

CHAPTER 141

PROFESSIONAL OFFICE (P-O) DISTRICT

141.01 Establishment.
141.02 Use regulations.

141.03 Height, area, yards, and bulk.
141.04 Occupancy of existing
buildings.

141.01 ESTABLISHMENT.

The purpose of the Professional Office (P-O) District is to permit and reasonably regulate the development and use of land for non-retail office uses only on main roads (such as Washington, Chillicothe, Chagrin, Bainbridge) or at major intersections where commercial zoning (CB or LIR) currently exists. Based on the Township's objectives as expressed in Section 101.02 Declaration of Purpose, this district shall have limited application and shall be used as a transitional zone or buffer between existing commercial or industrial uses and existing or future residential property. It is not intended to create any type of commercial use in an area that is currently without commercial use or to isolate existing residentially zoned lots. **[Z-2015-1 – Effective 7/8/2015]**

This district shall only be applied along such main roads the minimum distance necessary to achieve the transition. Where practicable, and when satisfying the intent to minimize the extension of non-residential zoning on main roads, natural features (such as ravines, streams, woods, etc.) and man-made features (such as land uses, land ownership and subdivision patterns, utility corridors and easements, etc.) shall be the basis for establishing the limits of this district.

In accordance with Sections 101.02 and 131.04 and to promote and regulate development of lands within the Township, the Professional Office (P-O) District is established along with the following regulations:

141.02 USE REGULATIONS.

(a) Permitted principal buildings, structures, and uses.

Offices of a political subdivision of the state of Ohio.

Public schools.

Any medical office, including general medical, dental, or any specialized medical practice, where treatment is provided by, or under the direct supervision of, a doctor licensed by the State of Ohio.

An attorney's office.

A clinical laboratory provided that the facility operates in accordance with all State of Ohio and United States government regulations.

An architectural, surveying, or engineering firm, provided that only office work and drawing are done on site.

A corporate office or headquarters. Only normal office and managerial functions are permitted on site.

A computer consulting, programming, or design company.

An accounting or bookkeeping company or consulting firm.

A stock brokerage or financial consulting firm.

An interior design or decorating firm.

An insurance agency.

A real estate office.

An advertising agency.

An employment agency.

A management consulting service.

A secretarial service.

A manufacturer's representative acting solely as a sales agent who is not in possession of inventory for resale

Medical and Diagnostic Laboratories.

Medical Art Services.

Medical Pathology Laboratories.

Medical Photography Services.

Clinical Psychologist Office.

Doctors of Psychology Office.

Psychoanalyst Office.

Psychologist Office.

Psychotherapist Office.

Clinical Social Worker Office.

Chiropractor Office.

Optometrist Office.

Hearing Testing Services, Occupational Therapist Office, Speech Pathologist Office and Voice Pathologist Office.

Biofeedback Centers and Clinics, Infusion Therapy Centers and Clinics, Pain Therapy Centers and Clinics and Sleep Disorder Centers and Clinics on an out-patient basis other than a maximum stay of two (2) nights per patient or client for diagnostic purposes.

Diagnostic Imaging Centers primarily engaged in producing images of a patient generally on referral from a Health Practitioner.

Blood Pressure Screening Facilities, Health Screening Services and Pacemaker Monitoring Services.

Marriage Counseling Services.

Mediation Services for Families.

Acupuncturists.

Dieticians Office for Individualized Counseling.

Licensed Practical Nurses Office and Registered Nurses Office.

Licensed Massage Therapist.

Administrative Offices, Professional Offices and similar Business Offices to those set forth in this section.

Implementation of medical treatment by individuals licensed by a Federal or State governmental agency where any sale of products must be incidental to the treatment provided.

Photography studios where photographs are taken off site and studio visits are by appointment only.

Zoning certificates are required for all occupancies by the owner or tenants, and all proposed changes of use, whether for all or a portion of the building. All applicants for reuse of all or a portion of the building shall submit an application to the Zoning Inspector in sufficient detail for the Zoning Inspector to determine if the proposed use is the same as the prior use or a different use.

(b) Prohibited uses:

Any establishment that stores materials for use or sale at another location. This includes, but is not limited to, construction or improvement companies that store building materials for use at other job sites, landscaping companies that store materials in a similar manner, and repair facilities that store parts or materials for repairs that are performed at another location. These uses are prohibited even if the use would otherwise be permitted. Materials that will be used on site, for example medical supplies, office supplies, accounting forms or books, or parts used for repairs performed on site, may be stored inside a building.

Any establishment that manufactures anything, with the exception of manufacturing necessary for medical or dental offices. This manufacturing includes false teeth or plates, splints, casts, braces, or other similar devices.

Any use not specifically permitted shall be prohibited.

(c) Permitted accessory buildings, structures, and uses.

- (1) Wind energy conversion systems or wind turbines in accordance with Chapter 161.
- (2) Ground-mounted satellite dishes and UHF television antennas, and roof-mounted satellite dishes and UHF television antennas in accordance with Chapter 161.
- (3) Recreation areas and cafeterias for the use of the tenants of the building.

- (4) Off-street parking and loading/unloading spaces in accordance with Chapter 169 and this chapter.
- (5) Signs in accordance with Chapter 173 and this chapter.
- (6) Solar panels and solar panel arrays in accordance with Chapter 161.

(d) Conditional Buildings, Structures, and Uses. Only the following conditional uses shall be allowed:

- (1) Child day-care center as licensed by the State. **[Z-2002-7 – Effective 1/22/2003]**

Child Day-Care Center Conditions

The following specific criteria and requirements for child day-care centers, when allowed in a zoning district as a conditional use are mandatory, in addition to the general criteria and specific criteria set forth in Section 117.13 (a) and (b): **[Z-2002-7 – Effective 1/22/2003]**

- (a.) In the event outdoor activities, on site, will be part of a child day-care center operation, such activities shall take place in one or more completely and securely fenced play lots which shall be no closer than one hundred (100) feet to any residentially zoned lot line, shall be screened by a masonry wall, fence, or compact evergreen hedge no less than five (5) feet in height, and maintained in good condition.
- (b.) Any outdoor activity conducted in conjunction with the child day-care center shall not occur after 7:00 P.M. and before 7:00 A.M.
- (c.) The applicant shall provide auditory and visual screening and buffering for any outdoor activities engaged in by the children in conjunction with the child day-care center for any portion of the lot that is adjacent to a Residential District which shall include ten foot (10') high landscaped earthen mound, fencing or walls as determined by the Board of Zoning Appeals. A twenty (20) year growth landscaping plan shall be prepared by a registered landscape architect and submitted to the Board of Zoning Appeals for the required landscaping for any child day-care center proposal.

- (d.) The applicant of the child day-care center shall provide for drop off and pick up of children in an area where it will not impede traffic on or off the site and where the least amount of unrelated traffic circulation is probable in light of the type of uses on the site and locations of buildings on the site are contained and where safest for children to leave and re-enter such motor vehicles. When the Board of Zoning Appeals deems is appropriate, the applicant shall submit a traffic impact analysis of the proposed addition of the child day-care center on the lot, and the Board of Zoning Appeals, when it deems appropriate, may have an independent evaluation of such traffic impact analysis prepared for the Board of Zoning Appeals, at the expense of the applicant.
- (e.) The applicant shall provide for additional screening for auditory purposes when the Board of Zoning Appeals determines that it is required to reduce the impact on tenants of buildings located on the same lot being utilized for convenience business, service or office uses.
- (f.) The applicant shall provide signage, based upon the size, number and location determined necessary for the lot by the Board of Zoning Appeals, noting pick up and drop off points for children to adequately warn occupants and users of the lot of the existence of the child day-care center and shall impose rules for the users of the child day-care center to follow for pick up and drop off of children at clearly marked points to promote the safety and security of the children utilizing the child day-care center.
- (g.) Each child day-care center shall provide a location, as determined by the Board of Zoning Appeals, for school bus drop off and shall provide for the ability of the school bus to either turn around within the drop off area or alternatively provide a circular drive back to the road upon which such lot is located.
- (h.) The applicant shall provide written certification from the applicable governmental agency having jurisdiction thereof that (i) adequate sanitary sewage disposal has been provided for by a public sanitary sewer system, or (ii) the proposed on site sewer system will be in compliance with the statutes, rules and regulations of the State of Ohio and the Ohio Department of Health. Each child day-care center shall comply with all applicable federal, state, county and township regulations.
- (i.) The applicant shall provide written certification from the applicable governmental agency that a public water supply is available to the child day-care center or, in the event no such public water supply is available, provide a report of a hydrogeologist or hydrologist that there is adequate ground water in the aquifer serving the child day-care center to supply the employees and children at the child day-care center without unreasonably affecting the aquifer serving other portions of the same lot and surrounding property served by the same aquifer.

The Board of Zoning Appeals may, when it deems appropriate, obtain an independent evaluation of such report prepared for the Board of Zoning appeals, at the expense of the applicant.

- (j.) Minimum Lot Width. A lot shall have a minimum width of two hundred fifty feet (250').
- (k.) Each child day-care center shall have at least one dedicated building entrance solely for child day-care center use.

(2) Day-care centers for adults. **[Z-2006-6 – Effective 11/8/2006]**

Adult Day-Care Conditions

The following specific criteria and requirements for day-care centers, when allowed in a zoning district as a conditional use are mandatory, in addition to the general criteria and specific criteria set forth in Section 117.13 (a) and (b), when used for adults: [Z-2006-6 – Effective 11/8/2006]

- (a.) In the event outdoor activities, on site, will be part of a day-care center operation, such activities shall take place in one or more completely and securely fenced lots which shall be no closer than one hundred (100) feet to any residentially zoned lot line, shall be screened by a masonry wall, fence, or compact evergreen hedge no less than five (5) feet in height, and maintained in good condition.
- (b.) Any outdoor activity conducted in conjunction with the day-care center shall not occur after 7:00 P.M. and before 7:00 A.M.
- (c.) The applicant of the day-care center shall provide for drop off and pick up of the attendees in an area where it will not impede traffic on or off the site and where the least amount of unrelated traffic circulation is probable in light of the type of uses on the site and locations of buildings on the site are contained and where safest for attendees to leave and re-enter such motor vehicles. When the Board of Zoning Appeals deems it appropriate, the applicant shall submit a traffic impact analysis of the proposed addition of the day-care center on the lot, and the Board of Zoning Appeals, when it deems appropriate, may have an independent evaluation of such traffic impact analysis prepared for the Board of Zoning Appeals, at the expense of the applicant.
- (d.) The applicant shall provide for additional screening for auditory purposes when the Board of Zoning Appeals determines that it is required to reduce

the impact on tenants of buildings located on the same lot being utilized for convenience business, service or office uses.

- (e.) The applicant shall provide signage, based upon the size, number and location determined necessary for the lot by the Board of Zoning Appeals, noting pick up and drop off points for attendees to adequately warn occupants and users of the lot of the existence of the day-care center and shall impose rules for the users of the day-care center to follow for pick up and drop off of attendees at clearly marked points to promote the safety and security of the attendees utilizing the day-care center.
 - (f.) The applicant shall provide written certification from the applicable governmental agency having jurisdiction thereof that (i) adequate sanitary sewage disposal has been provided for by a public sanitary sewer system, or (ii) the proposed on site sewer system will be in compliance with the statutes, rules and regulations of the State of Ohio and the Ohio Department of Health. Each day-care center shall comply with all applicable federal, state, county and township regulations.
 - (g.) The applicant shall provide written certification from the applicable governmental agency that a public water supply is available to the day-care center or, in the event no such public water supply is available, provide a report of a hydrogeologist or hydrologist that there is adequate ground water in the aquifer serving the day-care center to supply the employees and attendees at the day-care center without unreasonably affecting the aquifer serving other portions of the same lot and surrounding property served by the same aquifer. The Board of Zoning Appeals may, when it deems appropriate, obtain an independent evaluation of such report prepared for the Board of Zoning Appeals, at the expense of the applicant.
 - (h.) Minimum Lot Width. A lot shall have a minimum width of two hundred fifty feet (250').
 - (i.) Each adult day-care center shall have at least one dedicated building entrance solely for adult day-care center use.
- (3) Private schools, preschool, and combined rehabilitation and educational facilities. [**Z-2006-6 – Effective 11/8/2006**] See Sections 117.13 (a) and (b) and 135.02(b).

141.03 HEIGHT, AREA, YARDS, AND BULK.

All uses, buildings and structures located within the Professional Office (P-O) District shall conform to the following requirements:

- (a) Minimum lot area. A lot shall have a minimum of two (2) acres (87,120 square feet), exclusive of public or private road rights of way.
- (b) Minimum lot frontage and width. A lot shall have a minimum frontage and width of two hundred (200) feet.
- (c) Maximum lot coverage. Lot coverage shall not exceed forty percent (40%). Lot coverage includes structures, buildings, driveways, parking areas, hard surfaced, paved, or graveled areas, trash containment areas, and other covered areas, including gazebos.
- (d) Minimum yard dimensions.
 - (1) Front yards. No building or structure, including paved or gravel areas other than roadways or driveways, shall be located less than seventy (70) feet from the right of way of any public road right of way. For lots wholly or partially abutting a residential district, and lots abutting a residential district on the center line of a public road or right of way, such distance shall be increased to one hundred (100) feet from the public road right of way lying wholly or partly within the residential district.
 - (2) Side yards. Each lot shall have side yards, free of all buildings and structures, including paved or graveled areas, of not less than twenty feet (20'); except that the parking or loading areas may be located up to the lot line of an adjacent property where such areas serving the establishment are shared with or coordinated with similar areas serving such adjacent property. For lots wholly or partially abutting a residential district, a side yard of not less than one hundred feet (100') shall be maintained free of all buildings, structures, paved or graveled areas, driveways, or parking areas, trash containment areas, or any other covered areas along all lot lines abutting such residential district.
 - (3) Rear yards. A rear yard of not less than fifty (50) feet shall be maintained free of all buildings and structures including paved and graveled areas. For lots abutting a residential district, the rear yard shall be increased to sixty (60) feet along the lot line adjacent to a residential district.
- (e) Maximum height. No building or structure or any part thereof shall exceed thirty-five (35) feet in height above the average finished grade at the building perimeter.

- (f) Parking and loading/unloading spaces. Off road parking and loading/unloading spaces shall conform to requirements of Chapter 169. In addition, parking is not permitted in the front yard of any lot or in front of any building. Parking is also not permitted in the side yard abutting a residential district. Any commercial vehicle parked outside overnight must be parked behind the building. Overnight parking of recreational vehicles is forbidden.
- (g) Screening and landscaping. All yards shall be entirely landscaped. Where the lot line of a parcel abuts a residential district, a strip of land densely planted with shrubs or trees must be maintained along such boundary line, so as to form a year-round dense visual screen. The screen must have a minimum height of six (6) feet from grade extending along the property line adjacent to the site's building, parking and loading areas and in other locations as necessary to effectively screen the proposed use from existing residential development. Plants that are four feet or more in height may be planted when the property is initially developed, providing that the plants reach a minimum height of six (6) feet within one (1) year. Existing woods on the affected property may be substituted for the required new screening.
- (h) Outside storage. There is to be no outside storage of any materials at all.
- (i) Trash containers. All outside trash containers must be fully screened by a wall that shall match the siding on the building or an opaque fence.
- (j) Outside sales. Nothing shall be displayed for sale in the open or outside of any building.
- (k) Trailers. Except for and during actual loading and unloading, no trailer shall be parked on any lot for the receipt, storage, or sale of anything.
- (l) Signs. Signs shall conform to the regulations stated in Chapter 173. In addition, no sign shall be illuminated in any way.

141.04 OCCUPANCY OF EXISTING BUILDINGS.

Any building existing on a lot of record at the time such property is rezoned to the Professional Office District may be occupied by any use permitted in this district regardless of the lot area, frontage, width, yard dimensions, or building setback, provided that all of the other requirements of Chapter 141 have been met and that off-street parking and loading/unloading spaces comply with the requirements of Chapter 169 and this chapter. If the existing building on a lot of record at the time such property is rezoned to the Professional Office District does not conform to all of the requirements of Chapter 141, including lot area, frontage, width, yard dimensions, and building setback the maximum lot coverage must not exceed ten percent (10%). Lot coverage includes structures, buildings, driveways, parking areas, hard surfaced, paved, or graveled areas, trash containment areas, and other covered areas, including gazebos.