

CHAPTER 5: ZONING DISTRICTS

5.01 Purpose

In order to classify, regulate and restrict the location of trades, industries, residences, recreation and other land uses and the location of buildings designed for the specified uses: to regulate and limit the height, number of stories and size of buildings and other structures hereafter erected or altered; setback building lines, sizes of yards and other open spaces within and ~~S~~urrounding such buildings, the density of population; the Village of Maineville, Warren County, Ohio is hereby divided into the following districts or “zones”. All such regulations are uniform for each class, kind of building, structure, or uses throughout each district, except in Overlay districts.

5.02 Comprehensive Plan

~~All districts must comply with the Village of Maineville Comprehensive Plan.~~ Future amendments, including the addition, removal, or modification of zoning districts or standards pertaining thereto, should be based on the policy recommendations of the Village of Maineville Comprehensive Plan.

5.03 Establishment of Zoning Districts

The Zoning Districts listed on Table 5.1 are hereby established within the Village of Maineville.

TABLE 5.1: MAINEVILLE ZONING DISTRICTS		
Chapter	District Designation	District Name
RESIDENTIAL DISTRICTS		
6	R-1	Single Family Residential
7	R-2	Single and Two Family Residential
8	R-3	Multi-Family Residential
9	RR	Rural Residential
BUSINESS DISTRICTS		
10	NB	Neighborhood Business
11	M-1	Light Industry
MIXED USE / HYBRID DISTRICTS		
12	B-2 DC	Downtown Core
13	B-1 DS	Downtown Support
OVERLAY DISTRICTS		
14	PUD	Planned Unit Development Overlay
15	CDO	Conservation Design Overlay
16	FPO	Flood Plain Overlay

5.04 Adoption of Zoning Map

The boundaries of the Zoning Districts enumerated in Table 5.1 are hereby established as shown on the Official Zoning Map of the incorporated area of Maineville, Ohio, said map inclusive of all notations, references, and other information shown thereon being a part of this Ordinance and duly filed in the office of the Zoning Inspector. ~~on the Zoning Map marked and designated "Zoning Map, Village of Maineville, Ohio." The Zoning Map with all notations, references, and other information shown thereon shall be, and is hereby declared to be a part of this Ordinance as if fully described herein.~~ In accordance with the provisions of this Ordinance and the Ohio Revised Code, as amended, changes made in district boundaries and other matters portrayed on the Official Zoning Map shall be entered on the Zoning Map promptly after the amendment has been approved in the manner provided by this Ordinance and applicable law. No changes of any nature shall be made to the Official Zoning Map except in conformity with the procedures set forth in this Ordinance. Regardless of the existence of copies of the zoning map ~~Zoning Map~~ which may from time to time be made or published, the Official Zoning Map shall be located in

the office of the Village Administrator and shall be the final authority with regard to the current zoning status of all land and water areas, buildings, and other structures in the Village.

5.05 Interpretation of Boundaries

Where there is any uncertainty, contradiction, or conflict concerning the intended location of zoning district boundaries, the Commission shall interpret the exact location of zoning district boundary lines in accordance with the following standards:

- (A) Boundaries indicated as approximately following the center lines of streets, roads, railroad rights-of-way, or alleys shall be construed to follow such center lines.
- (B) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines.
- (C) Boundaries indicated as approximately following Village limits shall be construed as following such limits.
- (D) Boundaries indicated as approximately following the center lines of streams, rivers, or other bodies of water shall be construed to follow such center lines.
- (E) Boundaries indicated as parallel to or as extension of the features cited in Subsections 1 through 4 above shall be construed as being parallel to or an extension of the features cited. Distances not specified on the Official Zoning Map shall be determined using the scale on the map.
- (F) All streets, alleys, and railroad rights-of-way, unless specified otherwise, shall be deemed to be in the same district as the property immediately abutting upon such street, alley or railroad right-to-way. Where the centerline of a street or alley serves as a district boundary, the zoning of such street or alley, unless specified otherwise, shall be deemed to be the same as that of the abutting property up to such centerline.
- (G) The Zoning Inspector shall determine the location of any district line in question. Should the Zoning Inspector's determination not satisfy the enquirer, the exact location of the district boundary lines shall be determined by the Board of Zoning Appeals, ~~according to rules and regulations which may be adopted by it.~~

5.06 Existing Structures

- ~~(A) —~~ When a tract contains existing structures deemed to be of historic, cultural or architectural significance, and where these structures are suitable for rehabilitation, the structures ~~should~~ shall be retained. Any determination of historical, cultural or architectural significance ~~may~~ will be made by the Village Council prior to plan submission.
- ~~(B) —~~ ~~Adaptive reuse of existing structures for residential use or permitted accessory residential uses shall be permitted.~~

5.07 Temporary Buildings and Signs

Temporary buildings and signs incidental to construction and pre-approved by the Zoning Inspector ~~that~~ shall be removed upon the completion or abandonment of the construction work.

5.08 Wastewater

- (A) In all districts except “RR” ([Rural Residential](#)), a building or lot shall be connected to a central sewage system.
- (B) In the “RR” ([Rural Residential](#)) district, a building or lot [not connected to a central sewage system](#) shall be connected to a ~~non-sewered~~ private septic system approved by the Warren County Combined Health District and/or Ohio Environmental Protection Agency

5.09 Required Trash Areas

All commercial, industrial, and multi-family residential use that provide an area for trash and/or garbage collection (i.e., dumpster) must enclose that collection area on four (4) sides with a solid fence or wall. Said enclosure must have a gate or door with a lockable latch and must be at least eighteen (18) inches above the highest part of any container housed therein.

5.10 Fire Safety

The following requirements shall apply to all government and public institutions, commercial and/or industrial buildings and multifamily dwellings that contain a security door. Any deviation of the following requirements can only be approved by the Fire Chief of the Hamilton Township Fire Department.

(A) Knox Box Required:

- (1) **Access:** Where access to or within a structure or an area is restricted because of secure openings or where immediate access is necessary for life saving or firefighting purposes, the fire code official is authorized to require a key box to be installed in an approved location. The key box shall be of a [design found appropriate by the fire department](#) ~~n-approved~~ and shall contain keys to gain necessary access as required by the fire code official.
- (2) **Locks:** An approved lock shall be installed on gates or similar barriers when required by the fire code official.
- (3) **Key box maintenance.** The operator of the building shall immediately notify the fire code official and provide the new key when a lock is changed or rekeyed. The key to such lock shall be secured in the key box.

(B) **Sprinkler System:** On all structures five thousand (5,000) square foot or greater, a fire sprinkler system is required.

(C) **Sprinkler Connections:** All fire department connections shall be located forty (40) feet from the structure.

(D) **Fire Hydrant:** A fire hydrant must be located within [forty \(40\)](#) feet of the fire department sprinkler connection.

- (E) **Fire Lanes:** The Fire Chief may require and designate fire lanes on public property and on private property for the efficient and effective use of fire and other emergency apparatus. Fire lanes may be required by the Fire Chief to extend on any or all sides of the building perimeter.

~~(F) **Landscaping:** See Chapter 29.05, Landscaping and Screening.~~

5.11 Premises Identification

- (A) **Address Numbers.** New and existing buildings shall have approved address numbers, building numbers, or approved building identification numbers placed in a position that is plainly legible and visible from the street or road fronting of the property. These numbers shall contrast with their background. Numbers shall be a minimum of four (4) inches (102 mm) high.
- (B) **Street and Road signs.** Streets and road shall be identified with approved signs. Temporary signs shall be installed at each intersection when construction of new roadways allows passage of vehicles. Signs shall be of an approved size weather resistant and maintained until replaced by permanent signs.

5.12 Fire Hydrants

- (A) **Obstruction.** Post, fences, vehicles, growth, trash, storage, and other materials or objects shall not be placed or kept near fire hydrants, fire department inlet connections or fire protection system control valves in a manner that would prevent such equipment or fire hydrants from being immediately ~~discernable~~discernible. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.
- (B) **Clear space around hydrants.** A three (3) foot (914 mm) clear space shall be maintained around the circumference of fire hydrants except as otherwise required or approved.

5.13 Junk, Junk Vehicles, and Other Salvageable Items Restrictions

- (A) No person or entity shall accumulate, collect, deposit, dump, dispose, maintain, or store, or allow the same on any property under the person or entity's control or responsibility, any junk, junk vehicle, or other types of salvageable solid waste, or construction/demolition debris, outside of an enclosed structure, except in the zoning district where expressly permitted.
- (B) Processed firewood for a property owner's personal use is not junk. Raw materials that have not been processed into firewood (cut, split, and/or stacked for use as a heating source on-site), including but not limited to, pallets, untreated dimensional lumber, and other wood products that have not been painted, stained, chemically treated or coated, is not firewood and may constitute junk subject to this Section.
- (C) Violation of this section shall be subject to prosecution in a court of competent jurisdiction, unless one (1) or more person or entity which is responsible for the violation permanently removes or causes permanent removal of the violating items within seven (7) days after receipt of notice of violation to another property or use

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[location, whereon such items are permitted to be located outdoors for the purpose of a junkyard business, or are otherwise placed within an enclosed structure.](#)

5.143 Allowed Uses

Tables 5.2 and 5.3 list the uses allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Tables 5.2 and 5.3:-

- (A) **Permitted Uses (P):** A “P” in a cell indicates that a building or use is permitted by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this ordinance, ~~including the use-specific standards set forth in Chapter 27, Other Use-Specific Regulations.~~
- (B) **Conditional Uses (C):** A “C” in a cell indicates that, in the respective zoning district, a building or use is permitted if reviewed and approved as a conditional use pursuant to Chapter 26-02-E ([Board of Zoning Appeals Conditional Use](#)). Conditional Uses are subject to all other applicable regulations of this ordinance, ~~including the use-specific standards set forth in Chapter 27, Other Use-Specific Regulations.~~
- (C) **Prohibited Uses (Shaded Cells):** A shaded cell indicates that the listed building or use is prohibited in that respective zoning district.
- (D) **Zoning Permit Required:** Any use listed in Tables 5.2 and 5.3 require the issuance of a Zoning Permit.

TABLE 5.2: PERMITTED USES IN RESIDENTIAL DISTRICTS							
Use	Zoning District						Additional Regulations
	R-1	R-2	R-3	RR	B-2DC	B-1DS	
AGRICULTURAL USES							
Raising of Crops	P	P	P	P	P	P	
Raising of Livestock				P			
Marijuana Cultivation							
Marijuana Processing							
RESIDENTIAL USES							
Multi-Family			P		<u>P</u>	P	
Two Family		P	P		<u>P</u>	P	Sec. 24.04(A)
Single Family	P	P	P	P	P*	P*	Sec. 24.04(A)
Manufactured Home Park							
Nursing Homes and Assisted Living Facilities			<u>C</u>	<u>C</u>		<u>C</u>	Sec. 24.01(E)

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COMMERCIAL / OFFICE USES							
Banks					P		
Bars					P		
Bed and Breakfast					P	P	
Day Care / Nursery School						P	
Executive / Professional Offices					P	P	
Funeral Homes						P	
Garden Store				P	P		
Marijuana Dispensary							
Medical / Professional Offices					P	P	
Retail Sales					P	P	
Places of Worship	C	C	C	P	P	P	
Restaurants					P		
Taverns					P		
PUBLIC AND INSTITUTIONAL USES							
Cemeteries				P			
Community Center	P			P	P		
Fire / Police Station	P			P	P	P	
Government Offices	P			P	P	P	

TABLE 5.2: PERMITTED USES IN RESIDENTIAL DISTRICTS (CONT.)							
Use	Zoning District						Additional Regulations
	R-1	R-2	R-3	RR	B-2DC	B-1DS	
PUBLIC AND INSTITUTIONAL USES							
Natural and wildlife sanctuaries				P			
Private Schools				P			
Public Schools	P			P			
Public Parks / Playground	P			P	P	p*	

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Telecommunications Facility (New Facility/Tower)				<u>C</u>			Sec. 24.03(A)
Telecommunications Facility (Existing Tower Modification)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Sec. 24.03(B)
Telecommunications Facility (Micro Wireless Facility)	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Sec. 24.03(C)

TABLE 5.3: PERMITTED USES IN BUSINESS / INDUSTRIAL DISTRICTS

Use	Zoning District				Additional Regulations
	NB	M-1	B-2 <u>DC</u>	B-1 <u>DS</u>	
RESIDENTIAL USES					
Multi Family Dwelling			<u>P</u>	<u>P</u>	
Two Family Dwelling			<u>P</u>	<u>P</u>	Sec. 24.04(A)
Single Family Dwelling	<u>P*</u>		<u>P*</u>	<u>P*</u>	Sec. 24.04(A)
COMMERCIAL / OFFICE USES					
Adult Entertainment	<u>P</u>				See Chapter 24 Sec. 24.01(A)
Automotive Service / Sales / Rental Repair (Indoor)	<u>P</u>				See Chapters 10 and 24 Sec. 24.01(B)
Automobile Storage	<u>P</u>				
Automobile Gas Stations	<u>P</u>				
Banks	<u>P</u>		<u>P</u>		
Baseball Fields	<u>P</u>				
Bed and Breakfast	<u>P</u>		<u>P</u>	<u>P</u>	See Chapter 24 Sec. 24.01(C)
Bowling Alleys / Skating Rinks	<u>P</u>				
Commercial Swimming Pool	<u>P</u>				
Convenience Stores	<u>P</u>		<u>P*</u>		

TABLE 5.3: PERMITTED USES IN BUSINESS / INDUSTRIAL DISTRICTS (CONT.)

Use	Zoning District	Additional
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	NB	M-1	B-2DC	B-1DS	Regulations
COMMERCIAL / OFFICE USES					
Day Care / Nursery School	P			P	
Drive Thru Facilities	P				See Chapter 24 Sec. 24.01(D)
Executive / Professional Offices	P		P	P	
Funeral Homes	P		P		
Garden Store	P				
Golf Driving Range / Mini Golf	P				
Hotel / Motel	P				
Junkyard					
Medical / Professional Offices	P		P	P	
Places of Worship			P	P	
Pool Hall	P				
Personal Service Establishments	P		P	P	
Public and Institutional Uses			P	P	
Restaurants / Bars / Taverns	P		P		
Retail Sales	P		P	P	
Sexually Oriented Businesses	P				See Chapter 31
Theaters	P				
Veterinary Services	P				
Wholesale Commercial Uses	P				
INDUSTRIAL USES					
Heavy Industrial Uses		P			
Industrial Vehicle and Equipment Sales or Service	C	P			
Light Industrial Uses		P			
Self-Storage Units		P			See Chapter 24 Sec. 24.02(A)
Telecommunications Facility (New Facility/Tower) Towers	C	C			See Chapter 24 Sec. 24.03(A)
Telecommunications Facility (Existing Tower Modification)	P	P	P	P	Sec. 24.03(B)
Telecommunications Facility (Micro Wireless Facility)	P	P	P	P	Sec. 24.03(C)

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Warehouses		P			
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