

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-35**

**REPEALING SECTION 1248.02 “SCHEDULE OF USES” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1248.02 “SCHEDULE OF USES”**

Whereas, Codified Ordinance Section 1248.02 of the Village of Yellow Springs, Ohio provides the uses in the residential zoning districts; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1248.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio to change short-term rentals to transient guest lodging.

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

Section 1. Section 1248.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1248.02 entitled “Schedule of 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** and deleted language in ~~strike through~~, 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: 11-6-2017

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

1248.02 SCHEDULE OF USES.

Buildings or land shall not be used and buildings shall not be erected, except for the following specified uses, unless otherwise provided for in this code. Land and/or buildings in the districts indicated at the top of Table 1248.02 may be used for the purposes denoted by the following abbreviations:

- (a) Permitted Use (P). Land and/or buildings in this district may be used by right.
- (b) Conditional Use (C). Land and/or buildings in this district may be permitted only if conditional use approval is granted, upon a finding that the general requirements of Chapter 1262 are met.
- (c) Specific Conditions. Indicates requirements or conditions, as listed in Chapter 1262, are applicable to specific uses.

Table 1248.02 Schedule of Uses: Residential Districts				
Use	R-A	R-B	R-C	Specific Conditions
Residential				
Accessory dwelling unit	C	C	C	Section 1262.08(e)(1)
Accessory buildings, structures and uses	P	P	P	Section 1260.04
Bed and breakfasts	C	C	C	Section 1262.08(e)(2)
Boarding homes			C	Section 1262.08(e)(3)
Continuing care retirement community		C	C	
Day care, family	P	P	P	
Day care, group	C	C	C	
Dwellings, attached single-family		P	P	
Dwellings, Multiple-family		C	P	
Dwellings, single-family detached	P	P	P	
Dwellings, two-family		P	P	
Pocket Neighborhood Development	C	C	C	Section 1262.08(e)(6)
Short-term rental units <u>Transient Guest Lodging</u>	P	P	P	

Nonresidential				
Community gardens	P	P	P	
Farm, including raising animals	C	C	C	
Home occupations ¹	C	C	C	Section <u>1262.08(e)(5)</u>
Offices for executive, administrative, professional, real estate, accounting and similar professional activities		C	C	
Veterinary clinics			C	
Public/Quasi-public				
Churches and customary related uses	C	C	C	Section <u>1262.08(c)(1)</u>
Cultural buildings			C	
Government offices and buildings	C	C	C	
Libraries			C	
Schools (elementary, middle and high)	C	C	C	Section <u>1262.08(c)(2)</u>
Recreation				
Public parks/playgrounds/recreation areas	C	C	C	
Other				
Uses similar to other uses permitted in this district and consistent with the purpose of the district, as determined in accordance with Section <u>1242.06</u>	C	C	C	Section <u>1242.06</u>
<p>1 Home occupations are permitted by right in all Residential Districts, subject to issuance of a permit by the Village, if applicable, to verify compliance with the conditions of Section <u>1262.08(e)(5)</u>.</p>				