

**VILLAGE OF YELLOW SPRINGS, OHIO
ORDINANCE 2017-36**

**REPEALING SECTION 1250.02 “SCHEDULE OF USES” OF THE CODIFIED
ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING
NEW SECTION 1250.02 “SCHEDULE OF USES”**

Whereas, Codified Ordinance Section 1250.02 of the Village of Yellow Springs, Ohio provides the uses in the business districts; and

Whereas, Village Council has determined that it would be in the best interest of the Village to adopt a new Section 1250.02 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 Section 1250.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed.

Section 2. A new Section 1250.02 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

1250.02 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 1250.02 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.

<i>Table 1250.02 Schedule of Uses: Business Districts</i>			
<i>Use</i>	<i>B-1</i>	<i>B-2</i>	<i>Specific Conditions</i>
Accessory Uses			
Accessory buildings, structures, and uses	P	P	Section <u>1260.04</u>
Home occupations	C		Section <u>1262.08(e)(5)</u>
Outdoor patio seating in conjunction with a permitted restaurant	C	C	
Food, Drink, Entertainment and Hospitality			
Art galleries, museums and similar cultural facilities	P		
Assembly and performance halls	C		
Bars, taverns, clubs and restaurants serving alcoholic beverages	C	C	
Bed and breakfasts	C		Section <u>1262.08(e)(2)</u>
Brew pubs and similar establishments	C	C	
Community centers and senior centers	P		
Cultural buildings	C		
Farmers' market	C	C	
Hotels and motels	C	C	

Indoor commercial recreation such as theaters, bowling lanes and skating rinks	C	C	
Internet sweepstakes café	C		
Mobile vending (food trucks)	C		Section <u>1268.08</u> (d)(1)
Outdoor commercial recreation such as mini-golf and batting cages		C	Section <u>1262.08</u> (d)(3)
Restaurants, excluding drive-in or drive-thru facilities	P	P	
Health Care and Social Assistance			
Hospitals		C	
Medical and dental laboratories		C	
Medical and dental offices and clinics	C	P	
Office, Financial and Commercial Services			
Banks, credit unions and similar financial institutions, excluding drive-in and drive-thru facilities	P	P	
Business machine sales & service		P	
Cleaning services		P	
Electric, plumbing supplies sales & service	P	P	
Glass sales & service		P	
HVAC sales & service		P	
Locksmith shops		P	
Machinery and equipment sales & service		P	
Mail order businesses and fulfillment centers		P	
Offices for executive, administrative, professional, real estate, accounting and similar professional activities	P	P	
Pest control services		P	
Petroleum products sales		C	
Printing, photocopying and publishing services	P	P	
Repair shops (non-automotive)		P	
Tool and equipment rental		P	
Personal Service			
Commercial schools and studios including art, dance, martial arts, and music	P	C	

Day care, nursery schools and child care establishments	P	P	
Health and fitness clubs	P	P	
Personal service establishments such as barber and beauty shops, tailors, photo studios, shoe repair and watch repair	P	P	
Tattoo parlor	C	C	
Public/Quasi-Public			
Churches and customary related uses	C	P	
Government offices and facilities	P	P	
Libraries	C		
Residential			
Dwellings, single-family detached	P		
Dwelling units on the upper floors of buildings with nonresidential uses at street level	C		Section <u>1262.08</u> (e)(4)
Short-term rentals <u>Transient Guest Lodging</u>	P	P	
Retail			
Artisan shops, such as glass blowers, metal sculptors, wood carvers and weavers producing their goods and selling them for retail on premises	C	P	
Bicycle sales, rental and repair	P		
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	P	P	
General retail of 10,000 square feet UFA or more	C	P	Section <u>1262.08</u> (a)(3)
Vehicle Sales, Service and Related Uses			
Drive-in and drive-thru facility for banks, pharmacies, restaurants and dry cleaners	C	C	Section <u>1262.08</u> (a)(1) and <u>1262.08</u> (d)(2)
Sales of new and used vehicles, boats, farm implements and similar vehicles and equipment		C	Section <u>1262.08</u> (h)(1)
Sale of new vehicle parts, not including installation/repair		P	
Truck and trailer rental		C	
Vehicle and equipment rental		C	
Vehicle repair, major		C	Section <u>1262.08</u> (h)(2)

Vehicle repair, minor		C	Section <u>1262.08</u> (h)(3)
Vehicle service stations		C	Section <u>1262.08</u> (h)(4)
Vehicle wash facilities		C	Section <u>1262.08</u> (h)(5)
Other			
Mortuaries and funeral homes	C	C	Section <u>1262.08</u> (a)(2)
Showrooms for home improvements, decorations and similar items, not including outdoor storage	P	P	
Radio, television and recording studios	C	P	
Utility and public service buildings, not including outdoor storage		P	
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	Section <u>1242.06</u>
Veterinary clinics		C	