RICHFIELD TOWNSHIP
LUCAS COUNTY, OHIO

DRAFT ZONING RESOLUTION (Public Hearing Draft)

May 29, 2026

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ARTICLE 1
General Provisions

1.01 Title
1.02 Purpose
1.03 Applicability and Limitations
1.04 Interpretation and Conflict
1.05 Separability

1.01 TITLE

This Resolution shall be known and may be cited as the "Zoning Resolution for Richfield Township, Lucas County, Ohio." Unless otherwise provided herein or by the law or implication required, the same rules of construction, definition, and application shall govern the interpretation of this Resolution as those governing the interpretation of the Ohio Revised Code.

1.02 PURPOSE

The Board of Township Trustees hereby find it necessary, advisable, and beneficial to the residents of Richfield Township, Lucas County, Ohio to provide for the division of the unincorporated area of the Township into Zoning Districts. This Resolution is adopted to promote and protect the public health, safety, and general welfare by the following regulations as permitted by the provisions of Chapter 519 of the Ohio Revised Code:

a) Regulating the Use of land areas and the construction, restoration, and/or alteration of Buildings and Uses therein;
b) Restricting the area dimensions of land, yards, and Open Spaces so as to secure adequate light, air, and safety from fire and other dangers;
c) Controlling the bulk, height, density, and location of Buildings;
d) Protecting and preserving existing natural resources; and
e) Assuring the orderly growth and development of lands.

1.03 APPLICABILITY AND LIMITATIONS

a) Pursuant to Section 519.21 of the Ohio Revised Code, the zoning authority of the Township shall be limited and may not regulate these Uses as follows:

    1) Agricultural Uses. Except as otherwise provided below and under Section 519.21 of the Ohio Revised Code, nothing herein shall prohibit the Use of any 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 the Buildings or Structures are located and no Zoning Certificate shall be required for any such Use, Building, or Structure. However, the Township may

allow the conversion of an Agricultural Use to another Permitted Use in its respective Zoning District.

2) Farm Markets. A Farm Market where fifty (50) percent or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year. However, the Board of Township Trustees may regulate such factors such as the size of the Structure, size of the parking area, Setback Building Lines, and Access Points, as found in Section #### - Agritourism and Farm Markets.

3) Biodiesel Production, Biomass Energy Production, or Electric or Heat Energy Production. Biodiesel production, biomass energy production, or electric or heat energy production if the land on which the production is located qualifies as land devoted exclusively to Agricultural Use under Sections 5713.30 to 5713.37 of the Ohio Revised Code for real property tax purposes. As used in herein, "Biodiesel," "Biomass Energy," and "Electric or Heat Energy" have the same meanings as in Section 5713.30 of the Ohio Revised Code.

4) Biologically Derived Methane Gas Production. Biologically derived methane gas production if the land on which the production is located qualifies as land devoted exclusively to Agricultural Use under Sections 5713.30 to 5713.37 of the Ohio Revised Code for real property tax purposes and if the facility that produces the biologically derived methane gas does not produce more than seventeen million sixty thousand seven hundred ten (17,060,710) British thermal units, five megawatts, or both.

5) Agritourism. However, the Board of Township Trustees may regulate this Use in relation to Section 519.21(C)(4) of the Ohio Revised Code and as codified in Section #### - Agritourism and Farm Markets.

b) Section 519.21(B) of the Ohio Revised Code allows a township zoning resolution or an amendment thereof, to regulate Agricultural Uses within any platted subdivision approved under Section 711.05, 711.09, or 711.10 of the Ohio Revised Code, or any area consisting of fifteen (15) or more Lots approved under Section 711.131 of the Ohio Revised Code that are contiguous to one another or 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 public road.

1) Pursuant to Section 519.21(B) of the Ohio Revised Code, animal and/or poultry husbandry, including the raising, boarding, housing, or grazing of horses, cattle, sheep, goats, swine, poultry, or similar animals shall be regulated as a Conditional Use on Lots meeting the standards of ORC 519.21(B) above, and which are also one (1) acre or less in size. The processing of any such animals or their products shall not be permitted.

2) Dairying and animal and/or poultry husbandry shall be regulated as a Conditional Use on Lots greater than one (1) acre but not greater than five (5) acres if such Lots meet the standards of ORC 519.21(B), above, and if at least thirty-five (35) percent of the Lots in the subdivision are developed with at least

one (1) Building, Structure, or Improvement that is subject to real property taxation or that is subject to the tax on Manufactured Homes pursuant to Section 4503.06 of the Ohio Revised Code. After thirty-five (35) percent of the Lots are developed, any existing animal and/or poultry husbandry operation shall be considered a Nonconforming Use pursuant to Article ## - Nonconforming Uses and Structures – of this Resolution if a Conditional Use has not been provided.

c) Permanently Sited Manufactured Homes, as defined in Article 2 – Definitions – shall be considered a Permitted Use in any Zoning District that permits One-Unit Dwellings.

1.04 INTERPRETATION AND CONFLICT

The provisions of this Resolution shall be held to be as the minimum requirements and shall apply uniformly to each class or kind of Building, Structure, and Lot. Where the provisions of this Resolution impose greater restrictions upon Buildings, Structures, or Lots, than required by other codes, laws, ordinances, or restrictive covenants running with the land, the regulations of this Resolution shall govern. Conversely, these regulations shall not be deemed or construed to appeal, amend, modify, alter, or change any other law, resolution, or regulation of the Township, or part thereof, not specifically repealed, amended, modified, altered, or changed herein.

1.05 SEPARABILITY

The invalidation of any clause, sentence, paragraph, or section of this Resolution by a court of competent jurisdiction shall not affect the validity of the remainder of this Resolution either in whole or in part.

ARTICLE 2
Definitions

2.01 Interpretation
2.02 Definitions

2.01 INTERPRETATION

For purposes of this Resolution, certain themes and words are to be defined as found in this Article. Words and terms not specifically defined carry their customarily understood meanings. Words used in the present tense include the future tense. The singular form shall include the plural and plural shall include the singular. The word "shall" is intended to be mandatory. "Occupied" or "used" shall be considered as though followed by words "or intended, arranged, or designed to be occupied or used."

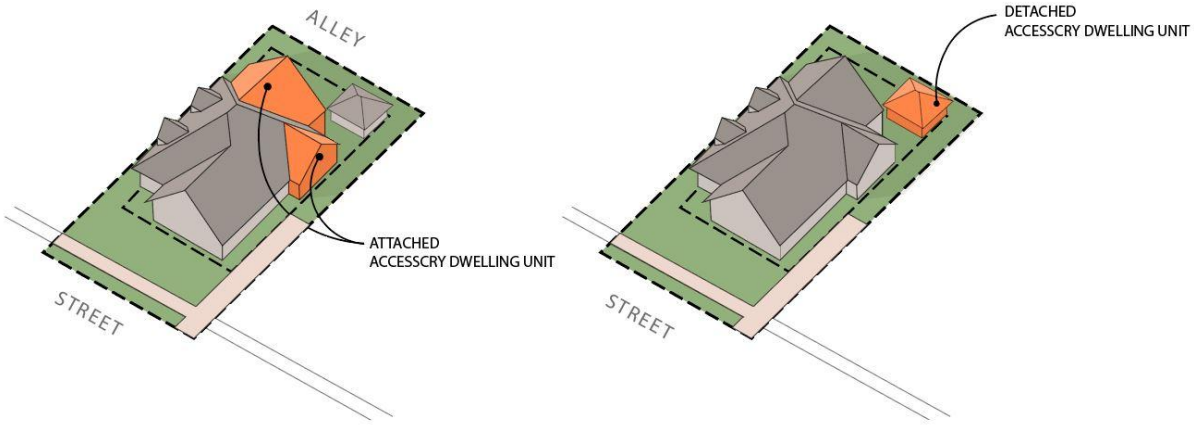
Terms related to specific Articles or Sections may be defined within specific portions of this Resolution where these general requirements are found.

2.02 DEFINITIONS

ACCESS POINT – The connecting area of a Lot where a vehicle gains egress and ingress from a driveway to a public roadway.

ACCESSORY DWELLING UNIT (ADU) – A smaller, secondary Dwelling Unit on the same Lot or within a primary Dwelling Unit. An ADU is an independent Dwelling Unit that provides the basic requirements of shelter, heating, cooking, and sanitation.

> **ADU, ACCESSORY SUITE (ATTACHED) –** An ADU that is adjacent and connected to or located completely within the primary Dwelling Unit including, but not limited to, the basement, attic, attached garages, or an addition to the primary Structure.
>
> **ADU, DETACHED –** An ADU located in a Structure that is detached from the primary Dwelling Unit including, but not limited to, a detached garage or a newly constructed Structure.



ACCESSORY STRUCTURE, OR USE – A Use or Structure subordinate to the primary Use of a Building on the Lot or Tract and serving a purpose incidental to the Use of the primary Building. Accessory Structures are located on the same Lot as the primary Structure and are not designed for human occupancy as a Dwelling Unit or Commercial Use. Examples of Accessory Structures are detached private garages; storage or garden sheds; metal storage Buildings; hot tubs; and other similar types of Buildings and Uses. This definition does not include gardens, patios, uncovered porches, and decks that are less than three and one half (3 ½) feet above the average finished Grade. Private Family Swimming Pools are regulated by Section #### - Swimming Pools. Private Family Tennis Courts are regulated by Section #### - Tennis Courts.

ADULT BOOKSTORE – A commercial establishment where at least fifty-one (51) percent of its interior area or retail merchandise is devoted to the sale, rent, lease, inspection, or viewing of books, films, video cassettes, DVDs, magazines, and other periodicals or digital presentations whose dominant themes is actual or simulated Specified Sexual Activities, display or exhibition of specified anatomical areas, removal of articles of clothing or total nudity.

ADULT CABARET – A restaurant, coffee house, bar, or cabaret which features topless dancers, strippers, male or female impersonators, or similar entertainers who provide Adult Entertainment for commercial purposes.

ADULT ENTERTAINMENT – Any motion picture, live performance, display, or dance of any type whose dominant theme is actual or simulated Specified Sexual Activities, display or exhibition of anatomical areas, removal of articles of clothing, or total nudity, offered for commercial purposes.

ADULT ENTERTAINMENT BUSINESS – Any Adult Bookstore, Adult Cabaret, Adult Mini-Theater, or Adult Motion Picture Theater.

ADULT MINI-THEATER – An enclosed Building with a capacity of less than fifty (50) persons used for displaying Adult Entertainment through films, video, or other motion pictures for commercial purposes.

ADULT MOTION PICTURE THEATER – A commercial establishment where films, motion pictures, videocassettes, slides, or similar photographic reproductions that are characterized by their emphasis upon the display of Specified Sexual Activities or specified anatomical areas are regularly shown to more than five (5) individuals for any form of consideration.

AGRICULTURAL USE – Means the same as stated in Section 519.01 of the Ohio Revised Code, as may be amended, to include farming; ranching; algaculture; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops; tobacco; fruits; vegetables; nursery stock; ornamental shrubs; ornamental trees; flowers; sod or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

AGRICULTURAL BUILDING – A Structure on agricultural land designed, constructed, and owned in association with an Agricultural Use as stated and defined in Section 519.01 of the Ohio Revised Code and/or to facilitate said Agricultural Use that is used by the Owner, lessee, or sub-lessee, or their immediate families, their employees, and persons engaged in the pickup or delivery of agricultural produce or products grown or raised on the premises.

AGRICULTURAL ENTERTAINMENT (AGRITOURISM) – An enterprise at a working farm, ranch, or agricultural plant conducted for the enjoyment of visitors that generates income for the Owner. Agritourism refers to the act of visiting a working farm or any Agricultural operation for the purpose of enjoyment, education, or active involvement in the activities of the farm or operation that also adds to the economic viability of the site. Agritourism may include, but is not limited to: country-themed stores for the sale of goods and souvenirs, dining, tours (self-guided or guided), wagon rides, trail rides, corn mazes, pick yourself operation, classes (gardening, cooking, crafts, etc.), fishing, and other Agricultural-themed activities guests can participate in.

AGRICULTURAL RELATED BUSINESS – Means a business operated within the AG District and more than fifty (50) percent of revenue is related to or supportive of Agricultural Uses. Examples of Agricultural Related Businesses include but are not limited to agricultural technology businesses; farriers; farm implement sales and repair; feed; fertilizer sales; and regional agricultural processing and distribution businesses.

AIRPORT – Means any complex of runways and Buildings for the takeoff, landing, and maintenance of civil aircraft that is approved and/or properly licensed by the Federal Aviation Administration (FAA), or applicable agency.

AIRPORT HAZARD – Any Structure, tree, or Use of land that would exceed the federal obstructions standards and that obstructs the airspace required for the flight of aircraft in landing or taking off at a runway or is otherwise hazardous to such landing or taking off of the aircraft.

ALLEY – A secondary access way that is public Right-of-Way dedicated to public use for travel or transportation and affording vehicular access to abutting property.

ALTERATION – Any change or rearrangement in the supporting construction of an existing Structure; enlargement, addition, relocation, repair, remodeling; change in number of living units; development of or change in an open area; development of or change in a Sign, by painting or otherwise; or other change in a facility. Alteration does not include painting, except as provided above for Signs; ordinary maintenance for which no Building Permit is required; and demolition or removal of a Structure.

ANIMAL SERVICES FACILITY – Any facility maintained by or for the Use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases, and where the animals are not boarded or kept overnight except as necessary in the medical treatment of the animal. Animal Services Facilities may also include animal grooming establishments.

APPEAL – A request by an aggrieved party for a review of any adverse decision by the Zoning Inspector or by the Board of Zoning Appeals.

ASSISTED LIVING FACILITY – A residential facility designed to meet housing and care needs of older persons in a residential rather than institutional environment, while maximizing independence, choice, and privacy. Assisted living programs provide personal care for persons with needs for assistance in the activities of daily living and can respond to unscheduled needs for assistance. Services typically provided include: meals, housekeeping, laundry and linen service, medication monitoring, transportation, and activities. Assisted living settings also typically provide features that enhance resident autonomy, such as lockable doors, full bathrooms, temperature control, and single occupancy, and may provide limited cooking facilities in individual units. Assisted Living Facilities exclude Nursing Homes and other special housing facilities as elsewhere defined. Skilled nursing may not be provided on site.

AUTOMOBILE-ORIENTED USES – A Use that includes services rendered directly on, to, or for vehicles or where the patron does not exit the vehicle. Such Uses include but are not limited to car washes (all types), gas stations (including convenience market), facilities specializing in oil changes, car repair, and other similar auto service facilities. The sale of vehicles (new and used) is not included in this definition. Any facility that provides a fixed

parcel pickup location is not included within this definition. It also does not include Drive-Thrus or Pick Up – Banking Windows, as defined in this Article.

AUTOMOBILE OIL CHANGING FACILITY – A facility where oil is removed from a vehicle and new oil is placed into the vehicle without any repair services to the vehicle being provided.

AUTOMOBILE REPAIR – Any Building or portion of a Building used for the servicing and minor repair of automobiles including, but not limited to, the installation of exhaust systems and repair of the electrical system, transmission, brake, radiator, and tires.

AWNING – A hood or cover that projects from the wall of a Building and which can be retracted, folded, or collapsed against the face of the supporting Building.

AQUIFER – An underground area with a particularly large concentration of groundwater. Many rural well systems are drawn from Aquifers. For planning purposes, an Aquifer is often evaluated on its recharging rate and cleanliness.

BANK – A financial institution licensed to receive deposits and make loans. Such use may also include financial services including, but not limited to, wealth management, currency exchange, and safe deposit boxes.

BARNDOMINIUM – A barn-stylized Building typically made from metal, steel, or wood that are used for residential purposes. It can either be a barn-to-home conversion or a newly built Structure that appears like a barn.

BASEMENT – The portion of a Building where the floor is not less than two (2) feet below and the ceiling is not more than four (4) feet, six (6) inches above the average Grade.

BATTERY ENERGY STORAGE FACILITY – One or more battery cells for storing electrical energy stored in a Battery Energy Storage System ("BESS") with a Battery Management System ("BMS"). Not to include a stand-alone 12-volt car battery or an electric motor vehicle or consumer products.

BATTERY ENERGY STORAGE SYSTEM (BESS) – A physical container providing secondary containment to battery cells that is equipped with cooling, ventilation, fire suppression, and a Battery Management System.

BATTERY MANAGEMENT SYSTEM – An electronic regulator that manages a Battery Energy Storage System by monitoring individual battery module voltages and temperatures, container temperature and humidity, off-gassing of combustible gas, fire, ground fault and DC surge, and door access. Additionally, the management system is capable of shutting down the system before operating outside safe parameters.

BED AND BREAKFAST – A Residential Use consisting of one Dwelling Unit with no more than eight (8) rooms or suites that are rented to the public for overnight or weekly accommodation for a fee. Only the breakfast meal may be prepared for the guests by the proprietor and no other meals are provided by the proprietor. The rented rooms do not contain cooking facilities and do not constitute separate Dwelling Units.

BEVERAGE SALES, ALCOHOLIC – A facility that is primarily devoted to the serving of alcoholic beverages. Food can be served but is incidental to the sale of beverages.

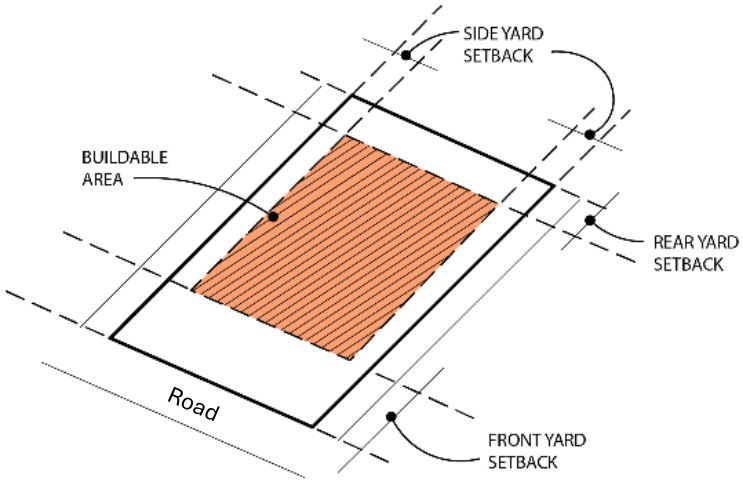
BEVERAGE SALES, MICROBREWERY – A limited production brewery, typically producing specialty beers and selling them on-site or for local distribution.

BIO-TECHNOLOGY FACILITY – A facility designed to manipulate living organisms or their components to produce useful, common commercial products such as but not limited to pest resistant crops, new bacterial strains, and novel pharmaceuticals. This type of use is typically fully enclosed by four solid walls and a roof.

BOARD OF ZONING APPEALS (BZA) – Means the Board of Zoning Appeals established in Article #### – Administration.

BODY ART ESTABLISHMENT – A Building or portion of a Building in which a practitioner performs body piercing, tattooing, branding, or application of permanent cosmetics.

BUILDABLE AREA (BUILDING ENVELOPE) – The area of a Lot, exclusive of the required Front, Side, and Rear Setbacks, where a Building can be constructed.



BUILDING – A combination of materials to form a construction that is safe and stable and adapted to permanent or continuous occupancy for public, institutional, residential, business, or industrial purposes.

BUILDING LINE – A line parallel to the Right-of-Way and at a distance there from equal to the required depth of the Front Setback (as determined by the applicable Zoning District) and extending across the full width of the Lot.

BUSINESS – Any profit-making activity which renders services primarily to other commercial, institutional, or industrial enterprises; which services and repairs appliances and machines used in other businesses; or an activity that provides for the transaction between goods and services between the entity and the customer.

BUSINESS, RETAIL – A Use primarily engaged in the selling of merchandise including but not limited to clothes, food, furniture, guns, household goods, gifts, specialty items, and other similar goods, and the rendering of services that is incidental to the sale of goods.

> **BUSINESS, LARGE-RETAIL –** A Retail or Wholesale Business that is twenty thousand (20,000) square feet or larger in area.
>
> **BUSINESS, MEDIUM-RETAIL –** A Retail or Wholesale Business that is five thousand (5,000) square feet up to twenty thousand (20,000) square feet in area.
>
> **BUSINESS, SMALL-RETAIL –** A Retail or Wholesale Business that is less than five thousand (5,000) square feet in area and typically services nearby neighborhoods.

BUSINESS, WHOLESALE – A Use that generally sells commodities in large quantities or by single items to the general public, business members, retailers, or other wholesale establishments.

CAMPGROUNDS – As regulated under Chapter 3729 of the Ohio Revised Code, Campgrounds refer to any tract of land upon which two or more portable camping units are placed, and includes any roadway, Building, Structure, vehicle or enclosure used or intended for use as a part of the facilities of such camp. A tract of land which is subdivided for lease or other contract of the individual lots is a campground if two or more portable camping units are placed thereon for temporary habitation. A "Campground" does not include any tract of land used solely for the storage or display for sale of dependent recreational vehicles, solely as a temporary Campground, or solely as a manufactured home park.

CAMPING UNITS, PORTABLE – Means dependent Recreational Vehicles, tents, portable sleeping equipment, and similar camping equipment used for travel, recreation, vacation, or business purposes. Portable Camping Units are not Short-Term Rentals.

CANNABIS 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 or recreational cannabis products. The following are Cannabis Facility Use Types:

CANNABIS CULTIVATOR FACILITY – An entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport cannabis.

CANNABIS DISPENSARY – An entity licensed by the State of Ohio to sell cannabis products to qualifying patients and caregivers.

CANNABIS PROCESSING FACILITY – An entity that has been issued a certificate of operation by the State of Ohio to manufacture cannabis products.

CANNABIS 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, and/or analysis.

CEMETERY – Land used for or intended to be used for the burial of human or animal remains and dedicated for cemetery purposes, including crematories, mausoleums, and mortuaries, if operated in connection with and within the boundaries of the cemetery.

CERTIFICATE OF ZONING COMPLIANCE – A certificate issued by the Zoning Inspector confirming that the requirements of this Resolution have been met.

CLOSED-LOOP WATER SYSTEM – Means a water circulation system that functions in a contained environment where the water remains isolated from the atmosphere and the makeup requirements are minimal, typically less than five (5) percent of the system's total volume in a year. These systems are used in Building heating and cooling systems to transfer thermal energy from one source to another without mixing the water with an external source.

CO – LOCATION – The use of a Telecommunication Tower by more than one (1) telecommunications provider.

COMMUNITY GARDEN – An area for cultivation of fruits, flowers, vegetables, or ornamental plants by more than one person or family generally organized and managed by a public or not-for-profit organization.

COMMENCEMENT OF WORK – The time at which physical improvements begin to be made to a property or Structure so that it may be utilized for its intended purpose stated in the Zoning Certificate.

COMMERCIAL RECREATIONAL FACILITY– A facility that is full enclosed by four solid walls and a roof for the provision of athletic and amusement facilities involving the active

participation of the user/public in a sports related activity and includes but is not limited to racquet courts, billiards, bowling alleys, ax throwing, miniature golf courses and arcades. Air-infused domed facilities designed and able to be utilized year-round shall be considered as a Commercial Recreational Facility.

COMMERCIAL RECREATIONAL FACILITY, SMALL – Less than 5,000 square feet.

COMMERCIAL RECREATIONAL FACILITY, LARGE – 5,000 square feet or larger.

COMMERCIAL RECREATIONAL FACILITY, OUTDOOR – A facility that is not fully enclosed by four solid walls for the provision of athletic and amusement facilities involving the active participation of the user/public in a sports related activity and includes but is not limited to fields for soccer, football, baseball, and lacrosse as well as for tennis and other racquet courts. Air-infused domed facilities designed and used seasonally shall be considered as an Outdoor Commercial Recreational Facility.

OUTDOOR COMMERCIAL RECREATIONAL FACILITY, SMALL – Less than 5,000 square feet.

OUTDOOR COMMERCIAL RECREATIONAL FACILITY, LARGE – 5,000 square feet or larger.

COMMUNICATION FACILITITES – A lot or an area of a lot that includes a telecommunication tower, radio tower, or other similar communication tools including any associated appurtenances.

COMMUNITY SERVICES – Institutional uses that include but are not limited to community centers, museums, galleries, libraries, and other similar facilities.

CONDITIONAL USE(S) – A desirable use within a Zoning District that may more intensely affect the surrounding area than would a permitted use in said District. Such uses may require supplementary conditions and safeguards to ensure they blend with the surrounding area.

CONTRACTOR OFFICE – A facility or area for the storage of materials, equipment, and commercial vehicles utilized by building and construction contractors, craftsmen and tradesmen, and may include accessory offices related to such activities.

CORRELATED COLOR TEMPERATURE (CCT) – The measured color appearance of a light source described using a nominal value in kelvins (K). Lower CCTs (1800 K to 2,200 K) appear very warm or amber. Medium CCTs (2,700 K to 3,000 K) appear “warm white,” similar to incandescent bulbs. High CCTs (4,000 K and higher) appear “cool white” or blue.

COUNTY – Means Lucas County, Ohio.

COUNTY ENGINEER – Means the Professional Engineer who is employed by the County and authorized by the County to act within the specifications of this Resolution.

DATA CENTER – Real and personal property consisting of buildings or structures specifically designed or modified to house networked computers and data and transaction processing equipment and related infrastructure support equipment, including, without limitation, power and cooling equipment, used primarily to provide, as a service to persons other than the company operating the data center, data and transaction processing services, outsource information technology services and computer equipment colocation services, or, used primarily to provide, to a single user, including the user's affiliates, customers, lessees, vendors and other persons authorized by the user, data and transaction processing services.

DAY-CARE CENTERS – Any place in which child day care or publicly funded child day care is provided for thirteen (13) or more children at one time or any place that is not the permanent residence of the licensee or administrator. In counting children for purposes of this Resolution, any children under six (6) years of age who are related to a licensee, administrator, or employee and who are on the premises of the center shall be counted.

> **DAY-CARE CENTER, ADULT –** A facility that provides health monitoring, therapeutic, and other supportive services in a protective setting during part of a day for four (4) or more adults who are aged, infirm, or who have cognitive or physical disabilities who reside elsewhere. This Use does not include a Assisted Living Facility, Nursing Home, or similar Uses that are licensed through the State of Ohio.

DAY-CARE HOME, LARGE FAMILY – A permanent residence of the administrator in which childcare or publicly funded childcare is provided for seven (7) to twelve (12) children at one time or a permanent residence of the administrator in which childcare is provided for four (4) to twelve (12) children at one time if four (4) or more children at one time are under two (2) years of age. In counting children for the purposes of this division, any children under six (6) years of age who are related to a licensee, administrator, or employee and who are on the premises of the Type A home shall be counted. “Type A Family Day-Care Home” and “Type A home” do not include any child day camp (ORC Section 5104.01(RR)). This definition does not include a residence in which the needs of children are administered to if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is the home of the siblings. This definition shall not be construed to include child day camps.

DAY-CARE HOME, SMALL FAMILY – A permanent residence of the provider in which childcare is provided for one (1) to six (6) children at one time and in which no more than three (3) children under two (2) years of age at one time. In counting children for the purposes of this division, any children under six (6) years of age who are related to the provider and who are on the premises of the Type B home shall be counted. “Type B Family Day-Care

Home" and "Type B home" do not include any child day camp (ORC Section 5104.01(SS)). This definition does not include a residence in which the needs of children are administered to if all of the children whose needs are being administered to are siblings of the same immediate family and the residence is home of the siblings. This definition shall not be construed to include child day camps.

DENSITY, NET – The number of Dwelling Units permitted to be developed on a net acre of land. A net acre of land is the total acreage minus any wetlands, water bodies, public parks, open spaces, roads, or other public Rights-of-Way.

DEVELOPMENT – Any man-made change to improved or unimproved real estate, including but not limited to Buildings or other Structures, mining, dredging, filling, grading, paving excavation or drilling operations or storage of equipment or materials located within the area of special Flood hazard.

DRIVEWAY (ACCESS POINT) – A private drive giving access from a public way to a detached single-family dwelling on abutting ground or to a group of multifamily, commercial, or industrial Buildings, which is not dedicated to the Township and for the maintenance of which the Township shall not be responsible.

DRIVE-THRU – A use where a patron places an order on site or in advance and waits for a product to be prepared without the need to exit his/her vehicle. Such uses include but are not limited to drive-through or drive-in restaurants with ordering areas, drive-in movie theaters. A drive-through facility does not include any vehicle repair facility, gas stations, fixed parcel pick up, and pick up - banking window.

DWELLING, DUPLEX – A building designed for two dwelling units where each dwelling shares one common wall and the remaining sides of the building are surrounded by open areas or street lines.

DWELLING, MULTI-UNIT – A building designed or used primarily as a residence with four (4) or more Dwellings Units.

DWELLING, ONE-UNIT – A building designed exclusively for one detached Dwelling Unit that is situated on a parcel with no other principal Structures and having a Front, Side, and Rear Yard.

DWELLING, TRI-PLEX – A building containing three (3) dwelling units, designed for occupancy by not more than three (3) families.

DWELLING UNIT – Any room or group of rooms located within a Structure and forming a single habitable unit with facilities which are used, or are intended to be used, for living, sleeping, cooking, and eating, which is designed or used for residential purposes. This definition does not include a cabin, hotel, or motel.

DWELLING UNIT, ACCESSORY – *See*, Accessory Dwelling Unit.

DWELLING UNIT, ONE BEDROOM UNIT – A Dwelling Unit that is contained within a Multi-Unit Dwelling or Mixed-Use Building as defined herein that contains only one bedroom.

DWELLING UNIT, STUDIO – A Dwelling Unit that is contained within a Multi-Unit Dwelling or Mixed-Use Building as defined herein that combines a number of different types of rooms, such as living room, bedroom and kitchen, into a single room.

DWELLING UNIT, THREE BEDROOM UNIT – A Dwelling Unit that is contained within a Multi-Unit Dwelling or Mixed-Use Building as defined herein that contains three bedrooms.

DWELLING UNIT, TWO BEDROOM UNIT – A Dwelling Unit that is contained within a Multi-Unit Dwelling or Mixed-Use Building as defined herein that contains two bedrooms.

EARLY CHILDHOOD EDUCATION CENTER – An education establishment that provides learning space to children prior to beginning their compulsory education. This facility may also provide for the extended care of infants and young children.

ELDERLY/RETIREMENT HOUSING – A residential complex containing Multi-Unit Dwellings designed for and principally occupied by senior citizens. Such facilities may include a congregate meals program in a common dining area but exclude institutional care such as medical or nursing care and are distinguished from life care retirement centers as elsewhere defined.

ELECTRIC VEHICLE CHARGING STATION – Battery charging equipment that transfers electrical energy (by conductive or inductive means) to a battery or other energy storage device within an electric vehicle. This term does not include electric vehicle charging equipment installed at or in a private garage unit for a Dwelling.

EMERGENCY AND PROTECTIVE SHELTER – A facility which provides room and board for the protection, counseling, and pre-placement screening for abused, displaced, or transient children or adults.

ENCROACHMENT – The intrusion on another person's property or public Right-of-Way, intentional or unintentional.

ENVIRONMENTALLY SENSITIVE AREAS – The naturally occurring substances that are considered environmentally valuable in their relatively unmodified (natural) form. These may include but are not limited to sources of water, timber, geological formations, mineral

deposits, wetlands, and wildlife. Collaboration with County and State environmental agencies may be necessary to identify these areas.

EQUIPMENT REPAIR, LARGE – A facility that is fully enclosed by four solid walls and a roof that is used for the repair of contractor's equipment, heavy machinery, repair equipment, motor vehicles or trucks.

EQUIPMENT REPAIR, SMALL – A facility that is fully enclosed by four solid walls and a roof that is used to repair small tools and equipment such as lawn mowers, small tractors, and other small equipment.

EXTRACTION INDUSTRY – The removal of soil, sand, gravel, or minerals from land or water for purposes of resale or use in the commercial operation of a business or the production of a good or service.

FAÇADE – The face of a building, especially the principal front that looks onto a street or open space.

FARM MARKET – Markets from which fifty percent (50%) or more of the gross income received is derived from produce raised or grown upon farms owned or operated by the market operation in a normal crop year.

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) – Means the agency with the overall responsibility for administering the National Flood Insurance Program, including the local Lucas County Flood Plain Administrator.

FEEDER LINE – Any power line that carries electrical power from one or more Wind Power Conversion System or individual transformers associated with Individual Wind Power Conversion Systems.

FENCE – Any Structure composed of wood, metal, stone, plastic or other natural or permanent material erected in such a manner and positioned as to enclose or partially enclose any portion of a lot.

> **FENCE, OPEN** – Any fence that has sixty (60) percent or more of its vertical surface area open to light or air. An example of this type of fence is a Kentucky 3-Board Fence.
>
> **FENCE, PARTIALLY OPEN** – Any fence that has at least fifty (50) percent of its vertical surface area open to light or air. An example of this type of fence is a picket fence.
>
> **FENCE, PICKET** – A partially open fence made of upright poles or slats where the space between the poles/slats is greater than the width of the poles/slats.

FENCE, SOLID – Any fence that is designed to inhibit public view and provide seclusion, when viewed at right angles, and having more than fifty (50) percent of its vertical surface area closed to light and air.

FENCE, WROUGHT IRON – A fence constructed of metal, including aluminum, iron or steel, pipe, tubes, or bar stock and having some type of decorative features or design. Wrought iron fences shall not have pointed ends exposed but may have finials with blunt ends.

FIRE DEPARTMENT/DISTRICT – Means the fire department that holds jurisdiction over the Township.

FIRE LANE – Locations determined by the Fire Department that services the applicable Lot; shall be the designated minimum width as set by the Fire Department; and shall be properly signed and striped.

FLEA MARKET – An outdoor commercial activity, not including shopping centers, individual retail operations, or sales conducted by a non-profit or charitable organization, that is open to the general public and composed of five or more semi-enclosed or outdoor stalls, rooms, stands, or spaces used for the purpose of display and sale, exchange, or barter of merchandise.

FLEX-OFFICE LABORATORIES – A space for a combination of office and laboratory uses that has built out capabilities to meet individual needs.

FLEX-OFFICE RETAIL – A space with store fronts with small rear warehousing that has built out capabilities to meet individual needs.

FLEX-OFFICE WAREHOUSES – A space for a combination of office and warehouse uses that has built out capabilities to meet individual needs.

FLOOD OR FLOODING – means a general and temporary condition of partial or complete inundation of normally dry land areas from:

- The overflow of inland waters; and/or
- The unusual and rapid accumulation or runoff of surface water from any source.

FLOOD, BASE – The Flood chance equaling or exceeding a one (1) percent chance in any given year. The Base Flood may also be referred to as the 100-Year Flood.

FLOODWAY FRINGE – The portion of the regulatory floodplain outside the floodway.

FLOOD INSURANCE RATE MAP (FIRM) – An official map on which FEMA has delineated both the areas of special Flood hazards and the risk premium zones applicable to the Township.

FLOOD INSURANCE STUDY (FIS) – The official report provided by FEMA that includes Flood profiles, Floodway boundaries, and the water surface elevation of the Base Flood.

FLOOD PROTECTION ELEVATION – The elevation not less than one- and one-half feet above the Base Flood elevation to which uses regulated by the Special Flood Hazard Regulations are required to be elevated or Flood proofed to compensate for the many unknown factors that could contribute to Flood elevations greater than that calculated for a base Flood. In areas where no base Flood Protection Elevations exist from any authoritative source, the Flood Protection Elevation can be based upon historical Flood elevations or upon Base Flood elevations determined and/or approved by the Floodplain administrator.

FLOODPLAIN ENCROACHMENT – Any Floodplain development that could obstruct Flood flows, such as fill, a bridge, or other development.

FLOODWAY – The channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A Floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base Flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community. The Floodway is an extremely hazardous area and is usually characterized by any of the following: moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

FLOOR AREA – The sum of the gross horizontal areas of one or several floors of a building, measured from the exterior faces of the exterior walls or from the centerline of common walls separating two buildings. Floor Area for the purpose of these regulations will not include Basements, elevator and stair bulkheads, attic space, terraces, breezeways, open porches, and uncovered steps.

FLOOR AREA, LIVABLE – The portion of floor area of a Dwelling Unit that is constructed, completed, and usable for living purposes with normal living facilities which includes sleeping, dining, cooking, entertainment, common space, areas for personal hygiene, or combination thereof. Unheated rooms, unfinished garages, basements, or rooms used exclusively for utilities or storage shall not be considered as livable floor area. In no case shall an area less than 6 feet in height be considered a Livable Floor Area.

FOOD CART – A small, wheeled vehicle typically pushed by hand, bicycle, or in some similar human-propelled manner to move it from place to place in order to offer already prepared or prepackaged food or frozen desserts to the public. Any vehicle that is capable of preparing food within it shall not be included in the definition of a Food Cart.

FOOD TENT – An open–aired, Temporary Structure with four legs and a canvas top used to prepare and sell food at special events where large groups of people are situated in a park, parade, fraternal organization, or other similar venue.

FOOD TRUCK – A vehicle from which food for human consumption is sold and dispensed. Said food can be prepackaged or prepared within the vehicle. Such vehicle may be self-contained or towed by another vehicle and must be licensed in the state of Ohio.

FRONTAGE – The portion of a lot that directly abuts a public street or street Right-of-Way and provides primary access to the property. If a lot has two (2) or more segments that abut a public street or street Right-of-Way that are not continuous or abuts two (2) or more separate and distinct Rights-of-Way, the segments shall not be totaled together when calculating lot frontage. Rather each side of the lot abutting a public Right-of-Way shall be considered to the front of a lot and both must comply with the minimum frontage and front setback requirements as observed in the applicable District's "Lot Area, Setback, Height, and Lot Coverage Requirements" table. Property Lines that abut limited access roads shall not be construed to be included within any calculation of Lot Frontage.

FUNERAL SERVICES FACILITIES – A Building, or part thereof, used for human funeral services. Such Building may contain space and facilities for:

- embalming and the performance of other services used in the preparation of the dead for burial;
- the storage of caskets, funeral urns, and other related funeral supplies; and
- the storage of funeral vehicles. Funeral services facilities exclude crematoriums.

FUTURE LAND USE MAP – Refers to the future land use map adopted by the Township by separate resolution.

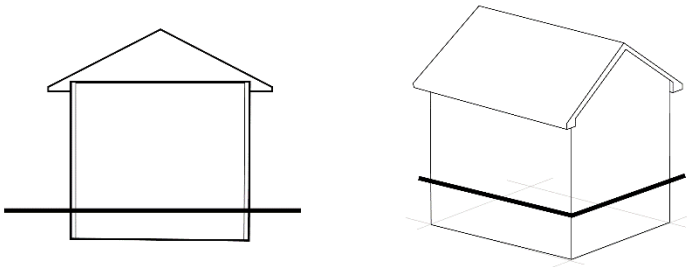
GARAGE, PRIVATE – An Accessory Building or an accessory portion of the main Building enclosed on all sides and designed or used for the shelter or storage of passenger vehicles and located on the same lot as the dwelling for which it is accessory.

GARAGE, PUBLIC – A Building, or portion of a Building, in which more than two motor vehicles are or are intended to be housed under arrangements made with patrons for renting or leasing such space and accommodation in which no repair work is carried out.

GOVERNMENTAL SERVICES – Any service provided by a governmental agency including but not limited to fire and safety protection services and other administrative services associated with a governmental agency.

GRADE – The elevation of the ground at any given point.

GRADE, FINISHED - The elevation of the finished surface of the ground adjoining the base of all exterior walls of a Building or the elevation of the finished surface of the ground at the base of a Structure, exclusive of any artificial embankment at the base of such building or Structure. If the ground is not entirely level, the finished grade shall be determined by averaging the Grade of the ground at each corner of the Building or Structure.



GREENHOUSE – A Building or Structure enclosed with glass or other glazing used for the cultivation and production of plants.

HABITABLE – Any room designed and used for living, sleeping, eating, cooking, or combinations thereof. The following are not to be considered habitable: bathrooms, toilet compartments, closets, halls, storage rooms, unfinished Basements, laundry and utility rooms, garages, and similar areas.

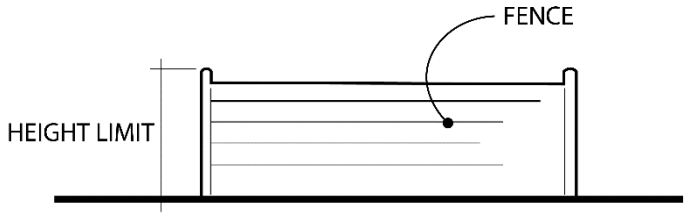
HAZARDOUS WASTE – As defined in Section 373401(J), Hazardous Waste means any waste or combination of wastes in solid, liquid, semi-solid, or contained gaseous form that in the determination of the Director of the Ohio Environmental Protection Agency, because of its quantity, concentration or physical or chemical characteristics, may do either of the following:

- Cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness;
- Pose a substantial present or potential hazard to human health or safety or to the environment when improperly stored, treated, transported, disposed of, or otherwise managed.

Hazardous Waste includes any substance identified by regulations as hazardous waste under the "Resource Conservation and Recovery Act of 1976," 90 Stat. 2806, 42 U.S.C.A. 6921, as amended, and does not include any substance that is subject to the "Atomic Energy Act of 1954," 68 Stat. 919, 42 U.S.C.A. 2011, as amended.

HEIGHT, BUILDING – The vertical distance between the Finished Grade of the Building and the highest point of the roof.

HEIGHT, FENCE – The vertical distance between the highest point of the fence and the Finished Grade.



HEIGHT, SIGN – *See*, Article ##.

HOME DAY-CARE FAMILY, LARGE – *See*, Day-Care Home, Family Large.

HOME DAY-CARE FAMILY, SMALL – *See*, Day-Care Home, Family Small.

HOME OCCUPATION - An Accessory Use which is an activity, profession, occupation, service, craft or revenue – enhancing hobby conducted by a person on the same premises as his principal place of residence which is clearly subordinate and incidental to the use of the premises for residential purposes. Home occupations may include, but are not limited to, home offices for insurance agents, financial planners, real estate agents, consultants, lawyers, architects, engineers, accountants, or other similar professional services, sewing, tailoring, teaching of music, dance lessons, or tutoring, or other similar uses that do not change the character of the residential neighborhood. Family Day Care Homes, Types A and B, shall not be considered to be home occupations and shall be treated as permitted and Conditional Use as listed in the applicable zoning district.

HOME OCCUPATION, MAJOR – *See*, Section ####.

HOME OCCUPATION, MINOR – *See*, Section ####.

HOSPITAL – A facility licensed by the state to provide acute medical and surgical care to patients on an inpatient basis, including emergency services, diagnostic services, and ancillary outpatient services customarily associated with a general medical hospital. Hospitals are intended for the diagnosis and treatment of physical illness, injury, or medical conditions requiring short-term inpatient care under the supervision of licensed physicians. The term hospital does not include facilities whose primary purpose is the treatment of substance use disorders, alcohol dependency, mental health conditions, or other

rehabilitative or residential treatment programs, including but not limited to drug or alcohol rehabilitation centers, detoxification facilities, halfway houses, or residential treatment facilities, whether operated on an inpatient or outpatient basis.

HOTEL – An establishment consisting of a group of attached or detached living or sleeping units with bathroom and closet space, located on a single lot, and designed for use by transient automobile travelers. A hotel furnishes customary services such as maid service and laundering of linens, telephone, secretarial or desk service and the use of furniture. Ingress and egress to and from all rooms is made through an inside lobby.

HOTEL, BOUTIQUE – A small hotel with less than fifty (50) rooms that is located in a pedestrian oriented business area. These hotels typically have a strong artisan sense and focus on the design of the building and rooms.

IMPERVIOUS SURFACE – All areas of a lot that have been, or are proposed to be paved and/or covered with buildings and materials that do not readily and freely absorb and/or allow water to penetrate, including, but not limited to, concrete, asphalt, rooftop, blacktop, brick, blocks, and pavers.

IMPROVEMENTS – Means any addition to the natural state of land which increases its value or utility, including Buildings, street pavements, sidewalks, crosswalks, water mains, sanitary sewers, Landscaping, street lighting, street trees, public utilities, paved parking areas, and other appropriate items.

IMPROVEMENTS, SITE – Means the Improvements made to the land outside the exterior limits of a Structure or Structures.

IMPROVEMENTS, PUBLIC – Means all Improvements financed entirely or in part by public funds or which have been dedicated to public use by plat, easement, or deed of transfer.

INDUSTRIALIZED UNIT – A Building or assembly of closed construction fabricated in an off-site facility, which is substantially self-sufficient as a unit or as part of a greater Structure, and that requires transportation to the site of intended use, including units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity but does not include a Permanently Sited Manufactured Home or Mobile Home, as defined in this Resolution.

INSTITUTIONAL USES – Those uses organized, established, used, or intended to be used for the promotion of public, civic, educational, charitable, cultural or social or philanthropic activity and include but are not limited to art galleries, art studios, libraries, etc.

JUNK YARDS AND SCRAP METAL PROCESSING FACILITIES – An establishment or place of business that is maintained or operated for the purpose of storing, keeping, buying, selling or exchanging old or scrap copper, brass, rope, rags, trash, waste, batteries, paper, rubber,

iron, steel, or other old or scrap materials and where such business or operation is not completely conducted within an enclosed building.

KENNEL, AGRICULTURE - Any enclosure, premises, building, Structure, lot, area of one ownership where six (6) or more dogs are kept for breeding purposes. There shall be no boarding, training, housing, or grooming services provided to the general public. These services may only be provided for those animals involved in the breeding business.

KENNEL, COMMERCIAL – Any building or Structure, including the surrounding fenced land, used for the care and board of five (5) or more domesticated dogs or cats more than four (4) months of age that is open to the public for let, hire, board, training, grooming, or other use on a commercial basis and for compensation. The function of the business is not the breeding of dogs or cats.

LANDSCAPE/HARDSCAPE BUSINESS – A place where employees are housed and/or vehicles, machinery and materials such as trees, shrubs, flowers or other living vegetation, as well as irrigation systems, stone, brick pavers or other non-living components of a landscape design are stored. Typically, workers are dispatched from this site and said materials are transported to another location for installation.

LANDSCAPING – The Improvements of a lot with grass, shrubs, trees, and other vegetation and/or ornamental objects.

LAYDOWN YARDS – An open area, either paved or unpaved, used for the temporary storage, staging, or assembly of materials, equipment, vehicles, or supplies associated with an active project permitted in accordance with this Resolution. typically associated with construction, industrial, or utility operations. Laydown yards are not intended for permanent storage or commercial operations.

LEGAL DESCRIPTION – The geographical description of real estate that identifies the precise location, boundaries, and easements for the purpose of a legal transaction, such as a transfer of ownership. A Legal Description can include either a metes and bounds description or a subdivision plat.

LIGHT TRESPASS – Unwanted light illuminating an area or property with excessive brightness in the standard field of vision.

LIGHTING, OUTDOOR – An outdoor illuminating device; outdoor lighting or reflective surface; lamp; or similar device, permanently installed or portable, used for illumination or decoration. Such devices shall include but are not limited to lights used for buildings and Structures, recreational areas, parking lot lighting, landscape lighting, architectural lighting, product display lighting, building overhangs, canopy lighting, and security lighting.

LIGHTING, SECURITY – Lighting that is intended to reduce the risk of personal attack; discourage intruders, vandals, or burglars; and facilitate active surveillance for an area by designated surveillance personnel or by remote camera. Said lighting is fully shielded and located in a specific area such as doors, entrances, parking lots, etc.

LIGHTING, SPORTS STADIUM – Sport stadium lights are powerful, mounted fixtures at tall heights with small beam angles usually between twelve to sixty (12-60) degrees. Due to these smaller beam angles, higher light intensity allows bright light to reach the ground from the elevated fixture. These lights are focused inward within the sports stadium area to provide lighting for playing fields, bleachers, concession stands, and aisles. The fixtures are designed and are installed to restrict light and glare beyond the outer limits of the stadium.

LIFE CARE RETIREMENT CENTER – A residential facility containing dwellings designed for and principally occupied by senior citizens in a planned retirement community which includes a residential complex, an activity or community center, and a medical or nursing facility which is licensed by the State of Ohio as an Intermediate Care Facility or a Skilled Nursing Center.

LOADING SPACE, OFF-STREET – An Off-Street Loading Space or berth on the same Lot with a Building or contiguous to a group of Buildings, for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials, and which abuts upon a Street, Alley, or other appropriate means of access.

LOGISTICS CENTER – A large building where material, products, or other manufactured goods are acquired, stored, and transported to their final destination. There is no production, processing, assembling, or packaging of products or materials in these buildings.

LOT – A division of land separated from other divisions for purposes of sale, lease, or separate use, described on a recorded subdivision plat, recorded map or by metes and bounds.

LOT, CORNER – A lot situated at the intersection of two (2) streets, or which fronts a street on two (2) or more sides forming an interior angle of less than one hundred thirty-five (135) degrees. (*Also*, *see*, Lot Line, Front.)

LOT, COVERAGE – The total area of those portions of a lot that are covered by a building or Structures, paved areas, and other impervious surfaces.

LOT, INTERIOR – A lot that abuts no more than one (1) street and that fronts a street on not more than one (1) side.

LOT, MINIMUM AREA – The area of a lot computed exclusive of any portion of the Right-of-Way or any public thoroughfare.

LOT LINE – A line bounding or demarcating a plot of land or ground. May also be referred to as a Property Line.

LOT LINE, FRONT - The property line fronting a public roadway Right-of-Way. For purposes of a corner lot, both Property Lines abutting a public Right-of-Way shall be considered a Front Lot Line (*See*, Section ####).

LOT LINE, REAR – The lot line that is opposite the front lot line and farthest from it.

LOT LINE, SIDE – The lot line running from the front lot line to the rear lot line. This line is also the line dividing two interior lots.

LOT OF RECORD – Any lot or parcel of land that was lawfully created by a subdivision plat of record or by a metes and bounds description and recorded in the County Recorder's Office prior to the effective date of this Resolution.

LOT SIZE – The complete area bounded by the Lot Lines that create a closed shape.

LOT WIDTH – The horizontal distance between the Side Lot Lines measured at right angles to the Lot Depth.

LOT WIDTH, MINIMUM – The smallest Lot Width, as defined herein, that is permitted within an applicable Zoning District.

LOT WIDTH, ESTABLISHED – The Lot Width measured at the Right-of-Way Line. This distance may be greater than the Minimum Lot Width required by the applicable Zoning District, but it shall not be less than the required minimum, unless a Variance is granted by the Board of Zoning Appeals.

LUMBER YARD – A building where bulk supplies of lumber and other building materials are stored, offered, or kept for retail sale and may include storage inside of the building. Any components of this use that include the outdoor storage of said materials shall fall within the definition of an outdoor service facility.

MACHINE SHOP – A facility performing cutting, grinding, turning, honing, milling, deburring, lapping, electrochemical machining, etching, or other similar operations.

MAKER SPACE, LARGE – A facility that is five thousand (5,000)square feet or larger and serves as shared co-working space for independent craftsmen to produce woodwork, furniture, pottery, glass, or other related items. The facility can also have shared office space.

MAKER SPACE, SMALL – A facility that does not exceed five thousand (5,000) square feet that is utilized for the preparation, display, and sale of individually crafted artwork, jewelry, furniture, sculpture, pottery, glass, woodworking, or other related items. No odor, fumes or excess noise may be produced at the facility.

MANEUVERING AISLE – A paved area in an off-street parking lot or loading area which provides access to parking, stacking, or loading spaces, exclusive of driveways and is used for and/or is necessary for turning, backing or driving forward a motor vehicle into such parking space. This area is not used as space for the parking or storage of motor vehicles or for loading or unloading.

MANUFACTURED HOME – A building unit or assembly of closed construction fabricated in an off-site facility, which 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.

MANUFACTURED HOME COMMUNITY – Any tract of land upon which three (3) or more manufactured homes used for habitation are parked, either free of charge or for revenue purposes, and include any roadway, building, Structure, vehicle, or enclosure used or intended for use as a part of the facilities of such park. A tract of land which is subdivided and the individual lots are not for rent or rented but are for sale or sold for the purpose of installation of manufactured homes on the lots is not a manufactured home park, even though three (3) or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land used solely for the storage or display for sale of manufactured homes.

MANUFACTURED HOME, PERMANENTLY SITED – A manufactured home, as defined herein, that meets all the following criteria:

- The Structure is affixed to a permanent foundation such as masonry or concrete and is connected to appropriate facilities.
- The Structure, excluding any addition, has a width of at least twenty-two (22) feet at one point, a length of at least twenty-two (22) feet at one point, and a total living area

of at least nine hundred (900) square feet, excluding garages, porches, or attachments.
- The Structure has a minimum 3:12 roof pitch, conventional residential siding, and a six (6) inch minimum eave overhang, including appropriate guttering.
- The Structure was manufactured after January 1, 1995.
- The Structure is not located within a manufactured home park.
- Otherwise complies with the Manufactured Housing Construction and Safety Standards Act of 1974 and has a label or tag permanently affixed to it, certifying compliance with all applicable federal construction and safety standards.

MANUFACTURING – Any industry that makes products from raw materials using manual labor or machinery. This definition also includes the compounding, processing, assembling, and packaging of goods.

MANUFACTURING, ADVANCED – Means the Use of innovative technologies to create products. Advanced Manufacturing may include production activities that depend on information, automation, computation, robotics, software, sensing, and networking.

MANUFACTURING, GENERAL – Manufacturing, which by its nature and function, may require large Parcels. General Manufacturing shall include facilities encompassing, but are not limited to, vegetable and fruit processing; dairy and bakery products; soft drinks and confections; textiles; glass; wood and plastic production; fabrication; pharmaceuticals; metal fabrication; machining; and tool and die, hardware, and appliance production.

MANUFACTURING, HEAVY – Manufacturing which requires large acreage Parcels for isolation and separation from Residential and Commercial Uses with special consideration because of the potential interfering effects on surrounding areas and the Use of Buildings and undeveloped outdoor space shall be utilized for the processing production and storage of materials. Heavy Manufacturing shall include, but is not limited to, smelting and primary metal processing; metal salvage and fabrication; motor vehicles and related products manufacturing; Manufactured Housing construction; household appliances manufacturing; chemical and gas manufacturing; refining; animal processing; fertilizer processing; and tanning and leather goods production.

MIXED-USE BUILDING – A building that contains retail, office or entertainment uses on the ground floor and residential units on the upper floors.

MOBILE HOME – A building unit or assembly of closed construction that is fabricated in an off-site facility, is more than thirty-five (35) body feet in length, or, when erected on site, is three hundred twenty (320) or more square feet, which is built on a permanent chassis and is transportable in one (1) or more sections, and does not qualify as a permanently sited

manufactured home or industrialized unit as defined in this Resolution. A mobile home shall not be considered to be a single-family detached dwelling for the purposes of this Resolution.

MODEL HOME – A Residential Unit used as a real estate office in any residential subdivision actively under construction for sales, office work, and/or example unit for show purposes only.

MONOPOLE – A support Structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

MOTEL – An establishment consisting of a group of attached or detached living or sleeping units with bathroom and closet space, located on a single lot, and designed for use by transient automobile travelers. A motel furnishes customary services such as maid service and laundering of linens, telephone, secretarial or desk service and the use of furniture.

MOTOR VEHICLE – A passenger vehicle, truck, tractor, tractor – trailer, trailer, boat recreation vehicle, semi-trailer, or any other vehicle propelled or drawn by mechanical power.

MURAL – *See*, Sign, Wall Display, Mural.

MURAL, GHOST – A type of sign that has a primary purpose of displaying an historical advertisement painted directly on the exterior of a Structure.

MURAL, ORIGINAL ART – A type of wall display that has a primary purpose of displaying an original work of visual art produced by hand that is tiled or painted directly upon directly to an exterior wall of a Structure. Original Art Mural does not include:

- Mechanically produced or computer-generated prints or images, including but not limited to digitally printed vinyl; or
- Murals containing electronic or mechanical components; or
- Changing mural images.

MURAL, VINTAGE ART – A type of wall display that has a primary purpose of displaying an original work of visual art produced by hand that was tiled, painted directly upon or affixed directly to an exterior wall of a Structure prior to the date of adoption of this Resolution.

MULTI-FAMILY BUILDING – A building that is designed for and used exclusively for four or more dwelling units.

NONCONFORMING STRUCTURE – Any building or Structure lawfully existing on the effective date of these regulations or amendment thereto, which does not conform to the development standards of the district in which it is located.

NONCONFORMING USE – Any use that was lawfully conducted within any building or on any land on the effective date of these regulations or amendment thereto but is not listed as a permitted use of the district in which it is located.

NOXIOUS WEED – Means shatter cane (Sorghum Bicolor), Russian thistle (*Salsola Kali var. tenuifolia*), or any plant designated a prohibited noxious weed by the Ohio Department of Agriculture.

NURSING HOME – A residential health care facility, licensed by the State of Ohio, which provides institutional lodging, nursing care, personal care and supervision to aged, chronically ill, physically infirm. or convalescent patients who are not related to the owner or administrator of the facility.

ODOT – The Ohio Department of Transportation.

OFFICE, ADMINISTRATIVE, BUSINESS, MEDICAL OR PROFESSION, LARGE – A building that is five thousand (5,000)gross square feet or larger in area and includes a set of rooms or tenant spaces used for commercial, professional, medical, or bureaucratic work.

OFFICE, ADMINISTRATIVE, BUSINESS, MEDICAL OR PROFESSION, SMALL – A building that is less than five thousand (5,000) gross square feet in area and includes a set of rooms or tenant spaces used for commercial, professional, medical, or bureaucratic work.

OFF-STREET PARKING GARAGE – A public or private Structure that is principally utilized for the parking or storage of motor vehicles to meet the minimum parking requirements in this Zoning Code.

OPEN SPACE – An area required to be reserved in accordance with this Resolution for passive or active recreational purposes, an area for conservation of natural resources, reserved space for future school buildings, or some other similar green space. Such open space may include any required central green space utilized for the community. That part of a zoned property, including courts or yards, which are open and unobstructed from its lowest level to the sky, accessible to all tenants upon the zoning property. Open Space shall be limited to terrestrial features and shall not include ponds, stormwater retention facilities, or other water features.

OUTDOOR CONCERT FACILITY – A facility, including performance areas, seating, concessions, restroom facilities, and parking, for the public performance of music and/or dancing in an outdoor venue.

OUTDOOR RECREATION FACILITY – *See*, Commercial Recreational Facility, Outdoor.

OUTDOOR SEASONAL BUSINESS – A use that is conducted on a temporary basis and is outside of a fully enclosed building. Such uses shall include, but are not limited to, holiday tree sales, pumpkin sales, sidewalk sales, etc.

OUTDOOR SERVICE FACILITY – An area that is not fully enclosed by solid walls and a roof and where services are rendered or goods are permanently displayed, sold or stored. For the purposes of this Resolution, outdoor service facilities include, but are not limited to, restaurant patios, outdoor storage areas, and garden stores. This definition shall not include any use classified as an outdoor seasonal business as defined herein.

OWNER – Owner of record according to records contained in the office of the county recorder.

OVERLAY DISTRICT – A type of Zoning District established through Section 519.021(C) of the Ohio Revised Code that are intended to provide a heightened standard for Uses within a targeted area. Requires the submission of a Development Plan to proceed with permitted Uses within the Overlay District. The underlying Zoning District persists until an applicant voluntarily submits a Development Plan.

PARCEL – A piece of real estate described by metes and bounds in the deed of the land and recorded in the office the county recorder.

PARK, COMMUNITY OR REGIONAL – A park that is twenty (20) acres or larger and designed to service a larger region beyond a specific neighborhood and may include playground apparatus and other space for active recreational purposes, along with some areas for passive use.

Photo: Secor MetroPark (https://metroparkstoledo.com/explore-your-parks/secor-metropark/trail-list/)

PARK, NEIGHBORHOOD – A park that is up to twenty (20) acres in size, serving an area one to two miles in diameter and serving a population of less than five thousand (5,000) persons. Neighborhood parks are typically designed to service a specific neighborhood area and may include playground apparatus and other space for active recreational purposes, along with some areas for passive use.

PARKING AISLE – The traveled path through an off-street parking or facility between one or two rows of parked vehicles.

PARKING BAY – A row of parking spaces typically separated by a parking island or some other feature used to break up large spans of asphalt used for the parking surface.

PARKING AREA - An open area other than a street or other public way that is used for the parking of motor vehicles.

PARKING SPACE, OFF-STREET – Any parking space located wholly off any street, alley, or sidewalk, either in an enclosed building or on an open lot and where each parking space conforms to the standards as specified in this Resolution.

PENNANT – A flag or banner longer in the fly than in the hoist, usually tapering to a point.

PERMANENT SUPPORTIVE HOUSING – Community-based, long-term housing and supportive services, as appropriate, for homeless individuals with disabilities.

PERMITTED USE(S) – A use that is permitted within a District that is allowable by a matter of right when designated as such in a District, provided said use complies with all applicable setback and development standards and is issued a Zoning Certificate from the Zoning Inspector, or their designee.

PERSONAL SERVICES – Uses that primarily provide services to a person or provide for the care and maintenance of personal goods. Such Uses include, but are not limited to, beauty shops, barber shops, salons, shoe repair shops, tailoring services, or garment repair services. This includes laundry or dry cleaning drop off/pick up services, but the process of dry cleaning is not included in this definition.

PICK-UP OR BANKING WINDOW – A window used to pick up food, a prescription or other another similar product, parcel pick up, or where banking or financial services are conducted without a patron needing to exit his/her vehicle. Food orders and prescriptions are typically placed ahead of time online via the web or mobile device, and these windows are typically not utilized for placing and waiting for orders on site.

PLACES OF ASSEMBLY, LARGE – Any facility or business where three hundred (300) or more individuals gather to participate or observe programs or services or assemble for social purposes. This includes public halls, theatres, churches, worship facilities, and other similar meeting facilities.

PLACES OF ASSEMBLY, SMALL – Any facility or business where less than three hundred (300) individuals gather to participate or observe programs or services or assemble for social purposes. This includes public halls, theatres, churches, worship facilities, and other similar meeting facilities.

PLANTS, ASPHALT – A stationary source that manufactures asphalt concrete by heating and drying aggregate and mixing asphalt cements. This includes any combination of dryers; systems for screening; handling; storing and weighing dried aggregate; systems for loading; transferring; and storing mineral filler; systems for mixing; transferring and storing asphalt concrete; and emission control systems within a stational source.

PLANTS, CONCRETE – The production of concrete that uses a manufacturing process involving the mixing of a number of aggregates, sand, water, cement and/or other components. This use also includes the stockpiling of bulk materials required for the process and storage of the required equipment used in the operation.

POND – A body of water of which none of the excavated materials has been removed from the site for commercial purposes and is used for the following purposes: to provide water for residents or livestock; a habitat for fish and wildlife; recreation; fire control; or crop and orchard spraying.

PORTABLE HOME STORAGE UNIT – Any assembly of materials which is designed, constructed, or reconstructed to make it portable and capable of movement from one site to another and designed to be Used without a permanent foundation. Such Structures are typically utilized for temporarily storing household goods or other such materials on a residential property.

PRESERVE OR PRESERVATION – The process, including maintenance, of treating an existing building to arrest or slow future deterioration, stabilize the Structure and provide structural safety without changing or adversely affecting the character or appearance of the Structure.

PRIVATE CLUB OR LODGE – A nonprofit association of persons, who are bona-fide members paying annual dues, which owns, hires, or leases a building or portion thereof, and the use of such premises is restricted to members and their guests. It shall be permissible to serve food and meals on such premises provided that adequate dining room space and kitchen facilities are available. The sale of alcoholic beverages to members and their guests shall be allowed in conjunction with the operation of a dining room, for the purpose of serving food and meals, though such beverages may be served in a separate room or rooms, and provided that such sale of alcoholic beverages complies with applicable local, state, and federal laws.

PRIVATE LANDING STRIP – A long flat piece of land from which private aircraft can take off and land that is properly licensed by the Federal Aviation Authority or applicable agency. It can be constructed of either grass or pavement.

PRIVATE FAMILY SWIMMING POOL – *See*, Swimming Pool, Private Family.

PROPERTY LINE – A line bounding or demarcating a plot of land or ground. May also be referred to as a Lot Line.

PUBLIC PROTECTION FACILITY – A facility operated by a public agency for the purposes of public safety including but not limited to fire stations, police stations, public safety dispatch facilities, civil defense, storm shelters, and other similar uses.

RECONSTRUCTION – The act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, Structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

REHABILITATION – The process of returning a property to a state of utility, through repair or alteration, which makes possible an efficient contemporary use while preserving those portions and features of the property which are significant to its environmental, historic, architectural, and cultural values.

REHABILITATION CENTERS – The collection of facilities that require Conditional Use Permits by the Township and are categorized as follows: Large Residential Facilities; Emergency and Protective Shelters; Transitional Living Centers; and Permanent Supportive Housing, as defined herein and regulated under Section ####.

RESEARCH AND DEVELOPMENT – A use where individuals are employed to search for knowledge and test processes that might be used to create new technologies, products, services, or systems.

RESIDENTIAL FACILITY – A publicly or privately operated home or facility that is further categorized as:

> **RESIDENTIAL FACILITY CLASS 1 –** A facility that provides accommodations, supervision, personal care services, and mental health services for one (1) or more unrelated adults within mental illness or one (1) or more unrelated children with adolescents with severe emotional disturbances.
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> **RESIDENTIAL FACILITY CLASS 2 –** A facility that provides accommodations, supervision and personal care services to any of the following:
>
> - One (1) or two (2) unrelated persons with mental illness.
> - One (1) or two (2) unrelated adults who are receiving payments under the residential state supplement program.
> - Three (3) to sixteen (16) unrelated adults.
>
> Residential facilities exclude hospitals, facilities licensed under ORC 5123.19, an institution subject to certification under ORC 5103.03, hospice care programs, nursing homes, residential care facilities, homes for the aging, a facility operating an opioid treatment program, a terminal care facility for the homeless, a facility approved exclusively for the placement and care of the veterans per Section 104(a) of the Veterans Health Care
>
> Amendments of 1983, or the residence of a relative or guardian of a person with mental illness.

RESIDENTIAL FACILITY, LARGE – Any facility licensed as a Class 2 Residential Facility per ORC 5119.34 and provides accommodations and personal care services to six to sixteen unrelated persons. (*See*, ORC 5119.341)

RESIDENTIAL FACILITY, SMALL – Any facility licensed as a Class 2 Residential Facility per ORC 5119.34 and provides accommodations and personal care services to one to five unrelated persons. (*See*, ORC 5119.341)

RESIDENTIAL – OFFICE, ADMINISTRATION, BUSINESS, AND MEDICAL – A small office for administrative, business or medical services as defined in this section but located within a Structure that was existing at the time of the effective date of this Resolution.

RESIDENTIAL – RETAIL – A small business retail as defined in this section but located within a Structure that existed at the time of the effective date of this Resolution.

RESIDENTIAL TREATMENT FACILITY – A Residential Facility – Class 1 (ORC 5119.34) providing diagnostic or therapeutic services, counseling, or treatment and long-term room and board in a highly Structured environment for its residents for alcoholism, drug abuse, or behavioral and/or mental disorders.

RESOLUTION – This describes this Zoning Resolution of Richfield Township, Lucas County, Ohio.

RESPONSIBLE PARTY – The owner of the property as determined by the County Auditor's Tax List, the agent of the property owner authorized to be responsible for the premises, or the occupant of the property.

RESTAURANT – An establishment which offers food and/or drinks to the public, guests, or employees. The food may be prepared and consumed either on or off site.

RIGHT-OF-WAY – A strip of land occupied or intended to be occupied by transportation facilities, public utilities, street drainage ditches or other special public uses.

RIGHT-OF-WAY, FUTURE – A line established on a Zoning Map, Comprehensive Plan, thoroughfare plan, or other official planning document that delineates the anticipated and ultimate boundary of a Public Street, Road, Highway, or other similar transportation facility. This area is intended for future improvements, widening, or extensions.

SCHOOL, HIGH SCHOOL – A public or private institution providing secondary education prior to students starting college or obtaining a job. It typically includes grades nine through 12 (9-12).

SCHOOL, POST-SECONDARY – A public or private institution providing educational or training services to individuals who have completed high school.

SCHOOL, PRIMARY, INTERMEDIATE, OR MIDDLE – A public or private institution providing educational services to children in kindergarten through the eighth (8th) grade.

SCHOOL, TECHNICAL – A secondary or post-secondary school that provides designed training to students for a specific job or skilled trade.

SELF SERVICE STORAGE FACILITY – An individual compartment or stall used for the storage of customer's goods or wares.

SERVICE ROAD, OR ACCESS ROAD – Means a minor Street parallel to a thoroughfare to afford abutting property owners' access to the thoroughfare at limited points.

SETBACK – A required distance between a lot line and a principal Structure established by the Zoning District in which the principal Structure is located.

> **SETBACK, AVERAGE FRONT –** The distance between a Front Lot Line and principal Building that is established by averaging the front setbacks of two existing Structures on adjacent lots. In no case shall an average front setback exceed any applicable maximum setback requirement.
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> **SETBACK, MAXIMUM –** The largest distance permitted between a lot line and a principal Structure. The Zoning Inspector shall not administratively approve the location of a principal Structure that is more than this required distance.
>
> **SETBACK, MINIMUM –** The smallest distance permitted between a lot line and a principal Structure established by the Zoning District in which the principal Structure is located. The Zoning Inspector may not administratively approve the location of a principal Structure that is less than this required distance but may administratively approve the location of a principal Structure that is more than this required distance. In such cases, the area between the required minimum setback and the principal Structure is considered to be "yard" space as defined in this Resolution.

SEXUAL CONDUCT – Acts of sexual intercourse within its ordinary meaning, occurring upon any penetration, however slight. Any penetration of the vagina or anus, however slight, by an object. Any contact between persons involving the sex organs of one person and the mouth or anus of another. Masturbation, manual or instrumental, of oneself or of one person by another. Touching of the sex organs or anus, whether clothed or unclothed, of oneself or of one person by another.

SHIPPING CONTAINER – A Structure designed for use as an individual shipping container designed to be mounted on a rail car as freight or designed as an enclosed truck trailer. These

containers are typically prefabricated metal Structures but also include other similar type containers such as shipping crates, boxes, or trailers constructed with other types of material.

SHOOTING RANGE, INDOOR – The use of a Structure for archery and/or the discharging of firearms for the purposes of target practice or temporary competitions.

SHOOTING RANGE, OUTDOOR – The use of land for archery and/or the discharging of firearms for the purposes of target practice, skeet and trap shooting, mock war games, or temporary competitions, such as turkey shoots. Excluded from this type of use shall be general hunting and unstructured and nonrecurring discharging of firearms on private property with the property owner's permission.

SHORT-TERM RENTAL – Renting a home, or a space in a home, with five (5) guestrooms or less that is reserved/rented wholly or partly for compensatory fee for less than thirty (30) consecutive days.

> **SHORT-TERM RENTAL, HOSTED –** A Short-Term Rental in which the Dwelling Unit rents out a guestroom while the owner of the Short-Term Rental remains during the stay.
>
> **SHORT-TERM RENTAL, UNHOSTED –** A Short-Term Rental in which the Dwelling Unit is wholly rented and the owner of the Short-Term Rental does not remain during the stay.

SHOOTING RANGE – The use of land for archery and/or the discharging of firearms for the purposes of target practice, skeet and trap shooting, or temporary competitions, such as turkey shoots. Excluded from this type of Use shall be general hunting and unstructured and nonrecurring discharging of firearms on private property with the property owner's permission.

SIGHT TRIANGLE – The triangular area formed by a diagonal line connecting two points located on intersecting street Rights-of-Way or a Right-of-Way and the edge/curb of a driveway (*See*, Section ####).

SIGN – Any device for visual communication which is designed, intended or used to convey a message, advertise, inform or otherwise direct attention to a person, institution, organization, activity, business, place, object or product. Signs erected by the local, state or federal government for the purposes of discharging in any normal governmental function, such as traffic control or safety, are excluded from the regulations of this Article. This definition includes all signs visible from any public Right-of-Way or adjacent property, including interior signs oriented towards the exterior façade of any Building or Structure that includes any name, number, symbol, identification, description, display, illustration, object,

graphic, sign Structure, or part thereof, which directs attention to any object, product, place, activity, person, institution, organization, or business.

SIGN, ANIMATED – Any sign that uses movement or change of artificial and natural lighting or noise to depict action or create a special effect or scene.

SIGN, BILLBOARD – A type of free-standing sign that is mechanically produced or computer-generated prints or images, including but not limited to digitally printed vinyl and/or 3-D printed elements, which are typically attached or affixed to a pole or other type of free-standing support. Said signs are greater than two hundred (200) square feet.

SIGN, ENTRY FEATURE – A sign intended to provide the identity of a residential development or commercial development with more than one (1) lot or tenant.

SIGN, FLASHING – A sign or graphic which in any manner, as a whole or in part, physically changes in light intensity or gives the appearance of such change.

SIGN, FREESTANDING – A sign erected on a pole, poles, pillars, or posts (pylon sign) or any monument type sign (sign with a base) which is wholly independent of any Building or guy-line support.

SIGN, GAS INFLATABLE – Any device which is capable of being expanded by any gas and is typically tethered or otherwise anchored to the ground or Structure and used on a permanent or temporary basis to attract attention to a product, event, or business.

SIGN, GROUND MOUNTED – A type of free-standing sign that is supported by a monument style base and does not include any poles, pillars, or posts.

SIGN, PERMANENT – A sign intended to be erected, displayed or used, or in fact which is used for time period in excess of thirty (30) days within any one hundred eighty (180)-day period.

SIGN, POLE – A type of Free-Standing Sign that is supported by pole(s), pillars, posts or other free-standing support and is less than two hundred (200) square feet.

SIGN, PROJECTING – A sign which extends outward perpendicular to the building face.

SIGN, ROOF – Any sign erected upon or completely over the roof of any building.

SIGN, TEMPORARY – A display, banner, or other advertising device constructed of cloth, canvas, fabric, wood, or other temporary material, with or without a structural

frame, including but not limited to portable signs, feathered flags, development signs, community event signs, garage sale signs, real estate signs, sandwich type signs, sidewalk or curb signs, and balloon or other air or gas filled figures.

SIGN, TRAILER – A sign that is constructed on a chassis intended for the mounting of wheels, thereby permitting the sign to be moved forward.

SIGN, WALL – A wall display that is less than one hundred twenty-five (125) square feet.

SIGN, WALL DISPLAY, MURAL – A sign attached to a building face, with the exposed face thereof in a plane parallel to the plane of the wall. Wall signs include messages, graphics and other designs painted along with any letters or numerals mounted directly on buildings or awnings.

SIGN, WAY-FINDING – Any sign which provides direction or guidance to help navigate a person to a specific location of an institution, organization or business, or property.

SIGN, WINDOW – A sign, graphic, poster, symbol or other identification which is physically affixed to or painted on the glass or other structural component of the window.

SITE PLAN – An architectural plan that details the architecture, landscaping, and overall design that is drafted by a professional architect.

SLUDGE – A solid or near solid by-product of sewage, water, or industrial waste treatment. Includes the residue of the water treatment or waste-water treatment plants or private sewage tanks as a liquid, semi-solid, or dried solid, before or after primary, secondary, or tertiary treatment, with or without chemical additives used to alter the soil nutrient content. For purposes of this Resolution, Sludge is not considered commercial fertilizer, a soil conditioner, nor a base thereof, and Sludge shall be regulated under the standards and enforcement of the Ohio Environmental Protection Agency and the Ohio Administrative Code.

SOLAR, ARRAY – A mechanically integrated assembly of modules or panels with a support Structure and foundation, tracker and other components as required to form a direct-current power producing unit.

SOLAR ENERGY – Radiant energy (direct, diffused, or reflected) received from the sun at wavelengths suitable for conversion into thermal, mechanical, chemical, or electrical energy.

SOLAR ENERGY SYSTEM (SES) – An energy system that consists of one or more solar collection devices, solar energy-related equipment, and other associated infrastructure

with the primary intention of generating electricity, storing electricity, or otherwise converting solar energy to a different form of energy. Solar energy systems may generate energy in excess of the energy requirements of a property if it is to be sold back to a public utility in accordance with the law.

SOLAR ENERGY SYSTEM, INTEGRATED – An SES where solar materials are incorporated into building materials, such that the two are reasonably indistinguishable, or where solar materials are used in place of traditional building components, such that the SES is structurally an integral part of a house, building, or other Structure. An Integrated SES may be incorporated into, among other things, a building facade, skylight, shingles, canopy, light, or parking meter.

SOLAR ENERGY SYSTEM, GROUND-MOUNTED – An SES where an array is mounted on a rack or pole that is ballasted on, or is attached to, the ground.

SMALL-SCALE GROUND-MOUNTED SOLAR ENERGY SYSTEM (SMALL SCALE SES) – A ground mounted SES that produces less than one (1) megawatt of power or is less than five (5) acres.

LARGE SCALE GROUND MOUNTED SOLAR ENERGY SYSTEM (LARGE SCALE SES) – A ground mounted SES that produces less than fifty (50) megawatts of power and is between five (5) and two hundred and fifty (250) acres.

SOLAR ENERGY SYSTEM, ROOF MOUNTED – An SES mounted to the roof of a building or Structure. Roof-mount systems are accessory to the primary use of a property.

SOLID WASTE – As defined under Section ORC 3724.01(E), Solid Waste means such unwanted residual solid or semisolid material as results from industrial, commercial, agricultural, and community operations, excluding earth or material from construction, mining, or demolition operations, or other waste materials of the type that normally would be included in demolition debris, nontoxic fly ash and bottom ash, including at least ash that result from the combustion of coal and ash that results from the combustion of coal in combination with scrap tires where scrap tires comprise not more than fifty (50) percent of heat input in any month, spent toxic foundry sand, nontoxic, nonhazardous, unwanted fired and unfired, glazed and unglazed, structural products made from shale and clay products, materials converted into a feedstock that replaces a raw material in a manufacturing process at an advanced recycling facility, materials used as a legitimate fuel at an advanced recycling facility, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, scrap tires, combustible and noncombustible material, street dirt, and debris. Solid Wastes do not include any material that is an infectious waste or Hazardous Waste.

SPECIFIED SEXUAL ACTIVITIES – Simulated or actual display of human genitals in a state of sexual stimulation or arousal, acts of masturbation, sexual intercourse, sodomy, bestiality, necrophilia, sadomasochistic abuse, fellatio, or cunnilingus and fondling or erotic touching of human genitals, pubic region, buttocks, or female breasts.

STAGING AREA – A physical location used to store equipment and materials related to the setup, construction, operation, and/or tear down of an activity or event.

START OF CONSTRUCTION – The first placement of permanent construction of a Structure (other than a mobile home) on a site, such as the pouring of slabs or footings or any work beyond the state of excavation. Permanent construction does not include land preparation, such as clearing, grading, and filling, nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not as part of the main Structure. For a Structure (other than a mobile home) without a basement or poured footings, the "start of construction" includes the first permanent framing or assembly of the Structure or any part thereof on its piling or foundation. For mobile homes not within a mobile home park or mobile home subdivision, "start of construction" means the affixing of the mobile home to its permanent site. For Mobile Homes within Mobile Home Communities, "Start Of Construction" is the date on which the Mobile Home is to be affixed, including, at a minimum, the construction of streets, either final site grading or the pouring of concrete pads, and installation of utilities.

STREET – A paved public vehicular Right-of-Way which provides access to abutting properties from the front.

> **STREET, EXPRESSWAY OR INTERSTATE –** Highways which convey high volumes of traffic at high speeds, typically controlled access provided at interchanges. This classification acknowledges existing highways that are generally state or federally designed, funded, and maintained.
>
> **STREET, MAJOR ARTERIAL –** Means a Street which conveys county to county or city to city travel at relatively higher speeds and typically tightly regulated access. These Streets are typically US highways or state routes.
>
> **STREET, MINOR ARTERIAL –** Means a Street which is used for intra-county and city corridor travel that links Major Arterials, Interstates, and Expressways with substantial areas of development, and/or conveying substantial traffic volumes.
>
> **STREET, MAJOR COLLECTOR –** Streets which connect Major and Minor Arterials to population and employment centers, serving more localized trips.

STREET, MINOR COLLECTOR – Streets which predominantly connect local streets with higher classification routes.

STRUCTURAL ALTERATIONS – Any change in the supporting members of a Building, such as bearing walls or partitions, columns, beams or girders, or any increase in the area or cubical contents of a building.

STRUCTURE – Anything constructed or erected, the use of which requires a permanent location on the ground or attached to something having a permanent location on the ground, including, but not limited to, outdoor advertising signs, (billboards), and farmers' street-side stands. Structure does not include Fences.

SUBSTANTIAL IMPROVEMENT/ALTERATION – Any repair, reconstruction, or improvement of a Structure, the cost of which equals or exceeds 50% of the market value of the Structure either before the improvement or repair is started, or if the Structure has been damaged and is being restored, before the damage occurred. For the purpose of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or the first other structural part of the building commences, whether or not that alteration affects the external dimensions of the Structure. The term does not, however, include any project for improvement of a Structure to comply with existing state or local health, sanitary, or safety Code specifications which are solely necessary to assure safe living conditions, or any alteration of a Structure listed on the National Register of Historic Places, State Inventory of Historic Places, or a local inventory of historic places provided the alteration will not preclude the Structure's designation as a historic Structure.

SUBSTANTIALLY COMPLETE – The stage in which the work, described in the Zoning Certificate, is finished to a point that the applicant/owner can occupy or utilize the land or building for its intended purpose.

SWIMMING POOL, COMMUNITY – A body of water in an artificial or natural receptacle or another container, whether located indoors or outdoors, used or intended to be used for public, semi-public, or private swimming by adults and/or children whether or not any charge or fee is imposed, operated by an owner, lessee, operator, licensee or concessionaires, exclusive of a family pool as defined herein, and shall include all Structures, appurtenances, equipment, appliances, and other facilities appurtenant to and intended for the operation and maintenance of a swimming pool, and also, all swimming pools operated and maintained in conjunction with or by clubs, motels, hotels, apartments and condominiums, and community associations.

SWIMMING POOL, PRIVATE FAMILY – A swimming pool used or intended to be used solely by the owner or lessee thereof and family, and by friends invited to use it without payment of any fee, and normally capable of containing water to a depth at any point greater than three (3) feet.

SWIMMING POOL, STORABLE – A pool capable of holding water to a maximum depth of forty-two inches (42") and is constructed of non-metallic, molded polymeric or fabric walls supported on a rigid frame or by an inflatable ring and entirely on or above ground, and is designed and constructed to be readily disassembled for storage and re-assembled to its original integrity.

TELECOMMUNICATION TOWER – A Structure situated on a site used to support antennas and radio or cellular communications equipment. Antennas used by amateur radio operators are excluded from this definition.

TELECOMMUNICATION TOWER, ATTACHED – Any Structure that will be attached to a Building or other Structure that meets the criteria for a telecommunication tower, as defined herein.

TELECOMMUNICATIONS TOWER, FREE-STANDING – Any free-standing Structure that meets the criteria for a telecommunication tower, as defined herein.

TEMPORARY ENTERTAINMENT USE – A use for providing amusement or enjoyment in an indoor facility, outdoor facility, or outdoor area on private property through an activity that provides a leisure activity either for profit or not for profit and for a specified limited duration not to exceed ninety (90) days (three months). Said use and any associated parking, vehicle or pedestrian queueing, or storage does not occur within the public Right-of-Way. Each Temporary Entertainment Use requires a Conditional Use Permit as detailed in this Resolution.

TEMPORARY STRUCTURE, CONSTRUCTION TRAILER/OFFICE – Any Structure that is not permanent and is located on a construction site for purposes of storing materials and tools or for offices for construction management.

TEMPORARY TENT – *See*, Section ####.

TENNIS COURTS, PRIVATE FAMILY – A rectangular area marked with lines to designate the play of tennis, pickleball, and other sports that utilize a court, net, and racquet or paddle. The court is to be used solely by the owner or lessee thereof and family, and by friends invited to use it without payment of any fee.

TOLEDO-LUCAS COUNTY PLAN COMMISSION (COUNTY PLANNING COMMISSION) – The planning commission that has jurisdiction over Lucas County.

TOWNSHIP – Refers to Richfield Township, Lucas County, Ohio.

TRACT – Means a continuous expanse of land often represented by contiguous Lots owned and recorded as the property of the same persons or controlled by a single entity as an Owner.

TRACT SIZE – The complete area bounded by the perimeter of a Tract owned and recorded as the property of the same persons or controlled by a single entity as an Owner.

TRAFFIC STUDY – A Traffic Study is a plan developed and established to anticipate, prepare for, manage, and control vehicular traffic in a manner that maintains the functionality, capacity, traffic flow, and safety of the public roadway. A Traffic Study identifies, coordinates, and manages the needs and actions of several agencies responsible for road traffic management and safety on a given road network. This may include the County Engineer, Ohio Department of Transportation, Lucas County Sheriff's Department, and the State Highway Patrol. The purpose of this approach is to limit the effects of events that can lead to serious deterioration of traffic conditions, including functionality, capacity, traffic flow, and safety. The objective is coordinated action by the various authorities and services that participate in the operation of the roadway. To anticipate the arrangements for controlling and guiding traffic flows in real-time and for informing road users about the traffic situation in a consistent and timely way before and during their trip. The situations covered can be unforeseeable (incidents, accidents) and/or predictable (recurrent or non-recurrent events). The measures are always applied temporarily – although "temporary" may be lengthy, such as an event, construction, or long-term maintenance activity. The Traffic Study determines the placement of barricades, warning lights, signs, off-street parking, and/or personnel for the duration of the event or incident that impedes the normal traffic flow for the roadway.

TRAFFIC QUEUEING – A line of motor vehicles awaiting their turn to be attended to or to proceed.

TRANSITIONAL LIVING CENTER – A facility that provides short-term room and board in a supervised living environment utilizing counseling and rehabilitation services for persons with a history of juvenile delinquency, behavioral disorders, alcoholism, or drug abuse.

TREE, LARGE – Any tree species which normally attains a full-grown height above sixty (60) feet.

TREE, MEDIUM – Any tree species which normally attains a full-grown height between thirty and sixty (30-60) feet.

TREE, SMALL – Any tree species which normally attains a full-grown height of under thirty (30) feet.

TRUCK SERVICE CENTER – A commercial facility which provides refueling, parking, and often ready-made food for motorists and truck drivers. These facilities sometimes also include showers for truck drivers.

TRUSTEES, BOARD OF TOWNSHIP – The three-member board elected at the general elections in off-numbered years for terms of four (4) years or appointed in the scenario o vacancy. Two (2) Trustees are elected the year after presidential elections, and one (1) trustee the year following gubernatorial elections.

USE – The purpose for which a Building or land may be arranged, designed, or intended to be occupied or maintained.

USE, AGRICULTURAL – *See,* "Agricultural Use" in this Section.

USE, COMMERCIAL – Uses that are associated with the sales of goods or the provision of services. These Uses are found within the Neighborhood Business Overlay District (NB) in Article ####.

USE, INDUSTRIAL – Uses that are associated with the assembling, production, processing, refining, or repairing of products to be distributed. These Uses are found within the Light-Industrial Overlay District (LIO) in Article ####.

USE, RESIDENTIAL – Uses that are associated with Dwellings. These Uses are found within the Agricultural (AG), Rural Residential-1 (RR-1), and Rural Residential-2 (RR-2) Districts in Article #### as well as the Clustered Conservation Residential (CCR) Overlay District in Article ####.

VARIANCE – A modification of the strict terms of this Resolution due to the strict enforcement of these regulations resulting in a Practical Difficulty and where such modification will not be contrary to the public interest.

VARIANCE, AREA – A type of variance that is from a regulation based on the dimensions or physical requirements of applicable zoning regulations such as setbacks, height, or other similar requirement. This type of Variance is typically reviewed using a Practical Difficulty standard, as described in Section ####.

VARIANCE, USE – A type of variance to allow a use that is otherwise prohibited within the district. This type of Variance is typically reviewed using an Unnecessary Hardship standard, and is prohibited within the Township.

VEHICLE, CHARGING STATION – The design and construction of a parking space with Electric Vehicle Supply Equipment that supplies electric energy for the recharging of electric vehicles.

VEHICLE, RECREATIONAL – Any motorized or non-motorized vehicle that is used for recreational purposes including, but not limited to all-terrain vehicles, dune buggies, motor bikes, recreational vehicle trailers, snowmobiles, trail bikes, and various watercraft including canoes, kayaks, boats and jet skis.

VEHICULAR SALES, EQUIPMENT – An open area or building used for the display, sale or rental of farm, construction, or other similar machinery.

VEHICULAR SALES, MOTORCYLCES – An open area or building used for the display, sale, or rental of new or used motorcycles and where only incidental repair work is done.

VEHICULAR SALES, NEW AND USED CARS – An open area other than a street, used for the display, sale, or rental of new or used motor vehicles in operable condition and where only incidental repair work is done.

VEHICULAR SALES, RECREATIONAL – An open area or building used for the display, sale, or rental of new or used recreational vehicles and where only incidental repair work is done.

WALL, DECORATIVE – An architecturally designed wall that is intended to prohibit public view and provide seclusion, has more than fifty (50) percent of its vertical surface area closed to light and air, and is not designed for purposes of retaining soil.

WALL, RETAINING – An engineered wall that is designed and intended to support soil laterally so that it can be retained at different levels on the two (2) sides.

WALLSCAPE – A type of wall display that greater than one hundred twenty-five (125) square feet and is mechanically produced or computer generate prints or images, including but not limited to digitally printed vinyl and/or 3-D printed elements, which are typically attached to the side of a building.

WATER, WASTEWATER, TRANSPORTATION AND OTHER GOVERNMENTAL SERVICES – Government services concerning the extraction, transportation, and treatment of water and wastewater within the Township.

WEDDING VENUE – An event space that shall be considered as a Place of Assembly and may be used in conjunction with an Agritourism Use, as defined herein, to celebrate marriage.

WIND ENERGY CONVERSION SYSTEM – An energy system consisting of a wind turbine, a tower, and associated control or conversion electronics.

> **WIND ENERGY CONVERSION SYSTEM, INDIVIDUAL –** A Wind Energy Conversion System consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a single interconnection to the electrical grid, an aggregate rated capacity of not more than 100 kilowatts and is intended to primarily reduce on–site consumption of utility power.

WIND ENERGY CONVERSION SYSTEM TOWER – The support Structure to which the nacelle and the rotor are attached.

WIND ENERGY CONVERSION SYSTEM TOWER, HEIGHT OF – The distance from the rotor blade at its highest point to the top surface of the tower foundation.

WIND FARM, SMALL – A Wind Energy Conversion System consisting of wind turbine(s), tower(s) and associated control or conversion electronics, which have an aggregate rated capacity of one hundred (100) kilowatts or more, but less than fifty (50) megawatts and has a single interconnection to the electrical grid. Any Wind Energy Conversion System that is fifty (50) megawatts or larger shall be reviewed by the Ohio Power Siting Board and shall not be subject to the regulations within this Resolution.

WOODLAND BUFFER – A landscaping buffer that uses existing or natively planted vegetation to simulate a wooded area and its transitionary areas into meadowland which altogether contains trees, shrubs, and grasses.

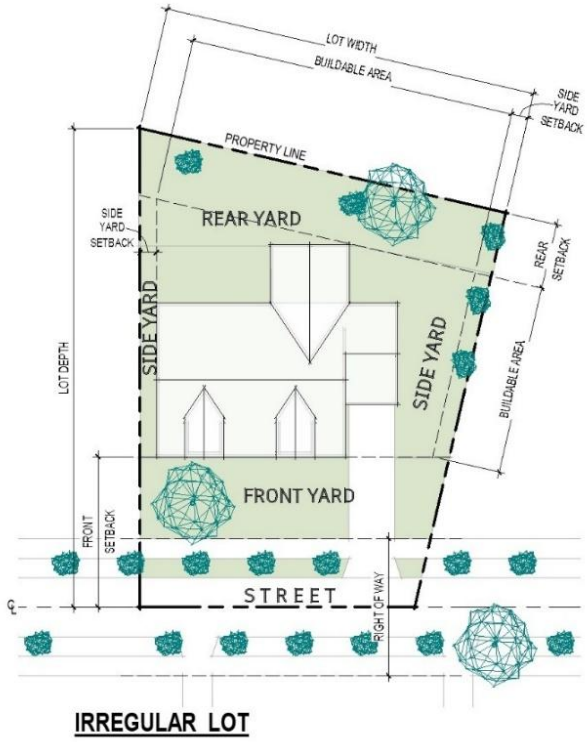
YARD – An open space on a lot with a building that is unoccupied and unobstructed by any portion of a principal Structure. Fences and Accessory Structures may be permitted within a yard as regulated in this Resolution.

FRONT YARD – The horizontal distance between the Right-of-Way line and the nearest foundation or structural appurtenance of the principal Structure.

REAR YARD – The horizontal distance between the rear lot line and the nearest foundation or structural appurtenance of the principal Structure.

SIDE YARD – The horizontal distance between the side lot line and the nearest foundation or structural appurtenance of the principal Building.

STANDARD LOT



IRREGULAR LOT

ZONING CERTIFICATE – A document issued by the zoning administrator authorizing the construction or alteration of a building, Structure, or use consistent with this Resolution.

ZONING COMMISSION – The Township body composed of personnel as described in Section #### who oversee the implementation of this Resolution.

ZONING DISTRICT – Any section of the Zoning Map and/or legal description in which the zoning regulations are uniform.

ZONING INSPECTOR – The authorized representatives appointed by the Trustees to issue Zoning Certificates and perform other duties as specified in this Resolution.

ZONING MAP – A map of Richfield Township, Lucas County, Ohio that legally denotes the boundaries of the Zoning District as they apply to the properties within the Township. The official zoning map shall be kept on file in the administrative offices.

ARTICLE 3
Establishment of Districts and Zoning Map

3.01 Zoning Districts Established
3.02 Official Zoning Map Established
3.03 Zoning District Boundary Description and Interpretation
3.04 Limitations on Land Use
3.05 Similar Uses
3.06 Platting Requirements
3.07 Types of Lots
3.08 Types of Encroachments
3.09 Rules of Measurement
3.10 Calculating Established Lot Width

3.01 ZONING DISTRICTS ESTABLISHED

The Zoning Districts set forth below are hereby established:

- Agricultural District (AG)
- Rural Residential-1 District (RR-1)
- Rural Residential-2 District (RR-2)
- Clustered Conservation Residential District (CCR)
- Neighborhood Business Overlay District (NB)
- Light-Industrial Overlay District (LIO)

3.02 OFFICIAL ZONING MAP ESTABLISHED

The locations and boundaries of the various Zoning Districts shall be established by separate resolution and shall be known and delineated on the Zoning Map. The Zoning Map shall be maintained by the Board of Township Trustees and may be divided into parts for identification purposes when adopting or amending the Zoning Map or for any reference to the Zoning Map.

3.03 ZONING DISTRICT BOUNDARY DESCRIPTION AND INTERPRETATION

Zoning District Boundary Lines shall be described by legal description or by a map. When a legal description is used, the Boundary Line shall be deemed to extend to the centerline of abutting streets and shall be established by dimensions, Property Lines, recorded Lot Lines, or the Centerline abutting the Street, Alley, or railroad Right-of-Way, as the same were of record at the time of adoption. In all cases, if there is doubt as to the exact location of the Zoning District Boundary Lines, the same shall be determined by the Board of Zoning Appeals.

3.04 LIMITATIONS ON LAND USE

No person, firm, or corporation shall use or permit to be used any Lot or Buildings, nor shall any person, firm, or corporation make, erect, construct, move, alter, enlarge or rebuild, or permit the making, erection, construction, moving, altering, enlarging or rebuilding of any Building, Structure, or Improvement, which is designed, arranged, or intended to be used or maintained for any purpose or in any manner except in accordance with the Use, height, area, Yard, Setback, and other requirements established in the Zoning District in which such Lot, Building, Setback, or Improvement is located, except as provided by Article #### - Nonconforming Uses and Structures. Nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any Building, Lot, or Use, where a Zoning Certificate has been lawfully issued prior to the effective date of this Resolution, and pursuant to such Zoning Certificate, construction is diligently carried to completion. Upon completion, such Building or Use shall be deemed a legally Nonconforming Structure or Nonconforming Use and may continue as regulated by Article #### - Nonconforming Uses and Structures.

3.05 SIMILAR USES

a) On occasion, new Uses of land may arise that may have not been contemplated at the time of this Resolution's adoption. This Section sets forth a process to identify the location for such Uses. Since this action is an interpretation matter, the Board of Zoning Appeals shall be the body designated for determining Similar Uses. Determination as to whether a Use is similar to Uses permitted by right shall be considered an expansion of Uses available to the Zoning District and not as a Variance applying to a particular situation. Any Use found similar shall thereafter be considered as a Permitted Use or Conditional Use in that Zoning District.

b) Applications for Zoning Certificates for Uses not specifically listed in the Permitted Uses classifications of the Zoning District, which the applicant feels qualifies as a Similar Use under the provisions of this Section shall be submitted to the Board of Zoning Appeals. Three (3) copies and one (1) digital PDF copy of a completed application shall be submitted. The following information shall be included in the application:

1) Name, address, phone number, and email address of the applicant;
2) The address and parcel number of the address in question;
3) If the applicant is not the owner of the property, a signed letter from the property owner shall be submitted authorizing the applicant to serve as the Owner's agent for the application;
4) Legal description of the property;
5) The existing Zoning District in which the property is located;

6) A vicinity map at a suitable scale, showing Property Lines, Streets, existing Zoning District designations of surrounding parcels adjacent to and within two hundred (200) feet;
7) The names and addresses of all property owners within one hundred (100) feet of the subject property appearing on the Lucas County Auditor's List;
8) A site plan that shows:
   i) The Lot(s) where the Use is proposed;
   ii) Any existing and/or proposed Buildings; and
   iii) The square footage of the proposed Use; and
9) A narrative explaining:
   i) The Lot(s) where the Use is proposed; and
   ii) The reasons the applicant believes the proposed Use complies with Section 3.05(a).

c) Within sixty (60) days after such submittal, the Board of Zoning Appeals shall determine whether the requested Use is similar to those Permitted Uses in the specific Zoning District. In order to find that a Use is similar, the Board of Zoning Appeals shall find that all of the following elements exist:

1) Such Use is not listed as a Permitted or Conditional Use in another Zoning District;
2) Such Use conforms to the basic characteristics of the classification to which it is to be added and is more appropriate to it than to any other Zoning District classification; and
3) Such Use creates no increased danger to health and safety; creates no increased level of noise, vibration, dust, heat, smoke, odor, glare, or other objectionable nuisances; and does not create traffic congestion to an extent greater than normally resulting from Uses listed in the classification in which it is added.

d) The notice requirements in Section #### under Article #### - Amendments – shall be utilized for a public hearing on a Similar Use.

e) If the Board of Zoning Appeals takes action to approve a Use as a "Similar Use" in a Zoning District as described in this Section, then said Use shall become a Permitted or Conditional Use within said Zoning District, as determined by the Board of Zoning Appeals, until such time the Board of Township Trustees changes the Zoning District through the amendment process identified in Article #### - Amendments.

3.06 PLATTING REQUIREMENTS

For the purposes of providing a proper arrangement of Streets and assuring the adequacy of Open Spaces for traffic, utilities, and access of emergency vehicles commensurate with the

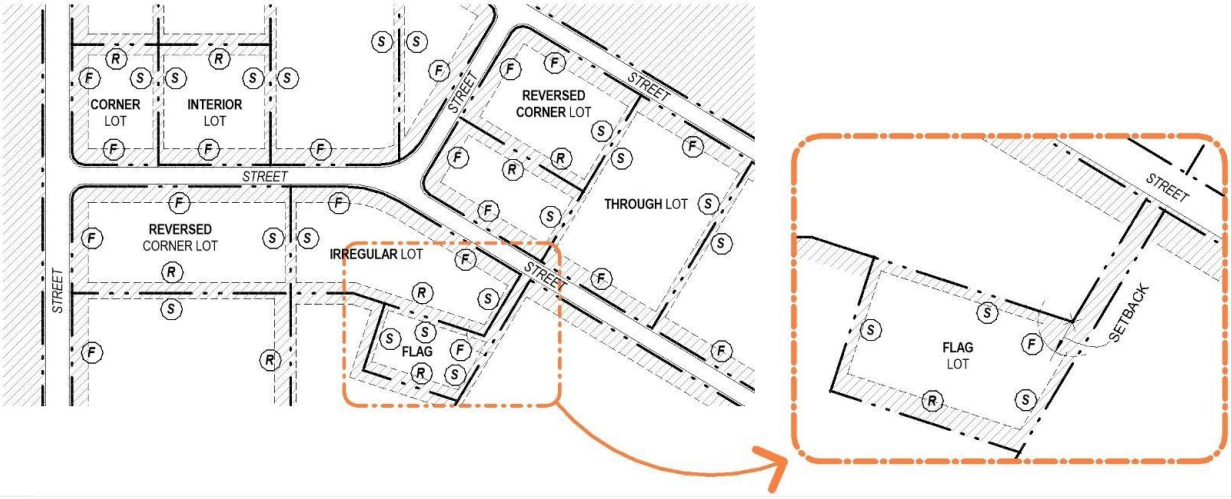
intensification of Uses customarily incident to a change in Zoning Districts, a platting requirement is established as follows:

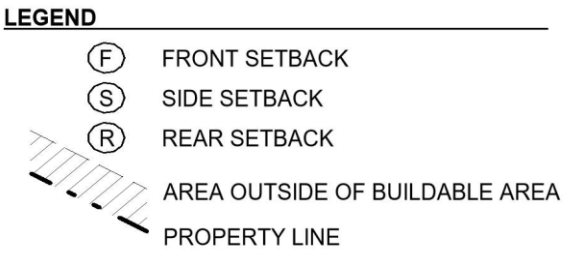
a) For any land which has been rezoned to a Zoning District other than an Agricultural District upon application of a private party, no Building or Zoning Certificate shall be issued until that portion of the Tract on which the Zoning Certificate is sought has been included in a required plat or replat, as the case may be, submitted to and approved by the Zoning Commission and filed of record in the Lucas County Recorder's Office. Provided that the Zoning Commission, pursuant to their exclusive jurisdiction over subdivision plats, may remove this platting requirement upon determining that the above purposes have been achieved by previous platting or could not be achieved by a plat or replat.

3.07 TYPES OF LOTS

a) Front, Rear, and Side Setbacks must comply with the requirements of the applicable Zoning District. The purpose of the above graphic is to illustrate which Lot Lines serve as Front, Rear, and Side Lot Lines for each type of Lot.

b) For a Flag Lot, the Front Yard shall be determined by identifying the midpoint of the terminus of the panhandle (or the terminus of an easement outside of the panhandle) and drawing a semi-circle with a radius that is equal to the minimum Setback for the applicable Zoning District.





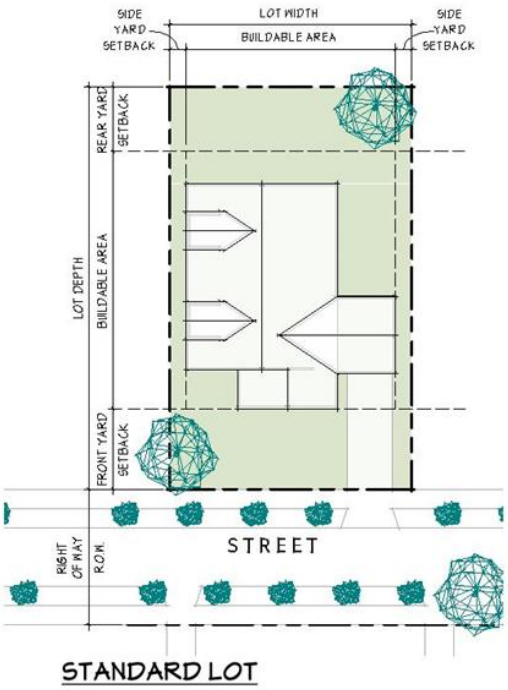
3.08 TYPES OF ENCROACHMENTS

Each Zoning District allows various types of Encroachments. Refer to the Lot Area, Setback, and Height Tables in each Zoning District to identify the type of permitted Encroachments.

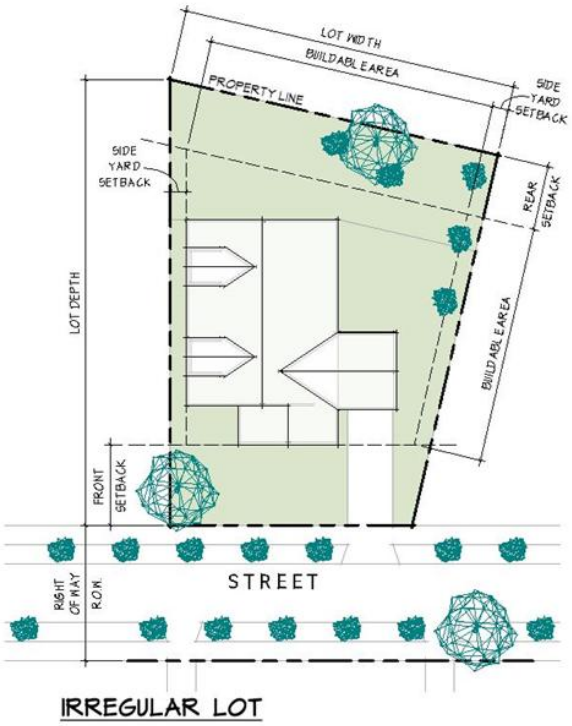
PLACEHOLDER FOR FUTURE ILLUSTRATION

3.09 RULES OF MEASUREMENT

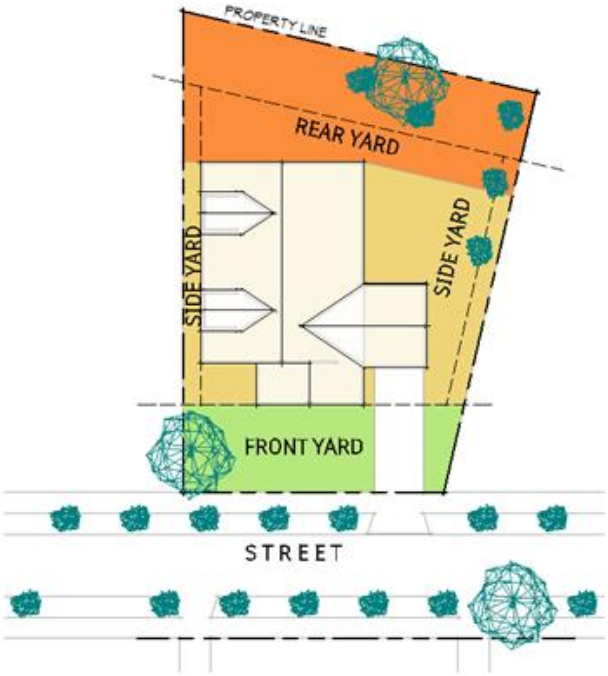
a) The rendering below depicts how to measure the Front Lot Line from the Right-of-Way Line, where applicable.



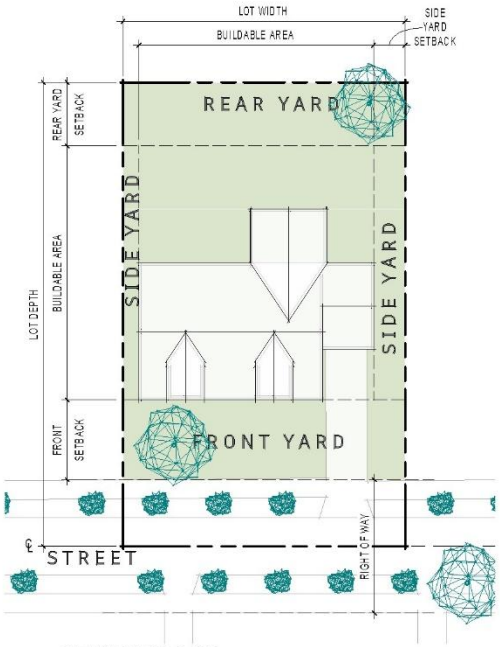
STANDARD LOT



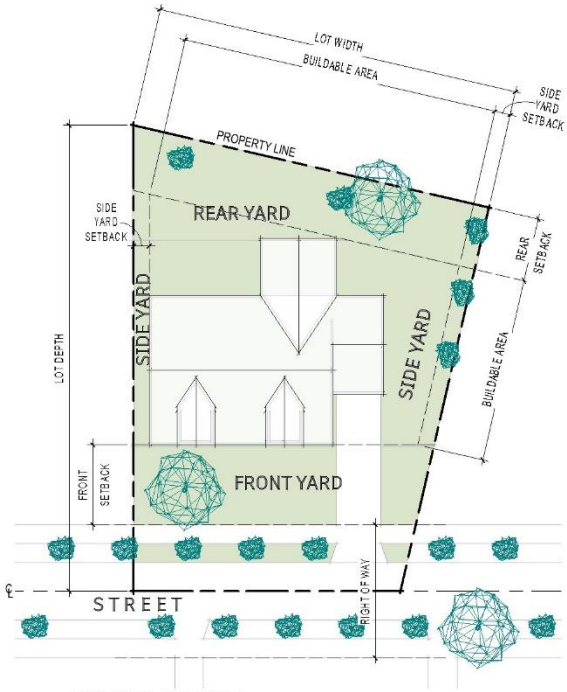
IRREGULAR LOT



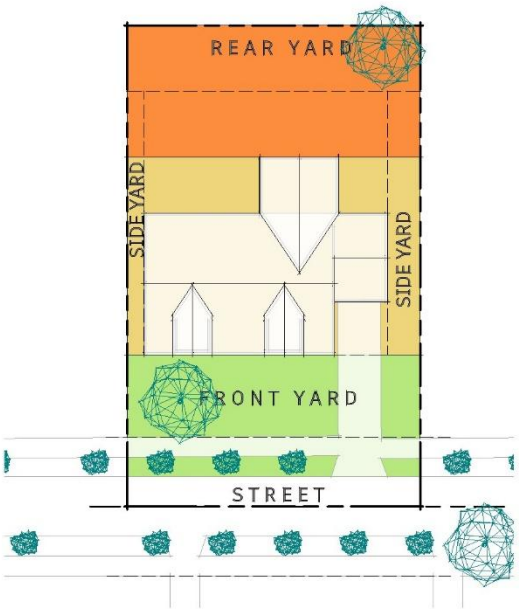
b) The rendering below depicts how to measure the Front Lot Line from the Road Centerline, where applicable.

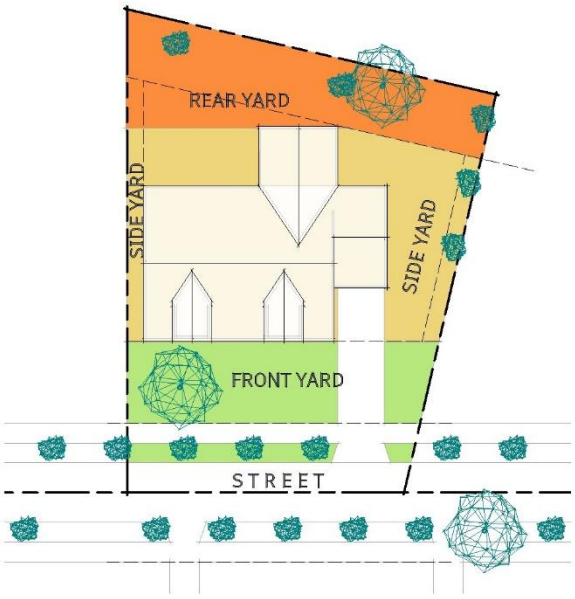


STANDARD LOT



IRREGULAR LOT

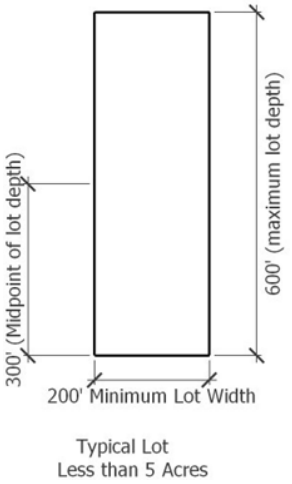


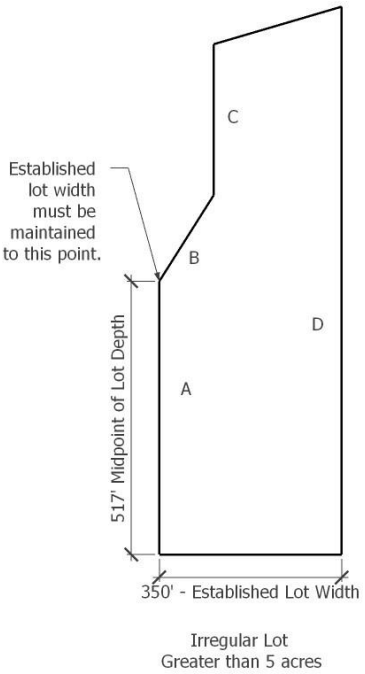


3.10 CALCULATING ESTABLISHED LOT WIDTH

The Established Lot Width, as defined in Article 2 – Definitions, shall be maintained to the Midpoint of the Lot Depth. See an example calculation below:

	Equation
Lot Depth (LD)	LD = (A+B+C+D)/2
Midpoint	Midpoint = LD/2





A = 517 Feet
B = 210 Feet
C = 290 Feet
D = 900 Feet (Maximum Lot Depth District)

LD = (517 + 210 + 290 + 900)/2 = 958.5 Feet
Midpoint = 958.5/2 = 479.25 Feet (rounded) = 479 Feet

ARTICLE 4
Use Table

4.01 Identified Uses
4.02 Combined Use Table

4.01 IDENTIFIED USES

a) Each Zoning District includes a list of Permitted, Conditional, and Accessory Uses. Listed Uses are to be defined by their customary name or identification, except as specifically defined or limited by this Resolution. **If a Use is not listed as a Permitted, Conditional, or Accessory Use in a Zoning District, it shall be considered prohibited in said Zoning District**.

b) Permitted Uses. A Use listed as Permitted is allowed by a matter of right when designated as such in a Zoning District, provided said Use complies with all applicable Setbacks and development standards and is issued a Zoning Certificate from the Zoning Inspector. Such Uses are designated with a "P" in each Zoning District.

c) Conditional Uses. A Use listed as Conditional may be allowed when designated as such in a Zoning District, provided it complies with the criteria in Section #### - General Standards for Conditional Uses – and a Conditional Use Permit is issued by the Board of Zoning Appeals in accordance with Article #### - Conditional Uses.

d) Accessory Uses. A Use listed as Accessory may be allowed when designated as such in a Zoning District, provided it is subordinate to the Permitted Use, complies with the requirements of Section #### - Accessory Uses and Structures – and is issued an Accessory Use permit from the Zoning Inspector. Such Uses are designated with an "A" in each Zoning District.

e) Development Standards. Each Zoning District has a set of development standards which each Use and Structure must comply with. These standards include, but are not limited to, Building Height, Lot Width, Lot Size, and Front, Rear, and Side Setbacks. In addition to the development standards in each Zoning District, all Uses must comply with any applicable "General Development Standards" listed in Article ####.

4.02 COMBINED USE TABLE

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Dwelling, One-Unit	P	P	P	P		
Dwelling, Duplex				P		
Dwelling, Triplex				P		
Accessory Dwelling Unit (Subject to Section ####)	C	C	C	C		
Accessory Structure (Subject to Section ####)	A	A	A	A	A	A
Agriculture (If less than 5 acres, *see* Section ####)	Exempt from Zoning per ORC 519.21				Exempt from Zoning per ORC 519.21	
Adult Entertainment Facilities (Subject to Article ####)						C
Agriculture Related Business	C	C	C	C	P	P
Agritourism	C	C	C	C		
Airports/Private Landing Strips	C					
Animal Services Facilities	C					P
Automobile-Oriented Uses (includes gas stations, car washing, and quick lube facilities)						P

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Automobile Repair						P
Bank, with Banking Window					P	P
Bank, without Banking Window					P	P
Battery Energy Storage Facility (Subject to Section ####)						C
Bed and Breakfast Facilities	C	C	C	C		
Beverage Sales, Alcoholic					P	P
Beverage Sales, Microbrewery					P	P
Bio-Technology Facility						C
Body Art Establishments					P	
Business, Retail Large (May include Drive-Thrus and/or Pick-Up Windows)						P
Business, Retail Medium (No Pick-Up Window, No Drive-Thrus)					P	P
Business, Retail Medium (With Pick-Up Windows, and/or Drives-Thrus)					C	C

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Business, Retail Small (No Pick-Up Window, No Drive-Thrus)					P	P
Business, Retail Small (With Pick-Up Windows and/or Drives-Thrus)					C	C
Business, Wholesale						P
Campgrounds (Subject to Section ####)	C					
Cannabis Cultivator Facility (Subject to Section ####)	C					
Cannabis Dispensary (Subject to Section ####)						C
Cannabis Processing Facility (Subject to Section ####)						C
Cannabis Testing Laboratory (Subject to Section ####)						C
Cemeteries (Subject to Section ####)	C	C	C			
Commercial Recreation Facilities, Large					C	
Commercial Recreation Facilities, Small					C	

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Community Gardens (Subject to Section ####)	P	P	P	P	P	P
Community Services	C	C	C	C	P	P
Data Centers (Subject to Section ####)						C
Day-Care Centers	C	C	C		C	
Day-Care Centers, Adult					C	
Day-Care Home, Large-Family	C	C	C	C		
Day-Care Home, Small-Family	A	A	A	A		
Emergency and Protective Shelter (Subject to Section ####)					C	C
Extraction Industries (Subject to Article ####)						C
Farm Market (Subject to Section ####)	C	C	C	C	C	
Flex-Office – Laboratory/ Research Development						P
Flex-Office – Retail						P
Flex-Office – Warehouse						P
Food Truck (Subject to Section ####)	P	P	P	P	C	C

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Funeral Service Facilities					P	P
Governmental Services	P	C	C		P	P
Home Occupation, Major (Subject to Section ####)	C	C	C	C		
Home Occupation, Minor (Subject to Section ####)	A	A	A	A		
Hospital						P
Hotel, Boutique					P	P
Hotel						P
Junk Yards And Scrap Metal Processing Facilities (Subject to Section ####)						C
Kennel, Commercial (Subject to Section ####)					C	C
Life Care Retirement Center					C	
Logistics Center						C
Maker Space, Large					P	P
Maker Space, Small	C				P	
Manufacturing, Advanced						C

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Manufacturing, General						C
Manufacturing, Heavy						C
Model Home						P
Nursing Home	C	C			C	
Offices, Administration, Business, Medical, or Professional, Large						P
Offices, Administration, Business, Medical, or Professional, Small					P	P
Off-Street Parking and Garages (Subject to Article ####)					P	P
Outdoor Commercial Recreational Facility, Small	C	C	C	C	P	
Outdoor Commercial Recreational Facility, Large	C	C	C	C	C	
Outdoor Service Facility					P	P
Park, Neighborhood	C	P	P	P	P	P
Park, Community or Regional	C	P	P	P	P	P

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Permanent Supportive Housing (Subject to Section ####)					C	C
Personal Services					P	P
Places of Assembly, Large						P
Places of Assembly, Small	C				P	P
Plants for Mixing and/or Processing Concrete and/or Asphalt						C
Ponds (Subject to Section ####)	C	C	C	C	C	C
Portable Home Storage Units (Subject to Section ####)	A	A	A	A		
Public Protection Facility					C	C
Residential Facility, Small (Subject to Section ####)	P	P	P	P		
Residential Facility, Large (Subject to Section ####)				C	C	
Residential Treatment Facility (Subject to Section ####)					C	

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Restaurant (No Pick-Up Window, No Drive-Thru)					P	P
Restaurant (With Pick-Up Window and/or Drive-Thru)						C
School, Primary, Intermediate, or Middle	C			C	C	C
School, High or Technical	C			C	C	C
School, Post-Secondary	C			C	C	C
Shipping Containers (Subject to Section ####)	A					
Short-Term Rentals (Subject to Section ####)	C	C	C	C		
Shooting Range (Subject to Section ####)	C					
Self-Storage Facilities						P
Solar Energy Systems	(Subject to Table #### in Section ####)				(Subject to Table #### in Section ####)	
Telecommunication Tower, Attached	P	P		P	P	P
Telecommunication Tower, Free-Standing	C	C		C	P	P
Tennis Courts, Private (Subject to Section ####)	A					
Truck Service Centers						C

KEY: P = Permitted Uses; C = Conditional Uses; A = Accessory Uses						
Use	**Agricultural AG**	**Rural Residential-1 RR-1**	**Rural Residential-2 RR-2**	**Clustered Conservation Residential CCR**	**Neighborhood Business Overlay NB**	**Light-Industrial Overlay District LIO**
Vehicle Charging Stations, Electric	(Subject to Section ####)				(Subject to Section ####)	
Vehicular Sales, Equipment						C
Vehicular Sales, Motorcycles						C
Vehicular Sales, New and Used Cars						C
Vehicular Sales, Recreational Vehicles						C
Waste and Wastewater Facilities		P				C

ARTICLE 5
Residential Districts

5.01 Agricultural District (AG)
5.02 Rural Residential-1 District (RR-1)
5.03 Rural Residential-2 District (RR-2)

5.01 AGRICULTURAL DISTRICT (AG)

a) **Intent**

1) The AG District is established to secure the continued agricultural activity in the Township.
2) To protect streamside and groundwater quality and other natural resources of lands most suitable for farming and agricultural activities.
3) To protect open space and rural vistas.

b) **Target Areas (Examples of AG District Uses)**

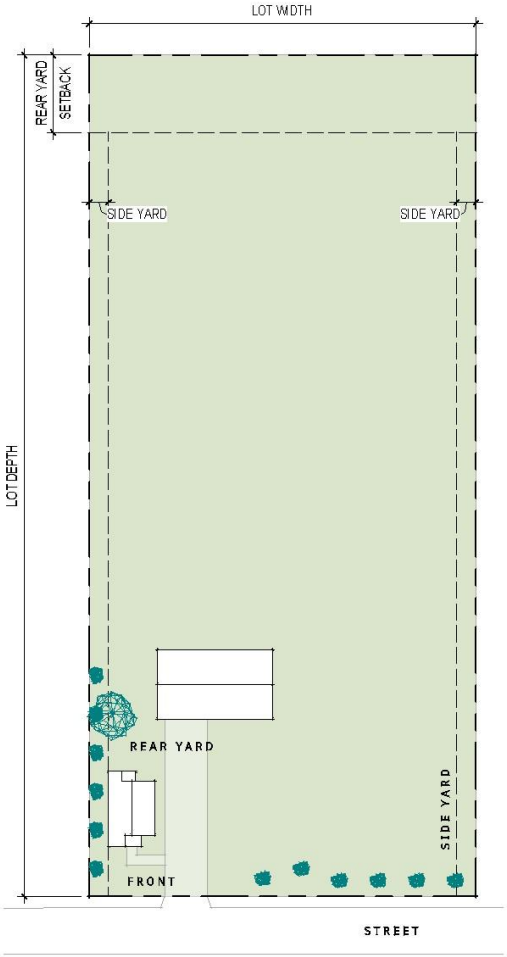
c) **Permitted, Conditional, and Accessory Uses**

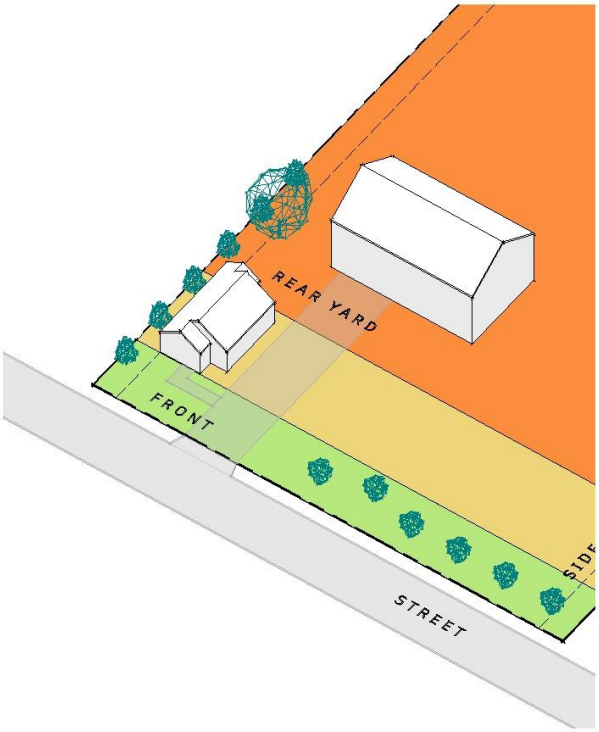
See, Section #### - Combined Use Table.

d) **Lot Area, Setback, Building Height, and Lot Coverage Requirements**

Development Standards	Agricultural (AG)
Minimum Lot Size (Acres)	20
Maximum Density (Utilize Net Acres)	1 Dwelling Unit per 20 Acres
Maximum Dwelling Units Per Residential Lot	1
Minimum Frontage (Feet)	250
Minimum Front Setback (Feet) (Measured from the Future Right-of-Way Line)	200
Maximum Front Setback (Feet)	N/A
Minimum Side Setback (Feet)	35
Minimum Rear Setback (Feet)	60
Maximum Building Height (Feet)	35
Maximum Lot Coverage (Percent)	25
Projection into Required Setback Cornices, canopies, eaves (roof overhangs), fireplaces-chimneys, bay windows, porch, stoop, or other similar architectural features may not project into a required Setback.	

e) **Example Lot Layout and Rendering**





f) **General Development References**

	Applicable	Section Reference	Notes
Accessory Structures	Y	Section ####	Accessory Structures may not encroach into any Setback. Accessory Structures shall also comply with all other requirements in Section ##(d).
Fences	Y	Section ####	Fences and Walls, may be placed within the required minimum Setback provided they comply with Section ##(d).
Floodplain	Y	Flood Damage Prevention Regulations for Lucas County, Ohio	In the scenario that the Lot is located within the Floodplain as designated by the County, the Owner should consult with and follow the procedures listed within the Flood Damage Prevention Regulations for Lucas County, Ohio.
Landscaping/Buffering	Y	N/A	Plant material and berms may be placed within any required minimum Setback provided they do not constitute a nuisance as defined by the Township by separate resolution.
Parking	Y	Article ##	Parking must be provided in accordance with Section ##(d).
Signs	Y	Article ##	Signs, provided they comply with Article ## - Signs, may be located within a Front Setback.

5.02 RURAL RESIDENTIAL-1 (RR-1)

a) **Purpose**

1) To allow One-Unit Residential Dwellings on larger Residential Lots.
2) To allow for minimal non-Residential Uses, such as Schools and Parks, which are compatible with and maintain the overall residential character of the area.

b) **Target Areas**

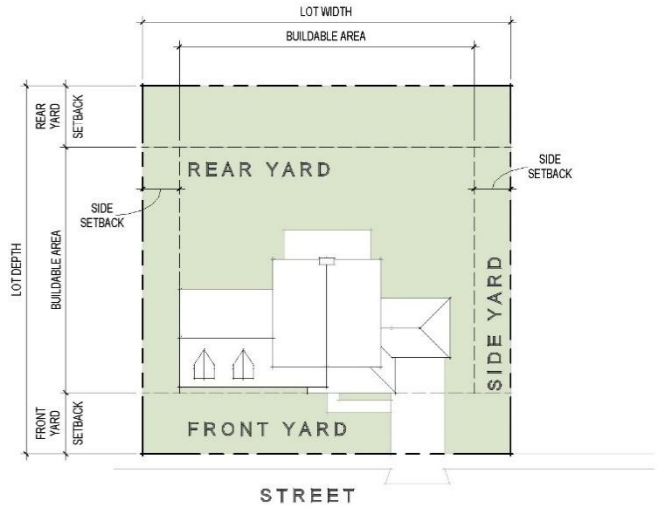
c) **Permitted, Conditional, and Accessory Uses**

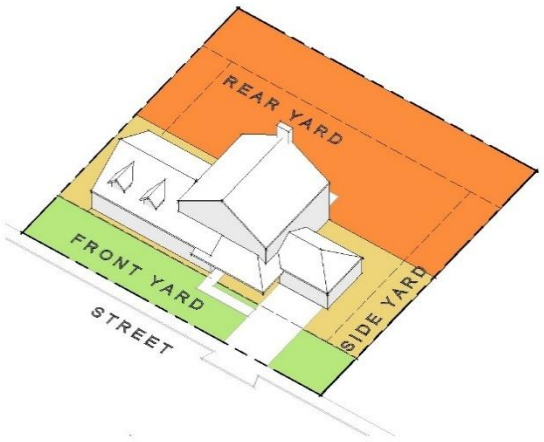
See, Section #### - Combined Use Table.

d) **Lot Area, Setback, Building Height, and Lot Coverage Requirements**

Development Standards	Rural Residential-1 (RR-1)
Minimum Lot Size (Acres)	1.5
Maximum Density	1 Dwelling Unit per Lot
Maximum Dwelling Units Per Residential Lot	1
Minimum Frontage (Feet)	200
Minimum Front Setback (Feet)	100 (for Township/County Roads) 150 (for State Roads)
Maximum Front Setback (Feet)	N/A
Minimum Side Setback (Feet)	35
Minimum Rear Setback (Feet)	60
Maximum Building Height (Feet)	35
Maximum Lot Coverage (Percent)	25
Projection into Required Setback Cornices, canopies, eaves (roof overhangs), fireplaces-chimneys, bay windows, porch, stoop, or other similar architectural features may not project into a required Setback.	

e) **Example Lot Layout and Rendering**





f) **General Development References**

	Applicable	Section Reference	Notes
Accessory Structures	Y	Section ####	Accessory Structures may not encroach into any Setback. Accessory Structures shall also comply with all other requirements in Section ##(d).
Fences	Y	Section ####	Fences and Walls, may be placed within the required minimum Setback provided they comply with Section ##(d).
Floodplain	Y	Flood Damage Prevention Regulations for Lucas County, Ohio	In the scenario that the Lot is located within the Floodplain as designated by the County, the Owner should consult with and follow the procedures listed within the Flood Damage Prevention Regulations for Lucas County, Ohio.
Landscaping/Buffering	Y	N/A	Plant material and berms may be placed within any required minimum Setback provided they do not constitute a nuisance as defined by the Township by separate resolution.
Parking	Y	Article ##	Parking must be provided in accordance with Section ##(d).
Signs	Y	Article ##	Signs, provided they comply with Article ## - Signs, may be located within a Front Setback.

5.02 RURAL RESIDENTIAL-2 (RR-2)

a) **Purpose**

1) This Zoning District represents existing Lots within the Township that are on small Lots of less than 1.5 acres.
2) This Zoning District shall not be expanded or utilized beyond the existing RR-2 Lots as designated on the Zoning Map and described in the Comprehensive Plan and the Future Land Use Map.
3) To allow for minimal non-Residential Uses, such as Parks, which are compatible with and maintain the overall residential character of the area.

b) **Target Areas**

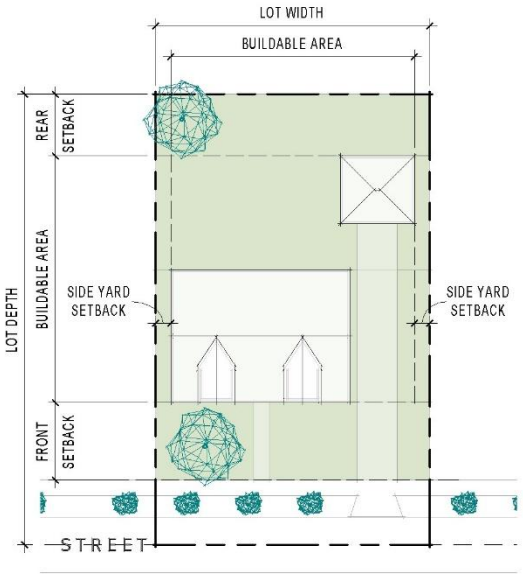
c) **Permitted, Conditional, and Accessory Uses**

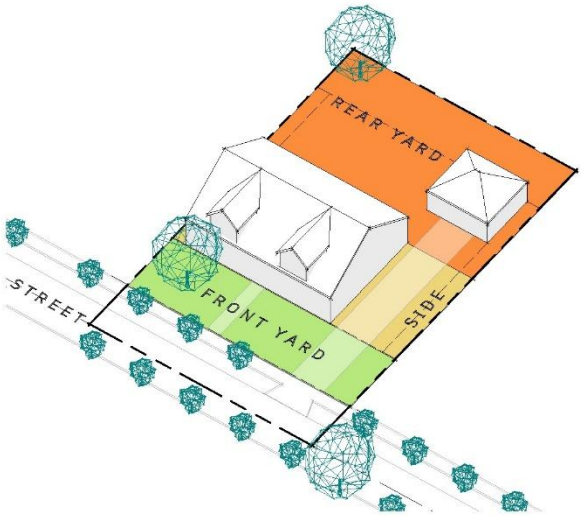
See, Section #### - Combined Use Table.

d) **Lot Area, Setback, Building Height, and Lot Coverage Requirements**

Development Standards	Rural Residential-2 (RR-2)
Minimum Lot Size (Acres)	As Currently Existing
Maximum Density	1 Dwelling Unit per Lot
Maximum Dwelling Units Per Residential Lot	1
Minimum Frontage (Feet)	100
Minimum Front Setback (Feet) (Measured from the Future Right-of-Way Line)	50
Maximum Front Setback (Feet)	N/A
Minimum Side Setback (Feet)	20
Minimum Rear Setback (Feet)	50
Maximum Building Height (Feet)	35
Maximum Lot Coverage (Percent)	35
Projection into Required Setback Cornices, canopies, eaves (roof overhangs), fireplaces-chimneys, bay windows, porch, stoop, or other similar architectural features may not project into a required Setback.	

e) **Example Lot Layout and Rendering**





f) **General Development References**

	Applicable	Section Reference	Notes
Accessory Structures	Y	Section ####	Accessory Structures may not encroach into any Setback. Accessory Structures shall also comply with all other requirements in Section ##(d).
Fences	Y	Section ####	Fences and Walls, may be placed within the required minimum Setback provided they comply with Section ##(d).
Floodplain	Y	Flood Damage Prevention Regulations for Lucas County, Ohio	In the scenario that the Lot is located within the Floodplain as designated by the County, the Owner should consult with and follow the procedures listed within the Flood Damage Prevention Regulations for Lucas County, Ohio.
Landscaping/Buffering	Y	N/A	Plant material and berms may be placed within any required minimum Setback provided they do not constitute a nuisance as defined by the Township by separate resolution.
Parking	Y	Article ##	Parking must be provided in accordance with Section ##(d).
Signs	Y	Article ##	Signs, provided they comply with Article ## - Signs, may be located within a Front Setback.

ARTICLE 6
Clustered Conservation Residential Overlay District (CCR)

6.01 Purpose
6.02 Overlay Area and Target Renderings
6.03 Effect of CCR Designation
6.04 Permitted, Conditional, and Prohibited Uses
6.05 Procedure
6.06 Development Plan Standards

6.01 PURPOSE

The Clustered Conservation Residential Overlay District (CCR) is create pursuant to Section 519.02(c) of the Ohio Revised Code (Planned Unit Developments) to promote the general public welfare; encourage the efficient use of land and resources; promote greater efficiency in providing public and utility services; and encourage innovation in the planning and building of all types of development. The CCR achieves this purpose by allowing the development of clustered conservation housing that:

a) Permanently preserves and integrates Open Space within Residential Uses;

b) Offers landowners alternatives to the commonplace Tract developments found in the Lucas County – Toledo region;

c) Establishes a less sprawling, more efficient use of land, streets, and utilities;

d) Reduces impacts on natural resources such as woodlands and streams;

e) Protects and conserves farmland, historical, and cultural features and minimizes topographical changes;

f) Creates usable and accessible Open Spaces, recreational areas, gathering places, and green corridors for Agricultural Uses, wildlife, walking trails, and/or bike paths;

g) Encourages creativity and environmental responsibility in design through a controlled process of review and approval of the development plan and related documents;

h) Enables an extensive review of design characteristics to ensure that projects are properly integrated into the surroundings and are compatible with adjacent development;

i) Encourages unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard Zoning District yet are consistent with applicable public plans for the area; and

j) Benefits existing watersheds and floodplains by minimizing the need for costly engineering solutions to protect Structures and reduce property damage through the preservation of natural characteristics and incorporate low-impact design/infiltration best management practices.

6.02 OVERLAY AREA AND TARGET RENDERINGS

a) The CCR is created pursuant to Section 519.021(C) of the Ohio Revised Code and encompasses, includes, and overlays all land designated as Conservation Residential (Overlay) (CCR) on the adopted Future Land Use Map.

b) Target Renderings Examples:

6.03 EFFECT OF CCR DESIGNATION

a) As of the effective date of this Resolution, all land bounded by the CCR is eligible for zoning.

b) The existing Zoning District and associated regulations currently in place shall continue to apply to all property within the CCR unless the Zoning Commission approves an application by an owner of property within the CCR boundaries to subject the owner's property to the regulations of this Article.

c) Such an application shall be made in accordance with the regulations of Article ## - Approval Procedures for Overlay Districts – and shall include a development plan in compliance with the regulations of this Article.

d) Upon receiving such an application, the Zoning Commission shall determine whether the application and development plan comply with the regulations of this Article and make a recommendation to the Board of Township Trustees.

e) If the Zoning Commission determines that the application and development plan do not comply with the regulations of this Article, the Zoning Commission shall recommend denial of the application. If the Zoning Commission determines that the application and development plan comply with the regulations of this Article and Article ## - Approval Procedures for Overlay Districts – the Zoning Commission shall recommend approval of the application.

f) If the Board of Township Trustees determines that the application and development plan do not comply with the regulations of this Article, the Board of Township Trustees shall deny the application. If the Board of Township Trustees determine that the application and development plan comply with the regulations of this Article, it shall approve the application and cause the Zoning Map to be changed so the underlying Zoning District no longer applies to such property with the property being thenceforth located in the CCR and subject to the regulations of this Article. The approval of the application and development plan and the removal of the prior Zoning District from the Zoning Map is an administrative, ministerial act and shall not be considered an Amendment to this Resolution. This determination shall not be considered an Amendment to this Resolution for purposes of Section 519.12 of the Ohio Revised Code but may be appealed pursuant to Chapter 2506 of the Ohio Revised Code.

6.04 PERMITTED, CONDITIONAL, AND PROHIBITED USES

a) For available Uses within this Overlay District, *see* Section #### - Combined Use Table.

1) Open Space. Fifty (50) percent of the Gross Tract Acreage shall be reserved for Open Space as required in Section #### - Ownership and Maintenance of Common Open Space. Whether the Open Space is utilized for active or passive recreation shall be determined by the developer and/or homeowners but must comply with the approved development plan. Limited Agricultural Uses may be approved as Open Space in the Development Plan.

2) Accessory Buildings and Structures. Accessory Buildings and Structures incidental and pertinent to the Uses found in Section #### - Combined Use Table – shall be permitted as long as they are necessary to the pursuit of the Permitted Uses on the premises.

b) Prohibited Uses.

1) Uses not specifically authorized by the express terms of this Resolution are prohibited;
2) The outdoor storage of inoperable, unlicensed, or unused vehicles, including trailers detached from semi-tractors, for a period exceeding fourteen (14) consecutive days is prohibited, except for necessary construction equipment that is in working order;
3) Except as specifically permitted, no Mobile Home or mobile office structure (*see*, Temporary Use in Article 2 – Definitions) shall be placed or occupied in the CCR;
4) No trash, debris, unused property, or discarded materials shall be permitted to accumulate on any Lot or Parcel which creates an eyesore, hazard, or nuisance to the neighborhood or general public, as determined by the Board of Township Trustees. The Board of Township Trustees shall also retain any and all statutory authority that may be afforded regarding nuisances, including, but not limited to, the authorities provided in Section 505 of the Ohio Revised Code.
5) No outside storage of any kind shall be permitted. All Permitted Uses shall be conducted completely within an enclosed Building.

6.05 PROCEDURE

See, Article ## - Approval Procedures of Overlay Districts.

6.06 DEVELOPMENT PLAN STANDARDS

a) Minimum Gross Tract size for a CCR Subdivision – Twenty-Five (25) acres.

b) Open Space. At least fifty (50) percent of the Gross Tract Acreage shall be designated as permanent Open Space, not to be further developed. Open Space locations shall be identified on the Development Plan and shall be subject to the approval of the

Zoning Commission. Open Space shall be owned, administered, and maintained as identified on the development plan pursuant to Section #### - Ownership and Maintenance of Common Open Space. With prior consent through resolution of the Board of Township Trustees, land may be transferred to the Township for public purposes if approved as part of the Development Plan. Uses of land transferred to the Township for public purposes must be approved as a part of the Development Plan. Additional Landscaping regulations are found in Section #### - Landscaping.

1) In calculating Open Space, the areas of fee simple lots conveyed to homeowners shall not be included.
2) Primary conservation areas, stormwater management detention/retention ponds, and constructed wetlands acting as detention basins may count in their combined aggregate for up to fifty (50) percent of the required Open Space.
3) Any area of natural Open Space that is proposed to be disturbed during construction or otherwise not preserved in its natural state shall be shown on the Development Plan and, if required, shall be restored with vegetation that is compatible with the natural characteristics of the site. The method and timing of any restoration shall be set forth in the Development Plan.
4) Open Space must be clustered to achieve the purpose of creating large open tracts. Consideration must be taken for surrounding developments to ensure that the Open Space for neighboring developments is located connecting or close to the Open Space for the new development in the CCR.

c) Site Design Process.

1) Delineate primary conservation areas to be preserved as natural Open Space.
2) Delineate secondary conservation areas to be preserved as improved or natural Open Space.
3) Draw Dwelling footprints and Lot Lines outside the conservation areas based upon the permitted density calculations based on Section #### - Determining the Number of Dwelling Units Permitted, as found below.
4) Site Design Standards:
   i) To reduce visual impact, locate Dwellings along the edges rather than in the center of any open field if they can be seen from existing Public Roads. Avoid new construction on prominent hilltops and ridges.
   ii) Front Dwellings on internal Roads, not on external Roads.
   iii) Retain or restore native vegetation buffers adjacent to wetlands and surface waters.
   iv) Preserve existing hedge and tree lines to greatest extent practicable.
   v) Preserve scenic views and vistas.

vi) Protect wildlife habitat areas of species listed as endangered, threatened, or of special concern by the Ohio Department of Natural Resources.

vii) Preserve historic or archaeological sites (e.g., earthworks, burial grounds, etc.).

viii) Landscape or retain vegetation in common areas with native trees and shrubs.

ix) Place shade trees along internal roads at fifty (50) foot intervals on at least one side of the Road.

x) Provide active recreational areas in suitable locations.

xi) Include a viable pedestrian circulation system, meaning a minimum of five (5) foot wide bike and walking path throughout the development. Provide for connection to surrounding neighborhoods (existing and potential).

xii) Protect natural drainage swales and creeks. No construction of Buildings is allowed inside the 100-year floodplain. In addition, no Residential Structures are permitted within one hundred (100) feet of the ordinary high-water line of a riparian or wetland area as determined by a professional engineer.

xiii) Provide permanent Open Space.

d) Determining the Number of Dwelling Units Permitted.

1) The permitted density is noted in Table 6.06(d)(1), below. For purposes of this Article, "Gross Developable Acreage" shall be defined as all the acreage in the proposed development, including features such as wetlands and steep slopes, to be considered as Open Space.

Table 6.06(d)(1)

Type of Dwelling	Maximum Dwelling Units Per Gross Developable Acre
Single-Family	4
Duplex/Triplex	4

2) The overall gross density of all types of Dwelling Units within a Tract shall not exceed an average of four (4) Dwelling Units per gross acre. Once this average gross density is achieved in each Tract, no additional Dwelling Units shall be permitted in said Tract.

e) Perimeter Setback. No Building shall be constructed within fifty (50) feet of the external boundary of the CCR subdivision, except, however, no Building shall be located within two hundred (200) feet of the proposed Centerline of the Street for an existing County or Township Roadway or the proposed State Road Right of Way.

f) Stormwater. Features shall be designed to manage stormwater retention and prevent erosion, flooding, or standing water within and through the site so as to maintain, as far as practicable, usual and normal swales, water courses and drainage areas and prevent any upstream or downstream impacts. No water shall be allowed to be released above and beyond what was released pre-development. Regional detention ponds and wetlands shall be utilized with soft edges in order to integrate the stormwater feature into the natural landscape and effectively manage stormwater without the excessive use of multiple ponds.

g) Subdivision Standards. Public Streets and all drainage improvements shall conform to the subdivision standards for Lucas County, Ohio, or as otherwise approved per the Development Plan.

h) Pavement Standards for Private Drives. All private drives that are not dedicated for public maintenance shall be constructed to a pavement width and cross section that meets the average daily traffic and weights anticipated in the Lucas County Engineer's Design, Construction, and Surveying Standards Manual or shall have a design life of twenty (20) years.

i) Pavement Standards for Parking Lots. Parking lots and private driveways do not have to meet street cross sectional standards, but parking lot drive aisles that connect to the Public Streets shall be constructed to Public Street cross sectional and design life standards within fifty (50) feet of the edge of the Public Road. These paved surfaces shall be designed with permeable materials to encourage infiltration.

j) Paths. A minimum of five (5) foot wide walking or ten (10) foot wide bike path is required for development within the CCR. Paths shall be constructed as to meander through the development, in line with the rural character and feel of the area and to connect existing and potential residential areas and Open Spaces. The Township may also require paved or unpaved walkways to connect residential areas and Open Spaces. These paved surfaces shall be designed with permeable materials to encourage infiltration.

k) Street Trees. Native deciduous, broad leaf street trees with a minimum caliper of three (3) inches at planting shall be planted (or retained) at least every fifty (50) lineal feet along at least one side of the street(s).

l) Lot Area, Setback, Building Height, and Lot Coverage Requirements.

Table 6.06(l)

	Dwelling Requirements
Minimum Tract Size (Acres)	25

Minimum Tract Setback from Future Right-of-Way line (Feet)	200
Minimum Lot Size	10,000 sq. ft.
Minimum Building Front Setback (Feet) (Measured from the Future Right-of-Way Line)	30
Minimum Side Setback (Feet)	30
Minimum Rear Setback (Feet)	25
Minimum Lot Width (Feet)	60
Maximum Building Height (Feet)*	35
Maximum Lot Coverage	35
Minimum Distance Between Buildings on Same Lot	N/A

* Building Height is measured at the highest point of the roof from the established Building pad grade as shown on the approved grading plan for the development.
** Side-load garages shall provide at least twenty-four (24) feet of paved apron, exclusive of the two (2) foot Side Lot Line for One-Unit Dwellings on fee simple ownership lots.

m) Minimum Dwelling Unit Floor Area. No Dwelling Unit shall be constructed in the CCR unless the same shall have at least the minimum square feet of living area, exclusive of basements, porches, breezeways, utility areas, and garages as set forth in the following schedule of dwelling types:

1) One-Story: One thousand three hundred (1,300) square feet of living area above grade.
2) One and One Half (1 1/2) or Two-Story: One thousand five hundred (1,500) square feet of living area above grade.
3) All Dwellings shall include a garage (attached or detached to the Primary Dwelling) of a minimum of four hundred eighty (480) square feet complete with operating doors. This area is not to be included in the living area of the Dwelling as stated above.

n) Building Design. The intent of the building design requirements is to create a rural design theme that is representative of traditional rural architectural design by focusing on materials and colors that transcend design fads while simultaneously allowing for a unique design approach for individual projects through the review and guidance from the Zoning Commission. Buildings and structures shall be designed to

enhance both areas within and surrounding the development, giving due regard to building footprints, building orientation, massing, roof shape, pitch, and exterior materials. The following material and design element requirements have been established to achieve the "Rural Design" theme.

1) Building Materials and Design Elements. Buildings for all Uses shall be designed to be seen from three hundred sixty (360) degrees and have the same caliber of finish on all elevations. Building additions and Accessory Structures shall be of similar design, materials, and construction to that of the existing principal structure. Additionally, the following standards shall apply to the specific Uses in this Section.
2) For all Buildings in the CCR, the following design requirements apply:
    i) Building Materials. All exterior elevations shall be comprised of wood, fiber cement, board and batten, brick, or native or cultured stone. Foundations must be clad with the same natural material utilized on the building to blend with the overall architecture of the structure. If brick or stone are utilized on the building, the same brick or stone must be used for the foundation. Exposed cement block or split face block foundations shall be prohibited. Vinyl and/or aluminum shall be prohibited except when used for trim details such as downspouts, soffits, gutters, and shutters and shall be made to visually appear as a natural material. The use of frosted, black, gold, green, silver, opaque or any other reflective or colored glass on a building is prohibited.
    ii) Building Colors. Building colors shall consist of colors and tones as agreed upon in the Development Plan that characterize a general rural aesthetic.
    iii) Roofing. Flat roofs are prohibited; the roof shall have a minimum of 6:12 pitch for the main roof. Pitched roofs must be constructed of dimensional shingles, standing seam metal, slate or simulated slate and are limited to hip, gable, gambrel, or mansard roof types. Other roof types may be approved where appropriate as determined by the Zoning Commission and Board of Township Trustees with Development Plan approval.

o) Street Lighting. If provided, a lighting plan shall be submitted with and approved as a part of the Development Plan. Poles shall be placed a minimum of five (5) feet from the edge of any driveway or intersection roadway. Poles shall be prohibited within any island within a Public Road. The horizontal illumination shall be measured at the roadway and sidewalk surfaces and be provided in foot-candles (fc). Streetlights located along an internal subdivision road (local road) shall not exceed 0.3 fc. All lighting shall be directed toward the ground and the interior of the parcel and shall be full cut-off lighting. Uplighting shall be prohibited. Light fixture height shall not exceed twelve (12) feet in height as measured from the established grade to the highest point of the light fixture.

p) Parking. Off-Street Parking shall be provided. Construction traffic may park in the Street, but only on one side to allow for safe access by emergency vehicles. Off-Street Parking shall comply with the following regulations in Table 6.06(q), below:

Table 6.06(m)

USE	MINIMUM NUMBER OF REQUIRED PARKING SPACES	PARKING LOCATION
Single-Family Residential	• 2 off-street spaces per dwelling unit	• Driveways may encroach into the required Front Setback. • Vehicles may be parked in a driveway between the front façade of the Dwelling and the Public Street.
Multi-Family Residential and Non-Residential Uses	• To optimize land use and improve efficiency in mixed use developments, a shared parking study is required to determine the appropriate number of parking spaces. This study shall analyze the peak usage times of different land uses – such as residential, retail, office and entertainment – to identify opportunities for shared parking rather than requiring separate spaces for each use. This study shall consider on-street parking, bicycle parking, spaces for electrical vehicle charging stations and parking lots and/or structures that are available for all uses within the proposed development plan. By accounting for staggered demand patterns, a shared parking study can help reduce excessive parking requirements, promote walkability, and support sustainable design while ensuring parking availability for residents, employees and visitors. This study shall recommend the number of spaces required within the Development Plan and shall be approved by the Township Trustees.	• Off-street parking is prohibited between the front Building façade and the Public Street • Any parking visible from the public right-of-way shall be screened pursuant to Section ####

q) Signs. All Signs shall be in accordance with the following regulations or as approved per the Development Plan.

1) Signs shall be designed to adhere to the Rural Design theme utilizing natural materials such as stone, wood, or brick for eighty (80) percent of the Sign. Sign colors and fonts should also align with the rural character of the area, utilizing greens, browns, tans, whites, muted blue, or barn red. Sign colors and materials shall match that of the Primary Building.
2) Temporary Signs. The following Temporary Sign regulations apply to all Uses within the CCR:
   i) Temporary Signs shall be prohibited within the Right-of-Way;
   ii) Two (2) Small Temporary Signs shall be permitted per parcel per street frontage without a permit. Each Small Temporary Sign shall be seven (7) square feet in area or less and less than three (3) feet in height;
   iii) One (1) Large Temporary Signs shall also be permitted per parcel provided a Sign permit is issued in accordance with the following regulations. Large Temporary Signs shall not:
   iv) Exceed eight (8) feet in height;
   v) Exceed thirty-two (32) square feet in area (per Sign face); and
   vi) On parcels of five (5) acres or less, such signs shall be displayed for no more than thirty (30) consecutive days and no more than three (3) times per calendar year. A new permit must be obtained for each thirty (30) day or less period. After said permits have been exhausted, the Zoning Inspector may grant one (1) extension for up to ninety (90) days per Sign. No other extensions may be administratively approved and must be approved by the Board of Township Trustees. On parcels that are greater than five (5) acres, such signs may be displayed for up to 180 days. Upon the expiration of this permit, the Zoning Inspector may grant one (1) extension up to an additional 180 days. No other extensions may be administratively approved and must be approved by the Board of Township Trustees. In no case, shall such signs be erected for more than three hundred sixty five (365) days.

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   vii) The sign permit number for Large Temporary Signs must be printed on the sign in a visible location; and
   viii) The majority of the Temporary Sign must be constructed with wood.
3) Residential Subdivision Identification Sign
   i) Such identification shall be limited to wall or ground mounted signs or graphics only, for example, with placement on a brick wall, entrance columns on each side of a street or on a similar architectural or landscaping entrance feature that may be used. The reverse sides of

identification features shall be finished to match the fronts. Pole type signage is hereby prohibited. Sign copy shall be limited to the name and logo of the subdivision. Manual changeable copy signs are to be mounted on the rear of an entrance feature. Maximum area for residential manual changeable copy signs is four (4) square feet;

ii) Such identification signs shall be made of at least eighty percent (80%) natural materials including wood, brick, or stone;

iii) Such identification features may not be located in the public right- of-way;

iv) The maximum area for such identification is twenty (20) square feet at any one entry location. A maximum of one permanent residential subdivision identification sign is permitted on each side of the street at each entry location to a development;

v) Any Residential Subdivision Identification Sign shall not be placed closer than ten (10) feet from the Right-of-Way; and

vi) The maximum height for each sign is six (6) feet above grade.

r) Utilities. All utilities in the CCR Subdivision shall be buried underground.

s) Conditional Agricultural Uses. As permissible under Section 519.21(B) of the Ohio Revised Code, agriculture uses and dairying, animal, and poultry husbandry may be regulated by Townships when the criteria of the Ohio Revised Code are met (Section 1.03 of this Resolution for reference). In order to promote the integration of small-scale agriculture and dairying, animal, and poultry husbandry uses within a CCR Subdivision for both Tracts as a whole and on Lots individually, this Resolution shall allow such Uses within the boundaries of the Ohio Revised Code as a Conditional Use and the scope of these Uses as indicated by the Township Trustees in the Development Plan. With regard to individual Lots, the following additional regulations shall apply to chickens, ducks, and rabbits:

1) No person residing within a Lot associated with a CCR Development Plan shall engage in the keeping of chickens, ducks, or rabbits on Lots less than five (5) acres without a Conditional Use Permit.

2) Prohibited Poultry. No person shall keep any rooster, geese, peafowl, guinea fowl, or turkeys on Lots smaller than five (5) acres.

3) Allowed densities for keeping any combination of chickens, ducks, and rabbits – When both poultry and rabbits are kept on a Lot smaller than five (5) acres, the method for determining the allowed numbers of animals shall be as follows: each one (1) chicken, duck, or rabbit shall count as one (1) point. It shall be unlawful to keep more animals than the point system allows:

i) Smaller than 0.5 acres = 4 points maximum

ii) 0.5 acres to less than 1.0 acres = 8 points maximum

iii) 1.0 acres to less than 2.5 acres = 16 points maximum

iv) 2.5 acres to 5.0 acres = 24 points maximum

4) Any sheltering Structure and outdoor areas for keeping chickens, ducks, or rabbits shall comply with the following Yard and Setback Requirements:
   i) Be located on a Property containing a Principal Structure;
   ii) Be located in a Side or Rear Yard;
   iii) Be aligned with the Setback requirements as found in Table 6.06(m).
5) Sheltering Structures and Outdoor Areas. All chickens, ducks, and rabbits shall be kept in a sheltering structure or fenced outdoor area at all times.
   i) All chickens, ducks, and rabbits shall be provided with a covered, predator-proof sheltering structure, which shall be kept in sound and usable conditions. Sheltering structures shall be thoroughly ventilated, designed to be easily accessed and cleaned, and of sufficient size to permit free movement of the animals.
   ii) The sheltering structure shall be considered an Accessory Structure and shall comply with the requirements of Section #### as well as the Maximum Lot Coverage standards.
   iii) There shall be no more than one (1) sheltering structure.
   iv) Any outdoor areas accessible to chickens, ducks, or rabbits shall be adequately fenced or otherwise bounded to contain the animals on the property.
6) Feed Storage. All feed shall be stored in rodent-proof containers.
7) Manure. Manure from chickens, ducks, and rabbits must be disposed of in one of the following manners:
   i) Household Trash Collection – Bagged, placed in a waterproof container and disposed of within household trash.
   ii) Composted and Applied Onsite – Manure must be kept in a rodent-proof container designed to limit odors, located in a Side or Rear Yard; and finished compost may be applied onsite.
   iii) Directly Applied Onsite – Manure applied directly onsite must be done in such a way as to prevent nuisance and polluted stormwater runoff.

t) Access and Connectivity. Pedestrian and multi-use pathways shall be required to connect to adjacent tracts zoned CCR. Open Spaces shall be designed to connect with adjacent Open Spaces on connecting tracts that require Open Spaces. The overall design within the Development Plan must provide for vehicular connectivity between properties within the Development Plan as well as future connections to adjacent properties outside of the Development Plan boundaries. The Township Trustees may rely upon recommendations from the Consulting Engineer to determine that the proposed method for providing connectivity is the most suitable in each particular development.

u) Supplemental Conditions and Safeguards. If the Zoning Commission determines that additional measures are needed to buffer existing land uses, they may require such as part of the Development Plan approval.

a) Divergences. The Board of Township Trustees, as a part of a Development Plan approval process outlined Article #### – Approval Procedure for Overlay Districts, may grant divergences from any standard or requirement in this Article with the exception of the density of dwelling units per acre, permitted uses, and the percentage of required open space. An applicant requesting a divergence shall specifically and separately list each requested divergence and the justification therefore on the Development Plan submittals with a request that the proposed divergence be approved "per plan."

ARTICLE 7
Neighborhood Business Overlay District (NB)

7.01 Purpose
7.02 Overlay Established
7.03 Permitted, Conditional, and Accessory Uses
7.04 Development Plan Standards
7.05 Other Conditions

7.01 PURPOSE

The Neighborhood Business Overlay District (NB) is created pursuant to Section 519.02(c) of the Ohio Revised Code (Planned Unit Developments) to promote the general public welfare; encourage the efficient use of land and resources; promote greater efficiency in providing public and utility services; and encourage innovation in the planning and building of all types of development. The NB achieves this purpose by allowing the development for business activity that:

a) Protect and conserve farmland, historical, and cultural features and minimize topographical changes;

b) Encourage creativity and environmental responsibility in design through a controlled process of review and approval of the development plan and related documents;

c) Enable an extensive review of design characteristics to ensure that projects are properly integrated into the surroundings and are compatible with adjacent development;

d) Encourage unified development projects that exhibit creative planning and design in ways that cannot be achieved through a standard Zoning District yet are consistent with applicable public plans for the area; and

e) Benefit existing watersheds and floodplains by minimizing the need for costly engineering solutions to protect Structures and reduce property damage through the preservation of natural characteristics and incorporate low-impact design/infiltration best management practices.

7.02 OVERLAY ESTABLISHED

The NB encompasses, includes, the area shown on the Future Land Use Map labeled as Neighborhood Business (Overlay), which is adopted by separate resolution. The existing zoning regulations and Zoning Districts at the time of the effective date of the rezoning of this District shall continue to apply to all property within the NB, unless the Board of Township Trustees under Article #### - Approval Procedures for Overlay Districts, approves an

application submitted by an applicant to subject their property to the provisions of the NB. Such an application shall be made in accordance with the provisions of Article #### - Approval Procedures for Overlay Districts – and all other applicable sections of this Resolution.

7.03 PERMITTED, CONDITIONAL, AND ACCESSORY USES

a) Within the NB, only Uses listed in Section #### - Combined Use Table – shall be permitted when development is in strict compliance with the approve Development Plan and the standards of this Resolution. The precise Use or type o Use of the Tract shall be specified in the plan as submitted and approved. Uses not designated in Section #### - Combined Use Table – shall be considered prohibited.

b) No change in approved Uses shall be permitted without obtaining approval of a new/revised Development Plan.

c) Temporary Structures. Temporary Structures such as Manufactured/Mobile Offices shall comply with Section #### - Temporary Structures.

Remainder Intentionally Left Blank

7.04 DEVELOPMENT PLAN STANDARDS

a) Tract Sizes, Lot Sizes, Building Dimensions, Setbacks, and Height. The Tract Sizes, Lot Sizes, Building Dimensions, and Setbacks shall follow the values as found in Table 7.04(b) below and approved in the Development Plan. Landscaping requirements shall comply with Section #### - Landscaping.

Table 7.04(b)

Development Standards	Neighborhood Business (NB)
Minimum Tract Size (Acres)	N/A
Maximum Tract Size (Acres)	10
Minimum Tract Setback from Future Right-of-Way line (Feet)	200 (when Tract Line abuts a Residential Lot)*
Minimum Lot Size (Acres)	N/A
Maximum Lot Size (Acres)	10
Minimum Lot Width (Feet)	60
Minimum Building Front Setback (Feet) (Measured from the Future Right-of-Way Line)	60
Minimum Side Setback (Feet)	N/A (Except when Side Lot Line abuts a Residential Use = 200 from abutting Lot Line)*
Minimum Rear Setback (Feet)	10 (Except when Rear Lot Line abuts Residential Use = 200 from abutting Lot Line)*
Maximum Lot Depth (in accordance with the Future Land Use Map for Lots South of Central Avenue) (Feet)	800
Maximum Building Height (Feet)*	35
Maximum Lot Coverage (Percentage)	75
* When adjacent to a Residential Use, development must conform to the buffering standards found in Section #### - Landscaping.	

b) Architecture. All architectural designs and aesthetics shall comply with the Development Plan approved by the Board of Township Trustees.

1) Building Elevations. Blank walls shall not be permitted. There shall be a minimum of three (3) design elements for every one hundred (100) feet of elevation width for an elevation facing a public Right-of-Way and a minimum of two (2) design elements for every one hundred (100) feet of elevation for each side and rear elevation that does not front on a public Right-of-Way. Typical design elements are as follows:

i) A door of at least twenty-eight (28) square feet in area with an awning, window, faux window, or other feature subject to approval by the Board of Township Trustees;
ii) A window of at least six (6) square feet in area. Windows closer than ten (10) feet shall be considered as one (1) design element. A set of adjacent windows, such as double or bay windows, shall be considered one (1) design element;
iii) Porticos;
iv) Dormers;
v) Projecting canopies;
vi) Masonry water table;
vii) Trellis containing plantings;
viii) A gabled vent of at least four (4) square feet in area;
ix) Patios, decks, or similar features; or
x) A similar significant and permanent architectural feature consistent with the style of the Building upon approval by the Board of Township Trustees.

c) Roofs. Buildings shall have a minimum 4:12 pitched roof to produce a preferred gable roof design. Roofs shall be constructed of dimensional shingles, metal, slate, or simulated slate.

d) Parking. The Preliminary Plan approved by the Board of Township Trustees shall establish the minimum parking requirements for all Uses. Parking Lots and driveways shall be made with porous asphalt, pervious concrete, or permeable pavers in order to reduce impermeable surfaces within the Township and promote infiltration.

e) Lighting. All Lighting shall comply with Section #### - Lighting.

f) Utilities, Water, and Drainage. All utilities, water, and drainage shall comply with the applicable County regulations.

g) Fences. All Fences shall comply with Sections #### - Fences and Walls – and #### - Landscaping.

h) Accessory Structures. All Accessory Structures shall comply with the Development Plan approved by the Board of Township Trustees and Section #### - Accessory Structures and Uses.

i) Signs. All Signs shall comply with the Development Plan approved by the Board of Township Trustees.

j) Fire, Explosive Hazards, and Air Pollution. All activities regarding fire, flammable explosives, hazardous materials, air emissions, pollutants, and similar materials shall not violate any County, State, or Federal Regulations.

7.05 OTHER CONDITIONS

The Board of Township Trustees may impose additional conditions relating to the development regarding the type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space; and any other pertinent development characteristics.

ARTICLE 8
Light-Industrial Overlay District (LIO)

8.01 Purpose
8.02 Overlay Established
8.03 Permitted, Conditional, and Accessory Uses
8.04 Development Plan Standards
8.05 Other Conditions

8.01 PURPOSE

The Light-Industrial Overlay District (LIO) is an overlay district created under Section 519.021(C) of the Ohio Revised Code (Planned Unit Developments) to promote the general public welfare; encourage the efficient use of land and resources; promote greater efficiency in providing public and utility services; and encourage innovation in the planning and building of all types of development and is intended to accommodate light Industrial Uses and other large employers, such as major thoroughfare Commercial Uses like gas stations, Large Offices, and Drive-Thru Restaurants.

8.02 OVERLAY ESTABLISHED

The LIO encompasses, includes, the area shown on the Future Land Use Map labeled as Light-Industrial (Overlay), which is adopted by separate resolution. The existing zoning regulations and Zoning Districts at the time of the effective date of the rezoning of this District shall continue to apply to all property within the LIO, unless the Board of Township Trustees under Article #### - Approval Procedures for Overlay Districts, approves an application submitted by an applicant to subject their property to the provisions of the LIO. Such an application shall be made in accordance with the provisions of Article #### - Approval Procedures for Overlay Districts – and all other applicable sections of this Resolution.

8.03 PERMITTED, CONDITIONAL, AND ACCESSORY USES

a) Within the LIO, only Uses listed in Section #### - Combined Use Table – shall be permitted when development is in strict compliance with the approved Development Plan and the standards of this Resolution. The precise Use or type of Uses of the Tract shall be specified in the plan as submitted and approved. Uses listed as permitted in Section #### - Combined Use Table – are allowed by a matter of right. If a use is not designed as permitted in Section #### - Combined Use Table – it shall be considered prohibited.

b) No change in approved use shall be permitted without obtaining approval of a new/revised Development Plan.

c) Temporary Structures. Temporary structures such as manufactured/mobile offices and temporary buildings may be used incidental to construction work on the premises or on adjacent public projects during a period while the permanent structure is being constructed. The user of said structure shall obtain a permit for such temporary use, which permit shall be valid for one (1) year and may be renewed by the Zoning Inspector in three (3) month increments. The Zoning Inspector shall not issue more than two extensions for a total combined period of time under all issued permits not exceeding eighteen (18) months. Renewal of the permit shall be at the discretion of the permanent structure or project. The Zoning Inspector shall require provisions for sanitary waste disposal, solid waste disposal, and water supply, as they deem necessary. The fees for such permit and renewals thereof shall be established by the Board of Township Trustees. Said Temporary Structure shall be removed not later than ten (10) days after expiration of said Permit.

8.04 DEVELOPMENT PLAN STANDARDS

a) Tract Sizes, Lot Sizes, Building Dimensions, Setbacks, and Height. The Tract Sizes, Lot Sizes, Building Dimensions, and Setbacks shall follow the values as found in Table 8.04(b) below and approved in the Development Plan. Landscaping requirements shall comply with Section #### - Landscaping.

Table 8.04(b)

Development Standards	Light-Industrial (LIO)
Minimum Tract Size (Acres)	2
Maximum Tract Size (Acres)	10
Minimum Tract Setback from Future Right-of-Way line (Feet)	200*
Minimum Lot Size (Acres)	N/A
Maximum Lot Size (Acres)	10
Minimum Lot Width (Feet)	175
Minimum Building Front Setback (Feet) (Measured from the Future Right-of-Way Line)	60
Minimum Side Setback (Feet)	N/A (Except when Side Lot Line abuts a Residential Use = 200 ft from abutting Lot Line)*
Minimum Rear Setback (Feet)	10 (Except when Rear Lot Line abuts a Residential Use = 200 ft from abutting Lot Line)*
Maximum Building Height (Feet)*	35
Maximum Lot Coverage (Percentage)	75

* When adjacent to a Residential Use, development must conform to the standards found in Section #### - Landscaping.

b) Architecture. Buildings shall be designed to be seen from three hundred sixty (360) degrees and have the same caliber of finish on all elevations. Building additions and Accessory Structures shall be of similar design, materials, and construction to that of the Existing or Principal Structure. The following standards shall also apply to Uses within the LIO:

1) Buildings Scale. The scale of each Building shall be aided using articulating building elements such as recesses, offsets, canopies, or other such elements to break up the building mass. There shall be a minimum of three (3) design elements for every one hundred (100) feet, landscaping, or a combination thereof of elevation width of exterior walls and any Building façade visible from a Public Road, including but not limited to access bands, texture changes, fenestrations, or painted bands or patterns.
2) Building Material. The Building shall be constructed of one or more of the following materials: pre-cast concrete; cast stone; wall panel systems; brick; glazed brick; integrally colored, painted, or stained split concrete masonry units or brick. No standard concrete masonry unit (cinder block) shall be permitted. Exterior insulation and finish systems may be utilized as an accent provided it is utilized at eight (8) feet above the finished grade or higher. Pre-engineered metal and pole Buildings shall be prohibited.
3) Building Elevations. Blank walls shall not be permitted. There shall be a minimum of three (3) design elements for every one hundred (100) feet of elevation width for an elevation facing a public Right-of-Way and a minimum of two (2) design elements for every one hundred (100) feet of elevation for each side and rear elevation that does not front on a public Right-of-Way. Typical design elements are as follows:
    i) A door of at least twenty-eight (28) square feet in area with an awning, window, faux window, or other feature subject to approval by the Board of Township Trustees;
    ii) A window of at least six (6) square feet in area. Windows closer than ten (10) feet shall be considered as one (1) design element. A set of adjacent windows, such as double or bay windows, shall be considered one (1) design element;
    iii) Porticos;
    iv) Dormers;
    v) Projecting canopies;
    vi) Masonry water table;
    vii) Trellis containing plantings;
    viii) A gabled vent of at least four (4) square feet in area;
    ix) Patios, decks, or similar features; or
    x) A similar significant and permanent architectural feature consistent with the style of the Building upon approval by the Board of Township Trustees.

4) Canopies and Entrance Features. All exterior canopies and entrance features, including loading dock canopies, on a single Building shall be a consistent color scheme.
5) Building Colors. Earth tones, muted hues, and natural tones are permitted as a Structure's base color. Brighter hues are permitted only as an accent feature on Building elements such as awnings, doors, and trim. A mixed-color palette on a single Building should be carefully selected so all colors harmonize with each other.
6) Roofs. Flat roofs are permitted and shall be designed and constructed with positive drainage to prevent water ponding and to shed water in a reasonable time. The slope shall be the minimum recommended by the manufacturer of the proposed roofing systems to achieve proper drainage.
7) Overhead Doors and Seals. All overhead doors within a Building shall be a single color. All dock seals shall be black.
8) Buildings with Drive-Thrus. A Drive-Thru, if deemed appropriate for the site, shall be designed as an integral part of the Structure it serves. Features incorporated with a Drive-Thru including, but not limited to, canopies, awnings, and support posts shall match the materials and color scheme of the Building they are serving. Drive-Thru features shall not have any pickup windows, ordering areas, signage, or other related items located on the front elevation of a Building or located between the Building and a Public Road.

c) Parking. The Preliminary Plan approved by the Board of Township Trustees shall establish the minimum parking requirements for all Uses. Parking Lots and driveways shall be made with porous asphalt, pervious concrete, or permeable pavers in order to reduce impermeable surfaces within the Township and promote infiltration. All other parking concerns shall comply with Article #### - Parking and Off-Street Loading and Section #### - Landscaping – where applicable.

d) Lighting. All Lighting shall comply with Section #### - Lighting.

e) Utilities, Water, and Drainage. All utilities, water, and drainage shall comply with the applicable County regulations.

f) Fences. All Fences shall comply with Sections #### - Fences and Walls – and #### - Landscaping.

g) Accessory Structures. All Accessory Structures shall comply with the Development Plan approved by the Board of Township Trustees and Section #### - Accessory Structures and Uses.

h) Signs. All Signs shall comply with the Development Plan approved by the Board of Township Trustees.

i) Fire, Explosive Hazards, and Air Pollution. All activities regarding fire, flammable explosives, hazardous materials, air emissions, pollutants, and similar materials shall not violate any County, State, or Federal Regulations.

8.05 OTHER CONDITIONS

The Board of Township Trustees may impose additional conditions relating to the development regarding the type and extent of public improvements to be installed; landscaping, development, improvement, and maintenance of common open space; and any other pertinent development characteristics.

ARTICLE 9
Reserved

ARTICLE 10
Approval Procedure for Overlay Districts

10.01 Purpose
10.02 Pre-Application Meeting
10.03 Zoning Map Amendment
10.04 Formal Development Plan – Submission
10.05 Formal Development Plan – Contents
10.06 Development Plan Review
10.07 Condition of Approval
10.08 Criteria for Approval
10.09 Consulting Services and Additional Fees
10.10 Amendment of Development Plan
10.11 Development Plan Approval Period
10.12 Plat Extension of Time
10.13 Effect of Development Plan Approval
10.14 Ownership and Maintenance of Open Space

10.01 PURPOSE

This Article provides the procedure for approval of a Development Plan within the Clustered Conservation Residential Overlay District (CCR), the Neighborhood Business Overlay District (NB), and the Light-Industrial Overlay District (LIO) when submitted by an applicant. The description and development standards of these three Overlay Districts are found under Articles 6 – Clustered Conservation Residential Overlay District (CCR); 7 – Neighborhood Business Overlay District (NB); and 8 – Light-Industrial Overlay District (LIO) of this Resolution.

10.02 PRE-APPLICATION MEETING

a) The developer and any contracted landscape architect or engineer with the developer may meet with the Zoning Inspector and up to two (2) members of the Zoning Commission prior to submitting the Development Plan. The purpose of this meeting is to informally discuss the purposes of this Article, its criteria and standards, other provisions of this Resolution, and the drainage, water, and sewer location and capacities to service the site. This Pre-Application Meeting may occur before or after the applicant purchases the property in question.

b) No statement or action taken by any community official during these informal consultations shall be construed to be a waiver of any legal obligation of the applicant or of any procedure of formal approval required by the Township's statutes or rules.

c) Ohio's Open Meeting Laws (Section 121.22 of the ORC) apply to all meetings involving a meeting of a majority of the members of the Zoning Commission or the Board of Township Trustees.

d) The Zoning Inspector shall request that the Fire Department and any County agency or committee such as, but not limited to, the Lucas County Plan Commission, Lucas County Engineer's Office, Lucas County Regional Water District, Toledo-Lucas County Health Department, and Lucas Soil & Water Conservation District, to submit comments for consideration at the Zoning Commission hearing described in Section 10.05 – Development Plan Review.

10.03 ZONING MAP AMENDMENT

Prior to submitting a Development Plan, the applicant for a Neighborhood Business or Light-Industrial Overlay District Development Plan must apply for a Zoning Map Amendment following the procedures found in Article ## - Amendments. If the application for the Amendment meets the criteria therein and the Tract matches the designated area found on the Future Land Use Map, the Applicant may proceed to the next step to submit their formal Development Plan.

10.04 FORMAL DEVELOPMENT PLAN – SUBMISSION

After the conclusion of the pre-application meeting, an owner or the Owner's applicant may file three (3) paper copies and one (1) electronic PDF copy of a formal application with a development plan and supplemental materials to the Zoning Inspector prior to the Submittal Due Date as prescribed by the Zoning Commission. The Zoning Inspector shall transmit the complete application package to the Zoning Commission and other parties as deemed appropriate for review and comment. The Development Plan must cover the entire contiguous ownership of the applicant unless the applicant specifically stated in writing that they do not intend to develop the withheld portion of the tract for at least five (5) years. At a minimum, the application must include the following requirements of Section 10.04 – Formal Development Plan - Contents.

10.05 FORMAL DEVELOPMENT PLAN – CONTENTS

The following are the requirements for proper Development Plan submission per Section 10.04 – Formal Development Plan – Submission, above:

a) Name, address, email address, and phone number of applicant;
b) Paid fee as prescribed in the Schedule of Fees;
c) Legal description of property;
d) A schedule for the development of units to be constructed in progression and a description of the design principles for buildings and streetscapes; tabulation of the number of acres on the proposed project for various uses, the number of housing units proposed by type; estimated residential population by type of housing; estimated nonresidential population; anticipated timing for each unit; and population density and public improvements proposed for each unit of the

development whenever the applicant proposes an exception from standard zoning districts or other resolution governing development;

e) Engineering feasibility studies and plans showing, as necessary, water, sewer, drainage, electricity, telephone, natural gas installations, waste disposal facilities, and street improvements;

f) Site plan, showing building(s), various functional use areas, circulation, and their relationship;

g) Architectural renderings and accompanying narrative to discuss in detail the design treatment of all buildings and structures where applicable;

h) Plans for landscaping and signs;

i) A survey plat and legal description signed by a registered Ohio surveyor showing the size and location of the tract to be developed;

j) A grading plan drawn to scale of 1" = 100', or to another scale acceptable to the Zoning Inspector, and a contour interval of two (2) feet showing all information pertaining to surface and subsurface drainage for the tract;

k) An explanation of the method/structure and proposed documentation and instruments to be used to perpetually own, maintain and preserve the required open space. The location, size, and proposed use(s) of all open space shall be detailed;

l) A Traffic Study when required by and in accordance with ODOT Location & Design Manuals;

m) If planned – as applicable: Deed restrictions, protective covenants, and other legal statements or devices to be used to control the use, development and maintenance of land, and the improvements thereon, including those areas which are commonly owned and maintained; and

n) A development plan drawn to scale of at least 1" = 100', or to another scale acceptable to the Zoning Inspector, with a minimum of two (2)-foot contour intervals, prepared by a registered architect, registered engineer, and/or registered landscape architect, containing the following:

    1) Proposed name of the development and its location;
    2) Names and addresses of the applicant, owners, and developers;
    3) Date and north arrow;
    4) A list, description and location of the precise uses proposed for the development and phases for construction;
    5) Boundary lines of the proposed development and the total acreage of the proposed project;
    6) The adjoining lines of adjacent Tracts, Parcels or Lots, with:
        i) Layout, numbering, and dimensions of Lots, if more than one; and
        ii) Labels for the existing zoning districts for the Tract and adjacent Parcels;
    7) Sight Line Diagram for adjacent residential districts;
    8) Locations, widths, and names of all existing and proposed public streets or other public Rights-of-Way, railroad and utility Rights-of-Way or easements, parks and other public open spaces, and section and corporation lines within the Tract;

9) Existing sewers, water mains, culverts, and other underground facilities within the Tract, adjacent to the Tract or that will be used or are proposed to be used in developing the Tract, indicating pipe sizing, grades, and locations;
10) Existing ground configuration, drainage channels, wooded areas, watercourses, and other significant physical features within the Tract. An exhibit demonstrating environmentally sensitive areas such as the 100-year floodplain, wetlands, and slopes greater than twenty (20) percent;
11) Any stream or wetland delineations and mitigation setbacks required by the Army Corps of Engineers or Ohio Environmental Protection Agency;
12) Parcels of land intended to be dedicated or temporarily reserved for public use or reserved by deed covenant with the condition proposed for such covenant, and for the dedications;
13) The proposed provisions for water, fire hydrants, sanitary sewer, all underground utilities, and surface drainage with engineering feasibility studies or other evidence of reasonableness. Preliminary water, sanitary sewer, and storm sewer line sizes and location, detention basins and drainage structures shall be drawn. Detailed engineering is not required;
14) Proposed street grades and preliminary sewer size slope;
15) Building Setback Lines with dimensions;
16) Layout, location, dimensions of any existing and proposed structures. Any existing structures to be demolished when developing the Tract must be labeled as “to be removed;”
17) Building locations depicting the bulk, height, and spatial relationships of building masses with adjacent development;
18) Preliminary drawings for buildings to be constructed, including preliminary floor plans, exterior elevations, and sections;
19) Color renderings of proposed and existing Structures (except those that are “to be removed”), complete with a listing of all colors referenced by the Pantone Color Reference System (latest edition) or if Pantone is not available, the manufacturer’s reference/serial number with samples and materials to be used;
20) Intended measures to screen rooftop mechanical equipment, production areas, service areas, storage areas, trash containers, and loading zones from view;
21) A parking study detailing the required number of parking spaces prepared by an architect, landscape architect, and/or professional engineer registered in the State of Ohio;
22) Detailed Parking and Loading Plan showing layout, location and design of parking and loading areas, number of parking and loading spaces, traffic circulation, curb cuts, pedestrian walks, and lane improvements on existing public roads;
23) Accommodation and access for emergency and fire-fighting apparatus;
24) A detailed Exterior Lighting Plan;

25) A Landscape Plan which depicts and identifies all proposed landscaping features. The Landscape Plan shall identify the caliber, height, and numbers of each plant, shrub, or tree, its name, its size at planning and rendering(s) of how that section of the development would look in elevation;
26) If there is a divergence from the development standards:
27) An applicant making such a request shall specifically and separately list each requested divergence and the justification therefore on the Development Plan submittals, with a request that the proposed divergence be approved as part of and as shown on the Development Plan;
28) Unless specifically supplemented by the standards contained in the Development Plan, the development shall comply with the requirements contained in this Article, generally, and the applicable standards found in Articles 6 – Clustered Conservation Residential Overlay District (CCR); 7 – Neighborhood Business Overlay District (NB); and 8 - Light-Industrial Overlay District (LIO) of this Resolution;
29) Any other information, as may be required by the Zoning Commission and/or Board of Trustees, to determine compliance with this Zoning Resolution; and
30) All drawings that are a part of the Development Plan shall respectively bear the seals of the preparing architect, landscape architect, and/or professional engineer. The respective professional attaching their seal to the drawings must be licensed to practice in the state of Ohio.

10.06 DEVELOPMENT PLAN REVIEW

a) After receipt of completed application materials and required fees, the Zoning Inspector shall forward said materials to the Zoning Commission.

b) Within thirty (30) days from submittal date of a completed application for a development plan, the Zoning Commission shall schedule a public hearing and with public notice pursuant to the same method as found in Section #### –Notice of this Resolution.

c) No later than thirty (30) days after the public hearing, the Zoning Commission shall recommend to the Township Board of Trustees to approve, approve with modification, or not approve the development plan.

d) Upon receiving the Zoning Commission's recommendation on the Development Plan, the Board of Township Trustees shall schedule a hearing on said Development Plan. Within thirty (30) days of its hearing, the Board of Township Trustees shall approve the Development Plan as submitted, approved subject to modification, or not approve the application. The Board shall also provide a thirty (30) day notice of its public hearing. The notice requirements shall be the same as Section #### – Notice – of this Resolution.

e) After the Township Board of Trustees approves the development plan, no changes to said plan shall be permitted without approval according to Section 10.## – Amendment of Development Plan.

10.07 CONDITION OF APPROVAL

Unless otherwise excluded by resolution approved by the Township Trustees, no real property shall be included in an Application and Development Plan unless the Application and Development Plan provides the Applicant's intent and commitment to enter into a development agreement with the Township containing terms satisfactory to the Township (the "Economic Development Agreement"). Such Economic Development Agreement terms may include, but are not limited to, the voluntary involvement and participation in one or more economic development program, such as and without limitation, a New Community Authority, Joint Economic Development District, and/or Tax Increment Financing District for the property and Uses involved in the Application. No Application and Development Plan shall be approved unless this condition of providing the Applicant's intent and commitment to enter into an Economic Development Agreement is met at the time of filing the complete Application. No Zoning Certificates or Certificates of Zoning Compliance shall be issued by the Zoning Commission until such time that all real property that is part of an Application has fulfilled this condition by the preparation, finalization, and execution of such an Economic Development Agreement. In the event that the Economic Development Agreement has not been finalized and/or executed at the time the Township Trustees are considering taking action on the Application and Development Plan, the Township Trustees in their sole and absolute discretion may approve the Application and Development Plan subject to the negotiated condition(s), which may include, but are not limited to, a condition that the Economic Development Agreement shall be finalized and executed within six (6) months following such approval.

10.08 CRITERIA FOR APPROVAL

In determining whether to approve an application and Development Plan, the reviewing authorities shall consider the following:

a) Whether the application and proposed Development Plan are consistent in all aspects with the purpose, criteria, intent, and standards of this Zoning Resolution and/or that any proposed divergences provide the benefits, improved arrangement and design of the proposed development and justify deviation from the development standards or requirements of the Zoning Resolution;

b) Whether the application and proposed Development Plan meet all the design features required in this Zoning Resolution;

c) Whether the application and proposed Development Plan are compatible with the character of existing land use, consistent with the intent and purpose of the overlay

standards of this Resolution and are in keeping with the intent of the most recent Township Comprehensive Plan and other applicable public plans for the area;

d) Whether the proposed development will be adequately served by essential public facilities and services including, without limitation, roads, walkways and bike paths, police and fire protection, drainage features, potable water, and centralized sanitary sewers;

e) Whether the application and proposed Development Plan promote greater efficiency in providing public and utility services and encourage innovation in the planning and building of all types of development;

f) Whether the proposed development can be made accessible through existing Township roadways or roadways and lane improvements actually being constructed and opened prior to the use and occupancy of the proposed development without creating unreasonable traffic congestion in the immediate vicinity of the proposed development or elsewhere in the Township;

g) Whether an adequate funding source for the construction and long-term maintenance of the required open space and community improvements have been provided;

h) Whether the proposed development is designed in such a way as to minimize any unreasonable adverse impact on the surrounding areas of the Township;

i) Whether the drainage plan is designed as to not negatively impact surrounding properties; and

j) In approving the application and Development Plan, the Board of Trustees may impose such conditions, safeguards, and restrictions deemed necessary to carry out the purpose and intent of the overlay district.

10.09 CONSULTING SERVICES AND ADDITIONAL FEES

a) Along with the application fee as prescribed by the Schedule of Zoning Fees the applicant shall be responsible for all reasonable and necessary expenses incurred by the Township in using professional consulting services to review the Development Plan. These expenses may include, without limitation, costs for professional consultants such as architects, legal counsel, landscape architects, planners, and engineers utilized by the Township in reviewing the Development Plan and related application materials.

b) As soon as reasonably practicable following the submission of an application for approval of a Development Plan, the Zoning Commission Chair and Zoning Inspector

shall decide if it needs a professional consultant(s) to assist it in reviewing the application.

c) If the Zoning Commission Chair and Zoning Inspector decide the application needs professional consulting services, they shall designate the person(s) to consult and make an initial estimate of the expenses anticipated to be incurred in reviewing the application materials. The Zoning Inspector shall provide the applicant with notice of its initial estimate of expenses. This initial estimate will be reviewed, and may be revised, during the review process. If such review results in an increase in the estimated professional consulting fees and charges which will be incurred in the Township's review of the application materials, the Zoning Inspector shall send the applicant written notice of the revised estimate of fees and charges.

d) Within fourteen (14) days of the date of the notice of the initial estimate of fees and charges (and, if applicable, within fourteen (14) days of the date of the notice of any revised estimate), the applicant shall deposit in the office of the Fiscal Officer, an amount equal to the estimated cost of the Township's expenses. In making the estimate of the professional consulting fees and charges anticipated to be incurred, the Zoning Commission Chair and Zoning Inspector shall consider the reasonable commercial rates of qualified professionals and reasonable estimates of time to complete the review.

e) Any unused portion of the estimated amount received to cover the professional consulting fees and charges shall be returned to the applicant as soon as practicable following the final disposition of the application, along with a summary of the fees and charges expended for such services.

10.10 AMENDMENT OF DEVELOPMENT PLAN

After the Board of Township Trustees approves a Development Plan, no changes to the plan shall be permitted without further approval as set forth below:

a) Minor Amendments.

1) Within thirty (30) days of the submittal of a written application specifically detailing the changes requested along with a revised Development Plan, the Zoning Inspector may administratively approve a minor amendment. Minor amendments are limited to the following:

i) Minor Amendment for Overlay Districts: Within thirty (30) days of the submittal of a written application specifically detailing the changes requested along with a revised Development Plan, the Zoning Inspector may administratively approve a Minor Amendment. Minor Amendments are limited to the following:

A) An encroachment of five (5) feet or less into a Side or Rear Setback as shown on the approved development plan, provided such setback abuts property having the same or similar use, as determined by the Zoning Inspector, and any change in setback is acceptable to the Fire Department (changes to the Right-of-Way setbacks have more impact to utilities and the overall design intent of this Article and shall be considered Major Amendments);

B) A change in the sign face that does not alter the size, height, or setback of the sign; and

C) An increase of no more than three (3) feet in the maximum building height as shown on the approved Development Plan.

2) Anyone aggrieved by the decision of the Zoning Inspector on a proposed minor amendment may appeal said decision to the Township Board of Trustees within thirty (30) days of said decision by the Zoning Inspector. The Board of Trustees shall hear said appeal within thirty (30) days of receiving the appeal. The Board of Trustee's action is final and is subject to appeal under Chapter 2506 of the Ohio Revised Code.

b) Major Amendments.

1) All other proposed amendments, other than those identified in Section 10.10 (a)(1), above, shall be considered as major amendments and must be approved by the Zoning Commission before a final decision by the Township Board of Trustees.

2) Major amendments to an approved Development Plan shall follow the same procedures as found in Article #### – Amendments.

c) Any minor or major amendment that is approved shall apply only to the applicable Development Plan for which the amendment application has been submitted and shall not apply to any other property subject to the Overlay District.

10.11 DEVELOPMENT PLAN APPROVAL PERIOD

The approval of the Development Plan shall be effective for a period of five (5) years to allow for the preparation and recording of a subdivision plat (if required under applicable law) and the commencement of construction following the issuance of a Zoning Certificate. If no plat has been recorded within this approval period (or if platting is not required, if construction has not commenced), the Development Plan shall expire. Upon the expiration of the Development Plan, no use shall be established or changed and no building, structure or improvement shall be made unless either an extension has been approved under the procedures of this Article or an application accompanied by a new Development Plan has been filed with and approved by the Township Board of Trustees using the same procedure and criteria as established for the approval of the initial Development Plan.

10.12 PLAT EXTENSION OF TIME

An extension of the time limit for either recording the approved subdivision plat or the commencement of construction may be granted by the Township Board of Trustees upon application of the owner(s), provided the Township Board of Trustees determines that such an extension is not in conflict with the public interest, that there is a legitimate purpose and necessity for such extension, and that the applicant shows evidence of reasonable effort in recording the plat and the completion of the development of the project. The length of time permitted for an extension shall be determined based upon the application submitted and at the discretion of the Township Board of Trustees. A request for an extension shall be filed prior to the expiration of the approval period.

10.13 EFFECT OF DEVELOPMENT PLAN APPROVAL

The Township Board of Trustees' action on an application and proposed Development Plan under this Article shall not be considered to be an amendment to the Township Zoning Resolution for purposes of Section 519.12 of the Ohio Revised Code but may be appealed under Chapter 2506 of the Ohio Revised Code. If the Board of Trustees determines that an application and Development Plan comply with the requirements of the overlay standards and approve said application, upon such approval the Township Zoning Map shall be changed to remove any other Zoning District that applied to the tract subject to the application. The removal of the prior zoning district from the Zoning Districts Map is a ministerial act and shall not be considered to be an amendment to the Township Zoning Resolution for the purposes of Section 519.12 of the Ohio Revised Code.

10.14 OWNERSHIP AND MAINTENANCE OF OPEN SPACE

a) Different ownership and management options may apply to the permanently protected common open space created through the development process. The common open space shall remain in perpetuity and may be owned as identified in this section below. A public land dedication, not exceeding ten percent (10%) of the total parcel size, may be required by the Township to facilitate trail or pathway connections. A narrative describing ownership, use and maintenance responsibilities shall be submitted for all common and public improvements, utilities, and open spaces. Common open space within the development shall be owned, administered, and maintained by any of the following methods, either individually or in combination, and subject to approval by the Township. Funding generated through a New Community Authority (NCA) may be used to manage the required open space.

    1) Offer of Dedication. The Township shall have the right of first refusal for common open space in the event said land is to be conveyed to a public agency. Dedication shall take the form of a fee simple ownership. The Township may, but shall not be required to, accept common open space provided:

i) Such land is accessible to all the residents of the Township;
ii) There is no cost of acquisition other than incidental costs related to the transfer of ownership;
iii) The Township agrees to maintain such lands; and
iv) Where the Township accepts dedication of common open space that contains improvements, the Township may require the posting of financial security to ensure structural integrity of improvements for a term not to exceed eighteen (18) months.

2) Homeowners Association. The common open space and associated facilities may be held in common ownership by a homeowners' association. The association shall be formed and operated under the following regulations:
   i. The developer shall provide a description of the association, including its bylaws and methods for maintaining the common open space.
   ii. The association shall be organized by the developer and shall be operated by the developer, before the sale of any lots within the development.
   iii. Membership in the association is mandatory for all purchasers of homes therein and their successors. The conditions and timing of transferring control of the association from developer to homeowners shall be identified.
   iv. The association shall be responsible for payment of insurance and taxes on the common open space. The association may establish rules to ensure proper maintenance of common open space, including monetary liens on the homes and home sites of its members who fail to pay their association dues in a timely manner. Such liens may impose a penalty of interest charges.
   v. The members of the association shall share equitably the costs of maintaining and developing, where appropriate, such common open space. Shares shall be defined within the association bylaws.
   vi. In the event of transfer, within the methods herein permitted, of common open space by the homeowners' association, or the assumption of maintenance of common open space by the Township, notice of such pending action shall be given by the homeowners' association to all property owners within the development.
   vii. The homeowners' association shall provide for adequate staff to administer common facilities and property and continually maintain the common open space.
   viii. The homeowners' association may lease common open space to any qualified person or corporation, for operation and maintenance of common open space, but such lease agreement shall provide:
      A. That the residents of the development shall at all times have access to the common open space contained therein (except croplands during the growing season);

B. That the common open space shall be maintained for purposes set forth in the approved Development Plan; and
C. That the operation of common open space may be for the benefit of the residents only or may be open to all residents of the Township, at the election of the developer and/or homeowners association. In cases where public trails or paths are provided as linkage between developments or as a continuous link of common open space within the Township, all residents of the Township shall have access to such identified paths/walkways.

ix. The lease shall be subject to the approval of the homeowners' association board and any transfer or assignment of the lease shall be further subject to the approval of the board. Lease agreements shall be recorded with the Lucas County Recorder's office and notification shall be provided to the Board of Township Trustees within thirty (30) days of action by the board.

b) Dedication of Easements. The Township may, but shall not be required to accept easements for public use of any portion or portions of common open space, title of which is to remain in ownership by condominium or homeowners' associations, provided:

1) Such land is accessible to Township residents;
2) There is no cost of acquisition other than incidental transfer of ownership costs; and
3) A satisfactory maintenance agreement is reached between the developer, association, and the Township.

c) Transfer of Easements to a Private Conservation Organization. With the permission of the Township, an owner may transfer easements to a private, nonprofit organization, among whose purposes it is to conserve open space and/or natural resources; provided that:

1) The organization is acceptable to the Township, and is a bona fide conservation organization with perpetual existence;
2) The conveyance contains whatever provisions are agreed to between the Board of Township Trustees, the owner and the organization.

d) As part of the zoning approval process with the approval of the Township, common open space may be owned by a third party if protected by either:

1) An open space easement which permanently and irrevocably transfers the development rights for the common open space to a homeowners or condominium association, the Township or a private conservation organization; or
2) Unmodifiable deed restrictions that permanently restrict the use of the common open space to those uses identified in the approved Development Plan. Common open space to be transferred to a third party other than a homeowners' association, condominium association or the Township shall also be located in a reserve with an open space notation on a recorded final plat.
3) An easement or deed restriction must be recorded and expressly grant the Township access to the Open Space for zoning compliance, inspection, and enforcement purposes.

e) Maintenance of Common Open Space.

1) The ultimate owner of the open space shall be responsible for raising all monies required for operations, maintenance, or physical improvements to the open space through annual dues, special assessments, etc. The owner shall be authorized under the homeowners' association bylaws to place liens on the property of residents who fall delinquent in payment of dues or assessments.
2) In the event that the organization established to own and maintain common open space shall at any time after establishment of the planned development fail to maintain the common open space in reasonable order and condition in accordance with the Development Plan, the Board of Township Trustees may serve written notice upon such organization or upon the residents of the planned development setting forth the manner in which the organization has failed to maintain the common open space in reasonable condition. The notice shall include a demand that such deficiencies of maintenance be cured within thirty (30) days thereof and shall state the date and place of a hearing thereon which shall be held within fourteen (14) days of the notice. At such hearing the Board of Township Trustees may modify the terms of the original notice, add to the deficiencies, and may give an extension of time within which they shall be cured.
3) If the deficiencies set forth in the original notice or in the modifications thereof shall not be cured within said thirty (30) days or any extension thereof, the Board of Township Trustees may pursue the enforcement as a zoning violation.

Overlay District Approval Timeline

For General Audiences Only – Timeline Not to be Used for Regulatory Purposes – Resolution Language Controls

OVERLAY DISTRICT APPROVAL PROCEDURE
STEP 1: Pre-Application Meeting between Applicant, Engineer/Architects, Township officials, and any applicable County personnel (Section 10.02)
*****NB & LIO OVERLAY APPLICANTS ONLY***:** Applicant shall submit a Zoning Map Amendment to bring the Neighborhood Business or Light-Industrial Tract into conformity with the Future Land Use Map (Section 10.03).
STEP 2: Applicant shall submit any applicable Conditional Use Permits for Uses designated as Conditional in the Combined Use Table found in Section #### - Combined Use Table. The Conditional Use Permit shall follow the criteria found in Article #### - Conditional Uses and any additional requirements as found in Article #### - General Development Standards.
STEP 3: Submit the Formal Development Plan (Section 10.04), which contains all material found in Section 10.05.
STEP 4: The Township shall begin review the Development Plan (Section 10.06). • Within 30 days of the submittal date of a completed application for a development plan, the Zoning Commission shall schedule a public hearing and with public notice pursuant to Section #### - Notice. • Approval is conditioned upon the intent and commitment of the Applicant to enter into an Economic Development Agreement as described in Section 10.07. • Look to Section 10.08 – Criteria of Approval – for further guidance concerning the judgment of a Development Plan application.
STEP 5: No later than 30 days after the public hearing, the Zoning Commission shall recommend to the Township Board of Township Trustees to approve, approve with modification, or not to approve the Development Plan (Section 10.06(c)).
STEP 6: Upon receiving the Zoning Commission's recommendation, the Board of Township Trustees shall schedule a public hearing with 30 days' notice (Section 10.06(d)).
STEP 7: Within 30 days following said hearing, the Board of Township Trustees shall approve the Development as submitted, approved subject to modification, or not approved (Section 10.06(d)).

ARTICLE 11
General Development Standards

Accessory Dwelling Units (ADUs)
Accessory Structures and Uses
Agritourism and Farm Markets
Battery Energy Storage Facilities
Campgrounds
Cannabis Facilities
Clustered Mailboxes
Commercial Kennels
Community Gardens
Data Centers
Fences and Walls
Food Trucks
Home Occupations
Junk Yards And Scrap Metal Processing Facilities
Landscaping
Laydown Yards
Lighting
Ponds
Portable Home Storage Units
Recreational Vehicles
Rehabilitation Centers
Self-Service Storage
Shooting Ranges
Short-Term Rentals
Small Solar Energy Systems
Swimming Pools
Telecommunication Towers
Temporary Structures
Tennis Courts
Visibility at Intersections
Wind Energy Systems

ACCESSORY DWELLING UNITS (ADUS)

a) Applicability. The standards apply to any Residential District where ADUs are listed as a Conditional Use.

1) Number. Only one (1) ADU shall be permitted on a Lot.
2) Density. ADUs do not count toward the density calculations for the District in which they are located.

b) Accessory Suite (Attached) ADU Standards. All Accessory Suite ADUs shall comply with the following general ADU design standards:

1) An Accessory Suite ADU must be attached to the Primary Structure through a common wall;
2) The Primary Dwelling in which the Accessory Suite ADU is located shall be owner occupied;
3) An Accessory Suite ADU may be no larger than eight hundred (800) square feet or the size of the Primary Dwelling Unit, whichever is less;
4) Accessory Suite ADUs shall be limited to Residential Uses including a Minor Home Occupation and shall not be utilized for any other purpose;
5) One additional parking space is required for the Accessory Suite ADU;
6) No new exterior entrances into the Accessory Suite ADU shall be created on the front façade; and

7) Any required fire escapes or exterior stairs for access to an upper-level Accessory Suite ADU shall not be located along the front façade of the Primary Dwelling.

c) Detached ADUs. Detached ADUs are prohibited in the Township.

ACCESSORY STRUCTURES AND USES

a) Applicability. These standards shall apply to all Accessory Structures, except Private Swimming Pools and Accessory Structures less than eighty (80) square feet.

b) Location. All Accessory Structures located on less than five (5) acres shall be in conformity with the following provisions:

1) The Accessory Structure shall comply with the minimum Setback requirements of the applicable Zoning District.
2) Accessory Structures may not be erected within fifteen (15) feet from the Primary Structure.
3) Accessory Structures must be located outside of any utility easements.
4) Accessory Structures must be located in the Rear Yard of the Lot.
5) Accessory Structures may not occupy more than the Maximum Lot Coverage of the applicable Zoning District.

c) Height. No Accessory Structure in any Zoning District shall exceed the height of the Primary Dwelling and be harmonious with surrounding Structures.

d) Agricultural Exempt Accessory Structures. Accessory Structures that fall under the Agricultural Exemption of Section 519.21 of the Ohio Revised Code shall present a

building permit for the construction thereof. Agricultural Exempt Accessory Structures will be exempt from all permit fees.

AGRITOURISM AND FARM MARKETS

a) Purpose. In the interest of the public health and safety, the Township Trustees and the Zoning Commission may regulate Agritourism and Farm Markets by resolution, in accordance with the Comprehensive Plan, and Ohio Revised Code Section 519.02 property within the Township for the public health and safety of the Township.

b) Authority. Section 519.21(C)(4) of the Ohio Revised Code permits the Township Zoning Resolution to regulate Agritourism structures and property as necessary to protect the public health, safety, and general welfare. The following regulations apply to the "size of structure used primarily for agritourism, size of parking areas that may be required, setback building lines for structures used primarily for agritourism, egress or ingress where such regulation is necessary to protect public health and safety."

c) Declaration of Intent.

1) In order to qualify for an Agritourism Use, an applicant must obtain a Conditional Use Permit and meet the requirements found in this Section. A Conditional Use Permit is required to demonstrate compliance with the standards for setback, structure size, height, parking, and other elements defined as Agricultural Uses under Ohio Revised Code 519.01 and authorized for Township regulations under Section 519.21(C)(4), and listed herein.
2) The applicant shall provide documentary evidence to the Zoning Inspector that the farm upon which the Agritourism operation is proposed meets all of the requirements of Ohio Revised Code Section 901.80.
3) In order to qualify, the applicant will be required to provide a property site plan to the Zoning Inspector that clearly shows the location, setbacks, parking areas, plan for Access Points from the structure as well as for traffic entering and leaving the parking area, and size of the Agritourism Structure.
4) No Conditional Use Permit will be granted that does not comply with the requirements of the setbacks and size of the structure as outlined under the Zoning District in which it is located.
5) All Buildings and Structures primarily used for Agritourism shall not exceed the maximum building square footage of five thousand (5,000) square feet.
6) All Buildings and Structures utilized primarily for Agritourism shall not exceed thirty-five (35) feet in height.
7) The property Site Plan must provide information necessary to evaluate that the Access Points from the Structure and Use meet all public safety requirements as established by the Ohio Fire Code and enforced by the Fire Department. Information necessary for the property site plan shall be submitted

electronically to the Zoning Inspector in PDF format and shall include the following:

i) The site plan shall be drawn to a scale that is legible in print and electronic formats;
ii) A scale bar and the written scale (Example: 1"=100');
iii) North arrow;
iv) A table that specifies the number of parking spaces, the dimension(s) of the parking spaces, the dimensions of the structure for all floors, including garages, and basements;
v) The drawing shall depict the parking spaces and must comply with Article ## - Off-Street Parking and Loading – of this Resolution;
vi) The drawing shall depict the dimension of the drive lanes and the dimension of the overall area of the parking area;
vii) The dimension of the driveway throat length, which is measured from the edge of the road right-of-way to the point where the driveway throat turns into any parking stall or internal drive lane; and
viii) The drawing shall specify the location and dimensions of the building footprint, the required yard setback lines, the road right-of-way, and the lot lines based on the recorded legal description.

8) The property site plan must provide information necessary as noted above to evaluate the parking area ingress and egress and shall show that it meets all public safety requirements as established by the Township or the County as applicable.
9) The applicant shall submit evidence to the Township Zoning Inspector that the Access Points to and from the parking area has been approved by the County Engineer and/or the Ohio Department of Transportation. Additionally, the applicant shall provide written documentation that the access and access location(s) comply with the Lucas County Access Management Regulations or the Lucas County Subdivision Regulations Congestion Prevention Regulations as applicable. These regulations are adopted by the Lucas County Board of County Commissioners. As of the adoption of this zoning text amendment these regulations are administered by the Lucas County Planning Commission.
10) The applicant shall specifically provide documentary evidence to the Township Zoning Inspector that identifies the educational, entertainment, historical, cultural and/or recreational relationship of the proposed agritourism operation to the existing agricultural use of the property.

d) Parking. All parking demands created by the Agritourism use shall be met off public roads. In no case shall any portion of any public road pavement be used for or considered customer parking to serve an Agritourism operation. Parking areas shall adhere to the following Setback requirements:

1) Fifty (50) feet from any Lot boundaries; and

2) A minimum setback of fifty (50) feet for any parking stall or internal drive lane from the road Right-of-Way to the point where the throat of the driveway connects to the parking stall or internal drive lane. Parking areas shall be set back a minimum of six (6) feet from any Driveway Throat. The purpose of which is to preserve the driveway throat length to allow adequate area for vehicles to enter the site and make maneuvers during the peak hour trip generator for the site, and not cause back up onto the public road. A greater throat length may be necessary for larger trip generators and may be required by other government agencies including regulations from the Ohio Department of Transportation Access Management and/or Location and Design Manual, and the Lucas County Access Management Regulations as of the adoption date of this zoning text as administered by the Lucas County Planning Commission.

e) Signage. Signs located on Agritourism Use property shall comply with Article ## - Signs. Additionally, a warning notice Sign shall be placed in a clearly visible location at or near each entrance to the Agritourism location or at the site of each Agritourism activity. The warning notice shall consist of a sign in black letters with each letter to be a minimum of one (1) inch in height. The warning notice shall contain the following notice of warning:

> "WARNING: Under Ohio law, there is no liability for an injury to or death of a participant in an Agritourism activity conducted at this Agritourism location if that injury or death results from the inherent risks of that agritourism activity. Inherent risks of agritourism activities include, but are not limited to, the risk of injury inherent to land, equipment, and animals as well as the potential for you as a participant to act in a negligent manner that may contribute to your injury or death. You are assuming the risk of participating in this agritourism activity."
> ORC 901.80(D)

f) Small Places of Assembly. For the purposes of this Section, a Small Place of Assembly tied to an Agritourism Use shall have a heightened standard requiring a minimum Lot Size of twenty (20) acres and on a Lot located along a State or County Road. Small Places of Assembly located in conjunction with an Agritourism Use therefore require a Conditional Use Permit. This heightened standard is permitted due to not falling under Agritourism regulations per the definition found in ORC 901.80(A)(2).

BATTERY ENERGY STORAGE FACILITIES

a) Purpose. In the interest of health and public safety, the Township shall regulate Battery Storage Facilities as defined in Article 2 – Definitions.

b) Location. All Battery Energy Storage Facilities shall be configured so that battery cells shall be placed in a Battery Energy Storage System (BESS) with a Battery Management System. The BESS shall provide a secondary layer of physical containment to the batteries and be equipped with cooling, ventilation, and fire suppression systems.

1) Setbacks. Due to their potentially combustible nature, the installation of Battery Energy Storage Facilities and related equipment shall:
   i) Be located at least two hundred (200) feet from any abutting Residential District Lot Lines;
   ii) Be located at least one hundred (100) feet from any abutting AG District and abutting NB and LIO Overlay District Lot Lines;
   iii) Buffer the facility from the surrounding areas by siting toward the interior of the Lot, at least twenty (20) feet away from vegetation;
   iv) Comply with any applicable landscaping standards from Section #### - Landscaping; and
   v) Prevent encroachment and runoff into agricultural land, wetlands, floodplains, and any other environmental concerns.

c) Operation. Battery Energy Storage Facilities shall be constructed, maintained, and operated in accordance with applicable codes and standards, including but not limited to, applicable fire, electrical, and building codes; National Fire Protection Association (NFPA) 855, Standard for the Installation of Stationary Energy Storage Systems, 2020 Edition and subsequent editions; and Underwriters Laboratories (UL) 9540A Ed. 4-2019, Standard for Test Method for Evaluating Thermal Runway Fire Propagation in Battery Energy Storage Systems and subsequent editions.

d) Utilities. Public on-site water and fire hydrants shall be available to the property.

e) Noise. A sound study shall be conducted by a third party that is mutually agreed upon between the Owner and the Township to establish a baseline, existing decibel level. Following this sound study, the operation of the Battery Energy Storage Facility shall not exceed whichever of the following is lower at the required Setback Line: the decibel level baseline or forty-five (45) dBA from 10 pm to 7 am and fifty-five (55) dBA from 7 am to 10 pm. Reports shall be submitted annually or more frequently if requested by the Township Zoning Inspector to verify compliance with this standard. Failure to maintain sound levels at or below the required decibel limits at the required Setback Lines or to submit the required reports shall constitute a zoning violation and may result in enforcement action pursuant to Article #### of this Resolution.

f) Security Fencing and Signage. NFPA 704 placards shall be placed on Building entrances along with emergency contact information. The facility shall be enclosed by security fencing:

1) All security fencing shall be a minimum of ten (10) feet in height;
2) Designed to substantially lessen the likelihood of entry by unauthorized individuals;
3) A performance bond reflecting the costs of anticipated security fence maintenance shall be posted and maintained;
4) Failure to maintain the security fencing shall result in a revocation of the Zoning Certificate following notice of violation and enforcement as provided in Article #### - Enforcement.
5) All security fencing shall be placed behind the landscape buffers required in Section #### - Landscaping.

g) Decommissioning Plan. Applications for Battery Energy Storage Facilities shall include a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal of the facility. All decommissioning plans shall be certified by an engineer or contractor with demonstrated expertise in Battery Energy Storage Facility removal, and shall include the following:

1) Anticipated life of the project;
2) A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all components of the battery energy storage facility;
3) An estimated deconstruction schedule;
4) A description of mediation procedures for the release of hazardous materials or other emergency events during the decommissioning process;
5) The estimated decommissioning cost in current dollars; and
6) The full estimated cost of decommissioning shall be guaranteed by bond, letter of credit, or other security approved by the Township.
    i) The owner shall deposit the required amount into the approved escrow account before any Zoning Certificate is issued to allow construction of the Battery Energy Storage Facility.
    ii) The escrow account agreement shall prohibit the release of the bond without the written consent of the Township. The Township shall consent to the release of the bond upon on the owner's compliance with the approved Decommission Plan. The Township may approve the partial release of the bond as portions of the approved Decommission Plan are performed.
    iii) The dollar amount of the bond shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value.

iv) The owner or occupant shall recalculate the estimated cost of decommissioning every five (5) years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten (10) percent, then the owner or occupant shall deposit additional funds into the bond to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety (90) percent of the original estimated cost of decommissioning, then the Township may approve reducing the amount of the bond to the recalculated estimate of decommissioning cost.

7) Decommission shall include removal of all Battery Energy Storage System components, structures, equipment, security barriers, and transmission lines from the site so that any ground upon which the facility and/or system was located is again tillable and suitable for Agricultural Use.

h) Emergency Plan. Applications for Battery Energy Storage Facilities shall include an emergency plan that, at a minimum, contains the following:

1) Procedures for safe shutdown, de-energizing, or isolation of equipment and systems under emergency conditions to reduce the risk of fire, electric shock, release of hazardous materials, and personal injuries, and for safe start-up following cessation of emergency conditions.
2) Procedures for inspection and testing of associated alarms, interlocks, and controls.
3) Procedures to be followed in response to notifications from the Battery Energy Storage Management System, when provided, that could signify potentially dangerous conditions, including shutting down equipment, summoning service and repair personnel, and providing agreed upon notification to the Fire Department for potentially hazardous conditions in the event of a system failure.
4) Emergency procedures to be followed in case of fire, explosion, release of liquids or vapors, damage to critical moving parts, or other potentially dangerous conditions. Procedures can include sounding the alarm, notifying the Fire Department, evacuating personnel, de-energizing equipment, and controlling and extinguishing the fire.
5) Procedures and schedules for conducting drills of these procedures and for training local first responders on the contents of the plan and appropriate response procedures.

CAMPGROUNDS

a) Purpose. It is the purpose of this Resolution to regulate the establishment of Campgrounds as defined in Article 2 - Definitions.

b) Applicability. Campgrounds are regulated under Chapter 3729 of the Ohio Revised Code, which includes health department, fire safety, and siting location approval prior to the issuance of a Conditional Use Permit.

CANNABIS FACILITIES

a) Purpose. It is the purpose of this Resolution to regulate businesses that sell cannabis products for medical purposes in order to promote the health, safety, and general welfare of the citizens of the Township.

b) Applicability. These standards shall apply to any Cannabis Facility as defined in Article 2 – Definitions – and governed by Chapter 3796 of the Ohio Revised Code as well as the Ohio Administrative Code (OAC) Section 1301:18.

c) Location. All Cannabis Facilities (except for Cannabis Cultivator Facilities which are limited to the AG District) may only be located as a Conditional Use in the LIO Overlay District, subject to the following conditions:

1) Cannabis Facilities shall not be located within five hundred (500) feet of any school (K-12), church, public park, public playground, public library, pre-school, child day care center, publicly owned property, or other use established specifically for the activities of minors (*see*, ORC 3796.29 and 3796.30).
2) No Cannabis Store shall be located within two thousand (2,000) feet of the boundaries of a parcel of real estate having situated on it a Rehabilitation Center. (see, ORC 3780.25 and ORC 3796.29).
3) No Cannabis Store shall be located within one (1) mile of an existing Cannabis Store or another proposed Cannabis Store (*see*, ORC 3796.29).

d) Hours of Operation. The hours of operation of a Cannabis Dispensary shall be limited to 7 AM to 9 PM, or other hours consistent with a Marijuana Dispensary permit issued by the State of Ohio, as a condition of approval.

e) Licensing. In addition to the regulations described herein, Medicinal Cannabis Stores must show compliance with ORC 3796.20(B) by exhibiting the proper license and ability to adhere to the rules for dispensing medical marijuana. Recreational Cannabis Stores must show compliance with ORC 3796.20(C) by exhibiting the proper license and ability to adhere to the rules for dispensing recreational marijuana. If the Cannabis Store will operate under a "dual-use license" as defined in OAC 1301:18-1-01(C)(4), then it must exhibit this license and exhibit the ability to adhere to the rules for both selling medical and recreational marijuana as found in the ORC.

CLUSTERED MAILBOXES

When clustered mailboxes are required by the U.S.P.S. in the CCR District, said Units must comply with the following requirements:

a) Be located outside the public Right-of-Way and appropriately distributed throughout the development. An appropriate number of parking spaces shall be provided to ensure proper traffic circulation throughout the development.

b) Final unit, parking locations, and number of Off-Street Parking Spaces shall be determined and controlled by the development plan approved by the Zoning Commission; and

c) All clustered mailbox units and associated Off-Street Parking areas shall be privately maintained**.**

COMMERCIAL KENNELS

a) Purpose. The purpose of this section is to provide regulatory information regarding Commercial Kennels, as defined in Article 2 - Definitions, designed only for the boarding of animals. The purpose of these requirements is to reduce noise levels from barking dogs to comply with the Township's nuisance regulations adopted by separate resolution.

b) General.

1) Indoor Commercial Kennels. Indoor Commercial Kennels with access to outdoor runs shall have solid doors between indoor and outdoor areas that are closed between the hours of 8:00 p.m. and 8:00 a.m. and all other non-business hours. All Commercial Kennels shall be contained within the principal structure and shall be separated from the exterior of the Building by a solid wall and door.
2) Outdoor Commercial Kennels. Outdoor Commercial Kennels that are located only outdoors are prohibited.
3) Outdoor Runs. All outdoor runs shall be closed between the hours of 7:00 p.m. and 8:00 a.m. and all other non-business hours. All animals shall be housed inside the principal structure during these hours.
    i) All outdoor runs shall be separated by a solid eight (8) foot wall so as an animal in one outdoor run does not see an animal in another. The purpose of this requirement is to reduce the tendency of animals to bark or fight with other animals in adjoining runs.
    ii) All outdoor runs shall be located behind the principal Structure and shall be maintained at least two hundred (200) feet from adjacent Lot Lines.

4) Perimeter Fencing. An eight (8) foot tall perimeter fence shall be constructed to prevent any animal from escaping the premises. Said Fence shall be constructed of solid, durable materials. Chain Link Fencing and Chain Link Fencing with materials woven into the fencing are not permitted. The Board of Zoning Appeals may determine the area for the Perimeter Fencing based upon the area of use. Said Perimeter Fencing shall encompass all areas between Structures, outdoor runs, and other areas where animals may be outside either restrained or unrestrained.
5) Waste Disposal. The disposal of waste shall comply with applicable State of Ohio Laws. No such waste shall be detectable by odor or visually seen from any adjoining Lot of Record. Proper measures shall be taken to ensure such waste does not affect any well water of adjoining Lots of Record and any surface water (i.e., streams, ponds, lakes, drainage channels, etc.).

COMMUNITY GARDENS

When Community Gardens are listed as a Permitted Use in a Zoning District, they shall be prohibited within the Right-of-Way and required Front Setback. Any shed, storage container, or similar Structure within a Community Garden shall be considered an Accessory Structure and shall comply with the requirements of Section #### - Accessory Uses and Structures.

DATA CENTERS

a) Purpose. The intent of this section is for the Township to regulate the placement and construction of Data Centers as a Conditional Use within the Light-Industrial Overlay District.

b) Process.

1) Within this Overlay Zoning District, Data Centers may be permitted as a Conditional Use, subject to the approval and conditions established by the Board of Zoning Appeals in accordance with Article #### of this Resolution.
2) An applicant shall obtain a Conditional Use Permit under Article #### before submitting a Development Plan application under Article ####. Following issuance of a Conditional Use Permit for a Data Center, the applicant who elects to proceed shall obtain approval for a Development Plan in accordance with the requirements of Article #### prior to commencing development.
3) No Development Plan application proposing a Data Center shall be considered complete or accepted for review by the Zoning Commission until a Conditional Use Permit has been approved by the Board of Zoning Appeals pursuant to Article ####.
4) Conditionally Permitted Uses shall be considered abandoned if said Use(s) are not commenced within one (1) year from the date of Board of Zoning

Appeal approval or are discontinued for a period in excess of two (2) years. Unless the Conditional Use Permit specifically provides that the grant shall be permanent and shall run with the land, the sale or conveyance of the land and/or Structure wherein the same is located or upon which the same is granted shall void the Conditional Use Permit. The subsequent owner(s) or his agent shall be required to reapply for a continuation and/or modification of such use(s) to the Board of Zoning Appeals if said Uses are to be continued. A designation by the Board of Zoning Appeals that a Conditional Use Permit is permanent and shall run with the land does not affect the rights of authorities to revoke the Conditional Use Permit for failure to comply with conditions imposed. No Conditional Use shall be implemented until a Permit of Zoning Compliance is issued by the Zoning Inspector.

c) Conditions.

1) No building shall exceed thirty-five (35) feet in height, measured vertically from the established grade to the highest point of the structure including parapets, screening walls, or rooftop structures.
2) A sound study shall be conducted by a third party that is mutually agreed upon between the Owner and the Township to establish a baseline, existing decibel level. Following this sound study, the operation of the Data Center shall not exceed whichever of the following is lower at the required Setback Line: the decibel level baseline or forty-five (45) dBA from 10 pm to 7 am and fifty-five (55) dBA from 7 am to 10 pm. Reports shall be submitted annually or more frequently if requested by the Township Zoning Inspector to verify compliance with this standard. Failure to maintain sound levels at or below the required decibel limits at the required Setback Lines or to submit the required reports shall constitute a zoning violation and may result in enforcement action pursuant to Article #### of this Resolution.
3) All Data Centers must connect into and solely rely upon central water and sewer services. The Data Center shall utilize a closed-loop water system.
4) Data Centers shall adhere to all requirements in to Section #### - Landscaping.
5) The maximum lot coverage shall not exceed sixty-five (65) percent.
6) Data Centers shall be located no closer than five hundred (500) feet from the Property Line of any parcel that is zoned or used for residential purposes, with the setback measured from the nearest point of the Data Center building to the nearest residential property line.
7) No principal building, generator, mechanical equipment yard, loading area, fuel storage, Laydown Yard, or parking area shall be located within a required Setback.
8) No Building, Structure, or Temporary Structure shall be utilized to house or temporarily house people during construction or operation of the Data Center.

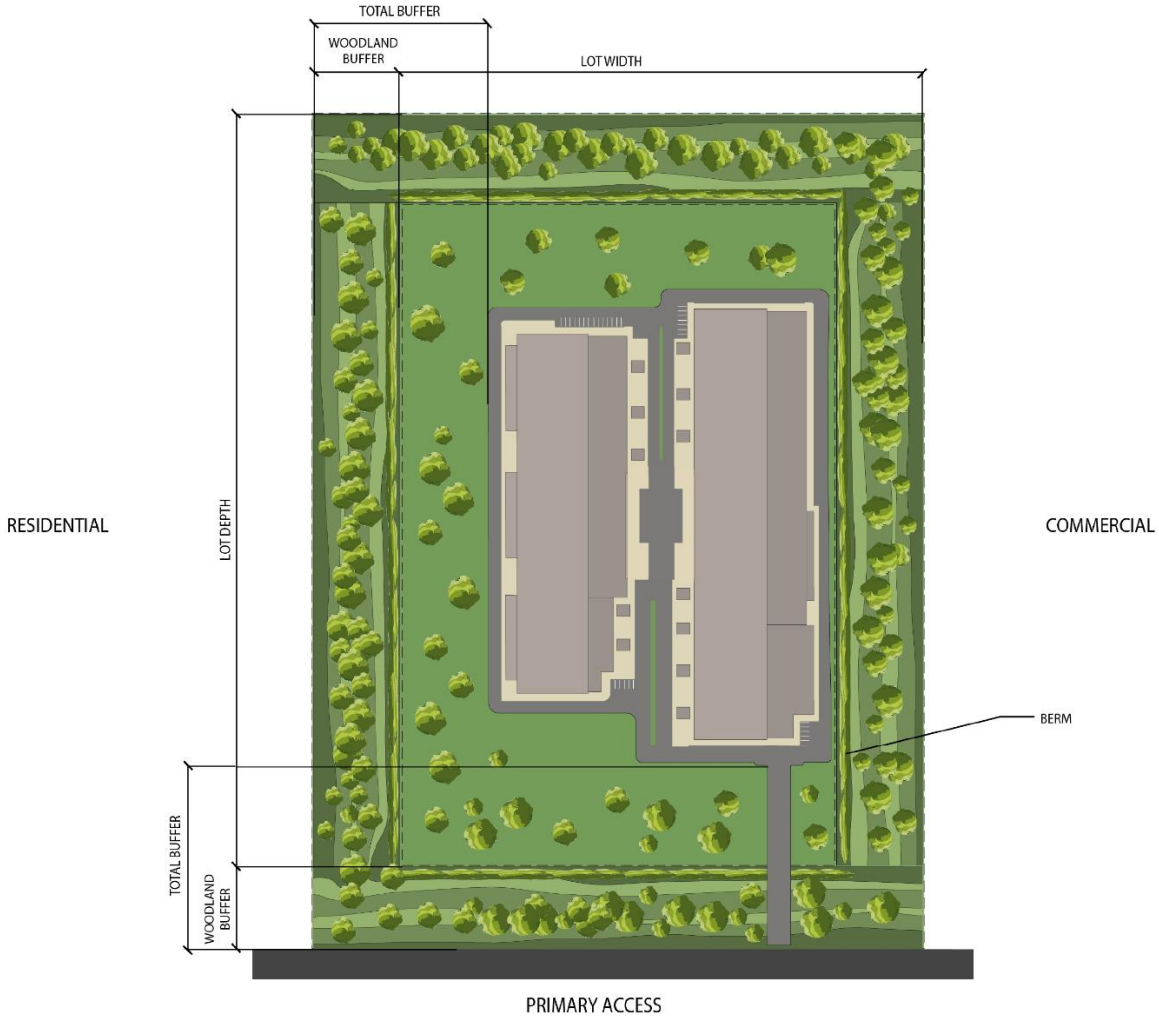
9) The Setback area shall be maintained as a landscaped buffer including berms, evergreen plantings, and/or fencing.
   i) A continuous six (6) foot hedgerow planted atop an eight (8) foot berm is required in conjunction with a two hundred (200) foot Woodland Buffer adhering to the standards found in Section ####. The hedgerow atop the berm shall be located on the inside of the Woodland Buffer.
   ii) Minimum opacity fifty (50) percent in winter / seventy (70) percent in summer.
   iii) Berm slope: three-to-one (3:1).
   iv) Ground areas shall be planted with low-maintenance native ground cover plants.
   v) Dead landscaping must be replaced within six (6) months.

d) Decommissioning Plan. Applications for Data Centers shall include a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal of the facility or rehabilitation of the facility into another Use. All decommissioning plans shall be certified by an engineer or contractor with demonstrated expertise in Data Center removal, and shall include the following:

1) Anticipated life of the project;
2) A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all storage components of the Data Center;
3) An estimated deconstruction schedule;
4) A description of mediation procedures for the release of hazardous materials or other emergency events during the decommissioning process;
5) The estimated decommissioning cost in current dollars; and
6) The full estimated cost of decommissioning shall be guaranteed by bond, letter of credit, or other security approved by the Township.
   i) The owner shall deposit the required amount into the approved escrow account before any Zoning Certificate is issued to allow construction of the Data Center.
   ii) The escrow account agreement shall prohibit the release of the bond without the written consent of the Township. The Township shall consent to the release of the bond upon on the owner's compliance with the approved Decommission Plan. The Township may approve the partial release of the bond as portions of the approved Decommission Plan are performed.
   iii) The dollar amount of the bond shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value.
   iv) The owner or occupant shall recalculate the estimated cost of decommissioning every five (5) years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of

decommissioning by ten (10) percent, then the owner or occupant shall deposit additional funds into the bond to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety (90) percent of the original estimated cost of decommissioning, then the Township may approve reducing the amount of the bond to the recalculated estimate of decommissioning cost.

7) Decommission shall include removal or rehabilitation of all Data Center equipment, security barriers, and transmission lines from the site so that the Building may be utilized for a future Use or returned to an Agricultural Use.



FENCES AND WALLS

a) Fences for non-agricultural uses are required to obtain a permit through the application process of Section ####. No fence or wall shall be placed on any corner lot to create a sight impediment within seventy-five (75) feet of the intersecting center lines of any two (2) or more streets. In determining if any sight impediment exists, the

Zoning Inspector shall measure the sight distance between the center lines of such streets at a height of forty-five (45) inches above the actual grades of the streets.

b) Fences shall not be permitted within any road right of way.

c) Fences shall not be permitted to obstruct any road viewshed and must comply with Section #### - Visibility at Intersections.

d) Fences supported by posts on the side of the Fence or Wall shall be erected so that exposed posts and supporting cross elements shall face inward towards the property for which the request was initiated. This requirement shall not apply if the Fence is the same on both sides.

e) The following types of fences are permitted in front of the front façade provided they do not fully enclose a lot, are used only for decorative purposes and have a maximum height of three (3) feet:

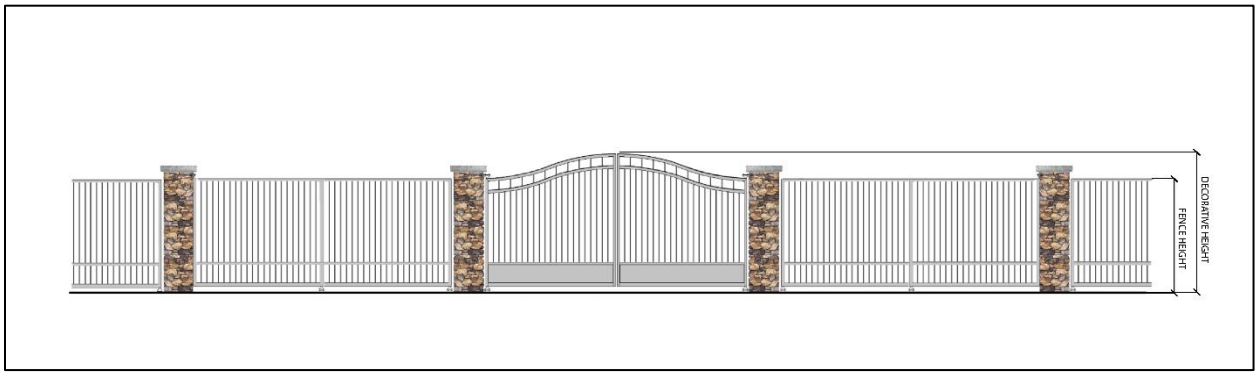
1) Accent Fences
2) Open Fences
3) Picket Fences

f) The following types of fences are permitted in the side and rear yards and to the rear of the front façade, where they shall have a maximum height of four (4) feet:

1) Accent Fences
2) Open Fences
3) Picket Fences
4) Wrought Iron Fences

g) Perimeter Fence. A four (4) foot tall perimeter fence may be erected to fully enclose a lot or tract provided it is an Open Fence style, as defined in Article 2. Figure ####, below, provides an example rendering of a Perimeter Fence; it is a general depiction and the permitted fencing materials are not specific to the rendering.

Figure ####



h) Privacy Fence. Privacy fences shall be permitted to fully enclose a patio or other similar area immediately adjacent to the primary structure. Privacy fences shall not exceed six (6) feet in height.

i) Buffer Fence. A fence for buffering/screening when required in Section #### - Landscaping – shall be required at either four (4) feet in height for Commercial Uses or six (6) feet in height for Industrial Uses.

j) No fence or wall shall obscure, hide, enclose, or screen fire hydrants, street address numbering, and other security or emergency service equipment, controls, or components, and shall not affect the vision of drivers on the public streets or from driveways intersecting public streets.

k) Prohibited Fencing.

1) Electrified, barbed wire, razor wire and stockade fences are prohibited in all districts except for the following situations:
   i) This prohibition shall not be construed to prohibit electrified and/or barbed wire fences when used in conjunction with a purely agricultural use as defined by the Ohio Revised Code.

l) Maintenance.

1) Permitted fences, walls, or structures shall be maintained in good condition, be structurally sound and completely finished at all times. Any grounds between such fences, walls or structures and property lines shall be well maintained at all times by the appropriate property owner. Supporting members for walls and fences shall be located to not be visible from the adjoining property unless the fence is designed such that the supporting members are identical in appearance on both sides of the fence or wall.

2) Normal repairs and maintenance. None of the provisions of this Code shall be interpreted to prevent normal repairs and maintenance or to strengthen or correct any unsafe condition of any fence.
3) Non-Conforming Fences and Walls shall be subject to Section #### on damages and continued non-conformity.

FOOD TRUCKS

a) Purpose. The intent of these regulations is to provide the food industry with creative opportunities outside of the traditional brick and mortar restaurants while controlling potential impacts such as traffic, food safety, and compatibility with the surrounding areas. These regulations ensure that Food Trucks are properly integrated into the overall existing or future streetscape designs of the Township. These regulations also limit the time frame for Food Trucks to allow ample time for business incubation while also discouraging them from becoming permanent fixtures.

b) Applicability.

1) Food Trucks that are located on private property shall only be allowed in the NB and LIO Districts, and these Food Trucks shall be subject to this Section.
2) Food Trucks located within the public Right-of-Way shall be governed by a Right-of-Way Permit and are not subject to this Code.
3) Certifications require yearly renewal for authorized use of Food Trucks. Certification may be rescinded if the Food Truck fails to comply with the standards in this Section.
4) This section does not apply to Food Trucks associated with Residential Uses.

c) All Food Trucks located on private property within the NB must comply with the following regulations (private residences are exempt):

1) Food Trucks shall be lit with existing and available site lighting. No additional exterior lighting shall be permitted. Lighting inside the Food Truck for the purpose of inside food preparation and menu illumination may be permitted. There shall be no Light Trespass or additional glare onto adjacent properties. Flashing lights are prohibited;
2) No signs shall be permitted except as follows:
   i. Signs directly painted or directly applied onto the Food Truck shall be permitted; and
   ii. One small Temporary Sign that does not exceed eight (8) square feet.
3) The selling of alcohol shall be prohibited, unless otherwise permitted within designated drinking outside areas Downtown Outdoor Refreshment Areas (DORAs), if applicable;

4) There shall be a minimum of one (1) trash receptacle for use by patrons and placed in a convenient location that does not impede pedestrian or vehicular traffic. Trash must be removed daily from the site;
5) The Food Truck shall be located on an entirely paved, level parking lot to enhance the safety of pedestrians and patrons;
6) All equipment and storage associated with and required for the operations of the Food Truck, except for the trash receptacles required in this section, shall be located on or within the Food Truck. This includes any generators;
7) There shall be no furniture, umbrellas, or other objects outside of the Food Truck. Any proposed furniture or umbrellas shall be subject to the outdoor dining standards of the applicable District in addition to these regulations;
8) The Food Truck shall have access to water (i.e., water tank, connection to central water line, etc.) and electricity (generator, connection to utility lines, etc.) and such services shall be located in a manner that does not create a safety hazard to employees, patrons, or pedestrians;
9) When a Food Truck is proposed to be located within five hundred (500) feet of an existing One-Unit Dwelling Unit, operations of said Food Truck are limited to 10:30 a.m. to 3:30 p.m. daily. Otherwise, the operations of Food Trucks are limited to 6:00 a.m. to 9 p.m. Sunday-Thursday and 7 a.m. to 11 p.m. Friday and Saturday;
10) There shall be no obstruction or interference with the free flow of pedestrian or vehicular traffic, including but not limited to or from, any business, public building, the remainder of the parking area, or adjacent Right-of-Way;
11) There shall be no impediments to the visibility area sight distance at any driveway or intersection;
12) The Food Truck may only operate in the location approved on the site plan for the Zoning Certificate and may not be moved to any other location on the property or to a different property within the Township without first receiving a new Zoning Certificate;
13) Each Food Truck shall have a minimum thirty-five by fifteen (35 x 15)-foot area. Any Food Truck that exceeds twenty-seven (27) feet in length shall have a minimum seventy by fifteen (70 x 15)-foot area. In no case shall the combined area of all Food Trucks permitted on one lot exceed twenty-five percent (25%) of the Lot Area;
14) The applicant, if not the owner of the property, shall provide written permission from the property owner to utilize the property for a Food Truck.
15) The Food Truck shall pass health and fire safety inspections by the Lucas County Board of Health and the Fire Department, respectively;
16) Due to the temporary nature of Food Trucks, the standards of this Code for Parking (Article ##), Landscaping (Section ##), and Signs (Article ##) do not apply to Food Trucks; and
17) If the Food Truck complies with all the above standards, a Zoning Certificate may be issued for up to thirty (30) consecutive days on a property within any sixty (60) consecutive calendar days.

d) Exemptions. Food Trucks are exempt from obtaining a Zoning Certificate when:

1) It is parked in one location for a period of less than eight (8) hours while not operating; or
2) It operates exclusively as a subset of a Township approved special event, within the approved areas and time frames. The Township may increase the number of Food Trucks allowed for one (1) lot during Township approved special events.
3) However, the exemption of requiring a Zoning Certificate, however, does not preclude the requirement for the Food Truck to have passed a health and fire safety inspection according to the standards of the Lucas County Board of Health and Fire Department, respectively.

HOME OCCUPATIONS

a) A Home Occupation shall be clearly subordinate and secondary to the use of the Dwelling Unit.

b) The following regulations apply to all Home Occupations:

1) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation other than one sign, not exceeding two (2) square feet in area, non-illuminated, and mounted flat against the wall of the building in which the home occupation is located;
2) There shall be no sale on the premises of commodities other than those produced as the result of the home occupation;
3) No traffic shall be generated by such home occupation in greater volume than would normally be expected in a residential neighborhood, and any need for parking generated by the conduct of such home occupation shall meet the off-street parking requirements as specified in this Resolution, and shall not be located in a required front yard;
4) Equipment or processes shall not be used in such home occupation, which create noise, vibrations, glare, fumes, odors, or electrical interference detectable off the lot. No equipment or process shall be used which creates visual, audible, or electrical interference in any radio or television receiver or computer terminal off the premises, or causes fluctuations in voltage off the premises;
5) There shall be no increased burden placed upon existing public services provided to the residence because of a home occupation. The Home Occupation shall not involve delivery trucks other than normal parcel delivery services; and

c) The following regulations apply to Minor Home Occupations:

1) There shall be no workers other than the residents of the Dwelling Unit in which the Home Occupation is conducted;
2) There shall be no signs associated with the Minor Home Occupation;
3) Have an area of no more than twenty (20) percent of any primary Dwelling Unit shall be used for a Home Occupation; and
4) No Zoning Certificates are associated with Minor Home Occupations.
5) No Minor Home Occupations can be conducted in Accessory Structures.

d) The following regulations apply to Major Home Occupations:

1) The number of workers who are not residents of the dwelling may work in the Major Home Occupation. The Board of Zoning Appeals shall determine the maximum number of workers on an applicant-by-applicant basis to determine that the Use shall be clearly subordinate and secondary to the Primary Dwelling Unit;
2) Floor Area. If conducted in the primary dwelling unit, then an area of no more than forty percent (40%) of any dwelling unit shall be used for the home occupation;
3) Major Home Occupations may be conducted in Accessory Structures as determined by the Board of Zoning Appeals. One (1) Wall Sign or Ground-Mounted Sign is permitted that does not exceed six (6) square feet per sign face and has a maximum height of three (3) feet. Ground-Mounted Signs shall not be more than three (3) feet in height relating to Section ##; and
4) A Conditional Use Permit is required for approval of a Major Home Occupation.

JUNK YARDS AND SCRAP METAL PROCESSING FACILITIES

a) Purpose. The intent of these regulations is to provide clear procedures for the operation of Junk Yards and Scrap Metal Processing Facilities.

b) Storage.

1) When adding storage facilities, the applicant shall reduce the number of vehicles or junk in the storage yard.
2) Motor vehicle wrecking yards shall maintain a list of vehicles in stock and submit this list to the Board of Township Trustees upon request.
3) Storage of materials is prohibited in the Side Yard.
4) No vehicle shall be stored longer than six (6) months without written permission from the Board of Township Trustees.

c) Licensing.

1) Applicants for Junk Yards shall be licensed as required under Chapter 4737 of the Ohio Revised Code and file with the Township proof of licensing by the Lucas County Auditor.
2) Applicants for Scrap Metal Processing Facilities shall be licensed as required under Chapter 4738 of the Ohio Revised Code and file with the Township proof of licensing by the Ohio Motor Vehicles Salvage Dealer's Licensing Board.

d) Hours of Operation. Hours of operation shall be no earlier than 7:00 AM nor later than 6:00 PM, Monday through Saturday.

e) Fencing and Screening. Any area used as a Junk Yard or Scrap Processing Facility shall be effectively screened on all sides by means of Walls, Fences, and natural Landscaping. Walls or Fences shall be a minimum of six (6) feet in height. Storage of materials shall not exceed this height. A strip of land not less than fifteen (15) feet in width shall be planted and maintained on the exterior with evergreen hedge or shrubs and shall be equal to or greater than the height of the fence or wall.

LANDSCAPING

a) General Requirements. All Front, Side, and Rear Yards and the perimeter of Tracts in Overlay Districts shall be landscaped to comply with the following regulations, unless otherwise noted. All improved common open space shall be landscaped per the approved Development Plan. A landscape plan for the common open space and streetscape within the Front Setback shall be prepared by a licensed landscape architect showing the caliper, height, numbers, name, and placement of all materials, and it shall be submitted with and approved as a part of the Development Plan. All sites must be well landscaped and buffered to minimize the impacts of certain site components, including trash receptacles, storage, parking, utilities, and mechanicals as determined by the Township Trustees. However, at a minimum, the Development Plan shall comply with the following requirements:

1) Proposed landscaping material shall align with the established architectural requirements found in the relevant Section (#### or ####) for the CCR, NB, and LIO Districts and utilize native plantings and grasses;
2) Unless otherwise provided, landscaping material shall be installed to provide a minimum of fifty (50) percent winter opacity and a seventy (70) percent summer opacity, between one (1) foot above Finished Grade to the top of the required planting, hedge, Fence, or earthen mound (where applicable) within four (4) years after installation;
3) All plants shall meet or exceed the American Standards for Nursery Stock as set forth by the American Association of Nurserymen;

4) All trees and landscaping shall be well maintained. Dead trees, shrubs, and other landscaping material shall be promptly removed and, when required, shall be replaced within six (6) months;
5) All trees required by these regulations, or other applicable standards, shall be live plants and meet the following minimum tree sizes at the time of planting:

TABLE ####(a)(1)

Tree Type*	Minimum Size at Time of Planting
Deciduous Trees	2-inch caliber
Coniferous/Evergreen	5 feet in height
Shrubs and Hedges	3 feet in height
*All trees shall be subject to the list of invasive plant species regulated under ORC 901.50 and OAC 901:5-30-01.	

6) Landscaping at Driveway and Street Intersections shall comply with Section #### - Visibility at Intersections;
7) Native Plants in Ohio. Ohio boasts around one thousand nine hundred (1,900) native plant species, all uniquely adapted to the local climate and soil, contributing to biodiversity and ecological health. Planting a diverse mix of native species helps safeguard against pests and diseases, ensuring ecosystem resilience. For a complete list of native species, visit ohionativeplantmonth.org/native-plant-list/. For promoting biodiversity, reducing the likelihood of an outbreak of disease and overall ecological health of the Overlay area, all required plantings shall include a diverse range of plant species as determined with Development Plan approval.
8) Tree Preservation. All Medium and Large Tree species shall be preserved, unless exempted, as follows:
   i) The proposed Structure or vehicular use area cannot be located in a manner to avoid removal of the Tree while at the same time permitting desirable and logical development of the Lot. Such Trees shall be identified on the Development Plan approved by the Township Trustees.
   ii) The Tree is damaged, diseased, or otherwise is an invasive species in its present location as indicated on the Development Plan approved by the Township Trustees.

b) Clustered Conservation Residential (CCR) Overlay District Landscaping. The existing tree lines must be preserved, and a two hundred (200) foot Woodland Buffer must be established from the proposed Right-of-Way of an existing State Road or the proposed centerline of any County or Local Roads to any new development:
   1) This two hundred (200) foot buffer shall consist of a minimum of forty (40) feet in width of native vegetation and trees and shall mimic the natural conditions of a forest edge as established in Table ####(b)(1), below, for the purpose of

greatly reduced noise pollution and visual impacts of the development from any State, County, or Township Roadway;

2) Figure ####(b), below, shows the ideal Woodland Buffer where native grasses, sedges, and perennials give way to woody shrubs before finally transitioning to small flowering trees and young canopy trees;

3) All trees required by these regulations shall comply with Table ####(a)(1) above;

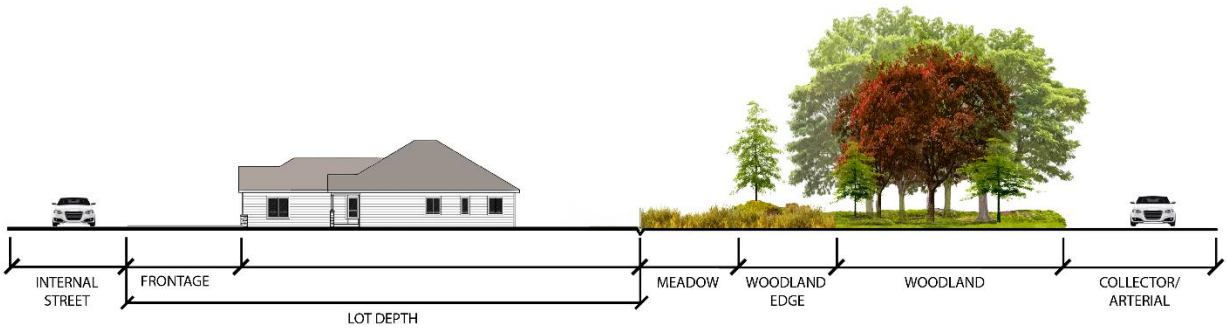
4) An entryway feature may also be used, as approved in the Development Plan, as a portion of the required buffer. The entryway feature must be in line with the architectural design requirements of Section ####.

TABLE ####(b)(1)

CCR Overlay Buffer			
	Min. # of trees per 100 lineal feet of adjoining lot lines must include the following:		
Minimum Buffer Width (Feet)	# of Large Trees	# of Small Trees	# of Shrubs
40	4	10	33

FIGURE ####(b)

WOODLAND BUFFER



c) Neighborhood Business (NB) and Light-Industrial (LIO) Overlay District Landscaping.

1) A Perimeter Buffer shall apply when a proposed Development Plan abuts a property within the Overlay District that has not yet elected to submit an application to apply the Overlay District's standards and is following the underlying Zoning District that allows Residential Uses.
2) Perimeter Buffer Requirements – A typical Perimeter Buffer shall be fifty (50) feet in width, unless otherwise approved by the Township Board of Trustees as shown on an approved Development Plan, if located adjacent to any existing or planned Residential Use, or as otherwise required within this Resolution. The Township Trustees may adjust (increase or decrease) the buffer width, depending upon the following factors:
    i) The adjacent land uses and zoning classifications;
    ii) The location of any existing multi-use paths;
    iii) Existing tree lines and other existing natural features; or
    iv) Other relevant factors as determined by the Township Trustees.
3) A Perimeter Buffer of two hundred (200) feet in width shall be provided on any property adjacent to any existing or planned Residential Use.
4) The buffer shall contain native vegetation and trees and shall be mounded or mimic the natural condition of a forest edge to reduce noise pollution and visual impacts of the development from adjacent land uses.
5) A multi-use path shall be included in the buffer along with a mix of deciduous and coniferous trees to enhance year-round screening.
6) Fence Design – There shall be a Fence on each side of the buffer which shall serve as a clear borderline between the buffer and fee simple lot. The Fence shall be a:
    i) Height: Four (4) or Six (6) feet depending upon the intensity of the Use as agreed upon by the Township Trustees in the Development Plan unless otherwise required within this Resolution; and
    ii) Material: The Fence shall be designed to comply with the regulations set forth in Section #### - Fences.
7) Parking Lot Screening – Any surface parking areas adjacent to an existing or planned Public Right-of-Way shall be screened from the respective Right-of-Way with a minimum of a three (3) foot-tall continuous planting hedge or Fence and tree combination. The height shall be measured from the Grade of adjacent parking area;
8) Street Trees – Throughout the Setback area along Lots developed utilizing the LIO development plan standards, there shall be a minimum of four (4) trees per one hundred (100) lineal feet. Trees may be deciduous, coniferous, or a combination thereof. This requirement shall not apply in the areas of ingress and egress, or to existing trees which are undisturbed by the project.
9) Mechanical Equipment, Service Areas, and Mechanical Equipment Generators – External mechanical equipment must be screened from public Rights-of-Way and adjacent Single-Family Dwellings using one of the following:

i) A Wall or Fence at least one (1) foot taller than the equipment, made of materials matching the principal Building;

ii) Coniferous landscaping at least one (1) foot taller than the equipment installed in a linear fashion with a maximum spacing of twelve (12) feet.

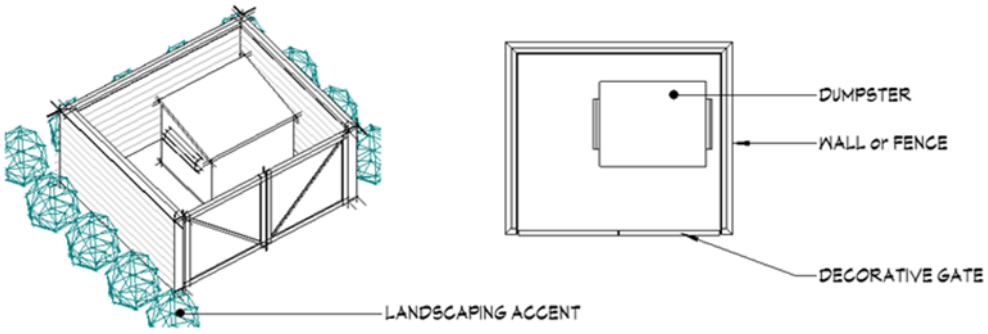
10) Service, Production, and Loading Zones – Shall comply with the standards found in Section ####.

11) Trash Containers and Storage Areas –

i) Must be screened on three (3) sides by a Wall or Fence one (1) foot taller than the container or stored materials, with materials matching the Principal Building. The fourth side must have a solid, decorative gate of the same height.

ii) Accent landscaping, such as shrubs, must be planted no more than five (5) feet apart around the perimeter of Walls or Fences. An example is provided below in Figure #### - Trash Container Enclosure and Accent Landscaping.

Figure ##
Trash Container Enclosure and Accent Landscaping



LAYDOWN YARDS

a) Intent. The intent of this section is for the Township to regulate the placement and construction of Laydown Yards as a Conditional Use within the Light-Industrial Overlay District.

b) Standards. All Laydown Yards shall have direct access to Central Avenue, and if applicable, shall be located on the same site as the Data Center, and follow same Setback, Landscaping, and development standards within Section ####. All laydown yards shall also adhere to the following standards:

1) Activities within a laydown yard shall be limited to 7:00 a.m. to 7:00 p.m. Monday through Saturday.
2) Materials stored in a laydown yard shall be managed to prevent dust, debris, or other nuisances from leaving the site.
3) No materials, equipment, or vehicles shall be stored in the laydown yard on a permanent basis; all items shall be removed or used within a reasonable time frame, not to exceed one (1) year.

LIGHTING

a) Exterior lighting in all Overlay Districts shall comply with the following standards unless otherwise specified in this Code.

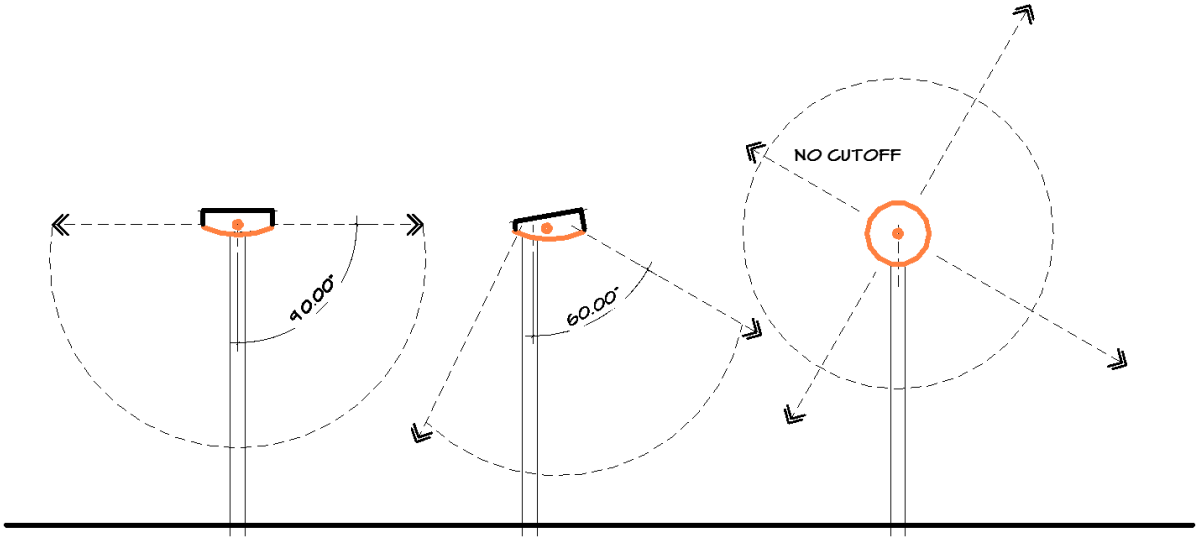
b) Exceptions:

1) All exterior lighting fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns or gas lamps, are exempt from the requirements of this section;
2) Holiday lighting shall be exempt from the requirements of this section;
3) All temporary emergency lighting needed by the following shall be exempt from the requirements of this section including flashing or blinking lights:
    i. Police;
    ii. Fire department;
    iii. Other emergency service vehicles;
    iv. Public service vehicles; and
    v. All vehicular luminaries; and
4) Street lights shall be exempt from the provisions of this section.

c) Prohibited Lighting. Search lights, beacons, laser source lights, or any similar high-intensity or flashing lights are prohibited, except in emergencies by police and fire department personnel.

d) Types of Fixtures. All light fixtures shall be full cut-off type fixtures except for decorative light fixtures.

Full cutoff fixtures qualify with a cutoff angle to or less than ninety (90)-degrees with no light projecting skyward.



e) Fixture Height.

1) The fixture height in the parking lots shall not exceed twenty (20) feet.
2) Lighting located under canopies shall be flush mounted or recessed within the canopy.
3) Fixture height shall be measured from the finished grade to the topmost point of the fixture.

f) Kelvin Temperature. The color temperature for all lights shall not exceed 4,000K.

g) Exterior lighting shall be designed and located to have the following maximum illumination levels. The levels shall be measured at the finished grade at the Lot Line as demonstrated by a lighting plan:

1) The maximum illumination at a Lot Line that abuts a lot within an existing Residential District or is zoned or designated for residential uses shall be three-tenths (0.3) foot-candles;
2) The maximum illumination at a Lot Line that abuts any other use shall be one (1)-foot candles;
3) The maximum illumination at a Lot Line for properties used for outdoor sports and recreation shall be reviewed for compliance regarding the intent of these guidelines to minimize the impact of Light Trespass and glare on all surrounding properties and public rights-of-way; and
4) The illumination across any property shall be designed to not create excessive dark spots that may create safety issues.

h) Automobile-Oriented Uses – Canopy Lighting. Automobile-Oriented Use canopy lighting must be recessed within the canopy and use an opaque shield around the sides of the light.

PONDS

a) Purpose. The intent of this Section is for the Township to regulate the placement and creation of Ponds, as defined in Article 2 – Definitions, in all Districts with Lots of three (3) acres or greater and within the Overlay Districts.

b) General Requirements.

1) The Pond location and related redistribution of extracted soil shall be in compliance with the Lucas County Board of Health regulations for on-site septic disposal.
2) A Dwelling or Primary Structure is required on a Lot prior to issuance of a Zoning Certificate.
3) Ponds which abut more than one (1) Lot and/or serve as an Accessory Use for more than one (1) Lot and all of the respective Lots associated with the Pond shall be platted in accordance with applicable subdivision regulations.
4) Lots containing Ponds used for drainage retention shall be platted in accordance with the applicable subdivision regulations.
5) All Ponds shall be reviewed by the Lucas County Building Regulations Department for conformance with applicable flood plain regulations prior to the issuance of a Zoning Certificate.

c) Area and Design Requirements.

1) Minimum Pond surface area shall be one-quarter (1/4) acres. Maximum surface area shall be fifteen (15) percent of Lot area or two (2) acres, whichever is smaller.
2) The side slope of a Pond shall be horizontal to vertical at a ratio of 2.5:1, except where a beach is desired. This ratio shall be maintained to a minimum depth of fifteen (15) feet.
3) Beach areas may be sloped no less than at a horizontal to vertical ratio of 10:1 and shall not exceed twenty-five (25) percent of the Pond surface area.
4) Ponds shall be graded not to exceed four (4) feet in height so it shall not obstruct an adjoining property owner's view. Excess dirt may be redistributed on the Parcel, but may not be removed from the site, unless determined in the site plan approval that it is deemed necessary for Landscaping or to provide adequate drainage of the site.

5) To prevent adverse effects of drainage to adjoining properties, a drainage system shall be installed to accommodate overflows and surface drainage from Pond development, then diverted to a suitable outlet or drainage ditch.
6) All Ponds must have a site grading plan reviewed by the Lucas County Engineer and Building Regulations Department. Contact the Lucas County Engineer's office for submission requirements.

d) Setbacks.

1) A Pond shall have a one hundred (100) feet minimum Setback from any roadway Right-of-Way Centerline or behind the Front Building Line, whichever is smaller.
2) Ponds shall have a Side Yard Setback of not less than ten (10) percent of the width of the parcel, with a minimum Setback of thirty-five (35) feet from all Property Lines.
3) A Pond shall be located no closer than one hundred (100) feet to a septic tank or leach field.

e) Refilling.

1) The refilling of an area which has been excavated for the development of a Pond shall be considered waste disposal and shall meet the requirements as set forth by the Lucas County Board of Health for solid waste disposal under Section 3734.05 of the Ohio Revised Code.

PORTABLE HOME STORAGE UNITS

Portable Home Storage Units shall be a Permitted Use within the Agricultural District (AG), Rural Residential-1 District (RR-1), Rural Residential-2 District (RR-2), and the Clustered Conservation Residential Overlay District (CCR), provided the following regulations are met. A Zoning Certificate shall be obtained for any Portable Home Storage Unit.

a) Portable Home Storage Units shall be prohibited from being located within any right-of-way.

b) Portable Home Storage Units shall be kept in the driveway of the property at the furthest accessible point from the street.

c) Only two (2) Portable Home Storage Units shall be permitted on any residential property at any one time.

d) Portable Home Storage Units shall be permitted for thirty (30) consecutive calendar days within any 365 calendar-day period.

e) The Zoning Inspector may grant a one-time extension of up to thirty (30) consecutive calendar days. Any additional extensions would require action by the Board of Zoning Appeals, which would be processed as a variance from these regulations.

f) Portable Home Storage Units and roll-off containers shall not be utilized for living purposes.

g) Shipping Containers, as defined in Article 2 – Definitions, shall conform to the regulations found in this Section and shall only be permitted within the AG District.

RECREATIONAL VEHICLES

a) Purpose. It is the purpose of this Resolution to regulate Recreational Vehicles, as defined in Article 2, within Residential Districts in order to promote the health, safety, and general welfare for the citizens of the Township while also respecting the Township's rural character.

b) Recreational Vehicles in the CCR District. Residents shall be permitted to park a Recreational Vehicle on a Lot located in the CCR District provided the following criteria are met:

1) There shall be a maximum of one Recreational Vehicle per Dwelling Unit permitted on said Lot. For purposes of this Resolution, a boat stored on a boat trailer is considered one Recreational Vehicle. Said Recreational Vehicle shall not exceed thirty (30) feet in length, nine (9) feet in width, and twelve (12) feet in height.
2) Recreational Vehicles shall be parked on a paved or gravel surface located behind or beside the primary structure and shall not be parked in the grass.
3) Recreational Vehicles shall be parked no closer than three (3) feet from any side property line.
4) Recreational Vehicles shall not be located forward of the front plane of the main dwelling, except however, the Recreational Vehicle may be parked on the paved driveway in front of the main dwelling for a period not to exceed one (1) week for loading and unloading. In no case shall said Recreational Vehicle be parked, stored, or displayed for sale in a manner that blocks any sidewalk or obstructs sight lines for any vehicle entering or exiting the right-of-way.
5) A Recreational Vehicle or any motor vehicle shall not be utilized for living, sleeping, housekeeping, business, or storage purposes unless in conjunction with the condition for a Dwelling remodeling as specified in Section ####.

c) Recreational Vehicles in the AG, RR-1, and RR-2 Districts – Residents shall be permitted to park a Recreational Vehicle on a Lot located in the AG, RR-1, and RR-2 Districts provided the Recreational Vehicle shall be located in a location on the Lot that is not visible from the Right-of-Way.

REHABILITATION CENTERS

a) Purpose. The purpose of this Resolution is to regulate Rehabilitation Centers, as defined in Article 2, to promote the health, safety, and general welfare of the citizens of the Township**.**

b) Applicability. The regulations under this Resolution apply to the Districts where the following Drug Rehabilitation Centers are located:

1) Small Residential Facilities may only be located as a Permitted Use in all Zoning Districts where One-Unit Dwellings are a Permitted Use.
2) Emergency and Protective Shelters, Residential Treatment Facilities, Permanent Supportive Housing, and Transitional Living Centers may only be located as a Conditional Use in the NB and LIO Overlay Districts as designated in Section #### - Combined Use Table.

c) Development Standards. Emergency and Protective Shelters, Permanent Supportive Housing, Residential Treatment Facilities, and Transitional Living Centers are a Conditional Use within the NB and LIO Overlay District. Large Residential Treatment Facilities are Conditional Uses within the CCR Overlay District. The Board of Zoning Appeals shall ensure all the following standards are met prior to issuing a Conditional Use Permit for said facility:

1) The facility shall obtain all approvals and/or licenses as required by state and local laws;
2) The facility shall meet all applicable local and/or state building, safety, and fire safety requirements for the proposed facility and level of occupancy.
3) The facility shall provide twenty-four (24)-hour supervision by trained and qualified professional personnel;
4) For facilities located within any Residential Districts, the architectural design and site layout of the facility shall be compatible with the residential character of the neighborhood;
5) For facilities located within or adjacent to any Residential District, planting a hedge and tree combination along the facility for landscaping screening purposes is required. The required hedge and tree combination shall be a minimum of five (5) feet in height at the time of installation;
6) In addition to the minimum lot size requirement specified in their respective District, there shall be an additional five hundred (500) square feet of lot area required per tenant accommodated by the facility;
7) There shall be a minimum of two thousand (2,000) feet between any existing and proposed Rehabilitation Center. This distance shall be measured from the closest point of the Lot Lines for said facilities;

8) A Rehabilitation Center shall not be located closer than two thousand (2,000) feet from a school, park, or state-licensed liquor store;
9) Facilities shall be reasonably accessible, which requires adequate parking spaces for employees, visitors, and tenants at the main entrance of the facility and adequate pedestrian access;
10) All facilities shall follow the Sign regulations provided in Section ## (for Sign Permits); and
11) All exterior lighting fixtures shall be shaded to avoid casting direct light upon any adjoining property located in any Residential Districts.

SELF-SERVICE STORAGE

a) Purpose. The purpose of this Resolution is to regulate Self-Service Storage, as defined in Article 2, to promote the health, safety, and general welfare of the citizens of the Township**.**

b) General Requirements.

1) Self-Service Storage Facilities shall be limited to rental of storage units; and pickup and deposit of dead storage.
2) Radioactive material, explosive 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.

c) Location.

1) Minimum Lot Area shall be two (2) acres.
2) Self-Service Storage Facilities have a maximum fifty (50) percent Lot Coverage requirement.

d) Height. The height of Structures on this site shall be in conformance with Structures or equal the average height of Structures on properties abutting or opposite to the Self-Service Storage facility where no adjacent Structures exist.

e) Pavement. All roadways and parking areas shall be paved with permeable concrete, asphalt, or other similar surface.

f) Special Requirements.

1) No door openings for any storage unit shall be constructed facing any adjacent residentially zoned or developed property.
2) Hours of operation shall be no earlier than 7:00 AM nor later than 8:00 PM daily.

SHOOTING RANGES

a) Purpose. It is the purpose of this Section to regulate Shooting Ranges, as defined in Article 2 – Definitions, in order to promote the health, safety, and general welfare for the citizens of the Township.

b) Applicability. Shooting Ranges shall be conditionally approved following the assessment of the required site plan as found in Article #### - as well as meeting the following requirements:

1) The Shooting Range shall meet any applicable regulations set by the Ohio Division of Wildlife and the Ohio Revised Code as well as applicable guidelines set by the National Rifle Association (NRA) or equivalent organization. Any associated permits shall be provided as proof to the Township with the filing of the Conditional Use Permit; and
2) The potential hours of operations of Shooting Ranges shall be the following:
   i) Weekday hours of operation shall be between 3 PM and 9 PM.
   ii) Weekend hours of operation shall be between 10 AM and 4 PM.

SHORT-TERM RENTALS

a) Purpose. The purpose of this section is to adapt to new rental market trends that include online platforms, such as Airbnb and VRBO, while also protecting residential neighborhoods from disruption that could result from Short-Term Rentals and to create a convenient, safe, and harmonious environment in which Short-Term Rentals can be permitted and consistent with neighborhood tranquility.

b) Applicability. Short-Term Rentals are considered Conditional Uses within the Agricultural (AG), Rural Residential-1 (RR-1), Rural Residential-2 (RR-2) and Clustered Conservation Residential Overlay District (CCR). If the Ohio Revised Code (ORC) is amended to contradict with any portion of the standards of this section, then said contradicting standards shall become null and void. All other standards in this section that are consistent with state law shall remain in full force and effect. The additional requirements found below in Section ####.d shall apply to applicants in the CCR Overlay District.

c) Registration. An application for a Short-Term Rental permit, and/or renewal of a permit, shall be made to the Township, with an application fee listed in the separate Fee Schedule adopted by the Township.

d) Requirements. Prior to issuing a Conditional Use Permit within the CCR Overlay District, the BZA must determine that the specific criteria for Article ##- Conditional Use – are met in addition to the following regulations:

1) Short-Term Rentals shall be wholly within the Dwelling Unit or Accessory Suite. They shall not be conducted within Recreational Vehicles, Accessory Structures, or any Temporary Use.
2) The Owner or occupant of the premises shall operate the Short-Term Rental and the Short-Term Rental may be operated as a Hosted or Unhosted Short-Term Rental, as defined in Article 2 - Definitions.
3) Exterior Signs shall be limited to a single nameplate not more than six (6) square feet in size. No Signs shall be internally illuminated.
4) The applicant must submit proof of compliance with all applicable building and fire codes.
5) Adequate Off-Street Parking shall be provided as determined by the Board of Zoning Appeals. Off-Street Parking shall not be allowed in the Front Yard.
6) There shall be a limit of one (1) Short-Term Rental per Dwelling Unit on a parcel.
7) The Zoning Inspector shall revoke the Conditional Use Permit if the property is delinquent in filing or payment of any County or Township tax.

SMALL SOLAR ENERGY SYSTEMS

a) Purpose. The purpose of this Section is to provide a regulatory framework for the installation and construction of Solar Energy Systems (SES) in the Township, subject to reasonable restrictions, which shall preserve the public health, safety, and general welfare, while also maintaining the character of the Township. This Section applies to SES to be installed and constructed on any property in any Zoning District.

b) Roof-Mounted and Integrated SES Standards.

1) Roof-Mounted and Integrated SES shall be considered an Accessory Use and permitted by right within all Zoning Districts if mounted to an existing Structure subject to the standards for Accessory Uses as found under Section #### and any other criteria found under this Section as well as the Zoning District.
2) On a pitched/sloped roof, the SES shall be installed parallel to the roof surface and shall not extend beyond the roof peak or roof edge.
3) On a flat roof, the SES is permitted to exceed the respective Zoning District Building Height limit by up to five (5) feet.
4) Screening shall not be required for Roof-Mounted or Integrated SES.

c) Ground-Mounted SES Standards.

1) The Township allows for the development of commercial or utility-scale SES where such systems present few land-use conflicts with current and future development patterns. Ground-Mounted SES that are the principal Use on the developed Lot(s) are a Conditional Use within the applicable District.

2) Ground-Mounted SES shall not be taller than the height requirements for the underlying Zoning District in which they are located.
3) No Ground-Mounted SES shall be located within the Front Yard.
4) Ground-Mounted SES shall meet the required Setbacks of the underlying Zoning District in which they are located. Setbacks shall be the same as what is required for Accessory Buildings in the underlying Zoning District in which they are located.
5) All Ground-Mounted SES shall adhere to the Lot Coverage as found in the Lot Area, Setback, Height, and Lot Coverage Requirements Table for the underlying Zoning District. Additionally, Ground-Mounted SES are treated as an Accessory Use and shall be subject to Section ####.02 – Accessory Structures and Uses.
6) Power transmission lines, not including lines that connect one panel to another or from the project to the main transmission lines, from Ground-Mounted SES must be located underground and must be completely shielded against shock hazards.
7) For Ground-Mounted SES utilized as a Primary Use, parking areas are exempt from the Off-Street Parking regulations but must still meet the required Setbacks in the underlying Zoning District and the landscaping requirements.
8) An owner of a Ground-Mounted SES site shall follow site management practices that:
    i) Provide and maintain for the project's duration diverse native perennial vegetation and foraging habitat beneficial to pollinators.
    ii) Reduce stormwater runoff and erosion at the solar generation site at a rate of one (1) square foot of plantings for each one (1) square foot of panels.
    iii) A landscape plan shall be submitted showing the proposed layout and types of plantings for the site. The landscape plan must provide evidence and implementation of a buffer zone that prevents observation of the Ground-Mounted SES from the Right-of-Way or adjacent agricultural land and Residential Dwellings. A list of native perennial vegetation may be found in Section ####.18(e) – Solar Vegetation. Other low-growing meadow/prairie plants and native or flowering perennials may also be approved.
    iv) Screening shall integrate natural vegetation to create a Woodland Buffer with adjacent road frontage and adjacent Agricultural and Residential Districts. A one hundred (100) foot Woodland Buffer shall be required for Ground-Mounted SES projects that produce up to one (1) megawatt and for each additional megawatt produced greater than one (1) megawatt (1.1-2 megawatt for example) an additional twenty-five (25) feet of Woodland Buffer shall be required. There shall be a maximum Woodland Buffer of five hundred (500) feet required for Ground-Mounted SES projects based upon this calculation. This

Woodland Buffer shall be submitted as a landscape plan as required in Section ####.

v) A drainage and water flow plan shall be submitted showing the impacts of stormwater that the Ground-Mounted SES shall have upon the land. The project area shall be graded and drained to dispose of surface water to prevent the excessive drainage of surface water onto adjacent properties or public roadways. The developer of the project shall demonstrate that adequate provisions have been made to direct storm runoff and subsurface drainage to a suitable and adequate storm water drainage system.

d) The SES Matrix below identifies the types of SES permitted in each Zoning District, or if a Conditional Use is required. Certain SES may be prohibited in certain Zoning Districts.

Table ####

Solar Energy System (SES) Matrix						
Use District	AG	RR-1	RR-2	CCR	NB	LIO
Accessory Use						
Integrated SES	P	P	P	P	P	P
Roof Mounted SES	P	P	P	P	P	P
Ground Mounted SES						
Small-Scale SES (<1-5 ac and less than 1 MW)	C	C	C	C	C	C
Large-Scale SES (>5-249 acres and less than 50 MW)	C	–	–	–	–	C
Primary Use						
Integrated SES	–	–	–	–	–	–
Roof Mounted SES	–	–	–	–	–	–
Ground Mounted SES						
Small-Scale SES (<1-5 ac and less than 1 MW)	–	–	–	–	–	C
Large-Scale SES (>5-249 acres and less than 50 MW)	–	–	–	–	–	C

P: Permitted Use. The SES is allowed in this District.
C: Conditional Use. Applicant must be granted permission to install an SES in this District.
Blank (–): Prohibited. The SES is prohibited in this District or is not applicable.

e) Removal and Decommissioning. Applications for Solar Energy System shall include a decommissioning plan to be implemented upon abandonment and/or in conjunction with removal of the facility. All decommissioning plans shall be certified by an engineer or contractor with demonstrated expertise in Solar Energy System removal, and shall include the following:

1) Anticipated life of the project;
2) A narrative description of the activities to be accomplished, including who will perform that activity and at what point in time, for complete physical removal of all components of the SES facility;
3) An estimated deconstruction schedule;
4) A description of mediation procedures for the release of hazardous materials or other emergency events during the decommissioning process;
5) The estimated decommissioning cost in current dollars; and
6) The full estimated cost of decommissioning shall be guaranteed by bond, letter of credit, or other security approved by the Township.
    i) The owner shall deposit the required amount into the approved escrow account before any Zoning Certificate is issued to allow construction of the Solar Energy System.
    ii) The escrow account agreement shall prohibit the release of the bond without the written consent of the Township. The Township shall consent to the release of the bond upon on the owner's compliance with the approved Decommission Plan. The Township may approve the partial release of the bond as portions of the approved Decommission Plan are performed.
    iii) The dollar amount of the bond shall be the full amount of the estimated decommissioning cost without regard to the possibility of salvage value.
    iv) The owner or occupant shall recalculate the estimated cost of decommissioning every five (5) years. If the recalculated estimated cost of decommissioning exceeds the original estimated cost of decommissioning by ten (10) percent, then the owner or occupant shall deposit additional funds into the bond to meet the new cost estimate. If the recalculated estimated cost of decommissioning is less than ninety (90) percent of the original estimated cost of decommissioning, then the Township may approve reducing the amount of the bond to the recalculated estimate of decommissioning cost.
7) Decommission shall include removal of all Solar Energy System components, Structures, equipment, security barriers, and transmission lines from the site so that any ground upon which the facility and/or system was located is again tillable and suitable for Agricultural Use.

f) Solar Vegetation.

Native Perennial Vegetation for Ground-Mounted SES:

Flowering Plants

- Aster
- Bee Balm
- Black-Eyed Susan
- Blue-Eyed Grass
- Blue False Indigo
- Butterfly Weed
- Cardinal Flower
- Giant Catmint
- Golden Alexander
- Gray-Headed Coneflower
- Heath Aster
- Jerusalem Artichoke
- Lanceleaf Coreopsis
- Lavender/Anise Hyssop
- Prairie Dock/Rosinweed
- Milkweed
- Mountain Mint
- Nodding Onion
- Obedient Plant
- Ohio Goldenrod
- Ohio Spiderwort
- Prairie Blazing Star
- Purple Coneflower
- Purple Prairie Clover
- Rough Blazing Star
- Shooting Star
- Showy Goldenrod
- Sky Blue Aster
- Smooth Aster
- Smooth Penstemon
- Stiff Goldenrod
- White Prairie Clover
- Wild Bergamot
- Wild Geranium
- Wild Quinine

Grasses & Sedges

- Blue Grama
- Little Bluestern
- Prairie Dropseed
- Sideots Gram

SWIMMING POOLS

a) Private Swimming Pools. A Private Swimming Pool, but not including farm ponds, as regulated herein, shall be any pool or open tank not located within a completely enclosed building, and containing or normally capable of containing water to a depth at any point greater than one and one-half (1 1/2) feet. No such Private Swimming Pool, exclusive of portable swimming pools with a diameter less than twelve (12) feet or with an area of less than one hundred (100) square feet, shall be allowed in any AG, RR-1, RR-2, or CCR District except as an Accessory Use and unless it complies with the following conditions and requirements:

1) A Zoning Certificate is required to be filed with the Township.
2) Swimming pools exceeding twelve (12) feet in diameter or length as applicable to the shape of the pool and has greater than two (2) feet of depth capacity for water shall be enclosed or protected by an adequate fence at least forty-two (42) inches high with all access gates provided with adequate key-type locks. Portable pools forty-two (42) inches or higher, require no fence if the pools are

free of any cross bars and the ladder is withdrawn when the pool is not in use and placed where small children cannot reach it.

3) The pool is intended and is to be used solely for the enjoyment of the occupants of the principal building of the property on which it is located and their guests.

4) The pool may be located anywhere within the Buildable Envelope of the Lot except the pool may not be located in the Front or Side Yard.

TELECOMMUNICATION TOWERS

a) Intent. The intent of this section is to regulate the placement and construction of Telecommunication Towers in Residential Districts in order to protect the public, health, and safety of the Township residents without interfering with the competitiveness in the telecommunications industry. It is further the purpose of this section to encourage Co-Location of antennas on existing towers in order to minimize tower locations and to protect residential areas through the use of height, Setback, and Lot Area requirements. The Township avails itself to the authority vested to it by Section 519.211 of the Ohio Revised Code

b) Applicability. The following regulations shall apply, through the Conditional Use process, to Free-Standing Telecommunication Towers located within the AG, RR-1, and RR-2 Districts. These regulations shall not apply to Telecommunication Towers proposed in Districts that list such structures as Permitted Uses.

c) Conditions. The Board of Zoning Appeals shall issue a Conditional Use Permit when a proposed Free-Standing Telecommunication Tower in the AG and AG District complies with all of the conditions listed below. When measuring Setbacks and Lot Areas, the dimension of the entire Lot shall control, even though the tower may be located on a leased area within such Lot.

1) The minimum Lot Area shall comply with the minimum Lot Area for the applicable Zoning District.

2) The minimum Setback shall be a 1:1.1 ratio (for every foot in tower height there shall be 1.1 feet distance from the tower base to the nearest Lot Line). No new residential structures shall be permitted within the Setback area.

3) The maximum height of Free-Standing Telecommunication Towers are seventy-five (75) feet. Towers less than seventy-five (75) feet in height that cannot satisfy the 1:1.1 ratio requirement may be approved, provided that the applicant presents a certification from a registered engineer from the State of Ohio that shows the Telecommunication Tower shall withstand winds of one hundred (100) miles per hour.

4) The applicant shall demonstrate that the proposed tower is the least aesthetically intrusive facility for the neighborhood and function. Guy wires and lattice designs shall not be permitted. Towers shall be a non–contrasting

gray or similar color or a galvanized steel finish, unless these color requirements conflict with any FAA or FCC regulation. In such cases, the tower shall comply with those color requirements. Alternative tower designs that camouflage the tower and/or antenna, such as man–made trees, may also be permitted as approved by the Board of Zoning Appeals. The proposed tower must comply with Article ## - Conditional Use Permits.

5) A fence (minimum six (6) feet in height) shall fully enclose the tower. Gates shall be locked at all times when unattended by an agent of the telecommunication provider. All towers must be un-climbable by design or protected by anti-climbing devices.

6) A landscaped Buffer of not less than fifteen (15) feet in depth shall be placed between the fence surrounding the tower and any adjacent public right-of-way and any adjacent properties. The fifteen (15) foot Buffer shall consist of hardy evergreen shrubbery, not less than six (6) feet in height, and of a density to obstruct the view. The Board of Zoning Appeals may require additional Landscaping upon review of an individual application. All required Landscaping shall be continuously maintained and promptly restored, if necessary.

7) No signage shall be permitted anywhere on the Telecommunication Tower, antenna, or fence, except for a Sign, not to exceed four (4) square feet, containing emergency contact information and no trespassing language, which shall be attached to the gate of the required fence. Any other signage required by Federal regulations shall be permitted.

8) No lighting shall be permitted, except as required by Federal regulations.

9) One point of access from a public road to the Free-Standing Telecommunications Tower shall be provided. The Board of Zoning Appeals may require review by the Fire Department to ensure the proposed drive is suitable for emergency access. The use of existing access points is preferred.

10) The tower shall be designed and certified by a professional engineer to be structurally sound and, at a minimum, in conformance with the Ohio Basic Building Code.

11) The applicant shall demonstrate that Co–Location on an existing tower is not feasible, by submitting a report, prepared by a qualified Radio Frequency (R.F.) Engineer, inventorying all existing Telecommunication Towers in the Township. Unless the applicant can demonstrate that Co–Location is not feasible, the Board of Zoning Appeals may deny the Conditional Use permit and require the proposed antenna be placed on the available, existing tower. The Board of Zoning Appeals shall use the following criteria to determine if Co–Location is not feasible:

    i) Written documentation from the Owner of the existing tower(s) refusing to allow Co–Location;

    ii) The proposed antenna would exceed the structural capacity of the existing tower and the existing tower cannot be reinforced, modified, or replaced to accommodate the proposed antenna at a reasonable cost,

as documented by a professional engineer who is licensed in the State of Ohio and hired by the applicant.

iii) The proposed antenna would cause interference impacting the usability of other existing equipment at the tower and the interference cannot be prevented at reasonable cost, as documented by a professional engineer who is licensed in the State of Ohio and hired by the applicant.

iv) Existing towers cannot accommodate the proposed antenna at a height necessary to function reasonably, as documented by a qualified R. F. engineer who is licensed in the State of Ohio and hired by the applicant.

12) The tower owner shall be required to submit an annual notice of operation on or before January 31st of each year. In the event that the tower is no longer being operated or utilized, it shall be removed within one hundred eighty (180) days after the Use of the tower is discontinued.

13) The applicant shall provide a signed statement indicating that the applicant agrees to allow for the potential Co–Location of other antenna to the extent to which the tower is designed.

14) Any other conditions as warranted by the Board of Zoning Appeals and in accordance with Article ## - Conditional Use Permits.

d) Exemptions. In the event a Telecommunication Tower is proposed within a Residential District, the Telecommunication Tower may be exempt from all Telecommunication Tower regulations and may be considered to be a permitted Use, if criteria listed in all subsections below have been met:

1) The telecommunication provider provides each of the following by certified mail, pursuant to Section 519.211(B)(3) of the Ohio Revised Code:

i) Written notice to each Owner of property, as shown on the County Auditor's then current tax list, whose land is contiguous to or directly across a Street or roadway from the property on which the Telecommunication Tower is proposed to be constructed, stating all of the following in clear and concise language:

A) The Person's intent to construct the tower.

B) A description of the property sufficient to identify the proposed location;

C) That, no later than fifteen (15) days after the date of mailing of the notice, any such property Owner may give written notice to the Board of Trustees requesting that the telecommunication regulations of the Zoning Resolution apply to the proposed location of the tower.

ii) Written notice to the Board of Trustees of the information specified in Sections ####(d)(1(i)(A)-(B) [Section 519(B)(3)(a)(i) and (ii) of the Ohio Revised Code]. The notice to the Board of Trustees shall also include

verification that the Person has complied with Section ####(d)(1)(i) [Section 519.211(B)(3)(a) of the Ohio Revised Code]. Within fifteen (15) days of a telecommunications provider mailing the notices, a Township Trustee may object to the proposed location of the telecommunications tower.

2) If the Board of Trustees does not receive any notice from a notified property Owner per Section ####(1), above, nor any objection from a Township Trustee is provided within fifteen (15) days of a provider mailing the notices, then the proposed Telecommunication Tower is exempt from all telecommunication regulations within the Zoning Resolution.
3) If a notice from a notified property Owner or an objection from a Township Trustee is made, then all applicable Telecommunication Tower regulations within the Zoning Resolution shall apply. The Township Fiscal Officer, within five (5) days of receiving the first objection from a property Owner or Trustee, shall notify the telecommunications provider that the telecommunication regulations within the Township Zoning Resolution apply.
4) If a provider fails to send proper notices, then the regulations within this section shall apply.

TEMPORARY STRUCTURES

a) Temporary Structures may be permitted in the NB and LIO Districts during the construction of building(s) and site improvements provided the following regulations are met. A Zoning Certificate shall be obtained prior to installing and utilizing the temporary construction trailer/office.

b) The Temporary Trailer/Office shall be prohibited from being located in the right-of-way and shall have a minimum setback of ten (10) feet from the Right-of-Way.

c) In the NB District, a Temporary Trailer/Office shall only be permitted for a period of two (2) years. If additional time is necessary due to a delay in construction, the applicant shall seek an extension from the Zoning Inspector.

d) Temporary Structures in the CCR District:

1) Shall be prohibited from being located in the Right-of-Way and shall have a minimum Setback that matches the Setbacks of the District; and
2) Temporary Structures for single lots with a One-Unit Dwelling must be removed upon completion of the residential use.

TENNIS COURTS

a) Applicability. The following regulations apply to Private Tennis Courts as defined in Article 2 and shall be permitted in any AG District with the following requirements:

b) Standards.

1) A site plan shall be submitted showing dimensions, and location of the court in relation to property lines, utility easements, septic fields where applicable, and setbacks from property lines. The site plan shall be subject to review by the Zoning Commission with recommendation to the Zoning Inspector.
2) Courts shall not be placed over any septic field or within any public Right-of-Way.
3) Maximum court dimensions shall be one hundred twenty by sixty (160 x 60) feet or seven thousand two hundred (7,200) square feet in area.
4) The site plan shall indicate drainage flow and where appropriate, a drainage system shall be installed with suitable outlet, to prevent adverse effects of drainage onto adjoining properties.
5) Courts shall be fenced when court surface is within twenty (20) feet of a Property Line. The fence shall not exceed ten (10) feet in height and be separated from the property line with landscaping and/or plant screening not to exceed four (4) feet in height.
6) Lighting where provided shall be so arranged as to reflect away from adjoining residential properties or public Right-of-Way.
7) Courts shall be located only in the Rear Yard.
8) Tennis Courts and associated Lighting shall be restricted to the hours between 8 AM – 10 PM.

VISIBILITY AT INTERSECTIONS

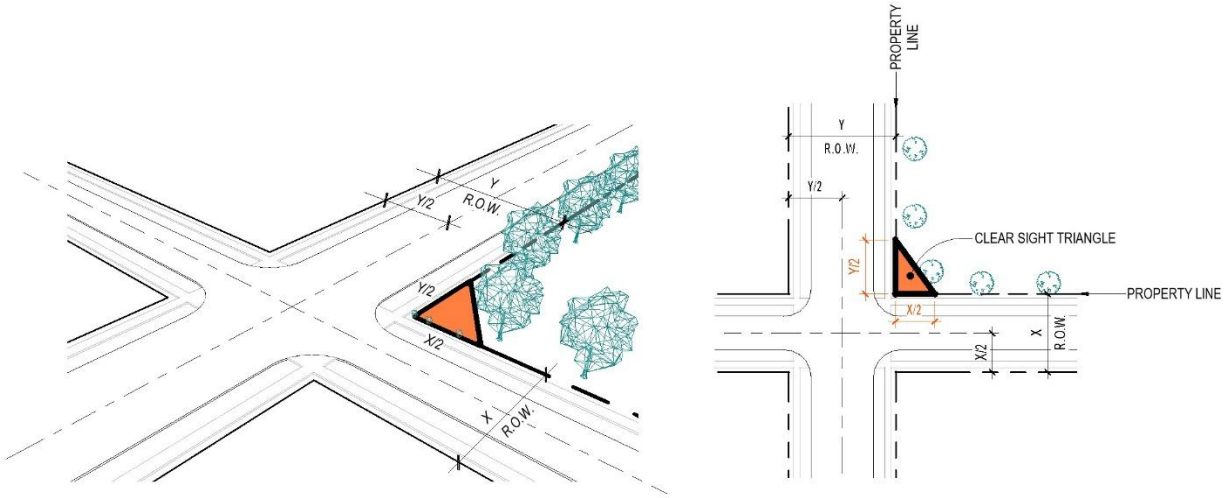
a) Sight Triangle. There shall be a sight triangle established at every intersection of two public Rights-of-Way. The sight triangle is the triangular area where two (2) streets intersect, bounded by the edge of the street and a line joining the points on the Rights-of-Way from their point of intersection for a distance equal to half (1/2) the width of each street Right-of-Way. The vision triangle shall be measured along the Right-of-Way within the boundaries of the property.

b) Visibility Maintained. There shall be no visual obstructions within the defined sight triangle. A visual obstruction is any object between the height of no more than three (3) feet measured relative to the elevation to the nearest pavement crown. This is based on a driver eye height of three feet (based on the American Association of State Highway and Transportation Official standards). Overhanging branches or other elevated obstructions shall not be any lower than ten (10) feet measured relative to the elevation of the nearest pavement crown.

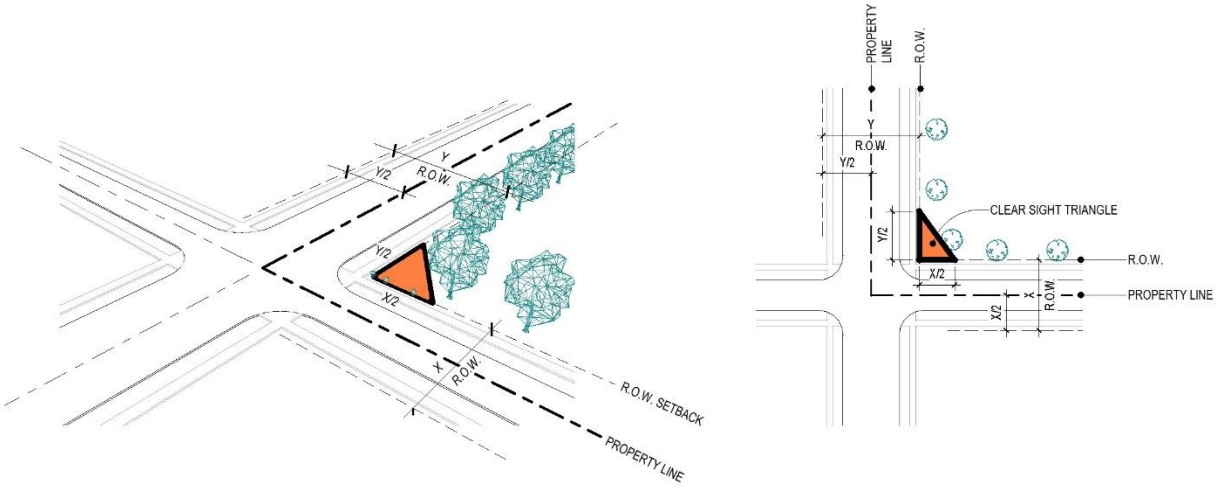
c) Non-Signalized, Arterial and Collector Road Intersection Sight Distances. In order to properly calculate the intersection sight distance for cars turning left and right onto non-signalized Arterial or Collector Roads, look to the equation and table provided in

Section 201.3.2 of the ODOT Location & Design Manual, Volume 1 – Roadway Design. These standards for sight distances shall additionally be met during the application procedures found for Lucas County Subdivision Regulations, where applicable.

d) **Example where Right-of-Way is measured for the Lot Line:**



e) **Example where Road Centerline is measured for the Lot Line:**



WIND ENERGY SYSTEMS

a) Purpose. The purpose of this section is to regulate the placement and construction of Individual Wind Energy Systems, as defined in Article 2, to protect the health and safety of Township residents without interfering with the expansion of clean, sustainable, and renewable energy sources.

b) Applicability. The following regulations shall apply as a Conditional Use to Individual Wind Energy Conversion Systems when proposed to be located within a Zoning District, unless otherwise exempted by state or federal law.

c) Conditions. The Board of Zoning Appeals shall issue a Conditional Use Permit when a proposed Individual Wind Energy System complies with all of the conditions listed below:

1) In no case shall any tower within an Individual Wind Energy System be located closer than two (2) times the tower height to any residential Structure, Public Street/Right-of-Way, third party transmission lines, or adjacent Property Lines. New residential Structures shall not be permitted within this Setback area.
2) No individual wind tower shall be taller than eighty (80) feet.
3) Individual Wind Energy Systems shall conform to applicable industry standards, including those of the American National Standards Institute (ANSI). Applicants shall submit certificates of design compliance that equipment manufacturers have obtained from Underwriters Laboratories (UL) or an equivalent third party.
4) Once a Conditional Use permit is granted per the requirements of this Section, a licensed Ohio professional engineer shall certify, as part of the Zoning Certificate application, that the foundation and tower design of the Individual Wind Energy System, including substation, transformer, underground cabling, or parts thereof and the access road, is within the accepted professional standards, given local soil and climate conditions.
5) All Individual Wind Energy System shall be equipped with a redundant braking system. This includes both aerodynamic over speed controls (including variable pitch, tip, and other similar systems and mechanical brakes). Mechanical brakes shall be operated in a fail–safe mode. Stall regulations shall not be considered a sufficient braking system for overspeed protection. The applicant shall provide sufficient information to assure the Board of Zoning Appeals that this requirement will be met.
6) All electrical components of the Individual Wind Energy System shall conform to applicable local, state, and national codes, and relevant national and international standards (ANSI).
7) Towers and blades shall be a non–contrasting gray or similar color or a galvanized steel finish unless these color requirements conflict with any FAA

regulation. In such cases, the tower shall comply with those color requirements.

8) All towers within an Individual Wind Energy System are unclimbable by design or protected by anticlimbing devices.

9) No signage shall be permitted within any portion of a Individual Wind Energy System except for a Sign, not to exceed six (6) square feet;

10) One point of access from a public road to the Individual Wind Energy System shall be provided. The Board of Zoning Appeals may require review by the Township fire department to ensure the proposed drive is suitable for emergency access. The use of existing access points is preferred.

11) The applicant shall be responsible for obtaining all required approvals/permits for transporting on a public road the towers, blades, substation parts, and/or equipment for construction, operation, or maintenance of the Individual Wind Energy System.

12) The applicant shall demonstrate that the noise levels associated with the Individual Wind Energy System will not be disruptive to any adjacent residential areas. Noise shall comply with any nuisance requirements as adopted by separate resolution.

13) No lighting shall be permitted, except as required by Federal regulations.

14) The applicant shall provide to the applicable microwave transmission providers and local emergency service providers/911 operators copies of the project summary and site plan as set for in this Section. To the extent that the above providers demonstrate a likelihood of interference with its communications resulting from the Individual Wind Energy System, the applicant shall take reasonable measures to mitigate such anticipated interference. If, after construction of the Individual Wind Energy System, the Owner or operator receives a written complaint related to the above–mentioned interference, the Owner shall take reasonable steps to respond to the complaint or shall be in violation of said Conditional Use permit, which shall be punishable per Article ## – Enforcement.

15) The Owner or operator of the Individual Wind Energy System shall be required to submit an annual notice of operation on or before January 31st of each year. In the event that the Individual Wind Energy System is no longer being operated or utilized (unless due to documented maintenance or electrical grid issues and written notice has been provided to the Township), the Individual Wind Energy System shall be removed within one hundred eighty (180) days after the Use has been discontinued. In addition to removing all towers within the system, the Owner/operator shall restore the site to its original condition prior to the location of such system on said property. Any foundation associated with a Individual Wind Energy System shall be removed from the site to a depth which is at least forty–eight (48) inches below restored ground level and the site restored to its original state including the planting of any grasses or cover crops. All transmission equipment, Buildings and fences shall also be removed.

ARTICLE 12
Off-Street Parking and Loading

12.01 Purpose
12.02 General Requirements
12.03 Joint-Use Parking
12.04 Public Parking Facilities
12.05 Design Standards for Off-Street Parking Areas
12.06 Schedule of Required Off-Street Spaces
12.07 Off-Street Loading Spaces
12.08 Parking Lot Islands and Landscaping
12.09 Drive-Thru Stacking Requirements
12.10 Electric Vehicle Charging Stations

12.01 PURPOSE

The purpose of this Article is to encourage the orderly development of parking areas within the Township and to promote the safety of residents and visitors by insuring the efficient handling of vehicular traffic.

12.02 GENERAL REQUIREMENTS

a) Surfacing and Drainage. All off-street parking areas for commercial or industrial projects within the CCR (where applicable), NB, and LIO Overlay Districts shall be properly graded, marked, and surfaced to provide a hard, durable, and dustless surface. All parking areas shall be graded and drained to dispose of surface water which might accumulate within or upon such area and shall be designed to prevent the excessive drainage of surface water onto adjacent properties or public roadways. The developer of the project shall demonstrate that adequate provisions have been made to direct storm runoff to a suitable and adequate storm water drainage system. Additionally, the developer of the project shall utilize permeable surfaces to provide improved infiltration and reduce overall surface runoff.

b) Lighting. Any lighting used to illuminate any off-street parking area shall be so arranged as to reflect light away from any adjoining premises in any zoning district where residences are a permitted use. In addition, such lighting shall be so arranged as not to interfere with traffic on any adjoining street or to be confused with any traffic control lighting. Other provisions in Section #### - Lighting – also apply.

c) Location of Parking Spaces. A five (5) foot clear zone shall be maintained between the roadway right-of-way and any parking space. Parking areas shall be so designed and arranged so as not to allow the protruding of any vehicle (or portion thereof) over the clear zone.

d) Parking of Inoperable or Disabled Equipment or Vehicles. The exterior parking or storage of inoperable, unlicensed, or disabled pieces of equipment or vehicles for a period of time exceeding thirty (30) consecutive days, outside of an approved junk yard licensed and regulated under Sections 4737.05-12 of the ORC, shall be prohibited. The Township reserves the right to remove junk cars from private property under Section 4513.65 and/or Section 505.173 of the ORC.

e) Wheel Stop Device – Whenever a Parking Lot extends to a Property Line, sidewalk planting strip, or Building, a "Wheel Stop Device" consisting of a concrete stop, a permanent concrete curb, an expanded sidewalk, or other suitable restraint shall be installed to prevent any part of a parked motor vehicle from extending beyond the Property Line, overhanging a pedestrian circulation way or sidewalk, or damaging any Structure or Landscape. Minimum height shall be five (5) inches and the minimum length shall be six (6) feet. A Wheel Stop Device shall not be required where a guardrail or other suitable barrier is provided to prevent intrusion into a protected area.

f) Access Points and Alleyways. Where a Lot abuts a private or public Alley or easement of access, there shall be provided an Access Point not less than eight (8) feet in width for a single Dwelling Unit and not less than twenty (20) feet in width for an Access Point leading to parking, loading, or storage spaces for multiple Dwelling or non-Residential Uses.

g) Landscaping, Parking Bays, and/or Parking Lot Islands. *See*, Sections #### as applies to the Light-Industrial Overlay District.

12.03 JOINT-USE PARKING

Two (2) or more Uses may jointly provide and use parking spaces, provided that together they meet the parking space requirements of Section 11.05 – Schedule of Required Off-Street Spaces.

12.04 PUBLIC PARKING FACILITIES

a) Property within a five hundred (500) foot radius of a public parking facility shall not be required to provide or maintain a specific number of off-street parking spaces. All other properties shall conform to Section 12.05 below.

b) Public parking facilities shall not be required to provide a specific number of parking spaces. However, the Zoning Commission can recommend a desired number of parking spaces based on expected traffic.

12.05 DESIGN STANDARDS FOR OFF-STREET PARKING AREAS

Parking lot areas shall be designed and constructed to minimize the visual impact of the parking area, minimize production of excess heat, and prohibit any adverse effects on drainage. Appropriately sized landscaped areas shall be provided within each parking lot area allowing for a variety of shade trees to be planted. In order to accomplish these goals, all off-street parking lot areas shall be designed and constructed using the "Parking Bay" concept, which consists of parking spaces grouped together, with each Parking Bay separated by landscaped tree islands as detailed in Section 11.## - Parking Lot Islands and Landscaping.

a) No Parking Bay shall contain more than twenty-four (24) spaces with a maximum of twelve (12) spaces in a single row.

b) All Off-Street Parking Spaces shall have a vertical clearance of at least six (6) feet six (6) inches;

c) All parking areas, common areas, and adjacent driveways in all Districts shall be paved with asphalt material, cement, cobblestone, or brick pavers. All parking spaces shall be striped. The use of gravel or asphalt grindings for parking lots or driveways shall be prohibited. All vehicles in all Districts shall be parked on paved driveways or parking areas and shall be prohibited from being parked in grass or other unpaved areas of lots. Required Off-Street Parking Space material shall be installed prior to the initiation of the use, unless an extension is granted based upon weather or unusual circumstances as determined by the Zoning Inspector, or designee.

d) Off-Street Parking Spaces shall be at least nine (9) feet in width and eighteen (18) feet in length exclusive of access drives and aisles.

e) All Off-Street Parking Spaces shall be designed in accordance with Parking Table – 1, below.

f) Handicap accessible parking spaces shall be provided in accordance with the Americans with Disabilities Act requirements and Ohio Building Code.

Parking Table - 1

Angle	Parking Row Depth	Drive Aisle Width		Space Width	Space Length
		One-Way	Two-Way		
	(A)	(B)	(C)	(D)	(E)
Parallel	9'	12'	20'	9'	23'
45°	18'	12'	24'	12'	19'
60°	18'	16'	25'	11'	19'

Perpendicular	18'	25'	25'	9'	19'

12.06 SCHEDULE OF REQUIRED OFF-STREET SPACES

Parking spaces shall be provided according to the following schedule of uses. If a use consists of more than one (1) component use (such as a school with a stadium) the required minimum number of parking spaces shall be the sum of the required spaces for those component uses. For uses not listed, the Board of Zoning Appeals shall determine the number of required spaces, based on comparing the proposed use with similar uses listed in the schedule:

a) Residential. One (1) parking space for every residential dwelling unit on a property.

b) Commercial. One (1) parking space for every one hundred (100) feet in Gross Floor Area with the following exceptions:

1) Campground: One (1) per each campsite and one (1) per employee for the largest shift;
2) Hotels and Motels: One (1) per sleeping room; and
3) Office: Four (4) spaces per one thousand (1,000) square feet in GFA.

c) Institutional. One (1) parking space for every five hundred (500) feet in Gross Floor Area with the following exceptions:
1) Assisted living, nursing homes, and hospitals: One (1) for each employee on the largest shift and one (1) for every four (4) beds;
2) Places of assembly: One (1) for every six (6) seats in the main area of assembly.
3) Schools: One (1) for every ten (10) students and one (1) for each employee on the largest shift; and
4) Daycare Centers: One (1) for each employee on the largest shift.

d) Industrial – Innovation, Technology, and Advanced Manufactured Uses: One-half (½) space per one thousand (1,000) square feet in Gross Floor Area and/or one (1) for each employee on the largest shift.

12.06 OFF-STREET LOADING SPACES

a) All loading spaces must be located to the Side or Rear of the Principal Structure and screened under Section #### and are prohibited within any Front Yard; however, Off-Street Loading Spaces shall be located in the Front or Side of the Principal Structure if the Rear of the Building is adjacent to or across the street from a Dwelling;

b) A loading space shall consist of a rectangular area adequate for loading and unloading and be accessible from a maneuvering area;

c) All loading spaces and maneuvering areas shall be located on the same Lot as the use they are intended to serve;

d) A required Off-Street Loading Space shall have a clearance height of not less than fifteen (15) feet and shall have minimum dimensions of not less than twelve (12) feet in width and fifty (50) feet in length, exclusive of any driveway, aisle, or other circulation area;

e) Each loading space shall have minimum dimensions not less than twelve (12) feet in width, fifty (50) feet in length, and a vertical clearance of not less than fifteen (15) feet;

f) All required, off-street loading spaces should have access to a public street in such a manner that any vehicle leaving or entering the premises shall be traveling in a forward motion;

g) All required loading spaces, together with driveways, aisles, and other circulation areas, shall be surfaced with an asphaltic concrete or Portland cement concrete pavement to provide a durable and dust free surface;

h) All loading spaces, together with driveways, aisles, and other circulation areas, shall be designed to prevent the drainage of surface water onto adjacent properties or walkways and damage to public streets;

i) Screening shall be required as provided in Section ####;

j) Any loading area, which is intended to be used during non-daylight hours, shall be properly illuminated to avoid accidents. Any lights used to illuminate a loading area shall be so arranged as to reflect the light away from adjoining property;

k) No loading ramp, dock, door, or space, nor any portion thereof, shall be located closer than fifty (50) feet from any lot zoned for residential use;

l) For Uses that are ten thousand (10,000) square feet or less there shall be a maximum of one (1) Off-Street Loading Space. For Uses that are in excess of ten thousand (10,000) square feet of gross floor area one (1) additional Off-Street Loading Space shall be required for each additional twenty thousand (20,000) square feet of gross floor area or fraction thereof; and

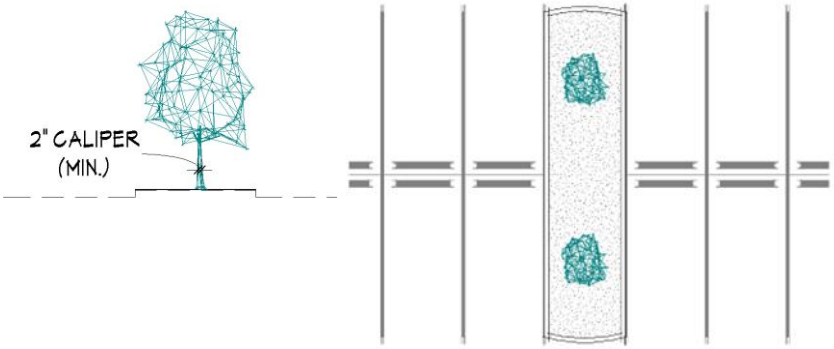
m) The number of off-street loading spaces required for the NB and LIO District shall be no less than as set forth in the following:

12.07 PARKING LOT ISLANDS AND LANDSCAPING

a) All parking lots within all Zoning Districts shall comply with the following parking lot screening requirements:

1) Any surface parking area adjacent to an existing or planned public Right-of-Way shall be screened form the respective Right-of-Way with a minimum of a thirty-six (36) inch continuous planting hedge and tree combination.
2) The height of the required hedge or Wall shall be measured from the elevation of the adjacent parking area.
3) The Zoning Inspector may waive the parking lot screening requirements when there is a natural separation of at least five (5) feet between the elevation of an existing road and the existing grade of the Lot where the parking lot with be located for at least seventy-five (75) percent of the property's Frontage along the Right-of-Way. The natural separation is deemed to be sufficient to effectively screen parking from the Right-of-Way.

b) Parking Lot Islands. All required parking lot islands shall have a minimum of one (1) shade tree with a minimum of two (2) inch caliper at planting. The remaining area of the landscaped island shall be planted with grass or covered with stone. Each parking lot island shall have a minimum area of one hundred sixty-two (162) square feet with a minimum width of nine (9) feet. Each landscape island in a double-loaded parking stall design shall have a minimum of three hundred twenty-four (324) square feet with a minimum width of nine (9) feet and shall be landscaped in accordance with this Section.



Example: Parking Island with stone material

12.08 PARKING OF COMMERCIAL VEHICLES IN RESIDENTIAL DISTRICTS

No Commercial vehicle shall be stored or parked in an AG, RR-1, RR-2, or CCR District, excluding vehicles in an AG, RR-1, or RR-2 District which are stored in an enclosed Building or vehicles used in agricultural and on-site agricultural business. Infrequent short-term parking of a commercial vehicle for conveying tools and materials to premises for use on the premises or the delivery or moving of goods to and from a Dwelling Unit is exempted from this section. An exemption to this section is authorized subject to conformance with all following criteria:

a) Only one (1) legally insured and plated commercial vehicle, twelve thousand (12,000) pounds or greater in weight or with a carrying capacity of over six thousand (6,000) pounds, may be parked on the Parcel;

b) The operator of the vehicle shall reside on the Parcel on which the commercial vehicle is kept;

c) The commercial vehicle may be parked on the Parcel for a maximum of seven (7) consecutive days;

d) No portion of the commercial vehicle shall extend forward of the Front Line of the Primary Structure and shall be no closer than one hundred (100) feet from the Right-of-Way;

e) The parking area shall be screened on both sides;

f) The parking area and drive leading to it shall be made of sufficient aggregate, asphalt, or concrete to support the vehicle being parked there; and

g) The commercial vehicle shall be parked no closer than twenty (20) feet from any Property Line.

12.09 DRIVE-THRU STACKING REQUIREMENTS

a) Purpose. It is the purpose of this Resolution to regulate uses that involve Drive-Thrus, as defined in Article 2, in order to promote the health, safety, and general welfare for the citizens of the Township.

b) Applicability. For purposes of this section, Drive-Thru Facilities shall mean the following uses: Bank with Banking Window; Small Retail Business (with Drive-Thru); Medium Retail Business (with Drive-Thru), Large Retail Business (with Drive-Thru), and Restaurants (with Drive-Thru). These uses shall be conditionally approved following the assessment of the required site plan as found in Article #### -

Conditional Uses – in addition to applicable Drive-Thru Stacking Requirements as follows:

1) Drive-Thrus are considered Automobile-Oriented Uses and require a Conditional Use permit from the Board of Zoning Appeals.
2) The following criteria shall be utilized by the Board of Zoning Appeals when approving a Conditional Use permit for a Drive-Thru.

Drive-Thru Stacking Requirements

Activity	Minimum Stacking Spaces (per lane)	Measured From and Including
Banks and ATMS	3	Teller/Window or ATM machine
Restaurant, Coffee Shop, or Other Similar Use	8	First Pick-Up Window
Full Service Car Wash*	20	Entrance of tunnel
Self Service – Automated Car Wash*	4	Washing bay
Fuel/Gasoline Pump Island	1	Pump island
Other – Not Specified	As determined by the Board of Zoning Appeals	

*Board of Zoning Appeals shall also ensure adequate spaces are provided at the end of the tunnel or wash bay for the drying and vacuuming of vehicles.

3) Design and Layout.
   i) Pump spaces can count toward the stacking space requirement.
   ii) Stacking spaces shall be a minimum of nine (9) feet by twenty (20) feet in size.
   iii) Stacking spaces may not impede on-or-off-site traffic movements or movements in or out of Off-Street Parking Spaces. There shall be a separate drive aisle allowing ingress and egress of vehicles that are not waiting in the Drive-Thru lanes.
   iv) Stacking spaces shall be separated from other internal driveways by surface markings or raised medians.
   v) These stacking space requirements shall be in addition to the Off-Street Parking Space requirements in this Article.
   vi) When adjacent to the AG, RR-1, RR-2, or CCR Districts, stacking spaces shall be required to be located on the sides of the Lot opposite the adjacent residential use.

12.10 ELECTRIC VEHICLE CHARGING STATIONS

a) Purpose. The purpose of this Section is to establish reasonable standards governing the installation, placement, and operation of Electric Vehicle Charging Stations within the Township in order to protect the health, safety, and welfare.

b) Applicability. This Section applies to all public Electric Vehicle Charging Stations installed after the effective date of this Resolution. Private residential electric vehicle chargers installed as an Accessory Use to a Dwelling shall be permitted without zoning approval but shall comply with applicable electrical and building codes.

c) Permit Requirements. No public Electric Vehicle Charging Stations shall be installed without obtaining:

1) All required electrical permits under the Ohio Building Code;
2) Any required Zoning Certificates under this Resolution;
3) Development Plan approval, if applicable; and
4) All installations shall comply with the Ohio Electrical Code and National Electrical Code as adopted by the State of Ohio.

d) Regulations.

1) Electric Vehicle Charging Stations and Systems. Where provided, Electric Vehicle Charging Stations shall be installed and maintained in accordance with NFPA 70 and the manufacturer's specifications and recommendations. Electric Vehicle Charging Station equipment shall be listed and labeled in accordance with UL 2202. Electric Vehicle supply equipment shall be provided in accordance with the building code.
2) Location. Electric Vehicle Charging Stations shall not be located in the following areas:
    i) Below Grade;
    ii) In any open enclosed public or private parking garage that does not have an automatic sprinkler system installed throughout in accordance with the fire code and the building code.
    iii) Exceptions:
        A) An Electric Vehicle Charging Station may be located in an open or enclosed public or private parking garage that does not have an automatic sprinkler system if the Electric Vehicle Charging Station is installed along a perimeter wall and on the lowest level of the Fire Department's vehicle access rules as determined by the fire code official.
        B) An Electric Vehicle Charging Station may be located in an open or enclosed public or private parking garage that does not have an automatic sprinkler system in accordance with and in such

a manner to meet applicable accessibility requirements as approved by the building code official.

3) Design Standards. Electric Vehicle Charging Stations shall:
   i) Not obstruct required Fire Lanes, accessible parking, or emergency access routes;
   ii) Be clearly marked and signed;
   iii) Include protective bollards or barriers where located in parking areas;
   iv) Provide adequate Lighting consistent with Section #### - Lighting; and
   v) Comply with ADA Accessibility Standards, where applicable.
4) Separation Distances. Unless otherwise required or approved by the fire code official, Electric Vehicle Charging Stations shall be located as follows:
   i) Not less than forty (40) feet in a horizontal radius from dispensing devices for flammable and combustible liquids; and
   ii) Not less than thirty (30) feet in a horizontal radius from fill connections for underground or above ground storage tanks for flammable and combustible liquids; and
   iii) Not less than twenty-five (25) feet from vent piping for underground or above ground storage tanks for flammable and combustible liquids.
5) Impact Protections. All Electric Vehicle Charging Stations and any associated emergency shutdown device, if installed, shall be protected in accordance with Section 312 of the Ohio Fire Code and as determined by the fire code official.
6) Emergency Shutdown and Electrical Disconnect. All Electric Vehicle Charging Stations shall have at least one electrical disconnect switch in a location that the fire code official approves and determines to be readily accessible to emergency responders. IF required by the fire code official, all electric vehicle charging stations shall also have emergency shutdown devices in a location approved by the fire code official.
   i) Electric Vehicle Charging Station electrical disconnect switches may serve more than one Electric Vehicle Charging Station but shall be located not less than twenty (20) feet and not more than one hundred (100) feet of travel distance from each Electric Vehicle Charging Station that it services;
   ii) The use or activation of any emergency shutdown device or electrical disconnect switch that services an Electric Vehicle Charging Station shall de-energize all Electric Vehicle Charging Station equipment in the bank of Electric Vehicle Charging Stations.
   iii) Notwithstanding the provision of Section 102.1.1 of the Ohio Fire Code, all Electric Vehicle Charging Station emergency shutdown devices and electrical disconnect switches shall be provided with Signs that, as applicable, state “Emergency Shutdown Device” or “Electrical Disconnect Switch” in block letters on a contrasting background. The location and wording of the Signs shall follow the procedures as found in Section ####.

A) Existing Electric Vehicle Charging Stations on or before the effective date of this Resolution shall have Signs approved by the fire code official and installed in accordance with this Resolution on or before the ninetieth (90th) day after the effective date of this Resolution.

B) However, Signs installed at Electric Vehicle Charging Stations prior to the effective date of this code containing language that is substantially similar to the above language shall be deemed as compliant with this Section, as determined by the fire code official.

iv) Resetting. Reactivation of an Electric Vehicle Charging Station after the use of an emergency shutdown device or electrical disconnect switch shall require manual intervention from personnel trained in the use of such systems.

7) Emergency Procedures and Signage. Notwithstanding the provision of Section 102.1.1 of the Ohio Fire Code, all Electric Vehicle Charging Stations shall have a Sign posted in a conspicuous location within sight of each Electric Vehicle Charging Stations as follows:

i) All Electric Vehicle Charging Stations that do not have an emergency shutdown device or electrical disconnect switch shall have a sign that states: “IN CASE OF FIRE OR OTHER EMERGENCY CALL 911.”

ii) All Electric Vehicle Charging Stations that do have an emergency shutdown device or electrical disconnect switch shall have a Sign that states: “IN CASE OF FIRE OR OTHER EMERGENCY: 1. USE EMERGENCY SHUT DOWN DEVICE. 2. CALL 911.”

e) Fees and User Charges. Operators of public Electric Vehicle Charging Stations may charge reasonable user fees, provided that pricing is clearly disclosed at the point of use.

f) Nuisance Prohibition. An Electric Vehicle Charging Stations that is unsafe, abandoned, or in disrepair shall be declared a Nuisance and subject to enforcement action consistent with Article #### - Enforcement.

ARTICLE 13
Signs

13.01 Purpose
13.02 Zoning Certificate
13.03 Regulations for All Signs
13.04 Ground-Mounted Signs
13.05 Canopy Signs
13.06 Projecting Signs
13.07 Wall Signs
13.08 Window Signs
13.09 Pylon Signs
13.10 Way-Finding Signs
13.11 Drive-Thru Signs
13.12 Total Maximum Square Footage of All Signs
13.13 Sign Lighting
13.14 Temporary Signs
13.15 Changeable Copy and Electronic Message Displays
13.16 Murals
13.17 Billboards

13.01 PURPOSE

The purpose of the following Sign regulations is to:

- Provide effective and attractive identification for businesses, services, and uses;
- Provide a reasonable system of regulations for signs as a part of the Township's Zoning Resolution and consistent with state and federal laws;
- Promote reasonable sign standards to limit the aesthetic impact of signs on properties within the Township to prevent clutter and protect streetscapes thereby preserving property values and protecting traffic safety;
- Attract and direct the public to available activities, goods, and services;
- Enhance the economic value of the community through attractive and effective signage; and
- Provide for vehicular and pedestrian safety by prohibiting or restricting distracting signs.

13.02 ZONING CERTIFICATE

Unless otherwise exempted below, a Zoning Certificate shall be obtained prior to erecting any Sign in any Zoning District. The following types of Signs are exempt from obtaining a Zoning Certificate:

a) Signs not exceeding two (2) square feet in area that are customarily associated with a Residential Use and are not of a commercial nature, including the address and/or the name of the occupants;

b) Signs erected by a government entity for a recognized public purpose and duly authorized by any law, statute, or code. Such Signs include legal notices and traffic control devices, provided such Signs carry no supplementary advertising;

c) Signs that are on the inside of a Structure or Building that are designed or located to not be typically seen from outside the window;

d) Temporary Signs clearly in the nature of decorations customarily associated with a national, local, or religious holiday. Such Signs shall be of any illumination or animation provided that a safety and/or visibility hazard is not clearly created; and

e) All Signs and graphics shall be carefully coordinated with the Building and architecture.

13.03 REGULATIONS FOR ALL SIGNS

The following regulations apply to all Signs within the Township:

a) No roof Signs or roof mounted Signs shall be permitted. No part of any Sign shall extend higher than the eave of any building, except when placed on the parapet of a building;

b) The following permanent signs shall be prohibited: portable displays or mobile display (except sandwich board signs), gas or air-filled devices, revolving or rotating signs, exposed neon signs, exposed LED signs, rotating signs, signs with flashing messages or bare bulbs, signs on backlit awnings, flashing signs, video signs, signs with moving text or pictures, bench signs, and Wallscapes;

c) Each Building and Unit, if applicable, shall have an address number that is clearly visible from the public Right-of-Way. Such Signs shall not require a Zoning Certificate; and

d) Original Art Mural and Vintage Art Murals as defined in Article 2 - Definitions, shall only be permitted in accordance with Section 12.## – Murals of this Resolution.

13.04 GROUND-MOUNTED SIGNS

a) All Ground-Mounted Signs shall comply with the following requirements:

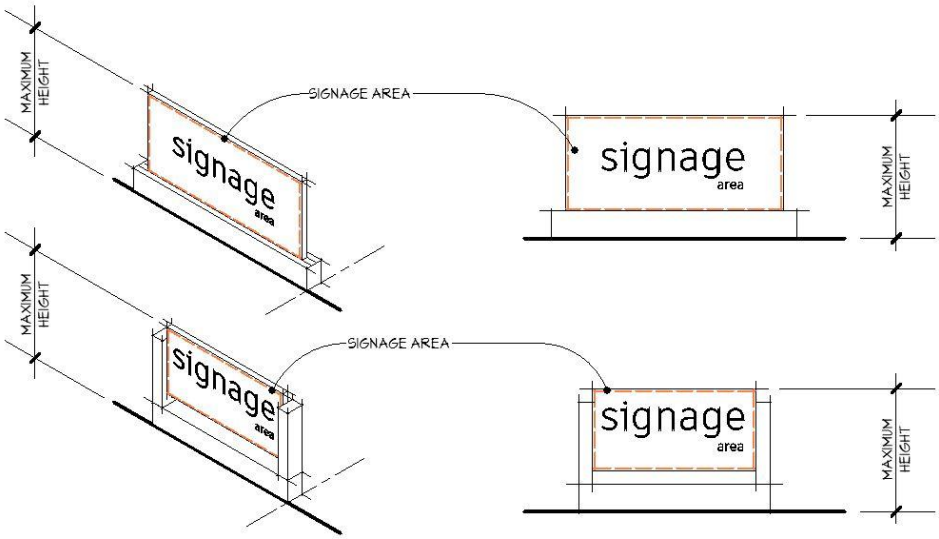
	AG, RR-1, RR-2	CCR, NB, and LIO
Maximum Number of Signs Permitted Per Public Road Frontage	1	Per Approved Development Plan
Maximum Square Footage	6	Per Approved Development Plan
Maximum Height (Feet)	3	Per Approved Development Plan
Minimum Distance from ROW (Feet)	10	Per Approved Development Plan

b) The maximum square footage in the above table is per Sign Face. Each Sign Face shall count towards the maximum size of the Sign and total maximum square footage of all Signs. There shall be a maximum of two (2) Sign Faces per Sign.

c) All Ground-Mounted Signs shall have a solid base consistent with the primary building material and have a minimum of fifty (50) square feet of Landscaping around all sides of the Ground-Mounted Sign. Signs shall be affixed directly to a base having a width at least equal to that of the sign.

d) Ground-Mounted Signs shall not be permitted along rear access roads.

e) Measurement of Ground-Mounted Signs Area and Height:

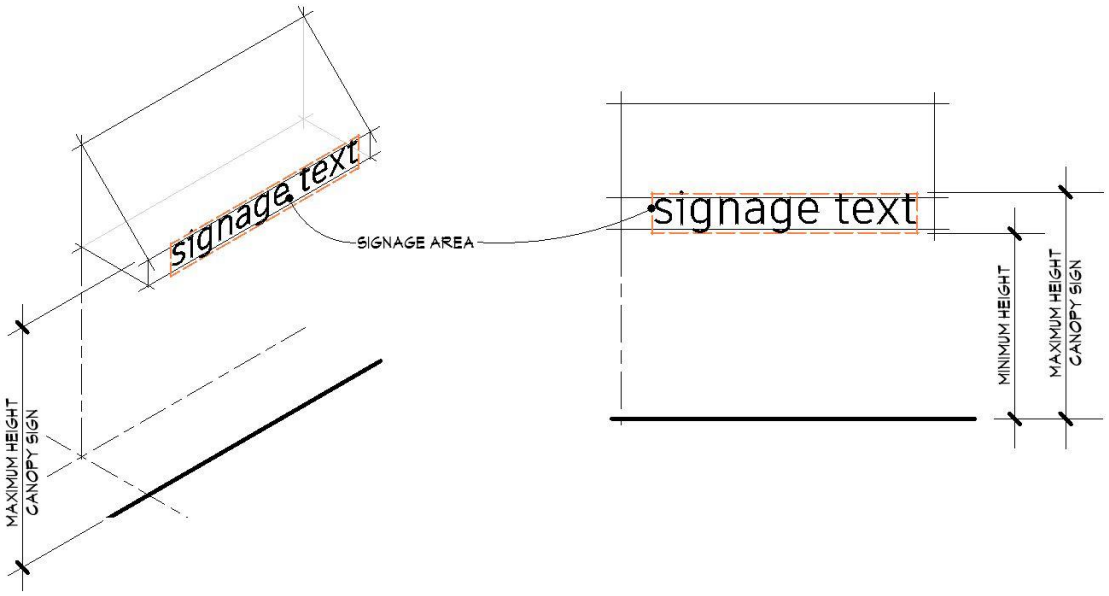


13.05 CANOPY SIGNS

a) All Canopy Signs shall comply with the following requirements:

	CCR, NB, and LIO
Maximum Number of Signs Per Business	Per Approved Development Plan
Maximum Square Footage	Per Approved Development Plan
Maximum Height (Feet)	Per Approved Development Plan
Minimum Height (Feet)	Per Approved Development Plan

b) Measurement of Canopy Sign Area and Height:

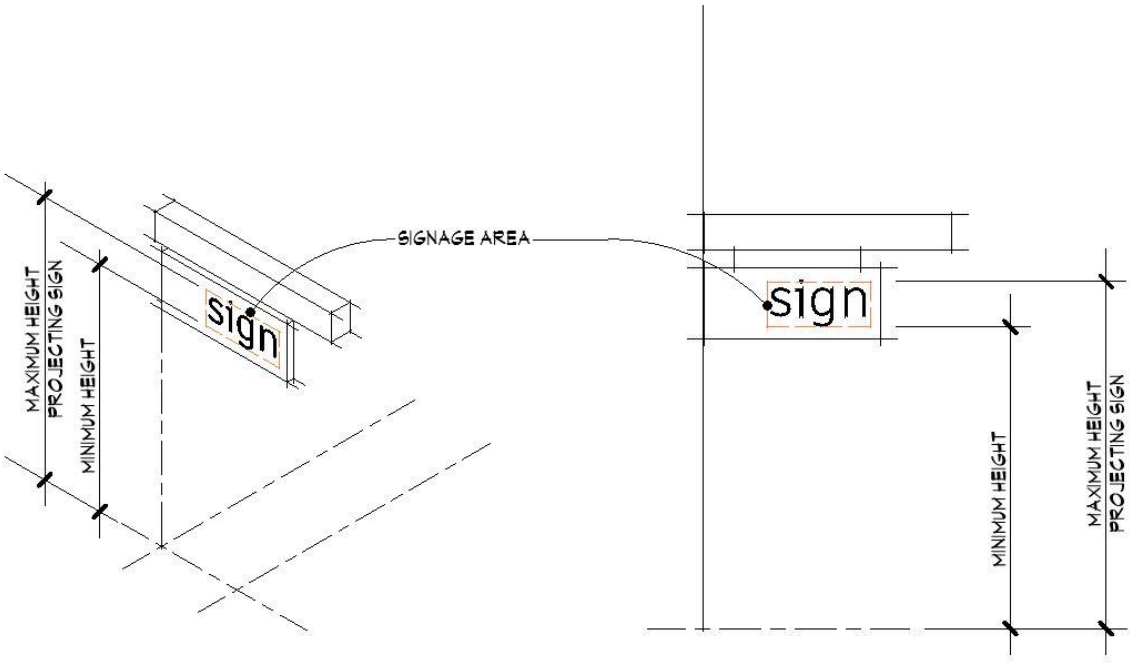


13.06 PROJECTING SIGNS

a) When permitted, such signs should be scaled with the building design and should blend with the architectural design of the building to which it is attached. Each Sign Face shall count to the maximum size of the sign and total maximum square footage of all Signs. There shall be a maximum of two (2) Sign faces per Sign. Projecting signs are permitted as follows:

	CCR, NB, and LIO
Number of Signs Per Business	Per Approved Development Plan
Maximum Square Footage	Per Approved Development Plan
Maximum Height (Feet)	Per Approved Development Plan
Minimum Height (Feet)	Per Approved Development Plan
Maximum Projection from Edge of Building (Feet)	Per Approved Development Plan

b) Measurement of Projecting Sign Area and Height:



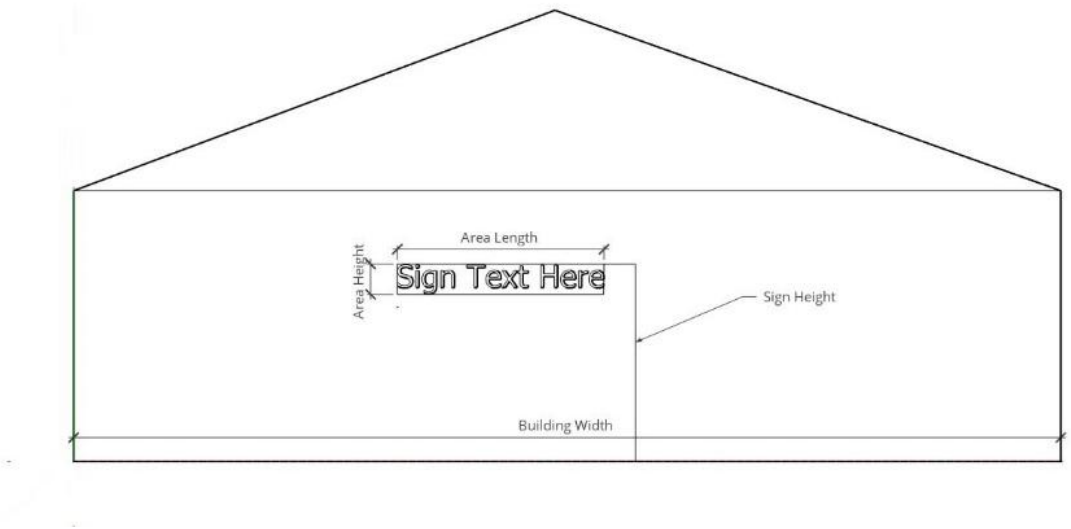
13.07 WALL SIGNS

a) All Wall Signs shall comply with the following requirements:

	CCR, NB, and LIO
Maximum Number of Signs Permitted Per Public Road Frontage	Per Approved Development Plan
Maximum Square Footage	Per Approved Development Plan
Maximum Height (Feet)	Per Approved Development Plan

*Fractional numbers are rounded down to the lower whole number.

b) Measurement of Wall Signs Area and Height:



13.08 WINDOW SIGNS

a) All Window Signs shall comply with the following requirements:

	CCR, NB, and LIO
Maximum Number of Signs Permitted	Per Approved Development Plan
Maximum Square Footage	Per Approved Development Plan
Maximum Height (Feet)	Per Approved Development Plan

13.09 PYLON SIGNS

a) All Pylon Signs shall comply with the following requirements:

	CCR, NB, and LIO
Maximum Number of Signs Permitted Per Public Road Frontage	Per Approved Development Plan
Maximum Square Footage	Per Approved Development Plan
Maximum Height (Feet)	Per Approved Development Plan
Minimum Distance from ROW (Feet)	Per Approved Development Plan

13.10 WAY-FINDING SIGNS

There may be two Way-Finding Signs per access driveway connecting to a public or private street. Way-Finding Signs shall be limited to a maximum height of three (3) feet, a maximum area of six (6) square feet per side and shall be located outside of the Right-of-Way and on the property of the user(s) of which they are identifying the entry or exit.

13.11 DRIVE-THRU SIGNS

Signs accessory and adjacent to Drive-Thru food and beverage establishments, car washes, and other similar uses are subject to the following standards:

a) One large drive-thru board shall be permitted per drive thru lane. Said Sign shall not exceed fifty (50) square feet, must be located a minimum of one (1) foot from and a maximum of five (5) feet from the edge of pavement of the Drive-Thru lane to which it serves and shall not exceed eight (8) feet in height.

b) One medium drive thru board shall be permitted per drive thru lane. Said Sign shall not exceed fifteen (15) square feet in area, must be located a minimum of one (1) foot and a maximum of five (5) feet from the edge of pavement of the Drive-Thru lane to which is served and shall not exceed eight (8) feet in height.

c) One small Drive-Thru Sign board shall be permitted per Drive-Thru lane. Said Sign shall not exceed two and half (2.5) square feet area, must be located on the Drive-Thru speaker and shall not exceed five (5) feet in height.

d) Drive-Thru board signs shall be permitted to have changeable copy electronic display messages provided the graphics and/or words on the sign change no more than once per car service. Video, flashing images or effects, or moving content shall be prohibited.

13.12 TOTAL MAXIMUM SQUARE FOOTAGE OF ALL SIGNS

	Total Maximum Square Footage for All Signs
CCR, NB, and LIO	Per Approved Development Plan

13.13 SIGN LIGHTING

Sign lighting shall be consistent, understated, and properly disguised. Unless noted in this Resolution, one of the following methods of lighting may be employed:

a) A white, steady, stationary light that does not glare onto surrounding areas, is directed solely at the Sign, and is otherwise prevented from beaming directly onto adjacent properties or Rights-of-Way.

b) A white interior light with primary and secondary images lit or silhouetted on an opaque background. The background must be opaque. No additional background lighting or illuminated borders or outlines shall be permitted.

c) The color temperature of the sign lighting shall not exceed four thousand Kelvin (4,000K).

d) The level of illumination emitted or reflected from a Sign shall not be of an intensity sufficient to constitute a demonstrable hazard to vehicular traffic on any Right-of-Way or parking lot from which the sign can be viewed.

e) Light fixtures shall be screened from view by site grading or landscaping.

13.14 TEMPORARY SIGNS

The following Temporary Sign regulations apply to all uses in the Overlay District:

a) Temporary Signs shall be prohibited within the Right-of-Way;

b) In all Zoning Districts, one (1) temporary banner is permitted per parcel per street frontage without a permit. Each temporary banner shall not exceed eight (8) feet in height and thirty-two (32) square feet in area and shall not be displayed for more than fourteen (14) days within any one hundred eighty (180) day period;

c) In the AG, RR-1, and RR-2 Districts, three (3) Small Temporary Signs shall be permitted per parcel per street frontage without a permit. In all other Zoning Districts, up to six (6) Small Temporary Signs shall be permitted per parcel per street frontage without a permit. Each Small Temporary Sign shall be seven (7) square feet in area or less and less than three (3) feet in height;

d) In the CCR, NB, and LIO Districts, two (2) Large Temporary Signs shall also be permitted per parcel provided a Sign Zoning Certificate is issued in accordance with the following regulations. Large Temporary Signs shall not:

1) Exceed eight (8) feet in height;
2) Exceed thirty-two (32) square feet in area (per Sign face);
3) On parcels of five (5) acres or less, such signs shall be displayed for no more than thirty (30) consecutive days and no more than three (3) times per calendar year. A new permit must be obtained for each thirty (30) day or less period. After said permits have been exhausted, the Zoning Inspector may grant one (1) extension for up to ninety (90) days per Sign. No other extensions may be administratively approved; such extensions are subject to the jurisdiction of the Board of Zoning Appeals. On parcels that are greater than five (5) acres, such signs may be displayed for up to one hundred eighty (180) days. Upon the expiration of this permit, the Zoning Inspector may grant one (1) extension up to an additional one hundred eighty (180) days. No other extensions may be administratively approved; such extensions are subject to the jurisdiction of the Board of Zoning Appeals. In no case, shall such signs be erected for more than three hundred sixty-five (365) days.

e) Small and Large Temporary Signs and Temporary Banners shall not count toward the total maximum square footage of signs permitted on a Lot; and

f) The sign permit number for Large Temporary Signs must be printed on the sign in a visible location.

13.15 CHANGEABLE COPY AND ELECTRONIC MESSAGE DISPLAYS

These Changeable Copy and Electronic Message Display standards are applicable to all signs, except Drive-Thru boards since the purpose of those boards are to service those utilizing the drive thru lane where cars are typically stopped to view said sign. All other changeable copy and electronic messaging displays shall:

a) Be limited to fifty (50) percent of the overall sign area.

b) Be static, shall not move, scroll, or flash.

c) Maximum luminance (cd/m2) of forty (40).

d) Be turned off at the latter of 11:30 p.m. or one hour after the close of business and shall remain off until 6:30 a.m. the following morning.

13.16 MURALS

a) Original Art Mural Requirements. Original Art Murals that meet all the following requirements shall be issued a Mural Permit by the Zoning Inspector:

i) Original Art Murals are permitted only in the NB Overlay District.
ii) The Mural shall remain in place without alteration, for a period of five (5) years. The applicant shall certify in the permit application that the applicant agrees to maintain the mural in accordance with this regulation.
iii) The applicant, if different from the property owner, must obtain an affidavit from the building's owner giving permission for the applicant to adhere the mural to the building.
iv) There shall be no more than one Original Art Mural per parcel or per building, whichever is more restrictive.
v) Murals shall only be permitted on sides and rear elevations and shall be prohibited on front elevations of buildings.
vi) No part of the Mural shall exceed the height of the structure to which it is tiled or painted.
vii) The materials or paint utilized to create the mural shall be weatherproof or resistant to wear.
viii) The Mural shall be properly maintained through repair and paint, or any necessary treatment to prevent decay. Defective or insufficient weather protection for exterior treatments and façades, including fading paint or materials or graffiti shall be promptly repaired or shall

otherwise be subject to the violation provisions in Section #### - Violation And Penalty of this Resolution.

ix) Murals on properties within any planned district must be part of the originally approved development plan or an amendment to said plan must be approved the regulations found in Section #### – Amendment of Development Plan prior to the Zoning Commission issuing a Zoning Certificate.

x) Murals that would result in a property becoming out of compliance with any other Township Resolution shall be prohibited.

b) Vintage Art Mural Requirements. All Murals created prior to the date of adoption of this Resolution shall be considered existing non-conforming and may be maintained in accordance with Article #### – Nonconforming Uses and Structures, of this Resolution.

13.17 BILLBOARDS

a) Sign Table – ## lists all Zoning Districts in which Billboards are permitted. If a Zoning District is not listed, Billboards are considered prohibited in said District. All Billboards shall comply with the time, place, and manner regulations found in Sign Table – ## - Billboards.

b) Billboards shall have a maximum of two (2) faces per Billboard.

c) Billboards shall be back-to-back and shall not have more than one (1) face visible from each direction of the road to which it faces.

d) Sign Table – ## – Billboards

	Districts
	AG, RR-1, RR-2, CCR, NB, LIO
Maximum Square Footage Per Face	125
Minimum Setback from any Structure or Sign (Feet)	1,000
Minimum Spacing from Other Billboards (Feet)	3,000
Maximum Height (Feet)	15
Minimum Distance from ROW (Feet)	75

e) Relation to Other Laws. Signs adjacent to the interstate and primary highways as regulated by the Ohio Revised Code, Chapter 5516 and Section 5531.07, as amended, shall be permitted in accordance with those state laws. The Zoning Inspector shall only issue a Zoning Certificate when the applicant produces a permit from the state, and the proposed Billboard meets the requirements of this section.

ARTICLE 14
Administration

14.01 Zoning Inspector
14.02 Zoning Commission
14.03 Board of Zoning Appeals
14.04 Board of Township Trustees
14.05 Powers of the Zoning Inspector, Board of Zoning Appeals, and Board of Township Trustees on Matters of Appeal

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14.01 ZONING INSPECTOR

a) Office of Zoning Inspector Established. The Zoning Inspector, appointed by the Board of Township Trustees, shall enforce this Resolution. All officials and/or employees of the Township shall assist the Zoning Inspector by reporting any new construction or apparent violations as described in this Resolution. The Township Zoning Inspector, before entering upon his/her duties, shall give bond as specified in Section 519.161 of the Ohio Revised Code unless the Board of Township Trustees has procured for the Zoning Inspector an employee dishonesty and faithful performance duty policy of insurance in lieu of bond, pursuant to Section 3.061 of the Ohio Revised Code.

b) Relief from Personal Liability. The Zoning Inspector, acting in good faith and without malice in the discharge of their duties during enforcement of this Resolution, is relieved of all personal liability for any damage that may accrue to persons or property as a result of such acts of alleged failure to act. The Zoning Inspector shall not be held liable for the costs in any action, suit, or proceeding that may be instituted against them as a result of the enforcement of this Resolution.

c) Duties of the Zoning Inspector. For the purposes of this Resolution, the Zoning Inspector shall have the following duties:

1) Enforce this Resolution and take all necessary steps to remedy conditions found in violation by ordering, in writing, the discontinuance of illegal uses or work in progress and direct cases of noncompliance to the Board of Zoning Appeals or other appropriate entity for action;
2) Investigate all complaints received from residents alleging illegal activity, provided such complaints are filed in writing and report findings to the Board of Township Trustees;
3) Issue Zoning Certificate(s) when the provisions of this Resolution have been met or refuse to issue the same in the event of non-compliance;
4) Collect designated fees, as established by separate resolution, for Zoning Certificates, Appeals, Variances, and Conditional Uses;

5) Make and keep all records necessary and appropriate to the office, including records of issuance and denial of Zoning Certificates and receipt of complaints of violations of this Resolution and actions taken on the same.
6) Inspect any Buildings, Structures, or lands to determine whether any violations of this Resolution have been committed or exist.
7) Advise the Zoning Commission and the Board of Zoning Appeals of relevant matters pertaining to the enforcement of and amendments of this Resolution.

d) Removal from Office. As an employee of the Township, the Zoning Inspector may be removed by the Board of Township Trustees for non-performance of duty, misconduct in office, or other just cause.

14.02 ZONING COMMISSION

a) Zoning Commission Established.

1) Pursuant to Section 519.04 of the Ohio Revised Code, a Zoning Commission is hereby established by the Township. This Zoning Commission shall consist of five (5) residents of the unincorporated area of the Township as appointed by the Board of Township Trustees. The terms of the members shall be of such lengths and so arranged that the term of one (1) member will expire each year.
2) For the purposes of this Resolution, the members of the Zoning Commission existing on the effective date of this amended Resolution shall remain in office. However, the expiration dates of the terms of such members shall be arranged to comply with the above. Any vacancies on the Zoning Commission shall be by the Board of Township Trustees, consistent with the provision of Section 519.04 of the Ohio Revised Code.
3) The Board of Township Trustees may appoint up to two alternate members who reside in the unincorporated area for terms to be determined by the board. Such alternates serving in the absence of a regular member shall have the same voting privileges as the absent member.

b) Removal of Members. Members of the Zoning Commission shall be removed for non-performance of duty, misconduct in office, or other cause by the Board of Township Trustees. A public hearing shall be held regarding such charges no longer than sixty (60) days after the charges are filed against the Zoning Commission member. In such a case, a copy of such charges shall be served to the member at least ten (10) days prior to the hearing, either personally or by registered mail. The member shall be given an opportunity to be heard and answer all such charges. The Board of Trustees may suspend the member from participating as a member of the Zoning Commission for a period of up to sixty (60) days before the pending hearing on removal.

c) Proceedings.

1) The Planning Commission shall elect a chairperson and adopt rules necessary for the conduct of its affairs consistent with the provisions of this Resolution. Meetings shall be held at the call of the chairperson and at such other times as deemed appropriate by the Planning Commission, as determined by a majority vote. All meetings shall be open to the public. For the purpose of taking action, the concurring vote of at least three (3) members of the Commission shall be required for action on any specific business.
2) The Zoning Commission shall keep minutes of proceedings, showing the vote of each member upon each question or, if absent or failing to vote, indicating such fact. Such minutes shall be public record and shall be immediately filed in the office of the Zoning Commission.

d) Powers and Duties. For the purposes of this Resolution, the Zoning Commission shall have the following powers and duties:

1) Initiate and receive amendments to this Resolution, pursuant to Article ## - District Amendments.
2) Review all proposed amendments to this Resolution and make recommendations to the Board of Township Trustees as specified in Article ## - Amendments.
3) Review all proposed changes to the Official Zoning Map and make recommendations to the Board of Township Trustees.
4) Review Overlay District Development Plans in work sessions and provide informal feedback on said Development Plans to the Board of Township Trustees in accordance with Section ####.

14.03 BOARD OF ZONING APPEALS

a) Establishment.

1) There is hereby established a Board of Zoning Appeals, which shall have the authority as specified in Sections 519.13 and 519.15 of the Ohio Revised Code, subject to such rules of a procedural nature as said Board of Zoning Appeals may adopt and promulgate for the purposes of acting on matters properly before it.
2) The Board of Zoning Appeals shall consist of five (5) members appointed by the Board of Township Trustees, each for a term of five (5) years, except that the initial appointments shall be one (1) member for each one-, two-, three-, four-, and five-year terms. Each member shall be a resident of the unincorporated area of the Township.
3) The Board of Trustees may also appoint up to two alternate members, who live in the unincorporated area, and determine their terms. Each alternate shall

serve at meetings and hearings with full voting privileges in the place of a regular member who is absent.

b) Removal of Members. Members shall be removable for the same causes and in the same manner as provided in Section ####. Members of the Board of Zoning Appeals may resign by written notice to the Board of Township Trustees. The Board of Township Trustees shall fill such vacancies for the remaining unexpired term of the member affected.

c) Proceedings.

1) The Board of Zoning Appeals shall organize annually and elect a chairperson. Meetings of the Board of Zoning Appeals shall be held at the call of the chairperson and at other such times as the Board shall determine. The Fiscal Officer, as established in Section ####, shall be responsible for keeping minutes and performing other administrative duties for the Board of Zoning Appeals as required. The Board of Zoning Appeals shall adopt, from time to time, such rules and regulations as it may deem necessary to implement the provisions of this Resolution. All meetings of the Board of Zoning Appeals shall be open to the public.
2) Three (3) members of the Board of Zoning Appeals shall be necessary to constitute a quorum to conduct business. A vote of three (3) members of the Board of Zoning Appeals shall be necessary to reverse any order, requirement, decision, or determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution or to affect any variation in the application of this Resolution. The goal of the Township is to fill absences with alternates to achieve a five-member board for hearing cases and issuing decisions.
3) All meetings shall be open to the public. The Fiscal Officer shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examination and other official actions, all which shall be a public record and be immediately filed in the office of the Board of Zoning Appeals.
4) The Board of Zoning Appeals shall have the power to subpoena witnesses, administer oaths, and may require the production of documents, under such rules as it may establish.

d) Powers and Duties. In exercising its duties, the board may, as long as such action is in conformity with the terms of this Resolution, reverse or affirm, wholly or partly, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as ought to be made, and to that end shall have the powers of the Zoning Inspector from whom the appeal is taken. A majority vote of those members of the Board of Zoning Appeals present to form a quorum shall be necessary to reverse any order, requirement, decision, or

determination of the Zoning Inspector, or to decide in favor of the applicant on any matter upon which it is required to pass under this Resolution or to affect any variation in the application of this Resolution. For the purpose of this Resolution the board has the following specific responsibilities:

1) To hear and decide appeals where it is alleged there is an error in any order, requirement, decision, interpretation, or determination made by the Zoning Inspector.
2) To authorize such Variances from the terms of this Resolution under Section #### as will not be contrary to the public interest, where, owing to the special conditions, a literal enforcement of this Resolution will result in Practical Difficulties and so that the spirit of this Resolution shall be observed and substantial justice done.
3) To grant Conditional Use Permits as specified in Article ### - Conditional Uses – and any supplemental materials as found in Article #### - General Development Standards – and Article #### - Extraction of Natural Resources – and such additional safeguards as will uphold the intent of this Resolution.
4) To interpret the Zoning Map and Resolution upon appeal of the Zoning Inspector's decision.
5) Authorize the substitution or extension of Nonconforming Uses, as specified in Article #### - Nonconformities.
6) To consider applications for determinations of Uses as "Similar" to Permitted Uses, in accordance with Section #### - Similar Uses.
7) Declare Zoning Certificates void, pursuant to Section #### - Void Zoning Certificates.
8) Where the Streets or Lot layout on the ground, or as recorded, differs from the Streets and Lot Lines as shown on the Zoning Map, the Board of Zoning Appeals, after written notice to the owners of the property or properties concerned, and after the public hearing, shall interpret the map in such a way as to carry out the intent and purpose of this Resolution. In case of any questions as to the location of any Boundary Line between Zoning Districts or where there is uncertainty as to the meaning and intent of a textual provision, a question may be made to the Board of Zoning Appeals and a determination shall be made by said Board of Zoning Appeals.

14.04 BOARD OF TOWNSHIP TRUSTEES

The powers and duties of the Board of Township Trustees pertaining to this Resolution are as follows:

a) Appoint members to the Zoning Commission and the Board of Zoning Appeals.
b) Initiate and/or act upon suggested amendments to the Resolution text or Zoning Map as provided in Article #### - Amendments.

c) Review, approve, and/or deny applications of Development Plans based upon the informal review of the Planning Commission as provided in Section ####.

d) May appoint a Fiscal Officer, who shall record the minutes of the Rural Zoning Commission and Board of Zoning Appeals, confirm the information on zoning applications, maintain zoning records, assist the Zoning Inspector, and perform other such duties relating to this Resolution as deemed appropriate by the Board of Township Trustees. The Fiscal Officer shall be compensated at rates established from time to time by the Board of Township Trustees.

14.05 POWERS OF THE ZONING INSPECTOR, BOARD OF ZONING APPEALS, AND BOARD OF TOWNSHIP TRUSTEES ON MATTERS OF APPEAL

It is the intent of this resolution that all questions of interpretation and enforcement shall be first presented to the Zoning Inspector, or their designee, and that such questions shall be presented to the Board of Zoning Appeals only on Appeal from the decision of the Zoning Inspector and that recourse from the decisions of the Board of Zoning Appeals shall be to the courts as provided by law. It is further the intent of this resolution that the duties of the Board of Township Trustees in connection with this Resolution shall not include hearing and deciding questions of interpretation and enforcement that may arise. The procedure for deciding such questions shall be as stated in this section and this Resolution. Under this Resolution the Board Township Trustees shall have only the duties of considering the adopting, modifying, or rejecting proposed amendments or the repeal of this resolution as provided by law, and of establishing a schedule of fees and charges as stated in Section #### of this Resolution.

ARTICLE 15
Nonconforming Uses and Structures

15.01 Purpose
15.02 Grace Period
15.03 Conformance Required
15.04 Lots of Record
15.05 Nonconforming Structures
15.06 Nonconforming Uses
15.07 Damage or Destruction

15.01 PURPOSE

Within the Districts established by this Resolution or future amendments that may later be adopted, there exist Structures, Uses, and Lots – both individually and collectively – which were lawful before this Resolution was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this Resolution or future amendment. These will be known as "Nonconformities." It is the intent of this Resolution that Non-Conformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other Structures or Uses prohibited elsewhere in the same Zoning District.

15.02 GRACE PERIOD

The construction, change, or remodeling of a Use, Structure, or Building that was legally commenced prior to the effective date of this Resolution or amendment thereto but does not conform to these regulations may be continued as long as the following criteria are met:

a) The property was purchased or otherwise legally acquired prior to the effective date of this Resolution or amendment thereto making it Non-Conforming.

b) Said work has been completed within two (2) years of the effective date of this Resolution or amendment making it Non-Conforming.

15.03 CONFORMANCE REQUIRED

Unless otherwise specifically permitted by this Article, all Buildings, Structures, and Uses shall comply with the regulations for the Zoning District in which they are located.

15.04 LOTS OF RECORD

a) A Lot of Record is any Lot or Parcel of land that was lawfully created by a subdivision plat of record or by a metes and bounds description and recorded in the County Recorder's Office prior to the effective date of this Resolution.

b) Any Lot of Record existing on the initial effective date of this Resolution may be used for any One-Unit Dwelling when such use is permitted in the Zoning District, regardless of the width or area of said Lot, provided all the following criteria are met:

1) The Side Setback for any Lot of Record shall not exceed ten (10) percent of the width of the Lot, but in no case shall a Side Yard be less than ten (10) feet.
2) The Rear Setback for any Lot of Record shall not exceed twenty (20) percent of the depth of the Lot, but in no case shall the Rear Yard be less than ten (10) feet.
3) Accessory Structures shall comply with all Side and Rear Setback requirements in the applicable Zoning District regulation.

c) In any Zoning District where Dwellings are not listed as a Permitted Use, a Lot of Record may be used for any Permitted Use in the Zoning District in which it is located, provided the following criteria are met:

1) The Side Setback shall be a minimum of ten (10) percent of the Lot Width.
2) The Rear Setback shall be a minimum of twenty (20) percent of the Lot Depth.
3) All other regulations for the Zoning District including, but not limited to, the Maximum Lot Coverage, shall apply as stated in the applicable Zoning District.

d) Any Lot of Record that contains a Structure that complies with the regulations in this Section shall be considered to be in compliance with this Resolution.

15.05 NONCONFORMING STRUCTURES

a) A Non-Conforming Structure is any Building or Structure lawfully existing on the effective date of this Resolution or amendment thereto that does not conform to the development standards of the Zoning District in which it is located. Any Building or Structure that is unlawfully existing as of the effective date of this Resolution or amendment thereto shall not be considered a Nonconforming Structure and remain in violation of this Resolution.

b) A Non-Conforming Structure may continue to exist in accordance with the provisions of this Article.

c) A Non-Conforming Structure may be enlarged, maintained, repaired, or structurally altered, provided the existing Non-Conformity is not increased or extended, and so no new Non-Conformities are created.

d) A Non-Conforming Structure shall not be moved in whole or in part for any distance to any other location on the same or any other Lot. If such Structure is moved, the entire Structure shall conform to the regulations of the applicable Zoning District in

which it is located. A Zoning Certificate shall be required prior to moving such Structure.

e) A Non-Conforming Mobile Home located in any Zoning District, once removed shall not be relocated on such Lot, or replaced with another Mobile Home.

15.06 NONCONFORMING USES

a) A Non-Conforming Use is any Use that was lawfully being conducted within any Building or on any land on the effective date of these regulations or amendment thereto but is not listed as a Permitted Use of the Zoning District in which it is located. A Use that was unlawfully being conducted within any Building or on any land on the effective date of this Resolution or amendment thereto shall not be considered a Non-Conforming Use and remain in violation of this Resolution.

b) A Non-Conforming Use may continue to operate in its current location in accordance with the provisions of this Article.

c) The Board of Zoning Appeals may authorize a Non-Conforming Use to be changed to another Non-Conforming Use, provided the proposed use is equally appropriate or more appropriate to the Zoning District than the existing Non-Conforming Use. The Board of Zoning Appeals may require appropriate conditions and safeguards in accordance with other provisions of this Zoning Code, which if violated are punishable under Section #### – Violation And Penalty of this Resolution.

d) Unless otherwise permitted by this Article, a Non-Conforming Use shall not be enlarged, extended, or expanded.

e) The Board of Zoning Appeals may permit, on a once-only basis, the expansion of a Non-Conforming Use, provided such expansion does not exceed twenty-five (25) percent of the Ground Floor area of the existing Building(s) devoted to a Non-Conforming Use at the time of enactment of this Resolution or at the time of its amendment making a Use Non-Conforming. The Board of Zoning Appeals shall not authorize any enlargement which would:

1) Result in a violation of the provisions of this Resolution with respect to any adjoining premises;
2) Occupy ground space required for meeting the Setback or other requirements of this Resolution.

f) A Non-Conforming Use which has been replaced or abandoned shall not be returned to a Non-Conforming Use. A Non-Conforming Use shall be considered abandoned when there is intent either express or implied to cease the Non-Conforming Use for a period of two (2) years. Abandonment may be evidenced by an overt act or failure to

act indicating that the owner or Responsible Party has not been using the Non-Conforming Use for said time period. A Non-Conforming Use shall be considered replaced when either one of the following conditions exists:

1) When a Non-Conforming Use has been changed to a Permitted Use in the applicable Zoning District.
2) When the Non-Conforming Use has been changed to another Non-Conforming Use under permit from the Board of Zoning Appeals.

15.07 DAMAGE OR DESTRUCTION

In the event that any Nonconforming Building, Structure, or Use is damaged or destroyed by any means, to the extent of more than fifty (50) percent of its fair market value at the time of damage, such Nonconforming Building, Structure, or Use shall not be restored unless such Nonconforming Building, Structure, or Use thereof conforms to the regulations of the Zoning District in which it is located. If such damage is fifty (50) percent or less of its current fair market value, it may be restored or reconstructed to its previous size, shape, and dimensional characteristics and the previous Nonconforming Building, Structure, or Use may be permitted, if:

a) A Zoning Certificate is obtained;

b) Work Commences on restoration within one (1) year after the date of such destruction; and

c) The restoration is Substantially Complete within two and a half (2 ½) years from when the Zoning Certificate is issued.

ARTICLE 16
Conditional Uses

16.01 Authority and Purpose
16.02 Applications for Conditional Use Permits
16.03 General Standards for Conditional Uses
16.04 Supplementary Conditions
16.05 Public Hearing by the Board of Zoning Appeals
16.06 Action by the Board of Zoning Appeals
16.07 Expiration and Revocation of a Conditional Use Permit

16.01 AUTHORITY AND PURPOSE

a) A Use of property that typically affects an area more intensely than Permitted Uses in the Zoning District in which it is located may nonetheless be desirable and compatible with Permitted Uses if that Use is properly controlled and regulated. Such Uses shall be listed as "Conditional Uses" within the respective Zoning Districts.

b) The Board of Zoning Appeals may grant conditional approval for Use of the land, Buildings, or other Structures and may allow such a Use to be established where unusual circumstances exist and where the Conditional Use will be consistent with the general purpose and intent of this Resolution.

16.02 APPLICATIONS FOR CONDITIONAL USE PERMITS

Any person owning or having an interest in property may file an application to use such property for one of the Conditional Uses provided for by this Resolution in the Zoning District in which the property is situated. An application for a Conditional Use shall be filed with the Zoning Inspector who shall forward within five (5) days a copy to the Secretary of the Board of Zoning Appeals. The application shall contain the following information:

a) Name, address, and phone number of applicant;

b) Legal description of the property, including parcel number, as recorded in the Lucas County Recorder's Office;

c) Present Zoning District;

d) Description of proposed Conditional Use;

e) A plan of the proposed site for the Conditional Use showing the location of all Buildings, parking and loading area, utilities, Signs, Yards, and such other information as the Board may require determining if the proposed Conditional Use meets the intents and requirements of this Resolution;

f) A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, light, fumes, and vibration on adjoining property; and a discussion of the general compatibility with adjacent and other properties in the Zoning District;

g) The names and addresses of all properties within five hundred (500) feet, contiguous to and directly across the street from the property, as appearing on the Lucas County Auditor's current tax list. The applicant may also provide the addresses of property owners within the above-mentioned boundaries when their addresses differ from the property adjoining to the proposed Conditional Use;

h) Such other information regarding the property, proposed Use, or surrounding area as may be pertinent to the deliberations of the Board of Zoning Appeals; and

i) Fee(s) as established by the Board of Township Trustees – as adopted separately from this Resolution.

16.03 GENERAL STANDARDS FOR CONDITIONAL USES

In addition to the specific requirements for Conditional Uses as specified in Section #### - Combined Use Table – the Board of Zoning Appeals shall review the particular facts and circumstances of each proposed Use in terms of the following standards and shall find adequate evidence that such Use at the proposed location meets all the following requirements:

a) The Use will be designed, constructed, operated, and maintained to be harmonious and appropriate with the existing or intended character of the general vicinity;

b) The Use will not pose a discernible health hazard to existing adjacent Uses;

c) The Use will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewers, and schools;

d) The Use 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 production of traffic, noise, smoke, fumes, glare, or odors; and

e) The Use will be consistent with the objectives of this Resolution and any adopted comprehensive or land use plans for the area.

16.04 SUPPLEMENTARY CONDITIONS

In granting any Conditional Use, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformance with this Resolution.

16.05 PUBLIC HEARING BY THE BOARD OF ZONING APPEALS

The approval of a Conditional Use Permit issued in accordance with Section #### - Applications for Conditional Uses, above, shall become null and void if such Use is not carried out within one (1) year after the date of approval. The Board of Zoning Appeals may revoke the Conditional Use Permit upon written evidence by any resident or official of the Township of violation of this Resolution and/or written terms and conditions upon which approval is based.

16.06 ACTION BY THE BOARD OF ZONING APPEALS

The Board of Zoning Appeals shall hold a public hearing within thirty (30) days after receipt of an application for an Appeal, Variance, or Conditional Use from the Zoning Inspector or an applicant.

16.07 EXPIRATION AND REVOCATION OF A CONDITIONAL USE PERMIT

The approval of a Conditional Use Permit issued in accordance with Section ####, above, shall become null and void if such Use is not carried out within one (1) year after the date of approval. The Board of Zoning Appeals may revoke the Conditional Use Permit upon written evidence by any resident or official of the Township of violation of this Resolution and/or written terms and conditions upon which approval is based.

ARTICLE 17
Appeals and Variances

17.01 Procedures and Requirements for Appeals and Variances
17.02 Appeals
17.03 Stay of Proceedings
17.04 Variances
17.05 Application and Standards for Variances
17.06 Supplementary Conditions and Safeguards

17.01 PROCEDURES AND REQUIREMENTS FOR APPEALS AND VARIANCES

Appeals and Variances shall conform to the procedures and requirements of this Article of this Resolution. As specified in Section ####, the Board of Zoning Appeals has appellate jurisdiction relative to Appeals and Variances.

17.02 APPEALS

Appeals to the Board of Zoning Appeals concerning interpretation or administration of this Resolution may be taken by any person aggrieved or by any officer or bureau of the legislative authority of the township affected by any decision of the Zoning Inspector. Such appeal shall be taken within twenty (20) days after the decision by filing a notice of appeal that specifies the grounds upon which the appeal is being taken with the Zoning Inspector and the Board of Zoning Appeals. The Zoning Inspector shall transmit to the Board of Zoning Appeals all the papers constituting the record upon which the action appealed from was taken.

17.03 STAY OF PROCEEDINGS

An appeal stays all proceedings in furtherance of the action appealed from, unless the Zoning Inspector from whom the appeal is taken certifies to the Board of Zoning Appeals after the notice of appeal is filed with the Zoning Inspector that by reason of facts stated in the application, a stay would, in the Zoning Inspector's opinion, cause imminent peril to life and property. In such case, proceedings shall not be stayed other than by a restraining order which may be granted by the Board of Zoning Appeals or by a court of record on application, on notice to the Zoning Inspector from whom the appeal is taken on due cause shown.

17.04 VARIANCES

a) The Board of Zoning Appeals shall have the power to authorize Variances from the provisions of this Resolution that are not contrary to the public interest. Such Variances shall be granted only in cases of special conditions, involving physical conditions of the land, whereby strict application of such provisions or requirements would result in an Unnecessary Hardship that would deprive the owner of the reasonable Use and Buildings involved.

b) Criteria for Approving an Area Variance. The Board of Zoning Appeals may grant an Area Variance upon a finding by a preponderance of reliable, probative, and substantial evidence of meeting all of the elements of the "Practical Difficulties" test. The factors to be considered and weighed by the Board of Zoning Appeals in determining whether a property owner has encountered Practical Difficulties include the following:

1) Whether the property in question will yield a reasonable return or whether there can be any beneficial Use of the property without the Variance;
2) Whether the essential character of the neighborhood or surrounding area would be substantially altered or whether the adjoining properties would suffer substantial detriment as a result of the Variance;
3) Whether the Variance would adversely affect the delivery of governmental services, for example, water, sewer, garbage, etc.;
4) Whether the property owner purchased the property with knowledge of the restrictions as found in this Resolution;
5) Whether the property owner's Practical Difficulty can be eliminated through some method other than a Variance; and/or
6) Whether the spirit and intent behind this Resolution's requirements can be observed and substantial justice can be done by granting a Variance.

c) Use Variances. Under no circumstances shall the Board of Zoning Appeals grant a Variance to allow a Use not permissible in the respective Zoning District involved.

d) Burden of Proof. The burden of proof is on the applicant to present reliable, probative, and substantial testimony and evidence that supports the request for a Variance.

17.05 APPLICATION AND STANDARDS FOR VARIANCES

a) Application Contents. A variance from the terms of this Resolution shall not be granted by the Board of Zoning Appeals unless and until a written application for a variance is submitted to the Zoning Inspector containing the following information:

1) Name, mailing address, and phone number of applicants.
2) Legal description of property.
3) Description of nature of variance requested.
4) A narrative statement demonstrating that the requested variance conforms to the following standards:
    i) That special conditions and circumstances exist which are peculiar to the land, structure, or buildings in the same district.
    ii) That a literal interpretation of the provisions of this Resolution would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this Resolution.

iii) That special conditions and circumstances do not result from actions of the applicant.

iv) That granting the variance requested will not confer on the applicant any special privilege that is denied by this Resolution to other lands, structures, or buildings in the same district.

v) Owner's consent to application or satisfactory evidence showing applicant's legal or equitable interest in property.

5) Names and mailing addresses of adjoining owners within five hundred (500) feet of the property, including across the roadway. This list must be typed on mailing labels.

6) Fees need to be paid in accordance to the Schedule of Fees.

7) Other information as specified by the Board of Zoning Appeals.

b) Basis for Granting a Variance. A Variance shall not be granted unless the Board of Zoning Appeals makes specific findings of fact based directly on the particular evidence presented to it, which support conclusions that the standards and conditions imposed by this Article have been met by the applicant. Variances may be granted as guided by, but not limited to, any or all of the following examples:

1) To permit any yard or setback less than the yard or setback required by the applicable regulations.

2) To permit the use of a lot or lots for a use otherwise prohibited solely because of the insufficient area or width of the lot or lots, but generally the respective area and width of the lot or lots should not be less than eighty (80) percent of the required area and width.

3) To permit the same off-street parking facility to qualify as required facilities for two (2) or more uses, provided that substantial use of such facility by each use does not take place at approximately the same hours of the same days of the week.

4) To reduce the applicable off-street parking or loading facilities required, but generally by not more than thirty (30) percent of the required facilities.

5) To allow for the deferment of required parking facilities for a reasonable period of time, such period of time to be specified as a condition of the variance.

6) To increase the maximum distance that required parking spaces are permitted to be located from the use served, but generally not more than forty (40) percent (*See*, Article ## – Off-Street Parking and Loading).

7) To increase the maximum allowable size or area of signs on a lot, but generally by not more than twenty-five (25) percent.

8) To increase the maximum gross floor area of any use so limited by the applicable regulations, but generally not more than twenty-five (25) percent.

9) Under no circumstance shall a variance be granted due to personal hardship. Variances are granted for reasons associated with difficulties with the land only (i.e. topographical, floodplain, soils, natural feature, and the like).

17.06 SUPPLEMENTARY CONDITIONS AND SAFEGUARDS

Under no circumstances shall the Board of Zoning Appeals grant an appeal or variance to allow a use not permissible under the terms of this Resolution in the district involved, or any use expressly or by implication prohibited by the terms of this Resolution in said district. In granting any appeal or variance, the Board of Zoning Appeals may prescribe appropriate conditions and safeguards in conformity with this Resolution. Violation of such conditions and safeguards, when made a part of the terms under which the appeal or variance is granted, shall be deemed a violation of this Resolution and punishable under Article #### of this Resolution.

ARTICLE 18
Amendments

18.01 Procedure
18.02 General
18.03 Initiation of Zoning Amendments
18.04 Application
18.05 General Standards for All Amendments
18.06 Transmittal to Zoning Commission
18.07 Submission to County Planning Commission
18.08 Submission to Director of Transportation
18.09 Public Hearing by Planning Commission
18.10 Recommendation by Zoning Commission
18.11 Public Hearing by Board of Township Trustees
18.12 Action by Board of Township Trustees
18.13 Effective Date and Referendum
18.14 Updating this Resolution or Zoning Map
18.15 Certification of Zoning Amendments to the Lucas County Recorder's Office and the County Planning Commission

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18.01 PROCEDURE

This Resolution and Zoning Map may be amended by utilizing the procedures specified in this Article.

18.02 GENERAL

Whenever public necessity, convenience, general welfare, or good zoning practice require, the Board of Township Trustees may by resolution after receipt of recommendation thereon from the Zoning Commission, and subject to the procedures provided by law, amend, supplement, change or repeal the regulations, restrictions, boundaries, and/or classification of property.

18.03 INITIATION OF ZONING AMENDMENTS

Amendments to this Resolution or Official Zoning Map may be initiated in one of the following ways and must follow the application procedure found in Section 18.04 – Application, below:

a) By adoption of a motion by the Zoning Commission.

b) By adoption of a resolution by the Board of Township Trustees.

c) By the filing of an application by at least one Owner or lessee of property within the area proposed to be changed or affected by said amendment.

18.04 APPLICATION

a) An application for amendments to this Resolution or Official Zoning Map shall be delivered to the Zoning Inspector and shall contain at least the following information:

1) Name, address, and phone number of applicant(s) and legal owner(s). If an agent is representing the legal owner(s), then the agent shall provide their name, address, and phone number in addition to the legal owner(s)' name, address, and phone number.
2) Area in question shall be drawn on a certified map from the County Engineer's Office.
3) Present Use and present Zoning District.
4) Proposed Use and proposed Zoning District.
5) A written description, sufficient to identify the area in question, shall be included, as well as a legal description, including a survey, describing the area proposed to be rezoned, and parcel number. A copy of the deed showing the applicant's legal ownership of the lot(s) is also required.
6) A vicinity map at a scale approved by the Zoning Inspector showing property lines, thoroughfares, existing and proposed zoning, and such other items as the Zoning Inspector may require.
7) Names and addresses of all legal owners of property within, contiguous to, and directly across the thoroughfare from the parcel(s) proposed to be rezoned. The address of such owners shall be obtained from the list of names appearing on the County Auditor's current tax list or the Treasurer's mailing list, and to such other list or lists that may be specified by the Board of Township Trustees. These names and addresses shall be typed on two sets of mailing labels.
8) A statement on how the proposed amendment relates to the Future Land Use Map.
9) A fee as established by the Board of Township Trustees according to the Schedule of Fees as adopted by separate resolution.
10) Owner's consent to application or satisfactory showing of the applicant's legal or equitable interest in said property.
11) If rezoning a portion of a lot of record and not the entire lot of record, the applicant shall provide a survey and legal description of the area to be rezoned. Said survey and legal description shall be recorded with the resolution adopting the zoning map amendment.

b) If the above requirements are met, the Zoning Inspector shall transmit the application to the Zoning Commission. The date of this transmittal is the date of the filing. If the application is incomplete, the Zoning Inspector shall return it to the applicant.

18.05 GENERAL STANDARDS FOR ALL AMENDMENTS

a) Will be harmonious and in accordance with the general objectives, or with any specific objective of the Township Future Land Use Map and/or this Resolution and the Lucas County Subdivision Regulations.

b) Will be designed, constructed, operated, and maintained so as to be harmonious in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.

c) Will not be hazardous or disturbing to existing or future neighboring uses.

d) Will be served adequately by essential public facilities and services, such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools; or that the persons or agencies responsible for the establishment of the proposed use shall be able to adequately provide any such services.

e) Will not create excessive additional requirements at public cost for public facilities and services, and will not be detrimental to the economic welfare of the community.

f) Will not involve uses, activities, processes, materials, equipment and conditions of operations that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor, air or water pollution, or potential for explosion.

g) Will have vehicular approaches to the property, which shall be so designed as to not create an interference with traffic on surrounding public thoroughfares.

h) Will not result in destruction, loss, or damage of a natural, scenic, or historic feature of major importance.

18.06 TRANSMITTAL TO ZONING COMMISSION

Immediately after the adoption of a resolution by the Board of Township Trustees or the filing of an application by at least one owner or lessee of property, said resolution or application shall be transmitted to the Zoning Commission. The Zoning Inspector or Fiscal Officer shall transmit the application or resolution to the Zoning Commission Chairperson within forty-eight (48) hours.

18.07 SUBMISSION TO COUNTY PLANNING COMMISSION

Within five (5) days after the adoption of a motion by the Zoning Commission, transmittal of a resolution by the Board of Township Trustees, or the filing of an application by at least one

(1) owner or lessee, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map pertaining to the case in question to the Lucas County Planning Commission. The Lucas County Planning Commission shall recommend the approval or denial of the proposed amendment 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.

18.08 SUBMISSION TO DIRECTOR OF TRANSPORTATION

Before any zoning amendment is approved affecting any land within three hundred (300) feet of the Right-of-Way of a proposed new highway or highway for which changes are proposed as described in the certification to local officials by the Director of Transportation, or within a radius of five hundred (500) feet from the point of intersection of said Right-of-Way or centerline with any public road or highway, the Commission shall give notice, certified mail to the Director of Transportation. The Zoning Commission may proceed as required by law, (Ohio Revised Code, Section 5511.01); however, the Board of Township Trustees shall not approve the amendment for one hundred twenty (120) days from the date the notice is received by the Director of Transportation. If the Director of Transportation notifies the Board of Township Trustees that he shall proceed to acquire any land needed, then the Board of Township Trustees shall refuse to approve the rezoning. If the Director of Transportation notifies the Board of Township Trustees that acquisition at this time is not in the public interest, or upon the expiration of the one hundred twenty (120)-day period of any extension thereof agreed upon by the Director of Transportation and the property owner, the Board of Township Trustees shall proceed as required by law.

18.09 PUBLIC HEARING BY PLANNING COMMISSION

a) Public Hearing. The Zoning Commission shall schedule a public hearing after the adoption of their motion, transmittal of a resolution from the Board of Township Trustees, or the filing of an application for zoning amendment. Said hearing shall be not less than twenty (20) nor more than forty (40) days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application.

b) Township Webpage and Social Media Account Notice. Before holding the public hearing required in Section #### – Public Hearing, above, notice of such hearing shall be given by the Fiscal Officer by one publication at least ten (10) days before the date of said hearing using the website and social media account of the Township. The notice shall set forth the time and place of the public hearing, and the nature of the proposed appeal or variance. Notice shall state who placed the name of the person responsible for giving the notice (such as the Fiscal Officer or Chairperson of the Zoning Commission).

1) Published Notice, Amendment to Alter the Text or to Rezone Greater than 10 Parcels. If the proposed amendment alters the text of this Resolution, or

rezones or redistricts more than ten (10) parcels of land, as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

i) The name of the Zoning Commission that will be conducting the public hearing on the proposed amendment.
ii) A statement indicating that the motion, application, or resolution is an amendment to the zoning resolution.
iii) The time and place where the text and maps of the proposed amendment will be available for examination for a period of at least ten (10) days prior to the public hearing.
iv) The name of the person responsible for giving notice of the public hearing by publication.
v) A statement that after the conclusion of such hearing the matter will be submitted to the Board of Township Trustees for its action.
vi) Any other information requested by the Zoning Commission.

2) Published Notice, Amendment to Rezone 10 or Fewer Parcels. If the proposed amendment intends to rezone or redistrict ten (10) or fewer parcels of land as listed on the County Auditor's current tax list, the published notice shall set forth the time, date, and place of the public hearing, and shall include all of the following:

i) The name of the Zoning Commission that will be conducting the public hearing.
ii) A statement indicating that the motion, resolution, or application is an amendment to the zoning resolution.
iii) A list of the addresses of all properties to be rezoned or redistricted by the proposed amendment, and the names of the owners of these properties, as they appear on the County Auditor's current tax list.
iv) The present zoning classification of property is named in the proposed amendment and the proposed zoning classification of such property.
v) The time and place where the motion, resolution, or application proposing to amend the zoning resolution will be available for examination for a period of at least ten (10) days prior to the public hearing.
vi) The name of the person responsible for giving notice of the public hearing by publication or by mail, or by both publication and mail.
vii) Any other information requested by the Zoning Commission.
viii) A statement that after the conclusion of such hearing, the matter will be submitted to the Board of Trustees for its action.

c) Notice to Property Owners by Zoning Commission. If the proposed amendment intends to rezone or redistrict ten (10) or less parcels of land, as listed on the County's auditor map, written notice of the hearing shall be mailed by the Fiscal Officer, by first class mail as certificate of mailing, at least ten (10) days before the date of the public hearing to all owners of property within, contiguous to, and directly across the

thoroughfare from the parcel proposed to be rezoned or redistricted to the address of such owners appearing on the County Auditor's current tax list or the Treasurer's mailing list, and to such other list or lists that may be specified by the Board of Township Trustees. The failure to deliver the notice, as provided in this section, shall not invalidate any such amendment. The notice shall contain the same information as required of notices published on the Township's webpage and social media account as described above.

18.10 RECOMMENDATION BY ZONING COMMISSION

Within thirty (30) days after the public hearing required by Section 18.09 – Notice – above, the Zoning Commission shall recommend to the Board of Township Trustees that the amendment be granted as requested, or it may recommend a modification of the amendment requested, or it may recommend that the amendment not be granted. The Zoning Commission shall submit its recommendation; motion, application, or resolution involved; the text and map pertaining to the proposed amendment; and the recommendation of the county or regional planning commission to the Board of Township Trustees,

18.11 PUBLIC HEARING BY BOARD OF TOWNSHIP TRUSTEES

Within thirty (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 provided pursuant to Section 18.09 - Notice, above, excepting Section 18.09(1)(v) or (2)(viii), and substituting the name of the Board of Township Trustees for the name of the Zoning Commission.

18.12 ACTION BY BOARD OF TOWNSHIP TRUSTEES

Within twenty (20) days after the public hearing required by Section 18.09 - Notice, the Board of Township Trustees shall, by majority vote, either adopt or deny by resolution the recommendation of the Zoning Commission or adopt some modification thereof.

18.13 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 Board of Township Trustees a petition, signed by a number of qualified voters residing in the unincorporated area of the township or part thereof included in the zoning plan (equal to not less than thirty-five (35) percent of the total vote cast for all candidates for Governor in such area at the last preceding general election at which a Governor was elected), requesting the Board of Township Trustees to submit the amendment to the electors of such area,

for approval or rejection, at the next primary or general election that occurs at least ninety (90) days after the petition is filed.

b) No amendment, for which such referendum vote has been requested, shall be put into effect unless a majority of the votes cast on the issue are 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.

18.14 UPDATING THIS RESOLUTION OR ZONING MAP

Upon the effective date of a zoning text amendment or Zoning Map amendment, the Board of Township Trustees shall cause the Zoning Resolution or Zoning Map to be changed to reflect the newly adopted text or map. The amended text of the zoning resolution shall be followed by the following statement "Resolution Number __INSERT NUMBER__". This shall serve to identify the resolution in which the amendment was passed for future reference. Additionally, all amendments shall be listed under "Amendments" at the beginning of this Resolution.

18.15 CERTIFICATION OF ZONING AMENDMENTS TO THE LUCAS COUNTY RECORDER'S OFFICE AND THE COUNTY PLANNING COMMISSION

Within five (5) working days after an amendment's effective date, the Board of Township Trustees shall file the text and maps of the amendment in the Office of the County Recorder and with the Lucas County Planning Commission. The failure to file any amendment, or any text and maps, or duplicates of any of these documents, with the Office of the County Recorder or the Lucas County Planning Commission as required by this Section does not invalidate the amendment and is not grounds for an appeal of any decision of the Board of Zoning Appeals.

Amendment Timeline

For General Audiences Only – Timeline Not to be Used for Regulatory Purposes – Resolution Language Controls

TIMELINE

Amendment Initiated under Section #### by the Zoning Commission, Board of Township Trustees, or Owner

⇩

Up to 5 Days to Submit to County Plan Commission for Formal Review
NOTICE: *County Plan Commission Nonbinding Review and Recommendation is an Independent Recommendation Outside of the Township*.

⇩

Township Zoning Commission Holds Public Hearing within 20-40 Days of Initiating Amendment Process
NOTICE: *Township must hold public hearing within time limit regardless of County Review. May require continuing the public hearing until County Review is provided before continuing onto next step*.

⇩

Township Zoning Commission Submits Recommendation to Trustees Within 30 Days of First Public Hearing

⇩

Township Trustees' Hearing Held Within 30 Days of Receipt of Zoning Commission's Recommendation

⇩

Trustees' Action to Adopt, Adopt with Modification, or Deny Within 20 Days Following Board of Trustees' Public Hearing

⇩

Amendment Effective 30 Days Following Board of Township Trustees' Action to Adopt

ARTICLE 19
Enforcement and Violations

19.01 Zoning Certificate Required
19.02 Application for Zoning Certificates
19.03 Approval of Zoning Certificates
19.04 Submission to the Ohio Department of Transportation
19.05 Record of Zoning Certificates
19.06 Expiration of Zoning Certificates
19.07 Certificate of Zoning Compliance
19.08 Schedule of Fees, Charges, and Expenses
19.09 Void Zoning Certificate
19.10 Violation and Penalty

19.01 ZONING CERTIFICATE REQUIRED

a) A Zoning Certificate is required for any of the following and is subject to the limitations of Section 519.211 of the Ohio Revised Code (ORC).

1) Construction, structural alteration, or enlargement of any Building or Structure, including Accessory Structures and Temporary Structures.
2) Change in the Use of an existing Building, Structure, or land to a Permitted Use in the Zoning District where the Building, Structure, or land is located.
3) Occupying or using vacant land.

b) The failure to obtain a Zoning Certificate shall be considered a violation of this Resolution and shall be punishable in accordance with this Article.

19.02 APPLICATION FOR ZONING CERTIFICATES

a) The Responsible Party or applicant shall submit three (3) copies of an application for a Zoning Certificate to the Zoning Inspector and shall include the following information:

1) Name, address, phone number, and email address of the applicant.
2) Address and parcel number of the property subject to the application.
3) Legal description of the property as recorded in the County Recorder's office. If there is not a complete and accurate survey readily available from existing records, the Zoning Inspector may require the applicant to supply a survey of the property by a registered surveyor in the State of Ohio.
4) Existing and proposed uses.
5) The Zoning District in which the property is located.
    i) The dimensions of the property.
    ii) The dimensions of existing and proposed Buildings or Structures on the property.

iii) The distance between the Property Lines and the existing and proposed Structures.
iv) The dimensions and number of existing and proposed parking spaces (if applicable).
v) Any existing or proposed signage (not required for One-Unit Dwelling permits).
vi) The Height of existing and proposed Buildings.
vii) Number of proposed Dwelling Units, if applicable.
viii) The Owner is required to sign the application, or submit an affidavit authorizing a representative to sign and serve as the contact on behalf of the Owner.
ix) Any other information as determined by the Zoning Inspector to determine compliance with this Resolution.
x) A copy of any required approvals including, but not limited to, any necessary Variances or Conditional Use Permits.

b) The Zoning Inspector may increase or decrease the requirements for the application when the scope and scale of the proposed request warrants. Where complete and accurate information is not readily available from existing records, the Zoning Inspector may require the applicant to furnish a survey of the Lot by a registered surveyor. In particular cases, the Zoning Inspector may reduce the submittal requirements for an application, when the proposed action warrants.

19.03 APPROVAL OF ZONING CERTIFICATES

a) The Zoning Inspector shall approve or deny the Zoning Certificate application within thirty (30) days after the receipt unless the provisions of Section 19.06 – Submission to the Ohio Department of Transportation, are applicable.

b) If a Zoning Certificate is approved:

1) The Zoning Inspector shall mark the Zoning Certificate as approved, sign, date, and return the approved Zoning Certificate to the applicant.
2) The applicant shall Commence Work within one (1) year of the date of the Zoning Certificate approval unless an extension is granted by the Zoning Inspector. The Zoning Inspector may grant a one (1)-time extension of up to six (6) months due to unexpected delays that are not a result of any action of the applicant and provided there are no changes in area conditions, as determined by the Zoning Inspector. Otherwise, the Zoning Certificate shall be considered null and void and a new Zoning Certificate must be obtained.
3) The work described in the Zoning Certificate must be completed and a Certificate of Occupancy must be issued within two (2) years of the date of the Building Permit approval by the Lucas County Building Department. Any work described in the Zoning Certificate that has not been completed within this

two (2) year period or as extended by the Zoning Inspector shall not proceed unless a new Zoning Certificate is obtained.

c) If a Zoning Certificate is denied:

1) The Zoning Inspector shall mark the Zoning Certificate as denied, sign, date, and provide a list of reasons for denying the Zoning Certificate and return it to the applicant.
2) The applicant shall have thirty (30) days from the date that the Zoning Inspector denied the Zoning Certificate to file an Appeal application to the Board of Zoning Appeals.

19.04 SUBMISSION TO THE OHIO DEPARTMENT OF TRANSPORTATION

Before any Zoning Certificate is issued affecting any land within three hundred (300) feet of the centerline of a proposed new state highway, or a state highway for which changes are proposed as described in the certification to local officials by the Ohio Department of Transportation or any land within a radius of five hundred (500) feet from the point of intersection of said centerline with any state highway, the Zoning Inspector shall give notice by registered mail to the Ohio Department of Transportation that he shall not issue a Zoning Certificate for 120 days from the date the notice is received by the Ohio Department of Transportation. If the Ohio Department of Transportation notifies the Zoning Inspector that he shall proceed to acquire the land needed, then the Zoning Inspector shall refuse to issue the Zoning Certificate. If the Ohio Department of Transportation notifies the Zoning Inspector that acquisition at this time is not in the public interest or upon the expiration of the one hundred twenty (120)-day period of any extension thereof agreed upon by the Ohio Department of Transportation and the property owner, the Zoning Inspector shall, if the application is in conformance with all provisions of this Resolution, issue the Zoning Certificate.

19.05 RECORD OF ZONING CERTIFICATES

A record of all Zoning Certificates shall be kept on file in the Office of the Zoning Inspector, or their designated agent, and copies shall be furnished upon request to any persons having proprietary or tenancy interest in the Building or land affected.

19.06 EXPIRATION OF ZONING CERTIFICATES

a) If the work described in the Zoning Certificate has not Commenced Work within one (1) year from the date of issuance thereof or has not been completed within two (2) years from the date of issuance thereof, said Zoning Certificate shall expire. For the purposes of these regulations, a Building or Structure shall be considered complete when a Certificate of Zoning Compliance, pursuant to Section 19.09, below, has been issued.

b) In cases where a Zoning Certificate has expired, it shall be revoked by the Zoning Inspector, and written notice thereof shall be given to the persons affected, together with notice that further work as described in the expired Zoning Certificate shall not proceed unless and until a new Zoning Certificate has been obtained or extension granted by the Board of Zoning Appeals.

19.07 CERTIFICATE OF ZONING COMPLIANCE

a) It shall be unlawful to use or occupy or permit the use or occupancy of any Building or premises hereafter created, erected, changed, converted, or wholly or partly altered or enlarged in its Use or structure until a Certificate of Zoning Compliance shall have been issued by the Zoning Inspector, stating that the proposed Use of the Building or land, as completed, conforms to the requirements of this Resolution and maintains a Lucas County Building Department's Certificate of Occupancy. A Certificate of Zoning Compliance may be processed as an indication of final approval on the Zoning Certificate.

b) An applicant shall apply for a Certificate of Zoning Compliance after completing the work described in an approved Zoning Certificate. The application shall be submitted to the Zoning Inspector. After the completion of the excavation for any new Buildings and prior to the commencement of construction of the footers or foundation for any new Building(s, the applicant shall request an inspection from the Zoning Inspector to determine that all approved setbacks are being adhered to.

c) No Building or Structure shall be occupied or utilized in any manner until such time a Certificate of Zoning Compliance has been issued by the Zoning Inspector. The Certificate of Zoning Compliance shall state:

1) The proposed Use is in conformance with the approved Zoning Certificate; and
2) The Buildings and/or Structures have been constructed in accordance with the approved Zoning Certificate.
3) If there are any Non-Conforming Uses or Structures located on said property, the Certificate of Zoning Compliance shall note the existing non-conforming status on the Certificate of Zoning Compliance.

d) A Certificate of Zoning Compliance shall not be issued until the following items have been submitted:

1) A signed letter from the applicable water and sewer authority has been provided stating that water and sanitary sewer systems (on-site or central) have been installed and approved by said authority.
2) A copy of the Certificate of Occupancy from the Lucas County Building Department.

e) The Zoning Inspector shall maintain a record of all Certificates of Zoning Compliance.

f) The Zoning Inspector is authorized to issue a Temporary Certificate of Zoning Compliance that does not exceed six (6) months provided:

1) All completed work complies with the approved Zoning Certificate when the Temporary Certificate of Zoning Compliance is issued.
2) The reason the unfinished work has not been completed is due to circumstances beyond the applicant's control, such as the weather.
3) That the temporary occupancy of a Building does not impair public health and safety.

19.08 SCHEDULE OF FEES, CHARGES, AND EXPENSES

The Board of Township Trustees shall establish, by separate resolution, a schedule of fees, charges, and expenses and a collection procedure for Zoning Certificates, Certificates of Zoning Compliance, Appeals, and other matters pertaining to this Resolution. Copies of the schedule of fees shall be retained by the Zoning Inspector and posted in the Township offices and may be altered or amended only by the Board of Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application.

19.09 VOID ZONING CERTIFICATE

a) The Zoning Inspector and all other officials and public employees of the Township vested with the authority to issue permits or certificates shall conform to the provisions of this Zoning Resolution and shall issue no permit or certificate for any Use, Building, or purposes in conflict with the provisions of this Resolution. Any permit or certificate that is issued in conflict with the provisions of this Resolution shall be null and void.

b) A Zoning Certificate shall be void if any of the following conditions exist:

1) The Zoning Certificate was issued contrary to the provisions of this Resolution by the Zoning Inspector.
2) The Zoning Certificate was issued based upon a false statement by the applicant.
3) The Zoning Certificate has been assigned or transferred.

c) When a Zoning Certificate has been declared void for any of the above reasons by the Board of Zoning Appeals pursuant to this Resolution, written notice of its revocation shall be given by certified mail to the applicant and sent to the address as it appears on the application. Such notices shall also include a statement that all work upon or use of the Building(s), Structure(s), or land cease unless, and until, a new Zoning Certificate has been issued.

19.10 VIOLATION AND PENALTY

a) Construction and Uses to be Provided in Applications, Plans, Permits, and Certificates. Zoning Certificates issued based on plans and applications approved by the Zoning Inspector authorize only the use and arrangement of the plans, applications, or amendments. The lack of a Zoning Certificate or any use, arrangement, or construction not in conformance with the authorization shall be deemed a violation of this Resolution and punishable, as provided in Section ####.

b) Complaints Regarding Violations. Whenever a violation of this Resolution occurs, or is alleged to have occurred, any person may file a written complaint to the Zoning Inspector, stating in full the violation and providing evidence to support the claim. The Zoning Inspector shall immediately investigate the alleged violation and take appropriate action as provided by this Resolution.

c) Penalties for Violation. Violations of this Resolution or failure to comply with any of its requirements (including violations of conditions and safeguards established in various sections of this Resolution) shall be assessed as a civil fine of not more than five hundred dollars ($500) for each offense. The fees shall be collected by filing a civil action in the Lucas County Court of Common Pleas. The complaint may combine a cause of action for collection of civil fines under this section with a cause of action for injunction, abatement, mandamus, or other appropriate relief under Section ####, below. Each day the violation continues from the date of judgment granting relief under this section shall constitute a separate offence.

d) Availability of Special Counsel. Under the regulations of Section 519.24 of the Ohio Revised Code, in case any Building is or is proposed to be erected, constructed, reconstructed, enlarged, changed, maintained, or used or any land is proposed to be used in violation of this Resolution or of any regulation or provision adopted by the Township, such Board of Township Trustees, the Lucas County Prosecuting Attorney, the 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, an action to enjoin, abate, or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance, or use. The Board of Township Trustees may employ special counsel to represent it in any proceeding or to prosecute any actions brought under this article.

ARTICLE 20
Extraction of Natural Resources

20.01 General Requirements
20.02 Applicant – Financial Ability
20.03 Application, Contents, Procedure
20.04 Public Hearing
20.05 Rehabilitation
20.06 Additional Requirements

20.01 GENERAL REQUIREMENTS

Any owner, lessee, or other person, firm, or corporation having an interest in mineral lands in the AG District may file with the Board of Zoning Appeals an application for authorization to mine minerals therefrom, provided, however, that he or she shall comply with all requirements of the District in which said property is located, and with the following additional requirements:

a) Distance from Property Lines. No quarrying operation shall be carried on or any stockpile placed closer than one hundred (100) feet to any property line unless a greater distance is specified by the Board of Zoning Appeals where such is deemed necessary for the protection of adjacent property, provided that this distance requirement may be reduced to twenty-five (25) feet by written consent of the owner or owners of the abutting property.

b) Distance from Public Right-of-Way. In the event that the site of the mining or quarrying operations is adjacent to the Right-of-Way of any Public Street or Road, no part of such operation or any stockpile from such operation shall take place closer than one hundred (100) horizontal feet to the nearest line of such right-of-way.

c) Fencing. Fencing shall be erected and maintained at a height of six (6) feet around the entire site or portions thereof where in the opinion of the Board of Appeals such fencing is necessary for the protection of public safety and shall be of a type specified by the Board.

d) Removal. The removal of soil, sand, and gravel, and/or minerals shall not exceed twenty-five (25) percent of the total surface area of a Parcel. All extraction industries in the removal of products shall meet the requirements of Section 1514.10 of the Ohio Revised Code.

e) Equipment. All equipment and machinery shall be operated and maintained in such manner as to minimize dust, noise, and vibration. Access roads shall be maintained in dust-free condition by surfacing or other treatment.

f) Processing. The crushing, washing, and refining or other similar processing may be authorized by the Board of Zoning Appeals as an accessory use, provided, however, that such accessory processing shall not be in conflict with the use regulations or the district in which the operation is located.

g) Inspections. The inspections of nearby structures and water wells to determine structural integrity and water levels.

h) Compliance with State Regulations. Proof of compliance with Chapter 1514 of the Ohio Revised Code and any federal and other state standards concerning the extraction of natural resources.

20.02 APPLICANT – FINANCIAL ABILITY

In accepting such plan for review, the Board of Zoning Appeals must be satisfied that the proponents are financially able to carry out the proposed mining operation in accordance with the plans and specifications submitted based upon the surety bond standards found under Chapter 1514 and Section 1514.04 of the Ohio Revised Code. All bonds and assurances for remediation must comply with Section 20.05 - Rehabilitation of this Resolution. Conditional Zoning Certificates for surface mining activities shall be in accordance with Section 519.141 of the Revised Code.

20.03 APPLICATION – CONTENTS, PROCEDURE

An application for such an extraction operation shall contain the information found under Section 20.01 – General Requirements of this Article and set forth the following information:

a) Name of the owner(s) of land from which removal is to be made;

b) Name of the applicant making request for such permit;

c) Name of the person or corporation conducting the actual extraction operation;

d) Location, description, and size of the area from which removal is to be made;

e) Location of processing plant used, if applicable;

f) Type of resources or minerals to be removed;

g) Proposed method of removal and whether or not blasting or other use of explosives will be required;

h) Description of equipment to be used;

i) Method of rehabilitation and reclamation of the extraction area; and

j) Method for monitoring neighboring water wells.

20.04 PUBLIC HEARING

Upon receipt of such application, the Board of Appeals shall set the matter for a public hearing in accordance with the provisions of Section #### – Notice.

20.05 REHABILITATION

To guarantee the restoration, rehabilitation, and reclamation of a mined-out area, every applicant granted a mining permit as herein provided shall provide receipt of a performance bond in compliance with Chapter 1514 of the Ohio Revised Code as a guarantee that such applicant, in restoring, reclaiming, and rehabilitating such land, shall within a reasonable time and to the satisfaction of the Board meet the following minimum requirements:

a) Surface Rehabilitation. All excavation shall be made either to a water-producing depth, such depth to be not less than five (5) feet below the low water mark, or shall be graded or backfilled with non-noxious, noninflammable, and noncombustible solids, to secure:

   1) That the excavated area shall not collect and permit to remain therein stagnant water.
   2) That the surface of such area which is not permanently submerged is graded or backfilled as necessary so as to reduce the peaks and depressions thereof - so as to produce a gently running surface that will minimize erosion due to rainfall and which will be in substantial conformity to the adjoining land area.

b) Vegetation. Vegetation shall be restored by appropriate seeds of grasses or planting of shrubs or trees in all parts of said mining area where such area is not to be submerged under water as hereinabove provided.

c) Banks of Excavations Not Backfilled. The banks of all excavations not backfilled shall be sloped to the waterline at a foot vertical, and shall not be less than three feet horizontal to one foot vertical; said bank shall be seeded.

20.06 ADDITIONAL REQUIREMENTS

In addition to the foregoing, the Board may impose such other conditions, requirements, or limitations concerning the nature, extent of the use and operation of such mines, quarries or gravel pits as the Board may deem necessary for the protection of adjacent properties and

the public interest. Prior to issuance of the Conditional Use Permit, the Board of Zoning Appeals shall determine the said conditions and confirm the bonds held under Chapter 1514 of the Ohio Revised Code.

ARTICLE 21
Adult Entertainment Facilities

21.01 Rationale and Findings
21.02 Definitions
21.03 Criteria
21.04 Severability

21.01 RATIONALE AND FINDINGS

a) Purpose. In enacting this Resolution, pursuant to Sections 503.51 and 503.52 of the Ohio Revised Code, the Township Board of Trustees makes the following statement of intents and findings:

1) That Adult Entertainment Businesses require special supervision from the public safety agencies of the Township in order to protect and preserve the health, safety, and general welfare of the patrons and employees of the business as well as the citizens of the Township.
2) That Adult Entertainment Businesses are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature.
3) That the concern over sexually transmitted diseases is a legitimate health concern of the Township which demands reasonable regulation of Adult Entertainment Businesses by the Township in the specified manner, and expanded authority for reasonable regulation of Adult Entertainment Businesses by local governments, in order to protect the health and well-being of the citizens.
4) That minimal regulations enacted by the Township are a legitimate and reasonable means of accountability to ensure that operators of Adult Entertainment Businesses comply with reasonable regulations and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation.
5) There is convincing documented evidence that Adult Entertainment Businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, cause increased crime – particularly in the overnight hours, and downgrade property values.
6) The Township Board of Trustees desires to minimize and control these adverse effects by regulating Adult Entertainment in the specified manner. And by minimizing and controlling these adverse effects, the Township Board of Trustees seeks to protect the health, safety, and welfare of the citizenry; protect the citizens from increased crime; preserve the quality of life; preserve the property values and character of surrounding neighborhoods; and deter the spread of urban blight.

7) It is determined that the current local zoning and other locational criteria do not adequately protect the health, safety, and general welfare of the people and that expanded regulation of Adult Entertainment Businesses is necessary.
8) It is not the intent of the Township Board of Trustees in enacting this act to suppress or authorize the suppression of any speech activities protected by the First Amendment, but to enact content-neutral statutes that address the secondary effects of Adult Entertainment Businesses.
9) It is not the intent of the Township Board of Trustees to condone or legitimize the distribution of obscene material, and the Township Board of Trustees recognizes that state and federal law prohibits the distribution of obscene materials and expects and encourages state law enforcement officials to enforce state obscenity statutes against any such illegal activities in this state.

b) It is the intent of the Township Board of Trustees in enacting this Resolution to regulate Adult Entertainment Businesses in the specified manner in order to promote the health, safety, and general welfare of the citizens of the Township and establish reasonable regulations to prevent the deleterious secondary effects of Adult Entertainment Businesses within the Township. The provisions of this Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including Sexually Oriented Materials. Similarly, it is not the intent of the Township Board of Trustees in enacting this Resolution to restrict or deny, or authorize the restriction or denial of, access by adults to Sexually Oriented Materials protected by the First Amendment, or to deny, or authorize the denial of, access by the distributors and exhibitors of Adult Entertainment and Sexually Oriented Materials to their intended market. Neither is it the intent nor the effect of the Township Board of Trustees in enacting this Resolution to condone or legitimize the distribution or exhibition of obscene material.

c) Findings and Rationale. Based on evidence concerning the adverse secondary effects of adult uses on communities presented in hearings and in reports made available to the legislature and subsequently adopted by the Ohio General Assembly as findings under Section 3 of House Bill 23 (and on findings incorporated in the cases of *Township of Littleton, Colorado v. Z.J. Gifts D4, L.L.C.* (2004), 541 U.S. 774; *Township of Erie v. Pap's A.M.* (2000), 529 U.S. 277; *Barnes v. Glen Theatre, Inc.* (1991), 501 U.S. 560; *Township of Renton v. Playtime Theatres, Inc.* (1986), 475 U.S. 41; *Young v. American Mini Theatres* (1976), 426 U.S. 50; *California v. LaRue* (1972), 409 U.S. 109; *DLS, Inc. v. Township of Chattanooga* (6th Cir. 1997), 107 F.3d 403; *East Brooks Books, Inc. v. Township of Memphis* (6th Cir. 1995), 48 F.3d 220; *Harris v. Fitchville Township Trustees* (N.D. Ohio 2000), 99 F. Supp.2d 837; *Bamon Corp. v. Township of Dayton* (S.D. Ohio 1990), 730 F. Supp. 90, aff'd (6th Cir. 1991), 923 F.2d 470; *Broadway Books v. Roberts* (E.D. Tenn. 1986), 642 F. Supp. 486; *Bright Lights, Inc. v. Township of Newport* (E.D. Ky. 1993), 830 F. Supp. 378; *Richland Bookmart v. Nichols* (6th Cir. 1998), 137 F.3d 435; *Deja Vu v. Metro Government* (6th Cir. 1999), 1999 U.S. App. LEXIS 535; *Threesome Entertainment v. Strittmather* (N.D. Ohio 1998), 4 F.Supp.2d

710; *J.L. Spoons, Inc. v. Township of Brunswick* (N.D. Ohio 1999), 49 F. Supp.2d 1032; *Triplett Grille, Inc. v. Township of Akron* (6th Cir. 1994), 4 40 F.3d 129; *Nightclubs, Inc. v. Township of Paducah* (6th Cir. 2000), 202 F.3d 884; *O'Connor v. Township and County of Denver* (10th Cir. 1990), 894 F.2d 1210; *Deja Vu of Nashville, Inc., et al. v. Metropolitan Government of Nashville and Davidson County* (6th Cir. 2001), 2001 U.S. App. LEXIS 26007; *State of Ohio ex rel. Rothal v. Smith* (Ohio C.P. 2002), Summit C.P. No. CV 01094594; *Z.J. Gifts D-2, L.L.C. v. Township of Aurora* (10th Cir. 1998), 136 F.3d 683; *Connection Distrib. Co. v. Reno* (6th Cir. 1998), 154 F.3d 281; *Sundance Assocs. v. Reno* (10th Cir. 1998), 139 F.3d 804; *American Library Association v. Reno* (D.C. Cir. 1994), 33 F.3d 78; *American Target Advertising, Inc. v. Giani* (10th Cir. 2000), 199 F.3d 1241; and other cases and on reports of secondary effects occurring in and around adult entertainment establishments in Phoenix, Arizona (1984); Minneapolis, Minnesota (1980); Houston, Texas (1983); Indianapolis, Indiana (1984); Amarillo, Texas (1977); Garden Grove, California (1991); Los Angeles, California (1977); Whittier, California (1978); Austin, Texas (1986); Seattle, Washington (1989); Oklahoma Township, Oklahoma (1986); Cleveland, Ohio (1977); Dallas, Texas (1997); St. Croix County, Wisconsin (1993); Bellevue, Washington (1998); Newport News, Virginia (1996); Tucson, Arizona (1990); St. Paul, Minnesota (1988); Oklahoma Township, Oklahoma (1986 and 1992); Beaumont, Texas (1982); New York, New York (1994); Ellicottville, New York (1998); Des Moines, Iowa (1984); Islip, New York (1980); Adams County, Colorado (1987); Manatee County, Florida (1987); New Hanover County, North Carolina (1989); Las Vegas, Nevada (1978); Cattaraugas County, New York (1998); Cleburne, Texas (1997); Dallas, Texas (1997); El Paso, Texas (1986); New York Times Square study (1994); Report to ACLJ on the Secondary Impacts of Sex Oriented Businesses (1996); findings from the Report of the Attorney General's Working Group On The Regulation Of Sexually Oriented Businesses (June 6, 1989, State of Minnesota); and on testimony to Congress in 136 Cong. Rec. S. 8987; 135 Cong. Rec. S. 14519; 135 Cong. Rec. S. 5636, 134 Cong. Rec. E. 3750; and also on findings from the paper entitled “Stripclubs According to Strippers: Exposing Workplace Sexual Violence,” by Kelly Holsopple, Program Director, Freedom and Justice Center for Prostitution Resources, Minneapolis, Minnesota; and from “Sexually Oriented Businesses: An Insider's View,” by David Sherman, presented to the Michigan House Committee on Ethics and Constitutional Law, Jan. 12, 2000; and from various other police reports, testimony, newspaper reports, and other documentary evidence), and subsequent findings in *Sensations, Inc. v. City of Grand Rapids, Michigan Decency Action Council* (6th Cir. 2008), 526 F.3d 291; 729, *Inc. v. Kenton County Fiscal Court* (6th Cir. 2008), 515 F.3d 485; and *Andy's Rest. & Lounge, Inc. v. City of Gary* (7th Cir. 2006), 466 F.3d 550, and the Township Board of Trustees’ independent review of the same), the Township Board of Trustees finds:

1) Adult Entertainment Businesses lend themselves to ancillary unlawful and unhealthy activities that are presently uncontrolled by the operators of the establishments.

2) Certain employees of Adult Entertainment Businesses, as defined in this Ordinance as adult theaters and cabarets, engage in a higher incidence of certain types of illicit sexual behavior than employees of other establishments.
3) Sexual acts, including masturbation and oral and anal sex, occur at Adult Entertainment Businesses, especially those that provide private or semiprivate booths or cubicles for viewing films, videos, or live sex shows. The "couch dances" or "lap dances" that frequently occur in Adult Entertainment Businesses featuring live nude or seminude dancers constitute or may constitute the offense of "engaging in prostitution" under Section 2907.25 of the Ohio Revised Code.
4) Offering and providing private or semi-private booths or cubicles encourages such activities, which create unhealthy conditions.
5) Persons frequent certain adult theaters, adult arcades, and other adult entertainment establishments for the purpose of engaging in sexual activity within the premises of those Adult Entertainment Businesses.
6) Numerous communicable diseases may be spread by activities occurring in sexually oriented businesses, including, but not limited to, syphilis, gonorrhea, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis salmonella, campylobacter and shigella infections, chlamydial, myoplasmal an ureoplasmal infections, trichomoniasis, and chancroid.
7) Since 1981 and to the present, there has been an increasing cumulative number of reported cases of AIDS caused by the human immunodeficiency virus (HIV) in the United States: 600 in 1982, 2,200 in 1983, 4,600 in 1984, 8,555 in 1985, and 253,448 through December 31, 1992.
8) A total of 10,255 AIDS cases had been reported in Ohio as of January 1999. Ohio has required HIV case reporting since 1990, and the reported information shows 7,969 people living with (HIV) (4,213) and (AIDS) (3,756) in the state.
9) Since 1981 and to the present, there have been an increasing cumulative number of persons testing positive for the HIV antibody test in Ohio.
10) The number of cases of early (less than one year) syphilis in the Unites States reported annually has risen. 33,613 cases were reported in 1982, and 45,200 cases were reported through November 1990.
11) The number of cases of gonorrhea in the United States reported annually remains at a high level, with over one-half million cases being reported in 1990.
12) The Surgeon General of the United States in his report of October 22, 1986, has advised the American public that AIDS and HIV infection may be transmitted through sexual contact, intravenous drug abuse, and exposure to infected blood and blood components, and from an infected mother to her newborn.
13) According to the best scientific evidence, AIDS and HIV infection, as well as syphilis and gonorrhea, are principally transmitted by sexual acts.

14) Sanitary conditions in some Adult Entertainment Businesses are unhealthy, in part, because the activities conducted there are unhealthy, and, in part, because of the unregulated nature of the activities and the failure of the owners and the operators of the facilities to self-regulate those activities and maintain those facilities.
15) The findings noted in divisions 21.01(c)(1) to (14) of this section raise substantial governmental concerns.
16) Adult Entertainment Businesses have operational characteristics that require or mandate subjecting them to reasonable government regulation in order to protect those substantial governmental concerns.
17) The enactment of this Ordinance will promote the health, safety, and general welfare of the citizens of the Township.

21.02 DEFINITIONS

The words in this Article shall have the meanings therein respectively ascribed to them by Article 2 – Definitions of this Resolution unless a different meaning is clearly indicated by the context.

21.03 CRITERIA

a) Adult Entertainment Businesses shall be considered a Conditional Use in the LIO District, subject to the following conditions:

1) No Adult Entertainment Business shall be established within five hundred (500) feet of any Residential Dwelling or any single or multi-family use.
2) No Adult Entertainment Business shall be established within a radius of five hundred (500) feet of any school, library, or teaching facility, whether public or private, when such school, library, or teaching facility is attended by persons under eighteen (18) years of age.
3) No Adult Entertainment Business shall be established within a radius of five hundred (500) feet of a nursery, preschool or daycare facility.
4) No Adult Entertainment Business shall be established within a radius of five hundred (500) feet of any park or recreational facility attended by persons under eighteen (18) years of age.
5) No Adult Entertainment Business shall be established within a radius of five hundred (500) feet of any church, synagogue, or worship facility.
6) No Adult Entertainment Business shall be established within a radius of five hundred (500) feet of any other Adult Entertainment Business.
7) Lighting on the exterior of the building shall be arranged to illuminate the entire off-street parking area with sufficient intensity to provide illumination of not less than one (1.0) foot candles as measured at the floor level.

b) The distances as cited in this section above shall be measured by following a straight line, without regard to intervening buildings, from the nearest point of the building in which the proposed Adult Entertainment Business is to be located, to the nearest point of the property line, or District from which the proposed Adult Entertainment Business is to be separated.

21.04 SEVERABILITY

This ordinance and each section and provision of said Article hereunder, are hereby declared to be independent divisions and subdivisions and, not withstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provisions of said article, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances, other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid.