

**CHAPTER 7
CONDITIONAL USES**

Section 700.00 Conditional Uses

Section 700.01 Purpose

In recent years, the characteristics and impacts of an ever increasing number of new and unique uses, together with the broadening of numerous conventional uses, have fostered the development of more flexible regulations designed to accommodate these activities in a reasonable and equitable manner, while safeguarding both the property rights of all individuals and the health and safety of the community. Toward these ends, it is recognized that this Resolution should provide for more detailed evaluation of each use conditionally permissible in a specific district with respect to such considerations as location, design, size, method(s) of operation, intensity of use, public facilities requirements, and traffic generation. Accordingly conditional uses shall conform to the requirements of Sections 700.10.A and 700.10.B and all other applicable requirements of this Resolution.

Section 700.02 Supplementary Conditions and Safeguards

In granting approval for any conditional use, the Board of Zoning Appeals may also impose such additional conditions and safeguards as deemed necessary for the protection of individual property rights, and for insuring that the intent and objectives of Section 700.10.A of this Resolution will be observed. Any violation of such conditions and safeguards, when made part of the terms under which the conditional use is granted, shall be deemed a violation of this Resolution.

Section 700.03 Terms and Assignment

- A. Conditional Zoning Certificates are assigned only to the property specified on the application and can not be assigned to another property.
- B. Modifications to the terms under which a Conditional Zoning Certificate is granted shall require resubmission and shall constitute a new review by the Board of Zoning Appeals, subject to the provisions of Section 402.00.

Section 700.10 Review Criteria for Conditional Uses

A. General Requirements for all Conditional Uses

The Board of Zoning Appeals shall review the particular facts and circumstances of each proposed use in terms of the following general requirements. If all general requirements are not met, the BZA cannot approve the request. The Applicant must reapply to the BZA and pay the fee for a new application. The BZA must find that the proposed use:

1. Is a conditional use that is established under the provisions of Chapter 5 for the zoning district involved.
2. Will be harmonious with and in accordance with the general objectives, or with any

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specific objective of the Ravenna Township Comprehensive Land Use Plan of current adoption and the Ravenna Township Zoning Resolution.

3. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
4. Will not be hazardous or disturbing to existing or future neighboring uses.
5. Will not be detrimental to land values in the general vicinity or in the community as a whole, giving due regard to the nature and condition of all neighboring land and building uses.
6. Will be served adequately by essential public facilities and services, including, but not limited to, fire and police protection, water, sanitary sewer, storm sewer, schools, and roads; or that the appropriate governmental agencies will be able to provide adequately any such facilities and services.
7. Will not create excessive additional requirements at public cost for public facilities and services and not be detrimental to the economic welfare of the township.
8. Will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons and property by reason of excessive production of traffic, noise, smoke, fumes, glare, or odors.
9. Will have vehicular approaches designed so as not to interfere with pedestrian and vehicular traffic on surrounding public and private roads.
10. Will not result in the destruction, loss, or damage of a natural, scenic, or historic feature of the township and local ecosystem.
11. Will be in compliance with Portage County Subdivision Regulations, County Board of Health Standards, and County Building Code and all other applicable federal, state, and local regulations.
12. Will not be detrimental to land values in the general vicinity or in the community as a whole, giving due regard to the nature and condition of all neighboring land and building uses.

B. Specific Requirements for Conditional Uses

The following are the specific conditional use criteria and requirements for the uses conditionally permitted in this Resolution as provided for in Chapter 5. Nothing in this Section shall prohibit the Board of Zoning Appeals from prescribing reasonable supplementary conditions and safeguards in addition to these requirements to insure the intent and objectives of this Resolution is met.

In addition to the general requirements as specified in Section 700.10.A, every conditional use shall meet the following specific requirements as specified in Chapter 5 for that particular

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use and district:

1. All structures and activity areas shall be located at least 100 feet from all property lines.
2. Loud speakers that cause a hazard or annoyance shall not be permitted.
3. Recreational facilities shall be provided as deemed necessary.
4. There shall be no more than one (1) sign oriented to each abutting street identifying the activity.
5. All points of entrance or exit shall be located no closer than 200 feet from the intersection of two arterial streets; no closer than 100 feet from the intersection of a arterial street and a local or collector street or two local or collector streets.
6. No lighting shall constitute a nuisance and shall in no way impair the safe movement of traffic on any street or highway, and no lighting shall shine directly on adjacent properties.
7. Structures and activities shall have primary access to a collector or arterial street.
8. Such developments shall have primary access to arterial streets or be located at intersections of arterial and/or collector streets.
9. Such developments shall be located adjacent to nonresidential uses such as churches, parks, industrial, or commercial uses.
10. Site locations shall be preferred that offer natural or manmade barriers that would lessen the effect of intrusion into adjacent areas.
11. Such structures shall be located adjacent to parks and other nonresidential uses such as schools and shopping facilities where use could be made of shared parking facilities.
12. All permitted installations/facilities shall be kept in a neat and orderly condition so as to prevent injury to any single property, any individual, and the township in general.
13. The area of use shall be completely enclosed by a fence, a minimum of six (6) feet to a maximum height of eight (8) feet in areas where permitted, and appropriately landscaped to be harmonious with surrounding properties.
14. Signs shall be designed to be harmonious with the character of the surrounding properties.
15. New buildings and structures or alterations to existing buildings and structures should be harmonious with the character of the surrounding properties.
16. Landscaping, parking, service areas, driveways, walkways, and similar improvements should be designed to harmonize with the surrounding adjacent properties, open spaces and natural environment.

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17. Such uses should be located on an arterial street, adjacent to non-residential uses such as commercial, industrial, or recreational, or areas of low density residential development.
18. Truck parking areas, maneuvering lanes and access ways to public thoroughfares shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site. The site shall not be used for storage of trucks and trailers.
19. Such uses shall not be conducted closer than 200 feet from any residential district, no closer than 100 feet from any structure used for human occupancy in any other district.
20. All structures and activity areas shall be located at least thirty (30) feet from all property lines.
21. All contract activity and storage of equipment and materials shall be within a fully enclosed building.

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30. Accessory Dwelling Units

A. Purpose

To provide flexible household living arrangements, expand affordable housing opportunities, and provide a variety of housing types to meet the needs of residents while maintaining the aesthetics and residential use compatible with homes in the neighborhood.

B. Establishment

An accessory dwelling unit may be established by any one (1) of the following methods:

1. Alteration of interior space of an existing dwelling.

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2. Conversion of an attic, basement, garage (if attached) or other previously uninhabited portion of a dwelling.
3. Adding an addition of a separate unit onto an existing dwelling.

C. Standards and Criteria

No accessory dwelling unit may be established unless it complies with the following standards:

1. An accessory dwelling unit may only be constructed on a lot whose area is equal to or greater than the minimum lot area required in the zoning district.
2. The accessory dwelling unit shall be a complete, separate housekeeping unit (including kitchen and bathroom facilities) that functions as a separate unit from the original unit.
3. Only one (1) accessory dwelling unit may be created within or added to an existing single-family residence.
4. The accessory dwelling unit shall be a clearly subordinate part of the single-family dwelling. It shall be no greater than eight hundred (800) square feet or forty (40%) of the floor area of the principal dwelling unit, whichever is less.
5. The development standards, front yard, rear yard and side yard setbacks, and height limits for the attached accessory dwelling unit shall be the same as those required for the principal single-family dwelling unit.
6. Owner-Occupancy: The principal single-family dwelling unit and the accessory apartment shall be under single ownership at all times. The property owner shall occupy the principal dwelling unit or the accessory apartment at all times. A notarized affidavit certifying that the owner is an occupant of either the principal or the accessory dwelling unit shall be submitted as part of the application for a Conditional Zoning Certificate.
7. The accessory dwelling unit shall be designed so that, to the degree reasonably feasible, that the appearance of the building remains that of a single-family residence. An accessory dwelling unit shall have an interior entranceway from inside the principal dwelling unit. A separate outside entrance may be added. However, a separate entrance shall be located only on the side or rear of the principal building.
8. The accessory dwelling unit shall be constructed in such a manner as to be compatible with the principal single-family residence and neighborhood in terms of design, height, material, and landscaping.
9. The accessory dwelling unit shall be constructed in accordance with the provisions of the Portage County Building Code.

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10. The accessory dwelling unit shall comply with applicable health standards and shall be approved by the Portage County Health Department.
11. One (1) additional off-street parking space shall be required for the accessory dwelling unit. The additional space requirement may be met by using the garage, carport or driveway of the principal dwelling unit.
12. No accessory dwelling unit may be established until an application for a conditional zoning certificate has been submitted and approved in accordance with the procedures of this section and other applicable provisions of this Resolution.
13. The application shall include a notarized letter from the property owner(s) stating that he/she/they will occupy either the principal or accessory dwelling unit.

31. Adult Entertainment Uses: Bookstores or Adult Video Stores, Adult Cabarets, Adult Motion Picture Theaters

- A. The proposed use shall not be contrary to the public interest or be injurious to nearby properties.
- B. The proposed use shall not enlarge or encourage the development of a blighting influence.
- C. The establishment of an additional regulated use in the areas shall not be contrary to any program of neighborhood conservation.
- D. No adult bookstore, adult video store, adult cabaret, or adult motion picture theater shall be established within 1000 feet of any residential district or residential use.
- E. No adult bookstore, adult video store, adult cabaret, or adult motion picture theater shall be established within 1,000 feet of any school, church, park or library, or any other adult bookstore, adult video store, adult cabaret or adult motion picture theater.
- F. Any display, device, or sign that depicts or describes specified sexual activities or specified anatomical areas shall be out of view of the public way and surrounding property.
- G. No adult bookstore, adult video store, adult cabaret, or adult motion picture theater shall be established in the same building with another adult bookstore, adult video store, adult cabaret or adult motion picture theater.

32. Agritourism Uses

A. Uses Regulated

For the purpose of this resolution, regulated Agritourism activities include such activities and uses as:

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1. Fee hunting and fishing.
2. Temporary camping in association with other permitted use events.
3. Rural educational center.
4. Gift/craft shop.
5. Farm museum.
6. Fee Cross Country Skiing or Skating or other fee recreational uses.
7. Community Gardens.

B. Standards

1. The use/activity shall be farm centered.
2. The development of any agritourism use shall not create a negative visual impact on the primary use of the property as a farm, and shall not have the effect of diminishing the farms' nor any adjacent farms' economic viability as an agricultural enterprise.
3. The agritourism use and activity areas shall comprise no more than 10% of the total farm acreage and such use cannot displace other primary agricultural uses.
4. The agritourism activity/use cannot have the effect of eliminating the agricultural land from the Current Agricultural Use Value Program.
5. Camping as an ancillary use shall not become a year around campground.
6. All ancillary agritourism uses shall comply with all applicable local and state codes.

33. Animal Hospitals, Veterinary Offices and Clinics

- A. The proposed use shall be located in a building having adequate soundproofing and odor control.
- B. Screening shall be provided on each side of the parking area that abuts or faces a residential lot.
- C. There shall be no facilities for the boarding of animals except to allow overnight lodging only for those animals receiving medical attention.
- D. Any outdoor animal run or breeding area shall be enclosed by a fence of 6 feet in height.
- E. Premises shall be kept in a neat and sanitary manner by the daily removal of dead

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animals and the use of sprays and disinfectants to prevent an accumulation of flies, the spread of disease or offensive odor.

- F. Applicant shall demonstrate a working plan to prevent or alleviate any noise and odor problems emanating from the animals that may be staying overnight.
- G. Such facilities must meet all applicable licensing requirements of the state and county.

34. Arts and Crafts Shows and Entertainment Events Open to the Public

Where permitted in this Resolution, arts and crafts shows and entertainment events open to the public and held outdoors may be conducted by an organization, in accordance with the following requirements and all other applicable requirements of this Resolution:

- A. A Zoning Certificate is required for each and every show and/or event. The applicant may apply for a Zoning Certificate for each individual show and/or event, or the applicant may submit a schedule of upcoming shows and events proposed for the next 12 months.
- B. The applicant must demonstrate that adequate ingress and egress and parking facilities are provided to allow cars to get off of the street and be able to turn around without creating a safety hazard or blocking oncoming traffic.
- C. If an owners association or other entity has the authority to grant approval and/or make recommendations regarding the establishment of any show or event, a copy of such decision shall be included as part of the application materials and shall be included as part of the requirements for approval or rationale for denial by the Zoning Inspector.
- D. Twelve (12) arts and crafts shows are permitted per location in a one (1) year period.
- E. Twelve (12) entertainment events are permitted per location in a one (1) year period.
- F. An arts and crafts show or an entertainment event shall not exceed three (3) consecutive days.
- G. An event shall not be operated prior to 9:00 A.M. in the morning or after 10:00 P.M. in the evening.
- H. Outdoor lighting shall not cast any glare on adjacent properties, and shall comply with lighting standards of Section 1200.10.
- I. Activities shall be scheduled in a manner that will minimize any potential negative impacts to neighboring, especially any evening activities.
- J. Security, traffic management and trash removal shall be the responsibility of the applicant.

35. Bed and Breakfast Establishments

- A. The operator must reside at the bed and breakfast facility and may employ any number of resident family members and no more than one (1) non-resident employee on the premise. The number of bedrooms permitted in any residence for such purposes shall not exceed four (4) bedrooms.
- B. A lodger may only rent a room for fewer than fifteen (15) consecutive nights.
- C. Gift/retail shops and food services applicable to such use may only be provided for the sole enjoyment of the inn's patrons and their guests.
- D. Parking shall be in accordance with the provisions of Chapter 9.
- E. There shall be no visible evidence of such use from the street or adjacent property, except as permitted in Item F.
- F. For the purposes of advertising, only one (1) sign as regulated by Section 1000.15.B is permitted.
- G. Social activities, such as weddings, receptions, luncheons, cocktail parties, meetings, seminars or other similar functions are not permitted as a function of a bed and breakfast establishment.
- H. The operator must agree to annual inspections to ensure compliance with local zoning requirements.
- I. Must conform to all State and County sanitary and health codes based on maximum occupancy.

36. Car Washes

- A. Shall be designed so as not to interfere with pedestrian traffic and not limit expansion of pedestrian oriented facilities.
- B. Such facilities are not to be used for storage of vehicles.
- C. Where applicable, all car washes shall also comply with regulations for gasoline station and/or auto service facilities.
- D. Adequate on-site circulation patterns for autos and other motor vehicles waiting in line for service shall be provided so that there is no stacking in the road right of way.
- E. All mechanized washing, waxing, and drying of automobiles and other vehicles shall be within a building enclosed on at least two (2) sides.
- F. The entrance and exit for this property shall not face any abutting property zoned for residential use.

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- G. Any areas for manual drying, waxing, polishing and vacuuming of automobiles and other motor vehicles shall not conflict with on-site circulation patterns.
- H. Adequate provision shall be made for the control of steam, water and other by-products of this use not normally present in the surrounding environment.
- I. For car wash systems employing high-pressure spray
 - 1. They shall be arranged so as to contain all spray within the car wash structure.
 - 2. Exit aprons shall be equipped with grate drains and pitched for a minimum of twenty (20) feet toward the car wash structure at a gradient of at least 1/4 inch per foot or an alternative acceptable to the Board of Zoning Appeals which would prevent water washing into the streets and creating a hazard either on the street or on adjacent property or pedestrian area.
- J. All wash water disposal facilities including sludge, grit removal and disposal equipment shall be subject to the approval of the Board of Zoning Appeals and the County Sanitary Engineer (where sewer available), Federal and State EPA regulations, and shall conform with all State and County sanitary and health codes and shall be designed so as not to detrimentally effect the sewer system.
- K. When adjacent to a residential use, a fence that is a minimum of six (6) feet in height to a maximum of eight (8) feet in height constructed of material approved by the Board of Zoning Appeals shall be provided along the interior side and rear property lines to protect surrounding properties from light and noise and to eliminate blowing debris.
- L. All of the area to be utilized by the washing and drying operation, including all ingress and egress areas, shall be paved with concrete, asphalt, or similar materials.
- M. All required yard areas abutting streets and not used for vehicle maneuvering or parking shall be landscaped in compliance with landscaping requirements of Chapter 11.
- N. Stacking space shall be required to accommodate not less than four (4) automobiles waiting to be washed per washing stall. A space of eighteen (18) feet by nine (9) feet shall be deemed adequate for such required space per vehicle.
- O. In addition, parking requirements for employees shall be provided as required by Chapter 9

37. Cemetery

- A. The site shall have direct access to a major thoroughfare that is adequate to serve the size of the facility proposed.
- B. Any new cemetery shall be located on a site containing not less than twenty-five (25) acres.

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- C. All buildings, including but not limited to mausoleums and maintenance buildings, shall not be located within 100 feet of any property line.
- D. All graves or burial lots shall be set back not less than fifty (50) feet from any property line.
- E. No burial plots or facilities are permitted within any flood hazard area.
- F. Sufficient parking spaces shall be provided throughout the cemetery so as not to hinder local traffic flow.
- G. Adequate off street waiting space shall be provided for funeral processions so that vehicles do not stack up in the street right of way.

38. Church, Temples other places of Worship

- A. These uses should have direct access to an arterial street or be located at the intersections of an arterial and/or a collector street so that significant amounts of traffic are not channeled through local residential streets.
- B. The lot area shall be adequate to accommodate the required off-street parking requirements of the church.
- C. The church building shall be setback from any adjacent residential property line a minimum for fifty (50) feet.
- D. Parking shall not be permitted within fifty (50) feet of any side or rear property line.

39. Congregate Care/Assisted Living Facilities

- A. A congregate care/assisted living facility provides accommodations for seventeen (17) or more unrelated individuals and provides supervision of personal care services for three or more of those individuals who are dependent on the services of others by reason of age or physical or mental impairment.
- B. The site and structure shall meet the applicable state code requirements, including licensing requirements.
- C. The site plan shall indicate parking and the emergency entrances and exits and other safety elements.
- D. Ambulance and delivery areas to be obscured from all residential property.
- E. Outside areas for activities shall be fenced for the protection of the residents of the facility. Fencing height and design shall be approved by the Board of Zoning Appeals.

40. Day Care Facilities for Children and Adults

- A. The site and structure shall meet the applicable state code requirements, including licensing requirements.
- B. Day care centers shall not provide overnight accommodations.
- C. A Type “A” Child Day Care Home may accommodate up to 12 children at any one time.
- D. An Adult Day Care Facility may accommodate up to 16 adults at any one time.
- E. A drop-off/pick-up location that will not impede traffic on the site shall be provided to ensure the safety of the adults and children.
- F. Outside areas for activities shall be fenced for the protection of the adults and children. Fencing height and design shall be approved by the Board of Zoning Appeals.

41. Extraction and Mining Operations

The removal of minerals from the land may be permitted if approved by the Zoning Board of Appeals and if the following conditions listed below are complied with:

A. Exemptions

The following activities, to the extent specified herein, are exempt the requirements of this section:

1. Excavation in conjunction with utility installation, which is to be back-filled.
2. Excavation in conjunction with road construction within the limits of the right-of-way when construction plans have been approved by either, local, county, state, or federal authority.
3. Excavation which by nature is of limited duration: e.g., graves, septic tanks, swimming pools, etc.
4. Agricultural drainage work incidental to agricultural operations and irrigation/stock watering ponds, if no material is removed from the property.
5. Excavation for structures, parking areas and rights-of-ways, when lines and grade plans have been approved by the Zoning Inspector.
6. Landscaping of property for aesthetic purposes that does not affect existing drainage, if no material is removed from the property.
7. Dredging operations under the jurisdiction of the U.S. Army Corps of Engineers, and/or other governmental authorities.

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8. Excavation in conjunction with the drainage maintenance or improvements approved by either, local, county, state, or federal authorities.

B. Uses and Structures

1. The following uses and structures are permitted in conjunction with a mineral or aggregate operation for material removed in situ, in accordance with these requirements:
 - a. Crushing, washing, and screening of mineral or aggregate material.
 - b. Stockpiling of mineral and aggregate materials and earth products.
 - c. An office, shop and/or other accessory structure used for the management and maintenance of mineral and aggregate extraction and processing equipment.
 - d. Sale of products produced from a mineral and aggregate extraction and processing operation.
 - e. One detached temporary dwelling unit (may be a manufactured dwelling) and accessory structures for a caretaker or watchman. (Note: To be removed upon close of operation).
 - f. Storage of running and operational equipment or machinery necessary for mineral or aggregates extraction or processing.
 - g. Storage of salvage vehicles and equipment for use to repair equipment for mineral and aggregates extraction and processing.
 - h. Storage of equipment or machinery and maintenance facilities related to mineral and aggregate resource extraction processing or transportation equipment.
 - i. Structures designed and constructed exclusively for solid mineral extraction, storage or processing, for which no future use is contemplated and no other use is practical or feasible, shall be demolished and removed at the expiration of the Mining Permit.
 - j. Mining through water.
 - k. Dewatering on a case by case basis.
2. The following uses and structures are not permitted:
 - a. Asphalt/concrete mixing or batch plants.
 - b. Sale or removal of topsoil (excess topsoil may only be sold or removed upon compliance with the requirements of Section 700.10.41.G.3).

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3. Signs subject to Chapter 10.

C. Procedures for Making Application

1. Applications shall be submitted per Section 400.02.
2. Submit copies of application materials submitted to Ohio Department of Natural Resources, Division of Mineral Resource Management for mining permit for the subject area.
3. The cost of securing expert advice or studies shall be borne by the applicant.

D. Conformance to the issued Conditional Use Certificate

1. An approved solid mineral and aggregate extraction conditional zoning certificate may be revoked per Ohio Revised Code, Section 519.14 (D).
2. The Ravenna Township Zoning Inspector shall be responsible for monitoring compliance with the Conditional Use Certificate requirements and the reclamation process.
3. All facilities and structures shall meet all local, county and State of Ohio health, building, electrical, and other applicable codes.
4. The use shall be considered abandoned if the Chief of Division of Mineral Resources Management issues an order declaring the mining area abandoned per Ohio Surface Mine Rules 1501:14-4-04.

E. Development, Mitigation, Reclamation and Post Mining Use Plans

Each application will include: detailed development and operation plans on how the applicant intends to develop the site, how the applicant intends to manage the operation, and, how the applicant intends to reclaim and reuse the site. The following items must be included for review as part of the application:

1. Development Plan

The Development Plan includes a site plan that shows the location of physical site features and extractive and process features.

- a. Drawings to a legible scale showing the following physical features of the site:
 1. Existing elevation at a scale of ten (10) foot contours.
 2. Location of wetlands and flood plains.
 3. Boundaries of all soil types.
 4. Location of all existing significant natural, geographical and/or unique

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features:

- a. Scenic views, with first priority given to scenic views from existing affronting and abutting public roadways.
 - b. Mature woodlands.
 - c. Endangered species and wildlife habitat areas.
 - d. Significant natural amenities such as tree stands, ponds, ravines and stream channels.
 - e. Historical, archaeological or cultural features.
 - f. Aquifer recharge areas.
5. Grading and erosion control and surface drainage plan.
 6. Existing utilities.
 7. Function and height of existing structures.
- b. Drawings to a legible scale showing the following extraction and processing features of the site:
1. All areas to be mined.
 2. All buildings for mining activity and related non-mining uses and activities, including the function and height of these buildings.
 3. Power lines, underground utilities and easements, water supply lines, storm drainage lines and easements, sanitary sewers, and the treatment plant and distribution field, if treatment occurs on site.
 4. Roads, parking and loading areas, and entrances and exits to the site, indicating which portion of these are to be surfaced to retard dust and the type of surfacing.
 5. Railroad tracks and sidings.
 6. Water bodies and channels to be removed, shifted and created.
 7. Signs and entrance markers, including elevation drawings of identification signs.
 8. Exterior lighting standards and poles.
 9. Fences, berms and landscaping provided for screening along the perimeter of the property.

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10. Proposed routes used by gravel hauling trucks on public roads.
11. Probable location and expected maximum height of stockpiles of mined materials.
12. Location of loading areas, tipples, and waiting areas for trucks and railroad cars in relation to the stockpiles of mined materials.
13. Location of major machinery and conveyors for receiving and processing mined materials, including machinery for sifting, washing and grading of said materials.
14. Location of storage piles of topsoil and overburden removed from earlier phases of mined areas and temporarily being stored for replacement under the reclamation plan.

2. Mitigation Plan

The Mitigation Plan includes a site map, narrative and cross-section profiles that explain, illustrate and show mining procedures, practices, policies and methods.

- a. The site map will show the intended phases of the mining operations to be carried out over all portions of the tract. Near-term phases will be mapped precisely and long-distant phases will be mapped conceptually. The site map will show generalized expected contours or elevations estimated for the floor of the pit when mining is completed for each phase of operation before reclamation is started. The applicant will also provide cross-section profiles, which show the anticipated depth of extraction and ground slopes when mining is completed but before reclamation is started.

The site map and profiles will show the following:

1. The drainage from mined areas and stockpiles of materials.
 2. How erosion, sedimentation and non-point source pollution, contamination of the water table and nearby water bodies, streams and rivers is avoided.
 3. How turbidity of water bodies and nearby wetlands is avoided.
 4. How the mine operator will prevent changes in local water table levels.
 5. How increases in the rate of storm runoff will be accommodated on the site.
- b. The narrative description explains the following:
 1. What actions the operator will employ to reduce noise, dust, litter and vibration.

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2. Where safety fencing and what type of fencing will be if required.
 3. Anticipated hours of operation.
 4. Which portions of the site are to be reclaimed immediately after mining is completed within a period of one (1) year.
 5. How the phased reclamation will conform to the approved site reclamation plan.
 6. The estimated duration of the operation.
 7. How stockpiles of material on mined-out phases will be exhausted within 1-3 years after mining them.
3. Reclamation and Post Mining Use Plan

The reclamation plan shows the interim restoration of the site prior to proposed permanent use of the site. The interim restoration plan is accompanied by a narrative that describes the range of possible post mining uses of the site. Ground contours, slopes and vegetation and other features on the site are designed to accommodate the proposed uses. A grading plan and landscape plan shall also be provided, which includes:

- a. In detail for near-term first phases of site reclamation and in conceptual detail for long-distant phases.
- b. A grading plan shall show 10 foot contours, as finished contours for near-term reclamation and a generalized probable contours for much later phases of reclamation.
- c. Show the final location and depth of mean high and low water pool or shorelines of lakes and streams.
- d. Location of storm drainage channels, swales, conduits, and the location of easements to be dedicated for storm drainage and public utilities.
- e. Locations of right-of-ways.
- f. Requirements
 1. Reclamation is required within one (1) year from expiration date of a Conditional Use Certificate or the abandonment of the operation.
 2. All other reclamation requirements for surface mining or strip mining shall be approved by the Division of Mineral Resource Management.
 3. Applications for revisions submitted to the Division of Mineral Resource Management subsequent to the issuance of a Ravenna Township Surface

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Mining or Strip Mining Certificate shall be presented to the Zoning Inspector.

4. The reclamation plan shall ensure that the area will support vegetation capable of self-regeneration and plant succession.
5. Reclamation shall be progressive to prevent erosion.
6. All machinery and related equipment is to be removed.
7. The operator shall grade, contour, or terrace the final slopes to a slope angle sufficient to achieve soil stability and control landslides, erosion, and sedimentation. Slopes with a slope angle of 14 degrees or less shall be presumed sufficient.
 - a. Resoiling shall occur in such a way that a diverse growth of vegetative cover can be raised and maintained. The cover will be capable of self-regeneration and plant succession.
 - b. Topsoil and subsoil will be removed and segregated in sufficient quantities so as to create soil depth and distributions as per the proposed plan for post mining use.
8. Soil amendments such as lime, fertilizer and mulch shall be used to promote seed germination and growth.
9. Permanent planting shall be completed upon completion of any required grading or resoiling except when these operations are completed in a season unsuitable for planting. In such a case, permanent planting shall be completed at the earliest possible time.

F. Development Standards

1. Area, Yard, and Height Requirements

a. Project Area

1. All land shall be contiguous and shall not be divided into segments by: (1) any limited access highway, nor (2) any tract of land (other than streets or right-of-ways for pipelines or electric transmission lines).
2. All boundaries will be clearly and permanently flagged at intervals no greater than 250 feet.
3. The BZA will make a determination as to whether processing must be performed on-site or off-site. At a minimum, the following guidelines must be considered:
 - a. Processing may be performed on-site if the parcel size is greater than

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twenty (20) acres and the mining duration is greater than four (4) years.

- b. Impact of processing and/or trucking on existing residences.
- c. Overall impact on the township of truck traffic to haul material to off-site processing versus processing on-site, recognizing that processing off-site requires the same material to be hauled twice, once as raw material and the other as finished goods.
- d. The BZA will make a determination as to whether processing and stockpiling materials not extracted in situ will be permitted.

b. Setbacks

- 1. The mineral and aggregate extraction operation shall have at least 200 feet of frontage on a road.
- 2. The extraction area shall meet the following minimum distances from:
 - a. Each side and rear lot line when lot edge is adjacent to:
 - ii. Residential district - 250 feet, Condition 1
 - iii. Business district - 75 feet, Condition 2
 - iv. Industrial district - 50 feet, Condition 2
 - v. If contiguous to an existing mining operation - 0 feet
 - 1. Condition 1 - the required berming and/or screening can be placed within the setback distance providing the berm starts at the setback line. (Ref. Section 700.10.41.G.3)
 - 2. Condition 2 - the required berming and/or screening can be placed no closer than 30 feet to the property line. (Ref. Section 700.10.41.G.3)
 - b. From road right-of-way when lot edge is adjacent to:
 - i. Residential district - 250 feet, Condition 1
 - ii. Business district - 200 feet, Condition 2
 - iii. Industrial district - 50 feet, Condition 1, or
- 100 feet, Condition 2

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iv. If contiguous to an existing mining operation

- 50 feet, Condition 1, or

- 100 feet, Condition 2

1. Condition 1 - the required berming and/or screening can be placed within the setback distance providing the berm starts at the setback line. (Ref. Section 700.10.41.G.3).
2. Condition 2 - the required berming and/or screening can be placed no closer than 30 feet to the road right-of-way. (Ref. Section 700.10.41.G.3).

- c. Processing areas of mineral and aggregate materials shall be located so as to minimize noise emission and visual impact.
- d. Office, shop, parking and/or other accessory structures shall be located behind the berm.
- e. Storage areas for operational or non-operational equipment for the production and/or processing of mineral and aggregate materials shall be located behind the berm.
- f. A detached dwelling unit or manufactured dwelling and related accessory structures for a caretaker or watchman shall be at least 50 feet from any property line.

2. Height

The maximum height of any structure, or security lighting, except mineral and aggregate processing and extraction structures shall be fifty (50) feet or less. This restriction will not apply to transmission or communication equipment.

3. Dewatering

- a. Dewatering may be permitted on a case by case determination by the Board of Zoning Appeals. At a minimum, the following must be taken into consideration in making that determination:
 1. The effect of an additional dewatering site when pre-existing permitted dewatering sites are located in the general vicinity.
 2. See Section 700.10.41.G.1, Groundwater Contamination Prevention Measures and Hydrologic Determination Report.
 3. The number, location and monitoring of observation wells.
- b. If dewatering is permitted, observation wells will be used to indicate the

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extent of the decline of water levels and to prove the need for remedial action. These observation wells shall not be pumped or used for any purpose other than monitoring.

4. Truck Hauling and Access

- a. Not more than one entrance/exit is permitted, preferably located along a secondary road, which shall be located so as to avoid routing of vehicles to and from the mining operation over streets that primarily serve an abutting residential development. However, a temporary entrance/exit will be allowed if the primary entrance/exit is unusable due to conditions beyond the control of the mining operation. The use of the temporary entrance/exit shall be immediately discontinued once the primary entrance/exit is usable.
- b. A paved road from the entrance/exit to and from the area of operation shall be provided in order to minimize the deposit of dirt and gravel from all vehicles. This road construction shall be completed prior to the initial mining phase. Haul roads and cartways shall be graded and maintained to meet Ohio EPA standards for airborne particulate control.
- c. Trucks shall be covered or loaded to minimize spillage.
- d. All tires will be washed before entering public roads.
- e. Any spillage shall be removed periodically throughout the day from public roads and at the end of each business day.

G. Performance Standards

1. Groundwater Contamination Prevention Measures

The operation shall be planned and conducted to:

- a. Minimize disturbance to the prevailing hydrologic balance in both the permit and adjacent areas.
- b. Prevent material damage to the hydrologic balance outside the permit area.
- c. Assure protection or replacement of water rights.
- d. The applicant will provide a description of the controls, which will be utilized to assure compliance with water quality, erosion control, sedimentation control, storm water management, and other applicable hydrologic controls.
- e. The use of monitoring wells will be used as one means to assure water quality levels and documented on a quarterly basis by an independent contractor.
- f. Mineral and aggregate extraction operations, materials storage and use, site access, fueling procedures, drainage, restoration activities and restoration uses

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shall be controlled so as to minimize to every extent possible the contamination of groundwater. Excavation below existing groundwater shall only be permitted in locations where post the mining use plan indicates a lake.

- g. In addition, extraction operations are to seal all shafts, bore holes, wells, and other openings that are intercepted during mining in such a manner that migration of waters is minimized.

2. Hydrologic Determination Report Requirements

The applicant will also provide a report attesting to the probable hydrologic consequences the proposed extraction operation will have on the subject site and the adjacent areas. If dewatering is not allowed, the report does not need to be prepared by a certified hydrologist. In either case, this report will include, but is not limited to providing the following information:

- a. The consequences of the proposed operation on the contents of dissolved and total suspended solids, total iron, total manganese, and pH.
- b. Whether adverse impacts may occur to the hydrologic balance.
- c. The impact the proposed operation will have on:
 - 1. Sediment yield from disturbed areas.
 - 2. Flooding or stream flow alteration.
 - 3. Ground water and surface water availability.
- d. The extent to which the proposed operations may proximately result in contamination, diminution, or interruption of an underground or surface source of water within the proposed extraction area or adjacent areas which is used for domestic, agricultural, industrial or other legitimate uses.
- e. If contamination, diminution, or interruption may result, provide a description of alternative sources of water that could be developed to replace existing sources. This would include information on water availability and suitability of alternative water sources for existing pre-extraction uses and approved post-extraction land use.

3. Screening, Fencing, and Berm Requirements

All of the requirements must be in place before the commencement of the solid mineral and aggregate extraction operations, provided, however that berms may be built from the site.

- a. Screening

No grading, removal or disturbance of plant material shall be permitted within

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the setback except the area affected by the required screening from any lot line or road right-of-way. Adequate year-round screening with indigenous planting (for example, maple and pine trees) and perennial species with the ability of self generation shall be preserved or established, where ever possible, to screen the view of the site and all related equipment from any public road, residential area, and any existing noise-sensitive use located within 1,000 feet of the site perimeter. The appropriate type of screening and buffering shall be determined by the Board of Zoning Appeals.

b. Fencing

Fencing shall be required to eliminate any safety hazards of the site for adjacent land uses. When fencing is required to eliminate a safety hazard, it shall be of cyclone type, a minimum of six (6) feet high. The location of fencing to eliminate a safety hazard shall be determined by the applicant and/or property owner.

c. Berms

Berms shall be constructed of overburden and topsoil, but must be finished with topsoil excavated from the subject site and planted as soon as weather permits with ground cover to prevent erosion. Vegetative growth must be maintained at all times. The intent is to use the berms as a primary topsoil storage area.

d. Visual Effects

The line of sight from residential districts to quarries, pits, extraction and processing areas, structures and stockpiles, loading areas, access roads and other facilities shall be interrupted so as to reduce to the maximum extent practicable the visual intrusion of surrounding properties not owned or leased by the owner or operator. The plan to be submitted with the application shall include line of sight and cross section studies demonstrating the manner in which the line of sight from surrounding properties, not owned or leased by the owner/operator, is to be interrupted. The type of visual screening and sequence in which it is to be done may be customized to suit each mining operation.

4. Airborne Particulate and Operational Nuisance

- a. Adequate operational controls shall be used to minimize the creation of detrimental ground vibrations, sound, pressure, black smoke, noise, odors, or dust. It is recognized that the State of Ohio has expended extensive resources to ascertain acceptable environmental regulatory standards for the controls of the aforementioned.
- b. All equipment shall be properly muffled to reduce excessive noise.
- c. Crushers and similar noise generating equipment may be located below

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ground level, bermed, muffled by stockpiles or physically soundproofed to reduce noise levels.

- d. Crushers and similar noise generating equipment shall be located and situated to minimize noise intrusion onto other properties that are not used for mineral extraction. The following are ways to reduce noise levels from crushers and similar noise generating equipment:
 1. Effective berm placement.
 2. Stockpile/overburden placement.
 3. Below ground level equipment placement
 4. Construction of wooden noise muffling barriers.
5. Blasting

Adjoining property owners shall be notified at least twenty-four (24) hours prior to any blasting.

H. Hours of Operation

The applicant shall provide a schedule of the expected operating hours, and shall be limited only to the following hours and days of the week:

1. Monday – Friday: 7:00 A.M. to 5:00 P.M.
2. Saturday: 8:00 A.M. to 1:00 P.M.

42. Farm Related Business

- A. The Farm Related Business must be located on a parcel of land at least twenty (20) acres in size and a portion of the parcel of land shall be actively involved in the CAUV Program. The applicant shall provide proof of participation in the CAUV Program.
- B. The area of the farm related business that is used for structures, parking, storage, display, landscaping, etc. shall incorporate no more than two (2) acres of land. A drive serving the farm related business may be excluded from the calculation of the two (2) acres.
- C. The owner or occupant of the farm must be engaged in the farm related business.
- D. The use must be conducted within a completely enclosed building typical of farm buildings, except as stipulated in Item F.
- E. Any building and/or parking area used for the farm related business must be located at least 200 feet from the dwelling and road right-of-way and 300 feet from any

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surrounding residential dwelling.

- F. Storage of supplies, materials, or products shall be located within a completely enclosed building or if stored outdoors shall be completely screened from view.
- G. Signs shall be in accordance with the provisions of Chapter 10.
- H. Parking shall be in accordance with the provisions of Chapter 9.
- I. Any number of farm related businesses may be permitted, provided that all of the conditions provided herein shall be complied with collectively, as if determined for a single use on the site. Some examples of farm-related businesses (if suitably sized) include, but need not be limited to:
 - 1. Blacksmith shops.
 - 2. Butcher shops.
 - 3. Composting and other farm waste storage facilities.
 - 4. Feed supply and fertilizer distributors.
 - 5. Grain mills.
 - 6. Processing of locally produced agricultural products.
 - 7. Sales or repair of agricultural equipment.
 - 8. Veterinary offices which primarily treat farm animals, stables and kennels.
- J. Outdoor lighting shall be in compliance with Section 1200.10.

43. Flag Shaped Lots

- A. The flag portion of the lot must comply with the zoning district's minimum acreage requirements and setback requirements (see Figure 700.10.B.43).
- B. Lot must have a minimum of sixty (60) feet of continuous frontage.
- C. Lot may not become narrower than sixty (60) feet at any point.
- D. The pole portion of the lot cannot exceed an overall length of nine-hundred (900) feet from the road right-of-way (see Figure 700.10.B.43).
- E. The access-way or pole portion of the lot must be free of structures and accessory buildings.
- F. Flag portion of the lot must widen to a distance, which is equal to or greater than the zoning district's minimum lot width requirement.

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- G. The front yard setback for the dwelling must be equal to or greater than the required setback of the district and is to be measured from the point where the lot widens to equal the district's minimum lot width requirement.
- H. A dwelling unit proposed for the lot shall not be located directly behind another dwelling, unless the owner of that residence is the applicant, or the owner of the established residence has no objections as evidenced by a notarized affidavit filed with the application.
- J. The proposed dwelling for the lot shall be screened from the view of adjacent dwelling with a vegetative landscaping screen.
- K. The fire chief shall provide a letter that states that fire apparatus and emergency vehicles can have safe access to the flag portion of the lot and that access can be reasonably constructed and maintained.
- L. Sharing driveways with the adjoining lot owner is encouraged. Where driveways will be shared, a maintenance agreement shall be filed with the application for Conditional Zoning Certificate and if the application is approved, said agreement shall also be filed with the deed in the Office of the County Recorder.

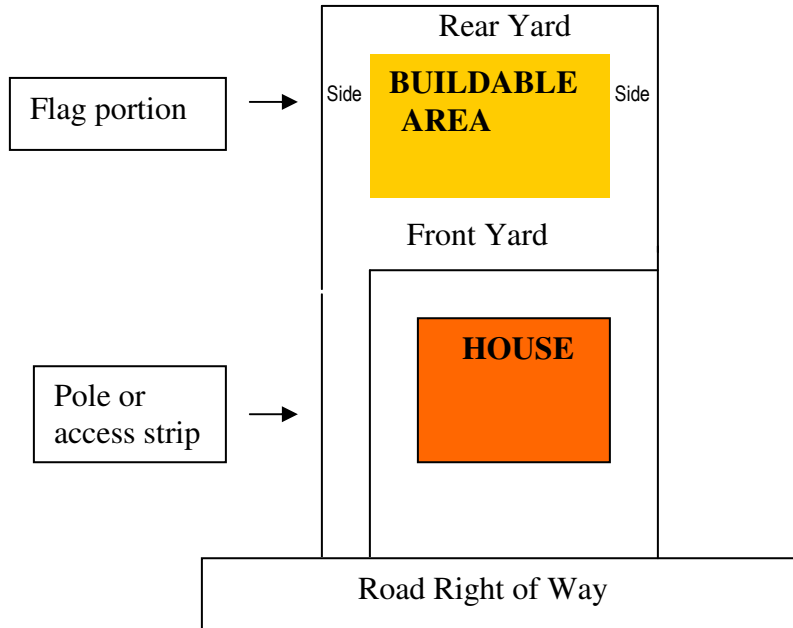


Figure 700.10.B.43

44. Funeral Home

- A. The building shall be designed so as to be harmonious with the setback and building design of existing uses in the neighborhood.
- B. Sites shall have a minimum of one (1) acre of land with a minimum lot width of one-

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- hundred (100) feet, unless the district requires a greater area and/or lot width.
- C. The site and structure shall meet the applicable state and county code requirements, including licensing requirements.
 - D. The applicant shall submit a parking and traffic circulation plan to the Board of Zoning Appeals for approval. The design, location, and surface of the parking areas and vehicular approaches shall be subject to approval by the Board of Zoning Appeals so as to reduce congestion, promote safety, and reduce the impact on the neighborhood. The plan shall provide for the separation of incoming and outgoing vehicles during high volume periods and shall provide a safe drop off point for visitors that will not impede other traffic. In addition, the plan shall show an off-street vehicle assembly area for funeral processions for at least twenty (20) vehicles. This area shall be in addition to the required off-street parking requirements.

45. Gasoline Station and/or Auto Repair, Sales and Service

- A. All activities except for fuel and air pump shall be carried on inside of the building.
- B. If property fronts on two (2) or more streets, driveways shall be located as far from the street intersection as practical.
- C. All areas for vehicular traffic and parking shall be paved.
- D. No junk, inoperative or unlicensed vehicles shall be permitted to remain outdoors on property except in a completely screened storage area.
- E. Gasoline stations located on a corner lot shall maintain the minimum lot frontage on both lot lines fronting on streets.
- F. Fuel pumps, aisles providing access around the fuel pumps and canopies shall comply with the parking setbacks set forth in Chapter 9.
- G. Except while being serviced at a pump island, no vehicle shall be parked between the pumps and the front property line.
- H. Lighting shall comply with lighting standards of Section 1200.10 and shall be shielded to preclude light trespass. Recessed ceiling fixtures are preferred for canopies such as over fuel pumps.
- I. The Board of Zoning Appeals may limit the number of fuel pumps based on evaluation of site size, location, distance from residential uses, and traffic flow on the site and within the neighborhood and other relevant factors such as neighborhood impacts.
- J. Any ancillary use to the principal use must be reviewed and approved by the Board of Zoning Appeals prior to any construction or reconstruction related to such use (i.e. fast food service in gas station).

46. Governmental Service Facility

- A. Such uses should be located on an arterial or collector street or have direct access to such a street without going through a residential neighborhood.
- B. All permanent buildings shall be constructed and designed so as to be harmonious with the setback and building design of existing uses in the neighborhood.
- C. No outdoor storage of vehicles or materials is permitted, unless completely screened from adjoining property owners and roadways. Plantings and other landscaping methods are also required to help screen any structures other than buildings from adjacent residential uses.

47. Group Residential Facility

- A. Evidence shall be presented that the proposed facility meets the certification, licensing and approval requirements of the appropriate state agencies.
- B. The applicant shall comply with the applicable parking regulations of the Zoning Code for the type of residential structure and shall make adequate provision for on-site parking of vehicles used by visitors and the home supervisors.
- C. May provide room and board, personal care, overnight accommodations, etc. for up to 16 residents at any one time.

48. Home Based Business

A. Purpose

The Township recognizes the desire and need of some citizens to use their residence for business activities in order to provide the opportunity to be more directly involved in raising children while earning a living, and/or to provide an alternative means to be financially solvent. It further recognizes that home based businesses can serve to nurture the development of new innovative businesses, reduce vehicle trip generation rates, and serve as business incubators thereby improving the local economy while also recognizing the need to protect the surrounding areas from adverse impacts generated by these business activities.

B. Administration

Conditionally Permitted Home Based Businesses shall not be permitted until the Board of Zoning Appeals has approved said conditional zoning certificate.

C. Permitted Home Based Businesses

The following is a list of the types of home based businesses permitted under these regulations. It is recognized that this list is not totally inclusive. A determination of substantial similarity by the Board of Zoning Appeals will need to be made if the use or type of use is not listed:

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1. Professionals, including but not limited to: architects, brokers, counselors, clergy, dentists, doctors, draftspersons and cartographers, engineers, insurance agents, accountants, editors, publishers, journalists, psychologists, contract management, graphic design, construction contractors, landscape design, surveyors, cleaning services, sales persons and manufacturers' representatives, and travel agents.
2. Personal services establishments, including barbershops, beauty salons, manicure and pedicure services, pet grooming, catering and chauffeuring services.
3. Instructional services, including music, dance, art and craft classes, and tutoring.
4. Studios for artists, sculptors, musicians, photographers and authors.
5. Workrooms for tailors, dressmakers, milliners, and craft persons, including weaving, lapidary, jewelry making, cabinetry and woodworking.
6. Repair services, including but not limited to: watch and clocks, small appliances, computers, electronic devices, lawnmowers, and small engines. (Excluding ATV's, Motorcycles, Boats, Jet Skis and other such motorized vehicles.)
7. Assembly, packaging of goods for sale or distribution.
8. Retail sales of goods and services.

D. Prohibited Home Based Businesses

The following types of home based businesses are specifically prohibited due to their potential impacts to the residential area. Some of those listed are regulated in other sections:

1. Adult Uses.
2. Restaurants, clubs, drinking establishments.
3. Motor vehicle repair shops.
4. Undertaking and funeral parlors.
5. Veterinarian clinics, animal hospitals.
6. Uses stipulated in Section 605.00 Dangerous/Objectionable/Prohibited Uses.

E. Conditions and Operating Standards

1. Such use shall be conducted entirely within a residential dwelling unit and/or permitted accessory building(s) and there shall be no outdoor storage of materials of any kind connected with the Home Based Business.
2. The basis of calculation for total area that may be used for the home based

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business is twenty-five (25) percent of the gross floor area of the residential dwelling unit and up to an area that is equivalent to 100% of the gross floor area of the residential dwelling for space allocated for this use in any accessory buildings on the site.

3. Any number of home based businesses per dwelling unit and its accessory buildings are permitted, provided that all of the conditions stipulated herein shall be complied with collectively, as if determined for a single use on the site.
4. The total customer visits shall be limited to no more than two (2) vehicles at any one time.
5. The home based business shall have no more than two non-resident employees on the premises at any one time. The number of non-resident employees working at locations other than the home based business is not limited.
6. The home based business shall be limited to the outdoor parking of one commercial vehicle. All other commercial vehicles shall be parked within a completely enclosed building.
7. There shall be no visible evidence of such use from the street or adjacent property, except for one (1) unlighted sign as regulated by Section 1000.15 is permitted, with no other outward evidence of such use.
8. No home based business may manufacture, store or sell toxic or hazardous materials.

49. Institutions for Human Medical Care, such as but not limited to Hospitals, Clinics, Mental Health Care Facilities and Nursing Homes

- A. The site shall have direct access to a major thoroughfare, which the Board of Zoning Appeals determines is adequate to serve the size of the facility proposed.
- B. Unless a greater acreage is specified in the district requirements, the site shall be comprised of a minimum of two (2) acres, exclusive of road right-of-way.
- C. All buildings shall not be located within 100 feet of any property line and/or **road** right-of-way.
- D. Ambulance and delivery areas to be obscured from all surrounding residential properties.
- E. Auxiliary uses, such as a pharmacy, gift shop, cafeteria and similar customarily related uses shall be allowed.
- F. Parking for professional and outpatient buildings, shall be calculated as separate uses. Only one-half (1/2) the total number of parking spaces within a gated or restricted physician parking lot shall be included in the parking calculation.

50. Mini Storage Facilities

- A. Commercial activity shall be limited to the rental of storage units and the incidental uses related to the business. The servicing or repair of motor vehicles, boats, trailers, lawn mowers, or other similar equipment shall not be conducted on the premises. There shall be no other activities conducted on the premises.
- B. Businesses shall be limited to “dead storage” defined as personal property left for a period of time.
- C. There shall be no storage of live animals or carcasses, explosives, radioactive or hazardous materials, or any other materials prohibited by county, state or federal statutes.
- D. The operator shall provide suitable trash containers that are regularly serviced. All debris and trash must be in trash containers situated on the property in compliance with Section 610.11.
- E. Signs on sides of storage buildings and fences shall be limited to directional signs only. There shall be no commercial advertising. Signs shall be permitted on the Office building (limited to twenty (20) square feet for the business name) and at the entrance gate (limited to nine (9) square feet).
- F. Storm water runoff must be controlled so as not to adversely affect adjoining property owners.
- G. The following conditions apply to Outdoor Storage:
 - 1. Outdoor storage is limited to operable, non-commercial vehicles and watercraft, not to exceed twelve (12) feet in height.
 - 2. Parking spaces shall be no less than 100 feet from the rear of the rearmost building.
 - 3. Outdoor storage shall be set back from the side yard lines a distance no less than the storage building side yard set back.
- H. Applicant shall construct and maintain a screen along the property borders to completely screen the storage facility from view of surrounding properties. Such screening shall be no less than six (6) feet in height of trees and shrubs or fencing and comprised of material suitable to screen the view of the facility. The screening materials shall be located no closer than three (3) feet from the side and rear yard boundaries. The screening shall not impair vehicular visibility at ingress and egress points.
- I. A gated entrance may be constructed provided it does not to exceed six (6) feet in height, and shall be located no closer to the road right-of-way than a distance equal to the minimum front yard setback.

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J. Off Street Parking

1. One space for each ten (10) storage cubicles, equally distributed throughout the storage area shall be provided. This parking requirement can be met with the parking lanes as set forth in Section K below.
2. One space shall be provided for every twenty-five (25) storage cubicles at the office facility.

K. On-Site Circulation

1. All one-way driveways shall provide for one ten (10) foot parking lane and one thirteen (13) foot travel lane. Traffic direction and parking shall be designated by signage and painting.
2. All two-way driveways shall provide for one ten (10) foot parking lane and two thirteen (13) foot travel lanes.
3. Parking lanes may be eliminated when the driveway does not serve storage cubicles.

51. Multi-Family Development

- A. The floor area per dwelling unit shall be in compliance with the Zoning District's requirements.
- B. Parking shall not be located in the required front yard area and shall be located to the side or rear of buildings.
- C. There shall be a minimum distance of twenty-five (25) feet between each principal building.
- D. Maximum possible privacy for each apartment/condominium shall be provided through good design and the use of proper building materials and landscaping. Visual privacy shall be provided through structural screening and landscaping treatment. Auditory privacy should be provided through soundproofing.
- E. Usable open space of twenty (20) percent of the lot area exclusive of parking areas and drives shall be provided for the residents.
- F. The architectural design of multi-family units should be developed with consideration given to the relationship of adjacent development in terms of building height, mass, texture, line, pattern and character.

52. Non-Commercial Land Filling to Change Grade and/or Elevation of Property

The use of adding fill material onto a lot or parcel located in any zoning district, in order to change the grade and/or elevation of the property may be conditionally permitted in compliance with the following conditions:

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- A. A Conditional Zoning Certificate is required for all projects in which the quantity of the material used exceeds three hundred (300) cubic yards or raises the existing natural grade by more than twelve (12) inches over an area encompassing more than ten (10) percent of the total lot or parcel.
- B. The use of the fill material shall not cause surface water to collect or to run off onto adjoining lands contrary to normal and natural drainage patterns.
- C. The fill material shall not result in off-site dust, grime, fumes, or odors above the levels existing prior to the filling operation.
- D. The fill material shall be properly compacted to ensure a stable surface and to prevent irregular settling and/or not to reduce the stability, or bearing capacity, of soils on adjoining properties.
- E. The material shall not degrade groundwater quality, nor result in negative impacts on groundwater quantity.
- F. The use of the fill material shall not result in a reduction of light and air to the adjoining properties.
- G. The applicant shall provide proof that the fill material being used is not considered a hazardous, infectious or solid waste, and complies with all applicable county, state and federal agencies as acceptable fill material.
- H. The property owner is not permitted to charge a fee for any fill material being added to the site.
- I. The addition of fill material shall not amount to or represent itself to be in any form or fashion a landfill, construction and demolition debris collection/disposal facility, composting facility or similar facility.

53. Open-Air Market

- A. An open-air market shall only be allowed in a zoning district that specifically allows for such use.
- B. A Conditional Zoning Certificate is required for each and every occasion that an open-air market is operating. The applicant may apply for a Conditional Zoning Certificate for each individual occasion, or the applicant may submit a schedule of the upcoming occasions when an open-air market is proposed to be operating within the next twelve (12) months.
- C. The applicant must demonstrate that adequate ingress and egress and parking facilities are provided to ensure that motor vehicles will be off of the street and will be able to turn around without creating a safety hazard or impede the flow of traffic.
- D. If an owners association or other entity has the authority to grant approval and/or

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make recommendations regarding this use at the proposed location, a copy of such decision shall be included as part of the application materials.

- E. Twelve (12) open-air market events are allowed per location in a one (1) year period.
- F. An open-air market event may not last for more than three (3) consecutive days.
- G. The height of a vendor's structure shall not exceed fifteen (15) feet.
- H. Vendor structure(s) are to be temporarily sited on the property and shall be removed immediately following the close of the open-air market event.
- I. Signs as regulated in Chapter 10.
- J. Outdoor lighting shall not cast any glare on adjacent properties, and shall comply with lighting standards of Section 1200.10.
- K. Activities shall be scheduled in a manner that will minimize any potential negative impacts to neighboring uses.
- L. An event shall not be operated prior to 9:00 A.M. in the morning or after 10:00 P.M. in the evening.
- M. Security, traffic management and trash removal shall be the responsibility of the applicant.

54. Park and Ride Lot

- A. All proposed signage shall comply with all applicable federal, state and county regulations as well as the provisions of this Resolution.
- B. The park and ride lot shall comply with the following conditions:
 - 1. Only the parking spaces in excess of the minimum number of required parking spaces may be used for the purposes of creating a park and ride lot.
 - 2. If a shared parking agreement exists between parties, the agreement shall stipulate the number of parking spaces that are to be used for a park and ride lot. Each parking space shall be equivalent to one (1) parking space only.

55. Parks and Recreation Facilities

- A. Outdoor intensive uses such as swimming pools, ball courts, tennis courts and playground equipment areas shall be not less than 100 feet from any residential property line not part of the development served and shall be screened from view from such residential property by landscaping and appropriate fencing materials. Accessory buildings or structures associated with such facilities shall be subject to the setback and yard requirements specified in the district in which it is located.
- B. Recreational facilities shall be designed in a manner that minimizes their impacts on

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adjacent properties and environmentally sensitive areas.

- C. Recreational uses and facilities shall be designed in a manner that will promote and protect public safety. This shall include without limitation, effective security and safety lighting along pedestrian and bicycle routes and within parking lots, appropriate clear zones and surface around and beneath play apparatus and such other similar things as deemed appropriate or necessary.
- D. Security fencing, where required or desirable shall be of a type that is compatible with the overall architecture, scale and character of the recreation facility and the neighborhood which it serves.
- E. Outdoor lighting shall not cast any glare on adjacent residential properties, and shall comply with lighting standards of Section 1200.10.
- F. Activities shall be scheduled in a manner that will minimize any potential negative impacts to neighboring residential uses, especially any evening activities.
- G. It is desirable to connect parks and recreation areas to residential neighborhoods and other areas of high usage in design of recreational facilities.
- H. All swimming pools facilities shall comply with the rules of the Ohio Department of Health, Ohio Administrative Code, Chapter 3701-31.

56. Planned Unit Development (PUD)

A. Purpose

The Planned Unit Development (PUD) requirements are established to encourage and accommodate flexible land development practices in order to protect the Township's rural character, open space areas, water quality, environmentally sensitive lands, and wildlife habitats. These regulations are also designed to permit the location and operation of various combinations of residential, commercial, office, industrial and/or recreational land uses in specific areas of the Township. Additionally, the regulations further allow for the permanent preservation of a significant portion of the site from being developed, through the use of innovative land development techniques that are designed to advance the health and safety of Ravenna Township.

B. Objectives

The PRD regulations are intended to achieve the following objectives:

1. To allow flexible residential development, especially on sites that have natural features such as wetlands, natural ponds, marshes, steep slopes, rock outcroppings, floodplains and larger wooded areas, which will contribute to the environmental health of the Township.
2. To preserve the rural landscape and protect environmentally sensitive lands from the disruptive effects of conventional residential subdivision developments.

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3. To allow a more flexible and economical residential layout and street design.
4. To ensure the permanent preservation of open space, scenic views and vistas, rural lands and natural resources.
5. To promote economical and efficient use of land and reduce infrastructure costs through unified development in order to maximize conservation of open space.
6. To provide for accessible open space and recreation areas; and the creation of functional and interesting residential neighborhoods.
7. To encourage the preservation of agricultural lands.
8. To encourage the preservation of historic and culturally important structures and sites, such as old buildings, barns and foundations.
9. To ensure that PRD developments are compatible with the surrounding land uses and comply with these objectives.

C. Types of PUDs

Planned Unit Developments are conditionally permitted in many areas of the Township. There are several types of Planned Unit Developments, each allowing for a different combination of land uses with appropriate regulations.

1. The Planned Residential Development (PRD) for residential and open space/recreational land uses.
2. The Planned Business Development (PBD) a mix of commercial/retail, office and open space/recreational land uses.
3. The Planned Residential Business Development (RBD) for a mix of residential, commercial/retail, office and open space/recreational land uses.
4. The Planned Industrial Park Development (IPD) is intended primarily for industrial and open space/recreational uses. This district also allows for limited commercial uses that are considered ancillary to the industrial land uses.
5. The specific areas of the Township that the various PUD's are conditionally permitted to be developed are indicated in Schedule 56.C.5.

Schedule 56.C.5 Locations for Various PUD's	
Type of PUD	Location
PRD	In any R-L, R-M, R-H, and C-R Zoning District.
PBD	In any C-R and C-G Zoning District.
RBD	In any C-R and G-C Zoning District.

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Type of PUD	Location
IPD	1. In any G-I Zoning District. 2. In the C-R District along State Route 14; from Shalersville Township boundary to State Route 44.

D. Minimum Project Area

The size of a tract of land proposed for a PUD shall be the minimum acres indicated in Schedule 56.D, but shall not include any area within any existing public street rights-of-way; except that parcels under the minimum acreage requirement may be deemed appropriate based on individual merits as determined by the Zoning Commission, provided that the proposed development shall meet the setback and restricted open space requirements of the particular PUD.

The area proposed for a PUD shall be in a single ownership or, if in multiple ownership, the application shall be filed jointly by all of the owners of the properties included in the proposed PUD.

Schedule 56.D Minimum Acreage Requirement						
Type of PUD	Acreage per Zoning District					
	R-L	R-M	R-H	C-R	G-C	G-I
PRD	20	15	10	15		
PBD				10	10	
RBD				15		
IPD						20

E. Uses

The specific uses allowed for each type of PUD are listed in Schedule 56.E.4. A Zoning Certificate or a Conditional Zoning Certificate shall be required in accordance to Section 400.02 and all other applicable requirements of this Resolution for each use.

1. A use listed in Schedule 56.E.4 shall only be permitted as a principal use in the designated PUD when denoted by the letter “P” in compliance with the PUD requirements, and any additional requirements listed in this Section and all other corresponding requirements of this Resolution.
2. A use listed in Schedule 56.E.4 shall be permitted as a conditional use in the designated PUD when denoted by the letter “C.” Therefore, for any proposed conditionally permitted use to be allowed in the corresponding PUD, the Board of Zoning Appeals must determine that all of the requirements and conditions, as set forth in this Section and all other corresponding Sections of this Resolution are satisfied.
3. A use may also be allowed as an accessory use subject to the use’s permissibility as either a permitted or conditionally permitted use. Such use shall be permitted within the same building or within a subordinate building on the same lot, providing all PUD requirements and/or conditions satisfied.

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4. Similar uses not specifically listed as either a permitted use or a conditionally permitted use must come before the Board of Zoning Appeals for approval.

Schedule 56.E.4 Schedule of Uses				
	PRD Planned Residential District	PBD Planned Business District	RBD Planned Residential Business District	PID Planned Industrial District
A. Agricultural Uses:				
1. Agricultural uses as regulated in Section 630.00.	P	P	P	P
B. Residential Uses:				
1. Single-family dwellings detached.	P	na	P	na
2. Two-family dwellings.	P	na	P	na
3. Multi-family dwellings.	P	na	P	na
4. Accessory dwelling units, subject to Chapter 7 and Subsections 700.10.B.30.	C	na	C	na
5. Residential units located within buildings also containing commercial establishments.	na	na	P	na
6. Home occupations as regulated in Section 613.00.	P	na	P	na
7. Home based businesses, subject to Chapter 7 and subsection 700.10.B.48.	C	na	C	na
C. Parks, Open Space and Accessory Uses:				
1. Restrictive open space as required by these Regulations.	P	P	P	P
2. Common open space as required by these Regulations.	P	P	P	P
3. Parks for active recreational facilities, such as but not limited to swimming pools, bowling alley, indoor archery, handball, tennis, and skating facilities, golf courses, tennis clubs and associated dining facilities, subject to Chapter 7 and Subsections 700.10.B.2, 4, 5, 6, 8, 12, 21, 55.	C	C	C	C
4. Parks for passive recreational uses and facilities, provided that the applicant presents proof of compliance with Section 612.00.	P	P	P	P
5. Accessory buildings and uses incidental to the primary use as regulated in Section 610.03.	P	P	P	P
6. Signs as regulated in Chapter 10.	P	P	P	P
D. Commercial Uses:				
1. Uses as permitted in the C-R Zoning District.	na	P	P	na
2. Uses as permitted in the G-C Zoning District.	na	P	P	na

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	PRD Planned Residential District	PBD Planned Business District	RBD Planned Residential Business District	PID Planned Industrial District
3. Uses as conditionally permitted and regulated in the C-R Zoning District.	na	C	C	na
4. Uses as conditionally permitted and regulated in the G-C Zoning District.	na	C	na	na
E. Industrial Uses:				
1. Uses as permitted in the G-I Zoning District.	na	na	na	P
2. Uses as conditionally permitted in the G-I Zoning District.	na	na	na	C
F. Other Uses:				
1. Non-commercial land filling to change grade and/or elevation of property; subject to the provisions of Chapter 7 and Section 700.10.B subsection 52.	C	C	C	C
2. Wireless telecommunication service facilities proposed by a public utility company and subject to local zoning procedures; subject to the provisions of Chapter 7 and Section 700.10.B subsection 60.	C	na	na	na
3. Wireless telecommunication service facilities that are not public utilities subject to Chapter 7 and Subsection 700.10.B.60.	na	C	C	C
G. Special Uses:				
1. Adult Entertainment Uses, subject to the provisions of Chapter 7 and Section 700.10.B subsection 31.	na	na	na	C
2. Arts and crafts shows and entertainment events, subject to the provisions of Chapter 7 and Section 700.10.B subsection 34.	na	C	C	C
3. Open-air, subject to the provisions of Chapter 7 and Section 700.10.B subsection 53.	na	C	C	C
4. Outdoor Congregation Areas as regulated in Section 614.00	na	P	P	P

F. Residential Density/Non-residential Intensity

1. Permitted Residential Density and/or Non-residential Intensity

The total number of residential dwellings permitted within a PUD development and/or the allowable intensity of commercial and/or industrial use of the site shall be based on the following formulas:

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- a. Formula for Planned Residential Development (PRD)

$$\{ TA - (PR + OS + CNA) \} * Z = PD$$

- b. Formula for Planned Residential Business Development (RBD)

$$\{ TA - (PR + OS + CNA + C) \} * Z = PD$$

The acreage to be utilized for commercial uses and required parking is not to be counted as part of the acreage for calculating permitted residential density.

- c. Formula for Planned Business Development (PBD) and Planned Industrial Development (PID)

$$TA - (PR + OS + CNA) = DA$$

TA = The total acreage of the proposed development area, excluding all acreage in existing road and other public right-of-ways.

PR = The assumed roadway acres necessary to develop site as a conventional subdivision. This figure will represent 10% of total gross acreage of the proposed development area, excluding any existing road right-of-way.

OS = The acreage required by the Portage County Subdivision Regulations for open space. Currently, this figure represents five percent (5%) of total gross acreage of the proposed development area, excluding acreage calculated for PR, unless otherwise stipulated in the Portage County Subdivision Regulations. This figure is only used on lots of twenty (20) acres or more in size

CNA = The total acreage of the site comprised of the following Critical Natural Area characteristics and features: steep slopes of eighteen (18) percent or more; permanent bodies of water to include lakes, ponds, rivers, streams, etc.; wetlands, floodplains and areas of the site determined to contain threatened and/or endangered animal and plant species.

C = Acreage to be utilized for commercial/office uses and required parking and shall be in accordance with Section 56.H.

DA = Developable Acreage.

Z = A numerical value is used to establish the base density of the PUD development. For residential uses the "Z" value represents the approximate number of dwelling units per acre, before the density bonus is added. The "Z" value shall correspond to the minimum permitted residential density of the underlying zoning district.

PD = The permitted density, before adding a density bonus, for the PUD development.

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2. Bonus Provisions

The residential density (measured in dwelling units) or allowable non-residential total floor area (measured in square footage) may be increased up to a total of ten percent (10%) when:

The topographical features and environmental constraints warrant the orientation and amount of street acreage to exceed more than ten percent (10%) of the total acreage of the site.

3. Yield Plan Option

In the event there is a discrepancy with the results of the formula, the applicant may present a yield plan in accordance with the following requirements.

- a. The yield plan shall be drawn to a scale of 1" = 100'.
 - b. The yield plan shall graphically show the proposed site developed in accordance with the conventional zoning requirements of the underlying zoning district the property is located in.
 - c. The yield plan shall identify all of the critical natural areas of the site in order for the Board of Zoning Appeals to determine the appropriate base residential density and the appropriate number of commercial, office and industrial locations and/or buildings in association with streets in a conventional style development, assuming the development were designed in accordance with the underlying zoning district's requirements.
 - d. The acreage intended for commercial/office in the Planned Residential Business District shall not include any acreage that is to be calculated for residential purposes.
4. The permitted number of dwelling units, business establishments and/or building lots is subject to all other applicable Township zoning, Portage County Health Department and OEPA requirements. The use of on-site sewage disposal systems shall be addressed on a preliminary basis by a percolation test of the proposed building sites and septic easement areas (if any). The results of these tests will govern the final number residential dwelling units and business establishments as well as their location within the proposed PUD development, where central sewer is not available.

G. Density Impact

The proposed type and density and/or intensity of use shall not result in an unreasonable increase in the need for or impact to public services, roads, and utilities. The proposed type, density and/or intensity of use shall not place an unreasonable impact to the development site, surrounding properties and owners, and the ecosystem. The Board of Zoning Appeals may require that the applicant prepare an impact statement documenting any environmental, traffic, or socio-economic impact

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resulting from the proposed density increases. An unreasonable impact shall not be mitigated and shall be considered a significant adverse effect on the quality of the surrounding community and the natural environment. The applicant may be required to prepare a quantitative comparison of the impacts to assist the Board of Zoning Appeals in choosing a site development option.

H. Commercial/Office Space

1. The area(s) of the site to be utilized for commercial/office uses may be located anywhere within the proposed development, excluding the areas designated as restricted open space or any critical natural areas (CNA).
2. In either the Planned Residential Business Development (RBD) or the Planned Industrial Development (PID) commercial uses shall be designed in the following manner:
 - a. Commercial uses shall be located within the development to minimize adverse impacts associated with traffic on the residential or industrial portions of the PUD development.
 - b. The area(s) of the site to be utilized for commercial uses shall be no greater than thirty (30) percent of the total gross acreage of the tract of land to be developed.

I. Restricted Open Space

1. Restricted Open Space Area Requirements

The restricted open space shall be reserved in perpetuity for public and/or private open space in accordance with these requirements. The total amount of restricted open space may be calculated in one of two ways:

a. 40% Restricted Open Space Area Allocation

The required restricted open space for any PUD shall be a minimum of forty percent (40%) of the total gross acreage of the project site, unless the requirements of Section 56.I.1.b are satisfied.

b. 25% Restricted Open Space Area Allocation

1. The required restricted open space shall be a minimum of twenty-five percent (25%) of the total gross acreage of the project site, providing the requirements of Section 56.I.1.b are satisfied.
2. At least fifty (50) percent of the required restricted open space area shall be improved for public and/or private active recreational facilities or for a combination of active and passive recreational facilities. The active recreational improvements shall include, but not limited to playground equipment, picnic tables, baseball diamonds and soccer fields including

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backstops and goal net supports, hard surface courts (basketball, tennis, etc.), swimming pools, hard surface hike and bike trails and crossings, recreational buildings and related parking facilities.

3. Once completed, the required restricted open space area, including all of the recreational facilities and improvements shall be owned, maintained and controlled by the PUD's Association in compliance with Section 56.J.3.b or may be dedicated, in whole or in part, to a public entity in accordance with Section 56.J.3.a or Section 56.J.3.e.
 4. The construction of the recreational facilities and all related improvements shall begin with the initial phase of the PUD development and shall be completed and fully functional within two (2) years of the date of issuance of the Zoning Certificate.
2. Restricted open space shall be exclusive of all streets, but may be improved in accordance with Section 56.J. Significant natural areas and amenities such as forests, tree stands, wetlands, ponds, ravines and riparian areas and channels should be left in their natural state and considered part of the restricted open space. The design of the restricted open space area shall be governed by the following standards:
- a. Permanent bodies of water, wetlands and floodplains should comprise no more than fifty percent (50%) of total required open space area. The Board of Zoning Appeals may increase this amount up to seventy percent (70%) depending on the environmental feature's utility as a recreational asset to the PUD development.
 - b. All restricted open space areas shall have a minimum width of fifty (50) feet, except for required restricted open space areas in compliance with Section 56.10.B.5.b. and areas of land designated as trails and paths. The trails and paths may be used to connect the larger qualifying open spaces areas.
 - c. The Creation of Common Open Space
 1. Each development is required to set aside a minimum amount of restricted open space that shall be dedicated for public use or reserved for the common use of all property owners, employees, tenants and their guests within the proposed PUD as common open space.
 2. At a minimum, the amount of restricted open space area that shall be set aside as common open space shall be equivalent to the amount of land area required by the Portage County Subdivision Regulations, but in no case shall the amount of land set aside as common open space be less than one (1) acre. Additionally, the required minimum amount of land area set aside as common open space shall be suitable for both passive and active recreation and not be comprised of wetlands and floodplains.
 3. A greater amount of the restricted open space area may be provided by the applicant as common open space, which may contain wetlands and floodplains, providing the minimum standards set forth in Section 55.I.2.e.2

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are complied with.

- d. Restricted open space shall include to the extent possible, a combination of the most sensitive and noteworthy natural scenic and cultural features such as:
 1. Scenic views, with first priority given to scenic views from existing affronting and abutting public roadways.
 2. Prime farmland.
 3. Forests.
 4. Aquifer recharge areas (i.e. wetlands, etc.).
 5. Highly permeable soils.
 6. Wildlife habitat areas.
 7. Historic, archaeological or cultural features.
- e. Preservation of Rural Character and the Natural Environment

1. A restricted open space buffer zone shall be created along the frontage of existing roads. The open space buffer depth shall be in accordance with the specifications of Schedule 56.I.2.e.1

- a. A PUD that includes plans for allowing natural or manmade features, such as trees or hills alongside the roadways to further shield the view of the development from the existing roadway will be allowed a shallower buffer (see Figure 56.I.2.e.1).

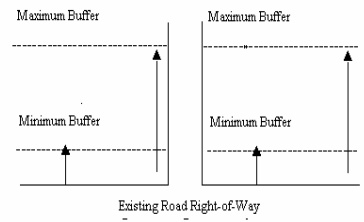


Figure 56.I.2.e.1

- b. A PUD that includes plans for unobstructed views from the existing roadway will be required to have a deeper buffer in order to minimize the perceived density of site improvements buffer (see Figure 56.I.2.e.1).
- c. The depth of buffer zone shall be established early in the plan review process.
 1. A restricted open space buffer zone shall be created to protect the natural environment, in accordance with the requirements of Chapter 8.
 2. A septic easement area of up to one-half (.5) acre in size may be located within the restricted open space area with Portage County Health Department's approval. Any septic easement areas shall not

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encroach into environmental protection setback areas.

Schedule 56.I.2.e.1 Required Roadway Open Space Buffer				
	PRD	PBD	RBD	IPD
1. Minimum open space buffers along an existing roadway, except as noted in Item 3.	60 feet	80 feet	60 feet	80 feet
2. Maximum open space buffers along an existing roadway, except as noted in Item 4.	250 feet	250 feet	250 feet	250 feet
3. Minimum open space buffers along: a. State Route 44 north of State Route 14. b. State Route 14 west of Infirmity Road	100 feet	100 feet	100 feet	100 feet
4. Maximum open space buffers along: State a. Route 44 north of State Route 14. b. State Route 14 west of Infirmity Road	500 feet	500 feet	500 feet	500 feet

J. Standards for Restricted Open Space

1. General Standards

The restricted open space required in Section 56.I shall comply with the following:

- a. Restricted open space shall be designed and located to conserve significant natural features and historical and cultural elements located on the site.
- b. Areas designated for restricted open space purposes may be:
 - 1. Preserved in its natural state.
 - 2. Designed and intended for the use and/or enjoyment of residents, tenants and their guests of the proposed development.
 - 3. Utilized for agricultural uses when authorized in a conservation easement or in the Association's covenants and restrictions.
- c. Restricted open space shall be interconnected on the site and with open space areas on abutting parcels wherever feasible.
- d. Sewage service, storm water management, and/or water supply facilities may be located partially or entirely within restricted open space areas. Where such facilities are so located, easements satisfactory to the appropriate agency/entity shall be established to require and enable maintenance of such facilities by the appropriate parties.
- e. Except as otherwise provided in this Section, in order to encourage the creation of large areas of contiguous open space, areas that shall not be considered restricted open space include:
 - 1. Private roads and public road rights of way.

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2. Parking areas, access-ways, and driveways, other than for the uses and activities allowable in Section 56.K.
 3. Required setbacks or spacing requirements between buildings, structures, streets, parking areas and property boundaries.
 4. Land identified as a part of a building lot.
 5. Other small fragmented or isolated open space areas that have a dimension of less than fifty (50) feet in any direction, except as permitted in Section 56.I.2.b.
- f. Any restricted open space intended to be dedicated as a common open space area for parks and recreational activities shall be of a usable size and shape for the intended purposes and easily accessible.
 - g. The maximum percentage of the total restricted open space area that may be developed/improved for active recreational activities shall be thirty-five (35) percent of the total open space, for those PUDs designed to have at least forty (40) percent of the total tract of land set aside as open space. At least fifty (50) percent of the total open space must be improved for those PUDs designed to have only twenty-five (25) percent of the tract of land set aside as open space.
 - h. Any area within the restricted open space that is disturbed during construction or otherwise not preserved in its natural state, such as required setback areas, and both sides of new streets shall be landscaped with native species vegetation that is compatible with the natural characteristics of the site.
 - i. The restricted open space, including any recreational facilities that are to be constructed shall be clearly shown on all development plans.
2. Prohibition of Further Subdivision of Restricted Open Space

Restricted open space shall be prohibited from subdivision or development (except as permitted in Section 56.K) by deed restriction, conservation easement, or other agreement in a form acceptable to the Township's legal counsel, and duly recorded in the Office of the Recorder of Portage County.

3. Ownership of Restricted Open Space

Subject to such permanent restriction as set forth above, restricted open space in a conservation development may be owned by an association, the township, a land trust or other conservation organization recognized by the Township, or by a similar entity, or may remain in private ownership¹. Such conveyances shall assure that the use of the restricted open space shall be in accordance with these

¹ Conservation Subdivisions and the open space requirements must also comply with Portage County Subdivision Regulations, governed by the Portage County Regional Planning Commission.

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PUD requirements. Only land not designated as common open space may be owned by a private party. All land in private ownership shall have a conservation easement placed upon it.

a. Offer of Dedication

The township may accept dedication in the form of fee simple ownership of the restricted open space.

b. Association

Restricted open space may be held by the members of an Owners Association or similar entity. The Township's legal counsel shall determine that, based on documents submitted with the development plan, the association's bylaws or code of regulations specify the following requirements:

1. Membership in the association shall be mandatory for all purchasers of lots in the development or units in the condominium and shall be required to pay dues and assessments required to maintain the open space and improvements.
2. The association shall be authorized under its bylaws to place liens on the property of owners who fall delinquent in payment of such dues or assessments.
3. The association shall be responsible for maintenance, control, and insurance for any open space in its ownership.
4. The association shall make provisions in the bylaws for necessary repairs or replacements of septic system leach fields and other improvements located in the open space.

3. Transfer of Conservation Easements

With the permission of the Township, the owner(s) of the restricted open space may, in accordance with the provisions of ORC 5301.67-70, grant a conservation easement to any of the entities listed in ORC 5301.68, provided that:

- a. The entity is acceptable to the Township.
- b. The provisions of the conservation easement are acceptable to the Township.
- c. The conveyance contains appropriate provisions for assignment of the conservation easement to another entity authorized to hold conservation easements under ORC 5301.68 in the event that the original grantee becomes unwilling or unable to ensure compliance with the provisions of the conservation easement.

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4. Private Ownership of Restricted Open Space

The Board of Zoning Appeals may allow for the restricted open space (not including common open space) to be retained by the applicant (i.e. farmland) or other private entity subject to all standards and criteria for restricted open space herein including its' preclusion from being subdivided and/or developed.

5. Ownership of the Common Open Space

Common open space shall forever be accessible for use by all the property owners, tenants and their guests. Any transfer of ownership of the common open space shall be only to an Owners Association or dedicated to the public. Transfer of ownership to anyone other than to an Owners Association or other approved public entity shall be approved by the Board of Zoning Appeals and must be consistent with the intent of these regulations.

K. Restricted Open Space Uses

1. For the purpose of this Resolution, restricted open space may be used for the following passive uses:

- a. Agricultural Uses.
- b. Wildlife and nature preserves. (see Section 612.00)
- c. Landscaped screens and buffers. (see Chapter 11)
- d. Picnic and passive recreational areas. (see Section 612.00)
- e. Any buildings, structures, supporting facilities, driveways and parking areas proposed for any passive use.

2. Active Uses

For the purpose of this Resolution, restricted open space may be used for the following active uses as permitted or conditionally permitted in accordance with Schedule 56.E.4. for the type of PUD:

a. Permitted Uses

1. Agricultural Uses subject to Sections 630.00.
2. Community centers and entertainment facilities, such as indoor recreation facilities, auditoriums dining halls and outdoor amphitheaters.
3. Any buildings, structures, supporting facilities, driveways and parking areas proposed for any active use.

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b. Conditionally Permitted Uses

1. Parks for active recreational facilities, such as but not limited to swimming pools, bowling alley, indoor archery, handball, tennis, and skating facilities, golf courses, tennis clubs and associated dining facilities, subject to Chapter 7 and Subsections 700.10.B.2, 4, 5, 6, 8, 12, 21, 55.
2. Entertainment events, subject to Chapter 7 and Section 700.10.B subsection 34.
3. Arts and Craft shows, subject to Chapter 7 and Section 700.10.B subsection 34.
4. Open-air Market, subject to Chapter 7 and Section 700.10.B subsection 53.
5. Non-commercial land filling to change grade and/or elevation of property; subject to the provisions of Chapter 7 and Section 700.10.B subsection 52.
6. Wireless telecommunication service facilities proposed by a public utility company and subject to local zoning procedures; subject to the provisions of Chapter 7 and Section 700.10.B subsection 60.
7. Wireless telecommunication service facilities that are not public utilities subject to Chapter 7 and Subsection 700.10.B.60.

L. Maintenance of Restricted Open Space

1. The owner of the open space shall be responsible for raising all monies required for maintenance of the open space. Failure to adequately maintain the open space in reasonable order and condition based on its function and intended use constitutes a violation of these Regulations.
2. In the event the owner fails to maintain the open space in reasonable order and condition in accordance with the approved open space development plan, it shall be considered a violation of these requirements.

M. Sewage Disposal

All developments shall be served by sewage disposal systems consistent with State and County requirements. Individual sewage disposal systems shall comply with all applicable regulations of the OEPA and the Portage County Health Department and may be located within restricted open space areas when approved by the township, the OEPA and the Portage County Health Department.

N. Development and Site Planning Standards

Buildings, structures, pavement, and streets shall be located in compliance with the following development and site planning standards.

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1. Ownership

Any ownership arrangement, including, but not limited to, fee simple lots and condominiums, is permitted in a PUD development. Regardless of the ownership of the land, the arrangement of the buildings and structures shall comply with the spacing requirements of this section.

2. Lot Requirements

- a. Buildings are not required to be on lots. However, when lots are included as part of the development, such lots or sublots shall be of sufficient size and shape to accommodate dwelling units and accessory buildings and structures in compliance with the spacing requirements of this section.
- b. The applicant shall depict on the development plan all necessary information, such as but not limited to the lot lines, building envelopes, easements and dimensions to indicate where buildings and other improvements shall be located, and shall demonstrate that such locations will be in compliance with the spacing requirements of this section.
- c. Development shall be designed to the maximum extent possible so that building lot rear boundaries do not abut one another. Views of open space from every building site should be preserved as much as feasible.

3. Perimeter Building/Structure Spacing Requirement

- a. The minimum setback from the roadway frontage restricted open space buffer zone shall be fifteen (15) feet.
- b. The minimum setback from the property's perimeter boundary line shall be fifty (50) feet.
 1. This setback may be reduced if:
 - a. Natural buffers exist around the perimeter.
 - b. Allowing buildings closer to the boundary better conserves environmentally sensitive areas that may be located in the interior of the development.
 2. The setback may be increased by the Board of Zoning Appeals when adjacent to active farm land or to address conservation objectives of this district.
- c. Roadways may be located any distance up to the property's perimeter boundary line.
- d. The minimum setback from the property's perimeter boundary line for a parking facility shall be twenty (20) feet and shall be adequately landscaped in accordance with the requirements of Chapter 11.

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4. Interior Building/Structure Spacing Requirement

a. Setback from Roadway

The minimum setback from a proposed roadway shall be in accordance with the specifications of Schedule 56.N.4.a.

b. The minimum separation between buildings

1. Residential dwellings

Minimum separation distance between all types of principal residential dwelling buildings shall be twenty (20) feet. On individual properties, with lot lines shown, the minimum side and rear yard setback for principal buildings shall be ten (10) feet from the property lines.

Schedule 56.N.4.a Required Setback from Roadway				
	PRD	PBD	RBD	IPD
1. The minimum setback from a proposed local public road right-of-way	25 feet	25 feet	25 feet	25 feet
2. The minimum setback from the centerline of a private road shall be:				
a. Roadway design incorporates open ditches	55 feet	55 feet	55 feet	55 feet
b. Roadway design incorporates curb and gutters	50 feet	50 feet	50 feet	50 feet

2. Non-residential and recreational buildings

a. The minimum separation distance between all principal non-residential buildings, including mixed-use residential/commercial/office buildings shall be fifteen (15) feet. On individual properties, with lot lines shown, the minimum side and rear yard setback shall be ten (10) feet from the property lines.

b. The minimum separation distance between any type of principal non-residential building, including mixed-use residential/commercial buildings with any principal residential dwelling shall be eighty (80) feet. On individual properties, with lot lines shown, the minimum side and rear yard setback shall be fifty (50) feet from the property lines.

3. Accessory buildings

a. Accessory buildings should be placed to the rear or side of the principal building.

b. The minimum spacing between an accessory building and its principal building (e.g. residential, commercial/office, industrial or recreational) shall be ten (10) feet.

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- c. Separation distances for PUD developments without lot lines
 - 1. The minimum separation distance between a residential accessory building and any type of commercial/office, industrial or recreational accessory building shall be twenty (20) feet.
 - 2. The minimum separation distance between any type of commercial/office, industrial or recreational accessory building from any principal residential building shall be thirty (30) feet.

C. Setbacks for PUD developments with lot lines

- 1. The minimum setback from side and rear lot lines for a residential accessory building abutting a residential, commercial/office, industrial or recreational use shall be five (5) feet.
- 2. The minimum setback from side and rear lot lines for a commercial/office or recreational accessory building abutting a property used for commercial/office, industrial or recreational use shall be five (5) feet.
- 3. The minimum setback from side and rear lot lines for a commercial/office, industrial or recreational accessory building abutting a property used for residential purposes use shall be twenty (20) feet.

5. Maximum Building Height

a. Principal buildings

- 1. Residential: Thirty-five (35) feet to midpoint of roof.
- 2. Non-residential: Thirty-five (35) feet to midpoint of roof.

b. Accessory Buildings

- 1. Residential: Twenty-two (22) feet.
- 2. Non-residential: Twenty-two (22) feet.

6. General Street Design Criteria

In addition to the roadway design specifications listed in Section 610.08 of this Resolution, all roadways for a PRD development comply with the following requirements, unless otherwise specified in the Portage County Subdivision Regulations.

- a. Single-loaded residential access streets, which involve dwellings being placed on one side of the road only, are preferred in order that the maximum number of homes in the open space development may enjoy views of the open space areas. Where foreground meadows are created between existing public roadways and

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such single loaded residential streets, residences shall be located on the far side of the access streets as seen from the public roadways.

- b. The road design shall incorporate as much as possible, commons or ovals rather than cul-de-sacs.

7. Multi-Use Circulation Systems

- a. A multi-use circulation system shall be included in the development and shall be designed to enhance transportation opportunities within the PUD development for pedestrians, cyclists, and motorized cart users, etc. The multi-use circulation system shall provide connections between properties and activities or special features within the open space system and need not always be located along streets.
- b. Trails for which public right of passage has been established should be incorporated as part of the multi-use circulation system.

8. Parking and Loading Requirements

a. Parking

- 1. Residential uses: As specified by Chapter 9.
- 2. Non-residential uses: Adequate parking facilities, as specified in Chapter 9 shall be provided outside of the street right-of-way to meet all parking needs. Parking areas whenever possible shall be located to the side or rear of the building.

b. Loading

Every building used for non-residential purposes shall provide sufficient area for delivery and pickups entirely outside of the road right-of-way, as specified in Chapter 9.

9. Floor Area Requirements Per Dwelling Unit

a. Single-family and Two-family residential dwelling

A minimum of 1,100 square feet total per individual dwelling unit: The ground floor area of the dwelling unit shall be comprised of at least a minimum of 1,000 square feet of residential living floor area.

b. Multi-family, minimum floor area per dwelling unit, as follows:

- 1. Efficiency 500 square feet
- 2. One (1) Bedroom 600 square feet

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3. Two (2) Bedroom 700 square feet
4. Three (3) Bedroom 800 square feet
5. Four (4) Bedroom 900 square feet

10. Floor Area Requirements For Non-Residential Buildings

a. Commercial/Office Building Size

1. Within a RBD development the maximum floor area for any individual building and/or structure shall not exceed 30,000 square feet of gross floor area per story level per individual building and/or structure.
2. Within a PBD development there is no floor area restrictions for buildings and/or structures within the development.

b. Industrial Building Size

Within an IPD development there is no floor area restrictions for any industrial buildings and/or structures within the development. Any building and/or structure used exclusively for commercial uses shall not exceed 30,000 square feet of gross floor area per story level per individual building and/or structure.

57. Private Parking Lots and Parking Garages

- A. Private "pay-to-park" parking lots and garages are limited to paved surface lots, ramped garages and car stackers and mechanical garage facilities.
- B. A parking facility shall provide for at least fifty (50) parking spaces.
- C. The parking facility shall be designed in compliance with the requirements as specified in Chapter 9 for a non-residential use parking facilities, including landscaping requirements.
- D. The parking spaces may be used for the purposes of contracting a shared parking agreement with other non-residential users in compliance with Section 900.07. Each parking space of the private parking facility is equivalent to two (2) parking spaces of the other non-residential user.
- E. The design, location, and surface of the parking area shall be subject to approval of the Board of Zoning Appeals so as to reduce congestion and promote safety.
- F. The facility is for short-term parking arrangements. Vehicles shall be parked at the facility for a period of time not to exceed twenty-four (24) hours.

58. Schools and Educational Facilities

- A. Such uses should be located on an arterial or collector street or have direct access to

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such a street without going through a residential neighborhood.

- B. Outdoor play/recreation areas may be required by the Board of Zoning Appeals to be fenced.
- C. The site and structure shall meet applicable state code requirements, including licensing requirements.
- D. A drop-off/pick-up location that will not impede traffic on and off the site shall be provided to ensure the safety of the adults and children.

59. Two Family & Three Family Dwellings

- A. In areas where sanitary sewer facilities are not available, approval and documentation from the Portage County Health Department shall be provided substantiating the ability of the private household sewage disposal system to accommodate the dwelling units.
- B. Off street parking requirements shall be met as per Chapter 9, without the addition of any parking spaces within a required yard.
- C. The dwelling unit shall be designed so that the appearance of the building remains that of a single-family residence. The units may either share a common entrance or use a separate entrance for each. If separate entrances are used, they should be located at the side or rear to maintain the same appearance of a single family residence.

60. Wireless Telecommunication Service Facilities

According to Federal Telecommunications Act of 1996, a community may regulate wireless telecommunication service facilities, providing the requirements do not prohibit nor have the effect of prohibiting wireless telecommunication services. Zoning regulations may not unreasonably discriminate among wireless telecommunication providers of functionally equivalent services. The Township must act within a reasonable time period on requests for permission to place or construct wireless telecommunication facilities. If a wireless telecommunication facility meets technical standards set by the FCC, it is presumed safe. The Township may not deny a request to construct a facility on the grounds that the radio frequency emissions would be harmful to the environment or health of the residents if those emissions meet FCC standards.

A. Purpose

These regulations are established to provide for the construction and use of wireless telecommunication towers and facilities. The purpose of these regulations is to balance the competing interests created by the Federal Telecommunications Act of 1996, and the interests of the Township in regulating wireless telecommunication facilities to minimize adverse health, safety, and public welfare, including visual impacts, through siting, design, construction, buffering, and reduction of the need for multiple tower locations.

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B. Priority of Locations

A wireless telecommunication tower or facility may be located in the following areas when conditions specified in this resolution are satisfied and efforts shall be made to locate in the areas listed in the order of priority listed:

1. First Priority: New wireless antennas shall collocate on existing towers or on existing structures which have been constructed for other purposes such as but not limited to: water towers, church steeples and chimneys.
2. Second Priority: Priority for the use of public land for wireless telecommunication antennas and towers will be given to the following entities in order:
 - a. Ravenna Township.
 - b. Public safety agencies/departments including law enforcement, fire, and ambulance services.
 - c. Other governmental agencies for uses that are not related to public safety.
 - d. Entities providing licensed commercial wireless telecommunication services including cellular, PCS, SMR, ESMR, paging and similar services that are marketed to the general public.
3. Privately owned agricultural lands.
4. Privately owned property (non-agricultural).

C. General Requirements

1. A proposed wireless telecommunication facility application shall comply with plan review requirements of this resolution including landscaping plans to screen the facility from adjoining uses.
2. All wireless telecommunication facilities shall be designed to promote facility and site sharing.
3. All applications for wireless telecommunication facilities shall, as part of the application and plan review process, include a plan for reclamation for both the tower facility and tower site, in the event the facility is no longer functioning in the fashion as originally intended. The reclamation plan should include the removal and disposal of all obsolete and/or abandoned equipment, as well as the reclamation of the area with vegetation to prevent erosion.
4. The applicant will submit a letter of credit, performance bond, or other security acceptable to the township to cover the costs of the antenna or tower's removal, of no less than \$100.00 per vertical foot of wireless telecommunication tower height, measured from the finished grade. In addition, any applicant using another

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company's facility shall be required to provide its own financial guarantee to the Township to insure the removal and disposal of all obsolete and/or abandoned equipment, and the reclamation of the tower site.

5. The application shall include conclusive technical evidence as to why the wireless telecommunication tower and facility must be located where it is proposed to be located and no alternative choice can be considered, in order to service the applicant's service area.
6. Existing towers must be utilized, as multi-user towers, if at all possible, before a new tower may be constructed. The applicant must provide written evidence that all wireless telecommunication service facilities that supply service within the proposed service area have been requested to permit co-location by the applicant and have been rejected by the owner of the tower, building or structure. Facilities that are not proposed to be multi-user sites must provide written explanation why the subject facility is not a candidate for co-location.
7. As a condition of issuing a Conditional Zoning Certificate to construct and operate a new tower in the Township, the owner/operator of the telecommunication tower shall agree to allow co-location until the tower has reached full antenna capacity, but in no event shall the owner/operator agree to allow fewer than two additional antenna platforms for additional providers unrelated to the owner/operator. Agreement to this provision must be included in the applicant's lease with the landowner if different from the owner/operator of the tower. Written evidence shall be presented to the Board of Zoning Appeals that the owner of the property on which the tower is to be located has agreed to the terms of this section as well as all other applicable requirements in this resolution.

D. Standards Applicable to All Wireless Telecommunication Tower Facilities

1. No tower shall be erected at a distance closer than the height of the tower plus fifty (50) feet from any structure, road, highway, or property line, excluding any building or road which is necessary to the express use of the tower.
2. All towers shall be monopole structures.
3. An eight (8) foot high security fence shall be placed around the tower base and all appurtenant structures within twenty (20) feet of the tower base.
4. No tower shall exceed 200 feet in height above the finished grade and the tower shall be the minimum height necessary to accommodate the antenna.
5. All towers shall be painted a non-contrasting gray or similar color, minimizing its visibility, unless otherwise required by the Federal Communication Commission (FCC) or Federal Aviation Administration (FAA).
6. Except as required by law, an antenna or tower shall not be illuminated and lighting fixtures or signs shall not be attached to the antenna or tower. If lighting

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is required by the FAA regulations, white strobe lights shall not be permitted at night unless FAA permits no other alternative. No lighting shall be constructed, placed or maintained in a manner that will constitute a nuisance and shall in no way impair safe movement of traffic on any street or highway.

7. No advertising is permitted anywhere on the facility, with the exception of identification signage.
8. The entire site must be appropriately landscaped to be harmonious with surrounding properties and to minimize visual impacts.
 - a. Existing vegetation (trees and shrubs) shall be preserved to the maximum extent possible.
 - b. Buffer plantings shall be located around the perimeter of security fencing consisting of an evergreen screen, comprised of either a hedge, planted 3 feet on center maximum, or a row of evergreen trees planted five feet on center maximum.
9. All facilities shall be kept in an orderly and safe condition so as to prevent injury to any single property, individual or Township in general.
10. Access drives to any facility shall be maintained in a dust free condition.
11. Loud speakers shall not be permitted to be located on the facility.
12. "No Trespassing" signs shall be posted around the facility with a current and accurate telephone number of the responsible party to contact in the event of an emergency.
13. Transmission and receiving equipment shall be stored inside a building constructed for that purpose.
14. Equipment shelters or any other buildings or structures shall be located at least fifteen (15) feet from the base of the tower.
15. The maximum size of the equipment shelter shall be 300 square feet for a single user shelter, or if there is more than one, 750 square total square feet.
16. If an antenna for a wireless telecommunication facility is to be attached to an existing structure or building the following conditions apply:
 - a. The maximum height shall be twenty (20) feet or 20% of the building height above the existing structure, whichever is greater.
 - b. If the applicant proposes to locate the telecommunications equipment in a separate shelter (not located on, or attached to the building) the shelter shall comply with the following:

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1. The minimum setback requirements for the subject zoning district.
2. A buffer yard shall be planted in accordance with Section 700.10.B.60.D.8 of this Resolution.
3. Vehicular access to the shelter shall not interfere with the parking or vehicular circulation on the site for the principal use.

E. Removal of Facilities

All towers, structures and equipment shall be removed by the owner of the tower or facility, and the site restored to its original state within six (6) months following the date that the tower is no longer operational.