

EXHIBIT "A"

Table 1226-1: Allowed Uses

Uses P = Permitted C = Conditional	R-R	R-1	R-2	B-1	B-2	B-3	B-4	B-5	I-1	PD	Additional Regulations See Section:
Agricultural Uses											
Agriculture - animal husbandry and keeping of livestock	P	P						C	P		1226.02(2)
Agriculture - raising of crops	P	P	P	P	P	P	P	P	P	P	
Nurseries and greenhouses	C			P		C	C	C	P		
Residential Uses											
Adult family homes (3 to 6 adults)	P	P	P							C	
Adult group homes (7 to 16 adults)			C							C	
Multi-Family dwellings			P							P	
Nursing homes and assisted living facilities			C	C	C	C				P	1226.02(10)
Open Space Subdivisions	P	P C	C							P	
Single-Family dwellings	P	P	P							P	
Two-family dwellings		C	P							P	
Commercial Uses											
Airport and airport related facilities								P			
Banquet halls				P			P	P		P	
Bars and taverns				P		C	P	P		P	
Bed and breakfast establishments	C	C	C							P	
Day care centers				P	P	P		C	C	P	1226.02(5)
Day care home, Type A (7 to 12 children, or 4 to 12 children when 4 or more are under two years old)				C	C	C			C		1226.02(5)

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Uses P = Permitted C = Conditional	R-R	R-1	R-2	B-1	B-2	B-3	B-4	B-5	I-1	PD	Additional Regulations See Section:
Day care home, Type B (1 to 6 children, no 3 children are under two years old)	P	P	P							P	
Drive-through facilities				C	C	C	P	P		P	
Financial institutions				P	P	P	P	P		P	
Funeral homes				P	C	C	P	P	P		
Hotels and motels				P			P	P		P	
Kennels				P				C	P		1226.02(8)
Medical and dental offices				P	P	C	P	P	C	P	
Motor Vehicle body repair Automotive-body-repair				P			P	P	P		
Motor Vehicle car washes Automotive-car-washes				P			P	P	P		
Motor Vehicle fuel sales Automotive-fuel-sales				P		C	P	P	P	P	1226.02(3)
Motor Vehicle rental Automotive-rental				P			P	P	P		
Motor Vehicle repair and service Automotive-repair-and-service-&-body-repair				P			P	P	P		1226.02(3)
Motor Vehicle sales Automotive-sales				P		C	P	P	P		
Motor Vehicle Sales Lot				P			P	P	P		
Offices				P	P	C	P	P	P	P	
Parking lot			P	P	P	P	P	P	P	P	
Parking Lot Long Term/Deck								P			
Personal service establishments				P	C	C	P	P		P	
Recreation and indoor entertainment facilities				P			P	P	P	P	
Research facilities and laboratories				P	C	C	P	P	P	P	
Restaurants				P	C	C	P	P	P	P	
Retail and service commercial uses				P	C	C	P	P		P	
Self-storage facilities				C				C	P		1226.02(11)
Sexually oriented businesses							P				1226.02(12)
Social clubs and fraternal organizations				P		C	P	P		P	
Theaters				C		C	P	P		P	
Veterinarian clinics				P	C	C	P	P	P		

EXHIBIT "A"

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EXHIBIT "B"

1226.02(3) Use Specific Regulations

1224.08: Conditional Use Permit under the following conditions:

- 1.) The fenced enclosures shall be located a minimum of fifty feet from any existing dwelling except for a dwelling on the same lot as the fenced enclosure; or
- 2.) Neighboring property owners within 100 feet shall be notified, in writing, when the proposed placement of the fence is less than five feet from the lot lines.

(F) Chicken hens raised on a parcel less than five acres must be housed in a wholly enclosed, floored structure for protection from the elements with an appropriately-sized fenced area; hens shall not run at-large.

- 1.) All structures must be located in the rear yard with a minimum setback of 30 feet from all property lines.
- 2.) All fenced enclosures shall be located in the rear yard with a minimum setback of 20 feet from all property lines.
- 3.) A maximum of eight laying hens are permitted under this section; roosters are prohibited on parcels smaller than five acres.
- 4.) Property owners proposing to raise chicken hens must obtain a certificate of use and compliance through the Green Zoning Division. The property owner shall submit a site plan showing the proposed location of any structure/fencing with their application for a certificate of use and compliance.
- 5.) Nuisance conditions must be abated within seven days of notice by the city. Failure to address nuisance conditions may result in certificate of use and compliance revocation.

(3) Automotive ~~Motor Vehicle~~ Fuel Sales and Automotive ~~Motor Vehicle~~ Repair and Service Facilities. In addition to the applicable provisions of this chapter, automotive fuel sales and automotive repair and service facilities shall comply with the following:

- (A) ~~Automotive~~ **Motor Vehicle** fuel sales and ~~automotive~~ **motor vehicle** repair and service facilities that are located on a corner lot shall have a minimum of 150 feet frontage on each street to allow for adequate ingress and egress without creating congestion at an intersection;
- (B) Fuel pumps and related driveways and paved areas may be erected in a front yard, but not less than thirty feet from an existing or proposed street right-of-way, except for lots with frontage on Massillon Road or Arlington Road, in which case the minimum distance shall be forty feet from the right-of-way line;
- (C) A canopy may be constructed over the pump island, provided that the canopy shall extend no closer than twenty feet from an existing or planned right-of-way, except for lots with frontage on Massillon Road or Arlington Road, in which case the minimum distance shall be thirty feet from the right-of-way line;
- (D) If repair or service activities are performed on a vehicle, such vehicle shall be entirely within a building;
- (E) Outdoor sales, displays, and storage shall be in conformance with Section 1229.12: Outdoor Sales, Displays, and Storage; and
- (F) On a corner lot, access drives shall be placed as far from the intersection as possible and shall be limited to no more than one access drive per fronting street.

(4) Cemeteries. The lot or the area of a lot proposed for a cemetery shall be used for cemetery

EXHIBIT “C”

1.) For the purpose of computing requirements based on employees, students, residents, or occupants, calculations shall be based on the largest number of persons working on a single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable, and whichever results in a greater number of spaces.

2.) In hospitals, bassinets shall not be counted as beds.

3.) In the case of benches, pews and similar seating accommodations, each eighteen inches thereof shall be counted as one seat for the purpose of determining applicable requirements.

(F) Unlisted uses.

1.) Upon receiving an application for a use not specifically listed in the schedules below, the Planning Department shall apply the standard specified for the listed use that is deemed most similar to the proposed use in regards to use, size, and intensity of use.

2.) If the Planning Department determines that there is no listed use similar to the proposed use, intensity, or size, they may refer to the estimates of parking demand based on recommendations of the Institute of Traffic Engineers (ITE).

(4) Parking Space Requirements.

(A) Table 1229-1 defines the number of parking spaces required for each use within Green.

(B) A minimum of five spaces is required for any use other than a single-family dwelling or two-family dwelling unless approved as a conditional use pursuant to Section 1224.08: Conditional Use Permit.

(C) Whenever the parking requirements of Table 1229-1 can be shown by the applicant to result in an excessive number of parking spaces and that a lesser number of spaces is appropriate and consistent with this Code, the PZC may approve a reduction in required spaces.

Table 1229-1 Required Number of Parking Spaces	
Use	Required Parking Spaces
Residential Uses	
Nursing homes and assisted living facilities	1 space per 3 beds
Housing reserved for older adults (65 years or older)	1 space per bed
Multi-family dwellings	2 spaces per dwelling unit
Open space subdivisions	2 spaces per dwelling unit [1]
Single-family dwellings	2 spaces per dwelling unit [1]
Two-family dwellings	2 spaces per dwelling unit [1]
NOTE: [1] A minimum of one parking space shall be located within an attached or detached parking garage.	
Commercial and Office Uses	
Amphitheaters, auditoriums, stadiums, theaters, and other places of assembly	1 space per 3 fixed seats or 1 space per 2 persons of maximum occupancy, whichever is greater
Automotive Motor Vehicle body repair or automotive motor vehicle repair and service	3 spaces per 1,000 square feet of floor area, excluding service bays, plus 2 spaces per service bay (service bay may not be counted as a parking space).
Automotive Motor Vehicle car washes	2 spaces per washing bay (washing bay may not be counted as a parking space).
Automotive Motor Vehicle fuel	4 spaces per 1,000 square feet of floor area, excluding service bays,

sales	plus 1 space per fuel pump or service bay (service bay may not be counted as a parking space).
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Table 1229-1 Required Number of Parking Spaces	
Use	Required Parking Spaces
Commercial and Office Uses	
Automotive Motor Vehicle rental or sales	10 spaces per 1,000 square feet of indoor floor area, plus 2 spaces per service bay (service bay may not be counted as a parking space).
Banquet halls	1 space per 2 persons, or 1 per 1,000 square feet, whichever is greater
Bars and taverns	15 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater
Bed and breakfast establishment	2 spaces for the owner or operator, plus 1 space for each bedroom rented to the public
Kennels	2 spaces for drop-off and pick-up of animals
Day care centers	1 space for every 4 students
Financial institutions	4 spaces per 1,000 square feet
Funeral homes	1 space per 50 square feet
Garden store, nurseries, or greenhouse	4 spaces per 1,000 square feet of indoor sales area, plus 1 space per 1,000 square feet of greenhouse or net outdoor sales
Health and fitness centers	5 spaces per 1,000 square feet
Hotels and motels	1 space per room or suite
Medical or dental offices	5 spaces per 1,000 square feet
Offices	3 spaces per 1,000 square feet
Outdoor displays, sales or storage	1 space per 750 square feet
Personal service establishments	6 spaces per 1,000 square feet, or 2 spaces per station/chair, whichever is greater
Pool or billiard hall	10 spaces per 1,000 square feet
Restaurants	15 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater
Retail and service commercial uses	4 spaces per 1,000 square feet
Self-storage facilities	1 space per 20 storage units
Social clubs and fraternal organizations	1 space per 3 fixed seats or 1 space per 2 persons of maximum occupancy, whichever is greater
Theaters	1 space per 3 fixed seats or 1 space per 2 persons of maximum occupancy, whichever is greater

Tennis courts	4 spaces per court
Volleyball courts	15 spaces per court

(D) Company vehicle and equipment parking. Additional parking spaces shall be required for company vehicles and equipment. Parking facilities required for customer and employee parking shall not be used for storage of company vehicles and equipment, including but not limited to, company trucks, landscaping equipment, etc. Exceptions may be granted if:

- 1.) The applicant can demonstrate that the storage will occur only during non-peak hours for customer demand;
- 2.) The vehicles are stored in an area which is appropriately screened from the public street; and
- 3.) The storage area is approved by the PZC on the site plan.

(5) Stacking Space Requirements.

(A) Applicability. All nonresidential uses with drive-through facilities shall be subject to the stacking space requirements of this section.

(B) Minimum number of stacking spaces. The number of required stacking spaces shall be as provided for in Table 1229-2; See Figure 1229.05-1 for illustration of stacking spaces:

Table 1229-2: Stacking Space Requirements		
Activity	Minimum Stacking Spaces (per lane/service window)	Measured From:
Financial Institution or Automated Teller Machine (ATM)	4	Teller or Window
Restaurant	8	Pick-Up Window
Full Service Automotive Motor Vehicle Wash	7	Washing Bay
Self-Service Automotive Motor Vehicle Wash	4	Washing Bay
Fuel or Gasoline Pump Island	2	Pump Island
Other	A minimum of 6 spaces per lane or window.	

1229.12 OUTDOOR SALES, DISPLAY, AND STORAGE.

- (1) Purpose. The purpose of these regulations is to ensure the proper use of land for outdoor displays, sales, and storage so as to minimize impacts on surrounding property owners and uses.
- (2) Applicability. The provisions of this section shall apply to all uses except single-family, two-family dwellings, multi-family dwellings, and roadside markets that are accessory to an agricultural use.
- (3) Exemptions. The following uses, where the outdoor displays and sales are the principal use of the lots, shall be exempt from these regulations:
 - (A) ~~Automotive~~ **Motor Vehicle** sales or rental;
 - (B) Greenhouses;
 - (C) Tool rental or sales facilities; and
 - (D) Similar uses as determined by the BZA.
- (4) General Standards. All outdoor sales, display, and storage areas shall be illustrated on the site plan and shall require approval by the PZC during site plan review process. Existing locations shall meet the criteria as set forth by the following:
 - (A) Outdoor sales, display, and storage areas shall not be located in any required setback, parking and circulation area, right-of-way, or required landscape or screened area.
 - (B) Such sales, display, and storage areas shall be prohibited if they will create any safety hazard for pedestrians. A minimum pathway in areas used for outdoor displays, sales, and storage shall be provided to allow for the flow of pedestrian traffic outside of designated vehicular traffic drives. Such pathways shall have a minimum clearance width of five feet, or the width required to meet the minimum standards of the Americans with Disabilities Act, Summit County Building Department, whichever is greater.
 - (C) Where screening or security fencing is provided or required, decorative cast iron, aluminum, wood material, or other material as approved by the PZC shall be utilized. Chain link fencing and other wire mesh fencing shall only be permitted where the fencing is not visible from any public right-of-way.
 - (D) All outdoor sales, display, and storage areas shall maintained free of garbage and other debris.
- (5) Standards for Outdoor Sales and Displays. Outdoor sales and displays may be permitted where such sales and display areas comply with the following regulations:
 - (A) Outdoor sales and displays are prohibited on vacant lots unless approved in advance by the PZC and only retail commercial uses are permitted in the applicable zoning district. Upon approval a temporary use permit is to be obtained.
 - (B) Outdoor sales and displays may be permitted provided that the merchandise is displayed along the sidewalk, the walkway adjacent to the building, or in the side yard.
 - (C) Outdoor displays and sales of bulk or large products that exceed twenty pounds, including, but not limited to mulch (bag or bulk), concrete, salt, or other similar products that cannot be easily carried into the store for purchase shall be required to meet the requirements for outdoor storage (Section 1229.12(6): Standards for Outdoor Storage Areas).
 - (D) Outdoor cafés and food service areas may be permitted when they comply with the following regulations:
 - 1.) Outdoor cafés or food service areas located along a sidewalk or between the building and parking area;
 - 2.) Outdoor café and food services areas wider than four feet shall be surrounded by railings that separate the eating area from sidewalk or vehicular traffic;
 - 3.) Umbrellas that shelter diners from the elements shall be secured so as not to create a hazard in windy conditions; and
 - 4.) Enclosing outdoor cafés or food service areas either by a permanent roof or to expand the existing structure shall meet all the requirements of a building within the applicable zoning

EXHIBIT “D”

Application

The process by which the owner, or their agent, of a parcel of land within the City submits a request for a permit or any type of development review or approval identified in Chapter 1224: Development Review Procedures of this Code. Applications include all written documentation, verbal statements, and representations, in whatever forms and quantities as required by the City.

Architect

An individual or firm registered in the State of Ohio to practice in the field of architecture.

Assisted Living Facility

A special combination of housing, supportive services, personalized assistance, and health care designed to respond to the individual needs of those who need help with activities of daily living.

~~**Automotive Body Repair**~~

~~A facility that provides collision repair services, including body frame straightening and repair, replacement of damaged parts, and painting.~~

~~**Automotive Car Washes**~~

~~The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.~~

~~**Automotive Fuel Sales**~~

~~That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles.~~

~~**Automotive Rental**~~

~~A facility where new or used cars, motorcycles, and other light load vehicles are leased or rented.~~

~~**Automotive Repair and Service**~~

~~A building, structure, or land used for the general repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including, but not limited to, muffler, oil change and lubrication, tire service and sales, installation of accessory, or engine repair.~~

~~**Automotive Sales**~~

~~A facility where new or used cars, motorcycles, and other light load vehicles in operation condition primarily are sold, leased on a long-term basis.~~

Banquet Hall

A facility or building available for lease by private parties that may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption during scheduled events not open to the public, and/or outdoor gardens, decks, or reception facilities.

Bars and Taverns

An establishment provided or dispensing, for on-site consumption, any fermented malt beverage, malt beverage, special malt, vinous, or spirituous liquors. The sale of food products including, but not limited to, sandwiches and light snacks may be a secondary use to the service of the aforementioned drinks.

Basement

That portion of a structure between the floor and ceiling which is wholly or partly below grade and having more than one-half of its height below grade.

Mineral Extraction

Any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or moved and shall include the conditions resulting therefrom, including but not limited to gravel pits and not including the impacts of such operation. Such use shall require appropriate permits from the State of Ohio.

Mobile Home

An industrialized building unit constructed on a chassis for towing to the point of use, designed to be used with or without a permanent foundation and intended to be occupied as a dwelling.

Monument

A survey marker used to mark a street intersection, a start or end of a curve, a subplot corner, an allotment corner, an original lot corner or a section corner, or to witness any of the above.

Motor Vehicle

Any self-propelled vehicle designed primarily for transportation of persons or goods on public streets and roadways.

~~Automotive-~~Motor Vehicle Body Repair

A facility that provides collision repair services, including body frame straightening and repair, replacement of damaged parts, and painting.

~~Automotive-~~Motor Vehicle Car Washes

The use of a site for washing and cleaning of motor vehicles

~~Automotive-~~Motor Vehicle Fuel Sales

That portion of property where flammable or combustible liquids or gases used as fuel are stored and dispersed from fixed equipment into the fuel tanks of motor vehicles.

~~Automotive-~~Motor Vehicle Rental

A facility where new or used motor vehicles are leased or rented.

~~Automotive-~~Motor Vehicle Repair and Service

A building, structure, or land used for the general repair and maintenance of motor vehicles including, but not limited to, muffler, oil change and lubrication, tire service and sales, installation of accessory, or engine repair.

~~Automotive-~~Motor Vehicle Sales

A facility where new or used motor vehicles in operation condition primarily are sold, leased on a long-term basis.

Motor Vehicle Sales Lot – Premises on which new or used motor vehicles, utility trailers, camping trailers, recreational vehicles, are displayed on a hard surface parking area for sale, lease or trade which shall be accessory to a primary use such as a sales and/or repair facility

Nameplate

A sign indicating only the name and address of the person, business, profession or activity occupying a lot or building, or part of the operation or maintenance of any equipment which is placed on the building or site.

Natural Succession

A gradual and continuous replacement of one kind of plant and animal group by a more complex group. The

Parking Aisle

The driveway or access drive by which a car enters and departs a parking space.

Parking Area

~~The entire paved area that encompasses all parking spaces and the access drives that provided access to those spaces but that does not include the entry drive or driveway with no direct access to a parking space.~~

Parking Area/Deck – An off-street area or structure provided for the parking of motor vehicles and involves any related aisles, parking spaces, ingress and egress lanes. (But shall not include any part of a publicly dedicated street)

Parking Lot – An off-street hard surface area dedicated for the parking of motor vehicles for short periods of time (typically less than 24 – 48 hours) to be used exclusively by the owners, tenants, lessees, or occupant of the property of which the lot is located; including their customers, employees, or other guests granted permission to use the lot

Parking Lot (Long Term) – A parking area or structure provided for the parking of motor vehicles for periods greater than 48 hours and charging a fee for said period of time for customers, employees and or guests

Parking Space

A graded and surfaced area, either enclosed or open, for the parking of a motor vehicle, having adequate ingress and egress to a public street, alley or parking aisle.

Parks, Playgrounds, and Recreational Facilities

Any park or recreational facility that requires grading of the land, construction of facilities, lighting, or is developed for ball fields, tennis courts, swimming pools, skate parks, disc golf, golf courses and other active sports facilities with the exception of bike and hike trails. The principal use and activities of an active park, playground, and recreational facility are generally located outdoors although the use may include some enclosed structures that are accessory to the principal use.

Passive Parks and Conservation Areas

Any park or recreational facility where there is no grading of the land, the construction of facilities, lighting, or development of ball fields with the exception that passive parks, recreational facilities, and conservation areas may include the development of trails and sidewalks.

Pedestrian Walkways

A dedicated public right-of-way limited to pedestrian use.

Performance Bond or Surety Bond

An agreement between a developer and the City for the amount of the estimated construction cost, guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the agreement.

Personal Service Establishments

Establishments that primarily engage in providing services generally involving the care of the person or person's possessions. Personal services may include, but are not limited to, laundry and dry-cleaning services, barber shops, beauty salons, massage therapy, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.

Phasing