

CITY OF HILLSBORO ZONING CODE UPDATE

Planning Commission Adoption Draft

March 6, 2018

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GENERAL PROVISIONS

155.101. TITLE

Chapter 155 of the Hillsboro Code of Ordinances shall be known as the “City of Hillsboro Zoning Code” or referred to as “zoning code” or “code”.

155.102. PURPOSE

The purpose of this zoning code and the intent of the legislative authority in its adoption is to promote and protect to the fullest extent permissible under the provisions of the Constitution of the State of Ohio, and the Ohio Revised Code (ORC) as modified by the Charter of the City of Hillsboro, the public health, safety, convenience, comfort, prosperity, and the general welfare of the city.

155.103. REPEALER AND EFFECTIVE DATE

A. REPEALER

All ordinances and parts of ordinances in conflict with this code or inconsistent with the provisions of this code are hereby repealed to the extent necessary to give this code full force and effect.

B. EFFECTIVE DATE

1. This code became effective on **XXX**.
2. This code may be amended after public hearings and other requirements as specified in the Ohio Revised Code (ORC). Any amendments to this code shall be in effect as provided in the ORC.

155.104. INTERPRETATION AND APPLICATION

- A. The provisions of this zoning code shall be interpreted and applied as the minimum requirements for the promotion of the public health, safety, morals, comfort, and general welfare.
- B. Where this chapter imposes a greater or stricter restriction than other provisions of law or ordinance, the provisions of this chapter shall control.
- C. In the interpretation of this code, if a use within the code is not specifically permitted, it shall be prohibited.

155.105. COMPLIANCE REQUIRED

Except as provided in this chapter no building, structure, or land shall hereafter be used, and no building or part thereof or other structure shall be erected, raised, moved, reconstructed, extended, enlarged, or altered, except in conformity with the regulations herein specified for the district in which it is located.

155.106. EXISTING USES

Any building, structure, or use lawfully existing on the effective date of this zoning code may be continued subject to the provisions of section [155.129: Nonconforming Uses and Structures](#).

155.107. SEVERABILITY

If any section, subsection, clause, phrase, or word of this zoning code is for any reason held to be invalid, such decision shall not affect the validity of the remaining portion of this zoning code. All ordinances or parts of ordinances of the municipality in conflict with any regulation, provision, amendment, or supplement of this zoning code are, to the extent of such conflict, repealed.

155.108. USE OF GRAPHICS, ILLUSTRATIONS, FIGURES, AND CROSS-REFERENCES

- A. Graphics, illustrations, and figures are provided for illustrative purposes only and shall not be construed as regulations. Where a conflict may occur between the text and any graphic, illustration, or figure, the text shall control.
- B. In some instances, cross-references between sections and subsections are provided that include the section or subsection number along with the name of the reference. Where a conflict may occur between the given cross-reference number and name, the name shall control.

ADMINISTRATIVE ROLES AND AUTHORITY

155.111. PURPOSE

The purpose of this section is to identify the authority of the review and decision-making bodies in the development review procedures established in the Development Review Procedures section.

155.112. SUMMARY TABLE OF REVIEW BODIES

Table 112-1: Summary Table of Review Bodies summarizes the review and decision-making responsibilities of the entities that have roles in procedures set forth in the Development Review Procedures section. Other duties and responsibilities of the entities are set forth in subsequent sections.

TABLE 112-1: SUMMARY TABLE OF REVIEW BODIES					
H=Hearing (Public Hearing Required), M=Meeting (Public Meeting Required), R=Review and/or Recommendation, D=Decision (Responsible for Final Decision), A=Appeal (Authority to hear/decide appeals)					
Procedure	See Section	City Council	Planning Commission/Board of Zoning Appeals	Design Review Board	Safety and Service Director
Zoning Text and Map Amendments	155.123	H, D	H, R		R
Planned Unit Development Overlay Designation and Concept Development Plan	155.124	H, D	H, R		R
Planned Unit Development Final Development Plan	155.124	A	M, D		R
Site Plans	155.125	A	M, D		R
Variances	155.126	A	H, D		R
Conditional Use Permit	155.127	A	H, D		R
Certificates of Appropriateness	155.128		A	M, D	R
Expansion or Substitution of Nonconforming Use	155.129	A	H, D		R
Temporary Uses and Permits	155.130	A	M, D		R
Determination of Similar Use	155.131		A		R, D
Administrative Approvals	155.117		A		R, D

155.113. CITY COUNCIL

The City Council, created by the City Code of Ordinances, shall have the authority granted to City Council by such Ordinances, City Charter, and State law.

155.114. PLANNING COMMISSION

- A. The Planning Commission, created by the City Code of Ordinances, shall have the power to adopt rules and regulations for its own government, consistent with the law or with the provisions of this and of any other ordinance of the city or state.
- B. The Planning Commission is the acting committee for the Board of Zoning Appeals as noted in section [155.115.A](#) and the Board of Housing Appeals as established in section [152.015](#) of the Code of Ordinances.

C. MEMBERS AND QUORUM

- 1. The Planning Commission shall consist of seven members.
- 2. Any combination of four or more regular or alternate members of the Planning Commission shall constitute a quorum.
- 3. The Planning Commission shall act when at least four members concur.
- 4. Non-decision items, such as continuance or approval of minutes, shall require a majority of the quorum to concur.

155.115. BOARD OF ZONING APPEALS

- A. A Board of Zoning Appeals is created, and the powers and functions of the Board of Zoning Appeals are delegated to the Planning Commission under authority of the Ohio Revised Code.
- B. The Board shall have the power to adopt rules and regulations for its own government, consistent with the law or with the provisions of this and of any other ordinance of the city.
- C. Hearings of the Board shall be public. The Board shall keep minutes of its proceedings, showing the action of the Board and the vote of each member on each agenda item along with the discussion on such item. Minutes of each meeting shall be a public record.
- D. The Board shall act by resolution. The concurring vote of four members of the Board shall be necessary to act.
- E. The Board may call on any City departments for assistance in the performance of its duties, and it shall be the duty of the departments to render any assistance to the Board of Zoning Appeals as may be reasonably required.
- F. The Board shall have the power to hear and decide, in accordance with the provisions of this chapter, requests or applications, filed as herein provided, for conditional use requests, interpretation of the zoning map, variations in the requirements of this chapter, temporary uses and permits, or for decisions on other special questions on which the Board is authorized by this chapter to pass.

155.116. DESIGN REVIEW BOARD

A. ESTABLISHMENT

A Design Review Board is hereby established to provide guidance for changes to structures, buildings, and signs within the designated Hillsboro Historic and Business “G” Zoning District by providing a means of review to assist in achieving a more pleasing downtown environment; help maintain and enhance the distinctive character and architectural integrity of various period structures and appurtenances; and assure that future intrusions and alterations are appropriate, given environmental, architectural, historical, economic, and community development considerations.

B. MEMBERS AND TERMS

The Design Review Board shall consist of five members, appointed by the Mayor and approved by City Council, and shall include two Hillsboro Historic and Business “G” Zoning District property owners, two owners of Hillsboro Historic and Business “G” Zoning District businesses, and one representative of the Highland County Historical Society who is also a resident of the City. Members’ terms shall be three years in duration and staggered.

155.117. SAFETY AND SERVICE DIRECTOR

It shall be the duty of the Safety and Service Director or his/her designee, with the aid of other City departments, to enforce this Chapter in accordance with the administrative provisions herein contained.

155.118. LAW DIRECTOR

In case any building or structure is, or is intended to be erected, constructed, reconstructed, altered, or converted, or any building, structure, or premises is, or is intended to be used in violation of, or contrary to the provisions of this chapter, the Law Director is authorized, in addition to other remedies set forth in the state statutes and in this chapter, to institute an action to stop work, or any other appropriate action or proceeding to prevent, the erection, construction, reconstruction, alteration, conversion, or use.

DEVELOPMENT REVIEW PROCEDURES

155.121. PURPOSE

- A. Development review procedures are herein established in order to achieve the following purposes, among others:
- B. To provide for the review of site plans before obtaining a building permit and certificate of occupancy;
- C. To provide for the inclusion of necessary facilities, services, and additional uses through conditional use permits;
- D. To provide for the inclusion of uses which are not specified in this code, but which have characteristics and a land use impact similar to permitted main uses;
- E. To assure that no work shall be started on the relocation, construction, reconstruction, or structural alteration of a building or use, until the building or use is found to comply with all the provisions of this chapter;
- F. To assure before construction of new buildings, commencement of a new use or occupancy, or before occupancy is continued after alterations, that all regulations of the city have been met; and
- G. To provide for enforcement by issuance of orders by the Safety and Service Director.

155.122. COMMON REVIEW REQUIREMENTS

The requirements of this section shall apply to all applications and procedures subject to development review under this code, unless otherwise stated.

A. AUTHORITY TO FILE APPLICATIONS

Unless otherwise specified in this code, development review applications may be initiated by:

- 1. The owner of the property that is the subject of the application; or
- 2. The owner's authorized agent; or
- 3. The City of Hillsboro.

B. FEES

1. Determination of Fees

- a. The determination of a fee schedule for the development review procedures of this code shall be established by the Safety and Service Director and adopted by City Council. City Council may adjust the fees from time-to-time.
- b. The adopted fee schedule shall be made available to the public in the office of the Safety and Service Director.

2. Fees to Be Paid

- a. No application shall be processed or permit issued until the established fee has been paid.
- b. Fees shall be paid in legal tender or by check or money order made payable to the City.

3. Refund of Fees

Application fees are not refundable, except where the Safety and Service Director determines that an application was accepted in error, or the fee paid exceeded the amount due, in which case the amount of the overpayment will be refunded to the applicant.

C. PUBLIC NOTIFICATION FOR PUBLIC HEARING

Applications for development approval that require public hearings shall comply with all applicable Ohio Revised Code requirements and the provisions of this chapter in regard to public notification.

1. Content

Notices for public hearings, whether by publication or mail (written notice), shall, at minimum:

- a. Identify the location and size of the subject property by its address, legal description, or parcel number(s).
- b. Indicate the date, time, and location of the public hearing;
- c. Describe the nature, scope, and purpose of the application;
- d. Identify the location where the public may view the application and related documents;
- e. Include a statement that the public may appear at the public hearing, be heard, and submit written comments with respect to the application; and
- f. Include a statement describing where written comments should be submitted prior to the public hearing.

2. Notice Requirements

Notice for public hearings shall be provided as defined in [Table 122-1: Public Notice Requirements](#).

TABLE 122-1: PUBLIC NOTICE REQUIREMENTS			
Development Review Procedure	See Section	Mailed Notice	Published Notice
Zoning Text or Map Amendment	155.123	Written notice shall be sent to property owners of record within 200 feet of the subject property a minimum of 15 days prior to the date of the public hearing	Published notice required a minimum of 30 days prior to the date of the public hearing
Planned Unit Development Overlay Designation and Concept Development Plan	155.124		
Variances	155.126	Written notice shall be sent to property owners of record within 200 feet of the subject property a minimum of 15 days prior to the date of the public hearing	Published notice required a minimum of 10 days prior to the date of the public hearing
Conditional Use Permit	155.127		
Expansion or Substitution of Nonconforming Use	155.129		
Appeals	155.132		

3. Published Notice

When provisions of this code require that notice be published, a representative of the City shall prepare the content of the notice and publish the notice in a newspaper of general circulation in the City. The content of the notification shall be consistent with section [155.122.C.I: Content](#).

4. Mailed Notice

When provisions of this code require that written notice be mailed to adjacent property owners, a representative of the City shall prepare the content of the notice and send out the notices consistent with [Table 122-I: Public Notice Requirements](#). The content of the notification shall be consistent with section [155.122.C.I: Content](#).

155.123. ZONING TEXT AND MAP AMENDMENTS

- A. In accordance with the provisions of Ohio Revised Code, the City Council may from time to time amend or change by ordinance, the number, name, or area of districts established on the zoning map or the regulations set forth in this chapter; but no amendment or change shall become effective unless the ordinance proposing the amendment or change shall first be submitted to the City Planning Commission for consideration and advice.
- B. Before submitting its recommendations and report to the Council, the City Planning Commission shall hold a public hearing on the proposed amendment or change, and shall give notice of the time and place of the hearing to all property owners subject to the requirements of section [155.122.C: Public Notification for Public Hearing](#).
- C. The Council shall hold a public hearing before the adoption of the proposed amendment or change, in accordance with the provisions of the Ohio Revised Code and section [155.122.C: Public Notification for Public Hearing](#).

155.124. PLANNED UNIT DEVELOPMENTS

Planned Unit Developments (PUDs) are subject to the process and regulations set forth in section [155.153: Planned Unit Development \(PUD\) District](#).

155.125. SITE PLAN REVIEW

A. PURPOSE

The purpose of the site plan review is to provide a process for the evaluation and approval of proposed developments by the City to promote logical and orderly development within the City. The site plan process does not apply to Planned Unit Development Plan applications and any other special districts or areas as identified within this chapter.

B. APPLICABILITY

1. Site Plan Review Required

A site plan review by the Planning Commission shall be required for the following applications:

- a. All applications for a conditional use permit; and

- b. All applications for development or changes in a use that are not exempt from the Planning Commission site plan review by section [155.125.B.2: Exemptions](#).

2. Exemptions

The following are exempted from site plan review by Planning Commission. A site plan Review by the Safety and Service Director is still required along with the application and issuance of applicable permits for the following items:

- a. Construction of a new single family or two family dwelling or the reconstruction, enlargement, or alteration of such.
- b. All Expansion of existing non-residential uses representing an increase in floor area and/or parking area that is 10 percent or less of the existing building square footage, but does not exceed a combined square footage of over 5,000 square feet.
- c. A change in use in a non-residential building.
- d. Modifications to sites involving changes to landscaping, parking, or loading without the expansion of such items.
- e. Accessory structures and uses.
- f. Temporary structures and uses.
- g. Signs (see section [155.181](#) for regulations).

C. SITE PLAN PROCEDURES

The procedure for a site plan review shall be as follows:

- 1. The property owner or agent shall submit an application and applicable site plan review drawings to the office of the Safety and Service Director in accordance with the provisions of this subsection.
- 2. The Safety and Service Director shall review the site plan application to determine completeness and shall distribute the site plan to other City departments and consulting professionals and agents of the City as appropriate for review and comment.
- 3. The Planning Commission shall review the recommendations and notations of the Safety and Service Director and evaluate whether or not the site plan complies with the requirements of the Code. The Planning Commission shall approve, approve with modifications, or deny the site plan application.

155.126. VARIANCES

- A. The Board of Zoning Appeals shall have the power to authorize variances in specific cases as described herein and that are consistent with the provisions of this chapter or other city codes.
- B. The Board of Zoning Appeals shall hear and decide all applications for variances from the requirements and standards set forth in this chapter and that are not contrary to the public interest. When an owner or owner's authorized agent seeks a variance, said owner or agent shall be required to establish that the literal enforcement of this code would result in an unnecessary hardship unless a variance is granted.
- C. Variances shall not be granted for the use of any land, structure, or building that is not permitted in the applicable zoning district. In those cases, an application to rezone the property is required

- D. The Board of Zoning Appeals shall not grant variances, as authorized in this zoning code, unless it can determine that there is an unnecessary hardship for the owner in complying with the requirements of this code. The evaluation shall include, but is not limited to, the following factors.
1. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same zoning district; examples of such special conditions or circumstances are: exceptional irregularity, narrowness, shallowness, or steepness of the lot, or adjacency to nonconforming and inharmonious uses, structures, or conditions.
 2. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
 3. Whether the variance is substantial and is the minimum necessary to make possible the reasonable use of the land or structures.
 4. Whether the essential character of the neighborhood would be substantially altered or whether adjacent properties would suffer substantial detriment as a result of the variance.
 5. Whether the variance would adversely affect the delivery of governmental services such as water, sewer, and refuse pick-up.
 6. Whether special conditions or circumstances exist as a result of actions of the owner.
 7. Whether the property owner's predicament can feasibly be remedied through some method other than a variance.
 8. Whether the spirit and intent behind these code requirements would be observed and substantial justice done by granting a variance.
 9. Whether the granting of the variance requested will confer on the owner any special privilege that is denied by this regulation to other lands, structures, or buildings in the same district.
 10. No single factor listed above may control, and not all factors may be applicable in each case. Each case shall be determined on its own facts.
 11. Following a public hearing, the Board of Zoning Appeals shall approve, approve with condition, or disapprove the request. If the variance is denied by the Board of Zoning Appeals, the owner or agent may appeal the decision to City Council.

155.127. CONDITIONAL USE PERMIT

A. PURPOSE

Conditional use permits shall be required for types of uses designated as conditionally permitted in a particular zoning district. Such particular use may be permitted and desirable in certain districts, but not without consideration. In each case, the effect of the use upon neighboring land will be reviewed. The application of the planning standards for determining the location and extent of such use is a planning function, and not in the nature of a variance or an appeal. Enumerated throughout this code are certain uses and the districts in which they may be permitted as conditional uses provided the following standards are fulfilled and a conditional use permit is granted by the Planning Commission. Application requirements shall be as established on the checklist provided by the City (City forms and checklists are available on the City's website).

B. APPLICATION AND NOTIFICATION REQUIREMENTS

1. An owner or owner's authorized agent shall submit an application for a conditional use permit.
2. The Planning Commission shall hold a public hearing subject to the requirements of section [155.122.C: Public Notification for Public Hearing](#).

C. REVIEW FACTORS

The Planning Commission shall consider the following standards when determining whether the issuance of a conditional use permit is warranted:

1. The conditional use is consistent with the spirit, purpose, and intent of the city's various plans and studies and will not negatively affect or harm the appropriate use of neighboring property.
2. The proposed conditional use is to be located in a district wherein such use may be permitted, subject to the requirements of this section.
3. The use complies with all applicable use-specific provisions established in section [155.148: Permitted Uses](#).
4. The proposed use shall be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sanitary sewer, refuse pick-up, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately for any such services.
5. The proposed use will comply with all applicable development standards, except as specifically altered by the Planning Commission in the approved conditional use.
6. The proposed use will be harmonious with the existing or intended character of the area, will not be hazardous or have a negative impact on adjacent properties, and will not be detrimental to property values or the economic welfare of the general vicinity.
7. The proposed use will not be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, or other characteristic that is not compatible to the uses permitted in the applicable zoning district.
8. The proposed use will not impede the normal and orderly development and improvement of the surrounding properties for uses permitted in the district.

D. APPROVAL CONDITIONS

1. The Planning Commission shall approve the conditional use permit if it determines that the proposed application satisfies the standards set forth in section [155.127.C: Review Factors](#).
2. If the Planning Commission determines that the issuance of a conditional use permit is warranted, the Planning Commission may condition such issuance upon specific requirements and limitations with respect to the location, construction, maintenance, landscaping, operation, and other factors and features of the application they deem necessary or appropriate to protect the interests of the community and to ensure satisfaction of the standards set forth in section [155.127.C: Review Factors](#).

3. If the Planning Commission determines that such proposed use does not, and with the imposition of conditions, will not, satisfy the standards set forth in section [155.127.C: Review Factors](#), the Planning Commission shall deny the issuance of a conditional use permit.
4. If the Planning Commission denies the conditional use permit, the owner or the authorized agent has the option to appeal the decision to City Council. The determination by City Council constitutes a final decision by the city.

E. PERIOD OF VALIDITY OF CONDITIONAL USE PERMIT

1. The approval of a conditional use permit shall become null and void if building permits have not been issued for all buildings and structures within 12 months after approval of a conditional use permit. The Planning Commission may extend this time period if requested and justified by the owner or agent. In no situation shall the Planning Commission extend this time period for longer than two years from the date of approval of the conditional use permit.
2. If a conditional use permit expires as described in [155.127.E.1](#), the owner or authorized agent will be required to submit a new conditional use permit application and fee and obtain new approvals for such use.

155.128. CERTIFICATE OF APPROPRIATENESS

- A. No structure within the designated Historic and Business “G” Zoning District shall be constructed, or the exterior changed or altered, unless the owners of the structure or premises first secure a Certificate of Appropriateness from the Design Review Board.
- B. All applications for Certificates of Appropriateness shall be submitted to the Safety and Service Director for this purpose.
- C. Upon receipt of an application for a Certificate of Appropriateness as set forth herein, the Design Review Board shall meet and act upon the same within 30 days of receipt. The Board will give the applicant notification of their meeting date. If the proposed change is determined to be appropriate, given environmental, architectural, historical, economic and community development considerations, then the Design Review Board shall issue a Certificate of Appropriateness.

155.129. NONCONFORMING USES AND STRUCTURES

A. AUTHORITY TO CONTINUE AND MAINTAIN

Passage of this code in no way legalizes any illegal uses existing at the time of its adoption. Nonconforming uses and structures may be as follows:

1. **Continuation of Nonconforming Use**
A nonconforming use that lawfully occupies a structure or a land site on the effective date of this Code may be continued so long as it remains otherwise lawful, subject to the standards and limitations in this section.
2. **Continuation of Nonconforming Structure**
A nonconforming structure that lawfully occupies a lot on the effective date of this Code and that does not conform with the standards for yards, buffers, height, gross floor area

of structures, driveways, open space, or other similar regulation for the district in which the structure is located may be used and maintained, subject to the standards and limitations in this section.

3. Continuation of Nonconforming Accessory Uses and Structures

The continued existence of nonconforming accessory uses and structures is subject to the provisions governing principal nonconforming uses and structures set forth in this section.

4. Maintenance, Repair, and Structural Safety

Normal maintenance and incidental repair may be performed on a conforming structure that contains a nonconforming use or on a nonconforming structure.

B. NONCONFORMING STRUCTURE

A nonconforming structure may not be moved, expanded, altered, except in the manner provided in this section or unless required by law:

1. Repair, Maintenance, Alterations, and Expansions

A nonconforming structure may be repaired, maintained, altered, or enlarged; provided, however, that no such repair, maintenance, alteration, or expansion shall either create any new nonconformity or increase the degree of the existing nonconformity of all or any part of such structure without having first obtained approval of a variance from the Board of Zoning Appeals.

2. Moving

A nonconforming structure, including nonconforming signs, may not be moved, in whole or in part, for any distance whatsoever, to any other location on the same lot or to any other lot unless the entire structure conforms to the regulations of the zoning district in which it is located after being moved.

C. ABANDONMENT OF NONCONFORMING USE

Any nonconforming use or structure that is abandoned or discontinued for a period of 180 consecutive days may not be reestablished or resumed. Any subsequent use or occupancy of the structure or land must conform to the regulations for the district in which it is located.

D. SUBSTITUTION OF NONCONFORMING USE

So long as no structural alterations are made, except as required by enforcement of other codes or ordinances, any nonconforming use may, upon approval by the Board of Zoning Appeals, be changed to another nonconforming use of the same classification or of a less intensive classification, provided that the Board shall find that the use proposed for substitution is equally appropriate or more appropriate to the district that the existing nonconforming use is in. In permitting such change, the Board may require that additional conditions and safeguards be met. Such requirements shall be stipulated conditions to the approval of such change, and failure to meet such conditions shall be considered a violation of this Code. Whenever a nonconforming use has been changed to a less intensive use or becomes a conforming use, such use shall not thereafter be changed to a more intensive use or other nonconforming use.

E. EXPANSION OR SUBSTITUTION OF NONCONFORMING USES

1. The Board of Zoning Appeals may approve, approve with conditions, or disapprove an application for expansion or substitution of a nonconforming use. Such decision shall be based on written findings of fact in consideration of the following standards. The failure of the proposed work to conform to any single factor or standard may not necessarily be a sufficient basis for denial:
2. The proposed use is consistent with the general purposes and intent of the Code.
3. The proposed use promotes the safe and efficient use of land.
4. The proposed use is compatible with other adjacent land uses and buildings existing in the surrounding area.
5. The proposed use is consistent with the purposes of the zoning district in which the use is located and does not negatively impact the value of surrounding property.
6. The proposed use would be located in a building that is specially equipped or structurally designed for that use.

F. REVOCATION OF EXPANSION OR SUBSTITUTION OF NONCONFORMING USE

Violation of any condition or limitation on the grant of an approval of an expansion or substitution of a nonconforming use is a violation of this Code and constitutes grounds for revocation of the approval.

G. RECONSTRUCTION OF NONCONFORMING USE AND STRUCTURE

Any nonconforming building or structure which has been damaged by fire, flood, explosion, earthquake, war, riot, or act of God, may be reconstructed and used as before if it is done within two years after such damage. In the event that any nonconforming building or structure is destroyed by any means, other than those previously listed, to the extent that the estimated cost of repair is greater than 50 percent of the last assessed improvement value of such structure, it shall not be rebuilt, restored, or reoccupied for any use unless it is brought into conformity with all regulations of this Code.

155.130. TEMPORARY USES AND PERMITS

The Board of Zoning Appeals has the right to grant the temporary use of a building or premises in any district for a purpose or use that does not conform to the regulations prescribed by this chapter for the district in which it is located, provided that the use is of a true temporary nature and does not involve the erection of a permanent building or structure. The permit shall be granted in the form of a temporary and revocable permit for not more than a 12-month period, and may be subject to conditions as placed on the temporary use by the Board of Zoning Appeals to safeguard the public health, safety, convenience, and general welfare.

155.131. DETERMINATION OF SIMILAR USE

- A. Where there is a proposed use that is not currently listed in section [155.148: Permitted Uses](#), the Safety and Service Director, may review the use to determine the appropriate zoning district(s), if any, where the use may be permitted. The nature, operation, and function of the use shall be analyzed in the determination of the appropriate district(s).
- B. The Safety and Service Director may forward his/her decision to Planning Commission for review and to determine if the proposed use should be enumerated in this zoning code as a permitted use in the appropriate zoning district(s) pursuant to section [155.123: Zoning Text and Map Amendments](#).
- C. The Safety and Service Director may find that the proposed use is not compatible with any existing zoning districts and not permit the use under the current zoning code. The owner or owner's authorized agent may appeal the decision of the Safety and Service Director to Planning Commission for review and final decision.

155.132. APPEALS

A. AUTHORIZATION

An appeal from a decision of the Safety and Service Director, or a City Board or Commission, with respect to the interpretation or application of this code, may be taken to an applicable board or commission of the City of Hillsboro identified in [Table I 12-1: Summary Table of Review Bodies](#) by any person or agent aggrieved or by any agent of the City of Hillsboro affected by such decision.

B. NOTICE OF APPEAL

- 1. Appeals shall be filed within 30 days of the date of the meeting or notice in which the decision was made by filing a written notice of appeal.
- 2. The notice of appeal shall specify the grounds for such appeal. Upon receipt of a notice of appeal, the Safety and Service Director shall transmit the written notice to the applicable Board or Commission including all of the papers constituting the record upon which the decision being appealed was based.

C. PUBLIC HEARING

A public hearing shall be held for all appeals subject to the requirements of section [155.122.C: Public Notification for Public Hearing](#).

D. DECISION ON APPEALS

The concurring vote of a majority of the members of the applicable board or commission present at the meeting shall be necessary to reverse or modify any decision under this zoning code. A written decision on the application shall be provided without unreasonable delay after the close of a hearing, and in all cases, within 30 days after the close of the hearing.

ZONING DISTRICTS AND USE REGULATIONS

155.141. PURPOSE

The purpose of this section is to establish land use regulations for lots within the City of Hillsboro, Ohio.

155.142. ESTABLISHED ZONING DISTRICTS

For the purpose of this code, all land within the City of Hillsboro is hereby divided into the districts established in [Table 142-1: Zoning Districts](#).

TABLE 142-1: ZONING DISTRICTS	
Abbreviation	District Name
A	Residence “A” Zoning District
B	Residence “B” Zoning District
F	Residential Farm Land “F” Zoning District
C	Business “C” Zoning District
D	Business and Residential “D” Zoning District
E	Industrial “E” Zoning District
G	Historic and Business “G” Zoning District

155.143. ZONING DISTRICT PURPOSE STATEMENTS

The following are the statements of purpose for each of the city’s zoning districts established in this zoning code.

A. RESIDENCE “A” ZONING DISTRICT

It is the purpose of the Residence “A” Zoning District to encourage the establishment and retention of residential neighborhoods consisting of primarily single family dwellings and other complimentary uses.

B. RESIDENCE “B” ZONING DISTRICT

It is the purpose of the Residence “B” Zoning District to encourage the establishment and retention of residential neighborhoods consisting of single family and multi-family dwellings and complimentary commercial uses such as offices and personal service uses.

C. RESIDENTIAL FARM LAND “F” ZONING DISTRICT

It is the purpose of the Residential Farm Land “F” Zoning District to allow for the continued production of agricultural uses within the City along with single family dwellings.

D. BUSINESS “C” ZONING DISTRICT

It is the purpose of the Business and Residential “D” Zoning District to promote the development of both business and residential uses. This district allows for the same uses as in the Business “C” Zoning District with the addition of multi-family residential uses.

E. BUSINESS AND RESIDENTIAL “D” ZONING DISTRICT

It is the purpose of the Business and Residential “D” Zoning District to promote the development of both business and residential uses. This district allows for the same uses as in the Business “C” Zoning District with the addition of multi-family residential uses.

F. INDUSTRIAL “E” ZONING DISTRICT

It is the purpose of the Industrial “E” Zoning District to stimulate industrial development within the City of Hillsboro in appropriate locations, while ensuring that such development does not adversely affect the residents of either the city or surrounding businesses or service uses.

G. HISTORIC AND BUSINESS “G” ZONING DISTRICT

It is the purpose of the Historic and Business “G” Zoning District to encourage a vibrant and active downtown with a mix of uses that caters to the residents and visitors of Hillsboro and maintains the City’s historic building fabric and street network.

155.144. OFFICIAL ZONING MAP

The boundaries of the City zoning districts are hereby established as shown on the map accompanying and made part of this zoning code. The zoning map shall be on file in the office of the Safety and Service Director of the City.

155.145. ZONING DISTRICT BOUNDARIES

Where a zoning district boundary line divides a single lot, the uses and development regulations for the lesser restrictive district shall be applied to the entire lot.

155.146. COMPLIANCE WITH DISTRICT STANDARDS

Except as otherwise provided in this section, the following requirements shall be met:

- A. No building or premises shall be erected, reconstructed, structurally altered, or used for any use or purpose that is not in compliance with the zoning code, except as regulated by section [155.129: Nonconforming Uses and Structures](#).
- B. Every building erected after the date of adoption of the code shall be erected on a lot.

155.147. ANNEXED TERRITORIES

All territory which may be hereafter annexed to the City shall be classified as being in whichever district classification as recommended by the Planning Commission and approved by City Council in accordance with section [155.123: Zoning Text and Map Amendments](#).

155.148. PERMITTED USES

A. GENERAL PROVISIONS

[Table I48-I: Permitted Uses](#) lists the uses allowed within the designated zoning districts.

B. PERMITTED USES

A “P” in a cell indicates that a use is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this code.

C. PERMITTED USES WITH STANDARDS

A “PS” in a cell indicates that a use category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the numerically referenced sections. Permitted uses with standards are subject to all other applicable regulations of this code.

D. CONDITIONAL USES

A “C” in a cell indicates that a use may be permitted if approved through Conditional Use Permit review (see section [155.127: Conditional Use Permit](#)). Conditional uses may be subject to use-specific standards as identified in the last column of [Table 148-1: Permitted Uses](#). Conditional uses are subject to all other applicable regulations of this code.

E. PROHIBITED USES

A blank and/or shaded cell indicates a use that is prohibited in the respective zoning district.

F. NUMERICAL REFERENCE

The numbers contained in the “Additional Requirements” column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the “Additional Requirements” column apply in all zoning districts unless otherwise expressly stated.

G. HISTORIC AND BUSINESS “G” ZONING DISTRICT ADDITIONAL STANDARDS

All development in the Historic and Business “G” Zoning District is subject to the additional standards set forth in section [155.152: Historic and Business “G” Zoning District Design Criteria](#).

H. PERMITTED USE TABLE

TABLE 148-1: PERMITTED USES								
P=Permitted, PS=Permitted with Standards, C=Conditional, Blank Cell=Prohibited								
Use Type	A	B	F	C	D	E	G	Additional Standards
Residential Uses								
Mixed use residential		PS		PS	PS		PS	155.149.A , 155.149.K
Multiple family dwellings		PS			PS			155.149.K
Single family dwellings, attached	C	P						
Single family dwellings, detached	P	P	P					
Two family dwellings	C	PS						155.149.K
Community Facilities, Commercial Uses, and Industrial Uses								
Agricultural uses including the growing and sale of produce, plants, and agricultural goods			P			P		
Animal hospitals and veterinarian offices				PS	PS	PS		155.149.B
Animal training, boarding, and pet day care						PS		155.149.C
Assisted living, residential care facilities, and skilled nursing facilities		P		P	P			
ATMs, freestanding				P	P			
Automotive fueling station				P	P			
Table continued on next page								

TABLE 148-1: PERMITTED USES

P=Permitted, PS=Permitted with Standards, C=Conditional, Blank Cell=Prohibited

Use Type	A	B	F	C	D	E	G	Additional Standards
Automotive repair facilities				P	P	P		
Automotive sales or leasing				P	P			
Bars or Taverns				P	P		PS	155.152
Bowling alley				P				
Cemeteries, crematories, and public mausoleums		PS		P	P	P		155.149.D
Commercial greenhouses			P	P	P	P		
Commercial recreation				P	P	P		
Commercial swimming pools and tennis clubs				P	P			
Community social service facility	C	P		P	P		PS	155.152
Construction and large equipment rental, sales, and service						PS		155.149.E
Day care facilities and preschools				P	P		PS	155.152
Farmers markets				P	P	P	PS	155.152
Financial institutions				P	P		PS	155.152
Funeral homes, funeral parlors and associated activities	P	P		P	P			
Government buildings				P	P	P	PS	155.152
Group homes, child and adult	C	C						
Health and fitness clubs				P	P	P	PS	155.152
High-Tech industrial, including research and development, laboratories, and similar uses						P		
Hospitals and medical facilities				P	P			
Hotels and motels				P	P		PS	155.152
Industrial facilities, including manufacturing, warehousing, distribution, and production						PS		155.149.F
Lodging houses and bed and breakfasts	C	PS		P	P		PS	155.149.G
Medical office	C	P		P	P		PS	155.152
Mixed use buildings, comprised of uses permitted in such district	C	P		P	P	P	P	
Museums, libraries, parks, playgrounds, and community centers, that are publicly owned and operated and which may include concessions by the City	P	P		P	P	P	PS	155.152
Office	C	P		P	P	P	PS	155.152
Outdoor recreational uses that are owned and operated by a public organization, non-profit group, or other similar entity	P	P		P	P	P		
Parking lots		PS					PS	155.149.H
Personal service	C	P		P	P		PS	155.152
Places of worship	P	P		P	P	P	PS	155.152

Table continued on next page

TABLE 148-1: PERMITTED USES

P=Permitted, PS=Permitted with Standards, C=Conditional, Blank Cell=Prohibited								
Use Type	A	B	F	C	D	E	G	Additional Standards
Restaurants				P	P		PS	155.149.I, 155.152
Retail sales				P	P		PS	155.152
Schools, post-secondary education facilities and trade schools				P	P	P	PS	155.152
Schools, public and private, elementary through high school	P	P		P	P	P	PS	155.152
Self-storage facilities						P		
Theaters				P	P		PS	155.152
Utility and transformer stations		PS				PS		155.149.J
Vehicle and RV storage yards						PS		155.149.L
Accessory Uses								
Accessory buildings and structures	PS	PS	PS	PS	PS	PS	PS	155.150.A
Antennas and cellular telephone towers			PS			PS		155.150.B
Drive-through facilities				PS	PS		C	155.150.C
Garages	PS	PS	PS					155.150.D
Home occupations	PS	PS	PS					155.150.E
In-home child and adult day care	PS	PS	PS					155.150.F
Keeping of domesticated pets, hens, and rabbits	PS	PS	PS					155.150.G
Outdoor dining				P	P		PS	155.152
Signage	PS	PS	PS	PS	PS	PS	PS	155.181
Small cell facilities			PS	PS	PS	PS	PS	155.150.H
Solar panels	PS	PS	PS	PS	PS	PS	C	155.150.I
Swimming pools, tennis courts, and similar structures	P	P	P					
Temporary Uses								
Mobile food and medical sales				PS	PS	PS	PS	155.151.A
Outdoor sales				PS	PS		PS	155.151.B

155.149. USE SPECIFIC REGULATIONS

The following section contains additional standards that shall be met by an applicant for uses that are either permitted with use-specific standards or as conditional uses. In addition to meeting the following standards, all applicants for conditional uses shall be required to comply with any and all other applicable provisions of this code.

A. MIXED USE RESIDENTIAL

Mixed use residential uses in the Historic and Business “G” Zoning District shall be subject to the following regulations:

1. Residential uses shall only be permitted on the first floor if they are located in the rear half of the building to allow for a non-residential use to utilize the first floor storefront.
2. Residential uses are permitted to utilize the entirety of the second story or any additional stories.

3. Residential uses shall be subject to the parking requirements in section [155.174: Off-Street Parking and Space Requirements](#).

B. ANIMAL HOSPITALS AND VETERINARIAN OFFICES

Animal hospitals and veterinarian offices are permitted in C, D, and E districts subject to being setback a minimum of 100 feet from any residential district or use. Such uses shall not include any outdoor runs or play areas for animals.

C. ANIMAL TRAINING, BOARDING, AND PET DAY CARE

Animal training, boarding, and pet day cares are permitted in the Industrial “E” District subject to being setback a minimum of 100 feet from any residential district or use. Outdoor runs or play areas shall be screened from view from any adjacent residential district or use and any adjacent right-of-way with a minimum six foot opaque fence, wall, landscaping, or combination thereof. Animals may only utilize the outdoor runs and outside play areas between 8:00 am and 9:00 pm.

D. CEMETERIES, CREMATORIES, AND PUBLIC MAUSOLEUMS

Cemeteries, crematories, and public mausoleums shall be permitted in the Residence “B” District subject to the crematory and public mausoleums being at least 200 feet from any street line and 300 feet from any adjoining residential district or use that is not used for a similar purpose.

E. CONSTRUCTION AND LARGE EQUIPMENT RENTAL, SALES, AND SERVICE

Construction and large equipment rental, sales, and service uses are permitted in the Industrial “E” District subject to being setback a minimum of 100 feet from any residential district or use. Such uses shall be screened from view from any residential district or use and any adjacent right-of-way with a minimum six foot opaque fence, wall, landscaping, or combination thereof.

F. INDUSTRIAL FACILITIES

Industrial facilities are permitted in the Industrial “E” District subject to being setback a minimum of 100 feet from any residential district or use. If such uses include outdoor storage of any products or equipment, such storage shall be located on the side or rear of the building and shall be screened from view from any residential district or use and any adjacent right-of-way with a minimum six foot opaque fence, wall, landscaping, or combination thereof.

G. LODGING HOUSES AND BED AND BREAKFASTS

Lodging houses and bed and breakfasts shall be permitted in the residential zoning districts subject to the following requirements:

1. There shall not be more than three sleeping rooms for lodging.
2. One off-street parking space is provided for each lodging room.
3. Lodging is provided for compensation.
4. The maximum duration for stays at such uses shall be 30 continuous days.

H. PARKING LOTS

Stand-alone parking lots are permitted in the Residence “B” District and are subject to the following regulations:

1. The parcel is adjacent to a Business “C” District or any industrial district, or is separate therefrom by a street or alley not over 30 feet in width.

2. The parking lot shall be for a use in connection with a mercantile or industrial business located in the adjacent business or industrial district.
3. The parking area shall be not less than 3,500 square feet and shall abut at least 75 feet on the adjoining business or industrial district or on the alley or street constituting the boundary.
4. The lot shall be used solely for the parking of passenger vehicles.
5. The lot shall not be used for repair work or servicing of any kind.
6. No charge shall be made for parking.
7. Entrances and exits must be over the adjacent business or industrial area or alley constituting the boundary line of the area.
8. No signs of any kind shall be erected on the lot.
9. Any other or further considerations as the Zoning Board of Appeals may deem desirable to reduce the adverse effect of a parking lot on the preservation of the residential character and development of the residence district in which the parking lot is located.

I. RESTAURANTS

If a restaurant in the Historic and Business “G” District proposes to have a drive-through, drive-in service, or pick-up window, such service shall be subject to approval of a conditional use permit per section [155.127: Conditional Use Permit](#).

J. UTILITY AND TRANSFORMER STATIONS

Utility and transformer stations are permitted in the Residence “B” District if they do not include service or storage yards.

K. UTILITY PROVISIONS

Two family dwellings, multi-family dwellings, and mixed residential uses are subject to the utility policies found within Chapter 51 of the City of Hillsboro Code of Ordinances.

L. VEHICLE AND RV STORAGE YARDS

Vehicle and RV storage yards are permitted in the Industrial “E” District subject to being setback a minimum of 100 feet from any residential district or use. Such uses shall be screened from view from any residential district or use and any adjacent right-of-way with a minimum six foot opaque fence, wall, landscaping, or combination thereof.

155.150. ACCESSORY USES AND STRUCTURES

The following section contains additional standards that shall be met by an applicant for accessory uses.

A. ACCESSORY BUILDINGS AND STRUCTURES

- I. Accessory buildings and structures shall be permitted in the residential zoning districts subject to the following requirements:
 - a. Accessory buildings and structures shall only be permitted in the rear yard.
 - b. Maximum height is 12 feet for the Residential “A” and “B” District, and 20 feet for the Residential Farm Land “F” District.
 - c. Minimum setback is three feet from alley lines, adjoining property lines, and other buildings or structures on the same lot except as noted in (d) below.

- d. Accessory buildings and structures may be permitted on a side or rear lot line, not an alley lot line, by common consent of the applicable adjoining property owners. Such consent shall be submitted in writing and filed with the Safety and Service Director.
 - e. On corner lots, accessory buildings shall be setback at a minimum the same as the principal structure.
 - f. If an accessory structure is connected to the principal structure, the setbacks of the principal structure shall apply.
2. Accessory buildings and structures shall be permitted in the non-residential and mixed use zoning districts subject to the following requirements:
- a. Accessory buildings and structures shall only be permitted in the rear yard.
 - b. Maximum height is 20 feet.
 - c. Accessory buildings and structures are subject to the same setbacks as the principal building.

B. ANTENNAS AND CELLULAR TELEPHONE TOWERS

1. Placement of Antennas and Cellular Telephone Towers

- a. No person, firm, corporation or other entity shall erect, place, operate or establish any antenna or cellular telephone tower except in conformance with this section, and except as permitted by state or federal law or regulation.
- b. Any antenna or tower supporting an antenna used for commercial purposes shall be located only in areas zoned for Agricultural, Residential Farm Land “F”, or Industrial, Industrial “E”, uses and not closer than the combined height of antenna and tower, if supported by a tower, to any Residential “A”, Residential “B”, Business “C”, Business and Residential “D”, or Historic and Business “G” districts.
- c. Any person may apply for a waiver from the regulations of this section by filing with the Safety and Service Director a letter stating the objection, exception or justification upon which the waiver is based and providing a scale map of the location of the proposed antenna, together with the complete dimensions of the antenna and tower, if supported by a tower. A non-refundable fee, the amount of which shall be set by City Council, shall accompany the request for waiver letter.
- d. The Safety and Service Director shall investigate any waiver request, and request such additional information relevant to his investigation from the applicant, together with any comments from adjoining property owners, and shall present the proposal to the Planning Commission for consideration and recommendation. Any approval by the Planning Commission of a request for waiver shall be forwarded to the City Council for consideration of whether to approve a resolution to allow the waiver. Upon vote of a majority of Council, the Council may approve the waiver.
- e. Whoever violates subsection (a) above is guilty of a first degree misdemeanor. Each day that a structure is erected or maintained in violation of this section constitutes a separate violation.

2. Penalty and Injunction

- a. Whoever is convicted of violation of any part of this section shall be fined an amount as established by City Council. Each day during which the violation occurs shall be deemed to be, and may be treated as, a separate violation.
- b. Upon determination by the Planning Commission that a developer or subdivider is violating or is about to violate any provision of this chapter, the Commission, upon affirmative vote of a majority of the Commission in a regular or special meeting, shall direct the Law Director to seek a temporary restraining order, temporary injunction, or permanent injunction, from a court of competent jurisdiction, to enjoin the subdivider, developer, his agents and employees from violating any of the provisions of this chapter. The injunctive remedy shall be available in addition to the penalties set forth in division (a) hereof, and any other remedies available to the city, the Commission, or any other person aggrieved by any such violation.

C. DRIVE-THROUGH FACILITY

Drive-through facilities are permitted in the “C” and “D” Districts subject to the following:

1. All drive-through areas, including, but not limited to, menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area, should be located in the side or rear of the property, and shall not cross, interfere with, or impede any public right-of-way.
2. Drive-through signage is regulated by section [155.190.I: Menu Board Signs](#).
3. Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 100 feet from any residential district or use.

D. GARAGES

Garages shall be permitted as an accessory use in the residential districts subject to the following requirements:

1. Maximum height of a garage is limited to the height of the principle residential structure.
2. Garages that are intended to occupy more than two vehicles or trailers shall have a minimum of 1,500 square feet of lot area for each vehicle or trailer stored in the Residential “A” District and a minimum of 600 square feet of lot area for each vehicle or trailer stored in the Residential “B” District. There is no minimum lot size for garages intended to occupy two or fewer vehicles or trailers.

E. HOME OCCUPATIONS

Home occupations are permitted as an accessory use in the residential zoning districts subject to the following requirements:

1. Home occupations shall be conducted only within the dwelling which is their principal residence of the person conducting the business.
2. There shall not be more than one employee that is not a resident of the premises.
3. Not more than 25 percent of the floor area of one story is devoted to that use.
4. Any signage shall conform to section [155.189: Signs Permitted in Residential Zoning Districts](#).

5. No more than three parking spaces shall be required at any one time.
6. No mechanical equipment shall be used except that which is customarily used for domestic or household purposes and including machinery which is reasonably used in a hobby.

F. IN-HOME CHILD AND ADULT DAY CARES

In-home child and adult day cares shall be permitted in the residential zoning districts subject to the following:

1. Care is provided for a portion of a 24-hour day with no overnight stay.
2. In-home child day care is limited to one to six children, at one time, and shall be subject to requirements for Type-B day care homes as defined by the Ohio Revised Code.
3. In-home adult day care is limited to a maximum of four adults.
4. No additional parking, due to the day care, shall be created.
5. Day cares may not employ an individual that does not reside within the subject household.
6. The residential character of the exterior of the property shall not be changed. Furthermore, no signs shall be utilized.

G. KEEPING OF DOMESTICATED PETS, HENS, AND RABBITS

1. Household domesticated pets shall be regulated as follows:
 - a. No more than four dogs or four cats, or a combination of dogs and cats as not to total more than four per household.
 - b. The commercial boarding of household domesticated pets and catteries is prohibited in residential zoning districts. However, in the event of a household domesticated pet giving birth to young, such young will not be considered as constituting a violation of these regulations during a maximum 120-day weaning period.
2. A maximum of four chicken hens or four rabbits, or a combination of both not to total more than four, may be kept per parcel of property, subject to the following:
 - a. Chicken roosters are prohibited within the City of Hillsboro.
 - b. All structures devoted to the keeping of hens or rabbits shall be located in the rear yard.
 - c. If a parcel has more than one dwelling unit, all adult residents and the owners of the parcel must consent in writing to allowing the hens or rabbits on the property.
 - d. All hens and rabbits must be provided with a covered, predator-resistant house that is properly ventilated, designed to be easily accessed, cleaned, and maintained and provides at least two square feet per hen or rabbit in size. No portion of such house shall exceed six feet in height from grade.
 - e. Neither the hen or rabbit house or the outdoor enclosure for such animals may be located less than 20 feet from any abutting property line unless the owner or keeper of animals has written consent of the owners of all abutting properties to which the enclosure is proposed to be more closely located; in which event, the

agreed-upon location shall be deemed acceptable. Such consent shall be submitted in writing and filed with the Safety and Service Director.

- f. If the parcel upon which the keeping of hens or rabbits is located within the jurisdiction of a homeowners' association or similar covenant-based property owners' association, the requirements of this section shall be considered minimum requirements. Any such association shall have the right to lawfully adopt more stringent standards, including the prohibition of such animals.

H. SMALL CELL WIRELESS FACILITIES

1. Small Cell Facility Requirements

Small cell facilities shall be subject to the regulations and procedures set forth in this section.

2. Location

- a. The applicant shall submit written justification that every attempt has been made to mount a small cell facility to an existing structure, such as a communication tower (whether said tower is for cellular or wireless purposes or not), smoke stack, water tower, or other tall structure in any zoning district. Small cell facilities may only be placed on top of buildings that are at least 50 feet in height, for so long as the structure or building remains. Small cell facilities mounted on existing structures may be approved administratively by the building official subject to the applicant obtaining all applicable permits.
- b. If an existing structure is not available, a small cell facility must be located within the public right-of-way of a major road, within an industrial subdivision, or on private property within a recorded utility easement recorded at the Highland County Recorder's Office in a non-residential zoning district.
- c. A small cell facility shall not be located within a residential zoning district, a residential subdivision, or within 100 feet of a residential district or use. However, a small cell facility may be located either on the property or in the right-of-way adjacent to a valid conforming non-residential use (i.e., church, school, government building/facility) that is located in a residential zoning district provided that the use is also located on a major road. Distance shall be measured from the base of the small cell facility to the nearest property line.

3. Quantity

No small cell facility may be located within 2,000 linear feet from another small cell facility, unless such facility is co-located as defined in this code.

4. Height

Small cell facilities shall not exceed 35 feet in height, unless such facility is co-located on an existing building or structure as permitted in this section.

5. Appearance

- a. All small cell facilities shall be designed to be consistent and complimentary with the surrounding environment in terms of height, materials, color, scale, and design.
- b. Small cell facilities shall be painted, anodized or constructed out of materials that are colored grey or black. Galvanized material may not be used in construction of

the small cell facility unless it can be painted or otherwise coated as required in this section.

- c. All related equipment, including, but not limited to electrical boxes, conduit wiring, and mounting equipment shall be placed underground or be contained within an enclosure so as not to be visible. Further, all electrical and communication connections shall run underground to the facility.
- d. No signage is permitted on small cell facilities except for a non-illuminated nameplate sign that identifies the vendor name and contact information for the facility. Such nameplate sign shall not exceed one square foot in area.

6. Footprint

Small cell facilities shall not exceed 24 inches in diameter with the exception of the foundation, which said foundation shall not exceed six inches above grade. All equipment and materials shall be fully enclosed within the pole structure.

7. Maintenance

Any owner of property used as a cellular or wireless communications site shall maintain such property and all structures in good condition and free from trash, outdoor storage, weeds and other debris. Any cellular or wireless communications tower that has discontinued its service for a period of 12 continuous months or more shall be removed, along with all accessory structures related thereto. Discontinued shall mean that the structure has not been properly maintained, has been abandoned, become obsolete, unused or has ceased the daily activities or operations which had occurred.

8. Site Plan Required

A site plan is required for all proposed small cell facilities.

9. Action on Application

Upon submission of a complete application for site plan review to the Safety and Service Director, the application shall be either:

- a. For co-location applications, the Safety and Service Director will review the site plan to determine its compliance with the standards set forth in this code. The Safety and Service Director shall have the authority to approve, approve with modifications, or disapprove the site plan.
- b. For all other applications, not including co-location requests, small cell site plans may be permitted if approved by the Planning Commission subject to the regulations set forth in section [155.125: Site Plan Review](#).

I. SOLAR PANELS

Solar panels shall be subject to the following standards:

- 1. Ground-mounted solar panels shall be limited to a maximum height of 12 feet and shall be located in the rear yard.
- 2. All solar panels must, at a minimum, meet the setback requirements for the applicable zoning district.
- 3. Roof-mounted solar panels on pitched roofs shall not extend higher than the ridgeline of the roof on which they are located.

4. Roof-mounted solar panels on flat roofs shall not project more than six feet above the roof surface and shall not exceed the maximum height allowance in the applicable zoning district in which they are located.

155.151. TEMPORARY USE REGULATIONS

A. MOBILE FOOD AND MEDICAL USES

Mobile food and medical uses are permitted as temporary uses with the following conditions:

1. Mobile food and medical uses must be located on private property, and with the permission of the property owner. The operator shall have written permission from the property owner to operate on their property. The written permission shall be kept with the vehicle and made immediately available to the city upon request.
2. Mobile food and medical uses shall be allowed at events located at public parks or facilities with the approval of the city.
3. Mobile food and medical uses may be allowed in the public right of way only if the timeframe and location is approved by the city. Vehicles cannot operate on a public sidewalk.
4. Signage on such mobile uses shall be attached to the vehicle and may not extend above the roof or beyond the sides of the vehicle.
5. The vehicle shall have all permits and licenses required by the State and Highland County to operate. A current copy of the permits and licenses shall be kept at the vehicle and immediately made available upon request. The operator shall comply in all respects with all requirements of state and county laws.
6. Noise generated by the vehicle shall not become a nuisance. No vehicle shall use or maintain any outside sound amplifying equipment, televisions, or similar visual entertainment devices or noisemakers.

B. OUTDOOR SALES

Temporary outdoor sales that are accessory to a principally permitted use are permitted subject to the following:

1. Outdoor sales and display areas are located on the sidewalk or walkway adjacent to the building in the front yard or are located in the side or rear yard.
2. Outdoor sales may be located in designated areas of a parking lot if such location is identified on a site plan and approved by the Safety and Service Director.
3. The placement of merchandise must not interfere with pedestrian movement on any sidewalk or walkway and must be clear of the visibility triangle, as described in section [155.173.J: Visibility](#), to ensure a clear line of sight for vehicles pulling onto a right-of-way. A minimum of five feet of sidewalk or walkway shall be clear of merchandise to allow for safe pedestrian movement.

155.152. HISTORIC AND BUSINESS “G” ZONING DISTRICT DESIGN CRITERIA

- A. The Hillsboro Historic and Business “G” Zoning District shall consist of the area so designated on the Zoning Map.
- B. Reconstruction and/or rehabilitation of structures, buildings, and open spaces within the Hillsboro Historic and Business “G” Zoning District should conform to the distinguishing, original exterior qualities or character of the structure, its site, and its environment where possible and practical, given environmental, architectural, historical, economic and community development considerations.
- C. Rehabilitation work undertaken with federal or state grant monies shall follow the Secretary of the Interior’s Standards for Rehabilitation.
- D. Traditional exterior materials such as brick, stone, masonry, wood, and glass should be used. Contemporary materials such as aluminum, metal, fiberglass, and plastics for exterior surfaces are permitted when its demonstrated that the use of traditional materials is clearly unfeasible given environmental, architectural, historical, economic, and community development considerations, or when the use of contemporary material will not contribute to the preservation or enhancement of existing traditional materials and the overall integrity and longevity of a structure.
- E. New construction and/or additions to existing structures should be harmonious and consistent with the existing surroundings, in terms of building design and form, materials, and colors in as much as is practical and feasible.
- F. Proper signage should conform to what is typically associated with the era during which historic structures in the district were built.
- G. No demolition of any property shall be undertaken unless the owner of the premises has obtained a certificate of appropriateness. The Design Review Board shall grant the demolition and issue a certificate of appropriateness when at least one of the following conditions prevails:
 - 1. The structure contains no features of architectural and/or historic significance to the character of the district.
 - 2. There is no reasonable economic use for the structure as it exists or as it might be restored and that there exists no feasible and prudent alternative to demolition.
 - 3. Deterioration has progressed to the point where it is not economically feasible to restore the structure.
 - 4. It is in the best interest of the community development considerations to undertake the demolition.
- H. **SUBSTANDARD AREA**
For the purpose of submitting an application to participate in the Ohio Small Cities Community Development Block Grant Downtown Revitalization Competitive Program, a portion of the downtown district is hereby declared to be a “substandard area”. Such area consists of High Street between Beech Street and Walnut Street, and Main Street between East Street and West Street.

155.153. PLANNED UNIT DEVELOPMENT (PUD) DISTRICT

A. PURPOSE

The purpose of this section is to establish standards and procedures for Planned Unit Developments (PUD). A PUD promotes development of land in a creative manner that allows for a more efficient and economical development of property than is ordinarily permitted by conventional zoning and subdivision regulations.

B. PUD REGULATIONS

1. Permitted Uses

Any use shall be allowed within a PUD Overlay District subject to the approval of Planning Commission and City Council.

2. Minimum Development Area

The minimum area to qualify as a PUD shall be at least three contiguous acres in size. Planning Commission and City Council may approve a PUD that contains less than three acres if there are special site characteristics that exist and proposed uses justify development of the property as a PUD, such as a site redevelopment or infill project.

3. Multiple Buildings on a Lot

More than one building is permitted on a lot within a PUD.

4. Ownership

Evidence shall be provided that the applicant has control over the land contained within the PUD application at the time that the application is submitted.

5. Setbacks

Peripheral and internal setbacks shall be defined on the PUD plan as approved by Planning Commission and City Council.

6. Transitions

PUD developments shall be considerate of adjacent developments and shall be designed in a way to mitigate undesirable audible and visual land use impacts to the adjacent land uses. Installation of facilities/features required to protect and preserve the character and value of surrounding residential properties shall be completed before occupancy permits will be issued.

7. Circulation

The vehicular and pedestrian circulation system shall be designed to fully accommodate vehicular and pedestrian traffic with safety and efficiency within a development.

C. ESTABLISHMENT OF PUD OVERLAY DISTRICT

Planned Unit Development Overlay Districts, when approved by the Planning Commission and City Council, shall be identified on the City's zoning map with the notation "PUD Overlay".

D. CONCEPT DEVELOPMENT PLAN REQUIREMENTS

The Concept Development Plan shall include the following:

1. Survey or engineering drawings of the property to be rezoned to PUD.
2. Vicinity map.
3. North arrow.
4. Scale bar.
5. Narrative description of the proposed development.
6. Proposed parcels contained within the development.
7. Existing property lines of adjacent properties noting the owners of record and existing zoning designations of the adjacent properties.
8. The location of proposed buildings and land uses within the development. The amount of land area dedicated for each land use shall be indicated.
9. For developments that include residential uses, the type of dwelling units, dwelling unit density, minimum lot sizes, frontages, and setbacks shall be specified.
10. Preliminary interior open space system and landscape concepts.
11. Location of existing and proposed public and private streets, parking areas, and pedestrian network.
12. Minimum peripheral setbacks around the perimeter of the development.
13. Location of all existing structures located within the development and within 200 feet of the boundary of the proposed development.
14. Proposed locations for dumpster enclosures.
15. Traffic impact study, if deemed required by Safety and Service Director.
16. Additional information as requested by Safety and Service Director, Planning Commission or City Council.

E. FINAL DEVELOPMENT PLAN REQUIREMENTS

The Final Development Plan shall include the applicable information from the Concept Plan and the following:

1. Plat prepared by a registered surveyor for entire development area identifying parcel numbers, lines, dimensions, and areas.
2. The existing topography with contour intervals of not less than five feet, and final contours at two feet maximum.
3. The location of all existing trees with a caliper of four inches or more.
4. The proposed size, location, use, and arrangement of buildings, parking areas (with proposed arrangement of stalls and number of cars), entrance and exit driveways and their relation to existing and proposed streets, proposed landscaping, signage, and all other significant features of the proposed development.
5. Building elevations that indicate proposed architectural character. Building materials and colors shall be identified. Material boards may be required upon request of Safety and Service Director.

6. Design and location of all existing landscaping to be preserved and all proposed landscaping areas, open spaces, buffering plans, retention areas, and yards including the common and scientific names of all proposed plant species and the quantity and sizes of each.
7. Existing and proposed storm and sanitary sewers, water mains, culverts, and other underground structures.
8. Lighting, including fixture types, size, and a photometric plan.
9. Trash facilities, including dumpster pads and enclosure details.
10. Notation of any right-of-way dedication that may be necessary for the widening or extension of any major streets.
11. Sign plan indicating locations, sizes, and designs for all proposed signs.
12. A phasing plan for the development, if any.
13. Professional Engineer's and/or Architect's stamp and signature.
14. Additional information as requested by the Planning Commission or City Council to supplement the above information when special conditions occur.

F. PUD PROCESS

1. Pre-Submittal Meeting

Prior to submitting the Concept Development Plan the property owner or owner's representative is encouraged to meet with the Safety and Service Director to discuss the development informally, the purpose being to discuss the intent of the development and the PUD process and to identify any preliminary concerns with the proposed development.

2. PUD Overlay Designation and Concept Development Plan Submittal

- a. The owner or owner's authorized representative may submit an application for a PUD Overlay Designation and Concept Development Plan approval in accordance with the provisions of this section.
- b. The Safety and Service Director shall determine if the application is complete or if additional information is needed. Upon determination that the application is complete, it shall be referred to the Planning Commission.
- c. The Planning Commission shall review the PUD Overlay Designation and Concept Development Plan and shall furnish to City Council its recommendation with respect to the submitted plans. If no recommendation is transmitted by the Commission within 60 days of public notification, the Council may take action without further awaiting such report.
- d. City Council shall review and take action on the plan after receiving the recommendation of the Planning Commission, and after a public hearing. City Council may approve, conditionally approve, or disapprove the PUD Overlay Designation and the Concept Development Plan.
- e. In the case of an adverse recommendation by the Planning Commission, such amendment, supplement, change, modification, or repeal shall not become effective except by a favorable vote of at least five members of Council.

- f. Following approval of the PUD Overlay Designation and Concept Development Plan by City Council, the owner or owner's representative may submit the Final Development Plan.

3. Final Development Plan Submittal

- a. The Final Development Plan, together, with an application, shall be filed with the City.
- b. Safety and Service Director shall determine if the application is complete or if additional information is needed. Upon determination that the application is complete, it shall be referred to the Planning Commission.
- c. The Planning Commission shall review the application package and take action on the Final Development Plans. Planning Commission may approve, conditionally approve, or disapprove the Final Development Plan based on the plan's consistency with the Concept Development Plan and the Final Development Plan Requirements. The Planning Commission, for any reason, may decide to send the Final Development Plan to City Council for review and Council action. In this instance, Planning Commission shall still provide City Council with their recommendation on the submitted Final Development Plan.

4. Building Permit

Following the approval of the Final Development Plan by the Planning Commission or City Council, the owner or owner's representative may submit for building permits.

G. COMBINED CONCEPT AND FINAL DEVELOPMENT PLAN

The owner or owner's representative may request to combine the applications for the Concept and Final Development Plans. The Safety and Service Director may approve or deny this request based on the type of application, completeness of plans, and timing requirements of the project. All requirements of both the Concept and Final Development Plans shall be met for a combined plan submittal. If approved by The Safety and Service Director, the owner or owner's representative shall submit the PUD Overlay Designation along with the Final Development Plan and any additional information that is required for the Concept Development Plan such as project narrative and adjacent developments. The application shall follow the process established for the Concept Development Plan including review by Planning Commission and a public hearing and action by City Council.

H. COMPLIANCE WITH THE PLAN

Structures, improvements and landscaping shall be built and installed and maintained according to the plan as approved by Planning Commission or City Council. This will be in respect to all requirements of the plan and shall include, but is not limited to, the location of the structures, location and layout of all streets and sidewalks including public right-of-way, layout and improvements of off-street parking and loading areas, location and width of driveways, ingress and egress to and from the site, grading, location and planting of landscaped areas and fencing, and location and design of lighting and signs. Once such structures, improvements, and landscaping have been built or installed, it shall be the duty of the owner or the owner's representative to maintain the premises and structures in accordance with the approved plans. All roadways and sidewalks within proposed public right-of-way shall be maintained by the owner until accepted by the City.

I. AMENDMENTS TO THE PUD

The Planning Commission has jurisdiction to administratively approve appropriate variations from either the Concept or Final Development Plan provided that the variations shall remain in harmony with the general purpose and intent of the development. Any application for a substantial variation, to be determined by the Planning Commission, from a Development Plan as previously approved shall be considered a new Concept Development Plan that shall be administratively reviewed for action by City Council.

J. ENFORCEMENT AND PENALTY

This section is subject to enforcement and penalty as specified in section [155.201: Enforcement](#).

DEVELOPMENT STANDARDS

155.161. PURPOSE

The purpose of this section is to establish development standards for lots within the City of Hillsboro.

155.162. RESIDENTIAL DEVELOPMENT STANDARDS

[Table 162-1: Residential Development Standards](#) identifies the specific development standards that apply to each of the residential zoning districts.

TABLE 162-1: RESIDENTIAL DEVELOPMENT STANDARDS				
Development Standard	Residential “A”	Residential “B”	Residential Farm Land “F”	Additional Regulations
Minimum Lot Area	650 sf of lot area is required per dwelling unit and no lot shall be less than 5,800 sf	225 sf of lot area is required per dwelling unit and no lot shall be less than 4,800 sf	5,800 sf	155.162.A
Minimum Floor Area of Dwelling Unit	1,000 sf for single family dwellings, 500 sf per unit for two family and multi-family uses	1,000 sf for single family dwellings, 500 sf per unit for two family and multi-family uses	1,000 sf for single family dwellings	
Minimum Lot Width	48 feet	38 feet	48 feet	155.162.B
Maximum Height	35 feet	75 feet	75 feet	155.162.C , 155.162.D
Minimum Front Yard Setback	25 feet	20 feet	25 feet	155.162.E
Minimum Side Yard Setback	5 feet	5 feet	5 feet	155.162.F , 155.162.G , 155.162.H
Minimum Rear Yard	40 feet	20 feet	40 feet	155.162.I , 155.162.J
Accessory Buildings	May occupy in the aggregate not over 30% of the required rear yard plus 50% of any additional space in the rear of the principal building	May occupy in the aggregate not over 40% of the required rear yard plus 50% of any additional space in the rear of the principal building	May occupy in the aggregate not over 30% of the required rear yard plus 50% of any additional space in the rear of the principal building	
Accessory Buildings Maximum Height	12 feet	12 feet	20 feet	

- A. For the Residence “B” District, in the case of a building containing exclusively apartments there shall be at least 500 square feet of lot area for each apartment. The minimum lot size shall still apply.
- B. For the Residence “A” District, no building shall be erected that has a greater width than 80% of the frontage of the lot.
- C. Schools, places of worship, and public facilities that are located in the Residence “A” District shall be exempt from the height regulations for that zoning district and shall be subject to the height regulations of the Residence “B” District.
- D. Chimneys, towers, penthouses, scenery lofts, monuments, cupolas, domes, spires, false mansards, parapet walls, similar structures, and necessary mechanical appurtenances are exempt from the height regulations.
- E. For existing residential areas, the required minimum front yard setback shall be the average of the existing front yard setback of all principal structures on the same side of the street and within 300 feet of the subject lot. If the average is less than the district requirement, the required minimum front setback is the average as calculated. This does not apply to panhandle lots.
- F. For the Residence “A” District, corner lots shall have a minimum 10 foot setback adjacent to the side street.
- G. For the Residence “B” District, for buildings that are greater than 35 feet, the side yard setback shall increase one foot for every two feet of additional building height over 35 feet.
- H. Side yard setbacks shall be waived where dwellings are erected above a non-residential use such as an office or commercial use.
- I. For the Residence “A” and “B” Districts, unenclosed ground story porches or projections from the principal building may extend 10 feet into a required rear yard.
- J. In computing the depth of a rear yard, for any building where the yard opens into an alley, one-half of the alley may be assumed to be a portion of the rear yard.

155.163. NON-RESIDENTIAL AND MIXED USE STANDARDS

Table 163-1: Non-Residential and Mixed Use Standards identifies the specific development standards that apply to each of the non-residential zoning districts.

TABLE 163-1: NON-RESIDENTIAL AND MIXED USE STANDARDS					
Development Standard	Business “C”	Business and Residential “D”	Industrial “E”	Historic and Business “G”	Additional Regulations
Minimum Lot Area	10,000 sf	10,000 sf	43,560 sf (1 acre)	4,800 sf	
Minimum Floor Area of Dwelling Unit	-	500 sf per dwelling unit for multi-family uses	-	500 sf per dwelling unit for multi-family uses	
Minimum Lot Width	38 feet	38 feet	38 feet	38 feet	
Maximum Height	100 feet	100 feet	100 feet	75 feet	
Minimum Front Yard Setback	20 feet	20 feet	20 feet	20 feet	155.163.A
Minimum Side Yard Setback	5 feet	5 feet	5 feet	-	155.163.B
Minimum Rear Yard	20 feet	20 feet	20 feet	-	
Accessory Buildings	May occupy in the aggregate not over 40% of the required rear yard plus 50% of any additional space in the rear of the principal building	May occupy in the aggregate not over 40% of the required rear yard plus 50% of any additional space in the rear of the principal building	May occupy in the aggregate not over 30% of the required rear yard plus 50% of any additional space in the rear of the principal building	Must be located in the rear yard	
Accessory Buildings Maximum Height	20 feet	20 feet	20 feet	20 feet	

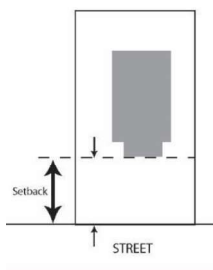
- A. For existing non-residential and mixed use areas, the required minimum front yard setback shall be the average of the existing front yard setbacks of all principal structures on the same side of the street and within 300 feet of the subject lot. If the average is less than the district requirement, the required minimum front setback is the average as calculated. This does not apply to panhandle lots.
- B. For the C, D, and E districts, buildings that are greater than 35 feet in height, the required side yard setback shall increase one foot for every two feet of additional building height over 35 feet.

155.164. MEASUREMENTS, COMPUTATIONS, AND EXCEPTIONS

A. SETBACKS AND YARDS

1. Measurements

Setbacks refer to the unobstructed, unoccupied open area between the furthestmost projection of a structure and the property line of the lot on which the structure is located. Setbacks shall not contain any structure except when in conformance with this code (see section [155.164.A.4: Architectural Projections](#)).



Measurement of a Front Yard Setback

2. Yards Required for Buildings

A yard or other open space required for a building shall not be included as part of a yard or other open space for another building.

3. Front Yard Modifications

In existing residential areas, the required minimum front yard setback shall be the average of the existing front yard setback of all principal structures on the same side of the street and within 300 feet of the subject lot. If the average is less than the district requirement, the required minimum front setback is the average as calculated. This does not apply to panhandle lots. Modification of the front yard in accordance with this section will not create a nonconforming lot unless the lot or structure does not meet other applicable provisions of this code.

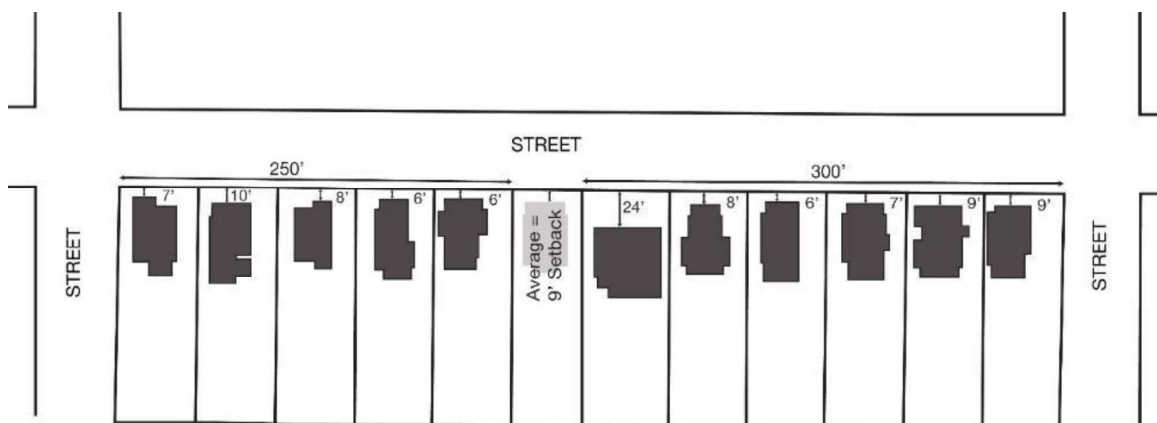


Illustration of the averaging of front yard setbacks. For example, in a district with a minimum front yard setback requirement of 25 feet, smaller setbacks may be allowed if the average front yard setbacks of surrounding properties are less than 25 feet.

4. Architectural Projections

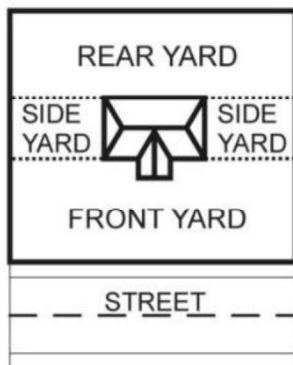
- a. Cornices, eaves, sills, canopies, or similar architectural projections may extend or project into required side yards not more than two inches for each one foot of width of such side yard, and may extend or project into a required front or rear yard not more than 30 inches.
- b. Bay windows and chimneys may project into a required front, side or rear yard not more than 18 inches, provided that the side yard is not reduced to less than three feet.
- c. Open structures, such as porches, balconies, platforms, carports, and covered patios, shall be considered a part of the building to which they are attached and shall not project into the required minimum front, side, or rear yard.
- d. Ramps, elevators, escalators, and similar improvements or devices constructed or installed to provide access by persons with disabilities may extend or project into a required front, side or rear yard to the extent necessary to conform the accessibility device to design and materials specifications set forth in regulatory standards promulgated under the authority of the Americans with Disabilities Act.

B. HEIGHT EXCEPTIONS

Chimneys, towers, penthouses, scenery lofts, monuments, cupolas, domes, spires, false mansards, parapet walls, similar structures, and necessary mechanical appurtenances are exempt from the height regulations.

C. INTERIOR LOT

1. The required minimum front yard setback shall be measured from the front lot line or the street right-of-way.

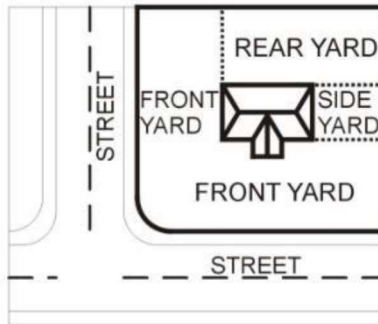


Typical yard locations on an interior lot.

2. The lot line located directly behind the rear of the structure, as determined by the Safety and Service Director, shall be the rear lot line and the rear yard setback shall be applied.
3. All other lot lines shall be considered the side lot lines and the side yard setback shall be applied.

D. CORNER LOTS

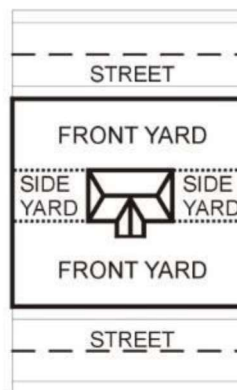
1. Lots having a frontage on more than one street shall have the required front yard setback along each street.
2. On any corner lot no fence or planting shall be erected or maintained within 20 feet of the corner right-of-way that interferes with traffic visibility across a corner. See corner visibility triangle section [155.173.J: Visibility](#).



Typical yard locations for a corner lot.

E. DOUBLE FRONTAGE LOTS

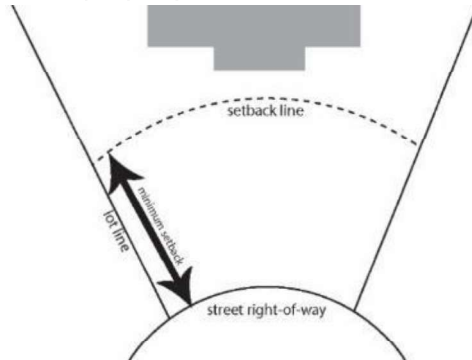
1. Where a lot is considered a double frontage lot, the required minimum front yard setback shall be provided from both streets.
2. The remaining lot lines shall be considered side lot lines and the side yard setback shall be applied to those lot lines.



Yard locations on Double Frontage Lots

F. CUL-DE-SAC OR CURVED-STREET LOT

1. For a cul-de-sac lot or a lot abutting a curved street, the front yard setback shall follow the curve of the front property line.



Setback line of a lot with frontage on a curved street or cul-de-sac.

2. Lots on a cul-de-sac shall be required to have a minimum lot width of 40 feet measured at the right-of-way line.
3. On a cul-de-sac or curved roadway, the required 40-foot street frontage is to be measured at the street right-of-way on the curve of the cul-de-sac or curved roadway.

OFF-STREET PARKING AND LOADING

155.171. PURPOSE

The purpose of this chapter is to regulate the amount and location of vehicle parking, loading areas, access, and mobility in order to promote a more efficient use of land, enhance the development form, encourage the use of alternative modes of transportation, provide for better pedestrian movement, and protect air and water quality.

155.172. APPLICABILITY

- A. Any building, structure, or use of land, when erected or enlarged, shall provide for off-street parking spaces for automobiles in accordance with the provisions of this section, except for parcels that are located in the Historic and Business “G” Zoning District. Such parcels are exempt from the off-street parking and loading requirements of this section.
- B. Whenever an existing building changes in use or is enlarged in floor area, number of employees, number of dwelling units, seating capacity, or otherwise that creates the need for an increase in the number of existing parking spaces, additional parking spaces shall be provided based on the following requirements:
 - 1. When the floor area of a building or use is enlarged or expanded an amount equaling less than 10%, no additional parking is required.
 - 2. When floor area of a building or use is enlarged or expanded an amount equaling between 10% and 50%, additional parking is required based on the enlargement or change.
 - 3. When floor area of a building or use is enlarged or expanded an amount equaling more than 50%, the building or use shall fully comply with the parking requirements set forth herein.
- C. **PARKING PLAN**

A parking plan shall be required for all uses except for detached single family dwelling and two family dwellings. The parking plan shall be submitted to the City as part of the site plan application. The parking plan shall show the following:

 - 1. The boundaries of the property;
 - 2. The parking spaces;
 - 3. Access driveways;
 - 4. Circulation patterns;
 - 5. Drainage plan;
 - 6. Illumination plan; and
 - 7. Landscape plan.

155.173. STANDARDS APPLICABLE TO ALL VEHICULAR USE AREAS

All off-street parking facilities including entrances, exits, circulation areas, and parking spaces shall be in accordance with the following standards and specifications:

A. PARKING LOCATION

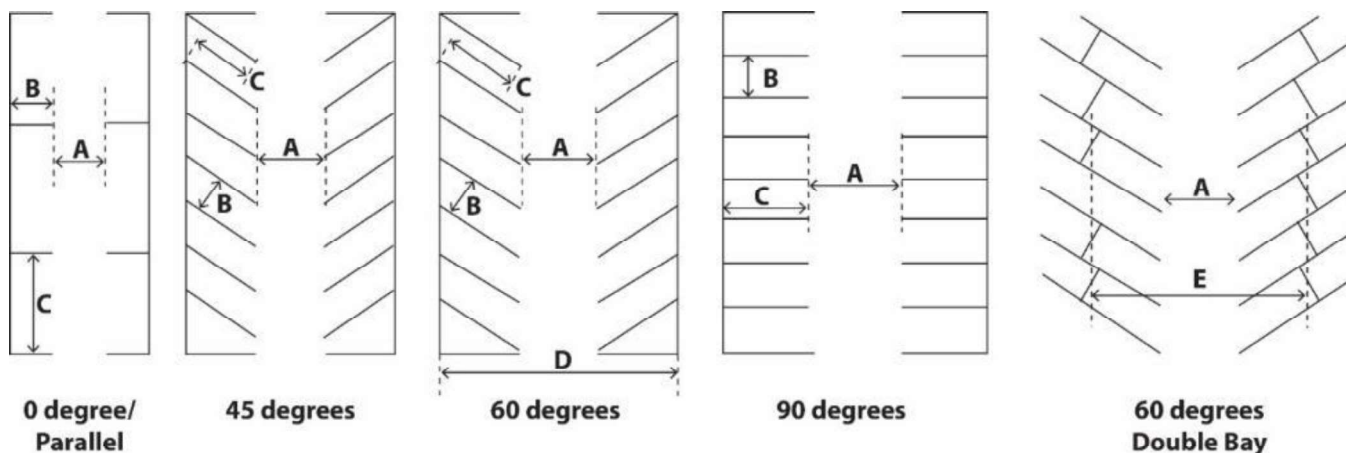
1. Off-street parking lots shall be located on the same lot as the use they are intended to serve, except where shared or off-site parking is authorized per this section.
2. No motor vehicle shall be parked or stored on any area not improved in accordance with this section. Both the owner of any such improperly parking or stored motor vehicle and the owner or occupant of the property on which the vehicle is parked shall be considered in violation of this section.
3. No parking shall be allowed in the landscaped areas.

B. PARKING AISLE AND SPACE DIMENSIONS

Each off-street parking space and parking aisle shall have the minimum width as set out in [Table 173-1: Parking Aisle and Space Dimensions](#).

TABLE 173-1: PARKING AISLE AND SPACE DIMENSIONS

Parking Aisle	A Aisle Width		B Space Width	C Length of Space	D Curb to Curb (Single Bay)	E Bay Width (Center to Center)
	One-way	Two-way				
0 degree/parallel	12 feet	20 feet	9 feet	21 feet	38 feet	38 feet
45 degrees	13 feet	20 feet	9 feet	18 feet	55 feet	51 feet 10 inches
60 degrees	18 feet	22 feet	9 feet	18 feet	59 feet 11 inches	57 feet 8 inches
90 degrees	22 feet	24 feet	9 feet	18 feet	60 feet	60 feet



C. VEHICLE OVERHANGS

When parking spaces abut a landscaped area, grassy strip, or yard, a reduction of a maximum of two feet of the overall length of any such space or spaces may be allowed as vehicles may extend into the landscaped area, grassy strip, or yard. When parking spaces abut a pedestrian path, a reduction of a maximum of two feet of the overall length of any such space or spaces may be allowed provided that the vehicle overhang will not encroach on the pedestrian circulation.

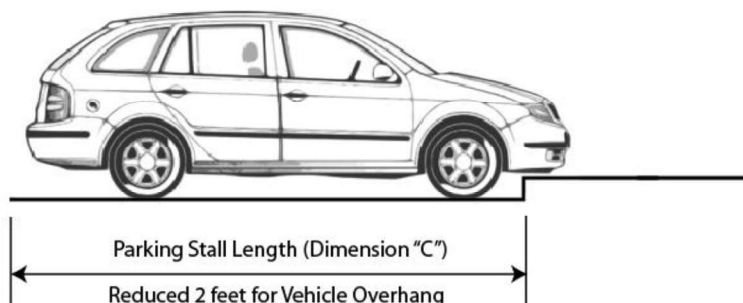


Illustration of vehicle overhang and related reduction in parking space length

D. ACCESS AND MANEUVERABILITY

In order to promote adequate access and maneuverability, the following provisions shall be followed:

1. The location, width, and number of access driveways serving off-street parking areas shall not interfere with the use of adjacent properties or the flow of traffic on public or private rights-of-way.
2. All access drives shall have travel lanes of a minimum width of 10 feet and a maximum width of 12 feet.
3. With the exception of driveways serving single household dwellings and two household dwellings, wherever more than three parking spaces are served by a single driveway, a turnaround area shall be provided, or other provision shall be made to permit vehicles to exit the parking lot or garage without backing onto any street or sidewalk.
4. Cross-access is encouraged between adjacent commercial properties.

E. STRIPING AND IDENTIFICATION

Parking spaces shall be clearly outlined with painted lines on the parking surface. The striping shall be continuously maintained in a clear and visible manner in compliance with the approved plans. The color of the striping shall be white, yellow, or other color as approved by the Safety and Service Director unless required by state law (i.e., parking for the disabled).

F. SETBACKS

The location of off-street parking facilities and access drives for more than five vehicles, excluding single family and two family dwellings, may be located in the required yards unless otherwise specified in this code. In no case, however, shall the parking area or access drives be located closer than 10 feet from any right-of-way, 10 feet from any non-residential property line, and 20 feet from any residential property line, unless specifically approved by the Planning Commission.

G. PAVEMENT

1. Parking areas and access driveways shall be improved with asphalt or concrete, unless otherwise authorized as provided in (2) and (3) below.
2. Pavers, pervious pavement, chip-and-seal, or gravel may be used for off-street parking areas if approved by Planning Commission.
3. Residential driveways may be constructed of pavers, pervious pavement, chip-and-seal, or gravel if approved by the Safety and Service Director.

H. CURBING

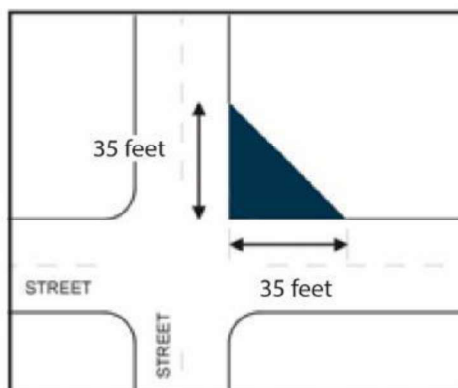
When appropriate, off-street parking lots shall be improved with a poured concrete curb, precast concrete barrier, or other barrier to define the limits of paved areas except at the points of entrance and exit, unless otherwise authorized by the Safety and Service Director. Wherever a parking lot extends to a property line, fencing, wheel stops, concrete curbs, or other suitable barriers should be provided in order to prevent any part of a parked vehicle from extending beyond the property line and from destroying screening materials.

I. DRAINAGE

Off-street parking areas for more than five vehicles shall be graded and drained so that the natural flow of surface water shall not be changed or concentrated onto adjacent property by means other than a designated drainage course.

J. VISIBILITY

Access of driveways for off-street parking areas shall be located in such a way that any vehicle entering or leaving such parking area shall be clearly visible by any pedestrian or motorist approaching the access or driveway from a public street, private street, or alley. No object, including parking lot lighting, signage, or landscaping shall be located in an area that obstructs vision in the sight triangle, illustrated below:



Site Visibility Triangle for Intersecting Streets

K. ALLEYS

Alleys may be used for pick-ups, drop-offs, loading, and unloading.

155.174. OFF-STREET PARKING AND SPACE REQUIREMENTS

A. UNITS OF MEASURE

The following rules shall apply when computing parking spaces:

1. On-Street Parking

On-street parking spaces shall not be counted toward off-street parking space requirements.

2. Driveway Space

Entrances, exits, or driveways shall not be computed as any part of a required parking lot or area, except in the case of single-family and two-family dwellings where driveways may be used in calculating the amount of off-street parking.

3. Multiple Uses

Unless otherwise noted or approved, off-street parking areas serving more than one use shall provide parking in an amount equal to the combined total of the requirements for each use.

4. Area Measurements

- Unless otherwise specifically noted, all square footage-based parking standards shall be computed on the basis of gross floor area of all floors of a non-residential or mixed use building.
- The areas of a non-residential or mixed use building that are used for storage, restrooms, loading/unloading, mechanical equipment, stairwells, and elevator shafts may be excluded from the gross floor area calculation.
- When a measurement of the number of required spaces results in a fractional number, the fraction shall be rounded up to the next highest whole number.
- Parking space requirements for a use not specifically mentioned in this code shall be determined by using the most similar and restrictive parking space requirements as specified by the Safety and Service Director.

B. NUMBER OF OFF-STREET PARKING SPACE REQUIREMENTS

[Table 174-1: Off-Street Parking Space Requirements](#) defines the number of parking spaces required for each use within the city.

TABLE 174-1: OFF-STREET PARKING SPACE REQUIREMENTS	
Use	Parking Space Requirement
Residential Uses	
Accessory dwelling unit	1 space per accessory dwelling unit + 2 spaces for single household dwelling
Assisted living, residential care facilities, and skilled nursing facilities	1 space per 6 beds + 1 space per employee on largest shift
Community social service facilities	1.5 spaces per caregiver/employee on largest shift + required spaces for the dwelling units
Group homes and adult group homes	1 space per 2 beds
Table continued on next page	

TABLE 174-1: OFF-STREET PARKING SPACE REQUIREMENTS

Use	Parking Space Requirement
Mixed use residential	2 space per residential dwelling unit + additional parking required for non-residential uses
Multiple family dwellings	2 spaces per dwelling unit
Single family dwellings and two family dwellings	2 spaces per dwelling unit
Community Facilities and Commercial Uses	
Agricultural uses including the growing and sale of produce, plants, and agricultural goods	1 space per employee on largest shift
Animal hospitals and veterinarian offices	1 space per 450 square feet
Animal training/boardings/pet day care	1 space per 450 square feet
Automotive fueling stations	1 space per pump + 1 space per employee on largest shift (inclusive of the space located at the pump)
Automotive repair facilities	1 space per 400 square feet + 1 space per service bay
Automotive sales or leasing	1 space per 400 square feet
Automotive washing facilities	1 space per employee on largest shift
Bars	1 space per 100 square feet
Batting cages	1 space per cage + 1 space per employee on largest shift
Bowling alley	2 spaces per lane
Cemeteries, crematories, and public mausoleums	1 space per employee on largest shift
Club, private	1 space per 50 square feet used for assembly, game room, dancing, or dining + 1 space for each sleeping room
Commercial greenhouses	1 space per 350 square feet
Commercial studio for dance, music, or similar uses	5 spaces + 1 space for each 150 square feet in excess of 500 square feet
Community centers and cultural institutions	1 space per 500 square feet or 1 space per 8 seats, whichever is greater
Construction and large equipment rental, sales, and service	1 space per 1,000 square feet + 1 space per 2,500 square feet of outdoor display area + 1 space per employee
Convenience store	1 space per 200 square feet + 1 space per employee
Dancing and live entertainment, including teen clubs	1 space per 200 square feet
Day care facility and preschools	2 spaces per facility + 1 space for every 8 clients
Distribution centers	1 space per 400 square feet
Farmers markets	1 space per 250 square feet of indoor floor area + 1 space per 500 square feet of outdoor sales or display area
Financial institutions	1 space per 300 square feet
Food markets and grocery stores	1 space per 150 square feet
Funeral homes, funeral parlors, and associated activities	1 space per 75 square feet of parlor or chapel space or 1 space per 5 seats, whichever is greater, but not less than 20 spaces
Golf course	1 space for 100 square feet of indoor area
Golf driving range	1 space per each driving tee + 1 space per employee on largest shift
Government buildings	1 space per 400 square feet
Government storage yard	1 space per employee on largest shift + 1 space per facility vehicle + 1 space per 25 square feet
Table continued on next page	

TABLE 174-1: OFF-STREET PARKING SPACE REQUIREMENTS

Use	Parking Space Requirement
Health and fitness clubs, indoor recreation	1 space per 200 square feet
Heating, ventilating, air-conditioning, and plumbing establishments	1 space + 1 space per employee on largest shift
Hospitals	1 space per 5 beds + 1 space per every 3 employees on largest shift
Hotels and motels	1 space per guest room + 1 space per employee on largest shift
Industrial uses including manufacturing, warehousing, production, laboratories, research and development, and similar	1 space per 1,000 square feet
Laundry, laundromats, and dry cleaners	1 space per 400 square feet
Library	1 space per 400 square feet
Lodging houses and bed and breakfasts	1 space per guest room + 1 space per employee on largest shift
Meeting facility	1 space per 150 square feet
Miniature golf course	2 spaces per hole + 1 space per 100 square feet for other indoor game activities
Mixed use building	The sum of the parking required for the uses within the building
Museums	1 space per 450 square feet
Office (excluding medical)	1 space per 300 square feet
Office, medical/clinic	1 space per 200 square feet, but not less than 6 spaces
Parks/playgrounds/play fields/open space	1 space per 10,000 square feet
Personal services	1 space per 300 square feet
Places of worship	1 space per 30 square feet of principal assembly area
Public safety facilities	1 space per 250 square feet
Repair establishments for electrical appliances, household appliances, and small consumer convenience appliances	1 space + 1 space per employee on largest shift
Restaurant, fast casual	1 space per 100 square feet
Restaurant, fast food	1 space per 100 square feet
Restaurant, sit-down	1 space per 200 square feet
Retail sales	1 space per 300 square feet
Schools, educational institutions (K-8)	2 spaces per classroom
Schools, educational institutions (9-12)	7 spaces per classroom
Schools, educational institutions (university/college)	1 space per 3 auditorium seats + 1 space per 5 classroom seats
Schools, educational institutions (vocational/professional)	1 space per 10 classroom seats
Self-storage facility	3 spaces + 1 space per 100 individual storage units
Shopping centers	1 space per 350 square feet
Showrooms	1 space per 1,000 square feet
Table continued on next page	

TABLE 174-1: OFF-STREET PARKING SPACE REQUIREMENTS

Use	Parking Space Requirement
Skating facility	1 space per 250 square feet
Swimming pools and tennis clubs	1 space per 50 square feet of pool area + 4 spaces for each tennis, racquet ball, and/or hand ball court
Theaters	1 space per 5 seats
Vehicle or RV storage yard	1 space per employee on largest shift + 1 space per facility vehicle + 1 space per 250 square feet

C. The Board of Zoning Appeals may authorize, on appeal, a reduction in the number of required parking spaces if an exceptional situation or condition exists, if alternative parking methods such as shared parking, off-street parking, and/or bicycle parking are proposed to be used, or if a parking plan is presented that demonstrates the number of required parking spaces based on the size and nature of the use, hours of operation, estimated number of patrons/customers, number of employees, availability of off-street parking, and other similar situations.

D. The Safety and Service Director may approve a reduction in the number of parking spaces required up to 10 percent of the number required per [Table 174-1: Off-Street Parking Space Requirements](#).

E. SHARED PARKING

1. Shared parking is encouraged and permitted if the multiple uses that the shared parking will benefit can cooperatively establish and operate the facilities.
2. The owner or owner's authorized agent shall provide any applicable documentation or information to substantiate the request for a reduction of the total number of parking spaces. Shared parking may be approved if:
 - a. A sufficient number of spaces are provided to meet the highest demand of the participating uses.
 - b. Evidence has been submitted by the parties operating the shared parking facility, to the satisfaction of Planning Commission, documenting the nature of the land uses and the times when the individual uses will be in operation to demonstrate a lack of potential conflict between them.
 - c. The shared parking spaces will not be located in excess of 500 feet from the uses that they are intended to serve.
 - d. Pedestrian connectivity shall be provided between the use that it is intended to serve and the shared parking location.
 - e. A shared parking agreement shall be submitted and approved by the Safety and Service Director that documents how the shared parking agreement shall accommodate the needs of each user. This agreement shall include provisions, evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.

F. PARKING SPACES FOR THE DISABLED

Parking spaces required for the disabled shall be provided in compliance with the applicable state and federal requirements. All spaces should be located so that they provide easy access from the closest parking spaces to the major entrances of the use for which they are provided.

G. CONTINUATION OF FACILITIES

Off-street parking areas, that are accessory to existing or proposed uses, shall continue to be maintained and operational for the life of the use. Such parking areas shall not be used for automobile sales, service, or repair of motor vehicles unless specifically approved on a zoning permit.

155.175. OFF-STREET LOADING STANDARDS

A. DIMENSIONS

Each off-street loading facility shall have a minimum dimension of 12 feet in width, 40 feet in length, and shall have a vertical clearance of not less than 14 feet in height.

B. LOCATION

1. Where adjacent to non-residential districts or uses, loading spaces shall not be located in the front yard.
2. Where adjacent to residential districts or uses, loading spaces shall not be located in the front, side, or rear yard unless it is entirely screened from view.
3. All required loading facilities shall provide for the loading and unloading of delivery trucks and service vehicles, and shall be arranged that they may be used without blocking or otherwise interfering with access drives, parking areas, public streets, and sidewalks.
4. The access drive of an off-street loading facility shall be located at least 50 feet from the nearest intersecting street right-of-way.
5. All off-street loading facilities shall be designed such that any vehicle leaving the premises shall be traveling forward.

C. PAVING AND DRAINAGE

Any off-street loading area and its access drive(s) shall be graded and drained so that the natural flow of surface water shall not be changed or concentrated onto adjacent property by means other than a designated drainage course. Off-street loading areas and access driveways shall be improved with asphalt, concrete, pavement, or an acceptable pervious pavement as approved by the Safety and Service Director.

D. NUMBER OF OFF-STREET LOADING SPACES REQUIRED

Off-street loading spaces shall be provided in accordance with the schedule set forth in [Table 175-1: Off-Street Loading Requirements](#) for all commercial and industrial uses. For the purposes of this section office uses shall not be considered commercial uses and shall not be required to provide loading spaces.

TABLE 175-1: OFF-STREET LOADING REQUIREMENTS

Gross Floor Area of Structure (square feet)	Number of Required Loading Spaces
0-10,000	0
10,001-50,000	1
50,001-100,000	2
100,001-200,000	3
Each additional 100,000	1

E. MODIFICATION

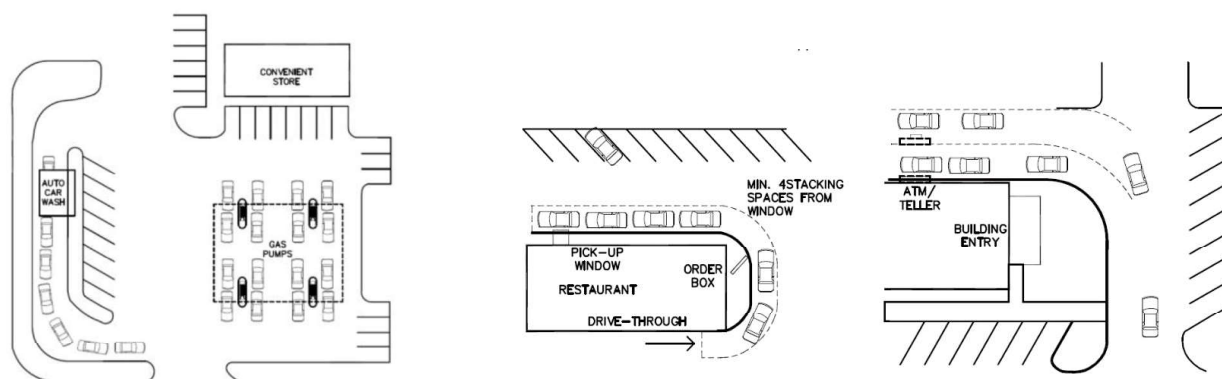
Planning Commission may authorize a modification, reduction, or waiver of the foregoing requirements if they should find that there is an exceptional situation or condition that justifies such action.

155.176. OFF-STREET STACKING SPACES

- A. The number of required stacking spaces shall be as provided in [Table 176-1: Stacking Space Requirements](#).

TABLE 176-1: STACKING SPACE REQUIREMENTS

Activity	Minimum Stacking Spaces (per lane)	Measured From
Eating and dining establishments with a drive-thru facility	5	Pick-up window
Financial institution or ATM	4	Teller or Window
Fuel or Gasoline Pump Island	2	Pump Island
Pharmacy	5	Pick-up window
Vehicle washing establishment, full-service	6	Outside of washing bay
Vehicle washing established, self-service	2	Outside of washing bay
Other	As determined by the Safety and Service Director	



Gasoline pump island with car wash (left), restaurant with drive-thru (center), and financial institution with ATM and drive-thru (right).

B. DIMENSIONS

Each off-street stacking space shall have a minimum dimension of 10 feet in width and 20 feet in length. Drive-thru lanes must be separated from other parking and circulation areas. Individual lanes must be striped, marked, or otherwise delineated.

C. LOCATION

Vehicle stacking lanes should be located on the side and rear of the building. Stacking lanes shall not interfere with access to the site and not impede traffic on the adjacent streets.

D. MODIFICATION

The Planning Commission may authorize a modification, reduction, or waiver of the foregoing requirements if they should find that there is an exceptional situation or condition that justifies such action.

SIGNS

155.181. PURPOSE

- A. The purpose of this section is to promote public health, safety, and welfare by establishing regulations that govern the size, character, location, and structural integrity of signs and other advertising structures. This section is enacted to promote:
1. Vehicular and pedestrian safety by prohibiting signage that obstructs the view of or distracts attention from traffic control devices and eliminating visual obstructions resulting from signage located adjacent to or over public rights-of-way.
 2. Public safety by establishing design and maintenance standards for signs that reduce the risk of fire, collapse, and disintegration, and by providing for the inspection and removal of signs that have become unsafe.
 3. Public safety by prohibiting signs that interfere with firefighting and rescue efforts.
 4. Economic well-being by permitting commercial enterprises to use signage of sufficient size to fulfill communicative needs while prohibiting excessively large structures and sign competition.
- B. All standards are intended to promote, and enhance, the ability of residents and visitors to speak freely. The provisions of this section shall be uniformly enforced without regard to the content of any advertising message or the identity of the proponent of that message.

155.182. APPLICABILITY

- A. The regulations contained within this section shall apply to all signs and to all zoning districts, unless specifically exempted in these regulations.
- B. No sign shall be erected, established, modified, created, or maintained in the City of Hillsboro unless it is in compliance with the regulations of this section.
- C. This section shall regulate the height, area, location, graphics, color, materials, and other visual aspects of signs and other advertising structures. It does not regulate the following:
1. The display of official specific notices.
 2. Public seasonal or religious decorations.
 3. The POW/MIA flag or the flag, emblem, or insignia of any governmental agency or political subdivision. Proper flag etiquette should be observed.
 4. Governmental signs for traffic control and other regulatory purposes.
 5. Street signs, warning signs, railroad crossing signs, and signs of public service companies for the purpose of safety.
 6. Public art and murals, provided such displays do not contain any commercial messaging.

155.183. GENERAL REQUIREMENTS

The following regulations shall apply to all signs within the city:

- A. All freestanding signs (monument signs, ground signs, etc.) must be set back a minimum of 10 feet from all rights-of-way, unless specifically exempted.
- B. All signs shall conform to the corner visibility triangle regulations as regulated in section [155.173.J: Visibility](#).
- C. Signs shall not be erected to obstruct sight lines along any public rights-of-way, traffic control lights or signs, street name signs at intersections, or signals at railroad crossings.
- D. Signs shall not project over or obstruct the required windows or doors of any building, and shall not be attached to or obstruct a fire escape, or interfere with other safety provisions as may be further regulated in the building code.

155.184. PROHIBITED SIGNS

The following signs are prohibited:

- A. Any sign that has moving parts, animation, flashing lights, or changing colors except for electronic signs as regulated in section [155.192: Electronic Signs and Changeable Copy](#).
- B. Signs with illumination that flash on or off or displays that change degrees in intensity.
- C. Signs visible from the sight lines along a street shall not contain content, coloring, or manner of illumination similar to traffic control signs.
- D. No sign shall be attached to or otherwise applied to trees, bus shelters, utility poles, benches, trash receptacles, newspaper vending machines or boxes, or any other unapproved supporting structures.
- E. Signs placed in the public right-of-way except as specifically permitted within this section.
- F. Tractor trailers displaying the business name or an advertisement, unless they are parked in an established off-street loading area or in an area not visible from the public right-of-way.
- G. Signs which are not securely affixed to the ground or otherwise affixed in a permanent manner to an approved supporting structure.
- H. Off-premises signs except as specifically permitted within this section.
- I. Roof signs and signs that extend above or beyond the building façade, except as otherwise specifically permitted in this chapter.
- J. Flags intended for advertising or commercial purposes.
- K. Signs emitting noise.
- L. Beacons and searchlights, except for emergency purposes.
- M. Abandoned signs, obscene signs, and portable signs are declared to be a public nuisance and are prohibited.

155.185. SIGNS NOT REQUIRING A SIGN PERMIT

The following signs shall not require a sign permit:

- A. Corporate identity flags if limited to one per zoning lot and which portray the emblem, insignia, logo, or trademark of a corporation, business, or development located on the same property.
- B. Commemorative plaques placed by recognized historical agencies.
- C. Signs on the interior of a building that can only be viewed by persons within such building.
- D. Identification signs on dwellings as regulated in section [155.189.A: Wall Signs on Dwellings](#).
- E. Identification and directional signs for non-residential uses as regulated in section [155.190.G: Identification and Directional Signs](#).
- F. Window signs.
- G. Letters and numbers identifying the address of any structure.
- H. Interior signs within a stadium, arena, open-air theater, or similar use.
- I. Sign face changes to an existing sign.
- J. Signs on fuel pumps.

155.186. SIGNS REQUIRING A PERMIT

A permit shall be required for signs based on the following conditions:

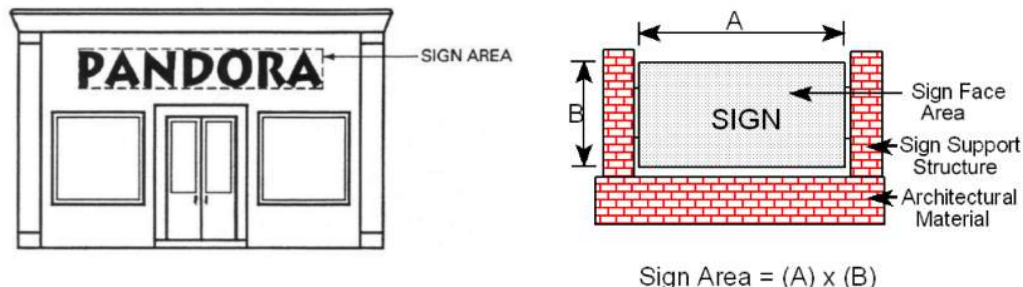
- A. No person shall locate or display any sign unless all provisions of this zoning code have been met. A permit shall be required for each sign unless specifically exempted from this code.
- B. A sign for which a permit has been issued shall not be modified, relocated, altered, or replaced unless an amended or new permit is obtained from the city.

155.187. SIGN COMPUTATIONS

The following regulations shall control the computations of sign area, height, and setback.

A. SIGN FACE OR AREA

- 1. The total sign area shall be measured as the area enclosed by one rectangle, the sides of which make contact with the extreme point or edges of the sign. The area of a sign composed of characters or words, if such characters or words are standalone, without framing or additional backdrop, shall be the smallest rectangle which encloses the entire group of characters or words.
- 2. Sign area calculations shall exclude the supportive structure if such structure does not form or include a part of the advertisement of the sign.

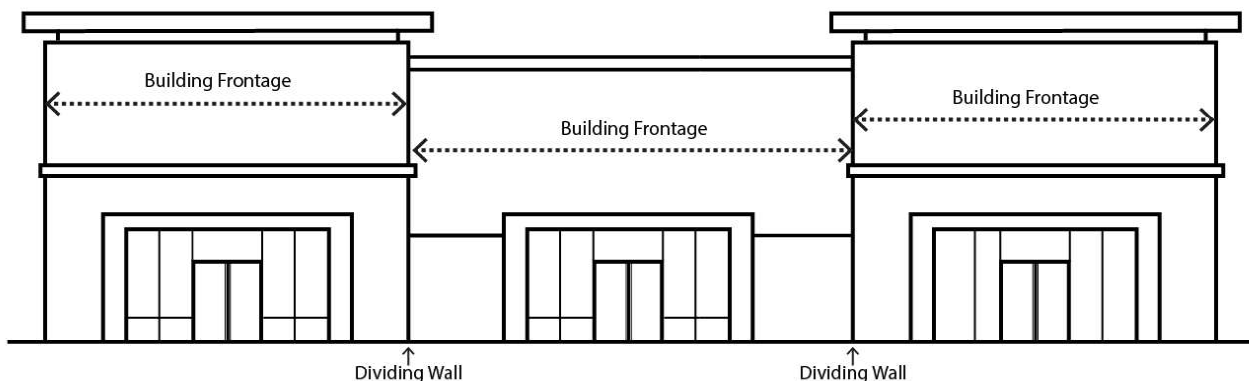


Illustrations of sign area calculation for a wall sign (left) and a monument sign (right)

3. The sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces visible from any one point.
4. When two identical sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such faces are part of the same sign structure and are not more than 24 inches apart, the sign area shall be computed by the measurement of one of the faces.
5. No more than two display faces shall be permitted for freestanding and projecting signs.
6. In the case of irregularly shaped three dimensional signs, the area of the display surface shall be measured on the plane of the largest vertical cross section.
7. When calculating sign area, fractional amounts are not required to be rounded.

B. STREET AND BUILDING FRONTAGE

1. The building frontage is the length of an outside building wall on a public or private street.
2. For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the dividing walls defining the building unit.



How to calculate building frontage for multi-tenant buildings

C. SIGN HEIGHT

The height of a sign shall be computed as the distance from the average natural grade at the base of the sign or support structure to the top of the highest attached component of the sign.

D. SIGN SETBACK

1. The required setbacks for a sign shall apply to all elements of the sign including its frame and base.
2. The setback of a freestanding sign shall be measure horizontally from the edge of the sign frame to the street right-of-way line or lot line, as applicable.

155.188. ILLUMINATION

- A. All signs, except as specifically stated in this section, may be illuminated by internal or reflected light, provided that such illumination shall:
 1. Be shielded from all adjacent residential building and all rights-of-ways.
 2. Not have an intensity to cause glare visible to pedestrians or vehicle drivers, nor shall the illumination be of such brightness as to cause reasonable objection from adjacent residential districts.
 3. Illuminated signs shall not have any part that flashes on or off, has lighting that moves or illustrates movement, or displays changing degrees of intensity in illumination. This regulation applies to signs located outside of buildings and to window signs inside buildings that can be seen from the outside. This prohibition on flashing, moving, or intermittent lighting shall not apply to public service devices or electronic message centers as permitted in this section.
- B. Signs shall not be lighted so as to obstruct traffic control or other public information signs.
- C. Any sign having an outside power source shall obtain a permit and electrical inspection to govern safety and conformity with the National Electric Code (NEC).

155.189. SIGNS PERMITTED IN RESIDENTIAL ZONING DISTRICTS

The following are the signs permitted in the residential zoning districts (Residence “A” District, Residence “B” District, and Residential Farm Land “F”).

A. WALL SIGNS ON DWELLINGS

One wall sign is permitted on each individual lot used for residential purposes provided that the sign is mounted flush to the façade of the principal dwelling and does not exceed two square feet and is not internally illuminated.

B. RESIDENTIAL DEVELOPMENT/SUBDIVISION SIGNS

1. Permanent monument signs or signs attached to a supporting wall or fence may be permitted on both sides of a primary entrance to a residential subdivision that is located on a collector or arterial street.
2. Each sign may have a maximum sign area of 25 square feet not including any fencing, wall, supporting base, or other material use to frame, brace, or otherwise provide structural support for the sign.
3. Maximum height is six feet.
4. Signs shall be set back 10 feet from the public right-of-way and 10 feet from any adjacent lot lines.
5. Such signs shall not be internally illuminated.

C. MULTI-FAMILY IDENTIFICATION SIGNS

One permanent identification sign is permitted for each primary entrance to a multi-family development (i.e., apartment complexes) subject to the following:

1. Maximum sign area is 25 square feet.
2. Maximum height is six feet.
3. Sign shall be at least 10 feet from a side lot line and from any street right-of-way.
4. Sign shall not be internally illuminated.

D. NON-RESIDENTIAL USES LOCATED IN RESIDENTIAL ZONING DISTRICTS

1. Non-residential uses, such as churches, schools, public facilities, etc., that are located in residential zoning districts are permitted one permanent monument sign subject to the following:
 - a. Maximum sign area is 50 square feet.
 - b. Maximum height is six feet.
 - c. Sign shall be at least 10 feet from a side lot line and from any street right-of-way.
 - d. Manual changeable copy is permitted per section [155.192: Electronic Signs and Changeable Copy](#). Electronic signs shall be considered a conditional use for non-residential uses in residential zoning districts and shall be subject to the procedures set forth in section [155.127: Conditional Use Permit](#) along with the regulations set forth in section [155.192: Electronic Signs and Changeable Copy](#).
2. Non-residential uses that are located in residential zoning districts may be permitted to have one wall sign subject to the following:
 - a. Maximum wall sign area is 25 square feet.
 - b. Wall sign may not be internally illuminated.
 - c. Wall signs shall not project more than 18" from the building wall and shall not extend above the wall or beyond the wall to which they are attached.

E. TEMPORARY SIGNS

Temporary signs are regulated in section [155.193: Temporary Signs](#).

155.190. SIGNS PERMITTED IN THE COMMERCIAL AND MIXED USE DISTRICTS

The following are the signs permitted in the commercial and mixed use zoning districts (Business "C" District, Business and Residential "D" District, and Industrial "E" District). Signs in the commercial and mixed use districts shall be on-premises signs, accessory to the principal use, and be in conformance with the regulations of this section.

A. PERMITTED SIGNS

[Table 190-1: Summary of Permitted Signs in the Commercial and Mixed Use Zoning Districts](#) illustrates a summary of sign types permitted within each commercial and mixed use zoning district. The symbol "PS" shall mean the specific sign type is permitted within the applicable zoning district subject to all other applicable standards established in this section. The symbol "C" shall mean the specific sign type is permitted with the approval of a conditional use permit and is subject to all other applicable standards established in this section.

TABLE 190-1: SUMMARY OF PERMITTED SIGNS IN THE COMMERCIAL AND MIXED USE ZONING DISTRICTS

Type of Sign	Business “C” District	Business and Residential “D” District	Industrial “E” District	See Section
Wall Signs	PS	PS	PS	155.190.B
Monument Signs	PS	PS	PS	155.190.C
Pole Signs	PS		PS	155.190.D
Awning Signs	PS	PS	PS	155.190.E
Projecting Signs	PS	PS	PS	155.190.F
Identification and Directional Signs	PS	PS	PS	155.190.G
Nameplate Signs	PS	PS	PS	155.190.H
Menu Board Signs	PS	PS		155.190.I
Fuel Price Displays	PS	PS		155.190.J
Billboards	C	C	C	155.190.K
Manual Changeable Copy	PS	PS	PS	155.192.A
Electronic Signs	C	C	C	155.192.B

B. WALL SIGNS

1. The maximum wall sign area shall be equal to 1.5 square feet for each foot of building frontage, except as noted below:
 - a. For buildings set back more than 200 feet from any right-of-way from which the sign is viewed, the maximum wall sign area shall be equal to 1.75 square feet for each foot of building frontage.
 - b. For buildings setback more than 400 feet from any right-of-way from which the sign is viewed, the maximum wall sign area shall be equal to 2.0 square feet for each foot of building frontage.
2. Buildings located on corner lots or lots with multiple frontages such as double or triple frontage lots may be permitted to have a wall sign on each frontage.
3. In the case of a multi-tenant building, the calculation found in (1) shall apply to the area of the front building wall elevation for the individual tenant.
4. The maximum wall sign area may be divided into multiple signs on the building frontage as long as the combined square footage of all signs does not exceed the maximum wall sign area as calculated in (1).
5. Wall signs shall not project more than 18” from the building wall and shall not extend above the wall or beyond the wall to which they are attached.
6. Wall signs may utilize manual changeable copy subject to section [155.192: Electronic Signs and Changeable Copy](#). Wall signs may incorporate an electronic sign subject to the approval of a conditional use permit and shall be subject to the procedures set forth in section [155.127: Conditional Use Permit](#) along with the regulations set forth in section [155.192: Electronic Signs and Changeable Copy](#).

C. MONUMENT SIGNS

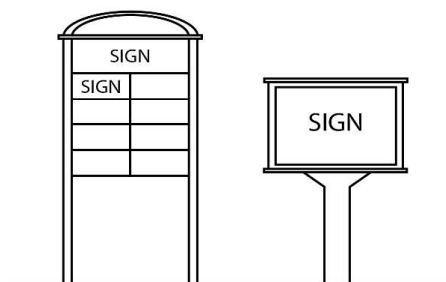
1. Either one monument or one pole sign is permitted per development. One additional sign may be permitted for each frontage for corner lots or lots with multiple frontages such as double or triple frontage lots.
2. Maximum height for monument signs is eight feet.
3. The area for any monument sign shall not exceed 100 square feet of total sign face area. The area of any additional ground signs as permitted in (1) shall be limited to 50 square feet of total sign face area.
4. Monument signs may utilize manual changeable copy subject to section [155.192: Electronic Signs and Changeable Copy](#).
5. Monument signs may incorporate an electronic sign subject to the approval of a conditional use permit and shall be subject to the procedures set forth in section [155.127: Conditional Use Permit](#) along with the regulations set forth in section [155.192: Electronic Signs and Changeable Copy](#).



Example of a Monument Sign

D. POLE SIGNS

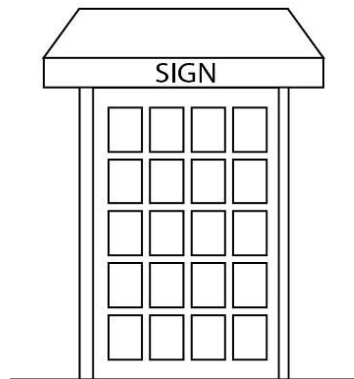
1. Either one monument or one pole sign is permitted per development. One additional sign may be permitted for each frontage for corner lots or lots with multiple frontages such as double or triple frontage lots.
2. Maximum height for pole signs is 30 feet.
3. The area for any pole sign shall not exceed 200 square feet of total sign face area. The area of any additional signs as permitted in (1) shall be limited to 100 square feet of total sign face area.
4. Pole signs may utilize manual changeable copy subject to section [155.192: Electronic Signs and Changeable Copy](#).
5. Pole signs may incorporate an electronic sign subject to the approval of a conditional use permit and shall be subject to the procedures set forth in section [155.127: Conditional Use Permit](#) along with the regulations set forth in section [155.192: Electronic Signs and Changeable Copy](#).



Examples of Pole Signs

E. AWNING SIGNS

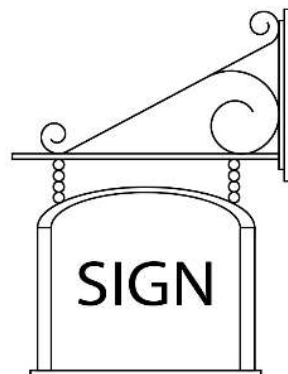
1. Regulations for awning signs shall also apply to signs located on canopies.
2. Awnings must be at least eight feet above the sidewalk grade and 15 feet above any drive.
3. Awning signs are permitted in addition to the allowable wall signage as regulated in section [155.190.B: Wall Signs](#).



Example of an Awning Sign

F. PROJECTING SIGNS

1. Projecting signs may be attached to the building wall or canopy and project at an angle of approximately 90 degrees from the building wall or canopy for a distance of not more than four feet
2. Projecting signs must be at least eight feet above the sidewalk grade and 15 feet above any drive.
3. Maximum area per sign face is 10 square feet.
4. All projecting signs shall be rigidly fastened to allow no structural movement.
5. Projecting signs shall not be internally illuminated.
6. Projecting signs that extend into the right-of-way, will need to get permission for the right-of-way encroachment from the Safety and Service Director.

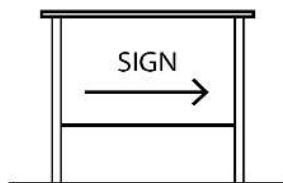


Example of a Projecting Sign

G. IDENTIFICATION AND DIRECTIONAL SIGNS

Identification and direction signs indicating traffic routes or serving similar functions shall be permitted subject to the following:

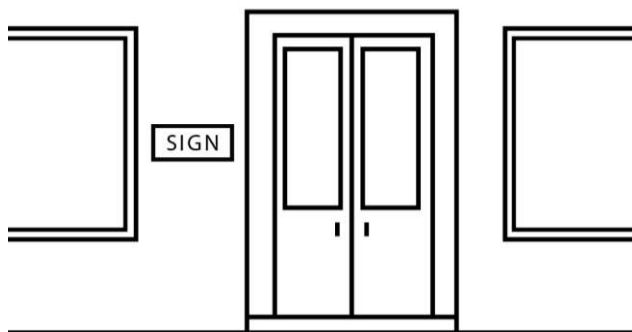
1. Signs shall be setback 10 feet from all lot lines and all rights-of-way.
2. Such signs shall not exceed six square feet in sign area.
3. Maximum height of such signs is six feet.



Example of an Identification or Directional Sign

H. NAMEPLATE SIGNS

1. Buildings or developments may install nameplate signs for the purpose of establishing the identity of establishments within the development.
2. Signs shall not exceed four square feet and may be wall or ground signs.
3. Ground signs must be a minimum of 10 feet from any side lot line and street right-of-way.



Example of a Nameplate Sign

I. MENU BOARD SIGNS

1. Two menu board signs (a preview board plus a menu board) are permitted for each stacking lane in a drive-through facility. Each menu board shall not exceed 48 square feet in sign area. Any attachments, such as pictures or photographs of food, or other items shall be included within the maximum sign area.
2. Menu board signage shall be permitted in addition to the allowable monument signage and other applicable signage.
3. No menu board shall exceed eight (8) feet in height.

J. FUEL PRICE DISPLAYS

1. Manual changeable copy fuel price displays, incorporated into a permitted sign of an establishment that sells gasoline or other vehicle fuels, are permitted.
2. Electronic fuel price displays, incorporated into a permitted sign of an establishment that sells gasoline or other vehicle fuels, are permitted subject to the following:
 - a. The electronic fuel price display shall not exceed 50 percent of the permitted sign area and in no case shall the fuel price display be greater than 40 square feet in area.
 - b. Electronic fuel price displays shall be one-color LED technology.
 - c. Electronic fuel price displays shall come equipped with automatic dimming capabilities and shall automatically dim to a corresponding reduction in ambient light. In no instance shall the electronic fuel display cause light trespass onto an adjacent residential district or use.
 - d. The electronic fuel price display shall be static and may not display animated, scrolling, moving, or flashing messages or video.

K. BILLBOARDS

1. All billboards within the City of Hillsboro shall conform to the outdoor advertising device regulations of the Ohio Revised Code and the Ohio Department of Transportation, as applicable.
2. No additional billboards are permitted within the City of Hillsboro. The billboards that are existing as of the effective date of this ordinance may remain and are considered permitted uses. Face changes and regular maintenance of such billboards is permitted, but if an existing billboard is proposed to be rebuilt, converted to an electronic billboard, increased in size, or other similar transformation, a conditional use permit will be required.

155.191. SIGNS PERMITTED IN THE HISTORIC AND BUSINESS “G” ZONING DISTRICT

The following are the signs permitted in the Historic and Business “G” Zoning District. Such signs shall be on-premises signs, accessory to the principal use, and be in conformance with the regulations of this section.

A. APPROVAL

All signs in the Historic and Business “G” Zoning District are subject to review and approval by the Hillsboro Design Review Board.

B. SIGNS FOR RESIDENTIAL USES IN THE HISTORIC AND BUSINESS “G” ZONING DISTRICT

Signs for residential uses in the Historic and Business “G” Zoning District shall be governed by the sign regulations for residential districts set forth in section [155.189: Signs Permitted in Residential Zoning Districts](#).

C. SIGNS FOR COMMERCIAL USES IN THE HISTORIC AND BUSINESS “G” ZONING DISTRICT

1. Wall Signs

- a. The maximum wall sign area shall be equal to 1.25 square feet for each foot of building frontage.
- b. Buildings located on corner lots or lots with multiple frontages such as double or triple frontage lots may be permitted to have a wall sign on each frontage.
- c. In the case of a multi-tenant building, the calculation found in (1) shall apply to the area of the front building wall elevation for the individual tenant.
- d. Wall signs shall not exceed 30 percent of the building height and shall not exceed 75 percent of the building frontage width.
- e. No wall sign shall project above the roof line.
- f. Wall signs shall not project more than 18” from the building wall and shall not extend above the wall or beyond the wall to which they are attached.
- g. Internally illuminated signs shall be subject to the procedures set forth in section [155.127: Conditional Use Permit](#). Electronic signs are prohibited in the Historic and Business “G” Zoning District.

2. Marquee Signs

- a. The maximum area of a marquee sign shall either be 1.5 square feet for each linear foot of building frontage or the perimeter of the three exposed sides of a marquee measured in feet multiplied by five square feet, whichever is greater.
- b. Marquee signs shall have minimal vertical clearance of 10 feet above the grade of the sidewalk and 14 feet above the grade of any driveway or other area open to vehicular traffic.
- c. A marquee sign shall not extend above the roof line of the building to which it is attached.
- d. Marquee signs may be internally illuminated and are permitted to have chase lights similar to classic marquee signs.

3. Monument Signs

- a. One monument sign is permitted per parcel.
- b. One additional monument sign may be permitted for each linear frontage for corner lots or lots with multiple frontages such as double or triple frontage lots.
- c. Maximum height for monument signs is four (4) feet.
- d. The area for any monument sign shall not exceed 25 square feet of total sign face area. The area of any additional ground signs as permitted in (2) shall be limited to 18 square feet of total sign face area.
- e. Monument signs may utilize manual changeable copy subject to section [155.192: Electronic Signs and Changeable Copy](#).
- f. Internally illuminated signs shall be subject to the procedures set forth in section [155.127: Conditional Use Permit](#).

4. Awning Signs

Awning signs are subject to the regulations set forth in section [155.190.E: Awning Signs](#).

5. Projecting Signs

- a. One projecting sign is permitted per parcel.
- b. Projecting signs are subject to the regulations set forth in section [155.190.F: Projecting Signs](#).

6. Nameplate Signs

Nameplate signs are subject to the regulations set forth in [155.190.H: Nameplate Signs](#).

155.192. ELECTRONIC SIGNS AND CHANGEABLE COPY

A. MANUAL CHANGEABLE COPY

Up to 50% of a permitted monument sign may incorporate manual changeable copy in the Business “C” District, Business and Residence “D” District, Industrial “E” District, and the Historic and Business “G” District, along with non-residential planned unit developments and non-residential uses in residential zoning districts.

B. ELECTRONIC SIGN STANDARDS

The following standards apply to all electronic signs within the City of Hillsboro. Additional standards may apply.

1. Electronic signs shall conform to the following standards set forth in [Table 192-1: Electronic Sign Standards](#) in addition to the other standards set forth in this section.

TABLE 192-1: ELECTRONIC SIGN STANDARDS				
Height of Sign	Maximum LED Pitch Spacing	Maximum Daytime Brightness	Maximum Nighttime Brightness	Minimum Hold Time
0 ft. – 8 ft.	12 mm	7,500 nits	500 nits	8 seconds
8 ft. +	16 mm	7,500 nits	500 nits	8 seconds

2. Each electronic sign shall contain a default mechanism that will freeze the sign in one position or make the screen go black whenever the aggregate area or any part of the electronic video display panel is unlit or malfunctions to the extent that it exceeds five percent of the total video.
3. Electronic signs shall have an automatic dimming capability that adjusts the brightness to the ambient light at all times of day and night. In no instance shall the electronic sign cause light trespass onto an adjacent residential district or use.
4. Each electronic sign shall be static and may not display animated, scrolling, moving, or flashing messages or video which simulates such. Each static message shall change instantaneous without fading, flashing, or animation of the message or image.
5. Only one electronic sign is allowed per parcel or development.
6. Electronic message centers shall use full-color LED technology.

155.193. TEMPORARY SIGNS

A. STANDARDS THAT APPLY TO ALL TEMPORARY SIGNS

1. No temporary sign shall be mounted, affixed, installed, or otherwise secured by any permanent means to any building, permanent sign, other structure, or improvement or to the ground upon which it is erected.
2. No temporary sign shall be mounted, attached, affixed, installed or otherwise secured so as to protrude above the roof of a structure.
3. Lighting shall be prohibited for temporary signs.
4. No temporary sign shall be located in a right-of-way, except if specifically exempted in this section, see section [155.191: Signs Permitted in the Historic and Business “G” Zoning District](#).

B. TEMPORARY WALL SIGNS

Temporary wall signs (i.e., banners) are permitted in the following zoning districts: Business “C” District, Business and Residential “D” District and the Industrial “E” District. They are also permitted on multi-family residential developments in the Residence “B” District. Temporary wall signs are subject to the following:

1. Signs shall be placed on the exterior of the building.
2. Signs shall not exceed 40 square feet in sign area or two percent of the building wall, whichever is greater.
3. Signs shall be limited to 120 days per calendar year. Property owners or applicants may decide in what frequency and length to allocate the 120 days. Extensions of this time limit can be granted by the Safety and Service Director.
4. For multi-tenant buildings, up to two special event signs may be displayed on the building at any one time.

C. TEMPORARY GROUND SIGNS

Temporary ground signs (i.e., real estate signs, political signs, and special event signs) are permitted in every zoning district subject to the following regulations:

1. Temporary Ground Signs in Residential Zoning Districts

Temporary ground signs in the Residence “A” District, Residence “B” District, and Residential Farm Land “F” District are permitted subject to the following:

- a. Four temporary ground signs are permitted per parcel.
- b. Maximum sign area for each sign is 12 square feet.
- c. Maximum sign height is 4 feet.
- d. Signs shall be setback a minimum of five feet from any right-of-way and 10 feet from any side lot line.
- e. Illumination of such signs is prohibited.

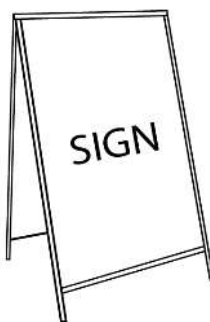
2. Temporary Ground Signs in Commercial and Mixed Use Zoning Districts

Temporary ground signs in the Business “C” District, Business and Residential “D” District, Industrial “E” District, and Historic and Business “G” District are permitted subject to the following:

- a. Four temporary ground signs are permitted per parcel.
- b. Maximum sign area for each sign is 32 square feet.
- c. Maximum sign height is six feet.
- d. Signs shall be setback a minimum of 10 feet from any right-of-way and any side lot line. In the Historic and Business “G” District, temporary ground signs shall be located on private property, completely out of the public-right-of-way, unless permission is granted for right-of-way encroachment by the Safety and Service Director.
- e. Illumination of such signs is prohibited.

D. A-FRAME SIGNS

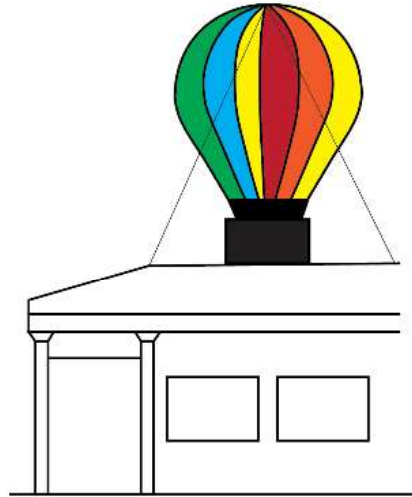
One A-frame sign is permitted per lot in the Historic and Business “G” District provided that the A-frame sign is located on private property completely out of the public-right-of-way, unless permission is granted for right-of-way encroachment by the Safety and Service Director. A-frame signs shall be displayed only when the business it advertises is open.



Example of an A-Frame Sign

E. SPECIAL EVENT BALLOONS

1. Balloons shall be of the fan inflatable type, with no inherent movement, and shall be located a minimum of 15 feet from the street right-of-way.
2. Balloons shall be tethered or fastened to the ground or a structure so that the balloon cannot shift more than three feet horizontally under any condition.
3. On corner lots, no balloons may be located within the sight visibility triangle as described in section [155.173.j: Visibility](#).
4. The duration of special event balloons shall be appropriately limited, and shall in no event exceed two consecutive weeks. Special event balloons shall be limited to four occasions during any calendar year on the same parcel. There shall be a minimum of a one-month period between the end of one occasion and the beginning of the next on the same parcel.
5. Temporary special event balloons are allowed in the following zoning districts: Business “C” District, Business and Residential “D” District and the Industrial “E” District.

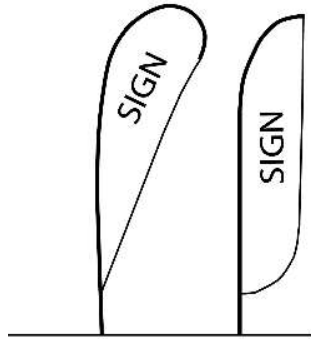


Example of a Special Event Balloon

F. TEARDROP FLAGS

Teardrop flag signs in the Business “C” District, Business and Residential “D” District, and Industrial “E” District are permitted subject to the following:

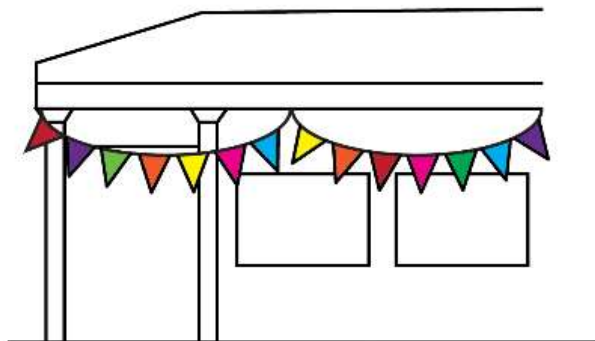
1. Two teardrop flags are permitted per parcel.
2. Maximum height is 10 feet.
3. Maximum width of sign is 4 feet.
4. Teardrop flags shall be limited to 120 days per calendar year. Property owners or applicants may decide in what frequency and length to allocate the 120 days. Extensions of this time limit can be granted by the Safety and Service Director.
5. On corner lots, teardrop flags may not be located within the corner visibility triangle as described in section [155.173.J: Visibility](#).



Examples of Teardrop Flag Signs

G. STREAMER SIGNS

Streamer signs, including strings of pennants, banners, flags, balloons, or reflectors, or other similar advertising device are permitted on an individual basis by the Safety and Service Director. The duration of such signs shall be appropriately limited, and shall in no event exceed two consecutive weeks. Streamer signs shall be limited to four occasions during any calendar year on the same parcel. There should be a minimum of a one-month period between the end of one occasion and the beginning of the next on the same parcel.



Example of a Streamer Sign (String of Pennants)

155.194. NONCONFORMING SIGNS

Nonconforming signs shall be regulated as follows:

- A. A sign conforming to the regulations prevailing on the effective date of this code, but which does not conform to the regulations of this or a subsequent amendment, shall be construed as a legal nonconforming sign.
- B. Legal nonconforming signs may be maintained and structural parts repaired or restored to a safe condition if required, and if all applicable permits are obtained. However, when a nonconforming sign has been blown down or destroyed to the extent that more than 50 percent of its replacement value to repair, or otherwise taken down for any purpose, it shall not be rebuilt, re-erected, or relocated unless it shall be made to comply with provisions of this code.
- C. No nonconforming sign shall be allowed to remain for more than six months, after the use of land or building, for which the sign relates, has ceased by discontinuance or abandonment. The property owner of a nonconforming sign may receive a notice from the municipality to conform the sign to this code and other applicable regulations of the municipality within 30 days of the date of notice. If the property owner fails to comply with the notice, the municipality may issue an order to the property owner that the sign must be removed within five months from the date of the order. A sign that is not removed within five months in compliance with the order may be removed by the city at the expense of the property owner. To recover the costs from the property owner, the clerk of the municipality may certify the total cost, together with a proper description of the land, to the county auditor to place costs upon the tax duplicate, or the city may commence a civil action against the property owner for the costs.

155.195. MAINTENANCE OF SIGNAGE

- A. All signs and sign structures shall be legally maintained in a safe and attractive condition. For the purposes of this section, a sign is not legally maintained if any of the following occur:
 - 1. The appearance of rust, cracks, electrical defects, fraying, chipped paint or other materials;
 - 2. Structural defects or other defects; or
 - 3. The commercial message of the sign no longer pertains to any business activity on the site which the sign is located.Such factors shall cause it to be presumed that the sign has been abandoned and is not being legally maintained. The property owner of the sign may receive notice from the city to return the sign to its original satisfactory condition within 30 days of the date of the notice. If the property owner does not comply, then the sign will be declared to be a nuisance contributing to visual blight and to be abandoned.
- B. The municipality may issue an order to the property owner that an abandoned sign must be removed within six months from the date of abandonment. An abandoned sign that is not removed within six months, or brought into compliance with these regulations, may be removed by the city at the expense of the property owner. To recover the costs from the property owner, the clerk of the city may certify the total cost, together with a proper description of the land, to the county auditor to place costs upon the tax duplicate, or the city may commence a civil action against the property owner for the costs.

PENALTIES AND ENFORCEMENT

155.201. ENFORCEMENT

- A. The provisions of this code shall be enforced by the Safety and Service Director or any of his/her duly authorized agents.
- B. The Safety and Service Director or his/her authorized agents may order in writing the remedying of a condition found in violation of this code within a reasonable time, or immediately in the case of imminent danger to life and property, or if the order requires a cessation of use. This order may include an order to vacate the premises or to remove any building or structure as a sole exception or alternative method of remedying the condition. Such order may also include the remedying of any conditions existing in violation of any other regulations of the city for which the Safety and Service Director or his/her authorized agents is an enforcing authority.
- C. Enforcement by issuance of any order is not an exclusive method of enforcement and shall not be construed as a condition precedent to or a waiver of any civil actions, citations, summons, or other enforcement procedure or measure available to the city under this code, other ordinance of the city, or state law.
- D. The order shall be served upon the owner, his authorized agent, a person performing work on the premises, or the occupant of the building or portion thereof personally, by certified mail, or by posting a copy at a clear and visible place on the premises.

155.202. CIVIL REMEDIES AVAILABLE

The city shall have the civil remedies available to it under the law, including equitable remedies to compel the vacation of the property or the removal of any unauthorized structure or cessation of such structure or use.

155.203. VIOLATIONS

- A. For any building or structure that is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used or any land that is proposed to be used in violation of this code or any amendment or supplement thereto, then the Safety and Service Director, the City Law Director, or any adjacent or neighboring property owner who would be specifically damaged by such violation may, in addition to other remedies provided by law, institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alteration, conversion, maintenance or use, or to restrain, correct or abate such violation to prevent the occupancy of the said building, structure or land or to prevent any illegal act, conduct, business or use in or about, such premises.
- B. No person shall fail or refuse to comply with an order issued by the Safety and Service Director. A separate offense shall be deemed committed each day upon which a violation occurs or continues.
- C. Furthermore, no person shall construct, modify, alter, use or occupy any structure or property in violation of this zoning code. A separate offense shall be deemed committed each day upon which a violation occurs or continues.

155.204. NOTICE OF VIOLATIONS

The notice of any violation of this zoning code shall be as follows:

- A. Whenever the Safety and Service Director determines there is a violation of any provision of this zoning code, a notice of such violation shall be issued. Such notice shall be in writing, identify the violation, include a statement of the reason or reasons why it is being issued and refer to the section of this zoning code being violated; and state the time by which the violation shall be corrected.
- B. Service of the notice of violation shall be by personal delivery to the person or persons responsible, by first class mail, or by posting a copy of the notice form in an obvious place on the premises found in violation.

155.205. PENALTIES

- A. No person shall:
 - 1. Fail to comply with any rightful order issued pursuant to the regulations of this code.
 - 2. Fail to obtain the necessary zoning approvals or any other necessary permit as established in this code.
 - 3. Fail to comply with the provisions or regulations of this code in the construction, reconstruction, erection, location, alteration, occupancy, or use of a building, structure, or any part thereof, or the use of any land.
 - 4. Permit another person to use a building, structure, or land owned by him/her, who fails to comply with any of the regulations contained herein.
 - 5. Fail to comply with a representation made in the application for a zoning certificate or any occupancy certificate or any other permit.
 - 6. Fail to meet any obligation or requirement of this code.
 - 7. Knowingly make a false statement, or knowingly swear or affirm the truth of a false statement previously made when any of the conditions set forth below apply:
 - a. The statement is made for the purpose of misleading a member of the Planning Commission or City Council into performing any duty or making any determination required under this code.
 - b. The statement is made with the purpose to secure the issuance of any permit or certificate.
 - c. The statement has been sworn or affirmed before a notary public or other person empowered to administer oaths.
 - d. The statement is in writing or in connection with a report, application, or study which is required or authorized.
 - 8. Each day during which a set of facts exist that constitutes a violation of this zoning code shall constitute a separate offense.
 - 9. Whoever is convicted of, or pleads guilty to, a misdemeanor or minor misdemeanor shall be sentenced in accordance with the provisions set forth in the City of Hillsboro Code of Ordinances

155.206. FEES

The fees for all applicant costs incurred in this code shall be established by City Council. Furthermore, no plan shall be accepted for filing and processing, as provided in this code, unless and until a filing fee is paid to the City and the application is deemed complete by the City.

DEFINITIONS

155.211. RULES OF CONSTRUCTION AND INTERPRETATION

A. INTENT

All provisions, terms, phrases, and expressions contained in this code shall be construed according to their stated purpose.

B. LISTS AND EXAMPLES

Unless otherwise specifically indicated, lists of items or examples that use the following terms: including, such as, or similar language are intended to provide examples, and not to be exhaustive lists of all possibilities.

C. REFERENCES TO OTHER REGULATIONS, PUBLICATIONS, AND DOCUMENTS

Whenever reference is made to an ordinance, statute, regulation, or document, that reference shall be construed as referring to the most recent edition of such regulation (as amended), ordinance, statute, or document, or to the relevant successor document, unless otherwise expressly stated.

D. PUBLIC OFFICIALS AND AGENCIES

All public officials, bodies, and agencies to which references are made are those of the City of Hillsboro, unless otherwise expressly stated.

E. DELEGATION OF AUTHORITY

Whenever a provision appears requiring the head of a department or another officer or employee of the city to perform an act or duty, that provision shall be construed as authorizing the department head or officer to delegate the responsibility to subordinates, unless the terms of the provision specify otherwise.

F. MANDATORY AND DISCRETIONARY TERMS

The word “shall” is always mandatory, and the words “may” or “should” are always permissive.

G. CONJUNCTIONS

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

1. “And” indicates that all connected items, conditions, provisions, or events shall apply.
2. “Or” indicates that one or more of the connected items, conditions, provisions, or events shall apply.

H. TENSE AND USAGE

Words used in one tense (past, present, or future) include all other tenses, unless the context clearly indicates the contrary. The singular shall include the plural, and the plural shall include the singular.

I. GENDER

The masculine shall include the feminine, and vice versa.

J. MEANING

For the purpose of this code, words and phrases shall have the meanings set forth in this chapter.

K. CONTEXT

For the purposes of this code, the definitions included in section [155.212: Definitions](#) shall apply to the regulations within this code even if other definitions for a term exists.

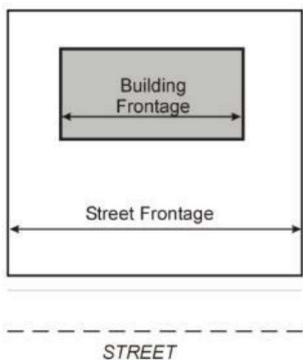
L. OTHER TERMS NOT DEFINED

Words and phrases not otherwise defined in this code shall be construed according to the common and approved usage of American English.

155.212. DEFINITIONS

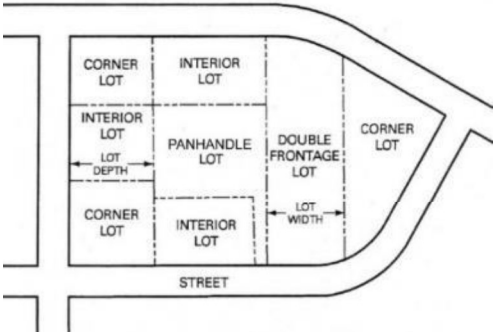
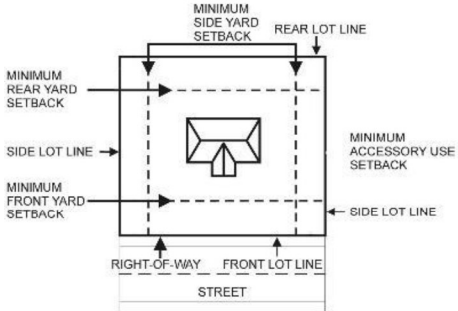
Abandonment	To permanently give up, surrender, leave, desert, or relinquish all interest or ownership in a property.
Abutting or Adjoining	The land, lot, or property adjacent to the property in question along a lot line or separated only by an alley, easement, or street.
Accessory Building	A building which is subordinate or incidental to the principal building on the same lot.
Accessory Structure	A structure (such as a garage) incidental to the main use of the land or building.
Accessory Use	A use incidental to the main use of the land or building.
Agriculture	Farming, dairying, pasturage, horticulture, animal or poultry husbandry, and limited processing and sale of agriculture products from land under the same ownership.
Alley	A narrow public or private thoroughfare that provides secondary access to abutting properties and is not intended for through traffic.
Alteration	Any action to change (visual or material), modify, reconstruct, remove, or demolish any exterior feature of an existing structure or site.
Animal Boarding	A structure or premises providing overnight accommodations of household pets with or without compensation.
Animal Hospitals	A building or structure in which facilities are provided for the prevention, cure and alleviation of disease and injury to animals and in conjunction with which there may be shelter provided, within the building or structure, during the period of treatment.
Animal Training or Pet Day Care	A structure or premises used for the schooling, exercising, attending to the care of, or any other animal husbandry activities for household pets with or without compensation during the day between the hours of 6:00 a.m. and 9:00 p.m.
Applicant	Unless otherwise specified, an owner of a property or an agent for the owner, including a subdivider, developer, attorney, or similar representative, who has filed an application for development review
Appurtenance	Any structure or object subordinate to a principal structure or site and which is attached to a piece of land or building such that it becomes part of that property. Examples include garages, septic systems, or water tanks.

Architectural Character	The architectural style, general design, and general arrangement of the exterior of a building or other structure including the type and texture of the light fixtures, signs, and their appurtenant fixtures.
Assisted Living	A long-term care facility that provides housing, personalized support services, and health care designed to meet the individual needs of persons who need help with the activities of daily life such as meals, medication management, or assistance with bathing and dressing, but do not need the degree of medical care provided in a skilled nursing facility.
Automated Teller Machine (ATM)	An electronic device used by the public for conducting financial transactions such as withdrawing or depositing cash from a bank, savings, credit union, credit card or similar account wherein the customer operates the device independently.
Automotive Fueling Stations	The use of a building or structure or any portion thereof for the purpose of dispensing motor fuel from fixed equipment into the fuel tanks of motor vehicles and the services incidental thereto.
Automotive Repair Facilities	A facility that performs all customary repair services for automobiles or other motorized equipment owned by the general public.
Automotive Sales or Leasing	Any building or land used for the display and sale or lease of new or used motor vehicles, motorcycles, recreational vehicles, and trucks in operable condition.
Bar or Tavern	An establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises. A tavern shall be this type of establishment where food may also be available for consumption on the premises.
Basement	A portion of a building located partly or wholly underground, and having half or more than half of its clear floor-to-ceiling height below the average grade of the adjoining ground.
Bed and Breakfast	A private owner-occupied residence with one to three guest rooms contained within that structure and operated so that guests reside at the home for a finite and temporary basis. No kitchen facilities may be provided for use by guests.
Billboard	A sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered at a location other than the premises on which the sign is located.
Building	A structure which is permanently affixed to the land having one or more floors and a roof, being bounded by open space or lot lines, and used as a shelter or enclosure for persons, or animals, or as an enclosure for property. Building shall also be construed to include structures as defined in this section unless otherwise noted, and shall be construed as if followed by the words "part or parts thereof" unless otherwise noted.
Building Area	The total floor area of the principal building and all accessory buildings, including unenclosed porches, but excluding terraces and steps, measured from the outside surface of the exterior walls.

Building Frontage	<p>Total lineal feet of the building facade which fronts the principal dedicated street, or that facade upon which the main entrance to the building is situated.</p>  <p style="text-align: center;">Illustration of Building Frontage</p>
Building Height	The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or the vertical distance measured from the ridge of a pitched roof to the average finished grade across the face of the building containing its principal entrance.
Building, Principal	The building occupied by the main or principal use (see Principal Use) or activity on or intended for the premises, all parts of which building are connected in a substantial manner by common walls and a continuous roof.
Cemetery	An area of land set apart for the sole purpose of the burial of bodies of dead persons or animals, and for the erection of customary markers, monuments, and mausoleums.
Certificate of Appropriateness	A permit authorizing any exterior change to properties designated as being within the Hillsboro Historic and Business “G” Zoning District.
Change	Any alteration, construction, removal, or demolition.
Changeable Copy	A sign designed so that the characters, letter or illustrations can be replaced or rearranged manually or electronically without altering the sign display surface. May also be known as reader boards.
Characteristics	The unique attributes or qualities of a property.
Community Social Service Facility	An establishment housing a public or non-profit agency that provides counseling, therapy, or other social or human service to persons needing such services due to physical, mental, emotional, or other disability or hardship. This definition does not include schools, hospitals, clinics, day cares, or residential uses.
Day Care	A place in which supervision, protection and care is administered to a person or persons, by an adult other than their parents or guardians, custodians or relatives by blood, marriage or adoption, but not including overnight lodging.
Day Care, Adult	A place that provides community based programs designed to meet the health, social, and related needs of functionally impaired adults (18 years and older) during daytime hours.

Day Care, Child	A place in which care is provided to children, with or without compensation during daytime hours.
Demolition	Razing and removing all or a substantial portion of a building, structure, or appurtenance.
Drive-Through Facility	An establishment or facility that by design of physical facilities or by service or packaging procedures encourages or permits customers to receive a service or obtain a product while remaining in a motor vehicle on the premises.
Dwelling	Any building or portion thereof which is designated for or used for residential purposes.
Dwelling, Multiple Family	A building used or designed as a residence for three or more households living independently of each other, each having their own method of ingress/egress, and each doing their own cooking therein. This definition includes apartment houses, garden apartments and row houses.
Dwelling, Single Family	A building designed for or occupied exclusively by one household. This does not include dwellings that have dormitory type units that have individual access, but may have shared facilities.
Dwelling, Single Family Attached	A single family dwelling unit that is attached to one or more dwelling units that each have their own independent exterior access and each with not less than two exterior walls.
Dwelling, Two Family/ Duplex	A building designed for or occupied exclusively by two housekeeping units. Also referred to as a duplex.
Dwelling Unit	Space within a building designed as a residence of one household unit.
Façade	The face or front of a structure in any vertical surface adjacent to a public way.
Farmers Market	An organized seasonal outdoor market containing four or more independent vendors open to the public at which locally grown produce and flowers, value-added agriculture products, and fresh baked goods are sold by persons or their representatives who typically grow, harvest, or process such items from their farm or agricultural operation.
Fence	A man made yard structure which forms, or which has the intended purpose to form, a barrier to light, sound, wind, snow, animals, vehicles, or pedestrians.
Financial Institutions	Any building, property or activity of which the principal use or purpose of which is the provision of financial services including, but not limited to banks, facilities for automatic teller machines (ATM's), credit unions, savings and loan institutions, and mortgage companies.

Funeral Home or Mortuary	An establishment primarily engaged in the provision of services involving the care, preparation or disposition of human remains. Typical uses include funeral parlors, crematories, mortuaries or columbaria.
Garage, Residential	An enclosed building or a part of a residence, in which to store vehicles and personal property, and is incidental to the use of the property.
Government Building	Any structure or use, or portion thereof, used by a governmental agency for administrative or service purposes, but not including buildings devoted solely to the storage and maintenance of equipment and materials.
Greenhouse	A glassed or translucent enclosure used for the cultivation or protection of plants.
Group Home, Child	A public or private facility which provides placement services for children and is licensed, regulated, approved, and operated under the direction of, or otherwise certified as a group home by, the State of Ohio.
Group Home, Adult	Any residence, institution, or similar facility that provides accommodations and supervision to three to 16 unrelated adults, at least three of whom require personal care services. An adult group home does not include a nursing home, residential care facility, or home for the aging; an alcohol and drug addiction program; a residential facility for the mentally ill licensed by the Ohio Department of Mental Health; a facility licensed to provide methadone treatment; or a facility operated by a hospice care program.
Historic Listed Properties	Any property having special character, historical, aesthetic, or architectural value, which has been designated by the city, state, or United States Government
Home Occupation	Any career, profession, use or activity which is customarily incidental to the principal residential use of the premises and is conducted by a resident occupant which does not alter the exterior of the property or affect the residential character of the neighborhood.
Hospital	A facility providing physical or mental health services, inpatient or overnight accommodations, and medical or surgical care of the sick or injured.
Hotel or Motel	A building in which lodging is provided and offered to the public for compensation and which is open to transient guests, in contrast to a lodging house.
Household	A group of individuals not necessarily related by blood, marriage, adoption or guardianship, living together in a dwelling unit as a single unit.
Library	A facility that contains books, periodicals, and other materials for reading, viewing, listening, study, or reference, that consists of a room, set of rooms, or building where such materials may be accessed or borrowed.
Lodging House	A building where housing is provided by prearrangement for definite periods of time for compensation for three or more persons in contrast to hotels/motels which are open to transients or group homes.

<p>Lot</p>	<p>A division of land separated from other divisions for purposes of either sale, lease, or separate use, described on the recorded subdivision plat, recorded survey map, or by metes and bounds.</p>  <p style="text-align: center;">Illustration of lot configuration and types</p>
<p>Lot Area</p>	<p>The sum of land area encompassed within the property lot lines.</p>
<p>Lot, Corner</p>	<p>A lot abutting on two streets at their intersection, if the interior angle of intersection is not more than 135 degrees.</p>
<p>Lot Depth</p>	<p>The mean horizontal distance of a lot measured between the front and rear lot lines.</p>
<p>Lot, Double Frontage</p>	<p>A lot with opposite ends abutting on public or private streets.</p>
<p>Lot Frontage</p>	<p>The lineal distance of a property line which abuts a public right-of-way.</p>
<p>Lot, Interior</p>	<p>A lot other than a corner lot or a double frontage lot.</p>
<p>Lot Line</p>	<p>The boundary of a lot separating it from adjoining public, common, or private land, including a public street.</p>  <p style="text-align: center;">Illustration of Setbacks and Lot Lines</p>
<p>Lot Line, Front</p>	<p>The lot line separating an interior lot from the street upon which it abuts; or the lot line of a corner lot upon which the building fronts.</p>
<p>Lot Line, Rear</p>	<p>A lot line parallel or within 45' of being parallel to, and most distant from, the front lot line.</p>
<p>Lot Line, Side</p>	<p>A lot line which is neither a front nor a rear lot line</p>
<p>Maintenance</p>	<p>Any normal upkeep or repair which does not require a building permit and does not constitute alteration as defined.</p>

Manufactured Home	Any nonself-propelled vehicle transportable in one or more sections which, in the traveling mode, is 8 body feet or more in width or 40 body feet or more in length, or, when erected on site, is 320 or more square feet, and which is built on a permanent chassis and designed to be used as a dwelling unit with or without a permanent foundation when connected to the required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein, which bears a label certifying that it is built in compliance with Federal Manufactured Housing Construction and Safety Standards.
Medical Facility	A place where sick or injured people are given care or treatment (as a hospital, urgent care center, clinic, or similar facility). See also Hospital.
Mixed Use Building	A building that contains both businesses and residential uses within the same structure.
Mixed Use Residential	A dwelling unit, designed in a way that is functionally integrated into the same building or development as other uses, such as office, institutional, or commercial.
Mobile Home	Any nonself-propelled vehicle so designed, constructed, reconstructed, or added to by means of accessories in such manner as will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other temporary foundation and used or so construed as to permit its being used as a conveyance upon the public streets and highways and exceeding a gross weight of four thousand five hundred (4,500) pounds and an overall length of thirty (30) feet, and not in compliance with the Federal Manufactured Housing Construction and Safety Standards Act of 1974.
Mobile Use, Food	A vehicle or cart used to prepare and/or serve food and/or beverages in individual portions in a ready-to-consume state. It does not include the sale of groceries or vegetables and fruits not prepared for immediate consumption at the vehicle.
Mobile Use, Medical	A vehicle used for the following: blood donations, immunization, medical evaluation, imaging, diagnostic or testing procedures. It does not include massage or any type of surgery.
Modular Home	Factory-built housing certified as meeting the local or State Building Code as applicable to modular housing. Once certified by the state, modular homes shall be subject to the same standards as site-built homes.
Museum	A building, place, or institution devoted to the acquisition, conservation, study, exhibition, and educational interpretation of objects having scientific, historical, or artistic value.
Nonconforming Building	A building existing lawfully prior to the time this zoning code, or an amendment thereto, became effective, but which does not comply with the area, height, or bulk of building, yard, or other requirements of the district in which it is located.

Nonconforming Sign	A permanent sign existing on any premises which was legal prior to the effective date of the applicable section or sections of this zoning code, but which does not comply with the provisions of this zoning code.
Nonconforming Use	The use of a building or land, existing lawfully prior to the time this zoning code, or an amendment thereto, became effective, but which does not comply with the use regulations, off-street parking requirements, loading requirements, performance standards, or other regulations of the district in which it is located.
Ohio Revised Code	The Ohio Revised Code (ORC) contains all current statutes of the Ohio General Assembly of a permanent and general nature, consolidated into provisions, titles, chapters and sections. It can be found online at http://codes.ohio.gov/orc/ .
Office	A building or portion of a building wherein services are performed involving predominately administrative, professional or clerical operations.
Office, Medical	Offices organized as a unified facility for licensed physicians, dentists, chiropractors, or other health care professionals providing diagnosis or care of sick or injured persons but are not provided with room and board and are not kept overnight on the premises. Medical services and medical clinics include medical and dental laboratories incidental to the medical office use.
Outdoor Dining	A porch, patio, deck or other area used for consumption of food and/or beverages by the public which is not completely enclosed within the exterior building walls, windows and doors of a limited restaurant, full service restaurant or a drinking establishment, and which may or may not have a solid roof cover.
Outdoor Sales	Any unenclosed area exhibiting sample goods, merchandise, or vehicles for rental, lease, or sale.
Outdoor Storage	The keeping, in an enclosed or unenclosed area, of any goods, junk materials, merchandise or vehicles in the same place for more than 24 hours.
Parcel	Any quantity of land and water capable of being described with such specificity that its location and boundaries may be established as distinct from other parcels which is designated by its owner or developer as land to be used or developed as a unit, or which has been used or developed as a unit.
Park, Private	A park or playground which is not owned by a public agency, and which is operated for the exclusive use of private residents or neighborhood groups and their guests and not for use by the general public.
Park, Public	Any land owned by the public and open for use by the general public for active or passive recreational purposes or as a refuge for wildlife.
Parking Drive	The driveway or access drive by which a car enters and departs a parking space.
Parking Garage	A structure built that may be above grade, below grade, or a combination thereof, that provides off-street parking for motorized vehicles.

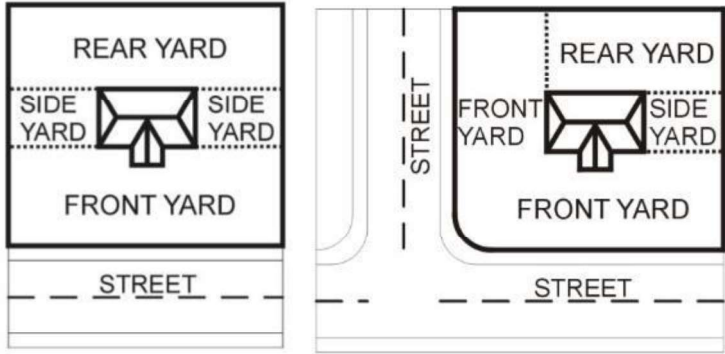
Parking Lot	An area of ground upon a lot that is used for the parking of vehicles.
Personal Service	An establishment primarily engaged in providing individual services generally related to personal needs, such as, but not limited to, barber shops, beauty shops, nail salons, day spas, travel agencies, and photographic studios.
Places of Worship	An institution that a congregation of people regularly attends to participate in or hold religious services, meetings and other activities, including buildings in which the religious services of any denomination are held.
Preservation	The process, including maintenance, of treating an existing building to arrest or slow future deterioration.
Recreation, Commercial	A public or private indoor or outdoor recreation facility operated as a commercial activity, including but not limited to batting cages, bowling alleys, dragstrips, raceways, golf driving ranges, archery ranges, shooting ranges, mechanical rides, miniature golf courses, golf courses, tennis clubs, arenas, amphitheaters, stadiums, health and fitness facilities, and swimming pools.
Rehabilitation	The act or process of returning a building, object, site, or structure to a state of utility through repair or remodeling.
Relocation	Any change in the position of a structure or object from one setting to another.
Residential Care Facility	See Assisted Living.
Restaurant	An establishment whose principal business is the selling of food and beverages to the customer in a ready-to-consume state, in individual servings.
Restoration	The act or process of accurately recovering the exterior form and details of a building, object, site, or structure, and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.
Retail Sales	An establishment engaged in the sales of goods, including, but not limited to: clothing and shoes, jewelry, luggage and leather goods, alcoholic beverage sales, furniture and home furnishings, electronic appliances, sporting goods and hobbies, books, periodicals and music, tobacco sales, department stores, flowers, office supply and stationery, gifts and novelties, pets, hardware, pawn shops, video stores and auto parts. The classification includes the retail sale of merchandise not specifically listed under another use classification.
School	A facility that provides a curriculum of elementary or secondary academic instruction, including kindergartens, elementary schools, junior high schools, high schools, and technical and collegiate level courses.

Self-Storage Facility	A building or group of buildings consisting of individual, self-contained units leased to individuals, organizations, or businesses for the storage of personal property.
Sign	A sign is any display, figure, drawing, painting, placard, poster or other device placed or designed to be visible from a public right-of-way or adjoining property which is designed, intended or used to convey a message, advertise, inform, or direct attention to a person, institution, organization, activity, place, object or product.
Sign, Abandoned	An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.
Sign, Awning	A sign attached to the soffit or fascia of a canopy, of a covered entrance or walkway, or to a permanent awning or marquee.
Sign, Directional	A sign indicating the direction to which attention is called for purposes of aiding vehicular or pedestrian traffic on the lot on which the sign is located.
Sign, Electronic	A sign which displays a text message or graphic image by illuminating a matrix of light emitting diodes (LED), or other similar technology, in a programmed pattern to illustrate text or a graphic image.
Sign Face	The area or display surface used for the message.
Sign, Gross Area	The entire area including all of the surfaces placed or designed to be visible from a public right-of-way, and measured as the area enclosed by the closest shaped rectangle which completely encloses the sign face, the sides of which make contact with the extreme point or edges of the sign, excluding the supporting structure if such structure does not form a part of the advertisement of the sign proper. The area of a sign composed of characters or words, if such characters or words stand-alone without framing or additional backdrop, which is attached directly to a large, uniform building wall surface, shall be the smallest rectangle which encloses the entire group of characters or words.
Sign, Height	The height of a ground sign shall be determined by measuring the vertical distance between the top parts of the sign to the elevation of the ground beneath the sign at the point of the sign located the closest to the public right-of-way and prior to construction, excluding any additional elevation added by the creating of berming or mounding.

Sign, Menu Board	Any signage pertaining to items, goods, or services offered by a drive-through business.
Sign, Monument	A sign supported by direct contact with the ground, a permanent base, or rests upon one or more posts or supports that are no more than four feet high.
Sign, Nameplate/ Identification	A sign indicating the name, address, or profession of the person or persons occupying a lot or building or any portions thereof.
Sign, Obscene	A sign which bears or contains statements, words, or pictures which are obscene under the prevailing state statutes or U.S. Supreme Court decisions.
Sign, Off-Premises	A permanent sign which directs attention to a business, commodity, or commercial or non-commercial service or entertainment which is not conducted, sold or offered upon the site where such sign is located or affixed.
Sign, Pole	A sign which is supported by a pole or poles.
Sign, Projecting	A sign, other than a wall sign, erected on the outside wall of a building and which projects out at an angle therefrom.
Sign, Roof	A sign erected or maintained in whole or in part upon, against, or directly above the roof or parapet line of a building.
Sign, Streamer	An attention-attracting device consisting of two or more pennants, banners, balloons, ribbons, reflectors, fringes or similar objects strung together on a common line, pole, or similar structure, or attached to one or more products offered for sale.
Sign, Temporary	A sign or searchlight of any type, including banners and pennants, and inflatable objects to announce special events or sales, to announce the sale, lease, or rental of property, and designed for use for a limited period of time.
Sign, Trailer or Mobile	A sign commonly attached to a trailer, or similar device, and mobile, with or without illumination.
Sign, Wall	A sign integral with the exterior face of an exterior wall of a building, or attached to the wall or parallel with the wall and projecting not more than 18 inches therefrom.
Sign, Window	A sign attached to, in contact with, placed upon or painted on the window or door of a building which is intended for viewing from the outside of such building. This does not include merchandise located in a window.
Site, Historic	Any significant historical, archeological, or architectural property without a principal structure, such as the location of a prehistoric or historic activity, or a significant event. A site may also include a property of significant landscape design.

Skilled Nursing Facility	A facility that offers short and long-term care for individuals who need rehabilitation services or who suffer from serious to persistent health issues. Certificates of need are issued by the State of Ohio for bed units. Skilled nursing facilities do not include facilities providing surgical or emergency medical services, substance abuse programs, or mental health facilities.
Small Cell Facility	Small cell facilities are between 20 and 35 feet in height, including distributed antenna systems (DAS) and small cell sites, communication nodes, antennas, fiber optic cables, radio transceivers, and any additional equipment associated with transmission, which are typically used to supplement the service of larger communication towers and reduce the need for additional larger communication towers.
Solar Farm	A utility-scale commercial facility that converts sunlight into electricity, whether by photovoltaics (PV), concentrating solar thermal devices (CST), or various experimental solar technologies, for the primary purpose of wholesale or retail sales of generated electricity.
Solar Panel	Panels installed on a building or on a lot to allow for the conversion of solar energy to electrical current.
Stacking Space	A space specifically designed and designated as a waiting area for vehicles patronizing a drive-through facility or service bay.
Story	The portion of a building, other than a basement as defined herein, included between the finished floor and the finished floor next above, or, if no floor above exists, the space between the floor and the ceiling next above.
Street, Public	A public way for purposes of vehicular travel, including the entire area within the rights-of-way.
Structure	A building, object, monument, work of art, or work of engineering permanently affixed to the land.
Swimming Pool	An open tank or structure either above or below ground designed to contain a depth of at least 24 inches of water at any point, including the lounging and spectator areas and any accessory buildings, structures or equipment. Detention or retention ponds shall not be considered a swimming pool.
Theater, Movie Theater, or Indoor Theater	A building in which movies are screened before a live audience, or in which dramatic performances are carried out.
Use	Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained, or occupied; or any activity conducted in a building, other structure or on the land.
Use, Accessory	A use located on the same zoning lot with the main building, other structure, or land, which is subordinate and related to that of the main building or main use.

Use, Conditional	A use which is permitted in a district only if a conditional use permit is therefore expressly authorized by the planning commission in accordance with this code.
Use, Principal	A use which is permitted as of right in a district for which a zoning certificate shall be issued by the Building Official, provided that the applicant meets the applicable requirements of this code.
Use, Temporary	A use permitted for a period of time as specified in section 155.130: Temporary Uses and Permits .
Vacate	To surrender possession or occupancy of a property
Variance	The administrative relief provided by the Board of Zoning Appeals from the strict terms of the relevant regulations.
Vehicle	Everything on wheels or runners, including motorized bicycles, but does not mean vehicles operated exclusively on rails or tracks or from overhead electric trolley wires and vehicles belonging to any police department, municipal fire department, or volunteer fire department or used by such department in the discharge of its functions.
Vehicle, Commercial	A vehicle which displays any commercial activity and which use is primarily for commercial purposes.
Vehicle, Recreational	A vehicular portable structure designed and constructed to be primarily used as a temporary dwelling for travel, recreational, and vacation uses including but not limited to motor homes, travel trailers, or truck campers.
Vehicle, Storage Yard	Fleet storage or other inactive vehicle storage which is not accessible to vehicular traffic of the general public.
Vehicle Washing Establishments	A building or enclosed area that provides facilities for washing and cleaning motor vehicles, which may use production line methods with a conveyor, blower, or other mechanical devices and/or which may employ hand labor.
Veterinarian Offices	See Animal Hospital.

Yard	<p>The portion of the open area on a lot extending between a building and the nearest lot line.</p>  <p style="text-align: center;">Typical yard locations on an interior lot and corner lot</p>
Yard, Front	<p>The yard extended from the front walls of the main building to the front lot line across the full width of the lot. For the purposes of these regulations, any yard abutting a street shall be considered a front yard.</p>
Yard, Rear	<p>The yard extending from the rear wall of the main building to the rear lot line across the full width of the lot.</p>
Yard, Side	<p>The yard extending between a side lot line and the nearest wall of the main building, and from the front yard to the rear yard; however, for a corner lot the side yard extends from the front yard to the rear lot line along the side street and shall be considered a second front yard for the purposes of these regulations.</p>