



**AGENDA**  
**PLANNING COMMISSION MEETING**  
**Monday March 16, 2026; 7:00 p.m.**  
**Village Hall**  
**1582 Main Street**  
**Peninsula, Ohio 44264**

**CALL TO ORDER; ROLL CALL**

**CONSIDERATION OF MINUTES:** February 23, 2026 Planning Commission Meeting

**CITIZENS PARTICIPATION:**

**MAYOR'S REPORT:**

**COUNCIL LIAISON REPORT:**

**BUSINESS:**

**Ordinance No. 26-2025**

**An Ordinance Amending Chapter 1125 of the Zoning Code Related to Off-Street Parking**  
(Referred back to Planning Commission by Council and As Amended at the Request of the  
Planning Commission at its February 23, 2026 Meeting)

**Additional Proposed Amendments to Zoning Code:**

Mixed-Use Zone Development; New Chapter 1116

Pertinent Amendments to Land Use Tables, Section 1109.03

Amendments to Chapter 1129; Landscaping, Screening, and Planting

Former Players Barn Property Zoning Classification

**Additional Potential Zoning Code Amendments to be Discussed at Future Meetings:**

Commercial, Mixed-Use, and Public Institution Zone Exterior Lighting Ordinance

Accessory Dwelling Units

**ADJOURNMENT**

**RECORD OF PROCEEDINGS  
VILLAGE OF PENINSULA PLANNING COMMISSION**

**Held: Monday, February 23, 2026**

**CALL TO ORDER:** Ms. Walters called the meeting to order at 7:00 p.m.

**ROLL CALL:**

Chairperson Karen Walters	Present	Greg Canda	Present
Council Rep. Amy Frank-Hensley	Present	Mayor Daniel Schneider, Jr.	Present
Kevin Royer	Present		

**OTHERS PRESENT:** Village Planner Rita McMahon, Solicitor Brad Bryan, and Admin. Faith Dorton

**ELECTION OF CHAIRPERSON**

Mr. Royer made a motion that was seconded by Mr. Canda to nominate Ms. Walters as Chairperson. Roll call vote: Ms. Walters, yes; Mr. Royer, yes; Mr. Canda, yes; Mayor Schneider, yes, Ms. Frank-Hensley, yes. The motion was approved.

**CONSIDERATION OF MINUTES:**

November 24, 2025 Planning Commission Meeting

Mr. Royer made a motion that was seconded by Mr. Canda to approve the Minutes. Roll call vote: Ms. Walters, yes; Mr. Royer, yes; Mr. Canda, yes; Mayor Schneider, yes, Ms. Frank-Hensley, abstain. The Minutes were approved.

**CITIZENS PARTICIPATION:** Jodi Padrutt asked why Ms. Walters abstained twice in votes at the last meeting. Ms. Walters stated she abstained due to a conflict of interest.

**MAYOR'S REPORT:** The Mayor reported the Village is dealing with a salt shortage. While the Village still has some supply, much of it has hardened and must be broken up before use to prevent equipment problems. He explained that the Service Department is currently operating with one employee. A candidate for the second position was interviewed on Friday, and the Village is waiting to hear whether he will accept the job. The Mayor mentioned there is still a vacancy on the BZA. Matthew Padrutt, who was in the audience, stated he would submit a letter of interest.

**COUNCIL LIAISON REPORT:** Ms. Frank-Hensley reported Council is in the process of updating its Rules of Council and expects to approve them soon. One key change is establishing two Regular Council Meetings each month to allow more time for in-depth discussions on major issues instead of relying on Special Meetings. She also noted efforts to improve more prompt approval of BZA Meeting minutes and mentioned Council is developing a list of priority issues, some of which may involve input from the Planning Commission. It was noted there is an upcoming Board of Zoning Appeals meeting scheduled for 6:00 p.m. before the March 10 Council Meeting. Ms. Frank-Hensley reported that Council requested the Commission to reexamine and provide further guidance on two planning matters, the parking code amendment Ordinance and the maximum building footprint as a percentage of lot size Ordinance. Council is also considering a proposal for a joint water district feasibility study. She asked what role the Planning Commission should play in discussions about water infrastructure as Council considers

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contributing about \$33,000 toward that feasibility study. That contribution would help fund a masterplan study conducted by an engineering firm to evaluate how a regional water system could be developed, potential service areas and routes, phasing, and funding options. The project could take decades to fully implement and would likely expand gradually depending on funding and participation. Contributions for the feasibility study would come from Peninsula, Boston Heights, the County, and the Conservancy. Commission Members expressed general support for these efforts to gather information, noting that a municipal water system could benefit residents and businesses who currently rely on wells or private water deliveries.

Mr. Canda asked for an update on the recent grant applications. The Mayor explained the Village expects to receive an additional check for the sewer project in the amount of \$1.1 million dollars from the federal government. An official check presentation ceremony with Representative Emelia Sykes is being scheduled. The Village was also awarded a \$2 million dollar safety grant from ODOT and a \$1.5 million dollar grant from the Ohio Public Works Commission for the Village Rt. 303 Corridor and Streetscape Project. Members noted those grants will advance certain infrastructure projects outlined in the Downtown Master Plan. The Commission also reviewed the Council priority list shared with the Planning Commission that includes topics such as water and wastewater infrastructure, Main Street improvements, parking, zoning changes, economic development, short-term rental regulations, historic preservation, and other policy updates. The Commission Members suggested adding stormwater planning and identifying vacant properties for potential economic development opportunities.

**BUSINESS:**

**Ordinance No. 26-2025**

**An Ordinance Amending Chapter 1125 of the Zoning Code Related to Off-Street Parking Additional Proposed Amendments to Zoning Code (Referred back to Planning Commission by Council)**

Ms. Walters opened a discussion about the proposed Ordinance, which had been referred back to the Planning Commission by Council to review questions and comments outlined in an email from a Councilperson. Mr. Canda stated the concerns were worth reviewing, even if the Planning Commission ultimately reaches the same conclusions. He emphasized the need to strike a balance between encouraging development and protecting the Village from undesirable outcomes, noting that overly strict regulations could prevent development while overly loose rules could create problems.

Ms. McMahon explained the revisions to the Ordinance were originally developed after the Planning Commission asked for more flexibility in the parking requirements, since national parking standards did not always fit the Village's small lots and limited development opportunities. She stated the proposed Ordinance was designed to evaluate parking needs on a case-by-case basis rather than applying rigid formulas, while still providing guidance through criteria that both applicants and the Planning Commission would use when evaluating proposals. She noted the goal was to maintain flexibility, while giving decision-makers structured parameters for making decisions. She suggested the Commission could further refine the criteria or revisit older code provisions if members believed additional clarification or adjustments were needed.

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The question as to how the current and proposed parking regulations would affect existing businesses versus future developments or changes in property use, was raised. It was noted that most existing businesses are grandfathered under the current rules. If a property's use changes, however, new parking requirements could apply and be difficult to meet. Ms. McMahon explained that under the current code, such cases would typically require a variance from the BZA. This proposed approach allows the Planning Commission to evaluate parking needs more flexibly through the site plan process, since the Commission considers broader planning goals with a long-term development vision, whereas the BZA operates in a narrower, quasi-judicial role, focused strictly on whether the legal variance criteria are met. Ms. McMahon reminded everyone that while Council ultimately passes zoning legislation, proposed changes must first be reviewed by the Planning Commission before Council can act.

The discussion then shifted to how the proposed flexible parking approach would work in practice. Ms. McMahon explained that applicants need to present detailed plans so the Commission can evaluate parking needs case-by-case rather than applying rigid formulas. Members acknowledged the goal is to allow reasonable development, while still protecting residents from traffic and parking problems. It was noted that the Ordinance alone will not solve the Village's broader parking challenges.

Mr. Royer stated the proposed approach places responsibility on developers or business owners to create a workable plan for parking and site use, requiring them to present solutions that the Village can review and approve rather than relying on rigid rules that discourage investment. He noted the previous system was so strict that potential businesses might avoid the Village altogether because meeting the parking requirements would seem impossible. The Mayor agreed that the new process allows more oversight by the Planning Commission instead of sending cases directly to the BZA, which meets infrequently and may not have the same level of context about planning goals. Mr. Royer noted that requiring applicants to propose and justify solutions encourages creative problem-solving while ensuring proposals are evaluated through established criteria and broader planning considerations.

Ms. McMahon explained that some concerns raised by Council related to definitions and terminology in other sections of the Zoning Code, such as those governing multiple dwellings and parking provisions. She suggested that certain provisions could be combined in the future to reduce overly broad wording and improve clarity. She also noted that language such as "where reasonably possible" is commonly used in zoning codes to preserve flexibility, particularly because different businesses have very different loading and parking needs. The Ordinance requires applicants to identify how loading and unloading will occur as part of their plans, rather than imposing a single rigid requirement that may not apply to every situation.

The Commission also discussed parking requirements for apartment units and whether the existing threshold of 550 square feet was too small, since units that size are uncommon and would effectively require two parking spaces for most apartments. Members agreed that increasing the threshold to 901 square feet would better support the goal of encouraging residential development, while still ensuring adequate parking. The Planning Commission also directed that language encouraging consideration of previous decisions be added for consistency purposes. Ms. McMahon was directed to make those revisions for the Commission's review at the March Meeting.

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The Commission next discussed the proposed amendment to enact a 50% maximum building lot coverage footprint in the commercial, mixed-use, and public institution districts. Ms. McMahan explained the 50% limit was developed by analyzing existing properties, setbacks, and the need to maintain space for on-site parking, so buildings could expand without covering the entire lot and forcing all parking elsewhere. Members noted the percentage is meant to balance development potential with practical site constraints, particularly for larger properties like the former General Diecasters site.

The Commission also discussed the proposed regulation allowing shared parking within a certain distance and whether those shared parking agreements should be formally documented. Members agreed that any shared parking arrangement between property owners should at least be in writing, and possibly be recorded, so future owners are aware of the agreement and businesses relying on those spaces are protected. At the same time, concerns were raised that permanently recording such agreements could reduce flexibility for property owners if businesses close or change, since parking needs may evolve over time. The group concluded that the issue involves legal and practical considerations, and Ms. McMahan agreed to research how other communities handle shared parking agreements and return with recommendations before any final decision is made.

A full discussion on the mixed-use zone development amendments was deferred to next month's meeting. Instead of reviewing the entire document that evening, Ms. McMahan provided a short overview, explaining that the revisions aim to create clearer development standards for mixed-use properties, which are currently regulated very broadly. She noted the updated draft incorporates feedback from prior discussions on this issue and clarifies or removes unclear language. Some of the changes are also intended to better manage transitions between commercial and residential properties.

In response to a question, Ms. McMahan stated a "service area" refers to any outdoor space where service or support activities for a business occur outside the building. These areas can include spaces for dumpsters, storage, outdoor service work, or other operational activities, such as installing products for customers.

**ADJOURNMENT:** Mr. Canda made a motion that was seconded by Ms. Walters to adjourn the meeting. Roll call vote: Ms. Walters, yes; Mr. Royer, yes; Mr. Canda, yes; Mayor Schneider, yes, Mr. Steidl, yes. The meeting was adjourned at 8:50 p.m.

Respectfully submitted:

Karen Walters, Chairperson

Date

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# CHAPTER 1125

## Schedule of Off-Street Parking

- 1125.01 Intent.**
- 1125.02 Off-street loading and unloading space.**
- 1125.03 Off-street parking development conditions.**
- 1125.04 Table.**
- 1125.05 Municipal facilities.**
- 1125.06 Regulations for the development and maintenance of parking lots.**
- 1125.07 Parking Requirements in the Commercial and Mixed -Use Districts**

**1125.01 INTENT.**

The intent of this chapter is to provide for adequate private passenger vehicle and delivery truck parking for different types of land uses within the Village and to set standards for the construction and use of off-street parking facilities. Within this chapter, standards have been identified for:

- (a) The temporary parking of trucks with the primary intent of delivering goods for storage and/or sale to the general public;
- (b) The temporary parking of private passenger vehicles as a use incident to a principal use; and
- (c) The temporary parking of private passenger vehicles as a principal use of the site to serve another use district which has developed without adequate off-street parking.

**1125.02 OFF-STREET LOADING AND UNLOADING SPACE.**

~~Whenever reasonably possible, On~~ Whenever reasonably possible, On the same premises with every building, structure, or part thereof, erected and occupied within the C Commercial District and the MU Mixed Use District there shall be provided and maintained on the lot, adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets or alleys. Loading spaces shall be as approved by the Planning Commission through the site plan approval process. Such space shall include a 10 foot by 55 foot loading space, with 14 foot height clearance, for every 10,000 square feet or fraction thereof, in excess of 2,000 square feet of building floor use or land use for the above mentioned purposes. A 10 foot by 25 foot loading space with a 14 foot height clearance shall be required for non-residential uses of 2,000 or less square feet of building floor use or land use.

**1125.03 OFF-STREET PARKING DEVELOPMENT CONDITIONS.**

In all zoning districts, off-street parking facilities for the storage or parking of private passenger vehicles hereafter erected, altered or extended after the effective date of this Ordinance shall be provided and maintained as herein prescribed:

- (a) The loading space as required in Section 1125.02 shall not be construed as supplying any off-street parking space.
- (b) When units or measurements used in determining the number of required parking spaces result in requirement of fractional space, any fraction up to and including one-half shall be disregarded and fractions over one-half shall require one space.

(c) Whenever ~~there a use requiring off-street parking is~~ an increased in floor area or changed in zoning use, ~~and such use is located in of~~ a building existing on or before the effective date of this Ordinance, the Planning Commission shall evaluate the need for additional parking per Section 1125.07. ~~If additional parking is determined to be required it may be provided on site or within 500 feet of the building through agreements with other property owners. Any agreement with other property owners shall be approved by the Planning Commission and approved as to form by the Village's Legal Counsel. Such agreement shall be recorded with the Summit County Fiscal Office. If the zoning use requiring an agreement with adjacent property owners to meet the parking requirement is being leased, the property owner shall make any future lease to a similar zoning use subject to the agreement. If the zoning use of a property subject to a parking agreement changes, the parking requirements shall be re-evaluated by the Planning Commission. Any previous agreements may be subject to change.~~ additional parking space for such additional floor area or changed use shall be provided and maintained in amounts hereafter specified for such use; provided, however, in the existing business districts where the Village and various property owners have or may cooperatively develop parking facilities, and additional parking space as required for the increased floor space is not available within the required 300 feet as required in this Ordinance, the Commission may, through negotiations with the owner of such property, vary the location of such required parking spaces or agree to the owner's participation in other authorized parking facilities which will furnish the same amount of space as required for his increased floor space within a distance of not more than 500 feet of the building.

(d) For the purpose of this chapter, "floor area" in the case of offices, merchandising or service types of use, shall mean the gross floor area used or intended to be used for services to the public as customers, patrons, clients or patients or as tenants, including areas occupied for fixtures and equipment used for display or sale of merchandise.

(e) Off-street parking facilities for one- and two-family dwellings shall be located on the same lot or plot of ground as the building they are intended to serve. The location of required off-street parking facilities for other than one and two-family dwellings and all multiple dwellings shall be within 500 feet of the building they are intended to serve, measured from the nearest point of the off-street parking facilities to the nearest point of the building.

(f) In the case of a use not specifically mentioned, the requirements for off-street parking facilities for a use which is mentioned and which such use is similar shall apply.

(g) Nothing in this chapter shall be construed to prevent collective provision of off-street parking facilities for two or more buildings or uses, provided that, collectively, such facilities shall not be less than the sum of the requirements for the various individual uses computed separately in accordance with the table in this chapter.

(h) Nothing in this section shall prevent the extension of or an addition to a building into an existing parking area which is required for the original building when the same amount of space taken by the extension or addition to a building is provided by an enlargement of the existing parking lot on the same property or an additional area within ~~500~~300 feet of such building subject to an agreement as outlined in section (c) above.

(i) Such parking areas will be used solely for the parking of private passenger vehicles for periods of less than 24 hours (excluding parking devoted entirely to single family detached, two family, accessory apartments or three family dwellings) and shall not be used as off-street loading areas.

(j) Parking lots shall be used for the parking of automobiles. No commercial repair work or service of any kind, including washing of vehicles, or sales or display activities, shall be conducted in such parking areas.

~~(k) Such parking lots shall be used only for parking automobiles and no commercial activities, such as washing or greasing, sale of merchandise or purveying of foodstuffs, repair work or servicing of any kind shall be done thereon.~~

~~(l)~~ No building or structure shall be hereafter built or permitted, except as necessary buildings for an attendant, not more than 50 square feet each in area and not more than 15 feet in height.

~~(m)~~ Plans for development of any such parking lot must be approved by the Zoning Officer Planning Commission as required by Section 1125.07 before construction is started. No such land shall be used for parking until approved by the Administrative Official.

~~(n)~~ Any area once designated as required off-street parking shall not be changed to any other use unless and until equal facilities are provided elsewhere.

**1125.04 TABLE.**

(a) The amount of required off-street parking spaces for uses or buildings, additions thereto and additions to existing buildings, as outlined in Section 1125.04, shall be determined in accordance with the following table, and the space so required shall be stated in the application for a permit and shall be irrevocably reserved for such use and/or shall comply with this chapter.

(b) For those uses not specifically mentioned, the minimum requirements for off-street parking facilities shall be in accordance with a use which is similar in type and as approved by the Planning Commission.

Use	Required Parking Space(s)
(1) One-family dwellings.	Two for each dwelling unit.
(2) Two-family dwellings, multiple family dwellings, <del>Accessory Apartments</del>	<del>One and one half for each unit and/or first bedroom and one additional for each additional bedroom over one.</del> <u>Units of 900 sq. ft. or less one space. All units over 901 sq. ft. 2 parking spaces.</u>
<del>(3) Accessory Apartment</del>	<u>One per unit located on site</u>
<del>(4) (3), Nursing and convalescent homes and Assisted Living or similar uses.</del>	.75 space per bed
<del>(5) (4) —Hotels.</del>	One and half (1.5) for each guest room,
<del>(6) (5) —Libraries, museums, post offices. or similar uses</del>	10 spaces plus one (1) for each 200 sq. ft. of floor area in excess of 2000 sq.ft.
<del>(7) (6) —Theaters and auditoriums (other than incidental to schools).</del>	One for each four seats, plus 5 spaces
<del>(8) (7) —Churches, auditoriums incidental to schools.</del>	One for each four seats in the main assembly area.
<del>(9) (8) —Schools, public or private.</del>	two (2) spaces for each classroom plus one (1) space for each 300 sq. ft. of administrative space, plus sufficient space for the safe and convenient loading and unloading of students.

<del>(10) (9)</del> —Assembly halls without fixed seats, community centers, civic clubs, fraternal orders, veterans’ organizations, union halls and similar types of occupancy.	One for each four people allowed within the maximum occupancy load as established by the Fire Marshal.
<del>(11) (10)</del> —Stadiums and sports arenas.	One for each four seats.
<del>(12) (11)</del> —Mortuaries or funeral homes.	One for each 50 square feet of floor space in the slumber rooms, parlors or individual funeral service rooms.
<del>(13) (12)</del> — <u>All Commercial uses, Industrial, Research and Laboratory uses and other uses located in the Commercial or Mixed-Use District</u> <del>Establishments for sale and consumption on the premises of alcoholic beverages, food or refreshments.</del>	<u>As established by the Planning Commission per section 1125.07</u> <del>One (1) for each 50 sq. ft. or one (1) space for every 2 seats whichever is greater.</del>
<del>(13)</del> Outdoor dining	<del>One (1) space for every four (4) seats or one (1) per 100 sq. ft. whichever is greater.</del>
<del>(14)</del> Medical or dental clinics, banks, business or professional offices.	<del>One for each 200 square feet of floor area.</del>
<del>(15)</del> Furniture and appliance stores, personal service shops (including beauty parlor and barber shops), household equipment or furniture repair shops, clothing or shoe repair or service shops, hardware stores, motor vehicle sales, wholesale stores and machinery sales.	<del>One (1) space for every 250 sq. ft. of floor area</del>
<del>(16)</del> All retail stores, except as otherwise specified herein.	<del>One for each 250 square feet of floor space.</del>
<del>(17)</del> Service garages, auto salesrooms, auto repair, collision shops.	<del>One (1) space per 400 sq. ft. of sales/showroom plus one (1) space per service bay or stall plus one (1) space per 200 sq. ft. of additional floor area.</del>
<del>(18)</del> Gasoline filling stations.	<del>One (1) space per pump plus one (1) space for every 200 sq. ft. of floor area.</del>
<del>(19)</del> Industrial establishments including manufacturing, research and testing laboratories, creameries, bottling works, printing shops, warehouses and storage buildings.	<del>One (1) space for every 400 sq. ft. of floor area.</del>
<del>(14) (20)</del> Indoor and outdoor amusement centers	Shall be determined by Planning Commission through the conditional use approval.

**1125.05 MUNICIPAL FACILITIES.**

Wherever the Council establishes off-street parking facilities by means of a special assessment district or by any other means, the Council may determine, upon completion and acceptance of such off-street parking facilities by the Council, all existing buildings or uses and all buildings erected or uses established thereafter within the special assessment district or districts shall be

exempt from the requirements of this chapter for privately supplied off-street parking facilities.

**1125.06 REGULATIONS FOR THE DEVELOPMENT AND MAINTENANCE OF PARKING LOTS.**

In all districts where off-street parking lots are the principal use of a site or are permitted as an adjunct to the lawful use of property therein, and such facilities provide parking privileges to owners, occupants, tenants, employees, patrons, customers, members, visitors, and invitees therein, such off-street parking lots shall be constructed and maintained subject to the following regulations:

(a) Application Requirements. An application for a permit to construct such a lot shall be submitted to the Village. After the Administrative Official has determined that the following mandatory provisions have been provided for, a permit shall be issued to the applicant. The application shall include a site plan along with all applicable construction details and elevations and shall include all items identified in this Section. All plans shall be prepared and sealed by a registered engineer.

(b) Ingress/Egress. Adequate ingress and egress shall be provided to meet the approval of the Administrative Official. Backing directly onto a street shall be prohibited.

(c) Construction Requirements. All parking lots shall, at a minimum, be surfaced and maintained with a durable and dustless surface (such as brick, stone, gravel or slag, washed silica pebbles, asphalt or concrete). All parking lots shall provide an adequate storm management system as approved by the Planning Commission in consultation with the Village Engineer and/or Zoning Officer.

(d) Lighting. All lighting used to illuminate any off-street parking area shall be so installed as to be confined within and directed onto only the parking area and property which it serves. No lighting shall be so located or visible as to be a hazard to traffic safety. Minimum light levels at any one location within the lots shall be one foot-candle, and maximum light levels at any point along the perimeter of the lot shall be one and one-half foot-candles. A lighting plan shall be submitted along with the site plan identified above and shall include all light locations, photometric diagrams and light fixture details. In addition, all off-street parking areas shall be designed and screened so as to minimize the presence of headlight glare on adjacent properties, particularly those zoned or used for residential purposes.

(e) Lots Located Opposite Residential Property. All street boundaries of such parking lots where residential property is located on the opposite side of the street shall provide screening of vehicle headlights to the residential property.

(f) Signs. No sign shall be erected upon such parking lots, except not more than one sign at each entrance to indicate the operator, the purpose for which operated and the parking rates, when charge is permitted. Such signs shall not exceed six square feet in area per site entrance and shall not extend more than eight feet in height above the nearest curb and shall be entirely upon the parking lot.

(g) Drive Width. Entry driveways shall be at least 12 feet wide for one-way travel and at least 24 feet wide for two-way travel.

(h) Layout Plan Requirements. Plans for the layout of off-street parking facilities shall be in accordance with the following minimum requirements:

<b>Parking Angle</b>	<b>Stall Width</b>	<b>Aisle Width</b>	<b>Stall Length</b>
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	(feet)	(feet)	(feet)
Parallel	9	12	23
30"	9	12	18
45"	9	13	18
60"	9	18	18
90"	9	24	18

Facilities for the parking of tour busses, motorcoaches, and other large vehicles shall be designed in accordance with and depending upon the type(s) of vehicles proposing to be accommodated on a site.

(i) Parking for the Physically Handicapped. Parking requirements for the physically handicapped shall be in conformance with the Ohio Building Code.

(j) Maneuvering Lanes. All maneuvering lane widths shall permit one-way traffic movement, except that the 90-degree pattern may permit two-way movement.

(k) Other Driveway Standards. If abutting parking spaces are arranged at an angle other than those listed above, the minimum driveway width shall be determined according to the next higher standard from the table. For example, if 75-degree angle parking is provided, the minimum driveway width shall be the standards for 90-degree angle parking or 24 feet.

(l) Driveway Width for Driveways Used by Large Vehicles. If the driveway is regularly used by trash collection vehicles, delivery trucks or other large vehicles, the minimum width shall be increased to 24 feet.

(m) Other Improvements. Except for single- and two-family dwellings on individual lots, where three or more unenclosed parking spaces are provided, exclusive of driveways, the following additional improvements are required:

(1) Drainage. Parking areas shall be appropriately graded and equipped with facilities to collect and store stormwater on-site and transmit it to the approved public facilities, as determined by the Village Engineer and/or Zoning Officer.

(2) Marking. All parking spaces shall be appropriately marked with painted lines.

(n) Shared Parking and Access Facilities. In conjunction with multiple-family or nonresidential uses, two or more adjoining properties may be developed with shared parking and access facilities when approved under a single unified site plan. In such cases, the setbacks, curbing and perimeter landscaping requirement of this section shall not apply along the common property line.

(o) Setback Requirements. The setbacks of all off-street parking lots shall be in accordance with the requirements identified below:

(1) Front yard. No parking lot stalls or aisles shall be located closer than 5 feet to the public road right-of-way. In addition, and whenever possible, parking should be located behind building.

(2) Side yard on interior lot lines. No parking lot stalls or aisles shall be located closer than 10 feet to the adjoining parcel property line of a residential use and must be screened in accordance with section (q) herein. Parking lot stalls and aisles shall be permitted to abut the property line of an adjacent non-residential use.

(3) Side yard on street side of corner lots. No parking lot stalls or aisles shall be located closer than 5 feet to a street right-of-way.

(4) Rear yard. No parking lot stalls or aisles shall be located closer than 5 feet to the rear property line of nonresidential uses. When a parking lot is located adjacent to any residential use, the setback shall be 10 feet.

(5) Rear yard abutting a street. No parking lot stall or aisle shall be located closer than 5 feet to a street right-of-way.

(p) Landscape Screen Requirements. When required, parking spaces and parking areas shall be effectively screened with perimeter landscaping on all sides adjacent to or visible from adjacent properties, streets or alleys. Any parking area containing more than 50 spaces shall also include interior landscaping to further reduce the visual impacts of the areas, to reduce their heat radiation effects, to improve oxygen generation, and to reduce air pollution.

(1) Installation/maintenance. Landscape screening shall be installed and maintained as required in this Ordinance.

(2) Screening. Screening shall be provided for all non-residential uses where three or more unenclosed parking spaces are provided exclusive of driveways. Screening shall be provided in accordance with a landscape plan submitted as part of the application and shall meet the design standards identified in this Ordinance.

(q) Design Standards for Landscape Screen Requirements.

(1) Deciduous or evergreen shrubs used in a perimeter landscape screen shall be at least two feet high at initial planting and shall be expected and permitted to grow to a height of at least three feet within two years of planting; such materials shall be expected and permitted to grow to a height of five feet. A solid six (6) ft fence may be installed in combination with the plant material if approved by the Planning Commission.

(2) At initial planting, deciduous trees shall be a minimum of two- and one-half-inch caliper, ornamental trees a minimum of two-inch caliper and evergreen trees a minimum of five feet in height.

(3) The required height of a perimeter landscape screen may be reduced where it is determined by the Village Engineer and/or Zoning Officer that such landscaping would interfere with traffic safety and visibility.

(4) The required height of a perimeter landscape screen may be increased where significant changes in elevations between an adjacent property or public right-of-way make it necessary to comply with the intent of this Ordinance.

(5) The selected combination of plant materials shall be a harmonious combination of living deciduous and evergreen trees, shrubs and vines irregularly spaced to provide an effective year-round screen and to present an aesthetically pleasing view, and all quantities shall be based on the on a landscape plan that has been submitted and approved by the Planning Commission.

(6) Loose groundcover or mulch materials shall be placed or effectively contained so they do not spill over into parking and access facilities or the public right-of-way.

(7) All required landscape features within three feet of the edge of parking or access facilities shall be protected from vehicle encroachment by curbing, wheel stops or similar means.

(8) Where 50 or more parking spaces are provided, there shall be at least 10 square feet of interior landscaped area per space provided within the overall perimeter of the parking area.

(9) Interior landscaped areas shall be at least 125 square feet in an area with a minimum dimension of no less than eight feet.

(10) At least one shade tree of a minimum two- and one-half-inch caliper shall be planted in each interior landscaped area.

(11) There shall be at least one interior landscaped area for each 50 parking spaces provided or fraction thereof.

(12) The application of the above standards may be adjusted, in part or in whole, to allow credit for healthy plant material to be retained on or adjacent to the site if such an adjustment is consistent with the intent of this article.

(13) Planning Commission may waive or modify any of the above listed criteria as part of the site plan review provided the intent of this section is maintained.

(r) Maintenance. It shall be the responsibility of the owner and occupant of the property to maintain all parking and access facilities in a safe and usable condition. This includes, among other things, patching, sealing and replenishing paving; repainting space markings; repairing or replacing curbing or wheel stops and cleaning on-site drainage facilities. It shall also be the responsibility of the owner and occupant to maintain required landscape in neat, clean, orderly and healthful condition. This includes, among other things, pruning, mowing, weeding, litter removal, replacement of dead or diseased plants, repair or replacement of broken or damaged walls, and the regular feeding and water of plant materials.

### **1125.07 PARKING REQUIREMENTS IN THE COMMERCIAL AND MIXED -USE DISTRICTS**

(a) To maintain flexibility, encourage the redevelopment or development of parcels within the Commercial and Mixed-Use Districts and to ensure that parking areas are the appropriate size for the proposed uses, the Planning Commission shall determine the appropriate number of parking spaces necessary on a site based on the following criteria:

1. In addition to the site plan, the submission of a parking assessment by the developer or property owner that evaluates the number of parking spaces that includes:

- A. A list of proposed use or uses of the property;
- B. The peak demand for each use;
- C. The location and number of required handicapped parking;
- D. A completed Village Shared Parking Analysis form;
- E. A list of current uses within 500 feet of the site;
- F. Location of on street parking adjacent to the site and number of spaces;
- G. Location of public parking within 500 feet of the site;
- H. Availability of shared private parking including an agreement for use of such parking;
- I. Provisions for bike parking.
- J. Provisions for loading and unloading of deliveries and supplies.

2. The Planning Commission shall review the parking assessment and evaluate the appropriateness of the proposed parking based on the following criteria:

- a. If there is a housing component in the project, on-site parking shall be provided for each unit;
- b. If an existing building is being expanded, will existing parking be eliminated;
- c. Does the percentage of lot coverage by the building comply with the requirements of Section 1113.01(k);
- d. The nature of the use or uses and the proposed hours and days of operation;
- e. Will the amount of parking impact the existing businesses in the area;

- f. Will the site provide amenities such as bike parking, public gathering spaces or unique design features that will be an asset to the Village;
- g. Are there currently parking concerns in the area;
- h. Will the development and parking layout advance the spirit and intent of the Zoning Code, the Downtown Master Plan and the Long-Range Plan; and
- i. Consideration of and comparison to any previous parking standards approved under this section.

(b) After review the Planning Commission may approve, approved with stipulations, or deny the number of spaces and the layout of the parking. If the number of parking spaces is denied the Planning Commission shall state the reasons for the denial. The applicant may revise the plan to address the reasons for denial and resubmit to the Planning Commission. If the Planning Commission approves the number and layout of the parking, the Zoning Officer shall incorporate the approved plan in the Zoning Permit. If the approval is with stipulations the Zoning Officer shall ensure that the stipulations are addressed and included on the final plan before issuance of a zoning permit. If the stipulations are not addressed the Zoning Officer shall return the application to the Planning Commission for additional review which may result in a denial of the plan.

CHAPTER 1116  
MIXED USE DEVELOPMENT

1116.01 PURPOSE

It is in the best interests of the Village, its residents and the businesses in downtown Peninsula that the areas zoned MU Mixed Use be enhanced to promote a mix of uses, provide for pedestrian mobility and multiple transportation options, and be developed to complement the character and style of the existing community through quality landscaping and building design. The Mixed-Use district shall be designed to improve and enhance the downtown area, establish a high-quality business and living environment, and attract and sustain future economic development.

1116.02 APPLICABILITY

In addition to the requirements established elsewhere in the Village of Peninsula Zoning Code, developments in the MU Mixed Use District shall comply with the criteria established in this chapter.

1116.03 USES

- (a) All uses shall be in conformance with the requirements of Section 1109.03 of the Village of Peninsula Zoning Code.
- (b) Developments that include both commercial and residential uses are encouraged but not required.

1116.04 SITE CRITERIA

- (a) A minimum of 10% of the development area shall be provided as open space exclusive of pavement and buildings. Setbacks other than the front setback may be counted as open space. The inclusion of the front setback area to meet the open space may be approved by the Planning Commission provided it contains site amenities such as outdoor gathering area, plaza, benches or similar uses.
- (b) The front setback shall not exceed 20 feet.
- (c) Parking shall be located in the rear or the side of the building. If located on the side of the building, parking it shall be behind the front wall of the building.

- (d) Pedestrian connectivity and sidewalks shall be provided and integrated into the Village's existing system.

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- (e) The development shall comply with the landscape requirements established by Chapter 1129 of the Village of Peninsula Zoning Code.
- (f) Pedestrian site amenities such as benches, bike racks, etc. shall be provided on site and may be located within the front setback.

#### 1116.05 BUILDING DESIGN

- (a) Buildings shall have a coordinated and integrated design that is contains variation in the front façade so as not to be flat or on the same plane over the entire structure. (b) Street facing facades shall be broken into 30-foot-wide segments. Facades may be broken by change in the plane of the building by a minimum of 12 inches, addition of architectural features such ad porches, columns, roof overhangs or similar features. (c) Building design shall take its design cues from the Downtown Master Plan which identified significant design elements within the Village.
- (d) Ground floor windows and upper floor windows shall have a rhythmic pattern that complement each other.
- (e) Building materials of all buildings in the development shall be complementary to each other but provide differentiation.
- (f) Buildings shall have sloped roofs, parapets and cornice treatment on all sides of the building.
- (g) Entrances shall be clearly identifiable.
- (h) No garage access shall be on the front of the building.

#### 1116.06 REVIEW AND APPROVAL PROCESS

- (a) Development within the Mixed-Use District shall comply with the requirements of Chapter 1149 as they relate to site plan approval.
- (b) If the development is to be implemented in phases, the Planning Commission may require the Developer to enter into a written Development Agreement with the Village, which at a minimum includes, a projected timeframe for the development's completion, an assurance that all aspects of the development will be consistent with the Planning Commission approval and an acknowledgement that any future owner of the property will comply with the conditions of any approval.
- (c) The Planning Commission may waive or modify any of the criteria of this chapter provided the spirit and intent of these regulations are maintained.

**1109.03 LAND USE TABLES.**

	SYMBOL	KEY							STANDARDS FOR LAND USES <u>AND</u> <u>NOTES</u>
		RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION		
	P	Permitted Uses							
	C	Conditional Uses							
	A	Accessory Uses							
USES		Prohibited Use	R-1	R-2	C	MU	PI	CR	
<b>ANIMAL AND AGRICULTURAL USES</b>									
Garden Centers and Feed Stores						P		P	
Individual Produce Stands and Farm Markets			C					P	Sec. 1141.01
Farming			C	C				P	Sec. 1141.39
Greenhouses and Nurseries (Primary Use)			C					C	Sec 1141.09
Veterinary Clinics						C		C	Sec. 1141.02
Farmers' Markets			C			C		C	Sec. 1141.03
<b>RESIDENTIAL USES</b>									
Single Family Dwellings, Detached			P	P	P	P	P		
Residential Care Facility With 1 to 5 Persons (5119.34)			P	P	P	P	P		
Foster Homes (ORC Sec. 5103.02)			P	P	P	P	P		
Family Day-Care Homes, Type B (ORC Sec. 5104.01)			P	P	P	P	P		
Family Day-Care Homes Type A (ORC Sec. 5104.01)			C	C					Sec. 1141.04
Accessory Apartment					A	A			Sec. 1141.41
Farming for Personal Use			P	P	P	P	P	P	Sec. 1141.39
Bed and Breakfast Inns			C	C	P	P			Sec. 1141.05
Residential Care Facility 6 to 16 persons						C			Sec 1141.13
Two-Family Dwelling				C		C			Sec. 1141.06
Three Family Dwelling						C			Sec 1141.06
Multiple-Family Developments						C			Sec. 1141.07
<b>OFFICE AND SERVICE USES</b>									
Catering Facilities					A	P			Sec. 1141.10 <u>(a), (b)</u>
Banks and Financial Institutions					P	P			<u>(a), (b)</u>
Barber Shops, Beauty Salons and Nail Care					P	P			<u>(a), (b)</u>
Doctor, Dental and other health practitioners' offices and clinics.					P	P			<u>(a), (b)</u>
Massage Therapists					P	P			Sec. 1141.11 <u>(a), (b)</u>

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Offices for Professional, Executive, or Administrative Uses, such as Attorneys, Accountants, Realtors, Architects, Artists, Insurance and Similar Occupations			P	P						<u>(a), (b)</u>
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	SYMBOL	KEY							STANDARDS FOR LAND USES <u>AND</u> <u>NOTES</u>	
		RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION			
	P	Permitted Uses								
	C	Conditional Uses								
	A	Accessory Uses								
USES		Prohibited Use		R-1	R-2	C	MU	PI	CR	
Workshops, Showrooms, Studios or Offices of Skilled Trades, such as Photographers, Decorators, Upholsterers, Tailors, Taxidermists, and Similar Businesses, or for Repair and Service of small appliances and equipment such as Bicycles, Electronics, Furniture, Shoes or Similar Items						P	P			<u>(a), (b)</u>
Funeral Parlors or Mortuaries							C			
Nursing and Convalescent Homes, Assisted Living Facilities, and Senior Housing							C			
COMMUNITY USES										
Auditoriums and Performing Arts Theaters						P	P	P		Sec. 1141.14 <u>(b)</u>
Churches, Temples and Other Places of Worship						P	P	P		Sec. 1141.14 <u>(b)</u>
Child Care or Day Care Centers and Child Caring Institutions						P	P	P		<u>(a), (b)</u>
Health Club or Fitness Center							P	P		<u>(a), (b)</u>
Cemeteries								P		
Educational Institutions, Public or Private, such as Elementary and Secondary schools and Colleges, Universities and Other Institutions of Higher Education								P		<u>(a)</u>
Government Offices, such as Police and Fire Stations, Post Offices, Public Works or Road Maintenance Yards								P		<u>(a)</u>
Halls for Civic Clubs and Membership Organizations								P		<u>(a)</u>
Libraries, Museums and Fine Art Centers								P		<u>(a)</u>
Recreation Facilities, Indoor (Community/Non-commercial) - (such as tennis/racquet courts, swimming pools, roller/in-line and ice-skating rinks and fitness tracks)								P		Sec. 1141.15

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Recreation Facilities, Outdoor Passive (Community/non-commercial) - (such as parks, trails, conservation areas, licensed camp grounds and similar facilities)							P	P	Sec. 1141.15
Recreation Facilities, Outdoor Active (Community/non-commercial) - (such as playgrounds, athletic fields or courts, swimming pools, skating rinks fitness tracks, and similar facilities)							P	C	Secs. 1141.15, 1141.16
	<b>SYMBOL</b>								
	P	Permitted Uses	RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION	
	C	Conditional Uses							
	A	Accessory Uses							
<b>USES</b>		Prohibited Use	<b>R-1</b>	<b>R-2</b>	<b>C</b>	<b>MU</b>	<b>PI</b>	<b>CR</b>	<b>STANDARDS FOR LAND USES AND NOTES</b>
Public Utility and Essential Service Structures and Uses Other than Wireless Telecommunications Facilities			C	C	C	C	C	C	Sec. 1141.17
<b>COMMERCIAL USES</b>									
Specialty Retail Establishments such as Antique Shops, Art Galleries, Florists, Gift Shops, Bakeries					P	P			<u>(a), (b)</u>
Auto Parts Stores (without repair services)					P	P			<u>(a), (b)</u>
Hardware and Home Improvement Stores and Building Supply Yards (indoor)					P	P			<u>(a), (b)</u>
Laundromat and Dry-Cleaning Customer Pick-up/Drop-Off Only					P	P			<u>(a), (b)</u>
Printing or Copy Centers					P	P			<u>(a), (b)</u>
Eating and drinking places without the sale of alcohol, such as Restaurants, Coffeehouses, Doughnut Shops or Delicatessens					P	P			<u>(a), (b)</u>
Eating and drinking places with the sale of alcohol such as Tavern, Pub, Brewpub, Cocktail Lounge, Night Club or Billiard and Pool Hall					P	P			Sec. 1141.18 <u>(a), (b)</u>
Tobacconist or Cigar/Cigarette Shop					P	P			Sec. 1141.19 <u>(a), (b)</u>
Video Rental Establishments					P	P			Sec. 1141.20 <u>(a), (b)</u>
Retail Stores, <u>Office, Service</u> and Commercial Uses with up to <u>7,500 <del>10,000</del></u> -square feet of total gross floor area <u>provided the first floor is not more than 4,000 square feet in total gross floor area.</u>					P	P			<u>(a), (b)</u>
Arcades and Indoor or Outdoor Amusement Centers, such as Miniature Golf, Golf Driving Ranges, Bowling Alleys, Batting Cages or Similar Facilities						C			Sec. 1141.15 <u>(a), (b)</u>
Automobile, Truck and other Motor Vehicle Service facilities including gas stations, minor and major repair					C	C			Sec. 1141.21

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												(a), (b)
Outdoor Eating Areas and Sidewalk Cafes					C	C						Sec. 1141.22 (a), (b)
Recording Studios					C	C						Sec. 1141.23 (a), (b)
Gunsmiths and Licensed Firearms Dealers						C						Sec. 1141.24 (a), (b)
Hotels						C						Sec. 1141.25 (a), (b)
Showroom, Sales Offices and Outdoor Sales or Display Area for Sales or Rentals of Goods, Products, Equipment, Machinery, Automobiles, Recreational Vehicles, Boats, Building Supplies, Hardware or Other Items						C						Sec. 1141.26 (a), (b)
	<b>SYMBOL</b>	<b>KEY</b>										
	P	Permitted Uses	RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION				
	C	Conditional Uses										
	A	Accessory Uses										
<b>USES</b>		Prohibited Use	<b>R-1</b>	<b>R-2</b>	<b>C</b>	<b>MU</b>	<b>PI</b>	<b>CR</b>				<b>STANDARDS FOR LAND USES AND NOTES</b>
Retail Stores, <u>Office, Service</u> and Commercial Uses with greater than <del>7,500</del> <del>10,000 to 40,000</del> square feet of total gross floor area <u>provided no single building shall exceed 20,000 square feet in total gross floor area.</u>						C						Sec. 1141.27 (a), (b)
Walk-up Windows and Curbside Pick- up					C	C						Sec. 1141.40
<b>INDUSTRIAL, RESEARCH AND LABORATORY USES</b>												
Brewery, Distillery or Winery						C						Sec. 1141.28 (a)
Carpet and Rug Cleaning and Similar Cleaning Businesses						C						Sec. 1141.28 (a)
Metal Casting, Fabricating, Buffing, Stamping, Shearing or Punching,						C						Sec. 1141.28 (a), (b)
Light Industrial Activities such as:												
Warehousing and Bulk Indoor Storage Facilities						C						Sec. 1141.28 (a), (b)
Assembly of Pre-manufactured Parts for Goods, Products, Equipment, Machinery, Hardware or Similar Items						C						Sec. 1141.28 (a), (b)

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Blacksmithing, Furniture or Cabinet Repair or Manufacture, Machine Shops and Welding Shops, Stone Finishing and Carving, Printing, Bookbinding, or Publishing, Woodworking Shops and Similar Uses				C			Sec. 1141.28 <u>(a), (b)</u>
Manufacture of Products from Aluminum, Brass, or Other Metals,				C			Sec. 1141.28 <u>(a), (b)</u>
Manufacture and assembly of small products such as Artificial Flowers, Ornaments, Awnings, Tents, Bags, Cleaning or Polishing Preparations, Brooms and Brushes, Buttons and Novelties, Canvas Products, Clothing for Wholesale Trade, Basket Material, Bicycles, Shoes, Caskets, Brick, Clay, Glass, Shale, Tile Terra Cotta Products or Similar Items				C			Sec. 1141.28 <u>(a), (b)</u>
Research and Development Facilities, Technical Centers and Laboratories				C			Sec. 1141.28 <u>(a), (b)</u>
Outdoor Storage of Goods, Products, Equipment, Machinery, Lumber, Landscaping and Building Supplies or Similar Items				C			Sec. 1141.29 <u>(a), (b)</u>
Self-Storage Warehouses				C			Sec. 1141.31 <u>(a), (b)</u>

	SYMBOL	KEY							
	P	Permitted Uses	RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION	
	C	Conditional Uses							
	A	Accessory Uses							
USES		Prohibited Use	R-1	R-2	C	MU	PI	CR	STANDARDS FOR LAND USES <u>AND</u> <u>NOTES</u>
OTHER USES									
Accessory Off-Street Parking Lot for Private Passenger Automobiles			A	A	A	A	A	A	
Accessory Structures and Uses Customarily Incidental to any Permitted Use			A	A	A	A	A	A	
Garage Sales, Estate Sales and Private Auctions			P	P	P	P	P		Sec. 1141.32
Garage for Commercial Vehicles					P	P	C	C	Sec. 1141.33
Temporary Structures and uses, including Construction Buildings			C	C	C	C	C	C	Sec. 1141.34
Circuses, Fairs, Revivals, Carnivals and Similar Uses					C	C	C	C	Sec. 1141.35
Home Occupation			A	A	A	A	A	A	Sec. 1141.36
Swimming Pools			A	A	A	A	A	A	Sec. 1141.37
Wireless Telecommunications Facilities						C			Sec. 1141.38

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Sexually Oriented Businesses				P			Chapter 1151
Drive-Thru and Drive-up Facilities							Sec. 1141.40

NOTES

- (a) All uses in the Commercial or Mixed-Use District shall comply with the requirements of Chapter 1129 Landscape, Screening and Planting
- (b) All uses in the Mixed-Use District shall comply with the requirements of Chapter 1116.

**1109.03 LAND USE TABLES.**

	SYMBOL	KEY							STANDARDS FOR LAND USES <u>AND</u> <u>NOTES</u>
		RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION	Prohibited Use	
USES		R-1	R-2	C	MU	PI	CR		
<b>ANIMAL AND AGRICULTURAL USES</b>									
Garden Centers and Feed Stores					P		P		
Individual Produce Stands and Farm Markets		C					P	Sec. 1141.01	
Farming		C	C				P	Sec. 1141.39	
Greenhouses and Nurseries (Primary Use)		C					C	Sec 1141.09	
Veterinary Clinics					C		C	Sec. 1141.02	
Farmers' Markets		C			C		C	Sec. 1141.03	
<b>RESIDENTIAL USES</b>									
Single Family Dwellings, Detached		P	P	P	P	P			
Residential Care Facility With 1 to 5 Persons (5119.34)		P	P	P	P	P			
Foster Homes (ORC Sec. 5103.02)		P	P	P	P	P			
Family Day-Care Homes, Type B (ORC Sec. 5104.01)		P	P	P	P	P			
Family Day-Care Homes Type A (ORC Sec. 5104.01)		C	C					Sec. 1141.04	
Accessory Apartment				A	A			Sec. 1141.41	
Farming for Personal Use		P	P	P	P	P	P	Sec. 1141.39	
Bed and Breakfast Inns		C	C	P	P			Sec. 1141.05	
Residential Care Facility 6 to 16 persons					C			Sec 1141.13	
Two-Family Dwelling			C		C			Sec. 1141.06	
Three Family Dwelling					C			Sec 1141.06	
Multiple-Family Developments					C			Sec. 1141.07	
<b>OFFICE AND SERVICE USES</b>									
Catering Facilities				A	P			Sec. 1141.10 <u>(a)</u>	
Banks and Financial Institutions				P	P			<u>(a)</u>	
Barber Shops, Beauty Salons and Nail Care				P	P			<u>(a)</u>	
Doctor, Dental and other health practitioners' offices and clinics.				P	P			<u>(a)</u>	
Massage Therapists				P	P			Sec. 1141.11 <u>(a)</u>	

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Offices for Professional, Executive, or Administrative Uses, such as Attorneys, Accountants, Realtors, Architects, Artists, Insurance and Similar Occupations			P	P					(a)-
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	SYMBOL	KEY	KEY						STANDARDS FOR LAND USES <u>AND</u> <u>NOTES</u>
			RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION	
	P	Permitted Uses							
	C	Conditional Uses							
	A	Accessory Uses							
USES		Prohibited Use	R-1	R-2	C	MU	PI	CR	
Workshops, Showrooms, Studios or Offices of Skilled Trades, such as Photographers, Decorators, Upholsterers, Tailors, Taxidermists, and Similar Businesses, or for Repair and Service of small appliances and equipment such as Bicycles, Electronics, Furniture, Shoes or Similar Items					P	P			(a)
Funeral Parlors or Mortuaries						C			
Nursing and Convalescent Homes, Assisted Living Facilities, and Senior Housing						C			
<b>COMMUNITY USES</b>									
Auditoriums and Performing Arts Theaters					P	P	P		Sec. 1141.14
Churches, Temples and Other Places of Worship					P	P	P		Sec. 1141.14
Child Care or Day Care Centers and Child Caring Institutions					P	P	P		(a)-
Health Club or Fitness Center						P	P		(a)
Cemeteries							P		
Educational Institutions, Public or Private, such as Elementary and Secondary schools and Colleges, Universities and Other Institutions of Higher Education							P		(a)
Government Offices, such as Police and Fire Stations, Post Offices, Public Works or Road Maintenance Yards							P		(a)
Halls for Civic Clubs and Membership Organizations							P		(a)
Libraries, Museums and Fine Art Centers							P		(a)
Recreation Facilities, Indoor (Community/Non-commercial) - (such as tennis/racquet courts, swimming pools, roller/in-line and ice-skating rinks and fitness tracks)							P		Sec. 1141.15
Recreation Facilities, Outdoor Passive (Community/non-commercial) - (such as parks, trails,							P	P	Sec. 1141.15

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conservation areas, licensed camp grounds and similar facilities)										
Recreation Facilities, Outdoor Active (Community/non-commercial) - (such as playgrounds, athletic fields or courts, swimming pools, skating rinks fitness tracks, and similar facilities)							P	C		Secs. 1141.15, 1141.16
	<b>SYMBOL</b>									
	P	Permitted Uses	RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION		
	C	Conditional Uses								
	A	Accessory Uses								
<b>USES</b>		Prohibited Use	<b>R-1</b>	<b>R-2</b>	<b>C</b>	<b>MU</b>	<b>PI</b>	<b>CR</b>	<b>STANDARDS FOR LAND USES AND NOTES</b>	
Public Utility and Essential Service Structures and Uses Other than Wireless Telecommunications Facilities			C	C	C	C	C	C		Sec. 1141.17
<b>COMMERCIAL USES</b>										
Specialty Retail Establishments such as Antique Shops, Art Galleries, Florists, Gift Shops, Bakeries					P	P				(a)-
Auto Parts Stores (without repair services)					P	P				(a)-
Hardware and Home Improvement Stores and Building Supply Yards (indoor)					P	P				(a)-
Laundromat and Dry-Cleaning Customer Pick-up/Drop-Off Only					P	P				(a)-
Printing or Copy Centers					P	P				(a)-
Eating and drinking places without the sale of alcohol, such as Restaurants, Coffeehouses, Doughnut Shops or Delicatessens					P	P				(a)-
Eating and drinking places with the sale of alcohol such as Tavern, Pub, Brewpub, Cocktail Lounge, Night Club or Billiard and Pool Hall					P	P				Sec. 1141.18 (a)
Tobacconist or Cigar/Cigarette Shop					P	P				Sec. 1141.19 (a)
Video Rental Establishments					P	P				Sec. 1141.20 (a)
Retail Stores and Commercial Uses with up to 10,000 square feet of total gross floor area					P	P				(a)
Arcades and Indoor or Outdoor Amusement Centers, such as Miniature Golf, Golf Driving Ranges, Bowling Alleys, Batting Cages or Similar Facilities						C				Sec. 1141.15
Automobile, Truck and other Motor Vehicle Service facilities including gas stations, minor and major repair					C	C				Sec. 1141.21 (a)
Outdoor Eating Areas and Sidewalk Cafes					C	C				Sec. 1141.22 (a)
Recording Studios					C	C				Sec. 1141.23



Manufacture of Products from Aluminum, Brass, or Other Metals,				C			Sec. 1141.28 <u>(a)</u>
Manufacture and assembly of small products such as Artificial Flowers, Ornaments, Awnings, Tents, Bags, Cleaning or Polishing Preparations, Brooms and Brushes, Buttons and Novelties, Canvas Products, Clothing for Wholesale Trade, Basket Material, Bicycles, Shoes, Caskets, Brick, Clay, Glass, Shale, Tile Terra Cotta Products or Similar Items				C			Sec. 1141.28 <u>(a)</u>
Research and Development Facilities, Technical Centers and Laboratories				C			Sec. 1141.28 <u>(a)</u>
Outdoor Storage of Goods, Products, Equipment, Machinery, Lumber, Landscaping and Building Supplies or Similar Items				C			Sec. 1141.29 <u>(a)</u>
Self-Storage Warehouses				C			Sec. 1141.31 <u>(a)</u>

	SYMBOL	KEY							STANDARDS FOR LAND USES <u>AND</u> <u>NOTES</u>
		RURAL RESIDENTIAL	SMALL TOWN RESIDENTIAL	COMMERCIAL	MIXED USE	PUBLIC INSTITUTIONAL	CONSERVATION/RECREATION		
	P	Permitted Uses							
	C	Conditional Uses							
	A	Accessory Uses							
USES		Prohibited Use		R-1	R-2	C	MU	PI	CR
OTHER USES									
Accessory Off-Street Parking Lot for Private Passenger Automobiles		A	A	A	A	A	A	A	
Accessory Structures and Uses Customarily Incidental to any Permitted Use		A	A	A	A	A	A	A	
Garage Sales, Estate Sales and Private Auctions		P	P	P	P	P			Sec. 1141.32
Garage for Commercial Vehicles				P	P	C	C		Sec. 1141.33
Temporary Structures and uses, including Construction Buildings		C	C	C	C	C	C		Sec. 1141.34
Circuses, Fairs, Revivals, Carnivals and Similar Uses				C	C	C	C		Sec. 1141.35
Home Occupation		A	A	A	A	A	A		Sec. 1141.36
Swimming Pools		A	A	A	A	A	A		Sec. 1141.37
Wireless Telecommunications Facilities					C				Sec. 1141.38
Sexually Oriented Businesses					P				Chapter 1151
Drive-Thru and Drive-up Facilities									Sec. 1141.40

NOTES

Draft 1/26/26 COMMERCIAL CONTROLS

(a) All uses in the Commercial or Mixed-Use District shall comply with the requirements of Chapter 1129 Landscape, Screening and Planting

**CHAPTER 1129**  
**Landscaping, Screening and Planting**

- 1129.01 Purpose**
- 1129.02 Performance standards.**
- 1129.03 Scope.**
- 1129.04 Plan submission requirements.**
- 1129.05 Standards.**
- 1129.06 Screening requirement.**
- 1129.07 Modification of screening and buffer zone requirements.**
- 1129.08 Materials.**
- 1129.09 Berms.**
- 1129.10 Location of screening.**
- 1129.11 Openings in walls, fences and berms; construction standards for walls.**
- 1129.12 Bumper stops, curbing or wheel chocks in parking spaces.**
- 1129.13 Corner clearance visibility.**
- 1129.14 Irrigation of vegetation.**
- 1129.15 Waiver of requirements.**
- 1129.16 Scope of plant material requirements.**
- 1129.17 Plant materials not permitted.**
- 1129.18 Installation and maintenance.**

**1129.01 PURPOSE.**

These regulations are intended to:

- (a) Minimize the transmission from one land use to another of nuisances associated with noise, dust and glare.
- (b) Minimize visual pollution that may otherwise occur within an urbanized area. Minimal screening provides an impression of separation of spaces, and more extensive screening can entirely shield the visual effects of an intense land use from a less intense land use.
- (c) Establish a greater sense of privacy from visual or physical intrusion of intense land uses, the degree of privacy varying with the intensity of the screening.
- (d) Safeguard the public health, safety and general welfare, preserve the aesthetic and environmental qualities, and enhance the community character.

**1129.02 PERFORMANCE STANDARDS.**

Every development shall provide sufficient screening so that:

- (a) Neighboring properties are shielded from adverse external effects of that development, regardless of whether it is separated by a right-of-way.
- (b) It provides a transition zone between dissimilar land uses.

**1129.03 SCOPE.**

- (a) Except where more stringent standards or procedures are specified in this Ordinance, the standards and procedures in this chapter shall apply to all required

screening and buffering areas.

(b) For all commercial, industrial, office, institutional and multiple-family uses in Commercial and Mixed Use zoning districts and for non-residential uses in Residential districts and where commercial, industrial, office, institutional and multiple-family uses exist adjacent to an existing residential use there shall be provided and maintained on the sides of the property abutting, adjacent to, or across the street from a residential district or use a screening/buffer zone as specified in this chapter, unless otherwise waived or reduced by the Commission or official approving the site plan.

(c) For utility buildings, stations and/or substations, screening shall be provided consisting of a six-foot high wall, berm or fence, except when all equipment is contained within a building or structure which is comparable in appearance to residential buildings in the surrounding area.

#### **1129.04 PLAN SUBMISSION REQUIREMENTS.**

Whenever landscape, screening and/or a buffer zone are required in this chapter, a preliminary landscape/screening plan shall be submitted to the Zoning Officer and a final plan approved by the Commission or other official approving the site plan. The plan shall be prepared by a landscape architect and sealed by an architect, landscape architect or engineer, and shall contain the following:

- (a) All applicable information required by this Ordinance for site plan review.
- (b) The location, general size, and type of existing vegetation to be retained.
- (c) Existing and proposed grades.
- (d) A planting schedule and plan providing the following information:
  - (1) The botanical and common name of each plant used.
  - (2) The size of each plant to be used at the time of planting.
  - (3) The quantity of each plant to be used.
  - (4) Whether plants to be used are balled and burlapped, container grown or bare root.
  - (5) The spacing and location of all proposed trees, shrubs, and ground cover. Ground cover is defined as low-growing woody shrubs, deciduous or evergreen plants, perennial plants and/or vines, such as low blueberry (*Vaccinium vacillans*), bearberry (*Arctostaphylos uva-ursi*), Northern bayberry (*Myrica pensylvanica*), cotoneaster (*Cotoneaster horizontalis*), or blue rug juniper (*Juniperus horizontalis* 'Wiltoni'). Grass and shredded bark, wood chips, other similar mulch or landscaping stones are also acceptable as ground cover for greenbelt areas.
- (e) The percentage of landscaped area, excluding detention ponds, to be provided on site.

#### **1129.05 STANDARDS.**

(a) The standards and explanation contained in this chapter establish the screening requirements which satisfy the general performance standards set forth in Section 1129.02, unless modifications as permitted under Section 1129.07 are applicable.

#### **1129.06 SCREENING REQUIREMENT.**

(a) Plant Material Requirements

- (1) Deciduous or evergreen shrubs used in a landscape screen shall be at least two feet high at initial planting and shall be expected and permitted to grow to a height of at least three feet within two years of planting; such materials shall be expected and permitted to grow to a height of five feet.
- (2) At initial planting, deciduous trees shall be a minimum of two and one-half inch caliper, ornamental trees a minimum of two inch caliper and evergreen trees a minimum of five feet in height.
- (3) The required height of a landscape screen may be reduced where it is determined by the Village Engineer and/or Zoning Officer that such landscaping would interfere with traffic safety and visibility.
- (4) The required height of a landscape screen may be increased where significant changes in elevations between an adjacent property or public right-of-way make it necessary to comply with the intent of this Ordinance.
- (5) The selected combination of plant materials shall be a harmonious combination of living deciduous and evergreen trees, shrubs and vines irregularly spaced to provide an effective year-round screen and to present an aesthetically pleasing view, and all quantities shall be based on the on a landscape plan that has been submitted and approved by the Planning Commission.

(b) Screening of Service Areas.

(1) For commercial, industrial, office, institutional and multiple-family uses, all service areas, loading and unloading activities shall be located to the greatest extent possible away from the living area of the adjacent residential use.

~~(1)~~(2) For commercial, industrial, office, institutional and multiple-family uses, all service areas, loading and unloading activities shall be screened on those portions of the lot which abut a residential use. Screening shall consist of walls, landscaped earthen mounds, fences, natural vegetation or an acceptable combination of these elements, provided that screening must be at least six (6) feet in height.

~~(2)~~(3) Natural vegetation screening shall have a minimum opaqueness of seventy-five percent (75%) during full foliage. The use of year-round vegetation, such as pines or evergreens, is encouraged. Vegetation shall be planted no closer than three (3) feet to any property line.

(c) Screening of Trash Receptacles.

(1) For commercial, industrial, office, institutional, and multiple-family uses, all trash and garbage container systems shall be screened or enclosed by walls, fences, or natural vegetation to screen them from view. Container systems shall not be located in front yards, and shall conform to the side and rear yard pavement setbacks in the applicable zoning District. The height of such screening shall be at least six (6) feet in height.

(2) Natural vegetation shall have a minimum opaqueness of seventy-five percent (75%) at full foliage. The use of year-round vegetation, such as pines and evergreens, is encouraged.

(d) Buffering and Screening Requirements.

(1) For commercial, industrial, office and institutional uses which abut an existing residential use, a buffer zone with a minimum width of five (5) feet should be created. Such screening within the buffer zone shall consist of fencing, natural vegetation or a combination of

both. Vegetation shall be planted no closer than three (3) feet to any property line. Natural vegetation shall have a minimum opaqueness of seventy-five percent (75%) during full foliage and shall be a variety which will attain at a minimum ten (10) feet in height within five (5) years of planting.

(e). Perimeter Parking Landscaping

(1) Landscaping within the perimeter setbacks of all parking lots shall be in conformance with the standards established by Chapter 1125.

(f) Height of Commercial, Industrial, and Other Non-residential Uses.

All commercial, industrial, office and institutional uses which abut an existing residential use not exceed the height of the adjacent residential use unless the following criteria are met, unless waived by the Planning Commission:

(a) The commercial, industrial, office and institutional building is setback a minimum of 20 feet from the common lot line of the residential use.

(b) The commercial, industrial, office and institutional building will not exceed the height limit of the R-1 or R-2 residential district.

(c) Screening shall be provided as required by this chapter.

**1129.07 MODIFICATION OF SCREENING AND BUFFER ZONE REQUIREMENTS.**

Because of the wide variety of land uses and the relationships between them and because of many different circumstances, the Commission may reduce or waive the screening and buffer zone requirements of this chapter after a detailed review and evaluation of an alternative screening plan. Whenever the Commission modifies the screening requirement, it shall find that the following standards have been met:

(a) The landscape/screening plan shall protect the character of new and existing residential neighborhoods against negative impacts such as noise, glare, light, air pollution, trash and debris, and hazardous activities.

(b) The Commission shall determine the screening, width and type of buffer zone needed to ensure compatibility based upon the following criteria:

(1) The development is compatible with and sensitive to the immediate environment of the site and neighborhood relative to architectural design, scale, bulk, building height, identified historical character, disposition and orientation of buildings on the lot and visual integrity.

(2) The site has natural existing vegetation and/or topography, natural bodies of water or wetland areas or other existing conditions which offer screening consistent with the standards set forth in this chapter. The Commission shall require the retention of these natural features as a condition of site plan approval.

(3) The arrangement, design and orientation of buildings on this site lends itself so as to maximize the opportunity for privacy and isolation from negative impacts of this project.

**1129.08 MATERIALS.**

Fences shall be constructed out of any of the following materials: redwood, cedar, or No. 1 pressure treated wood, recycled lumber or vinyl closely resembling wood, wrought iron or aluminum closely resembling wrought iron, stone, brick, concrete with stone or brick veneer, or pre-cast concrete simulated stone or brick. All other materials including but not limited to chain link, vinyl clad chain link, woven wire or plastic mesh (with or without wooden slats)

are prohibited as buffer material unless otherwise and expressly permitted by the Planning Commission.

**1129.9 BERMS.**

- (a) Earthen berms required under this chapter shall consist of raised earth with side slopes of three-to-one or flatter with a four-foot wide flat or slightly rounded crest contoured to the side slopes to facilitate maintenance.
- (b) Berms shall be covered with grass or other ground cover to prevent erosion. Berms shall also be landscaped with plant materials. A detailed landscape plan with a plant material list, including quantity, species, minimum size and spacing, shall be submitted with the site plan and approved by the Commission.

**1129.10 LOCATION OF SCREENING.**

Screening required under this chapter shall be located directly adjacent to the lot line except where underground utilities interfere.

**1129.11 OPENINGS IN WALLS, FENCES, AND BERMS; CONSTRUCTION STANDARDS FOR WALLS.**

Walls, fences and berms required under this chapter shall have no openings for vehicular traffic or other purposes, except such openings as may be approved by the Commission. All walls required in this chapter shall be constructed of stone, brick or shall have brick veneer on the side facing the residential district. The height of the wall shall be measured from the prevailing grade of the land on the residential side of the wall or berm. Walls shall be erected on a concrete foundation which shall have a minimum depth of 42 inches below a grade approved by the Zoning Officer, and shall not be less than four inches wider than the wall to be erected.

**1129.12 BUMPER STOPS, CURBING OR WHEEL CHOCKS IN PARKING SPACES.**

Bumper stops, curbing or wheel chocks shall be provided in parking spaces adjacent to a wall, fence or berm required under this chapter to prevent a vehicle from encroaching on or damaging the screening improvement. Bumper stops, curbing or wheel chocks shall be placed four feet from the required screening improvement.

**1129.13 CORNER CLEARANCE VISIBILITY.**

The Zoning Officer may require a reduction in the height of a screening improvement where necessary to ensure adequate sight distance and/or corner clearance visibility for drive approaches and public streets in proximity to a screening improvement. In this case height may be reduced only for that portion of the screening improvement necessary to provide adequate sight distance and/or corner clearance necessary for traffic safety. Where it is necessary to reduce the height of a screening improvement, height shall be reduced gradually.

**1129.14 IRRIGATION OF VEGETATION.**

Whenever a site plan requires landscaped earth berms or planted or natural vegetation screening, such areas shall be provided with an irrigation system or a readily available and acceptable water supply as approved by the Zoning Officer.

**1129.15 WAIVER OF REQUIREMENTS.**

The Commission or official approving the site plan may waive or reduce the requirements of this chapter upon determining that the following would apply:

- (a) The purpose of this chapter cannot be met; and
- (b) Compliance with the requirements would impose a practical difficulty on the applicant or would create safety hazards to pedestrians or motorists.

**1129.16 SCOPE OF PLANT MATERIAL REQUIREMENTS.**

Wherever in this chapter screening, planting and/or material in conjunction with an obscuring fence is required, it shall be planted within six months from the date of issuance of a temporary certificate of occupancy and shall thereafter be reasonably maintained with permanent plant materials to provide a screen to abutting properties. The location, type and quantity of the proposed landscape materials shall be installed in compliance with the landscape plan approved by the Commission or the official approving the site plan.

**1129.17 PLANT MATERIALS NOT PERMITTED.**

For the purposes of this chapter, the following plant materials shall not be permitted:

- (a) Ailanthus (tree of heaven) (*Ailanthus altissima*).
- (b) Ash (*Fraxinus spp*).
- (c) Asian bittersweet (*Celastrus orbiculata*).
- (d) Box elder (*Acer negundo*).
- (e) Buckthorn (*Rhamnus spp*).
- (f) Elm (*Ulmus spp*).
- (g) Hedge privet (*Ligustrum*).
- (h) Japanese knotweed (*Polygonum cuspidatum*).
- (i) Multiflora rose (*Rosa multiflora*).
- (j) Norway maple (*Acer phatanoides*).
- (k) Honeysuckle (*Lonicera spp*).
- (l) Olive - Autumn and Russian (*Elaeagnus spp*).
- (m) Poplar (*Populus spp*).
- (n) Soft maple (*Acer saccharinum*).
- (o) Purple loosestrife (*Lythrum salicaria*).

**1129.18 INSTALLATION AND MAINTENANCE.**

(a) Whenever a landscape planting screen or other plantings are required under this chapter, such plantings shall be installed according to accepted good planting procedures and in a sound workmanlike manner. All plant material shall meet current standards of the American Association of Nurserymen. Landscaping shall be installed prior to the issuance of a final occupancy permit.

(b) All landscaped areas shall be provided with an irrigation system or a readily available and acceptable water supply, as approved by the Zoning Officer.

(c) Three-inch overall depth of shredded, non-colored hardwood Cedar or Cypress bark or ground cover, as defined in Section 1129.04(d)(5), shredded bark, wood chips, other similar mulch or landscaping stones shall be used in all planting beds. The minimum mulch radius shall be two feet surrounding a shrub and four feet surrounding a deciduous or evergreen tree. Deviations from this must be approved by the Zoning Officer before installation.

(d) All required landscape screening and planting shall be continuously maintained. Maintenance of plantings shall be done to ensure a healthy and neat appearance, free of disease and insect infestations as well as clear of weeds and debris. Unhealthy or dead plant material is to be replaced within one year from completion and inspection of plantings.