

**VILLAGE OF YELLOW SPRINGS, OHIO  
ORDINANCE 2016-05**

**REPEALING OLD SECTION 1258.01 DISTRICT USES OF CHAPTER 1258 SCHEDULE OF DISTRICT USES OF TITLE FOUR ZONING OF PART TWELVE PLANNING AND ZONING OF THE CODIFIED ORDINANCES OF THE VILLAGE OF YELLOW SPRINGS, OHIO AND ENACTING NEW SECTION 1258.01 DISTRICT USES**

**Whereas**, Village staff and Planning Commission members have determined that there were matters which required updating in the Zoning Code, including the addition of swimming pool regulations, which requires the amendment of the Schedule of Uses by District; and,

**Whereas**, Planning Commission held a public hearing on February 8, 2016 and following the public hearing recommended approval of these code revisions in accordance with Section 1280.03 of the Yellow Springs Codified Ordinances; and,

**Whereas**, it is Village Council's intent to amend Section 1258.01 of the Codified Ordinances to include which districts allow for private swimming pools and spas,

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

**Section 1.** Section 1258.01 *District Uses* of Chapter 1258 *Schedule of District Uses* of Title Four *Zoning* of Part Twelve *Planning and Zoning* of the Codified Ordinances of the Village of Yellow Springs, Ohio be repealed in its entirety.

**Section 2.** A new Section 1258.01 *District Uses* of Chapter 1258 *Schedule of District Uses* of Title Four *Zoning* of Part Twelve *Planning and Zoning* of the Codified Ordinances of the Village of Yellow Springs, Ohio be enacted to read as set forth in Exhibit A with new language underlined and text to be deleted in ~~strikeout~~, 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: 4-18-2016

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

**ROLL CALL**

Karen Wintrow \_\_Y\_\_                  Judith Hempfling \_\_Y\_\_                  Brian Housh \_Y\_\_  
Marianne MacQueen \_Y\_\_                  Gerald Simms \_\_Y\_\_



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					<a href="#">1262.08(c)(2)</a>
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			<a href="#">1262.08(e)(2)</a>
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		
Restaurants, excluding drive-in or drive-thru facilities		C				P	P	C		
Sexually oriented businesses								P		<a href="#">1262.08(d)(3)</a>
<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	<a href="#">1262.08(b)(1)</a>
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			<a href="#">1262.08(c)(1)</a>
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									
Natorium		P									
Outdoor commercial recreation such as mini-golf and batting cages								C			<a href="#">1262.08(d)(1)</a>
Public parks/playgrounds/recreation areas	C	P	C	C	C						
Stadium		C									
<u>Swimming Pools and Spas</u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>		
<b>Research and Technical Facilities</b>											
Research, development and testing laboratories and facilities		P							P	P	
<b>Residential</b>											
Boarding homes					C						<a href="#">1262.08(e)(3)</a>
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				<a href="#">1262.08(e)(4)</a>
Short-term rental units		C	C	C	C	C	C				<a href="#">1262.08(e)(6)</a>
<b>Retail</b>											
Artisan shops, such as glass blowers, metal sculpturers, wood carvers and weavers producing their goods and selling them for retail on premises							C	P	C		
Bicycle sales, rental and repair							P		C		



Truck and trailer rental							C	C		
Vehicle and equipment rental							C	C		
Vehicle repair, major							C	C		<a href="#">1262.08(h)(2)</a>
Vehicle repair, minor							C	C		<a href="#">1262.08(h)(3)</a>
Vehicle service stations							C	C		<a href="#">1262.08(h)(4)</a>
Vehicle wash facilities							C	C		<a href="#">1262.08(h)(5)</a>
<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			<a href="#">1262.08(a)(2)</a>
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 <a href="#">1242.06</a>	C	C	C	C	C	C	C	C	C	<a href="#">1242.06</a>
<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 <a href="#">1262.08(e)(5)</a>.</p>										