



PLANNING COMMISSION STAFF REPORT

FOR CONSIDERATION BY PLANNING COMMISSION ON SEPTEMBER 24, 2024

CASE NO. 01-24

REPORT DATE: 2024-09-20

APPLICANT:

Clermont County CIC Inc.
101 E. Main St.
Batavia, OH 45103

PROPERTY OWNER:

Clermont County CIC Inc.
101 E. Main St.
Batavia, OH 45103

PARCEL ID:

PINs 523508F014 and 523508H096

ADDRESS OF REQUEST:

4393 State Route 276 in Williamsburg Township, Clermont County, OH.

REQUEST:

The Clermont County Community Improvement Corporation (CIC) is requesting to amend the zoning designation of a parcel (PINs 523508F014 and 523508H096) consisting of +/- 161.79 acres from the “B-2”, General Business District to the “I”, Industrial District to continue to foster industrial and commercial development in Clermont County as is the CIC’s mission.

ZONING:

The existing zoning for the subject property is “B-2”, General Business District. The surrounding properties consist of additional “B-2”, “I”, Industrial District, and “A”, Agricultural District, and a single parcel of “B-1” Neighborhood Business District. *See attached zoning map.*

Note: The County zoning map may show inaccuracies to what the Williamsburg Township Official Zoning Map has the property listed as.

LAND USE:

The subject property is currently agricultural and contains one structure on the land. This area of the Township is adjacent to and would extend the existing industrial landscape. There is adjacent commercial zoning districts in neighboring Jackson Township, which is vacant land, as well as industrial zoned land in Jackson Township. The land use to the northwest of the subject property is zoned agricultural and contain few structures. The

land is adjacent to State Route 32 and is located very close to access to the State Route, which is an important factor in the development of industrial land uses.

HISTORY:

There is no relevant history on this land.

CONTENTS OF REPORT:

Attachment A: Township Application

Attachment B: Parcel Map

Attachment C: Zoning Map

Attachment D: Proposal Map

Attachment E: Portion of the Williamsburg Township

Township Zoning Resolution – Permitted Use Tables

RELATIONSHIP TO TOWNSHIP ZONING & FUTURE LAND USE:

Williamsburg Township Zoning Resolution Section 504 “Zoning District Purpose Statements indicates that it is the purpose of the (I) Industrial District to accommodate and encourage the development of light industry uses which generally operate within enclosed structures and are primarily clean, quiet and emit minimal hazardous or objectionable elements such as noise, odor, dust, smoke, glare or vibration.

The Land Use Chapter of the Clermont County Comprehensive Plan for Williamsburg Township indicates many goals including Tax Base Goals. One of these goals is to emphasize the growth of job, especially those in the manufacturing and office sectors. This proposed rezoning intends to be a beginning point to attract development and jobs to Williamsburg Township in an area of the Township in which the preferred land uses are Industrial and Commercial as indicated in the Land Use chapter of the Clermont County Comprehensive Plan. While the Williamsburg Township Preferred Land Use Map indicates this area as having commercial and industrial land uses, the plans are dated to 2015 and may not reflect the current views in the Township. The Williamsburg Township Zoning Resolution permits many of the same uses in the B-2 as the Industrial zoning district. There is only one zoning district which permits more intense land uses than the B-2 zoning district, which is the Industrial district.

The proposed rezoning is in alignment with the Land Use Chapter of the Clermont County Comprehensive Plan. The plan indicates preferred land uses and goals for 2015, which should be updated to match modern day land uses and preferences in Williamsburg Township. The Industrial zoning district is adjacent to the subject property as well as State Route 32, and other commercial land uses. Any noncommercial or industrial zoning districts in the area are envisioned to incorporate industrial land uses in the future. Any future development of the land will be required to comply with the Williamsburg Township Zoning Resolution.

A SEGMENT OF THE WILLIAMSBURG TOWNSHIP ZONING RESOLUTION:

Williamsburg Township Zoning Resolution
Section 504: Zoning District Purpose Statements

504.8: (I) INDUSTRIAL DISTRICT

It is the purpose of the (I) Industrial District to accommodate and encourage the development of light industry uses which generally operate within enclosed structures and are primarily clean, quiet and emit minimal hazardous or objectionable elements such as noise, odor, dust, smoke, glare or vibration.

SECTION 507: USE SPECIFIC REGULATIONS*

507.4: INDUSTRIAL AND WAREHOUSE USES

A. Contractor Offices and Storage:

1. All outdoor storage of equipment, supplies, and materials shall be screened and directed to the rear of the property.

B. Crematory:

1. A crematory shall be located a minimum of two hundred (200) feet from any residential district.

C. Landfills and/or Junkyard:

1. See Article 4 General Provisions Section 404: Landfills.

D. Mining:

1. Mining constitutes of the planned extraction and removal of minerals, coal, or other organic materials from the property for sale or transfer to any other property that is not part of the mining operation.

2. Time Requirements:

a. Development and/or construction of the site must begin within two years of approval of the Conditional Use.

b. Extraction of the minerals, coal, or other organic materials as outlined in the original plan, and for which the mining district was established must be actively underway within five years of the approval of the Conditional Use.

3. Plans & Standards:

a. Annual inspections by MSHA, EPA and any other governing or regulatory body responsible for the over-sight of such matters and shall submit a copy of the findings to the Zoning Administrator within 30 days for records.

b. All expenses incurred for the inspections and subsequent repairs are the responsibility of the owner.

c. Any division or sale of the property that effects the area, setbacks, buffers shall constitute a breach of the minimum requirements for the conditional use and will signal a halt to all mining operations on the site.

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d. Applicant shall follow all MSHA Codes, 30 CFR § 57.1 et seq.

e. The location and design of any required private driveway entrance from and/or exit to a public road shall be to the satisfaction of the Clermont County Engineer's Office or ODOT, as applicable.

f. Storage and usage of explosives shall follow MSHA Codes, 30 CFR § 57.1 et seq.

g. Reclamation Plan shall follow MSHA Code, 30 CFR § 57.1 et seq.

4. Minimum District Size, Configuration, Frontage, Setback and Buffering

a. Minimum lot area of six hundred (600) acres.

b. Mining activity shall have a Minimum setback of five hundred (500) feet is from all property lines.

c. Minimum setback for any accessory building outside of the direct mining operation from all property lines shall be two thousand (2,000) feet.

d. A continuous buffer consisting of a mixture of grass- covered contoured hills across any property lines including road frontage, except for ingress and egress.

- e. Minimum buffer height of fifteen (15) feet.
- f. Minimum buffer width of fifty (50) feet.
- g. The owner shall be responsible for the maintenance of the buffer area.

* Other land uses are permitted, these are regulations that are specific to the land use proposal.

The entirety of Article 5 will be available in Attachment E of this Staff Report.

SITE ACCESS:

The site currently has access to Half Acre Road and is adjacent to State Route 276 and State Route 32. Any future development on the subject property will be required to be in compliance with the Clermont County Access Management Regulations and Possibly ODOT.

DEVELOPMENT CHARACTER:

There is no proposed development on the site currently. The rezoning is proposed to continue to foster industrial and commercial development in Clermont County as is the CIC’s mission. The CIC purchased the property with the intention of attracting one or multiple industrial developments in furtherance of its mission of facilitating private commercial/industrial development and job creation in the County. In order to effectively market the property to prospective development opportunities – including obtaining Site Ohio Site Authentication from the State – the property needs to be zoned appropriately to compete with other industrial sites nationally.

AGENCY REVIEW AND NOTIFICATION:

AGENCY	REFERRAL SENT	COMMENTS RECEIVED
Township (Fire/EMS/Service)		
Community and Economic Development (CED)	X	X
Engineer's Office (CCEO)	X	X
Water Resources Department (WRD)	X	X
Water Management & Sediment Control (WMSC)	X	X
Soil and Water Conservation District (SWCD)		
Ohio Department of Transportation (ODOT)	X	X
School District		

REFERRAL AGENCIES' COMMENTS:

Community and Economic Development Comments:

- Any future development of the site must comply with any and all regulations from Clermont County, Williamsburg Township, the State of Ohio, or any other applicable agency.

Engineer's Office Comments:

- Our office has no objections or comments to offer at this time. Please note that CCEO and ODOT should be consulted when a specific commercial use is determined as a Traffic Impact Study may be required.

Water Resources Department Comments:

- CCWRD has no comments.

Water Management & Sediment Control Comments:

- The Building Department does not have any comments for this zone change.

Ohio Department of Transportation:

- ODOT doesn't object to the proposed rezoning. During the parcel development, they will need to coordinate with our Permits team to determine what type of traffic studies will be required and if any roadway improvements are necessary.

STAFF ANALYSIS:

Following a comprehensive analysis, staff has evaluated Williamsburg Township Zoning Map Amendment Case 01-24 and its request to amend the zoning designation of a parcel (PINs 523508F014 and 523508H096) consisting of +/- 161.79 acres from the "B-2", General Business District to the "I", Industrial District to continue to foster industrial and commercial development in Clermont County as is the CIC's mission. The proposed zone change would be in alignment with the surrounding land uses and the Land Use Chapter of the Clermont County Comprehensive Plan. The area is commercial, industrial, and agricultural, and the preferred land use plan shows the area as opportunities for commercial and industrial land uses. Any proposed land use will be required to comply with the Williamsburg Township Zoning Resolution.

STAFF RECOMMENDATION:

Based on the staff analysis in the following report, the following motion is recommended, **RECOMMEND APPROVAL WITH CONDITIONS** of Williamsburg Township Zoning Map Amendment Case 01-24 and its request to amend the zoning designation of a parcel (PINs 523508F014 and 523508H096) consisting of +/- 161.79 acres from the "B-2", General Business District to the "I", Industrial District to continue to foster industrial and commercial development in Clermont County as is the CIC's mission.

1. Any future development of the site must comply with any and all regulations from Clermont County, Williamsburg Township, the State of Ohio, or any other applicable agency.

Exhibit A

Williamsburg Township

Clermont County

WILLIAMSBURG TOWNSHIP PLANNING COMMISSION

APPLICATION FOR TOWNSHIP ZONING AMENDMENT

Williamsburg Township ZONING COMMISSION

No. 01-24

Filed September . 05 . 2024

NOTE: This request must be typewritten or printed and filed with the clerk of the township zoning commission.

Applicant Clermont County CIC Inc. Address 101 E. Main St., Batavia, OH 45103
Owner of PID: 523508F014, 523508H096 Address 4393 State Route 276, Batavia, OH 45103

Premises Affected

Lessee of _____ Address _____

Premises Affected

To the township zoning commission and board of township trustees:

I hereby make application and request the township zoning commission to consider and petition township trustees to amend the zoning resolution as hereinafter requested,

Dated August 14, 2024

Premises affected are situated on the south side of State Route 276 (Twp Rd St. Route)
St. Road, Twp. Rd.,

Co. Rd. etc. Half-Acre Rd and known as lot No. 52-35-08F-014 and 52-35-08H-096
St. Road, Twp. Rd.

The lot or lots has a frontage of 2,350.5 feet and a depth of 1,174.4 feet. The premise is presently in the B-2 district.

It is requested that the premises be rezoned to 'I' Industrial District district.

The following are all of the individuals, firms or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from the premises which are the subject of this request: (Check from tax records, in County Court House if not known.) Use additional sheet if required.

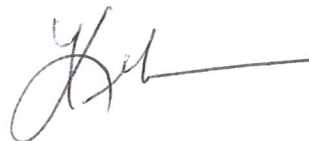
NAME	ADDRESS
1. <u>Blue Fin LLC</u>	<u>4357 SR-276</u>
2. <u>State Route 276 Properties LLC</u>	<u>4401 SR-276</u>
3. <u>SAR Inc.</u>	<u>4438 SR-276</u>
4. <u>Fales Albert E. Jr. and Theresa M.</u>	<u>4364 SR-276</u>
5. <u>Boll Victoria L.</u>	<u>SR-276</u>
<u>Grant Charles D.</u>	<u>Half-Acre</u>
<u>Duke Energy Ohio Inc.</u>	<u>4355 Half-Acre Rd.</u>
<u>Rubenstein Phyllis S.</u>	<u>4415 SR-276</u>
<u>Jurgensen John R Company</u>	<u>Half-Acre</u>

THE REASONS FOR REQUESTING THIS RECLASSIFICATION ARE AS FOLLOWS:
(Use additional pages if necessary)

The Clermont County CIC Inc., as owner of the subject properties, purchased the property with the intention of continuing to foster industrial and commercial development in Clermont County, as is the CIC's mission. The property directly east is already zoned industrial, as are nearby parcels on the north side of SR-276. The county and CIC see this general area as a natural extension of the development at South Afton (Nestle-Purina, DWIR) and more generally envision this stretch surrounding OH-32 as the natural industrial corridor for Clermont County and eastern Cincinnati.

Please attach a sketch showing the property involved in the proposed change from B-2 district to I district and locate by name on the sketch the respective lots of those before mentioned properties affected by this request. The sketch should also contain the dimensions of properties shown and a North arrow, and the category of existing development of those before mentioned lots, and the district boundary line.

Applicant's Signature

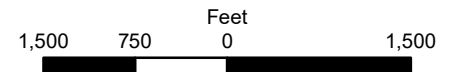


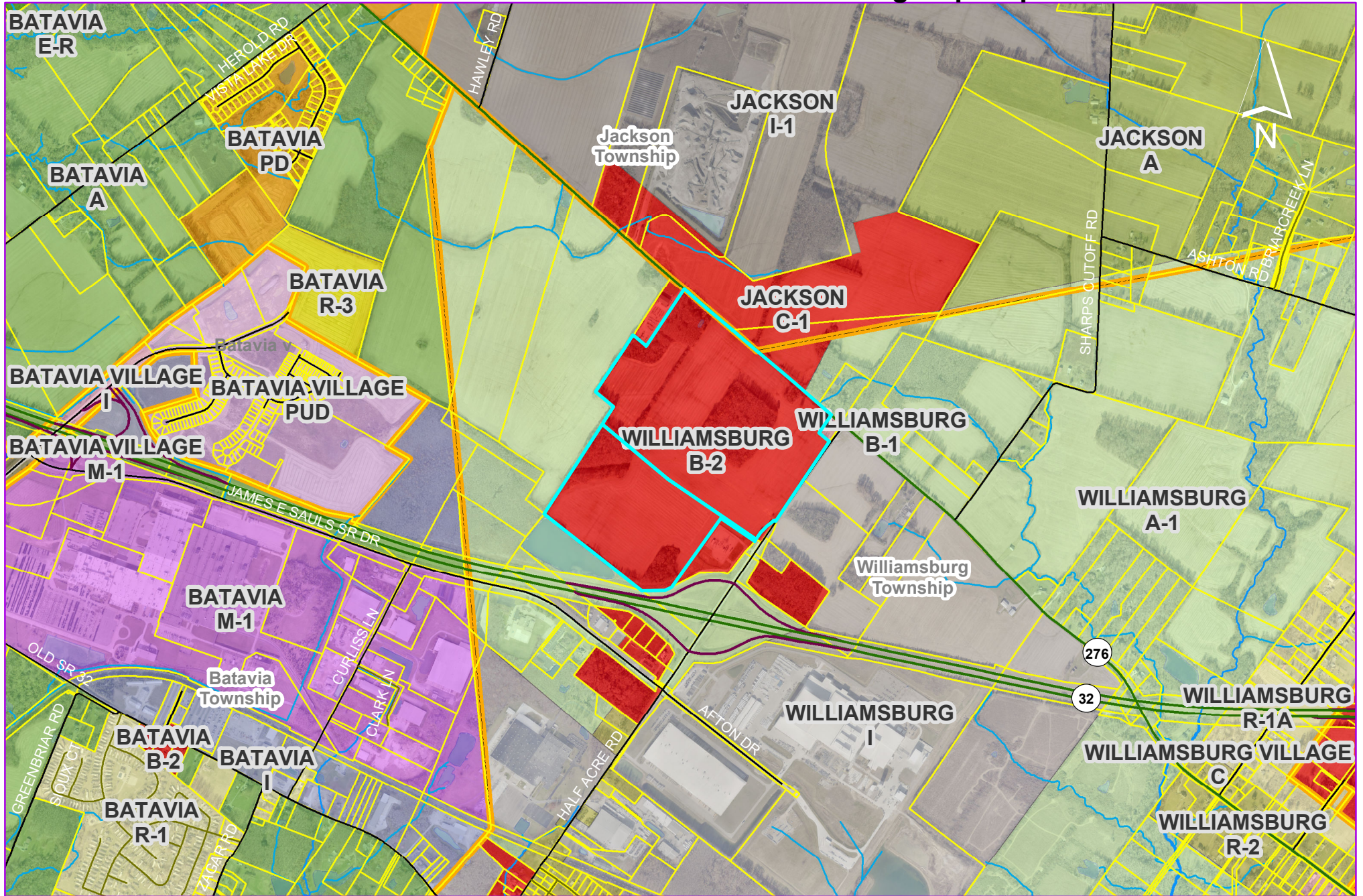


PROPERTY INFORMATION:

Parcel Number: 523508F014 and 523508H096

Total Site Area: +/- 161.79 ac.





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Parcel Number: 523508F014 and 523508H096

Total Site Area: +/- 161.79 ac.

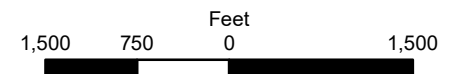
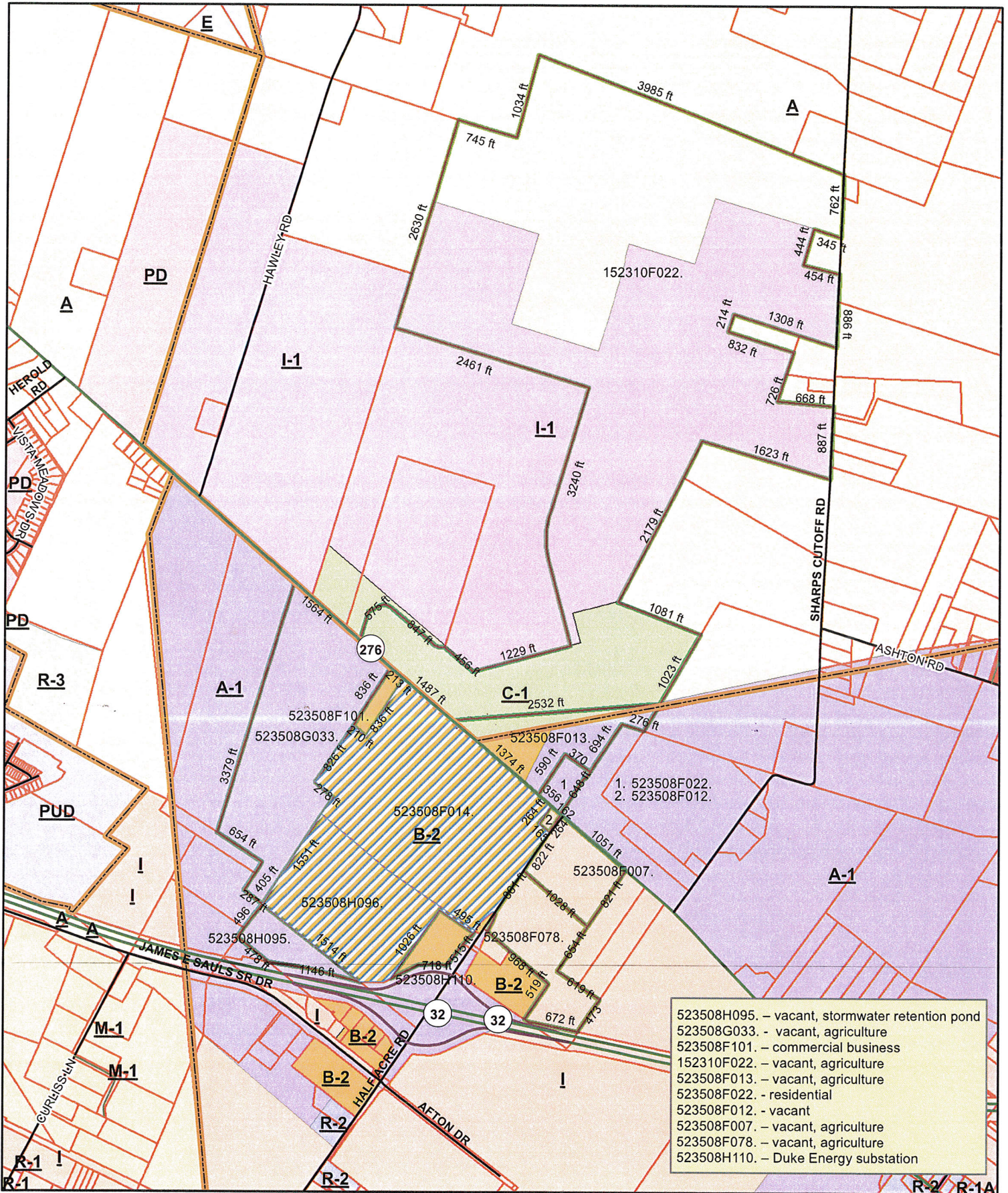


Exhibit D

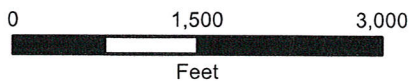


- 523508H095. - vacant, stormwater retention pond
- 523508G033. - vacant, agriculture
- 523508F010. - commercial business
- 152310F022. - vacant, agriculture
- 523508F013. - vacant, agriculture
- 523508F022. - residential
- 523508F012. - vacant
- 523508F007. - vacant, agriculture
- 523508F078. - vacant, agriculture
- 523508H110. - Duke Energy substation



The information contained on this map is a public resource for general information and is provided for use only as a graphical representation. Clermont County makes no warranty as to the content, accuracy, or completeness of the information contained herein and assumes no liability for any errors. Any reliance on this information is at the exclusive risk of the user.

Map prepared by Clermont County GIS (513) 732-7309



- CIC Parcels
- Townships
- Surrounding Properties
- Property Lines

Exhibit E

ARTICLE 5: ZONING DISTRICTS AND USE REGULATIONS

SECTION 500: PURPOSE

The purpose of this Article is to establish zoning districts in order to:

- A. Realize the general purpose set forth in the Williamsburg Township Resolution;
- B. Classify, regulate and restrict the location of industries, residences, recreation, trades, and other land uses and the location of building designated for specified uses;
- C. The purpose will also regulate height, number of stories, and size of buildings and other structures hereafter erected or altered;
- D. Regulate and limit the percentages of lot areas which may be occupied;
- E. Establish building setback lines, size of yards, and other open spaces within and surrounding such buildings.

SECTION 501: LIMITATIONS ON PRINCIPAL STRUCTURES

In any residential district or on any lot used for residential purposes, unless otherwise provided, no more than one principal structure may be constructed per lot, except that more than one building may be constructed for educational institutions and religious places of worship permitted in residential district.

D. Applicability:

1. The standards of this section shall apply to buildings, structures, and lots in Williamsburg Township.
2. Violation of these standards shall be considered a violation of this Resolution.

501.1: OUTSIDE STORAGE OF MATERIAL IN RESIDENTIAL DISTRICTS

No person shall store, collect, leave, deposit, maintain, reserve, put aside for future use, permit, allow in a yard area, in any residential district, the following, except in a completely enclosed building or structure:

- A. Lumber or other building materials except those related to a project for which a current building permit has been issued and for firewood for the personal use of the resident;
- B. Automotive parts, including tires;
- C. Materials used in the construction trade;
- D. Household appliances;
- E. Furniture capable of harboring rodent; or
- F. Junk, salvage or miscellaneous.

SECTION 502: ESTABLISHMENT OF ZONING DISTRICTS

For the purposes stated above, the unincorporated territory of Williamsburg Township is hereby divided into the zoning districts established in the table below. The regulations are uniform for each class or kind of building or structure or use throughout each district, except in the Planned Unit Development District.

DISTRICT	DISTRICT DESIGNATION
BASE ZONING DISTRICTS	
A	Agriculture District
R-1	Rural Residence District
R-2	One and Two Family Residence District
R-3	Multi-Family Residence District
R-4	Urban Residence District
B-1	Neighborhood Business District
B-2	General Business District
I	Industrial District
M-H	Manufactured Home Park District
ZONING OVERLAY DISTRICTS	
PUD	Planned Unit Development

SECTION 503: OFFICIAL ZONING DISTRICT MAP

The boundaries of the zoning districts are shown upon the official zoning map of the unincorporated areas of the township, which map and all notations thereon are incorporated herein and are made a part of this Resolution. The zoning map and all notations, references, and other matters shown thereon constitute a part of this Resolution and have the same force and effect as if fully described or illustrated herein. The Official Zoning District Map shall remain on file with Williamsburg Township.

503.1: ZONING DISTRICT BOUNDARY INTERPRETATION

Where uncertainty exists with respect to the boundaries of the various districts shown on the zoning map, the following rules apply:

- A. Where the districts designated on the zoning map are bounded approximately by street or alley pavement edges or right-of-way lines, such lines shall be construed to be the boundary of the districts.
- B. Where the district boundaries are not otherwise indicated and where the property has been or may hereafter be divided into blocks and lots, the district boundaries shall be construed to be the lot lines. Where the districts on the zoning map are bounded approximately by lot lines, such lines shall be construed to be the boundary of districts unless the boundaries are otherwise indicated on the zoning map.
- C. In un-subdivided property, the district boundary lines on the zoning map shall be determined by dimensions or the use of the scale appearing on the zoning map.
- D. The Zoning Administrator shall make the determination with respect to measuring district boundary lines. The decision of the Zoning Administrator may be appealed to the Board of Zoning Appeals.

503.2: STREET VACATION

Wherever any street or public way is vacated in the manner authorized by law, and where no zoning exists for the vacated right-of-way, the board of township trustees, zoning commission or property owner shall initiate a zoning map amendment to establish a zoning district(s) for the vacated public way.

SECTION 504: ZONING DISTRICT PURPOSE STATEMENTS

The following are the statements of purpose for each of the zoning districts established in this Resolution.

504.1: (A) AGRICULTURE DISTRICT

This district serves to protect land best suited for agricultural use from the encroachment of incompatible land uses and to preserve valuable agricultural land for agricultural uses and to retain land suited for eventual development for urban uses in a productive agricultural use until an adjoining community can grow and expand in an orderly manner.

504.2: (R-1) RURAL RESIDENCE DISTRICT

It is the purpose of the (R-1) Rural Residence District to establish and maintain an area that allows residential development densities based on the land use plan, protecting rural character, natural areas and agriculture, directed within the Township's Land Use Plan.

504.3: (R-2) ONE AND TWO FAMILY RESIDENCE DISTRICT

It is the purpose of the (R-2) One and Two Family Residence District to establish and maintain an area within the Township's Land Use Plan and to direct higher density single family detached dwellings and two family dwellings where they are appropriate.

504.4: (R-3) MULTI-FAMILY RESIDENCE DISTRICT

It is the purpose of the (R-3) Multi-Family Residence District to establish and maintain an area within the Township's Land Use Plan for multi-family residential development, as well as two family, single family attached and detached dwellings.

504.5: (R-4) URBAN RESIDENCE DISTRICT

It is the purpose of the (R-4) Urban Residence District to establish and maintain an area for single family attached and detached dwellings with higher density, as directed within the Township's Land Use Plan.

504.6: (B-1) NEIGHBORHOOD BUSINESS DISTRICT

It is the purpose of the (B-1) Neighborhood Business District to accommodate land areas for convenience goods and personal service establishments located in close proximity to residential areas which they are intended to serve.

504.7: (B-2) GENERAL BUSINESS DISTRICT

It is the purpose of the (B-2) General Business District to provide for the wide variety of needs for both convenience goods and the more common and often recurring shopping trips for goods, and personal and household services. The location and nature of commercial activity is intended to serve the greater community and /or region.

504.8: (I) INDUSTRIAL DISTRICT

It is the purpose of the (I) Industrial District to accommodate and encourage the development of light industry uses which generally operate within enclosed structures and are primarily clean, quiet and emit minimal hazardous or objectionable elements such as noise, odor, dust, smoke, glare or vibration.

504.9: (M-H) MANUFACTURED HOME PARK DISTRICT

It is the purpose of the (M-H) Manufactured Home Park District to provide areas for only expansion of previously approved mobile and non-permanently sited manufactured home parks.

504.10: (PUD) PLANNED UNIT DEVELOPMENT DISTRICT

The (PUD) Planned Unit Development District is developed under the provisions of the ORC Section 519.021 (Planned Unit Development Regulations) to promote the general public welfare, encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and design of development while also promoting public health, safety. The PUD provisions are intended to provide permissive, voluntary and alternative zoning procedures for well planned developments in harmony with public health, safety, and general welfare in any zoning district provided for otherwise in this zoning code. These regulations are designed to provide flexibility to use sites efficiently, to encourage sustainable design, and to create innovative projects with many amenities. It is expected that PUD projects will demonstrate design excellence that cannot be achieved by the base zoning district.

SECTION 505: PERMITTED USE TABLE

The Permitted Use Table sets forth the principally permitted uses within the zoning districts. Permitted uses within Planned Unit Development districts are identified in Section 6 Planned Unit Development Regulations. The abbreviations used in the table are described as follows.

505.1: PERMITTED USE (P)

- A. A “P” in a cell indicates that a use category is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations.
- B. Uses permitted with conditions under this category are approved administratively by the zoning inspector pursuant to the zoning certificate review procedure or during site plan review, if applicable.

505.2: PERMITTED USES WITH USE-SPECIFIC STANDARDS (PS)

- A. A “PS” in a cell indicates that a use category is allowed by-right in the applicable zoning district if it meets the additional standards set forth in the numerically referenced sections. Permitted uses with use-specific standards are subject to all other applicable regulations of this zoning code.
- B. Uses permitted with use-specific standards under this category are approved administratively by the zoning inspector pursuant to the zoning certificate review procedure or during site plan review, if applicable.

505.3: CONDITIONAL USE (C)

- A. A “C” in a cell indicates that a use category is allowed only if reviewed and approved as a conditional use by the Board of Zoning Appeals in accordance with these Zoning Regulations.

- B. Conditional Uses are subject to all other applicable regulations of this zoning code including the use specific standards referenced in the “Use-Specific Standards” column.

505.4: PROHIBITED USES (BLANK CELLS)

A blank cell indicates that a use is prohibited in the respective zoning district. Additionally, any use that is not listed is considered prohibited unless the zoning inspector makes a determination that the use is similar to an existing use in accordance with these Zoning Regulations.

505.5: NUMERICAL REFERENCES (LAST COLUMN)

The numbers contained in the “Additional Requirements” column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the “Additional Requirements” column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and /or a permitted use with use specific standards.

TABLE 5-1: PERMITTED USE TABLE

USE	ZONING DISTRICTS									
	A	R-1	R-2	R-3	R-4	M-H	B-1	B-2	I	Use Specific Standards
P = Permitted Use PS = Permitted Use with Use Specific Standards C = Conditional Use										
AGRICULTURAL USES										
Agriculture – Raising of Crops	P	P	P	P	P	P	P	P	P	
Agriculture – Raising of Livestock	P	PS	PS	PS	PS	PS	PS	PS	PS	507.1(A)
RESIDENTIAL USES										
Adult Family Home or Small Residential Facility	P	P	P	P	P					
Adult Group Home or Large Residential Facility				P	P					
Conservation Design, Single Family		PS	PS							507.2(A)
Dwelling, Attached Single Family			P	PS	PS					507.2(B)
Dwelling, Multi-Family				PS	PS					507.2(C)
Dwelling, Single Family		P	P	P	P					
Dwelling, Two Family			P	P	P					
Institutional Housing		PS	PS	PS	PS					507.2(D)
Non-Permanently Sited Manufactured Home Park						PS				507.2(E)

RESIDENTIAL USES										
Permanently Sited Manufactured Home	PS	PS	PS	PS	PS					507.2(F)
BUSINESS USES										
Agribusiness & Greenhouses	C						P	P	P	
Animal Hospital or Veterinary Clinic							PS	PS	PS	507.3(A)
Automotive Fuel Sales							P	P	P	
Automotive Repair							C	PS	PS	507.3(B)
Automotive Sales or Rental							C	PS	PS	507.3(C)
Bakery							P	P		
Bar or Tavern							PS	PS		507.3(D)
Bed and Breakfast	C	C	C	C						507.3(E)
Building Material Sales							P	P	P	
Building Trades							P	P	P	
Club, Lodge or Other Social Meeting Place	C	C	C	C	C		PS	PS	PS	507.3(F)
Conference Center, Assembly Hall, or Banquet Facility								P	P	
Day Care Center							PS	PS	PS	507.3(G)
Dry Cleaner							P			
Equipment Rental								C	P	
Family Day Care Home		C	C	C	C					
Financial Institution							P	P		
Funeral Home							P	P		
Garden or Landscape Supply Store							P	P	P	
Hotel or Motel								P		
Indoor Recreation or Entertainment Facility								P		
Internet Sweepstakes Establishment								P		
Kennel							PS	PS		507.3(H)
Laundry or Laundromat							P			
Law Offices		C	C	C	C		P	P		
Lumber Yard									P	

BUSINESS USES											
Medical and Dental Center or Outpatient Clinic								P	P		
Office								P	P	P	
Outdoor Commercial Recreation or Entertainment Facility	PS							PS	PS	PS	507.3(I)
Paint Shop									P	P	
Printing Shop									P	P	
Race Track or Course									C		
Restaurant								PS	PS	C	507.3(J)
Retail and Service Commercial Use								P	P		
Self-Storage Facility									C	C	507.3(K)
Sexually Oriented Business										C	507.3(L)
Sheet Metal Shop									P	P	
Stable, Public	C							C	C		
Tattoo/Piercing Parlor or Studio									P		
Travel Trailer Camp or Overnight Port									C		507.3(M)
Truck, Trailer, or Farm Implement Sales and Service									P	P	
Wholesale Business									P	P	
INDUSTRIAL AND WAREHOUSE USES											
Concrete Mixing										P	
Contractor Offices and Storage										P	507.4(A)
Crematory										PS	507.4(B)
Gravel or Sand Extraction										P	
Heavy Manufacturing										C	
Junkyard/ Landfill										C	507.4(C)
Light Manufacturing										P	
Mining										C	507.4(D)
Office-Warehouse									C	P	
Research and Development Facility or Laboratory									C	P	
Sawmill										P	

INDUSTRIAL AND WAREHOUSE USES										
Truck Terminal									P	
Warehousing, Distribution or Storage Facility								P	P	
PUBLIC AND INSTITUTIONAL USES										
Park or Recreation Facility	PS	PS	PS	PS	PS	PS	PS	PS	PS	507.5(A)
Cemetery	PS	PS	PS	PS	PS			PS	PS	507.5(B)
Community Garden	PS	PS	PS	PS	PS	PS	PS	PS	PS	507.5(C)
Educational Institution	PS	PS	PS	PS	PS			PS	PS	507.5(D)
Hospital	PS	PS	PS	PS	PS			P	P	507.5(E)
Public and Government Building or Use	PS	PS	PS	PS	PS	P	P	P	P	507.5(F)
Religious Place of Worship	PS	PS	PS	PS	PS	PS	PS	P	P	507.5(G)
Telecommunication Tower	P	C	C	C	C	P	P	P	P	507.5(H)

SECTION 506: SIMILAR USE DETERMINATION

- A. Where there is a proposed use that is not currently listed in the permitted use tables of this zoning code, the Zoning Administrator may review the use to determine the appropriate zoning districts, if any, where the use may be permitted.
- B. The Zoning Administrator should consider the nature, operation and function of the use in his/her determination of an appropriate district.
- C. The Zoning Administrator may find that the use is not compatible with any existing zoning district and not permit the use under the current Resolution or, as an alternative, the Zoning Administrator may make a recommendation to the Zoning Commission that a new district and/or new provisions be adopted through the zoning text amendment procedure, pursuant to this Resolution.

SECTION 507: USE SPECIFIC REGULATIONS

The following section contains additional standards that shall be met by an applicant for uses that are permitted either with use specific standards or as conditional uses. In addition to meeting the following standards, all applicants for conditional uses shall be required to comply with any and all other applicable provisions of this Resolution.

507.1: AGRICULTURAL USES

A. Raising of Livestock:

1. The raising of livestock shall be prohibited on lots of less than one acre in lot area. With the exception of the accessory keeping of chickens as regulated in Section 508.5.J: Keeping of Chickens.
2. Lots that are larger than one (1) acre in area shall be subject to the provisions of Section 432: Agricultural Exception.

507.2: RESIDENTIAL USES

A. Conservation Design Development:

1. Purpose:
 - a. Conservation design developments are permitted in designated residential districts in order to preserve rural landscape character, natural resource areas, farmland, and other large areas of open land, while permitting residential development at low, rural densities, in an open space setting, located and designed to reduce the perceived intensity of development and provide privacy for dwellings.
 - b. Conservation design is intended for building sites outside of the urban service area and not connected to a central sanitary sewage system are otherwise approved by the Clermont County Public Health and/or the Ohio Environmental Protection Agency for individual on-site wastewater disposal system.
 - c. Conservation design developments are subject to site plan review in accordance with Article 10: Site Plan Review.
2. Specific Objectives:
 - a. To maintain and protect the township's rural character by preserving important landscape elements, including those areas containing unique and environmentally-sensitive natural features such as woodlands, hedgerows, stream corridors, wetlands, floodplains, prairies, ridge tops, steep slopes, critical species habitat, and natural areas by setting them aside from development.
 - b. To preserve scenic views and to minimize views of new development from existing streets;
 - c. To provide for the unified and planned development of parcels ten (10) acres or larger for clustered, single family, low density residential uses, incorporating large areas of permanently protected common open space;
 - d. To provide for greater design flexibility in the siting of dwellings and other development features than would be permitted by the application of standard zoning regulations in order to minimize the disturbance of rural landscape elements, scenic quality and overall aesthetic value of the landscape;

- e. To increase flexibility and efficiency in the siting of services and infrastructure by reducing street length, utility requirements and the amount of paving required for residential development where possible;
 - f. To create groups of dwellings with direct visual and physical access to common open space;
 - g. To permit active and passive recreational use of common open space by residents of a conservation development or the public;
 - h. To reduce erosion and sedimentation by retaining existing vegetation and minimizing development on steep slopes;
 - i. To allow for the continuation of agricultural uses in those areas best suited for such activities and when such activities are compatible with adjoining residential uses; and
 - j. To permit various means for owning common open space and for protecting it from development in perpetuity.
3. Minimum Project Area:
- a. The gross area of a tract of land proposed for development according to the conservation design option shall be a minimum of ten (10) acres, but shall not include area within any existing public street right-of-way.
4. Use:
- a. Single family detached dwellings are the only principal uses permitted in a conservation design development.
 - b. Uses accessory to single family detached dwellings are also permitted.
5. Maximum Density and Required Open Space:
- a. For land without the availability of sanitary sewer, the maximum density and open space shall be in accordance with the table below:

TABEL 5-3: MAXIMUM DENSITY AND OPEN SPACE

Dwelling Units Per Acre	Minimum Open Space
.50 up to .53	0%
More than .53 up to .56	5%
More than .56 up to .59	10%
More than .59 up to .63	15%
More than .63 up to .67	20%
More than .67 up to .71	25%
More than .71 up to .77	30%
More than .77 up to .80	35%
.80 to Max	38%

- b. The gross project density may not exceed (.50) dwelling units per acre. Gross density is determined by dividing the total size of the project area in acres by the total number of proposed dwelling units.
- c. Lot size may not be lower than (1.25) acres per dwelling.

6. Other Development Standards:

- a. Each lot shall have an average width at the building line of one hundred twenty (120) feet or more, with a minimum lot width of one hundred (100) feet. The average width shall be calculated by adding together the building line for all residential lots within the development and then dividing by the total number of residential lots.
- b. All lots shall have a minimum of twenty-five (25) feet of frontage along a dedicated public right-of-way and have a minimum lot area of 54,450 square feet (1.25 acres). Lots larger than the minimum may be required by the Clermont County Health District, or other applicable authority, contingent on the suitability of soils present on the lot.
- c. All front yards shall have an average minimum depth of forty-five (45) feet.
- d. The minimum side yard setback shall be ten (10) feet, and the combined total of both side yards shall be a minimum of thirty-five (35) feet. All lots with more than one front yard shall have minimum side yard setbacks of ten (10) feet with no rear yard setback requirement.
- e. There shall be a minimum rear yard setback of thirty-five (35) feet.
- f. The maximum height limitation shall be thirty-five (35) feet.
- g. Any dwelling shall have a minimum area of 1,200 square feet of living space measured in accordance with Article 7: Area, Development Standards.

7. Regulations for Required Open Space:

- a. Active open space shall be designed with the goal to encourage active recreational use for the residents of the development. Active open space may include, but may not be limited to, the following uses:
 - i. Pedestrian walkways;
 - ii. Mowed parkland;
 - iii. Picnic groves;
 - iv. Maintained ball fields;
 - v. Maintained open areas;
 - vi. Horse trails;
 - vii. Swimming pools;
 - viii. Clubhouses;
 - ix. Tennis courts;
 - x. Golf courses; or
 - xi. Fishing and boating.
- b. Active open space amenities shall be constructed and completed before seventy-five percent (75%) of the dwellings within the conservation design development have been issued an certificate of occupancy by the Clermont County Building Department or other applicable authority.
- c. Passive open space shall be designed with the goal to preserve the significant natural environmental features of the site, features primarily of undisturbed or unimproved character.

- d. No more than twenty percent (20%) of the open space may consist of the following:
 - i. Isolated or fragmented pieces of land that are less than 10,000 square feet in area or less than fifteen (15) feet in width (excluding maintained pocket parks);
 - ii. Land that is unusable or presents maintenance difficulties including, but not limited to, steep slopes over forty percent (40%) grade, wetlands (as defined by the State of Ohio or the Federal Government), retention/detention ponds primarily used for storm water management, areas within the 100-year flood plain and other areas deemed unusable by the board of township trustees.
 - iii. Off-street parking areas or sidewalks required by the Clermont County Subdivision Regulations or land within public rights-of way may not be included in any open space calculation(s).

8. Pedestrian Circulation System:

- a. The conservation design development shall have a pedestrian circulation system and shall be designed to ensure that pedestrians can safely and easily walk throughout the development.
- b. The pedestrian system shall provide connections between properties and activities or special features within the common open space system and need not always be located along streets.
- c. Alternative pedestrian walkways in lieu of required sidewalks shall require approval by the Board of Township Trustees.

9. Open Space Ownership:

- a. Open space shall be prohibited from further subdivision or development by conservation easement or other agreement in a form acceptable to the Williamsburg Township Legal Counsel and duly recorded in the office of the Clermont County Recorder.
- b. Open space in a conservation design development shall be located on dedicated common parcels owned by an association, the township, county or state, or may remain in private ownership in accordance with the restriction set forth above.

10. Neighborhood Facilities:

- a. In order to encourage the development of neighborhood facilities within a conservation design development and make those facilities accessible to residents by pedestrian walkways, the developer may sell up to twenty-five percent (25%) of the total open space within the conservation design development for the following nonresidential uses:
 - i. Educational Facilities;
 - ii. Religious places of worship; or
 - iii. Public and governmental buildings or uses.
- b. The buildings for the neighborhood facilities listed above shall be located on a parcel of ground no less than five acres in size, be located a minimum of one hundred (100) feet from any property line, and occupy no more than ten percent (10%) of the total site area.
- c. In no case may a commercial or industrial use be permitted within a conservation design development.

11. Review of Conservation Design Development:

- a. Review of conservation design development shall be in accordance with the procedures of Article 10: Site Plan Review.
- b. Once the application and conservation design plan has been approved by the zoning administrator, the applicant may then submit to the Clermont County Planning Commission.

B. Dwelling, Attached Single Family:

The following standards shall apply to attached single family dwellings in the R-3 and R-4 Districts:

1. Minimum lot area of one (1) acre.
2. Minimum of one hundred (100) feet of frontage on a public right-of-way.
3. Maximum project density six (6) units per one (1) acre excluding public right-of-way.
4. Each unit shall have a thirty (30) foot setback from the project boundary.
5. Maximum height of all buildings shall be thirty-five (35) feet.
6. Minimum of two (2) off-street parking spaces shall be located within a fully enclosed attached structure.
7. Minimum of two (2) unenclosed, paved surface parking spaces shall be provided for each unit.
8. Any single family attached structure in the R-4 District shall be set back at least seventy-five (75) feet from any adjacent Residential District.
9. Minimum front yard setback shall be as follows:
 - a. From an arterial or collector street shall be fifty (50) feet.
 - b. From a local or private street thirty-five (35) feet from the edge of pavement.
10. Minimum of twenty-five (25) feet between attached single family homes.

C. Dwellings, Multi-family:

1. There shall be adequate fire extinguishing facilities as approved by the Williamsburg Township Fire and Rescue Department appropriate for the height of multifamily dwellings in the R-3 and R-4 District.

D. Institutional Housing:

1. Minimum lot area of five (5) acres.
2. Shall have direct ingress and egress from an arterial or collector street and shall not use a local residential street as the principal access route.

E. Non-Permanently Sited Manufactured Home

1. No zoning certificate shall be issued unless the non-permanently sited manufactured home is for the expansion of a previously approved non-permanently sited manufactured home park.
2. No zoning certificate shall be issued unless a site plan for the use has first been approved in accordance with the Ohio Public Health Council rules so regarding, as administered and enforced by the Ohio Department of Health, or as otherwise delegated thereby for permitting through the Clermont County Public Health District, and licensed by and in accordance with applicable rules of the State of Ohio.

3. A manufactured home park shall only contain the following:
 - a. Single family residential use of rented or leased spaces accessed by private streets and driveways as individual sites for temporary placement of mobile homes or other types of non-permanently sited manufactured homes, or
 - b. Accessory buildings and uses for the manufactured home park including, clubhouse, administrative office, laundry and swimming pool, and other similar on-site facilities for the exclusive use of the park residents and their guests.
4. Minimum District Size, Configuration, Frontage Setback and Buffering:
 - a. Minimum lot area of five (5) acres.
 - b. Minimum of one hundred (100) feet of frontage on a public right-of-way.
 - c. Minimum setback of one hundred (100) feet is required from any adjacent residential district.
 - d. A buffer no less than six feet in height consisting of evergreen or solid landscaping, or solid board fencing around the perimeter of the non-permanently sited manufactured home.
5. No individual home site in a manufactured home park shall be subdivided from or sold as own able or buildable lots independent of the overall manufactured homes park property that they are part of as a rentable or leasable space.
6. Sanitary sewer, water supply and trash disposal provisions shall be designed, installed, operated and maintained in accordance with the Ohio Public Health Council rules adopted so regarding, as administered by the Ohio Board of Health and delegated thereby for enforcement by the Clermont County Health District.
7. The location and design of any required private driveway entrance from and/or exit to a public road shall be to the satisfaction of the Clermont County Engineer's Office or the Ohio Department of Transportation (ODOT), as applicable.

F. Permanently Sited Manufactured Home

1. The structure shall be affixed to a permanent foundation and be connected to appropriate facilities.
2. The structure, excluding any addition, shall have a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area, excluding garages, porches, or attachments, of at least 960 square feet.
3. The structure shall be manufactured after January 1, 1995.
4. Minimum District Size, Configuration, Frontage Setback and Buffering:
 - a. Minimum lot area of two (2) acres.
 - b. Minimum of fifty (50) feet of frontage on a public right-of-way.
5. The title, if applicable, must be intended to be assessed and taxed as permanent real estate, not personal property. The title for such structure as a mobile home shall be surrendered to the county auditor when such is permitted for attachment onto its permanent foundation and such surrender shall be notice to the auditor to tax the structure as real property from that day forward.
6. The indicia of mobility (i.e. temporary axles, trailer tongue, running lights) shall be removed upon placement upon the foundation.

7. The structure shall not be located in a manufactured home park as defined in ORC Section 3733.01.

507.3: BUSINESS USES

A. Animal Hospital/ Veterinary Clinics:

1. All soundproofed structures shall have a minimum setback of fifty (50) feet from any abutting residential district.
2. All non-soundproofed structures shall have a minimum setback of one hundred (100) feet from any abutting residential district.
3. If the animal hospital or veterinary clinic includes a kennel use for the temporary boarding of animals for purposes other than medical or dental treatment, it shall also be subject to the standards in Section 507.H Kennel.

B. Automotive Repair and Automotive Service:

1. All automotive service or automotive repair shall be performed and conducted in an enclosed structure.
2. All vehicles or parts shall be kept inside through the use of a solid fence, masonry wall or an enclosed structure.

C. Automotive Sales and Rental:

Automotive sales or rental uses are subject to the following standards:

1. Minimum lot area of two (2) acres.
2. A principal structure shall be located on the lot.
3. No auctions shall be permitted on the lot.
4. No outdoor speaker systems shall be permitted for uses that abut or are across the street from residential districts.
5. Delivery and loading shall not be permitted on a public street.
6. Minimum setback of one hundred (100) feet from an abutting residential district.
7. No storage or display of vehicles shall be permitted in any required landscape area.
8. Automotive service or repair, if permitted, shall be performed and conducted in an enclosed structure.
9. One additional freestanding sign shall be permitted if multiple vehicle band dealerships share the lot, with a maximum of two signs. Each sign shall not exceed the sign area permitted per Article 8: Signage Standards.

D. Bars, Taverns and Billiard Parlors:

1. Minimum setback of one hundred (100) feet from any abutting residential district.
2. Shall have direct ingress and egress from an arterial or collector street.

E. Bed and Breakfast Establishments:

1. The owner or caretaker shall reside on the property.
2. All such uses shall be located in a single family dwelling consistent in character (e.g., height, scale, setbacks, massing, etc.) with the surrounding residential uses, and shall not include facilities for receptions, weddings, or other events.
3. Parking areas shall be located behind the bed and breakfast establishment.

4. Parking areas shall be screened from adjacent residential uses by landscaping and/or fencing as determined by the Board of Township Trustees.
5. The establishment shall conform to state health and building code requirements and shall show proof of inspection or proof of proper operating licenses by the state and/or county.
6. The facility shall be limited to no more than four guestrooms with a maximum guest capacity as determined by fire and building regulations.
7. No external vending machines shall be allowed.

F. Clubs, Lodges, or other Social Meeting Places:

1. Minimum lot area of two (2) acres.
2. Minimum Setback of fifty (50) feet from any abutting residential district.
3. Minimum of one hundred (100) feet for any parking area from any abutting residential district.
4. Shall have direct ingress and egress from an arterial or collector street.

G. Day Care Center:

1. Minimum setback of fifty (50) feet from any abutting residential district.
2. All exterior activity areas and play lots shall be fenced and screened with appropriate landscape materials as determined by the Zoning Administrator.
3. Picking up and dropping off of children shall not create unsafe conditions. Loading and unloading of children from vehicles shall only be allowed in the driveway or in an approved parking area.

H. Kennel:

1. Minimum setback of one hundred (100) feet from side and rear lot lines, except that when located adjacent to a residential district, the following additional restrictions shall apply:
 - a. All non-soundproofed structures or areas where animals are confined shall have a minimum setback of five hundred (500) feet from any residential district.
 - b. Soundproofed buildings shall have a minimum setback of one hundred (100) feet from any residential district.
 - c. All non-soundproofed structures for the confinement of animals shall be screened by a solid fence or wall that is a minimum of six (6) feet in height and located within fifty (50) feet from the principle structure.
 - d. Animals shall be confined in an enclosed building between the hours of 10:00 p.m. and 7:00 a.m. of the following day.
 - e. There shall be no burial or incineration of animals on the premises.

I. Outdoor Commercial Recreation or Entertainment Facilities:

1. Minimum setback of one hundred (100) feet for all enclosures, pools and buildings from any residential district.

J. Any additional uses or structures that add to or change the scope of the original zoning approval shall go through the conditional use procedure laid out in Section 208: Procedure for Conditional Use Permit.

K. Restaurants:

1. Minimum setback of one hundred (100) feet from any abutting residential district.
2. All audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within three hundred (300) feet of any adjacent residential dwelling unit.

L. Self-Storage Facility:

1. Minimum lot area requirement of two (2) acres.
2. Minimum Setback of one hundred (100) feet from any abutting residential district.
3. The only commercial uses permitted on-site shall be the rental of storage space and the pick-up and/or deposit of goods on the property in storage. Storage spaces, including outdoor storage areas, shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, small engines, or electrical equipment, or to conduct similar activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on-site.
4. A commercial accessory dwelling unit may be permitted in connection with office/watchman purposes.
5. A solid wall shall be required around the perimeter of the storage area. All storage units with access from the exterior of the building shall be located behind the screen wall.
6. Ornamental gates may be used for ingress and egress.
7. Outdoor storage is permitted with the exception of inoperative vehicles.

M. Sexually Oriented Businesses:

An adult entertainment establishment is a Conditional Use within the Industrial Districts. The purpose of these regulations is to regulate the potential secondary effects that are often caused by adult entertainment establishments, and not to regulate the content of the message promoted by the business. Distances shall be measured in a straight line from the nearest wall of the proposed adult entertainment establishment to the property line of the potentially restrictive structure. A Conditional Use for such facilities shall not be approved unless the following minimum conditions are complied with:

1. No adult entertainment establishment shall be established within a radius of 1,000 feet of any area that principally permits residential use.
2. No adult entertainment establishment shall be established within a radius of 2,000 feet of any school, library or teaching facility, whether public or private, governmental or commercial, which school, library or teaching facility is attended by persons under eighteen (18) years of age.
3. No adult entertainment establishment shall be established within a radius of 1,000 feet of any park or recreational facility attended by persons under eighteen (18) years of age.
4. No adult entertainment establishment shall be established within a radius of 1,000 feet of any other adult entertainment establishment.
5. No adult entertainment establishment shall be established within a radius of 2,000 feet of any religious place of worship or permanently established place of religious services.
6. Displays or other promotional materials shall not be shown or exhibited so as to be visible to the public from the right-of-way, pedestrian sidewalks or walkways, or from other areas public or semi-public.
7. All building openings, entries, windows, etc. for adult entertainment establishment shall be located in such a manner as to prevent a view into the interior from any public or semi-public area, sidewalk or street.

8. No employees of the subject establishment shall conduct themselves outside the confines of the structure in such attire and/or by actions, in a manner distracting, distasteful and/or detrimental to adjacent business interests, residents or passersby.
9. No screens, loudspeakers or sound equipment shall be used for an adult entertainment establishment (enclosed or drive-in) that can be seen or discerned by the public from public or semi-public areas.
10. In granting any such Conditional Use, the Board of Zoning Appeals may prescribe additional conditions it deems necessary in the public interest. However, no Conditional Use shall be approved by the Board of Zoning Appeals unless it finds that the use for which such approval is sought is not likely to be dangerous or detrimental to nearby properties, that the use will not be contrary to any program of conservation or improvement, either residential or non-residential, or be contrary to the public health, safety, morals and general welfare of the Township.

N. Travel Trailer Camp

1. No zoning certificate shall be issued unless a site plan for the use has first been approved in accordance with the Ohio Public Health Council rules so regarding, as administered and enforced by the Ohio Department of Health, or as otherwise delegated thereby for permitting through the Warren County Combined Health District.
2. Recreation parks, recreation camps, recreational vehicle park, and temporary park camps, wherein one or more travel trailers, motor homes, truck campers or other types of dependent or self-contained recreational vehicles or otherwise portable camping units, such as tents, can be placed on leased or otherwise contracted spaces for recreation, vacation purposes.
3. Accessory buildings and uses customarily incidental to any of the above uses, including the sale of food and refreshments are permitted, provided such accessory facilities are only for exclusive use by the principal permitted use occupants and their guests.
4. Minimum District Size, Configuration, Frontage, Setback and Buffering
 - a. Minimum lot area of five (5) acres.
 - b. Minimum of one hundred (100) feet of frontage on a public right-of-way.
 - c. Minimum setback of one hundred (100) feet is required from any residential district.
 - d. A buffer no less than six feet in height consisting of evergreen or solid landscaping, or solid fencing.
5. Duration of Placement or Occupancy
 - a. No placement of a recreational vehicle or portable camping unit, or occupancy thereof by the same tenant shall exceed 120 days in any twelve (12) month period following the beginning of placement or occupancy, unless otherwise specified by the Ohio Department of Health.
 - b. Otherwise permanent occupancy of such a single family residence is prohibited, except by the managing operator and the immediate family members legally dependent thereon.
 - c. The owner or operator of a permitted travel trailer camp shall maintain a constant record of each tenant or visitor, noting their name, date of stay, home address and the make, model year and license number of their vehicles, which shall be available for inspection by the zoning inspector or other law enforcement agencies.
6. No individual camping sites shall be subdivided from or sold as ownable or buildable lots independent of the overall recreation park, camp or combined park-camp property that they are part of as rentable or leasable spaces.

7. Sanitary sewer, water supply and trash disposal provisions shall be designed, installed, operated and maintained in accordance with the Ohio Public Health Council rules adopted so regarding, as administered by the Ohio Board of Health and delegated thereby for enforcement by the Clermont County Public Health District.
8. The location and design of any required private driveway entrance from and/or exit to a public road shall be to the satisfaction of the Clermont County Engineer's Office or ODOT, as applicable.
9. All aspects of development internal to a site in a travel trailer camp are subject to plan approval and subsequent licensing of the developed use, in accordance with the Ohio Public Health Council rules so regarding, as administered by the Ohio Board of Health and delegated thereby for enforcement by the Clermont County Public Health District.

507.4: INDUSTRIAL AND WAREHOUSE USES

A. Contractor Offices and Storage:

1. All outdoor storage of equipment, supplies, and materials shall be screened and directed to the rear of the property.

B. Crematory:

1. A crematory shall be located a minimum of two hundred (200) feet from any residential district.

C. Landfills and/or Junkyard:

1. See Article 4 General Provisions Section 404: Landfills.

D. Mining:

1. Mining constitutes of the planned extraction and removal of minerals, coal, or other organic materials from the property for sale or transfer to any other property that is not part of the mining operation.
2. Time Requirements:
 - a. Development and/or construction of the site must begin within two years of approval of the Conditional Use.
 - b. Extraction of the minerals, coal, or other organic materials as outlined in the original plan, and for which the mining district was established must be actively underway within five years of the approval of the Conditional Use.
3. Plans & Standards:
 - a. Annual inspections by MSHA, EPA and any other governing or regulatory body responsible for the over-sight of such matters and shall submit a copy of the findings to the Zoning Administrator within 30 days for records.
 - b. All expenses incurred for the inspections and subsequent repairs are the responsibility of the owner.
 - c. Any division or sale of the property that effects the area, setbacks, buffers shall constitute a breach of the minimum requirements for the conditional use and will signal a halt to all mining operations on the site.

- d. Applicant shall follow all MSHA Codes, 30 CFR § 57.1 et seq.
 - e. The location and design of any required private driveway entrance from and/or exit to a public road shall be to the satisfaction of the Clermont County Engineer's Office or ODOT, as applicable.
 - f. Storage and usage of explosives shall follow MSHA Codes, 30 CFR § 57.1 et seq.
 - g. Reclamation Plan shall follow MSHA Code, 30 CFR § 57.1 et seq.
4. Minimum District Size, Configuration, Frontage, Setback and Buffering
- a. Minimum lot area of six hundred (600) acres.
 - b. Mining activity shall have a Minimum setback of five hundred (500) feet is from all property lines.
 - c. Minimum setback for any accessory building outside of the direct mining operation from all property lines shall be two thousand (2,000) feet.
 - d. A continuous buffer consisting of a mixture of grass- covered contoured hills across any property lines including road frontage, except for ingress and egress.
 - e. Minimum buffer height of fifteen (15) feet.
 - f. Minimum buffer width of fifty (50) feet.
 - g. The owner shall be responsible for the maintenance of the buffer area.

507.5: PUBLIC AND INSTITUTIONAL USES

A. Park or Recreation Facility:

- 1. All structures, public swimming pools, and ball fields shall have a minimum setback of fifty (50) feet and all parking areas shall have a minimum setback of one hundred (100) feet from any abutting residential district. This standard shall not apply to fences associated with this use. Areas devoted to a golf course including tee areas and greens shall not be subject to this setback.
- 2. Private recreation facilities within residential districts shall be a minimum of thirty (30) acres and shall be fenced on all sides.
- 3. Parks and recreational facilities in residential districts shall have primary access along an arterial or collector street.

B. Cemetery:

- 1. All structures, except for grave markers, shall have a minimum setback of two hundred (200) feet from any abutting residential district.
- 2. The cemetery shall be a minimum of twenty (20) acres.

C. Community Garden:

- 1. The owner of the property shall have an established set of operating rules addressing the governance structure of the garden; hours of operation; maintenance and security requirements and responsibilities; and distribution of garden plots.
- 2. The name and telephone number of the owner and any designated caretaker of the property, along with a copy of the operating rules shall be kept on file with the zoning administrator.
- 3. The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.
- 4. There shall be no retail sales on site.

5. No enclosed building or structures shall be permitted on the site unless the structure is for maintenance of the property.
6. Benches, bike racks, raised/accessible planting beds, picnic tables, garden art, rain barrel systems, children's play areas and similar equipment may be permitted.

D. Higher Educational Facility and Educational Institution:

1. Minimum lot area of five (5) acres.
2. Minimum Setback of two hundred (200) feet from any abutting residential district

E. Hospital:

1. In residential districts, a minimum lot area of five (5) acres.

F. Public and Government Building or Use:

1. The following standards shall apply to fire stations:
 - a. Front yard, side yard and rear yard requirements for the district are met.
 - b. Enough area shall be set aside for future parking spaces, for a minimum of forty (40) vehicles, with a parking space provided at any given time for each member of the fire company. If an assembly hall is included in the building, additional parking spaces shall be provided.

G. Religious Place of Worship:

1. In residential districts, a minimum building setback of one hundred (100) feet from the sides and rear lot line.

H. Telecommunication Tower:

The purpose of this section is to regulate the placement, construction, and modification of telecommunication facilities and their support structures in order to protect the public health, safety, welfare, and morals, while at the same time not unreasonably interfering with the competitiveness in the wireless telecommunications industry in the region.

This Section shall only apply to the review of wireless telecommunication facilities in residential zoning districts pursuant to Section 519.211 of the Ohio Revised Code.

1. Procedure for Telecommunication Towers in Residential Districts:
 - a. Any person who plans to construct a telecommunications tower in a residential zoning district shall provide written notice in accordance to Section 519.211 of the Ohio Revised Code.

- b. If the Williamsburg Township Board of Trustees receives notice from a property owner in accordance with ORC Section 519.211 or if a board member makes an objection to the proposed location of the telecommunications tower within fifteen (15) days after the date of mailing of the notice sent under ORC Section 519.211, the Williamsburg Township Board of Trustees shall request that the township fiscal officer send the person proposing to construct the facility written notice that the tower is subject to the power conferred by and in accordance with ORC. The notice shall be sent no later than five (5) days after the earlier of the date the Williamsburg Township Board of Trustees first receives such a notice from a property owner or the date upon which a board member makes an objection. Upon the date of mailing of the notice to the person, Sections 519.02 to 519.25 of the ORC shall apply to the facility. Such tower or facility shall be subject to a Conditional Use review pursuant to Section 208: Procedure for Conditional Use Permit.
- c. If the Williamsburg Township Board of Trustees receives no notice under ORC Section 519.211 within the time prescribed by that division or no board member has an objection as provided under ORC Section 519.211 within the time prescribed by that subsection, the tower shall be permitted as-off right pursuant to the applicable Sections of this zoning resolution.

2. Review Standards for Conditional Use Towers:

- a. The proposed site meets the minimum site development standards for the applicable zoning district.
- b. The maximum height of the tower shall be two hundred (200) feet.
- c. The lot on which the tower is to be located shall be owned or leased by the telecommunications tower company, and the parcel shall be of sufficient size to allow the minimum setback from this parcel's lot line to the base of the telecommunication tower. The minimum setback shall be a 1:1.1 ratio (for every foot in tower height there shall be 1.1 feet of distance from the tower base to the nearest lot line and/or closest unrelated structure). The equipment shelter shall comply with minimum setback requirements for the established zoning district. New structures not related to the telecommunication facility cannot be added within the area of the tower's parcel. If the parcel on which the tower is located has road frontage, the tower must be located three hundred (300) feet from the right-of-way.
- d. Proof shall be provided by the applicant in a form satisfactory to the Board that the proposal has been approved by all agencies and governmental entities with jurisdiction, including but not limited to the Ohio Department of Transportation, the Federal Aviation Administration (FAA), the Federal Communication Commission (FCC), or the successors to their respective functions.
- e. In order to minimize tower proliferation, the applicant shall provide documentation regarding efforts to exhaust all possible avenues to share space on existing towers. This shall include, but not be limited to, a certified mail announcement to all other tower users in the vicinity stating siting needs and/or sharing capabilities. Applicants shall not be denied, nor shall they deny space on a tower, unless available space, structural capacity, radio frequency interference, geographic service area requirements, mechanical or electrical incompatibilities, comparative costs of co-location versus new construction, any FCC limitations on tower sharing preclude co-location and a list of their existing equipment in the area.
- f. The Board shall require a bond to cover tower removal and full site restoration after discontinued use.
- g. The applicant shall demonstrate that the proposed tower is the least aesthetically intrusive facility for the neighborhood and function. Monopole installations are recommended.

- h. No telecommunication facility shall be located within a "wetland" as defined by federal law.
- i. A telecommunication facility shall not be located upon a property listed on a federal, state, or local historic register, or be mounted on a building or structure listed on a federal, state, or local historic register.
- j. No advertising sign(s) shall be permitted anywhere on a telecommunication tower, equipment building, and appurtenances or on the site.
- k. There shall be no outdoor storage of equipment or other items on the site except during the facility construction period or to supply emergency power to the facility only during a power outage.
- l. The owner/operator of the telecommunication facility shall, by January 15th of every year from the date of issuance of the Zoning Certificate, file a declaration with the Zoning Administrator, including verification that the radio frequency (electromagnetic) emissions are in compliance with the current FCC regulations. The appropriate fee(s) will be included to permit the continuing operation of every facility, which is subject to these regulations.
- m. The maximum cumulative total size of all equipment buildings accessory to a telecommunication tower or antenna on a parcel shall be 800 square feet. All telecommunication equipment shelters shall be configured to appear as one building on any one parcel.
- n. The applicant shall demonstrate to the township that it is licensed by the FCC, and shall notify the township of any special conditions conveyed by the license.
- o. One fence, not less than six feet in height, shall fully enclose all parts of the facility, including but not limited to, the base of the tower, guy wires, base of guy wires, and building. Gates shall be locked at all times when the facility is unattended by an agent of the telecommunication provider.
- p. A landscaped buffer area, not less than fifteen (15) feet in depth shall be placed between the fence surrounding the telecommunication facilities and the public right-of-way and any adjacent properties with a direct view of the facilities, other than the tower itself. The fifteen (15) feet landscaped buffer shall be of hardy evergreen shrubbery not less than six feet in height and of a density to obstruct the view. The landscaping shall be continuously maintained and promptly restored, if necessary.
- q. Telecommunication towers shall not be artificially lighted unless required by the FAA or other applicable federal or state authority. When so required, it shall be oriented inward, so as not to project onto surrounding residential properties. In any case, overall site illumination shall be such that measurements along the perimeter of the site shall not exceed 0.20 foot-candles.
- r. The applicant (or its successors) shall, within thirty (30) days of ceasing operation at the site of a telecommunication tower, give notice of such ceasing of operation to the Board. Facilities shall be removed from the site within twelve (12) months of ceasing operations. Resale or renting of facilities is permissible only to other cellular communications systems subject to obtaining a zoning certificate.

3. Telecommunications Equipment Mounted on Existing Structures:

An antenna for a telecommunication facility may be attached to an existing residential building two and one-half (2 1/2) stories in height or to an existing non-residential structure, excluding residential accessory structures, subject to the following conditions:

- a. The antenna shall not extend more than ten (10) feet above the roof of the existing building or top of the existing structure.

- b. If the applicant proposes to locate the telecommunications equipment in a separate telecommunications equipment shelter, not located in or attached to the building, the equipment shelter shall comply with the accessory building regulations of the district.
- c. Vehicular access to the equipment shelter shall be via the existing road circulation system.

SECTION 508: ACCESSORY USE AND STRUCTURE REGULATIONS

508.1: PURPOSE

This section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to principal uses. The intent of this section is to allow a broad range of accessory uses while not creating adverse impacts on surrounding lands.

508.2: GENERAL PROVISIONS

The following general provisions apply to all accessory uses or structures.

- A. The structure or use shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.
- B. The structure or use shall be located on the same lot as the principal use for which it serves.
- C. Unless otherwise stated in this section, a zoning certificate shall be required prior to construction or establishment of an accessory use or structure.
- D. An accessory use or structure shall not be established unless a principal use has first been established on a site in conformance with the applicable provisions of this Resolution.
- E. Unless permitted by the Zoning Commission or Board of Township Trustees as part of a PUD approval, accessory uses and structures shall be prohibited in any open space area dedicated as part of a PUD, except buildings for the storage of equipment or maintenance items for the open space.
- F. Accessory structures on properties with a lot area of five acres or more and used for agricultural purposes shall be exempt from these regulations. To be exempt, the building should be one which is necessary for, or customarily used in conjunction with, the specific agricultural use that is active on the property. Such structures include, but are not limited to, barns, greenhouses, and other buildings that are specifically designed for agricultural uses. Although such a structure may have some incidental use for other than agricultural activities, the principal use of the structure must be agricultural.

508.3: PERMITTED ACCESSORY USES

Table 5-4: Permitted Accessory Uses lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 5-4: Permitted Accessory Uses.

A. Permitted Use (P):

- 1. A “P” in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted accessory uses and structures are subject to all other applicable regulations of this Resolution, including the additional standards set forth in this section.

B. Permitted Use with Use-Specific Standards (PS):

1. A “PS” in a cell indicates that an accessory use or structure is allowed by-right in the applicable zoning district if it meets the additional standards set forth in the numerically referenced sections in the last column of Table 5-4: Permitted Accessory Uses. Permitted uses and structures with use-specific standards are subject to all other applicable regulations of this Resolution.
2. Accessory uses and structures permitted with use-specific standards under this category are approved administratively by the Zoning Administrator pursuant to the zoning certificate review procedure (where required).

C. Conditional Use (C):

1. A “C” in a cell indicates that, in the respective zoning district, an accessory use or structure is permitted if reviewed and approved as a conditional use pursuant to Section 208: Procedure for Conditional Use Permits.

D. Prohibited Uses (Blank Cells):

1. A blank cell indicates that the listed accessory use or structure is prohibited in the applicable zoning district.

E. Zoning Certificate Required:

1. The “Zoning Certificate Required” column identifies if a zoning certificate is required for the applicable accessory use or structure in districts where it is permitted.

F. Yards Permitted:

1. The “Yards Permitted” column identifies in which yards the applicable accessory use or structure is permitted.

G. Additional Requirements (Last Column):

1. The numbers contained in the “Additional Requirements” column are referenced to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the “Additional Requirements” column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

TABEL 5-4: PERMITTED ACCESSORY USES

USE P = Permitted Use PS = Permitted Use with Use Specific Standards C = Conditional Use	ZONING DISTRICTS						Zoning Certificate Required	Yards Permitted F= Front S=Side R=Rear	Use Specific Standards
	A	R-1,R-2	R-3,R-4	B-1	B-2	I			
Accessory Retail Sales					P	P	Yes	Inside principal building	See 508.5(A)
Amateur Radio Transmitter/Antenna	PS	PS	PS				Yes	S or R	See 508.5(B)
ATM					P	P	Yes	F, S or R	
Beekeeping	PS	PS					No	S or R	See 508.5(C)
Caretaker Dwelling				P	P	P	Yes	S or R	
Community Garden	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(D)
Detached Accessory Building	P	P	P	P	P	P	Yes	R	
Drive-Through Facility					PS	PS	Yes	S or R	See 508.5(E)
Drop-Off Box					PS	PS	No	S or R	See 508.5(F)
Dumpster or Refuse Container		PS	PS	PS	PS	PS	No	S or R	See 508.5(G)
Home Occupation	PS	PS	PS				Yes	Inside principal building	See 508.5(H)
Keeping of Chickens	P	PS	PS				No	S or R	See 508.5(I)
Outdoor Dining Area					PS	PS	Yes	F, S or R	See 508.5(J)
Outdoor Wood Furnace	PS						Yes	S or R	See 508.5(K)
Porch or Deck	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(L)
Private or Public Swimming Pool	PS	PS	PS	PS			Yes	S or R	See 508.5(M)
Roadside Stand	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(N)
Satellite Dish	PS	PS	PS	PS	PS	PS	Yes	F, S, or R	See 508.5(O)
Small Wind Energy Conservation System	PS	PS	PS	PS	PS	PS	Yes	R	See 508.5(P)
Solar Panels	PS	PS	PS	PS	PS	PS	See Section 508.5(Q)	On roof of structure or rear yard	See 508.5(Q)

Stable, Private	PS						Yes	S or R	See 508.5(R)
Tennis Court or Other Game Court	PS	PS	PS	PS	PS	PS	Yes	S or R	See 508.5(S)
Tree House, Play Set, or Trampoline	P	P	P	P			No	R	
Unenclosed Patio	P	P	P	P	P	P	No	R	
Other Accessory Uses	C	C	C	PS	PS	PS	See Section 508.5(T)		

NOTES: For the purposes of the placement of accessory uses or structures on a corner lot, the side yard located opposite of the front door of the structure shall be considered the rear yard; and for through lots, the front yard located to the rear of the structure shall be considered the rear yard.

ATMs and drive-through facilities shall be permitted in the stated zoning district when they are accessory to the building containing the principal use. The zoning certificate approval may be part of the zoning certificate application for the principal use.

508.4: SETBACK, YARD COVERAGE AND HEIGHT REQUIREMENTS

- A. An accessory structure may be erected as an integral part of a principal building or it may be connected thereto by a breezeway or other similar structure.
- B. An accessory structure may be detached from the principal building.
- C. Accessory structures that are structurally connected to the principal structure, either as an extension of the principal use or through a breezeway, shall meet the setback requirements of the applicable zoning district. Such requirements shall not apply to unenclosed patios.
- D. Accessory uses or structures shall be set back a minimum of five (5) feet from any lot line unless otherwise specified.
- E. Table 5-4: Permitted Accessory Uses identifies the yards in which accessory uses are permitted to be located as it relates to a standard interior lot.

508.5: USE-SPECIFIC STANDARDS

A. Accessory Retail Sales:

- 1. Principal uses in the applicable zoning district may include some retail sales provided:
- 2. The floor area dedicated to retail sales is less than ten percent (10%) of the total building floor area;
- 3. The retail sales take place in the principal building; and
- 4. The retail sales are related to the services rendered, products stored, or products produced as part of the principal use.

B. Amateur Radio Transmitter or Antenna:

Noncommercial amateur radio antenna structures for use by amateur radio operators licensed by the FCC shall be authorized for use by licensed amateur radio operators in all residential districts, provided that:

- 1. The plans for all new and altered amateur radio towers shall be prepared by a certified professional engineer or in accordance with the tower manufacturer's guidelines for installation. The applicant must show evidence that the proposed facility will have sufficient structural strength to support the radio tower and related equipment.

2. Amateur radio towers thirty-five (35) feet and under shall be set back a minimum distance of five feet from the rear and side property lines, but may not project into any front yard of the residence.
3. In order to make reasonable accommodations for amateur radio towers, there shall be a height limit of thirty-five (35) feet in all residential areas.
 - a. An additional height limit up to seventy (70) feet for amateur radio towers may be granted when the tower setback meets a ratio of one foot from the base of the tower to all adjoining property boundaries for every one foot of tower height up to seventy (70) feet.
 - b. Height measurements shall be taken from the top of the tower or the highest antenna to the finished grade.
4. Amateur radio towers shall not be artificially lighted unless required by the FAA or other applicable federal or state authorities. When so required, lighting shall be oriented upwards, so as to not project onto surrounding residential properties. In any case, overall site illumination shall not exceed 0.20 footcandles along the perimeter of the site.
5. Permission for the amateur radio tower resides with the applicant for the specific property and does not transfer to a different site or to new owners of the property. New owners may apply to the township for permission to retain the tower for amateur radio antenna under this provision. The applicant (or its successors) shall within thirty (30) days of ceasing operation of the amateur radio or tower, provide written notice of abandonment to the Zoning Administrator. An amateur radio tower may not stand longer than twelve (12) months following abandonment.

C. Beekeeping:

Beekeeping is permitted provided that:

1. The principal use is a single family dwelling.
2. No more than two (2) hives is permitted on lots less than one acre.
3. A beehive shall be kept no closer than ten (10) feet to any lot line and no closer than twenty-five (25) feet to any residential structure on an adjacent lot, or shall comply with the setbacks of the applicable zoning district, whichever is greater.
4. The front of any beehive shall face away from the property line of the adjoining residential property closest to the beehive.
5. A solid fence or dense hedge, known as a flyaway barrier, at least five (5) feet in height shall be placed around the beehive. A boundary fence or hedge at least five (5) feet in height may be used to meet this requirement. No such flyaway barrier shall be required if all beehives are located at least twenty-five (25) feet from all property lines and for beehives that are located on porches or balconies at least ten (10) feet above grade, except if such porch or balcony is located less than five (5) feet from a property line.
6. No Africanized bees may be kept on a property.
7. A supply of fresh water shall be maintained in a location readily accessible to all beehives on the property.
8. These regulations to not apply to agricultural uses exempted.

D. Community Garden:

1. Community gardens may be allowed as an accessory use when associated with public or institutional principal use (e.g., religious institution or educational facility).
2. Community gardens shall be subject to the provisions of Section 507.5(C).

E. Drive-Through Facility:

The following standards shall apply to businesses that contain a drive-through facility, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

1. General Standards:

- a. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall not be located within three hundred (300) feet of any residential dwelling unit.
- b. All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area, shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.
- c. An opaque fence or screen between four and six (6) feet in height shall be constructed along any property line abutting a residential district.

2. Stacking Space and Lane Requirements:

- a. The number of required stacking spaces shall be as provided for in Table 5-5 Stacking Space Requirements.
- b. Stacking spaces do not count towards the parking spaces required in accordance with Article 9 Off-Street Parking Space Requirement.
- c. Stacking lanes shall be provided for any use having a drive-through facility and shall comply with the following standards:
 - i. Drive-through stacking lanes shall have a minimum width of ten (10) feet.
 - ii. Stacking lanes shall be set back twenty-five (25) feet from rights-of-way.
 - iii. Stacking spaces shall be a minimum of nine feet by eighteen (18) feet in size.

TABLE 5-5 STACKING SPACE REQUIREMENTS

ACTIVITY	MINIMUM STACKING SPACES (PER LANE)	MEASURED FROM
Financial Institution or (ATM)	5	Teller or Window
Fuel or Gasoline Pump Island	2	Pump Island
Full Service Automotive Washing Establishment	6	Outside of Washing Bay
Restaurant	6	Pick-Up Window
Self-Service Automotive Washing Establishment	2	Outside of Washing Bay
Other	As determined by the Zoning Administrator	

3. Menu Board Signs:

- a. One menu board sign for each stacking lane shall be allowed provided it does not exceed thirty-five (35) square feet in sign area. Any additional attachments such as pictures or photographs of food and other items shall be included within the maximum signage area.
- b. Menu board signage shall not be included in the total calculated allowed signage for a property.
 - i. No menu board sign shall exceed seven feet in height measured from the grade of the adjacent driving surface to the top of the sign.
 - ii. Illuminated menu board signs shall be internally illuminated.
 - iii. Menu boards shall be reviewed and approved as part of the zoning certificate for the drive-through facility or, when a menu board is to be added, as part of a separate zoning certificate application.

F. Drop-off Box:

Drop-off boxes and dumpster style recycling collection containers for public use are permitted in accordance with the following standards:

1. A drop-off box may be located in any yard area, but shall not be located in any area that is required to be landscaped.
2. Drop-off boxes must be placed on a hard paved surface and located outside of driveways and parking spaces required in conformance with Article 9: Off-Street Parking Space Requirement.
3. Drop-off boxes must either be enclosed or kept in a clean, new appearing condition.
4. Drop-off boxes which are not kept within an enclosure shall not have dents, any deformation to the outside painted surface, any dirt or residue on the outside surface, graffiti, etc.
5. If two (2) or more drop-off boxes are kept on a site, all boxes shall be kept within a common enclosure. The common enclosure for multiple boxes shall not be located in any area that is required to be landscaped, nor shall it be located in front yard or corner side yard areas. No more than three boxes may be kept on a single site.
6. Each drop-off box shall be limited in size to ten (10) cubic yards and shall have a lid.
7. Recycling collection containers for private, on-site use only are considered trash and/or garbage collection areas.

G. Dumpster:

1. The dumpster shall be screened at a minimum on three (3) sides to a height that fully screens the use by a solid fence or masonry wall.

H. Home Occupation:

Home occupations shall be subject to the following conditions in addition to any other applicable use standards of the applicable zoning district:

1. A person whose principal employment is outside of the home but who temporarily works out of a home office shall not be considered as operating a home occupation subject to these standards.
2. Home occupations shall be clearly incidental and subordinate to the use of the property for residential purposes and shall be completely conducted within the dwelling.

3. The external appearance and/or use of the structure or lot in which the home occupation is conducted shall not be altered to indicate the presence of the home occupation.
4. There shall be no outside storage of any kind related to the home occupation and only commodities made on the premises may be sold on the premises. No display of the products shall be visible from the street.
5. No expansion of existing off-street parking shall be permitted. Furthermore, no additional parking burden, due to the home occupation, shall be created.
6. No equipment, process, materials, or chemicals which create offensive noises, vibration, smoke, dust, odor, heat, glare, x-rays, radiation, or electrical disturbances shall be utilized in the home occupation.
7. Not person who is not a resident of the premises may participate in the home occupation as an employee.
8. No more than one home occupation shall be permitted within any single dwelling unit.
9. Delivery of any materials necessary for a home occupation shall be limited to automobiles, light duty trucks (e.g., typical FedEx or UPS home delivery vans and trucks) or vans.
10. No building or structure shall be used to operate a business, store equipment used for a business, or serve as a location where multiple employees meet or park prior to going to work off-site.
11. Hours of operation for a home occupation that entails client visits or incoming deliveries is restricted to no earlier than 8:00 a.m. and no later than 8:00 p.m. each day of the week.
12. No sign, other than one non-illuminated nameplate, two square feet in area and mounted flat on the front face of the dwelling or on a driveway lamppost, shall be erected or maintained on the premises.
13. In those instances when the Zoning Administrator denies an application, or if the Zoning Administrator is uncertain of the appropriateness of a proposed home occupation, the matter may be appealed or taken to the Board of Zoning Appeals for interpretation.
14. The following are examples of permitted home occupations:
 - a. Clerical and other similar business services;
 - b. Instruction in music, dance or other type of teaching that does not require an expansion in parking;
 - c. The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office oriented occupations;
 - d. Artists, sculptors, photographers, and other providers of home crafts;
 - e. Barber shop/beauty salon with a maximum of one chair;
 - f. A licensed massage therapist who provides massage therapy for a maximum of one client at any given time; or
 - g. Any similar use as determined by the Zoning Administrator.

I. Keeping of Chickens:

The keeping of up to six (6) chickens is permitted provided that:

1. The principal use is a single family dwelling.
2. No person shall keep any rooster.
3. No person shall slaughter any chickens for commercial sales.
4. The chickens shall be provided with a covered enclosure for protection from the elements.
5. Chickens must always be confined within a fenced area of the yard at all times.
6. A covered enclosure or fenced area shall be located no closer than twenty-five (25) feet to any residential structure on an adjacent lot, or shall comply with the setbacks of the applicable zoning district, whichever is greater.

J. Outdoor Dining Area:

1. Outdoor dining areas in a public right-of-way shall be prohibited.
2. Outdoor dining area on a private property shall be regulated as follows:
 - a. An outdoor dining area may be allowed as an accessory use to a restaurant with an indoor eating area on the same site; provided the outdoor dining area shall not replace any off-street parking, loading, or landscaping areas as may be required by this code.
 - b. If no grade separation is provided between vehicular traffic and the outdoor dining area, permanent railings or fencing shall be provided around the dining area. If the outdoor dining area is adjacent to an area that is closed to vehicular traffic, no railing or fencing shall be required.
 - c. Umbrellas, or other protective elements, that shelter diners from the elements shall be secured so as not to create a hazard.
 - d. Enclosing an outdoor dining area either by a permanent roof or to expand the existing structure shall meet all the requirements of a building within the applicable zoning district and shall require the issuance of a zoning certificate.
 - e. There shall be no use of electronics (e.g., televisions, radios, or speakers) in the outdoor dining areas that generate noise.
3. The location of outdoor dining areas is subject to review by the township to ensure that access to the building and pedestrian walkways are not obstructed.

K. Outdoor Wood Furnaces:

Outdoor wood furnaces shall only be permitted as an accessory use on lots with a minimum lot area of five acres.

1. Setbacks:
 - a. A minimum of one hundred (100) feet from all lot lines;
 - b. A minimum of two hundred (200) feet from the boundaries of all recorded subdivisions with lots less than five acres in size; and
 - c. A minimum of two hundred (200) feet from all residential dwellings not located on the property where the outdoor wood furnace will be situated.
2. Permitted and Prohibited Fuels:
 - a. Fuel burned in any new or existing outdoor wood furnace shall be only natural untreated wood, wood pellets, corn products, biomass pellets, or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas, or propane backup.
 - b. The following fuels are strictly prohibited in new or existing outdoor wood furnaces:
 - i. Wood that has been painted varnished or coated with similar material and/or has been pressure-treated with preservatives and contains resins or glues as in plywood or other composite wood products.
 - ii. Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.

- iii. Any plastic materials, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
- iv. Rubber, including tires or other synthetic rubber-like products.
- v. Any other items not specifically allowed by the manufacturer or this section.

3. Non-conforming Use:

- a. Outdoor wood furnaces that were installed prior to the effective date of this amendment shall be permitted to continue. However, if the existing outdoor wood furnace does not meet the standards of this section, the outdoor wood furnace shall be considered a non-conforming use subject to Article 3: Non-conforming Uses.

L. Porch or Deck:

1. Porches or decks that are enclosed (with screening or other materials), have a roof, or that are physically attached to the principal structure shall meet the setback requirements for principal buildings in the applicable zoning district.
2. Unenclosed porches and decks may encroach into required setbacks.
3. Porches or decks that are less than eighteen (18) inches in height do not require a zoning certificate.

M. Private Swimming Pool or Public Swimming Pool:

1. The swimming pool shall be set back a minimum of twenty 20 feet from any property line. This setback shall be measured from the edge of the pool water.
2. The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than four (4) feet in height and maintained in good condition with a self-closing, self-latching gate that can be locked.
3. Above grade pool walls may be counted toward the height of the required fence.
4. Any swimming pool for the use of occupants of multi-family dwellings containing over three dwellings or those that are accessory to a nonresidential use shall meet the structural and sanitary requirements of the Ohio Department of Health.
5. The swimming pool shall be intended and used solely for the enjoyment of the occupants of the principal use of the property on which it is located.

N. Roadside Stand:

1. A roadside stand shall only be permitted where at least fifty percent (50%) of the total value sold from the stand is derived from produce raised on farms owned or operated by the stand operator in a normal crop year.
2. Off-street parking shall be provided as required.
3. One ground-mounted sign may be permitted provided it does not exceed twelve (12) square feet in sign area, six (6) feet in height.
4. No illuminated signs are permitted.

O. Satellite Dish:

1. Satellite dishes that exceed one (1) meter in diameter shall be subject to the following standards:

- a. Satellite dishes may be erected or installed on the ground of any property.
 - b. Ground-mounted satellite dishes shall be setback a minimum five (5) feet from all lot lines.
 - c. Satellite dishes shall be prohibited in the front yards of any property on which it is located.
 - d. Installation of these type of satellite dishes shall require a zoning certificate.
 - e. The maximum height of the satellite dish shall be twelve (12) feet.
2. Satellite dishes smaller than one (1) meter do not require zoning approval.

P. Small Wind Energy System:

1. Small wind energy systems that are attached to a roof or structure are permitted provided that the measurement from the average grade to the tip of the blade of the system does not exceed the maximum height of buildings permitted in the applicable zoning district.
2. Stand-alone small wind energy systems may be permitted on lots with a minimum lot area of one acre. The pole or supporting structure shall be set back a minimum of fifty (50) feet from any lot line.
3. The maximum height shall be seventy-five (75) feet measured from the average grade to the highest point on the blade.
4. The height and location of a stand-alone small wind energy system shall be such that if the system were to collapse it would fall within the boundaries of the subject lot.

Q. Solar Panels:

1. Roof-mounted solar panels shall not count toward the maximum number of accessory structures permitted on the property and shall not require a zoning certificate.
2. Freestanding solar panels shall be limited to a maximum height of five feet and shall be located in the rear yard. Such freestanding solar panels shall count toward the maximum number of accessory structures permitted on the property and shall require a zoning certificate.

R. Stable, Private:

1. A private riding stable shall only be permitted as an accessory use on lots with a minimum area of five (5) acres.

S. Tennis Court or Other Fame Court:

1. Minimum setback of five (5) feet from all lot lines.

T. Other Accessory Uses:

1. Other accessory uses in a residential zoning district shall be subject to a conditional use review.
2. Other accessory uses in a nonresidential zoning district may be permitted by the zoning administrator if they are customarily found in conjunction with and required for the full utilization and economic viability of the principal business use.
3. The zoning administrator shall have the authority to determine that a proposed accessory use (not otherwise defined in Table 5-4: Permitted Accessory Uses shall be subject to conditional use review.

SECTION 509: TEMPORARY USE REGULATIONS

509.1: PURPOSE

This section allows for the establishment of certain temporary uses and structures of limited duration, provided that such uses or structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period. Temporary uses and structures shall not involve the construction or alteration of any permanent building or structure.

509.2: PERMITTED TEMPORARY USES AND STRUCTURES

Table 5-6: Temporary Uses and Structures summarize allowed temporary uses and structures and any general or specific standards that apply. Temporary uses or structures not listed in the table are prohibited.

TABLE 5-6: TEMPORARY USES AND STRUCTURES

Temporary Use or Structure	Allowable Duration (Per Site)	Zoning Certificate Required	Additional Requirements
Construction Dumpster	For construction use – Until issuance of a certificate of occupancy by the building department. For use during temporary cleaning, clearing, or renovations - 60 days per calendar year	No	Sec 509.3 (C)
Construction Office or Trailer	Until issuance of a certificate of occupancy by the building department	Yes	Sec 509.3 (D)
Gravel Surface Parking Lots	Until issuance of a certificate of occupancy by the building department	No	
Real Estate Sales/ Model Homes	While lots are for sale	Yes	Sec 509.3 (E)
Seasonal Agricultural Sales	120 days per calendar year	Yes	Sec 509.3 (F)
Temporary Housing During Construction	Sec 509.3 (F)	Yes	Sec 509.3 (G)
Temporary Special Events	Sec 509.3 (G)	Yes	Sec 509.3 (H)

Temporary Use or Structure	Allowable Duration (Per Site)	Zoning Certificate Required	Additional Requirements
Temporary Storage During Construction	Sec 509.3 (H)	Yes	Sec 509.3 (I)
Temporary Storage in a Portable Container	Maximum of 14 consecutive days	Yes	Sec 509.3 (J)
Temporary Structure for Public or Institutional Uses	3 years	Yes	Sec 509.3 (K)

509.3: TEMPORARY USE AND STRUCTURE STANDARDS

A. General Standards:

1. All temporary uses or structures shall be reviewed in accordance with this section and all other applicable sections of this Resolution.
2. All temporary uses or structures shall:
 - a. Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
 - b. Be compatible with the principal uses taking place on the site;
 - c. Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
 - d. Not include permanent alterations to the site;
 - e. Not maintain temporary signs associated with the use or structure after the activity ends;
 - f. Not violate the applicable conditions of approval that apply to a site or use on the site;
 - g. Not interfere with the normal operations of any permanent use located on the property; and

B. Contain sufficient land area to allow the temporary use , structure, or special event to occur , as well as adequate land to accommodate the parking and traffic movement.

C. Construction Dumpsters:

Temporary trash receptacles or dumpsters shall be located outside public right-of-way and shall comply with the following standards:

1. Not be located within a floodplain or otherwise obstruct drainage flow; and
2. Not be placed within five (5) feet of a fire hydrant or within a required landscaping.
3. Minimum of five (5) feet from the property line.

D. Construction Office or Trailer:

One (1) trailer used as a temporary construction office within a subdivision or nonresidential development which is being developed provided:

1. The subdivision shall be at least five (5) acres. No minimum is established for nonresidential construction sites.
2. A zoning certificate has been issued for the placement of the trailer within the subdivision or development site.
3. The trailer is incidental to and located within the subdivision or site that is subject to development.
4. The placement of the trailer shall conform to all setback requirements for the district in which it is located. In no case shall the trailer be located in the public right-of-way or in proposed or completed roadways.
5. Only one such trailer shall be permitted for each phase of development of the subdivision or nonresidential development.
6. The trailer shall have a parking area with a minimum of one (1) parking space and one additional parking space for each employee within the trailer.
7. The parking area will be surfaced with gravel and the entrance/exit to the parking area shall be paved. This requirement may be waived by the zoning inspector for good cause shown.
8. All doors and entries to the trailer shall be secured and lighted as required by the zoning administrator.
9. Sales activity shall not be conducted at or within the trailer but only such activities as may be related to the development of the subdivision or nonresidential site shall be permitted.
10. A sketch plan shall be submitted to the zoning inspector showing the dimensions of the lot or other land upon which the trailer is located and showing compliance with other location requirements of this subsection.
11. The trailer shall be removed when seventy-five (75%) percent of the lots within the phase of development have been developed.
12. A deposit is made with Williamsburg Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the trailer.

E. Real Estate Sales Office:

One (1) temporary sales office or trailer is permitted in a residential district provided:

1. The subdivision shall consist of at least five (5) acres.
2. A zoning certificate has been issued for the placement of the trailer within the subdivision.
3. The trailer is incidental to and located within the subdivision subject to development.
4. The trailer may not be placed within the subdivision until an application for construction of a model home within the subdivision has been issued. In no case shall the trailer be located in the public right-of-way, or in proposed or completed roadways. The trailer shall be removed upon completion of the model home.
5. Placement of the trailer shall conform to all the setback requirements for the district, which it is located.
6. Only one (1) such trailer shall be permitted in a subdivision.
7. The trailer shall have a parking area with a minimum of four parking spaces and one additional parking space for each employee who works within the trailer.
8. The entrance to the parking area shall be from an interior street within the subdivision.

9. The parking area will be surfaced with gravel and the entrance/exit to the parking area shall be paved. This requirement may be waived by the zoning inspector for good cause shown.
10. All doors and entries to the trailer shall be secured and lighted as required by the zoning inspector.
11. Only one wall sign which is attached to the trailer shall be permitted. The sign shall not exceed thirty-two (32) square feet in size.
12. A sketch plan is submitted to the zoning inspector setting forth the dimensions of the lot or other land within the subdivision upon which the trailer is placed and in compliance with the location requirements of this subsection.
13. A deposit is made with Williamsburg Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the trailer.

F. Seasonal Agricultural Sales:

Seasonal agricultural sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards:

1. Location:
 - a. The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability.
 - b. The display or storage of goods for sale shall not occur within the public right-of-way, or within two hundred (200) feet of a dwelling.
2. Range of Goods Limited:
3. The range of goods or products available for sale shall be limited to non-processed products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, and firewood; bees and beekeeping products; seafood; and dairy products.
4. Hours of Operation:
 - a. The hours of operation of the seasonal sale of agricultural products shall be from 7:30 a.m. to 10:00 p.m., or the same hours of operation as a principal use on the same lot, whichever is more restrictive.

G. Temporary Housing During Construction:

A zoning certificate shall be issued for temporary housing on the lot on which a building is being erected provided:

1. A building permit has been issued for construction of a residence on the same lot or tract of ground, and that actual construction has commenced before the temporary housing is placed on the property.
2. The temporary housing shall be located behind the residence site.
3. Before occupying the temporary housing it shall be connected to the sewage disposal system required for the residence under construction.
4. The electrical service for the temporary housing shall meet the requirements of the applicable building codes.
5. The temporary housing shall be securely anchored to the ground.
6. A safe and substantial set of entrance steps of steel, wood or concrete shall be installed.
7. A deposit is made with Williamsburg Township in an amount set forth upon the township fee schedule. The deposit shall be returned when the temporary housing is permanently removed. Should the temporary housing not be removed within the period set forth, then the township may apply the deposit to defray the cost of removing the temporary housing.
8. The temporary housing may be occupied for a period of six (6) months and an additional six (6) month period if the Zoning Administrator and the Clermont County building inspector are satisfied that work is progressing and additional time is required for completion of the residence. Occupancy of the temporary housing will not be permitted for longer than one (1) year.
9. The temporary housing must be vacated and its sewer and electrical connection removed within thirty (30) days after the residence is approved for occupancy or at the end of one year, whichever occurs first, at which time the temporary housing shall either be removed from the premises, or located on the premises.

H. Temporary Special Events:

1. A zoning certificate for temporary special events such as festivals, circuses, concerts, and similar uses shall only be required if tents or structures are required on the applicable lot where the event will occur.
2. The zoning certificate shall be valid for no more than two (2) weeks provided the event meets the following conditions:
 - a. For a lot that is zoned residentially or that is within five hundred (500) feet of a residential zoning district, there shall be a limit of two temporary special events per lot, per calendar year.
 - b. The applicant receives other applicable permits from the Clermont County Building Department and the Williamsburg Township Fire and Rescue Department.
 - c. The plans receive approval by the Clermont County Sheriff's Office for the purposes of protecting the public safety.
3. Temporary tents for outdoor sales may be permitted for a fourteen (14) day period once every ninety (90) days.
4. Buildings and structures for circuses, carnivals, or similar transient enterprises shall be located a minimum of five hundred (500) feet from any residential district.

I. Temporary Storage During Construction:

One (1) trailer used as a temporary storage of tools and materials used for construction is permitted on a lot on which a building is being constructed provided:

1. A building permit has been issued for the construction of a residence on the same lot or tract of land upon which the trailer is situated and actual construction has commenced.
2. A zoning certificate has been issued for the placement of the trailer on the lot or other tract of ground.
3. The placement of the trailer shall comply with the front and side yard setback requirements for the district within which it is placed.
4. A sketch plan is submitted to the Zoning Administrator showing the dimensions of the property upon which the trailer is to be placed with front, side and rear lot dimensions and showing compliance with the location requirements of this subsection.
5. The trailer may remain for a period of one (1) year from the date of issuance of the zoning certificate. Upon application to the Zoning Administrator, the trailer may remain an additional period of six months provided that the construction of the residence is progressing and additional time is required for completion of the residence.
6. A deposit is made with Williamsburg Township in an amount set forth upon the Williamsburg Township fee schedule. The deposit shall be returned when the trailer is permanently removed. Should the trailer not be removed within the required time period set, then the township may apply the deposit to defray the cost of removing the trailer.

J. Temporary Storage in a Portable Shipping Container:

Storage containers that are loaded with materials and placed on a property for the purpose of temporarily storing materials are permitted with the following regulations:

1. Portable storage containers shall be kept in the driveway of the property at the furthest accessible point from the street. The location of the portable storage container on a driveway shall not obstruct visibility nor block the sidewalk. If no driveway is present, approval from the zoning inspector for the placement of the portable storage container prior to its delivery is required.
2. Only one portable storage container shall be placed at any residential property at one time.
3. The zoning inspector, upon good cause shown, may approve a one-time extension of the zoning certificate for an additional fourteen (14) days. Portable storage containers shall not be located on any parcel for a period exceeding twenty-eight (28) days per calendar year.

K. Temporary Structures for Public or Institutional Uses:

Temporary structures serving public or institutional uses shall comply with the following standards:

1. Location:
 - a. The use shall be located to the side or rear of the principal structure(s) and at least five (5) feet from any other structure.
 - b. The use shall not be permitted within required off-street parking spaces, required open space areas, or required landscaping areas.

2. Standards:

- a. Under skirting or other materials shall be used to prevent unauthorized access underneath the structure.
- b. Parking shall be provided for the temporary structure in conformance with Article 9: Off-Street Parking Space Requirements.

3. Approval and Duration:

- a. This use is permitted if approved by the zoning inspector, and may remain on the site for no more than three years. This period may be renewed for two additional years, for good cause shown, upon approval of a written request, submitted to the zoning inspector at least thirty (30) days prior to the expiration of the zoning certificate. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than five years.