

ORDINANCE NO. 2024 - 01

ORDINANCE AMENDING AND RESTATING CHAPTERS 1145, 1147, 1149, 1151, AND 1153 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF LEWISBURG.

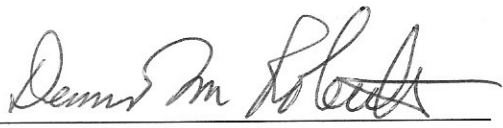
Whereas, for the health, safety, and welfare of the citizens of Lewisburg, Ohio, it is necessary and appropriate to regulate the growth and development of the Village of Lewisburg in an Orderly and Desirable Fashion ;

And Whereas, it is necessary to regulate the Zoning Districts of the Village of Lewisburg to ensure neighborhood harmony and regulated growth;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO, TO RESTATE AND AMEND THE CODIFIED ORDINANCES OF THE VILLAGE OF LEWISBURG **CHAPTERS 1145, 1147, 1149, 1151, AND 1153** as set forth in attached exhibit "A".

This Ordinance shall be effective at the earliest time permitted by law.

Dated: 01-18-2024



Mayor

Attest: 

Clerk of Council

CHAPTER 1145
OR Office Residential District

<p>1145.01 Purpose. 1145.02 Uses. 1145.03 Lot requirements. 1145.04 Yard requirements.</p>	<p>1145.05 Structural requirements. 1145.06 Parking and loading requirements. 1145.07 Signs.</p>
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CROSS REFERENCES

Parking and loading regulations - see P. & Z. Ch. 1183
Signs - see P. & Z. Ch. 1187
Conditional Use Permits - see P. & Z. Ch. 1191

1145.01 PURPOSE.

This district provides for multi-family residences, offices and service facilities in suitable locations in which they can support community needs without producing incompatible effects on adjacent uses. Such a district is particularly appropriate adjacent to arterial streets, as well as between commercial areas and residential neighborhoods.
(Ord. 1984-5. Passed 2-7-84.)

1145.02 USES.

(a) Permitted Uses.

- (1) All permitted and Special Uses as provided within the R-3 Residential District.
- (2) Professional offices of financial institutions, doctors, dentists, chiropractors, lawyers, engineers and similar type professions limited to three such professionals per site.
- (3) Real estate, insurance and similar type offices provided no retail trade with the general public is carried on, and that no stock of goods is maintained for sale to customers.
- (4) Barber and beauty shop (one chair operation only).
- (5) Pet Grooming
- (6) Accessory Buildings incidental to principal use

(b) Conditional Uses. The following Special Uses are subject to review in accordance with Chapter 1191.

- (1) Medical and dental clinics; professional offices as previously identified containing more than three such professionals per site.
- (2) Antique, boutique, craft and similar type retail specialty shops of less than 500 square feet of gross sales area.
- (3) Restaurant. (Ord. 2002-12. Passed 10-3-02.)
- (4) Daycare
- (5) Funeral Homes

CHAPTER 1147
NB Neighborhood Business District

<p>1147.01 Purpose. 1147.02 Uses. 1147.03 Lot requirements. 1147.04 Yard requirements.</p>	<p>1147.05 Structural requirements. 1147.06 Parking and loading requirements. 1147.07 Signs. 1147.08 Supplementary regulations.</p>
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CROSS REFERENCES

Supplemental yard and height regulations - see P. & Z. Ch. 1171
 Special provisions for commercial and industrial districts -
 see P. & Z. Ch. 1175
 Parking and loading regulations - see P. & Z. Ch. 1183
 Signs - see P. & Z. Ch. 1187
 Conditional Use Permits - see P. & Z. Ch. 1191

1147.01 PURPOSE.

The purpose of this zone is to encourage grouping of small individual establishments that will retail convenience goods and provide personal services responding to the daily staple needs for a neighborhood area. It is intended that the size of the commercial grouping be directly related to the purchasing power needed to support the types of uses permitted. Since the commercial establishments permitted in the Neighborhood Business District will be closely associated with residential, religious, recreational and educational land uses at the neighborhood level, more restrictive requirements for light, air, and open space are necessitated than in other commercial zoning districts. (Ord. 82-1. Passed 2-16-82.)

1147.02 USES.

(a) Permitted Uses.

- (1) Drug store.
- (2) Small food stores such as bake shops (retail only); candy and ice cream stores; grocery and delicatessen stores; carry out beverage and snack shops, pizzerias, (carry out only).
- (3) Book and stationery store.
- (4) Hardware and paint store.
- (5) Liquor store.
- (6) Barber shop.
- (7) Beauty shop.
- (8) Florist shop.
- (9) Shoe repair shop.
- (10) Pick-up stations for dry cleaning and laundry; dry cleaning and laundromats of the self-serve type.
- (11) Doctors' and dentists' office.
- (12) Real estate and insurance agency.

- (13) Pet Grooming
- (14) Accessory buildings incidental to the principal use which do not include any activity conducted as a business. (Ord. 82-01. Passed 2-16-82.)

(b) Conditionally Permitted Uses.

- (1) Variety Store
- (2) Branch banks.
- (3) Supermarket.
- (4) Preparation and processing of food and drink products to be retailed on the premises.
- (5) Gasoline stations.
- (6) Church and other buildings for the purpose of religious worship.
- (7) Sales and repairs of small appliances, small garden implements, cabinet making or other wood working shops, Electronics.
- (8) Automobile and truck repair garages.
- (9) Car washes.
- (10) Bed & Breakfast/Guest Houses
- (11) Gym

1147.03 LOT REQUIREMENTS.

- (a) Minimum lot area 10,000 sq. ft.
 - (b) Minimum lot width No minimum requirement
- (Ord. 82-1. Passed 2-16-82.)

1147.04 YARD REQUIREMENTS.

- (a) Minimum front yard depth: 25 feet
- (b) Minimum rear yard depth: 40 feet
- (c) Minimum side yard width 10 feet
on each side.
- (d) Minimum side yard adjacent 15 feet
to residential districts;

(Ord. 82-1. Passed 2-16-82.)

1147.05 STRUCTURAL REQUIREMENTS.

- Maximum building height: 35 feet

(Ord. 82-1. Passed 2-16-82.)

1147.06 PARKING AND LOADING REQUIREMENTS.

See Chapter 1183 for off-street parking and loading requirements.
(Ord. 82-1. Passed 2-16-82.)

1147.07 SIGNS.

See Chapter 1187 for size and location of permitted signs.
(Ord. 82-1. Passed 2-16-82.)

1147.08 SUPPLEMENTARY REGULATIONS.

- (a) Site Plan Approval Required. To minimize traffic congestion on major roads and to protect the surrounding residential areas from any adverse activities that may be associated with a commercial grouping, a site plan, showing the site layout, including the locations and dimensions of vehicular and pedestrian entrances, exits, driveways, walkways, and the vehicular circulation patterns to and from the site; store locations and dimensions, off-street parking spaces, landscaped yards, and the location, type, and lighting of signs shall be submitted to, and approved by, the Planning Commission.
(Ord. 82-1. Passed 2-16-82.)

CHAPTER 1149
HS Highway Service District

<p>1149.01 Purpose. 1149.02 Uses. 1149.03 Lot requirements. 1149.04 Yard requirements.</p>	<p>1149.05 Structural requirements. 1149.06 Parking and loading requirements. 1149.07 Signs. 1149.08 Supplementary requirements.</p>
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CROSS REFERENCES

Supplemental yard and height regulations - see P. & Z. Ch. 1171
 Special provisions for commercial and industrial districts - see P. & Z. Ch. 1175
 Parking and loading regulations - see P. & Z. Ch. 1183
 Signs - see P. & Z. Ch. 1187
 Conditional Use Permits - see P. & Z. Ch. 1191

1149.01 PURPOSE.

The purpose of this district is to provide for commercial establishments offering accommodations, supplies, and services to local as well as through automobile and truck traffic. Development within the Highway Service District should be controlled to assure that the operational characteristics are not in immediate and direct conflict with the function of adjacent land use areas or the street system. Establishments within this district can and should be a visual asset to the community because of their size and prominent location. Parking, storage, and accessory operations are to be screened. The relationship among establishments within this district is to be compatible with each having adequate space for the operation performed. (Ord. 82-1, Passed 2-16-82.)

1149.02 USES.

(a) **Permitted Uses.**

- (1) Auto and truck rental.
- (2) New and used car and truck sales.
- (3) Gasoline service station.*
- (4) Auto wash.*
- (5) Trailer sale and rental.
- (6) Motel.*
- (7) Restaurant.
- (8) Drive-in restaurant.*
- (9) Bowling lanes.
- (10) Church and other buildings for the purpose of religious worship.
- (11) Tobacco Shops, Cigar Stands, Vape Shops

*See Chapter 1191 for additional developmental standards.

(b) Conditionally Permitted Uses.

- (1) Governmentally or privately owned and/or operated parks, playground, amusement and recreation facilities golf courses.
 - (2) Farm equipment sales and service.
 - (3) Automobile and truck repair garages.
 - (4) Drive-in theatre.
 - (5) Mobile home sales.
- (Ord. 82-1. Passed 2-16-82.)

1149.03 LOT REQUIREMENTS.

- (a) Minimum lot area: 20,000 sq. ft.
 - (b) Minimum lot width: 150 feet
- (Ord. 82-1. Passed 2-16-82.)

1149.04 YARD REQUIREMENTS.

- (a) Minimum front yard depth: 80 feet
 - (b) Minimum rear yard: 50 feet
 - (c) Minimum side yard width on each side: 30 feet
- (Ord. 82-1. Passed 2-16-82.)

1149.05 STRUCTURAL REQUIREMENTS.

- Maximum building height: 35 feet
- (Ord. 82-1. Passed 2-16-82.)

1149.06 PARKING AND LOADING REQUIREMENTS.

See Chapter 1183 for off-street parking and loading requirements.

(Ord. 82-1. Passed 2-16-82.)

1149.07 SIGNS.

See Chapter 1187 for size and location of permitted signs.

(Ord. 82-1. Passed 2-16-82.)

1149.08 SUPPLEMENTARY REQUIREMENTS.

(a) Site Plan Approval Required. A site plan shall be submitted to the Planning Commission for approval. The site plan shall indicate that the following regulations have been met to minimize traffic congestion:

- (1) Each lot shall provide a ten feet wide planting strip along the right-of-way line;
- (2) No more than two driveway approaches shall be permitted;
- (3) Each driveway shall not exceed thirty feet in width;
- (4) Service roads for two or more uses shall be encouraged in order to reduce the number of access points along a major street.

(b) Data Required for Zone Change Requests. A request to rezone land to highway service commercial must be substantiated with evidence that:

- (1) Such a use will not conflict with the intended function of a major street to carry traffic; and
- (2) That the capacity of the streets will not be materially reduced by the additional commercial facilities.

(Ord. 82-1. Passed 2-16-82.)

**CHAPTER 1151
CBD Central Business District**

<p>1151.01 Purpose. 1151.02 Uses. 1151.03 Lot requirements. 1151.04 Yard requirements.</p>	<p>1151.05 Structural requirements. 1151.06 Parking and loading requirements. 1151.07 Signs.</p>
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CROSS REFERENCES

Supplemental yard and height regulations - see P. & Z. Ch. 1171
 Special provisions for commercial and industrial districts - see
 P. & Z. Ch. 1175
 Parking and loading regulations - see P. & Z. Ch. 1183
 Signs - see P. & Z. Ch. 1187
 Conditional Use Permits - see P. & Z. Ch. 1191

1151.01 PURPOSE.

The purpose of this zone is to provide for a variety of retail, service, and administrative establishments which are required to serve the Village trading area population. This district is also intended to accommodate retail trade establishments in the community which cannot be practically provided for in a neighborhood commercial district development as well as those drawing from a relatively large trading area and requiring a highly accessible location.
 (Ord. 82-1. Passed 2-16-82.)

1151.02 USES.

(a) Permitted Uses.

- (1) Department store. (Ord. 82-1. Passed 2-16-82.)
- (2) Establishments engaged in the retail trade of, such as:
 - A. Drugs.
 - B. Book and stationery store.
 - C. Apparel store.
 - D. Florist shop.
 - E. Antique store.
 - F. Sporting goods store.
 - G. Jewelry store.
 - H. Optical goods store.
 - I. Furniture, home furnishings, and office equipment and office supplies store.
 - J. Beverages.
 - K. Bakery/Ice Cream Store
 - L. Photography
 - M. Government Buildings
 - N. Funeral Homes
 - O. Nail Salon

- (3) Establishments engaged primarily in the fields of finance, insurance, and real estate:
 - A. Bank.
 - B. Credit agency other than a bank.
 - C. Investment firm.
 - D. Real estate and insurance company.
 - (4) Establishments engaged in providing a variety of services to individuals and business establishments, such as:
 - A. Personal services such as barber and beauty shops, shoe repair shops, laundries, and dry cleaning.
 - B. Miscellaneous business services such as advertising, news syndicates and employment agencies.
 - C. Medical and other health services.
 - D. Engineering and architectural services.
 - E. Legal services.
 - F. Accounting, auditing, and bookkeeping services.
 - G. Nonprofit, professional, charitable and labor organizations.
 - H. Dance studio and school.
 - I. Bowling alley.
 - (5) Restaurants
 - (6) Accessory Building incidental to principal use.
- (b) Conditionally Permitted Uses.
- (1) Cultural institutions, including public libraries, public art galleries, public museums.
 - (2) Church and other buildings for the purpose of religious worship.
 - (3) Food stores.
 - (4) Garden supply store.
 - (5) Hardware store.
 - (6) Motion picture and theatrical playhouse.
 - (7) Off-street parking lot.
 - (8) Wholesaling activities in conjunction with a permitted or conditional retail use. The area utilized for such purpose shall be less than the area utilized for the respective retail portion of the facility.
 - (9) Single family.
 - (10) Two family dwelling.
 - (11) Multi-family dwelling.
 - (12) Family homes.
 - (13) Town houses.
 - (14) Residential conversions.
 - (15) Rooming house and boarding house accommodations.
 - (16) Community orientated residential social service facilities, not including family homes.
 - (17) Accessory buildings incidental to the principal use which do not include any activity conducted as a business.
 - (18) Home occupation in a single-family dwelling.
 - (19) Other Retail not otherwise specified

1151.03 LOT REQUIREMENTS.

- (a) Minimum lot area: None
 - (b) Minimum lot width: None
- (Ord. 82-1. Passed 2-16-82.)

CHAPTER 1153
I-1 Light Industrial-Commercial District

<p>1153.01 Purpose. 1153.02 Uses. 1153.03 Lot requirements. 1153.04 Yard requirements.</p>	<p>1153.05 Structural requirements. 1153.06 Parking and loading requirements. 1153.07 Signs. 1153.08 Supplementary regulations.</p>
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CROSS REFERENCES

Supplemental yard and height regulations - see P. & Z. Ch. 1171
 Special provisions for commercial and industrial districts -
 see P. & Z. Ch. 1175
 Parking and loading regulations - see P. & Z. Ch. 1183
 Signs - see P. & Z. Ch. 1187
 Conditional Use Permits - see P. & Z. Ch. 1191

1153.01 PURPOSE.

The purpose of this district is to provide for:

- (a) Certain commercial uses engaged in the storage, distribution, and handling of certain products, goods and materials which are believed out of scale or incompatible with retail commercial areas and;
- (b) Industrial operations engaged in the fabrication, repair, or storage of manufactured goods of such nature that no objectionable by-products of the activity (such as odors, smoke, dust, refuse, electromagnetic interference, noise in excess of that customary to loading, unloading, and handling of goods and materials) are noticed beyond the site on which the facility is located.
(Ord. 82-1. Passed 2-16-82.)

1153.02 USES.

(a) Permitted Uses.

- (1) Administrative, executive, financial, accounting, clerical and drafting offices.
- (2) Any use whose principle function is basic research, design and/or pilot or experimental product development or technical training.
- (3) Laboratories - experimental, film, testing, research, or engineering.
- (4) Medical, dental, optical manufacturing.
- (5) Automobile and truck service and repair.
- (6) Warehousing, including food and grain storage, industrially related wholesale establishments.
- (7) Printing, publishing, binding and typesetting plants.

- (8) The manufacture, compounding processing, packaging, or treatment of such products as, but not limited to: bakery goods, boxes and paperboard containers, business machinery, candy, clocks and toys, cosmetics, electrical and electronic products, hardware and cutlery, tool, die gauge, machine shops and pharmaceuticals.
- (9) The manufacture, compounding, assembling, or treatment of articles or merchandise from previously prepared materials such as, but not limited to: bone, canvas, cellophane cloth, cork, feathers, felt, fibre, fur, glass, hair, horn, leather, paper, plastics, precious or semiprecious metals or stone, sheet metal (excluding large stampings such as automobile fenders or bodies) shell, textiles, tobacco, wax, wire, wood, (excluding saw and planing mills), and yarns;
- (10) The manufacture of pottery and figurines or other similar ceramic products using only previously pulverized clay, and kilns fired only by electricity or gas.
- (11) The manufacture and repair of electric and neon signs.
- (12) Light sheet metal products, including heating and ventilating equipment, cornices or eaves.
- (13) Agriculture (excluding animals).
- (14) Tobacco Shops, Cigar Stands, Vape Shops
- (15) Accessory Buildings incidental to principal use.

(b) Conditional Uses.

- (1) Electroplating.
- (2) Graphic products manufacture.
- (3) Laundries.
- (4) Automobile service stations.
- (5) Car washes.
- (6) Garages for storage, repair, servicing of motor vehicles, including body repair, painting, and engine rebuilding.
- (7) Fast food and drive-in restaurants.
- (8) Cocktail lounges and adult entertainment businesses as further regulated by Chapter 1197 of the Lewisburg Codified Ordinances.
- (9) Radio, television or other transmission towers and related station facilities.
- (10) Yards of general contractors engaged in building or heavy construction; building materials storage and sales.
- (11) Machinery and heavy equipment rental, sales and storage.
- (12) Truck and motor freight terminals and hauling services.
- (13) Other manufacturing, processing, or storage uses determined by the Planning Commission to be of the same general character as the permitted uses previously listed and found not to be obnoxious, unhealthful, or offensive by reason of the potential emission or transmission of noise, vibration, smoke, dust, or glare, or heat. In this regard, the Planning Commission may seek expert advice of what conditions should be imposed on a particular operation to carry out the purposes of this zone; the cost of such expert assistance shall be borne by the applicant.
- (14) Single-family dwelling.
- (15) Home occupation in a single-family dwelling.

- (1) Conditional Uses shall comply with all pertinent development standards contained in Chapter 1191.
- (2) Each side and rear yard shall be equal to the height of the principal building. If adjacent lots are industrially developed to the lot line, no side yard need be provided. Where a side or rear yard abut onto a residential district the yard shall in no case be less than fifty feet and a landscaped screening provided. An opaque fence may be substituted for such plantings if approved by the Planning Commission. If the use is to be serviced from the rear, the yard shall be at least fifty feet deep.
- (3) Each side and rear yard for Conditional Uses shall be equal to two times the height of the principal building. If adjacent lots are industrially developed to the lot line, no side yard need be provided. Where a side or rear yard abuts onto a residential district, such yard shall in no case be less than 100 feet and a landscaped screening shall be provided. An opaque fence may be substituted for such plantings if approved by the Planning Commission. If the use is to be serviced from the rear, the yard shall be at least fifty feet deep.