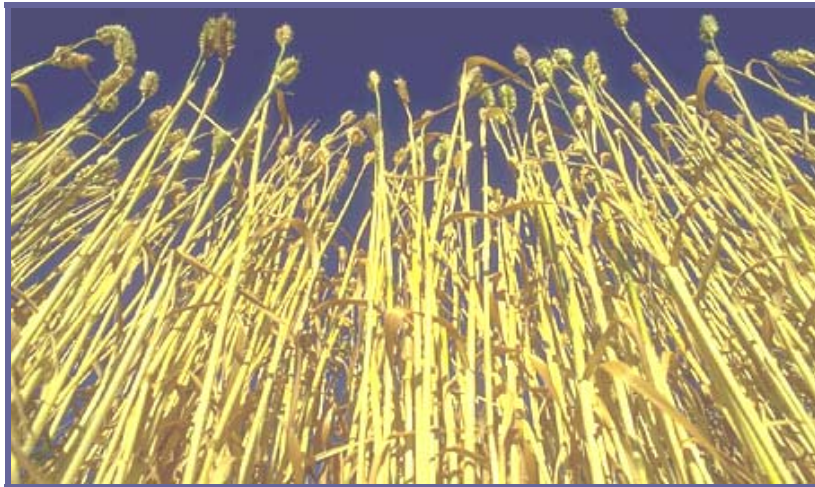


RICHFIELD TOWNSHIP



ZONING RESOLUTION

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ZONING RESOLUTION
RICHFIELD TOWNSHIP
LUCAS COUNTY, OHIO

2021

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RICHFIELD TOWNSHIP

ZONING RESOLUTION

ADOPTED MAY 7, 1961

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AMENDMENT OF THE ZONING RESOLUTION FOR RICHFIELD TOWNSHIP

A RESOLUTION AMENDING THE ZONING RESOLUTION FOR RICHFIELD TOWNSHIP, Lucas County, Ohio, by regulating, in accordance with a comprehensive plan, the location, height, area, number and size of buildings and other structures, percentages of lot area which may be occupied, size of yards, courts and other open spaces, density of population, uses of buildings and other structures and the uses of land; and for such purposes dividing the area of the Township into districts and zones of such number, shape and area as are deemed best suited to carry out said purposes, providing a method of administration, and prescribing penalties and proceedings for the administration and enforcement of this Resolution.

BE IT RESOLVED BY THE BOARD OF TRUSTEES OF RICHFIELD TOWNSHIP, LUCAS COUNTY, STATE OF OHIO:

SECTION 1 GENERAL PROVISIONS

1.1 Authority

The Board of Township Trustees of Richfield Township, Lucas County, Ohio, in accordance with enabling legislation for township zoning as provided in Chapter 519 of the Ohio Revised Code hereby provides as follows:

1.2 Purpose

This resolution is adopted for the purpose of protecting and promoting public health, safety, morals, comfort and general welfare; conserving and protecting property and facilitating adequate but economical provision of public improvements; and amending the Zoning Resolution of the Board of Trustees of Richfield Township, Lucas County, Ohio, effective May 7, 1968, as amended to the date of the adoption of this amending Resolution, in each and every part thereof that is inconsistent with this amending resolution.

1.3 Interpretation and Conflict

In interpreting and applying the provisions of this Resolution, they shall be held to be minimum requirements for the promotion of comfort, morals, prosperity and general welfare. It is not intended by this Resolution to interfere with or abrogate or annul any resolution, rules or regulations previously adopted or issued and not in conflict with any of the provisions of this Resolution; nor is it intended by this resolution to interfere with or abrogate or annul any easements, covenants, or other agreements between parties; provided, however, that where this Resolution imposes a greater restriction upon the use of buildings premises or upon height of buildings, or requires larger open spaces or larger lot areas than are imposed or required by such other resolutions or agreements, the provisions of this Resolution shall control.

SECTION 1 GENERAL PROVISIONS (cont'd)

1.4 Compliance with Regulations

- 1.4.1:** No Building or structure shall be located, erected, constructed, reconstructed, enlarged or structurally altered except in conformity with the area, height and yard regulations of the district in which such building or structure is located.
- 1.4.2:** No building, structure or lot shall be used for any purpose other than that which is permitted in the district in which such building, structure or lot is located.
- 1.4.3:** No yard or other open space existing about any building or structure shall be so reduced in area or dimension as to make it less than the minimum required by this Resolution.
- 1.4.4:** No lot held under one ownership at the time of the effective date of this Resolution shall be reduced or subdivided in any manner below the minimum area and yard provision required by this Resolution.
- 1.4.5:** Every building hereafter erected or structurally altered shall be located on a lot as herein defined and in no case shall there be more than one main building on one (1) lot except as specifically provided in Section 12.3.
- 1.4.6:** Exceptions to these regulations in specific cases may be authorized by the Board of Zoning Appeals where there are practical difficulties of unnecessary hardships in carrying out the strict letter of this Resolution providing such exception is in harmony with the general purpose and intent of the Resolution and in accordance with the procedures and provisions specified in Section 12. Hardship shall be based on physical limitations of the land or structures and does not encompass financial considerations. No zoning permit shall be issued without a main building on the property.

1.5 Uses Exempted from Provisions of Resolution

- 1.5.1:** The use of land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land on which such buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine that are located on land any part of which is used for viticulture, shall be permitted in all districts established by this Resolution, and no zoning certificate shall be required for any such building or structure, except where regulated within platted areas on lots of less than five (5) acres, or for farm markets.
- 1.5.2:** The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement of any building or structures of any public utility or railroad, whether publicly or privately owned, or the use of land by any public utility or railroad for the operation of its business or the use of land for essential services as herein defined shall be permitted in all districts established by this Resolution and no zoning certificate shall be required for any building or structure or for the use of any land essential to the operations of a public utility or railroad.

SECTION 1 GENERAL PROVISIONS (cont'd)

1.5 Uses Exempted from Provisions of Resolution (cont'd)

1.5.3: The sale or use of alcoholic beverages shall not be prohibited in areas where the establishment and operation of any retail business, hotel, lunchroom, or restaurant is permitted.

1.5.4: The use of any land owned or leased by an industrial firm shall not be prohibited for the conduct of oil or natural gas well drilling or production activities or the location of associated facilities or equipment when such oil or natural gas obtained by the industrial firm is used for the operation of its plants.

1.6 Validity

If any article, section, subsection, paragraph, sentence or phrase of this Resolution is for any reason held to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Resolution.

This Resolution shall become effective from and after the date of its approval and adoption as provided by law.

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SECTION 2 DEFINITIONS

2.1 Interpretation of Terms or Words

For the purpose of this Resolution certain terms and words are herein defined as follows:

The words "used for" include "designed for" and vice versa; words used in the present tense include the future; words in the singular number include the plural number and vice versa; the word "building" includes the word "structure"; the word "dwelling" includes the word "residence"; the word "lot" includes the word "plot"; and the word "shall" is mandatory and not directory.

Accessory Building: A detached subordinate building, the use of which is clearly incidental to that of the main building or the use of the land.

Accessory Use: A use customarily incidental and subordinate to the principal use or building and located on the same lot with such principal use or building.

Agriculture: Includes farming, dairying, pasturage, agriculture, horticulture, viticulture, animal and poultry husbandry. Agriculture shall not include kennels.

Agricultural Implement Sales and Rental: The sale or rental of new or used agricultural implements and equipment to be displayed for sale on the premises.

Agricultural Product Sales: The sale of goods produced or services provided by person(s) engaged in agriculture.

Airport or Aircraft Landing Field: Any landing area, runway, or other facility designed, used, or intended to be used either publicly or by any person or persons for the landing and taking off of aircraft, including all necessary taxi-ways, aircraft storage, and tie down areas, hangars, and other necessary buildings and open spaces.

Alley: A public thoroughfare less than 30 feet wide.

Alteration, Structural: Any change which would tend to prolong the life of the supporting members of a building or structure, such as bearing walls, columns, beams, or girders.

Animal Care Facilities: Structures, buildings, or enclosures used for medical treatment, care and temporary housing of animals, receiving treatment, with temporary housing being limited to 48 hours. Uses include are, but not limited to, veterinary clinics and animal hospitals.

Animal Unit: An animal or animals equal to 1,000 pounds of live weight or less. (Added 3-5-01, Z34-C12)

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Apartment: See "Dwelling unit."

Apartment House: "Dwelling unit, multiple."

Applicant: The land owner or his authorized representative, who requests a zoning permit as authorized by this Resolution.

Application: Written request for a change in zoning classification or use authorization as provided for under this Resolution.

Auto Wrecking Yard: See "Motor Vehicle Salvage Yard."

Basement: A story partly or wholly underground, for purposes of height measurement, a basement shall be counted as a story where one-half (1/2) its height is above average level of the adjoining ground.

Billboard or Poster Panels: Any sign or advertising structure used to advertise goods, products, services or facilities which are located off-site from where the sign is installed and maintained.

Board: Shall mean Board of Zoning Appeals.

Board of Township Trustees: The Board of Township Trustees for Richfield Township, Lucas County, Ohio.

Boarding House: A building or portion thereof, other than a hotel where meals, or lodging and meals for three (3) or more persons are provided for compensation.

Boarding of Livestock and Domesticated Animals: Stabling, housing and feeding of animals for compensation or for use in a commercial activity, exhibit or for other commercial/recreational purposes. (Added 1-16-96, Z34-C6)

Boat Storage: The storage of boats, similar watercraft and marine equipment.

Building: A structure having a roof supported by columns or walls for the shelter, support or enclosure of persons, animals, property, or chattels. When separated by division walls from the ground up without openings, each portion of such building shall be deemed a separate building.

Building Area: The space remaining on a lot after the minimum open-space requirements (coverage, yards, setbacks) have been met.

Building Coverage: The amount of land covered or permitted to be covered by a building measured on a horizontal plane at mean grade level and excluding uncovered porches, terraces and steps.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Building Height: The vertical distance measured from the adjoining curb grade to the highest point of the roof surface, if a flat roof; to the deckline of a mansard roof; and to the mean height level between eaves and ridges for a gable, hip, or gambrel roof, provided that where the buildings are set back from the street line, the height of the building may be measured from the average elevation of the finished grade along the front of the building.

Building Line: A setback line for a main building on a platted lot.

Building, Main: A building in which is contained the principal use of the lot.

Building Unit Group: Two (2) or more buildings (other than dwellings) grouped upon a lot and held under one ownership such as universities, hospitals and institutions.

Business: The sale, purchase, or exchange of goods or services.

Business, Highway: Includes commercial uses requiring locations on major thoroughfares and at their principal intersections. Highway uses include motels, motor vehicle service stations, motor vehicle repair, restaurants, drive-in establishments, building trades and services, commercial recreation and similar commercial activities, when maintained inside an enclosed building.

Business, Neighborhood: Retail and service establishments which primarily serve local market areas and can be located in close proximity to or within residential districts without creating undue vehicular congestion, excessive noise or other objectionable influence. To prevent congestion, local retail and service uses include only those enterprises which normally employ less than ten persons. Permitted uses include drug stores, beauty salons, barber shops, carry-outs, dry cleaning and laundry pickup facilities, hardware and grocery stores if less than 10,000 square feet of floor area and other small businesses of an equally restricted and local nature.

Business, Planned Center: Retail and service establishments which, in addition to catering to the community residents' and workers' daily needs for convenience goods and services, also include establishments offering comparative type shopping facilities. General business includes, but is not limited to, supermarkets and stores and for the sale of drugs, hardware, appliances, furniture, apparel, footwear, business and personal services, professional services, offices and other similar or related activities which can be grouped by design into a unified shopping center.

Campground: Land used or intended to accommodate two (2) or more recreational vehicles, tents, or other individual camping units to be used as temporary housing for recreational purposes.

Carcass: The dead remains of a horse, pony, cow, pig, or other farm animal or large household pet.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Cemetery/Memorial Gardens: Land used or intended to be used for the burial of the human or animal dead, including associated buildings such as chapels, mausoleums, crematories, and mortuaries if operated in connection with and within the boundaries of such cemetery.

Club: A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.

Commercial Vehicle: Any vehicle 12,000 pounds or greater in weight or with a carrying capacity of over 6,000 pounds and used or designed to be used for business or commercial purposes. (Rev. Z34-C15, 11/10/05)

Commission: Shall mean the Zoning Commission of Richfield Township.

Conditional Use (Special Exception): A use which is subject to conditional approval by the Board of Zoning Appeals. A conditional use may be granted by the Board only when there is a specific provision for such special exception made in this Resolution. A conditional use is not considered to be a nonconforming use.

Curb Grade: The elevation of the established curb in front of the building measured at the center of such front. Where no curb grade has been established, the Lucas County Engineer shall establish such curb grade or its equivalent for the purpose of this Resolution.

Day Care Facilities: A place other than the permanent residence, which administers to the needs of children or adults providing social, rehabilitation recreational, or educational activities on a daily basis with no provisions for residential care. Uses include, but are not limited to, adult day care, child day care, rehabilitative care and nursery schools.

Density: A unit of measurement representing the number of dwelling units per acre of land.

- a) **Gross Density:** the number of dwelling units per acre of total land to be developed including right-of-ways.
- b) **Net Density:** the number of dwelling units per acre excluding right-of-ways.

Disabled Vehicle: See Inoperable Vehicle (Added 1-16-96, Z34-C6)

Dish Antenna (Earth Station): An accessory structure combination of:

- 1) an antenna or dish antenna designed to receive communication or other signals from orbiting satellites;

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Dish Antenna (Earth Station) (cont'd)

- 2) a low level noise amplifier (LNA) located at the focal point of the receiving antenna which magnifies and transfers the signal; and
- 3) a coaxial cable which carries the signal to the receiver.

District: An area or section of the Township within which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, the requirements for off-street parking and the intensity of use are uniform.

Dwelling: Any building or portion thereof which is designed for or used exclusively for residential purposes containing one (1) or more dwelling units.

- a) **Single Family Dwelling:** a detached building containing one (1) dwelling unit and designed for or occupied by one (1) family.
- b) **Two Family Dwelling:** a detached or semi-detached building containing two (2) dwelling units and designed or occupied by two (2) families living independently of each other.
- c) **Multiple Dwelling:** a building or portion thereof containing three (3) or more dwelling units and designed for or occupied by three (3) or more families living independently of each other.

Dwelling Unit: A group of rooms located within a building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, and eating purposes.

Electricity: energy made available by the flow of electric charge through a conductor. (Added 4-6-09, Z34-C25)

Electric power: the product of voltage and current. (Added 4-6-09, Z34-C25)

Electrical generator: a device that produces electrical energy from a mechanical energy source. The process is known as electricity generation. (Added 4-6-09, Z34-C25)

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.

Fall zone: the area within the furthest distance from the tower base, in which a guyed tower will collapse in the event of a structural failure. (Added 4-6-09, Z34-C25)

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Family: One (1) or more persons occupying a premises and living as a single housekeeping unit, whether or not related to each other by birth or marriage, as distinguished from persons occupying a boarding house or lodging house or hotel herein defined. This definition shall include the following: (Added 1-16-96, Z34-C6)

- a) A group of persons with disabilities (meaning persons who are considered handicapped or disabled as those terms are defined either by the Fair Housing Act or the Americans with Disabilities Act) who need not be related by blood or marriage or adoption, living together as a single housekeeping unit.
- b) A foster home as defined by Ohio Revised Code "Juvenile Court" Section (2151.01) 2151.011.
- c) An adult care facility as defined by Ohio Revised Code "Adult Care Facilities" Section 3722.01.

Feeder line: any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind tower. (Added 4-6-09, Z34-C25)

Floor Area, Non-Residential Buildings (To be used in calculating parking requirements): The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, and fitting rooms, and similar areas.

Floor Area, Residential Building: The sum of the gross horizontal area of the several floors of a residential building, excluding cellars and basement floor areas not devoted to residential use, but including the area of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.

Frontage: All of the property on one (1) side of a street between two (2) intersecting streets (crossing or terminating), measured at the set back building line - or if the street is dead ended, then all of the property abutting on one side between an intersecting street and the dead-end of the street.

Garage: A structure or portion thereof which is used for the storage of motor vehicles.

- a) **Private Garage:** a detached accessory building or portion of a main building used for the storage of not more than four (4) motor vehicles owned and used by the occupants of the building to which it is accessory. Not more than one (1) of the vehicles may be a commercial vehicle, which shall not exceed a one-ton capacity.
- b) **Public Garage:** a building or portion thereof other than a private or storage garage, designed or used for equipping, servicing, repairing, hiring, selling or storing motor driven vehicles.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Garage (cont'd)

- c) **Storage Garage** - a building or portion thereof designed or used exclusively for storage of motor driven vehicles, and at which motor fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.

Greenhouse: A building or structure enclosed with glass or other glazing used for the cultivation and production of plants.

Group Homes: A private residence or facility which provides resident and personal services, care and supervision to a maximum of 16 unrelated persons. This type of facility would serve homeless, mistreated, or abused children; the mentally ill; those in need of social, mental, or physical rehabilitation and the elderly.

Hazardous Waste: Any waste or combination of wastes in solid, liquid, semi-solid or contained gaseous form which falls within the definition of Hazardous Waste under 3734.01(j) O.R.C.

Health Care Clinics: A health care facility which provides for diagnosis and treatment services on an emergency or outpatient basis with no provisions for residential care.

Home Occupation: An occupation carried on exclusively by the occupant(s) of a dwelling as a secondary use does not involve the selling of a commodity other than that produced upon the premises.

Horticultural Nursery: Land or buildings which are used for raising and growing of vegetables, flowers, trees, shrubs, or grass sod from seed, seedlings, cuttings or grafted stock. (Added 1-16-96, Z25-C6)

Industrialized Unit: An assembly of materials or products comprising all or part of a total structure assembled in a factory and built in compliance with the Ohio Basic Building Code, which, when constructed, is self-sufficient or substantially self sufficient and when installed, constitutes the structure or part of a structure, except for preparations for its placement and meets the definition of industrialized unit under O.R.C. 3781.10(H).

Inoperable Vehicle: Inoperable vehicle means any motor vehicle which meets one of the following requirements:

- a) It does not display a valid license plate and is either wrecked, partially wrecked, dismantled, partially dismantled, or discarded condition, or is incapable of being driven; or
- b) It is wrecked, partially wrecked, dismantled, partially dismantled, discarded or is incapable of being driven and has remained in such condition for a continuous period of 30 days. (Added 1-16-96, Z25-C6)

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Institution: Buildings or land occupied by a nonprofit corporation or a nonprofit establishment for public use.

Institutional Health Care Facilities: A public or nonprofit institution which provides for residential health care and maintenance for mental health or developmentally disabled persons.

Intersection: The convergence of two (2) or more public streets, alleys, private streets or places.

Junk Yard: An open area where waste, scrap metal, paper, rags, or similar materials are brought, sold, exchanged, stored, packed, or handled, including building wrecking yards, but excluding uses taking place entirely within an enclosed building.

Kennel: Any lot or premises on which four (4) or more dogs, more than four (4) months of age, are kept for boarding purposes, medical care, or for other commercial purposes excluding animal husbandry.

Landscaping-Lawn Care Services: A business which provides maintenance and care of lawns and yards including but not limited to services of site preparation (site grading), fertilizing of lawns, snow removal, grass cutting, shrub and tree trimming.

Land Use Plan: Shall mean the "Richfield Township Land Use Plan", as adopted by the Township Board of Trustees, the Lucas County Planning Commission and Lucas County Commissioners.

Loading Berth or Space: A space within the main building or on the same lot, exclusive of off-street parking space and which provides for the standing, delivery/pickup, loading or unloading of packages or materials.

Lodging House: See Boarding House

Lot: A parcel of land occupied or intended for occupancy by a use permitted in this Zoning Resolution, including one (1) main building together with its accessory buildings, yard areas, and parking spaces required by this Resolution and having its principal frontage upon a public street or place.

- a) **Lot Area:** the total horizontal area within the boundaries of a lot exclusive of all rights-of-way of any access easement, alley, public or private street.
- b) **Lot, Corner:** a lot abutting upon two (2) or more streets at their intersection.
- c) **Lot Coverage:** the ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Lot (cont'd)

- d) **Lot Depth:** the horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.
- e) **Lot Frontage:** the horizontal distance of the boundary line of a lot abutting a street or road right-of-way. On corner or through lots, the street or building address shall be considered frontage.
- f) **Lot Interior:** a lot other than a corner lot.
- g) **Lot of Record:** a lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Lucas County, Ohio; or a parcel of land described by metes and bounds, the description of which has been recorded in the office of the County Recorder.
- h) **Lot Width:** the horizontal distance between the side lot lines, measured at right angles to the lot depth at the legally established building setback line.

Major Street: A dedicated street within Lucas County which has been classified as a dual highway, dominant major street, a major street, a secondary major street, or a main county road on the Official County Highway Plan.

Major Street Plan: Toledo-Lucas County Major Street Plan which designates roadways as expressways, principal arterial, minor streets, major collectors or local collectors.

Manufactured Home: A single-family dwelling unit designed and maintained in condition for transportation, after fabrication, to the site at which it is to be occupied as a dwelling unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or other foundations, and connection to essential public utilities; and falling within the definition of a "Manufactured Home" in Section 4501.1 of the Ohio Revised Code.

Manufactured Home Park: Any site, lot, parcel or tract of land under single ownership which has been planned and improved for the placement of two (2) or more manufactured homes used for human habitation are parked, either free of charge or for revenue purposes and including any roadway, building, structure, vehicle or enclosure uses or intended for use as a part of the facilities of such manufactured home park; and falling within the definition of a "Manufactured Home Park" in Ohio Revised Code 3733.01.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Manufacturing: A process which combines raw materials or components into a product or which changes their physical or chemical characteristics.

- a) **General Manufacturing** - manufacturing, which by its nature and function may require large parcels, effective separation from residential and most commercial areas, confinement within enclosed buildings and screened enclosures having an opaqueness of 75% or greater, where outside storage of materials are necessary. General Manufacturing shall include, but not be limited to, processing of vegetables and fruit, dairy and bakery products, soft drinks and confections, textiles, glass, wood and plastic production, fabrication, pharmaceuticals, metal fabrication, machining, tool and die, hardware and appliance production.
- b) **Heavy Manufacturing** - manufacturing which requires large acreage parcels for isolation and separation from residential and commercial development, special consideration because of the potential spill over effect on surrounding areas and the use of buildings and open areas of the parcel for processing production and storage of materials. Heavy manufacturing shall include, but not be limited to, smelting and primary metal processing, mineral extraction, metal salvage and fabrication, motor vehicles and related products, manufactured housing, household appliances manufacturing, chemical and gas manufacture, refining, manufacturing and/or processing of animals, or animal parts for food, fertilizer or other purposes including the tanning and production of leather goods and furs.
- c) **Restricted Manufacturing** - any industrial use which is conducted entirely within enclosed substantially constructed buildings; involving the use of only light machinery and equipment; does not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading operations at the rear or within an enclosure which abuts a building. Restricted manufacturing shall include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products; small household appliances; small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and operations.

Marine Sales and Service: The sale and service of watercraft and marine equipment.

Medical Marijuana Facility: Any entity that has been issued a certificate or license by the State of Ohio to operate as a cultivator, dispensary, processor or testing facility of medical marijuana. The following are Medical Marijuana Facility use types: (Rev. Z34-C32, 9/4/18)

A. Cultivator

An entity that has been issued a certificate of operation by the State of Ohio to grow, harvest, package, and transport medical marijuana. (Rev. Z34-C32, 9/4/18)

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

B. Dispensary

An entity licensed by the State of Ohio to sell medical marijuana products to qualifying patients and caregivers. (Rev. Z34-C32, 9/4/18)

C. Processor

An entity that has been issued a certificate of operation by the State of Ohio to manufacture medical marijuana products. (Rev. Z34-C32, 9/4/18)

D. Testing Laboratory

An independent laboratory that has been issued a certificate of operation by the State of Ohio to have custody and use of controlled substances for scientific and medical purposes and for purposes of instruction, research, or analysis. (Rev. Z34-C32, 9/4/18)

Mobile-Component: Means designed for mobility containing a wheeled chassis as an integral structural element, especially as it applies to a mobile home.

Modular Home: A factory built dwelling unit designed for assembly at the building site, bearing certification of compliance with the Ohio Building Code and meets the definition of Industrialized Unit [O.R.C. 3781.10(h)].

Motel: A building or group of buildings which provide rental or temporary sleeping accommodations for automobile transients.

Motor Vehicle Service Station: Any premises used for supplying gasoline and oil, at retail direct to the customer, including accessories, parts and minor services or repair for motor vehicles, but not including body or fender work, painting or major motor repairs. When the aforementioned service is incidental to the conduct of a public garage, the use shall be classified as a public garage.

Motor Vehicle Sales and Rental: The sale or rental of new and used motor vehicles, motorcycles, recreational vehicles, trailers, or travel trailers, to be displayed and sold on the premises and accessory services.

Motor Vehicle Salvage: The dismantling, wrecking and/or salvage of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled, partially dismantled, obsolete or wrecked vehicles or their parts.

Motor Vehicle Salvage Yard: Any place where two (2) or more motor vehicles not in running condition, or parts thereof are stored in the open, in a fenced area, or in a partially enclosed building, and are not being restored to operation, or any land used for wrecking, storing and/or salvage of such motor vehicles or farm machinery, or parts thereof, stored in the open and not being restored to operating conditions.

Nonconforming Use: Any building or land lawfully occupied by a use at the effective date of this Resolution, or amendment thereof, which does not conform after the passage of this Resolution, or amendment thereof, with the use requirements of the district in which it is situated.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Nursery School: A school designed to provide daytime care for instruction for two (2) or more children from two (2) to five (5) years of age, inclusive, and operated on a regular basis.

Nursing Home: A residential care facility in which greater than 16 persons reside and as its primary function provides nursing care on a 24 hour basis, physical and/or social rehabilitation services and room and board.

Parking Lot: Any off-street area or structure which meets one (1) of the following conditions.

- a) Contains one (1) or more parking, vehicular storage, loading or stacking spaces for commercial, institutional, recreational or industrial use, whether free or for compensation; or
- b) Contains five (5) or more parking spaces for any residential use.

Parking Space: An area exclusive of any driveway or other circulation area, accessible from a street, alley or maneuvering area and designed for temporary parking of a motor vehicle.

Performance Bond or Surety Bond: An agreement by a subdivider or developer with the Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's agreement.

Permit: See Zoning Certificate.

Personal Services: Any enterprise conducted for gain which primarily offers services to the general public such as shoe repair, watch repairing, barber shop, beauty parlors and similar activities.

Place: Private thoroughfare other than a street or alley permanently reserved as a lot on a record plat as the principal means of access to abutting property approved under applicable Subdivision Regulations by the Toledo-Lucas County Plan Commissions in accordance with Chapter 711 and Chapter 713 O.R.C.

Planned Unit Development: An area of land in which a variety of housing types and subordinate commercial and industrial facilities are accommodated in a preplanned environment under more flexible standards, such as lot sizes and setbacks, than those restrictions that would normally apply under these regulations.

Plat: A map or drawing of a tract or parcel of land.

Pond: A body of water of which none of the excavated material has been removed from the site for commercial purposes and is used for the following purposes: to provide water for livestock, fish and wildlife, recreation, fire control or crop and orchard spraying.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Private Garage: See Garage.

Professional Services: The use of offices and related spaces for such services which are provided by doctors, dentists, lawyers, architects and engineers.

Public Garage: See Garage.

Public Service Facilities: Structures; buildings; transmission, distribution, or collection systems, which are used to provide and maintain public utilities. Uses include but are not limited to railroad, electric, gas, water and sewer, and telephone systems and other uses which meet the definition of public utility under O.R.C. 4905.03.

Public Uses: Uses which provide or maintain public services. These include, but are not limited to, government buildings, schools, public parks, highway maintenance, and storage facilities.

Recreation Facilities: Buildings, structures, lands or water areas used for social, leisure and recreational activities.

- a) **Commercial Recreation Facilities** - Recreational facilities open to the public and operated for profit. These include, but are not limited, to golf courses, racquet clubs, tennis clubs, banquet halls, swimming pools, riding stables, amusement centers, and carnivals or parks.
- b) **Non-Commercial Recreation Facilities** - Public and Semi-Public recreational facilities which are not operated for commercial gain. These include, but are not limited to, private clubs, community swimming pools, tennis courts, golf courses, and church or nonprofit organization recreational facilities.

Recreational Vehicle: Any vehicle designed and constructed to be used as a temporary dwelling for travel, recreational or vacation purposes. These include, but are not limited to, motor homes, travel trailers, tent campers, truck campers, boats, all-terrain vehicles and snow mobiles.

Residential Floor Area: The interior floor area of a dwelling including stairways, halls, and closets but not including basement, porches, garages, breezeways or carports.

Rotor diameter: the diameter of the circle inscribed by the moving rotor blades. (Added 4-6-09, Z34-C25)

Self Service Storage Facility: Any real property designed and used for the purpose of renting or leasing individual storage spaces for the storage of personal property.

Semi-Public Uses: Services and facilities which are provided to the public that are privately owned and controlled. These include, but are not limited to, churches, parochial schools, hospitals, and other educational, religious or philanthropic organizations and telecommunication facilities.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Setback Line: A line established by zoning, platting, or other legal means on a lot, that is a specified distance from and parallel to the lot line, to restrict the encroachment of buildings on the lot line.

Sexually oriented businesses: Means an adult bookstore, adult video store, adult movie house, adult amusement or entertainment, adult cabaret, or massage establishment.

- a) **Adult book store:** An establishment which has a substantial portion of its stock in trade, books, magazines or other periodicals, from which minors are excluded by virtue of age.
- b) **Adult video store:** An establishment which has a substantial portion of its stock in movies, for sale or for rent, from which minors are excluded by virtue of age.
- c) **Adult movie house:** An establishment displaying movies that are rated X, XX or XXX which is customarily not open to the general public by excluding minors by virtue of age.
- d) **Adult amusement or entertainment:** An establishment customarily engaged in the presentation of nude and seminude exhibitions and performances for commercial or pecuniary gain which exclude minors by virtue of age. This definition does not apply to the exhibition, presentation, showing or performance of any play, ballet, drama, tableau or production in any theater, concert hall, museum of fine arts, school, institution of higher learning or similar establishment which is primarily devoted to such exhibitions, presentations, show information, art of drama as differentiated from commercial or business advertising, promotion, selling or servicing products or services or otherwise advancing the economic welfare of a commercial or business enterprise such as a hotel, motel, bar, nightclub, restaurant, tavern or dance hall.
- e) **Adult cabaret:** Means a nightclub, bar, restaurant, or similar establishment in which persons appear in a state of nudity in the performance of their duties.
- f) **Massage establishment:** Means any fixed place of business where a person offers massages either in exchange for something of value, or in connection with providing another legitimate service, and which is operated by anyone other than persons who are certified to practice under Ohio Revised Code Section 4731.15 and 4731.16 or who are engaged in the practice of providing therapeutic massage as a licensed physician, chiropractor, podiatrist, nurse or other health professional licensed, certified or registered to practice in Ohio.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

- g) **Nudity:** Means the showing of either of the following:
1. The human male or female genitals, pubic area, or buttocks with less than a fully opaque covering;
 2. The female breast with less than a fully opaque covering on any part of the nipple.

Sign: A name, identification, description, display, or illustration which is affixed to, painted or represented, directly or indirectly upon a building, structure, parcel, or lot and which directs attention to an object, product, place, activity, person, institution, organization or business.

Site Plan: A scaled drawing of a proposed project showing, among others, the location and dimensions of property lines, building locations, drives, walkways, parking areas, fencing and screening, setbacks, and signs as required by this Resolution.

Sludge: A solid or near solid by-product of sewage treatment water treatment or industrial waste treatment. Includes the residue of the water treatment or waste-water treatment process of Municipal water or waste-water treatment plants or private sewage systems (septic tanks) as a liquid, semi-liquid 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 therefore.

Small wind turbine: is defined as 20 kw capacity or less. (Added 4-6-09, Z34-C25)

Solid Waste: Unwanted residual solid or semi-solid material which results from industrial, commercial or municipal operations. These include, but are not limited to, garbage, combustible or noncombustible street dirt or debris and falls within the definition of solid waste under 3734.01(e) O.R.C.

Special Use (Exception): A use other than a use by (or as of) right.

Storage Garage: See Garage.

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

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

- a) **Half-Story:** A basement, the floor of which is more than three (3) feet and six (6) inches, but not more than four (4) feet, below grade and the ceiling of which is more than four (4) feet, but not more than four and one-half (4 1/2) feet above grade, or, a partial story under a gable, hip or gambrel roof, the wall plates of which on at least two (2) opposite walls are not more than three (3) feet above the floor of such story, except that any such partial story under a gable, hip or gambrel roof used for residence purposes, other than by a family occupying the floor immediately below it, shall be deemed a full story.

Street: A public thoroughfare which affords the principal means of access to abutting property.

Structure: Anything constructed, erected or placed on the land, the use of which requires a more or less permanent location on the land, or attached to something having a permanent location on the land. This includes, and is not limited to, buildings, walls, fences, advertising signs and billboards.

Swimming Pool: An enclosure, temporary or permanent, above or below ground, containing water to be used for bathing, wading or swimming, which shall be able to contain 24 inches minimum depth of water and exceeds 12 feet in diameter or length whichever applies to the appropriate shape.

Total height: the highest point, above ground level, reached by a rotor tip. (Added 4-6-09, Z34-C25)

Tourist Home: A building in which board or rooming, or both are offered to the traveling public for compensation, and open to transient guests, and distinguished from a hotel, motel or boarding house herein defined.

Telecommunication Tower: Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions: (Added 3-5-01, Z34-C12)

- a) It is constructed on or after October 31, 1996;
- b) It is owned or principally used by a public utility engaged in the provision of telecommunication service;
- c) It is a free standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located.

Tower: towers include vertical structures that support electrical generator, rotor blades, or meteorological equipment. (Added 4-6-09, Z34-C25)

Tower height: the total height of the tower exclusive of the rotor blades. (Added 4-6-09, Z34-C25)

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Turbine: rotary engine in which the kinetic energy of a moving fluid is converted into mechanical energy by causing a bladed rotor to rotate. (Added 4-6-09, Z34-C25)

Use: The purpose for which land or a building is arranged, designed or intended, or for which either land or a building is or may be occupied or maintained.

Variance: A variance is a modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in unnecessary and undue hardship.

Warehouse: A building or structure used for the storage of goods, materials or equipment.

Waste: See Hazardous Waste, Sludge, Solid Waste

Wind: air moving (sometimes with considerable force) from an area of high pressure to an area of low pressure. (Added 4-6-09, Z34-C25)

Wind turbine: A wind turbine is any electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind. (Added 4-6-09, Z34-C25)

Yard: An open space at grade between a building and adjoining lot lines, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of the rear yard, the minimum horizontal distance between the lot line and the main building shall be used.

- a) **Front Yard:** A yard extending across the front of a lot between the side lot lines, and being the minimum horizontal distance between the street or place line and the main building or any projections thereof other than the projections or permitted uncovered steps, uncovered balconies or unenclosed porches. On a corner lot, the owner may elect either street frontage as the front yard.
- b) **Side Yard:** A yard between the main building and the side line of the lot, and extending from the required front yard to the required rear yard.
- c) **Rear Yard:** A yard extending across the rear of a lot between the side lot lines and being the required minimum horizontal distance between the rear lot line and the rear of the main building or any projections thereof other than the projections of uncovered steps, unenclosed balconies or unenclosed porches. On all lots the rear yard shall be at the opposite end of the lot from the front yard.

SECTION 2 DEFINITIONS (cont'd)

2.1 Interpretation of Terms or Words (cont'd)

Zoning Inspector: The agent, appointed by the Township Trustees, who is responsible for the administration of the Township Zoning Regulations and required inspections for zoning compliance.

Zoning Certificate (Permit): The document issued by the zoning inspector authorizing the use of land or buildings.

Zoning District Map: Map or maps of the Township and amendments delineating zoning districts.

SECTION 3 ESTABLISHMENT OF DISTRICTS

The Township is hereby divided into districts under three (3) general categories which shall be known as: "Agricultural Districts", "Commercial Districts", and "Industrial Districts".

3.1 Agricultural and Residential Districts

3.1.1 "A" Agricultural (Revised 3-5-01, Z34-C12)

The Agricultural District is to provide for agricultural and agriculturally related uses, essential public facilities and services such as public buildings, schools, railroads, public utilities. This may include some commercial activities which are an integral part of agriculture, such as roadside stands or structures used for the sale of agricultural produce or products and/or nursery and greenhouse sales areas; churches and other related nonprofit public service facilities. Residential development is discouraged.

3.1.2 "A/R" Agricultural/Residential (Revised 3-5-01, Z34-C12)

The Agricultural/Residential District is to provide for residential uses, agricultural and agriculturally related uses, essential public facilities and services such as public buildings, schools, railroads, public utilities. This may include some commercial activities which are an integral part of agriculture, such as roadside stands or structures used for the sale of agricultural produce or products and/or nursery and greenhouse sales areas; churches and other related nonprofit public service facilities. Intense residential development is discouraged.

3.2 Commercial Districts

3.2.1 "C-1" Restricted Commercial

The Neighborhood Commercial District provides for businesses which primarily serve nearby residential areas with convenience goods and services. Business should be of the type which are low generators of traffic and compatible with surrounding residential areas. All uses and activities should be inside buildings. Where it is necessary to use external areas of buildings for storage of equipment or business activities, sufficient distance separation from neighboring properties and/or fencing or natural screening shall be required as specified under Section 8.2.

3.2.2 "C-2" General Commercial

The General Commercial District provides for businesses which serve a regional market. Businesses may be grouped into small shopping centers located along a major thoroughfare, or at corners of major intersections on large lots to allow for ingress, egress, internal circulation and adequate parking. Typically these businesses will be high generators of traffic. Examples of these include, but are not limited to, shopping centers, malls, drive-through businesses, motels, restaurants, gas stations, etc. All uses and activities shall be inside buildings unless related to the existing primary use of the property.

SECTION 3 ESTABLISHMENT OF DISTRICTS (cont'd)

3.3 Industrial Districts

3.3.1 "M-1" Limited Industrial

The Limited Industrial District is to provide for light industrial, research laboratories, warehousing types of businesses which may be conducted in areas proximate to residential and commercial areas with attempts to provide as much isolation as possible. These uses may include activities of manufacturing, processing, or assembly of products or the provision of services. No offensive or hazardous conditions shall be created by an industry and other disruptive activities shall be minimized to maintain tranquility if near commercial or residential areas. This would include such things as excessive traffic, dust, dirt, noxious gases, smoke, noise, fumes or vibrations. Since certain industrial uses as a part of their operation may have need for sales distribution and sales outlets, it may be permitted only as an accessory use providing that goods and services are produced at the site or are an integral part of a warehousing distribution system. Wherever possible work activities and material handling shall be confined to buildings or enclosures. When possible, materials and products will be stored in enclosed structures or areas screened from view of adjoining property. External areas of structures will be landscaped and maintained. Undeveloped areas will be kept free of debris, weeds and routinely maintained by cutting grass areas.

3.3.2 "M-2" Heavy Industrial District

The "M-2" Heavy Industrial District provides for industries which by their nature and function require large parcels for development, and access to utilities and major transportation networks. These uses may be objectionable to adjacent residential or commercial properties and therefore should be grouped together when similar uses are located. Certain industries may need special consideration because of their potential spill-over effect on surrounding areas. These are provided for either as a conditional use or as a special use. These industries may include such activities as fabricating, processing, smelting and refining, extraction of minerals and stone, foundries, blast furnaces and similar industries which have the potential of creating impacts in the area adjacent to and near the industrial activity. Sales distribution and sales outlets may be permitted as an accessory use providing that goods and services are produced at the site or are an integral part of a warehousing distribution system.

3.4 District Map

3.4.1 Description: The location and boundaries of districts established shall be shown on the map entitled "Richfield Township Zoning Plan, 1968". A certified copy of this map is on file in the office of the Board of Richfield Township Trustees. Said map and all notations, dimensions and designations shown thereon are hereby declared to be a part of this Resolution.

3.4.2 Replacement: In the event that the Official District Map becomes damaged, destroyed or lost, the Township Board of Trustees may by Resolution adopt a new Official District Map which shall supercede the prior Official District Map.

SECTION 3 ESTABLISHMENT OF DISTRICTS (cont'd)

3.5 District Boundaries

3.5.1 Description: The district boundary lines on said map are intended to follow either centerlines of streets or alleys or lot lines; and where the districts designated on the map are bounded approximately by such street, alley or lot lines, the street or alley or lot line shall be construed to be the boundary of the district unless such boundary is otherwise indicated on the map. In the case of un-subdivided property, the district boundary line shall be determined by the use of the scale appearing on the Zoning District Map or by dimensions. In the case of the vacation of a street, alley, water course or other right-of-way, the abutting zoning classification on each side thereof shall automatically be extended to the centerline of said vacated street, alley, water course or right-of-way.

3.5.2 Exceptions: District boundaries following shore lines shall be construed as moving with any shoreline changes. Where boundaries appear to approximately follow such aforesaid lines and are not more than 10 feet distant there from, such lines shall be construed to be the boundary lines unless specifically shown otherwise.

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SECTION 4 USE REGULATIONS

The permitted and special uses for each district are shown in the following tabulations which shall constitute Section 4 of the Zoning Resolution. The interpretation of uses given in categorical terms shall be as defined in Section 2. Uses not specifically listed or interpreted by the Board of Zoning Appeals to be included categorically under this Section and Section 2 shall not be permitted, except by action of the Zoning Commission and the Board of Trustees.

4.1 Permitted Uses

"A" Agricultural and "A/R" Agricultural/Residential (Added 3-5-01, Z34-C12)

Accessory Uses	Home Occupation
Agriculture	Oil & Gas Drilling/Wells
Agricultural Product Sales	Public Service Facilities
Dwelling, Single Family	

"C-1" Restricted Commercial

Accessory Uses	Professional Services
Business, Neighborhood	Public Service Facilities
Financial/Insurance Services	Public Uses
Personal Services	Self Service Storage Facility
	Semi-Public Uses

"C-2" General Commercial

All Uses Permitted in "C-1" Restricted Commercial	Marine Sales and Service
Agricultural Implement Sales and Service	Medical Marijuana Testing Laboratory <small>(Rev. Z34-C32, 9/4/18)</small>
Boat Storage	Mortuary
Building Materials Supply and Storage	Motor Vehicle Body Shop
Business, Highway	Motor Vehicle Sales and Rental
Kennels	Motor Vehicle Service Station
Landscaping-Lawn Care Services <small>(Added 1-16-96, Z34-C6)</small>	Offices
	Printing and Publishing
	Restaurant/Lounge
	Sexually oriented businesses (see Section 7.23 – Supplementary Regulations) <small>(added 4-15- 2002, Z34-C11)</small>

SECTION 4 USE REGULATIONS (cont'd)

4.1 Permitted Uses (cont'd)

"M-1" Limited Industrial

- | | |
|--|--|
| Accessory Uses | Medical Marijuana Processor (Rev. Z34-C32, 9/4/18) |
| Building Materials Supply
and Storage | Metal Stamping/Machine Shop |
| Grain Elevators/Storage | Offices |
| Manufactured Home Sales | Printing and Publishing |
| Manufacturing, Restricted | Public Service Facilities |
| Medical Marijuana Cultivator (Rev. Z34-C32, 9/4/18) | Research Laboratories |
| (Rev. Z34-C32, 9/4/18) | Service Laboratories |
| Medical Marijuana Testing Laboratory (Rev.
Z34-C32, 9/4/18) | Warehousing |

"M-2" General Industrial

- | | |
|---|---------------------------|
| All uses permitted in the
"M-1" Limited Industrial
District | Oil and Gas Drilling |
| Manufacturing, General | Research Laboratories |
| Metal Stamping/Machine Shops | Truck Transport Terminals |
| | Warehousing |

4.2 Special Uses

As provided for under Section 6.

4.3 Dimensional Requirements for Dwellings

4.3.1 Basic Yard, Area and Height Requirements

The following schedule establishes minimum yard, area and height requirements for dwellings and structures accessory to dwellings by district:

SECTION 4 USE REGULATIONS (cont'd)

TABLE 4 - 1

Dimensional Requirements

<u>District</u>	<u>Minimum Lot</u>		<u>Minimum Yard</u>			<u>Maximum Height</u>		
	<u>Area (per family)</u>	<u>Width (ft.)</u>	<u>Front*</u>	<u>Rear</u>	<u>Side</u>	<u>Both</u>	<u>Stories</u>	<u>Feet</u>
<u>"A" Agricultural</u> <small>(Revised 3-5-01, Z34-C12)</small>								
a) Single or Two-Family	20 acres	250	50	60	35	70	2 1/2	35
<u>"A/R" Agricultural/ Residential</u> <small>(Revised 3-5-01, Z34-C12)</small>								
a) Single-Family	1 acre	150	50	60	35	70	2 1/2	35
b) Two Family	1 acre	150	50	60	35	70	2 1/2	35
	2 acre	300	50	60	35	70	2 1/2	35

* Larger front yards are required for certain streets as shown in Section 4.5.

** Required dimensions must be continuous. (Added 3-5-01, Z34-C12)

4.3.2 Minimum Floor Area Requirements

All single family dwellings shall have a minimum floor area of 1,200 square feet.

4.4 Basic Yard, Area, Lot Coverage and Height Requirement for All Buildings Other than Dwellings *

The following table establishes the yard, area, lot coverage and height requirements for all buildings except dwellings and structures accessory to dwelling by district:

SECTION 4 USE REGULATIONS (cont'd)

TABLE 4 - 2

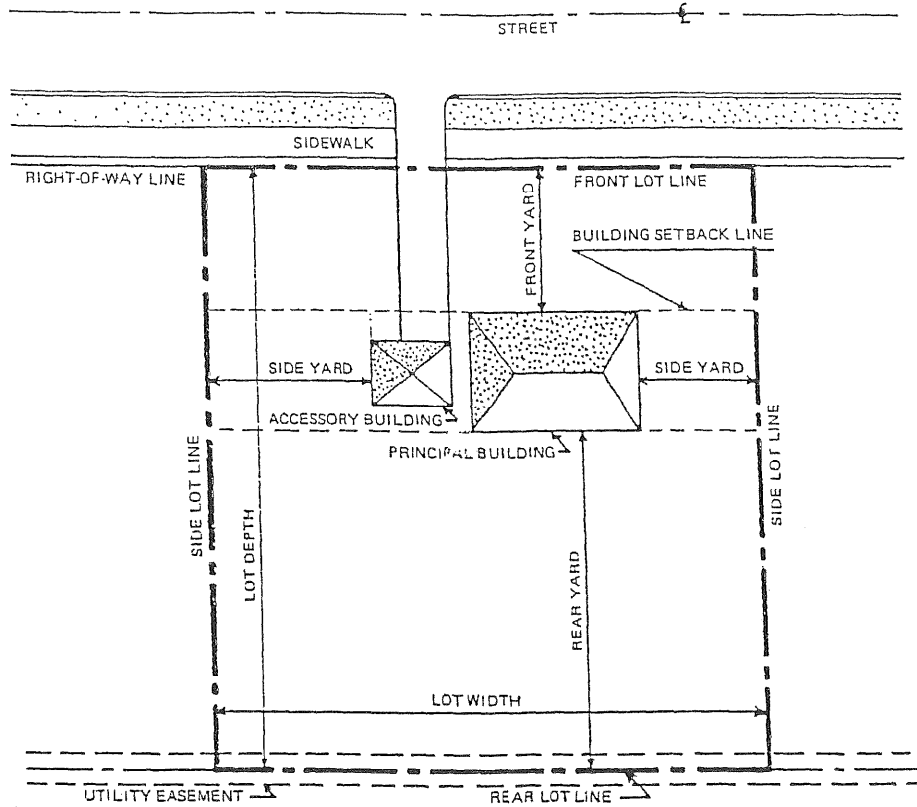
<u>Districts</u>	<u>Minimum Lot</u>		<u>Minimum Yard (feet)</u>			<u>Maximum Height</u>	
	<u>Area</u>	<u>Width</u>	<u>Front</u>	<u>Rear</u>	<u>One Side</u>	<u>Stories</u>	<u>Feet</u>
"A" Agricultural(Added 3-5-01 Z34-C12)	20 acres	250	60	60	50	3	45
A/R" Agricultural/ Residential(Added 3-5- 01, Z34-C12)	3 acres	250	60	60	50	3	45
"C-1" Restricted Commercial	2 acres	60	30	10	none	2	35
"C-2" General Commercial	2 acres	80	40	10	none	2	35
"M-1" Light Industrial	5 acres	175	50	40	30	3	45
"M-2" General Industrial	25 acres	175	50	40	30	4	60

* It includes public buildings, semi-public (churches, schools etc.), Commercial or industrial buildings. It does not include any Agricultural nor rural residential buildings nor related accessory buildings

** Required dimensions must be continuous. (Added 3-5-01, Z34-C12)

SECTION 4 USE REGULATIONS (cont'd)

FIGURE 4 - 1



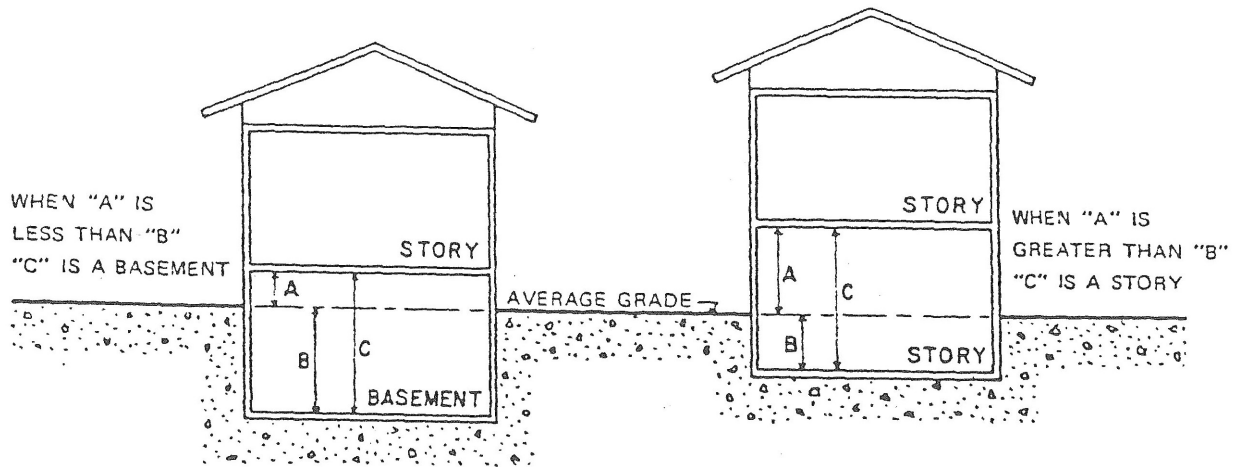
LOT AREA = TOTAL HORIZONTAL AREA

**LOT COVERAGE = PERCENT OF LOT
OCCUPIED BY BUILDING**

LOT TERMS

SECTION 4 USE REGULATIONS (cont'd)

FIGURE 4 - 2



BASEMENT & STORY

SECTION 4 USE REGULATIONS (cont'd)

4.5 Exceptions

4.5.1 Nonresidential Uses Within Abutting or Opposite an "A" Agricultural District

TABLE 4 - 3

Minimum Yards

USES	<u>Minimum Yard (feet)</u>		
	Front	Side	Rear
Public/Semi-Public	100	50	100
Commercial	50	30	30
Industrial	100	50	100

4.5.2 Height

a) Buildings

The height of building specified as maximum height under Sections 4.3 and 4.4 may be exceeded for public and semi-public buildings, office industrial and apartment buildings provided the required front, side and rear yards are increased by one (1) foot for each foot of additional building height to a maximum height of 60 feet.

b) Structures

Height regulations of buildings shall not apply to telecommunication towers, monuments, church spires/bell towers, water, or fire towers, chimneys or cooling towers, silos, flagpoles except where the height of such structure will present a hazard to the safe landing and takeoff of aircraft at an established airport.

4.5.3 Architectural Projections

Open structures such as porches, canopies, balconies, plat-forms, carports and covered patios and similar architectural projections, shall be considered a part of the building to which attached and shall not project into the required minimum front, side, or rear yard.

4.5.4 Corner Lots

Corner lots and lots having frontage on more than one (1) street shall provide the minimum front yard requirements on each street.

SECTION 4 USE REGULATIONS (cont'd)

4.5 Exceptions (cont'd)

4.5.5 Setbacks of Buildings on Main County Roads

On lots and lands abutting the following roads, no building shall hereafter be erected, enlarged or reconstructed to extend nearer to the centerline of the road than 100 feet:

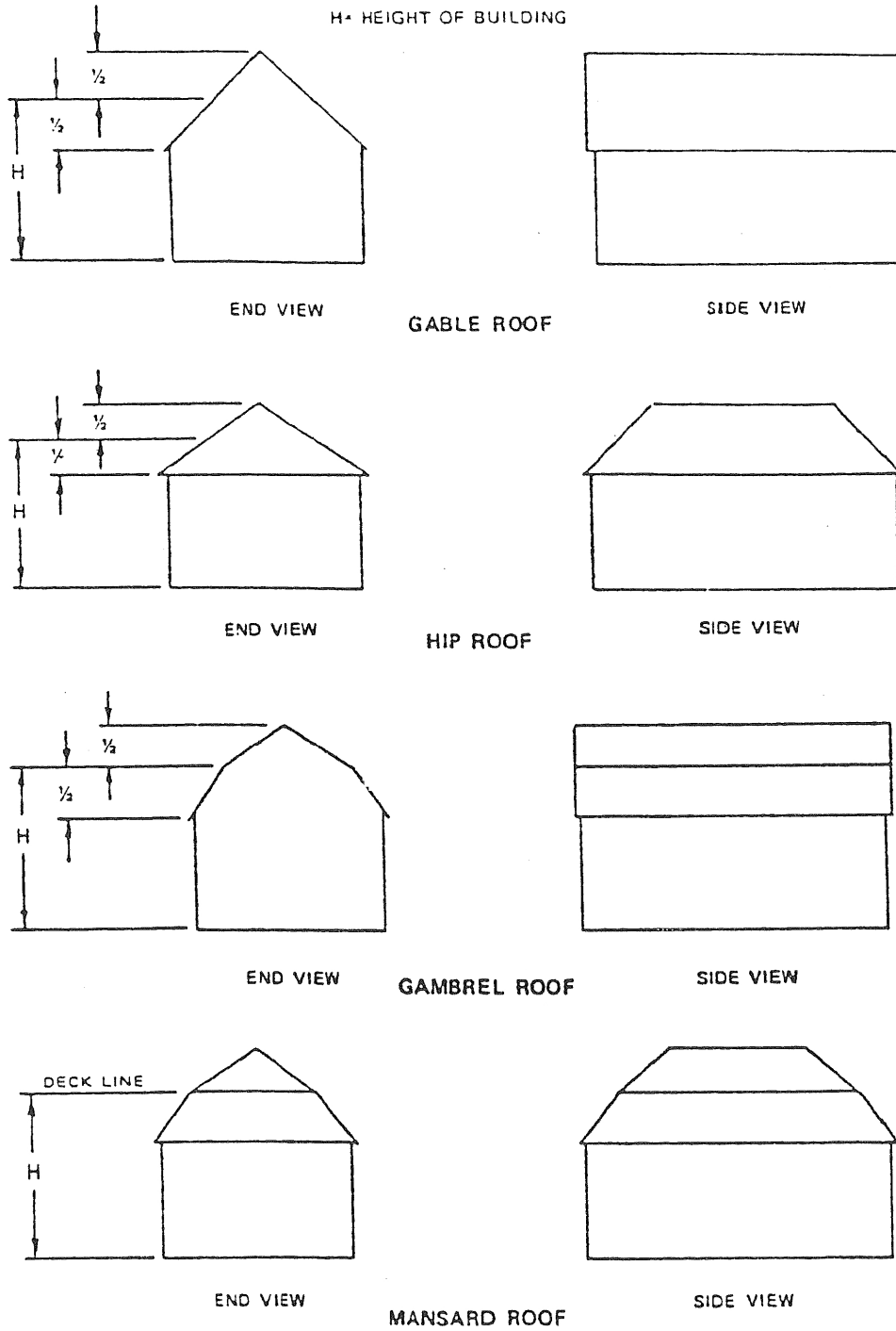
Allen Road	Irwin Road	Raab Road
Bancroft Street	Kilburn Road	Richfield Center Road
Berkey-Southern Road	Langenderfer Road	Sylvania Avenue
Brint Road	Lathrop Road	Sylvania-Metamora Road
Fulton-Lucas Road	Miller road	Washburn Road
Gibbs Road	Murd Road	

4.5.6 Setbacks of Buildings on Central Avenue (S.R. 29)

On lots and lands abutting Central Avenue (S.R. 20), no building shall hereafter be erected, enlarged or reconstructed to extend nearer to the centerline of the road than 150 feet. (Added 3-5-01, Z34-C12)

SECTION 4 USE REGULATIONS (cont'd)

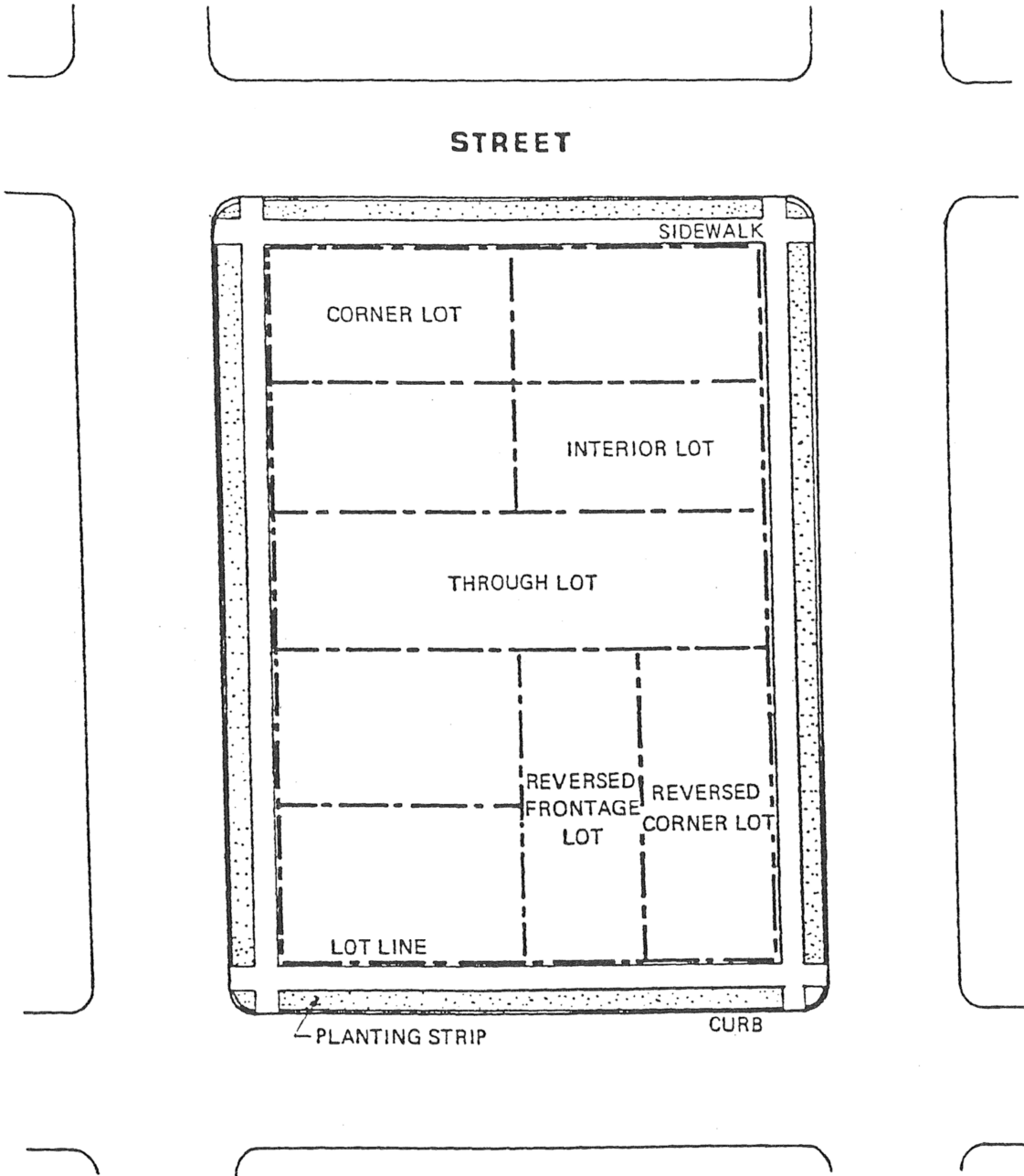
FIGURE 4-3



ROOF TYPES AND BUILDING HEIGHT

SECTION 4 USE REGULATIONS (cont'd)

FIGURE 4 - 4



TYPES OF LOTS

SECTION 5 OFF-STREET PARKING AND LOADING

5.1 Purpose

It is the purpose of this section to regulate land use by providing adequate space for off-street parking, loading and maneuvering of vehicles for all principal and accessory uses. The following provisions are intended to provide safe ingress and egress to all lots, minimize traffic congestion, limit on street parking and reduce noise and visual impact of vehicular movement and loading activities.

5.2 Off-Street Parking and Loading Requirements

5.2.1 General

- a) When a building or structure is erected, changed or enlarged by 50% or more in floor area, or increases by 50% the number of employees, customers/users, dwelling units, or seating capacity it shall comply with the requirements of this section.
- b) When there is a new use of an existing building or structure, which does not require enlargements or additions, it shall comply with the requirements of this section.
- c) Where a lot abuts a public or private alley or easement of access there shall be provided an access drive not less than eight (8) feet in width for a single dwelling and not less than 20 feet in width for an access drive leading to parking, loading, or storage spaces herein required for multiple dwellings and nonresidential uses.
- d) Total number of spaces required shall equal the sum of all the requirements for each separate primary and accessory use.
- e) All off-street parking and loading spaces as required by this section shall be located on the same parcel as the building or use requiring the spaces, except as provided for under 5.2.2(c)
- f) Off-street parking and loading spaces required for any use not specifically listed herein shall be the same as that required for a similar use as determined by the Zoning Commission.
- g) A request for a reduction of parking and/or loading requirements may be submitted to the Board of Zoning Appeals as provided for in Section 12.

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.2 Off Street Parking and Loading Requirements (cont'd)

5.2.2 Special Requirements

- a) **Setback:** Parking areas for nonresidential uses shall be no closer than five (5) feet to a street, alley or right-of-way.
- b) **Joint Use:** Two (2) or more nonresidential uses may jointly provide and use parking spaces when their hours of operation do not normally overlap, provided that a written agreement, approved by the Township Attorney and accepted by the Board of Zoning Appeals, shall be filed with the application for a zoning certificate.
- c) **Off-site parking:** Parking spaces may be located on a lot within 300 feet other than that containing the principal use or on a lot within 600 feet for uses within a commercial or industrial district for spaces designated for employees with a written agreement approved by the Township attorney and approval by the Board of Zoning Appeals, to be filed with the application for a zoning certificate.
- d) **Surfacing and drainage:** All off-street parking and loading areas and driveways for nonresidential uses shall be surfaced with concrete, bituminous asphalt or other dust free material other than gravel or loose fill and graded to drain all surface water towards the interior of the parking lot. An internal storm drainage system shall be provided and connected to the nearest outlet subject to regulations and approval of the Lucas County Engineer. Concrete curbs may also be required as part of the overall drainage design for all or part of the parking lot or driveway perimeter.
- e) **Wheel stop device:** Whenever a parking lot extends to a property line, sidewalk planting strip or building, a wheel stop device consisting of concrete stops, 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 landscaping. Minimum height shall be five (5) inches and the minimum length 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) **Striping and Marking:** Parking spaces and aisles shall be clearly designated and marked to assure approved utilization of space, direction of traffic flow and general safety. Parking spaces for the handicapped shall be reserved and designated with a standing sign (not painted on the pavement), displaying the symbol of accessibility.

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.2 Off Street Parking and Loading Requirements (cont'd)

5.2.2 Special Requirements (cont'd)

g) **Handicapped Parking:**

1. The required number of accessible spaces shall be as follows:

<u>Total Parking Spaces in Lot</u>	<u>Required Number of Accessible Spaces</u>
Up to 25	1
26 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of Total

2. Parking spaces and loading zones shall be located on the shortest possible circulation route to an accessible entrance. In separate parking structures, or lots that do not serve a particular building, parking spaces shall be located on the shortest possible circulation route to an accessible pedestrian entrance of the parking facility.

3. Parking spaces shall be at least 96 inches wide and shall have an adjacent access aisle 48 inches wide minimum. Parking access aisles shall be part of the accessible route to the building or facility entrance and shall comply with applicable sections of the Ohio Basic Building Code. Two (2) accessible parking spaces may share a common access aisle. Parked vehicle overhangs shall not reduce the clearance of an accessible circulation route.

4. Curb ramps shall be required for handicapped access. Minimum width shall be 36 inches with a maximum ramp slope of 1:10.

h) **Landscaping and screening:** Notwithstanding the landscaping requirements of Section 8.4, off-street parking and loading areas for multi-family dwellings and nonresidential uses which lie within 20 feet of a building on an adjoining lot or within 10 feet of a lot line shall be separated from the building or lot line with landscaping and screening not less than four (4) feet nor greater than six (6) feet in height.

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.2 Off Street Parking and Loading Requirements (cont'd)

5.2.2 Special Requirements (cont'd)

- i) **Lighting:** Any lighting used to illuminate any off- street parking areas shall be so arranged as to reflect light away from adjoining residential properties or public way.

- j) **Parking and Storage of Vehicles and Trailers:**
 - 1. No commercial vehicle as herein defined shall be stored or parked in an “A” or “A/R” district, excluding vehicles in an "A" or “A/R” district which are stored in an enclosed building or vehicles used in agriculture which are an integral part of the 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 or from a dwelling unit is exempted from this section. An exemption to this section is authorized subject to conformance with all the following criteria:
 - a. only one (1) legally insured and plated commercial vehicle, 12,000 pounds or greater in weight or with a carrying capacity of over 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 rear line of the primary structure and shall be no closer than one-hundred (100) feet from the road 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
 - g. the commercial vehicle shall be parked no closer than twenty (20) feet from any property line. (Rev. 11/10/05, Z34-C15)

 - 2. No disabled vehicle shall be parked within an "A" or “A/R” district for a period of more than 30 days, except such vehicle may be stored in an enclosed building providing no business is conducted in connection therewith while such vehicle is parked or stored.

 - 3. The storage of a disabled automotive vehicle, obsolete and/or un-repairable farm vehicle or implement, or obsolete and/or un-repairable household appliance shall be prohibited, except within completely enclosed buildings.

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.2 Off Street Parking and Loading Requirements (cont'd)

5.2.2 Special Requirements (cont'd)

j) Parking and Storage of Vehicles and Trailers (cont'd)

4. Recreational vehicles, boats, boat trailers and/or utility trailers may not be parked or stored in the minimum front yard of an "A" district, except when loading and unloading for a temporary period not to exceed 24 hours. Such vehicles, boats, or trailers may be parked in a side yard, April 1 through October 31 only. No more than one (1) each and a maximum of two of the aforementioned vehicles or trailers may be stored in the rear yard and shall be a minimum of 10 feet from a lot line. (Revised 1-16-96, Z34-C6)

k) **Drive-up Storage Area:** Any use having a drive-up window shall provide a storage area on site to minimize off-site traffic congestion while waiting for service. The Zoning Commission shall review and provide recommendations on all drive-up proposals.

l) **Trash Receptacle Area:** A trash receptacle area, when provided, shall be in a designated location that does not interfere with any aisle, driveway, parking space, loading space or other circulation area.

The location of this area, if provided, shall be shown on the site plan with proper loading and maneuvering space and for the purpose of location, shall be treated as an accessory structure. A trash receptacle area shall be screened from view on three (3) sides. Such area shall not be located in any required yard or setback and shall be maintained according to the requirements of the Lucas County Board of Health.

m) **Maintenance:** The owner or operator of property used for parking and loading shall maintain such area in good condition so that it is safe, clean, dust-free, attractive and free of any hazard, nuisance or other unsafe condition. Striping for parking spaces shall be maintained in good condition.

n) **Maneuvering:** Every parking and loading space shall have sufficient access and maneuvering area. The maneuvering area for a parking space may occur anywhere on a parcel except within the required minimum front, side and rear setback area. It may include an aisle or circulation area. For single residences it may include a driveway, street or parking space. The Board of Zoning Appeals may waive these requirements for lots which have an operator on duty during all hours of operation.

o) **Loading Spaces:** No loading spaces shall be located in a front or side yard, nor in a required rear yard.

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.3 Space Requirements

5.3.1 Dimensions and Design

- a) Parking lot loading spaces shall meet the following dimensional requirements and design as listed and illustrated in Table 5 - 1 and Figures 5 - 1 and 5 - 2 respectively.

FIGURE 5-1

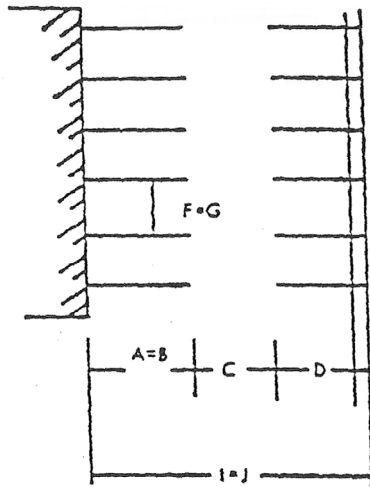


FIGURE 5-2

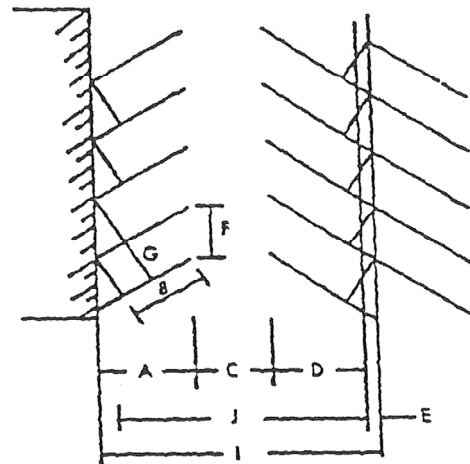


TABLE 5 - 1

DIMENSION (In Feet)	ANGLE			
	45	60	75	90
A. STALL DEPTH TO WALL	17	18.5	19	18
B. STALL DEPTH PARALLEL TO VEHICLE	18	18	18	18
C. AISLE WIDTH	12	16	22	25
D. STALL DEPTH TO INTERLOCK	15	17	18	18
E. STALL DEPTH REDUCTION DUE TO INTERLOCK	2	1.5	1	0
F. STALL WIDTH (PARALLEL TO AISLE)	12.7	10.4	9.3	9
G. STALL WIDTH PERPENDICULAR TO VEHICLE	9	9	9	9
L. MODULE WIDTH, WALL TO WALL	46	54	60	61
J. MODULE WIDTH INTERLOCK TO INTERLOCK	42	51	58	61

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.3 Space Requirements (cont'd)

5.3.1 Dimensions and Design (cont'd)

- b) **Loading Spaces:** All loading spaces shall have minimum dimensions of 12 feet in width and 50 feet in length, exclusive of any driveway, aisle, or other circulation docking area, and have a clearance height of not less than 15 feet.
- c) **Handicapped Parking:** Dimensions and design shall comply with requirements of 5.2.2(g). 5.3
- d) **Bumper Overhang:** For bumper overhang, deduct one-half (1/2) foot from stall depth to wall or three (3) feet from wall to wall for 45° and 60° parking. The equivalent dimensions for 75 degree and 90° parking are two (2) feet and four (4) feet respectively.
- e) **Modification of parking space:** Modification of dimensions or design is subject to review by the Township Fire Chief and Zoning Commission. Attention to emergency vehicle access shall be considered and incorporated into the design.

5.3.2 Number of Spaces

<u>Use</u>	<u>Parking Spaces Required</u>
a) <u>Residential Dwellings</u>	
Boarding House, Tourist Home, Dormitory	One (1) for each sleeping room or tenant, whichever is greater
Single, Two Family	Two (2) for each unit
b) <u>Semi-Public/Institutional</u>	
Adult Day Care, Community Centers, Church Social Centers	One (1) for every 300 square feet of gross floor area
Child Day Care or Nursery School	Six (6) or two (2) for each classroom whichever is greater

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

<u>Use</u>	<u>Parking Spaces Required</u>
b) <u>Semi-Public/Institutional</u> (cont'd)	
Church or Temple	One (1) for every five (5) seats in main assembly area/ auditorium
Elementary School	Two (2) for each classroom or one (1) for every five (5) seats in the main auditorium whichever is greater
High School, College or Technical School	Four (4) for each classroom or one (1) for every four (4) seats in the main auditorium whichever is greater
Hospital	One (1) for every four (4) beds
Institutional Health Care Facility	One (1) for every two (2) beds
Libraries, Museums, Art Galleries, or Community Centers	10 or one (1) for every 300 square feet of gross floor area whichever is greater
c) <u>Recreational Facilities</u>	
Bowling Alley	Four (4) for each alley plus one (1) for each 100 square feet of gross floor area used for bar, restaurant or entertainment areas
Campground	One and one-half (1 1/2) spaces for each site
Golf Course	Four (4) for each hole

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

<u>Use</u>	<u>Parking Spaces Required</u>
d) <u>Commercial</u>	
Auditorium, Theaters, Arenas or Conference Centers	One (1) for every four (4) seats or one (1) for every 30 square feet of gross floor area, whichever is greater
Banks or Financial Institutions	One (1) for every 300 square feet of gross floor area
Banquet/Recreation Hall	One (1) for every 200 square feet of gross floor area
Bar, Restaurant or Tavern	One (1) for every 100 square feet of gross floor area
Funeral Home/Mortuary	One (1) for every 200 square feet of gross floor area
Hotel/Motel	One (1) for every room and one (1) for every 100 square feet of gross floor area of bar, restaurant and conference rooms
Health Spa	One (1) for every 300 square feet of gross floor area
Lodge or Club	One (1) for every five (5) members
Skating Rinks	One (1) for every 100 square Feet of gross floor area

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

<u>Use</u>	<u>Parking Spaces Required</u>
d) <u>Commercial</u> (cont'd)	
Swimming Pools	One (1) for every 50 square feet of water surface area and one (1) for every 30 square feet of gross floor area for spectator seating
Tennis Courts/Racquet Clubs	Two (2) for each court
Auditorium, Theaters, Arenas or Conference Centers	One (1) for every four (4) seats or one (1) for every 30 square feet of gross floor area, whichever is greater
Banks or Financial Institutions	One (1) for every 300 square feet of gross floor area
Banquet/Recreation Hall	One (1) for every 200 square feet of gross floor area
Bar, Restaurant or Tavern	One (1) for every 100 square feet of gross floor area
Funeral Home/Mortuary	One (1) for every 200 square feet of gross floor area
Hotel/Motel	One (1) for every room and one (1) for every 100 square feet of gross floor area of bar, restaurant and conference rooms

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

5.3 Space Requirements (cont'd)

5.3.2 Number of Spaces (cont'd)

<u>Use</u>	<u>Parking Spaces Required</u>
d) <u>Commercial</u> (cont'd)	
Motor Vehicle, Agricultural Implement, Recreational Vehicle, or Manufactured Home Sales	One (1) for every 5,000 square feet of lot area and one (1) for every 300 feet of gross floor area
Motor Vehicle Service/Repair	Two (2) for each service bay or one (1) for every two (2) pumps, whichever is greater
Medical Marijuana Dispensary	One (1) for every 250 square feet of gross floor area
Offices	One (1) for every 300 square feet of gross floor area
Retail Store (appliance, printing, salon, hardware, carry-out, furniture, etc.	One (1) for every 200 square feet of gross floor area
Self Service Storage Facility	Two (2) for on site manager or office
Shopping Center	One (1) for every 200 square feet of leasable area
e) <u>Manufacturing/Industrial</u>	
Manufacturing/Processing/ Warehousing	One (1) for every two (2) employee on the shift of the highest number of employees and one (1) for each motor vehicle used in the business

SECTION 5 OFF-STREET PARKING AND LOADING (cont'd)

Medical Marijuana Cultivation,
Testing and Procession Facilities

One (1) for each employee

- f) **Loading Spaces:** A loading space shall be required for each building, use or occupancy which has a gross floor area of 10,000 square feet. One (1) additional space shall be required for each 20,000 square feet of gross floor area thereafter.

SECTION 6 CONDITIONAL USES

6.1 Procedure (Rev. Z34-C34, 9/17/18)

Under certain unusual circumstances, a use of property which typically affects an area more intensely than those uses permitted 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 are listed as “Conditional Uses” within the respective zoning districts.

The Board of Zoning Appeals may grant conditional approval for the use of the land, buildings, or other structures and may allow such a use to be established where such approval will be consistent with the general purpose and intent of this Zoning Resolution as well as the general purpose and intent of the Richfield Township Land Use Plan.

6.2 Conditional Uses and Procedures (Rev. Z34-C34, 9/17/18)

The following uses may be approved pursuant to Section 6 – Conditional Uses:

6.2.1 Conditional Uses (Rev. Z34-C34, 9/17/18)

In Any "A" or "A/R" District: (Added 4-6-09, Z34-C25)

Cemetery/Memorial Gardens
Day Care Facilities
Dwelling, Two-family
Grain Elevators and Storage
Group Homes
Landscaping/Lawn Care Services (Added 5-29-06 – Z34-C16)
Public Uses
Semi-Public Uses (Added 3-5-01, Z34-C12)
Small wind turbine (Added 4-6-09, Z34-C25)
Stabling and Boarding of
Domesticated Animals and
Livestock (Added 1-16-96, Z34-C6)
Telecommunication Towers (Added 3-5-01, Z34-C12)

SECTION 6 CONDITIONAL USES (cont'd)

6.2 Conditional Uses and Procedures (cont'd)

6.2.1 Conditional Uses (cont'd)

"A", "A/R" or "C-1" District:

Animal Care Facilities
Institutional Health Care
Facilities
Nursing Homes
Recreational Facilities,
Commercial
Recreational Facilities,
Non-Commercial (Added 3-5-01, Z34-C12)
Landscaping/Lawn Care Services
(Added 5-29-06 – Z34-C16)
Small Wind Turbine

"A" or "C-1" District:

Animal Care Facilities
Institutional Health Care
Facilities
Nursing Homes
Recreational Facilities,
Commercial
Recreational Facilities,
Non-Commercial

"C-2" District:

All Special Uses in the "C-1"
District
Business, Planned Center
Manufactured Home Sales
Medical Marijuana Dispensary (Rev. Z34-C32,
9/4/18)

"M-1" District:

Manufacturing, General
Small wind turbine (Added 4-6-09, Z34-C25)
Truck Transport Terminal

"M-2" District:

Extraction Industry
Manufacturing, Heavy
Motor Vehicle Salvage
Solid or Hazardous Waste
Disposal

SECTION 6 CONDITIONAL USES (cont'd)

6.3 Application for Conditional Use (Rev. Z34-C34, 9/17/18)

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

6.3.1 Basic Requirements

- A. A letter of submittal from the property owner or an agent authorized in writing by the property owner shall accompany the site plan that contains the applicant's phone number and mailing address.
- B. The site plan documents shall include a complete legal description of the property and a general location sketch showing nearby section lines and/or residential and major roadways.
- C. All site plans shall have a title – “Conditional Use Review”. The site plan shall indicate the scale of the drawing and shall use an engineer's scale. The site plan shall have the north arrow pointing either toward the top of the drawing or to the left side of the drawing. The location map and site plan orientation shall be the same.
- D. The following documents shall be filed: Fifteen (15) blue-line or black-line prints of the site plan on paper no larger than 24” x 36”. Detailed drawings other than the site plan need not be submitted for the purpose of site plan review.

6.3.2 Site Plan Requirements

- A. The site plan shall show the zoning classification(s) and existing uses of the property and all abutting property; the approximate location of buildings and driveway locations opposite to, and adjacent to the property.
- B. The site plan shall indicate the dimensions including area of the property, the dimensions of the existing and proposed buildings to be constructed, and any buildings to be removed or other alterations to occur on the property.
- C. The site plan shall indicate the distance of existing and proposed structure(s) to all right-of-way lines and the distances of the structure(s) to the front, side and rear property lines.
- D. The site plan shall indicate the name of all adjacent roadways and right-of-way and pavement widths measured from the centerline of the roadway.
- E. The site plan shall indicate the locations, height, and material of all existing and proposed fencing and/or walls on the property.
- F. The site plan shall show the location, height, lighting and dimensions of existing or proposed signs on the property.

SECTION 6 CONDITIONAL USES (cont'd)

6.3 Application for Conditional Use (Cont'd)

- G.** The site plan shall indicate the width(s) and location(s) of existing or proposed sidewalks, if any, and drive approach aprons. The drive approach width(s) shall be indicated where the apron meets the roadway pavement and shall be dimensioned at the throat.
- H.** The site plan shall show any ditches, creeks, or other natural features that may affect the development of the property. Where appropriate, two-foot (2') contours and the 100-year high water elevation shall be shown on the site plan. Information on this requirement may be obtained from the Lucas County Engineer's Office.
- I.** The site plan shall show the existing and proposed method of storm water drainage and/or areas to be used for storm water detention.
- J.** The site plan shall show existing and proposed sanitary and storm sewers, water mains, and the location of fire hydrants if present. In the event these improvements are not proposed, the site plan shall indicate the location of proposed or existing wells and sewage systems both on-site and on abutting parcels.
- K.** The site plan shall indicate the location of existing or proposed off-street parking spaces and drive aisles with complete dimensions, the number and size of the proposed parking stalls including handicap spaces and the type of pavement composition of the parking area, such as asphalt or concrete, and if the off-street parking area is located next to an existing parking area or on another parcel, the method of circulation, if any, between the two areas.
- L.** A site plan with a proposed drive-thru window operation shall indicate where the vehicle will be lined-up and how many vehicles can be stored at one time while waiting to use the order board and drive-thru window.
- M.** Exterior building elevation(s) visible from all abutting streets and highways.

6.4 Review by Plan Commission (Rev. Z34-C34, 9/17/18)

All requests for a Conditional Use, shall be reviewed by the Lucas County Plan Commission prior to the Board of Zoning Appeals public hearing. The above application for Conditional Use will be forwarded to the Plan Commission by the Township Planning and Zoning Department.

The Planning Commission shall hold a public hearing on the proposed Conditional Use and recommend approval or denial of the said use, or approval with conditions, and submit its recommendation to the Township Board of Zoning Appeals. When received, such recommendation shall then be considered at a public hearing held by the Board of Zoning Appeals on said proposed use.

SECTION 6 CONDITIONAL USES (cont'd)

6.5 General Standards for Conditional Uses (Rev. Z34-C34, 9/17/18)

The Board of Zoning Appeals shall not approve a Conditional Use unless in each specific case, it makes specific findings of fact directly based on the particular evidence presented to them that support conclusions that such use at the proposed location shall meet all the following requirements:

- A. Will be found to be consistent with the general objectives, or with any specific objective or purpose, of this Zoning Resolution.
- B. Will be harmonious 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 be served adequately by essential public facilities and services such as highways, streets, police and fire protection, and adequate drainage, refuse disposal, water and sewer, and schools.
- D. Will not involve uses, activities, processes, materials, equipment and conditions of operation that will be significantly detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
- E. Will have vehicular approaches to the property that shall be so designated as not to create interference with existing traffic on the surrounding public streets or roads.

6.6 Supplemental Conditions (Rev. Z34-C34, 9/17/18)

In granting any Conditional Use, the Board shall insure that the specific conditions and standards established in Section 13–Supplemental Regulations have been adequately addressed. The Board may prescribe other appropriate conditions and safeguards as it deems necessary to insure that the use will be conducted in conformance with the intent and purpose of this Resolution.

6.7 Public Hearing (Rev. Z34-C34, 9/17/18)

- A. Once the application has been received, the applicant must post and maintain one or more on-site Notices as provided. The applicant is responsible for removing the posted Notices within ten (10) days after the decision of the Board of Zoning Appeals. No one except the applicant, agent or Township shall remove or tamper with any such Notice during the time it is required to be posted and maintained.
- B. The Board of Zoning Appeals shall fix a reasonable time for the hearing of a matter to come before it and shall give at least ten (10) days notice to the parties in interest, stating the time and place. In addition, notice of such public hearing shall be given in one publication in one or more newspapers of general circulation at least ten (10) days before the date of such hearing.

SECTION 6 CONDITIONAL USES (cont'd)

6.8 Action by Board (Rev. Z34-C34, 9/17/18)

The Board of Zoning Appeals shall make its findings and determination in writing within sixty (60) days from the date of the filing of the request. At the hearings, any party may appear in person by agent or by attorney and shall be given the opportunity to be heard. A copy of the findings and determination made by the Board of Zoning Appeals shall be transmitted to the applicant within fourteen (14) days following the hearing.

6.9 Public Information (Rev. Z34-C34, 9/17/18)

All communications to members of the Board of Zoning Appeals, written or oral which pertain to any matter before the Board and shall be reduced to writing and made a part of the record. The official record of the Board's proceeding in any matter shall be kept on file at the Township Hall, subject to the order of the Lucas County Common Pleas Court and available for inspection by the public.

6.10 Fees (Rev. Z34-C34, 9/17/18)

The Township Trustees shall establish fees as deemed appropriate to defray the costs associated with the advertisement, mailings, or other required or necessary expenses incurred.

6.11 Expiration of Conditional Use (Rev. Z34-C34, 9/17/18)

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

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES

7.1 General

The following supplementary district uses and structures are allowed in various zoning districts as specified in each subsection. To assure compliance with the conditions and regulations of this section, each use shall require a permit.

7.2 Accessory Buildings

7.2.1 General

- a) No accessory use, building, or structure or pond shall be permitted on any lot which does not contain a dwelling or a main building.
- b) Accessory buildings which are 80 square feet in area or less are exempt from the provisions of this section.
- c) Accessory buildings including those used for agricultural purposes are required to have a building permit for the construction thereof. Agricultural buildings will be exempt from all permit fees.

7.2.2 Setback

- a) Accessory buildings shall have a minimum setback of 10 feet from all lot lines, 15 feet from the main building, and be located outside of utility easements. (Added 3-5-01, Z34-C12)
- b) Accessory buildings shall be required to have a setback of one (1) foot for each one (1) foot of building height greater than 15 feet. See figure 4-3. (Added 1-16-96, Z34-C6)
- c) Agricultural structures shall adhere to the setback requirements for accessory buildings. (Added 3-5-01, Z34-C12)

7.2.3 Yard Requirement

- a) Accessory buildings shall not be located in any front yard nor in the side yard of a corner lot when that yard faces a street or road.
- b) An accessory building not exceeding 20 feet in height may not occupy more than 30% of a required rear yard.

7.3 Motor Vehicle Salvage Yards and Junk Yards

7.3.1 General

- a) The applicant shall provide a complete and accurate legal description of the entire site.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.3 Motor Vehicle Salvage Yards and Junk Yards (cont'd)

7.3.1 General (cont'd)

- b) A site plan shall be submitted which at minimum includes the dimensions of the site, size of buildings, dimensioned building locations, setbacks, storage areas, driveways and fencing.

7.3.2 Storage

- a) When adding storage facilities, the applicant shall reduce the number of vehicles or junk in the storage yard.
- b) Motor vehicle wrecking yards shall maintain a list of vehicles in stock and submit this list to the Township Trustees upon request.
- c) No vehicle shall be stored longer than six (6) months without written permission from the Board of Township Trustees.

7.3.3 Licensing

- a) Applicants for junk yards shall be licensed as required under Chapter 4737 O.R.C. and file with the Township proof of licensing by Lucas County Auditor.
- b) Applicants for motor vehicle wrecking yards shall be licensed as required under Chapter 4738 O.R.C. and file with the Township proof of licensing by the Ohio Motor Vehicles Salvage Dealer's Licensing Board.

7.3.4 Hours of Operation

Hours of operation shall be no earlier than 7:00 A.M. nor later than 6:00 P.M., Monday through Saturday.

7.3.5 Fencing and Screening

Any area used as a motor vehicle wrecking yard or junk yard shall be effectively screened on all sides by means of walls, fences and plantings. Walls or fences shall be a minimum of six (6) feet in height with no advertising thereon. Storage of materials shall not exceed this height. A strip of land not less than 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.

7.3.6 Industrial Standards

Notwithstanding the requirements set forth herein, all motor vehicle salvage yards and junk yards shall meet the Industrial Standards as set forth in Section 8.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.3 Motor Vehicle Salvage Yards and Junk Yards (cont'd)

7.3.7 Off-Street Parking and Loading

Off-Street parking and loading shall be provided as set forth under Section 5.

7.3.8 Yard Requirements

- a) **Front Yard:** There shall be a front yard of not less than 50 feet, but where such a yard is opposite an "A" Agricultural or district, it shall be a minimum of 100 feet and the first 25 feet thereof shall be used only for landscaping purposes.
- b) **Side Yard:** There shall be a side yard of not less than 25 feet, but where abutting an "A" Agricultural district it shall be a minimum of 50 feet. Storage of materials and parking of vehicles is prohibited in a side yard.
- c) **Rear Yard:** There shall be a rear yard of not less than 50 feet, but where such a yard is abutting an "A" Agricultural district, it shall be a minimum of 100 feet.

7.3.9 Pavement

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

DISH ANTENNAS (Deleted 1-16-96, Z34-C6)

7.4 Extraction Industries

7.4.1 Removal

The removal of soil, sand and gravel, and or minerals shall not exceed 25% of the total surface area of a parcel. All extraction industries in the removal of products shall meet the requirements of Surface Mining and Reclamation 1514.10 O.R.C.

7.4.2 Refilling

The refilling of an area which has been excavated for the extraction of soil, sand and gravel shall be considered waste disposal and shall meet the requirements set-forth by the Lucas County Board of Health for solid waste disposal under 3734.05 O.R.C.

GROUP HOMES (Deleted 1-16-96, Z34-C6)

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.5 Fencing

7.5.1 General

- a) No fence shall be allowed within the required road right-of-way.
- b) Fences or planting screens in an "A" District may not exceed 42 inches in height in the required front yard nor exceed six (6) feet in height in any remaining yards except as required under Section 8.4.
- c) In any "A" District, no fence, structure or plantings which obstruct visibility shall be maintained within five (5) feet of any street or road right-of-way.

7.5.2 Corner Lot

No fence, structure or planting screens shall be created or maintained within 30 feet of the corner point of intersection of the two (2) streets rights-of-way] at a height exceeding two and one-half (2 1/2) feet above curb or street grade.

7.6 Home Occupation

7.6.1 General Requirements

- a) No more than one (1) person other than members of the family residing on the premises shall be in such occupation;
- b) The use of the dwelling unit for the home occupation shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and not more than 25% of floor area of the dwelling unit shall be used in the conduct of the home occupation.
- c) There shall be no change in the outside appearance of the building or premises, outside storage of materials incidental to the home occupation, nor other visible evidence of the conduct of such home occupation other than one (1) sign, not exceeding two (2) square feet in area, non-illuminated.
- d) 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.
- e) No equipment or process shall be used in such home occupation which creates noise, vibration, glare, fumes, odors, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises, or causes fluctuations in line voltage off the premises.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.7 Boarding of Livestock and Domesticated Animals (Kennels Deleted, Revised 1-16-96, Z34-C6)

7.7.1 General Requirements

- a) Minimum lot area shall be two (2) acres. Boarding of livestock and domesticated animals shall not be allowed in areas containing 15 or more lots, each of which are less than five (5) acres in size and contiguous as determined by abutting or being opposite each other on a public dedicated road. (Revised 3-5-01, Z34-C12)
- b) Buildings, pens or enclosures used for housing animals shall be a minimum of 50 feet from all property lines and/or any dwelling unit on the site and at least 500 feet from existing dwellings on abutting parcels, including parcels across the street. (Revised 3-5-01, Z34-C12)
- c) Suitable fencing or landscaping shall be installed around buildings, pens and/or enclosures used for housing animals. Fencing for containing livestock shall be a minimum of 5 feet from property lines. (Revised 3-5-01, Z34-C12)
- d) Hours of operation shall be between 8:00 A.M. and 7:00 P.M. for all days of the week.
- e) Advertising signs shall be in accordance with Section 7.12. (Revised 3-5-01, Z34-C12)
- f) On-site parking shall be provided in accordance with Section 5.

7.8 Manufactured Homes

7.8.1 General Requirements

Manufactured Homes as defined under Section 2 shall not be permitted to be occupied as a residence in the township except as provided for under Section 7.11 or where occupied at the time of the adoption of this resolution as a legal non-conforming use, wherein applicable regulations under Section 9 shall apply.

7.9 Manufactured Home Parks

7.9.1 General Requirements

- a) The manufactured home park site shall contain not less than five (5) acres, shall be maintained as a single parcel of record, and the overall density shall conform to the density of the zoning district for a single family dwelling.
- b) A manufactured home park site may contain less than five (5) acres if it is an extension or enlargement of an existing manufactured home park, and said extension or enlargement shall have no more than 10 manufactured home spaces per gross acre.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.9 Manufactured Home Parks (cont'd)

7.9.1 General Requirements (cont'd)

- c) Every manufactured home park lot shall be designed to abut upon open space or recreational facilities.
- d) Each manufactured home park shall contain a community building.
- e) No unit shall be placed closer than 50 feet of a manufactured home park boundary line nor within 20 feet of another manufactured home unit.
- f) A manufactured home park site in an "A" zone shall not be so situated that either its rear property line or a side property line shall abut a commercial or industrial zone or an existing manufactured home park.
- g) No commercial activity shall take place in a residentially zoned part of the manufactured home park.
- h) No structure designed for year-round living purposes is added to manufactured homes in the park.
- i) The land occupied by the park is maintained in single ownership or control, and no individual lot is transferred to other ownership.
- j) Manufactured home parks shall comply with the rules of the Ohio Department of Health, Public Health Council, Manufactured Home Parks, Chapter 37-1-27 of the Administrative Code; be platted in accordance with the Lucas County Subdivision Regulations and subject to site plan review.

7.10 Ponds

7.10.1 General Requirements

- a) Ponds shall be permitted in all "A" Districts on lots of three (3) acres or greater and in all "C" and "M" Districts. (Revised 1-16-96, Z34-C6) (Revised 3-19-07, Z34-C19)
- b) All ponds shall require a permit and meet requirements of Section 1103 Application and Issuance of Zoning Certificates which includes written application for a zoning certificate accompanied with a site plan. All proposed ponds shall meet the additional requirements of Section 8 which includes site plan review by the Zoning Inspector.
- c) Ponds shall conform to the Lucas County/U.S. Soil Conservation Service specifications and recommendations.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.10 Ponds (cont'd)

7.10.1 General Requirements (cont'd)

- d) Pond location and related redistribution of extracted soil, shall be in compliance with Lucas County Health Regulations for on site septic disposal.
- e) A dwelling or main building is required on a lot prior to issuance of a pond permit.
- f) Ponds which abut more than one (1) lot and/or serves 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. (Added 1-16-96, Z34-C6)
- g) Lots containing ponds used for drainage retention shall be platted in accordance with applicable subdivision regulations. (Added 1-16-96, Z34-C6)
- h) 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. (Added 3-5-01, Z34-C12)

7.10.2 Area and Design Requirements

- a) Minimum pond surface area shall be one-quarter (1/4) acres, Maximum surface area shall be 15% of lot area or two (2) acres. (Revised 1-16-96, Z34-C6)
- b) 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 15 feet. (Revised 1-16-96, Z34-C6)
- c) Beach areas may be sloped no less than at a horizontal to vertical ration of 10:1 and shall not exceed 25% of the pond surface area.
- d) Ponds shall be graded not to exceed four (4) feet in height so it will 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.
- e) 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.
- f) 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. (Added 9-14-06, Z34-C17)

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.10 Ponds (cont'd)

7.10.3 Setback

- a) A pond shall have 100 feet minimum setback from any roadway right-of-way centerline or behind the front building line whichever is greater.
- b) Ponds shall have a side yard setback of not less than 10% of the width of the parcel, with a minimum setback of 35 feet from all property lines.
- c) A pond shall be located no closer than 100 feet to a septic tank, or leach field.

7.10.4 Refilling

- a) 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 3734.05 O.R.C.

7.11 Self Service Storage Facilities

7.11.1 General Requirements

- a) Self service storage facilities shall be limited to rental of storage units, pickup and deposit of dead storage.
- b) Radioactive material, explosives and flammable or hazardous chemicals shall be prohibited from storage. This prohibition shall be included in the lease agreement of storage units. A copy of the lease agreement shall be filed with the zoning inspector as a condition of the permit.

7.11.2 Specific Requirements

- a) **Lot Area:**
 - 1) Minimum lot area shall be two (2) acres.
- b) **Lot coverage:** Maximum lot coverage of units and storage areas shall be 50% of gross lot area.
- c) **Setback:**
 - 1) Front yard - 50 feet
 - 2) Side and Rear Yards - 25 feet

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.11 Self Service Storage Facilities (cont'd)

7.11.2 Specific Requirements (cont'd)

- d) **Height:** Height of structures shall be in conformance with structures or equal the average height of structures on properties abutting or opposite to self storage facilities where no adjacent structures exist, the maximum height shall be 15 feet to highest point of building (see figure 4-3).
- e) **Lighting:** Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arranged to direct light away from adjoining property or any public right-of-way.
- f) **Site Plan:** A site plan shall be required and subject to approval by the Zoning Commission, with review by the Planning Director of the Lucas County Planning Commission.
- g) **Signs:** Shall conform to requirements under Section 7.14.
- h) **Pavement:** All roadways and parking areas shall be paved with concrete, asphalt or bituminous pavement.
- i) No door openings for any storage unit shall be constructed facing any adjacent residentially zoned or developed property.
- j) Fencing, walls, or landscaping/plant screening shall be required around the perimeter of the facility, where deemed appropriate under the site plan review. Setbacks may be waived and a continuous wall approved in lieu of a fence or landscaping.
- k) **Special Requirements:**
 - 1) Fencing or walls shall consist of decorative wood or stone, decorative concrete block or similar materials compatible with surrounding residential dwellings.
 - 2) Hours of operation shall be no earlier than 7:00 A.M. nor later than 8:00 P.M. daily.
 - a) Parking and external storage of vehicles: A minimum of one (1) parking or external storage space shall be provided for each 1,000 square feet of enclosed storage space. Storage or parking spaces for vehicles shall not extend forward of the rear building line nor be within any required yard.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.12 Signs and Outdoor Advertising Structures

No signs shall be permitted in any district except as hereinafter provided:

7.12.1 Definitions

- a) **Announcement/Professional Sign** - A sign which serves an incidental or secondary use within a residential dwelling as provided for under Section 7.8.
- b) **Area Identification Sign** - A sign which identifies a subdivision, development, or an industrial park or commercial complex.
- c) **Bulletin Board** - A sign which announces or informs of events or activities for churches, schools or other public or semi-public institutions.
- d) **Identification Sign** - A sign which is limited to the name, address and number of a building, institution or person and to the activity carried on in the building or institution, or the occupancy of the person.
- e) **Directional Sign** - A sign which designates the location or direction of any place or area.
- f) **Temporary Sign** - A sign which is limited in use for a designated period of time to serve an event, activity or the sale or rental of property.
- g) **Portable Sign** - Any sign which is not permanently attached to the ground or a building.
- h) **Sign Area** - Total area of all sign faces.
- i) **Sign Face** - Total area of sign upon which copy can be placed.
- j) **Wall Sign** - A sign attached to a building or painted on the surface of a building.
- k) **Free-Standing Sign** - A sign supported by one (1) or more poles, or other supports, which are attached to the ground.
- l) **Suspended Sign** - A sign which is supported by a frame or brackets which are attached to a building.
- m) **Symbolical Sign** - A sign which represents a product or service or is used as an advertising logo of the product or service which is sold on the premises.
- n) **Billboard/Poster Panels** - An outdoor advertising structure which may be a free standing or a wall sign.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.12 Signs and Outdoor Advertising Structures (cont'd)

7.12.1 Definitions (cont'd)

- o) **Low Profile Sign** - A free-standing sign erected near ground and limited to identifying the name of the building or institution on the premises.
- p) **Window Sign** - A sign installed inside a window for purposes of viewing from outside the premises. This term does not include merchandise located in the window.
- q) **Outdoor Advertising Structure** - An off site sign which advertises a product or service or announces an event or activity not necessarily provided for or sold on the premises and directs persons to an off site location. Outdoor Advertising Structures shall include billboards, poster panels, painted wall murals and signs.

7.12.2 General Provisions

- a) Announcement or professional signs for home occupations shall not exceed two (2) square feet in area.
- b) Bulletin boards and signs for a church school community or other public or semi-public institutional building shall not exceed 32 square feet in area per sign face.
- c) A free standing low profile sign shall be permitted in all agricultural and residential districts and shall not exceed 42 inches in height nor contain greater than 10 inch high letters.
- d) A single identification sign indicating the name and address of the building and the name of the management shall be permitted for buildings other than single-family dwellings. The sign shall be attached to the structure and shall not exceed 12 square feet in area.
- e) An area identification sign may be located only at the intersection of streets of the subdivision with major streets of the Township. The sign shall be a part of a wall or fence, decorative in nature. It shall contain only the name of the subdivision or development. No part of the wall or fence within 50 feet of the edge of the pavement shall be of greater height than 42 inches. The letters of identification on the sign shall be no larger than 10 inches in height.
- f) Private directional signs shall be permitted for off-street parking areas provided:
 - 1. Height does not exceed three (3) feet above grade.
 - 2. Each sign shall not exceed five (5) square feet per sign face.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.12 Signs and Outdoor Advertising Structures (cont'd)

7.12.2 General Provisions (cont'd)

- g) The following temporary signs shall be permitted with the following provisions:
1. Signs announcing special public or institutional events, the erection of a building, displaying the architect, the builders or contractors may be erected for a period of 60 days plus the construction period.
 2. Public election signs shall not exceed 12 square feet in total surface area or six (6) square feet for any one sign, on any lot.
 3. Signs advertising the sale, rental, or lease of property shall be located on the property advertised and shall not exceed a total sign area of 15 square feet.
- The above signs shall be removed no later than 10 days after completion of the event or transaction.
- h) No portable signs shall be permitted, except for a one-time opening of a business but not to exceed 30 days.
- i) No sign erected or maintained in the window of a building, visible from any public or private street or highway shall occupy more than 20% of the window surface.
- j) All signs shall be plainly marked with the name of the person, firm, or corporation responsible for maintaining the sign.
- k) No sign shall project into any public right-of-way nor obstruct traffic visibility at street or highway intersections.
- l) All signs other than temporary shall require a permit and be subject to site plan review by the Zoning Commission. The Zoning Commission may seek information and recommendations from the Lucas County Planning Commission or other appropriate agencies to aid in their review of the site plan.
- m) Each application for a sign permit shall include a drawing of the proposed sign, dimensions, color, illumination, location in relation to the building and roadway, and construction details.
- n) All nonconforming signs and billboards will be permitted to remain in place, but when replaced or changed significantly shall be subject to review under this section.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.12 Signs and Outdoor Advertising Structures (cont'd)

7.12.2 General Provisions (cont'd)

- o) All signs will be maintained and subject to review by the Zoning Inspector. If it is in a state of needed repair, it will be deemed temporarily nonconforming for a period of 30 days. Upon re-inspection, the sign must conform to requirements under this section or be removed.

7.12.3 Commercial or Industrial District Signs

- a) Each business shall be permitted one (1) flat wall sign or a sign suspended from the principal building/ frontage and one (1) free-standing sign permanently affixed to the ground and located on site of that business.
- b) The area of all permanent advertising signs other than billboards and symbolical signs shall be determined and limited as follows:

Width of building in (feet) x one and one-half (1 1/2) (feet) = sign area (square feet), but not to exceed 100 square feet.

Sign area includes total area of all sign faces.

- c) Flat Wall Signs
 1. Sign width shall be limited by the width of the building frontage parallel to the street line. On corner lots, either frontage may be used to determine this width.
 2. Sign projection shall not exceed two (2) feet from the building.
- d) Free-Standing Signs
 1. There shall be only one (1) free-standing sign for each premises having frontage on a public right-of-way. This may serve a single business or a group of businesses all of which must be occupants of that building.
 2. The sign shall not exceed 15 feet in height.
- e) Suspended Signs
 1. Signs shall not project more than 42 inches from a building.
 2. The bottom of the sign shall be a minimum of nine (9) feet above grade or above the sidewalk.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.12 Signs and Outdoor Advertising Structures (cont'd)

7.12.3 Commercial or Industrial District Signs (cont'd)

- f) Pole Signs of Symbolical Design
 - 1. Signs shall not exceed 45 square feet per sign face.
 - 2. Signs shall have a maximum height of 20 feet.
 - 3. Signs shall be located on site of the business advertised.
- g) Outdoor Advertising Structures - Off Site
 - 1. Off site advertising structures will be limited to Billboards and/or Poster Panels.
 - 2. Billboards and Poster Panels shall not exceed 72 square feet per sign face.
 - 3. Height of Billboards and Poster Panels shall not exceed 15 feet above grade.
- h) Area Identification Sign

One (1) sign may be erected to identify an industrial park or commercial complex. The sign shall be located at the intersection of principal streets of the development with major streets of the community. It shall contain only the name of the development in letters no larger than 24 inches in height with a 100 square foot maximum area per sign face.

7.12.4 Setback Requirements

- a) Real estate signs and bulletin boards for a church, school or any other public or semi-public, religious, or educational institution may be erected within 10 feet of the established right-of-way line of any street or highway.
- b) Free-standing signs or signs of symbolical design shall not be located closer than 20 feet to any street right-of-way line and closer than 30 feet to any adjoining lot line.
- c) Billboards and/or poster panels shall be set back at least as far as the required front yard depth for a principal use in that district. No sign or advertising structure shall be closer than 50 feet of a side or rear lot line.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.12 Signs and Outdoor Advertising Structures (cont'd)

7.12.4 Setback Requirements (cont'd)

- d) No such sign or advertising structure, which faces the front or side lot line of any lot in any agricultural or residential district, shall be permitted within 100 feet of such lot line, nor within 300 feet when facing any public parkway, public square or entrances to any public park, public or parochial school, library, church, or similar institution.

7.12.5 Illumination

The following provisions shall be observed in the illumination of signs and advertising structures:

- a) All signs and advertising structures except as hereinafter modified may be illuminated internally or by reflected light provided the source of light is not directly visible and is so arranged so as to reflect away from the adjoining premises and provided that such illumination shall not be placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights.
- b) No illumination involving movement or causing the illusion of movement by reason of the lighting arrangement or other devices shall be permitted which cause confusion or a hazard to traffic or conflict with traffic control signs or lights.
- c) No sign may be animated by means of a flashing, scintillating, blinking, or traveling lights or any other means not providing constant illuminations.
- d) In no event shall an illuminated sign or lighting device be placed or directed so as to permit the beams and illumination there from to be directed or beamed upon a public thoroughfare, highway, sidewalk, or adjacent premises so as to cause glare or reflection that may constitute a traffic hazard or nuisance.
- e) No sign shall employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention. This section shall not apply to any sign performing a public service function indicating time, temperature, stock market quotations or similar services.
- f) Announcement signs, except those for professional and home occupations, shall be removed by the person or persons responsible for posting same within 10 days after the completion of such scheduled event.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.12 Signs and Outdoor Advertising Structures (cont'd)

7.12.6 Violations

In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this resolution. Failure to comply with any of the provisions of this Chapter shall be deemed a violation and shall be punishable under Chapter 11.4 of this Resolution. Political signs posted in violation of this Resolution are subject to removal five (5) days after written notice of violation has been given.

WASTE DISPOSAL (Deleted 1-16-96, Z34-C6)

7.13 Raising of Livestock (Farm Animals)

The following shall apply to platted subdivisions and areas containing 15 or more lots, each of which are less than five (5) acres in size and contiguous as determined by abutting or being opposite each other on a public dedicated road:

The breeding, raising or maintaining of farm animals such as horses, pigs, cows, sheep, goats or similar livestock is prohibited on lots of one (1) acre or less. On lots greater than one (1) acre but less than five (5) acres, the maximum number of farm animals allowed shall be one animal unit per acre and such farm animals or structures incident to housing these farm animals shall not be permitted within 50 feet of a dwelling or an adjacent property line.

(Revised 3-5-01, Z34-C12)

7.14 Farm Markets

7.14.1 General

Farm markets shall be permitted where 50% or more of the gross income received from the market is derived from produce raised on farms owned or operated by a market operator within a normal crop year.

7.14.2 Setback

To allow for safe ingress and egress of vehicles and temporary parking, no building, structure, produce stand, or vehicle used for produce sale or storage shall be closer than 20 feet of any road right-of-way.

7.15 Swimming Pools

- a) A zoning permit is required for a swimming pool.
- b) Swimming pools shall not be permitted in a side or front yard in an "A" District.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.15 Swimming Pools (cont'd)

- c) Swimming pools exceeding 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 42 inches high with all access gates provided with adequate key-type locks. Portable pools 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.
- d) Pools shall be a minimum of 10 feet from any property line.

7.16 Private Tennis Courts

Private tennis courts shall be permitted in any "A" District with the following requirements:

- a) 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.
- b) Courts shall not be placed over any septic field or within any public right-of-way.
- c) Maximum court dimensions shall be 120 x 60 feet or 7200 square feet in area.
- d) 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.
- e) Courts shall be fenced when court surface is within 20 feet of a property line. The fence shall not exceed 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.
- f) Lighting where provided shall be so arranged as to reflect away from adjoining residential properties or public way.
- g) Courts shall be located only in the rear yard.

7.17 Site Plan Review

Site plan review shall be required for all multi-family and non-residential uses which are original uses; or existing uses when a building or structure is erected, changed or enlarged by 50% or more or 5,000 square feet or greater in floor area. No zoning permit shall be issued for any use or change in use prior to approval of the site/development plan by the Township Trustees, after recommendation of the Zoning Commission and the Director of the Lucas County Planning Commission. Conditions or modifications may be attached to these plans. Any change in the site plan once approved shall require a review of the Zoning Commission and the Planning Director of the Lucas County Planning Commission with recommendations to the Township Trustees. (Revised 3-5-01, Z34-C12)

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.17 Site Plan Review (cont'd)

The review time for the site plans, generally shall be in keeping with the time requirements established for zoning changes.

The site plan review will include review of the following:

- a) Parking, driveways, ingress and egress to the site, internal circulation (includes drive-up windows, stacking, etc.).
- b) Buildings (existing, new or changes).
- c) Buildings (placement and dimensions, including height).
- d) Appurtenant structures (including dimensions), external storage or placement of materials, supplies, etc.
- e) Fencing, screening, landscaping and lighting (size, illumination and type).
- f) Sign (placement and dimension).
- g) Natural features (including ditches, ponds, mounds, etc.), existing new or changes thereto.
- h) The following submissions are required: (Added 3-5-01, Z34-C12)
 - 1) Seven (7) blue-line or black-line prints of the site plan on paper no larger than 24" x 36". Detailed drawings other than the site plan need not be submitted at this time for the site plan review process.
 - 2) A good quality black and white reproducible, PMT or velox reduction of the original print shall be submitted at a size ranging from 8 ½" x 11" to 11" x 17".

Any additional related development, condition or circumstance on or off site which affects the site development or is affected by the site development may also be considered in the approval/denial of the zoning permit.

7.18 Causes of Blight or Blighting Factors

It is hereby determined that the following uses, structures and activities are causes of blight or blighting factors which, if allowed to exist, will tend to result in blighted and undesirable neighborhoods. No person, firm or corporation of any kind shall maintain or permit to be maintained any of these causes of blight or blighting factors upon any premises in Richfield Township owned, leased, rented or occupied by such person, firm or corporation.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.18 Causes of Blight or Blighting Factors (cont'd)

- a) The storage upon any premises of any inoperable vehicle for a period of more than 30 days except in a completely enclosed building. (Revised 1-16-96, Z34-C6)
- b) The outdoor storage upon any premises of building materials unless a zoning permit has been issued by the Township and a building permit issued by the Lucas County Department of Building Regulations not more than one (1) year previously for construction upon said premises, and said materials are intended for use in connection with such construction. Building materials shall include but shall not be limited to lumber, bricks, concrete or cinder blocks, plumbing materials, electrical wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws, or any other materials used in constructing any structure. Provided, that outdoor storage of building materials which is not in violation of applicable zoning or safety regulations is permitted if said materials are kept out of view of the public and abutting premises. Provided further, that all construction debris shall be removed from any premises within thirty days after occupancy thereof.
- c) The storage or accumulation of junk, trash, rubbish or refuse of any kind, except domestic refuse stored in such a manner as not to create a nuisance for a period not to exceed thirty days. The term "junk" shall include parts of machinery or motor vehicles, unused stoves or other appliances stored in the open, remnants of wood metal or any other materials or other castoff materials of any kind whether or not same could be put to any reasonable use.
- d) The existence of any vacant dwelling, garage, or other out-building unless the same is kept securely locked, windows kept glassed or neatly boarded up, and otherwise protected to prevent entrance thereto by vandals.
- e) In any area the existence of any structure or part of structure which because of fire, wind or other natural disaster, or physical deterioration is no longer habitable as a dwelling, nor useful for any other purpose for which it may have been intended.
- f) In any area the existence of any partially completed structure, unless such structure is in the course of construction in accordance with a valid and subsisting zoning permit issued by the Township and a building permit issued by the Lucas County Department of Building Regulation and unless exterior construction is completed within one (1) year after issuance thereof.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.19 Carcass Burial

A dead animal carcass, resulting from a farm's normal operations may be buried on that farm by the owner or lessee, provided, that it is not buried in or along any well, stream, creek, ditch or swale, or within 10 feet of any known field tile, drainage line or outlet, or within 100 feet of any adjacent property upon which a dwelling is located. The burial pit shall be of sufficient size so that a minimum of 30 inches of earth backfill shall cover all parts of the carcass. Burial of a dead animal shall be made within 48 hours, except when soil conditions prevent excavation.

7.20 Building and Grading Completion

The finished exterior appearance of any building (including siding, masonry veneer, or other wall material, permanent roofing, trim, windows and doors) all being pre-finished, requiring no finish or having one (1) prime coat of paint, if required, shall be completed within 18 months from the issuance date of the Zoning Certificate.

Fill materials, rubble and earth intended for use on the premises shall be distributed and leveled to approximate finish grades within 18 months from the issuance date of the Zoning Certificate. Excess earth, construction rubble and excessive construction materials shall be removed from the premises, or stored within a completely enclosed building within 18 months from issuance of the Zoning Certificate.

Fill from pond or hauled in earth shall not exceed four (4) feet in height above original grade. A drainage ditch or suitable outlet shall be installed as deemed necessary by the Zoning Inspector, to accommodate surface drainage and to prevent adverse affects of drainage on adjoining properties. (Added 1-16-96, Z34-C6)

For residential or commercial lots where fill will be brought in, site grading plans must be submitted to the Lucas County Engineer and Building Regulations Department. Contact the Lucas County Engineer's office for submission requirements. (Added 9-14-06, Z34-C17)

7.21 Farm Camps (Added 3-5-01, Z34-C12)

Farm camp owners shall provide a quarterly report of employment of residents living on premises. Residents must be employees of owner. Employee/residents cannot be charged rent.

7.22 Telecommunication Towers (Added 3-5-01, Z34-C12)

Pursuant to the Telecommunications Act of 1996 and the ORC Section 519.211, and the Township Trustees being duly notified of a person's intent to construct a Telecommunication Tower in an area zoned "A" or "A/R" District, this section sets forth standards to consider when reviewing the special use permit request. These minimum standards include:

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.22 Telecommunication Towers (cont'd)

- a) The applicant must provide proof that the proposal to construct a tower or attach equipment to an existing structure has been approved by all other agencies and governmental entities with jurisdiction (i.e. Federal Communication Commission, Federal Aviation Administration, Ohio Department of Transportation).
- b) The applicant shall provide proof of notification to adjacent property owners as required by ORC Section 519.211.
- c) The applicant must demonstrate at the time of application that no technically suitable and feasible site is available in a nonresidential district and that the site is located in the least restrictive district that includes a technically suitable and feasible site.
- d) The tower and all accessory structures shall be located on a lot so that the distance from the base of the tower to any property line or supporting structure of another tower or any historically or architecturally significant building is a minimum of 100 percent of the proposed tower height. No variance shall be granted from this minimum setback requirement.
- e) The total height of the tower including any attached equipment or accessories such as antennas, etc. shall not exceed seventy-five (75) feet in height.
- f) Towers less than seventy-five (75) feet in height that cannot satisfy this 100 percent setback requirement may be approved, provided that the applicant presents a certification from a registered engineer from the State of Ohio that the tower will withstand winds of one hundred (100) miles per hour.
- g) Any and all base station equipment, accessory structures, buildings, etc. used in conjunction with the tower shall be screened with fencing, masonry, shrubbery or other screening materials.
- h) The applicant shall notify the Zoning Inspector within 30 days of ceasing operations at the site and shall remove all structures within 60 days of ceasing operations.
- i) No advertising or illumination other than that required by law may be located on the structure or on the required screening.
- j) An inspection report prepared by a qualified engineer licensed by the State of Ohio shall be submitted to the Zoning Office every five (5) years which details the structural integrity of all towers and support structures on the property. The results of such inspections shall be provided to the Lucas County Building Regulations Department and Township Zoning Inspector. Based upon results of an inspection, the Township Trustees may require repair or removal of a communication tower. Any and all necessary repairs to the tower and/or support structures shall be made within a seven (7) day period or the tower and/or structures shall be removed. The tower owner (applicant) is responsible to cover the cost of all inspections, repair and/or removal.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.22 Telecommunication Towers (cont'd)

- k) The un-staffed storage building and/or unit that houses transmitting equipment is considered an accessory use and/or structure. Setbacks for accessory uses/structures will comply with distances in the zoned district of the tower location. These facilities may not include offices, long-term vehicle storage, other outdoor storage, or broadcast studios except for emergency purposes, or other uses that are needed to send or receive transmissions.
- l) A six (6) foot safety fence with a locked gate surrounding the tower is required. If high voltage is necessary, signs must be posted every twenty (20) feet along the fence saying, "Danger – High Voltage". The operator must also post "NO TRESPASSING" signs.
- l) The applicant must demonstrate that "co-location" of the telecommunication tower with other telecommunication towers or facilities in the vicinity was considered. Co-location shall be encouraged wherever feasible.

7.23 Sexually-oriented Uses (Rev. 4-6-09, Z34-C24)

Because research has shown that sexually oriented business activities can cause or contribute significantly to the deterioration of residential neighborhoods, can impair the character and quality of such neighborhoods and the housing located therein, and can inhibit the proper maintenance and growth of such neighborhoods, limiting or reducing the availability of quality, affordable housing for area residents, and reducing the value of property in such areas, sexually oriented businesses shall only be permitted as follows:

- a) Sexually oriented businesses are permitted uses in the C-2 zoning district provided the proposed locations of such uses are more than 1000 feet from the following uses:
 - (1) Any residential or agricultural zoned district, church, synagogue, permanently established place of worship, school, library, public playground, or park.
 - (2) Any other recreational facility, sports field or amusement park regularly attended by persons under 18 years of age.
 - (3) Any other sexually oriented business.
 - (4) The measure of distance for purpose of this subsection shall be from the property line of the sexually oriented business use to the property line of the sensitive use along the shortest possible course, regardless of any customary or common route or path.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.23 Sexually-oriented Uses (cont'd)

- b) Approval of sexually oriented business.

The Zoning Inspector shall only consider the standards specified in this Zoning Resolution in determining whether to approve a sexually oriented business application for a zoning certificate. Certain sexually oriented businesses may be required to comply with permit or licensing requirements that may be enacted separate from the Zoning Resolution. The determination shall be made without a public hearing being held and must be made within 21 days of the receipt of a complete application for a zoning certificate. No person, other than an applicant who has been denied a zoning certificate, may appeal the decision of the Township Zoning Inspector on an application for a zoning certificate for a sexually oriented business to the Board of Zoning Appeals. Any appeal to the Board of Zoning Appeals must be heard and determined within 30 days of the filing of the Notice of Appeal. Further appeal shall be to a court of competent jurisdiction as provided by law.

7.24 Filling of Land

All filling of land in the Township shall require a Zoning Certificate. This includes but is not limited to construction of buildings and other development which may require filling of land. A grading plan shall be submitted to the Zoning Inspector along with a material list of the type of fill to be brought to the site prior to the issuance of the Zoning Certificate. The Zoning Inspector may require the Toledo-Lucas County health Department's review and approval of the fill material, depending upon the type of fill to be used. Under no circumstances shall asphalt material be used for filling. Any material which is excavated prior to filling of land shall be left on the site. All material shall be graded within forty-five (45) days. Fill brought to the site to be used for a leach field system is exempt from this Section. (Rev. 11/10/05, Z34-C15)

7.25 Small Wind Turbine (Added 4/6/09, Z34-C25)

7.25.1 General Requirements:

- a. Small wind turbines will be allowed only in Agricultural "A" and Agricultural/Residential "A/R" districts on parcels two (2) acres or greater in size, as a Special Use Permit.
- b. The small wind turbine powered by electric generator shall service only one residence.
- c. The small wind turbine must be a freestanding tower without guy wires.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.25 Small Wind Turbine (cont'd)

7.25.2 Specific Requirements:

- a. The applicant shall provide proof of notification to adjacent property owners as required by ORC Section 519.211.
- b. Height: The total height of the tower shall not exceed 120 feet and the minimum distance between the ground and any protruding blades is 15 feet as measured at the lowest point of the arc of the blades.
- c. Fall out: The proposed small wind turbine that is powered by an electric generator shall be a distance of at least 125% of height of the total structure to any property line, residence, building, and public or private road or right-of-way.
- d. Set-back: No part of the wind system structure, including guy wire anchors, shall extend closer than ten (10) feet to the property boundaries of the installation site.
- e. Lighting: The maximum lighting used for or on the structure is a low intensity red light defined by the Federal Aviation Administration.
- f. Electrical generator: The small wind turbine powered by an electric generator shall have a rated capacity of not more than 20 kW.
- g. Noise: Noise coming from the small wind turbine shall not exceed 65 dBA as measured outside at the closest neighboring inhabited dwelling.
- h. Fencing: The supporting tower shall be enclosed with a six (6) foot high fence unless the base of the tower is not climbable for a distance of twelve (12) feet.
- i. Base: All tower support bases shall be made of concrete.
- j. FAA: The FAA is required to receive notification of any construction or alternation of an object that is more than 200 feet in height above the ground level at the site or if the object is located within 10,000 feet of an airport per FAA, Title 14, Section 77.13.
- k. The applicant shall notify the Zoning Inspector if operations of the wind turbine shall cease and shall be removed in 60 days of ceasing operations.
- l. Applicant will comply with all state and federal laws.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.25 Small Wind Turbine (cont'd)

7.25.3 Requirement for issuance of a permit:

Before installation of a small wind turbine, a zoning permit must be obtained; the following requirements must be met to obtain zoning permit for installation of a small wind turbine:

- a. Site plan: A detailed site plan shall be required in accordance with the requirements of Section 7.17 and Section 8.5.

7.26 Landscaping setbacks for residential districts

7.26.1 General Requirements:

New trees and shrubs shall be planted with a minimum setback from the property line of at least one-half of the expected mature spread of the tree or shrub species or ten (10) feet, whichever is greater.

7.27 Medical Marijuana Facilities (Rev. Z34-C32, 9/17/18)

The following standards apply to Medical Marijuana Facilities, as defined in Section 2 of this Resolution. All such facilities shall also comply with Ohio Revised Code Section 3796.

- A. Medical Marijuana Facilities shall not be located within 500 feet of any school (K-12), church, public park, public playground, public library, pre-school, child day care center, publically owned property, or other use established specifically for the activities of minors.
- B. Medical Marijuana Dispensaries may be allowed as a special use provided that the conditions below are complied with and other applicable conditions of Section 7.17 Site Plan Review.
 1. The hours of operation of a Dispensary shall be limited to 7 a.m. to 9 p.m., or other hours consistent with a Medical Marijuana Dispensary permit issued by the State of Ohio, as a condition of approval.

7.28 Solar Energy Systems (Rev. Z34-C35, 5/6/19)

- a. Solar Energy Systems shall be setback at least ten (10') feet from all rear and side property lines.
- b. A Zoning Certificate must be requested by the applicant and approved by the Richfield Township Zoning Commission.
- c. A scaled site plan must accompany the application.

SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)

7.28 Solar Energy Systems (cont'd)

- d. No solar panels may be located within the front yard or on a side yard adjacent to any roadway.
- e. No solar energy system shall be constructed over a septic system.
- f. Height standards require the tallest point project no greater than ten (10') feet for ground mounted panels and may not occupy more than thirty (30%) percent of a required rear yard.
- g. Panels should not be attached to any roof that faces the street.
- h. A solar energy system shall be maintained in good condition. Maintenance shall include, but not limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Richfield Fire Department and Emergency Management Director and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the solar energy system and any access road(s) unless accepted as a public way.
- i. The solar energy system shall be maintained in good working order in accordance with standards of the existing zoning code. Failure of the property owner to maintain the solar energy system in good working order is grounds for appropriate enforcement actions by the Township in accordance with applicable ordinances.
- j. A solar energy system must be properly maintained and be kept free of all hazards including but not limited to, faulty wiring, loose fastenings, being in an unsafe condition or detrimental to public health, safety or general welfare. Weeds and vegetation must be mowed or trimmed. In the event of a violation of any of the foregoing provisions, the Zoning Inspector shall give written notice specifying the violation to the owner of the solar energy system to conform or to remove the solar energy system.
- k. Stand-alone solar energy systems shall be subject to conditional use approval in all Zoning Districts.

SECTION 8 SPECIAL PROVISIONS FOR NON-RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USES

8.1 Environmental Standards

8.1.1 General

No land or building shall be used or occupied for commercial, industrial or nonresidential purposes which produces any dangerous, injurious noxious or otherwise objectionable element or condition which could adversely affect the adjacent land or pose a threat to the public health, welfare and safety of persons at the site or external to it. Such uses permitted by this Resolution may be undertaken and maintained if acceptable measures and safeguards are employed to limit dangerous and objectionable elements to acceptable limits as established by the following standards.

- a) Environmental standards will be maintained for air quality, water quality and solid waste disposal as required by the Ohio Environmental Protection Agency and the Ohio Department of Health.
- b) Glare and Heat - No direct glare or reflected lights which are visible from other properties outside the industrial or commercial development shall be permitted.
- c) Vibration and Noise - Noises deemed objectionable to adjacent and nearby properties if determined a nuisance by the Township Trustees, shall not be permitted.
- d) Smoke, Dust, Particulates and Odors - The emission of smoke, dust, particulates or odors which are objectionable or pose a threat to the health and safety of the surrounding area shall not be permitted. Compliance shall be in accordance to Air Quality Standards of the State of Ohio as administered by the City of Toledo, Environmental Services Agency.
- e) All roadways internal to the site will be paved or maintained to minimize dust.
- f) Radiation or electromagnetic disturbance - No device or material which generates hazardous radiation or causes electromagnetic disturbances to nearby areas shall be permitted.
- g) Electrical and telecommunication facilities - All electrical and telecommunication facilities should be hidden from view of adjoining properties and roadways and where feasible will be placed underground.

**SECTION 8 SPECIAL PROVISIONS FOR NON-RESIDENTIAL,
COMMERCIAL AND INDUSTRIAL USES (cont'd)**

8.2 Open Storage and Display of Material and Equipment

The open storage and display of material and equipment incident to permitted or conditional nonresidential uses shall be permitted provided the area used for open storage and display shall be effectively screened from all adjoining properties by means of walls, fences or plantings. In no case shall this storage be maintained beyond the front building line. Walls or fences shall be a minimum of four (4) feet in height without advertising thereon. Notwithstanding the requirements of Section 8.4, in lieu of such wall or fence, a strip of land not less than 10 feet in width and planted and maintained with an evergreen hedge or dense planting of evergreen shrubs not less than four (4) feet in height at the time of planting may be substituted.

8.3 Temporary Buildings and Uses

Temporary buildings, structures or uses and/or temporary open storage of equipment shall be permitted subject to approval and conditions by the Board of Zoning appeals under Section 12.

8.4 Landscaping

8.4.1 General Requirements

- a) Landscaping shall be required for all original uses, or existing uses, when a building or structure is erected, changed, or enlarged by 50% or more or 5,000 square feet or greater in floor area.
- b) Landscaping shall be required along all road frontage.
- c) Depth of the landscaping strip shall be a minimum of 15 feet or 50% of the required minimum yard depth whichever is greater as applicable under Section 4.4 or 4.5.
- d) Landscaping shall be a minimum of four (4) feet in height and a sufficient height to shield the view of parking areas from adjacent roadways.
- e) Where uses are within, abut or opposite an "A" or "R" District, landscaping shall be required for those yards which are adjacent to the "A" or "R" District. Landscaping shall be a minimum of six (6) feet to effectively shield the view from these respective adjacent parcels.
- f) Landscaping shall consist of natural materials such as plantings, mounding, stone, walls or fences of wood, decorative stone or masonry.
- g) Landscaping shall not obstruct visibility and shall be maintained at a height not to exceed 42 inches within five (5) feet of any street or road right-of-way.

**SECTION 8 SPECIAL PROVISIONS FOR NON-RESIDENTIAL,
COMMERCIAL AND INDUSTRIAL USES (cont'd)**

8.5 Site Plan Review

A site plan review shall be required in accordance with the requirements in Section 7.17.
(Revised 3-5-01, Z34-C12)

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SECTION 9 NON-CONFORMING LOTS, STRUCTURES AND USES

9.1 Intent of Resolution Concerning Non-Conformities

Within the districts established by this Resolution or amendments that may later be adopted there exists lots, uses of land, structures, and uses of structures and land in combination, 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 amendments. It is the intent of this Resolution to permit these non-conformities to continue until they are removed, but not to encourage their survival. It is further 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 district.

9.2 Avoidance of Undue Hardship

To avoid undue hardship, nothing in this Resolution shall be deemed to require a change in the plans, construction, or designated use of any building on which a valid building permit was issued, or actual construction was lawfully begun prior to the effective date of adoption or amendment of this Resolution and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in permanent position and fastened in a permanent manner. Where demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such demolition or removal shall be deemed to be actual construction, provided that the work shall be carried out diligently.

Any nonconforming structure that is ready for or under construction at the time of adoption or amendment of Resolution may be completed and occupied in accordance with the requirements of a valid building permit and zoning permit issued prior to such adoption or amendment data.

9.3 Single Nonconforming Lots of Record

In any district in which single family dwellings are permitted, a single family dwelling and customary accessory buildings may be erected on any single lot of record existing at the effective date of adoption or amendment of this Resolution, notwithstanding limitations imposed by other provisions of this Resolution. Such lot must be in separate ownership and not of continuous frontage with other lots in the same ownership. This provision shall apply even though such lot fails to meet the requirements for area and/or width that are generally applicable in the district. Yard dimensions and requirements other than those applying to area and/or width shall conform to the regulations for the district in which such lot is located.

Variances for district requirements, other than lot area or lot width, shall be obtained only through action of the Board of Zoning Appeals as provided in Section 12.

SECTION 9 NON-CONFORMING LOTS, STRUCTURES AND USES (cont'd)

9.4 Nonconforming Lots of Record in Combination

If two (2) or more nonconforming lots, or portions thereof, with continuous frontage are in single ownership, the BZA may, upon appeal of the Zoning Inspector's decision to deny a zoning permit for failure to meet the requirements of this Resolution, determine that these lots are or are not to be an undivided parcel for the purpose of this Resolution. If considered an undivided parcel, no portion of said parcel shall be used or sold in a manner which diminishes compliance with lot width and area requirements established by this Resolution, nor shall any division of said parcel be made which creates a lot with a width or area below the requirements stated in this Resolution.

If each said parcel is developed separately, a finding shall be made by the BZA that such development and density will not be a detriment to the surrounding area.

9.5 Nonconforming Uses of Land

Where, at the time of adoption of this Resolution, lawful uses of land exist which would not be permitted by the regulations imposed by this Resolution, the uses may be continued so long as they remain otherwise lawful, provided:

1. No such nonconforming uses shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Resolution;
2. No such nonconforming uses shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such uses at the effective date of adoption or amendment of this Resolution;
3. Additional structures which do not conform to the requirements of this Resolution shall not be erected in connection with such nonconforming use of land;
4. If any such nonconforming uses of land are discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), any subsequent use of such land shall conform to the regulations specified by this Resolution for the district in which such land is located. A nonconforming use shall be considered voluntarily discontinued or abandoned:
 - a) When the intent of the owner to discontinue the use is apparent, or,
 - b) When the characteristic equipment and the furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the two (2) year period, or,
 - c) When it has been replaced by a conforming use, or,
 - d) When it has been changed to another nonconforming use by first obtaining a permit from the Board of Zoning Appeals.

SECTION 9 NON-CONFORMING LOTS, STRUCTURES AND USES (cont'd)

9.6 Nonconforming Structures

Where a lawful structure exists at the effective date of adoption or amendment of this Resolution that could not be built under the terms of this Resolution by reason of restrictions on area, lot coverage, height, yards, its location on the lot, bulk, or other requirements concerning the structure, such structure may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity;
2. Should such nonconforming structure or nonconforming portion of structure be damaged so extensively that such structure is rendered unfit for occupancy by any means, it shall not be reconstructed except in conformity with the provisions of this Resolution;
3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.

9.7 Nonconforming Uses of Structures or of Structures and Land in Combination

If a lawful use involving individual structures, or of a structure and land in combination, exists at the effective date of adoption or amendment of this Resolution that would not be allowed in the district under the terms of this Resolution, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

1. No existing structure devoted to a use not permitted by this Resolution in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located;
2. Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this Resolution, but no such use shall be extended to occupy any land outside such building;
3. If no structural alterations are made, any nonconforming use of a structure or structure and land, may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board of Zoning Appeals shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. The appeal procedure (See Section 12.3) requires that the request for substitution be made first to the zoning inspector, who must deny the zoning permit. The appeal is then taken to the BZA for the final determination. In permitting such change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Resolution;

SECTION 9 NON-CONFORMING LOTS, STRUCTURES AND USES (cont'd)

9.7 Nonconforming Uses of Structures or of Structures and Land in Combination (cont'd)

4. Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed;
5. Where nonconforming use status applies to a structure and land in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land;
6. When a nonconforming use of a structure, or structure and land in combination is discontinued or abandoned for more than two (2) years (except when government action impedes access to the premises), the structure or structure and land in combination, shall not there-after be used except in conformity with the regulations of the district in which it is located. A nonconforming use shall be considered voluntarily discontinued or abandoned:
 - a) When the intent of the owner to discontinue the use is apparent, or,
 - b) When the characteristic equipment and the furnishings of the nonconforming use have been removed from the premises and have not been replaced by similar equipment within the two (2) year period, or,
 - c) When it has been replaced by a conforming use, or,
 - d) When it has been changed to another nonconforming use by first obtaining a permit from the Board of Zoning Appeals.

9.8 Expansion, Repair, and Maintenance

A nonconforming use of a structure, a nonconforming use of land, or a nonconforming use of a structure and land in combination shall not be extended or enlarged after passage of this Resolution by attachment on a building or premises of additional signs intended to be seen from off the premises, or by the addition of other uses of a nature which would be generally prohibited in the district in which such use is located.

On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, provided that the cubic content (floor area) existing when it became nonconforming shall not be increased. Nothing in this section shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.

SECTION 10 PLANNED UNIT DEVELOPMENT

10.1 General

For the purpose of conserving land through more efficient allocation of private lots, multi-family dwelling units, common grounds and other non-residential uses, promoting efficiency in providing public utility services and receiving the benefits of new techniques of community development and renewal, the process of planned unit development shall be established for all districts.

10.2 Description

Planned Unit Developments may be residential, commercial or industrial developments, or they may be combinations of uses, such as residential and commercial, or commercial and industrial. The minimum site area for a residential development shall be five (5) net acres; for a commercial development, 10 net acres; and for an industrial development, 25 net acres. If a combination of uses is proposed, a residential-commercial development shall have a minimum of 25 net acres and a commercial industrial development, a minimum of 35 net acres. Net acres being defined as gross parcel acreage less public or private rights-of-way. In combination developments, the amount of land devoted to commercial usage shall not exceed 12 1/2% of the total land area of the development. All Planned Units must be arranged progressively in relation to the zoning of the abutting areas. The Zoning Commission may recommend and the Township Trustees may approve reduction in the area of a Planned Unit Development for those sites which are isolated by natural or man made barriers or by existing development so that additional land is not available for inclusion in the new development. All planned developments shall be platted in accordance with applicable subdivision rules and regulations.

10.3 Procedure

10.3.1 Application

The development plan shall be submitted and processed in accordance with Section 13 and shall meet requirements of Section 7.20.

10.3.2 Amendments (changes)

After the final development plan has been approved by the Board of Township Trustees, adjustments or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested by the proponents. Minor Changes as defined herein are allowed, provided such requests conform to the standards established by the final development plan and this Resolution. A major change as defined herein, shall require approval by the Zoning Commission with review of the Planning Director of the Lucas County Planning Commission.

- A. Minor changes or revisions to an approved Planned Unit Development are allowed for the following:

SECTION 10 PLANNED UNIT DEVELOPMENT (cont'd)

10.3 Procedure (cont'd)

10.3.2 Amendments (cont'd)

1. Adjustments to the size and location of buildings, swimming pools, and other on site structures so long as:
 - a) they do not result in an increase in the number of units over and above those that the plan covers;
 - b) they do not encroach materially into the established setback areas;
 - c) they do not encroach into the designated parking areas to the extent that would necessitate an alteration in the layout of the access drives or provisions for additional parking spaces; and
 - d) they do not create a large building mass either through an increase in their height or length that would magnify their effect on the adjoining areas.
 2. Alterations to the proposed drives and/or parking areas so long as they do not encroach into building areas or specified recreation areas.
 3. Adjustments in the size and location of development identification signs.
- B. A major change is any change that does not meet the criteria under part A of this section and in addition, is one which would constitute a significant alteration in the basic plan design or result in a use different from those originally intended. A major change shall require approval by the Zoning Commission with review of the Planning Director of the Lucas County Planning Commission.

10.4 "A" District, Planned Unit Development

10.4.1 General

In an "A" District Planned Unit Developments may be permitted as follows:

- A. No more than 40% of the gross parcel acreage shall be devoted to coverage by buildings, street pavement, motor vehicle driveway pavement, and parking area pavement.

SECTION 10 PLANNED UNIT DEVELOPMENT (cont'd)

10.4 "A" District, Planned Unit Development (cont'd)

10.4.1 General (cont'd)

- B. No less than 22,000 sq. ft. or 10% of the net parcel acreage whichever is greater, none of which shall be a part of any yard, shall be allocated to consolidated common green space and/or recreation areas. Such open space land or recreational facilities shall be held in corporate ownership by the owners of the project area building sites, and the developer shall incorporate into the protective covenants and/or deed restrictions, a clause giving an interest in such land to each owner who buys property within the development. As an alternate to a property owners' association, the developer may deed the land to the township, which shall maintain the open space in lieu of a property owners' association.
- C. A yard setback of 25 feet shall be maintained on all perimeter parcels of the Planned Unit Development.
- D. A maximum number of dwelling units permitted shall not exceed the number of units permitted without the Planned Unit Development as determined by the zoning district, subdivision, or other applicable regulations. The maximum number of dwelling units permitted in the Planned Unit Development shall be calculated by dividing the net residential acreage by the minimum lot area per dwelling unit as shown under Section 4.3. For purposes of this calculation, net residential acreage equals 80% of the gross parcel acreage and gross parcel acreage is the total parcel area excluding public rights-of-way or flood plain.

10.4.2 Zero Lot Line Development

A. **Minimum Dimensions**

To provide maximum flexibility for the development of residential lots, the dimensional requirements under Section 4 may be reduced 33 1/3% or no less than the following dimensions:

SECTION 10 PLANNED UNIT DEVELOPMENT (cont'd)

10.4 "A" District, Planned Unit Development (cont'd)

10.4.2 Zero Lot Line Development (cont'd)

A. Minimum Dimensions (cont'd)

Table 10 - 1

<u>DWELLING</u>	<u>MINIMUM LOT WIDTH PER FAMILY</u>	<u>MINIMUM LOT AREA PER FAMILY</u>	<u>MINIMUM YARD IN FEET</u>	
			<u>FRONT*</u>	<u>REAR</u>
Single or Two-Family	45 feet	5,000 sq. ft.	30	0

<u>DWELLINGS</u>	<u>MINIMUM YARD WIDTH (IN FEET) SUM OF</u>		<u>MAXIMUM HEIGHT OF BUILDINGS</u>	
	<u>EITHER SIDE</u>	<u>SIDE YARDS</u>	<u>STORIES</u>	<u>FEET</u>
Single or Two-Family	0 to 10	10	2	35

B. Minimum Requirements

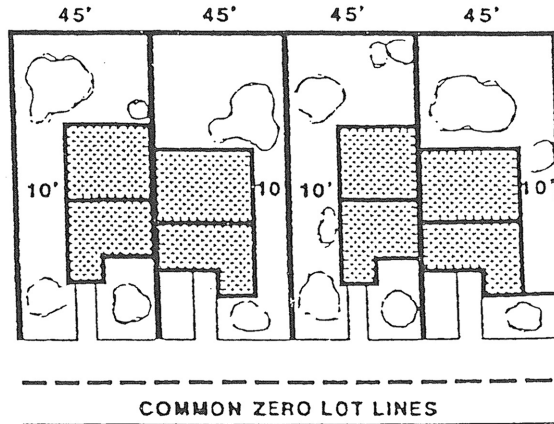
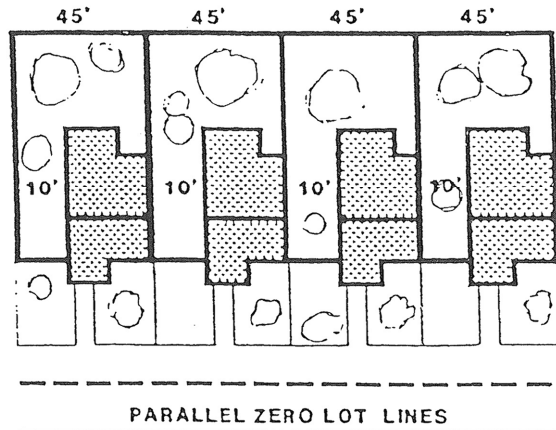
1. Maximum lot coverage of structures shall not exceed 75% of net acreage.
2. Minimum yard area exclusive of structures is 600 square feet.
3. The opposite side yard set back of greater than 10 feet shall contain no permanent structures.
4. Walls of structures along the zero lot line setback must not contain any windows, doors, or openings of any kind.
5. Floor Area Requirements for Dwellings shall apply as specified for each "A" district under Section 4.3.2.
6. The provisions of the following shall govern as to the rights and obligations and occupants of lots respecting side yard easements. For purposes of definition, the "servient tenement" is defined as the property providing a side yard easement. The "dominant tenement" is defined as the property adjoining benefiting from the easement.

SECTION 10 PLANNED UNIT DEVELOPMENT (cont'd)

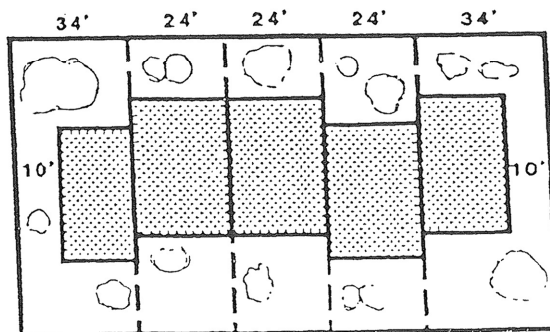
FIGURE 10 - 1

EXAMPLES OF ZERO LOT LINE DEVELOPMENT

Single or Two Family Units



Multi Family Units



SECTION 10 PLANNED UNIT DEVELOPMENT (cont'd)

10.4 "A" District, Planned Unit Development (cont'd)

10.4.2 Zero Lot Line Development (cont'd)

B. Minimum Requirements (cont'd)

- a. A five (5) foot maintenance easement shall exist along all zero lot lines exclusive of lots which share a common zero lot line wall.
- b. Lots subject to this easement will be set forth as an appropriate reservation grant in the deed to the dominant tenement.
- c. The easement shall be maintained by the owners or occupants of the servient tenement as open space, landscaping or as a garden and shall be retained in a manner not to restrict its use by the owners or occupants of the dominant tenement.
- d. The owners or occupants of the dominant tenement shall have a limited, nonexclusive right to use and occupy the side yard easement for purposes of maintenance, repair or replacement of the structure. Ingress and egress will be provided without limitation for these purposes. Owners and occupants of the dominant tenement shall be responsible for all damage to the servient tenement which may restrict the use and enjoyment of the side yard. This responsibility extends to maintenance of the exterior walls of the structure which shall be maintained and retained in a manner compatible with the servient tenement.
- e. The owners and occupants of the servient tenement shall be limited to the use of the easement for purposes described in (d) of this section. The owner or occupant of the servient tenement shall be responsible for any damage to the structure of the dominant tenement which is caused by the negligence of the owner or occupant of the servient tenement or by persons entering on the servient tenement with consent of the owner or occupant.

SECTION 10 PLANNED UNIT DEVELOPMENT (cont'd)

10.5 "C" District Planned Unit Development

10.5.1 General: In "C" Districts, a planned unit development may be permitted in accordance with the following provisions if the Zoning Commission and Board of Trustees are satisfied: (1) that the proponents of the development are financially able to carry out the proposed project; (2) that they intend to start construction within one (1) year of the approval of the project and necessary change in zoning; (3) that they intend to complete it with a reasonable time as determined by the Commission; and (4) that the need for the proposed development has been demonstrated by means of market studies and such other evidence as the Commission may require.

- A. Commercial buildings and establishments shall be planned as groups having common parking areas and common ingress and egress points in order to reduce the number of potential accident locations at intersections with thoroughfares. In planning these groups of buildings or establishments, no yard space will be required between uses within the groups; however, the yard requirements must be observed at the edge of the complete development. Planting screens or fences as provided elsewhere in this resolution shall be required.
- B. Off-street parking and loading requirements shall be observed as required; however, group parking is recommended so long as the number of spaces provided is equal to the required number of spaces required for each use to be developed.
- C. The plan of the project shall provide for the integrated and harmonious design of buildings, and for adequate and properly arranged facilities for internal traffic circulation, landscaping, and such other features and facilities as may be necessary to make the project attractive and efficient from the standpoint of the developer as well as from the standpoint of the adjoining and surrounding existing or potential developments.
- D. The ground area occupied by all the buildings shall not exceed in the aggregate 24% percent of the total area of the lot or tract.

SECTION 10 PLANNED UNIT DEVELOPMENT (cont'd)

10.6 "M" District Planned Unit Development

10.6.1 General: In "M" Districts, a planned unit development may be permitted as follows:

- A. Industrial uses and parcels shall be developed in park like surroundings utilizing landscaping and existing woodlands as buffers to screen lighting, parking areas, loading areas or docks and/or outdoor storage of raw materials or products. A planned industrial area shall provide for the harmony of buildings and a compact grouping or groupings in order to economize in the provision of such utility services as are required. Thoroughfares shall be kept to a minimum throughout a planned industrial area in order that those thoroughfares which are constructed may be built to the highest possible standards.
- B. Certain types of commercial uses, such as a restaurant, central secretarial or stenographic pool, or other business service type uses, repair services, or clinics may form a small commercial center to serve the needs of the industries or their personnel, such a center may be permitted in a planned industrial area.
- C. Off-street parking and loading areas shall conform to the provisions of this resolution, and all screening requirements shall be observed.
- D. No building shall be less than 75 feet distant from any boundary of the tract on which the office, research, or industrial development is located. All intervening spaces between the street pavement and the right-of-way line and intervening spaces between buildings, drives, parking areas and improved areas shall be landscaped with turf, trees, plantings and properly maintained at all times.

Section 11 CENTRAL AVENUE OVERLAY DISTRICT (Added 4/6/09, Z34-C26)

11.1 Purpose

The purpose of the Central Avenue Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment of the properties bordering Central Avenue in Richfield Township.

Central Avenue (US 20, SR 120) is a designated State Highway and a major corridor in Richfield Township; therefore, it is the further purpose of the Central Avenue Overlay District to protect the function, capacity, and safety of the highway system and to preserve the aesthetic qualities of those adjacent and bordering properties through the promotion of coordinated parcel development in the District.

11.2 Boundary

The boundaries of the Central Avenue Overlay District are hereby established as shown on the Zoning District Map which includes those parcels that front along the Central Avenue right-of-way from Sylvania-Richfield Township line west to the Lucas County line. The District shall include a depth of 500 feet from the centerline of Central Avenue.

11.3 Permitted Uses

All Permitted Uses which are allowed in the specified Zoning District, except those uses expressly excluded by Section 11.4 below, are permitted within the Central Avenue Overlay District.

11.4 Excluded Uses

The following uses are not permitted within the Central Avenue Overlay District notwithstanding the fact that such uses may be listed as a Permitted Use in the underlying Zoning District:

- Auto Salvage
- Billboard
- Kennel
- Landfill
- Outdoor Auction Facility
- Self Serve Storage Facility
- Truck facility
- Used Auto Sales (only when not in conjunction with New Auto Sales)

11.5 Development Standards

All buildings, structures, lots and land uses within the Central Avenue Overlay must meet the requirements of Section 7 - Supplemental Districts Uses and Structures, Section 4 - Setbacks of Buildings on Main Roads, and the following minimum lot and building setback requirements and standards:

SECTION 11 CENTRAL AVENUE OVERLAY DISTRICT (cont'd)

11.5 Development Standards (cont'd)

- A. Height limits: as specified in the underlying Zoning District.
- B. Trip generation: all uses generating 100 or more peak trip hour, consistent with the Institute of Transportation Engineer (ITE) Generation Manual, shall submit a Traffic Impact Study.
- C. All lots shall meet the following minimum area and building setback requirements:
 - Front: 150 feet minimum from centerline of Central Ave., or 50 feet from right-of-way line, whichever is greater and when located on a corner lot, 25 feet measured from the right-of-way line of the secondary street.
 - Rear: 30 feet
 - Side: 10 feet
 - Width as specified in Zoning District
 - Area: as specified in Zoning District
 - Maximum building height: 45 feet
 - Maximum accessory height: 45 feet
 - Landscape: 20 feet depth on Central Avenue frontage 10 feet depth on secondary street frontage of corner lot.
- D. Abutting Residential or a Single-family dwelling:

Any Zone change located within the Central Avenue Overlay District and contiguous to an existing Commercial or Industrial District or use shall meet the following requirements:

- 1. Setbacks:
 - When abutting a single family dwelling or use the following minimum rear and side yard setback shall be provided for the main building, accessory building, access drive, parking, loading docks, and dumpsters:
 - a. A 100 feet minimum for a proposed commercial or industrial use.
 - b. A 50 feet minimum for a proposed multi-family dwelling(s).
- 2. Screening:
 - A minimum 30-foot depth landscape strip shall be required along the perimeter parcel that is abutting a single family residential dwelling or use. See Section 8.4 for Landscape Standards.

SECTION 12 ENFORCEMENT (Revised 4/6/09, Z34-C26)

12.1 Zoning Inspector

12.1.1: It shall be the duty of the Township Zoning Inspector who shall be appointed by the Board of Trustees, to enforce this Resolution. It shall also be the duty of all officials and employees of the Township to assist the Zoning Inspector by reporting to him upon new construction, reconstruction, or land uses or upon observing violations.

12.1.2: Appeal from the decision of the Zoning Inspector may be made to the Board of Appeals, as provided in Section 12.

12.2 Zoning Certificates

12.2.1 Requirement: No person shall locate, erect, construct, enlarge or structurally alter any non-farm building or structure within the Township without obtaining a zoning certificate. No zoning certificate shall be issued unless the plans for the proposed building or structure fully comply with the zoning regulations. Zoning certificates shall not be required for agricultural buildings/structures or uses exempted under Section 1.5.

12.2.2 Applications: Written application for a zoning certificate shall be made to the Board of Township Trustees or their authorized agent. Accurate information shall be supplied by the applicant with regard to:

- a. The size and location of the lot including street number and deed description.
- b. A site plan showing the size and location of the buildings and structures proposed or existing on the lot.
- c. Show on the site plan the dimensions of all yards and open spaces.
- d. Such other information as may be necessary to provide for the enforcement of these regulations.

12.2.3: Every zoning certificate shall state that the building or the proposed use of a building or land complies with all provisions of law. A record of all zoning certificates shall be kept on file in the Office of the Zoning Inspector or his agent, and copies shall be furnished upon request to any person having proprietary or tenancy interest in the building or land affected.

SECTION 12 ENFORCEMENT (cont'd)

12.3 Fees

12.3.1 Payment of Fee: A fee in accordance with the Richfield Township Zoning Certificate Fee Schedule, shall accompany each application for a Zoning Certificate. (Revised 1-16-96, Z34-C6)

12.3.2: The Zoning Inspector shall forthwith deposit all fees with the Township Clerk who shall credit such fees to the credit of the General Revenue Fund of the Township.

12.3.3 Time Limit: A Zoning Certificate shall be valid for a period of six (6) months after the date of issuance. If site development has not begun at the end of this six (6) month period, the Zoning Inspector shall revoke the Zoning Certificate. Building and grading completion shall be in compliance with Section 7.23.

12.4 Violations and Penalties

12.4.1 Revocation of Zoning Certificate: Any Zoning Certificate issued upon a false statement shall be void. Whenever the fact of such false statement shall be established to the satisfaction of the Board of Township Trustees, the Zoning Certificate shall be revoked by notice in writing to be delivered to the holder of the void Certificate upon the premises concerned, or if such holder be not found there, by posting the said notice of revocation in some conspicuous place upon the said premises. Any person who shall proceed thereafter with such work or use without having obtained a new Zoning Certificate, in accordance with this Resolution, shall be deemed guilty of violation thereof.

12.4.2 Violation: In case any building is, or is proposed to be located, erected, constructed, enlarged, changed, maintained or used, or any land is, or is proposed to be used in violation of this Resolution, the Board of Township Trustees, the County Prosecuting Attorney, the Township Zoning Inspector or any neighboring property owner who would be damaged by such violation, in addition to other remedies provided by law, may institute injunction, mandamus, abatement, or any other appropriate actions or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, enlargement, change, maintenance or use.

12.4.3 Existing Violation: No new zoning certificate shall be issued for any building, structure or use where an existing zoning violation exists on the premises.

12.4.4 Fine: Any person firm or corporation violating any provision of this Resolution shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than \$500.00. Each and every day during which such illegal location, erection, construction, enlargement, change, maintenance or use continues may be deemed a separate offense. (Rev. 11/10/05, Z34-C15)

SECTION 13 BOARD OF ZONING APPEALS (Revised 4/6/09, Z34-C26)

13.1 Powers

The Board of Zoning Appeals, hereinafter called the Board, is hereby established by this resolution and shall serve the purpose to hear and decide on appeals of a lawfully executed order by any administrative official in the enforcement of this resolution. The Board shall consider and make a determination on request for variances from the terms and conditions of this Resolution and consider appeals for exception for the use of land, buildings or other structures as applicable under the requirements and conditions of this Resolution.

13.2 Membership

The Board shall consist of five (5) members appointed by the Board of Township Trustees. The terms of all members shall be of such length and so arranged that the term of one (1) member will expire each year. Each member shall be a resident of the unincorporated area of Richfield Township. Members of the Board may be removed from office by the Board of Township Trustees for cause upon written charges and after public hearing. Vacancies shall be filled by Resolution of the Board of Township Trustees for the unexpired term of the member affected.

13.3 Jurisdiction

The Board shall have appellate jurisdiction relative to appeals and variances including the granting of exceptions as provided herein.

13.3.1 Appeals

- A. The Board shall have the power to hear and decide where it is alleged there is an error in any order, requirement, decision or determination made by any administrative official in the enforcement of this Resolution.
- B. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Zoning Inspector shall certify to the Board of Zoning Appeals after the notice of appeal shall have been filed with it that by reason of facts stated in the certificate, a stay would, in his opinion, cause imminent peril to life or property, in which case, proceedings shall not be stayed otherwise than by restraining order which may be granted by the Board or by a court of equity, after notice to the officer from whom the appeal is taken and on due cause shown.

SECTION 13 BOARD OF ZONING APPEALS (cont'd)

13.3 Jurisdiction (cont'd)

13.3.1 Appeals (cont'd)

- C. The Board may, in conformity with the provisions of this Resolution, reverse or affirm, wholly or partly, or may modify the order, requirement, decision, or determination appealed from and shall make such order, requirement, decision or determination as in its option ought to be made in the premises; and to that end, shall have all powers of the Zoning Inspector from whom the appeal is taken.

13.3.2 Exceptions

In hearing and deciding appeals, the Board shall have the power to grant an exception in the following instances:

A. Interpretation

Interpret provisions of this Resolution in such a way as to carry out the intent and purpose of the plan, as shown upon the map fixing the several districts, accompanying and made a part of this Resolution where the street layout actually on the ground varies from the street layout as shown on the map aforesaid.

B. Replacement of Nonconforming Buildings

Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, act of God, or the public enemy, to the extent of more than 75% of its fair market value where the Board finds some necessity requiring a continuance of the nonconforming use and the primary purpose of continuing the nonconforming use is not to continue a monopoly.

C. Modification of Parking and Loading Space Requirements

Permit the modification of the automobile parking space or loading space requirements where, in the particular instance, such modification will not be inconsistent with the purpose and intent of such requirements; or permit (a) the waiver of the requirement that automobile parking space be provided on the same lot with a dwelling, if other suitable and convenient parking space is available within or without a building; or (b) the dual use of parking facilities (i.e. by stores during the day and theaters during the evening) provided there is no overlapping of use and the parking space requirements for each building or use are complied with during each period.

SECTION 13 BOARD OF ZONING APPEALS (cont'd)

13.3 Jurisdiction (cont'd)

13.3.2 Exceptions (cont'd)

D. Public Parking Areas Location

Permit in the "A" District, public parking areas or storage garages adjacent to any existing or proposed use in the multiple dwelling, commercial or industrial districts.

E. Use Impact Determinations

Determine whether an industry should be permitted within an "M" Industrial District because of the methods by which it would be operated and because of its effect upon uses within surrounding zoning districts.

F. Substitution of Nonconforming Uses

The substitution of a nonconforming use existing at the time of enactment of this Resolution of another nonconforming use, if no structural alterations except those required by law or resolution are made; provided, however that in an "A" District, no change shall be authorized by the Board to any use which is not a permitted or special use in any "A" District, and in a "C" District no change shall be authorized to any use which is not a permitted or special use in any "C" District.

G. More Than One (1) Main Use on a Parcel

Within any zoned district, the placing of more than one (1) main building on a lot, when all of the buildings are intended to be operated as a single enterprise and the lot and all portions of it are owned, leased, or under option by a single party. In such cases, the yard requirements shall apply along all edges of the lot, but shall not be required for the internal arrangement of the buildings on the Lot. Height, bulk, and lot area per family shall apply as in the case of one (1) main building located on a lot. An application for the placing of more than one (1) main building on a lot shall be accompanied by a site plan. Proposals for placing more than one (1) residential main building on a lot shall be referred to the Zoning Commission for review of the site plan, and Zoning Commission approval of the site plan shall be prerequisite to final approval by the Board of Zoning Appeals.

SECTION 13 BOARD OF ZONING APPEALS (cont'd)

13.3 Jurisdiction (cont'd)

13.3.2 Exceptions (cont'd)

H. Temporary Structures and Uses

Permit the temporary use of a structure or premises in any district for a purpose or use that does not conform to the regulations prescribed elsewhere in this Resolution for the district in which it is located, provided that such use be of a temporary nature, is not used or occupied as a dwelling, and does not involve the erection of a substantial structure. A Manufactured Home, trailer, travel trailer or recreational vehicle shall not be permitted to be used as a temporary building nor dwelling during construction or reconstruction of a permanent dwelling nor as a facility for purposes of on-site recreation activities. A zoning certificate for such use shall be granted in the form of a temporary and revocable permit, for not more than a 12 month period in undeveloped sections (without water and sewer) of the Township and not more than six (6) months in developed sections (with water and sewer), subject to such conditions as will safeguard the public health, safety, convenience and general welfare. The Board may renew this permit once for the above time periods, respectively.

13.3.3 Variances

In hearing and deciding appeals, the Board shall have the power to authorize such variances from the provisions or requirements of this Resolution as will not be contrary to the public interest. In authorizing a variance, the Board may attach conditions and require such guarantee or bond as it may deem necessary to assure compliance with the objectives of this Resolution. On appeal where there is unnecessary hardship, the Board may grant a variance in the application of the provisions of the Zoning Resolution only if all of the following findings are made:

- A. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions generally created by the provisions of the Zoning Resolution in the neighborhood or district in which the property is located.
- B. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Resolution and that the authorization of a variance is therefore necessary to enable the reasonable use of the property.
- C. That such unnecessary hardship has not been created by the appellant.

SECTION 13 BOARD OF ZONING APPEALS (cont'd)

13.3 Jurisdiction (cont'd)

13.3.3 Variances (cont'd)

- D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use of development of adjacent property, nor be detrimental to the public welfare.
- E. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

13.3.4 Nonconforming Uses - Extensions or Permit

The Board shall have the authority to grant an extension or permit completion of a building devoted to a nonconforming use upon a lot occupied by such building, or on a lot adjoining, provided that such lot was under the same ownership as the lot in question on the date such building became nonconforming, and where such extension is necessary and incidental to the existing use of such building; provided, however, that the floor areas of such extension shall not exceed in all 100% of the floor area of the existing building or buildings devoted to a nonconforming use.

13.4 Procedures

Appeals, variances and conditional uses shall conform to the procedures and requirements of this Resolution.

13.4.1 Application

- A. Application: All applications shall be in writing, shall be signed by the owner of the property involved or his duly authorized agent or attorney, shall specify the request and grounds thereof, and shall be filed in the office of the Zoning Inspector.
- B. An appeal from any action, refusal or ruling of the Zoning Inspector shall be filed within 20 days after such action or refusal or the announcement of such ruling. The Zoning Inspector shall forthwith transmit to the Board all the papers constituting the record upon which the action or ruling appealed from was taken.

13.4.2 Review by Other Officials: The Board of Zoning appeals may request additional information or review of the appeal, variance, or request for an exception by other Township officials, County agencies, or the Lucas County Planning Commission. Said information or review shall be delivered to the Board of Zoning Appeals within 45 days after the receipt of the request. Failure to disapprove the same within such period shall constitute approval thereof.

SECTION 13 BOARD OF ZONING APPEALS (cont'd)

13.4 Procedures (cont'd)

13.4.3 Public Hearing and Notice: The Board shall hold a hearing on each appeal after at least a 10 day notice, both in writing to the parties of interest and by publishing in one or more newspapers of general circulation in the Township, stating the time and place thereof. The Board shall make its findings and determination in writing within 40 days from the date of the filing of the appeal or the case of an application for a conditional use within 30 days after receipt of the review or information requested from other County and Township officials and agencies or expiration of the time limit as provided for in 12.4.2. A copy of such findings and determination shall be transmitted to the applicant within 30 days thereafter.

13.4.4 Supplemental Conditions and Safeguards: In granting any appeal, variances or exception, the Board may prescribe appropriate conditions and safeguards in conformity with this Resolution. If the application is approved or approved with modifications, the Board shall direct the Zoning Inspector to issue the permit listing the specific conditions specified by the Board of approval. Violations of such conditions and safeguards, when made a part of the terms under which the use is granted, shall be deemed a violation of this Resolution and punishable under Section 11.4.

13.4.5 Schedule of Fees, Charges, and Expenses: The Board of Township Trustees, shall by resolution, establish a schedule of fees, charges, and expenses and a collection procedure for appeals, variances, or consideration of appeal for exception and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage, and other expenses. The schedule of fees shall be posted in the office of the Zoning Inspector, and may be altered or amended only by the Township Trustees. Until all applicable fees, charges, and expenses have been paid in full, no action shall be taken on any application or appeal.

13.4.6 Record of Appeals, Variances, and Conditional Uses: A public record of all appeals, variances, and appeal for exception and their disposition shall be kept on file in the office of the Zoning Inspector.

13.4.7 Appeal of Board Decisions: If the application is disapproved by the Board, the applicant may seek relief through the Court of Common Pleas. Appeals from Board decisions shall be made within 10 days of the Board's written decision.

13.4.8 Revocation of Permit - Noncompliance: The Board of Zoning Appeals has the power to revoke a variance or conditional use for noncompliance. The Board shall notify the affected party of their intent to revoke by the mailing of a notification by certified mail. The affected party has the right to request a hearing within 30 days of the mailing of the notification, in which case the board shall notify the party of the time and place of the hearing. Revocation of a variance or an appeal for exception shall become effective 30 days after notice has been given, unless a hearing has been requested.

SECTION 14 AMENDMENTS (Revised 4/6/09, Z34-C26)

14.1 Authority

Whenever the public necessity, convenience, general welfare, or good zoning practices require, the 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, and boundaries or classification of property, now or hereafter established by this Resolution.

14.2 Procedure

14.2.1 Initiation of Zoning Amendments

Amendments to this Resolution may be initiated in one (1) of the following ways:

- A. By adoption of a motion by the Zoning Commission;
- B. By adoption of a resolution by the Township Trustees;
- C. By the filing of an application by at least one (1) owner of said property proposed to be changed or affected by said amendment.

14.2.2 Application

The application for amendment or district changes shall be made on forms prescribed by, and obtainable at the office of the Zoning Inspector. This application shall be accompanied by information or data indicating the necessity for, or desirability of, the change requested.

14.2.3 Fees

A fee shall be paid upon the filing of the application in accordance with the fee schedule as shown in Section 11.5. All additional expenses incurred by the Township in excess of the minimum required fee shall be paid by the applicant. No action shall be taken on an application until all fees have been paid in full.

14.2.4 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 (1) owner of the property, said Resolution or application shall be transmitted to the Zoning Commission.

SECTION 14 AMENDMENTS (cont'd)

14.2 Procedure (cont'd)

14.2.4 Transmittal to Zoning Commission (cont'd)

The date that the Zoning Commission accepts the said Resolution or application shall constitute the official filing date. All time limits shall commence from said filing date. The Zoning Commission shall record, in the official minutes, actions taken on all resolutions and applications submitted to them for review (i.e. Submitted to Lucas County Planning Commission for review, application incomplete, have requested further information from applicant.)

14.2.5 Public Hearing and Notice by Zoning Commission

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 20 nor more than 40 days from the date of adoption of such motion, transmittal of such resolution, or the filing of such application. Notice of such hearings shall be given as follows:

- A. A notice of such hearing shall be given by the Zoning Commission in at least one (1) publication in one (1) or more newspapers of general circulation in the Township at least 10 days before the date of said hearing. This notice shall set forth the time and place of the public hearing, the nature of the proposed amendment, and a statement that after the conclusion of such public hearing the matter will be referred to the Board of Township Trustees for further determination.
- B. If the proposed amendment intends to rezone or redistrict 10 or less parcels of land, as listed on the tax duplicate, written notice of the hearing shall be mailed by the Zoning Commission, by first class mail, at least 10 days before the date of the public hearing to all owners of property within, contiguous to, and directly across the thoroughfare from such areas proposed to be rezoned. Said written notice shall be mailed 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 shall not invalidate any such amendment. The notice shall contain the same information as required on notices published in the newspaper(s).

SECTION 14 AMENDMENTS (cont'd)

14.2 Procedure (cont'd)

14.2.5 Public Hearing and Notice by Zoning Commission (cont'd)

- C. The applicant must post in a secure fashion and maintain one or more on-site notice within five (5) feet of the lot line adjacent to the public road during the period in which the application is being considered by the Lucas County Planning Commission, Richfield Township Zoning Commission and Richfield Township Board of trustees. The applicant shall remove the posted notices within ten (10) days after the decision of the Board of Trustees. No one except the applicant, agent or Township shall remove or tamper with any such notice during the time it is required to be posted and maintained. Richfield Township will provide the form of the notice and its content. (Rev. 11/10/05, Z34-C15)

14.2.6 Submission to Lucas County Planning Commission

Within five (5) days after the adoption of a motion by the Commission, transmittal of a resolution by the Board of Township Trustees or the filing of an application by at least one (1) owner, the Zoning Commission shall transmit a copy of such motion, resolution, or application together with the text and map(s) 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.

14.2.7 Recommendation by Zoning Commission

Within thirty (30) days after the scheduled public hearing, the Zoning Commission shall recommend to the Board of Township Trustees that 1) the amendment be granted as requested; 2) it may recommend a modification of the amendment requested; or 3) it may recommend that the amendment not be granted.

The Commission shall keep minutes of its proceedings showing the vote of each member upon each question and shall keep records of its examinations and other official actions, all of which shall be filed in the office of the Commission, and shall be a public record.

14.2.8 Public Hearing and Notice by Township Trustees

Within 30 days from the receipt of the recommendation of the Zoning Commission, the Board of Township Trustees shall hold a public hearing.

Notice of such hearing shall be given by the Township Trustees by at least one (1) publication in one (1) or more newspapers of general circulation in the Township at least 10 days before the date of said hearing. This notice shall set forth the time and place of the public hearing and the nature of the proposed amendment.

SECTION 14 AMENDMENTS (cont'd)

14.2 Procedure (cont'd)

14.2.9 Action by Board of Township Trustees

Within 20 days after the public hearing, the Board of Township Trustees shall either adopt or deny the recommendation of the Zoning Commission or adopt some modification thereof. In the event the Township Trustees denies or modifies the recommendation of the Commission, a majority vote of the Board of Township Trustees shall be required.

14.3 Effective Date and Referendum

Such amendment adopted by the Township Trustees shall become effective 30 days after the date of such adoption unless within 30 days after the adoption of the amendment there is presented to the 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 eight (8) % 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 Township Trustees to submit the amendment to the electors of such area, for approval or rejection, at the next primary or general election.

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 is in favor of the amendment. Upon certification by the Board of Elections that the amendment has been approved by the voters, it shall take immediate effect.