

CASE # BZA-25-00040

CITY OF TOLEDO

Department of Building and Code Compliance

Division of Building Inspection

One Government Center, Suite 1600 • Toledo, OH 43604 • Phone (419) 245-1220 • Fax (419) 245-1329 • www.toledo.oh.gov

APPLICATION TO THE ADMINISTRATIVE BOARD OF ZONING APPEAL (BZA)

TMC Chapter 1112.0200

Site Location 3920 & 4004 Angola Road, 0 S. Byrne Road Zoning District IL/RS6/MX Date 8/1/2025Legal Description Tax Parcel ID: 2005214, 2005387, 2005121, 2005122Applicant's Name (print) Rocky Ridge Development LLC (Ed Moore)Appeal (Dept. of Inspection ruling – Title Nine Sign Code) 7/16/25 ☒ Hardship Variance _____Exception _____ Appeal decision X ADA Accommodation _____TMC § 1104.0100 (Use Table); 1115.0802 (Emergency Zoning Violation)Applicant Signature Edward A. Moore Phone 567-277-5607Applicant's Street Address 3793 Silica Road Fax _____Applicant's City, State, Zip Sylvania, Ohio 43560 E-Mail emoore@rockyridgeohio.com

Applications must be accompanied with:

1. 3 photos – showing different views of the site
2. Letter explaining your zoning request with full and accurate information.
3. Complete, clear site plan – recommended scale 1"=20' on 8-1/2" x 11" paper showing dimensions to all lot lines and the size of all structures on the premises.
4. Fee = \$200 Checks may be made payable to "City of Toledo."

Applicant:

You should receive a written notice of the staff recommendation no later than Wednesday preceding the hearing date. Please call (419) 245-1220 if you do not receive this notice.

Return the application documents by mail to: Division of Building Inspection, One Government Center, Suite 1600, Toledo, OH 43604; or in person with the application documents and fee. Applications are due 6 weeks before the Board of Zoning Appeals' meeting to allow proper notification of neighbors. Meetings are typically held the third Monday of every month at 10:00 AM. in City Council Chambers, One Government Center, Toledo, OH 43604. The applicant or the applicant's representative must be present.

+++++ OFFICE USE ++++++

Permit Tech Checklist: Application complete ☒ Photos ☒ Letter ☒ Proper Site Plan ☒ SWO YESCopy Zoning Map ☒ http://local.live.com/ Transportation notified to check site distance hazard _____Code Enforcement notified if orders are being appealed. YES Permit Tech's Initials MXC Date 8/1/25

Reviewed by _____ Date _____ Staff Recommendation _____

Board Decision _____ Date _____

P:, Inspection, BZA

3/15/2024 kjr



August 1, 2025

Board of Zoning Appeal
Division of Building Inspection
One Government Center
Suite 1600
Toledo, Ohio 43604

Dear Members of the Board of Zoning Appeal,

Rocky Ridge Development LLC is formally appealing the Notice of Non-Compliance (Emergency Zoning Violation) that was issued to it on July 16, 2025 for the following properties: 3920 Angola Road, 4004 Angola Road, and 0 S. Byrne Road (Tax Parcel IDs: 2005214, 2005387, 2005121, 2005122).¹

The Notice of Non-Compliance alleges that Rocky Ridge is in violation of Toledo Municipal Code 1104.0100 Use Table for "Mining and all related activities are not permitted in RS6 (Single Dwelling Residential – 6,000 S. Ft) Zoning. A Zone Change to IG (General Industrial) Zoning is required."

Rocky Ridge disagrees with Notice of Non-Compliance for five reasons—which are the basis of its appeal. First, Rocky Ridge is not engaged in mining as defined under the Toledo Municipal Code. Second, only one of the four parcels (Parcel ID 2005387) identified in the Notice of Non-Compliance is designated as RS6 Zoning. Third, Rocky Ridge is performing the same work that has been for years—as required by its contract with the City of Toledo to dispose of its drinking water treatment material. Fourth, Rocky Ridge's permits with the Ohio Department of Natural Resources require that it reclaim the site on 4004 Angola Road (the only parcel subject to that parcel)—which Rocky Ridge is doing with the drinking water treatment material. Fifth, two of the parcels identified in the Notice of Non-Compliance are not owned by Rocky Ridge (and Rocky Ridge does not have any ownership or leasehold interest in the parcels).

The Notice of Non-Compliance creates significant hardship for Rocky Ridge. It interferes with its contractual obligations with the City of Toledo to dispose of its drinking water treatment material. It interferes with Rocky Ridge's permit from the Ohio Department of Natural Resources to reclaim the 4004 Angola Road parcel (Parcel ID 2005387). It interferes with Rocky Ridge's ability to use its property—in a way that is not prohibited by the Toledo Municipal Code.

Rocky Ridge respectfully requests that the Board of Zoning Appeal consider its hearing and revoke the Notice of Non-Compliance. Please let us know if additional documentation would assist in your review. We appreciate your attention to this matter.

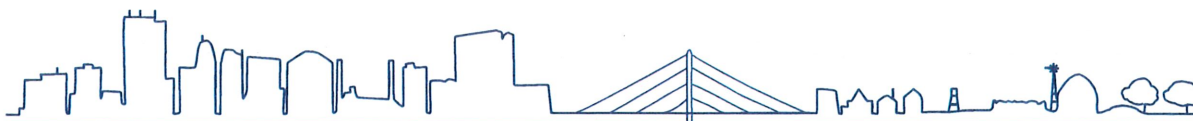
Sincerely,

Ed Moore, Managing Director
Rocky Ridge Development, LLC
3793 Silica Road, Sylvania, OH 43560
M: 567.277.5607
E: emoore@rockyridgeohio.com

¹ As previously noted in a letter to the City Law Director by Rocky Ridge's attorneys at Bricker Graydon, Rocky Ridge only owns two of the parcels subject to the Notice of Non-Compliance: 3920 Angola Road (Parcel ID 5005214) and 4004 Angola Road (Parcel ID 2005387). The other two parcels at 0 S. Byrne Road (Parcel IDs 5005121 and 5005122) are owned by an unrelated entity (EmKott Ltd.).

RECEIVED

JUL 21 REC'D



TOLEDO - LUCAS COUNTY PLAN COMMISSIONS

One Government Center, Suite 1620, Toledo, OH 43604 P: 419 245-1200 F: 419 936-3730

July 16, 2025

NOTICE OF NON-COMPLIANCE

(Emergency Zoning Violation)

Ed Moore
Rocky Ridge Development LLC
3793 Silica Road
Sylvania, OH 43560

RE: Notice of Emergency Zoning Violation at 3920 & 4004 Angola Road and 0 S. Byrne Road
Tax Parcel IDs#: 2005214, 2005387, 2005121, 2005122

Mr. Moore,

The above referenced location was visited on **7/16/2025** and found to be in violation of the following Toledo Municipal Code (TMC) zoning regulations:

- **TMC 1104.0100 Use Table** – Mining and all related activities are not permitted in RS6 (Single Dwelling Residential – 6,000 Sq. Ft) Zoning. A Zone Change to IG (General Industrial) Zoning is required.

This violation constitutes an emergency situation of public safety and/or health. Per **TMC 1115.0802**, mining and all related activities must cease immediately. Failure to comply with this Notice may subject you to fines and/or lead to this matter being handed over to the Law Department to pursue other legal action, including civil or criminal penalties.

A copy of this notice was posted on the property and also delivered through electronic and regular U.S. mail.

Please contact me at 419-245-1200 with any questions. Thank you for your cooperation in this matter.

Respectfully Submitted,

Josh Lewandowski
Zoning Compliance Manager

Cc: Christopher F Parker, Esq. 405 Madison Ave, Ste. 2200, Toledo, OH, 43604
Ken Shields, Zoning Compliance Specialist

SITE PLAN



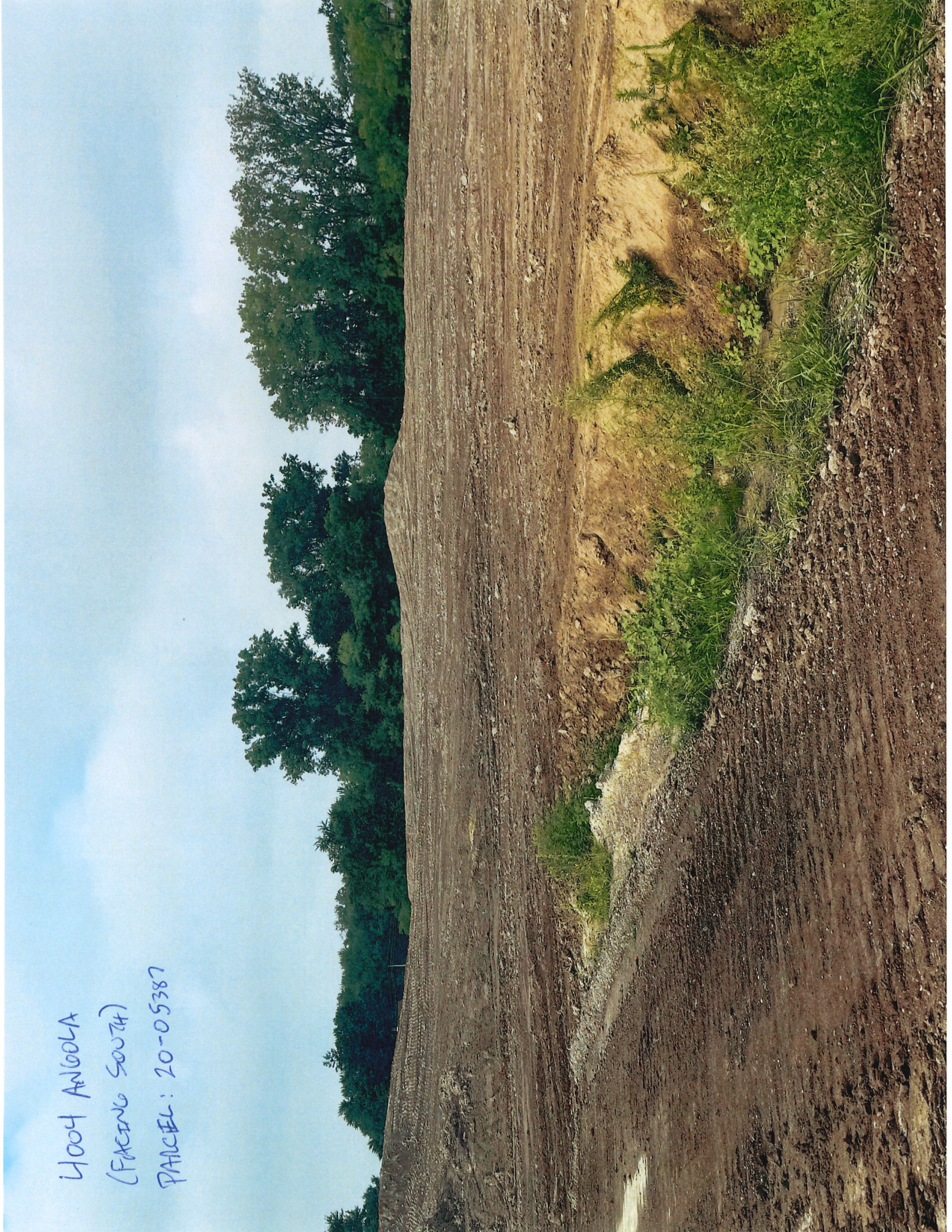
4004
ANBOLA
PARCEL: 20-05387
(ANBOLA
ENTRANCE)
FACING
NORTH



HOOD ANJOLA
(RECLAMATION SITE)
FACING WEST
PARCEL: 20-05387



4004 ANGLA
(FACING SOUTH)
PARCEL: 20-05387



3920

ANCOA

(FACE 6
NORTH)

PANEL: 20-05214



3920 AN604

(FACING SOUTHEAST)

PARCEL: OS-214



Ø BURNED.

(FACINLO VEST)

PAGE: 20-05121

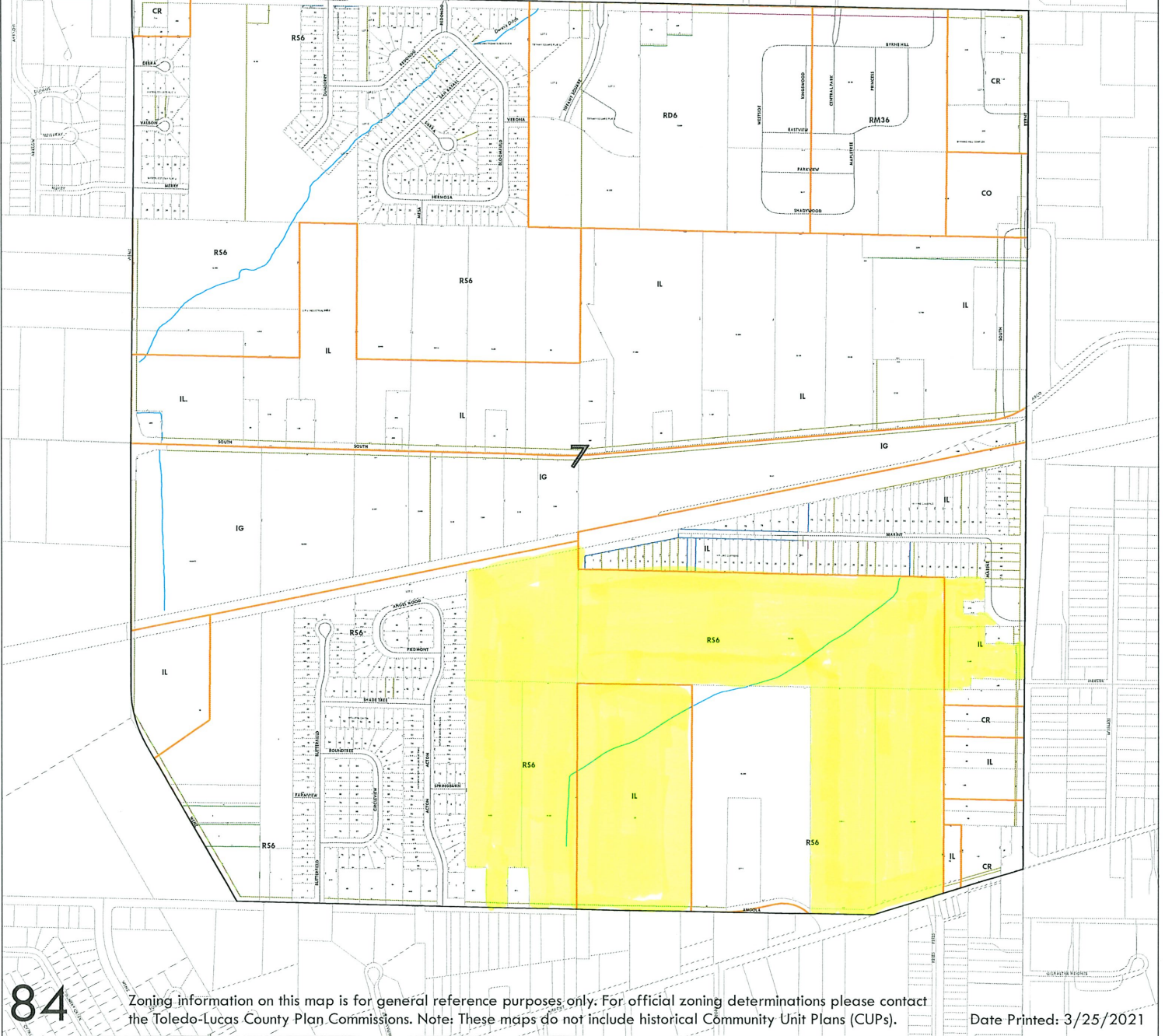


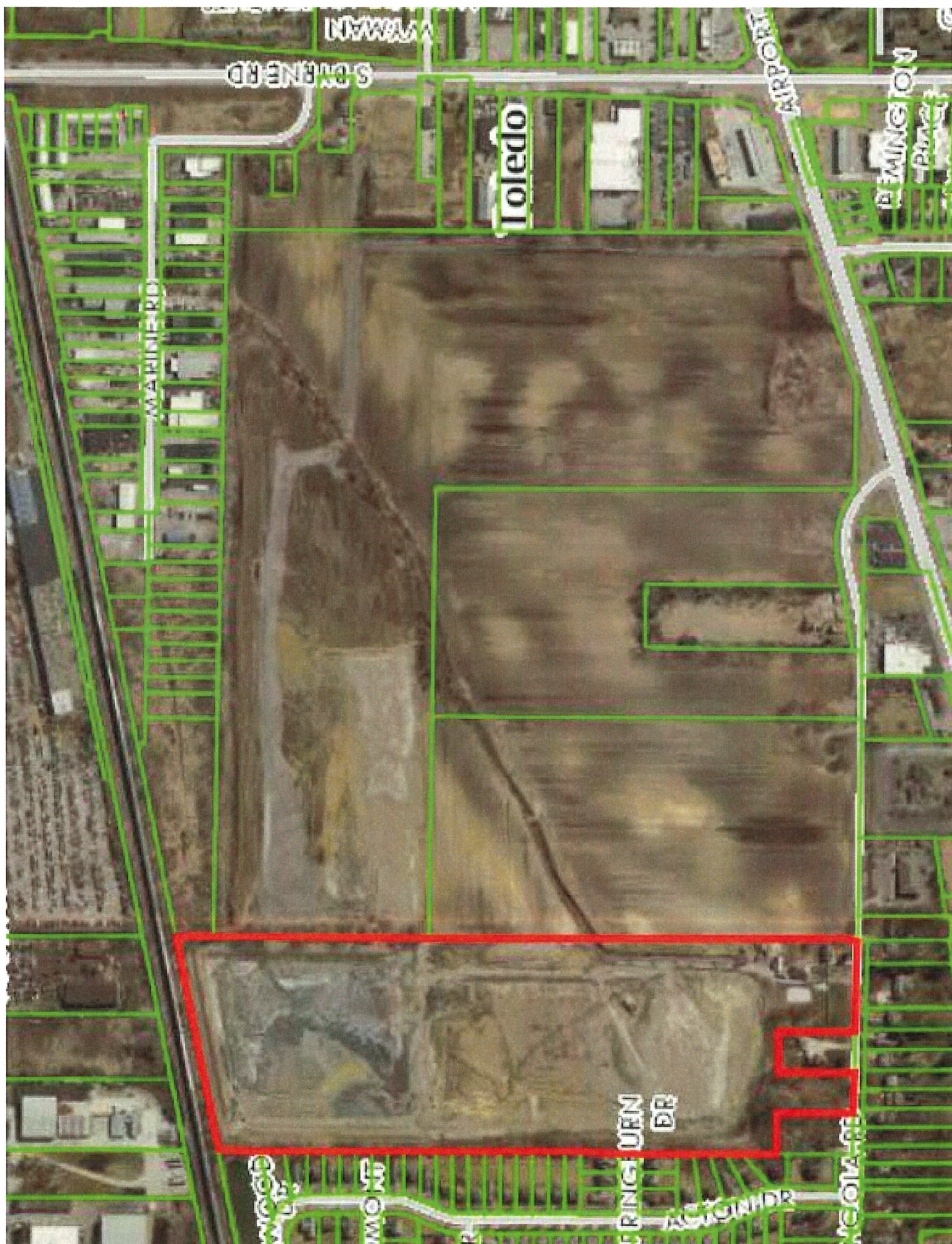
Ø BYRNE RD.
(FACING NORTH)
PARCEL: 20-05121



Ø BIRNE RD.
(FACING NORTH)
PARCEL: 20-15122







This aerial map of Toledo, Ohio, highlights a large industrial area in the center, outlined in red. The map includes labels for 'Toledo' and 'S. BYRNED RD'. A small inset map in the bottom right corner shows the location of the red-outlined area within the larger context of the city.

This is an aerial photograph of an industrial area in Toledo, Ohio. A large, irregularly shaped area in the center is outlined in red, indicating a specific site of interest. The area is mostly flat and appears to be a large industrial facility or a construction site. Surrounding this area are various other industrial buildings, parking lots, and roads. Labels on the map include 'Toledo' in the center, 'S. BYRNED RD' at the top, and 'S. MARINER' on the left. A small inset map in the bottom right corner shows the location of the red-outlined area within the state of Ohio.

This aerial map of Toledo, Ohio, highlights a large industrial area with a red border. The map shows various industrial structures, parking lots, and surrounding residential areas. Key streets labeled include S. BYRNED RD and S. MARINER RD. A small inset map in the bottom right corner provides a regional context, showing the location of the highlighted area within the state of Ohio.

This is an aerial photograph of an industrial area in Toledo, Ohio. A large, irregularly shaped area is outlined in red, indicating a specific site of interest. The area is mostly flat and appears to be a large industrial or commercial site. The word "Toledo" is written in large, white, serif font across the center of the image. In the bottom right corner, there is a small inset map showing the location of the red-outlined area within the larger context of the city. The inset map shows the city's layout with a red rectangle highlighting the area shown in the main image. The main image also shows several roads, including "S. BYRNED RD" and "MARINER". The overall color palette is dominated by the brown and grey tones of the industrial site and the surrounding urban landscape.

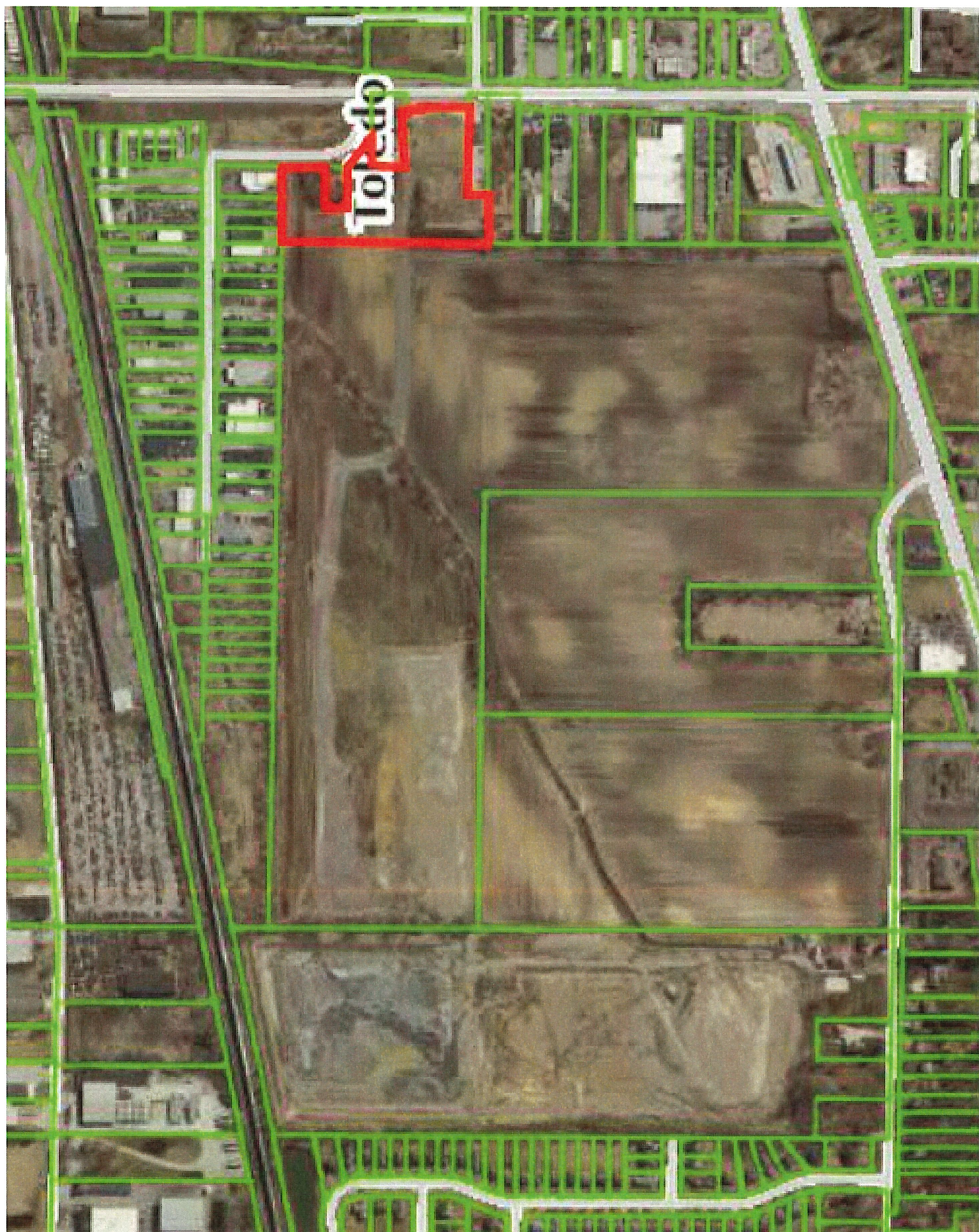
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1115.0802 Emergency Matters

In the case of violations of this Zoning Code that constitute an emergency situation as a result of public safety concerns or violations that will create increased problems or costs if not remedied immediately, the City may use the enforcement powers available under this Zoning Code without prior notice, but the Commissioner of Building and Code Compliance and/or the Planning Director must attempt to give notice simultaneously with beginning enforcement action. Notice must be provided to the property owner and to applicants for any relevant permit.

(Ord. 323-13. Passed 06-25-13; Ord. 336-15. Passed 06-23-15. Ord. 56-25. Passed 02-25-25.)

1115.0803 Appeals

Enforcement actions by the Commissioner of Building and Code Compliance and/or the Planning Director may be appealed to the Board of Zoning Appeals, in accordance with Sec. 1111.2000. Appeals must be received within 15 days from the date of the notice. A pending appeal to the Board of Zoning Appeals does not stay a decision to revoke a certificate or permit.

Chapter 1104 | Use Regulations

1104.0100 | Use Table

The Use Table of this Section lists the principal uses allowed within base zoning districts. The symbols used in the Use Table are defined in the following paragraphs.

1104.0101 [P] Permitted Uses

A “P” indicates that a use is permitted by right, subject to compliance with all other applicable regulations of this Zoning Code.

1104.0102 [S] Special Uses

An “S” indicates that a use is allowed only if reviewed and approved in accordance with the Special Use procedures of Sec. 1111.0700.

1104.0103 Uses Not Allowed

A blank cell (one with a “-” and doesn’t contain a “P” or “S”) indicates that the listed use is not allowed in the respective zoning district.

1104.0104 Use Standards

The existence of use standards for a use category is noted by a bracketed table note reference “[x]” within the table cell containing the “P” or “S.” Unless otherwise noted use standards are also subject to the provisions of: Chapter 1107, Parking, Loading, and Access; Chapter 1108, Landscaping and Screening; and Chapter 1109, Design Standards.

1104.0105 Developments with Multiple Principal Uses

- A. When all principal uses of a development fall within one use category, the entire development is assigned to that use category. A development that contains a computer store, bookstore, and discount store, for example, would be classified in the Retail Sales, General category because all of the development’s principal uses are in that category.
- B. When the principal uses of a development fall within different use categories, each principal use is classified in the applicable category and each use is subject to applicable regulations within that category. For example, a gas station that also contains a mini-convenience store would be subject to the special permit regulations for both gasoline and fuel sales facility and for a convenience store.
- C. Developments with multiple principal uses, such as shopping centers, shall incorporate only those uses allowed in the underlying base zoning district.

1104.0106 Unlisted Uses

If an application is submitted for a use type that is not listed in the Use Table of this Section, the Planning Director is authorized to classify the new or unlisted use type into an existing land use category that most closely fits the new or unlisted use. If no similar use determination can be made, the Planning Director must initiate an amendment to the text of this Zoning Code to clarify where such uses are allowed.

1104.0107 Use Categories

The use categories listed in the Use Table are organized into five major use groups: Residential, Public and Civic, Commercial Use Types, Industrial Use Types, and Other Use Types. Each major use group is further divided into a series of use categories. All of the use categories listed in the Use Table are defined in Sec. 1116.0200.

Chapter 1104 | Use Regulations
Sec. 1104.0100 | Use Table

Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Residential																	
Household Living																	
Detached House	P	P	P	P	P	–	P	–	–	–	–	–	–	–	–	–	–
Detached House, Zero Lot Line	–	–	P [1]	P [1]	P [1]	–	P [1]	–	–	–	–	–	–	–	–	–	–
Attached House	–	–	–	P [2]	P [2]	–	P [2]	–	P [2]	–	–	P [2]	–	–	–	–	–
Duplex	–	–	–	P	P	–	P	–	–	–	–	–	–	–	–	–	–
Cluster Housing	S [3]	S [3]	S [3]	S [3]	–	–	–	–	–	–	–	–	–	–	–	–	–
Manufactured Housing Park	–	–	–	–	–	P [4]	–	–	–	–	–	–	–	–	–	–	–
Manufactured Home	–	–	–	–	–	P	–	–	–	–	–	–	–	–	–	–	–
Multi-Dwelling Structure	–	–	–	–	P [5]	–	P [5,6]	P [5,6]	P [5,7]	P [5,6]	P [5,6]	P [5]	–	–	–	–	P
Adult Foster Home	P	P	P	P	P	P	P	–	–	–	–	–	–	–	–	–	–
Certified Foster Home	P	P	P	P	P	P	P	P	P	P	P	P	–	–	–	–	P
Group Living																	
Adult Family Home	P [8]	P [8]	P [8]	P [8]	S [8]	S [8]	S	–	S	–	–	–	–	–	–	–	–
Residential Facility, Small	P [8]	P [8]	P [8]	P [8]	S [8]	P [8]	–	–	–	–	–	–	–	–	–	–	–
Residential Facility, Large	–	–	–	–	S [8]	–	–	–	–	–	–	–	–	–	–	–	–
Drug and Alcohol Residential Facility	–	–	–	–	S [8]	–	–	–	–	–	P [8]	–	–	–	–	–	–
Halfway House	–	–	–	–	–	–	–	–	S [8, 27]	–	S [8, 27]	S [8, 27]	–	–	–	–	–
Nursing Home	–	S [9]	S [9]	S [9]	S [9]	–	P [9]	–	P [9]	P [9]	P [9]	P [9]	–	–	–	–	–
Rest Home	–	S [9]	S [9]	S [9]	S [9]	–	P [9]	–	P [9]	P [9]	P [9]	P [9]	–	–	–	–	–
Home for the Aging	–	S [9]	S [9]	S [9]	S [9]	–	P [9]	–	P [9]	P [9]	P [9]	P [9]	–	–	–	–	–
Group Rental	P [9, 10]	P [9, 10]	P [9, 10]	P [9, 10]	P [9, 10]	–	P [10]	P [10]	P [10]	P [10]	P [10]	P [10]	–	–	–	–	–
Homeless Shelter	–	–	–	–	–	–	–	–	S [8]	S [8]	S [8]	S [8]	–	–	–	–	–
Other Group Living	–	–	–	–	S	–	–	–	–	–	S	S	–	–	–	–	P
Public and Civic																	
Colleges and Universities	–	–	–	–	–	–	–	–	–	–	S	S	S	–	–	–	P
Community Recreation																	
Passive	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Active	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P
Marinas	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	S [11]	–
Cultural Exhibits and Libraries	S	S	S	S	S	–	P	P	P	P	P	P	–	–	–	S	P
Day Care																	
Type A Family Day Care Home	S [8, 12]	S [8, 12]	S [8, 12]	S [8, 12]	S [8, 12]	–	P [12]	P [12]	P [12]	P [12]	P [12]	P [12]	–	–	–	–	–

Chapter 1104 | Use Regulations
Sec. 1104.0100 | Use Table

Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Type B Family Day Care Home	P [12]	P [12]	P [12]	P [12]	P [12]	—	P [12]	P [12]	P [12]	P [12]	P [12]	P [12]	—	—	—	—	—
Day Care Center	S [12]	S [12]	S [12]	S [12]	S [12]	—	P [12]	P [12]	P [12]	P [12]	P [12]	P [12]	P [12]	P [12]	P [12]	—	P [12]
Hospital	—	—	—	—	—	—	—	S	—	—	S	S	—	—	—	—	P
Lodge, Fraternal and Civic Assembly	—	—	—	—	S	—	P	P	P	P	P	P	P	—	—	—	—
Postal Service	—	—	—	—	—	—	P	P	P	P	P	P	P	P	P	—	—
Public Safety	S	S	S	S	S	S	S	P	P	P	P	P	P	P	P	S	P
Religious Assembly	P	P	P	P	P	P	P	P	P	P	P	P	—	—	—	—	P
Schools	S	S	S	S	S	S	S	S	S	S	S	S	—	—	—	—	P
Utilities, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Utilities and Services, Major	S	S	S	S	S	S	S	S	S	S	S	S	S	P	S	S	P
Commercial Use Types																	
Animal Services																	
Sales and Grooming	—	—	—	—	—	—	P [13]	—	P	P	P	P	—	—	—	—	—
Kennels	—	—	—	—	—	—	—	—	—	—	P [14]	—	P [14]	P [14]	—	—	—
Animal Shelters	—	—	—	—	—	—	—	—	—	—	P [14]	P [14]	P [14]	P [14]	—	—	—
Fully Enclosed Animal Shelters / Kennels	—	—	—	—	—	—	P	—	P	P	P	P	P	P	—	—	—
Veterinary	—	—	—	—	—	—	P [13]	P	—	P	P	P	P	P	—	—	—
Building Maintenance Services	—	—	—	—	—	—	—	—	—	P	P	P	P	P	P	—	—
Business Equipment Sales and Services	—	—	—	—	—	—	P [13]	P	P	P	P	P	P	P	P	—	—
Business Support Services	—	—	—	—	—	—	P [13]	P	P	P	P	P	P	—	P	—	—
Communications Service Establishments	—	—	—	—	—	—	—	—	—	—	P	P	P	P	P	—	—
Construction Sales and Services	—	—	—	—	—	—	—	—	—	—	P [15]	—	P	P	P	—	—
Eating and Drinking Establishments																	
Tavern	—	—	—	—	—	—	P [13]	—	P	P	P	P	P	P	—	—	—
Fast Order Food	—	—	—	—	—	—	P [13]	P [16]	P	P	P	P	—	—	—	—	—
Fast Order Food, Drive- through	—	—	—	—	—	—	—	—	—	S [17]	P [9,17]	—	—	—	—	—	—
Restaurant, Sit-Down	—	—	—	—	—	—	P [13]	P [16]	P	P	P	P	—	—	—	—	—
Entertainment and Spectator Sports																	
Limited	—	—	—	—	—	—	P [13]	—	P	P	P	P	—	—	—	—	P
General	—	—	—	—	—	—	—	—	—	S	P	P	—	—	—	—	P

Chapter 1104 | Use Regulations
Sec. 1104.0100 | Use Table

Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Financial, Insurance and Real Estate Services	-	-	-	-	-	-	P [13]	P	P	P	P	P	-	-	-	-	-
Short-Term Lender	-	-	-	-	-	-	P [29]	P [29]	P [29]	P [29]	P [29]	P [29]	-	-	-	-	-
Food and Beverage Retail Sales																	
Large Stores	-	-	-	-	-	-	P [13]	-	P	P	P	P	-	-	-	-	-
Convenience Stores	-	-	-	-	-	-	P [13]	-	P	P	P	P	-	-	-	-	-
Funeral and Interment Services																	
Cremating	-	-	-	-	-	-	-	-	-	-	S [9][28]	-	P [28]	P [28]	-	-	-
Interring	S	S	S	S	S	-	S [13]	S	S	S	S	S	-	-	-	P	-
Undertaking	S [9]	S [9]	S [9]	S [9]	S [9]	-	P [13]	-	P	P	P	P	P	P	-	-	-
Cemeteries	S	S	S	S	S	-	-	-	-	-	-	-	-	-	-	P	-
Gasoline and Fuel Sales	-	-	-	-	-	-	S [13, 19]	-	-	S [19]	S [19]	S [19]	-	-	-	-	-
Marijuana Facility																	
Cultivator	-	-	-	-	-	-	-	-	-	-	-	-	P [30]	P [30]	P [30]	-	-
Dispensary	-	-	-	-	-	-	S [30]	-	-	-	S [30]	-	-	-	-	-	-
Processor	-	-	-	-	-	-	-	-	-	-	-	-	P [30]	P [30]	P [30]	-	-
Testing Laboratory	-	-	-	-	-	-	-	P [30]	-	-	P [30]	P [30]	P [30]	P [30]	P [30]	-	-
Medical Services																	
Drug and Alcohol Treatment Center, Nonresidential	-	-	-	-	-	-	-	P [8]	P [8]	P [8]	P [8]	-	-	-	-	-	P
All other Medical Services	-	-	-	-	-	-	P [13]	P	P	P	P	P	-	-	-	-	P
Office, Administrative and Professional	-	-	-	-	-	-	P [13]	P	P	P	P	P	P	-	P	-	P
Parking, Commercial	-	-	-	-	-	-	-	-	-	S	P	S	-	-	-	-	P
Personal Convenience Services	-	-	-	-	-	-	P [13]	P	P	P	P	P	-	-	-	-	-
Personal Improvement Services	-	-	-	-	-	-	P [13]	P	P	P	P	P	-	-	-	-	-
Rental Halls	-	-	-	-	-	-	P	P	P	P	P	P	P	P	-	-	-
Repair Services, Consumer	-	-	-	-	-	-	P [13]	-	P	P	P	P	-	-	-	-	-
Retail Sales, General	-	-	-	-	-	-	P [13]	-	P	P	P	P	-	-	-	-	-
Sexually-Oriented Business Establishment	-	-	-	-	-	-	-	-	-	-	P [20]	P [20]	P [20]	P [20]	-	-	-

Chapter 1104 | Use Regulations
Sec. 1104.0100 | Use Table

Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Sports and Recreation, Participant																	
Indoor	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-
Outdoor	S	S	S	S	S	-	-	-	-	-	P	P	-	-	-	-	-
Sweepstake Terminal Cafes	-	-	-	-	-	-	-	-	-	-	S [32]	-	-	-	-	-	-
Tobacco Shop	-	-	-	-	-	-	S [13,21]	-	S [21]	S [21]	S [21]	S [21]	-	-	-	-	-
Transient Habitation																	
Bed and Breakfast	S [22]	S [22]	S [22]	S [22]	S [22]	-	P [13]	P	P	P	P	P	-	-	-	-	-
Lodging	-	-	-	-	-	-	-	P	-	P	P	P	-	-	-	-	P
Rooming House	-	-	-	-	S [9]	-	P [9, 13]	-	-	P	P	P	-	-	-	-	-
Vehicle Sales and Service																	
Cleaning/Washing	-	-	-	-	-	-	-	-	-	S [9,17]	P [9,17]	P [9,17]	P [9,17]	-	-	-	-
Fleet Storage	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-
Heavy Equipment Repairs	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Light Equipment Repairs	-	-	-	-	-	-	-	-	-	S	P	P	P	P	-	-	-
Heavy Equipment Sales/Rental	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Auto and RV Sales/Rental	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-	-	-
Auto and RV Sales, used only	-	-	-	-	-	-	-	-	-	-	S [23]	S [23]	-	-	-	-	-
Storage of Towaway Vehicles	-	-	-	-	-	-	-	-	-	-	S [24]	-	S [24]	S [24]	-	-	-
Storage of Recreational Vehicles	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Vehicle Storage	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-
Industrial Use Types																	
Explosive Storage	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-
Freight Terminal	-	-	-	-	-	-	-	-	-	-	-	-	P [26]	P [26]	-	-	-
Industrial, General	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Industrial, Intensive	-	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-
Laundry Service	-	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-
Manufacturing and Production, Limited	-	-	-	-	-	-	-	-	P	P	P	P	P	P	P	-	-
Manufacturing and Production, Technological	-	-	-	-	-	-	-	P	-	-	P	P	P	P	P	-	-
Scrap and Salvage Operations	-	-	-	-	-	-	-	-	-	-	-	-	-	S	-	-	-
Wholesale, Storage and Distribution																	
Mini-Warehouse	-	-	-	-	-	-	-	-	-	-	P	-	P	P	-	-	-
Light	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-
Heavy	-	-	-	-	-	-	-	-	-	-	-	-	P	P	-	-	-

Chapter 1104 | Use Regulations
Sec. 1104.0100 | Use Table

Use Category	RS 12	RS 9	RS 6	RD 6	RM (all)	R MH	CN	CO	CM	CS	CR	CD	IL	IG	IP	POS	IC
Other Use Types																	
Solar Energy Systems																	
Accessory	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]	P [33]
Primary	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P
Urban Agriculture																	
Major	S [31]	S [31]	S [31]	S [31]	S [31]	S [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]
Minor	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]	P [31]
Mining	–	–	–	–	–	–	–	–	–	–	–	–	–	P	–	–	–
Recycling Facilities																	
Large Collection Facilities	–	–	–	–	–	–	–	–	–	–	–	–	P	P	–	–	–
Small Collection Facilities	–	–	–	–	–	–	–	–	–	P	P	P	P	P	–	–	–
Processing Center	–	–	–	–	–	–	–	–	–	–	–	–	P	P	–	–	–
Wireless Telecommunications Facilities																	
Co-Located	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]	P [25]
Freestanding	S [25]	S [25]	S [25]	S [25]	S [25]	S [25]	P [25]	P [25]	S [25]	S [25]	P [25]	P [25]	P [25]	P [25]	P [25]	S [25]	P [25]
Radio/TV Towers	–	–	–	–	–	–	–	–	–	–	S [25]	S [25]	S [25]	S [25]	S [25]	–	–

- [1] Subject to standards of Sec. 1104.1900 | Zero Lot Line Housing, Detached
- [2] Subject to standards of Sec. 1104.0200 | Attached House
- [3] Subject to standards of Sec. 1104.0500 | Cluster Housing
- [4] Subject to standards of Sec. 1104.1300 | Manufactured Housing Parks
- [5] Subject to standards of Sec. 1106.0300 | Multiple Buildings on Lot
- [6] All dwellings units must be located above the ground floor of the building.
- [7] Subject to standards of Sec. 1106.0600 | Mixed Commercial-Residential District Additional Standards
- [8] Subject to spacing standards of Sec. 1104.1000 | Group Living and Day Care – Spacing
- [9] Uses must have frontage on one or more major streets.
- [10] Subject to standards of Sec. 1104.1100 | Group Rental
- [11] Subject to standards of Sec. 1104.1400 | Marinas
- [12] Subject to standards of Sec. 1104.0700 | Day Care
- [13] Subject to standards of Sec. 1106.0500 | Neighborhood Commercial District Maximum Floor Area
- [14] Subject to standards of Sec. 1104.1200 | Animal Shelters and Kennels
- [15] No outdoor storage allowed.
- [16] Only when included as part of a structure which is used as a hotel, motel or office building.
- [17] Subject to standards of Sec. 1104.0800 | Drive-through Facilities
- [18] Subject to standards of Sec. 1104.0600 | Convenience Stores
- [19] Subject to standards of Sec. 1104.0900 | Gasoline and Fuel Sales
- [20] Subject to standards of Sec. 1104.1500 | Sexually-Oriented Business Establishment
- [21] Subject to standards of Sec. 1104.1700 | Tobacco Shops
- [22] Subject to standards of Sec. 1104.0400 | Bed and Breakfast
- [23] Subject to standards of Sec. 1104.0300 | Auto and RV Sales, Used Only
- [24] Subject to standards of Sec. 1104.1600 | Storage of Towaway Vehicles
- [25] Subject to standards of Sec. 1104.1800 | Wireless Telecommunications Facilities
- [26] Subject to standards of Sec. 1108.0203 H | Outdoor Storage Screening
- [27] Subject to standards of Sec. 1104.2000 | Halfway Houses

[28] Subject to standards of Sec. 1104.2100 | Cremating. In the CR *Regional Commercial* district crematories may only operate as an accessory use to undertaking.
[29] Subject to standards of Sec. 1104.2200 | Short-Term Lenders
[30] Subject to standards of Sec. 1104.2300 | Medical Marijuana Facilities
[31] Subject to standards of Sec. 1104.2400 | Urban Agriculture
[32] Subject to standards of Sec. 1104.2500 | Sweepstake Terminal Cafes
[33] Subject to standards of Sec. 1105.0800 | Solar Energy Systems
(Ord. 26-07. Passed 1-2-07; Ord. 180-09. Passed 4-6-09; Ord. 670-10. Passed 12-21-10; Ord. 402-11. Passed 8-23-11; Ord. 552-11. Passed 11-29-11; Ord. 276-13. Passed 05-28-13; Ord. 228-14. Passed 05-22-14; Ord. 325-14. Passed 07-29-14; Ord. 230-15. Passed 04-28-15; Ord. 401-16. Passed 10-25-16; Ord. 191-17. Passed 05-02-17; Ord. 359-17. Passed 08-22-17; Ord. 158-18. Passed 04-24-18; Ord. 353-18. Passed 08-30-18; Ord. 38-21. Passed 01-21-21; Ord. 147-22. Passed 04-26-22; Ord. 21-24. Passed 01-17-24; Ord. 23-24. Passed 01-17-24. Ord 532-24. Passed 11-06-24. Ord. 640-24. Passed 12-18-24.)

1104.0200 | Attached House

The following standards apply to attached houses.

1104.0201 In the RM12 district, up to eight dwelling units may be attached, and structures containing nine or more attached dwelling units are therein prohibited.

1104.0202 In the RD6 district, up to two dwelling units may be attached, and structures containing three or more attached dwelling units are therein prohibited.

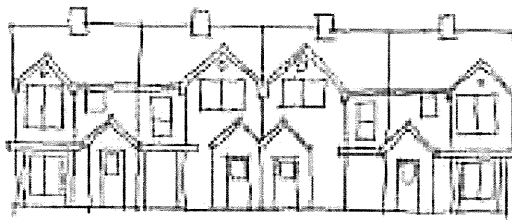
1104.0203 The density and lot size (area and width) requirements of the underlying zoning district apply. Commonly owned areas, including commonly owned open space, driveway, or parking areas, apply toward the overall density standard.

1104.0204 The front, side, and rear setback standards of the underlying zoning district apply around the perimeter of the project.

1104.0205 The side setback on the side containing a common wall is reduced to zero.

1104.0206 On corner lots, either the rear setback or side setback may be reduced to zero. However, the remaining side or rear setback must comply with the rear setback standards of the underlying zoning district.

1104.0207 The roof of each attached house must be distinct from the others through separation of roof pitches or direction, or other variation in roof design.



Side Gabled Attached Houses



Front Gabled Attached House

1104.0208 A common access to the rear of the lots for common or individual parking is allowed and may take the form of an easement. Common access drives must be at least 12 feet wide if designed for one-way traffic and at least 20 feet wide if designed for two-way traffic. When the access drive abuts Residential zoned property that is not part of the attached