

CHAPTER 1259
Mixed Commerce District

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CROSS REFERENCES

Municipal zoning - see Ohio R.C. 713.06 et seq.
 General provisions and definitions - see P. & Z. Ch. 1240
 Administration, enforcement and penalty - see P. & Z. Ch. 1242
 Districts generally and Zoning Map - see P. & Z. Ch. 1244
 Nonconforming structures, uses and lots - see P. & Z. Ch. 1266
 Off-street parking and loading - see P. & Z. Ch. 1268
 Conditional uses - see P. & Z. Ch. 1272
 Supplementary regulations - see P. & Z. Ch. 1278

1259.01 PURPOSE.

The Mixed Commerce District is designed to encourage and accommodate facilities involved in knowledge-based industries, emerging technology firms, high tech multi-use office and laboratory production firms, office and professional or service-type firms and light manufacturing and assembly-line operations. It is the intent that this district provide for a common location of such uses, promote employment opportunities, and contribute to the economic vitality of the larger community. The general goals include, among others, the following specific purposes.

- (a) To provide a location for a mixed variety of uses sited in a campus-like setting rather than separate single structures on separate sites.
 - (b) To provide a planned district for the transaction of business, for the rendering of professional and other services, and for light manufacturing and assembly line operations.
 - (c) To protect and buffer abutting districts, by establishing setbacks, limiting on-street loading/unloading areas and parking, and establishing landscape/screening provisions.
 - (d) To control development and to protect adjacent areas by minimizing the danger of fires, explosions, toxic and noxious matter, radiation, offensive noise, vibration, smoke, odor and other objectionable influences or hazards.
 - (e) To promote environmentally conscious practices.
- (Ord. 2003-14. Passed 10-6-03.)

1259.02 PRINCIPALLY PERMITTED USES.

No building or premises shall be used and no building shall be erected which is arranged intended or designed to be used, in whole or in part, for any purpose except the following:

- (a) Data processing and computer centers, including centers for programming and software development.
- (b) Professional buildings, advertising agencies, commercial art and design studios, insurance companies, manufacturer's representatives, and headquarters for firms and institutions whose principal activities may be located outside this district.
- (c) Research, testing, design, development, engineering and training for aerospace, agricultural sciences, information technologies, telecommunications, automobiles, satellites, medicine, pharmaceuticals, computers, laser technology applications and electronics research and development.
- (d) Office buildings, including accessory uses within the office building which are normally necessary and incidental thereto, the purpose of the building being to house executive, administrative, professional, accounting, writing, clerical, stenographic, drafting or sales related to the products developed in the district.
- (e) Institutional offices of a governmental, charitable, philanthropic, religious or educational nature, provided that this use does not include meeting or assembly hall facilities totaling more than 30% of the usable floor area of any building.
- (f) Telemarketing and telephone-based services.
- (g) Maintenance, utility shops, storage facilities, and garages incidental to the principal use or for employee use.
- (h) Assembly halls for meetings incidental to the business of the principal use.
- (i) Libraries, printing and publishing operations.
- (j) Municipal buildings, police stations, fire houses, ambulance stations together with such private garages and other outbuildings that are incidental thereto.
- (k) Light manufacturing and assembly line operations.
- (l) Other uses, which, in the ruling of the Zoning Administrator, are similar to the uses, listed above.

(Ord. 2003-14. Passed 10-6-03.)

1259.03 CONDITIONALLY PERMITTED USES.

The following uses shall be conditionally permitted in the Mixed Use Commerce District, subject to the provisions of Chapter 1272.

- (a) Wholesale business establishments not prohibited by Section 1260.04(b) or (d).
- (b) Limited warehousing or storage of products for distribution where such use is accessory for the products created or used in relation to the principal use or for such products used in research, testing, design, technical training or experimental product development.

- (c) Nursery schools, day care centers or child care establishments where the clientele are primarily the employees of firms established in the district.

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- (d) Personal wireless service facilities, provided that the requirements of Chapter 1280 are met.
- (e) Retail sales only when accessory to principally permitted uses and only for the sale of products produced on-site.
- (f) Temporary structures or trailers, except that trailers used for material storage or contractor's offices will be permitted during any construction within the District.
(Ord. 2003-14. Passed 10-6-03.)

1259.04 PROHIBITED USES.

In addition to those uses not permitted in any Village zoning district, the following uses are prohibited in a Mixed Commerce District:

- (a) All uses of land, buildings and structures or industrial processes that emit dust, smoke, odors, fumes, gas, noise, vibrations or similar substances or conditions, provided, however, that any use may be permitted if approved by the Planning Commission, subject to securing the proper permits from authorizing agencies and to such conditions, restrictions and safeguards as may be deemed necessary by the Planning Commission for the purpose of protecting the health, safety or general welfare of the community.
- (b) Activities tending to create direct consumer traffic, such as, but not limited to, retail stores, banks, barber or beauty shops, gift shops, grocery, hardware, clothing or drug stores, laundry service, dry cleaning, automobile service stations, garages or sales rooms, theaters, bowling alleys, amusement parks or other equivalent recreational uses.
- (c) Dwelling units, hotels, motels, and nursing homes.
- (d) Truck or commercial transportation terminals other than loading docks accessory to a principally or conditionally permitted use.
- (e) Funeral or undertaking establishments.
- (f) Schools and playgrounds.
- (g) Open-sided covered structures.
- (h) Outdoor storage of materials unless visually screened.
(Ord. 2003-14. Passed 10-6-03.)

1259.05 OFF-STREET PARKING AND LOADING.

In addition to the off-street parking and loading requirements specified in Chapter 1268, every principally or conditionally permitted use in a Mixed Commerce District shall also meet the following:

- (a) Each facility within the Mixed Commerce District must fulfill its own on-site parking requirements, but may do so in shared parking areas. No on-street parking will be permitted.
- (b) No off-street parking shall be located within 20 feet of the front or rear property lines.

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- (c) Parking may extend to within five feet of either or both side lot lines or equivalents except where landscape and screening requirements take precedence.
- (d) Truck loading and unloading areas shall be shielded from view by the main roadways.
(Ord. 2003-14. Passed 10-6-03.)

1259.06 AREA, YARD AND HEIGHT REQUIREMENTS.

When a Mixed Commerce District is subdivided into separate lots, the following minimum requirements shall be observed. When a Mixed Commerce District remains un-subdivided, then the way in which buildings are sited within it shall observe these requirements as the minimum separations between buildings.

- (a) Height. No structure shall exceed 40 feet in height.
- (b) Lot Area. The minimum lot area shall be 25,000 square feet. The maximum lot area shall be no more than 20% of the contiguous area of that Mixed Commerce District.
- (c) Lot Frontage. The minimum lot frontage shall be 100 feet.
- (d) Front Yard Depth. The front yard depth shall be not less than 30 feet.
- (e) Side Yard Width. The least side yard width shall be the greater of either 15 feet or one-half of the structure height, except that no side yard adjoining a Residence District shall be less than 25 feet exclusive of any screening/landscape requirement.
- (f) Rear Yard Depth. The rear yard depth shall be not less than 25 feet.
- (g) Lot Coverage. Total lot coverage by buildings and all other impervious surfaces shall not exceed 70%.
(Ord. 2003-14. Passed 10-6-03.)

1259.07 LANDSCAPING AND SCREENING.

A Mixed Commerce District shall be effectively screened by the use of a greenbelt planting screen around the perimeter of the district, except for necessary access roads. The intent of the screen is to create and maintain a dense, permanent vegetative visual screen of the facilities within the district.

- (a) The screen shall be not less than 25 feet in depth measured from the boundary line.
- (b) The plantings shall include a variety of both deciduous and evergreen trees and shrubs. The deciduous trees should be selected from among the small, medium and large trees listed in Appendix B of 1226.06.
- (c) Depending on the topography of the district, the developer may incorporate a berm into the screen design.
(Ord. 2003-14. Passed 10-6-03.)

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1259.08 SIGNS.

(a) Signs shall be permitted in accordance with the specifications set forth in 1276.09.

(b) When there is a public or private roadway serving more than one principally or conditionally permitted use within the district, signs may be placed at the intersections of such roadways with public streets, such signs being comprised of not more than 25 square feet announcing the name given to the District or part thereof, and not more than five square feet announcing the name of each principally or conditionally permitted use therein, the whole sign not to exceed 100 square feet. Such signs may be two-sided so as to be seen from both directions of travel on the public street, or single-faced and placed on both sides of the such intersections such that each can be seen from only one direction of travel on the public street.
(Ord. 2003-14. Passed 10-6-03.)

1259.09 GENERAL.

(a) All equipment, electrical substations or transformers, waste storage containers, satellite communication equipment, and mechanical devices shall be shielded from view from the main roadways.

(b) Sites shall have access to adequate electric, natural gas, water and sewer. All electric, telephone, telecommunications and other service lines shall be underground and shall comply with local codes.
(Ord. 2003-14. Passed 10-6-03.)

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