

**ZONING RESOLUTION**  
**SPRINGFIELD TOWNSHIP**  
Lucas County, Ohio

**2019 TOWNSHIP ROSTER**

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**FULL UPDATE**  
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**AMENDED CONTINUOUSLY**

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## SECTION 1

### GENERAL PROVISIONS

#### 100 ENACTMENT; TITLE

The Board of Township Trustees in accordance with the enabling legislation for Township Zoning as provided in Chapter 519 of the Ohio Revised Code hereby provides as follows: This Resolution shall be known as and may be cited to as the “Zoning Resolution” of Springfield Township, as amended August 3, 2009 and is referred to herein as “Resolution.”

#### 101 PURPOSE

The purpose of this Resolution is to promote the public health, safety, and general welfare (where permitted) of the residents of Springfield Township. This Resolution shall serve the general good of the community as a whole, protect property values, and secure the most appropriate use of the land, in accordance with the adopted 2004 Springfield Township Master Plan (as amended from time to time). This Resolution amends the Zoning Resolution of the Board of Trustees of Springfield Township, Lucas County, Ohio, effective December 12, 1955, as amended to the date of the adoption of this amending Resolution, in each and every part thereof that is inconsistent with this amending Resolution.

#### 102 INTERPRETATION AND RELATIONSHIP TO OTHER REGULATIONS

The interpretation and application of any provision of this Resolution shall be held to be the minimum requirements, adopted for the promotion of the public health, safety, and general welfare (where permitted). When the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations or resolutions, the most restrictive requirements imposing the higher standards shall apply.

#### 103 SEVERABILITY

Should this Resolution, or any section of this Resolution, be declared by a court to be unconstitutional or invalid, such a decision shall not affect the validity of this Resolution as a whole, or any other parts thereof, other than the part declared unconstitutional or invalid; in the event of such a declaration, then the applicable provision of the prior Zoning Resolution (Zoning Resolution December 12, 1955, as amended) is hereby re-instated.

#### 104 REPEAL OF CONFLICTING RESOLUTIONS

All resolutions in conflict with this Resolution, or inconsistent with the provisions of this Resolution, are hereby repealed to the extent necessary to give this Resolution full force and effect.

#### 105 EFFECTIVE DATE

This Resolution shall become effective from and after the date of its approval and adoption by the Board of Township Trustees, as provided in ORC 519.12.

#### 106 AREA OF JURISDICTION

The provisions of this Resolution apply to all unincorporated areas of Springfield Township, Lucas County, Ohio.



## SECTION 2

### APPLICABILITY

#### 200 GENERAL APPLICABILITY OF ZONING RESOLUTION

No structure, or part thereof shall be placed upon or moved onto land, constructed, reconstructed, enlarged, or structurally altered, nor shall any structure, building or land be used or occupied in a manner which does not comply with the district regulations established by this Resolution for the district in which the building, structure, and/or land is located.

**A. Lot Size Requirements and the Subdivision of Land**

No lot or lot of land held under one ownership, with or without a building, at the time this Resolution became effective, shall be reduced, nor shall any such lot be subdivided in any manner below the minimum lot width and lot area required by this Resolution. No lot(s) shall be built on unless the lot has frontage along a public street or private place.

**B. Reductions in Yard Requirements**

No building may be enlarged which would result in decreasing a yards setback to less than the minimum requirements of the applicable zoning district.

**C. Location of Uses on a Single Lot**

Unless otherwise specifically allowed in Section 1906— Supplemental Regulations, every principal building whether presently existing or hereafter constructed, relocated or structurally altered shall be located on a single lot.

**D. Unsafe Buildings**

Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition of any structure or part thereof declared unsafe by a proper authority.

**E. Conversion of Dwellings**

The conversion of any structure into a dwelling or the conversion of any dwelling to accommodate an increased number of dwelling units is permitted only in accordance with all requirements of this Resolution.

**F. Parking Requirements**

No land use may change from one use to another use without first meeting the parking requirements for the new use.

#### 201 AGRICULTURE

Pursuant to the Ohio Revised Code, the use of land for agricultural purposes or the construction or use of buildings or structures incidental to the use for agricultural purposes of the land on which such buildings or structures are located, shall be permitted in all districts established by this Resolution. No Zoning Certificate shall be required for any such building or structure, except where regulated within platted areas on lots of less than five (5) acres, farm markets, or as specifically listed below.

**A. Dwellings in an Agriculture District**

Dwellings on the same property as agricultural operations are not herein defined as agricultural structures and are subject to all requirements contained in this Resolution.

**B. Raising / Maintaining Livestock (Farm Animals)**

In a platted subdivision approved under Revised Code Section 711.05, 711.09 or 711.10, or in any area consisting of fifteen or more lots approved under the Ohio Revised Code Section 711.131 that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, the following regulations shall apply:

1. On lots of one (1) acre or less, the breeding, raising or maintaining of farm animals such as horses, pigs, cows, sheep, goats, chickens, and similar livestock is prohibited.
2. On lots of greater than one (1) acre but less than five (5) acres, a lot owner may stable or keep livestock provided buildings or stables incident to the housing of livestock shall not be permitted within fifty (50') feet of a dwelling or an adjacent property line.
3. No farm animals shall be pastured within five (5') feet on any lot line.
4. There shall be at least one (1) acre per horse or pony on a single property on which the horses or ponies are stabled.

No lot owner shall permit the use of any lot for the keeping of farm animals or livestock that produces, directly or indirectly, the noxious odor of the animals and livestock, insects, flies or other carriers of waste material, including, but not limited to, the transmission or flow of animal waste through the ground or by air from the lot to any adjoining lot or public right-of-way, or any other result of an animal or an animal husbandry ownership or use, which endangers the public's health, safety and general welfare on the lot or the owners or occupant of any adjoining lot. The Board of Township Trustees may determine and find any such use to be a nuisance and that such nuisance causes injury to the property of another, endangers life and health, is offensive to the senses, violates laws of decency, or obstructs the reasonable and comfortable use of one's property.

**C. Farm Market**

Farm markets are allowed in any zoning district if fifty (50%) percent or more of the gross income received from the farm market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. Farm markets that do not provide more than fifty (50%) percent of the gross income from produce raised on land owned or operated by the market operator are prohibited. Farm markets are subject to Section 22— Site Plan Review for consideration of size/setback of structure(s), parking areas, and ingress/egress.

**202**

**EXCEPTIONS**

Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties or unnecessary hardships in carrying out the strict interpretation of this Resolution providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Section 30. Hardship shall be based on the physical limitations of the land or structures and shall not encompass financial considerations.

## SECTION 3

### PROVISIONS FOR OFFICIAL ZONING MAP

#### 300 OFFICIAL ZONING MAP

The zoning district locations and boundaries are shown on the map titled “The Official Springfield Township Zoning Map” This map is on file in the Springfield Zoning Office and available online at the Springfield Township website ([www.springfieldtownship.net](http://www.springfieldtownship.net)) and is hereby declared to be a part of this Resolution.

#### 301 INTERPRETATION OF DISTRICT BOUNDARIES

Where uncertainty exists with respect to the boundaries of any of the zoning districts as shown on the Zoning Map, the following rules shall apply:

**A. Parallel District Boundaries**

Where district boundaries appear to be approximately parallel with the center line or right-of-way lines of streets, roads, or highways, such district boundaries shall be construed as parallel therewith and at such distance there from as indicated on the Official Zoning Map. If no distance is given, such dimensions shall be determined by the use of the scale shown on the Official Zoning Map.

**B. Lot Lines, Railroad Lines, and Waterways**

Where district boundaries approximately follow lot lines such lot lines shall be construed as a boundary of a zoning district. Where the boundary of a district follows a railroad line, such boundary shall be deemed to be located in the middle of the main tracks of said railroad line. Where the boundary of a district follows (or is parallel with) a waterway, such boundary shall be deemed to be located in the middle of the waterway.

**C. Interpretation by Board of Zoning Appeals**

Any questions of interpretation of the Official Zoning Map, which cannot otherwise be resolved, shall be referred to the Board of Zoning Appeals for determination, in accordance with Section 30 — Board of Zoning Appeals.

#### 302 ESTABLISHMENT OF DISTRICTS

For the purpose of regulating and restricting the location of buildings, structures and land use, Springfield Township is divided into zoning districts as shown on the Official Zoning Map. These districts include the following and are illustrated on the Official Zoning Map:

## **ZONING DISTRICTS**

<b>P/O</b>	Public/Open Space District
<b>RA-3</b>	Large Lot Rural Residential District
<b>RA-4</b>	Rural Residential District
<b>RA-5</b>	Large Lot Residential District
<b>R-A</b>	Suburban Residential District
<b>R-1</b>	Single Family Residential District
<b>R-3</b>	Multi Family Residential District
<b>MHP</b>	Manufactured Home Park District
<b>C-1</b>	Neighborhood Commercial District
<b>C-2</b>	General Commercial District
<b>O/R</b>	Office and Research District
<b>M-1</b>	Limited Industrial District
<b>M-3</b>	Heavy Industrial District
<b>APH</b>	Airport Highway Overlay District
<b>PUD</b>	Planned Unit Development

## SECTION 4

### P/O PUBLIC/OPEN SPACE DISTRICT

#### 400 PURPOSE

The purpose of the Public/Open Space (P/O) District is to preserve and protect significant natural areas, drainage ways and flood plains, and to designate land for public use in Springfield Township.

#### 401 PERMITTED USES

The following uses are permitted in the Public/Open Space District:

Accessory uses and structures  
Cemetery (public/private)  
Conservation area(s)  
Public uses  
Public parks/recreation  
Private School (K-12)

#### 402 CONDITIONAL USES

The following use(s) may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Telecommunication tower (See Section 1916)

#### 403 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

##### A. Height limits

No building shall be constructed or enlarged to exceed forty-five (45') feet in height.

##### B. Trip Generation

All proposed uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Trip Generation Manual) are subject to Section 25 - Access Management.

##### C. Area Requirements:

All lots shall meet the following area, coverage, and yard requirements:

**Lot Area:** There is no minimum lot area. All lots must meet the following requirements:

**Lot Coverage:** Sixty (60%) percent maximum

**Front Yard:** Thirty-five (35') feet. (See Section 1914 and Section 17 - Airport Highway Overlay District)

**Side Yard:** Ten (10%) percent of the lot width or ten (10') feet, whichever is less.

**Rear Yard:** Thirty-five (35') feet.

## SECTION 5

### RA-3 LARGE LOT RURAL RESIDENTIAL DISTRICT

#### 500 PURPOSE

The purpose of the Large Lot Rural Residential (RA-3) District is to provide areas for single-family dwellings on lots one (1) acre in size or larger and provide areas for agricultural activities and related uses. Development in this area is low density which may or may not be serviced with public water and sanitary sewer lines.

#### 501 PERMITTED USES

The following uses are permitted in the Large Lot Rural Residential (RA-3) District:

Accessory uses and structures  
Adult Family Home & Residential Facility, Small  
Dwelling, single-family  
Home occupation (See Section 1905)  
Small wind turbine

#### 502 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Bed and Breakfast	Mineral extraction (See Section 1906)
Church or place of worship	Recreational facility, indoor or outdoor
Club	Telecommunication tower (See Section 1916)
Group living, excluding Adult Family Home & Residential Facility, Small	
Hospital	Landscape Contractor

#### 503 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

- A. Height Limits**  
No building, except those for agricultural purposes, shall be constructed or enlarged to exceed thirty-five (35') feet in height.
- B. Trip Generation**  
All proposed uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Trip Generation Manual) are subject to Section 25 - Access Management.
- C. Area Requirements**  
All lots shall meet the following minimum requirements:
- |                    |  |
|--------------------|--|
| <b>Lot Area:</b>   | One (1) acre.  |
| <b>Lot Width:</b>  | One hundred fifty (150') feet.   |
| <b>Front Yard:</b> | Fifty (50') feet. (See Section 1914)   |
| <b>Side Yard:</b>  | Ten percent (10%) of the lot width or fifteen (15') feet, whichever is less. |
| <b>Rear Yard:</b>  | Thirty-five (35') feet.  |

## SECTION 6

### RA-4 RURAL RESIDENTIAL DISTRICT

#### 600 PURPOSE

The purpose of the Rural Residential (RA-4) District is to provide areas for single-family dwellings on lots twenty thousand (20,000) square feet in size or larger and to provide areas for agricultural activities and related uses. Development in this district is low density and is serviced with public water lines and sanitary sewers.

#### 601 PERMITTED USES

The following uses are permitted in the Rural Residential (RA-4) District:

Accessory uses and accessory structures	Dwelling, single- family
Adult Family Home & Residential Facility, Small	Small wind turbine
Home occupation (See Section 1905)	

#### 602 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Church or place of worship	Recreation facility, outdoor
Club	Telecommunication tower (See Section 1916)
Group living, excluding Adult Family Home & Residential Facility, Small	

#### 603 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

##### A. Height Limits

No building shall be constructed or enlarged to exceed thirty-five (35') feet in height.

##### B. Trip Generation

All proposed uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Trip Generation Manual) are subject to Section 25 - Access Management.

##### C. Area Requirements

All lots shall meet the following minimum requirements:

**Lot Area:** Twenty thousand (20,000) square feet.

**Lot Width:** One Hundred (100') feet.

**Front Yard:** Thirty-five (35') feet. (See Section 1914)

**Side Yard:** Ten (10%) percent of the lot width or ten (10') feet, whichever is less.

**Rear Yard:** Thirty-five (35') feet.

## SECTION 7

### RA-5 LARGE LOT RESIDENTIAL DISTRICT

#### 700 PURPOSE

The purpose of the Large Lot Residential (RA-5) District is to provide areas for single-family dwellings on lots sixteen thousand (16,000) square feet in size or larger. Development in this district is low to medium density and is serviced with public water lines and sewers.

#### 701 PERMITTED USES

The following uses are permitted in the Large Lot Residential (RA-5) District:

Accessory uses and accessory structures  
Adult Family Home & Residential Facility, Small  
Dwelling, single-family  
Home occupation (See Section 1905)

#### 702 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Church or place of worship  
Recreation facility, outdoor  
Telecommunication tower (See Section 1916)

#### 703 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

##### A. Height Limits

No building shall be constructed or enlarged to exceed thirty-five (35') feet in height. (See Section 1901)

##### B. Trip Generation

All proposed uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Trip Generation Manual) are subject to Section 25 - Access Management.

##### C. Area Requirements

All lots shall meet the following minimum requirements:

**Lot Area:** Sixteen thousand (16,000) square feet.

**Lot Width:** Eighty-five (85') feet.

**Front Yard:** Thirty-five (35') feet. (See Section 1914)

**Side Yard:** Ten (10%) percent of the lot width or ten (10') feet, whichever is less.

**Rear Yard:** Thirty-five (35') feet.



## SECTION 8

### R-A SUBURBAN RESIDENTIAL DISTRICT

#### 800 PURPOSE

The purpose of the Suburban Residential (R-A) District is to provide areas for medium density single-family dwellings on lots twelve thousand (12,000) square feet in size or larger. Development in this district is serviced with public water lines and sewers.

#### 801 PERMITTED USES

The following uses are permitted in the Suburban Residential (R-A) District:

Accessory uses and accessory structures  
Adult Family Home & Residential Facility, Small  
Dwelling, single-family  
Home occupation (See Section 1905)

#### 802 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Church or place of worship  
Recreation facility, outdoor  
Telecommunication tower (See Section 1916)

#### 803 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

**A. Height Limits**

No building shall be constructed or enlarged to exceed thirty-five (35') feet in height.

**B. Trip Generation**

All proposed uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Trip Generation Manual) are subject to Section 25 - Access Management.

**C. Area Requirements**

All lots shall meet the following minimum requirements:

**Lot Area:** Twelve thousand (12,000) square feet.

**Lot Width:** Seventy-five (75') feet.

**Front Yard:** Thirty-five (35') feet. (See Section 1914)

**Side Yard:** Ten (10%) percent of the lot width or ten (10') feet, whichever is less.

**Rear Yard:** Thirty-five (35') feet.

## SECTION 9

### R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

#### 900 PURPOSE

The purpose of the Single Family Residential (R-1) District is to provide areas for medium density single-family dwellings on lots seven thousand two hundred (7,200) square feet in size or larger. Development in this district is serviced with public water lines and sewers.

#### 901 PERMITTED USES

The following uses are permitted in the Single Family Residential (R-1) District:

Accessory uses and accessory structures  
Adult Family Home & Residential Facility, Small  
Dwelling, single-family  
Home occupation (See Section 1905)

#### 902 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Church or place of worship  
Recreation facility, outdoor  
Telecommunication tower (See Section 1916)

#### 903 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

- A. Height Limits**  
No building shall be constructed or enlarged to exceed thirty-five (35') feet in height.
- B. Access Management/Trip Generation**  
All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) are subject to Section 25 — Access Management.
- C. Area Requirements**  
All lots shall meet the following minimum requirements:
  - Lot Area:** Seven thousand two hundred (7,200) square feet.
  - Lot Width:** Sixty (60') feet.
  - Front Yard:** Thirty-five (35') feet. (See Section 1914)
  - Side Yard:** Ten (10%) percent of the lot width or ten (10') feet, whichever is less.
  - Rear Yard:** Thirty-five (35') feet.

## SECTION 10

### R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

#### 1000 PURPOSE

The purpose of the Multi-Family Residential (R-3) District is to provide areas for medium to high density residential development on lots serviced with public water and sanitary sewer and located in proximity to community services.

#### 1001 PERMITTED USES

The following uses are permitted in the Multi-Family Residential (R-3) District:

Accessory uses and accessory structures	Group living
Dwelling, multiple-family	
Dwelling, two-family	

#### 1002 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Church or place of worship	Self-storage facility (With or without dwelling unit for an on-site manager)
Day care facility	Telecommunication tower (See Section 1916)
Recreation facility, outdoor or indoor	
Rooming house	

#### 1003 DEVELOPMENT STANDARDS

All main buildings and lots shall meet the following development standards:

##### A. Height Limits

No building shall be constructed or enlarged to exceed thirty-five (35') feet in height.

##### B. Access Management/Trip Generation

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) are subject to Section 25 — Access Management.

##### C. Area Requirements

All lots shall meet the following minimum requirements:

**Lot Area:** The minimum lot area per dwelling unit shall be three thousand five hundred (3,500) square feet.

**Lot Coverage:** Sixty (60%) percent maximum.

**Front Yard:** Thirty-five (35') feet. (See Section 1914)

**Side Yard:** Ten (10%) percent of the lot width or ten (10') feet, whichever is less.

**Rear Yard:** Thirty-five (35') feet.

## SECTION 11

### MHP MANUFACTURED HOME PARK DISTRICT

#### 1100 PURPOSE

The purpose of the Manufactured Home Park (MHP) District is to establish areas suitable for the placement of manufactured housing and mobile homes.

#### 1101 PERMITTED USES

The following uses are permitted in the Manufactured Home Park (MHP) District:

Accessory uses and accessory structures  
Manufactured Home Park  
Recreational facility, indoor or outdoor

#### 1102 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Telecommunication tower (See Section 1916)

#### 1103 APPROVAL PROCEDURE

Manufactured home parks shall be located only in the MHP district and shall be developed according to the standards and regulations stated in this section. The procedure to amend the Official Zoning Map to establish an MHP District is set forth in Section 27 — Zoning Changes and Text Amendments.

Manufactured home parks are subject to the requirements of Section 22 — Site Plan Review, and shall conform to the following standards:

- A. The proposed site shall be a minimum of ten (10) acres.
- B. Public water and sanitary sewer shall be utilized by the development.
- C. The maximum density shall not exceed ten (10) manufactured home units per acre.
- D. An adjacent outdoor living area not less than five hundred (500) square feet shall be provided for each manufactured home unit and shall be shown on the site plan.
- E. Two (2) nine (9') foot by twenty (20') foot off-street parking spaces surfaced with concrete or asphalt shall be required for each manufactured home unit in addition to outdoor living area set forth in provision D.

#### 1104 ACCESS MANAGEMENT/TRIP GENERATION

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) are subject to Section 25 — Access Management.

## SECTION 12

### C-1 NEIGHBORHOOD COMMERCIAL DISTRICT

#### 1200 PURPOSE

The purpose of the Neighborhood Commercial (C-1) District is to establish areas for uses that provide goods and services to the local neighborhood. Neighborhood Commercial uses are those retail and service establishments that primarily serve local market areas and can be located in close proximity to residential districts without creating undue vehicular congestion, excessive noise, or other influences that are not compatible with surrounding residential neighborhoods.

#### 1201 PERMITTED USES

The following uses and similar uses as interpreted by the Zoning Inspector are permitted in the Neighborhood Commercial (C-1) District:

Accessory uses and accessory structures	Personal service
Bank/financial center	Photo, dance, art, music studio
Caterer	Professional Office
Day care facility	Restaurant (without drive thru and/or outdoor seating)
Funeral home	Retail
Internet café	

#### 1202 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Any use with outdoor seating	Professional/Trade school
Bar/Lounge	Recreational facility, indoor
Club	Veterinary office/clinic
Group living	Single, two, or multiple-family dwelling units – above the ground floor level (See Section 1922)
Medical Marijuana Dispensary	

#### 1203 DEVELOPMENT STANDARDS

All buildings, lots and land uses within the Neighborhood Commercial (C-1) District shall meet the following development standards:

##### A. Height Limits

No structure shall be constructed or enlarged to exceed thirty-five (35') feet in height.

##### B. Access Management/Trip Generation

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) are subject to Access Management.

**C. Coverage and Setback Requirements**

All lots shall meet the following requirements:

**Lot Coverage:** Sixty (60%) percent maximum.

**Front Yard:** Thirty (30') feet. (See Section 1913)

**Side Yard:** Ten (10') feet. (See Section 1913)

**Rear Yard:** Twenty (20') feet. (See Section 1914)

**D. Maximum Floor Area Requirement**

All Neighborhood Commercial (C-1) District uses shall meet the following requirements: the gross floor area of any multi-tenant structure shall not exceed twenty five thousand (25,000) square feet, and a single permitted use shall not exceed ten thousand (10,000) square feet.

## SECTION 13

### C-2 - GENERAL COMMERCIAL DISTRICT

#### 1300 PURPOSE

The purpose of the General Commercial (C-2) District is to provide areas for general commercial uses. These uses are typically located along major roadways and may generate high volumes of traffic.

#### 1301 PERMITTED USES

The following uses and similar uses as interpreted by the Zoning Inspector are permitted in the General Commercial (C-2) District:

Accessory uses and accessory structures	Medical Marijuana Testing Laboratory
Amusement arcade	Meeting or reception hall
Automobile sales	Movie Theater
Automobile service center	Personal service
Bank/financial center	Photo, dance, art, music studio
Bar/lounge	Professional office
Car wash	Professional/Trade School
Caterer	Recreation facility, indoor or outdoor
Club	Recreational vehicle sales and service
Day care facility	Restaurant (with or without drive-thru or outdoor seating)
Funeral home	Retail
Gasoline sales	Veterinary hospital
Hotel/motel	Sexually oriented business (See Section 1902)
Internet café	
Marine sales and service	

#### 1302 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Medical Marijuana Dispensary	Single, two, or multiple-family dwelling units – above the ground floor level (See Supplemental Regulations Section 1922)
Residential Care Facility	

#### 1303 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the General Commercial (C-2) District shall meet the following development standards:

**A. Height Limit:**

No structure shall be constructed or enlarged to exceed forty-five (45') feet in height.

**B. Access Management/ Trip Generation**

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) are subject to Section 25 — Access Management.

**C. Coverage and Setback Requirements**

All lots shall meet the following requirements:

**Lot Coverage:** Sixty (**60%**) percent maximum.

**Front Yard:** Thirty-five (**35'**) feet. (See Section 1914)

**Side Yard:** Ten (**10'**) feet. (See Section 1914)

**Rear Yard:** Twenty (**20'**) feet. (See Section 1914)



## SECTION 14

### O/R - OFFICE AND RESEARCH DISTRICT

#### 1400 PURPOSE

The purpose of the Office and Research (O/R) District is to provide areas for professional offices, research facilities, distribution centers, and related uses. Office and research uses may be located near residential districts due to the low impact nature of their operation.

#### 1401 PERMITTED USES

The following uses and similar uses as interpreted by the Zoning Inspector are permitted in the Office and Research (O/R) District:

Accessory uses and accessory structures	Professional office
Bank or financial center	Professional/Trade School
Electronic equipment manufacture/assembly	Research and development facility
Precision instrument manufacture/assembly	Medical Marijuana Testing Laboratory

#### 1402 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Day care facility  
Recreational facility, indoor  
Restaurant (without drive-thru or outdoor seating)  
Single, two, or multiple-family dwelling units – above the ground floor level  
(See Supplemental Regulations- Section 1922)

#### 1403 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the Office and Research (O/R) District shall meet the following development standards:

- A. Height Limit:**  
No structure shall be constructed or enlarged to exceed forty-five (45') feet in height.
- B. Access Management/ Trip Generation**  
All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) are subject to Section 25 — Access Management.
- C. Coverage and Setback Requirements**  
All lots shall meet the following requirements:
- Lot Coverage:** Sixty (60%) percent maximum.
- Front Yard:** Thirty-five (35') feet. (See Section 1914)
- Side Yard:** Ten (10') feet. (See Section 1914)
- Rear Yard:** Thirty (30') feet. (See Section 1914)

## SECTION 15

### M-1 - LIMITED INDUSTRIAL DISTRICT

#### 1500 PURPOSE

The purpose of the Limited Industrial (M-1) District is to provide an area for the location of light and industrial-type uses. The M-1 Limited Industrial District should generally be separated from residential districts except in those instances where natural features and buffer areas separate the two uses.

#### 1501 PERMITTED USES

The following uses and similar uses as determined by the Zoning Inspector are permitted in the Limited Industrial (M-1) Zoning District:

Accessory uses and accessory structures

Assembly of electrical components, instruments, and devices, including electroplating

Automobile service center

Building material sales yard (excluding concrete and asphalt production)

Catering establishment

Distribution center

Equipment sales and rental (within a completely enclosed building)

Kennel

Laundry/dry cleaning plant

Light manufacturing conducted entirely within a building and producing the following types of products:

Food products

Furniture and wood products

Plastics and plastic products

Products made from fabrics

Printing and published materials

Precision Instruments

Lumber yard (provided saws, planers, processing machines are within completely enclosed building).

Machine shop (excluding punch presses over twenty (20) tons rated capacity)

Manufactured home sales

Medical Marijuana Cultivator

Medical Marijuana Processor

Medical Marijuana Testing Laboratory

Plumbing, sheet metal, and woodworking shops

(provided processing machines are within a completely enclosed building)

Professional office

Professional/Trade School

Self storage facility (with or without an on-site manager's dwelling unit)

Wholesaling, including the inside storage, handling, or sale of merchandise primarily to retailers

#### 1502 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Any permitted use requiring outdoor storage

Contractor yard

Day care center

Landscape contractor

Limousine/taxi service

Marine sales and service

Recreational vehicle sales and service

Recycling center

Storage lot including automobiles, boats, trucks, and recreational vehicles.

Truck service center

Truck terminal

**1503 DEVELOPMENT STANDARDS**

All main buildings, lots and land uses within the Limited Industrial (M-1) District shall meet the following development standards:

**A. Height Limit**

No structure shall be constructed or enlarged to exceed forty-five (45') feet in height.

**B. Access Management/ Trip Generation**

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) are subject to Section 25 - Access Management.

**C. Coverage and Setback Requirements**

All lots shall meet the following requirements:

**Lot Coverage:** Sixty (60%) percent maximum.

**Front Yard:** Thirty-five (35') feet. (See Section 1914)

**Side Yard:** Ten (10') feet. (See Section 1914)

**Rear Yard:** Thirty (30') feet. (See Section 1914)

## SECTION 16

### M-3 - HEAVY INDUSTRIAL DISTRICT

#### 1600 PURPOSE

The purpose of the Heavy Industrial (M-3) District is to provide areas for heavy industrial uses.

#### 1601 PERMITTED USES

The following uses are permitted in the Heavy Industrial (M-3) Zoning District:

Accessory uses and accessory structures	Production/storage of petroleum-related product(s)
Automobile/truck repair garage	Truck terminal
Contractor yard	
Machine shop	
Manufacturing from raw material(s)	

#### 1602 CONDITIONAL USES

The following uses may be approved pursuant to Section 26 — Procedures and Requirements for Conditional Uses:

Correctional facility  
Landfill  
Material recovery facility  
Mineral extraction, storage, processing, and manufacture  
Salvage Yard  
Storage and distribution of compressed gases  
Processing/manufacture/storage of asphalt, concrete, or other excavated materials  
Production, storage, and distribution of volatile chemicals including radioactive materials

#### 1603 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the Heavy Industrial (M-3) District shall meet the following development standards:

##### A. Height Limit

No structure shall be constructed or enlarged to exceed forty five (45') feet in height.

##### B. Access Management/ Trip Generation

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) shall be subject to Section 25-Access Management.

##### C. Coverage and Setback Requirements

All lots shall meet the following requirements:

**Lot Coverage:** Sixty (60%) percent maximum.

**Front Yard:** Forty-five (45') feet. (See Section 1914)

**Side Yard:** Thirty (30') feet. (See Section 1914)

**Rear Yard:** Forty (40') feet. (See Section 1914)

## SECTION 17

### APH - AIRPORT HIGHWAY OVERLAY DISTRICT

#### 1700 PURPOSE

The purpose of the Airport Highway Overlay (APH) District is to promote the public health, safety, comfort, convenience, and general welfare of the community by providing for consistent and coordinated treatment of the land and properties bordering Airport Highway in Springfield Township. Airport Highway is a high traffic volume, regionally significant roadway, which serves as the gateway to Springfield Township and Northwest Ohio.

#### 1701 AIRPORT HIGHWAY OVERLAY DISTRICT BOUNDARIES

The boundaries of the Airport Highway Overlay (APH) District are shown on the Official Zoning Map. The boundaries of this overlay district includes all land within four hundred and fifty feet (450') of the centerline of the Airport Highway right-of-way, from the westerly right-of-way line of Holloway Road to the easterly right-of-way line of Eber Road.

#### 1702 PERMITTED USES

All uses that are permitted in the underlying zoning district(s), except those uses expressly excluded by Section 1704, are permitted within the Airport Highway Overlay (APH) District.

#### 1703 CONDITIONAL USES

All Conditional Uses that are permitted, pursuant to Section 26 — Procedures and Requirements for Conditional Uses, in the underlying zoning district(s) are also permitted within the Airport Highway Overlay (APH) District except those uses expressly excluded in Section 1704.

#### 1704 EXCLUDED USES

The following uses are not permitted within the Airport Highway Overlay (APH) District notwithstanding the fact that such uses may be listed as a permitted use or Conditional Use in the underlying zoning district.

- Automobile sales, used (when not in conjunction with new car sales)
- Automobile/truck service center (when not in conjunction with new car sales)
- Contractor yard
- Dwelling, one, two, and multi-family
- Landfill
- Manufactured home-park
- Manufactured home sales, mobile home sales
- Off-premise sign (billboard)
- Salvage yard/automobile wrecking yard
- Self Storage facility
- Sexually oriented business (See Section 1902)

#### 1705 ACCESSORY BUILDINGS AND USES

All accessory buildings and accessory uses that are permitted in the underlying zoning districts are permitted within the district, except that any detached accessory building on any lot shall have on all sides the same architectural features or shall be architecturally similar to the principal building(s) with which it is associated. No accessory building shall be placed between the principal building and Airport Highway, except as otherwise provided for in this Resolution.

## 1706 DEVELOPMENT STANDARDS

All main buildings, lots and land uses within the Airport Highway Overlay (APH) District shall meet the following development standards:

**A. Height Limit**

As specified in the underlying zoning district(s).

**B. Trip Generation**

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) shall be subject to Section 25 — Access Management.

**C. Coverage and Setback Requirements**

**Lot Coverage:** Sixty (60%) percent maximum.

**Front Yard:** Sixty (60') feet. (See Section 1914)

**Side Yard:** As specified in the underlying zoning district(s).

**Rear Yard:** As specified in the underlying zoning district(s).

**Front Landscape Strip:** Twenty-five (25') feet (may be located within the required front yard setback).

**Lot Frontage:** Two hundred (200') feet.

**D. Exceptions to Development Standards**

All lots in the Airport Highway Overlay District (Springfield Township Zoning Resolution, Section 17) that lie between the westerly boundary of Interstate Roadway 475 and 600 feet west of the westerly boundary of Holloway Road, and which property has been acquired as part of Ohio Department of Transportation Project LUC-2-14-210; PID 16387, shall have their front yard setback of sixty feet (60') reduced by the same amount of land that lies between the original Airport Highway roadway right-of-way and the expanded Airport Highway roadway right-of-way as defined on the approved and issued Ohio Department of Transportation (ODOT) drawings for project LUC-2-14-210; PID 16387. Further, the required front yard landscape strip may be located within the required front yard setback.

## SECTION 17.50

### SPRING MEADOWS OVERLAY DISTRICT

#### 1750 PURPOSE

The Spring Meadows area is the identifying area of Springfield Township. It is an important commercial area and serves as the gateway to Springfield Township. The purpose of this district is to continue to promote high quality development and redevelopment of this area. Unique building design, unique landscaping, and pedestrian access are all fundamental aspects of this district.

#### 1751 SPRING MEADOWS OVERLAY DISTRICT BOUNDARIES

The boundaries of the Spring Meadows Overlay District are shown on the Official Zoning Map. The boundaries of this overlay district includes all parcels zoned commercial, industrial and office/research within one thousand feet (1000') of the centerline of the Airport Highway right-of-way, from the westerly right-of-way line of Holland-Sylvania Road to the easterly right-of-way line of Holloway Road. Single family, two family, and agricultural uses are exempt from these regulations.

#### 1752 PERMITTED USES

All uses that are permitted in the underlying zoning district(s), except those uses expressly excluded by Section 1754, are permitted within the Spring Meadows Overlay District.

#### 1753 CONDITIONAL USES

All Conditional Uses that are permitted, pursuant to Section 26 — Procedures and Requirements for Conditional Uses, in the underlying zoning district(s) are also permitted within the Spring Meadows Overlay District except those uses expressly excluded in Section 1754.

#### 1754 EXCLUDED USES

The following uses are not permitted within the Spring Meadows Overlay District notwithstanding the fact that such uses may be listed as a Permitted Use or Conditional Use in the underlying zoning district.

- Automobile sales, used (when not in conjunction with new car sales)
- Automobile/truck service center (when not in conjunction with new car sales)
- Contractor yard
- Landfill
- Landscape Contractor
- Manufactured home-park
- Manufactured home sales, mobile home sales
- Off-premise sign (billboard)
- Salvage yard/automobile wrecking yard
- Self Storage facility
- Sexually oriented business (See Section 1902)

#### 1755 ACCESSORY BUILDINGS AND USES

All accessory buildings and accessory uses that are permitted in the underlying zoning districts are permitted within the district, except that any detached accessory building on any lot shall have on all sides the same architectural features and shall be architecturally similar to the principal building(s) with which it is associated. No accessory building shall be placed between the principal building and the street, except as otherwise provided for in this Resolution.

## **1756 ARCHITECTURAL STANDARDS**

The purpose of architectural standards is to ensure the exterior of new construction and additions and/or renovations to existing buildings are well designed, detailed, and crafted to embody high standards of architectural design and to ensure the long-term viability of commercial structures in the Township. Unique Building Design is encouraged for all new buildings constructed in this district. Further, it is encouraged that when existing buildings are remodeled and/or enlarged, that the following standards are adhered to so as to bring the entire building into conformity with the standards of this district. Building design shall include the following features for all non residential buildings in this district:

1. Buildings shall include three of the following features along the primary building frontage and any façade visible from the public right of way:
  - a. Canopies/porticos
  - b. Roof overhangs/roof line changes
  - c. Recesses/projections
  - d. arcades
  - e. gabled roofs/arches
  - f. display windows
  - g. architectural details such as tile work or molding
  - h. integral planters or wing walls that incorporate landscaped areas and/or places for sitting
2. Brick, stucco, stone, or cultured stone masonry finishes are encouraged.
3. The use of concrete block, steel paneling and wood siding is discouraged.
4. On any building with more than fifty (50') feet of frontage, building recesses and protrusions are strongly encouraged to break long uninterrupted building walls.
5. The township may, through the Site Plan Review process, exempt all or parts of the architectural standards in this section when, in the opinion of the Township, the design constitutes a unique, one of a kind building that meets the intent of these standards.

## **1757 GENERAL DESIGN STANDARDS**

The following standards shall apply to all non-residential uses in this district:

1. All building utility fixtures, including hvac/air conditioning units, whether roof mounted or otherwise, shall be screened from view.
2. Outdoor seating is encouraged for all restaurants and required for freestanding restaurants.
3. All free standing businesses shall have a bike rack installed near the main entrance. On multi-tenant buildings, one bike rack shall be installed for every two hundred (200') feet of linear building frontage. If a multi tenant building has less than 200 linear feet, then one centrally located bike rack or multiple smaller bike racks shall be installed.
4. All lighted signs shall be internally illuminated; external lighting sources are not allowed.
5. Sidewalks shall be installed on all existing developed parcels to promote connectivity.



## **1758 MAINTENANCE STANDARDS**

Springfield Township encourages the maintenance of all existing buildings and land. All painted surfaces shall be kept free of peeling paint. Any metal surfaces shall be kept free of rust. When exterior building finishes are changed and/or replaced, they should be made to conform to the provisions of this Section. All landscaping areas shall be maintained to be free of weeds, and any overgrown vegetation shall be maintained. Any dead vegetation shall be removed and replaced with similar plantings.

## **1759 PARKING**

Green space is important in the Spring Meadows Overlay District. Impervious parking areas shall be kept to the minimum amount needed for each use. All businesses are encouraged to utilize shared parking. Bioretention methods are encouraged such as pervious pavement, retrofitting, and bioswales. In order to support this effort, the Zoning Inspector may reduce the number of parking spaces required. The applicant shall submit written documentation to justify the reduction.

## **1759.5 DEVELOPMENT STANDARDS**

All main buildings, lots and land uses within the Spring Meadows Overlay District shall meet the following development standards:

### **A. Height Limit**

As specified in the underlying zoning district(s).

### **B. Trip Generation**

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) shall be subject to Section 25 — Access Management.

### **C. Coverage and Setback Requirements**

**Lot Coverage:** Sixty (**60%**) percent maximum.

**Front Yard:** Thirty five (**35'**) feet. (See Section 1914)

**Side Yard:** As specified in the underlying zoning district(s).

**Rear Yard:** As specified in the underlying zoning district(s).

**Front Landscape Strip:** Twenty-five (**25'**) feet (may be located within the required front yard setback).

**Lot Frontage:** One hundred fifty (**150'**) feet.

## SECTION 17.60

### DORR STREET INTERCHANGE OVERLAY DISTRICT

#### 1760 PURPOSE

The Dorr Street I475 Interchange is a valuable commercial area in Springfield Township. The purpose of this district is to promote high quality development and redevelopment of this area. Attractive building design, landscaping, and pedestrian access are all important aspects of this district.

#### 1761 DORR STREET INTERCHANGE OVERLAY DISTRICT BOUNDARIES

The boundaries of the Dorr Street Interchange Overlay District are shown on the Official Zoning Map. The boundaries of this overlay district includes all parcels located between Bancroft Street and Hill Avenue, from the east right-of-way of McCord Road to the eastern Township boundary. No one family, two family, or multi-family dwellings (except when located above the ground floor of a commercial use) shall be permitted within 1500 feet of Dorr Street, from the east right-of-way of McCord Road to the eastern Township boundary.

#### 1762 PERMITTED USES

All uses that are permitted in the underlying zoning district(s), except those uses expressly excluded by Section 1764, are permitted within the Dorr Street Interchange Overlay District.

#### 1763 CONDITIONAL USES

All Conditional Uses that are permitted, pursuant to Section 26 — Procedures and Requirements for Conditional Uses, in the underlying zoning district(s) are also permitted within the Dorr Street Interchange Overlay District except those uses expressly excluded in Section 1764.

#### 1764 EXCLUDED USES

The following uses are not permitted within the Dorr Street Interchange Overlay District notwithstanding the fact that such uses may be listed as a Permitted Use or Conditional Use in the underlying zoning district.

Automobile sales, used (when not in conjunction with new car sales)

Automobile/truck service center (when not in conjunction with new car sales)

Contractor yard

Multi-family dwellings (except when located above the ground floor of a commercial use)

Landfill

Landscape Contractor

Manufactured home-park

Manufactured home sales, mobile home sales

Off-premise sign (billboard)

Salvage yard/automobile wrecking yard

Self-Storage facility

Sexually oriented business (See Section 1902)

#### 1765 ACCESSORY BUILDINGS AND USES

All accessory buildings and accessory uses that are permitted in the underlying zoning districts are permitted within the district, except that any detached accessory building on any lot shall have on all sides the same architectural features and shall be architecturally similar to the principal building(s) with which it is associated. No accessory building shall be placed between the principal building and the street, except as otherwise provided for in this Resolution.

## **1766 ARCHITECTURAL STANDARDS**

The purpose of architectural standards is to ensure the exterior of new construction and additions and/or renovations to existing buildings are well designed, detailed, and crafted to embody high standards of architectural design and to ensure the long-term viability of commercial structures in the Township. Unique Building Design is encouraged for all new buildings constructed in this district. Further, it is encouraged that when existing buildings are remodeled and/or enlarged, that the following standards are adhered to so as to bring the entire building into conformity with the standards of this district. Building design shall include the following features for all buildings in this district:

6. Buildings shall include three of the following features along the primary building frontage and any façade visible from the public right of way:
  - i. Canopies/porticos
  - j. Roof overhangs/roof line changes
  - k. Recesses/projections
  - l. arcades
  - m. gabled roofs/arches
  - n. display windows
  - o. architectural details such as tile work or molding
  - p. integral planters or wing walls that incorporate landscaped areas and/or places for sitting
7. Brick, stucco, stone, or cultured stone masonry finishes are encouraged.
8. The use of concrete block, steel paneling and wood siding is discouraged.
9. On any building with more than fifty (50') feet of frontage, building recesses and protrusions are strongly encouraged to break long uninterrupted building walls.
10. The township may, through the Site Plan Review process, exempt all or parts of the architectural standards in this section when, in the opinion of the Township, the design constitutes a unique, one of a kind building that meets the intent of these standards.

## **1767 GENERAL DESIGN STANDARDS**

The following standards shall apply to all uses in this district:

6. All building utility fixtures, including hvac/air conditioning units, whether roof mounted or otherwise, shall be screened from view.
7. Outdoor seating is encouraged for all restaurants and required for freestanding restaurants.
8. All free standing businesses shall have a bike rack installed near the main entrance. On multi-tenant buildings, one bike rack shall be installed for every two hundred (200') feet of linear building frontage. If a multi-tenant building has less than 200 linear feet, then one centrally located bike rack or multiple smaller bike racks shall be installed.
9. All lighted signs shall be internally illuminated; external lighting sources are not allowed.
10. Sidewalks shall be installed on all existing developed parcels to promote connectivity.

**1768 MAINTENANCE STANDARDS**

Springfield Township encourages the maintenance of all existing buildings and land. All painted surfaces shall be kept free of peeling paint. Any metal surfaces shall be kept free of rust. When exterior building finishes are changed and/or replaced, they should be made to conform to the provisions of this Section. All landscaping areas shall be maintained to be free of weeds, and any overgrown vegetation shall be maintained. Any dead vegetation shall be removed and replaced with similar plantings.

**1769 PARKING**

Green space is important in the Dorr Street Interchange Overlay District. Impervious parking areas shall be kept to the minimum amount needed for each use. All businesses are encouraged to utilize shared parking. Bioretention methods are encouraged such as pervious pavement, retrofitting, and bioswales. In order to support this effort, the Zoning Inspector may reduce the number of parking spaces required. The applicant shall submit written documentation to justify the reduction.

**1770 DEVELOPMENT STANDARDS**

All main buildings, lots and land uses within the Dorr Street Interchange Overlay District shall meet the following development standards:

**A. Height Limit**

As specified in the underlying zoning district(s).

**B. Trip Generation**

All uses shall comply with Section 25 – Access Management and all uses generating 50 or more peak hour trips (consistent with the Institute of Transportation Engineers (ITE) Generation Manual) shall be subject to Section 25 — Access Management.

**C. Coverage and Setback Requirements**

**Lot Coverage:** Sixty (**60%**) percent maximum.

**Front Yard:** Thirty five (**35'**) feet. Parcels within 1500 feet of Dorr Street in this district may have a five (5') front yard. (See Section 1914)

**Side Yard:** As specified in the underlying zoning district(s).

**Rear Yard:** As specified in the underlying zoning district(s).

**Front Landscape Strip:** Twenty-five (**25'**) feet (may be located within the required front yard setback), except for parcels located within 1500 feet of Dorr Street.

**Lot Frontage:** One hundred fifty (**150'**) feet.

## SECTION 18

### PUD PLANNED UNIT DEVELOPMENT

#### 1800 PURPOSE

The Planned Unit Development (PUD) is a voluntary procedure that provides an overlay zoning district intended to encourage conservation development and innovative design, to conserve and/or create significant natural features such as those found in the Oak Openings region. (Information pertaining to the Oak Openings region may be obtained by contacting the local Nature Conservancy field office.) The Planned Unit Development allows greater design flexibility so that natural features and/or usable, accessible, consolidated open space may be preserved, enhanced, and/or created by concentrating development in a coordinated and efficient manner. The developer should attempt to conserve and maintain significant wildlife habitats in existing wooded areas, meadows, and hedgerows and tree lines between fields or meadows as physically possible. All Planned Unit Developments shall include street connectivity to existing and future developments. In addition, utilization of bike/pedestrian pathways is highly encouraged.

#### 1801 DESCRIPTION

The Planned Unit Development may be a residential, commercial, office and research, or industrial development or may be a combination of uses with no minimum site area required. Where a combination of uses are proposed, a maximum of twenty-five (25%) percent of the total acreage may be developed with uses not permitted in the underlying zoning district. The Board of Township Trustees shall review and find that the combination of uses meet the standards set forth in this section. Signs for uses developed pursuant to the aforesaid twenty five (25%) percent provision, shall conform to the district in which the use is permitted and subject to Section 21 —Signs and Outdoor Advertising of this Resolution.

#### 1802 PROCEDURE

The Planned Unit Development application shall be submitted and processed pursuant to Section 27- Zoning Changes and Text Amendments. The decisions to rezone land to a PUD classification and to approve a Development Plan are accomplished concurrently. The applicant shall submit a “Request for Zoning Change” application with twenty (20) copies of the development plan along with the required application fees. The development plan shall include the following:

##### A. Development Plan Information

1. Name, address, phone number, and fax number of the applicant.
2. Name, address, and phone number of registered surveyor, engineer and/or landscape architect who prepared the plan.
3. Legal description of the property.
4. An electronic file of the site plan and associated plans.
5. A vicinity/project location map.
6. Conceptual drainage plan.
7. Location and amount of usable, accessible, consolidated open space(s).
8. Gross lot acreage, net lot acreage, maximum allowable density, and the proposed density with calculations indicated.
9. Maximum site coverage.

- A.
  - 10. Topography at two-foot contour intervals.
  - 11. Existing features of the development site, streets, easements, utility lines, and land uses.
  - 12. Street layout and names along with sidewalks/ pedestrian walkway locations.
  - 13. Existing buildings to remain or to be removed, and if the existing buildings remain, indicate proposed use.
  - 14. All proposed signs (with setbacks from the right-of-way) excluding street signs.
  - 15. Location, area and dimensions of all lots, setbacks, and building envelopes.
  - 16. Typical building envelope with all proposed setbacks.
  - 17. The development plan shall illustrate any and all existing natural land features such as trees, forest cover, and water resources and all proposed changes to these features including the size and type of material(s) to be replaced on the site.
  - 18. A detailed landscaping plan showing the location of trees and plant materials to be preserved and trees and plant materials to be installed.
- B. Once the application is deemed complete by the Zoning Inspector, the Development Plan may be forwarded to the Lucas County Planning Commission for their review and recommendation(s).
- C. The developer is required to receive Final Plat approval from the Lucas County Planning Commission prior to receiving Zoning Certificates. An approval of the subdivision plat by the Lucas County Planning Commission that is significantly different from the PUD Development Plan approved by the Board of Trustees shall nullify the Township approval and shall require application for amendment review and approval.

**1803 ADDITIONAL INFORMATION**

The Board of Township Trustees, Zoning Commission, and/or Zoning Inspector may require additional information such as professionally prepared maps, tree inventory, studies or reports including environmental assessments and/or traffic impact studies for the development. The expense for this information is the responsibility of the applicant.

**1804 DEVELOPMENT STANDARDS**

**A. General**

- 1. The development shall be in conformance with the goals and objectives of the Springfield Township Master Plan, Zoning Resolution and applicable Subdivision Regulations (as amended from time to time).
- 2. The development shall be compatible with the proposed and existing surrounding land uses.
- 3. The arrangement of land uses and buildings on the site shall be integrated with the topography, natural features, and open space of the site.

**B. Specific - Residential**

1. The maximum number of dwelling units (DU's) permitted per gross site acreage (GSA) is listed in the districts below. An additional dwelling unit is permitted in each district subject to each additional half (1/2) acre provided within the Planned Unit Development as common and consolidated open space.

**RA —3 District**  
0.9 DU's/GSA

**RA —4 District**  
1.9 DU's/GSA

**RA — 5 District**  
2.2 DU's/GSA

**R — A District**  
3.2 DU's/GSA

**R — 1 District**  
5.4 DU's/GSA

**R — 3 District**  
11.2 DU's/GSA

2. No more than forty (40%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway pavement, and parking area pavement.
3. No less than fifteen (15%) percent of the gross site acreage, none of which is part of any yard, shall be allocated to usable, accessible, and consolidated common open space.
4. A yard area void of pavement shall be maintained along all perimeter property lines of the Planned Unit Development as follows:
  - a. When abutting a "RA", "R", or "P/O" District, a perimeter yard area shall be provided that has a minimum depth equal to the required rear yard setback of the PUD's underlying zoning district.
  - b. When a residential area of a Planned Unit Development abuts a "C", "O/R", or "M" district, a perimeter yard area shall be provided that has a minimum depth of seventy five (75') feet.
5. Building height shall be in accordance with the underlying zoning.
6. Minimum lot size, lot width, building or structure setback requirements may be waived, except for the requirements of Section 1804 B. 4., Section 1914 D. Major Roadway Setback Requirements, and Section 17— Airport Highway Overlay.
7. Telephone, electrical, cable, and other utility appurtenances shall be sufficiently screened.

**C. Specific – Commercial**

1. Commercial developments shall be planned with common parking areas and common points of ingress and egress. Parking requirements shall be provided pursuant to Section 24- Parking Requirements, and the number of spaces required shall be determined by each specific use within the Planned Unit Development.
2. A yard area void of pavement shall be maintained along all perimeter property lines of the Planned Unit Development as follows:
  - a. A minimum yard depth of thirty (30') feet shall be provided unless a greater rear yard setback is required as listed in the underlying zoning district.
  - b. A minimum yard depth of seventy-five (75') feet shall be provided when abutting an "RA" or "R" district.

3. No less than fifteen (15%) percent of the gross site acreage, none of which is part of any yard, shall be allocated to usable, accessible, and consolidated common open space.
4. No more than sixty (60%) percent of gross site acreage shall be devoted to coverage by buildings, structures, street, driveway and parking area pavement.
5. Landscaping or screening for parking shall be required pursuant to Section 23 — Landscaping Requirements.
6. Minimum lot size, lot width, building, or structure setback requirements may be waived, except for the requirements of Section 1804 C. 2., Section 1914 D. Major Road Setback Requirements, and Section 17 — Airport Highway Overlay.
7. Telephone, electrical, cable, and other utility appurtenances shall be sufficiently screened.

**D. Specific - Industrial**

1. Industrial Planned Unit Developments shall utilize natural features to screen lighting and parking.
2. Landscaping or screening for parking pursuant to Section 23 — Landscaping Requirements.
3. A minimum yard depth of seventy-five (75') feet, void of pavement, shall be provided and maintained on all perimeter property lines of the Planned Unit Development unless a greater setback is required by the Zoning Resolution.
4. No less than fifteen (15%) percent of the gross site acreage, none of which is part of any yard, shall be allocated to usable, accessible, and consolidated common open space.
5. Minimum lot size, lot width, building or structure setback requirements may be waived, except for the requirements of Section 1804 D. 3., Section 1914 D. Major Roadway Setback Requirements and Section 17 — Airport Highway Overlay.
6. No more than sixty (60%) of gross site acreage shall be devoted to coverage by buildings, structures, street pavement, driveway pavement, and parking area pavement.

**E. Connectivity Requirements**

1. Design shall include street connections to existing subdivisions as well as stub streets to future development. The construction of such streets shall occur at the same time as the Planned Unit Development streets are constructed.
2. Construction of pedestrian/bike paths is highly encouraged. They shall be designed to connect to existing pedestrian/bike paths and also to be designed to allow for future connections. Pedestrian/bike paths shall be constructed at the same time as the streets are constructed. A bond may be required for the construction of such paths.

**1805 EXCEPTIONS**

The applicant may request, and the Lucas County Planning Commission and Springfield Township Zoning Commission may recommend, the approval, modification, or disapproval of exceptions to the standards set forth in this section or those regulating parking, landscaping, signage, height, and setbacks; provided that such exceptions are approved in accordance with findings required in Section 1806 of this Resolution.



## **1806 FINDINGS REQUIRED**

The Lucas County Planning Commission, after considering the requirements of this Section may recommend the approval, approval with modifications, or disapproval of the development plan. The Planning Commission shall forward this recommendation to the Township Zoning Commission. The Township Zoning Commission may recommend and Township Trustees may approve, or approve with modifications, or disapprove the Planned Unit Development. The Township Trustees may approve the Planned Unit Development provided the following findings are made:

- A.** The PUD requirements are in conformance with this Resolution.
- B.** The uses proposed will not be detrimental to the present and potential uses in the surrounding area and in the development, but will have a beneficial effect, which could not be achieved under any other district.
- C.** Exceptions from the Zoning Resolution, if any, are warranted by the design and amenities incorporated into the PUD.
- D.** Land surrounding the proposed development can be planned and developed in coordination with the proposed development and with compatible uses.
- E.** The proposed Planned Unit Development District and any required change in the underlying zoning is in conformance with recognized principles and standards of community and neighborhood planning and development, the Lucas County Major Street and Highway Plan, and the Springfield Township Master Plan.
- F.** Existing and proposed streets are suitable and adequate to carry anticipated traffic within and in the vicinity of the Planned Unit Development.
- G.** Utility sources are adequate or will be prior to the issuance of a zoning permit.
- H.** The proposed Planned Unit Development can feasibly be developed within a reasonable time so that large tracts of lands will not for long periods of time remain undeveloped, but committed to specific developments most needed to serve the public at some future time.

## **1807 CHANGE TO APPROVED PLAN**

Changes or alterations to the development plan as approved by the Board of Township Trustees may be administratively reviewed and approved by the Zoning Inspector, except in the following circumstances which will require approval by the Township Trustees. Any changes or alterations approved by the Township Trustees or the Zoning Inspector under this Section are administrative in nature and shall not be considered an amendment to the Township Zoning Resolution for the purposes of ORC Section 519.12.

- A.** Change in the overall acreage of the Planned Unit Development.
- B.** Any change in use in the Planned Unit Development.
- C.** Substantial alteration of open space areas and their location(s).
- D.** A significant change in street pattern.
- E.** A significant change in the landscape plan.
- F.** An increase in the number of buildings.
- G.** Changes in the building or building envelope location(s).

**1808 EXPIRATION AND EXTENSION OF APPROVAL PERIOD**

If construction of any phase of the approved Planned Unit Development begins within two (2) years after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within two (2) years after approval is granted, the Planned Unit Development shall be void and the land shall revert to the original zoning classification prior to the PUD application. An extension of the time limit may be approved by the Board of Township Trustees.

## SECTION 19

### SUPPLEMENTAL REGULATIONS

#### 1900 GENERAL

In addition to the zoning district requirements, the following Supplemental Regulations shall regulate the uses and structures in Springfield Township:

#### 1901 ACCESSORY BUILDING OR STRUCTURE

An accessory building or structure shall be subject to the following requirements:

- A. It shall be located behind or adjacent to the principle building, but may not project in front of the principle building.
- B. The minimum distance of the accessory building or structure from the principal building shall be fifteen (15') feet in all residential, commercial, and industrial districts.
- C. The minimum distance of the accessory building or structure in a residential district from any lot line shall be five (5') feet and shall not be located within any required planting strip pursuant to Section 2302 C. Where the accessory building is located on a corner lot, the rear of which abuts upon the side lot line of another lot, the accessory building shall not project within the front yard line required on the lot in the rear of such corner lot.
- D. The minimum distance of the accessory building or structure in a non-residential district from any lot line shall be ten (10') feet and the accessory building or structure shall not be located within any required planting strip pursuant to Section 2302 C. Where the accessory building is located on a corner lot, the rear of which abuts upon the side lot line of another lot, the accessory building shall not project within the front yard line required on the lot in the rear of such corner lot.
- E. In the R-1, R-A, and RA-5 zoning districts, accessory building(s) shall not be more than one story, shall not exceed twenty (20') feet in height to the peak of the roof or four feet higher than the height of the dwelling (whichever is less). In the RA-3 and RA-4 districts, the height shall be limited to 25 feet.
- F. In any non-residential district, accessory buildings shall not exceed the maximum allowable height of the district.
- G. No accessory building or structure shall be constructed, reconstructed, or structurally altered nearer to the centerline of the road as regulated in Section 1914 D.
- H. A canopy is an accessory structure and shall be permitted in a General Commercial (C-2) District on a lot used for gasoline sales or in a Neighborhood Commercial (C-1) District on a lot with an approved Conditional Use Permit for gasoline sales; to which:
  1. The requirements of Section 1901(A) are not applicable to such canopy.
  2. The canopy shall be subject to all applicable coverage and setback requirements of the district for which it is approved.
- I. A trash receptacle container (dumpster) is an accessory structure that shall conform to the provisions of this section and shall be screened on all sides with a solid material.

- J. On through lots, accessory buildings are subject to front yard and other applicable setbacks, however the accessory building may be located between the principle building and the lesser traveled road. This does not apply to containers used to collect recyclable materials for a public service.
- K. There shall be a maximum of two (2) accessory buildings in any R-1, R-A, or RA-5 zoning district. The total square footage for all accessory buildings cannot exceed one thousand (1,000) square feet.
- L. The total square footage for all accessory buildings cannot exceed three thousand five hundred (3,500) square feet in any RA-4 or RA-3 zoning district.

**1902 SEXUALLY ORIENTED BUSINESS**

- A. Because research has shown that sexually oriented business activities can cause or contribute significantly to the deterioration of residential neighborhoods, can impair the character and quality of such neighborhoods and the housing located therein, and can inhibit the proper maintenance and growth of such neighborhoods, limiting or reducing the availability of quality, affordable housing for area residents, and reducing the value of property in such areas, sexually oriented businesses shall only be permitted as follows:
- B. Sexually oriented businesses are permitted uses in the C-2 Zoning District provided the proposed locations of such uses are more than five hundred (500') feet from the following uses:
  - 1. Any residential or agricultural zoned district, church or place of worship, school, day care, library or public playground, or park.
  - 2. Any other recreational facility, sports field or amusement park regularly attended by persons less than 18 years of age.
  - 3. Any other sexually oriented business or within a radius of one thousand (1,000') feet of any two sexually oriented businesses.
- C. The measure of distance for purposes of this section shall be from the property line of the sexually oriented business use to the property line of the sensitive use along the shortest possible course, regardless of any customary or common route or path.
- D. The Zoning Inspector shall only consider the standards specified in this Resolution in determining whether to approve a sexually oriented business application for a Zoning Certificate.
- E. No person, other than an applicant who has been denied a Zoning Certificate, may appeal the decision of the Zoning Inspector on an application for a Zoning Certificate for a sexually oriented business to the Board of Zoning Appeals.

**1903 ARCHITECTURAL PROJECTIONS**

- A. Cornices, eaves, sills, canopies, window wells, or other similar architectural features (not including vertical projections) may extend or project into the require side yard not more than two (2'') inches for each one (1') foot of width of side yard and may extend or project into a required front or rear yard not more than three (3') feet.
- B. Chimneys may project into a required yard not more than two (2') feet.
- C. Open, unenclosed stairways or balconies, not covered by a roof or canopy, may extend or project into a required rear yard not more than four (4') feet.

- D. Open, unenclosed patios, platforms, or decks not covered by a roof or canopy and not extending above the height of the first floor elevation of the building, may extend or project into a required front yard not more than six (6') feet and may extend or project into a required rear yard not more than ten (10') feet.

## 1904 FENCES

### A. General Requirements

1. A Zoning Certificate shall be obtained to construct, enlarge, alter and/or replace any fence.
2. Fences are permitted to be placed along a property line but shall not extend beyond the property line or into any right-of-way area. Fences shall not be located closer than one (1') foot from the edge of a public sidewalk or walkway. It is a property owner's responsibility to locate property lines and it is suggested that a surveyor locate property lines before installing fences.
3. All fences shall be properly maintained with respect to height, appearance, and safety so as not to become a nuisance.

### B. Residential/Open Space Districts

The following regulations apply to all fences in any Residential or Public/Open Space District:

1. Fences between the principal building and a street shall not exceed forty-eight (48") inches in height above grade.
2. Fences between the principal building and both streets on corner lots cannot exceed forty-eight (48") inches in height above grade.
3. Fences to the side or rear of a building shall not exceed six (6') feet in height above grade.
4. A fence enclosing a swimming pool shall have a minimum height of forty-eight (48") inches and a maximum height of six (6') feet above grade and shall have a lockable, self-latching gate.
5. Fences installed as part of a subdivision entry feature shall have a maximum height of six (6') feet above grade.

### C. Commercial/Office & Research/Industrial Districts

The following regulations apply to all fences in any Commercial, Office & Research or Industrial District:

1. Fences between the principal building and a street shall not exceed forty-eight (48") inches in height above grade.
2. Fences between the principal building and both streets on corner lots shall not exceed forty-eight (48") inches in height above grade.
3. Fences to the side or rear of a building shall not exceed six (6') feet in height above grade in any Commercial or Office & Research District and shall not exceed eight (8') feet in height above grade in any Industrial District.

4. Fences installed as part of a business park entry feature shall have a maximum height of six (6') feet above grade.

**D. Prohibited Fences**

The following types of fencing are prohibited in all Districts:

1. Barbed wire, razor ribbon and similar types except in conjunction with agricultural activities.
2. Any fence that impedes the view of vehicular traffic or creates any type of safety hazard.
3. Archways over driveways.
4. Fencing that is charged or connected with an electrical current, except in conjunction with agricultural activities.

**1905 HOME OCCUPATION**

Home occupations are allowed in all dwellings in single-family residential districts. They shall be carried on by the resident of the dwelling and shall be clearly incidental and secondary to the use of the dwelling. Home occupations shall not change the external character of the dwelling and/or property, shall not produce a sound that is audible beyond the dwelling, shall not involve the employment of any person(s) other than a resident(s) of such dwelling, and shall not involve the direct sale of commodities and services on the premises.

**1906 MINERAL EXTRACTION AND ANCILLARY ACTIVITIES**

The following principles of acceptance, submission, and design requirements shall apply to mineral extraction and ancillary activities. Mineral extraction may be permitted as Conditional Use in any zoning district when the excavation is related to a lake development as part of a residential, commercial, office and research, or industrial development. In addition to the provisions of Section 26, Procedures and Requirements for Conditional Uses, the following provisions shall be considered in the review of a proposed lake development and mineral extraction and ancillary activities.

**A. Principles of Acceptance**

In reviewing the location and the development plan of a proposed mineral extraction operation, the following general principles of acceptance shall be considered with respect to the particular location and the present and future development of the area;

1. The mineral extraction operation shall not be detrimental to the adjacent land and surrounding area.
2. Storm water runoff shall not be increased onto surrounding properties as a result of excavating or elevating portions of the property under consideration.
3. The use and development of a proposed mineral extraction operation and its adjacent area shall be properly planned so as to prevent ground water contamination.
4. After completion, the excavated area shall be properly maintained so that it will not become a danger and nuisance to area residents.

**B. Submission Requirements**

The following items shall be submitted with the Conditional Use application:

1. A topographical survey and soils report analysis of the property, prepared by a professional engineer, surveyor, or geologist.
2. A site plan drawn to scale showing the location of the proposed excavated area, final grades, location of any existing or proposed buildings, septic tanks, leach fields, wells, easements, ditches, and utility lines within one-hundred (100') feet of the perimeter of the area.
3. General location map.
4. Location of haul roads on the property and proposed truck routes to the property.
5. A drainage plan indicating the directional flow of water, holding canals, natural waterways used for drainage, and ditches or tributaries receiving the discharge.
6. A reclamation plan of the area to be affected, including a specific reuse of the property upon completion of the excavation.

**C. General Conditions and Design Requirements**

The mineral extraction operation shall be conducted in accordance with the following conditions:

1. The site shall have a minimum of twenty-five (25) acres.
2. The excavated area shall be a minimum of five (5) acres and shall not exceed twenty-five (25%) percent of the total site area.
3. The excavated area shall have a one hundred (100') foot minimum set back from any public right-of-way.
4. An excavated area shall be located no closer than three hundred (300') feet to a septic tank or leach field and two-hundred (200') feet to a water well.
5. If the reclamation of the site includes a lake, the lake shall have a minimum depth of seventeen (17') feet. Within fifteen (15') feet of the shoreline, the average slope of the submerged areas of the lake shall be no steeper than 3 to 1. From the shoreline away from the water, the grade shall be no steeper than 4 to 1 within twenty (20') feet of the shoreline.
6. No materials shall be hauled to the property for use as fill, except for clay material which may be required for a lake.
7. All disturbed surfaces shall be covered with a minimum of six inches (6") of topsoil that has been extracted from the site.
8. In areas where sanitary sewers are not available, backfilling for any proposed housing site as shown on the reclamation plan shall be distributed to elevate one (1) acre for each housing site to six (6') feet above the seasonal high water table. The topsoil on a proposed housing site shall be stripped and stored, then the area backfilled and compacted with the excavated material, the topsoil replaced over the backfilled area(s), and final grading completed.

9. All backfilling and excavated material distribution shall be certified in writing to the Township Zoning Inspector as conforming to the site grading plan and reclamation plan. The written certification shall be submitted by a Professional Engineer or surveyor and shall be submitted at the time of completion or in phases as required by the provisions of the Conditional Use approval.
10. Any areas not backfilled must be drained with ditches, which shall include culverts under all driveways to eliminate any standing water.
11. All haul roads shall be properly maintained to control dust, and shall have a gate to control vehicular ingress and egress. All truck routes shall be cleaned and maintained daily.
12. The entire excavated area and equipment storage area shall be completely fenced before any excavation begins and shall be maintained until the completion of the excavation.
13. The hours of operation shall be limited to:
 

<b>Monday through Friday:</b>	<b>7:00 a.m. to 7:00 p.m.</b>
<b>Saturday:</b>	<b>9:00 a.m. to 5:00 p.m.</b>
<b>Sunday:</b>	<b>Not Permitted</b>

**1907 MORE THAN ONE PRINCIPAL BUILDING**

No more than one (1) principle building may be located on a single lot, except for the following uses:

- |                        |   |
|------------------------|---|
| Group living           | Multi-family dwellings                  |
| Church                 | Public Use (School, Fire Station, etc.) |
| Greenhouses            | Self storage facility                   |
| Manufactured Home Park |   |



**1908 NOISE**

Noise Control will be enforced by local law enforcement in accordance with Chapter 505 of the Ohio Revised Code.

**1909 PONDS/LAKES**

**A. General Requirements**

1. Ponds/lakes are permitted as an accessory use in any Zoning District on any parcel three (3) acres or greater in size unless it is located within a platted subdivision. Site plan review shall be required for all ponds/lakes constructed in a residential, commercial, or industrial district that is not located within a platted subdivision, and shall conform to the requirements of Section 22 -Site Plan Review.
2. Prior to the issuance of a Zoning Certificate for a pond/lake, and pursuant to Section 28 — Enforcement, of this Resolution, an approval must first be obtained from the Lucas County Board of Health for any lot with onsite sewage and/or well water system.
3. Pond/Lake construction shall be completed within one (1) year from the date of the issuance of a Zoning Certificate.
4. Ponds/Lakes shall conform to the Lucas County Soil and Water Conservation specifications and guidelines.
5. If a pond/lake is determined to be a safety hazard because of a nearby residential development, the Township Trustees may require the owner to fence the perimeter of the pond/lake with a fence not less than four (4') feet in height.

**B. Area and Design Requirements.**

1. Minimum pond/lake surface area shall be one half (1/2) acre, with a maximum surface area not to exceed twenty-five (25%) percent of the total site area.
2. The side slope of a pond/lake shall be horizontal to vertical at a ratio of 3:1 except where a beach is desired. This ratio shall be maintained to a minimum depth of seventeen (17') feet. Where a beach is desired, from the shoreline away from the water, the beach grade shall be no greater than 4:1, with an overall minimum average pond/lake depth of not less than nine (9') feet.
3. To prevent adverse drainage effects on adjoining properties, a drainage system satisfactory to the Lucas County Engineer shall be installed to accommodate overflows and surface drainage from pond/lake development; this system shall be diverted to a suitable outlet or drainage ditch.
4. All excavated soils shall remain on the same lot as the pond/lake unless recommended by the Township Zoning Commission and approved by the Board of Trustees to remove such. In that event, excavated materials may only be removed to the extent as permitted by the Board of Trustees.
5. All pond/lake backfilling and excavated material distribution shall be certified in writing to the Township Zoning Inspector as conforming to the approved site plan's grading and reclamation requirements. The written certification shall be submitted by a Professional Engineer or Surveyor and shall be submitted at the time of completion or in phases as required by the provisions of site plan approval.
6. A bond of five thousand dollars (\$5,000) per pond/lake site acre (minimum \$5,000) or surety satisfactory to the Board of Township Trustees shall be filed with the Township to guarantee satisfactory development, completion, and maintenance of the pond/lake. The entire project shall be bonded at once and not bonded one acre at a time. All bonds shall be obtained prior to the start of any earthwork. Bonds may be released by the Board of Township Trustees following fulfillment of all conditions of site plan approval.

**C. Setback Requirements**

1. A pond/lake shall be set back one hundred (100') feet minimum from any public right-of-way.
2. Ponds/lakes shall have a side yard setback of not less than twenty-five (25') feet.
3. A pond/lake shall be located no closer than one hundred (100') feet to a septic tank or leach field.
4. Ponds/lakes shall have a rear yard setback of not less than fifty (50') feet.

## 1910 NUISANCE

No lot owner shall permit vegetation, garbage, refuse or debris to exist on any lot and the Board of Township Trustees may determine and find from all circumstances that the existence of such vegetation, garbage, refuse and debris to be a “nuisance” and that such nuisance causes injury to the property of another, endangers life and health, is offensive to the senses, violates laws of decency or obstructs reasonable and comfortable use of one’s property. In addition to other remedies provided by law, the Board of Township Trustees may institute an action for injunction, mandamus, or abatement, or any other appropriate action or proceeding to prohibit nuisances in violation of this Section.

### A. Junk Motor Vehicle(s) Prohibited

No motor vehicle that is a “junk motor vehicle” (ORC 4513.65) shall be permitted to exist on any lot.

### B. Junk Motor Vehicle; Collector’s Vehicle

1. No person shall store or keep any junk motor vehicle or collector’s vehicle on private or public property within the unincorporated area of the Township. Except for a case in which Division C of this Section applies, this section does not prevent the storage or the keeping of a collector’s vehicle on private property by a person having such permission, provided such person shall conceal by means of buildings, fences, vegetation, terrain or other suitable screening; such vehicle must thereby be concealed:
  - a. Completely within a building, or on all sides by an opaque fence not less than six (6’) feet in height.
  - b. By vegetation, terrain or other suitable screening that effectively shields the view of any such collector vehicle from any adjacent lot or street, such screening shall be first approved by the Zoning Inspector.
2. Regardless of whether it is licensed or unlicensed, a collector’s vehicle is a “junk motor vehicle” for the purposes of this Section if the collector’s vehicle meets all of the criteria contained in Division C of this Section. If a collector’s vehicle meets all of the criteria contained in Division C of this Section, the Board of Township Trustees, in accordance with Division A of this Section, may regulate the storage of that motor vehicle on private or public property in the same manner that the Board may regulate the storage of any other junk motor vehicle and, in case of a violation of this Section, may pursue any remedy provided by law, including any remedy provided in Division D of this Section.
3. As used in this Section, “junk motor vehicle” means a motor vehicle that meets all of the following criteria:
  - a. A vehicle that has been left on private property or left on a public street, public way, or other property open to the public for purposes of vehicular travel or parking, or upon or within the right-of-way of any road or highway, for forty-eight (48) hours or longer;
  - b. Three model years old or older;
  - c. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission;
  - d. Apparently inoperable.

C. On-site construction debris shall be stored in an enclosed container so that debris is not spread to any neighboring properties or streets. Any materials and/or debris cleared from the building site shall be disposed of properly, pursuant to applicable regulations.

D. **Certain Signs**

The purpose of Section 21 (Sign Regulation) is to impose consistent designs, signage locations, and illumination standards for all signs to be erected in the Township. It is the intent of the Board of Township Trustees to promote attractive, and maintain the high value of, residential districts, to promote and maintain efficient, attractive, and high value commercial and industrial districts, to control the location and design of signs so that their appearance will be aesthetically harmonious with their surroundings and an overall Township design for each district, to eliminate conflict between advertising and identification signs and traffic control signs, which conflict would be hazardous to the safety and welfare of the pedestrian and motoring public and to eliminate locations of signs and messages other than the advertisement of a product, service or business that are located on the lot where the sign is located.

The Board of Township Trustees hereby find that the numbers, locations, and design of signs in the Springfield Township are excessive, are unduly distracting to pedestrians and motorists, create a safety and a traffic hazard; and these factors reduce the effectiveness of signs needed to direct the public. Also, the appearance of the Township is marred by the excessive number, locations, oversize and poorly designed signs, and thereby both residential and business property values are adversely affected. The Board of Township Trustees hereby determine that the number and location of such distracting signs shall be reduced and any signs that are permitted shall comply with the standards of Section 21 of the Zoning Resolution, all of the preceding in order to reduce the aforementioned effects on the public's health, safety and welfare.

No lot owner shall permit any sign to exist on a lot that does not conform to the requirements of this Section and Section 21; any such sign is hereby declared to be a nuisance. All existing signs that are non-conforming to the requirements of this Section and Section 21 are declared to be a nuisance. All lot owners are hereby required to modify, remove pre-existing non-conforming signs and to comply with Section 21 within the five and one-half year period next preceding, and in any event, no later than January 1, 2003.

Variance from the strict application of the provisions of this Section may be granted by the Board of Zoning Appeals in regard to an existing non-conforming sign. The Board shall find that requiring strict compliance with the provisions of this Section may impose an undue hardship and that the granting of the variance from the provisions of this Section will not depreciate or damage neighboring property, will not create a safety hazard, will not be contrary to the purposes of this Section (and that the granting of such variance is consistent with the requirements as set forth in Section 30 of this Zoning Resolution).

## **1911 SALVAGE YARDS**

### **A. Submission Requirements**

1. The applicant shall provide a complete and accurate legal description of the entire site.
2. A Conditional Use Request and a Site Plan that conforms to all applicable requirements of this Resolution shall be submitted.

### **B. Motor Vehicle Salvage Yard**

1. Motor Vehicle Salvage Yards shall maintain a list of vehicles in stock and submit this list to the Township upon request.
2. All Motor Vehicle Salvage Yards shall be licensed as required by Chapter 4737 of the Ohio Revised Code.

### **C. Storage/Loading**

All loading and unloading of vehicles/materials and/or temporary storage of these items shall occur within the salvage yard behind the required fencing and out of view from the public.

### **D. Hours of Operation**

Hours of operation shall be no earlier than 7:00 a.m. and no later than 7:00 p.m.

### **E. Fencing and Screening**

Any area used as a salvage yard shall be effectively screened on all sides by means of walls, fences and plantings. Walls or fences shall be eight (8') feet in height with no advertising thereon. Fencing/screening shall consist of completely opaque wood and/or concrete material and shall be reviewed and approved as part of the Conditional Use review process. Storage of materials shall not exceed the fence height. A strip of land not less than fifteen (15') feet in width on the perimeter of the yard shall be planted and maintained with evergreen hedges or other plant material with year-round foliage. The plant material shall be a minimum of one half the height of the fence or wall at the time of planting and shall be planted a maximum of ten (10') feet apart.

### **F. Yard Requirements**

All structures including fencing shall be setback in accord with Section 1603. Whenever a salvage yard abuts a residential district, the yard requirements shall be doubled along property lines adjacent to that residential district.

### **G. Pavement**

All roadways internal to the site shall be paved or maintained to minimize dust.

## **1912 SATELLITE DISH ANTENNAS**

Satellite dish antenna shall be located in the rear yard and shall have rear and side property line setbacks equal to or greater than the height of the proposed structure. In the case of a corner lot, the dish antenna shall not project beyond the front yard required or existing on the adjacent lot. In accordance with the Telecommunications Act of 1996, satellite dish antennas with a diameter of one (1) meter (39.397") inches or less are exempt from the provisions of this Resolution.

Satellite dish antennas with a diameter in excess of one (1) meter (39.97”) inches in any Residential District or in excess of two (2) meters (78.74”) inches in “C”, “O/R”, and “M” Districts are permitted provided:

- A. The satellite dish antenna shall be located toward the rear of the lot, at least ten (10’) feet away from the main building, and setback from the rear and side property line a minimum of ten (10’) feet.
- B. Where a satellite dish antenna is proposed to be independently supported, it shall not exceed fifteen (15’) feet above surrounding grade.
- C. Where a satellite dish antenna is proposed to be attached to a roof of a building, the maximum height shall not exceed fifteen (15’) feet above the highest point of the roof it is located on.

## 1913 SMALL WIND TURBINE

### A. General Requirements

- 1. Small wind turbines are permitted in the RA-3 and RA-4 Districts on parcels three (3) acres or greater in size.
- 2. The small wind turbine shall service only one residence.

### B. Specific Requirements

- 1. **Height:** The total height of the tower shall not exceed one hundred twenty-five (125’) feet. The minimum distance between the ground and any protruding blades shall be fifteen (15’) feet as measured at the lowest point of the arc of the blades.
- 2. **Fall zone:** The small wind turbine shall be a distance of at least 100% of height of the total structure from any property line, dwelling, or right-of-way.
- 3. **Set-back:** No part of the small wind turbine structure, including guy wire anchors, shall extend closer than ten (10’) feet to the property line.
- 4. **Lighting:** The maximum lighting used on the structure is a low intensity red light regulated by the Federal Aviation Administration.
- 5. **Noise:** Noise coming from the small wind turbine shall not exceed 65 dBA to the nearest property line.
- 6. **Fencing:** The supporting tower shall be enclosed with a six (6) foot high fence unless the base of the tower is not climbable for a distance of twelve (12’) feet.
- 7. **Base:** All tower support bases shall comply with Lucas County Building Department regulations and construction plans shall be prepared by a professional engineer.
- 8. The wind turbine transmission lines shall be underground.

**1914 SUPPLEMENTAL YARD REGULATIONS**

In addition to all yard regulations specified in each zoning district, the following provisions shall be required as indicated:

- A. Setback Requirements for Corner Lots**  
On a corner lot, the principal building and any accessory structures shall be the same setback distance from all right-of-way lines as is required for the front yard setback in the district in which the structures are located.
- B. Visibility at Intersections**  
On a corner lot in any Zoning District, nothing shall be located, planted, or allowed to grow in such a manner as to impede, or restrict vision, between a height of two and one-half (2 1/2') feet and ten (10') feet above the center-line grades of the intersecting streets in the area bounded by the right-of-way lines of such corner lot, and a straight line joining points along each street's right-of-way lines, which points are located fifty (50') feet from the point of the intersection of the right-of-way lines at the corner.
- C. Additional Yard Requirements for Buffering Purposes**  
To secure a desirable transition between land zoned for residential purposes and other zoning districts (C-1, C-2, O/R, M-1, and M-3), larger yard setbacks shall be provided on the lot that is not zoned for residential purposes. The additional setback shall be along the lot line(s) that abut land zoned for residential purposes. When property that is zoned C-1, C-2, O/R, M-1, or M-3 abuts residentially zoned property, the yard requirements for that yard adjacent to the residentially zoned property for the main building, parking areas, and any/all accessory structures shall be increased two times the usual setback, up to a maximum setback of seventy-five (75') feet (except for all land located within 450 feet of the Centerline of Airport Highway.)
- D. Major Roadway Setback Requirements**  
On lots abutting the following roads and streets, no building shall hereafter be constructed, enlarged, or reconstructed to extend nearer to the centerline of the right-of-way than listed below:

<u>Setback</u>	<u>Road</u>
<b>120 feet</b>	Airport Highway
<b>100 feet</b>	Albon, Angola, Bancroft, Centennial, Crissey, Dorr, Eber, Garden, Hill, Holland-Sylvania, Holloway, King, McCord, Nebraska, Old State Line, Perrysburg-Holland
<b>75 feet</b>	Geiser, Gunn, Kieswetter, Salisbury, Weckerly, Old Airport Highway

## **1915 SWIMMING POOLS**

Outdoor swimming pools are permitted as an accessory use and regulated as follows:

### **A. Residential Swimming Pools**

Private swimming pools are permitted as an accessory use in any district provided the following conditions are met:

1. The pool shall be used solely for occupants and guests of the principal use of the lot on which the pool is located.
2. The pool shall not be located, including accessory structures adjacent thereto, closer than ten (10') feet to any lot line of the property on which it is located, and shall be located behind the principal building in the rear yard.
3. The swimming pool area shall have a fence or wall that provides a secure barrier with a minimum height of four (4') feet, and shall be maintained. A swimming pool that is at least four (4') feet above grade on all sides shall be secured with a lockable or removable ladder and no fencing shall be required.
4. Wading pools, landscape pools, and similar decorative pools which have a maximum depth of twenty four (24") inches or less are exempt from the provisions of this Section.

### **B. Community or Club Swimming Pool**

Community or Club Swimming Pools shall comply with the following conditions and requirements:

1. The pool shall be for the sole use of the members and guests of the association or club.
2. The pool and other accessory uses including decks and patios shall be setback a minimum distance of twenty-five (25') feet from any lot line.
3. The swimming pool area shall have a perimeter fence or wall of a minimum height of four (4') feet, and shall be maintained.

## **1916 TELECOMMUNICATION TOWER**

In accordance with the Telecommunications Act of 1996 and ORC 519.211, when a telecommunication tower is planned to be constructed the procedures indicated therein shall be followed. All zoning districts where dwellings of any kind are permitted shall be construed to be an area zoned for residential use. All telecommunication towers are subject to Section 22 — Site Plan Review and shall meet the following standards when located within a residential district:

- A.** The applicant shall provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation).
- B.** The applicant shall demonstrate that no suitable site is available in a non-residential district.
- C.** All accessory buildings shall be screened with fencing, masonry, walls, shrubbery or other screening.
- D.** The applicant shall notify the Township Zoning Inspector within thirty (30) days of ceasing operations at the site. The removal of the structures and buildings is required within sixty (60) days of ceasing operations.



- E. No advertising or illumination other than that which is required by law may be located on the structure.
- F. The telecommunication tower and all accessory structures shall meet all required area and setback requirements and shall not exceed one hundred twenty (120') feet in height.
- G. The applicant shall demonstrate that a "co-location" of the telecommunication tower equipment with other telecommunication towers or facilities in the vicinity was considered. Co-location is encouraged wherever feasible.
- H. Applicant shall utilize stealth technology.

**1917 TEMPORARY BUILDINGS AND USES**

- A. Temporary buildings, construction trailers, equipment and materials used in conjunction with construction work may be permitted only on the lot on which construction is occurring and only during the period construction work is in progress. Such temporary facilities shall be removed upon completion of the construction work.
- B. Real estate sales offices, which shall contain no residence, may be permitted within any district for any new subdivision for a period of one (1) year beginning on the date the Final Plat is approved. Extensions of such use may be granted by the Zoning Inspector. Such offices shall be removed upon the completion of the sales of the subdivision lots, or upon the expiration or extension of the Zoning Certificate, whichever occurs first.
- C. A Zoning Certificate may be issued by the Zoning Inspector for outside or seasonal sales within any commercial district. All goods located outside must be within four (4') feet of the principal building or as indicated on an approved plot plan. Such outside or seasonal sales shall not create a safety, fire, vehicular, or pedestrian hazard. Temporary structures used for seasonal or outside sales may be permitted for one (1) continuous sixty (60) day period each calendar year. The temporary structure shall not create a safety, fire, vehicular, or pedestrian hazard and all goods shall be located within the temporary structure.
- D. Temporary Storage Containers may be allowed for a period of 30 days or less without a Zoning Certificate. These shall not be placed in any right-of-way and shall not become a safety hazard. When in place for more than 30 days, temporary storage containers require a permit and shall be considered an accessory structure and shall conform to all applicable regulations in this Resolution.

**1918 YARD / GARAGE SALES**

Yard/ Garage Sales are permitted in all Residential Districts as an accessory use and are regulated as follows:

- A. No more than two (2) yard/garage sales shall be conducted within any consecutive twelve (12) month period on any property.
- B. Yard/Garage sales shall not to exceed three (3) consecutive days.
- C. Items displayed for sale shall not encroach into the right-of-way at any time.

## 1919 VEHICLE SALES IN RESIDENTIAL DISTRICTS

- A. No more than one automobile and/or recreational vehicle shall be sold at the same time in a Residential District. The vehicle shall not encroach into any right-of-way or create a safety hazard.
- B. The sale of any commercial vehicle is prohibited in all Residential Districts.

## 1920 ACCESS FOR FIRE PROTECTION

Access for fire protection shall be provided to all lots and to all buildings and structures on all lots prior to construction of any building or structure thereon. "Access for Fire Protection" means an all-weather roadway capable of supporting fire department vehicles and related equipment from the public highway to the lot and to the building or structure located or proposed to be located thereon.

## 1921 SELF STORAGE FACILITIES

### A. General Requirements:

- 1. Self storage facilities shall be limited to rental of storage units, pickup and deposit of storage.
- 2. Radioactive material, explosives and flammable or hazardous chemicals shall be prohibited from storage. This prohibition shall be included in the lease agreement of storage units. A copy of the lease agreement shall be filed with the Zoning Inspector as a condition of the Zoning Certificate.

### B. Specific Requirements:

- 1. **Lot Area:** Minimum lot area shall be two (2) acres.
- 2. **Lot Coverage:** Maximum lot coverage of units and storage areas shall be as specified in the underlying zoning district(s).
- 3. **Setback:**
  - a. Front Yard – fifty (50') feet
  - b. Side or Rear Yard – twenty-five (25') feet when abutting or opposite an "R" District and fifteen (15') feet when opposite or abutting a "C" or "M" District.
- 4. **Height:** Height of structures shall be in conformance with or equal to the average height of structures on properties abutting or opposite to self storage facilities. Where no adjacent structures exist, the maximum height shall be fifteen (15') feet to highest point of building.
- 5. **Lighting:** Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arranged to direct light away from adjoining property or any public right-of-way.
- 6. **Pavement:** All roadways and parking areas shall be surfaced with concrete, asphalt or bituminous pavement.
- 7. No door opening for any storage unit shall be constructed facing any residentially zoned property or public right-of-way.

8. Fencing, and/or landscaping/plant screening shall be required around the perimeter of the facility.
9. **Special Requirements:**  
When adjacent to a Residential District:
  - a. Fencing shall consist of decorative materials compatible with surrounding residential dwellings.
  - b. Hours of operation shall not be earlier than 7:00 a.m. or later than 9:00 p.m. daily.
10. Outside storage shall be prohibited.

**1922 DWELLING UNITS ABOVE THE GROUND LEVEL**

Single-, two-, and multiple-family dwelling units in a C-1, C-2 or O/R District shall be subject to the following requirements:

- A. All dwelling units shall be located above the ground level of a Permitted or Conditional Use in the district.
- B. Off street parking shall be provided in accordance with the provision of Section 24 of this Resolution in addition to the requirements of other uses on the site.
- C. The maximum height of the structure may not exceed the maximum height requirement of the district the structure is located in.

**1923 LANDSCAPE CONTRACTOR IN RA-3 DISTRICT**

Landscaping Contractors may be allowed as a conditional use in the RA-3 Large Lot Rural Residential District when the following conditions are complied with:

- A. All Landscape Contractors are subject to Section 22 Site Plan Review and Section 26 Procedures and Requirements for Conditional Uses.
- B. Minimum lot size of 5 acres.
- C. When the use is deemed visible from abutting residential uses by the Board of Zoning Appeals, a twenty five foot (25') landscaping strip shall be maintained around the perimeter of the property with heavy landscaping and/or mounding.
- D. The storage of any organic materials shall comply with all applicable agency regulations and shall not emit odors beyond the property lines.
- E. Any parking of commercial vehicles and equipment shall be to the rear of the main building and no parking shall occur within 20' of any property line.

**1924 MEDICAL MARIJUANA FACILITIES**

The following standards apply to Medical Marijuana Facilities, as defined in Section 31 of this Resolution. All such facilities shall also comply with Ohio Revised Code Section 3796.

- A. Medical Marijuana Facilities shall not be located within 500 feet of any school (K-12), church, public park, public playground, public library, pre-school, child day care center, publically owned property, or other use established specifically for the activities of minors.
- B. Medical Marijuana Dispensaries may be allowed as a conditional use provided that the conditions below are complied with and other applicable conditions of Section 22 Site Plan Review.
  - 1. The hours of operation of a Dispensary shall be limited to 7 a.m. to 9 p.m., or other hours consistent with a Medical Marijuana Dispensary permit issued by the State of Ohio, as a condition of approval.

## SECTION 20

### NON-CONFORMITY

#### 2000 PURPOSE

In order to encourage development and redevelopment consistent with this Zoning Resolution and to enable property owners with a reasonable use of their land, it is the intent of Springfield Township to allow uses, structures, and lots that came into existence legally, and that conformed with the applicable requirements at the time, to continue to exist and to bring as many aspects of such non-conformities into compliance with existing requirements as is reasonably possible. Non-conformities shall not be enlarged, expanded or extended, and shall not be used for adding or substituting other structures, buildings or uses that are prohibited in the same district. This Section establishes the regulations governing uses, structures, lots, and other zoning related items that came into existence legally but that do not conform to one or more provisions of this amended Resolution.

#### 2001 AUTHORITY TO CONTINUE

Any nonconformity that legally existed on or before December 12, 1955, or that becomes nonconforming upon the adoption of any subsequent amendment to this Zoning Resolution, may be continued in accordance with the provisions of this Section, except as otherwise provided for.

#### 2002 NON-CONFORMING LOTS OF RECORD

In any district in which a single-family dwelling is permitted, a single-family dwelling and accessory building may be constructed on any single lot of record on the effective date of this amended Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot shall not be contiguous to any other lot of the same ownership, shall not be less than fifty (50') feet in width at the building line and shall comply with all other district requirements as to height, lot coverage, and setback requirements.

#### 2003 NON-CONFORMING USE OF LAND

The lawful use of land which use would not be permitted by the provisions of this Resolution may be continued so long as such use remains otherwise lawful, and provided:

- A. No such non-conforming use shall be enlarged or increased in its size, dimension, intensity and shall not be extended to occupy a greater area of land than such use occupied at the effective date of this Resolution.
- B. No such non-conforming use shall be moved in whole or in part to any area of the lot other than that occupied by such use at the effective date of this Resolution.
- C. Once a nonconforming use is abandoned, the use's nonconforming status is eliminated and any subsequent use of the property shall comply with the regulations of the zoning district in which it is located. A non-conforming use will be considered abandoned when any of the following occurs:
  1. The intent of the owner to discontinue the use is apparent;
  2. The use has been voluntarily discontinued for a period of two (2) years or more as specified in ORC 519.19;
  3. The characteristic equipment and the furnishings associated with the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the two (2) year period;
  4. The nonconforming use has been replaced by a conforming use;

5. A Zoning Certificate to reconstruct a damaged nonconforming use (in accordance with Section 2003 E.) has not been secured within one (1) year of the date of occurrence of such damage, or construction has not been diligently pursued.

D. No additional structures shall be located on a lot with a non-conforming use of land.

#### **2004 NON-CONFORMING BUILDINGS AND STRUCTURES**

Where a lawful building or structure exists at the effective date of this Resolution that is not otherwise permitted pursuant to this Resolution due to building area, lot coverage, height, setbacks, yards, or location on the lot, such building or structure may continue so long as it remains otherwise lawful, subject to the following:

- A. In the event that any non-conforming building, or structure, is destroyed by any means to the extent or more than sixty (60%) percent of the cost of replacement of such structure, exclusive of foundation, it shall not be rebuilt, restored, or reoccupied for any use unless it conforms to all regulations of this Resolution. When such a non-conforming structure is damaged or destroyed to the extent of sixty (60%) percent or less of the replacement cost, no repairs, or rebuilding shall be permitted except in conforming with all applicable regulations of this Resolution and the following conditions:
  1. A Zoning Certificate for such restoration shall be first obtained within one (1) year of such damage or destruction;
  2. Such repair shall not cause a new or additional nonconformity; such repair shall not increase the size, dimension or intensity of the non-conformity that existed prior to such damage or destruction.
- B. Non-conforming buildings and/or structures shall not be enlarged, expanded or extended in any way.

#### **2005 PRIOR ZONING APPROVALS**

Any zoning or land use approval granted prior to the adoption of this amended Resolution and within the provisions of Section 13 - Exceptions or Section 7B - Planned Unit Development shall remain in effect pursuant to the provisions of the Section and terms of such approval. Any changes to the approved zoning or site plan shall require re-submittal of the zoning or site plan request and shall meet all requirements of this amended Resolution.

#### **2006 REPAIRS AND MAINTENANCE**

Repairs and maintenance of any non-conforming structure or portion thereof containing a nonconforming use may be done on ordinary maintenance repair, or repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided the cubic content that existed when it became non-conforming shall not be increased. Nothing in this Section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a Zoning Certificate for such activities shall be required.

## SECTION 21

### SIGNS AND OUTDOOR ADVERTISING

#### 2100 PURPOSE

This section provides standards for the time, place and circumstances in the use of signs. These standards are to provide for the public health and safety, pedestrian and traffic safety, and to control adverse effects of signs on public and private property; and (where legislatively permitted) to provide for the general welfare of the public.

#### 2101 DEFINITIONS

**Abandoned Sign:** A sign or sign structure which no longer identifies or advertises a business, service, owner, product, or activity, or is in disrepair. Such sign and sign structure shall be removed within 30 days of notice to the property owner by the Zoning Inspector.

**Animated Sign:** A sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means of power. Such signs have lights or illuminations that change the visual image depicted, including visual images that may flash, move, rotate, flicker, depict action, or create a scene, blink, vary in intensity or color, or use intermittent electrical impulses, scrolling text, or a sign which has revolving, or rotating parts or other visible mechanical movements. An animated sign does not include a Changeable Copy Sign.

**Area Identification Sign:** A sign, which identifies a subdivision or a grouping of buildings whether residential, commercial, or industrial.

**Awning/Canopy Sign:** A sign attached to an awning covering a doorway, window, or face of the building. Awning/Canopy signs are wall signs, as provided for in Section 2107.

**Banner:** A temporary display including a sign on a flag, strip of lightweight material, paper, cloth, or fabric which may be located on the ground or attached to a building, another sign, or any other structure.

**Billboard:** (see off-premise sign)

**Building Face Or Wall:** All window and wall area of a building in one plane or elevation.

**Building Frontage:** The length of the outside building wall along a right-of-way.

**Changeable Copy Sign:** A sign, or portion thereof with letters, numbers, or illustrations that can be periodically manually changed or rearranged without altering the underlying or supportive face of or surface of the sign.

**Clearance of Sign:** The smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including its framework extending over that grade.

**Commercial Message:** Any wording, logo, or other visual copy that directly or indirectly identifies, advertises, or calls attention to a business, product, service, or other commercial activity.

**Copy:** The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic (logo), or alphabetic form.

**Directional Sign:** An on-premise sign that is designed to facilitate traffic flow, does not contain any advertising and provides direction to an on-premise place or object.

**Double-Faced Sign:** A sign with two faces.

**Electronic Message Center:** A sign whose visual display includes alphabetic, numeric or symbolic content that can be changed or altered on a fixed display screen composed of electronically illuminated segments.

**“Embellishment”:** The decorative or ornamental structure or frame that contains a sign. Embellishments are not included in the square footage of the sign’s area calculation; embellishments shall not exceed twenty-five percent (25%) of the single face area and shall not exceed the sign’s maximum permitted height or be located within required setbacks.

**Exempted Signs:** Exempted from sign permit requirements.

**Façade:** The entire building front including the parapet.

**Flag:** Any fabric displaying the name insignia, emblem, colors, patterns or symbols used as a message of a political subdivision or private entity.

**Future Development/ Construction Sign:** A temporary, freestanding sign located on the premises of a proposed development/ construction project that indicates the future construction or development of a building or area which may identify the architect, financial institution, contractor, subcontractor, and/or material supplier participating in the construction on the property.

**Height:** The vertical distance measure from the highest point of the sign, including decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever vertical distance is less.

**Low Profile/ Monument Sign:** A sign placed directly on the ground, and independent from any building or other structure on the lot.

**LED fuel price sign:** A static fuel price display not exceeding 50% of the overall square footage of the sign on which it is placed. Such sign shall be located on the premises where the fuel is being sold. The sign shall have a dimming device for day/night operation. An LED fuel price sign is not considered an Electronic Message Center for purposes of this Section.

**Message:** The wording or copy on a sign, flag or pennant.

**Non-Conforming Sign:** A sign which was placed on the lot legally, but which does not comply with Section 21 of this Resolution.

**Off-Premise Sign (billboard):** A sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished on the lot on which said sign is located.

**Pennant:** Any lightweight plastic, fabric, or any other material, frequently in a series, whether or not containing a message of any kind, suspended from a rope, wire, or string, designed to move in the wind.

**Pole Sign:** Any sign supported by upright structure(s) or support(s) that are anchored in the ground and that are independent from any building or other structure on the lot.

**Portable Sign:** Any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported including, but not limited to: signs designed to be transported by wheels; “A” or “T” frame signs; menu and sandwich board signs; umbrellas used for advertising; and signs and/or copy attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used regularly in the usual and customary operations of the business.

**Political Sign:** A temporary sign used in connection with a local, state, or national governmental election or ballot, with respect to an issue or office.



**Projecting Sign:** A sign that projects more than fifteen inches (15”) from a building wall or other structure and not specifically and solely designed to support the sign.

**Real Estate Sign:** A temporary sign advertising the real estate upon which the sign is located as being for rent, lease, or sale. See Section 2104 (E) and Section 2106 (D).

**Roof Sign:** Any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof and located within the vertical extension(s) of the building exterior wall(s).

**Sign:** Any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce, or identify a person, entity, product, service, establishment, activity or sale which communicate information of any kind.

**Sign Area:** Total area of all sign faces. (For one (1) sign structure)

**Sign Face:** Area of the sign upon which copy can be placed.

**Sign Structure:** Any structure, which supports, has supported, or is capable of supporting a sign, including a decorative cover.

**Temporary Sign:** Any type of portable sign, flag, pennant, banner, balloon, garage sale sign, searchlight, twirling light, sandwich board, inflatable figures, or public election and candidate sign that is used temporarily or is not permanently mounted.

**Wall Sign:** A sign attached to, painted on, or placed against a wall of a building, with the sign face parallel to the building wall and extending away from the building wall parallel to the adjacent grade not more than fifteen (15”) inches there from, which copy advertises the use carried on within such building.

**Window Sign:** Any sign placed inside a window located in a building or structure or upon the building’s interior window panes or glass or an opening recessed from the building face such that the window sign is visible from the exterior of the premises.

## 2102 GENERAL PROVISIONS

- A.** Unless otherwise provided by this Resolution, all new signs shall require a zoning certificate prior to the sign’s installation. An application for a zoning certificate shall be made to the Zoning Inspector. Fees shall be in accordance with the Permit Fee Schedule as may be adjusted from time to time. No zoning certificate is required for the maintenance of a sign or for a change of copy on painted, printed, changeable copy signs, or electronic message centers so long as the sign area or structure is not modified in any way for the existing business.
- B.** An application for a zoning certificate shall include the following information:
1. Name and address of the owner of the sign.
  2. Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.
  3. The type of sign or sign structure as defined in this Resolution.
  4. A site plan with dimensions showing the proposed location of the sign with vertical and horizontal measurements from all property lines and right-of-ways along with the location of all existing signs and buildings on the same premises.

5. A drawing/picture of the proposed sign showing the following specifications: dimensions, height from grade, copy, illumination, and construction details (materials, structural supports, and electrical components.)
  6. A list of the total number and the square footage of existing and proposed signs on the premises.
- C. No sign shall be placed or project into any right-of-way. (Except as provided for in Section 2106 C.) No sign shall obstruct traffic visibility at the road or highway intersections.
  - D. If a sign is installed, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify the property owner and the sign owner or lessee thereof to alter such sign so as to comply with this Resolution. Any owner, lessee, or sign contractor who installs a sign without a zoning certificate may be subject to three (3) times the normal fee schedule at the discretion of the Zoning Inspector.
  - E. All signs that do not presently conform to this Resolution shall be removed within five (5) years and six (6) months from the effective date of this Resolution. (See Section 1910 D.)
  - F. All signs, marquees, and awnings shall be maintained at all times in a safe structural condition and in a neat and clean condition, and shall be kept free from defective or missing parts or peeling paint. Signs which provide time and/or temperature readings shall be maintained to reflect current readings.
  - G. All directional signs shall not exceed four (4) square feet per face with a maximum height of forty-two (42") inches. Such signs shall not contain the business name or logo. Directional signs are not included in the sign area calculations; a zoning certificate is required.
  - H. The following regulations shall apply to Electronic Message Centers:
    1. No more than one (1) electronic message center attached to a permitted on-premise freestanding sign shall be allowed per property.
    2. Each message displayed on an electronic message center must be static and must be depicted for a minimum of eight (8) seconds. When a message is changed, the change shall occur within three (3) seconds. The continuous scrolling of messages is prohibited.
    3. All electronic message centers shall have a dimming device for day/night operation. The illumination shall not create excessive brightness and/or pose a safety hazard to the public.
    4. No freestanding electronic message center shall exceed fifty (50%) percent of the total allowable square footage for any on-premise freestanding sign.
    5. The addition of any electronic message center to any non-conforming freestanding sign is prohibited.

### **2103 PROHIBITED SIGNS**

The following types of signs are prohibited in all districts:

- A. Abandoned signs
- B. Animated signs
- C. Temporary and Portable Signs (Except as provided for in Section 2107 G.)
- D. Any sign or other object attracting attention to a business that interferes with the safety of the traveling public.

- E.** Roof Signs that exceed the highest point of the roof that the sign is installed upon or that expose bracing and other mounting materials.
- F.** Signs that resemble or conflict with traffic control signs or signals.
- G.** Signs or devices that emit audible sound, smoke, gas and/or odor.
- H.** Window signs occupying greater than thirty percent (30%) of the total window area.
- I.** Signs constituting a violation of Section 1910 D.
- J.** Any sign containing obscene matter.
- K.** Any sign unlawfully installed, erected, or maintained.
- L.** Any sign now or hereafter existing which no longer advertises a bona fide business conducted on the premises. Such sign and its supporting structure shall be removed within a period of ninety (90) calendar days after the business ceases operation.

## **2104 EXEMPTIONS**

The following signs do not require a zoning certificate:

- A.** Government signs erected by the Township, County, State, or the Federal government in furtherance of their governmental responsibility.
- B.** Any sign wholly inside a building which does not exceed thirty percent (30%) of the total window area.
- C.** Informational signs attached to a building which do not exceed three (3) square foot and are limited to business identification, hours of operation, address, and emergency information of the occupant(s) of the building. Such signs shall be permitted in addition to other permitted signs.
- D.** Non-illuminated real estate signs not exceeding six (6) square feet in sign area for residentially zoned property and thirty-two (32) square feet in sign area for all non-residential districts, which advertises the sale, rental, or lease of the premises upon which such sign is located.
- E.** An on-premise non-illuminated real estate sign not exceeding thirty-two (32) square feet per face in sign area and five (5) feet in height which advertise the sale or lease of a subdivision or undeveloped acreage of ten (10) acres or greater.
- F.** Future development signs and construction signs placed upon the lot under construction. These signs shall not exceed five (5) feet in height and thirty-two (32) square feet in sign area, shall be non-illuminated, and shall be removed upon completion of the project or within two (2) years of the signs erection, whichever occurs first.
- G.** Memorial signs or tablets, name of buildings and dates of construction, provided that such signs do not exceed two (2) square feet in sign area.
- H.** Garage/yard sale signs, public election and candidate signs. These signs shall be removed no later than five (5) days after completion of the election, event, or transaction.
- I.** Address numbers for dwellings shall not exceed two (2) square feet in area and address numbers for commercial or industrial buildings shall not exceed six (6) square feet in area unless the address number is an integral component of a sign for which a zoning certificate is required by this Resolution.

- J.** Flags. All flags shall be displayed as follows:
1. Maximum flag size forty (40) square feet.
  2. Maximum pole height thirty-five (35') feet or not more than ten feet above the roof line of the primary building, whichever is less.
  3. All flags shall be flown on a pole, with a maximum of three flags per lot with no more than one (1) flag other than that of a nation, state, or political subdivision.
  4. Flags may not be located in such a way as to intentionally attract the attention of the public for commercial purposes.
  5. The flag and flag pole shall be maintained in good condition.
  6. Flag pole(s) must be set back from all property boundaries a minimum of fifteen (15') feet or setback a distance which is at least equal to the height of the pole, whichever is greater.

**2105 OFF-PREMISE SIGN**

A total of one (1) off-premise sign per parcel is permitted in non-residential districts and on lands used for agricultural purposes per ORC Section 519.20. Off-premise signs shall be setback a minimum distance of one hundred (100') feet from the nearest right-of way and one hundred (100') feet from any property line. Off-premise signs shall not exceed fifteen (15') feet in height and shall not exceed one hundred (100) square feet of sign area.

**2106 SIGNS IN AGRICULTURAL, RESIDENTIAL, AND PUBLIC/OPEN SPACE DISTRICTS**

- A.** One (1) low profile or one (1) wall sign shall be allowed for each lot which contains a non-residential main building permitted in the district. Low-profile signs in residential districts shall not exceed sixty (60") inches in height and thirty-two (32) square feet per face (maximum of two (2) faces) and shall be setback a minimum distance of fifteen (15') feet from the nearest right-of-way line and setback a minimum of ten (10') feet to any adjacent lot. Wall signs in residential districts shall not exceed twenty-four (24) square feet of sign area.
- B.** Home occupation signs shall not exceed two (2) square feet in sign area and shall be a wall sign.
- C.** At any entrance to a residential subdivision or multi-family development there may be a maximum of two area identification signs identifying such subdivision or development. The signs shall be setback from the nearest right-of-way a minimum distance of ten (10') feet and not closer than ten (10') feet to any adjacent lot. Such sign(s) shall not exceed thirty-two (32) square feet per face (maximum of two (2) faces), and the sign(s) shall contain only the name of the subdivision or development. These signs shall not exceed five (5') feet in height. Any subdivision area/identification sign proposed to be located within the center of a boulevard entrance shall be located in a manner so as not to create a traffic hazard. Any sign located within a boulevard shall be reviewed by the Lucas County Engineer.
- D.** A church or school allowed by this Zoning Resolution may locate two (2) signs on the lot; one sign shall be a wall sign; the face of which shall not exceed twenty-four (24) square feet in area, and a second sign, which shall be a free-standing low profile sign not to exceed thirty two (32) square feet per face (maximum of two (2) faces) and shall be setback from the nearest right-of-way a minimum distance of fifteen (15') feet and setback a minimum distance of ten (10') feet to any adjacent lot. Low profile signs shall not exceed five (5') feet in height.
- E.** No sign of any type shall be permitted in a Residential District, other than as specifically permitted in this Section 2106. In accordance with Section 2102 (C), signing shall not obstruct traffic visibility at the road or highway intersections.

**2107 SIGNS IN COMMERCIAL, OFFICE AND RESEARCH AND INDUSTRIAL DISTRICTS**

**A.** The following signs as listed below may be permitted on a lot in the Commercial, Office/Research, and Industrial Zoning Districts as follows:

<b>ZONING DISTRICT</b>	<b>TYPE OF SIGN PERMITTED</b>	<b>MAXIMUM ALLOWED SQ. FOOTAGE Pole Sign (1) (5)</b>	<b>MAXIMUM ALLOWED SQ. FOOTAGE Wall Sign (2) (4)</b>	<b>MAXIMUM ALLOWED SQ. FOOTAGE Low-Profile/Monument Sign (1) (3) (5) (6)</b>	<b>MAXIMUM ALLOWED SQ. FOOTAGE Projecting Sign (1) (3)</b>
C-1	Wall, Low Profile, Projecting	Not Permitted	1.5 feet per Linear Foot of Building Frontage Maximum 120 total	32 per face at ROW	30 per face
C-2	Wall, Low Profile, Projecting, Pole	60 per face	1.5 feet per Linear Foot of Building Frontage Maximum 180 total	48 per face at ROW	30 per face
O/R	Wall, Low Profile	Not Permitted	1.5 feet per Linear Foot of Building Frontage Maximum 120 total	32 per face at ROW	Not Permitted
M-1	Wall, Low Profile	Not Permitted	1.5 feet per Linear Foot of Building Frontage Maximum 180 total	32 per face at ROW	Not Permitted
M-3	Wall, Low Profile	Not Permitted	1.5 feet per Linear Foot of Building Frontage Maximum 180 total	32 per face at ROW	Not Permitted

- 1) There shall be a maximum of two (2) faces for low-profile/monument, pole, and projecting signs.
- 2) Awning and canopy signs are wall signs for the purposes of this table.
- 3) No low profile/monument sign or projecting sign is permitted when a pole sign is located on the lot.
- 4) For multi-tenant buildings, the total square footage permitted shall be based on each occupant’s linear building frontage.
- 5) One pole, or one low profile/monument sign, or one projecting sign may be used in combination with a wall sign.
- 6) Listed square foot is the maximum square feet per face when a sign is at the right-of-way (ROW) with two (2) square feet of additional surface area per one (1) linear foot set back from the right-of-way (ROW) up to a maximum of 100 sq. ft.

**B. Pole Signs and Low-profile/ Monument Signs on Double Frontage Lots**  
 If a lot is bordered by two streets that do not intersect at the lot’s boundaries (double frontage lot), then the lot may (subject to total sign area limitation in Section 2107 (A)) have a pole or low profile/monument sign on each street.

**C. Location and Height of Pole Signs**

All pole signs shall be located a minimum distance of twenty (20') feet from the nearest right-of-way line, a minimum of twenty (20') feet from any adjacent lot line, and shall not exceed a height of twenty (20') feet.

**D. Wall Signs**

The square footage for a wall sign is calculated on the wall area facing the right of way. On corner lots, only one building frontage may be used in the size calculation. Multiple wall signs are permitted provided the combined sign area is less than the total wall sign size limit set forth in Section 2107 A. Awning/Canopy Signs are allowed and are calculated as part of the overall square footage. Awning/Canopy Signs shall not be lower than eight feet (8') above curb grade and Awning/ Canopy Signs shall not project vertically above the surface of the canopy or awning.

**E. Low-Profile/Monument Signs**

Low Profile/Monument signs are allowed to be placed at the right-of-way or at least 15' from the edge of the pavement, whichever is greater. They may not project into any right-of-way. The sign shall be setback a minimum of five (5') feet from any adjacent property line. Maximum height of any Low-Profile/Monument sign shall be five (5) feet in height when placed at the right-of-way. Maximum height may increase at a rate of three (3") inches per one (1') foot of setback from the right-of-way up to a maximum height of ten (10') feet.

**F. Projecting Signs**

One projecting sign is allowed per business. The maximum projection length beyond the building face shall be four (4') feet. A projecting sign must have its lower edge a minimum of eight (8') feet above the surrounding grade. Projecting signs shall not exceed the height of the wall that they are attached on.

**G. Special Event Signs**

1. For the opening of a new businesses or re-opening of a seasonal business located in a commercial or industrial district, a temporary, on-site sign advertising the grand opening may be permitted for a total period of thirty (30) continuous days, and shall have a zoning certificate.
2. For existing businesses, temporary, on-site signs advertising a special event may be permitted for two (2) two (2) week continuous periods per calendar year. Each special event sign requires a zoning certificate. The sign shall be removed on or before the end of the two week period. These signs shall not exceed thirty-two (32) square foot in size and shall be located on the wall of the building where the special event is taking place.

## SECTION 22

### SITE PLAN REVIEW

#### 2200 PURPOSE

The purpose of Site Plan Review is to ensure compliance with this Zoning Resolution. Site plan review provides a procedure with specific standards for development proposals. Items to be considered include but are not limited to: preservation of existing natural features, safe and efficient access for pedestrians and vehicles, lighting, landscaping, architectural design, off-street parking, storm water management, and compatibility with adjacent land uses, in a manner that will promote public safety, general welfare, and convenience.

#### 2201 WHEN SITE PLAN REVIEW IS REQUIRED

A. Site plan review shall be required in the following situations:

1. All new main buildings.
2. All new accessory buildings and structures greater than twelve hundred (1200) square feet in size.
3. An expansion to an existing building whereby the expansion is greater than five thousand (5,000) square feet.
4. An expansion to an existing building whereby the expansion is greater than twenty five (25%) percent of the existing gross floor area.
5. When the number of parking spaces on a lot is increased by ten (10) or more.
6. All Telecommunication Tower(s)
7. Whenever expressly required by any other Section of this Zoning Resolution.

\* Single family dwellings, two-family dwellings, and related accessory structures and buildings are exempt from the Site Plan Review procedure.

#### B. Accessory Structures

The following items (and similar items) may not require site plan review but shall first be reviewed by the Zoning Inspector to determine its compliance with Section 22.

1. Accessory structures less than 1200 sq. ft.
2. An expansion to an existing building whereby the expansion is less than 5,000 square feet.
3. An expansion to an existing building whereby the expansion is less than 25% of the existing gross floor area.
4. Change in parking area/ drive aisles.
5. Co-locations of telecommunication equipment.

## **2202 REQUIREMENTS**

An applicant shall file with the Zoning Inspector the following documents along with the application fee:

### **A. Basic Requirements**

1. A letter of submittal from the property owner or an agent authorized in writing by the property owner shall accompany the site plan which contains the applicant's phone number, fax number, e-mail address, and mailing address.
2. The site plan documents shall include a complete legal description of the property and a general location sketch showing nearby section lines and/or residential and major roadways.
3. All site plans shall have a title - "Site Plan Review". The site plan shall indicate the scale of the drawing and shall use an engineer's scale. The scale of the site plan shall not exceed one (1") inch to sixty (60') feet. The site plan shall have the north arrow pointing either toward the top of the drawing or to the right side of the drawing. The location map and site plan orientation shall be the same.
4. The following documents shall be filed: Twenty (20) blue-line or black-line prints including, but not limited to: the site plan, lighting plan, landscaping plan, and building elevation plan on paper no larger than 24 inches by 36 inches. In addition, electronic files of all submitted plans shall be submitted.

### **B. Site Plan Requirements**

The site plan and associated documents shall indicate the following:

1. The zoning classification(s) and existing uses of the property and all abutting property; the approximate location of buildings and driveway locations opposite to, and adjacent to the property.
2. The dimensions including area of the property, the dimensions of the existing and proposed buildings to be constructed, and any buildings to be removed or other alterations to occur on the property.
3. The distance of existing and proposed structure(s) to all right-of-way lines and the distances of the structure(s) to all property lines.
4. The name of all adjacent roadways and the width of the existing pavement and the right-of-way.
5. The location, height, and material of all existing and proposed fences and/or walls on the property.
6. The location, height, lighting and dimensions of existing or proposed signs on the property.
7. The width and location of existing or proposed sidewalks, and the location of all drive approaches adjacent to and opposite the site. The proposed drive approach width(s) shall be indicated where the apron meets the roadway pavement and shall be dimensioned at the throat. The plan shall also indicate the pavement composition of driveways and parking areas.



8. Any and all ditches, known wetlands and creeks, or other natural features that may affect the development of the property. Where appropriate, two (2') foot contours and the 100 year floodplain elevation shall be shown on the site plan. Information on this requirement may be obtained from the Lucas County Engineer's Office.
9. The storm water management design shall be based on the Lucas County Engineer's drainage criteria.
10. The location of the existing and proposed sanitary and storm sewers, water lines, and fire hydrants. In the event these improvements are not proposed, the site plan shall indicate the location of proposed or existing wells and sewage system both on-site and on abutting parcels.
11. The location and dimensions of existing or proposed off-street parking spaces and drive aisles, and the number of spaces proposed and required, including handicap spaces. If the off-street parking area is located next to an existing parking area or on another parcel, the plan shall indicate the method of circulation between the two areas.
12. A site plan with a proposed drive-thru window operation shall indicate where the vehicles will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and drive-thru window.
13. Submittal of an Access Management Assessment if required, pursuant to Section 25-Access Management.
14. Colored exterior building elevation(s) and proposed building materials.
15. The location, height, wattage, and photo metrics of all proposed site lighting.
16. Existing and proposed grades including grades of abutting properties.
17. Proposed or existing dumpster size, location, and screening material(s).
18. Detailed Landscape Plan (See Section 23)

**C. Architectural Review Requirements**

All new non-residential buildings, additions, and/or alterations shall be reviewed as part of the site plan for architectural design elements. The architectural design of such buildings shall include the consideration of the following elements:

1. Scale and proportion;
2. Suitability of building materials;
3. Design in relation to surrounding buildings;
4. Design in relation to proposed landscaping; and
5. Aesthetics of the proposed building.

**2203 APPROVAL PROCEDURE**

- A. The property owner or an authorized representative, hereafter referred to as Applicant, submits the Site Plan Review Application consisting of the Site Plan Review Application, Letter of Submittal, Drawings Checklist, Plans, and other documents to the Springfield Township Zoning Department.
- B. If the applicant fulfills all of the requirements of Section 22 of this Resolution then the application will be deemed complete and forwarded to the appropriate governmental review agencies for their review and recommendations. If the applicant does not meet the requirements of Section 22 of this Resolution, the application will be deemed incomplete and returned to the applicant. The review process will not commence until an application is deemed complete.
- C. Comments from the Zoning Inspector and other review agencies will be sent to the applicant to make any required revisions. The applicant may ask to convene an administrative meeting with the Zoning Inspector to review comments. The Zoning Inspector and/or applicant may require further review from the Zoning Commission and/or Township Board of Trustees.
- D. If the Zoning Inspector determines that a variance is required then an application to the Board of Zoning Appeals shall be submitted. Variances shall be reviewed and a decision rendered by the Board of Zoning Appeals prior to approval of the Site Plan Review application by the Zoning Inspector. A variance request usually adds an additional 30 to 45 days to the process depending on the schedule of the Board of Zoning Appeals and notice requirements.
- E. The Site Plan Review drawings reflecting the revisions requested by the review agencies shall be submitted to the Zoning Inspector for review and approval. If it is determined that the site plan conforms to all applicable requirements, a zoning certificate may be issued for the proposed project.
- F. As part of the site plan review process, a bond, escrow, or other suitable guarantee to insure the implementation of site improvements shall be required by the Zoning Inspector before issuance of any permit.
- G. Changes to the approved site plan shall require re-submittal for review pursuant to this Section. The Zoning Inspector shall review the changes and determine if the changes are in conformance with this Resolution. Further review by other agencies may be required.

**2204 EXPIRATION AND EXTENSION OF SITE PLAN APPROVAL**

If construction of any phase of the development begins within two (2) years after approval is granted, the approval shall be valid until the development is completed. If no construction has begun within two (2) years after the approval is granted, the site plan's approval shall be void. An extension of the time limit may be approved at the discretion of the Zoning Inspector.

## SECTION 23

### LANDSCAPING REQUIREMENTS

#### 2300 PURPOSE

The purpose of this Section is to enhance the physical and environmental appearance of all property in the Township and encourage the preservation of native vegetation and natural features unique to Springfield Township and the Oak Openings region. This Section is designed to safeguard public health, safety and welfare, as well as to prevent air and water pollution, erosion, sedimentation, noise, glare and excessive heat and to protect and enhance the value of investments, the visual beauty and the environment. It is the further intent of this Section to encourage creativity and good practice in design, and flexibility in the application of the design standards, by placing emphasis on the use of a variety of elements and diverse planting groups to achieve the desired results. These include, but are not limited to, large canopy/shade trees, smaller trees, shrubbery, earth berms, and paving materials. Use of plants native to the Oak Openings region is encouraged, along with use of rain gardens and bio-swales.

#### 2301 DEVELOPMENTS REQUIRING LANDSCAPING PLANS

A landscaping plan shall be submitted for the following developments:

- A. For all Site Plan Review submissions pursuant to Section 22 of this Resolution.
- B. For all Planned Unit Development submissions pursuant to Section 18 of this Resolution.
- C. For all multi-family developments.

**NOTE:** Landscaping plans are not required for single-family and two-family dwellings.

#### 2302 REQUIREMENTS

An applicant shall file with the Zoning Inspector the landscaping plan along with all other required documents. All landscaping materials shall be installed in accordance with the approved landscaping plan.

##### A. GENERAL

1. The plan shall identify existing and proposed trees, shrubs, and ground covers; natural features; and other landscaping elements.
2. No new trees, shrubs, mounding, or any type of landscaping material shall be permitted in the right-of-way, except as may be required by other government agencies.
3. All loading areas shall be landscaped for screening purposes.

##### B. LOCATION

Landscaping shall be provided in the following areas:

1. Along the perimeter of the property to buffer, separate, and/or screen adjacent land uses;
2. Along the perimeter of parking lots to shade, separate, and/or screen the view of parked cars from adjacent streets and land uses;
3. In the interior of parking lots to provide shade;

4. Along the perimeter of the building(s) visible from any roadway.

### C. MINIMUM LANDSCAPE REQUIREMENTS

1. A planting strip at least five (5') feet in width shall be located along the perimeter of a parking area but not within any right-of-way. Within this area, there shall be one (1) two and a half (2.5") inch caliper deciduous shade trees per fifty (50') linear feet of perimeter parking area. There shall also be a four (4') foot tall solid hedge of shrubs (evergreen or deciduous) to provide screening. An alternative arrangement of perimeter landscaping material such as mounding, fencing, or walls may be considered as part of the site plan review process.
2. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff, but also to break up visually the expanse of paved areas. Parking islands shall be strategically placed throughout the parking lot. Shade trees in these landscape areas are required. Any parking area (including loading areas) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide an area equal to ten percent (10%) of the total area devoted to parking spaces and aisle ways shall be landscaped ~~and~~ permeable areas. The required landscaping shall be designed to break up the visual expanse of pavement with landscape features including boulevards, larger landscape islands, or areas of preserved on-site native vegetation. This landscaping requirement may also include storm water retention areas or drainage courses, if designed so as to provide an attractive natural asset to the site.
3. All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicle encroachment.
4. The required plant materials for the interior of parking areas shall be one (1) deciduous tree for every three thousand (3,000) square feet of area. Where site distance or maneuvering conflicts exist, trees shall have a clear truck of at least five (5') feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two (2') feet in height.
5. Foundation plantings are required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5') feet of the building perimeter. One (1) shrub shall be required for every five (5) lineal feet of horizontal exterior building wall visible from the road. If foundation plantings are deemed not practical due to unique features of the site and/or the building, an alternative plan may be considered as part of the landscape plan review process.
6. A landscape strip adjacent to the road shall be provided along the full width of the lot. The width of this landscape strip shall be not less than fifteen (15') feet measured from the right-of-way line. The landscape strip shall be unoccupied except for landscape material, steps, walks, terraces and driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, at least one (1), two and one-half (2 1/2") inch caliber deciduous or two (2), six (6') foot high evergreen trees or a combination, shall be installed for each fifty (50') feet of property frontage along with other appropriate landscape materials.
7. An irrigation system shall be installed in all required landscape areas unless drought resistant, and/or native specie plant material is utilized.

**D. ADDITIONAL BUFFERING REQUIREMENTS**

When a use in a C-1, C-2, O/R, M-1, and M-3 district abuts a residentially zoned property, the required planting strip for that yard adjacent to the residentially zoned property shall be doubled along with the quantity of planting material. Mounding and/or fencing may also be required.

**2303 PLANT MATERIAL SPECIFICATIONS**

The following sections include specifications for plant materials. Alternatives to these specified plant materials, which demonstrate both the intent and requirements of this Resolution, may be approved as part of the Landscaping Plan.

**A. Deciduous Trees**

A minimum caliper of at least two and one-half (2 1/2") inches measured twelve (12") inches above ground level at time of planting.

**B. Evergreen Trees**

A minimum of six (6') feet high and a minimum spread of three (3') feet at time of planting.

**C. Shrubs**

Shrubs shall be at least thirty (30") inches average height and twenty-four (24") inches in width at the time of planting.

**D. Ground Cover and Grass**

Ground cover shall be planted a minimum of eight (8") inches on center and shall be planted in such a manner so as to present a finished appearance and seventy-five percent (75%) coverage after one complete growing season. If approved as part of a Site Plan, ground cover may also consist of rocks, pebbles, shredded bark, mulch, and other material. Grass shall be planted in species normally grown as permanent lawns.

**E. Prohibited Tree/Shrub Species**

The following tree and shrub species shall not be used unless already existing in the proposed landscape area:

- Ash (*Fraxinus*)
- Box Elder (*Acer negundo*)
- Mulberry (*Morus Alba*)
- Willow (*Salix babylonica*)
- Siberian Elm (*Ulmus pumila*)
- Hickory (*Carya sp.*)
- European Alder-Buckthorn (*Rhamnus frangula*)
- Common Buckthorn (*Rhamnus cathartica*)
- Autumn Olive (*Elaeagnus Umbellata*)
- Multiflora Rose (*Rosa multiflora*)
- Purple Loosestrife (*Lythrum salicaria*)
- Tree of Heaven (*ailanthus altissima*)
- Black Walnut (*Juglans nigra*)
- Silver Maple (*Acer Saccharinum*)
- Black Locust (*Robinia pseudo-acacia*)
- Catalpa (all species)

Cottonwood (*Populus deltoids*) Native in the Oak Openings. Existing larger trees may be permitted to remain on site.

Poplar This is a species of the genus *Populus* which includes Cottonwoods. This also includes Aspens, which are native to the Oak Openings. Aspens should remain on-site if they exist at the time of development.

**2304 MAINTENANCE AND REPLACEMENT REQUIREMENTS**

The lot owner shall be responsible for the maintenance of all landscaping. The following requirements shall apply:

- A.** Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.
- B.** Within two years of installation (or incorporation of existing vegetation), all trees, shrubs, ground covers and other plant materials shall be replaced if they fail to thrive.
- C.** Replacement plants shall conform to the approved Landscaping plan. Dead or unhealthy plants shall be replaced within the next planting season. Landscaping shall be maintained and shall be kept free of noxious weeds.
- D.** As part of the Landscaping Plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Inspector to ensure the landscape material is installed according to the approved landscaping plan. No Zoning Certificate shall be issued until the bond, escrow or other suitable guarantee is received.

## SECTION 24

### PARKING REQUIREMENTS

**2400 PURPOSE**

The purpose of this section is to ensure that there is adequate parking facilities to serve the use or uses of a property; to ensure that any parking area is designed to provide proper circulation so as to reduce hazards to pedestrians; and to reduce unnecessary congestion that contributes to traffic safety. Any building, structure or use of land that is constructed, enlarged, or used shall provide off-street parking spaces for motor vehicles in accordance with this section.

**2401 OFF-STREET PARKING DESIGN STANDARDS**

All off-street parking, including driveways, entrances, exits, circulation and maneuvering areas, aisles and interior lands, and parking spaces shall be in accordance with the following minimum standards and specifications:

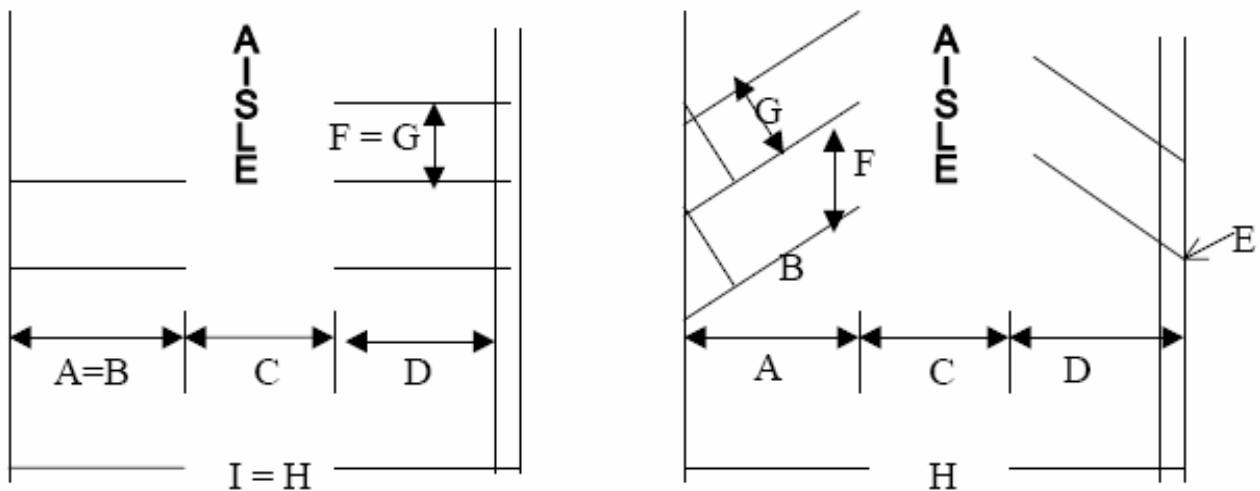
**A. Parking Space Dimensions**

All new or altered parking lots shall conform to the parking space stall width and length and aisle width (numbers indicated are in feet measurements), as set out in Table 1 and illustrated in Figure 1.

**TABLE 1**

<b>DIMENSION</b>	<b>ANGLE-</b>	<b>45</b>	<b>60</b>	<b>75</b>	<b>90</b>
<b>A.</b> STALL DEPTH TO WALL		17	18.5	19	18
<b>B.</b> STALL DEPTH PARALLEL TO		18	18	18	18
<b>C.</b> VEHICLE AISLE WIDTH		12	18	22	25
<b>D.</b> STALL DEPTH TO INTERLOCK		15	17	18	18
<b>E.</b> STALL DEPTH REDUCTION DUE TO INTERLOCK		2	1.5	1	0
<b>F.</b> STALL WIDTH PARALLEL TO AISLE		12.7	10.4	9.3	9
<b>G.</b> STALL WIDTH PERPENDICULAR TO VEHICLE		9	9	9	9
<b>H.</b> MODULE WIDTH WALL TO WALL		46	54	60	61
<b>I.</b> MODULE WIDTH INTERLOCK TO INTERLOCK		42	51	58	61

**FIGURE 1**



## **EXCEPTION TO TABLE 1 AND FIGURE 1:**

1. For bumper overhang deduct one and one-half (1 1/2') feet from stall depth to wall or three (3') feet from wall to wall for 45 degree and 60 degree parking. The equivalent dimensions for 75 degree and 90 degree parking are two (2') feet and four (4') feet respectively.
2. Where natural and/or man-made obstructions or other features such as landscaping, support columns, or grade difference exist, the Zoning Inspector may consider a reduction in required stall width, length, and/or aisle width as part of the Site Plan review process. In all instances where a reduction is requested, emergency vehicle access shall be considered and incorporated in the parking lot design.

### **B. Driveway Width**

For single or two family dwellings, driveways shall be a minimum of nine (9') feet in width. For all other uses, driveways shall be a minimum width of twenty-two (22') feet.

### **C. Setbacks**

1. No parking shall be permitted within the front yard of any residential property except on an asphalt, concrete or masonry-type material driveway. Stone or gravel is not considered a masonry-type material.
2. Off-street parking areas shall not be located in any required landscape strip, or closer than five (5') feet from any side or rear property line. No part of any loading space shall be permitted closer than fifty (50') feet to any residential district or closer than five (5') feet to any right-of-way.
3. Whenever any commercial, industrial, office-research or public use district adjoins a residential district (except for all land located within 450 feet of the Centerline of Airport Highway), the off-street parking and drive isles for the nonresidential use shall not be located within twenty (20') feet from the residential district boundary, and shall not be located within ten (10') feet of any right-of-way.

### **D. Screening**

See Section 23 — Landscaping Requirements

### **E. Surfacing**

All off-street parking spaces, driveways, aisles, entrances, exits, circulation and maneuvering areas, and interior lanes, shall be surfaced prior to occupancy of the building or use of the land. Surfacing shall consist of asphalt, concrete or masonry-type material. Stone or gravel is not considered a masonry-type material.

### **F. Drainage**

All parking spaces, driveways, entrances, exits, circulation and maneuvering areas shall be graded to drain surface water to an acceptable outlet. Surface water shall not drain onto adjacent properties, walkways, or onto the public street.

### **G. Lighting**

All lighting used to illuminate a parking area shall be arranged so that all direct lighting falls entirely within the parking area or adjacent walkways. Lighting standards shall not exceed twenty feet (20') in height and shall be equipped with top and side shields to prevent off-site glare.

### **H. Striping**

All parking areas shall be marked with paint lines, curbs, or some other manner approved by the Zoning Inspector, and shall be clearly identified.



- I. Maintenance**  
Parking areas shall be maintained in good condition and free of dust, trash, or other debris.
- J. Parking of Commercial Vehicles**  
Trucks, tractors/cabs truck trailers, and/or any other type of commercial vehicle shall not be parked outdoors except when used in conjunction with agricultural activities in any residential district, except while making deliveries. The parking of any commercial vehicle in a non-residential district shall not interfere with traffic, ingress/egress, and/or customer parking. Commercial vehicles parked longer than 48 hours in non-residential districts shall be located inside the building or to the rear of the building.
- K. Shared Parking**  
Two (2) or more non-residential uses may jointly provide and use parking spaces when the hours of operation do not normally overlap, provided that a written agreement is submitted and the request is first approved by the Board of Zoning Appeals in accordance with Section 30— Board of Zoning Appeals.
- L. Outdoor Parking of All Terrain Vehicles, Snowmobiles, Recreation Vehicles, and Watercraft**  
The private parking of an all terrain vehicle, snowmobile, recreational vehicle, or watercraft shall be prohibited in any residential district unless as expressly provided herein, except that one (1) of each type of vehicle may be stored in a rear yard provided that no living quarters shall be maintained or any business practiced therein while such recreational vehicle is located on a lot.  
  
Storage of recreational vehicles, watercraft and/or utility trailers, may be permitted in a residential district when the following conditions and requirements are complied with:
  - A.** No recreational vehicles, watercraft or trailers shall be parked or stored in a front yard.
  - A.** Recreational vehicles, watercraft or trailers may be parked or stored in a rear yard, but not within ten (10') feet of any lot line.
  - B.** Recreational vehicles, watercraft or trailers parked or stored on a lot shall not have connections to electricity, water, gas or sanitary sewer facilities, and at no time shall this equipment be used for living or housekeeping purposes.
  - C.** Notwithstanding the provisions of this section, recreational vehicles, watercraft or trailers may be parked anywhere on the premises for loading and unloading purposes, for a period of not more than seventy-two (72) hours within any consecutive seven (7) day period.
  - F.** Recreational vehicles, watercraft and/or utility trailers parked or stored on a vacant parcel shall be prohibited except where permitted on a commercial lot.
- M. Parking of Vehicles for Sale**  
The parking of any vehicle for sale shall be prohibited on any undeveloped parcel or any parcel which does not have a use occurring on the site. Any vehicle for sale shall not project into the right-of-way, shall not interfere with vision of traffic, and shall not create a safety hazard. There may be only one (1) vehicle for sale at any time on a parcel.

## 2402 DETERMINATION OF REQUIRED SPACES

In computing the number of parking spaces required by this Resolution, the following shall apply:

- A. Whenever there is more than one type of use on a parcel, the area allocated for each specific use must be identified.
- B. Each separate or distinct use on the site shall meet its own specific parking space requirement. Any proposed use on a site which cannot satisfy the parking requirements shall be strictly prohibited.
- C. The total number of parking spaces required on-site shall be the sum of the requirements for each use on the premises.
- D. Whenever the total sum computed for required off-street parking or loading spaces includes a fraction, the next higher whole number shall be required.
- E. For purposes of off-street parking and loading requirements, “gross floor area” shall include all of the area on each floor whether or not such area is enclosed by walls, exclusive of interior areas used for off-street parking or loading facility.
- F. Where seating capacity is the standard for determining parking space requirements, the capacity means the number of seating units, or each eighteen (18) lineal inches of benches, or pews, unless occupancy standards set by the Fire Marshal require a greater number of parking spaces, which shall then be the minimum number of parking spaces required.
- G. The parking space requirements for a use not specifically identified in this Resolution shall be the parking requirements for the use that is most similar.
- H. Parking spaces shall be provided for disabled persons consistent with all applicable laws.

## 2403 PARKING SPACE REQUIREMENTS:

The number of off-street parking spaces required for various uses shall be no less than the minimum set forth in the following uses:

### A. Residential Uses:

**Single-family or two-family dwelling:** Two per dwelling unit.

**Multi-family with three or more dwelling units:** One and one-half per dwelling unit.

**Multi-family with three or more dwelling units designated exclusively for occupancy by the elderly or physically disabled (including congregate housing):** One-half per dwelling unit; plus an area on the site reserved for future parking to accommodate one parking space per dwelling unit.

**Group Living:** One for every three beds.

**Rooming or boarding house:** One for each two sleeping rooms.

**B. Commercial Uses:**

**Amusement arcade:** One for each two hundred (200) square feet of gross floor area.

**Auditorium, stadium, theater, conference center, or large place of assembly:** One for each thirty (30) square feet of gross floor area of the auditorium or assembly space.

**Automobile car wash, automatic, self-service:** Two per site. A washing space is not a parking space.

**Automotive repair:** Two per bay. A service bay is not a parking space.

**Automobile/Recreational Vehicle sales:** One for each 5,000 square feet of developed lot area used for vehicle display and one for each 300 square feet of gross floor area.

**Bank or financial institution:** One for every 200 square feet of floor area.

**Barber and beauty shop:** One for every 200 square feet of gross floor area.

**Bowling Alley:** Five per alley or lane.

**Funeral Home:** One for every 150 square feet of gross floor area.

**Furniture Store:** Two plus one for every 300 square feet of gross floor area over 1,000 square feet.

**General Office:** One for each 300 square feet of gross floor area.

**Golf Course:** Six (6) for each hole.

**Hotel or motel:** One per guest room.

**Medical or Dental Office or Clinic:** One for each 200 square feet of gross floor area.

**Medical Marijuana Dispensary:** One space for each 250 square feet of gross floor area.

**Meeting or Reception Hall:** One for each 200 square feet of gross floor area.

**Nursery/Greenhouse:** One for each 400 square feet of gross floor area.

**Self storage facility:** Four plus one space per employee.

**Sexually Orientated Business:** One for each 100 square feet of gross floor area.

**Recreation Facility**

**Indoor:** One for each 150 square feet of gross floor area.

**Outdoor:** One for each 500 square feet of use area.

**Retail:** One for each 250 square feet of gross floor area.

**Restaurant/ Bar/ Lounge:** One for each 75 square feet of gross floor area or one for each 125 square feet of gross floor area when located within a multi-tenant building.

**Any other type of commercial use:** One for each 250 square feet of gross floor area.

**C. Institutional Uses:**

**Day Care Facility:** One space per each 250 square feet of gross floor area.

**Church or place of worship:** One for each forty square feet of gross seating area of the sanctuary, auditorium, or main place of worship, whichever has the greater area.

**Club or lodge:** One for each five members.

**Correctional facilities:** One for every two beds.

**Elementary school (K-9):** Two per classroom and one for each sixty square feet of gross floor area in the auditorium or assembly hall.

**Hospital:** One space per every four beds.

**Library, museum, or art gallery:** Ten plus one for each 300 square feet of gross floor area in excess of 2,000 square feet.

**School (9<sup>th</sup> thru 12<sup>th</sup>):** One space for 1/3 of the total student population.

**Professional/Trade School:** One space per each 200 square feet of gross floor area.

**D. Industrial Uses:**

**Landscaping Contractor:** One per one and one-half employees.

**(With sales):** One for each 300 square feet of indoor gross floor area.  
One for each 500 square feet of outdoor display area.

**Manufacturing, Utility, Research, Contractor, and Development facilities:** One per one and one-half employees.

**Medical Marijuana Cultivation, Testing, and Processing facilities:** One space for each employee.

**Truck Terminal:** One space per loading dock.

**Taxi Service:** One per one and one-half employees.

**Salvage Yard:** One space per acre.

**2404 OFF-STREET AREAS WITH DRIVE-UP/DRIVE-THRU SERVICE:**

Establishments shall provide off-street vehicle storage areas in accordance with the following requirements:

- A.** Photo pickups, drive-thru restaurants, pharmacies, drive-thru convenience stores, and other similar commercial establishments that can normally serve customers in three (3) minutes or less shall provide no less than five (5) vehicle storage spaces per window, not including the space at the window. Drive-in restaurants and other similar uses which require additional stopping points for ordering and paying for goods or services shall provide a minimum of three (3) additional storage spaces for each stopping point. Each storage space shall have a minimum dimension of ten feet (10') in width and twenty feet (20') in length.
- B.** Other commercial establishments such as banks, savings and loan offices, or other similar facilities with service or money windows shall provide no less than four (4) storage spaces per window.

- C.** Self-service automobile washing facilities shall provide no less than four (4) storage spaces per stall. All other automobiles washing facilities shall provide a minimum of ten (10) storage spaces per entrance.
- D.** Motor vehicles service stations shall provide no less than two (2) storage spaces for each accessible side of a gasoline pump island. Gasoline pumps shall not be located closer than fifteen (15') feet to any right-of-way line.

## SECTION 25

### ACCESS MANAGEMENT

#### 2500 PURPOSE

Springfield Township is a transportation crossroad that is bordered by Interstate 475 to the east and Toledo Express Airport to the west. State Route 2 (Airport Highway) is a major highway that runs through the community connecting the airport with the interstate. The Ohio Turnpike borders the township to the south and has an interchange at its western boundary. The main Norfolk and Southern railroad line, connecting the east and west coasts of the U.S., bisect five (5) major arterial roads in the township without grade separation, although one is planned for construction along McCord Road. Accessibility, therefore, is one quality that makes Springfield Township a desirable community in which to live and work. In the interest of promoting accessibility, health, and safety of residents and commuters, this Section is provided.

The purpose of Access Management is not to control traffic volume but to provide for safe and efficient access and to maintain the highest level of service on all roads and highways in Springfield Township. Access Management encourages the implementation of appropriate access management techniques in the development of properties.

#### 2501 REQUIREMENTS

An Access Management assessment and traffic impact study shall be required for all developments, as per the requirements of the Lucas County Access Management Regulations. The Access Management Assessment shall accompany the site plan for review and consideration as set forth in Section 22 — Site Plan Review.

All development on State Route 2 (Airport Highway) shall be subject to the review, policy, standards and regulations of the Ohio Department of Transportation, with recommendations from the Inter-Modal Connector Access Review Advisory Team (ICARAT).

#### 2502 ACCESS MANAGEMENT ASSESSMENT

The following shall be indicated with the Access Management Assessment:

- A. Proposed and/or existing building size and use, driveways, parking areas, and drive aisles;
- B. Current use, parking areas, drive aisles and driveways for all properties opposite and adjacent to the proposed site;
- C. Road details including public rights-of-way within the limits of the traffic impact, including the number and type of vehicular traffic lanes, traffic signal locations, and traffic control signs such as stop and yield.
- D. Anticipated daily and peak hour traffic volumes at site access points.

## **2503 TRAFFIC IMPACT STUDY**

Where any development, expansion, or change of use requires Site Plan Review pursuant to Section 22, and generates fifty (50) or more peak hour trip ends or as required by the Lucas County Engineer (as defined by the Institute of Transportation Engineers' (ITE) Trip Generation Manual), a Traffic Impact Study shall be submitted to the Township Zoning Office. This study shall document the development's impact on internal and external vehicular and pedestrian circulation and safety. Based on the findings and recommendations of the Traffic Impact Study, an access drive or shared drive approach for adjoining parcels may be required as part of site plan approval. Signal improvements, pedestrian walks, turn lanes, and limited direction driveways may also be required.

The Traffic Impact Study shall be prepared by a Professional Engineer at the property owner's or developer's expense and include all elements of an Access Management Plan. The study shall also investigate and recommend the feasibility and benefits of improvements such as signals, turn lanes, and driveway movement limitations to protect the safety and welfare of the traveling public. The Traffic Impact Study analysis shall include the following elements:

- A.** A description of the site and the area within the limits of the traffic impacts;
- B.** A description of the roadway network within the limits of the traffic impacts area (which shall not be less than the proposed site, adjacent roadway and the nearest major intersection in each direction) including traffic volumes, levels of service, and physical features such as number and type of lanes and traffic control devices;
- C.** A description of existing development adjacent to and surrounding the subject site and a description of future development as proposed by the Springfield Township Master Plan for properties adjacent to and surrounding subject site;
- D.** Trip generation (consistent with the current (ITE) Trip Generation Manual) and distribution, including a description of all assumptions used to generate findings of trip distribution;
- E.** Projected future traffic conditions within the limits of the traffic impacts, including opening day of the proposed development and twenty (20) year projections;
- F.** An evaluation of the effects the proposed development will have on the existing level of service for site driveways, public rights-of-way, roadways and adjacent intersections in each direction, including traffic volumes;
- G.** Recommendations for site access and transportation improvements needed to mitigate site-generated traffic within the limits of the traffic impacts, to at least the level of service that currently exists.
- H.** A signal warrant analyses shall be conducted consistent with the current Ohio Manual of Uniform Traffic Control Devices (OMUTCD) and Transportation Research Boards (TRB) Highway Capacity Manual (HCM) and associated software, at all multi-movement driveways. Determination of a signal installation will be based on the signal warrant analyses with consideration for system capability and signal spacing.

## **2504 REVIEW ELEMENTS**

Such review may require that the elements listed below be investigated in the Access Management Assessment or Traffic Impact Study. Review Elements to be considered:

- A.** Driveway geometry for proposed development
- B.** Right/ Left turn lane improvements
- C.** Limited left/right turn direction driveways

- D. Driveway Reduction/elimination and shared driveways
- E. Road/drive alignment
- F. Traffic control devices associated with site access
- G. Cross Access agreements
- H. Service Roads/ Access drives

**2505 SERVICE ROADS/ ACCESS DRIVES**

The preferred type of access to a lot is a drive that is located in the rear of a property and which connects adjoining parcels. In those instances where a rear access drive is not feasible, a front access drive to connect adjoining parcels may be considered. An access drive may be publicly dedicated right-of-way, constructed at the owner's expense and built to Lucas County Standards or may be private. If a private access road is permitted pursuant to this Section, reciprocal easement agreements between adjoining parcels are required. The distance between the adjacent road and access drive shall be determined by Ohio Department of Transportation or the Lucas County Engineer, subject to the jurisdictional authority of the roadway. When a front access drive is permitted, the required landscape area may be located between the existing roadway and the front access drive. The access drive shall be constructed before any occupancy or use is permitted. A bond, escrow or other assurance shall be provided to the Township for the completion of the access drive.

**2506 CONDITIONAL APPROVAL OF DRIVEWAYS**

As part of the site plan review process, the Zoning Inspector with recommendations from the Ohio Department of Transportation, the Lucas County Engineer, or other traffic professional as designated by the Springfield Township Trustees, may approve a site plan with a specific driveway location on the condition that an agreement be made between the property owner and the Township requiring that such driveway(s) be closed when specific conditions are met. Such conditions may include the completion of an access drive or shared drive approach on adjacent lots or other road specific circumstances.



## SECTION 26

### PROCEDURES AND REQUIREMENTS FOR CONDITIONAL USES

#### 2600 PURPOSE

In addition to those uses specifically permitted in each Zoning District, there are certain uses that are necessary for the good of the public, but due to the potential impact on the community, require additional review and consideration.

#### 2601 STANDARDS

The Board of Zoning Appeals shall review each proposed Conditional Use and shall consider the following:

- A. The proposal will be in accordance with the general objectives, or with any specific objectives of the Springfield Township Master Plan;
- B. The proposal is harmonious with the existing or intended character of the general vicinity of the lot and will not change the essential character of the area;
- C. The proposal will not be hazardous or disturbing to existing or future neighboring uses;
- D. The proposal will be served adequately by essential public facilities and services;
- E. The proposal will not involve uses, activities, processes, materials, equipment, and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, vibration or odors.

#### 2602 PROCEDURE

A Conditional Use may be requested by the lot owner or their authorized agent. The procedure set forth in Section 30 – Board of Zoning Appeals shall be complied with.

#### 2603 REQUIREMENTS

All Conditional Uses shall comply with the requirements of the underlying zoning district in which the proposed Conditional Use is located, and the standards of Section 2601.

#### 2604 CONDITIONS OF APPROVAL

In granting any Conditional Use, the Board of Zoning Appeals may require the following items to protect the general health, safety and welfare (where permitted) of the community:

- A. Increased landscaping requirements.
- B. Screening between proposed Conditional Use and adjacent property and/or roadway.
- C. The location of parking areas.
- D. Hours and/or days of operation.
- E. Lighting locations, source, intensity, and areas to be illuminated.

**2605 EXPIRATION OR REVOCATION OF CONDITIONAL USE**

A Conditional Use shall expire if the permitted activity has not commenced within one (1) year from the date on which the Conditional Use was granted by the Board of Zoning Appeals, or if for any reason the use shall cease for more than a two (2) year continuous period. Violation of any condition(s) of approval shall be cause for the revocation of the Conditional Use by the Board of Zoning Appeals.

## **SECTION 27**

### **ZONING CHANGES AND TEXT AMENDMENTS**

#### **2700 AUTHORITY**

Whenever the public necessity, convenience, general welfare or good zoning practice requires it, the Board of Township Trustees may, by resolution, after the Zoning Commission recommendations, and subject to the procedures provided by law, amend, change or repeal the regulation, restrictions, district boundaries or classification of property now or hereafter established by this resolution or amendments hereof.

#### **2701 PROCEDURES**

Amendments to this Resolution may be initiated in one of the following ways:

- A.** By passage of a resolution by the Board of Township Trustees; the Board of Township Trustees shall upon passage of such resolution, certify it to the Zoning Commission;
- B.** By a motion of the Zoning Commission;
- C.** By the filing of an application by at least one (1) owner, or a duly authorized agent of the owner, of the property within the area proposed to be changed.
- D.** Planned Unit Development applications shall be processed as an application, pursuant to Section 27.

#### **2702 APPLICATION AND FEES**

The application for any change of district boundaries or classifications of property shall be made on forms obtainable at the office of the Zoning Inspector. The application shall be accompanied by a letter of intent and any information as may be prescribed by the Zoning Commission, and verified by the owner as to accuracy. A fee shall be paid upon the filing of the application and no action shall be taken on an application until all fees are paid in full.

#### **2703 TRANSMITTAL TO THE LUCAS COUNTY PLAN COMMISSION**

Within five (5) days after the adoption of such motion, or the certification of such Resolution, or the filing of such application, the Zoning Commission shall transmit a copy thereof, together with text and map pertaining thereto, to the Lucas County Planning Commission. The Lucas County Planning Commission shall recommend the approval or denial of the proposed amendment or supplement or the approval of some modification thereof and shall submit such recommendation to the Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment.

#### **2704 PUBLIC HEARING AND NOTICE BY ZONING COMMISSION**

Upon the adoption of such motion, or the certification of such resolution, or the filing of such application as covered by Section 2701, the Zoning Commission shall hold a public hearing thereon. The Zoning Commission shall set a date for the public hearing, which date shall not be less than twenty (20) nor more than forty (40) days from the date of the certification of such resolution, or the date of the adoption of such motion, or the date of the filing of such application.

**2704** Notice of such hearing shall be given as follows:

- A.** On-site notice shall be posted in a secure fashion and maintained within five (5) feet of the lot line adjacent to the public road and during the period in which the application is being considered by the Lucas County Planning Commission, Springfield Township Zoning Commission, and the Springfield Township Board of Trustees. No one shall remove or tamper with any such Notice during the time it is required to be posted and maintained. The Springfield Township Zoning Office shall provide the notice and its content. Failure to post a notice shall not invalidate any such amendment.
- B.** A notice shall be published in one (1) or more newspapers of general circulation in the Township at least ten (10) days before the date of such hearing. The published and mailed notices shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such hearing the matter will be referred for further determination to the Board of Township Trustees. Failure to post a notice shall not invalidate any such amendment.
- C.** If the proposed amendment intends to rezone ten (10) or fewer parcels of land, as listed on the Lucas County Auditor's current tax list, written notice of the hearing shall be mailed by the Township Zoning Commission, by first class mail, at least ten (10) days before the date of the public hearing, to all owners of property within and contiguous to and directly across the street from the area proposed to be rezoned or redistricted to the addresses of those owners appearing on the Lucas County Auditor's current tax list. The failure of delivery of such notice shall not invalidate any such amendment.

**2705 RECOMMENDATION BY ZONING COMMISSION**

The Zoning Commission shall review the proposed change in the terms of public necessity, public safety, general welfare, good zoning practice, and the Township's adopted Master Plan. The Zoning Commission shall, within thirty (30) days after such hearing, recommend the approval or denial of the proposed amendment or the approval of some modification thereof, and submit such recommendation together with such application or resolution, the text and map pertaining thereto and the recommendation of the Lucas County Planning Commission thereon, to the Board of Township Trustees.

**2706 PUBLIC HEARING AND NOTICE BY BOARD OF TOWNSHIP TRUSTEES**

Within 30 days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing. Notice of the public hearing shall be given by the Board of Township Trustees with at least one (1) publication in a local newspaper of general circulation at least 10 days before the date of the public hearing. This notice shall set forth the time and place of the public hearing and the nature of the proposed request. Failure to post a notice shall not invalidate any such amendment.

**2707 ACTION BY THE BOARD OF TOWNSHIP TRUSTEES**

Within twenty (20) days after such public hearing, the Board of Township Trustees shall either adopt or deny the recommendations of the Zoning Commission or adopt some modification thereof. In the event the Board of Township Trustees deny or modify the recommendation of the Zoning Commission, a majority vote of all the voting membership of the Board of Township Trustees shall be required.

## **2708 EFFECTIVE DATE AND REFERENDUM**

- A.** Such amendment adopted by the Board of Township Trustees shall become effective thirty (30) days after the date of such adoption unless within thirty (30) days after the adoption of the amendment there is presented to the Township Trustees a petition, signed by a number of registered electors residing in the unincorporated area of the Township or part thereof included in the zoning plan equal to not less than eight percent (8%) of the total vote cast for all candidates for governor in such area at the most recent general election at which a governor was elected, requesting the Board of Trustees to submit the amendment to the electors of such area for approval or rejection at a special election to be held on the day of the next primary or general election.
- B.** No amendment for which such referendum vote has been requested shall be put into effect unless a majority of the vote cast on the issue is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters it shall take immediate effect.

## SECTION 28

### ZONING CERTIFICATES/ZONING INSPECTOR

#### 2800 ZONING INSPECTOR

The Zoning Inspector shall be appointed by the Board of Township Trustees and shall have the following responsibilities:

- A. Review applications for Zoning Certificates, Site Plan Review, Conditional Uses, and Zoning Change.
- B. On-Site Inspections.
- C. Investigation of violations and enforcement of this Resolution.
- D. Maintain records of zoning activity including non-conforming and Conditional Uses.

#### 2801 ZONING CERTIFICATE REQUIRED

No building or other structure, including temporary structure, shall be constructed, moved, added to, altered, nor shall any building, structure, or land be established or changed in use without a zoning certificate issued by the Zoning Inspector. Zoning Certificates shall be issued only in conformity with the provisions of this Resolution unless the Zoning Inspector receives a written order from the Board of Zoning Appeals deciding an appeal or variance. Zoning certificates may be issued for the following:

- A. **Construction**  
Before any structure, as defined in this Resolution, is built, erected, enlarged, or placed on a property, a Zoning Certificate shall be required. The Zoning Inspector shall issue a zoning certificate when satisfied that according to the information submitted by the applicant, the proposed building, structure, or lot will conform to all the requirements of this Resolution.
- B. **Change of Use/Occupancy/New Business**  
When the use of a property or a building or structure changes, or a new business occupies an existing building or structure, a Zoning Certificate is required. The Zoning Inspector shall issue a Zoning Certificate when the requirements of this Resolution are met.
- C. **Signs**  
Before any sign, except those exempted in Section 2104, may be placed, constructed, structurally altered, attached to a building, or placed on a lot, a Zoning Certificate shall be required.

#### 2802 APPROVAL OF ZONING CERTIFICATE

Within twenty (20) days after the receipt of an application for a Zoning Certificate, the Zoning Inspector shall either approve or disapprove the application in conformance with the provisions of this Resolution. All Zoning Certificates shall, however, be conditional upon the commencement of work within six (6) months. If the work described in any Zoning Certificate has not begun within six (6) months from the date of issuance thereof, said Zoning Certificate shall expire.

## **2803 ENFORCEMENT AND PENALTIES**

- A.** This Resolution shall be enforced by the Board of Township Trustees or such enforcement officer as may be designated by the Township Trustees, such officer shall not issue any Zoning Certificate if the building, structure, or use would be in violation of any of the provisions of this Resolution.
- B.** Except as expressly provided in this Resolution, it shall be unlawful to locate, erect, construct, reconstruct, enlarge, structurally alter, or use any building or structure or use any land without obtaining a Zoning Certificate.
- C.** Any Zoning Certificate issued upon a false statement of any fact, which is material to the issuance thereof, shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Certificate shall be revoked by notice in writing to be delivered to the holder of the void Zoning Certificate upon the premises concerned, or in cases such holder is not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed, thereafter, with such work or use without having obtained a new Zoning Certificate, in accordance with this Resolution, shall be deemed guilty of a violation thereof.
- D.** In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or is proposed to be used in violation of this Resolution, the Board of Township Trustees, the Lucas County Prosecutor, the Township Zoning Inspector, or any adjacent or neighboring property owner who would be especially damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate action or proceedings to prevent, enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use.
- E.** Any person, firm, or corporation violating any provision of this Resolution shall be fined not more than five hundred dollars (\$500.00) for each offense. Each and every day, during which illegal location continues, may be deemed a separate offense.
- F.** Any owner, lessee, or contractor who locates, erects, constructs, reconstructs, enlarges, changes any building or structure, or who uses any land without a Zoning Certificate permit may be subject to three (3) times the normal fee schedule at the discretion of the Zoning Inspector.

## **2804 SCHEDULE OF FEES, CHARGES, AND EXPENSES**

The Board of Township Trustees shall, by Resolution, establish a schedule of fees, charges, and expenses and a collection procedure for Zoning Certificates, amendments, appeals, variances, Conditional Use permits, site plan approvals, and other matter pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be available in the Office of the Zoning Inspector, and may be amended only by the Township Trustees. No Zoning Certificate will be issued until the appropriate fee has been paid, and no hearing or appeal will be conducted until the fee has been paid.

## **SECTION 29**

### **ZONING COMMISSION**

#### **2900 SPRINGFIELD TOWNSHIP ZONING COMMISSION**

The Springfield Township Zoning Commission shall be composed of five (5) members who reside in the unincorporated area of Springfield Township and who shall be appointed by the Board of Township Trustees. The Board of Township Trustees shall fill by appointment any vacancies including un-expired terms. The Board of Township Trustees may appoint alternate members in accordance with the provisions of ORC 519.04.

#### **2901 ORGANIZATION**

The Zoning Commission shall organize and keep a written record of its actions and determinations, adopt rules and procedures to carry out its duties and obligations, all of which shall be filed in the Office of the Township Fiscal Officer.

#### **2902 MEETINGS**

At the first meeting of each year the Commission shall elect a Chairperson and Vice-Chairperson for a term of one (1) year. There shall be a fixed place of the meeting and all meetings shall be open to the public. The Commission shall keep a record of its proceedings showing the action of the Commission and showing the vote of each member on each request considered. All recommendations of the Zoning Commission shall be filed in the Office of the Township Fiscal Officer. A quorum to conduct a meeting shall consist of at least three (3) members of the Zoning Commission.

#### **2903 POWERS AND DUTIES OF THE ZONING COMMISSION**

The Township Zoning Commission shall have the following powers and duties:

- A. Initiate proposed amendments to the Zoning Resolution and zoning map;
- B. Consider, review, and make recommendations on all proposed Zoning Resolution amendments and zoning map changes to the Board of Township Trustees.
- C. When reviewing proposed Zoning Resolution amendments and zoning map changes, the zoning commission shall consider, when applicable, the following:
  - 1. The Springfield Township adopted Master Plan;
  - 2. The affects the proposed change will have adjacent property values and on future uses in the area;
  - 3. That there is not existing property already appropriately zoned to accommodate the use;
  - 4. Affects that any proposed change will have on public utilities and fire protection;
  - 5. How the change will affect the existing road and traffic in the area;
  - 6. Lucas County Plan Commission and Staff, and Township Zoning Staff Recommendations.
- D. May consider review, and make recommendations on site plan reviews;
- E. Consider, review, and make recommendations on all proposed Planned Unit Development applications to the Board of Township Trustees.



## SECTION 30

### BOARD OF ZONING APPEALS

#### **3000 SPRINGFIELD TOWNSHIP BOARD OF ZONING APPEALS**

The Springfield Township Board of Zoning Appeals shall consist of five (5) members who shall be residents of the unincorporated area of Springfield Township. The terms of all members shall be so arranged so that the term of one (1) member expires each year. The Board to Township Trustees shall fill by appointment any vacancies including un-expired terms. The Board of Township Trustees may appoint alternate members in accordance with the provisions of ORC 519.13.

#### **3001 MEETINGS**

At the first meeting of each year the Board of Zoning Appeals shall elect a Chairperson and Vice-Chairperson for a term of one (1) year. There shall be a fixed place of the meeting and all meetings shall be open to the public. The Board shall keep a record of its proceeding showing the action of the Board and showing the vote of each member on each request considered. All records of the Board of Zoning Appeals shall be filed in the Office of the Township Fiscal Officer. A quorum to conduct a meeting shall consist of at least three (3) members of the Board of Zoning Appeals.

#### **3002 POWERS AND DUTIES OF THE BOARD OF ZONING APPEALS**

The Board of Zoning Appeals shall have the following powers and duties:

- A. To organize, adopt rules, hold meetings and keep records as required by law.
- B. To hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector in the enforcement of this Resolution. This includes hearing and deciding matters of interpretation of the provisions of the text of this Resolution and the “Official Springfield Township Zoning Map”.
- C. To authorize, upon appeal, in specific cases such variance from the terms of this Resolution as will not be contrary to the public interest, where owing to special conditions, a literal enforcement of the Resolution will result in unnecessary hardship, and so that the spirit of this Resolution shall be observed and substantial justice done. No variance shall be granted except in conformance with the provisions of Section 3004.
- D. To review and decide on all proposed Conditional Use applications in accord with Section 27 – Procedures and Requirements for Conditional Uses.
- E. To allow the construction of more than one (1) main building on a lot unless otherwise specifically permitted in Section 1907 — Supplemental Regulations.

#### **3003 APPEAL REQUIREMENTS**

Appeals to the Board may be made by any person aggrieved or affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision, by filing with the Board of Zoning Appeals, a notice of appeal specifying the order appealed from and the grounds. The following information shall be included in any application brought before the Board for consideration of any appeal or matter of interpretation:

- A. The request shall include the action or order of the Zoning Inspector, such as the citation of zoning violation and/or a Zoning Certificate being denied or revoked.

- B. The specific reference, including chapter (s) and section(s), to the zoning text or portions of the “Official Springfield Township Zoning Map” appealed from.
- C. The facts and information showing the basis of the appeal, including factors of characteristics unique to a parcel
- D. The specific remedy proposed or a proposed interpretation shall be described.

**3004 REQUIREMENTS FOR A VARIANCE REQUEST AND APPROVAL**

The Board of Zoning Appeals shall consider the following:

- A. That due to exceptional narrowness, shallowness, or shape, or exceptional topographic conditions or other extraordinary situation or condition of a lot, the strict application of the terms of this Resolution would result in peculiar and exceptional practical difficulties.
- B. That special circumstances or conditions applying to the building or land in question are peculiar to such lot or property and do not apply generally to other land or building in the vicinity.
- C. That a variance from the strict application is necessary to relieve such difficulties or hardship, and that such relief may be granted without substantial detriment to the public good and without substantially altering the intent of this Resolution.
- D. The granting of the application is necessary for the preservation and enjoyment of a substantial property right and not merely to serve as a convenience to the applicant.
- E. The condition from which relief or a variance sought did not result from an action by the applicant.
- F. No variance may be applied for or granted which would allow a use that is not allowed in a zoning district.
- G. The authorization of a variance will not impair an adequate supply of light and air adjacent to property or unreasonably increase the congestion in public streets, or increase the danger of fire or imperil the public safety or unreasonably diminish or impair the health, safety, convenience, or general welfare of the inhabitants of the Township.

**3005 CONDITIONS OF APPROVAL**

In granting a variance, the Board may stipulate the manner in which the variance shall be carried out, or may require other improvements and safeguards for the protection of the public health, safety, and welfare. In such cases the Board may attach conditions.

**3006 APPLICATIONS**

All applications shall be in writing, shall be signed by the owner of the property involved or their duly authorized agent or attorney, shall specify the request and grounds thereof, and shall be filed in the Office of the Zoning Inspector.

### **3007 PUBLIC HEARING AND NOTICE**

- A.** Once the application has been received, on-site notice shall be posted and maintained in the manner prescribed in Section 2704 (A). No one shall remove or tamper with any such notice during the time it is required to be posted and maintained. Failure to post a notice shall not invalidate any such appeal/variance.
  
- B.** The Board of Zoning Appeals shall fix a reasonable time for the public hearing of the appeal, give at least ten days' notice in writing to the parties in interest, give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten days before the date of such hearing, and decide the appeal within a reasonable time after it is submitted. Upon the hearing, any person may appear in person or by attorney.

## SECTION 31

### DEFINITIONS

#### DEFINITIONS

For the purpose of this Resolution certain terms and words are defined in the various Sections of this Resolution including Section 21 — Signs and Outdoor Advertising and in this Section 31. Words used in the present tense include the future, and the plural includes the singular, and the singular the plural. The word “shall” is mandatory; “occupied” or “used” shall be considered as though followed by the words “. . . or intended, arranged, or designed to be used or occupied.” Except where specifically defined, all words used in this Resolution shall carry their customary meanings.

**Abandoned:** To cease or discontinue a use or activity without intent to resume, but excluding temporary or short term interruptions to use or activity during periods of remodeling, maintaining, or otherwise improving or rearranging a facility, during normal periods of vacation or seasonal closure.

**Accessory Structure:** A subordinate structure including those without a permanent foundation, detached from but located on the same lot as the principal structure, the use of which is incidental and accessory to that of the principal structure.

**Accessory Use:** A use incidental to, and on the same lot as, a principal use. Accessory uses include any use of a subordinate nature to the principal use on the same lot.

**Agriculture:** The use of land for agricultural purposes, including farming, dairying, pasturage agriculture, horticulture, floriculture, viticulture, and animal and poultry husbandry and the necessary accessory uses for packing, treating, or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities.

**Alteration:** Any change, addition, or modification in construction or use of an existing structure.

**Amusement Arcade:** A building or part of a building in which five or more video games or other similar player-operated amusement devices are maintained.

**Assisted Living Facility:** A residential living facility licensed by the State of Ohio for four or more persons that provides assistance with daily needs which may include medical assistance, transportation, meal preparation, and laundry services. Such facility may also provide other services, such as transportation for routine social and medical appointments, and counseling.

**Automobile Service Center:** A place that provides routine maintenance and replacement of parts such as tires, mufflers, and oil changes within a completely enclosed building with no service or storage outside.

**Bar or Lounge:** Any premises wherein alcoholic beverages are sold at retail for consumption on the premises.

**Bed and Breakfast:** An establishment located within a single-family dwelling that is the principle residence of the operator, where short-term lodging is offered for compensation and which includes the service of one or more meals to guests.

**Buildings:** A structure having a roof supported by columns or walls; for the shelter, support, enclosure or protection of persons, animals, or property. When separated by party or shared walls, each portion of such a building shall be considered a separate structure.

- Building, Main:** The building on a parcel in which the principal use is conducted.
- Canopy:** Means any structure, movable or stationary, attached to and deriving its support from framework or posts or other means independent of a connected structure for the purpose of shielding an area from the elements, or a roof-like structure of a permanent nature which projects from the wall of a structure and overhangs a doorway, window, walkway, or driveway.
- Car Wash:** An area of land and/or structure with machine or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.
- Cemetery:** Land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.
- Church or Place of Worship:** A place that people regularly attend for religious services, meeting, and other activities, which may include day care services. The word “Church” shall not carry a secular connotation. Church shall include buildings in which religious services and related activities of any denomination are held.
- Clinic:** A building designed and used for the diagnosis and treatment of human patients that does not include overnight care facilities.
- Club:** Buildings or facilities occupied for social, educational, or recreational purposes, but not primarily of profit or for rendering a service that is customarily carried on as business and not open to the general public.
- Commercial Vehicle:** A cab, limousine, truck, truck trailer or other vehicle with a total maximum gross vehicle weight of three (3) tons or greater and is used or designed to be used for business or commercial purposes.
- Community or Club Swimming Pools:** A community or club swimming pool shall be any pool constructed by an association of lot owners, or by a private club for use and enjoyment by members of the association or club.
- Conservation Area:** Areas having significant natural vegetation, wildlife or physical features.
- Contractor Yard:** A place used for the storage of heavy equipment, commercial vehicles and materials used for construction or maintenance purposes.
- Day Care Facilities:** A building or part thereof other than a permanent residence which administers to the needs of children or adults providing social, recreational, or educational activities on a daily basis with no provisions for resident care.
- Density:** The number of dwelling units permitted per net acre of land (excluding right-of-way).
- Design Standards:** A set of guidelines defining parameters to be followed in site and/or building design and development.
- Detention/Retention Basin:** A facility separate and distinct from a lake or pond and for the temporary storage of storm water runoff.
- Development:** All structures and other modifications of the natural landscape above and below ground or water, on a particular site.

**Distribution Center:** The storage, wholesale, and distribution of manufactured products, supplies, and equipment.

**Drive-Thru Facility:** An establishment that by design, and/or service, permits customers to receive a service or obtain a product while remaining in vehicle.

**Dwelling:** A building or portion thereof use exclusively for residential purposes, including one-family, two-family, and multiple family dwellings. The term “dwelling” shall include permanently sited manufactured homes and Ohio Basic Building Code (OBBC) certified units, but shall not include mobile homes, recreational vehicles, hotels, motels, boarding or lodging houses, and group living.

**Dwelling, Multi-Family:** A building or portion thereof used for occupancy by three or more families living independently of each other and containing three or more dwelling units.

**Dwelling Unit:** A place for residential occupancy by one family with separate toilets and facilities for cooking and sleeping.

**Exception(s):** Means permission to depart from the requirements or design standards of this Resolution with respect to the submission of required documents.

**Family:** One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house, lodging house or hotel, or group living as herein defined. This definition shall include the following:

- A. A group of persons with disabilities (meaning persons who are considered handicapped or disabled as those terms are defined either by the Fair Housing Act or the Americans with Disabilities Act) who need not be related by blood or marriage or adoption, living together as a single housekeeping unit.
- B. A foster home as defined by Ohio Revised Code Section 5103.02 (D).

**Farm Market:** A retail establishment where the majority of products for sale have been grown or raised on-site and/or on land owned or operated by the market operator, and then sold directly to the consumer. (See Section 201 C.)

**Fence:** A fence is a structure without a roof, plant material, or similar screening device erected in such a manner and in such a location as to enclose, secure, partially enclose or secure, provide privacy for, decorate, define, or enhance all or any part of a lot.

**Frontage:** The side of a lot abutting on a public street or private place and ordinarily regarded as the front of the lot.

**Funeral Home:** A building or part thereof used for human funeral services. Such building may contain space and facilities for:

- A. Embalming and the performance of other services used in preparation of the dead for burial;
- B. Performance of autopsies and other surgical procedures;
- C. Storage of caskets, funeral urns, and other related funeral supplies;
- D. Storage of funeral vehicles, but shall not include facilities for cremation;
- E. A funeral chapel

**Group Living:** The residential occupancy of a structure by other than a family, where units or quarters do not each have its own kitchen facilities. Includes the following:

**A. Adult Family Home**

A state-licensed home or facility that provides accommodations to three to five unrelated adults and supervision and personal care services to at least three of those adults.

**B. Residential Facility, Small**

A state-licensed or state-regulated home or facility that provides room and board, personal care, habilitation services, and supervision in a family setting for as many as six (6) (or, if allowed by state law, eight (8)) persons who require such care because of any of the following: mental retardation or a developmental disability; physical disability; age; long-term illness, including HIV; domestic violence; or being a runaway minor. Includes the following types of facilities identified under state law: residential facility, ORC 5123.19(L); shelter for victims of domestic violence, ORC 3113.33(C); and other similar uses of the same size licensed by the state but not requiring skilled nursing care.

**C. Residential Facility, Large**

A state-licensed or state-regulated home or facility that provides room and board, personal care, habilitation services, and supervision in a family setting for more than 9 but not more than 16 persons who require such care because of any of the following: mental retardation or a developmental disability; physical disability; age; long-term illness, including HIV; domestic violence; or being a runaway minor. Includes the following types of facilities identified under state law: residential facility, ORC 5123.19(L); shelter for victims of domestic violence, ORC 3113.33(C); and other similar uses of the same size licensed by the state but not requiring skilled nursing care.

**D. Drug and Alcohol Residential Facility**

A home or facility that provides habilitation services for persons with drug and alcohol addictions but not including methadone treatment.

**E. Halfway House**

A state-licensed facility for the care and treatment of adult offenders. ORC 2967.14(C).

**F. Nursing Home**

A state-licensed home used for the reception and care of individuals who by reason of illness or physical or mental impairment require skilled nursing care and of individuals who require personal care services. ORC 3721.01(A)(6). Also includes Residential Care Facility, ORC 3721.01(A)(7).

**G. Rest Home**

A home or facility that provides personal care services but not skilled nursing services to adults who reside at the facility. Includes Residential Care Facility ORC 3721.01(A)(7). A facility that conforms with the definition for Adult Foster Home, Adult Family Home, Residential Facility (Small) or Residential Facility (Large) shall be treated as such, regardless of the fact that it may also meet this definition.

**H. Home for the Aging**

A state-licensed home that provides services as a Residential Care Facility and a Nursing Home, except that the home provides its services only to individuals who are dependent on the services of others by reason of both age and physical or mental impairment.” ORC 3721.01(A)(8). A facility that conforms to the definition for Residential Facility (Small) or Residential Facility (Large) shall be treated as such a Residential Facility, regardless of the fact that it may also meet this definition.

**I. Group Rental**

Unrelated persons who do not constitute a family or a functional family as defined in this Zoning Code, living as a single housekeeping unit in which individual sleeping quarters may be occupied by the residents of the dwelling thereof, and in which the relationship among the members of the group rests primarily upon a cost-sharing arrangement.

**J. Homeless Shelter**

A home or facility that provides temporary housing, with or without meals, to indigent, homeless, or transient persons. Such home or facility shall not provide lodging on a regular basis.

**K. Other Group Living**

Includes fraternity and sorority houses and other community-based housing not provided for elsewhere in this code.

**Height (of building or other structure):** The vertical distance from the grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs.

**Highway, Major:** A street or road of considerable continuity and used primarily as a traffic artery.

**Home Occupation:** A use incidental and secondary to a property's primary residential use. A home occupation use shall not change the residential character of the property or the neighborhood and shall meet all requirements of Section 1905.

**Hospital:** A care facility providing clinical and emergency services of a medical or surgical nature to human patients and licensed by the State of Ohio to provide such facilities and services.

**Internet Café:** A place or restaurant that provides internet access to the public, usually for a fee. These businesses usually provide snacks and drinks, hence the café in the name. The fee for using a computer is usually charged as a time-based rate. This use does not include viewing or ability to view pornographic or sexually oriented materials, and does not include internet sweepstakes establishments.

**Internet Sweepstakes Establishment:** An establishment that promotes the sale of prepaid internet time cards, phone cards or similar device to retail customers in varying amounts for use at its business location which entitle each cardholder to participate in sweepstakes. The sweepstakes system allows for a customer to use the phone card, internet time cards or similar device at a game terminal to browse the internet or participate in games which reveal sweepstakes entries, prizes, prize values or the like. Internet Sweepstakes Establishments are not permitted in any zoning district.

**Kennel:** An establishment to operate a facility housing more than three (3) dogs, cats, or other household pets, over four (4) months of age, where grooming, breeding, boarding, training, or selling of animals is conducted.

**Lake:** A body of water at least five (5) acres in surface area.

**Landfill:** A site for the disposal of solid wastes in a manner that minimizes environmental hazards by spreading or compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operation day.



**Landscape Contractor:** A business principally engaged in providing landscape services, including construction, soil preparation, and planting. The business may also include growing and selling nursery stock and may include property maintenance services including yard mowing, landscape maintenance, tree trimming, and/or snow plowing.

**Landscape Strip:** An area of land located along the right-of-way which contains decorative treatments, such as fencing or walls, and natural features, such as lawns, trees, plants, or mulch.

**Laundry, Self-service:** A business that provides washing, drying, and/or ironing machines for hire to be used by customers on the premises.

**Limousine/Taxi Service:** The business of providing motor vehicles for carrying or transportation of passengers for a fixed charge or fee, or offering a vehicle with driver for a fixed charge or fee.

**Lot:** A parcel of land.

**Corner Lot:** A lot with frontage on and at the intersection of the rights-of-way of two or more streets.

**Interior Lot:** An interior lot is a lot other than a corner lot.

**Through Lot:** A lot, other than a corner lot, having frontage on two parallel, or approximately parallel, roads.

**Lot Area:** Total area bounded by property lines excluding any roadway easements and rights-of-ways.

**Lot Coverage:** Determined by dividing the total surface of all buildings, including covered porches and accessory buildings, and any other impervious surfaces, except sidewalks, located on the lot by the total area of the lot.

**Lot Depth:** The average horizontal distance of the lot between the front and rear lot lines.

**Lot Line:** A line dividing one lot from another lot or from the street or alley.

**Lot of Record:** A lot that has been recorded or registered in a deed or on a plat.

**Lot Width:** The horizontal distance of the lot between side lot lines measured at the required front setback line.

**Manufactured Home (Mobile Home):** A factory-built, single-family structure that is transportable in one or more sections, and is used as a place of habitation. A manufactured home conforms with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," and that has a label or tag permanently affixed to it certifying compliance with all applicable federal construction and safety standards.

**Permanently Sited Manufactured Home:** A “permanently sited manufactured home” means a manufactured home that meets all of the following criteria as specified in ORC 3781.06:

- A. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
- B. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments;
- C. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
- D. The structure was manufactured after January 1, 1995;
- E. The structure is not located in a manufactured home park.

**Manufactured Home Park:** A parcel of land planned and improved upon which three or more manufactured or mobile homes used for habitation are parked, either free of charge or for revenue purposes and including any roadway, building, structure, vehicle, or enclosure used or intended for use as a part of the facilities of such manufactured home park.

**Medical Marijuana Facility:** Any entity that has been issued a certificate or license by the State of Ohio to operate as a cultivator, dispensary, processor or testing facility of medical marijuana. The following are Medical Marijuana Facility use types:

- A. Cultivator**  
An entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana.
- B. Dispensary**  
An entity licensed by the State of Ohio to sell medical marijuana products to qualifying patients and caregivers.
- C. Processor**  
An entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products.
- D. Testing Laboratory**  
An independent laboratory that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis.

**Mineral Extraction, Storage, and Processing:** Any mining, quarrying or processing of limestone, sand, gravel, oil, natural gas, or other mineral resources.

**Mobile Home: (Manufactured Home):** A transportable, factory built home, designed to be used as year-round residential dwelling and built prior to the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974 which became effective June 15, 1976. Mobile homes and manufactured homes that do not meet the definition of a “Permanently Sited Manufactured Home” as defined in Section 31 of this Resolution shall be located only in Manufactured Home Park Zoning Districts.

**Motel/Hotel:** A facility offering transient lodging accommodations on a daily rate to the general public and providing additional services, such as restaurants, meeting rooms, and recreational facilities.

**Motor Vehicle Salvage Yard:** The place where the dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. The presence on any lot or parcel of land of two or more motor vehicles, which, for a period exceeding 30 days, have not been capable or operating under their own power and from which parts have been or are to be removed for reuse or sale, shall constitute prima-facie evidence of an automobile wrecking yard.

**Non-Conforming Lot:** A lot, which does not meet the requirements of this Resolution.

**Non-Conforming Structure (legal):** A building or structure which was lawfully existing at the time of adoption, revision, or amendment to this Resolution that at the present time does not comply with the site area, coverage, setback, height, or other applicable regulations for its zoning district.

**Non-Conforming Structure (illegal):** A building or structure which did not legally exist at the time of adoption, revision, or amendment to this Resolution and that does not comply with the site area, coverage, setback, height, or other applicable regulations for its zoning district.

**Non-Conforming Use (legal):** A use of land which lawfully existed at the time of adoption, revision, or amendment to this Resolution that at the present time does not comply with the use regulations for its zoning district.

**Non-Conforming Use (illegal):** A use of land which did not legally exist at the time of adoption, revision, or amendment to this Resolution and that does not comply with the use regulations for its zoning district.

**Outdoor Storage:** Any goods, material, merchandise, or vehicles in the same exterior place for more than 24 consecutive hours.

**Permanent Foundation:** A locally approved permanent masonry, concrete, footing or foundation, to which a structure may be affixed.

**Personal Service:** A business that provides services such as hair care, shoe repair, laundry mat, dry cleaning, travel agency, beauty salon, and other similar activities.

**Plant Nursery:** The cultivation of crops, fruit trees, nursery stock, and garden products or similar plant materials outside or within greenhouses.

**Pond:** A body of water with a minimum surface area of one-half (1/2) and a maximum surface area not to exceed five (5) acres.

**Principal Use:** The main use of land or structures, as distinguished from a secondary or accessory use.

**Principal Building:** A building in which the primary use of the lot on which the building is located is conducted.

**Private Place:** A duly approved and platted private thoroughfare other than a public street permanently reserved as the principal means of access to abutting property and/or platted lots in a subdivision.

**Professional Office:** Establishments that may cater to a specific professional service such as outpatient medical/dental offices, insurance agencies, real estate offices, travel agencies, and other similar activities.

**Professional/Trade School:** A facility that provides a curriculum for an occupation, skill, or trade.

**Public Use:** Any land, use or activity owned and operated by a public agency such as a post office, government building/structure, school, police or fire station, open space or park.

**Public Way:** Means an alley, avenue, boulevard, bridge, channel, ditch, easement, expressway, freeway, highway, land, parkway, right-of-way, road, sidewalk, street, subway, tunnel, viaduct, walk, bicycle path or other ways in which the general public or a public entity have a right, or which are dedicated, whether improved or not.

**Recreational Facilities:**

**Outdoor:** Public or private facilities including golf courses, driving ranges, swimming pools, ice skating rinks, riding stables, race tracks, carnivals, campgrounds, tennis courts or basketball courts.

**Indoor:** Public or private facilities including bowling alley, racquetball courts, tennis courts, basketball courts, swimming pools, ice skating rinks, firing range, exercise facilities, arcade.

**Recreational Vehicle:** A vehicular portable structure that is designed and constructed to be used as a temporary dwelling for travel, recreation, and vacation uses and is classified as follows:

**A. Travel Trailer:** A non-self propelled recreational vehicle that does not exceed an overall length of thirty-five (35) feet, exclusive of bumper and tongue or coupling, and contains less than three hundred and twenty (320) square feet of space when erected on site. "Travel Trailer includes a tent-type fold-out camping trailer as defined in this resolution.

**B. Motor Home:** A self-propelled recreational vehicle that is constructed with permanently installed facilities for cold storage, cooking and consuming of food, and for sleeping.

**C. Truck Camper:** A non-self propelled recreational vehicle that does not have wheels for road use and is designed to be placed upon and attached to a motor vehicle. "Truck Camper" does not include truck covers that consist of walls and a roof, but do have floors and facilities enabling them to be used as a dwelling.

**D. Fifth Wheel Trailer:** A vehicle that is of such size and weight as to be movable without a special highway permit, that has gross trailer area of four hundred (400) square feet or less, that is constructed with a raised forward section that allows a bi-level floor plan, and that is designed to be towed by a vehicle equipped with a fifth-wheel hitch originally installed in the bed of the truck.

**E. Park Trailer:** A vehicle that is commonly known as a park model recreational vehicle, meets the American National Standard Institute A119.5 (1998) for park trailers, is built on a single chassis, has a gross trailer area of four hundred (400) square feet or less when set up, is designed for seasonal or temporary quarters, and may be connected to utilities necessary for the operation of installed features and appliances.

**F. Tent-Type Foldout Camping Trailers:** Any vehicle intended to be used, when stationary, as a temporary shelter with living and sleeping facilities, and which is subject to the following properties and limitations:

- 1). A minimum of twenty-five (25) percent of the foldout portion of the tip and sidewalls combined must be constructed of canvas, vinyl, or other fabric, and form an integral part of the shelter.
- 2). When folded, the unit must not exceed:
  - (a) Fifteen (15) feet in length, exclusive of bumper and tongue,
  - (b) Sixty (60) inches in height from the point of contact with the ground,
  - (c) Eight (8) feet in width,
  - (d) One (1) ton gross weight at time of sale.

**Recycling Center:** An area where recoverable resources, such as newspapers, glassware, and metal cans are collected, but no processing of recyclable materials occur.

**Residential Care Facility:** Includes Assisted Living Facility, Nursing Home, Rest Home, Adult Day Care, Group Home, or and other similar institution.

**Retail:** The sale or rental of commonly used goods and merchandise for personal or household use and rendering services incidental to the sale or rental of such goods. Such sale or rental shall be conducted exclusively indoors unless specifically allowed in this resolution. Typical uses include grocery stores, department stores, furniture stores, clothing stores and establishments providing the following products or services: household electronic equipment, sporting goods, bicycles, office supplies, home furnishings, household appliances, wallpaper, carpeting and floor-covering, art supplies, kitchen utensils, jewelry, drugs, cosmetics, books, notions, antiques or automotive parts and accessories.

**Rooming House:** A building that is the primary residence of the owner and where lodging is provided by the owner, for compensation, to three or more unrelated adult persons.

**Salvage Yard: (see also automobile wrecking yard)** An area where inoperable used materials are bought, sold, exchanged, stored, processed, or handled. The word "materials" shall include but are not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles. An Automobile Wrecking Yard is also considered a Salvage Yard.

**School:** A public or privately funded facility that provides a curriculum of academic instruction, including kindergarten, elementary, middle, junior, and high schools, colleges and universities.

**Screening:** The method by which a view of one site from another adjacent site is shielded, concealed, or hidden. Screening techniques include fences, walls, hedges, berms, or other methods.

**Self Storage Facility:** A building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods excluding boats or recreational vehicles.

**Setback(s):** The required minimum distance between the building line and the nearest front, side, or rear property line.

**Sexually Oriented Business:** As used in this Zoning Resolution, ‘sexually-oriented business’ means an inclusive term used to describe collectively: adult media store, bathhouse, lingerie modeling or photograph studio, massage parlor/studio (except for massage therapy as licensed by the State of Ohio in Revised Code Section 4731.16), motion picture arcade booth, sex shop, sexual encounter center, sexually-oriented cabaret or sex-oriented cabaret, sexually-oriented cinema, sexually-oriented motion picture theater, or sex-oriented cinema. Terms relating to “sexually oriented business” are defined as follows:

**Adult Media:** Includes magazines, books, videotapes, movies, slides, cd-roms or other devices used to record computer images, or other media that are distinguished or characterized by their emphasis on matter depicting, describing, or relating to explicit sexual material.

**Adult Media Store:** An establishment that rents and/or sells media, and that meets any of the following three tests: 40 percent or more of the gross public floor area is devoted to adult media; 40 percent or more of the stock-in-trade consists of adult media; or it advertises or holds itself out in any forum as ‘XXX’, ‘adult’, ‘sex’, or otherwise as a sexually-oriented business other than an adult media store, sexually oriented cinema, sexually oriented motion picture theater, or sex-oriented cinema, or sexually-oriented cabaret or sex-oriented cabaret.

**Bathhouse:** An establishment or business which provides the services of baths of all kinds, including all forms and methods of hydrotherapy, unless operated by a medical practitioner or professional physical therapist, licensed by the state.

**Book or Media Store:** A book or media store which devotes less than 10 percent of its gross public floor area or 10 percent of the number of items in inventory to explicit sexual material shall be treated for zoning purposes as a retail establishment. A book or media store which devotes more than 10 percent of its gross public floor area or 10 percent of the number of items in inventory to explicit sexual material, but which devotes less than 40 percent of its gross public floor area and less than 40 percent of the number of items in inventory to explicit sexual material shall be treated for zoning purposes as a book or media store and not as an adult media store, provided that it meets the following conditions: all explicit sexual material shall be maintained in a room that is separated from other material by an opaque wall that extends to the ceiling or eight feet above the floor, whichever is less; access to the room containing the explicit sexual material shall be through an opaque door; the room containing explicit sexual material shall be posted with a notice indicating that only persons 18 years of age or older (adults) are allowed in the room; and access to the room will be physically limited to adults through control of access by an employee of the store, through use of an access release located at least 66 inches off the floor, or through constant monitoring of the room by an employee on duty through electronic means or through a window or mirror providing visibility into the room from the manager’s or cashier’s work station.

**Display publicly:** The art of exposing, placing, posting, exhibiting, or in any fashion displaying in any location, whether public or private, an item in such a manner that it may be readily seen and its content or character distinguished by normal unaided vision viewing it from a street, highway, or public sidewalk, or from the property of others, or from any portion of the premises where items and material other than adult media are on display to the public.

**Explicit sexual material:** Media characterized by sexual conduct that includes one or more of the following: erect male organ; contact of the mouth of one person with the genitals of another; penetration with a finger or male organ into any orifice in another person; open female labia; penetration of a sex toy into an orifice; male ejaculation; or the aftermath of male ejaculation.

**Gross public floor area:** The total area of the building accessible or visible to the public, including showrooms, sexually-oriented cinemas, sexually oriented motion picture theaters, or sex-oriented cinemas, motion picture arcade booths, service areas, behind counter areas, storage areas visible from such other areas, restrooms (whether or not labeled ‘public’), areas used for sexually-oriented cabarets or sex-oriented cabarets, plus aisles, hallways, and entryways serving such areas.

**Lingerie modeling or photograph studio:** An establishment or business which provides the services of live models modeling lingerie, bathing suits, or similar wear or without clothing to individuals, couples or small groups in a room smaller than 600 square feet.

**Massage:** Touching, stroking, kneading, stretching, friction, percussion and vibration, and includes holding, positioning, causing movement of the soft tissues and applying manual touch and pressure to the body (excluding an osseous tissue manipulation or adjustment).

**Massage parlor/studio:** An establishment offering massage therapy and/or body work by a massage therapist not licensed under ORC 4731.16 or under the direct supervision of a licensed physician.

**Media:** Anything printed or written, or any picture, drawing, photograph, motion picture, film, videotape or videotape production, or pictorial representation, or any electrical or electronic reproduction of anything that is or may be used as a means of communication. Media includes but shall not necessarily be limited to books, newspapers, magazines, movies, videos, sound recordings, cd-roms, other magnetic media, and undeveloped pictures.

**Motion picture arcade booth:** Any booth, cubicle, stall or compartment which is designed, constructed or used to hold or seat customers and is used for presenting motion pictures or viewing publications by any photographic, electronic, magnetic, digital or other means or medium (including, but not limited to, film, video or magnetic tape, laser disc, cd-rom, books, magazines or periodicals) for observation by customers therein. The term ‘booth’, ‘arcade booth,’ ‘preview booth’, and ‘video arcade booth’ shall be synonymous with the term ‘motion picture arcade booth’.

**Primary live entertainment:** Entertainment that characterizes the establishment, as determined (if necessary) from a pattern of advertising as well as actual performances.

**Sex shop:** An establishment offering goods for sale or rent and that meets any of the following tests: it offers for sale items from any two of the following categories: adult media; lingerie; leather goods marketed or presented in a context to suggest their use for sadomasochistic practices, and the combination of such items make up more than 10 percent of its stock in trade or occupies more than 10 percent of its gross public floor area; more than 5 percent of its stock in trade consists of sexually oriented toys or novelties; or more than 5 percent of its gross public floor area is devoted to the display of sexually oriented toys or novelties.

**Sexual conduct:** The engaging in or the commission of an act of sexual intercourse, oral-genital contact, or the touching of the sexual organs, pubic region, buttock or female breast of a person for the purpose of arousing or gratifying the sexual desire of another person.

**Sexual encounter center:** A business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where two or more persons may congregate, associate, or consort for the purpose of ‘specified sexual activities’. The definition of sexual encounter center or any sexually-oriented business shall not include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.

**Sexual gratification:** Sexual conduct as defined herein.

**Sexually oriented acts:** Sexual conduct as defined herein.

**Sexually oriented cabaret or sex-oriented cabaret:** An establishment and/or building or portion of a building regularly featuring dancing or other live entertainment if the dancing or entertainment which constitutes the 'primary live entertainment' is distinguished or characterized by an emphasis on the exhibiting of 'specific sexual activities' or 'specified anatomical areas' for observation by customers therein. A cinema or motion picture theater which shows explicit sexual material on more than half the days that it is open, or which is marketed as or offers features described as 'adult', 'XXX', or sexually oriented.

**Sexually oriented cinema, sexually-oriented motion picture theater, or sex-oriented cinema:** A cinema or motion picture theater which shows explicit sexual material on more than half the days that it is open, or which is marketed as or offers features described as 'adult', 'XXX', or sexually oriented.

**Specified Anatomical Areas:** Any one of the following: (1) Less than completely and opaquely covered human genitals, pubic region, buttock, and female breast below a point immediately above the top of the areola; and (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

**Specified sexual activities:** Human genitals in a state of sexual stimulation or arousal or acts of human masturbation, sexual intercourse, sodomy, or fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

**Small Wind Turbine:** A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than 100 kW and which is intended to primarily reduce on-site consumption of utility power.

**Story:** The portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, the space between such floor and the ceiling above it.

**Structure:** A combination of materials constructed or placed for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.

**Truck Service Center:** A place that provides routine maintenance and replacement of commercial vehicle parts such as tires, mufflers, and oil changes within a completely enclosed building with no service or storage outside.

**Truck Terminal:** Land and buildings used as a relay station for the transfer of a load from one vehicle or building to another or one party to another. The terminal facility may include truck storage and repair.

**Yard:** Any open space located on the same lot with a building, unoccupied and unobstructed from the ground, except for accessory structures, parking, or such projections as are expressly permitted in these regulations. The minimum depth or width of a yard is the horizontal distance between the lot line and the nearest point of the foundation wall of the main building.

**Yard, Front:** A yard extending along the full width of the lot between side lot lines and from the front lot line to the front building line.



**Yard, Rear:** A yard extending across the full width of the lot between the side lot lines and lying between the rear lot line and the nearest wall of the main building. Rear yard depth shall be measured from the rear building wall to the nearest point of the rear lot line.

**Yard, Side:** A yard lying between the side lot line of the lot and the nearest building wall of the main building, between the front yard and the rear yard.