

Amend the Russell Township Zoning Resolution, Section 5.3, in order to split the C-S Commercial and Services Zone into two separate zones as follows:

5.3.1 C-S-1 Commercial and Services One Zone – Located at the intersection of S.R. 306 and S.R. 87 as shown on the Russell Township Zoning Map.

In order to provide for the development of small retail and services establishments to serve the daily shopping and service needs of the growing Township population in an orderly, safe, and attractive manner and within easy and convenient distance of residential areas within the Township, the C-S-1 Commercial and Services One Zone is established according to the following regulations:

- A. Permitted Uses - Retail establishments providing goods and services regularly purchased by residents of the Township for their ordinary household needs, such as food stores, drug stores, clothing and apparel shops, hardware stores, and florist shops, but not including gasoline service stations or service garages.
- .. Commercial service establishments including barber shops, banks, real estate offices, medical, dental, and similar professional offices, shoe repair, tailor, and similar service shops.
 - .. Public uses, lands and facilities.
 - .. Agricultural uses according to the provisions of Section 4.10 (Amended June 27, 1977 - Amendment No. 16)
- B. Permitted Accessory Uses
- .. Private garage space for the storage of commercial vehicles in conjunction with any business or service uses permitted in this Zone
 - .. Other customary accessory uses and structures which are clearly incidental to the principal uses or structures
- C. Conditional Uses - The following conditional uses are permitted subject to all provisions, requirements and procedures set forth in Section 6 of this Resolution.
- .. Churches
 - .. Private or commercial recreational facilities
 - .. Gasoline service stations and service garages. Service stations primarily devoted to servicing trucks shall not be permitted.
 - .. Restricted research and administrative office campuses

- .. Billboards
- .. Adult oriented businesses
- .. Retail Food Service within the 208 service plan area approved by the Township Trustees

~~(Extraction of oil, natural gas, and hydrocarbons including exploration for such substances added to this section by Amendment No. 26 in 1980, and deleted from this section by Amendment No. 31, 1985).~~

- D. Minimum Lot Area - Lot area shall be sufficient to provide for all requirements of setback, yards, off-street parking, and building coverage, buffers and lot coverage specified for this Section, but shall in no case be less than one acre.
- E. Minimum Lot Dimensions - Lot width and frontage shall be not less than one hundred (100) feet.
- F. Minimum Yard Dimensions
 - .. Each lot shall have a front yard of not less than seventy (70) feet
 - .. Each lot shall have a rear yard of not less than twenty-five (25) feet
 - .. Each side yard shall be not less than fifteen (15) feet, except that any side yard abutting a residential zone shall be not less than thirty (30) feet, and the street side of a corner lot shall be the same as the front yard required for abutting properties fronting on that street.
- G. Maximum Height of Buildings - No building, including appurtenant or accessory structures such as towers, turrets, light poles, or antennas shall exceed the height of two and one-half (2 1/2) stories or measure more than thirty-six (36) feet in height from building grade, whichever is less. (Amended June 27, 1977 - Amendment No. 16)
- H. Maximum Building Coverage - Total building coverage including all accessory buildings and structures on any lot shall not exceed forty (40) percent of the total lot area. (Amended June 27, 1977 - Amendment No. 16)
- I. Off-street Parking - One off-street parking space shall be provided for each two hundred (200) square feet of gross floor area. Each parking space shall be ten (10) feet wide and twenty (20) feet long, and shall be measured exclusive of driveways and passageways giving access thereto. (Amended June 27, 1977 - Amendment No. 16)
- J. Buffer Zones - Where adjacent to residentially zoned property, a minimum of a fifteen (15) foot buffer zone shall be maintained from any building, parking area, or driveway to the lot line in addition to the required side yard clearance of thirty (30) feet and rear yard clearances of twenty-five (25) feet as specified in Section 5.3.1 (F)

of this Resolution. The buffer zone shall be suitably planted and maintained by the owner with evergreens and shrubbery that contains year-round foliage with said plantings to be at least four (4) feet wide, six (6) feet in height, and densely planted. However, such planting located within twenty-five (25) feet of the intersection of two (2) or more streets or access driveways shall have a maximum height of three (3) feet and a minimum height of two (2) feet. (Amended 06/27/77- Amendment No. 16 and 08/19/05 – Amendment No. 2005-3)

- K. No on-site parking or driveways shall be constructed less than thirty (30) feet from the road right-of-way nor less than ten (10) feet from the side yard lot lines.

More than one driveway - Where more than one driveway fronting on the same right-of-way is used for access to a parking or loading area, they shall be clearly defined as to entrance and exit and shall be separated by suitable plantings to a fifteen (15) foot minimum width at the road right-of-way, sufficient to prevent vehicular use between the defined driveways. (Amended June 27, 1977 - Amendment No. 16)

- L. Size of Buildings - Not more than one separate building may be placed on a lot in common ownership or control. No separate establishment shall exceed five thousand (5,000) square feet of floor area. No building may be subdivided into more than five (5) separate establishments, either related or unrelated as permitted under this Resolution. An establishment shall be an entity of individual purpose and physical separation from all others. If in a multi-use building, it shall have floor-to-ceiling walls without openings, with separate entrances and exits. (Amended June 27, 1977 - Amendment No. 16)

- M. Maximum Lot Coverage - Lot coverage shall not exceed forty percent (40%).
(Amended November 15, 2002 - Amendment No. 2002-1)

5.3.2 C-S-2 Commercial and Services Two Zone – Located at the intersection of S.R. 306 and Music Street as shown on the Russell Township Zoning Map.

In order to provide for the development of small retail and services establishments to serve the daily shopping and service needs of the growing Township population in an orderly, safe, and attractive manner and within easy and convenient distance of residential areas within the Township, the C-S-2 Commercial and Services Two Zone is established according to the following regulations:

- A. Permitted Uses - Retail establishments providing goods and services regularly purchased by residents of the Township for their ordinary household needs, such as food stores, drug stores, clothing and apparel shops, hardware stores, and florist shops, but not including gasoline service stations or service garages.

Commercial service establishments including barber shops, banks, real estate offices, medical, dental, and similar professional offices, shoe repair, tailor,

and similar service shops.

.. Public uses, lands and facilities.

.. Agricultural uses according to the provisions of Section 4.10
(Amended June 27, 1977 - Amendment No. 16)

B. Permitted Accessory Uses

.. Private garage space for the storage of commercial vehicles in conjunction with any business or service uses permitted in this Zone

.. Other customary accessory uses and structures which are clearly incidental to the principal uses or structures

C. Conditional Uses - The following conditional uses are permitted subject to all provisions, requirements and procedures set forth in Section 6 of this Resolution.

.. Churches

.. Private or commercial recreational facilities

.. Gasoline service stations and service garages. Service stations primarily devoted to servicing trucks shall not be permitted.

.. Restricted research and administrative office campuses

.. Billboards

D. Minimum Lot Area - Lot area shall be sufficient to provide for all requirements of setback, yards, off-street parking, building coverage, buffers and lot coverage specified for this Section, but shall in no case be less than one acre.

E. Minimum Lot Dimensions - Lot width and frontage shall be not less than one hundred (100) feet.

F. Minimum Yard Dimensions

.. Each lot shall have a front yard of not less than seventy (70) feet

.. Each lot shall have a rear yard of not less than twenty-five (25) feet

.. Each side yard shall be not less than fifteen (15) feet, except that any side yard abutting a residential zone shall be not less than thirty (30) feet, and the street side of a corner lot shall be the same as the front yard required for abutting properties fronting on that street.

G. Maximum Height of Buildings - No building, including appurtenant or accessory structures such as towers, turrets, light poles, or antennas shall exceed the height of two and one-half (2 1/2) stories or measure more than thirty-six (36) feet in height from building grade, whichever is less. (Amended June 27, 1977 - Amendment No. 16)

- H. Maximum Building Coverage - Total building coverage including all accessory buildings and structures on any lot shall not exceed forty (40) percent of the total lot area. (Amended June 27, 1977 - Amendment No. 16)
- I. Off-street Parking - One off-street parking space shall be provided for each two hundred (200) square feet of gross floor area. Each parking space shall be ten (10) feet wide and twenty (20) feet long, and shall be measured exclusive of driveways and passageways giving access thereto. (Amended June 27, 1977 - Amendment No. 16)
- J. Buffer Zones - Where adjacent to residentially zoned property, a minimum of a fifteen (15) foot buffer zone shall be maintained from any building, parking area, or driveway to the lot line in addition to the required side yard clearance of thirty (30) feet and rear yard clearances of twenty-five (25) feet as specified in Section 5.3.2 (F) of this Resolution. The buffer zone shall be suitably planted and maintained by the owner with evergreens and shrubbery that contains year-round foliage with said plantings to be at least four (4) feet wide, six (6) feet in height, and densely planted. However, such planting located within twenty-five (25) feet of the intersection of two (2) or more streets or access driveways shall have a maximum height of three (3) feet and a minimum height of two (2) feet. (Amended 06/27/77- Amendment No. 16 and 08/19/05 – Amendment No. 2005-3)
- K. No on-site parking or driveways shall be constructed less than thirty (30) feet from the road right-of-way nor less than ten (10) feet from the side yard lot lines.
- More than one driveway - Where more than one driveway fronting on the same right-of-way is used for access to a parking or loading area, they shall be clearly defined as to entrance and exit and shall be separated by suitable plantings to a fifteen (15) foot minimum width at the road right-of-way, sufficient to prevent vehicular use between the defined driveways. (Amended June 27, 1977 - Amendment No. 16)
- L. Size of Buildings - Not more than one separate building may be placed on a lot in common ownership or control. No separate establishment shall exceed five thousand (5,000) square feet of floor area. No building may be subdivided into more than five (5) separate establishments, either related or unrelated as permitted under this Resolution. An establishment shall be an entity of individual purpose and physical separation from all others. If in a multi-use building, it shall have floor-to-ceiling walls without openings, with separate entrances and exits. (Amended June 27, 1977 - Amendment No. 16)
- M. Maximum Lot Coverage - Lot coverage shall not exceed forty percent (40%).
(Amended November 15, 2002 - Amendment No. 2002-1)

Amend Sections 3, 4.7, 4.11, 5, 5.4 and 6.5, as required by the above text changes, as follows:

Section 3 Establishment of Zones and Zoning Map

- 3.1 A. **Designation of Zones** - For purposes of this Resolution ~~seven-eight~~ (78) zones differentiated according to use and building regulations are hereby established within Russell Township, and shall be designated as follows:

1. R-3 - Residential Zone
2. R-5 - Residential Zone
3. C-S-1 - Commercial and Services One Zone
4. C-S-2 - Commercial and Services Two Zone
54. OB - Office Building Zone
65. PPD - Passive Park District Zone
67. APD - Active Park District Zone
78. LB - Limited Business Zone

4.7 Prohibited Uses

- O. No sales of automotive parts and accessories except as a secondary service in connection with a gasoline service station pursuant to the provisions of ~~Section 5.3~~ (e) Section 5.3.1.C and Section 5.3.2.C of this Resolution shall be permitted within the Township. (Amended June 27, 1977 - Amendment No. 17)

4.11 Signs

H. Signs Permitted in the Commercial (C-S-1 and C-S-2), Office Building (OB) and Limited Business (LB) Zoning Districts (See also Section F)

1. Only the following designs of signs may be located, erected, moved, constructed, reconstructed, extended, enlarged, converted, or structurally altered in the commercial, office building zoning and limited business districts upon the issuance of a zoning certificate and subject to the following limitations:
 - a. Each commercial, office building or limited business may be permitted one (1) of the following signs on the premises: wall or projecting.
 - (1) A wall sign shall have a maximum area of fifty (50) square feet.
 - (2) A projecting sign shall have a maximum area of ten (10) square feet per sign face and shall not extend more than four (4) feet measured from the face of the building to which such sign is attached.

- b. In addition to a wall or projecting sign, each commercial, office building or limited business may be permitted one (1) ground sign on the premises. Such sign shall not exceed sixteen (16) square feet per sign face in area.
 - c. In lieu of the permitted ground sign in paragraph b above, one (1) or more groups of commercial or office building uses within the same building or structure or located on the same lot may be permitted one (1) directory sign for all uses. Such signs shall have a maximum area of twenty (20) square feet per sign face.
2. Only the following types of signs may be located, erected, moved, constructed, reconstructed, extended, enlarged, converted, or structurally altered in the commercial, office building and limited business zoning districts upon the issuance of a zoning certificate and subject to the following limitations:

J. Maximum Height Requirements

1. Projecting and wall signs shall not exceed the height of the wall face to which such signs are attached.
2. Ground signs shall have a maximum height of six (6) feet in the ~~C-S~~ C-S-1, C-S-2, O-B and LB zones and five (5) feet in R zones.

Section 5 Zone and Overlay District Regulations

- 5.1 In accordance with Township objectives, to provide for orderly development of lands within the community appropriate for residential use, to take account of geological conditions and capacity to support development with on-site sewage disposal and water supply, to protect water table recharge from pollution, to protect the semi-rural character and open spaces of the Township, and to protect the values of wildlife and the natural environment, regulations are set forth in this Section governing the following zones:

1. R-3 - Residential
2. R-5 - Residential
3. C-S-1 - Commercial and Services One
4. C-S-2 - Commercial and Services Two
45. OB - Office Building
56. PPD - Passive Park District
7. APD - Active Park District
78. LB - Limited Business

Each zone covers the area designated in Section 3, Establishment of Zones, and shown on the Zoning Map.

5.4 Office Building Zone

- 5.4 **O-B Office Building Zone** - In order to provide a buffer zone between certain areas of the C-S-1 Commercial and Services One Zone and the Residential Zone of the Township, and in order to provide for reasonable use and development of certain parcels adjacent to the C-S-1 Commercial and Services One Zone which are not deemed suitable for residential use, the O-B Office Building Zone is established according to the following regulations:
(Amended March 15, 1979 — Amendment No. 24)

6.5 Conditional Uses

- F. Service Garages or Gasoline Service Stations -

Recognizing that service garages or gasoline service stations for the servicing, repairing, and fueling of automobiles present peculiar hazards to traffic movement and safety as well as potential hazards of fire, noxious or offensive fumes, odors and noise, but at the same time recognizing that such uses may be desirable within the Township to serve the objectives of the Commercial- and Services Zones and the convenience of the residents if developed with due regard for the impact of such uses upon traffic flow, the safety of adjacent property, the visual character of the area, and the general welfare. An application for approval of plans for such uses may be made for any land within a Commercial- and Services Zone within the Township in accordance with the following standards and requirements:

- H. Billboards (Amended March 21, 2003 – Amendment No. 2002-3) -

A billboard shall be classified as a commercial use and may be allowed in any C-S Commercial and Services Zone or O-B Office Building Zone or on any land used for agricultural purposes. Billboards shall be prohibited in all other zoning districts. No billboard shall be located, erected, constructed, reconstructed, enlarged or altered without first obtaining a conditional zoning certificate in accordance with this resolution. Alteration shall not include changing the content or elements of the sign face, or ordinary maintenance of structural components such as painting, and shall not require the issuance of a conditional zoning certificate.

- I. Adult Oriented Businesses

2. Conditions for Adult Oriented Businesses

Adult oriented businesses may only be allowed as a conditional use in the C-S-1 Commercial and Services One Zone.

- A. An adult oriented business shall comply with all of the regulations in this resolution for the zoning district in which it is located including, but not limited to, minimum lot area, minimum lot frontage and width, minimum yards (setbacks), lighting, maximum lot coverage, and maximum building and structure height. See Section 5.3.1.

Amendment 2016-2 Exhibit A

RUSSELL TOWNSHIP
 Amendment #2016-2
Exhibit B

Amend the Russell Township Zoning Map by rezoning the following parcels as listed and as shown on the attached draft Zoning Map:

1. Existing C-S (Commercial & Services) district at S.R. 306/87 to be rezoned to new district **C-S-1 (Commercial & Services One)**:

26-099500	Vol/Page	1735/0844	1.2	Crawford
26-099400	" "	1735/0844	0.5	Crawford
26-012200	" "	1992/1850	0.65	Music Hill West, Inc.
26-213200	" "	1262/0786	0.99	Zipp
26-062900	" "	1513/218	0.95	Macs Convenience Stores LLC
26-071600	" "	1854/3040	0.2	14863 Chillicothe Road LLC
26-071500	" "	1854/3040	0.01	14863 Chillicothe Road LLC
26-029250	" "	1785/1894	0.66	8490 Kinsman Properties LLC
26-059360	" "	0576/444	2.34	Gray
26-191360	" "	1882/187	0.75	Tartaglia @ (6)

2. Existing C-S (Commercial & Services) district at S.R. 306/Music Street to be rezoned to new district **C-S-2 (Commercial & Services Two)**:

26-164900	Vol/Page	1982/315	2.0	Ochiai
26-137450	" "	0750/0046	0.5	Patton
26-061900	" "	1786/2123	0.5	GBR Family & @ (3)
26-122140	" "	1847/872	0.79	Artino
26-122130	" "	1847/872	0.79	Artino
26-046400	" "	1783/2343	1.16	306 Music LLC
26-046500	" "	1783/2343	1.04	306 Music LLC
26-101500	" "	1783/2343	1.11	306 Music LLC
26-121000	" "	2004/2601	1.11	Steel
26-148880	" "	0930/1110	1.23	Sloe
26-157800	" "	0930/1102	2.7	Sloe
26-159400	" "	0647/1156	1.3	Braun