

# Proposed Use Definitions - DRAFT

Red uses are new uses to the code

AGRICULTURE/RESIDENTIAL USES	
<p><b>Agriculture</b></p>	<p>The use of land for agricultural purposes, including, but not limited to, farming, pasturage, the cultivation and harvesting of plants, and animal and poultry husbandry. Such uses shall not include the commercial feeding of garbage or offal to swine or other animals. This definition also includes the necessary accessory uses for packing, treating, or storing the produce raised on the premises; provided, however, that the operation of such accessory uses shall be secondary to that of normal agricultural activities.</p>
<p><b>Dwelling, Single Family Attached</b></p>	<p>A building designed or arranged for use by a single family consisting of one dwelling unit only, sharing at least one wall with another dwelling unit. Such uses shall have an individual entrance to the outdoors. Each shared wall shall be placed on a property lot line.</p>
<p><b>Dwelling, Single Family Detached</b></p>	<p>A building designed or arranged for use by a single family consisting of one dwelling unit only, separated from other dwelling units by open space.</p> <p><i>Existing: A detached building designed for or used exclusively for residence purposes by one family.</i></p>
<p><b>Dwelling, Two Family</b></p>	<p>A building consisting of two dwelling units arranged, intended, or designed to be occupied by two families only. Such uses may be arranged with one dwelling unit on the first floor and the other dwelling unit on the second floor, or with the two dwelling units located adjacent to each other, on the same lot or parcel, with a shared wall. Such uses shall have an individual entrance to the outdoors.</p> <p><i>Existing: a building designed for or used exclusively for residence purposes by two families living independently of each other.</i></p>
<p><b>Dwelling, Multi-Family Small Scale (3-4 dwelling units)</b></p> <p><i>Former: Dwelling, 3 Family</i></p>	<p>One or more buildings, or portion of buildings, on a single lot that contains three or four individual dwelling units, where each unit is occupied by one family and provided with an individual entrance to the outdoors or to a common hallway, and regardless of whether the dwelling units are owned or rented.</p> <p><i>Existing: a building designed for or used exclusively for residence purposes by three families living independently of each other.</i></p>
<p><b>Dwelling, Multi-Family Large Scale (5+ dwelling units)</b></p> <p><i>Former: Dwelling, Multi-Family</i></p>	<p>One or more buildings, or portion of buildings, on a single lot that contains five or more individual dwelling units, where each unit is occupied by one family and provided with an individual entrance to the outdoors or to a common hallway, and regardless of whether the dwelling units are owned or rented.</p> <p><i>Existing: a building or portion thereof designed for or used exclusively for residence purposes by four or more families living independently of each other.</i></p>
<p><b>Mobile Home Park</b></p> <p><i>Former: Trailer Park</i></p>	<p>Any lot or part thereof which is used or offered as a location for two or more mobile homes used for residential purposes.</p> <p><i>Existing: Any lot or part thereof which is used or offered as a location for two or more trailers used for any of the purposes set forth in subsection (82) hereof.</i></p>

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<p><b>Residential Facility</b></p> <p><i>Former: Community Social Service Facility</i></p>	<p>A publicly or privately operated home or facility that falls into one of the following categories:</p> <ul style="list-style-type: none"> <li>– Provides accommodations, supervision, personal care services, and mental health services for one or more unrelated adults with a developmental disability, mental illness or one or more unrelated children or adolescents with severe emotional disturbances.</li> <li>– Provides accommodations, supervision, and personal care services to any of the following:             <ul style="list-style-type: none"> <li>▪ One or two unrelated persons with mental illness,</li> <li>▪ One or two unrelated adults who are receiving payments under the residential state supplement program,</li> <li>▪ Three to sixteen unrelated adults.</li> </ul> </li> <li>– Provides room and board for five or more unrelated adults with mental illness.</li> </ul> <p>This use does not include addictive drug treatment programs.</p> <p><i>Existing: residential facility licensed by and/or approved or supported by the State of Ohio or any state or county agency that provides room and board, personal care, habilitation services and twenty-four hour supervision in a family setting for not more than six persons who are physically handicapped, mentally impaired and developmentally disabled, and not more than two staff or supervisory personnel. This category includes foster homes for children. (Ord. 156-92. Passed 12-14-92.)</i></p>
<p><b>Residential Facility, Small</b></p> <p><i>Former: Family Care Facility</i></p>	<p>A Residential Facility that is designed for and occupied by between one and five residents living together.</p>
<p><b>Residential Facility, Medium</b></p> <p><i>Former: Group Care Facility</i></p>	<p>A Residential Facility that is designed for and occupied by between six and 16 residents living together.</p>
<p><b>Residential Facility, Large</b></p> <p><i>Former: Group Care Facility</i></p>	<p>A Residential Facility that is designed for and occupied by more than 16 residents living together.</p>
<p><b>Residential Treatment Facility</b></p>	<p>A residential dwelling or facility where persons are living together, with or without staff, as a single housekeeping unit providing recovery support, care, supervision, or treatment to reduce dependence or maintain independence from alcohol or addictive drugs.</p>
<p><b>Residential Treatment Facility, Small</b></p>	<p>A Residential Treatment Facility that is designed for and occupied by between one and five residents living together.</p>
<p><b>Residential Treatment Facility, Medium</b></p>	<p>A Residential Treatment Facility that is designed for and occupied by between six and 16 residents living together.</p>
<p><b>Residential Treatment Facility, Large</b></p>	<p>A Residential Treatment Facility that is designed for and occupied by more than 16 residents living together.</p>

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<p><b>Short Term Rental</b></p> <p><i>Former: Tourist Home</i></p>	<p>A residence or part thereof, where lodging is provided for compensation, for established periods of time agreed upon by the owner and guest, but generally not longer than 30 days.</p> <p><i>Existing: A building or part thereof, other than a hotel, boarding house, lodging house, resort or motel, where lodging is provided by a resident family for compensation, mainly for transients.</i></p>
<p><b>INSTITUTIONAL</b></p>	
<p><b>Cemetery</b></p>	<p>An area of land set apart for the purpose of the burial of remains of deceased persons or animals, and for the erection of customary markers, monuments, columbaria, and mausoleums.</p>
<p><b>Community Facility</b></p>	<p>An establishment housing a public or non-profit agency that provides counseling, therapy, or other social or human service to persons needing such services due to physical, mental, emotional, or other disability or hardship. This definition does not include education facilities, government facilities, political organizations or headquarters, medical offices, hospitals, day care centers, residential facilities, residential treatment facilities, or residential uses.</p>
<p><b>Cultural Facility</b></p>	<p>An establishment providing for the display, performance or enjoyment of heritage, history, or the arts. This use includes, but not limited to, museums, libraries, art performance venues, cultural centers, or interpretative sites, but does not include commercially operated cinemas/theaters.</p>
<p><b>Education Facility, Public or Private</b></p> <p><i>Former: School</i></p>	<p>A public or private educational facility which offers instruction in multiple areas of learning, and such accessory uses customarily associated therewith provided, however, that such accessory uses shall be secondary to the education, instruction, and learning. These institutions include pre-school, elementary, middle, intermediate, and high schools.</p> <p><i>Existing: Any public or private educational facility, including but not limited to, child day care facilities, nursery schools, preschools, kindergartens, elementary schools, primary schools, intermediate schools, junior high schools, middle schools, high schools, vocational schools, secondary schools, continuation schools, special education schools, junior colleges and universities. (Ord. 154-96. Passed 10-15-96.)</i></p>
<p><b>Education Facility, University/College/Trade School</b></p> <p><i>/Former: School, College</i></p>	<p>A public or private educational facility which offers instruction for post-secondary education, and such accessory uses customarily associated therewith provided, however, that such accessory uses shall be secondary to the education, instruction and learning. This type of facility may have multiple education buildings and can include housing for full-time attendees or faculty. Seminaries are included in this definition.</p> <p><i>Existing: Any public or private educational facility, including but not limited to, trade schools, junior colleges, colleges, and universities.</i></p>

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<b>Essential Services</b>	The erection, construction, alteration, or maintenance, by public utilities or governmental agencies, of underground or overhead gas, electrical, steam or water transmission or distribution systems, collection, communication, supply or disposal systems, including poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm boxes, police call boxes, traffic signals, hydrants and other similar equipment for the furnishing of adequate service by such public utilities or municipal or other governmental agencies for the public health or safety or general welfare, but not including buildings other than accessory structures.
<b>Governmental Facility</b>	Any buildings, structure, or use, or portion thereof, used by a governmental agency for administrative or service purposes.
<b>Library</b>	See Cultural Facility
<b>Museum</b>	See Cultural Facility
<b>Public Parks and Open Space</b>	A parcel of land owned and operated by a governmental or quasi-governmental entity that is available to the public for passive and/or active recreation.
<b>Public Recreational Facility, Indoor</b>  <i>Former: Noncommercial Recreation</i>	A facility that is operated by a public or non-profit entity for the purpose of recreational enjoyment that is entirely located within an enclosed building.
<b>Public Recreational Facility, Outdoor</b>  <i>Former: Noncommercial Recreation</i>	A facility that is operated by a public or non-profit entity for the purpose of recreational enjoyment that is partially or entirely situated outdoors.
<b>Religious Facility</b>  <i>Former: Church</i>	An institution that a congregation of people regularly attends to participate in or hold religious services, meetings, and other activities, including buildings in which the religious services of any denomination are held. This definition does not include facilities for the operation of a daycare center or event center.  <i>Existing: An institution where persons sharing the same faith, and observance of ceremonies and doctrines assemble regularly for worship, congregation, study and instruction for religious purposes.</i>
<b>Wireless and Cellular Telecommunication Facility</b>	Any cables, wires, lines, wave guides, antennas, equipment, or structures associated with the transmission or reception of communications as authorized by the Federal Communications Commission (FCC) which an applicant seeks to locate or has installed upon a tower or existing structure.
<b>COMMERCIAL</b>	
<b>Animal Boarding/Kennel</b>  <i>Former: Part of Animal Hospital; Kennel</i>	A structure or premises providing overnight accommodations of more than four household pets, with or without compensation.  <i>Existing: any structure or lot on which more than four dogs or cats over four months of age are kept. (Ord. 114-19. Passed 12-2-19.)</i>
<b>Animal Day Care</b>  <i>Former: Part of Animal Hospital</i>	A structure or premise used for the schooling, exercising, socializing, attending to the care of household pets, with or without compensation, during the day and without overnight stays.

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<p><b>Animal Hospital, Veterinary Clinic</b></p>	<p>An establishment where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. This use does not include ‘animal boarding/kennel,’ and overnight boarding of animals shall only be permitted when incidental to such medical treatment and limited to short periods of time. This use shall not include any outdoor animal runs, play areas, or other similar outdoor activities.</p> <p><i>Existing: Animal hospitals, kennels, display and housing or boarding of pets and other domestic animals, provided that any enclosure or building in which the animals are kept shall be at least one hundred feet from any A or R District and at least fifty feet from any other C District. Exercise runs shall be enclosed on four sides by an unpierced well-maintained fence or wall at least six feet in height.</i></p>
<p><b>Art Studio</b></p>	<p>A facility that includes work, display, or teaching space for one or more artists, artisans, photographers, or musicians.</p>
<p><b>Assisted Living Facility</b></p>	<p>A long-term care facility that provides housing, personalized support services, and health care designed to meet the individual needs of persons who need help with the activities of daily life such as meals, medication management, or assistance with bathing and dressing, but do not need the degree of medical care provided in a nursing or rehabilitation facility.</p>
<p><b>Bar/Night Club</b></p>	<p>Any establishment, including but not limited to, bars, lounges, taverns, dance halls and pool halls, that serves alcohol and/or beer and provides entertainment through any of the following: amplified music, dancing, table games, video games and/or other live entertainment activities. This definition does not include restaurants or event centers that provide the above entertainment if the business closes on or before 12:00 a.m. every day of the week.</p>
<p><b>Bed and Breakfast</b></p>	<p>A private owner-occupied single family detached dwelling with one to six guest rooms contained within that building and operated so that guests reside at the home for a finite and temporary basis, and wherein the owner of the property lives permanently on site and kitchen facilities are not accessible to guests.</p>
<p><b>Brewery, Distillery, Winery, Cidery (Macro)</b></p>	<p>Brewery, distillery, winery, or cidery that produces more than 15,000 barrels per year and may distribute outside the region. Such uses may include accessory uses including tap/tasting rooms, food service, retail sales of merchandise and alcohol, entertainment space for live music, and other similar uses.</p>
<p><b>Brewery, Distillery, Winery, Cidery (Micro)</b></p>	<p>A limited production brewery, distillery, winery, or cidery that produces less than 15,000 barrels per year and that typically produces specialty beers, spirits, wines, or ciders that are generally sold locally. Such uses may include accessory uses including tap/tasting rooms, food service, retail sales of merchandise and alcohol, entertainment space for live music, and other similar uses.</p>
<p><b>Building and Related Trade Shop</b></p>	<p>An establishment that is open to the general public and whose services include the sale, installation, maintenance, and repair of equipment or materials within or for a home or business including, but not limited to, appliances, plumbing, electrical, HVAC, flooring services, and other similar uses.</p> <p><i>Existing: Carpenter shops, electrical, plumbing, paint shops, heating and tin shops, paper-hanging shops, furniture upholstery and similar enterprises, but not within fifty feet of any A or R District.</i></p>

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<p><b>Check Cashing, Short Term Loan</b></p>	<p>A business that for compensation engages in the business of cashing checks, warrants, drafts, money orders, or other commercial paper serving the same purpose. Check cashing also includes a facility that provides loans to individuals in exchange for personal checks as collateral. Pawn shops are also included under this use which are business that, in part or in whole, loan money on the security of pledges of personal property, deposits, the conditional sale of personal property, or the purchase or sale of personal property. The term “check cashing” does not include a state or federally regulated bank or credit union.</p>
<p><b>Club/Lodge, Private</b></p>	<p>A non-profit association of persons who are bona-fide members with well-defined requirements for membership, organized for some common purposes such as social, intellectual, or recreational, and paying regular dues. This does not include a group organized solely or primarily to render a service customarily carried on as a commercial enterprise.</p>
<p><b>Commercial Kitchen</b></p>	<p>A building or portion thereof which includes a kitchen or kitchens for the use of production of food for testing or catering purposes. Commercial kitchens shall only be open to the public for scheduled instructional purposes or for the sale of perishable products.</p>
<p><b>Conference or Convention Center</b></p>	<p>A facility containing over 20,000 square feet of gross floor area and designed to accommodate and support meetings or conferences that includes large gathering spaces as well as smaller spaces for individual meeting rooms. The facility may be either freestanding or incorporated into a hotel or office facility and may include eating and drinking facilities.</p>
<p><b>Day Care Center</b></p>	<p>A place in which supervision, protection, and care is administered to a person or persons, but not including overnight lodging. Such uses may also include educational learning, such as preschool and kindergarten programs as accessory uses.</p> <p><i>Existing: A facility for the care of preschool children during the day. A day care center is not an educational use and is not a home occupation.</i></p>
<p><b>Event Center</b> <i>Former: Banquet Hall</i></p>	<p>An establishment that is 20,000 square feet or smaller which is rented by individuals or groups to accommodate public or private functions including, but not limited to, banquets, weddings, birthday parties, anniversaries, receptions, and other similar celebrations and may or may not have a liquor license or open air facilities. This use does not include meeting or gathering spaces that is accessory to a hotel or private recreation center.</p>
<p><b>Financial Establishment</b></p>	<p>A facility or building feature, of which the principal use or purpose of which is the provision of financial services including, but not limited to banks, credit unions, savings and loan institutions, and mortgage companies. Such uses do not include check cashing or short term loan establishments. The use may or may not include a drive-through.</p> <p><i>Existing: Includes, banks, savings and loans and other similar financial organizations with or without drive-through facilities.</i></p>
<p><b>Fitness/Dance Studio</b></p>	<p>A small scale facility, not exceeding 15,000 square feet, where members or non-members use equipment or space for the purpose of physical exercise, instructional fitness activities, and/or weight control. This use includes but is not limited to fitness training studios and exercise facilities.</p>

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<p><b>Flea Market</b></p>	<p>A facility where individual vendors rent, lease, or acquire space from the owner or operator of the facility to display and/or sell merchandise, goods, or services to the general public in an enclosed building.</p>
<p><b>Funeral Home</b></p>	<p>An establishment primarily engaged in the provision of services involving the care, preparation, or disposition of the deceased, including funeral services, funeral parlors or mortuaries but does not include crematoriums or cemeteries.</p>
<p><b>Greenhouse, Wholesale</b></p>	<p>A principal building constructed to utilize the sun in order for the growing of plants year-round, with the intention to sell or distribute the plants grown within the greenhouse for wholesale purposes. No retail sales are permitted.</p>
<p><b>Hospital</b></p>	<p>A facility providing physical or mental health services to the public with inpatient or overnight accommodations, and medical or surgical care of the sick, injured, or disabled. Medical offices are not included in this definition.</p> <p><i>Existing: shall, unless otherwise specified, be deemed to include sanitarium, sanatorium, preventorium, rest home, nursing home, convalescent home and any other place for the diagnosis or treatment of human ailments or the care of humans, except a clinic.</i></p>
<p><b>Hotel, Motel</b></p>	<p>A building in which lodging is provided and offered to the public for compensation and which is open to transient guests. Such uses may include meeting and gathering spaces, business centers, restaurants, personal service uses, and other similar accessory uses that cater to the patrons of the hotel or motel.</p> <p><i>Existing: Hotel - any building or portion thereof used as a temporary abiding place for remuneration, with or without meals, containing twelve or more guest rooms or suites where no provisions for cooking is made in any individual room or suite, except hospitals and jails. (Ord. 94-84. Passed 7-9-84.)</i>  <i>or,</i>  <i>Motel - a series of attached, semi-attached, or detached sleeping or living units, for the accommodation of transient guests and not customarily including individual cooking or kitchen facilities, such units having convenient access to off-street parking spaces for the exclusive use of the guests or occupants. (Ord. 94-84. Passed 7-9-84.)</i></p>
<p><b>Landscaping Retail Facility</b></p>	<p>A business which sells landscaping related products to the general public including grasses, shrubs, trees, and other similar vegetation, which may or may not be grown on premises and/or ornamental objects. Greenhouses may or may not be included. Landscaping services supplemental to the retail business may be permitted.</p>
<p><b>Landscaping Service Facility</b></p>	<p>A business which installs landscaping and provides lawn and yard maintenance services to a business or residential premise. The growing of landscape material is permitted and shall be used for personal use and not available for retail sale to the public.</p>
<p><b>Laundry Facility</b></p>	<p>A facility where patrons wash and dry clothing or other fabrics in machines operated by the patrons or by an employee of the facility.</p>
<p><b>Media Studio</b></p>	<p>Studio spaces for the creation of and broadcasting of radio or television, internet, and other social media programs.</p>

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<p><b>Medical Office (High Intensity)</b></p> <p><i>Former: Clinic</i></p>	<p>A place used for the care, diagnosis, and treatment of sick, ailing, infirm and injured persons, but who are not provided with board or room or kept overnight on the premises of more than 40 persons/patients per day. This use includes medical care centers, dental care, urgent care, and outpatient care centers.</p> <p><i>Existing: a place used for the care, diagnosis and treatment of sick, ailing, infirm and injured persons, but who are not provided with board or room or kept overnight on the premises.</i></p>
<p><b>Medical Office (Low Intensity)</b></p>	<p>A place used for the care, diagnosis, and treatment of sick, ailing, infirm and injured persons, but who are not provided with board or room or kept overnight on the premises of up to 40 persons/patients per day. This use includes medical care centers, dental care, urgent care, and outpatient care centers.</p>
<p><b>Mixed Use</b></p>	<p>A building, lot, or development that contains a mixture of uses including residential, commercial, and/or industrial uses. Such uses may be mixed within one building (either horizontally or vertically) or within an overall development.</p>
<p><b>Motor Vehicle Fueling/Charging Facility</b></p>	<p>A place where gasoline or alternative fuel/power/energy is sold at retail to the public and deliveries are made directly into or onto motor vehicles and no other motor vehicle service is performed. The sale of gasoline or other motor vehicle fuel, alternative power/energy under this definition must be the primary use. Retail grocery and/or convenience store sales are permitted. Vending machines and outdoor retail display do not constitute retail sales under this definition unless specifically approved by the Planning Commission. Such use does not include facilities designed for the fueling of tractor-trailer trucks.</p>
<p><b>Motor Vehicle Repair</b></p> <p><i>Former: Motor Vehicle Repair Garage</i></p>	<p>Any establishment or place of business which is maintained and operated for the primary purpose of making general repair, rebuilding or reconstruction of engines or making general repair to motor vehicle quarter panels, doors, fenders, bumpers, other parts of auto body, frames or other exterior surfaces or providing collision services including but not limited to painting, frame straightening or frame dissecting. This definition does not include any establishment, place of business or property upon which 10 or more unlicensed, partially disassembled, wrecked or inoperable motor vehicles are kept or stored.</p>
<p><b>Motor Vehicle Sales/Rental Area</b></p>	<p>Any establishment, place of business, property or open area used for the display of new or used motor vehicles that are for sale, lease, or rental and in operable condition.</p> <p><i>Existing: Any establishment, place of business, property or open area used for the display, storage, sale, lease or rental of new or used motor vehicles in operable condition.</i></p>
<p><b>Motor Vehicle Service</b></p> <p><i>Former: Motor Vehicle Service Facility</i></p>	<p>Any establishment or place of business which is maintained and operated for the primary purpose of performing routine maintenance of motor vehicles such as removal and replacement of lubricants, tires, and batteries for the public and which may include retail sales of fuels, lubricants, air and/or for washing operable motor vehicles. This definition does not include any establishment, place of business or property upon which storage or repair of any unlicensed, partially dismantled, or inoperable motor vehicles takes place.</p>

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<p><b>Motor Vehicle Washing Facility</b></p> <p><i>Former: Car Wash, Self-Service</i></p>	<p>A facility for washing, cleaning, drying, and waxing of passenger vehicles, motorcycles, and trucks of one ton rating or less. An automotive washing facility may be self-service or full service.</p> <p><i>Existing: Car Wash – An establishment for the washing of automobiles, motorcycles and trucks of one ton rating or less which involves automatically controlled or hand washing operations attended on the premises by employees of the operation of the operation at all times during designated hours of business.</i></p> <p><i>Car Wash, Self-Service - An establishment for the washing of automobiles, motorcycles, and trucks of one ton rating or less done by the customer and ordinarily not attended by employees of the business.</i></p>
<p><b>Nursery</b></p>	<p>See Landscaping Businesses and Retail</p>
<p><b>Nursing and Rehabilitation Facility</b></p>	<p>A facility that offers short and long-term skilled care and personal care for individuals. This definition does not include hospitals, residential treatment facilities, residential facilities, or assisted living facilities.</p>
<p><b>Office, General</b></p>	<p>A building or portion of a building wherein services are performed involving predominantly administrative, professional, or clerical operations.</p>
<p><b>Outdoor Amusement Ride and Entertainment Display</b></p>	<p>Any vehicle or device that moves upon or within a structure along cables or rails, through the air by centrifugal force or otherwise, that is used to convey one or more individuals for amusement, entertainment, or recreation; or any outdoor displays of animals, graphics, or other element for the purpose of entertainment.</p>
<p><b>Personal Service</b></p>	<p>An establishment primarily engaged in providing individual services generally related to personal needs, such as, but not limited to barber shops, beauty shops, nail salons, licensed massage facilities, and day spas.</p>
<p><b>Recreational Facility, Indoor</b></p> <p><i>Former: Commercial Recreation</i></p>	<p>Facilities for sports, recreational, and entertainment activities such as indoor sports, including soccer, bowling, skating, swimming, and similar indoor activities taking place inside an enclosed building. This definition shall not include gambling devices, sexually oriented businesses, gun ranges, or any other activities prohibited by law.</p>
<p><b>Recreational Facility, Outdoor</b></p> <p><i>Former: Commercial Recreation</i></p>	<p>Facilities for sports, recreational, and entertainment activities such as outdoor activities including sports courts and facilities, golf courses, golf driving ranges, and other similar uses. This use does not include outdoor gun ranges, or any other activities prohibited by law.</p>
<p><b>Restaurant, Full Service</b></p>	<p>Any establishment where food or drinks are primarily served by a waitress or waiter to the general public in a dining area for consumption within the principal building which closes on or before 12:00 a.m. every day of the week. Carry-out services must be accessory to the service by waitresses and waiters. This definition does not include nightclubs, fast food restaurants, drive-thru facilities, and vending machines.</p>

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<p><b>Restaurant, Quick Service</b></p>	<p>Any restaurant whose service or facility is designed for food and drink to be obtained over the counter by persons desiring quick service and the option to carry-out their food order. These establishments do not typically include table service or wait staff. A patron generally orders from a menu board and pays before receiving the meal. Drive-thru facilities are not included in this definition.</p> <p><i>Existing: Any restaurant whose service or facility is designed for food and drinks to be obtained over the counter by persons desiring quick service and the option to carry-out their food order. Any restaurant where food or drinks are to be consumed by persons in vehicles parked on the premises is included. Drive-thru facilities are not included in this definition.</i></p>
<p><b>Retail</b></p>	<p>A facility or establishment up to 20,000 square feet of gross floor area, which engages in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods. Within a multi-tenant or mixed-use building, the overall building may be more than 20,000 as long as each tenant does not exceed the square footage threshold.</p>
<p><b>Retail, Convenience</b></p>	<p>Small-scale retail stores used for the sale of goods used on an everyday basis by consumers including, but not limited to, pre-packaged food and drink products, household items, newspapers, and magazines; and which may be associated with a motor vehicle fueling/charging facility.</p>
<p><b>Retail, Discount and Variety Store</b></p>	<p>A facility or establishment which engages in selling used or secondhand goods, or a wide range of inexpensive or discount goods, or merchandise to the general public for personal or household consumption generally located in a standalone building. This use includes dollar and discount stores, thrift stores, and similar uses.</p>
<p><b>Retail, Large Scale</b></p>	<p>A facility or establishment 20,000 square feet of gross floor area or greater , which engages in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.</p>
<p><b>Self-Storage Facility</b></p> <p><i>Former: Self-Service Storage Facility</i></p>	<p>A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for the storage of personal property.</p> <p><i>Existing: a building or group of buildings consisting of individual, self-contained units leased to persons, firms, organizations or corporations for storage of personal property. (Ord. 123-18. Passed 12-3-18.)</i></p>

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<p><b>Sexually Oriented Business</b></p>	<p>Adult arcades, adult bookstores, adult novelty stores, adult video stores, adult cabarets, adult motels, adult motion picture theaters, adult theaters, live sex act businesses, massage parlors, sexual device shops, sexual encounter establishments, sexual encounter centers, escort agencies and nude or semi-nude model studios but does not include a business solely by reason of its showing, selling or renting materials that may depict sex, to which the following definitions shall apply:</p> <p>A. "Adult bookstore," "adult cabaret," "adult motion picture theater," "adult video store," "characterized by," "employee," "nude," "nudity," "state of nudity," "seminude," "state of seminudity," "operator," "patron," "premises," "sexual device," "sexual device shop," "sexual encounter center," "specified anatomical areas," and "specified sexual activity" have the same meanings as in Section 2907.40 of the Ohio Revised Code.</p> <p>B. "Adult arcade," "adult entertainment," "adult entertainment establishment," "adult novelty store," "adult theater," "distinguished or characterized by their emphasis upon," "nude or seminude model studio," "regularly features," "regularly shown," and "sexual encounter establishment" have the same meanings as in Section 2907.39 of the Ohio Revised Code.</p> <p>C. "Adult motel" means a motel, hotel or similar commercial establishment which:</p> <ol style="list-style-type: none"><li>1. Offers public accommodations, for any form of consideration, which provides patrons with closed-circuit television transmissions, films, motion pictures, video cassettes, slides or other photographic reproductions which are characterized by the depiction or description of "specified sexual activities" or "specified anatomical areas" and which advertises the availability of this sexually oriented type of material by means of a sign visible from the public right-of-way, or by means of any off- premises advertising including but not limited to, newspapers, magazines, pamphlets or leaflets, radio or television; or</li><li>2. Offers a sleeping room for rent for a period of time less than ten hours; or</li><li>3. Allows a tenant or occupant to sub-rent the sleeping room for a time period of less than ten hours.</li></ol> <p>D. "Consideration" means the payment of money or the exchange of any item of value for:</p> <ol style="list-style-type: none"><li>1. The right to enter the business premises or any portion thereof; or</li><li>2. The right to remain on the business premises or any portion thereof; or</li><li>3. The right to purchase any item permitting the right to enter, or remain on, the business premises or any portion thereof; or</li><li>4. The right to a membership permitting the right to enter, or remain on, the business premises or any portion thereof.</li></ol> <p>E. "Escort" means a person who, for any form of consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.</p> <p>F. "Escort agency" means a person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip, or other consideration.</p> <p>G. "Immediate family" means a person's spouse residing in the person's household, parents, siblings of the whole or of the half blood, and children, including adopted children.</p>
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H. "Live sex act" means any act whereby one or more persons engage in a live performance or live conduct which contains oral contact or sexual intercourse.

I. "Live sex act business" means any business in which one or more persons may view, or may participate in, a live sex act for a consideration.

J. "Massage parlor" means any place where, for any form of consideration or gratuity, massage, alcohol rub, administration or fomentations, electric or magnetic treatments, or any other treatment manipulation of the human body which occurs as a part of or in connection with "specified sexual activities", or where any person providing such treatment, manipulation, or service related thereto, exposes his or her "specified anatomical areas". The definition of sexually oriented businesses shall not include the practice of massage in any licensed hospital, nor by a licensed chiropractor or osteopath, nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor or osteopath, nor by trainers for any amateur, semiprofessional or professional athlete or athletic team or school athletic program.

K. "Operate" means to control or hold primary responsibility for the operation of a sexually oriented business, either as a business entity, as an individual, or as part of a group of individuals with shared responsibility. "Operate" or "cause to be operated" shall mean to cause to function or to put or keep in operation.

L. "Oral sexual contact" means oral contact with a penis, vulva, or anus.

M. "Person" means an individual, proprietorship, partnership, firm, association, joint stock company, corporation or combination of individuals of whatever form or character.

N. "Sexual intercourse" means penetration into the penis, vulva, or anus by any part of the body or by any object or manual masturbatory contact with the penis or vulva.

O. "Specified criminal activity" means any of the following offenses:

1. Prostitution or promoting prostitution; soliciting; loitering to engage in solicitation; sexual performance by a child; public lewdness; indecent exposure; indecency with a child; sexual assault; molestation of a child; or any similar offenses to those described above under the criminal or penal code of any local jurisdiction, state, or country;

2. For which:

- a. Less than two (2) years have elapsed since the date of conviction or the date of release from confinement imposed for the conviction, whichever is the later date, if the conviction is of a misdemeanor offense; or

- b. Less than five (5) years have elapsed since the date of conviction or the date of release from confinement for the conviction, whichever is the later date, if the conviction is of a felony offense.

3. The fact that a conviction is being appealed shall not prevent such conviction from constituting a specified criminal activity as defined in this section.

P. "Transfer of ownership or control" of a sexually oriented business shall mean any of the following:

1. The sale, lease, or sublease of the business;

2. The transfer of securities which constitute a controlling interest in the business whether by sale, exchange, or similar means; or

3. The establishment of a trust, gift, or other similar legal device which transfers the ownership or control of the business, except for transfer by bequest or other operation of law upon the death of the person possessing the ownership or control.

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<b>Showroom</b>	A use that includes a room used for the display of goods or merchandise. To be used as a place to view rather than to buy merchandise. Such use may also include storage of the goods that are on display, such as furniture, windows, doors, and pools/hot tubs.
<b>Storage Shed or Barn, Carport or Play Structure Sales Area</b>	An open area used for the display, storage, sale, lease, or rental of storage sheds or barns, carports, or play structures.
<b>Teen Club</b>	Any entertainment establishment where for any period of time the intended occupancy is either overwhelmingly or exclusively minors between 13 and 21 years of age unaccompanied by an adult, parent, or guardian, but not including similar events operated by a non-profit organization.
<b>Theater, Cinema</b>	Any indoor facility for showing motion pictures on a projection screen, excluding adult motion pictures and adult entertainment businesses. Such use may include a lobby area and refreshment stand for the patrons.
<b>Vape, Tobacco, and CBD Sale</b>	Any store, stand, booth, or concession that devotes 30 percent or more of its display floor area to tobacco products, or to the display and sale of tobacco, or electronic smoking devices to purchasers for consumption or use. This classification of use does not include medical marijuana dispensaries which are prohibited in the City of Fairfield.
<b>INDUSTRIAL</b>	
<b>Building Materials Yard</b>	A building and land used for the storage of building materials and lumber for sale that may be sold to the general public or contractors.
<b>Construction and Large Equipment Rental, Sale, and Service</b>	A building and land which operates its primary business in the rental, sales, and service of heavy-duty equipment and construction machinery.
<b>Contractor Yard</b>	An area used for the storage of building materials and/or construction equipment for use by the business owner and not available for sale to the general public or other contractors. The area is accessory to an enclosed structure used as an office for the operation of the construction business on the same or adjoining premises.
<b>Crematorium</b>	A facility in which the bodies of the deceased are disposed of by burning it to ashes, typically after a funeral ceremony.
<b>Food Processing</b>	A facility that produces or processes food or beverages for human consumption and certain related products. This use includes but is not limited to commercial bakeries; coffee roasting and production; dairy products; processing fats and oil product; canning and preserving fruits and vegetables, and related processing; grain mill products and by-products; canning, curing meat, poultry, and seafood, and processing by-product; and miscellaneous food preparation from raw products. This use does not include the production or processing of marijuana, the slaughtering of animals, or the storage of live animals.

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<p><b>Junkyard</b></p>	<p>Any area where waste, discarded or salvaged materials are bought, sold, exchanged, baled, packed, disassembled or handled, house wrecking yards, used lumber yards, places or yards for storage of salvaged house wrecking and structural steel materials and equipment, but not including storage of materials incidental to manufacturing operations; or          Any establishment, place of business or property upon which motor vehicles are kept for the primary purpose of disassembling, dismantling, cutting up, stripping, or otherwise wrecking such motor vehicle to extract parts, components, or accessories; or          Any establishment, place of business or property upon which ten or more unlicensed, partially disassembled, wrecked, or inoperable motor vehicles are kept or stored.</p>
<p><b>Laundry, Industrial</b></p>	<p>Large scale cleaning facilities of textiles not for individual customers.</p>
<p><b>Manufacturing, Artisan</b></p>	<p>An establishment or business where an artist, artisan, or craftsperson teaches, makes, or fabricates crafts or products by hand or with minimal automation; and which may include direct sales to consumers. This definition includes uses such as small-scale fabrication but is not limited to, manufacturing, and other industrial uses and processes such as welding and sculpting. This use includes fabrication implements that are more industrial than that of an art studio and includes coopering, and crafting of cabinetry, furniture, and other similar small scale manufacturing.</p>
<p><b>Manufacturing, Heavy</b></p>	<p>The assembly or fabrication of goods and materials using processes that ordinarily have greater than minimal impacts on the environment, or that ordinarily have significant impacts on the use and enjoyment of adjacent properties in terms of truck traffic, railroad activities, noise, smoke, fumes, visual impact, odors, glare, or health and safety hazards, or that otherwise do not meet the definition of “Light Manufacturing”. This use may include outdoor storage and activities.</p>
<p><b>Manufacturing, Light</b></p>	<p>A use engaged in assembling, altering, converting, fabricating, finishing, or treatment of a product utilizing a relatively clean and quiet process which does not include or generate objectionable or hazardous elements such as smoke, odor, noise, vibration, water pollution, or dust and which is operating and storing products and materials in a completely enclosed structure.</p>
<p><b>Motor Vehicle Storage</b></p>	<p>Any establishment, place of business, property or open area used for the storage of new or used motor vehicles that are in operable condition. This definition does not include the storage of delivery trucks, tractor-trailers and associated semi-trailers, or shipping containers.</p>
<p><b>Motor Vehicle Tow Yard</b></p>	<p>Any establishment, place of business, or property used by a tow company or wrecker service for temporary storage of operable motor vehicles or inoperable motor vehicles designated to be transported to a motor vehicle repair garage or junkyard. This definition does not include any establishment, place of business, or property upon which 10 or more unlicensed, partially disassembled, wrecked, or inoperable motor vehicles are kept or stored.</p>
<p><b>Processing, Industrial</b></p>	<p>Any industrial process that performs a series of mechanical or chemical operations to finished or raw materials in order to change or preserve the material. This definition excludes any type of manufacturing.</p>
<p><b>Renewable Energy Facility</b></p>	<p>A use of land or a portion thereof dedicated to the harvesting of a renewable resource for the purpose of energy production. Examples include but are not limited to wind turbine farms and solar farms.</p>

# Proposed Use Definitions - DRAFT

*Red uses are new uses to the code*

<b>Research, Development, Laboratory Facility</b>	A facility for scientific research, and the design, analysis, development, and testing of electrical, electronic, magnetic, optical, medical, computer, and telecommunications components in advance of product manufacturing, and the assembly of related products from parts produced off-site.
<b>Stone and Monument Work</b>	Manufacturing establishments primarily engaged in cutting, shaping, and finishing marble, granite, slate, and other stone for building and miscellaneous uses.
<b>Trucking or Logistics Terminal</b>	An enclosed structure or structures used for the temporary storage of cargo or freight owned by others in the process of transferring the cargo or freight to another location by truck or other mode of transportation.
<b>Warehouse</b>	An enclosed structure used for the storage and/or distribution of goods of any type by or on behalf of the owner of the goods when 80 percent or more of the enclosed structure is designed or used for storage space. This definition includes distribution and fulfillment facilities.
<b>ACCESSORY</b>	
<b>Accessory Use</b>	A use subordinate to the principal use of a building or to the principal use of land, located on the same lot as such principal use and serving a purpose customarily incidental to the use of the principal building or land use.
<b>Accessory Structure</b>	A structure subordinate to the principal use of a building or to the principal use of land, located on the same lot as such principal use and serving a purpose customarily incidental to the use of the principal building or land use. An accessory structure does not share a common wall or foundation with the principal building.
<b>Automated Teller Machine (ATM), Outdoor</b>	An electronic device used by the public for conducting financial transactions such as withdrawing or depositing cash from a bank, savings, credit union, credit card, or similar account wherein the customer operates the device independently.
<b>Charitable Drop-off Receptacle</b>	A receptacle that is placed on private property into which members of the public can donate goods such as clothing and small household items with scheduled pickup times.
<b>Day Care, Home Type A</b>	The permanent residence of the administrator in which childcare is provided for seven to 12 children at one time or a permanent residence of the administrator in which childcare is provided for four to 12 children at one time if four or more children at one time are under two years of age. In counting children for the purpose of this definition, any children under six years of age who are related to the administrator or any employee on the premise shall be counted.
<b>Day Care, Home Type B</b>	The permanent residence of the administrator in which childcare is provided for one to six children at any one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this division, any children under six years of age who are related to the administrator or any employee on the premises shall be counted.
<b>Drive-Through Facility</b>	Any operation by a business establishment where the transfer of goods and services to the customers is designed to be done while the customer remains in their vehicle.
<b>Dwelling, Accessory Commercial</b>	A dwelling unit secondary and accessory to a principal commercial use for the purpose of taking care of the commercial business.
<b>Fence</b>	A structure constructed of wood, masonry, stone, metal or other manufactured material or combination of materials which forms or has the intended purpose to enclose, screen, or separate areas.

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<b>Garden</b>	The use of residential land for the growing of flowers, fruit, and/or vegetables for personal use or consumption by the occupant of the property.
<b>Greenhouse, Accessory</b>	An accessory structure used to utilize the sun for the growing of plants.
<b>Heliport</b>	An area designated for the landing of helicopters, as restricted by the Federal Aviation Authority.
<b>Home Occupation</b>	<p>Any occupation, profession, use or activity of a service character, which is incidental to the principal residential use of the premises, and is solely conducted by a resident occupant, which does not alter the exterior of the property, affect the residential character of the neighborhood, involve keeping of stock and trade, or the reporting of employees to work.</p> <p><i>Existing: An accessory use of a service character customarily within a dwelling by only the residents thereof, which is clearly secondary to the use of the dwelling for living purposes, does not change the character thereof, and of which there is no exterior evidence other than a small name plate which shall not exceed one square foot in size, and which does not involve the keeping of a stock-in-trade in connection therewith or the reporting of employees to work. The practice of a single insurance or real estate salesman or other professional person, including an instructor in violin, piano or other individual musical instrument limited to a single pupil at a time, who offers skilled services to clients, and is not professionally engaged in the purchase or sale of goods, shall be deemed to be home occupations; and the occupations of dressmaker, milliner or seamstress shall be deemed to be home occupations. Physician, surgeon, dentist, attorney or lawyer, dancing instruction, band instrument instruction in groups, tea rooms, tourist homes, beauty parlors, barber shops, convalescent homes, mortuary establishments and stores, trades, or business of any kind not herein excepted shall not be deemed to be home occupations.</i></p>
<b>Motor Vehicle Charging Station</b>	Equipment that connects to an electric vehicle (EV) to a source of electricity to recharge electric vehicles.
<b>Outdoor Dining</b>	A porch, patio, deck, or other area used for consumption of food and/or beverage by the public which is not completely enclosed within the exterior building walls, windows, and doors of a restaurant or drinking establishment, and which may or may not have a solid roof cover.
<b>Outdoor Display and Retail Area</b>	An accessory and subordinate use that is an unenclosed area exhibiting sample goods or merchandise. The items for sale must be from the principal business in which the outdoor display or retail area is associated with.
<b>Outdoor Recreational Structure</b>	Any recreational improvements that are generally accessory and subordinate to a principal dwelling unit or other principal use, such as, but not limited to swimming pools, playgrounds, or sports equipment.
<b>Parking, Structure</b>	A building, or an enclosed space within the principal building, where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.
<b>Parking, Surface</b>	An area not within a building where motor vehicles may be stored for the purposes of temporary, daily, or overnight off-street parking.

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<p><b>Sign</b></p>	<p>Any display, figure, drawing, painting, placard, poster, or other device placed or designed to be visible from a public right-of-way or adjoining property which is designed, intended, or used to convey a message, advertise, inform, or direct attention to a person, institution, organization, activity, place, object, or product.</p> <p><i>Existing: Any writing, pictorial representation, emblem, flag or any other figures of similar character which is a structure or part thereof or is attached or painted on or in any manner represented on a building or structure; and is used to announce, direct attention to, or advertise and is visible from outside a building. The word sign includes the word billboard but does not include a flag, pennant or insignia of any nation, state, city, or other political unit or of any political, educational, charitable, philanthropic, civic, professional, religious or like campaign, drive, movement, or event. Further, this definition shall not be held to include any board, sign or surface used to display any official notices issued by any court or public office or posted by any public officer in the performance of a public duty, also as regulated in Chapter 1187.</i> (Ord. 98-84. Passed 7-9-84.)</p>
<p><b>Solar Panel</b></p>	<p>Panels installed on a building or on a lot to allow for the conversion of solar energy to electrical current.</p>
<p><b>Storage, Outdoor</b></p>	<p>The keeping, in an unroofed area, of any goods, material, merchandise, or equipment in the same place for more than 24 hours.</p>
<p><b>Warehouse, Accessory</b></p>	<p>A secondary and subordinate use to an industrial or commercial use where raw materials, parts, or finished manufactured goods may be stored before their export or distribution. Such storage must be within a building.</p>
<p><b>Wind Turbine</b></p>	<p>A device that converts the wind's kinetic energy into electrical energy.</p>
<p><b>TEMPORARY</b></p>	
<p><b>Construction Dumpster</b> <i>Former: Dumpster</i></p>	<p>A container designed for the collection of large quantities of trash, yard waste, garbage, building or construction debris, trees, or limbs and designed to be delivered and picked up by a truck and which is left on site for a temporary period of time. Dumpster does not include garbage cans which can be moved by a person or dumpsters associated with multi-family dwellings or businesses.</p>
<p><b>Contractor's Office/Trailer</b> <i>Former: Temporary Building</i></p>	<p>A temporary and/or mobile structure used as an office for contractors and builders during construction and which is located at a construction site that serves only as an office until the given construction work is completed. This includes contractor's offices, equipment storage, and portable lavatories.</p>
<p><b>Farmers Market</b></p>	<p>An occasional or periodic market held in an open area or structure, where groups of individual sellers offer for sale to the public items such as fresh produce, seasonal fruits, fresh flowers, arts and crafts items, and food and beverages dispensed from booths located on site.</p>
<p><b>Food Truck/Mobile Food Unit</b></p>	<p>A motor vehicle or trailer which is specifically designed or used for mobile food vending. This includes a motor vehicle or trailer within which individuals prepare or serve food or beverages in a ready-to-consume state. It does not include the sale of groceries or vegetables and fruits not prepared for immediate consumption at the vehicle.</p>
<p><b>Portable Storage Unit (Residential)</b></p>	<p>Any enclosed unit made of metal or other durable construction material designed for permanent or temporary storage of personal property which is designed to be transported by motor vehicle and is left on site.</p>

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<b>Portable Storage Container (Commercial)</b>	Any enclosed unit made of metal or other durable construction material designed for the storage of property which is designed to be transported by motor vehicle and is left on site. This definition includes, but not limited to, shipping containers, cargo containers, and semi-truck trailers.
<b>Produce Stand</b>	A temporary stand for the sale of agricultural products grown on the land on which it is being sold.
<b>Residential Outdoor Sale</b> <i>Former: Yard Sales</i>	The sale of personal property owned and sold by the occupants of the household at which such personal property is sold.
<b>Seasonal Sale</b>	The temporary sale of seasonal goods, which may include, but is not limited to, the sale of Christmas trees, pumpkins, and similar items. This use does not include the outdoor display or sales of goods from the principal business in which the display or sales is associated with. See Outdoor Display and Retail Area.
<b>Tent</b>	A temporary structure for the protection from weather, in association with and accessory to a temporary event. Tents are not to be used for overnight accommodations.