



## **SIGNS, PARKING & SPECIAL PROVISIONS**

For your convenience, this is an excerpt from the Butler County Rural Zoning Resolution which is in effect for the following Townships:

Hanover  
Lemon  
Madison  
Milford  
Oxford  
Ross

Effective May 2, 2009

## ARTICLE 23 - SPECIAL PROVISIONS

23.01 PARKING AND LOADING AREAS, PUBLIC GARAGES, PARKING LOTS AND FILLING STATIONS.

23.011 OFF-STREET LOADING SPACE.

23.0111 In any district, in connection with every building or part thereof hereafter erected and having a gross floor area of ten thousand (10,000) square feet or more, which is to be occupied by manufacturing, storage, warehouses, goods display, retail store, wholesale store, market, motel, hospital, mortuary, laundry, dry cleaning or other uses similarly requiring the receipt of distribution by vehicles of material or merchandise, there shall be provided and maintained, on the same lot with such building, at least one (1) off-street loading space plus one (1) additional such loading space for each twenty thousand (20,000) square feet.

23.0112 Each loading space shall be not less than ten (10) feet in width, twenty-five (25) feet in length and fourteen (14) feet in height.

23.0113 Subject to the limitations in subsection 23.0114, such space may occupy all or any part of any required yard or court space.

23.0114 No space shall be located closer than fifty (50) feet to any lot in an R-District or recorded residential subdivision, unless wholly within a completely enclosed building or unless enclosed on all sides by a wall or solid fence not less than six (6) feet in height.

23.012 OFF-STREET PARKING SPACE.

23.0121 Required Automobile Parking Spaces. In all districts, there shall be provided, at the time any building or structure is erected or is enlarged or increased in capacity, off-street parking spaces for automobiles in accordance with the requirements herein.

23.0122 Sizes and Access. Each off-street parking space shall have an area not less than one hundred sixty (160) square feet exclusive of access drives or aisles, and shall be of usable shape and condition. Except in the case dwellings, no parking area provided hereunder shall be less than one thousand (1,000) square feet in area.

There shall be adequate provision for ingress and egress to all parking spaces. Where a lot does not abut a public or private alley or easement of access, there shall be provided an access drive not less than eight (8) feet in width in the case of a dwelling, and not less than eighteen (18) feet in width in all other cases, leading to the parking or storage areas or loading and unloading spaces required hereunder in such manner as to secure the most appropriate development of the property in question, but, except where provided in connection with a use permitted in an R-District or recorded residential subdivision, such easement of access or access drive shall not be located in any R-District, or recorded residential subdivision.

23.0123 Floor Area defined. For the purpose of applying the requirements in subsection 23.0124, "floor area," in the case of offices, merchandising or service types of uses, shall mean the gross floor area used or intended to be used by tenants, or for service to the public as customers, patrons, client or

patients, including areas occupied by fixtures and equipment used for display or sales or merchandise. It shall not include areas used principally for non-public purposes, such as storage, incidental repair, processing or packaging of merchandise, for show windows, for offices incidental to the management or maintenance of stores or buildings for toilet or rest rooms, for utilities, or for dressing rooms, fitting or alteration rooms.

23.0124 Number of Parking Spaces Required. The number of off-street parking spaces required shall be as set forth in the following:

23.01241 Residential Uses:

Single-Family	4.0 per dwelling unit
Two-Family	2.0 per dwelling unit
Multi-Family	2.0 per dwelling unit
Rooming/Boarding Houses	1.0 per rentable room not to exceed 5.0 off-street parking spaces

23.01242 Institutional Uses:

Churches/Places of Worship	1.0 per 8 seats in principal auditorium or 1.0 per 17 classroom seats, whichever is greater
Elementary Schools	1.0 per 850 sq. ft. of classroom space plus 1.0 per 100 sq. ft. of office space plus 1.0 per 50 sq. ft. of assembly space
Jr./Sr. High Schools	1.0 per 60 sq. ft. of classroom space plus 1.0 per 100 sq. ft. of office space
Universities, Colleges	1.0 per 100 sq. ft. of classroom
Vocational/Technical Schools	Space plus 1.0 per 50 sq. ft. of assembly space
Hospitals	1.0 per 80 sq. ft. of sleeping space plus 1.0 per 100 sq. ft. of office space plus 1.0 per 150 sq. ft. of treatment space
Nursing Homes/Rest Homes	1.0 per 500 sq. ft. of sleeping space plus 1.0 per 100 sq. ft. of office space
Group Homes	3.0 per facility

23.01243 Recreational Uses:

Public Parks	Spaces are required cumulatively according to facilities included or fraction thereof
Athletic Fields	8.0 per acre

Community Center 10.0 per facility

Tennis Courts 5.0 per court

Golf Course 8.0 per hole

23.01244 Commercial Uses:

Business or Professional Office 1.0 per 400 sq. ft. of floor area

Retail or Service Establishments 1.0 per 300 sq. ft. of floor area

Bowling Lanes 5.0 per alley

Theaters or Assembly Halls Fixed Seating 1.0 per 6 seats

Financial Institutions 1.0 per 400 sq. ft. of floor area

Food Stores 1.0 per 300 sq. ft. of floor area

Eating and Drinking Establishments 1.0 per 150 sq. ft. of floor area

Printing and Publishing Establishments 1.0 per 300 sq. ft. of floor area

Wholesale and Warehousing 1.0 per 200 sq. ft. of office space plus  
1.0 per 400 sq. ft. of manufacturing operations plus  
1.0 per 500 sq. ft. of storage space

Drive-In Theaters 1.0 per speaker

Dance Halls and Assembly Halls without fixed seats  
exhibition halls 1.0 per 100 sq. ft. of floor area

Animal Hospitals 3.0 per every treatment room plus 1.0 per 100 sq. ft.  
of office space

Funeral Homes 1.0 per 50 sq. ft. of floor space

Hotels, Motels and Lodging Houses 1.0 per sleeping room, plus 1.0 per 100 sq. ft. of office  
space and 1.0 per 150 sq. ft. of restaurant and lounge space

Automobile Service and repair 1.0 per 800 sq. ft. of floor space

Gasoline Service Stations	1.0 per 800 sq. ft. of floor space
Commercial Recreational	8.0 per acre
Baseball Fields	8.0 per acre
Medical or Dental Clinics	1.0 per 200 sq. ft. of floor area
Golf Driving Ranges	1.0 per tee
Carpenter Shops	1.0 per 300 sq. ft. of floor area
Electrical, Plumbing and Heating Shops	1.0 per 300 sq. ft. of floor area
Furniture and Appliance Stores	1.0 per 400 sq. ft. of floor area
Car Wash, Self-Cleaning	1.0 per bay/stall; 20.0 stacking spaces stall
Car Wash, Conveyor	20.0 stacking spaces per conveyor 10.0 stacking spaces per conveyor at exit

23.01245 Industrial Uses:

Wholesale and Warehousing	1.0 per 3,000 sq. ft. of floor area
Carpenter Shops	1.0 per 300 sq. ft. of floor area
Electrical, Plumbing and Heating	1.0 per 300 sq. ft. of floor area
Furniture Upholstering	1.0 per 300 sq. ft. of floor area
Automobile Service and Repair	1.0 per 800 sq. ft. of floor area
Industry and Manufacturing Establishments	1.0 per 200 sq. ft. of office space plus 1.0 per 400 sq. ft. of manufacturing operations space plus 1.0 per 500 sq. ft. of storage space
Research and Development Establishments	1.0 per 1,200 sq. ft. of floor area

In the case of any building, structure or premises, the use of which is not specifically mentioned herein, the provisions for a use which is so mentioned and to which said use is similar shall apply.

23.0125 DEVELOPMENT AND MAINTENANCE OF PARKING AREAS. Every parcel of land hereafter used as a public or private parking area, including a commercial parking lot and also an

automobile or trailer sales lot, shall be developed and maintained in accordance with the following requirements:

- a. Minimum Distances and Set-Backs. No part of any parking area shall be closer than ten (10) feet to any lot in an R-District, recorded residential subdivision, or property containing a school, hospital or other institution for human care located on an adjoining lot.
- b. Surfacing. Any off-street parking area shall be surfaced with asphalt, Portland cement, porous asphalt, or pervious concrete so as to provide a durable and dustless surface, and shall be so graded and drained as to dispose of all surface water accumulated within the area, and shall be so arranged and marked as to provide for orderly and safe loading or unloading and parking and storage of self-propelled vehicles. The foregoing requirements with respect to surfacing shall not apply to a parking area in an M-District if more than two hundred (200) feet distant from any R-District or recorded residential subdivision, except that a dustless surface shall be provided in any case.
- c. Lighting. Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect the light away from adjoining premises in any R-District, or recorded residential subdivision.

23.0126 The Board may authorize on appeal a modification reduction or waiver of the foregoing requirements if it should find that, in the particular case appealed, the peculiar nature of the residential, business trade, industrial, or other use or the exceptional shape or size of the property or other exceptional situation or condition would justify such action.

23.0127 RESTRICTED BUSINESS OR INDUSTRIAL ACCESSORY PARKING AREAS. The Board of Appeals may authorize, as a conditional use, subject to the provisions of Subsection 26.41, the establishment and operation of an off-street parking area for ten (10) or more automobiles in such parts of any A-, R- or F-District that abut at least fifty (50) feet either directly or across an alley, from a B- or M-District, subject to the following conditions and requirements.

- a. The parking lot shall be accessory to, and for use in connection with, one or more businesses or industrial establishments located in an adjoining B- or M-District.
- b. Each entrance and exit to and from such parking lot shall be at least twenty (20) feet distant from any adjacent property located in any R-District or recorded residential subdivision.
- c. The parking lot shall be subject to all the requirements of subsection 23.012; and any additional conditions or requirements in respect to development, maintenance and operation which the Board deems necessary or desirable for the protection of adjacent property or the public interest.
- d. No sign of any kind, other than designating entrances, exits and conditions of use, shall be maintained on such parking lot.
- e. No commercial repair work or services of any kind shall be conducted on such parking lot.

- f. Any person, firm or corporation desiring to secure permission to establish and maintain a restricted business or industrial parking lot within the meaning of this subsection shall make application to the Board, accompanied by a plan which clearly indicates the proposed development, including the location, size, shape, design, landscaping, curb cuts, and other features and appurtenances of the parking lot. Such application shall also be accompanied by the names and addresses of all the owners of all properties within the same block as the proposed parking lot and all properties separated there from by not more than one (1) street.
- a. Before making its final determination, the Board shall hold a public hearing, notice of which shall be given to owners of property as described above. If the Board approves the aforesaid application, the Zoning Administrator shall thereafter issue a zoning certificate in accordance therewith, subject to any modifications of the foregoing requirements and to any additional requirements that may be stipulated by the Board.
- h. Any permit authorized by the Board and issued by the Zoning Administrator may be revoked at the time that the aforementioned requirements are not complied with.

23.0128 PARKING, REBUILDING AND STORAGE OF CAMPERS, TRUCKS, TRAILERS OR OTHER VEHICLES. In any district, where not permitted, the repairing, rebuilding, dismantling, or storage any inoperative vehicle outside of an enclosed building shall be prohibited.

23.0129 PARKING OF TRUCKS IN RESIDENTIAL DISTRICTS.

Notwithstanding any other provisions of this resolution, the parking of semi-trucks, tractor trailers, dump trucks and tandem axle trucks, enclosed or otherwise shall be prohibited in all R-Districts and recorded subdivisions.

23.02 SIGNS.

23.021 Purpose. The purpose of the sign regulations is to promote and protect the public health, welfare and safety by regulating existing and proposed outdoor advertising, outdoor advertising signs and outdoor signs of all types. These regulations are intended to protect property values, create a more attractive economic and business climate, enhance and protect the physical appearance of the community and preserve the scenic and natural beauty of designated areas. These regulations are further intended to reduce sign or advertising distractions and obstructions that may contribute to traffic accidents, reduce hazards that may be caused by signs hanging or projecting over public rights-of-way and enhance community development.

23.022 General Regulations.

23.0221 Signs erected and maintained pursuant to and as required by law, any governmental function, ordinance or governmental regulation shall be excluded from the regulations of this Chapter.

23.0222 No sign of any type shall be installed, erected or attached in any form, shape or manner to a fence, the roof of a building, a fire escape, or any door or window giving access to any fire

escape.

- 23.0223 All signs hung and erected shall be plainly marked with the name of the person, firm or corporation responsible for maintaining the sign.
- 23.0224 Should any sign be or become unsafe or be in danger of falling, the owner thereof or the person maintaining the same shall, upon receipt of written notice from the Zoning Administrator, proceed at once to put such sign in a safe and secure condition or remove the sign.
- 23.0225 No sign shall be placed in any public right-of-way except publicly owned signs, such as traffic control and directional signs. Signs directing traffic and parking on private property but bearing no advertising matter shall be permitted on any property. On corner lots, no sign shall be located in the required sight triangle.
- 23.0226 Regulation of signs along interstates and primary highways shall conform to the requirements of Ohio Revised Code, Chapter 5516, and the regulations adopted pursuant thereto.
- 23.023 Deleted 5-02-09.
- 23.024 Sign Illumination. Any illuminated sign or lighting device shall emit only a constant intensity of light and no sign shall be illuminated by or contain flashing intermittent, rotating or moving light or lights. In no event shall an illumination be directed or beamed so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- 23.025 Non-conforming Signs. The continuance of an existing sign that does not meet the regulations and requirements of this Chapter shall be deemed a non-conforming sign, which shall terminate by abandonment. A sign shall be considered abandoned when:
- a. The sign is associated with an abandoned use.
  - b. The sign remains after a business has been closed to the public for at least ninety (90) consecutive days. Seasonal businesses are exempt from this determination.
  - c. The sign is not maintained and together with all supports, braces, guys and anchors is in a state of disrepair.
- a. Based upon these definitions, abandonment shall be determined by the Zoning Administrator. Upon finding that the sign is abandoned, the right to maintain and use such sign shall terminate immediately.
- 23.026 Billboard Placement and Size.
- 23.0261 Billboards, where permitted, shall be set back from the established right-of-way line of any street or highway, at least as far as the required front yard depth for a principal building in such district.
- 23.0262 No such billboard shall be permitted which faces the front or side lot line of any lot in any R-District, or recorded residential subdivision, within one hundred (100) feet of such lot line. No

billboards shall be permitted within three hundred (300) feet of any of the following: entrance to a public park, public or parochial school, library, church, museum, historic monument or safety rest area.

- 23.0263 Adjacent to Interstate/Freeway or principal arterial as defined by the Butler County Thoroughfare Plan no billboards shall be erected within three hundred (300) feet of another billboard on the same side of the highway. All distances between signs shall be measured along the nearest edge of the pavement directly opposite the billboard, along each side of the highway. On-premise signs shall not be considered in determining space requirements.
- 23.0264 The maximum area for any billboard shall be six hundred seventy two (672) square feet per side/facing exclusive of any border, trim, base, support, etc. The billboard structure may contain one (1) or two (2) advertisements per side/facing. Each side/facing shall not exceed the maximum area. Double-sided/faced structures and rotating billboards will be permitted with the maximum 672 square feet area being allowed for each side/facing.
- 23.0265 Measurement of Sign Area. The sign area shall be the area of the smallest combination of rectangles which can encompass all words, letters, figures, emblems and other elements of the sign message. Frames and structural members that are not advertising matter shall not be included in computation of surface area, but in no instance shall this supporting structure exceed by more than twenty percent the area of the sign.
- 23.027 Business Park or Retail Center Identification Ground Signs. A permanent business park identification sign which identifies the name and address and any tenant of the park or subdivision may be located on any lot within the park or subdivision which is located at the entrance of the park or subdivision. Said signs may be located on the same lot as an accessory business sign, and are subject to the following requirements:
- a. No such sign shall exceed eighty (80) square feet per side/facing exclusive of any border, trim, base, support, etc. in identification display area.
  - b. All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property lines.
  - c. No such sign or any portion of the structure they may be integral with, shall exceed fifteen (15) feet in height from the elevation of any street such sign fronts.
  - d. Any business park identification sign that incorporates a tower, monument, or landmark design and exceeds fifteen (15) feet in height from the elevation of any street such sign fronts shall require approval by the Butler County Board of Zoning Appeals.
- 23.028 Ground Signs. One (1) ground sign per front yard (including limited access roads), the height of which is no more than four (4) feet above the ground and provided such sign is no closer than ten (10) feet from the right-of-way line of the street, not exceeding sixty four (64) square feet in area and that the sole purpose of the sign is to advertise products sold on the premises or to identify the business located on the premises shall be permitted. This includes reader boards and electronic message boards. Reader boards and electronic message boards are considered as part of the permitted

display area of a sign. Each separate message copy must be displayed a minimum of five (5) seconds. These message boards shall not incorporate motion while the message is being displayed.

- 23.0281 No such ground sign shall be permitted which faces the front or side lot line of any lot in any R-District or Recorded Residential Subdivision, within fifty (50) feet, of such lot line.
- 23.0282 Real estate signs advertising the sale, rental, or lease of the premises on which they are maintained, shall set back from every street right-of-way a distance of ten (10) feet. No real estate sign shall exceed nine (9) square feet in area.
- 23.0283 Small announcement or professional signs where permitted shall not exceed one (1) square foot in area; except that a church, school, community center or other public or institutional building may have for its own use an announcement sign or bulletin board not over fifty (50) square feet in area which is not attached flat against a building, fifteen (15) feet from all right-of-way lines.
- 23.0284 Temporary political signs are permitted in all districts, provided there is no interference with traffic visibility and that said political signs shall be posted no more than sixty (60) days before an election and shall be removed within seven (7) days following Election Day.
- 23.029 Building Signs.  
In addition to the above mentioned ground sign, buildings may also contain: wall (integral or attached), projecting, or awning signs which are accessory to the business or use located on the premise. Such signs shall be subject to the following requirements:
- a. The total amount of square feet permitted for signs shall not exceed four percent (4%) of the total square footage of each front building wall elevation and shall not be cumulative.
  - b. No sign shall project beyond any building or roof line.
- 23.0210 Directional Signs.
- 23.02101 No such sign shall exceed six (6) square feet of identification display area.
- 23.02102 All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line.
- 23.02103 No such sign or any portion of the structure they may be integral with, shall exceed four (4) feet from grade.
- 23.02104 Such signs shall be limited to two (2) signs per parcel.
- 23.02105 All such signs have a base constructed of the same materials and colors used on the majority of the principal structure for which the sign is advertising.
- 23.02106 All such signs shall have foundation plantings.

23.0211 Prohibited Signs.

23.02111 Animated signs that employ flashing lights, blinking lights or other elements that revolve, rotate, whirl, spin or otherwise make use of motion to attract attention other than electronic message board pursuant to the requirements of Article 23.0265.

23.02112 The above section does not apply to any sign that has at least ninety percent (90%) of the sign face devoted to performing a public service function of indicating time, temperature or some other similar service.

23.02113 Merchandise, equipment, products, vehicles or other items not themselves for sale and placed for attention getting, identification or advertising purposes.

23.02114 Signs which are painted on or attached to any trees, utility poles, public benches, street lights or any other form of public property or in the public right-of-way.

23.03 Deleted 5-02-0.

23.04 Deleted 5-02-09.

23.05 Deleted 5-02-09.

23.06 Deleted 5-02-09.

23.07 ADULT ENTERTAINMENT FACILITIES.

23.0701 Adult Entertainment Facilities as defined in Article 4 are permitted in any M-1 Light Industrial District or M-2 General Industrial District subject to the regulations set forth in this section.

23.0702 Adult Entertainment Facility Requirements:

- a. The above uses shall have frontage on a principal or minor arterial, or major or minor collector street, as defined by the Butler County Thoroughfare Plan, by which access to the Adult Entertainment Facility is exclusively provided.
- b. One parking space per 150 sq. ft. of floor area shall be provided as specified in Article 23.
- c. Parking areas and general lighting shall be designed and installed to avoid casting direct light or glare onto surrounding properties.
- d. All building openings, entries, windows, etc. for adult uses shall be located, covered or serviced in such a manner as to prevent a view into the interior from any exterior public or semi-public area, sidewalk or street.
- e. Displays or promotional items of Adult Material shall not be visible from exterior public view. This prohibition shall not extend to advertising of the existence or location of such

adult entertainment facility.

- f. Only one (1) sign, which shall not contain adult material, advertising the existence or location of such adult entertainment facility shall be allowed as regulated in Article 23, no more than fifty (50) square feet in size mounted flat against the building.
- g. A landscaped buffer of not less than ten (10) feet in width and six (6) feet in height shall be provided along all side and rear lot lines.
- h. All Adult Entertainment Facilities shall have a minimum lot area of twenty-thousand (20,000) square feet.
- i. All Adult Entertainment Facilities shall be located not less than 1,000 feet from any lot: in any R-District; recorded residential subdivision; church or similar place of worship; public building; school; day care center; public park, playground, or other recreation facility attended by person(s) under the age of eighteen; hotel; motel; pawn shop; pool hall; video game or pinball arcade; dance hall; or business selling alcohol for consumption on the premises, whether within this or any other political subdivision. The measurement of distance for the purpose of these regulations shall be from lot line to lot line along the shortest possible course.
- j. All Adult Entertainment Facilities shall be located not less than 1,000 feet from any lot 5.1 acres in size or less in any A-District whether within this or any other political subdivision. The measurement of distance for the purpose of these regulations shall be from lot line to lot line along the shortest possible course.
- k. All Adult Entertainment Facilities shall be located not less than 1,000 feet from any residential dwelling on a lot greater than 5.1 acres in size in any A-District, which is not a recorded residential subdivision, whether within this or any other political subdivision. The measurement of distance for the purpose of these regulations shall be from the lot line of the adult entertainment facility to the wall of the residential dwelling along the shortest possible course.
- l. All Adult Entertainment Facilities shall be located not less than 1,000 feet from any lot of any other adult entertainment facility. The measurement of distance for the purpose of these regulations shall be from lot line to lot line along the shortest possible course.
- m. No adult entertainment facility, except for an adult motel, may remain open at any time between the hours of one o'clock (1:00) A.M. and eight o'clock (8:00) A.M. local time on weekdays and Saturdays, and one o'clock (1:00) A.M. and noon (12:00) P.M. local time on Sundays.