

ORDINANCE NO. 14-11
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Brooks Compton ON THE 23rd
DAY OF January, 2014.

AN ORDINANCE AMENDING ORDINANCE 14-08, CHAPTER 1216 OF THE CENTERVILLE MUNICIPAL CODE, THE UNIFIED DEVELOPMENT ORDINANCE FOR THE CITY OF CENTERVILLE, OHIO TO ESTABLISH DEVELOPMENT STANDARDS FOR THE SITING AND INSTALLATION OF SOLAR AND WIND ENERGY SYSTEMS.

PREAMBLE

WHEREAS, on the 15th day of December, 2008, the City of Centerville enacted the Unified Development Ordinance (UDO) to establish zoning regulations and to provide for its administration enforcement and amendment; and

WHEREAS, the City of Centerville has determined that it is reasonable and necessary to establish appropriate regulations governing the installation of solar and wind energy systems to promote the conservation of energy through access to and use of renewable energy resources; and

WHEREAS, The City of Centerville seeks to promote the general health, safety and welfare of the community by adopting and implementing an amendment to the UDO providing for use of solar and wind energy systems; and

WHEREAS, all requirements of Chapter 713 of the Ohio Revised Code, regarding the adoption of the UDO and/or amendments thereto by the Planning Commission and subsequent action of the City Council have been met.

NOW, THEREFORE, the Municipality of Centerville hereby ordains:

Section 1. Ordinance Number 14-08, Chapter 1216 of the Centerville Municipal Code, passed on the 15th day of December, 2008 and as subsequently amended, be, and the same hereby is revised as follows with new language to be added in *italics* and text to be deleted in ~~strikeout~~ as provided in Section 5.02 of the Centerville Charter:

By amending Article 9, Development Standards as follows:

9.05 Base Zoning Districts

A. Dimensional and Density Regulations

10. Commercial Alternative Energy Production

a. Solar Power Plant

- 1) *Zoning Districts: A solar power plant is a conditional use in the A, Agriculture, R-1a, R-1b, and R-1c Single Family Residential Zoning Districts, and the I-PD, Industrial Planned Development zoning districts.*
- 2) *Minimum lot size: The minimum lot size for a solar power plant shall be 20 acres.*
- 3) *Setback: A solar power plant shall be setback a minimum of one hundred (100) feet from any property line.*
- 4) *Screening shall be in accordance with the requirements for O-PD, B-PD, and I-PD located in Table 9.6: Bufferyard, Landscape and Screening Requirements of this UDO.*

b. Wind Power Plant

- 1) *A wind power plant is a conditional use in the A, Agriculture Zoning District, subject to the following requirements:*
 - a) *Minimum lot size: The minimum lot size for a wind power plant shall be 20 acres.*
 - b) *Maximum Height: 130 feet to the top of the wind turbine blade at its highest point of travel.*
 - c) *Minimum Setback from Property Lines: All elements of a Large Wind Energy Conversion System shall be set back a distance equal to the height of the system with a wind turbine blade at its highest point of travel.*
 - d) *All Large Wind Energy Conversion Systems shall adhere to all Federal and State Regulations including, but not limited to, submittal of an application to the Ohio Power Siting Board and Section 4906 of the Ohio Administrative Code.*
 - e) *Vehicular Access: Vehicular access to the wind turbines or equipment shelter shall be via concrete or asphalt roadways.*

- f) Equipment Shelter: The minimum setbacks for principal and accessory structures shall apply and such shelter shall not be located in any required front or side yards.*
- g) Uncontrolled Rotation: Both a manual and automatic braking, governing or feathering system shall be required to prevent uncontrolled rotation.*

B. Uses

Amend Table 9.1, Permitted Uses in Base Zoning Districts as follows:

1. Establish a Solar Energy Device, Roof Mounted, as a permitted accessory use,
2. Establish a Solar Energy Device, Freestanding or Wall Mounted, as a conditional use,
3. Establish a Solar Power Plant as a conditional use,
4. Alphabetize the land use categories, and
5. Place footnotes at the bottom of the applicable page of the table.

Table 9.1. Permitted Land Uses in the Base Zoning Districts

Land Use Type	Type of Use (Site Map Requirements)													Land Uses				
	A	R-1a	R-1B	R-1c	R-1d	R-1e	R-1f	R-2	R-3	R-3D	O-PD	B-1	B-2	B-2D	I-1	I-1D	APD	
Accessory Uses																		
Accessory Structures	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Bed & Breakfast	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Home Sales	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Pet Shelters	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Playhouses	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Solar Energy Device Roof Mounted	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Solar Energy Device Freestanding or Wall Mounted	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Swimming Pools and Hot Tubs, In-Gate	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Tennis Courts, Private	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Wind Energy Device	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Wireless Telecommunications Antennae (Co-Location)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Agricultural Uses																		
Agriculture	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Ice Keeping	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Stable (Commercial)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Stable (Private)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Wholesale or Commercial Plant Nursery	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Commercial Use																		
Amusement Arcades	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Animal Hospital/Clinics	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Bakeries (Retail)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Banks	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Bar/Club	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Barbers Shops & Beauty Parlors	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Bars, Taverns	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Big Box Retail	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Book Store	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Camera/Photography Store	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Car Wash	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Clothing Store	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Commercial Entertainment	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Convenience Store	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Corporate Data Centers	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Department Stores	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	
Drive-through Stores	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	

1. Refer to Article 9.19 of the UDM for additional regulations pertaining to Accessory Uses and Buildings. Some Accessory Uses and Buildings that, because of their size, location, or intensity of activity, may have an impact on adjacent property, would require Major Site Plan approval.
 2. Refer to Article 9.19 of the UDM for additional regulations for Alternative Energy Systems including a solar energy and wind energy device.
 3. A minimum of 5 acres is required to establish an agricultural use.
 4. Refer to Article 9.19.1. Best-keeping of the UDM for additional regulations.
 5. Drive-up Windows shall be placed in the side or rear yard only.

**Table 9.1, Permitted Land Uses
in the Base Zoning Districts**

Land Use Type	Type of Use (Site Plan Requirement)										Land Uses						
	P	AU	C	(Min)	(Max)	Major Site Plan	Minor Site Plan	O-5	O-10	O-15	O-20	B-1	B-2	B-PD	I-1	I-PD	APD
Commercial Use, Continued																	
Drive-up Windows*																	
Dry Cleaning Shops																	
Open Markets																	
Event Shops																	
Fueling Station*																	
Furniture Home																	
General Merchandise Store																	
Grocery Stores																	
Hardware Stores																	
Hobby Shops																	
Hotel - Motel																	
Kennels																	
Landmarks																	
Liquor Stores																	
Driving Range																	
Music Stores																	
Night Clubs																	
Office/Business Service Uses																	
Pet Store																	
Pharmacy																	
Photography Studio																	
Plant Nursery/Garden Supply																	
Restaurant, Class 1 - Sit Down																	
Restaurant, Class 2 - Sit Down																	
Restaurant, Class 3 - Sit Down, Drive-up																	
Restaurant, Class 4 - Drive-up, Food Truck																	
Retail Sales and Services (Generally, not otherwise enumerated)																	
Sexually Oriented Business																	
Shopping Center																	
Theaters																	
Vehicle Sale and Service																	
Institutional, Civic, Recreational																	
Adult Day Care																	
Animal Shelter																	
Campgrounds																	
Cemetery																	
Club or Lounge																	
Convention Center																	
Cultural (Museums, Art Gallery)																	
Day Care Center																	

* Within the I-1 or APD District, a fueling station shall have a maximum of 2 pumps that are located in the site on rear yard only.

Table 9.1: Permitted Land Uses in the Base Zoning Districts	Type of Use (Site Plan Requirement)		Land Uses														
	P	Not Permitted Use	A	R-1 (a)	R-1 (b)	R-2	R-3	R-PD	U-S	U-PD	B-1	B-2	B-PD	I-1	I-PD	APD	
	Permitted Use	Accessory Use	Agricultural	Single-Family Residential	Two-Family Residential	Multi-Family Residential	Residential Planned Development	Office/Service	Office Planned Development	Neighborhood Business	General Business	Business Planned Development	Light Industrial District	Industrial Planned District	Architectural Preservation District		
Specific Use Type	(Maj)	(Min)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	(Maj)	
Land Use Type	A	R-1a	R-1b	R-1c	R-1d	R-1e	R-2	R-3	R-PD	U-S	U-PD	B-1	B-2	B-PD	I-1	I-PD	APD
Institutional, Civic, Recreational, Continued																	
Entertainment Public	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-	-
Family Day Care, Type A	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-	-
Family Day Care, Type B	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Fitness Club/Golf/Tennis/Swim	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Golf Course	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Hospital	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Indoor Recreational Club	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Natural Preserve Areas	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Maj)
Out Patient Surgery Center	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Parks, Open Space	P (Maj)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Maj)
Public Library	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
Religious Institutions and Places of Worship (Large 150+ capacity)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-
Religious Institutions and Places of Worship (Small 1-150 capacity)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-
School, College	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
School, Primary	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)
Swimming Pools (Not Private Residential)	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Zoo	C (Maj)	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	-
Industrial, Manufacturing, Research, and Wholesale Use																	
Artisan/Craft Product Workshop	-	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	P (Maj)
Automobile or truck repair, including body work	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Bakeries (Factory or Distribution)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
City Service Yards and Garages	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Construction trades and contractor offices and shops	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Food Processing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Heavy equipment rental, sales, service and storage	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Industrial Park	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Junkyards/Salvage Yards	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)
Light Manufacturing	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Machine Shop	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Media Production	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)
Printing Services	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)
Research and Development, Information Technologies	-	-	-	-	-	-	-	-	-	-	C (Maj)	P (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)
Research and Development, Laboratories	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)
Research and Development, Medical Technologies	-	-	-	-	-	-	-	-	-	-	C (Maj)	P (Maj)	-	C (Maj)	C (Maj)	P (Maj)	P (Maj)
Retail uses which have an industrial character	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Veterinary offices with fully enclosed runs, pens, or kennels	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Warehouses and Mini-Warehouses	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Warehousing and Distribution	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Wholesaling and Storage Facilities	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)
Residential Family Home, Type B	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	P (Maj)

Table 9.1, Permitted Land Uses in the Base Zoning Districts

Land Use Type	Type of Use (Site Plan Requirement)							Land Uses									
	P Permitted Use	AU Accessory Use	C (Maj) Conditional Use Major Site Plan	C (Min) Minor Site Plan	A Agricultural	R-1 (A) Single-Family Residential	R-2 Two-Family Residential	R-3 Multi-Family Residential	R-PD Residential Planned Development	O-S Office-Service	O-PD Office Planned Development	B-1 Neighborhood Business	B-2 General Business	B-PD Business Planned Development	I-1 Light Industrial District	I-PD Industrial Planned District	APD Architectural Preservation District
Specific Use Type	Approval Required by District																
Land Use Type	A	R-1a	R-1b	R-1c	R-1d	R-1e	R-2	R-3	R-PD	O-S	O-PD	B-1	B-2	B-PD	I-1	I-PD	APD
Office Use																	
Government Offices	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	P (Maj)
Medical and Dental Offices	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)
Office Park	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-
Office Uses	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)
Research and Development, Offices	-	-	-	-	-	-	-	-	-	P (Maj)	P (Maj)	C (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-
Residential Uses																	
Dormitory	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	-	-	-	-	-	-	-
Dwelling, Multi-Family and Apartment Building	-	-	-	-	-	-	-	P (Maj)	P (Maj)	-	-	-	-	-	-	-	P (Maj)
Dwelling, Single-Family	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	-	-	-	-	-	P (Maj)
Dwelling, Duplex	-	-	-	-	-	-	P (Maj)	P (Maj)	P (Maj)	-	-	-	-	-	-	-	P (Maj)
Mixed-Use Building	-	-	-	-	-	-	-	-	P (Maj)	-	-	-	-	-	-	-	P (Maj)
Nursing and Convalescent Homes	-	-	-	-	-	-	-	C (Maj)	P (Maj)	-	C (Maj)	-	-	-	-	-	-
Residence Family Home	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-	-	-	-	-	-	-	C (Maj)
Residential Cluster Development	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	-	-	-	-	-	-	-	P (Maj)
Residential Group Home	-	-	-	-	-	-	-	-	C (Maj)	-	-	-	-	-	-	-	-
Senior Citizen Residential Community	-	-	-	-	-	-	-	-	P (Maj)	-	-	-	-	-	-	-	-
Satellite Dishes (Less than 1 meter in diameter)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Telecommunications Cabinet	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)	P (Min)
Television Antennae (Residential)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Wireless Communication Towers	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-
Wireless Communication Antennae	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-
Temporary Uses																	
Carnival/Outdoor Amusement Use	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	-	-	-
Seasonal Outdoor Sale of Farm Produce or Plants	P (Min)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-	-	C (Maj)
Seasonal Outdoor Sale of Landscaping Materials	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	P (Min)	-	-	-	-
Sidewalk Sales	-	-	-	-	-	-	-	-	-	-	-	AU (Min)	AU (Min)	AU (Min)	-	-	AU (Min)
Temporary Construction Buildings	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)	AU (Min)
Transportation, Aviation or Surface																	
Helipad	-	-	-	-	-	-	-	-	-	-	-	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-
Public transit stations, including bus stops or park and ride lots	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)	P (Maj)
Utility Uses																	
Solar Power Plant	C (Maj)	C (Maj)	C (Maj)	C (Maj)	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)
Wind Power Plant	C (Maj)	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	C (Maj)
Utilities-Utility	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	C (Maj)	P (Maj)	P (Maj)	C (Maj)

* Residential uses permitted alongside those otherwise permitted in district in which it is located.
 † A Helipad shall be set back a minimum of 100 feet from any property line.

9.25 Landscaping, Screening and Bufferyard Standards

Table 9.6: Bufferyard, Landscape and Screening Requirements

Zoning District by Use or Circumstance	Buffer Width (feet)	Minimum Bufferyard Requirements					
		Earthen Berm (avg. ht.)	Fence or Wall	No. of Plants per 100 Linear Feet of Bufferyard			
				Canopy Tree	Understory Tree	Shrub	Evergreen or Conifer
O-PD, B-PD, and I-PD							
Adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
Adjacent to a Public Street	20	3 feet	No	5	5	10	0
Adjacent to a non-residential use	10*	N/R	No	2	4	6	0
O-S, B-1, B-2, I-1: Non-Residential Use							
Adjacent to a Residential Use	25	4 feet	Yes	5	6	20	15
Adjacent to a Non-Residential Use or a Public Street	10	N/R	No	2	4	6	0
APD, Architectural Preservation District							
Non-Residential Use adjacent to a Residential Use	10	N/R	Yes	0	0	0	15
R-1, R-2, R-3, R-PD, Non-Residential Uses							
Adjacent to a Single-Family Use	25	3 feet	Yes	5	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5	5	10	0
Abutting any other Street or a non-residential use	10	N/R	No	2	4	6	0
Major Use adjacent to a Residential Use	100	6 feet	Yes	10	15	50	30
R-3, R-PD: Multi-Family Residential Use							
Adjacent to a Single-Family Use	25	3 feet	Yes	5	6	20	15
Adjacent to a Major, Public Street	25	3 feet	No	5	5	10	0
R-2, Two-Family Residential Use							
Adjacent to any Public Street or a Single Family Use	10	N/R	No	2	4	6	0
R-1, Single-Family Residential Use							
<i>Freestanding Solar Energy System</i>	5	N/R	Yes	0	0	0	0
Residential Cluster Development or an individual lot adjacent to a Major Public Street	25	3 feet	No	4	6	10	5
R-1, Single-Family with a RV in the Side							
<i>RV in the Side Yard abutting a Single-Family Use**</i>	5	N/R	Yes***	0	2	2	3
<i>Yard abutting a Single-Family Use**</i>	5	N/R	Yes***	0	2	2	3
<i>Yard abutting a Single-Family Use**</i>	5	N/R	Yes***	0	2	2	3

N/R: Not Required

* Outer Perimeter of the Planned Development Zoning Districts requires a minimum buffer width of 20 feet.

** Number of plants required per thirty (30) linear feet of bufferyard.

*** A resident or property owner may apply for a Zoning Certificate to substitute a fence for any or all of the required landscape screening provided such fence is of sufficient size and mass to provide buffering greater than or equal to the required landscape screening.

9.57 Alternative Energy Systems

B. Purpose and Intent

In order to balance the need for clean, renewable energy resources and the necessity to protect the public health, safety and welfare of the community, the following regulations are necessary to ensure that alternative energy systems are appropriately designed and safely sited and installed. This chapter establishes the regulations and criteria which allow compatible alternative energy systems to

be located within the various zoning districts in association with a principal use or structure. In the event of a conflict between the development standards in this chapter and development standards contained in the UDO applicable to the use and zoning district, the standards of this section are to be used.

C. Permitting and Application

- 1) *Prior to the installation of an alternative energy system, a Zoning Certificate shall be issued by the City Planner as an accessory structure in accordance with Article 5 of this Ordinance for all properties in the City except those in the Architectural Preservation District (APD) and the appropriate building, electrical and/or plumbing permits have been issued by the Chief Building Official.*
- 2) *The Board of Architectural Review (BAR) shall review and decide on any alternative energy system proposed for a property in the APD before a Zoning Certificate is issued by the City Planner.*
- 3) *In addition to the submittal requirements for an accessory structure, the application shall also include:*
 - a. *A site plan of the property showing the exact location of the proposed alternative energy system, all existing utility lines including overhead lines, setback lines, easements and all other structures on the premises,*
 - b. *A description of the alternative energy system, including information regarding its construction, method of assembly, installation and intended use as a primary, ancillary or a back-up/emergency power source,*
 - c. *Plans showing the specifications and elevations of the proposed system, and*
 - d. *Proposed screening, where required.*

D. Permitted Solar Energy Systems

- 1) *Solar Energy System Mounted on a Flat Roof*
 - a. *Zoning District*
 - 1) *A solar energy system for a flat roof shall be permitted in all base zoning districts except a solar energy system shall not be placed on any buildings designated as Landmarks in accordance with Article 9.45 of this Ordinance.*
 - 2) *A solar energy system for a flat roof may be approved as a part of a Site Plan, Planned Development Master Plan or as part of an Overlay District proposal.*
 - b. *Placement on Roof*
 - 1) *For any building where either axis of the building is two hundred fifty (250) feet or less, there shall be a minimum four (4) foot wide clear perimeter around the edges of the roof and six (6) foot wide clear perimeter for buildings having an axis greater than two hundred fifty (250) feet.*
 - 2) *A centerline pathway, having a minimum width of four (4) feet shall be established in a straight line along both axis of a building.*

- 3) *All solar panels shall be setback a minimum of three (3) feet from all vents, chimneys, roof accesses, and other appurtenances.*
 - c. *Height above roof surface*
The lowest portion of the panels shall not be greater than two (2) feet above the roof surface to which it is mounted and the uppermost portion of each solar panel shall not exceed the maximum height required to optimize the system performance.
 - d. *Screening*
A solar energy system shall be screened from view to the public right-of-way in accordance with Table 9.6: Bufferyard, Landscape and Screening Requirements of this UDO.
- 2) *Solar Energy System Mounted on a Pitched Roof*
- a. *Zoning District*
 - 1) *A solar energy system for a pitched roof shall be permitted in all base zoning districts except a solar energy system shall not be placed on any buildings designated as Landmarks in accordance with Article 9.45 of this Ordinance or any building determined to be historically significant in the APD.*
 - 2) *A solar energy system for a pitched roof may be approved as a part of a Site Plan, Planned Development Master Plan, Major Site Plan or as part of an Overlay District proposal.*
 - b. *Placement on Roof*
 - 1) *Panels shall be located in a manner that provides a three (3) foot wide clear access pathway from the eave to the ridge for each roof where panels are located.*
 - 2) *Panels shall be located in a manner on a hip roof or a roof having valleys shall be located no closer than eighteen (18) inches from the hip, ridge, eave and valley.*
 - 3) *Panels located on a roof with a single ridge shall be setback a minimum of three (3) feet from the edge of the roof and eighteen (18) inches from the ridge and eave providing an access pathways from the eave to the ridge.*
 - 4) *A solar energy system shall not exceed the height of the roof peak to which it or the panels are affixed.*
 - 5) *All solar panels shall be setback a minimum of eighteen (18) inches from all vents, chimneys and other appurtenances.*

- 6) *Solar panels shall be configured as a simple rectangle and aligned with the roof eaves for a roof facing a public right-of-way.*
 - 7) *All solar panels shall follow the roof plane not to exceed a maximum of three (3) inches above roof surface.*
 - 8) *The exposed surfaces of all solar panel framing, mounting equipment, conduit, piping and other related hardware or equipment shall match the roof color.*
 - 9) *All solar panels shall have a non-reflective coating to minimize glare.*
 - 10) *For single-family, two-family and three family residences having more than one front roof, solar panels shall be located on only one (1) front roof and shall be placed in a single location.*
- c. *Solar Shingles are encouraged to be installed on a premises in-lieu of photovoltaic solar panels. Solar shingles may be placed on any roof of a principle or accessory building in the following manner.*
- 1) *Solar Shingles shall be located in a manner that provides a three (3) foot wide clear access pathway from the eave to the ridge for each roof where panels are located.*
 - 2) *Solar Shingles shall be located in a manner on a hip roof or a roof having valleys shall be located no closer than eighteen (18) inches from the hip, ridge, eave and valley.*
 - 3) *Solar Shingles located on a roof with a single ridge shall be setback a minimum of three (3) feet from the edge of the roof and eighteen (18) inches from the ridge and eave providing an access pathways from the eave to the ridge.*
 - 4) *All solar shingles shall be setback a minimum of eighteen (18) inches from all vents, chimneys and other appurtenances.*
 - 5) *The exposed surfaces of all equipment, conduit, and other related hardware shall match the roof color.*
 - 6) *All solar shingles shall have a non-reflective coating to minimize glare.*

E. Conditional Solar Energy Systems

Applications for a conditional Solar Energy System shall be subject to the review and approval process established in Article 5.09, Development Approvals: Categories and Criteria of this Ordinance.

1) Purpose and Intent

This section establishes supplementary standards for Solar Energy Systems that may affect adjacent properties, the neighborhood, a development plan or the community even if all of the general standards of this Chapter are met. The intent of this section is to establish appropriate standards for the location, design, and operation of these conditional Solar Energy Systems to ensure they will be installed and operated in a manner that is consistent with the underlying zoning district and will not compromise adjacent uses.

2) Freestanding Solar Energy System

- a. Location - A solar energy system may be placed in the required side or rear yard of a premises in accordance with the location requirements for an accessory building in Article 9.39, Accessory Buildings and Use Standards of this Ordinance*
- b. Setback - A solar energy system shall be subject to the setback standards for an accessory building in accordance with Article 9.39, Accessory Buildings and Use Standards of this Ordinance.*
- c. Height - The lowest portion of the solar panels shall not be greater than five (5) feet above the grade or surface to which it is mounted and the uppermost portion of each solar panel shall not exceed the maximum height required to optimize the system performance.*
- d. Area - A solar energy system shall be subject to the maximum area requirements for an accessory building in accordance with Article 9.39, Accessory Buildings and Use Standards of this Ordinance.*
- e. Screening of a solar energy system shall be in accordance with Table 9.6, Bufferyard, Landscaping and Screening Requirements.*
- f. Exemption: A single photovoltaic solar panel having a surface area of one (1) square foot or less in area that is attached to a light fixture or similar appurtenance to provide electrical power to said appurtenance shall be exempt from these requirements.*

F. Wind energy conversion systems

1. *Purpose. To regulate the placement, construction, and modification of wind energy conversion systems and their support structures in order to protect the public health, safety and welfare, while at the same time not unreasonably interfering with the development of these systems.*
2. *Standards.*
 - a. *Construction Standards. All Wind Energy Systems and support structures shall be certified by an Engineer licensed in the State of Ohio to be structurally sound and, at a minimum, in conformance with Ohio Basic Building Code.*
 - b. *Color and Appearance Standards. All Wind Energy Systems shall be painted a non-contrasting gray or similar color minimizing its visibility, unless otherwise required by the Federal Aviation Administration.*
 - c. *Artificial Lighting Restricted. No Wind Energy System shall be artificially lit except as required by the Federal Aviation Administration.*
 - d. *Access Control. The base of any tower ladders or other climbing apparatus shall be a minimum of twelve (12) feet above the ground.*
 - e. *Noise. All alternative energy systems shall comply with the requirements for sound levels established in Article 9.53 A 1, Environmental Requirements of this ordinance.*
3. *Wind Energy Conversion Systems*
 - a. *Small wind energy device*
 - 1) *A Small Wind Energy Device is a permitted use in all zoning districts excepting the Architectural Preservation District for an Agricultural use.*
 - 2) *A Small Wind Energy Device is a conditional use in all zoning districts excepting the Architectural Preservation District for all uses except an agricultural uses.*
 - 3) *A Small Wind Energy Device is a prohibited use in the Architectural Preservation District.*

- 4) *No more than one (1) Small Wind Energy Device shall be permitted per premises and shall only generate energy for use for or in support of a main building and/or accessory buildings located on the same lot.*
- 5) *Minimum Lot Size: 5 Acres.*
- 6) *Maximum Height: 52 feet to the top of the wind turbine blade at its highest point of travel.*
- 7) *Minimum Setback from Property Lines: All elements of a Small Wind Energy Conversion System shall be set back a distance equal to the height of the system with a wind turbine blade at its highest point of travel.*
- 8) *Design: The small wind energy device shall be placed on a monopole tower without guide wire support. Lattice towers are prohibited.*
- 9) *Uncontrolled Rotation: Both a manual and automatic braking, governing or feathering system shall be required to prevent uncontrolled rotation.*

G. Maintenance, Abandonment and Removal

All alternative energy systems and related components shall be properly maintained and kept in operation. Any alternative energy system that is unused or is non-functional for a continuous period of six (6) months shall be deemed abandoned. This shall not include functioning systems used for backup power for emergency situations. The owner shall be notified of the violation and shall be responsible for the removal of the abandoned system within three (3) months. Removal of the alternative energy system shall require approval of the Chief Building Official.

H. Appeals and Variances

- 1) *Appeals shall be in accordance with Article 5.19 of this Ordinance.*
- 2) *Variances shall be in accordance with Article 5.17 of this Ordinance.*

By amending Article 11, Definitions, to include the following definitions are to be inserted in alphabetical order:

Back-up Power or Emergency Power System – *An electricity generator or a bank of batteries that can provide a secondary source of mechanical or electrical power to operate critically important systems or equipment when the primary source is disrupted or discontinued during a period of emergency due to a situation beyond the control of a property owner or the owner/operator of a facility. A power source that serves as an energy or power source in circumstances other than for back-up or emergency power*

situations or for standard testing such as load shedding or peak shaving, shall not be considered as back-up power or emergency power.

Solar Energy Device – A solar photovoltaic panel, solar thermal panel, tubing or any similar device that relies on solar radiation as an energy source for the generation of electricity or the transfer of stored heat.

Solar Energy Device, Freestanding– A solar energy device that is permanently affixed or otherwise situated on a premises other than a roof mounted or wall mounted solar energy device.

Solar Energy Device, Roof Mounted – A solar energy device permanently affixed to the roof of a principal or accessory building.

Solar Energy Device, Wall Mounted – A solar energy device permanently affixed to the wall of a principal or accessory building.

Solar Energy System – Any solar energy device and all associated appurtenances for the purposes of heating and cooling or generating electricity for a primary or accessory structure.

Solar Power Plant or Solar Farm – 1. A solar photovoltaic power station including solar panel array and all associated buildings and appurtenances for the purpose of generating electricity for commercial sale and distribution; 2. A solar energy system where the primary purpose is to generate electricity for sale and distribution.

Solar Shingle – A type of solar photovoltaic energy device emulating the dimensional size of roof shingles.

Wind Energy Conversion System – A device consisting of a wind turbine which may be mounted on a tower or structure and associated control or conversion electronics which is intended primarily to reduce on-site consumption of utility power.

Wind Energy Conversion System, Large – A wind energy conversion system producing ten (10) kilowatts or more.

Wind Energy Device, Small – A wind energy device that produces less than ten (10) kilowatts.

Wind Power Plant or Wind Farm – 1. A wind turbine power station and all associated buildings and appurtenances for the purpose of generating electricity for commercial sale and distribution; 2. A wind energy conversion system where the primary purpose is to generate electricity for sale and distribution.

Section 2: This Ordinance shall become effective at the earliest date allowed by law.

PASSED THIS 23rd DAY OF January, 2011.



Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No. 14-11, passed by the Council of the City of Centerville, Ohio on the 23rd day of January, 2011.

Debra A. James
Clerk of Council

Approved as to form and consistency with existing ordinances, the charter and constitutional provisions.

Department of Law
Scott A. Liberman
Municipal Attorney