

**Article 1100
Mixed Use District Regulations**

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1101 PURPOSE.

One of the primary goals of the Amherst Township Comprehensive Zoning Plan is to increase opportunities for economic development in the S.R. 58/I-80 area. Two significant public improvement projects in Amherst Township along S.R. 58 have enhanced the potential for private development in this area: the I-80 Turnpike interchange at S.R. 58; and the sanitary sewer along S.R. 58. It is the Township’s objective to stimulate economic development in a manner which provides the maximum flexibility for commercial and industrial development while protecting residential areas. To carry out this objective, the Township recognizes that the placement of structures, landscaping and access points in relation to major thoroughfares have a greater impact than the particular use which is permitted. The following three mixed use districts have been created:

- a. The MU-1 District which permits office and retail uses, and would be generally applied along Route 58 adjacent to the Ohio Turnpike to take advantage of this highly visible and accessible location; and
- b. The MU-2 District which permits office and industrial uses while excluding any retail uses, and would be generally applied to areas accessible to, but farther away from major thoroughfares where the attraction for retail development diminishes.
- c. The MU-3 Mixed Use Overlay District which permits housing, retail, and offices, was used to create economic and social vitality to the SR58 Corridor. Refer to Article 1150 for MU-3 requirements.

1102 PERMITTED USES.

In the MU-1 and MU-2 Districts, land and structures shall be used or occupied, and structures shall be erected, reconstructed, enlarged, moved or structurally altered, only for the uses specified in subsections a. through c. below.

- a. Principal Uses. The principal uses enumerated in Schedule 1102, denoted with a “P” are permitted by right in the district indicated provided that all requirements of this Resolution have been met.

- b. Conditional Uses. The categories of conditional uses enumerated in Schedule 1102, denoted with a “C” may be permitted in the district indicated, provided they conform to the conditions, standards and requirements of Article 1500 and are approved for a particular zoning lot in accordance with the administrative procedures in Article 2300.
- c. Accessory Uses. The accessory uses, buildings and structures enumerated in Schedule 1102, denoted with an “A” may be permitted in association with and subordinate to a permitted principal or conditional use in the district indicated provided they conform to the regulations set forth in Section 1107.

Schedule 1102

| PERMITTED USE | MU-1 | MU-2 | See Also |
|---|------|------|-----------|
| A. PROFESSIONAL/MEDICAL | | | |
| 1. Administrative, Business Professional and Medical Offices | P | P | -- |
| 2. Animal Hospital | | C | 1507.b.2 |
| 3. Hospital | C | C | 1507.b.9 |
| 4. Nursing Home | P | | -- |
| 5. Urgent Care Clinic | P | P | -- |
| B. RETAIL/SERVICES | | | |
| 1. Retail in wholly enclosed buildings | P | | -- |
| 2. Personal Services (e.g. hair care, dry cleaner, shoe repair, self-service laundry, etc.) | P | | -- |
| 3. Bar, Tavern, Night Club | P | | -- |
| 4. Drive through/in facilities | C | | 1507.b.7 |
| 5. Financial Establishment | P | | -- |
| 6. Hotels / Motels | P | | -- |
| 7. Repair Services (e.g. small appliance repair, electronics) | P | | -- |
| 8. Restaurant | P | | -- |
| C. VEHICLE SALES AND SERVICE | | | |
| 1. Automobile and Other Vehicles Sales/Service | C | | 1507.b.3 |
| 2. Service station | C | | 1507.b.14 |
| 3. Automobile repair garage | C | | 1507.b.4 |
| 4. Car wash | C | | 1507.b.5 |

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| PERMITTED USE | MU-1 | MU-2 | See Also |
|---|------|------|--------------|
| D. INSTITUTIONAL/OTHER | | | |
| 1. Child day care centers, adult day care center | P | P | -- |
| 2. Gas well | | P | ORC 1509 |
| 3. Public safety facilities | P | | -- |
| 4. Public utility transmission substations | C | C | Article 1500 |
| 5. Theater, assembly hall, meeting place | P | | -- |
| 6. Wireless telecommunication towers | P | P | Article 1900 |
| E. LIGHT INDUSTRIAL (When in a wholly enclosed building) | | | |
| 1. Business services, equipment sales & supplies in a wholly enclosed building | | P | -- |
| 2. Manufacturing, packaging, assembly | | P | -- |
| 3. Public service and maintenance facilities | | P | -- |
| 4. Storage/distribution | | P | -- |
| F. ACCESSORY USES | | | |
| 1. Accessory Buildings | A | A | -- |
| 2. Off-street parking and loading facilities | A | A | -- |
| 3. Signs | A | A | -- |
| 4. Swimming pools within a hotel/motel use | A | | -- |
| P = Principal use permitted by right C = Conditional use A = Accessory use permitted by right Blank Cell = Not permitted in district | | | |

1103 MINIMUM LOT REQUIREMENTS.

The minimum lot area, minimum lot width and maximum lot coverage of buildings are specified in Schedule 1103.

Schedule 1103

| Minimum Requirement | MU-1 | MU-2 |
|---|----------|----------|
| a. Minimum Lot Area | 1 acre | 1 acre |
| b. Minimum Lot Width | | |
| 1. Middle Ridge Road, S.R. 58 and S.R. 113 | 175 feet | 175 feet |
| 2. All Other Streets | 100 feet | 100 feet |
| c. Maximum Percent of Lot Coverage by all Buildings | 30% | 30% |

1104 REQUIRED YARDS.

All lots shall provide the following minimum front, side and rear yards as specified in Schedule 1104, unless otherwise permitted by this Resolution.

Schedule 1104

| Yard | MU-1 | MU-2 |
|---|----------------------|---------|
| a. Front | | |
| 1. Existing streets | 50 feet | 50 feet |
| 2. New Main streets per Thoroughfare Plan (Route 58 Corridor Study) | 30 feet | 30 feet |
| 3. All other new streets | Per development plan | |
| b. Side and Rear | | |
| 1. Adjacent to Non-Residential | 20 feet | 20 feet |
| 2. Adjacent to Residential District | 50 feet | 50 feet |

1105 MINIMUM PARKING SETBACKS.

The minimum parking setbacks permitted in all Mixed Use Districts are specified below:

Schedule 1105

| | | |
|---|--|--------------------------|
| a. | Front: | |
| 1. | Existing streets | 20 feet |
| 2. | New Main streets per Thoroughfare Plan (Route 58 Corridor Study) | 30 feet |
| 3. | All other new streets | As per development plan* |
| b. | Side and Rear: | |
| 1. | Adjacent to Non-Residential: | 10 feet |
| 2. | Adjacent to Residential District: | 20 feet |
| <p>*No parking in front of building. Therefore, when the building is setback greater than 30 feet, the parking setback shall also increase the same distance provided that in no case shall the required parking setback be greater than 50 feet.</p> | | |

1106 HEIGHT REGULATIONS.

No building or structure shall exceed 35 feet in height.

1107 ACCESSORY USE REGULATIONS.

- a. Yard Requirements. Accessory uses, buildings and structures shall meet all the yard requirements of Schedule 1104, unless otherwise specified in this Section.
- b. Parking Garages, Off-Street Parking and Loading Areas, and Access Driveways.
 - 1. Off-street parking and loading areas shall conform to the minimum parking setback requirements specified in Schedule 1105 and shall otherwise conform to the regulations of Article 1700.
 - 2. Parking garages shall comply with the yard and height requirements for principal buildings set forth in Sections 1104 and 1106.
 - 3. Parking garages and off-street parking lots may be located on the same lot as the principal use or may be located on a separate lot not more than 700 feet from the building or use to which such spaces are accessory.

- c. Temporary Buildings and Uses. For purposes incidental to construction work, temporary buildings and uses shall be permitted pursuant to the regulations in Section 310.d.
- d. Waste or Recycling Receptacles. All solid waste products resulting from any permitted principal, conditional or accessory use shall either be disposed of, or stored in a building or completely enclosed container. Such building, container or dumpster may be located in a side or rear yard and shall comply with the minimum parking setbacks established in Schedule 1105. When such container or dumpster, if not located in a building, is adjacent to a residential district, the container or dumpster shall be screened with a permitted wall or fence and planted material shall be provided to cover at least 50% of such wall or fence as viewed from the residential district. When such container or dumpster is adjacent to a non-residential district, it shall be screened with a permitted wall or fence.
- e. Fences and Walls. Shall be permitted accessory uses in compliance with the following:
 - 1. Fences located in a front yard shall not exceed 3 feet in height.
 - 2. All other fences shall not exceed 6 feet in height, except as otherwise required by this Resolution.

All height measurements shall be taken from the existing grade.

1108 LANDSCAPING AND SCREENING REQUIREMENTS.

Required yards and all other portions of the lot not covered by permitted structures shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material, which at all times shall be maintained in good and healthy condition. Screening and buffering shall be provided according to the requirements set forth in Article 1800.

1109 PERMITTED SIGNS.

All signs in MU-1 and MU-2 Districts shall conform to the provisions of Article 1600.

1110 GENERAL REGULATIONS.

The provisions of Article 300 shall apply in the MU-1 and MU-2 Districts.

1111 SITE PLAN AND DESIGN REVIEW.

The site plan and design review procedures shall apply to all proposed uses and to changes to existing uses, including site modifications, in MU-1 and MU-2 Districts pursuant to the regulations in Article 2200.

REVISION HISTORY

| <u>Date</u> | <u>Section #</u> | <u>Description of Change</u> | <u>Req. By</u> |
|--------------------|------------------------------|--|-----------------------|
| 7/10/01 | ALL | Original Update | Twp. Trustees |
| 11/24/05 | 1102 | In Schedule 1102 made corrections to the “See Also” column reference numbers. In Schedule 1102.D.2 changed Gas Well in MU-2 from “C” to “P” and “See Also” from “1507.b.9” to “ORC 1509”. In Schedule 1102.D.4 changed “See Also” from “1507.b.14” to “Article 1500”. Ref. Motion 10/10/05. Effective date 11/24/05. | Twp. Trustees |
| 10/12/06 | 1101 1102 1104 1105 | In Section 1101, deleted “proposed” and in Section 1101.a, deleted “and industrial” & “while strictly limiting outdoor storage”. In Schedule 1102.E, subsections 1, 2, 3, & 4, deleted “P” from “MU-1” column. In Schedule 1104.a, added 1, 2, & 3. In Schedule 1105.a, added 1, 2, & 3, as well as footnote (*). Ref. Motion 9/5/06. Effective date 10/12/06. | Zoning Commission |
| 11/20/24 | 1101 | Added 1101.c, concerning MU-3 Mixed Use Overlay District. Corrected “two” to “three”. Ref. Motion 10/8/24. Effective Date 11/20/24. | Twp. Trustees |
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