

**CHAPTER 1153**  
**GB - General Business District**

**1153.01** Purpose.

**1153.02** Permitted uses.

**1153.03** Conditional uses.

**1153.04** Development standards.

**CROSS REFERENCES**

Variances - see P. & Z. Ch. **1117**

Conditional uses - see P. & Z. Ch. **1119**

General development requirements - see P. & Z. Ch. **1167**

Signs - see P. & Z. Ch. **1169**

Landscaping - see P. & Z. Ch. **1173**

Accessory uses - see P. & Z. Ch. **1175**

**1153.01 PURPOSE.**

The purpose of the General Business District is to provide for the potential new commercial development of locations other than in the Village Center (VC) District. Such commercial development should be small in scale, have good street access, and provide for buffering where such uses are adjacent to residences. The GB District is not intended to be used in the existing downtown as a replacement for the Village Center District.

**1153.02 PERMITTED USES.**

- (a) Uses specified in Section **1147.02** (b) through (f) in the VC District.
- (b) Nursery schools and day care facilities.
- (c) Human medical and dental clinics.
- (d) Churches having not more than 400 seats in the main sanctuary.
- (e) Permitted uses with drive-through facilities.

(Ord. 2000-14. Passed 7-24-00.)

**1153.03 CONDITIONAL USES.**

- (a) Veterinary offices, not including outside boarding of animals.
- (b) Multiple-family residences, subject to the development standards of the AR District.
- (c) Similar commercial uses, as determined by the Planning and Zoning Board in accordance with the provisions of Section **1131.02** of this Ordinance.

(Ord. 2000-14. Passed 7-24-00.)

**1153.04 DEVELOPMENT STANDARDS.**

- (a) **Lot Area.** No minimum lot area is required; however, lot area shall be adequate to provide the required parking and yard areas.
- (b) **Lot Width.** No minimum lot width is required; however all lots shall abut an improved public street having a right-of-way of not less than fifty (50) feet. All lots shall have adequate width to provide for required parking and yard area.
- (c) **Front Yard Setback.** The front yard setback shall not be less than thirty (30) feet measured from the street right-of-way. The front yard shall not be used for parking.
- (d) **Side Yards.** For new principal structures, including service and loading areas, the required side yard shall be not less than one-fourth (1/4) the sum of the height and depth of the building; but in no case shall be less than fifteen (15) feet, unless adjacent to any district

where residences are a permitted use, wherein the side yard shall be no less than fifty (50) feet.

(e) Rear Yards. For new principal structures, the required rear yard shall be not less than one-fourth (1/4) the sum of the height and depth of the building; but in no case shall be less than twenty (20) feet, unless adjacent to any district where residences are a permitted use, wherein the rear yard shall be no less than fifty (50) feet.

(f) Additional Yard and Pedestrian Areas. Where new development in the GB District is located adjacent to a district where residences are a permitted use, the Planning and Zoning Board may require that at least five percent (5%) of the lot area, exclusive of parking areas and public rights-of-way, shall be devoted to landscaped yards or pedestrian space.

(g) Maximum Building Size. Individual uses within GB District shall have usable floor area of not more than 30,000 square feet . Individual buildings containing multiple uses within the GB District shall have a usable floor area of not more than 60,000 square feet. (Ord. 2000-14. Passed 7-24-00.)

(h) Lighting. Lighting fixtures within the GB District shall be so arranged, shielded and directed so as to not shine directly on any adjacent residential property.

(i) Development Plan. New GB uses constructed on land vacant at the time of the effective date of this Ordinance must submit a Development Plan. The Planning and Zoning Board shall review the Plan prior to the issuance of a zoning permit according to the criteria in Section **1131.02**(g) and may impose additional requirements as may be reasonable, and may require further materials from the Owner/Developer to ensure that the proposed development is in compliance with the submitted Development Plan, and any other requirements of this Ordinance.

(Ord. 2000-14. Passed 7-24-00.)

(j) Parking and Loading. Parking shall not be permitted in the front yard setback. Parking spaces shall be designed to allow a minimum of five (5) feet between any structure and any parked vehicle.

(k) Landscaping. The landscaping of all parking and service areas is encouraged in the GB District.

(l) Trash and Garbage Control. All trash and garbage shall be stored in container systems which are located and enclosed so as to effectively screen them from view. The disposal of trash and maintenance of the area shall be the responsibility of the owner of the property.

**CHAPTER 1147**  
**VC - Village Center District**

- 1147.01 Purpose.**  
**1147.02 Permitted uses.**  
**1147.03 Conditional uses.**  
**1147.04 Development standards.**

**CROSS REFERENCES**

- Variations - see P. & Z. Ch. [1117](#)  
 Conditional uses - see P. & Z. Ch. [1119](#)  
 General development requirements - see P. & Z. Ch. [1167](#)  
 Signs - see P. & Z. Ch. [1169](#)  
 Landscaping - see P. & Z. Ch. [1173](#)  
 Accessory uses - see P. & Z. Ch. [1175](#)

**1147.01 PURPOSE.**

The older downtown area of Ashville, possesses unique historic and environmental attributes. The purpose of the Village Center District is to provide for a wide range of uses, while maintaining the downtown's mixed use historic character and pedestrian orientation. A further purpose of the District is to promote and encourage the reuse of existing older structures.

**1147.02 PERMITTED USES.**

- (a) One-family detached dwellings.

(b) Administrative and business offices not carrying on retail trade with the public and having no stock of goods maintained for sale to customers consisting of:

- (1) Brokers and dealers in securities, investments and associated services.
- (2) Insurance agents and brokers and associates services.
- (3) Professional, legal, engineering and architectural services, not including the outside storage of equipment.
- (4) Accounting, auditing and other bookkeeping services.

(c) Retail stores primarily engaged in selling merchandise for personal or household consumption, and rendering incidental to the sale of these people.

- (1) Food and food products, consisting of grocery, meat, fish, fruit or vegetable markets or combinations thereof, dairy or bakery products, specialty food stores such as candy or confectionery, and miscellaneous food stores.
- (2) General merchandise, consisting of: limited price variety stores and other similar stores selling a variety of general merchandise.
- (3) Home furnishings, consisting of: furniture and equipment sales, radio, television, and music stores.
- (4) Building material retail stores, not having outside storage or material, consisting of: plumbing and electrical supplies, paint, wall paper, upholstery, and interior decorating stores, and hardware stores.

(5) Apparel, consisting of: clothing, furnishings, and accessory items for men, women and children, custom tailor shops and combined apparel sales and personal service operations, and miscellaneous apparel and accessory stores.

(6) Similar retail stores, including: drug stores, florists, gift and novelty stores, books and newspapers, camera, photographic and optical goods, jewelry, antique stores, specialty stores, and other stores which conform to the purpose and intent of the Village Center District.

(d) Personal Services, involving the care of the person and his/her personal effects, including consumer services generally involving the care and maintenance of tangible property or the provision of tangible services for personal consumption including:

(1) Restaurants, but not including restaurants with drive-through facilities.

(2) Banks, savings and loans, and credit agencies, but not including establishments with drive-through facilities.

(3) Barber and beauty shops.

(4) Dry-cleaning establishments.

(5) Funeral services.

(5) Radio, television, or small appliance repair.

(7) On-premises duplication facilities.

(e) Business Services engaged in the providing of services to business establishments on a fee or contract basis, consulting services, protective services, office equipment rental, lease or purchase, commercial research and development.

(f) Community facilities such as governmental offices, post office, police and fire stations, libraries, museums, private schools, and public parks and other similar uses including, but not limited to, those identified in this section.

(g) Hotels, bed and breakfast inns and other lodging places.

(h) Churches and places of public worship.

(i) Similar Uses, which conform to the purpose and intent of the Village Center District, as determined by the Planning and Zoning Board in accordance with the provisions of Section [1131.02](#) (e) of this Ordinance.

### **1147.03 CONDITIONAL USES.**

(a) Two or more family residences, provided the development standards of the AR District are met.

(b) Public parking areas, provided a twenty (20) feet front setback is maintained.

(c) Permitted Uses with drive-through facilities, provided a plan for the management of traffic on the site is submitted to and approved by the Planning and Zoning Board, and it is demonstrated to the Planning and Zoning Board that any adverse impacts on adjacent properties associated with the establishment of the drive-through facilities have been adequately addressed.

(Ord. 2000-14. Passed 7-24-00.)

**1147.04 DEVELOPMENT STANDARDS.**

- (a) Lot Area. No minimum lot area is required.
- (b) Lot Width. No minimum lot width is required.
- (c) Front Yard Setback. The minimum front yard setback shall be the average of existing commercial structures on the same side of the street and facing thereon within the same block. Where there are no adjacent commercial structures, the front yard setback shall be not less than fifteen (15) feet measured from the street right-of-way.
- (d) Side and Rear Yards. No minimum side or rear yard shall be required, provided that the parking requirements of Chapter [1169](#) are met.
- (e) Parking and Loading. All parking and loading areas in the VC District shall be located in the side or rear yards.
- (f) Maximum Building Size. Individual uses within the VC District shall have a usable floor area of not more than 7,500 square feet, unless the use is located in an existing building, in which case such restriction shall not apply.
- (g) Residential Building Conversion. Existing single-family residences within the VC District may be converted to another permitted use, provided the following requirements are followed:
- (1) Appearance. Structures shall maintain the appearance of a single-family residence and be compatible with surrounding residences, in size and scale.
  - (2) Lighting. Lighting shall be limited to those types customarily found in residential neighborhoods. Any lights shall be arranged so as not to shine on adjacent properties.
  - (3) Signage. Exterior signage shall be limited to a single nameplate not more than two (2) square feet in size. No signs shall be internally illuminated.
  - (4) Storage. Storage of materials and equipment shall be within an enclosed building.
  - (5) Parking. All parking shall be located in the rear yard.
  - (6) Hours. Permitted uses shall be conducted principally in daylight hours.
- (h) Signage. Separate signage requirements shall be applicable in the VC District, pursuant to Chapter [1171](#) of this Ordinance.
- (i) Trash and Refuse Control. All trash and refuse shall be stored in container systems and enclosed so as to effectively screen them from view. The disposal of trash and refuse, and maintenance of the storage area, shall be the responsibility of the owner of the property.

**CHAPTER 1131**  
**Standard Zoning District Regulations**

**1131.01 Regulation of the use and development of land or structures.**

**1131.02 Rules of application.**

CROSS REFERENCES

General development requirements - see P. & Z. Ch. **1167**

**1131.01 REGULATION OF THE USE AND DEVELOPMENT OF  
LAND OR STRUCTURES.**

Regulations pertaining to the use of land and/or structures, and the physical development thereof within each of the zoning districts as established in Chapter 1133, are hereby established and adopted.

**1131.02 RULES OF APPLICATION.**

(a) Identification of Uses. Listed uses are to be defined by their customary name or identification, except as specifically defined or limited in this Ordinance.

(b) Permitted Uses.

(1) Only a use designated as permitted shall be allowed as a matter of right in any zoning district, and any use not so designated shall be prohibited unless:

A. A permitted use may be added to a zoning district by formal amendment, in conformance with Chapter **1111** of this Ordinance.

B. An unlisted use may be determined by the Planning and Zoning Board to be a similar use, in accordance with subsection (e) hereof.

(2) No more than one (1) permitted use shall exist on any one zoning lot.

(c) Accessory Uses. An accessory use or structure is a subordinate use or structure clearly incidental and secondary to the principal permitted building or use, and located on the same lot with such principal building or use. Accessory uses or structures shall be allowed in accordance with the specific district regulations, and the requirements of Chapter **1175** of this Ordinance.

(d) Conditional Uses. A use designated as a conditional use shall be allowed in the zoning district where the designation occurs, when such use, its location, extent and method of development will not substantially alter the character of the vicinity, or unduly interfere with or adversely impact the use of adjacent lots. To this end, the Planning and Zoning Board shall, in addition to the development standards for the specific district, set forth additional requirements as will render the conditional use compatible with existing and future use of adjacent lots in the vicinity, in accordance with Chapter **1119** of this Ordinance.

(e) Similar Uses. Determination as to whether a use is similar to uses permitted by right shall be considered as an expansion of use regulations of the district and not as a variance applying to a particular situation. Any use found similar shall thereafter be considered as a permitted use in that district.

Applications for zoning permits for uses not specifically listed in the permitted building or use classifications of the zoning district, which the applicant feels qualify as a similar use under the provisions of this Section, shall be submitted to the Planning and Zoning Board.

Within thirty (30) days after such submittal, the Planning and Zoning Board shall determine whether the requested use is similar to those uses permitted in the specific district.

In order to find that a use is similar, the Planning and Zoning Board shall find that all of the following conditions exist:

(1) Such use is not listed as a permitted or conditional use in another zoning district.

(2) Such use conforms to basic characteristics of the classification to which it is to be added and is more appropriate to it than to any other classification.

(3) Such use creates no danger to health and safety, creates no offensive noise, vibration, dust, heat, smoke, odor, glare, or other objectionable influences, and does not create traffic congestion to an extent greater than that normally resulting from uses listed in the classification to which it is to be added.

(f) Development Standards. Development standards set forth shall be the minimum allowed for uses permitted in that district. If development standards are in conflict with requirements of any other lawfully adopted rule, regulation, or law, the most restrictive standard shall govern.

(g) Development Plan. For particular uses in specific districts, a Development Plan will be cited as required. In such cases, the Development Plan shall be submitted by the applicant at the time of the application for a zoning permit, or at such time when the property is rezoned into that district. The Development Plan shall contain a site plan for the property, drawn to approximate scale, showing all property lines, existing buildings, access drives, parking areas, and other notable physical features. The Development Plan shall also show the location, outlines and size of all proposed structures including the design of all improvements including drainage, private streets, water and sanitary sewer lines, as well as the size, design, materials and location of all signage proposed for the development. The Development Plan shall also contain a narrative description of the proposed use, and an evaluation of how such use may impact adjacent property.

The Owner/Developer shall provide evidence in the Development Plan that all storm drainage in the development shall be addressed in conformance with the “Stormwater Design Manual” (Mid-Ohio Regional Planning Commission; June, 1977) as may be subsequently amended.

The Development Plan shall be reviewed by the Planning and Zoning Board and must be approved as a condition for the issuance of a zoning permit. In reviewing such Plan, the Planning and Zoning Board may seek the timely input from the Village Engineer, or other specific consultants as may be appropriate in the specific case. In approving a Development Plan, the Planning and Zoning Board shall find that the following criteria have been met:

(1) The proposed building or use shall have sufficient yard space to provide for adequate parking and screening of adjacent residential areas as may be required in this Ordinance.

(2) The proposed use and structures, as proposed, can be adequately and efficiently served by public streets and utilities.

(3) The location, design and operation of the proposed use shall not impose undue adverse impacts on surrounding residential neighborhoods, and/or the Development Plan for the proposed facility has incorporated measures to lessen and/or alleviate such adverse impacts and protect the character of such adjacent residential areas. (Ord. 2000-14. Passed 7-24-00.)

(h) Essential Services. Essential Services, as defined and specified in Chapter [1107](#) of this Ordinance, shall be permitted in any and all zoning districts within the Municipality.