

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2023-24**

**REPEALING AND REPLACING CHAPTER 1284.02: “DEFINITIONS A-B”
OF THE YELLOW SPRINGS ZONING CODE**

Whereas, It has become necessary to add a definition of the term “Aid to Construction” to the Village of Yellow Springs Zoning Code,

NOW, THEREFORE, COUNCIL FOR THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY ORDAINS THAT:

Section 1. Chapter 1284.02 “Definitions A-B” of the Codified Ordinances of the Village of Yellow Springs, Ohio is hereby repealed in its entirety.

Section 2. The new Chapter 1284.02 entitled “Definitions A-B” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A, with deletions in ~~strike through~~, and additions **bolded and underlined**.

Section 3. This ordinance shall be in force and effect at the earliest period allowed by law.

Brian Housh, President of Council

Passed: 5-15-2023

Attest: _____
Judy Kintner, Clerk of Council

ROLL CALL

Brian Housh __Y__

Kevin Stokes __Y__

Marianne MacQueen __Y__

Carmen Brown __Y__

Gavin DeVore Leonard __Y__

Exhibit A to Ordinance 2023-24

1284.02 DEFINITIONS: A-B.

Accessory dwelling unit. A second dwelling unit subordinate to the principal dwelling that shares ownership and utility connections with the principal unit on a single family zoned lot.

Accessory structure. A detached subordinate structure, the use of which is incidental to, customarily associated with, and related to the principal structure or use of the land and which is located on the same lot as the principal structure or use.

Accessory use. A use incidental to, and on the same lot as, a principal use.

Addition. Any construction which increases the size of a building or facility in terms of site coverage, height, length, width or gross floor area, such as a porch, attached garage or carport, or a new room or wing.

Affordable dwelling unit. A dwelling available to low income households earning 80% or less of area median income as defined by the U.S. Department of Housing and Urban Development, for which total housing costs are 30% or less of the household's total monthly gross income.

Affordable dwelling unit, permanently. A dwelling unit in which a legal mechanism such as a ground lease, enforceable deed restriction, and/or 501(c)3 nonprofit organization's policy ensures affordability, as defined by HUD, to low income households for some extended time period, usually ending with the durable life of the unit(s).

Agribusiness. A business and/or commercial use operated primarily for the support of agricultural needs. It may consist of products, materials, and equipment servicing and sales; storage and/or processing of agricultural products and/or animals (but not including slaughtering, rendering or tanning); veterinarian and/or technical support facilities.

Agricultural. The use of land for farming, dairying, pasturage, agriculture and animal and poultry husbandry and the necessary accessory uses for packing, treating or storing the produce. Agricultural uses shall not include the commercial feeding of garbage or offal to swine and other animals.

Aid to construction. An amount of money paid to the municipality by the developer or property owner for required infrastructure improvements.

Alley. A public right-of-way 30 feet or less in width, but not less than 12 feet, which affords only secondary means of access to abutting property.

Alterations, structural. Any change in the supporting members of a building, such as walls, floors, columns, beams or girders.

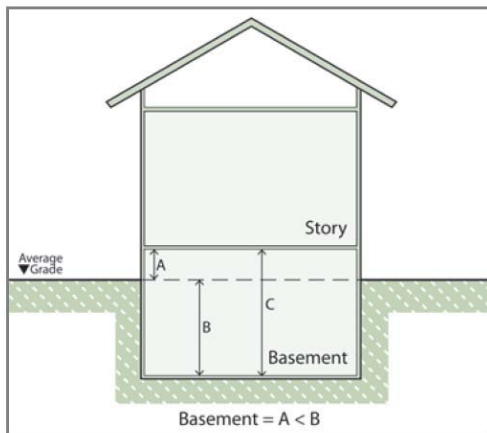
Aquifer. A geological unit in which porous and permeable conditions exist and are capable of yielding usable amounts of water.

Aquifer recharge area. An area that has soils and geological features conducive to allowing significant amounts of surface water to percolate into ground water.

Awning. A roof-like structure, generally made of canvas or plastic, mounted above a storefront, window or door and projects from the building wall as an architectural detail and provides shelter from sun and rain.

Bar. A lounge, tavern, beer parlor, night club or similar establishment principally operated for the sale of alcoholic beverages to be served on the premises.

Basement. A story, all or partly underground, having at least one-half of its height below the average level of the adjoining ground.



Bed and breakfast inn. A house, or portion thereof, where short-term lodging rooms and breakfast and light snacks are provided and where the operator lives on the premises or in adjacent premises.

Board. The Board of Zoning Appeals.

Boarding house, rooming house or lodging house. A building, or part thereof, other than a hotel, motel or restaurant, for three or more unrelated persons, not transients, where no meals are served and no cooking or dining facilities are available in individual rooms.

Buffer. A strip of land which provides visual separation and aesthetic relief between potentially incompatible uses through some combination of screen and greenbelt.

Building. Any structure attached to the ground, which has a roof and walls or rood supports and is designed or intended for the enclosure, shelter or protection of persons, animals or property. This definition does not include mobile homes.

Building envelope. The maximum three dimensional volume on a lot within which a structure can be built, as permitted by applicable height and setback requirements.

Building, height. The vertical distance from the proposed average finished grade to the highest point of the roof for flat and shed roofs, the ridge for hip and gable roofs and the deck line for mansard and gambrel roofs.

Building, principal. A building in which is conducted the main or principal use of the lot on which said building is located.

Business districts. The B-1 and B-2 Zoning Districts.