninety days after the date upon which the property initially became unoccupied or the operation discontinued. The owner or operator shall notify the Spring Valley Township Zoning Inspector in writing of the date of the cessation of operation no later than the day upon which the operation actually ceases or the property becomes unoccupied, and such notification shall include the owner's name, phone number, and address and the operator's name, phone number, and new address.

418.10 Enforcement:

- a. In accordance with Section 901 of this Resolution, the Spring Valley Township Zoning Inspector or his/her designee, shall administer, implement, and enforce the provisions of this Section.
- b. Notice of Violation: Any person found in violation of any provisions of this Section or any other requirement, rule or regulation issued under the authority of this Section will be served with a written notice stating the nature of the violation and providing reasonable time for compliance, provided however, written notice of violation may be waived under the conditions heretofore described in this Section and provided further, that if the Zoning Inspector has previously promulgated a schedule of compliance or issued an order addressing the same type of or a similar violation and the time for compliance has passed, the Zoning Inspector may dispense with establishing another time period for compliance.
- c. Public Water Supply Protection Authority: If any activity or use of Regulated Substance is deemed by the Zoning Inspector, with advice from the appropriate authorities, to pose a real and present danger of contaminating surface and/or groundwater that would normally enter the public water supply, the Zoning Inspector is hereby authorized to
 1. Cause cessation of said activity or use of the regulated substance.
 2. Require the provision of administrative controls and/or facilities sufficient to mitigate said danger.
 3. Cause the provision of pollution control and/or abatement activities.
- d. Exemption of Regulated Substances: The City of Dayton Well Field Protection Office maintains a list of Regulated Substances that have been determined by the Dayton Environmental Advisory Board to pose no threat to groundwater quality. Spring Valley Township shall use said list as the basis for excluding non-threatening Regulated Substances from the provisions of these regulations. The Zoning Inspector shall make said list available to interested parties. The Township Trustees may, with appropriate scientific evidence,

supplement said list to include additional Regulated Substances that do not pose threats to local community water supplies.

- e. Technical Consultants: Upon application for a conditional use permit, zoning certificate and/or occupancy certificate for a use within the Well Field Protection District Overlay, the Zoning Inspector may employ such technical expertise as needed to ensure compliance with the provisions of these regulations. All reasonable costs, as determined by the Township, incurred in the compliance review process shall be passed through to the applicant and shall be in addition to those fees normally charged to review an application for a zoning certificate and/or occupancy certificate.
- f. Liability: Any entity or person who spills, leaks, or discharges contaminates shall be liable for any expense, loss, or damages, including cleanup, incurred by Spring Valley Township or any other affected party.
- g. Violation: Whoever violates and is found guilty of any provisions of this Section are subject to the penalty provisions as outlined in this Resolution.
- h. Considerations: When considering the exercise of any of the above authorities or actions on an entity, the Zoning Inspector shall consult with the appropriate Township authorities (Trustee, Fire Chief, Zoning Commission, Board of Zoning Appeals, etc.) and community water supply authorities to determine what measures need to be taken to ensure the public water supply is reasonably and adequately protected from contamination for the present and future. These authorities may take into consideration any evidence provided by the entity regarding cost-benefit and economic impact imposed by the requirements or actions.