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## ARTICLE 4. USE REGULATIONS

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### 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" Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Agriculture Essential Service Forestry Park Plant Cultivation Recreation Facility	Campground Cemetery Mineral Extraction, Storage and Processing Public Service Facility

Ordinance No. 577 Passed September 28, 2000  
YEAR

*Ord. 322 - First Reading 8/24/00  
 Sec'd 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" Permitted Uses	Conditional Uses Requiring Approval 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" Permitted Uses	Conditional Uses Requiring Approval 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" Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Agriculture Essential Service Forestry Hobby Vehicle and Machinery Repair Homemade Sales Limited Home Occupation Park Plant Cultivation Single-family Dwelling	Bed and Breakfast Inn Campground Cemetery Church, Place of Worship Cultural Facility Expanded Home Occupation Mineral Extraction, Storage and Processing Oil and Gas Extraction Recreation Facility School 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" Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Essential Service Hobby Vehicle and Machinery Repair Limited Home Occupation Plant Cultivation Single-family Dwelling  <i>see previous page</i>	Bed and Breakfast Inn Cemetery Church, Place of Worship Expanded Home Occupation Oil and Gas Extraction Park 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 sewerage facilities, residential institutions, and compatible uses which attract limited traffic and activity.

"R-2" Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Essential Service Limited Home Occupation Plant Cultivation Single-family Dwelling Two-family Dwelling  <i>see previous page.</i>	Bed and Breakfast Inn Cultural Facility Multiple-family Dwelling Professional Office Recreation Facility Nursing Home Oil and Gas Extraction Park Public Service Facility 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" Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Essential Service Limited Home Occupation Multiple-family Dwelling Single-family Dwelling Two-family Dwelling	Boarding or Rooming House Church, Place of Worship Cultural Facility Nursing Home Residential Design Manufactured Home (RDMH) Subdivision Park Public Service Facility 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" Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Essential Service Limited Home Occupation Multiple-family Dwelling Single-family Dwelling Two-family Dwelling	Boarding or Rooming House Child Care Facility Church, Place of Worship Cultural Facility Nursing Home Park Public Service Facility Residential Design Manufactured Housing (RDMH) Subdivision School Standard Design Manufactured Housing (SDMH) 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 Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Assembly Hall Church, Place of Worship Clinic Cultural Facility Essential Services Park Personal Service Professional Office Public and Community Office Restaurant Retail Business School Seasonal Sales	Gasoline Service Station 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 General and Major Street Business	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Assembly Hall Automobile, Recreational Vehicle, Trailer Sales Automotive Repair Business Service Church, Place of Worship Clinic Essential Service Farm Implement Sales and Service Hospital Gasoline Service Station Motel or Hotel Personal Service Professional Office Public Service Facility Restaurant Retail Business Seasonal Sales Tavern	Animal Hospital Clinic Drive-in Use Drive-through Use Mortuary or Funeral Home Outdoor Sales Outdoor Storage Recreation Facility Transport and Trucking Terminal Truck Stop 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 Central Business	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Assembly Hall Business Service Church, Place of Worship Clinic Cultural Facility Essential Service Hospital Motel or Hotel Restaurant Tavern Park Personal Service Professional Office Public and Community Office Retail Business School Seasonal Sales	Drive-in Use Drive-through Use Entertainment Facility Gasoline Service Station 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 Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Essential Service Food Processing Professional Office Public Service Facility Research and Testing Facility Restaurant Restricted Manufacturing Storage Unit Warehouse Wholesale Business	Oil and Gas Extraction Outdoor Sales Outdoor Storage Transport and Trucking Terminal 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 Permitted Uses	Conditional Uses Requiring Approval by Planning Commission
Accessory Use Essential Service Food Processing General Manufacturing Grain Elevator and Feed Mill Public Service Facility Restaurant Restricted Manufacturing Storage Unit Transport and Trucking Terminal Warehouse Wholesale Business	Auto Wrecking, Salvage and Storage Mineral Extraction, Storage and Processing Oil and Gas Extraction Outdoor Sales Outdoor Storage Recycling Center or Salvage Operation <i>Industrial Waste Water Processing                      and Operation</i>