

**306.2 Public and Private Utilities.** The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business or the use of land for essential services as herein defined shall be permitted in all districts established by this Ordinance and no Zoning Certificate shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.

---

## ARTICLE 4. USE REGULATIONS

---

### Section 400. Use Regulations

**400.1 Permitted Uses:** Permitted uses are permitted in districts as listed in Article 4 with a Zoning Certificate issued by the Zoning Inspector.

**400.2 Conditional Use:** A conditional use is subject to approval by the Planning Commission prior to the issuance of a Zoning Certificate, in accordance with Article 13 of this Ordinance.

**400.3 Interpretation of Similar Uses:** Upon application for a Zoning Certificate for a use that is not specifically permitted in a district, or upon its own initiation, the Planning Commission may make additions or clarifications based on the following standards:

- (a) **Use is Appropriate to the District.** Such a use is appropriate to and conforms closely to the purpose and basic characteristics of the district to which it is added;
- (b) **Use Creates No Danger.** Such a use does not create dangers to health and safety, and does not create objectionable influences to an extent greater than other uses permitted in the district to which the use is to be added.
- (c) **Use Does Not Generate Excessive Traffic.** Such a use does not generate traffic to an extent greater than other uses permitted in the district to which the use is to be added.

### Section 401. Permitted and Conditionally Permitted Uses by District

The interpretation of uses given in categorical terms shall be defined in Article 3. Uses not specifically listed or interpreted to be included categorically under this Article shall not be permitted except by amendment to the Ordinance.

**401.1 "S-1" Special Conservation District.** The purpose of this district is to provide large areas for recreation and conservation purposes, and to limit development in areas subject to periodic flooding.

| "S-1"<br>Permitted Uses   | Conditional Uses Requiring Approval<br>by Planning Commission                                   |
|---|---|
| Accessory Use<br>Agriculture<br>Essential Service<br>Forestry<br>Park<br>Plant Cultivation<br>Recreation Facility | Campground<br>Cemetery<br>Mineral Extraction, Storage and Processing<br>Public Service Facility |

# RECORD OF ORDINANCES

0021

Dayton Legal Blank Co.

Form No. 30043

Ordinance No. 577

Passed September 28, 2000  
YEAR

*Ord. 322 - First Reading 8/24/00  
Second Reading 9/28/00*

## ORDINANCE NO. 577

AN ORDINANCE AMENDING SECTIONS 401.3 "SUBURBAN RESIDENTIAL DISTRICT" AND 401.4 "LOW DENSITY RESIDENTIAL DISTRICT" OF ORDINANCE NO. 559, THE ZONING ORDINANCE FOR THE VILLAGE OF TUSCARAWAS, TUSCARAWAS COUNTY, OHIO

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Tuscarawas, Ohio as follows:

Section 1: That Section 401.3 "Suburban Residential District", and Section 401.4 "Density Residential District" of the zoning ordinance of Tuscarawas, Ohio be amended and hereby is enacted to read as follows:

**401.3 "R-1" Suburban Residential District.** The purpose of this district is to provide areas for low density residential development with larger yards, which may or may not have group water and sewage facilities, and compatible uses which attract limited traffic and activity.

| "R-1"<br>Permitted Uses            | Conditional Uses Requiring Approval<br>by Planning Commission |
|------------------------------------|---|
| Accessory Use                      | Bed and Breakfast Inn   |
| Essential Service                  | Cemetery  |
| Hobby Vehicle and Machinery Repair | Church, Place of Worship                                      |
| Limited Home Occupation            | Expanded Home Occupation                                      |
| Plant Cultivation                  | Oil and Gas Extraction  |
| Single-Family Dwelling             | Park  |
| Homemade Sales                     | Public Service Facility                                       |
|                                    | Recreation Facility   |
|                                    | School  |
|                                    | Two-Family Dwelling   |

Note: Hobby Vehicle and Machinery Repair and Homemade Sales are permitted as an accessory use only. See Article 3, Article 7.

**401.4 "R-2" Low Density Residential District.** The purpose of this district is to provide areas for medium density residential development which is served by group water and sewage facilities, residential institutions, and compatible uses which attract limited traffic and activity.

| "R-2"<br>Permitted Uses | Conditional Uses Requiring Approval<br>by Planning Commission |
|-------------------------|---|
| Accessory Use           | Bed and Breakfast Inn   |
| Essential Service       | Cultural Facility   |
| Limited Home Occupation | Multiple-Family Dwelling                                      |
| Plant Cultivation       | Professional Office   |
| Single-Family Dwelling  | Recreation Facility   |
| Two-Family Dwelling     | Nursing Home  |
| Homemade Sales          | Oil and Gas Extraction  |
|                         | Park  |
|                         | Public Service Facility                                       |
|                         | School  |

**401.2 "A-1" Agriculture District.** The purpose of this district is to provide areas which are best reserved for outdoor uses, such as agriculture, forestry, mineral extraction and other similar purposes.

| "A-1"<br>Permitted Uses   | Conditional Uses Requiring Approval<br>by Planning Commission  |
|---|--|
| Accessory Use<br>Agriculture<br>Essential Service<br>Forestry<br>Hobby Vehicle and Machinery Repair<br>Homemade Sales<br>Limited Home Occupation<br>Park<br>Plant Cultivation<br>Single-family Dwelling | Bed and Breakfast Inn<br>Campground<br>Cemetery<br>Church, Place of Worship<br>Cultural Facility<br>Expanded Home Occupation<br>Mineral Extraction, Storage and Processing<br>Oil and Gas Extraction<br>Recreation Facility<br>School<br>Specialized Animal Raising and Care |

Note: Hobby Vehicle and Machinery Repair and Homemade Sales are permitted as accessory uses only. See Article 3, Article 7.

**401.3 "R-1" Suburban Residential District.** The purpose of this district is to provide areas for low density residential development with larger yards, which may or may not have group water and sewerage facilities, and compatible uses which attract limited traffic and activity.

| "R-1"<br>Permitted Uses  | Conditional Uses Requiring Approval<br>by Planning Commission  |
|--|--|
| Accessory Use<br>Essential Service<br>Hobby Vehicle and Machinery Repair<br>Limited Home Occupation<br>Plant Cultivation<br>Single-family Dwelling<br><i>see previous page</i> | Bed and Breakfast Inn<br>Cemetery<br>Church, Place of Worship<br>Expanded Home Occupation<br>Oil and Gas Extraction<br>Park<br>Public Service Facility<br>Recreation Facility<br>School<br>Two-family Dwelling |

Note: Hobby Vehicle and Machinery Repair and Homemade Sales are permitted as an accessory use only. See Article 3, Article 7.

**401.4 "R-2" Low Density Residential District.** The purpose of this district is to provide areas for medium density residential development which is served by group water and sewerage facilities, residential institutions, and compatible uses which attract limited traffic and activity.

| "R-2"<br>Permitted Uses  | Conditional Uses Requiring Approval<br>by Planning Commission   |
|--|---|
| Accessory Use<br>Essential Service<br>Limited Home Occupation<br>Plant Cultivation<br>Single-family Dwelling<br>Two-family Dwelling<br><i>see previous page.</i> | Bed and Breakfast Inn<br>Cultural Facility<br>Multiple-family Dwelling<br>Professional Office<br>Recreation Facility<br>Nursing Home<br>Oil and Gas Extraction<br>Park<br>Public Service Facility<br>School |

**401.5 "R-3" Moderate Density Residential District.** The purpose of this district is to provide areas for relatively higher density residential development, including multiple dwellings, which are served by group water and sewerage facilities, residential institutions, and some nonresidential activities which are convenient to locate near residential areas.

| "R-3"<br>Permitted Uses  | Conditional Uses Requiring Approval<br>by Planning Commission   |
|--|---|
| Accessory Use<br>Essential Service<br>Limited Home Occupation<br>Multiple-family Dwelling<br>Single-family Dwelling<br>Two-family Dwelling | Boarding or Rooming House<br>Church, Place of Worship<br>Cultural Facility<br>Nursing Home<br>Residential Design Manufactured Home (RDMH)<br>Subdivision<br>Park<br>Public Service Facility<br>School |

Note: RDMH Subdivisions do not include 'Manufactured Home Parks' as defined in the Ohio Revised Code. For information about requirements and permits for Manufactured Home Parks, contact the Tuscarawas County General Health Department.)

**401.6 "R-4" High Density Residential District.** The purpose of this district is to provide areas for highest density residential development and residential institutions served by group water and sewerage facilities, and some nonresidential activities which are convenient to locate in residential areas.

| "R-4"<br>Permitted Uses  | Conditional Uses Requiring Approval<br>by Planning Commission  |
|--|--|
| Accessory Use<br>Essential Service<br>Limited Home Occupation<br>Multiple-family Dwelling<br>Single-family Dwelling<br>Two-family Dwelling | Boarding or Rooming House<br>Child Care Facility<br>Church, Place of Worship<br>Cultural Facility<br>Nursing Home<br>Park<br>Public Service Facility<br>Residential Design Manufactured Housing (RDMH)<br>Subdivision<br>School<br>Standard Design Manufactured Housing (SDMH)<br>Mobile Home Park |

Note: RDMH Subdivisions and SDMH Mobile Home Parks do not include 'Manufactured Home Parks' as defined in the Ohio Revised Code. For information about requirements and permits for Manufactured Home Parks, contact the Tuscarawas County General Health Department.)

**401.7 "B-1" Local Business District.** The purpose of this district is to provide areas for small retail and service establishments in residential districts, where traffic related to businesses will not create undue conflicts with other traffic.

| B-1<br>Permitted Uses  | Conditional Uses Requiring Approval<br>by Planning Commission |
|--|---|
| Accessory Use<br>Assembly Hall<br>Church, Place of Worship<br>Clinic<br>Cultural Facility<br>Essential Services<br>Park<br>Personal Service<br>Professional Office<br>Public and Community Office<br>Restaurant<br>Retail Business<br>School<br>Seasonal Sales | Gasoline Service Station<br>Public Service Facility           |

Note: See Article 5 for floor area standards.

Note: Seasonal Sales require approval by the Zoning Inspector. See Section 1106.

**401.8 "B-2" General and Major Street Business District:** The purpose of this district is to provide areas for sales and services along major streets with relatively high volumes of traffic.

| B-2<br>General and Major Street Business   | Conditional Uses Requiring Approval<br>by Planning Commission  |
|--|--|
| Accessory Use<br>Assembly Hall<br>Automobile, Recreational Vehicle, Trailer Sales<br>Automotive Repair<br>Business Service<br>Church, Place of Worship<br>Clinic<br>Essential Service<br>Farm Implement Sales and Service<br>Hospital<br>Gasoline Service Station<br>Motel or Hotel<br>Personal Service<br>Professional Office<br>Public Service Facility<br>Restaurant<br>Retail Business<br>Seasonal Sales<br>Tavern | Animal Hospital<br>Clinic<br>Drive-in Use<br>Drive-through Use<br>Mortuary or Funeral Home<br>Outdoor Sales<br>Outdoor Storage<br>Recreation Facility<br>Transport and Trucking Terminal<br>Truck Stop<br>Wholesale Business |

Note: Seasonal Sales require approval by the Zoning Inspector. See Section 1106.

**401.9 "B-3" Central Business District:** The purpose of this district is to maintain compact areas where pedestrian circulation is encouraged, and for retail and service establishments at the traditional commercial core of the Village.

| B-3<br>Central Business   | Conditional Uses Requiring Approval<br>by Planning Commission  |
|---|--|
| Accessory Use<br>Assembly Hall<br>Business Service<br>Church, Place of Worship<br>Clinic<br>Cultural Facility<br>Essential Service<br>Hospital<br>Motel or Hotel<br>Restaurant<br>Tavern<br>Park<br>Personal Service<br>Professional Office<br>Public and Community Office<br>Retail Business<br>School<br>Seasonal Sales | Drive-in Use<br>Drive-through Use<br>Entertainment Facility<br>Gasoline Service Station<br>Public Service Facility |

Note: Seasonal Sales require approval by the Zoning Inspector. See Section 1106.

**401.10 "M-1" Restricted Industrial and Manufacturing District:** The purpose of this district is to provide areas for manufacturing, industrial, and related uses which do not create traffic, noise, dust, odor, light or similar impacts which may be disruptive to neighbors, and where there is access to streets.

| M-1<br>Permitted Uses   | Conditional Uses Requiring Approval<br>by Planning Commission   |
|---|---|
| Accessory Use<br>Essential Service<br>Food Processing<br>Professional Office<br>Public Service Facility<br>Research and Testing Facility<br>Restaurant<br>Restricted Manufacturing<br>Storage Unit<br>Warehouse<br>Wholesale Business | Oil and Gas Extraction<br>Outdoor Sales<br>Outdoor Storage<br>Transport and Trucking Terminal<br>Truck Stop |

**401.11 "M-2" General Industrial and Manufacturing District:** The purpose of this district is to provide areas for manufacturing, industrial, and related uses, and which are isolated from neighboring uses which may be disrupted by traffic, noise, dust, odor, light or similar impacts, and where there is access to intercommunity streets.

| M-2<br>Permitted Uses   | Conditional Uses Requiring Approval<br>by Planning Commission   |
|---|---|
| Accessory Use<br>Essential Service<br>Food Processing<br>General Manufacturing<br>Grain Elevator and Feed Mill<br>Public Service Facility<br>Restaurant<br>Restricted Manufacturing<br>Storage Unit<br>Transport and Trucking Terminal<br>Warehouse<br>Wholesale Business | Auto Wrecking, Salvage and Storage<br>Mineral Extraction, Storage and Processing<br>Oil and Gas Extraction<br>Outdoor Sales<br>Outdoor Storage<br>Recycling Center or Salvage Operation<br><i>Industrial Waste Water Processing<br/>and Operation</i> |