

EXHIBIT A

ORDINANCE NO. 29-20

Currently reads as follows:

1222.02 DEFINITIONS. (Currently reads as follows:)

- (a) Words used in this Planning and Zoning Code are used in their ordinary English usage.
- (b) However, for the purpose of this Planning and Zoning Code, certain words herein are defined and whenever used in this Planning and Zoning Code, shall have the meaning indicated in this section, except where the context clearly indicates a different meaning.

(43) A parcel of land used for agriculture; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod or mushrooms; forestry and forestry products; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to such husbandry or production.

The use of the land shall not include the commercial feeding of garbage to livestock.

- A. “Accessory farm building.” Any accessory building or structure used for farming purposes.
- B. “Commercial farm building.” Any building permanently occupied with a farm-related commercial establishment, including but not limited to greenhouses, fruit and vegetable markets, and other similar uses. Any building on a farm for which an accessory, permanent parking area for employees and/or customers is provided shall be deemed a commercial farm building.

Shall be amended to read as follows: (New language in bold print)

1222.02 DEFINITIONS. (Currently reads as follows:)

- (a) Words used in this Planning and Zoning Code are used in their ordinary English usage.
- (b) However, for the purpose of this Planning and Zoning Code, certain words herein are defined and whenever used in this Planning and Zoning Code, shall have the meaning indicated in this section, except where the context clearly indicates a different meaning.

(43) A parcel of land ~~used for~~ **having a principal use of** agriculture; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including but not limited to the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod or mushrooms; forestry and forestry products; pasturage; any combination of the foregoing; the

processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to such husbandry or production. The use of the land shall not include the commercial feeding of garbage to livestock.

- A. “Accessory farm building.” Any ~~accessory~~ building or structure ~~used for farming purposes~~ **accessory to a farm.**
- B. “Commercial farm building.” ~~Any A building~~ **accessory to a farm and permanently primarily** occupied with a ~~farm related commercial establishment,~~ **activities involving the products of that farm such as propagating, growing, processing, storage, marketing, packaging for sale or distribution, shipping, wholesaling, or retailing** including but not limited to ~~a~~ greenhouses, fruit and vegetable markets, roadside stand, and ~~other similar uses~~ **buildings.** ~~Any building on a farm for which an accessory, permanent parking area for employees and/or customers is provided shall be deemed a commercial farm building.~~

Add new section (50) as follows: (Renumber subsequent paragraphs)

1222.02 DEFINITIONS. (Currently reads as follows:)

- (a) Words used in this Planning and Zoning Code are used in their ordinary English usage.
- (b) However, for the purpose of this Planning and Zoning Code, certain words herein are defined and whenever used in this Planning and Zoning Code, shall have the meaning indicated in this section, except where the context clearly indicates a different meaning.

(50) “Garden Center”. A business establishment where products are sold at retail or wholesale, these products being primarily used in residential and commercial landscapes, gardens, or indoor horticulture including but not limited to:

- A. **Living plants including but not limited to trees, shrubs, flowering plants, vegetable plants, and indoor decorative plants;**
- B. **Soils, fertilizers, and other products in containers or loose/unpackaged used for landscaping, gardening, and maintenance of living plants;**
- C. **Tools, hardware, containers, machines, and related products used for landscaping, gardening, and maintenance of living plants;**
- D. **Decorative items used in landscapes and gardens including but not limited to statuary, artwork, fences, stones, and fountains.**

Except as otherwise required by applicable building and health codes, garden center uses may be largely or entirely conducted outdoors.

1278.03 SCHEDULE OF PERMITTED USES. (Which currently reads as follows:)

	<u>M-1</u> <u>General Industrial</u>	<u>M-2</u> <u>Light Industrial</u>
(e) <u>Farms</u>	P	P
(f) <u>Other</u>		
(1) Public safety facilities	P	P
(2) Public service/maintenance facilities	P	
(3) Public utility substation	P	P
(4) Sexually oriented businesses	P	P
(5) Rifle ranges, skeet shooting ranges and pistol ranges	SU	SU
(6) Commercial recreation, indoor and outdoor	SU	SU
(7) Animal boarding	P	

shall be amended to read as follows: (New language in bold print)

1278.03 SCHEDULE OF PERMITTED USES.

	<u>M-1</u> <u>General Industrial</u>	<u>M-2</u> <u>Light Industrial</u>
(e) <u>Farms</u>	P	P
(f) <u>Other</u>		
(1) Public safety facilities	P	P
(2) Public service/maintenance facilities	P	
(3) Public utility substation	P	P
(4) Sexually oriented businesses	P	P
(5) Rifle ranges, skeet shooting ranges and pistol ranges	SU	SU
(6) Commercial recreation, indoor and outdoor	SU	SU
(7) Animal boarding	P	
(8) Garden Center	SU	SU

1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS. (Currently reads as follows:)

Schedule [1280.05](#) sets forth regulations governing minimum lot area and minimum lot width requirements for special uses in commercial, office and industrial districts. Supplemental requirements pertaining to such uses are set forth in Section [1280.06](#), and the specific divisions are referenced in Schedule [1280.05](#).

Schedule 1280.05

<u>MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS</u>				
Special Use	Special Use in District	Minimum Lot Regulations		Also See Section:
		Area	Width	
(g) Funeral home	C-1, C-2	1 acre	150 ft.	1280.06(m)
(h) Gasoline station	C- 3	(1)	(1)	1280.06(c)
(i) Helistop	O-2	(1)	(1)	1280.06(p)
(j) Hospital	C-4 O-1 O-2	5 acres	400 ft.	1280.06(q)

(Ord. 58-01. Passed 5-29-01; Ord. 30-05. Passed 3-28-05; Ord. 1-08. Passed 2-11-08; Ord. 169-08. Passed 1-12-09; Ord. 54-09. Passed 5-26-09; Ord. 26-10. Passed 5-10-10; Ord. 35-12. Passed 6-11-12; Ord. 33-12. Passed 7-9-12; Ord. 34-12. Passed 7-9-12; Ord. 128-12. Passed 12-27-12; Ord. 11-13. Passed 2-25-13; Ord. 41-19. Passed 6-10-19.)

shall be amended to read as follows: (New language in bold print on following page)

1280.05 MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS.

Schedule [1280.05](#) sets forth regulations governing minimum lot area and minimum lot width requirements for special uses in commercial, office and industrial districts. Supplemental requirements pertaining to such uses are set forth in Section [1280.06](#), and the specific divisions are referenced in Schedule [1280.05](#).

Schedule 1280.05

MINIMUM LOT AND YARD REGULATIONS FOR SPECIAL USES IN NONRESIDENTIAL DISTRICTS				
Special Use	Special Use in District	Minimum Lot Regulations		Also See Section:
		Area	Width	
(g) Funeral home	C-1, C-2	1 acre	150 ft.	1280.06(m)
(h) Garden Center	M-1, M-2	3 acres	300 ft.	All district regulations in Chapter 1278 and 1280.06(mm), 1280.06(u) and 1280.06(w)
(i) Gasoline station	C- 3	(1)	(1)	1280.06(c)
(j) Helistop	O-2	(1)	(1)	1280.06(p)
(k) Hospital	C-4 O-1 O-2	5 acres	400 ft.	1280.06(q)

(Ord. 58-01. Passed 5-29-01; Ord. 30-05. Passed 3-28-05; Ord. 1-08. Passed 2-11-08; Ord. 169-08. Passed 1-12-09; Ord. 54-09. Passed 5-26-09; Ord. 26-10. Passed 5-10-10; Ord. 35-12. Passed 6-11-12; Ord. 33-12. Passed 7-9-12; Ord. 34-12. Passed 7-9-12; Ord. 128-12. Passed 12-27-12; Ord. 11-13. Passed 2-25-13; Ord. 41-19. Passed 6-10-19.)

Add new section 1280.06(mm) as follows:

1280.06 SUPPLEMENTAL REGULATIONS FOR CERTAIN USES.

The following are specific conditions, standards and regulations for certain special uses and are in addition to the criteria and standards set forth in Sections [1280.02](#) through [1280.05](#).

(mm) Garden Center.

(1) Generally. See ACO §1222.02(b)(50)

(2) Location.

A. Garden center shall only be permitted arterial or collector streets.

B. Outdoor display. The outdoor display of any materials offered for sale must comply with Sec. 1280.06(u).

C. Outdoor Storage. The outdoor storage of any materials must comply with the regulations set forth in Section 1278.07 and Section 1280.06(w) of the ACO.

(Ord. 58-01. Passed 5-29-01; Ord. 30-05. Passed 3-28-05; Ord. 77-05. Passed 6-13-05; Ord. 147-07. Passed 1-14-08; Ord. 1-08. Passed 2-11-08; Ord. 169-08. Passed 1-12-09; Ord. 26-10. Passed 5-10-10; Ord. 11-13. Passed 2-25-13; Ord. 26-15. Passed 4-13-15; Ord. 76-16. Passed 7-11-16.)