

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2018-10**

**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 establishes a schedule of uses for Business Districts;

**Whereas**, Village Council seeks to allow mobile vending (food trucks) as a conditional use in the B-2 General Business District; and

**Whereas**, Village Council has determined that allowing mobile vending as a conditional use in the B-2 General Business District will not detract from the Central Business District of the Village, and it would be in the best interest of the Village to adopt new Section 1250.02 entitled “Schedule of Uses” of the Codified Ordinances of the Village of Yellow Springs.

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

**Section 1.** Section 1250.02 of the Planning and Zoning Codified Ordinances of the Village of Yellow Springs entitled “Schedule of Uses” be repealed.

**Section 2.** A new Section 1250.02 of the Planning and Zoning 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.

\_\_\_\_\_  
Brian Housh, President of Council

Passed: 4-16-2018

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

**ROLL CALL**

Brian Housh   Y       Marianne MacQueen   Y       Judith Hempfling   Y    
Kevin Stokes   Y       Lisa Kreeger   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>
<b>Food, Drink, Entertainment and Hospitality</b>			
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 <a href="#">1262.08(e)(2)</a>
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	<u>C</u>	Section <a href="#">1268.08(d)(1)</a>
Outdoor commercial recreation such as mini-golf and		C	Section <a href="#">1262.08(d)(3)</a>

batting cages			
Restaurants, excluding drive-in or drive-thru facilities	<b>P</b>	<b>P</b>	

(Ord. 2013-19. Passed 9-16-13.)