

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2016-19**

**REPEALING SECTION 1258.01 “DISTRICT USES” OF THE CODIFIED  
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING  
NEW SECTION 1258.01 “DISTRICT USES”**

**Whereas,** Codified Ordinance Section 1258.01 of the Village of Yellow Springs, Ohio summarizes the uses allowed in the respective zoning districts; and

**Whereas,** Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1258.01 entitled “District Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio to update the conditional uses permitted in E-I zoning districts to include mobile vending (food trucks),

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

**Section 1.** Section 1258.01 entitled “District Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed in its entirety.

**Section 2.** A new Section 1258.01 entitled “District Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth on Exhibit A with new language underlined and **bolded**, which is attached hereto and incorporated herein.

**Section 3.** This ordinance shall take effect and be in full force at the earliest date permitted by law.

\_\_\_\_\_  
Karen Wintrow, President of Council

Passed: 9-19-2016

Attest: \_\_\_\_\_  
Judy Kintner, Clerk of Council

**ROLL CALL**

Karen Wintrow \_\_Y\_\_

Brian Housh \_\_Y\_\_

Gerald Simms \_\_Y\_\_

Marianne MacQueen \_\_Y\_\_

Judith Hempfling \_Y\_\_

**Exhibit A**

**1258.01 DISTRICT USES.**

The following table summarizes the uses allowed within the respective zoning districts, either as permitted or conditional uses.

<i>Table 1258.01 Schedule of Uses by District</i>										
<i>Use</i>	<i>C</i>	<i>E-I</i>	<i>R-A</i>	<i>R-B</i>	<i>R-C</i>	<i>B-1</i>	<i>B-2</i>	<i>I-1</i>	<i>I-2</i>	<i>Specific Conditions</i>
<b>Accessory Uses</b>										
Accessory buildings, structures and uses	P	P	P	P	P	P	P	P	P	1260.04
Accessory dwelling unit			C	C	C					1262.08(e)(1)
Cafeteria facilities located within a principal use		P							P	P
Caretaker residence		P							C	C
Child care facilities located within a principal use		P							C	C
Corporate offices incidental to the principal use									P	P
Day care - Family			P	P	P					
Day care - Group		C	C	C	C					
Home occupations <sup>1</sup>		C	C	C	C	C				See footnote 1
Outdoor patio seating in conjunction with a permitted restaurant		P					C	C	C	C
Outdoor storage related to a principal use		C							C	C
Retail incidental to the manufacture or production of goods on the premises, not exceeding 30% of the total floor area of the principal building									C	C
Vehicle wash facilities for trucks and trailers									P	P
<b>Agricultural and Animal-Related Uses</b>										
Agribusiness		C							C	P
Breweries, distilleries and bottling plants									P	C
Community gardens	P	P	P	P	P					
Farm, including raising animals		C	C	C	C				C	C

Food processing plants		C							C	P	
Greenhouse/nursery (not including retail sales)		P							C	P	
Kennels									C		
Produce and other food products terminals									C	P	
Riding stables	C	C									
Veterinary clinics					C		C				
<b>Commercial Services</b>											
Business machine sales & service							P	P			
Cleaning services							P	P			
Electric, plumbing supplies sales & service						P	P	P			
Glass sales & service							P	P			
HVAC sales & service							P	P			
Locksmith shops							P	P			
Machinery and equipment sales & service							P	P	P		
Mail order businesses and fulfillment centers							P	P	P		
Pest control services							P	P			
Petroleum products sales							C	P			
Printing, photocopying and publishing services		P				P	P	P	P		
Repair shops (non-automotive)							P	P			
Tool and equipment rental							P	P			
<b>Construction</b>											
Building material and lumber supply, including lumber yards									C	P	
Contractors' offices and shops (not including outdoor storage)									P	P	
Landscaping services									C	P	
<b>Educational</b>											
Administrative offices		P									
Auditorium buildings		P									
Classroom buildings		P									
Commercial schools and studios including art, dance, martial arts, and music		P				P	C	C			

Schools (elementary, middle, high)			C	C	C					1262.08(c)(2)
Trade schools								P	P	
Training centers, engineering or sales								P	P	
<b>Food, Drink, Entertainment and Hospitality</b>										
Bars, taverns, clubs and restaurants serving alcoholic beverages		C				C	C	C		
Bed and breakfasts		C	C	C	C	C				1262.08(e)(2)
Brew pubs and similar establishments		C				C	C	C		
Farmers market		P				C	C	C		
Hotels and motels		C				C	C			
Internet sweepstakes café							C			
Mobile vending (food trucks)		C				C		C	C	
Restaurants, excluding drive-in or drive-thru facilities		C				P	P	C		
Sexually oriented businesses								P		1262.08(d)(3)
<b>Health Care and Social Assistance</b>										
Hospitals							C			
Medical and dental laboratories							C	C	C	
Medical and dental offices and clinics		C				C	P			
<b>Manufacturing</b>										
Building material manufacturing including milling, planning and joining								C	C	
Chemical manufacturing and storage								C	C	1262.08(b)(1)
Machine, sheet metal and welding shops								C	C	
Manufacturing, compounding, processing, packaging, treating or assembly from previously prepared materials								P	C	
Metal stamping, pressing and buffing								C	C	
Paint, rust proofing and rust coating								C	C	
Tool and die shops								C	C	
<b>Offices and Financial Services</b>										
Banks, credit unions and similar financial institutions, excluding drive in and drive-thru facilities		P					P	P		

Offices for executive, administrative, professional, real estate, accounting and similar professional activities		P		C	C	P	P	P		
<b>Personal Services</b>										
Day care, nursery schools and child care establishments		P					P	P		
Health and fitness clubs		P					P	P		
Personal service establishments such as barber and beauty shops, tailors, photo studios, shoe repair and watch repair							P	P		
Tattoo parlor							P	-		
<b>Public/Quasi-Public</b>										
Cemeteries (green burial method only)	C									
Churches and customary related uses		P	C	C	C	C	P			1262.08(c)(1)
Government offices, buildings and facilities	P	P	C	C	C	P	P	P	P	
Libraries		P			C	C				
<b>Recreation and Leisure</b>										
Art galleries, museums and similar cultural facilities		P					P			
Assembly and performance halls		P					C			
Ball fields		C								
Community centers and senior centers		P					P			
Cultural buildings		P			C	C				
Field house		C								
Forest and wildlife preserves	P	P								
Golf courses and country clubs		C								
Indoor commercial recreation such as theaters, bowling lanes and skating rinks		C					C	C		
Interpretive centers	P	P								
Natatorium		P								
Outdoor commercial recreation such as mini-golf and batting cages								C		1262.08(d)(1)
Public parks/playgrounds/recreation areas	C	P	C	C	C					
Stadium		C								
<b>Research and Technical Facilities</b>										

Research, development and testing laboratories and facilities		P							P	P	
<b>Residential</b>											
Boarding homes					C						1262.08(e)(3)
Continuing care retirement community		C		C	C						
Dormitories		P									
Dwellings, attached single-family		C		P	P						
Dwellings, multiple-family		C		C	P						
Dwellings, single-family detached		C	P	P	P	P					
Dwellings, two-family		C		P	P						
Dwelling units on the upper floors of buildings with nonresidential uses at street level							C				1262.08(e)(4)
Short-term rental units		C	C	C	C	C	C				1262.08(e)(6)
<b>Retail</b>											
Artisan shops, such as glass blowers, metal sculptures, wood carvers and weavers producing their goods and selling them for retail on premises							C	P	C		
Bicycle sales, rental and repair							P		C		
Building supply and equipment sales, not including lumber yards								C			
General retail catering to the needs of the community, but less than 10,000 square feet of UFA		C					P	P			
General retail of 10,000 square feet UFA or more							C	P			1262.08(a)(3)
Outdoor market or covered bazaar		P									
Showrooms for home improvements, decorating and similar items, not including outdoor storage							P	P			
<b>Transportation and Warehousing</b>											
Bottled gas storage and distribution									C	C	
Cartage, express and parcel delivery facilities									C	C	1262.08(f)(1)
Heliports and helipads		C							C	C	
Mini-warehouse, self-storage facilities									C		1262.08(f)(2)

Storage of hazardous materials		C							C	1262.08(b)(1)
Warehouses and distribution centers								C	P	1262.08(f)(1)
Wholesale businesses								C	P	
<b>Utilities</b>										
Public utility buildings								P	P	
Solar facilities (nonresidential)		C						P	P	
Telephone exchange buildings								P	P	
Utility and public service buildings, not including outdoor storage							P			
Utility substations								P	P	
Wind energy conversion systems(single accessory)		C						C	C	
Wind energy conversion systems (commercial)		C								
Wireless communication facilities and towers	C	C						C	C	1262.08(g)(1)
<b>Vehicle Sales, Service and Related</b>										
Drive-in and drive-thru facility for banks, pharmacies, restaurants and dry cleaners						C	C			1262.08(a)(1) and 1262.08(d)(2)
Sales of new and used vehicles, boats, farm implements and similar vehicles and equipment							C			1262.08(h)(1)
Sale of vehicle parts, not including installation/repair							P			
Truck and heavy equipment repair									C	
Truck and trailer rental							C	C		
Vehicle and equipment rental							C	C		
Vehicle repair, major							C	C		1262.08(h)(2)
Vehicle repair, minor							C	C		1262.08(h)(3)
Vehicle service stations							C	C		1262.08(h)(4)
Vehicle wash facilities							C	C		1262.08(h)(5)
<b>Waste Processing and Disposal</b>										
Recycling collection and/or processing facility (non-hazardous)		C							C	
<b>Other</b>										
Mortuaries and funeral homes						C	C			1262.08(a)(2)

Outdoor market or covered bazaar		P								
Radio, television and recording studios		P				C	P	P	P	
Uses similar to other uses permitted in this district and consistent with the purpose of the district, as determined in accordance with Section 1242.06	C	C	C	C	C	C	C	C	C	1242.06
<p>1 Home occupations are permitted in all Residential Districts and the E-I and B-1 Districts, subject to issuance of a permit by the Zoning Administrator to verify compliance with the conditions of Section 1262.08(e)(5).</p>										