

Springfield Township

Zoning Resolution



EFFECTIVE: May 9, 2011



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Article 1: General Provisions

Section 1.01 Purpose

The purpose for zoning in Springfield Township, Summit County, Ohio, shall be as established under Section 519.02 of the Ohio Revised Code (ORC), except as otherwise provided by law.

Section 1.02 Title

This resolution shall be known and may be cited as the “Springfield Township, Zoning Resolution” for Springfield Township, Summit County, Ohio, and may be referred to herein, as “this resolution” or “this zoning resolution”.

Section 1.03 Authority

(A) GENERAL AUTHORITY

This resolution establishes the township’s zoning regulatory authority as authorized by the Section 519.01 et seq. of the ORC.

(B) REFERENCES TO THE OHIO REVISED CODE

Whenever any provision of this resolution refers to or cites a section of the Ohio Revised Code (as amended), and that section is later amended or superseded, this resolution shall be deemed amended to refer to the amended section or the section that most nearly corresponds to the superseded section.

Section 1.04 Jurisdiction

The provisions of this resolution shall apply to all land, land development, use of all structures, and uses of land within the unincorporated areas of Springfield Township, Summit County, Ohio.

Section 1.05 Interpretation and Conflicts

- (A) For purposes of interpretation and application, the provisions of this zoning resolution shall be held to be the minimum requirements for the promotion of the public health, safety, convenience, comfort, prosperity, or general welfare as allowable by law.
- (B) When the provisions of this zoning resolution are inconsistent with one another or with the provisions found in another adopted resolution, the more restrictive provision shall govern.
- (C) Where this zoning resolution imposes a greater restriction than imposed or required by other provisions of law or by other rules, regulations or resolutions, the provisions of this zoning resolution shall control provided it complies with the ORC and federal law.

Section 1.06 Relationship with Third Party Private Agreements

- (A) This zoning resolution is not intended to interfere with or abrogate any third party private agreements including, but not limited to, easements, covenants, or other legal agreements between third parties. However, wherever this zoning resolution proposes a greater restriction upon the use of buildings, structure, or land, upon the location or height of buildings or structures, or upon requirements for open areas than those imposed or required by such third-party private agreements, the provision of this zoning resolution shall govern.
- (B) In no case shall the township be obligated to enforce the provisions of any easements, covenants, or agreements between private parties unless the township is involved as a party to the agreement.

Section 1.07 Compliance Required

- (A) Except as hereinafter specified, no land, building, structure, or premises shall hereafter be used, and no building or part thereof, or other structure, shall be located, erected, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations herein specified for the applicable zoning district.
- (B) It shall be unlawful for an owner to use or to permit the use of any structure, building or land, or part thereof, hereafter erected, created, changed, converted or enlarged, wholly or partly, until a zoning certificate is issued by the Zoning Administrator in accordance with [Section 3.04: Zoning Certificate](#).
- (C) Such zoning certificate shall state that such building, premises or a part thereof, and the proposed use thereof, are in conformity with the provisions of this zoning resolution.
- (D) Uses, lots, buildings, and structures that do not comply with this resolution will be subject to the nonconformity provisions of [Article 14: Nonconformities](#).

Section 1.08 Nuisances Prohibited

No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this resolution and any additional conditions and requirements prescribed, may be hazardous, noxious, or offensive due to the emission of odor, dust, smoke, fumes, cinders, gas, noise, vibration, electrical interference, refuse matters and water carried wastes, or which will interfere with adjacent landowners enjoyment of the use of their lands. This prohibition of nuisances shall be administered by the Board of Trustees in accordance with the applicable section of the Ohio Revised Code.

Section 1.09 Severability

- (A) If any court of competent jurisdiction invalidates any provision of this zoning resolution, then such judgment shall not affect the validity and continued enforcement of any other provision of this zoning resolution.
- (B) If any court of competent jurisdiction invalidates the application of any provision of this zoning resolution to a particular property, structure, or situation, then such judgment shall not affect the application of that provision to any other building, structure, or situation not specifically included in that judgment.
- (C) If any court of competent jurisdiction judges invalid any condition attached to the approval of a development review application, then such judgment shall not affect any other conditions or requirements attached to the same approval that are not specifically included in that judgment.

Section 1.10 Transitional Rules

- (A) **EFFECTIVE DATE**
 - (1) This resolution became effective on November 21, 1957.
 - (2) Any amendments to this zoning resolution shall be in full force and effect as provided in Section 519.12 of the ORC.
- (B) **VIOLATIONS CONTINUE**

Any violation under previous zoning resolutions that applied to the township prior to the adoption or amendment of this zoning resolution shall continue to be a violation under this zoning resolution and is subject to penalties and enforcement under [Article 15: Enforcement and Penalties](#), unless the use, development, construction, or other activity complies with the provisions of this zoning resolution.

(C) NONCONFORMITIES CONTINUE

- (1)** Any legal nonconformity under any previous zoning resolutions that applied to the township prior to the adoption of this zoning resolution shall continue to be a legal nonconformity under this zoning resolution, as long as the situation that resulted in the nonconforming status under the previous resolutions continues to exist.
- (2)** If a legal nonconformity under any previous resolutions that applied to the township prior to the adoption of this zoning resolution becomes conforming because of the adoption of this zoning resolution, then the situation will be considered conforming and shall no longer be subject to the regulations pertaining to nonconformities.

(D) APPROVED PROJECTS

- (1)** Any building, structure, or development for which a zoning certificate was issued prior to the effective date of this zoning resolution may, at the applicant's option, be completed in conformance with the issued certificate and any other applicable permits and conditions, even if such building, structure, or development does not fully comply with provisions of this zoning resolution. Such building, structure, or development shall be considered a legal nonconforming use upon the issuance of a certificate of occupancy from the Summit County Building Department.
- (2)** If the building, structure, or development is not completed within the time allowed under the original building permit or any extension granted thereof, then the building, structure, or development may be constructed, completed, or occupied only in compliance with this zoning resolution.
- (3)** Any application for a project where the zoning certificate has expired shall meet the standards in effect at the time the application is resubmitted.

(E) VESTED RIGHTS

The transitional rule provisions of [Section 1.10\(A\)](#) through [Section 1.10\(D\)](#) of this resolution are subject to Ohio's vested rights laws.

Section 1.11 Zoning of Annexed Lands

Upon annexation of land from Springfield Township into an existing municipal corporation, the zoning regulations then in effect shall remain in full force and shall be enforced by the Zoning Administrator and other township officials until the legislative authority of said municipal corporation shall either officially adopt the existing zoning regulations or new regulations for such land.

Section 1.12 Restoration of Unsafe Buildings

Except as provided in [Article 14: Nonconformities](#), nothing in this resolution shall prevent the strengthening or restoring of any building, structure, or part thereof, declared unsafe by proper authority, to a safe condition.

Section 1.13 Repeal

This zoning resolution may be repealed in accordance with the provision established in Section 519.25 of the ORC.

Section 1.14 Use of Graphics, Illustrations, Figures, and Cross-References

- (A) Graphics, illustrations, and figures are provided for illustrative purposes only and shall not be construed as regulations. Where a conflict may occur between the text and any graphic, illustration, or figure, the text shall control.
- (B) In some instances, cross-references between articles, sections, and subsections are provided that include the article, section, or subsection number along with the name of the referenced article, section, or subsection. Where a conflict may occur between the given cross-reference number and name, the name shall control.

Section 1.15 Burden of Proof

The burden of demonstrating that an application or any development subject to this resolution complies with applicable review and approval standards is on the applicant. The burden is not on the township or other parties to show that the standards have been met by the applicant or person responsible for the development.

Section 1.16 Measurements, Computations, and Exceptions

(A) PERCENTAGES AND FRACTIONS

When a calculation required by this resolution results in a fractional number or percentage, any fraction of $\frac{1}{2}$ or less shall be rounded down to the next lower whole number and any fraction of more than $\frac{1}{2}$ shall be rounded up to the next higher whole number. Any percentage of #.5 percent or less shall be rounded down to the next lower whole number and any percentage greater than #.5 percent shall be rounded up to the next higher whole number.

(B) DISTANCE MEASUREMENTS

Unless otherwise expressly stated, distances specified in this resolution are to be measured as the length of an imaginary straight line joining those points.

Article 2: Administration

Section 2.01 Purpose

The purpose of this article is to identify the roles and responsibilities of various elected and appointed boards, and the duties of township staff, in the administration of this zoning resolution. This article also includes the review procedures for zoning text and map amendments, zoning certificates, appeals, conditional uses, and variances.

Section 2.02 Table of Review and Decision Making-Bodies

- (A) [Table 2.02-A](#) summarizes the review and decision-making responsibilities of the entities that have roles in the procedures set forth in this article. Other duties and responsibilities of the entities are set forth in subsequent sections of this article.
- (B) Even though not referenced in this table, other boards, commissions, government agencies, and non-government agencies may be asked by the Zoning Administrator, the Springfield Township Zoning Commission, the Springfield Township Board of Zoning Appeals, or the Springfield Township Board of Trustees, to review some applications, including, but not limited to, map amendments, text amendments, appeals, variances, conditional uses, and planned development districts. This includes the review authority granted to the Summit County Planning Commission pursuant to the ORC.

| TABLE 2.02-A: SUMMARY TABLE OF REVIEW AND DECISION-MAKING BODIES | | | | | |
|--|---|---|--------------------------|--------------------------------------|-----------------------------|
| H = HEARING (PUBLIC HEARING REQUIRED) M = MEETING (PUBLIC MEETING REQUIRED) | | R = REVIEW AND/OR RECOMMENDATION D = DECISION (RESPONSIBLE FOR FINAL DECISION) | | | |
| PROCEDURE | SECTION | BOARD OF TRUSTEES | ZONING COMMISSION | BOARD OF ZONING APPEALS (BZA) | ZONING ADMINISTRATOR |
| Zoning Certificate | Section 3.04 | | | | R-D |
| Certificate of Conformance | Section 3.05 | | | | R-D |
| Zoning Text or Map Amendment | Section 3.06 | H-D | H-R | | R |
| Conditional Use | Section 3.07 Variance or Conditional Use | | | H-D | R |
| Variance | Section 3.07 | | | H-D | R |
| Appeals | Section 3.08 Appeals | | | H-D | R [1] |
| Partial Development Review [3] ⁴ | Section 3.03 | | M-D [2] | | R-D [2] |
| Preliminary Development Review (not PD) [3] ⁴ | Section 3.03 | | M-D | | R |
| Final Development Review[3] ⁴ | Section 3.03 | | M-D | | |
| Preliminary Development Plan (for Planned Development District) [3] | Section 6.09(B) | H-D | H-R | | R |
| Final Development Plan (for Planned Development District) [3] | Section 6.09(C) | | M-D | | R |

⁴ Effective 11/4/13

| TABLE 2.02-A: SUMMARY TABLE OF REVIEW AND DECISION-MAKING BODIES | | | | | |
|--|---------|-------------------|---|-------------------------------|----------------------|
| H = HEARING (PUBLIC HEARING REQUIRED) M = MEETING (PUBLIC MEETING REQUIRED) | | | R = REVIEW AND/OR RECOMMENDATION D = DECISION (RESPONSIBLE FOR FINAL DECISION) | | |
| PROCEDURE | SECTION | BOARD OF TRUSTEES | ZONING COMMISSION | BOARD OF ZONING APPEALS (BZA) | ZONING ADMINISTRATOR |
| [1] The Zoning Administrator or other staff shall forward all records of their decision to the BZA including any staff report or summary that provides a history of actions and decisions made in relation to the appealed action. [2] Review process determined by the Zoning Administrator [3] Co-ordination for review and approval with Summit County Planning Commission required when necessary. | | | | | |

Section 2.03 Board of Trustees

For the purpose of this zoning resolution, the Springfield Township Board of Township Trustees, hereafter referred to as the Board of Trustees, shall have the following duties:

- (A) Initiate proposed amendments to the text of this zoning resolution and/or the official zoning map;
- (B) Review and decide on all proposed amendments to the text of this zoning resolution and/or the official zoning map;
- (C) Review and decide on preliminary development plans submitted as part of a planned development district; and
- (D) Perform all other duties as specified in Chapter 519 of the ORC and as specified in this zoning resolution.

Section 2.04 Zoning Commission

The Board of Trustees, for the purpose and intent of this zoning resolution, has hereby created and established the Springfield Township Zoning Commission, hereafter referred to as the Zoning Commission.

(A) APPOINTMENT AND ORGANIZATION

- (1) The Zoning Commission shall be composed of five members who reside in the unincorporated area of Springfield Township, Summit County, Ohio, to be appointed by the Board of Trustees.
- (2) Members shall serve five-year terms with the term of one member expiring each year.
- (3) Each member shall serve until his or her successor is appointed and qualified.
- (4) Members of the Zoning Commission shall be removable for non-performance of duty, misconduct in office, or other cause, by the Board of Trustees.
- (5) Vacancies shall be filled by appointment by the Board of Trustees and shall be for the time remaining in the unexpired term.

(B) ROLES AND POWERS

The Zoning Commission shall have the following roles and powers:

- (1) Initiate proposed amendments to the text of this zoning resolution and/or the official zoning map;
- (2) Review all proposed amendments to the text of this zoning resolution and/or the official zoning map and make recommendations to the Board of Trustees;
- (3) Review all partial development plans where it is determined by the Zoning Administrator that a full plan review process is not warranted due to scope of project and/or existing conditions but where the Commission's review is beneficial.⁴

- (4) Review all preliminary development plans submitted for the following:⁴
 - a) New construction in the C or I Districts; ⁴
 - b) New construction for conditional uses;⁴
 - c) Redevelopment of an existing site or structure if (3) above does not apply;⁴
 - d) Phased development projects including but not limited to subdivisions and open space developments;⁴
 - e) Preliminary development plans submitted as part of a Planned Development and make recommendations to the Trustees;
 - f) Review and decide on final development plans for the following: ⁴
 - (i) All development listed in (4) above;⁴
 - (ii) Wind energy conservation systems⁴
- (5) Perform all other duties as specified for township zoning commissions in Chapter 519 of the ORC and as specified in this zoning resolution.⁴

(C) ALTERNATES

- (1) The Board of Trustees may appoint two alternate members to the Zoning Commission for a term of two years each.
- (2) An alternate member shall take the place of an absent regular member at any meeting of the Zoning Commission.
- (3) An alternate member shall meet the same appointment criteria as a regular member.
- (4) When attending a meeting on behalf of an absent member, the alternate member may vote on any matter the absent member is authorized to vote.
- (5) When a vacancy occurs, alternate members do not automatically become full members of the Zoning Commission. Alternate members have to be appointed to replace a full member upon a vacancy.

(D) BYLAWS

The Zoning Commission may organize and adopt bylaws for its own governance provided they are consistent with law or with any other resolution of the township. Such bylaws shall be approved, by resolution, by the Board of Trustees.

(E) MEETINGS

- (1) Meetings shall be held at the call of the chair, or the acting chair, and at such other times as the Zoning Commission may determine.
- (2) All meetings shall be open to the public, except as exempted by law.
- (3) The Zoning Commission shall keep minutes of its proceedings showing the vote, indicating such fact, and shall keep records of its examinations and other official actions all of which shall be a public record, unless exempted by law, and be immediately filed in the office of the Zoning Commission.

(F) QUORUM AND DECISIONS

- (1) Any combination of three or more regular or alternate members of the Zoning Commission shall constitute a quorum.

⁴ Effective 11/4/13

- (2) The Zoning Commission shall act when three members concur and every decision shall be accompanied by written findings specifying the reason for granting or denying the application, or making its recommendation.

Section 2.05 Board of Zoning Appeals (BZA)

The Board of Trustees, for the purpose and intent of this zoning resolution, has hereby created and established the Springfield Township Board of Zoning Appeals, hereafter referred to as the BZA.

(A) APPOINTMENT AND ORGANIZATION

- (1) The BZA shall be composed of five members who reside in the unincorporated area of Springfield Township, Summit County, Ohio, to be appointed by the Board of Trustees.
- (2) Members shall serve five-year terms with the term of one member expiring each year.
- (3) Each member shall serve until their successor is appointed and qualified.
- (4) Members of the BZA shall be removable for non-performance of duty, misconduct in office, or other cause, by the Board of Trustees.
- (5) Vacancies shall be filled by appointment by the Board of Trustees and shall be for the time remaining in the unexpired term.

(B) ROLES AND POWERS

The BZA shall have the following roles and powers:

- (1) To hear and decide appeals where it is alleged by the appellant that there is error in any order, requirement, decision, grant, or refusal made by the Zoning Administrator in the interpretation or enforcement of the provisions of this zoning resolution.¹
- (2) To hear and decide, in accordance with the provisions of this zoning resolution, applications filed for conditional uses, for interpretation of the zoning map, or for decisions upon other special questions on which the BZA is authorized by this zoning resolution to pass.
- (3) In considering an application for a conditional use, the BZA shall have the power to impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this zoning resolution for the particular conditional use, as the BZA may deem necessary for the protection of adjacent properties and the public interest.
- (4) The BZA shall have the power to authorize upon appeal in specific cases, filed as herein provided, such variances from the provisions or requirements of this zoning resolution as will not be contrary to the public interest, but only in such cases where, owing to special conditions pertaining to a specific piece of property, the literal enforcement of the provisions or requirements of this zoning resolution would cause unnecessary hardship, and so that the spirit of the resolution shall be observed and substantial justice done. The BZA may attach thereto such conditions regarding the location, character and other features of the proposed structure or use, as it may deem necessary in the interest of the furtherance of the purposes of the zoning resolution and in the public interest.
- (5) To review and provide an interpretation of the zoning map or zoning text whenever there is a question of how the zone districts or regulations of this resolution are applied.
- (6) To permit the substitution of a nonconforming use existing at the time of enactment of this resolution in compliance with [Article 14: Nonconformities](#).

¹ Effective 8/12/13

- (7) All other powers conferred upon township boards of zoning appeals in Section 519.14 of the ORC, or as authorized by the Board of Trustees in compliance with state law.

(C) ALTERNATES

- (1) The Board of Trustees may appoint two alternate members to the BZA for a term of two years each.
- (2) An alternate member shall take the place of an absent regular member at any meeting of the BZA.
- (3) An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter the absent member is authorized to vote.
- (4) When a vacancy occurs, alternate members do not automatically become full members of the BZA. Alternate members have to be appointed to replace a full member upon a vacancy.

(D) BYLAWS

The BZA may organize and adopt bylaws for its own governance provided they are consistent with law or with any other resolution of the township. Such bylaws shall be approved, by resolution, by the Board of Trustees.

(E) MEETINGS

- (1) Meetings of the BZA shall be held at the call of the chair, or the acting chair, and at such other times as the BZA may determine.
- (2) The chair, or in their absence, the acting chair, may administer oaths and the BZA may compel the attendance of witnesses per Section 519.15 of the ORC.
- (3) All meetings of the BZA shall be open to the public, except as exempted by law.
- (4) The BZA shall keep minutes of its proceedings showing the vote, indicating such fact and shall keep records of its examinations and official actions, all of which shall be filed in the office of the Springfield Township Fiscal Officer and shall be a public record, unless exempted by law.
- (5) The BZA may call upon any township department for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance to the BZA as may reasonably be required.

(F) QUORUM AND DECISIONS

- (1) Any combination of three regular or alternate members of the BZA shall constitute a quorum.
- (2) The BZA shall act by resolution when at least three members concur. Every decision shall be accompanied by written findings of fact, based on testimony and evidence and specifying the reason for granting or denying the application.

Section 2.06 Zoning Administrator

The Board of Trustees shall appoint a Zoning Administrator who shall serve as the zoning inspector referenced in Section 519.16 of the ORC.

(A) ROLES AND POWERS

The Zoning Administrator shall have the following roles and powers:

- (1) To serve as the Zoning Inspector for Springfield Township, Summit County, Ohio;
- (2) To serve as the architectural review authority, as granted by Section 519.171 of the ORC;
- (3) To conduct inspections of buildings and land to determine compliance with this resolution;

- (4) To review applications for zoning certificates and to ensure compliance with this zoning resolution in accordance with Section 3.04: Zoning Certificate;
- (5) To collect all fees required for all applications;
- (6) To provide input, staff reports, or other guidance to the Board of Trustees, Zoning Commission, and/or BZA when requested;
- (7) After written request from the owner or tenant, the Zoning Administrator shall issue a zoning certificate for any building or premises existing at the time of enactment of this resolution, certifying, after inspection, the extent and kind of use made of the building or premises and whether such use conforms to the provisions of this resolution;
- (8) It shall be the duty of the Zoning Administrator to keep adequate records of all applications and decisions on said applications;
- (9) It shall be the duty of the Zoning Administrator to issue citations of zoning violations and keep adequate records of all violations;
- (10) The Board of Trustees may also appoint additional personnel to assist the Zoning Administrator in such roles and powers;
- (11) To seek the advice of professional consultants, when authorized by the Board of Trustees; and
- (12) To conduct additional duties as designated by the Board of Trustees or as specified in this zoning resolution.

(B) DECISIONS

- (1) A decision of the Zoning Administrator may be appealed to the BZA pursuant to [Section 3.08: Appeals](#).
- (2) The Zoning Administrator shall have appropriate forms available at the time of denial.

Article 3: Development Review Procedures

Section 3.01 Purpose

The purpose of this article is to identify the development review procedures used in the administration of this zoning resolution.

Section 3.02 Exemptions

(A) AGRICULTURAL USE EXEMPTION

- (1) Agricultural uses, and buildings or structures that are incident to agricultural uses, located on lots with a lot area of five acres or more shall be exempt from the requirements of this zoning resolution and property owners shall not be required to obtain a zoning certificate per such uses in accordance with Section 519.21 of the ORC.
- (2) For any platted subdivision approved under Section 711.05, 711.09 or 711.10 of the ORC, or in any area consisting of 15 or more lots approved under Section 711.131 (711.13.1) of the ORC that are contiguous to one another, or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road, the township may regulate:³
 - a) Agriculture uses on lots of one acre or less, except for gardens or the raising of crops, which are permitted on all size lots and in all yards;
 - b) Setbacks, heights and sizes of buildings or structures incidental to the use of land for agricultural purposes on lots greater than one acre but not greater than 5 acres.
 - c) Dairying and animal and poultry husbandry on lots greater than one acre but not greater than five acres when at least 35 percent of the lots in the subdivision are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured and mobile homes under Section 4503.06 of the ORC. After 35 percent of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use of land and buildings or structures pursuant to Section 519.19 of the ORC.
- (3) This section confers no power on any township zoning commission, board of township trustees, or board of zoning appeals to regulate agriculture, buildings or structures, and dairying and animal husbandry on lots greater than five acres.³
- (4) Structures that are exempt from the provisions of the zoning resolution pursuant to this section shall not be exempt from any applicable special flood hazard area regulations established and enforced by Summit County.

(B) PUBLIC UTILITY OR RAILROAD EXEMPTION

- (1) Except as otherwise provided in state law or in Paragraph (2) below, this resolution shall not regulate the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any buildings 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. As used in this division, "public utility" does not include a person that owns or operates a solid waste facility or a solid waste transfer facility, other than a publicly owned solid waste facility or a publicly owned solid waste transfer facility, that has been issued a permit under Chapter 3734

³ Effective 10/28/13

of the ORC or a construction and demolition debris facility that has been issued a permit under Chapter 3714 of the ORC.

- (2) This resolution shall not regulate the location, erection, construction, reconstruction, change, alteration, maintenance, removal, use, or enlargement of any buildings or structures of a public utility engaged in the business of transporting persons or property, or both, or providing or furnishing such transportation service, over any public street, road, or highway in this state, and with respect to the use of land by any such public utility for the operation of its business, to the extent that any exercise of such power is reasonable and not inconsistent with Chapters 4901, 4903, 4905, 4909, 4921, and 4923 of the ORC. This exemption does not apply to regulations related the use of land by a person engaged in the transportation of farm supplies to the farm or farm products from farm to market or to food fabricating plants.

Section 3.03 Common Review Requirements

The requirements of this section shall apply to all development review applications and procedures subject to development review under this zoning resolution, unless otherwise stated.

(A) AUTHORITY TO FILE APPLICATIONS

- (1) The person having legal authority to take action in accordance with the approval sought shall file an application for any review in accordance with this zoning resolution. The person having legal authority shall be the record owner or the duly authorized agent of the record owner and may be required to provide proof of such authority at the time of application.
- (2) The Zoning Commission and Board of Trustees may initiate zoning text and map amendments under this zoning resolution with or without an application from the property owner who may be affected.

(B) APPLICATION CONTENTS

(1) Submittal Requirements

- a) Applications required under this zoning resolution shall be submitted in a form and in such numbers as established by the Zoning Administrator and made available to the public.
- b) The applicant shall attest to the truth and correctness of all facts and information presented with the application.

(2) Submission of Fees

- a) Applications shall be accompanied by a fee as established by resolution of the Board of Trustees.
- b) The township shall charge appropriate fees for the review or issuance of zoning certificates, temporary zoning certificates, certificates of conformance, conditional use approvals, appeals, variances, zoning amendments, nonconformity reviews, and other applicable certificates to cover the costs of inspection, investigation, legal notices and other expenses incidental to the enforcement of this zoning resolution. Such fees shall be paid to Springfield Township Zoning, or its designee, and shall be paid in accordance to the official zoning fee schedule as established by the Board of Trustees.

(3) Complete Application Determination

- a) The Zoning Administrator shall only initiate the review and processing of applications submitted under this article if such application is determined to be complete.

- b) The Zoning Administrator shall make a determination of application completeness within five business days of the application filing.
- c) If the application is determined to be complete, the application shall then be processed according to the procedures set forth in this resolution.
- d) If an application is determined to be incomplete, the Zoning Administrator shall provide notice to the applicant along with an explanation of the application's deficiencies. No further processing of an incomplete application shall occur until the deficiencies are corrected.
- e) If the applicant fails to re-submit a complete application within 60 days of the notice provided by the Zoning Administrator pursuant to Paragraph d) above, the incomplete application shall not be reviewed, the applicant's original filing fee shall be forfeited, and the incomplete application shall be deemed withdrawn. No reconsideration of an incomplete application shall occur after expiration of the 60 day period and an applicant in need of further development approval under the zoning resolution shall, pursuant to all of the original requirements of [Section 3.03\(B\): Application Contents](#), submit a new application and filing fee.
- f) If any false or misleading information is submitted or supplied by an applicant on an application, that application shall be deemed incomplete.

(4) Refund of Fees

Application or review fees are not refundable except where the Zoning Administrator determines that an application was accepted in error, or the fee paid exceeds the amount due, in which case the amount of the overpayment will be refunded to the applicant.

(5) Submission Schedule

The Zoning Administrator is authorized and shall establish the submission and review schedule (including time frames for review where not established within the Ohio Revised Code) for applications. The Zoning Administrator may amend and update these requirements as determined necessary.

(C) EXAMINATION AND COPYING OF APPLICATION AND OTHER DOCUMENT

Documents and/or records may be inspected and/or copied as provided for by state law.

(D) CONSTRUCTIVE NOTICE

The following shall apply to all public notice requirements established in each development review procedure:

- (1)** Minor defects in any notice shall not impair the notice or invalidate proceedings pursuant to the notice if a bona fide attempt has been made to comply with applicable notice requirements. Minor defects in notice shall be limited to errors in a legal description, typographical or grammatical errors, or errors of actual acreage that do not impede communication of the notice to affected parties. Failure of a party to receive written notice shall not invalidate subsequent action. In all cases, however, the requirements for the timing of the notice and for specifying the time, date, and place of a hearing shall be strictly construed. If questions arise at the hearing regarding the adequacy of notice, the decision-making body shall direct the agency having responsibility for notification to make a formal finding as to whether there was substantial compliance with the notice requirements of this zoning resolution, and such finding shall be made available to the decision-making body prior to final action on the request.

- (2) When the records of the township document the publication, mailing, and/or posting of notices as required by this article, it shall be presumed that notice of a public hearing was given as required by this section.

(E) COMPUTATION OF TIME

- (1) In computing any period of time prescribed or allowed by this zoning resolution, the date of the application, act, decision, or event, from which the designated period of time begins shall not be included. The last date of the period of time to be computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which case the period runs until the end of the next day which is not a Saturday, a Sunday, or a legal holiday as observed by Springfield Township where the township offices are closed for the entire day.
- (2) When the township offices are closed to the public for the entire day which constitutes the last day of the period of time, then such application, act, decision, or event may be performed on the next succeeding days which is not a Saturday, a Sunday, or a legal holiday observed by Springfield Township in which the township administrative offices are closed for the entire day.

(F) CONDUCT OF PUBLIC HEARING

(1) Rights of All Persons

Any person may appear at a public hearing and submit information or evidence, either individually or as a representative of a person or an organization. Each person who appears at a public hearing shall be identified, state his or her address, and if appearing on behalf of a person or organization, state the name and mailing address of the person or organization being represented.

(2) Continuance of a Public Hearing or Deferral of Application Review

- a) An applicant may request that a review or decision-making bodies' consideration of an application at a public hearing be deferred by submitting a written request for deferral to the Zoning Administrator prior to the publication of notice as may be required by this resolution. The Zoning Administrator may grant such requests, in which case, the application will be considered at the next regularly scheduled meeting.
- b) A request for deferral of consideration of an application received by the Springfield Township Zoning Department after publication of notice of the public hearing as required by this resolution shall be considered as a request for a continuance of the public hearing, and may only be granted by the review or decision-making body.
- c) The review body conducting the public hearing may, on its own motion or at the request of the applicant, continue the public hearing to a fixed date, time, and place.

(3) Withdrawal of Application

Any request for withdrawal of an application shall be either submitted in writing to the Zoning Administrator or made through a verbal request by the applicant prior to action by the review or decision-making body.

- a) The Zoning Administrator shall approve a request for withdrawal of an application if it has been submitted prior to publication of notice for the public hearing on the application in accordance with this resolution.
- b) If the request for withdrawal of an application is submitted after publication of notice for the public hearing in accordance with this resolution, the request for withdrawal shall be placed on the public hearing agenda and acted upon by the review or decision-making body.

- c) In all cases where the applicant has requested the withdrawal of an application, the application fee paid shall not be refunded.

(G) EXPIRATION OF APPROVALS ³

- (1) A preliminary development plan review approval shall expire one year after approval by the Zoning Commission if final development plan application has not been submitted to the Zoning Commission.
- (2) Final development plan approvals shall expire one year after approval by the Zoning Commission unless significant construction has commenced.
- (3) Partial development plan review approval shall expire 6 months after approval by the Zoning Commission or the Zoning Administrator.
- (4) After development plan reviews have expired a new application for the project must be submitted and associated fees paid.
- (5) Prior to expiration of approvals the applicant may request an extension from the Zoning Commission. The Zoning Commission may grant up to two extensions per approval. The allotted extension time is to be the same as though the applicant had submitted a new application for the project. If after all extensions have been exhausted and the proper development stage is not completed a new application shall be resubmitted along with submittal fees for the Zoning Commission approval.
- (6) For plans that require additional approval from the Summit County Planning Commission (i.e. Major Subdivisions), the township zoning approval will conform to the extension timelines as detailed in the current County of Summit Subdivision Regulations.

Section 3.04 Zoning Certificate

(A) APPLICABILITY

A zoning certificate shall be required for any of the following:

- (1) New construction or structural alteration of any building or structure, including accessory structures, unless otherwise exempted in this resolution;
- (2) Occupancy and use of vacant land, excluding agricultural land; or
- (3) Any change in the use of a nonconforming use.

(B) REVIEW PROCEDURE

(1) Step 1 – Application

The applicant shall submit an application for a zoning certificate for review and approval prior to submitting for a building permit from Summit County. Such application shall include:

- a) The zoning certificate application and applicable forms available from the township offices;
- b) All such forms, maps, and information as may be prescribed for that purpose by the Zoning Administrator to assure the fullest practicable presentation of the facts for the permanent record; and

³ Effective 10/28/13

- c) All required fees as established in the Springfield Township fee schedule.

(2) Step 2 – Review

The Zoning Administrator shall review the application for conformance with the provisions of this zoning resolution.

(3) Step 3 – Decision

- a) Within 10 business days after an application (Step 1) for residential uses, or within 30 business days after an application (Step 1) for nonresidential uses, the Zoning Administrator shall either approve and issue the zoning certificate or deny the application and, in so doing, state in writing the reasons for the action taken. Such statement of denial shall include, but not be limited to, a list of regulations that would be violated by the proposed use, and shall transmit one copy thereof to the applicant along with one copy of the plot plan, signed, dated, and noted as denied.
- b) In conducting the review of the application, the Zoning Administrator may consult with any department, agency, public body, official, company, or individual necessary to determine whether the application complies with the regulations of this resolution. Any costs of review shall be borne by the applicant, as stated in the Springfield Township fee schedule.
- c) Upon approval, the Zoning Administrator shall return one signed copy of the application and maintain the second copy of the application for township records.
- d) If the application is denied, the applicant may submit a revised application and sketch plan for review in accordance with this review procedure, or the applicant may appeal the decision to the BZA in accordance with [Section 3.08: Appeals](#).

(C) REVIEW CRITERIA

- (1) All applications for a zoning certificate shall demonstrate conformity with the provisions of this zoning resolution.
- (2) No zoning certificate shall be issued in any area not serviced by sanitary sewer until the applicant has obtained a septic permit from the Summit County Health Department.
- (3) No zoning certificate shall be granted to build any structure where there is a proposed ingress or egress point to the roadway until the owner of such property has secured a permit from the Ohio Department of Transportation, the Summit County Engineer, or the proper township official (whichever authority has jurisdiction), for permission to install a culvert of the proper size and specifications required by the respective authority and has completed the installation of such culvert.

(D) EXPIRATION

- (1) Construction shall begin within 12 months of issuance of a zoning certificate. Construction shall be considered “begun” if the footers of the structure have been installed.
- (2) Failure to begin construction within 12 months shall result in the expiration of the zoning certificate unless the applicant requests and receives an extension from the Zoning Administrator for good cause.
- (3) Where the zoning certificate is for a use of land or a structure, such use shall be open or fully functioning within 12 months of issuance of a zoning certificate or the zoning certificate shall expire.
- (4) Upon expiration of a zoning certificate, a new zoning certificate application, including all applicable fees, shall be required before construction.

(E) TEMPORARY ZONING CERTIFICATE

- (1)** Temporary buildings and uses that require a zoning certificate as established in [Section 7.02: Temporary Uses and Structures](#), shall be required to obtain a temporary zoning certificate in accordance with the procedure set forth above for approval of a zoning certificate.
- (2)** A temporary zoning certificate shall be valid for a period of 60 days, unless the Zoning Administrator authorizes a longer period or is approved in accordance with [Section 7.02: Temporary Uses and Structures](#).

(F) REVOCATION OF A ZONING CERTIFICATE

The Zoning Administrator shall hereby have the authority to revoke an approved zoning certificate or temporary zoning certificate if the information submitted as part of the application is found to be erroneous or fraudulent after the certificate has been issued.

Section 3.05 Certificate of Conformance

(A) APPLICABILITY

- (1)** A certificate of conformance shall be required for any of the following:
 - a) Occupancy of a new building or structure after completion of construction;
 - b) Occupancy or change of occupancy of an existing building or structure;
 - c) Change of use in any building.
- (2)** A certificate of conformance shall not be required for agricultural uses.
- (3)** A certificate of conformance shall not be required for occupancy of a new residential use or change in occupancy of a residential dwelling unit.

(B) REVIEW PROCEDURE

(1) Step 1 – Application

The applicant shall submit an application for a certificate of conformance after completion of construction or prior to occupancy of a building or structure. Such application shall include:

- a) The certificate of conformance application and applicable forms available from the township offices;
- b) All such forms, maps, and information as may be prescribed for that purpose by the Zoning Administrator to assure the fullest practicable presentation of the facts for the permanent record;
- c) A certificate from the Summit County Building Administrator indicating compliance with the Summit County Building Code;
- d) A certificate from the Summit County Health Department indicating compliance with all the requirements of said department; and
- e) All required fees as established in the Springfield Township fee schedule.

(2) Step 2 – Review and Decision

- a) The Zoning Administrator shall review the application for conformance with the provisions of this zoning resolution. In conducting the review of the application, the Zoning Administrator may consult with any department, agency, public body, official, company, or individual necessary to determine whether the application complies with the regulations of this resolution. Any costs of review shall be borne by the applicant, as stated in the Springfield Township fee schedule.

- b) If the Zoning Administrator finds that the application is not in compliance with the zoning resolution, the application shall be considered denied and the Zoning Administrator shall state in writing the reasons for the action taken. Such statement of denial shall include, but not be limited to, a list of regulations that would be violated by the proposed use, and shall transmit one copy thereof to the applicant along with one copy of the application, signed, dated and noted as denied.
- c) If the Zoning Administrator approves the application for a certificate of conformance, they shall then forward it to the Fire Safety Inspector who shall review the application, make any applicable inspection, and sign off on the application before issuance of a certificate of conformance.
- d) Upon approval, the Zoning Administrator shall return one signed copy of the application and maintain the second copy of the application for township records.
- e) If the application is denied, the applicant may appeal the decision to the BZA in accordance with [Section 3.08: Appeals](#).

(C) REVIEW CRITERIA

All applications for a certificate of conformance shall demonstrate conformity with the provisions of this zoning resolution and any plans approved by the township related to the application.

Section 3.06 Zoning Text or Map Amendment

(A) AMENDMENT INITIATION

- (1) Amendments or supplements to the zoning resolution or zoning map may be initiated by:
 - a) A motion of the Zoning Commission;
 - b) Passage of a resolution by the Board of Trustees; or
 - c) By the filing of an application by the owners (or their agents) of property within the area proposed to be changed or affected by the proposed amendment.
- (2) If the Board of Trustees initiates the amendment, the board shall, upon the passage of such resolution, certify such resolution to the Zoning Commission.

(B) REVIEW PROCEDURE

(1) Step 1 – Pre-application Conference (Optional)

- a) If initiated by the property owners, the applicant may request to meet with the Zoning Administrator to discuss the initial concepts of the proposed amendment and general compliance with applicable provisions of this zoning resolution prior to the submission of the application.
- b) Discussions that occur during a pre-application conference or any preliminary meeting with the Zoning Administrator are not binding on the township and do not constitute official assurances or representations by Springfield Township or its officials regarding any aspects of the plan or application discussed.

(2) Step 2 – Application

- a) Applications for any change of district boundaries, classifications of property as shown on the zoning map, or changes to the zoning resolution text shall be submitted to the Zoning Commission at the township offices.

- b) The application shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Administrator to assure the fullest practicable presentation of the facts for the permanent record.
- c) Each application initiated by property owners shall be signed by at least one of the owners, or the owners authorized agent of the property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications.
- d) Applications for amendments initiated by the Zoning Commission or the Board of Trustees shall be accompanied by the initiating board's motion or resolution pertaining to such proposed amendment.
- e) All applications shall be submitted with the required fees as established in the Springfield Township fee schedule.

(3) Step 3 – Referral to the Summit County Planning Commission

- a) Within five days after the adoption of a motion, certification of a resolution, or the filing of an application (Step 2), the township shall transmit a copy thereof to the Summit County Planning Commission.
- b) The Summit County Planning Commission shall recommend the approval, approval with modifications, or denial of the proposed amendment and shall submit such recommendation to the Zoning Commission.
- c) Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed amendment.

(4) Step 4 – Public Hearing and Recommendation by the Zoning Commission

- a) Upon adoption of a motion, certification of a resolution, or the filing of an application for an amendment (Step 2), the Zoning Commission shall set a date for a public hearing regarding the proposed amendment.
- b) The public hearing shall not be less than 20 or more than 40 days after the date the application (Step 2) was submitted.
- c) Notification shall be given in accordance with Section 519.12 of the ORC.
- d) Within 30 days after the Zoning Commission's public hearing, the Zoning Commission shall recommend the approval, denial, or modification of the proposed amendment and submit such recommendation together with such application or resolution, the text and map pertaining thereto, and the recommendation of the Summit County Planning Commission to the Board of Trustees.

(5) Step 6 – Public Hearing and Decision by the Board of Trustees

- a) Upon receipt of the recommendation from the Zoning Commission (Step 4), the Board of Trustees shall set a time for a public hearing on such proposed amendment.
- b) The date of the public hearing shall not be more than 30 days after the date of the receipt of such recommendation from the Zoning Commission.
- c) Notification shall be given in accordance with Section 519.12 of the ORC.
- d) Within 20 days after its public hearing, the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission. If the Board of Trustees denies or modifies the Zoning Commission's recommendations, the majority vote of the Board of Trustees shall be required.

(C) EFFECTIVE DATE AND REFERENDUM

- (1)** Any amendment adopted by the Board of Trustees shall become effective 30 days after the date of such adoption.
- (2)** A referendum of any amendments may be undertaken within the 30 days after the date of the Board of Trustees decision in accordance with ORC Section 519.12.

(D) REVIEW CRITERIA

The following criteria shall be used in decisions regarding zoning amendments:

- (1)** The amendment is in accordance with this resolution;
- (2)** The amendment has been reviewed to determine the consistency with the Springfield Township Comprehensive Land Use Plan;
- (3)** The need for and availability of centralized water and sewer facilities compared to the capacity of the existing facilities and plans for future extensions;
- (4)** Where more than one zoning district is available to implement the land use designation, the applicant must justify the particular zoning being sought and show that it is best suited for the specific site, based upon the policies of the township; and
- (5)** Any other substantive factor deemed appropriate by the Zoning Commission or Board of Trustees.

(E) PLANNED UNIT DEVELOPMENTS

Planned Developments (PDs) shall be subject to the review procedure established in [Article 6: Planned Development Districts](#).

Section 3.07 Variance or Conditional Use

(A) REVIEW PROCEDURE

The review procedure for variances and conditional uses shall be as follows:

(1) Step 1 – Application

- a)** An application for a variance or conditional use over which the BZA has original jurisdiction under [Section 2.05: Board of Zoning Appeals \(BZA\)](#), may be made by any property owner, including an authorized agent, or by a governmental officer, department, board or bureau.
- b)** The application shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Administrator to assure the fullest practicable presentation of the facts for the permanent record.
- c)** The Zoning Administrator shall transmit a copy of the application to the BZA.
- d)** All applications shall be submitted with the required fees as established in the Springfield Township fee schedule.

(2) Step 2 – Public Hearing with the Board of Zoning Appeals

- a)** Upon application (Step 1), the BZA shall fix a reasonable time for the public hearing on any application, give at least ten days of notice in writing to the parties in interest, and give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten days before the date of such hearing.

- b) Upon the day for hearing any application, the BZA may adjourn the hearing in order to obtain additional information or to cause further notice, as it deems proper, to facilitate the discussion and decision on said application. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the BZA so decides.

(3) Step 3 – Decision

- a) Within 30 days after the hearing concludes (Step 2), the BZA shall make a decision on the application.
- b) A decision of the BZA shall not become final until the expiration of 30 days from the date of such decision unless the BZA shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.
- c) A certified copy of the BZA's decision shall be transmitted to the applicant or appellant at the applicant's address as shown on the records of the BZA and to the Zoning Administrator.
- d) In authorizing a variance or conditional use, the BZA may attach thereto such conditions regarding the location, character and other features of the proposed structure or use as the BZA may deem necessary in the interest of the furtherance of the purposes of this resolution. In authorizing a variance or conditional use with attached conditions, the BZA may require such evidence and guarantee or bond as it may deem to be necessary, that the applicant is and will comply with the attached conditions.
- e) Failure to comply with the conditions of a decision shall be deemed a violation of this zoning resolution.
- f) Any party adversely affected by a decision of the BZA may appeal the decision to the Summit County Court of Common Pleas.

(B) VARIANCE REVIEW CRITERIA

- (1) The BZA shall have the power to authorize upon appeal in specific cases, filed as hereinbefore provided, such variances from the provisions or requirements of this resolution as will not be contrary to the public interest. Where an applicant seeks a variance, said applicant shall be required to supply evidence that demonstrates that the literal enforcement of this resolution will result in practical difficulty for an area/dimensional variance or unnecessary hardship for a use variance. The following factors shall be considered and weighed by the BZA.

(2) Standards for Area/Dimensional Variances⁸

Springfield Township Board of Zoning Appeals utilizes the standard of practical difficulty established by the Ohio Supreme Court in case *Kisle v Sandusky* and further in *Duncan v Middlefield*. Area variance requests are evaluated according to the following seven factors of practical difficulty:

- a) Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
- b) Whether the variance is substantial.
- c) Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
- d) Whether the variance will adversely affect the delivery of governmental services (e.g. water, sewer garbage, etc.)
- e) Whether the property owner purchased the property with knowledge of the zoning restriction.
- f) Whether the property owner's predicament can be obviated through some method other than a variance.
- g) Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.

No single factor listed above may control, and not all factors may be applicable in each case. Each case shall be determined on its own facts.

(3) Standards for Use Variances⁸

Springfield Township Board of Zoning Appeals utilizes the standard of unnecessary hardship when evaluating use variance requests. This implies no economically viable or reasonable use of the property exists in the zoning district where the property is located. The hardship standard was established by the New Jersey Supreme Court in *Brandon v Montclair, et al.* Use variances are evaluated according to the following criteria:

- a) Whether the property can be put to a reasonable use for the purposes permitted in that zoning district without the variance.
- b) Whether the applicant's plight is due to unique circumstances peculiar to the property and not to the general neighborhood conditions.
- c) Whether the use would alter the essential character of the area or would adjoining property owner's rights be adversely affected.
- d) Whether the need for the variance was self-created.
- e) Whether the variance would adversely affect the delivery of governmental services (e.g. water, sewer, garbage, etc.)
- f) Whether the applicant purchased the property with knowledge of the zoning restriction.
- g) Whether the applicant's predicament could be resolved through some method other than a variance.
- h) Whether the spirit and intent behind the zoning requirement would be observed and would substantial justice be done by granting the variance.

⁸ Effective 7-11-21

(C) CONDITIONAL USE REVIEW CRITERIA

In reviewing conditional uses, the BZA shall consider the following:

- (1)** The use is a conditional use, permitted with approval by the BZA, in the district where the subject lot is located;
- (2)** The use is in accordance with the objectives of the Springfield Township Comprehensive Land Use Plan and zoning resolution; and
- (3)** The conditional use will not substantially and/or permanently injure the appropriate use of neighboring properties and will serve the public convenience and welfare.
- (4)** The BZA shall also consider the following as applicable to the application:
 - a)** The comparative size, floor area and mass of the proposed structure(s) in relationship to adjacent structures and buildings in the surrounding properties and neighborhood.
 - b)** The frequency and duration of various indoor and outdoor activities and special events and the impact of these activities on the surrounding area.
 - c)** The number of transit movements generated by the proposed use and relationship to the amount of traffic on abutting streets and on minor streets in the surrounding neighborhood.
 - d)** The capacity of adjacent streets to handle increased traffic in terms of traffic volume.
 - e)** The added noise level created by activities associated with the proposed use and the impact of the ambient noise level of the surrounding area and neighborhood.
 - f)** The requirements for public services where the demands of the proposed use are in excess of the individual demand of adjacent land uses in terms of police and fire protection, and the presence of any potential or real fire or other hazards created by the proposed use.
 - g)** The general appearance of the neighborhood will not be adversely affected by the location of the proposed use on the parcel.
 - h)** The impact of night lighting in terms of intensity and duration and frequency of use as it impacts adjacent properties and in terms of presence in the neighborhood.
 - i)** The impact of the landscaping of the proposed use in terms of maintained landscaped areas versus areas to remain in a natural state, and the openness of landscape versus the use of buffers and screens.
 - j)** The impact of a significant amount of hard-surfaced areas for building, sidewalks, drives, parking areas and service areas in terms of noise transfer, water runoff and heat generation.
 - k)** The potential for the proposed use to remain in existence for a reasonable period of time and not become vacant or unused. Consideration should also be given to unusual single purpose structures or components of a more temporary nature, and
 - l)** Any other physical or operational feature or characteristic that may affect the public health, safety and welfare.

(D) EXPIRATION

- (1)** Construction shall begin within 12 months of approval of a variance or conditional use. Construction shall be considered “begun” if the footers of the structure have been installed.
- (2)** Failure to begin construction within 12 months shall result in the expiration of the variance or conditional use approval unless the applicant requests and receives a one-time extension from the Zoning Administrator for good cause.

- (3) Where a conditional use approval is for a use of land or a structure, such use shall be open or fully functioning within 12 months of approval of the conditional use or the conditional use approval shall expire.
- (4) Upon expiration of a variance or conditional use approval, a new application for a variance or conditional use, including all applicable fees, shall be required before approval.

Section 3.08 Appeals

(A) APPEAL APPLICABILITY

An appeal to the BZA may be taken by any person aggrieved by a decision of the Zoning Administrator of the township in interpreting or applying the provisions of this zoning resolution. Such appeal shall be taken within 20 days of receipt of notification of the decision in question, by filing with the Zoning Administrator and with the BZA, a notice of appeal specifying the grounds thereof including applicable sections of the Springfield Township Zoning Resolution.¹

(B) REVIEW PROCEDURE

The review procedure for an appeal shall be as follows:

(1) Step 1 – Filing of Appeal

- a) Upon the filing of an appeal, the Zoning Administrator shall transmit to the BZA all the papers constituting the record upon which the action appealed from was taken.
- b) The filing of an appeal shall stay all proceedings unless the Zoning Administrator or any affected person certifies to the BZA that, by reason of facts pertaining to the matter in question, a stay, in their opinion, would cause imminent peril to life or property. When such certification is made, proceedings shall not be stayed except by order granted by the BZA.
- c) All appeals shall be submitted with the required fees, if applicable, as established in the Springfield Township fee schedule.

(2) Step 2 – Public Hearing with the Board of Zoning Appeals

- a) Upon the filing of an appeal (Step 1), the BZA shall fix a reasonable time for the public hearing on the appeal, give at least ten days of notice in writing to the parties in interest, and give notice of such public hearing by one publication in one or more newspapers of general circulation in the county at least ten days before the date of such hearing.
- b) Upon the day for hearing any appeal, the BZA may adjourn the hearing in order to obtain additional information or to cause further notice, as it deems proper, to facilitate the discussion and decision on said appeal. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of said hearing unless the BZA so decides.

(3) Step 3 – Decision

- a) Within 30 days after the hearing concludes (Step 2), the BZA shall make a decision on the appeal.

¹ Effective 8/12/13

- b) A decision of the BZA shall not become final until the expiration of 30 days from the date of such decision unless the BZA shall find the immediate taking effect of such decision is necessary for the preservation of property or personal rights and shall so certify on the record.
- c) A certified copy of the BZA's decision shall be transmitted to the applicant or appellant at the applicant's address as shown on the records of the BZA and to the Zoning Administrator. Such decision shall be binding upon the Zoning Administrator and observed by him and he shall incorporate the terms and conditions of the decision in the permit to the appellant, whenever the BZA authorizes a zoning certificate.
- d) The BZA may, in conformity with the provisions of this section, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination as in its opinion ought to be made in the premises; and to that end, shall have all powers of the Zoning Administrator from whom the appeal is taken.
- e) Failure to comply with the conditions of a decision shall be deemed a violation of this zoning resolution.
- f) Any party adversely affected by a decision of the BZA may appeal the decision to the Summit County Court of Common Pleas.

(C) APPEAL REVIEW CRITERIA

An order, decision, determination, or interpretation shall not be reversed or modified by the BZA unless there is competent, material, and substantial evidence in the record that the order, decision, determination, or interpretation fails to comply with either the procedural or substantive requirements of this zoning resolution, state law, or federal law.

Article 4: Zoning District Establishment

Section 4.01 Establishment of Zoning Districts

The zoning districts listed in Table 4.01-A are hereby established for the unincorporated territory of Springfield Township, Summit County, Ohio.

| TABLE 4.01-A: ZONING DISTRICTS | |
|--------------------------------|--|
| DISTRICT DESIGNATION | DISTRICT NAME |
| RESIDENTIAL DISTRICTS | |
| O-C | Open Space Conservation District |
| R-1 | Low Density Residential District |
| R-2 | Medium Density Residential District |
| R-3 | Traditional Residential District |
| NONRESIDENTIAL DISTRICTS | |
| C-1 | Limited Business District |
| C-2 | Community Commercial District |
| C-3 | Highway Commercial District |
| O-R | Office and Research Park District |
| I-1 | Light Industrial District |
| I-2 | Manufacturing and Storage District |
| PLANNED DEVELOPMENT DISTRICTS | |
| RPD | Planned Residential District |
| MUPD | Mixed-Use Planned Development District |
| PIPD | Planned Industrial Park District |

Section 4.02 Official District Map

- (A) The boundaries of the established zoning districts are indicated upon the “Zoning District Map of Springfield Township, Summit County, Ohio,” also known as the “zoning map.”
- (B) This Zoning District Map is hereby made a part of this resolution.
- (C) The Zoning District Map and all the quotations, references, and other matters shown thereon, shall be as much a part of this resolution as if the notations, references and other matters set forth by said zoning map were all fully described herein.
- (D) The Zoning District Map is properly attested and is on file in the Springfield Township offices.
- (E) Nothing in this article shall be construed to require the actual location of any zoning district on the Zoning District Map, as it is the intent of this zoning resolution to provide the flexibility in its administration to allow for future expansion and amendments.

Section 4.03 Interpretation of District Boundaries

- (A) Where uncertainty exists with respect to the boundaries of any of the aforesaid districts, as shown on the zoning map, the following rules shall apply:
 - (1) **Where Boundaries Approximately Follow Lot Lines**
Where district boundaries are so indicated that they approximately follow lot lines, such lot lines shall be construed to be said boundaries.

(2) Where Boundaries Approximately Follow Streets, Alleys or Highways

Where district boundaries are indicated as approximately following the centerline or right-of-way line of streets or highways or the centerline of alleys, such lines shall be construed to be such district boundaries.

(3) Where Boundaries Parallel Street or Highway Right-of-Way Lines or Alley Lines

Where district boundaries are so indicated that they are approximately parallel to the centerlines or right-of-way lines of streets or highways or the centerlines of alleys, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the map. If no distance is given, such dimensions shall be determined by the use of the scale shown on said zoning map.

(4) Where Boundaries Approximately Follow Railroad Lines

Where a district boundary line is shown as adjoining a railroad, it shall, unless otherwise fixed, be construed to coincide with the nearest boundary line of the railroad right-of-way.

(5) Where Boundaries Approximately Follow a Waterway

Where a district boundary line is indicated as approximately following the centerline of a river, stream, or creek or other waterway, such centerline shall be construed to be such district line.

(B) All disputes concerning the exact location of zoning district boundaries shall be resolved by the BZA at a public hearing. The Springfield Township Comprehensive Land Use Plan may serve as a guide in resolving such disputes.

Section 4.04 Vacation of Public Ways

Whenever any street or public way is vacated in the manner authorized by law, the Board of Trustees or Zoning Commission shall initiate a zoning map amendment (See [Section 3.06: Zoning Text or Map Amendment](#)) to establish a zoning district(s) for the vacated public way.

Section 4.05 References to Previous Zoning Districts

The district classification and names established within this resolution differs, in part, from previous versions of this resolution. In instances where there may be references to the previous zoning district nomenclature, [Table 4.05-A](#) identifies how each of the previous district classifications was renamed for this resolution. This section shall be used for comparison purposes only.

| TABLE 4.05-A: DISTRICT TRANSITION TABLE | |
|---|---|
| DISTRICT NAME AND DESIGNATION PRIOR TO MAY 9, 2011 | DISTRICT NAME AND DESIGNATION IN THIS RESOLUTION AS OF MAY 9, 2011 |
| RESIDENTIAL DISTRICTS | |
| O-C: Open Space Conservation District | O-C: Open Space Conservation District |
| R-1: Low Density Residential District | R-1: Low Density Residential District |
| R-2: Medium Density Residential District | R-2: Medium Density Residential District |
| R-3: Traditional Residential District | R-3: Traditional Residential District |
| NONRESIDENTIAL DISTRICTS | |
| C-1: Local Commercial District | C-1: Limited Business District |

| TABLE 4.05-A: DISTRICT TRANSITION TABLE | |
|---|---|
| DISTRICT NAME AND DESIGNATION PRIOR TO MAY 9, 2011 | DISTRICT NAME AND DESIGNATION IN THIS RESOLUTION AS OF MAY 9, 2011 |
| C-2: Office and Limited Business District | |
| C-3: Community Commercial District | C-2: Community Commercial District |
| C-4: Highway Commercial District | C-3: Highway Commercial District |
| O-R: Office and Research Park District | O-R: Office and Research Park District |
| I-1: Light Industrial District | I-1: Light Industrial District |
| I-2: Manufacturing and Storage District | I-2: Manufacturing and Storage District |
| PLANNED UNIT DEVELOPMENT DISTRICT | |
| RPD: Planned Residential District | RPD: Planned Residential District |
| MUPD: Mixed-Use Planned Development District | MUPD: Mixed-Use Planned Development District |
| PIPD: Planned Industrial Park District | PIPD: Planned Industrial Park District |

Article 5: Zoning Districts and Permitted Uses

Section 5.01 General Purpose and Intent

The districts contained in this article are created to:

- (A) Realize the general purpose set forth in [Section 1.01: Purpose](#), of this zoning resolution;
- (B) Provide appropriately located areas for residential development that are consistent with township policy and with standards of public health and safety established by this resolution and any other appropriate governmental body;
- (C) Provide, in appropriate and convenient locations, sufficient areas for a full range and scale of business, office, and industrial uses in accordance with the township comprehensive plan;
- (D) Provide for proper location of institutions and other community facilities so as to increase the general convenience, safety and amenities; and
- (E) Ensure the long-term maintenance of the township's quality residential neighborhoods;
- (F) Ensure adequate light, air, privacy and open space for each dwelling;
- (G) Protect residents from the harmful effects of excessive noise, population density, traffic congestion, and other significant adverse environmental effects;
- (H) Protect and stabilize both residential and nonresidential developments from congestion by requiring off-street parking facilities;
- (I) Promote a safe and compatible environment for businesses;
- (J) Strengthen the township's economic base, and provide employment opportunities close to home for residents of the township and surrounding communities;
- (K) Encourage a business-friendly climate which will foster growth in the commercial sector, while protecting the character of the neighborhoods;
- (L) Minimize the impact of business development on abutting residential districts; and
- (M) Maintain and enhance the attractiveness and vitality of the township's neighborhood business areas.

Section 5.02 Specific District Purpose Statements

The residential districts are designed to carry out the following specific purposes:

(A) OPEN SPACE CONSERVATION DISTRICT (O-C)

The Open Space Conservation District (O-C) is established to preserve and protect the values of distinctive geologic, topographic, botanic, historic, or scenic areas; to protect the ecological balance of an area; to conserve natural resources, such as river valleys, and tracts of wooded land, and; to reduce the problems created by the intensive development of areas having excessively high water tables, or which are topographically unsuited for urban type uses. Development through the use of conservation subdivisions in this district is highly encouraged as a method of allowing for development that is designed in a manner as to protect these valuable resources.

(B) LOW DENSITY RESIDENTIAL DISTRICT (R-1)

The Low Density Residential District (R-1) is established to accommodate single-family residential development of low density that will promote the continuation of the predominantly rural residential character that is prevalent in many areas of Springfield Township. Development within this district is intended for low-density residential uses and conservation subdivisions where homes are clustered on lots but the overall gross density remains low.

(C) MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2)

The Medium Density Residential District (R-2) is intended to provide for the protection of older, existing neighborhoods in Springfield Township where development is more compact and for the expansion of residential areas where sanitary sewer and water is available.

(D) TRADITIONAL RESIDENTIAL DISTRICT (R-3)

The Traditional Residential District (R-3) is established to provide for the protection of older, existing neighborhoods in Springfield Township where development is more compact. Uses in this district may include single-family, two-family, or low-intensity attached dwellings.

(E) LIMITED BUSINESS DISTRICT (C-1)

The Limited Business District (C-1) is established to allow for low-intensity retail commercial, office, and personal services establishments that are designed in a manner that encourage small groupings of establishments that can be compatibly located on small lots close to residential uses with adequate off-street parking facilities as well as efficient and safe methods of handling vehicular and pedestrian traffic.

(F) COMMUNITY COMMERCIAL DISTRICT (C-2)

The Community Commercial District (C-2) is established to provide for planned and integrated groupings of retail stores and personal and professional services in areas adequately served by major streets and public utilities. It is intended that the regulations for this district will result in unified groupings of buildings that will encourage safe pedestrian movement between uses and interconnected vehicular circulation, minimize outdoor storage, require adequate off-street parking and servicing facilities, and minimize curb cuts.

(G) HIGHWAY COMMERCIAL DISTRICT (C-3)

The Highway Commercial District (C-3) is established for uses and activities that, because of their regional attraction and nature of operation, tend to generate large volumes of traffic, outdoor activity, and noise, and are therefore considered more intense land uses. Because of these characteristics, these uses must be buffered from residential uses and are best located on major thoroughfares and at expressway interchanges. It is intended that the district regulations will encourage safe pedestrian movement between uses, and interconnected vehicular circulation, minimized outdoor storage, require adequate off-street parking and servicing facilities, and minimize curb cuts.

(H) OFFICE AND RESEARCH PARK DISTRICT (O-R)

The Office and Research Park District (O-R) is established to provide for areas of the township conducive to the development and protection of modern administrative facilities and research institutions that are office-like in physical appearance and service requirements with allowance for limited light industrial uses that have similar operational characteristics. The regulations of the O-R District are designed to encourage new office/light industrial subdivisions with new streets to minimize curb cuts on existing public streets.

(I) LIGHT INDUSTRIAL DISTRICT (I-1)

The Light Industrial District (I-1) is established to accommodate industrial uses in the fields of repair, storage, manufacturing, processing, wholesaling, and distribution, free from encroachment of residential, retail, and institutional uses. The uses allowed are those that because of their normally unobjectionable characteristics can be in relatively close proximity to residential districts.

(J) MANUFACTURING AND STORAGE DISTRICT (I-2)

The Manufacturing and Storage District (I-2) is established to accommodate intense industrial uses such as heavy manufacturing, extensive outdoor storage, and large-scale warehousing that may have extended physical effects on surrounding areas or may be objectionable when in proximity to residential uses.

Section 5.03 Permitted Uses

(A) PERMITTED USE TABLE SUMMARY

Table 5.03-A sets forth the uses allowed within all zoning districts except planned development districts (See Article 6: Planned Development Districts.). The abbreviations used in the table are described as follows:

(1) Permitted Uses

- a) A “P” in a cell indicates that a use is allowed by-right in the respective zoning district. Permitted uses are subject to all other applicable regulations of this resolution.
- b) Permitted uses are approved administratively by the Zoning Administrator through the zoning certificate procedure (See [Section 3.04: Zoning Certificate](#)).

(2) Conditional Uses

- a) A “C” in a cell indicates that a use may be permitted if approved through the conditional use review (See [Section 3.07: Variance or Conditional Use](#)). Conditional uses may be subject to use-specific standards as identified in the last column of [Table 5.03-A](#). Conditional uses are subject to all other applicable regulations of this resolution.
- b) The existence of additional use-specific standards in this resolution shall not be implied to be the only standards the use is required to meet. Any use that is permitted as a conditional use shall be subject to the general review standards for conditional uses in [Section 3.07\(C\): Conditional Use Review Criteria](#).

(3) Permitted Uses with Standards

- a) A “PS” in a cell indicates that a use category is allowed by-right in the respective zoning district if it meets the additional standards set forth in the numerically referenced sections. Permitted uses with standards are subject to all other applicable regulations of this resolution.
- b) Uses permitted with standards under this category are approved administratively by the Zoning Administrator through the zoning certificate procedure (See [Section 3.04: Zoning Certificate](#)).

(4) Prohibited Uses

A blank and/or shaded cell indicates that a use is prohibited in the respective zoning district.

(5) Numerical References

The numbers contained in the “Use-Specific Standards” column are references to additional standards and requirements that apply to the use type listed. Standards referenced in the “Use-Specific Standards” column apply in all zoning districts unless otherwise expressly stated.

(6) Unlisted Uses

If an application is submitted for a use that the Zoning Administrator determines is not defined or established in [Table 5.03-A](#), below, the applicant may choose to take one of the following actions:

- a) The applicant may appeal the determination of the Zoning Administrator to the BZA pursuant to [Section 3.08: Appeals](#);
- b) The applicant may submit an application for a zoning text amendment to include the proposed use and applicable standards pursuant to [Section 3.06: Zoning Text or Map Amendment](#); or
- c) The applicant may present their case to the Zoning Commission and/or Board of Trustees to request that the township initiate a text amendment to address the proposed use and applicable standards.

(B) PERMITTED USE TABLE

| TABLE 5.03-A: PERMITTED USE TABLE | | | | | | | | | | | | |
|---|-------------------------------------|-----|-----|-----|--|-----|-----|-----|-----|-----|--|---------------------------------|
| PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited | RESIDENTIAL ZONING DISTRICTS | | | | NONRESIDENTIAL ZONING DISTRICTS | | | | | | USE-SPECIFIC STANDARDS SEE SECTION: | |
| | O-C | R-1 | R-2 | R-3 | C-1 | C-2 | C-3 | O-R | I-1 | I-2 | | |
| | AGRICULTURAL USES | | | | | | | | | | | |
| Agricultural uses | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | Section 5.04(A) |
| Nurseries or greenhouses | PS | PS | PS | PS | | P | P | | P | P | | Section 5.04(B) |
| RESIDENTIAL USES | | | | | | | | | | | | |
| Adult family homes or small residential facilities | P | P | P | P | | | | | | | | |
| Bed and breakfast establishments | C | C | C | C | | | | | | | | Section 5.04(C) |
| Conservation subdivision | PS | PS | PS | PS | | | | | | | | Section 5.04(D) |
| Conservation subdivision with attached dwellings | PS | PS | PS | PS | | | | | | | | Section 5.04(D) |
| Dwellings, single-family | P | P | P | P | | | | | | | | |
| Dwellings, two-family | | | P | P | | | | | | | | |
| Institutional housing | | C | C | C | PS | | | | | | | Section 5.04(E) |
| Permanently sited manufactured housing | PS | PS | PS | PS | | | | | | | | Section 5.04(F) |
| PUBLIC AND INSTITUTIONAL USES | | | | | | | | | | | | |
| Active parks and recreation | C | C | C | C | C | P | P | P | P | P | P | Section 5.04(G) |
| Campgrounds | C | | | | | | | | | | | Section 5.04(I) |
| Cemeteries | | PS | PS | PS | | | | | | | | Section 5.04(J) |
| Churches and places of worship | C | C | C | C | P | P | P | P | P | P | | 0 |
| Cultural institutions | C | C | C | C | | | | | | | | 0 |
| Educational facilities (Primary and Secondary) ⁶ | | C | C | C | C | C | | | | | | 0 |
| Educational facilities, higher | | | | | | | P | P | P | | | |
| Hospitals | | | | | | P | P | C | | | | Section 5.04(M) |
| Passive parks, recreation, and open space | P | P | P | P | P | P | P | P | P | P | P | |
| Public safety and service facilities | C | C | C | C | PS | PS | PS | PS | PS | PS | PS | Section 5.04(N) |

| TABLE 5.03-A: PERMITTED USE TABLE | | | | | | | | | | | |
|---|-------------------------------------|-----|-----|-----|--|-----|-----|-----|-----|-----|--|
| PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited | RESIDENTIAL ZONING DISTRICTS | | | | NONRESIDENTIAL ZONING DISTRICTS | | | | | | USE-SPECIFIC STANDARDS SEE SECTION: |
| | O-C | R-1 | R-2 | R-3 | C-1 | C-2 | C-3 | O-R | I-1 | I-2 | |
| | COMMERCIAL AND OFFICE USES | | | | | | | | | | |
| Adult entertainment establishments | | | | | | | | | C | C | Section 5.04(H) |
| Banks and financial institutions | | | | | P | P | P | P | | | |
| Bars, taverns, or restaurants | | | | | P | P | P | P | | | |
| Club | | | | | P | P | P | | | | |
| Commercial entertainment or recreation (indoors) | | | | | | P | P | | C | | |
| Commercial entertainment or recreation (outdoors) | | | | | | C | | | | | |
| Building supply or farm sales establishments | | | | | | | P | | P | P | |
| Day care centers (adult or child) | PS | PS | PS | PS | P | P | P | P | | | Section 5.04(O) |
| Entertainment Device Arcades | | | | | | | | | | | Section 5.04(P) |
| Funeral homes | | | | | | P | | | | | |
| General offices (administrative, professional, business) | | | | | P | P | P | P | P | P | |
| Hotels and motels | | | | | | P | P | | | | |
| Instructional studios | | | | | P | P | P | | | | |
| Kennels, commercial and animal day cares | C | C | C | C | | | C | | PS | PS | Section 5.04(Q) |
| Medical and dental offices or clinics | | | | | P | P | P | P | P | | |
| Outdoor dining areas | | | | | PS | PS | PS | | | | Section 5.04(R) |
| Outdoor display and sales | | | | | PS | PS | PS | PS | | | Section 5.04(S) |
| Outdoor storage | | | | | | C | C | | PS | PS | Section 5.04(T) |
| Personal service establishments | | | | | P | P | P | | | | |
| Retail commercial uses | | | | | P | P | P | | | | |
| Sales offices and showrooms | | | | | | P | P | C | | | |
| Service commercial uses | | | | | | P | P | C | | | |
| Veterinarian offices and animal hospitals | | | | | | PS | PS | PS | PS | PS | Section 5.04(U) |
| VEHICLE AND TRANSPORTATION RELATED USES | | | | | | | | | | | |
| Gasoline stations | | | | | | C | PS | | | | Section 5.04(V) |
| Farm implement sales and rental ^{2,7} | | | | | | C | C | | | | Section 5.04(W) |
| Motor vehicle sales ² | | | | | | C | C | | | | Section 5.04(W) |
| Parking lot or structure | | | | | C | C | C | C | C | C | Section 5.04(X) |
| Passenger transportation terminal | | | | | | P | P | | | | |
| Truck services/truck stop facilities | | | | | | | C | | | | Section 5.04(Y) |
| Truck/transfer facilities | | | | | | | | | C | C | Section 5.04(Y) |
| Vehicle repair garages (major repair) | | | | | | C | PS | | PS | PS | Section 5.04(Z) |

² Effective 10/13/13; ⁶Effective 7/26/16; ⁷Effective 10/1/18

TABLE 5.03-A: PERMITTED USE TABLE

| PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited | RESIDENTIAL ZONING DISTRICTS | | | | NONRESIDENTIAL ZONING DISTRICTS | | | | | | USE-SPECIFIC STANDARDS SEE SECTION: |
|--|-------------------------------------|-----|-----|-----|---------------------------------|-----|-----|-----|-----|-----|--|
| | O-C | R-1 | R-2 | R-3 | C-1 | C-2 | C-3 | O-R | I-1 | I-2 | |
| | Vehicle service uses (minor repair) | | | | | | PS | PS | | PS | |
| Vehicle washing establishments | | | | | | C | C | | | | Section 5.04(AA) |
| INDUSTRIAL USES | | | | | | | | | | | |
| Distribution facilities | | | | | | | | | P | P | |
| Foundry | | | | | | | | | C | P | |
| Industrial service uses | | | | | | | | | P | P | Section 5.04(BB) |
| Industrial uses, heavy | | | | | | | | | | C | Section 5.04(CC) |
| Industrial uses, light | | | | | | | | P | P | P | Section 5.04(BB) |
| Laboratories | | | | | | | | PS | PS | PS | Section 5.04(DD) |
| Research and development facilities | | | | | | | | PS | PS | | Section 5.04(DD) |
| Self-storage facilities | | | | | | | | | C | C | Section 5.04(EE) |
| Warehouses | | | | | | | | P | P | P | |
| OTHER USES | | | | | | | | | | | |
| Essential Services | P | P | P | P | P | P | P | P | P | P | |
| Gas and Oil Wells | PS | PS | PS | PS | PS | PS | PS | PS | PS | PS | Section 5.04(FF) |
| Mixed Use Development | | | | | | PS | PS | | | | Section 5.04(GG) |
| Radio and television stations (no towers or satellites) | | | | | | P | P | P | P | P | |
| Soil removal or mineral extraction | | | | | | | | | C | C | Section 5.04(HH) |
| Wireless telecommunication facilities | C | C | C | C | P | P | P | P | P | P | Section 5.04(II) |

Section 5.04 Use-Specific Standards

(A) AGRICULTURAL USES

The following standards shall apply to all agricultural uses that are not otherwise exempted from zoning pursuant to [Section 3.02\(A\): Agricultural Use Exemption](#):

- (1) The raising of livestock, as defined, is prohibited on lots less than one acre except for the raising of chickens and up to 2 small livestock animals, as defined, and permitted as an accessory use in [Section 7.01 Accessory Use Regulations](#).³
- (2) All agricultural buildings and structures, except fencing, used as a shelter for any livestock on lots less than five acres shall:
 - a) Be set back a minimum of 100 feet from all neighboring inhabited structures.³
 - b) Shall not exceed the height of the principal building.³
 - c) Shall be allowed in the rear or side yard but not closer than 30 feet to a property line.³

³ Effective 10/28/13

- d) Shall not be closer than 100 feet from a well or other potable water source.³
- (3) Agricultural buildings on lots less than five acres shall follow allowances in [Maximum Number, Size, and Lot Coverage](#).³
- (4) Fencing utilized to corral, pen or confine livestock shall be set back a minimum of 20 feet from all property lines.³
- (5) The raising of crops and trees is permitted on any lot by-right and shall not require a zoning certificate.
- (6) All livestock shall have a suitable structure for protection from the weather.³

(B) NURSERIES AND GREENHOUSES

Nurseries and greenhouses in a residential district may only be permitted when an accessory to a permitted agricultural use.

(C) BED AND BREAKFAST ESTABLISHMENTS

The use of a single-family dwelling for a bed and breakfast establishment shall comply with the following requirements:

- (1) The owner of the premises used for the bed and breakfast establishment shall reside full-time in the dwelling, or in a dwelling on an adjoining lot.
- (2) No more than five bedrooms in any dwelling may be used for bed and breakfast lodging and at least one bathroom shall be dedicated to guest use.
- (3) One off-street parking space shall be provided for each bedroom used for guest lodging in addition to those normally required for the single-family dwelling.
- (4) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of the bed and breakfast establishment that will indicate from the exterior that the building is being utilized in part for any purpose other than a dwelling unit.
- (5) Meals provided for cost in a bed and breakfast establishment shall only be served to the guests who are lodging at the bed and breakfast establishment.
- (6) Guests shall be permitted to reside at the facility for not longer than two continuous weeks.

(D) CONSERVATION SUBDIVISIONS AND CONSERVATIONS SUBDIVISIONS WITH ATTACHED DWELLINGS

- (1) Conservation subdivisions provide for creative development techniques and tools that preserve natural resources and open spaces while still providing for the development of housing within the township. Conservation subdivisions are encouraged within Springfield Township as a method to conserve and protect the natural environment and unique character of the township.
- (2) Unless otherwise specified, the term “conservation subdivision,” and any applicable standards in this subsection applies to all types of conservation subdivisions including those with or without attached dwellings.
- (3) All conservation subdivisions shall be subject to the Summit County Subdivision Regulations.

³ Effective 10/28/13

(4) Property Requirements

- a) Conservation subdivisions are permitted where the subject parcel(s) is not separated by a road or other right-of-way prior to development.
- b) The applicant must own in fee simple or have an option to purchase all lands within the conservation subdivision. The exception to this is if the applicant is the authorized agent to the property owner, in which case, the applicant need not own the lands.
- c) Any lawful ownership arrangement including, but not limited to fee simple lots, is permitted in a conservation subdivision.
- d) The arrangement of dwelling units shall comply with all development standards contained in the applicable zoning district as may be modified in this subsection.

(5) Permitted Gross Density

The maximum number of dwelling units permitted in a conservation subdivision is determined using the minimum lot area required in the applicable zoning district and the formula in [Table 5.04-A](#).

| TABLE 5.04-A: PERMITTED GROSS DENSITY FORMULA |
|--|
| $(TSA/MLA) \times 90\%$ |
| Where TSA = Total Site Area, in acres, excluding any areas within public rights-of-way existing prior to development, land that is subject to an existing conservation easement, or land located in a floodway. The Total Site Area also does not include any area occupied by existing lakes or ponds that are greater than one acre in size. |
| MLA = Minimum lot area, in acres, required in a given zoning district. |
| 90% is the reduction factor used to account for public or private rights-of-way in a development. When the above formula produces a fractional value, the number shall be rounded to the nearest whole number. |

(6) Allowable Uses and Access

- a) The uses permitted within a conservation subdivision shall be those permitted in the applicable zoning district.
- b) Attached dwellings may be permitted in conservations subdivisions provided the conservation subdivision meets the following additional requirements:
 - (i) No more than four dwelling units may be attached as a single structure.
 - (ii) Each dwelling units shall have a separate, exterior, primary entrance.
- c) Private roads connecting one residence to another and/or for means of ingress and egress for conservation subdivisions are permitted, subject to the following conditions:
 - (i) Private roads must meet Summit County Engineer requirements for design, materials, and construction.
 - (ii) The length, location, distance and other relevant siting factors must comply with all of the Summit County requirements for subdivision roads.

(7) Modifications to Area and Height Regulations

Minimum lot area requirements contained in the applicable zoning districts are hereby modified for conservation subdivisions to provide for the preservation of land in its natural undisturbed state and to allow for flexibility in design. Unless specifically modified hereunder, area and height regulations contained in the applicable zoning district apply.

a) Lot Area Requirements

- (i) Dwelling units shall be on individual lots unless ownership is in an approved condominium form.
- (ii) The minimum lot area for any lot in a conservation subdivision shall be 5,000 square feet.

b) Minimum Lot Width

The minimum lot width for any lot shall be 50 feet.

c) Minimum Yard Depths and Setbacks

- (i) Individual buildings shall be set back a minimum of 15 feet from a proposed internal public or private roadway and 35 feet from an existing township or county road.
- (ii) Individual buildings shall be set back a minimum of 50 feet from any lot line that represents the boundary of the proposed conservation subdivision.
- (iii) There shall be a minimum separation of 60 feet between the rear of two principal buildings or between the rear and front of two principal buildings.
- (iv) The minimum separation between the sides of two principal buildings (side yards) in the proposed development shall be 20 feet.

(8) General Design Standards

To the maximum extent feasible, conservation subdivisions should be designed to meet the following standards in order to further enhance and protect the existing character of Springfield Township and the surrounding development:

- a) Lots should be located to the rear of the development site, away from existing roadways and adjacent development to protect the rural character along roads.
- b) Lots should be located in areas that are least likely to block any scenic views of hills, roadway corridors, waterways, natural areas, or wetlands.
- c) Use the natural resources to buffer the visibility of homes by maintaining existing trees between the proposed development area and any roads.
- d) Lots should be grouped into several clusters of homes within a single development to break up the concentration of housing in a single area.

(9) Sewage Disposal

Conservation subdivisions shall be served by public or private sewage disposal systems consistent with applicable state or county regulations. Individual sewage disposal systems shall comply with all applicable regulations of the Summit County General Health District and may be located within required open space if permitted by the health district.

(10) Mandatory Open Space Requirements

- a) All conservation subdivisions shall include a minimum of 50% of the total site acreage (TSA) as required open space.
- b) Conservation subdivisions that include attached dwellings shall include a minimum of 65% of the total site acreage as required open space.
- c) The following areas shall be completely preserved in their natural state as part of the open space requirements:
 - (i) Riparian corridor setbacks as required by Summit County;

- (ii) Floodways and the 100-year flood plain as determined by FEMA; and
 - (iii) Areas with a natural slope of 20 percent or more measured as a percentage of vertical distance of rise (e.g. change in elevation above sea level) divided by horizontal distance of run.
- d) The following types of land are encouraged, but not required, to be preserved in its natural state as part of the open space requirement:
 - (i) Mature woodlands and existing vegetation.
 - (ii) Intermittent streams; and
 - (iii) Wetlands as determined by the U.S. Fish and Wildlife Service.
- e) In the case of phased developments, open space shall be provided in a proportional manner with a developed area (i.e., if a 100 acre site is to be developed in two phases of 50 acres each, 25 acres of open space, or 50 percent of the first phase, must be provided with the first phase). An alternative phasing may be approved by the Zoning Administrator as part of the review process.
- f) Conservation subdivisions shall also be subject to certain open space standards for planned developments as established in [Section 6.08\(C\)](#) through [Section 6.08\(G\)](#).

(11) Review of Conservation Subdivisions

- a) All conservation subdivisions shall be subject to zoning certificate approval (See [Section 3.04: Zoning Certificate](#)) prior to submitting the conservation subdivision to Summit County for formal subdivision review.
- b) As part of the zoning certificate application, the applicant shall submit a development plan in a form and number as prescribed by the Zoning Administrator. At a minimum, the development plan shall illustrate all existing wetlands, streams, areas of slope, proposed lots, roads, and open space, identification of proposed uses and densities, and other information as required by the Zoning Administrator.
- c) The development plan shall be submitted along with the appropriate application form, copies of any deeds, covenants, easements, or other documents to be recorded with the county, and the required fee.
- d) The development plan shall be submitted to and reviewed by the Zoning Administrator in the manner described herein.
- e) **Review and Approval by Zoning Administrator**

Within 45 days after the date that a complete application is made, the zoning administrator shall review materials submitted and take one of the following actions:

 - (i) Approve the application and proposed development plan based upon a determination that the proposed plan complies with the standards set forth in this resolution; or
 - (ii) Deny approval of the application and proposed development plan. The decision to deny the application shall include a written description of specific changes required for the proposed plan to conform to the requirements of this section. A decision to deny the application and proposed development plan may be appealed to the Springfield Township BZA in accordance with the requirements in [Section 3.08: Appeals](#).

f) Time Limits

If approved, the zoning certificate and approved development plan shall be valid for two years, regardless of the general time limits established for zoning certificates pursuant to [Section 3.04: Zoning Certificate](#). If the applicant has not begun construction within the two years, the development shall be voided and any new development shall require a new application for approval.

g) Amendments

- (i) After a conservation subdivision has been approved, adjustments, or rearrangements of buildings, parking areas, entrances, heights, or yards may be requested.
- (ii) Changes, as defined herein, are allowed and may be approved by the Zoning Administrator, provided such requests conform to applicable standards defined in this section.
- (iii) Amendments shall require the submittal of a revised development plan to the Zoning Administrator. The township may establish a minor re-submittal fee as part of their adopted fee schedule.
- (iv) Amendments to the development plan may also require an amendment to any previously approved subdivision plans. See the Summit County Subdivision Regulations.

(E) INSTITUTIONAL HOUSING

- (1) The maximum gross density of institutional housing shall be 8 units or 8 beds per acre, whichever is less.
- (2) In a residential zoning district, there shall be a maximum of 24 units or beds per site.
- (3) All buildings shall be set back 50 feet from all lot lines.
- (4) All units shall be rented or sold to the elderly, the handicapped, or the disabled in order to qualify as institutional housing. Mixed development, such as a retirement villages with some independent living, shall be built as part of a planned development district,
- (5) The total area of the footprint of all buildings shall not occupy more than 25% of the total area of the lot.
- (6) No part of a parking area shall be closer than five feet to the side and rear lot line unless it is adjacent to a residential district where it shall be set back 50 feet from the property line adjacent to the residential district. All setback areas shall be landscaped with grass and planting areas and shall be well maintained.

(F) PERMANENTLY SITED MANUFACTURED HOUSING

Permanently sited manufactured homes shall be permitted where they meet the following provisions:

- (1) They meet the definition of a permanently sited manufactured home;
- (2) They comply will all zoning requirements of a single-family dwelling in the applicable zoning district; and
- (3) Travel trailers, park trailers, and mobile homes, as defined in Section 4501.01 of the ORC, and that do not qualify as a permanently sited manufactured home, shall be prohibited.

(G) ACTIVE PARKS AND RECREATION

All structures or buildings, except fences, shall be located a minimum of 100 feet from all lot lines of an adjacent residential use.

(H) ADULT ENTERTAINMENT ESTABLISHMENTS

(1) Purpose

The purpose of this section is to regulate adult entertainment establishments through the application of uniform zoning requirements to promote the health, safety, morals and general welfare of the citizens of Springfield Township with the goal of reducing or eliminating the adverse secondary effects associated with sexually oriented businesses. It is not the intent of this section to limit or restrict the content of communicative materials, including sexually oriented materials. Similarly, it is neither the intent nor effect of this section to restrict or deny access by adults to materials protected by the First Amendment to the Constitution of the United States, or to deny access by the distributors and exhibitors of adult oriented entertainment to their intended market.

(2) Specifications and Restrictions

- a) Only one adult entertainment establishment shall be permitted on any single lot.
- b) Adult entertainment establishments authorized by this section shall have entrances to the establishment shielded in such a manner that individuals outside the building are not able to see the entertainment area inside the building. Additionally, shielding shall not consist of a curtain alone, shall not obstruct any exist sign or panic hardware for any exit, nor shall the shielding be constructed in such a way as to block any exit. All shielding shall be approved by the Springfield Township Fire Department.
- c) Minors shall not be permitted on the premises of an adult entertainment establishment and a sign shall be posted at each entrance stipulating that persons under 18 are not permitted inside.
- d) Any retail store that devotes public floor area or 10 percent or more of the number of items in inventory to adult media shall be considered an adult entertainment establishment and shall be subject to all the provisions of this section. An exemption to this requirement shall be permitted if the store complies with the following requirements, in which case, the store shall be treated as retail commercial for the purposes of zoning.
 - (i) Adult media shall not constitute more than 33 percent of the number of items in inventory; and shall not occupy more than 33 percent of the establishment's gross public floor area.
 - (ii) All adult media shall be confined to a separate room or section of the store that is physically and visually separated from the rest of the store by an opaque wall of durable material, reaching at least eight feet high or to the ceiling, whichever is less.
 - (iii) Access to the room containing the adult media shall be through an opaque door that is located as far as reasonably practicable from media or other inventory in the store likely to be of particular interest to children.
 - (iv) The room containing the adult media shall be posted with notice at the entrance stipulating that persons under 18 are not permitted inside.
 - (v) Access to the room containing the adult media shall be physically limited by electronic or other means to provide assurance that persons under age 18 will not easily gain entrance and that the general public will not accidentally enter such room or section.
 - (vi) Continuous video, window, or mirror surveillance of the room containing the adult media shall be conducted by store personnel.

(3) Location Requirements

Adult entertainment establishments shall be located in accordance with the following distance requirements:

- a) The adult entertainment establishment shall be set back a minimum of 1,000 feet from the boundaries of any lot containing a public library, private or public elementary or secondary school, day care center, pre-school, public park, recreation area, church, place of worship, or any other institution where children are present day or night.
- b) The adult entertainment establishment shall be set back a minimum of 250 feet from any residentially zoned parcel in Springfield Township or any adjacent community;
- c) The adult entertainment establishment shall be set back a minimum of 1,000 feet from any other adult entertainment establishment.
- d) For the purposes of these regulations, measurement shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of the building or structure where an adult entertainment establishment is conducted, to the nearest property line of the premises of a use set forth in this section.

(I) CAMPGROUNDS AND COMMERCIAL ENTERTAINMENT OR RECREATION (OUTDOORS)

- (1) The minimum lot area shall be 15 acres.
- (2) The minimum lot width shall be 500 feet.
- (3) All buildings and parking areas shall be set back a minimum of 150 feet from all lot lines.
- (4) In a residential district, only incidental retail uses such as a snack bar, shall be permitted as an accessory use to the campground. Such facility shall be provided for the convenience of customers attending the facility and no sign advertising the retail use shall be permitted.
- (5) The BZA may require portions of the site with high activity areas to be enclosed by a fence having a minimum height of five feet. Golf courses, including tees, fairways, greens and golf driving ranges shall be designed and landscaped in such a manner as to reasonably prevent a misfired ball from landing out of the golf course.
- (6) The use of firearms is permitted if accessory to the principal use and shall be subject to all applicable county, state, and federal regulations.
- (7) Delivery trucks shall not be used as refreshment stands, souvenir stands, and/or concession stands.
- (8) An adequate number of public restrooms for both men and women shall be provided and maintained.
- (9) Swimming pools shall be subject to the accessory use standards related to swimming pools.

(J) CEMETERIES

- (1) The minimum lot area shall be 20 acres.
- (2) The minimum lot width shall be 300 feet.
- (3) All chapels, mausoleums, accessory buildings, or other buildings shall be located a minimum of 100 feet from all street right-of-way and lot lines in a residential zoning district.
- (4) Gravestones or grave markers shall meet all setbacks of the applicable zoning district.
- (5) Except for office uses incidental to cemetery operation, no business or commercial uses of any kind shall be permitted on the cemetery site.
- (6) Interior drives having a minimum width of 20 feet shall be installed as development progresses and as indicated in the final plans by the BZA.

Subsection (0): **(10) Crematoriums shall be considered a light industrial use for the purposes of this zoning resolution.**

- (7) Sufficient pull-off areas for vehicles shall be provided throughout the cemetery so as not to hinder traffic flow.
- (8) All maintenance equipment and materials shall be stored in a completely enclosed building.
- (9) Landscaping shall be provided throughout the cemetery.
- (10) Crematoriums shall be considered a light industrial use for the purposes of this zoning resolution.

(K) CHURCHES AND PLACES OF WORSHIP, CULTURAL INSTITUTIONS

- (1) The minimum lot size shall be two acres.
- (2) The minimum lot width shall be 200 feet.
- (3) All buildings and parking areas shall be set back a minimum of 60 feet from the front lot line.
- (4) All buildings shall be set back a minimum of 50 feet from all other lot lines.
- (5) All parking areas shall be set back a minimum of 25 feet from all other lot lines.
- (6) Such uses should be located on an arterial or collector street (as determined by the Summit County Engineer) or have direct access to an arterial or collector street to minimize impacts on local streets and residential neighborhoods.
- (7) In any district the BZA may require all outdoor children's activity areas to be enclosed with a fence or wall having a height of at least 5 feet but not exceeding 6 feet. An entry gate shall be securely fastened.
- (8) Associated uses such as a convent, faculty residence, cafeteria, dormitory, field house or infirmary shall be located on the same lot as the principal use and comply with the building setback requirements set forth in this resolution.

(L) EDUCATIONAL FACILITIES (PRIMARY AND SECONDARY) ⁵

- (1) The minimum lot size shall be two acres.
- (2) The minimum lot width shall be 200 feet.
- (3) All buildings and parking areas shall be set back a minimum of 60 feet from the front lot line.
- (4) All buildings shall be set back a minimum of 50 feet from all other lot lines.
- (5) All parking areas shall be set back a minimum of 25 feet from all other lot lines.
- (6) Such uses should be located on an arterial or collector street (as determined by the Summit County Engineer) or have direct access to an arterial or collector street to minimize impacts on local streets and residential neighborhoods.
- (7) For the protection of students enrolled in a school, a fence or wall having a height of at least 5 feet shall enclose all outdoor activity areas. An entry gate shall be securely fastened.
- (8) A drop off/pick-up location which will not impede traffic on or off the site shall be provided to ensure the safety of students.
- (9) The location and design of the school shall provide for the protection of the students from the traffic, noise and other hazards of the area and/or the arterial street location.
- (10) Educational facilities shall not be located within 1,500 feet of a parcel where liquor is sold and consumed on the premises of a primary use such as a bar or tavern.

⁵ Effective 7-24-2016

- (11) Associated uses such as a convent, faculty residence, cafeteria, dormitory, field house or infirmary shall be located on the same lot as the principal use and comply with the building setback requirements set forth in this resolution.

(M) HOSPITALS

- (1) The minimum lot area shall be five acres.
- (2) The minimum lot width shall be 300 feet.
- (3) All buildings shall be set back a minimum of 100 feet from all lot lines.
- (4) All parking areas shall be set back a minimum of 50 feet from all lot lines.
- (5) Such uses shall be located on an arterial or collector street (as determined by the Summit County Engineer) or have direct access to an arterial or collector street to minimize impacts on local streets and residential neighborhoods.
- (6) Ambulances and other vehicles used in the operation of the principal use shall be stored in an enclosed building.

(N) PUBLIC SAFETY AND SERVICE FACILITIES

- (1) The minimum lot area shall be two acres.
- (2) The minimum lot width shall be 200 feet.
- (3) All buildings and parking areas shall be set back a minimum of 60 feet from the front lot line. All buildings shall be set back a minimum of 50 feet from all other lot lines.
- (4) Facilities shall be limited to structures that are essential for the distribution of services to the local area.
- (5) Outdoor storage of fleet vehicles used in the operation of the facility shall be subject to [Section 5.04\(T\)\(12\): Outdoor Storage of Fleet Vehicles](#).
- (6) Buildings shall be set back a minimum of 100 feet from every adjacent residential lot and all parking areas shall be set back a minimum of 50 feet from every adjacent residential lot line.

(O) DAY CARE CENTERS (CHILD OR ADULT)

- (1) All buildings and parking areas shall be set back a minimum of 60 feet from the front lot line.
- (2) All buildings shall be set back a minimum of 50 feet from all other lot lines.
- (3) All parking areas shall be set back a minimum of 25 feet from all other lot lines.
- (4) Day care centers are permitted in residential districts only when accessory to another permitted public and institutional use.
- (5) For the protection of children and adults enrolled in the day care center, a fence or wall having a height of at least five feet shall enclose all outdoor activity areas. An entry gate shall be securely fastened.
- (6) A drop-off/pick-up location that will not impede traffic on or off the site shall be provided to ensure the safety of the children and adults.
- (7) The location and design of the center shall provide for the protection of the children and adults from the traffic, noise, and other hazards of the area and/or the arterial street location.
- (8) A day care center for children shall comply with the following:
- (9) An outdoor play area equal in area to the ground floor area of the day care facility is required. The required outdoor activity area shall not be located closer than 20 feet to any residential property.

- a) Play structures and other similar apparatus shall not be located closer than 40 feet to any residential property.

(10) The center and its staff shall be in full compliance with all applicable federal, state and local laws and regulations, including facility licensure to begin and continue operation.

(P) ENTERTAINMENT DEVICE ARCADES

Except as permitted under [Article 14: Nonconformities](#), entertainment device arcades are prohibited in all zoning districts.

(Q) KENNELS, COMMERCIAL AND ANIMAL DAY CARES

- (1) All structures and activities related to the subject kennel use shall be located a minimum distance of 100 feet from side and rear property lines, except that when located adjacent to a residential district, the following additional restrictions shall apply:
- (2) All non-soundproofed structures or area where animals are confined shall be located a minimum distance of 500 feet from any residential district.
- (3) Soundproofed, air-conditioned buildings shall be located a minimum distance of 100 feet from any residential district.
- (4) All non-soundproofed structures for the confinement of animals shall be screened by a solid fence or wall a minimum of six feet in height located within 50 feet of the structure.
- (5) Animals shall be confined in an enclosed building between the hours of 10:00 p.m. and 6:00 a.m. of the following day.
- (6) There shall be no burial or incineration of animals on the premises.

(R) OUTDOOR DINING AREAS

- (1) Outdoor dining in a public right-of-way shall be prohibited.
- (2) Outdoor dining areas on a private property shall be regulated as follows:
 - a) An outdoor dining area may be allowed as an accessory use to a restaurant with an indoor eating area on the same site; provided, the outdoor dining area shall not replace any off-street parking, loading, or landscaping areas as may be required by this resolution.
 - b) If no grade separation is provided between vehicular traffic and the outdoor dining area, permanent railings or fencing shall be provided around the dining area. If the outdoor dining area is adjacent to a street or area that is closed to vehicular traffic, no railing or fencing shall be required.
 - c) Umbrellas, or other protective elements, that shelter diners from the elements shall be secured so as not to create a hazard.
 - d) Enclosing an outdoor dining area either by a permanent roof or to expand the existing structure shall meet all the requirements of a building within the applicable zoning district and shall require the issuance of a zoning certificate.
 - e) There shall be no use of electronics (e.g., televisions, radios, or speakers) in the outdoor dining areas that generate excessive noise as determined by county ordinance.

(S) OUTDOOR DISPLAY AND SALES

(1) Prohibition

Outdoor display and sales areas are prohibited on vacant lots.

(2) Seasonal Agricultural Sales

Seasonal agricultural sales are regulated in [Section 7.02: Temporary Uses and Structures](#).

(3) Outdoor Display and Sales Areas as a Principal Use

When outdoor display and sales area are the primary use of the lot (e.g., motor vehicle/farm implement sales and rental), that are otherwise defined in [Table 5.03-A: Permitted Use Table](#), then such use shall not be subject to the provisions of this section.

(4) Outdoor Display and Sales Areas as an Accessory Use

Temporary and permanent facilities for outdoor display and sales (e.g., garden supply sales, news and flower stands, and similar uses) that are accessory to another principal use may be permitted upon compliance with the following:

- a) Outdoor display and sales areas shall require the issuance of a zoning certificate.
- b) Outdoor display and sales areas may be permitted provided that the merchandise is displayed along the sidewalk or walkway adjacent to the building.
- c) Outdoor display and sales areas may also be permitted in the side or rear yard.
- d) The placement of the merchandise shall not interfere with pedestrian movement on any sidewalk or walkway. A minimum of five feet of the sidewalk or walkway shall be clear of merchandise to allow for safe pedestrian movement.
- e) Outdoor display and sales areas may be permitted in the front yard, away from sidewalks and buildings, under the following provisions:
 - (i) The outdoor display and sales area shall not reduce the amount of off-street parking spaces provided to a number below the minimum number of required spaces; and
 - (ii) No more than 2,400 square feet of the front yard (exclusive of display areas on a sidewalk or walkway) shall be dedicated to outdoor display and sales.

(T) OUTDOOR STORAGE

- (1) Outdoor storage of goods shall be prohibited on vacant lots.
- (2) The outdoor storage of materials shall include the storage of goods, materials, or products associated with the principal use. The storage of radioactive, toxic, or otherwise hazardous materials shall not be permitted.
- (3) Areas devoted to outdoor storage shall be located in the side and rear yard only and shall comply with the building setbacks set forth in the applicable zoning district.
- (4) All outdoor storage areas shall be contiguous to the principal building.
- (5) No outdoor storage area shall be permitted to occupy or interfere with traffic circulation, required parking areas, sidewalks, or pedestrian access.
- (6) In commercial districts, the area of the lot devoted to outdoor storage of goods and merchandise shall not exceed 20 percent of the ground floor area of the principal building.
- (7) Areas devoted to outdoor storage shall be paved with asphalt or concrete and free of dust.
- (8) No signs shall be permitted in conjunction with outdoor storage areas except those otherwise in compliance with the sign regulations in [Article 13: Signs](#).

(9) Screening

- a) All aspects of outdoor operations including outdoor storage of goods and materials shall be enclosed with a solid wall or fence, including solid gates. The wall or fence shall have a height tall enough to conceal all materials therein from the view of any observer standing at the grade level at an abutting residential district line or a public street. However, in no case shall the height of the fence or wall be less than six feet.
 - b) If the wall or fence needs to exceed eight feet in height to conceal the storage of materials, such wall or fence shall be constructed of materials similar to the principal building so that it appears to be an extension of the principal structure.
- (10)** All materials shall be stored in such a fashion as to be accessible to fire-fighting equipment at all times.
- (11)** Outdoor storage of materials shall not include a junkyard.

(12) Outdoor Storage of Fleet Vehicles

Fleet vehicles used in the operation of the principal use may be stored outdoors on the lot in compliance with the following:

- a) The outdoor storage area shall be enclosed with a solid wall or fence, including solid gates. The wall or fence shall have a height tall enough to conceal all operations and materials therein from the view of any observer standing at the grade level at an abutting residential district line or a public street. However, in no case shall the height of the fence or wall be less than six feet.
- b) The area of the lot devoted to accessory outdoor storage of fleet vehicles shall not exceed 25 percent of the ground floor area of the principal building and shall be located in a side or rear yard only, in compliance with the building setbacks set forth in [Section 5.05: Area, Setback, and Other Site Development Standards](#).
- c) If the area of the lot devoted to the outdoor storage of fleet vehicles exceeds 25 percent of the ground floor area of the principal building, then such area shall be permitted only as a conditional use in compliance with [Section 3.07: Variance or Conditional Use](#).
- d) The areas devoted to the outdoor storage of fleet vehicles shall be enclosed with a fence six feet in height.

(U) VETERINARY OFFICES AND ANIMAL HOSPITALS

- (1)** The boarding of animals shall be restricted to short-term overnight lodging only as necessary for animals receiving medical attention, and there shall be no outside runs or kennels associated with the veterinary office.
- (2)** Odor and noise shall be adequately controlled to ensure that animals do not create a nuisance.
- (3)** All waste material shall be removed from the site on a daily basis and no animal carcass or animal waste shall be buried on site or be allowed to accumulate on the premise.

(V) GASOLINE STATIONS AND VEHICLE SERVICE USES (MINOR REPAIR)

- (1)** The only vehicle services permitted to be performed on a vehicle outside an enclosed building shall be the dispensing of air and vehicle fluids such as fuel, oil, and windshield wiper fluid.²

² Effective 10/13/13

- (2) Minor repair services including, but not limited to, muffler, routine engine maintenance or repair, oil change, lubrication and tire sales and service shall take place in an enclosed building.²
- (3) No vehicle shall be parked between the pumps and the front property line except while being serviced at a pump island for the purposes stated in (1) above.²
- (4) All buildings shall be set back a minimum of 100 feet from all lot lines adjacent to a residential district or use.
- (5) Fuel pumps may be erected in a front yard provided the fuel pump complies with the off-street parking setback.
- (6) Driveways to provide access to a gasoline pump, platforms, and curbs shall be designed in accordance with regulations adopted by the Ohio Department of Transportation.
- (7) No inoperative or unlicensed motor vehicles shall be permitted to remain on the property for more than 48 hours.
- (8) All activities provided at gasoline stations, except those required to be performed at a fuel pump, air dispenser, or self-serve automobile vacuum, shall be carried on entirely inside a building.

(W) MOTOR VEHICLE/FARM IMPLEMENT RENTAL, SALES & SERVICE

- (1) Service garage, leasing department, and other activities customarily incidental to a full-service franchised automobile/truck dealer shall be permitted as accessory to the sale of autos/trucks provided these activities are conducted in a wholly enclosed building.
- (2) Used motor vehicle sales shall only be permitted where located and associated with new car dealership², or if conducted by a national, certified pre-owned motor vehicle dealership that complies with the following additional conditions: ⁶
 - a) The combined minimum size of all structures within the dealership is more than 5,000 square feet in the aggregate.
 - b) The dealership does not utilize an outdoor loudspeaker nor display and vehicles with an open hood.
 - c) The dealership maintains an average monthly inventory of more than 100 vehicles, and
 - d) All dealership sales vehicles must be parked within designated parking areas in a secured lot.
- (3) Only repair of automobiles, trucks, or farm implements customarily associated with automobile, truck, or farm implement sales shall be permitted and shall be conducted inside a suitable building.
- (4) Loud speakers shall not be permitted.
- (5) No inoperative motor vehicle shall be permitted to remain outdoors on the property for more than 48 hours.
- (6) No scrap metal, scrap or salvaged parts, junk vehicles or used oil, antifreeze, transmission or other such fluids shall be stored outside above ground on the site unless completely screened from view.

(X) PARKING LOT OR STRUCTURE

- (1) Parking lots or structures that are accessory to another principally permitted use shall be subject to the provisions of [Article 1 I: Parking, Loading, and Mobility](#) and shall not be subject to conditional use review.

⁶ Effective 10/1/18

- (2) Parking lots or structures that are the principal use of the lot shall be subject to all the applicable development standards in [Article 11: Parking, Loading, and Mobility](#) and landscaping standards of [Article 12: Landscaping and Buffering](#).
- (3) The BZA may establish additional standards to ensure appropriate transitions and access to and from any adjacent residential uses and neighborhoods.

(Y) TRUCK SERVICES/TRUCK STOP FACILITIES AND TRUCK/TRANSFER FACILITIES

- (1) Such uses shall be located on an arterial street.
- (2) The building setback for such establishment shall be located a minimum of 100 ft. from an O-C or any Residential District and the minimum parking setback shall be 50 ft.
- (3) Vehicular approaches to the property shall be designed so as not to create an interference with traffic on surrounding public streets or roads.
- (4) The number, location, and width of entrances to and exits from the site shall be determined by the Board. The Board may obtain expert opinion on the specific site proposal. The cost of securing such expert assistance shall be borne by the applicant.
- (5) An access management plan shall be submitted and shall address the need for turning lanes into the site from the public streets and shall identify the on-site truck circulation routes.

(Z) VEHICLE REPAIR GARAGES (MAJOR REPAIR)

- (1) All work shall be performed entirely within an enclosed building; and all storage of supplies, parts and merchandise shall be within an enclosed building except as provided elsewhere herein.
- (2) The parking of employee vehicles and vehicles waiting to be serviced or returned to customers following service shall be parked in areas indicated for such parking on the approved development plan.
- (3) The building setback for such establishment shall be located a minimum of 150 feet from an O-C or any Residential District and the minimum parking setback shall be 50 feet.

(AA) VEHICLE WASHING ESTABLISHMENTS

- (1) The building shall be located on the lot so as to utilize the maximum amount of lot area for the purpose of containing the waiting line of cars prior to the time the cars or other vehicles are actually serviced.
- (2) All vehicle establishments shall be equipped with blow dryers to prevent excess water from pooling in the right-of-way; this provision applies only to “drive-out” facilities and does not apply to “self-service” facilities.
- (3) A vehicle wash establishment may be combined with a gasoline station provided that the minimum lot area for the combined uses shall be one acre.

(BB) INDUSTRIAL SERVICE USES AND LIGHT INDUSTRIAL USES

All work shall be performed entirely within an enclosed building; and all storage of supplies, parts and merchandise shall be within an enclosed building except as provided elsewhere in this resolution.

(CC) INDUSTRIAL USES, HEAVY

- (1) There will be no emissions of odors, dust, smoke, gas or fumes from the premises on which the proposed use is to be located.
- (2) There will be no vibrations or noise created by the proposed use which will be transmitted to adjacent properties.
- (3) Outdoor storage shall be subject to the standards of [Section 5.04\(T\): Outdoor Storage](#).

(4) Equipment storage areas shall be designed to minimize interference with the safe and convenient movement of automobile and pedestrian traffic on, and adjacent to, the site.

(5) The proposed use will not generate or cause a substantial increase of truck traffic.

(DD) LABORATORIES AND RESEARCH AND DEVELOPMENT FACILITIES

Uses that employ hazardous materials as defined and classified in the H-1, H-2, H-3, and H-4 Use Groups in Chapter 3 of the Ohio Basic Building Code shall be specifically prohibited.

(EE) SELF-STORAGE FACILITIES

(1) There shall be a minimum lot area requirement of five acres.

(2) There shall be a minimum setback of 150 feet between all residential lot lines and all buildings related to the self-service storage use.

(3) All driveways, parking, loading and circulation areas shall be paved with concrete, or asphaltic material.

(4) The leases for all self-storage units shall include clauses prohibiting the following:

a) The storage of flammable liquids or radioactive, highly combustible, explosive or hazardous materials.

b) The use of property for uses other than dead storage.

(5) The Springfield Township Fire Department shall be provided with 24-hour access to the grounds. A lockbox shall be provided for its use.

(6) The maximum size of individual storage compartments shall be 500 square feet.

(7) Fencing and Screening

a) A masonry screen wall shall be required around the perimeter of the storage area. All storage units with access from the exterior of the building shall be located behind the screen wall unless otherwise approved by the BZA or Planning Director (as applicable). However, ornamental gates may be used for ingress and egress. Additionally, a total of 30 linear feet of ornamental fencing may be allowed adjacent to the primary customer ingress and egress gates.

b) Outdoor storage is permitted with the exception of junk vehicles.

c) All required landscaping shall be located outside of any fencing area.

(8) The only commercial uses permitted on-site shall be the rental of storage space and the pick-up and/or deposit of goods on the property in storage. Storage spaces, including outdoor storage areas, shall not be used to manufacture, fabricate, or process goods; service or repair vehicles, small engines, or electrical equipment; or to conduct similar activities; conduct garage sales or retail sales of any kind; or conduct any other commercial or industrial activity on-site.

(9) Temporary auction sales of storage unit contents may be permitted up to four times per calendar year.

(10) A commercial accessory dwelling unit may be permitted in connection with office/watchman purposes.

(FF) GAS AND OIL WELLS

Gas and oil wells shall be subject to all applicable county, state, and federal regulations.

(GG) MIXED USE DEVELOPMENT

(1) Developments consisting of multiple principal uses shall incorporate only those use types permitted in the applicable zoning district.

- (2) Mixed use developments may also include attached residential dwellings as part of a mixed use building where office or nonresidential uses are located on the first floor and residential uses are located on the upper floors.
- (3) When determining peripheral buffer requirements for parcels with multiple principal uses, the proposed use that requires the most extensive buffer according to [Section 12.06: Buffering Between Land Uses](#) shall govern.
- (4) The presence of a home occupation and/or a residential business in conjunction with a residential use shall not constitute a mixed use/multi-tenant development.
- (5) The maximum residential gross density for mixed-use buildings (mix of residential and nonresidential in the same structure) shall be six dwelling units per acre.
- (6) Residential dwelling units shall be prohibited on the first floor of mixed-use buildings.
- (7) Mixed use developments shall be subject to the architectural standards of [Article 10: Architectural Standards](#), regardless if the building contains residential uses.

((HH) SOIL REMOVAL OR MINERAL EXTRACTION

- (1) There shall be a minimum setback of 250 feet from the nearest edge of the excavation area or quarry to lot zoned for or occupied by a residential use at the start of operations. All other aspects of operations related to soil removal or mineral extraction shall be set back a minimum of 150 feet from any residential zoning district (i.e., O-C, R-1, R-2, or R-3 district).
- (2) Truck routes shall be established for movement into and out of the development in such a way that it will minimize the wear on public streets and prevent hazards and damage to other properties in the community. The BZA may obtain advice from the Township Police Chief and Road Superintendent, prescribe the truck route and require that a maintenance bond be posted.
- (3) Truck parking areas, maneuvering lanes, and access ways to public streets shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on, and adjacent to, the site and shall be built or treated to prevent the creation of dust and drainage problems.
- (4) Processing equipment shall be located at the site in such a way that will minimize adverse noise impact on surrounding dwellings.
- (5) Existing natural or manmade barriers at the site shall be provided as protection and screening against noise, dust and visual protection for all operations.
- (6) Stakes of one color shall be set and maintained along the perimeter of the area designated for mineral extraction at 100 foot intervals or less.
- (7) All facilities, structures, and activities shall meet all county and/or state of Ohio health, building, electrical, and other applicable codes. In cases of overlapping codes and/or jurisdictions, the more restrictive shall apply.
- (8) The entire periphery of the lot being excavated shall be enclosed by a fence having a minimum height of eight feet. Fences shall be adequate to prevent trespass and shall be placed no closer than 50 feet to the top or bottom of any slope. No sand or gravel shall be removed or stored, or overburden stored within 100 feet of any lot line not owned or controlled by the operator of said business.
- (9) All areas within the development shall be rehabilitated progressively as work is completed or abandoned to a condition of being entirely lacking in hazards, inconspicuous and reasonably natural. All slopes and banks shall be reasonably graded and treated to prevent erosion or any other potential deterioration. No land affected by a soil removal or mineral extraction activity shall, after being reclaimed in the prescribed manner, have upon it any stagnant water.

- (10) All work performed in connection with such operations shall be conducted between the hours of 7:30 am and 8 p.m.
- (11) The owner or operator of a soil removal or mineral extraction activity shall post with the Clerk a certificate of an Owners Protective Liability Insurance Policy with an accredited insurance company in the amount of \$100,000, which policy shall protect the Township and its inhabitants and the general public from any and all damages or assorted claims at law or in equity arising from the operation of said business, said certificate to be approved by the appropriate legal authority.
- (12) The applicant shall submit information describing the geological characteristics proposed by a professional engineer or geologist, and shall indicate proposed methods for monitoring ground water quality.
- (13) All such operations sites shall provide sanitary facilities for employees.
- (14) Once operations are complete or abandoned, all wells and shafts shall be capped and properly maintained.

(II) WIRELESS TELECOMMUNICATION FACILITIES

(1) Purpose

These regulations are established to provide for the construction and use of wireless telecommunication towers and facilities as permitted uses and conditional uses depending on the specific land areas of the township in which such facilities are proposed to be located. The purpose of these regulations is to balance the competing interests created by the Federal Telecommunications Act of 1996, Public Law 104-104, and the interests of the township in regulating wireless telecommunication towers and related facilities for the following purposes:

- a) To protect property values;
- b) To regulate a commercial use so as to provide for orderly and safe development within the township;
- c) To provide for and protect the health, safety, morals and general welfare of the residents of the township;
- d) To protect residential properties, parks, open spaces and the non-intensive commercial zoning districts which are characteristic of the township from the adverse effects of towers and related facilities;
- e) To promote co-location of wireless telecommunication facilities in order to decrease the number of towers in the township; and
- f) To maintain, where possible, the integrity of the existing regulations contained in the zoning resolution.

(2) Procedure

Any applicant that plans to construct a wireless telecommunications facility in a residential zoning district shall, according to ORC § 519.211(B), provide the following by certified mail:

a) Notice to Property Owners

Written notice to each owner of property, as shown on the county auditor's current tax list, whose land is contiguous to or directly across a street or roadway from the property on which the facility is proposed to be constructed, stating all the following in clear and concise language:

- (i) The person's intent to construct the facility;

- (ii) A description of the property sufficient to identify the proposed location;
- (iii) Notification that, no later than 15 days after the date of mailing of the notice, any such property owner may give written notice to the Board of Trustees requesting that the proposed wireless telecommunication facility location be subject to a conditional use review pursuant to [Section 3.07: Variance or Conditional Use](#).
- (iv) If the notice to a property owner is returned unclaimed or refused, the person shall mail the notice by regular mail. The failure of delivery of such notice does not invalidate the notice.

b) Notice to Trustees

Written notice to the Board of Trustees shall include the information specified in [Section 5.04\(II\)\(2\)a](#). The notice to the Board of Trustees shall also include verification that the person has complied with [Section 5.04\(II\)\(2\)a](#) of this section.

c) Trustee Action

If the Board of Trustees receives notice from a property owner within the time specified in [Section 5.04\(II\)\(2\)a](#) or if a Board of Trustees member makes an objection to the proposed location of the wireless telecommunications facility within 15 days after the date of mailing of the notice sent to the Board of Trustees, the Board of Trustees shall request that the Township Fiscal Officer send the person proposing to construct the wireless telecommunications facility written notice that the facility is subject to a conditional use review (See [Section 3.07: Variance or Conditional Use](#)) and the standards of this section. The notice shall be sent no later than five days after the earlier of the date the Board of Trustees first receives such a notice from a property owner or the date upon which a Board of Trustees member makes an objection.

(3) Conditional Use Review Requirements

All wireless telecommunications towers and facilities that are subject to conditional use review shall submit the following items in addition to the submittal requirements for a conditional use:

- a) Detailed description of the wireless telecommunications tower or facility's capacity including the number and types of antenna that it can accommodate;
- b) The applicant shall demonstrate that the telecommunications tower or facility must be located where it is proposed in order to service the applicant's service area, including an explanation of why a tower or facility and this proposed site is technically necessary;
- c) Where the wireless telecommunications facility is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement or entered into a lease for the proposed facility and that the vehicular access is provided to the facility;
- d) Documentation certifying that the wireless telecommunication facility complies with all current Federal Communications Commission (FCC) regulations for non-ionizing electromagnetic radiation (NIER);
- e) A reclamation plan that indicates the methods to restore the site to its original state after a wireless telecommunications tower or facility is no longer operational; and

- f) The applicant shall post a performance bond in the amount set by the Board of Trustees for the purpose of insuring that an abandoned, obsolete or destroyed wireless telecommunication facility shall be removed in compliance with [Section 5.04\(II\)\(5\): Abandoned Telecommunication Facilities](#). Any successor-in-interest or assignee of the applicant shall be required to additionally execute such bond.

(4) Development Standards

Any wireless telecommunication tower or facility subject to conditional use review shall be located in the township only in compliance with the following regulations and upon issuance of a zoning certificate from the Zoning Administrator.

- a) In order for the BZA to consider the location of a wireless telecommunication tower and facility as a conditional use in a residential district, the applicant shall document that:
- (i) There is no technically suitable space for the applicant's antenna(s) and related facilities in nonresidential zoning district where wireless telecommunication facilities are permitted; or
 - (ii) If an area in a nonresidential zoning district is technically suitable, the applicant shall provide evidence of written contact showing that it has requested all property owners with technically suitable locations to permit it to locate a tower facility in all technically suitable area(s) under reasonable terms and that each request was rejected; or
 - (iii) If another tower, building or structure in the township, in an area technically suitable for the facility, the applicant shall provide evidence of written contact showing that it has requested to co-locate on the existing tower(s), building(s) or structure(s) and that each co-location request was rejected by the owner of the tower, building or structure.
- b) As part of a conditional use approval, the applicant shall submit evidence that a technically suitable location is not available in any area set forth in [Section 5.04\(II\)\(3\)b](#) and shall list the locations of every tower, building or structure and all of the areas set forth in [Section 5.04\(II\)\(3\)b](#) that could support the proposed antenna(s) so as to allow it to serve its intended function, and the reasons why such towers, buildings, structures or areas have been determined not to be technically suitable, or not available as set forth in 0.
- c) As part of a conditional use approval, the owner/operator of the telecommunications tower shall agree to allow co-location until said tower has reached full antenna capacity, but in no event shall the owner/operator agree to allow fewer than two antenna platforms for additional providers unrelated to the owner/operator. The opportunity to co-locate on the tower shall also be made available to the township and/or county safety forces upon request, provided that such use will not interfere with the owner/operator's use or that of any other provider unrelated to the owner/operator. Agreement to this provision shall be included in the applicant's lease with the landowner, if different from the owner/operator of the tower. Written documentation shall be presented to the Zoning Administrator evidencing that the owner of the property on which the tower is to be located has agreed to the terms of this subsection as well as all other applicable requirements, regulations and standards set forth in this section.
- d) Towers shall be located, to the extent possible, to minimize any adverse impacts on residential property.
- e) The minimum setback of the tower from all property lines shall comply with the following:
 - (i) A distance equal to the height of the tower plus 50 feet; or

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- (ii) When it is demonstrated, because of its design and construction, that in case of collapse, adjacent property will not be affected, the minimum setback shall be:
- A. 40 feet from any property line abutting a nonresidential lot; and
 - B. 100 feet from any property line abutting a residential lot, provided that the base of the tower and required enclosure shall comply with the front yard setbacks for the district in which it is located.
- f) All towers shall be of a monopole design. Lattice-type towers shall be prohibited.
 - g) All towers shall be the minimum height necessary for adequate transmission and reception of telecommunication signals and to accommodate the antennae, and shall be no taller than existing towers housing similar antennae. In addition, towers shall comply with the following maximum height requirements, as measured from the neutral grade at the base of the tower:
 - h) The maximum height of any tower shall be 150 feet.
 - i) All poles having a height greater than 95 feet shall be designed to accommodate at least three antennae.
 - j) Any accessory structure related to the wireless telecommunication facility shall not exceed a height of 10 feet.
 - k) The base of the tower and all related facilities shall be completely enclosed with a secure, non-electrified, chain linked fence with barbed wire at the top, having a minimum height of eight feet. Such fence shall be completely screened from view by a landscape buffer area of not less than 15 feet in depth, consisting of hardy evergreen shrubbery and other appropriate landscaping that achieves the screening objective. The initial plantings shall be no less than six feet tall and shall be maintained and restored, if necessary.
 - l) Existing mature tree growth and natural landforms on the site shall be preserved to the maximum extent feasible.
 - m) The antennae and support structures shall be camouflaged or disguised in order to minimize visibility of the structure and blend, to the maximum extent feasible, with the existing surroundings. At a minimum, towers shall be painted a non-contrasting gray or similar color, unless otherwise required by the Federal Communications Commission (FCC) or Federal Aviation Administration (FAA).
 - n) Wireless telecommunications towers shall be artificially lighted only when the height of the tower is equal to or greater than 100 feet or when required by the Federal Aviation Administration (FAA). Any lighting so required shall be installed to minimize the impact on adjoining properties.
 - o) All buildings and shelters accessory to the wireless telecommunications facility shall comply with the setback regulations set forth in the applicable zoning district. The maximum size of such accessory building or shelter shall be 300 square feet for a single shelter, and a combined total of 750 square feet when more than one wireless telecommunication facilities is located on the site. The outside storage of equipment related to a telecommunications facility shall be prohibited.
 - p) "No Trespassing" signs and a warning sign shall be posted on the required fence in clearly visible locations with a phone number of the responsible party to contact in the event of an emergency. No other signs or advertising shall be located anywhere on the facility.

(5) Abandoned Telecommunication Facilities

- a) The owner or operator of a wireless telecommunication facility shall notify the township within 30 days of a wireless telecommunication facility's permanent abandonment. Such facility shall be removed by the applicant and the site restored to its original state within 120 days from the date of notification to the township.
- b) Any tower that has had no antenna mounted upon it for a period of six months, or if the antenna mounted thereon are not operated for a period of three months, shall be considered abandoned, and the owner thereof shall remove the tower within and restore the site to its original state within 120 days after receipt of a notice from the Zoning Administrator to do so.
- c) In the event that more than one wireless communication service provider is using the antenna support structure, the antenna support structure shall not be considered abandoned until all such users cease using the structure as provided in this section.

Section 5.05 Area, Setback, and Other Site Development Standards

(A) MEASUREMENTS, COMPUTATIONS, AND EXCEPTIONS

(1) Lot-Area Measurements

- a) The area of a lot includes the total horizontal surface area within the lot's boundaries.
- b) The area of a panhandle on a panhandle lot (when narrower than 50 feet) and other narrow appendages to lots with less than 50 feet of width, shall not count toward the minimum lot area requirement. See [Figure 5.05-1](#).

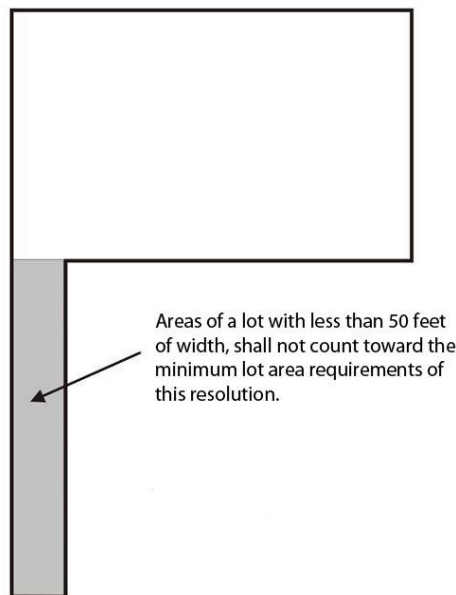


Figure 5.05-1: Areas not contributing to the minimum lot area requirement

- c) For nonconforming lots, see [Section 14.07: Nonconforming Lots of Record](#).

- d) With the exception of approval of a smaller lot as part of a PD District or governmental acquisition of land as provided for in [Section 14.06\(D\)](#), no lot shall be reduced in area so that the lot area per dwelling unit, lot width, yards, building area, or other requirements of this resolution are not met.

(2) Setbacks and Yards

a) Measurements

Setbacks refer to the unobstructed, unoccupied open area between the furthest projection of a structure and the property line of the lot on which the structure is located. Setbacks shall not contain any structure except when in conformance with this resolution.

b) Yards and Obstructions

- (i) Every part of a required yard shall be open to the sky and unobstructed except:
- A.** As otherwise provided in this section;
 - B.** For accessory buildings as allowed in [Section 7.01: Accessory Use Regulations](#);
 - C.** For the ordinary projections of skylights, sills, belt courses, cornices and ornamental features projecting into the yard a distance not to exceed 12 inches;
 - D.** Open or lattice-enclosed fire escapes, fireproof outside stairways, and balconies opening upon fire towers projecting into a yard not more than five feet; and
 - E.** The ordinary projections of chimneys and flues may be permitted by the Summit County Building Department when placed so as not to obstruct light and ventilation but not closer than two feet to any lot line.
- (ii) Terraces, uncovered porches, decks, platforms and ornamental features which do not extend more than three feet above the floor level of the ground (first) story may project five feet into required front or rear yard setbacks.²
- (iii) Awnings and canopies may extend into any required setback but shall maintain a minimum setback from all lot lines.²

c) Front Yard Setback

- (i) Unless otherwise noted, the required minimum front yard setback shall be measured from each street right-of-way or, where a right-of-way is not identified, the lot line adjacent to the street. See [Figure 5.05-2](#).
- (ii) For lots that have frontage on a state route, the minimum front yard setback shall be 70 feet.

² Effective 10/13/13

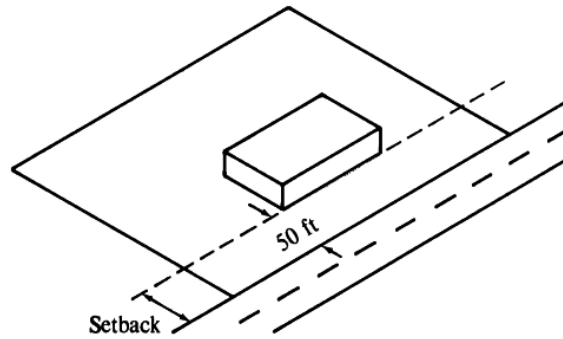


Figure 5.05-2: Measurement of a front yard setback.

d) Yards Required for Buildings

A yard or other open space required for a building shall not be included as part of a yard or other open space for another building.

e) Front Yard Modifications

Notwithstanding [Section 5.05\(A\)\(2\)c\): Front Yard Setback](#), in areas where 50 percent of the street frontage on any block is occupied by principal buildings erected prior to November 21, 1957, the minimum required front yard setback shall not be less than the average depth of the existing front yards along that same block frontage. See [Figure 5.05-3](#).

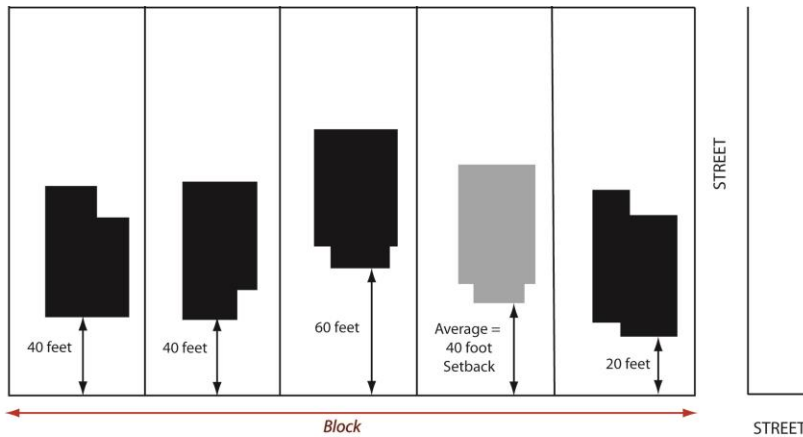


Figure 5.05-3: Setback averaging along a block for lots of record.

f) Interior Lots (Side and Rear Yards)

- (i) The lot line located directly behind the rear of the structure shall be the rear lot line and the rear yard setback shall be applied. See [Figure 5.05-4](#).
- (ii) All other lot lines shall be considered the side lot line and the side yard setback shall be applied. See [Figure 5.05-4](#).

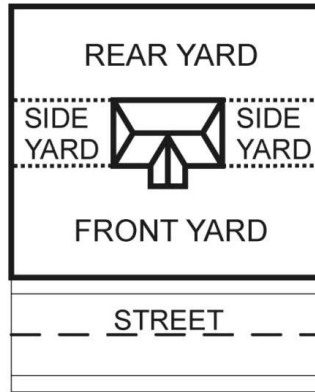


Figure 5.05-4: Typical yard locations for an interior lot.

g) Corner Lots

- (i) On corner lots, the required minimum front yard setback shall be provided from each street or section thereof. [Figure 5.05-5](#).
- (ii) The lot line that runs parallel with the rear façade of the building shall be the rear lot line and the minimum rear yard setback shall be applied from such lot line. See [Figure 5.05-5](#).
- (iii) All other lot lines shall be a side lot line and the minimum side yard setback shall be applied from such lot lines. See [Figure 5.05-5](#).

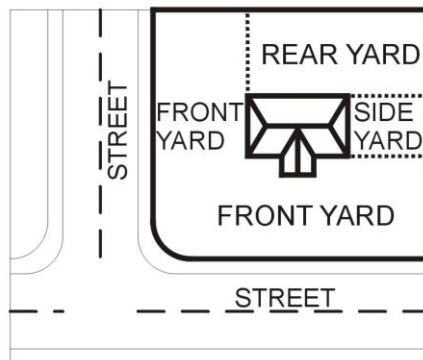


Figure 5.05-5: Typical yard locations for a corner lot.

h) Double Frontage Lots

- (i) Where a lot is considered a double frontage lot, the required minimum front yard setback shall be provided on all lot lines that abut a street. See [Figure 5.05-6](#).

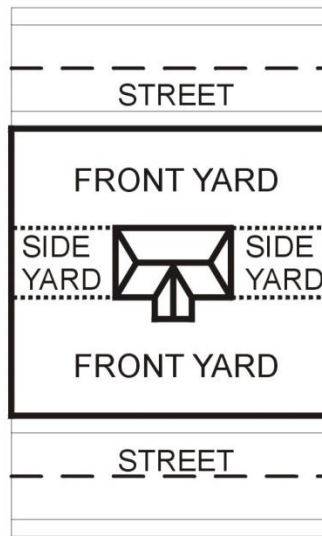


Figure 5.05-6: Typical yard locations for double frontage lots.

- (ii) The remaining lot lines not abutting a public road right-of-way shall be considered as side yards and shall have the required minimum side yard setback provided for each side lot line. See [Figure 5.05-6](#).
 - (iii) For the purposes of allowing accessory uses in a rear yard, the front yard that is located to the rear of the house shall be considered the rear yard.
- i) **Panhandle Lots**
- (i) Flag or panhandle lots shall not be used to avoid the construction of a street.
 - (ii) The panhandle shall have a minimum street frontage as required in [Table 5.05-A: Site Development Standards for Residential Zoning Districts](#) and [Table 5.05-B: Site Development Standards for Nonresidential Zoning Districts](#).
 - (iii) The minimum front yard setback requirement shall be measured from the lot line that creates the rear lot line of the adjacent lot as illustrated in [Figure 5.05-7](#).
 - (iv) The panhandle portion of the lot shall not be used for storage nor shall any structures be permitted in such portion of the lot.

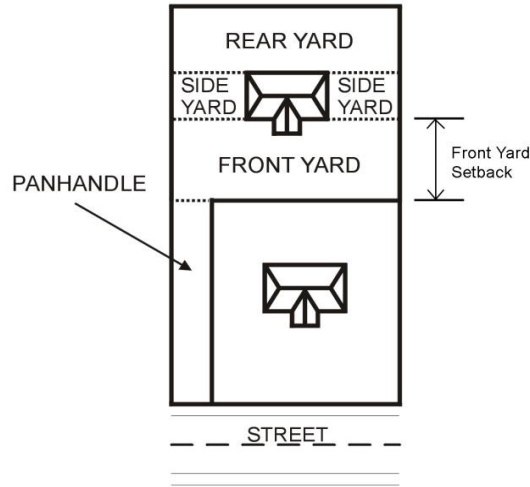


Figure 5.05-7: Yard and front yard setback locations on a panhandle lot.

j) Cul-de-Sac or Curved-Street Lot

- (i) For a cul-de-sac lot or a lot abutting a curved street, the front-yard setback shall follow the curve of the front property line. See [Figure 5.05-8](#).

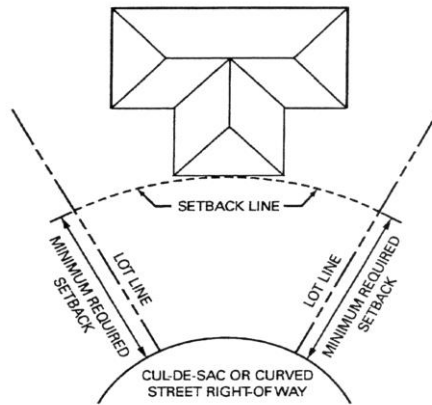


Figure 5.05-8: Setback line of a lot with frontage on a curved street or cul-de-sac.

- (ii) On a cul-de-sac roadway, knuckle, or eyebrow, the required street frontage shall be required and measured at the street right-of-way on the curve of the cul-de-sac, knuckle, or eyebrow.

k) Other Lot Types

For any type of irregular lot not addressed in this section, the Zoning Administrator shall determine the location of the front, side, and rear yard taking into consideration the effect on adjoining properties.

(3) Lot Width and Street Frontage Measurements

- a) The street frontage is the distance between the side lot lines measured at the point of the street right-of-way line or, if no right-of-way exists, at the back or the curb/pavement, or at the back of any public utility easement along the roadway, whichever is greater. See [Figure 5.05-9](#).
- b) Lot width is the distance between the side lot lines measured along the front yard setback line. See [Figure 5.05-9](#).

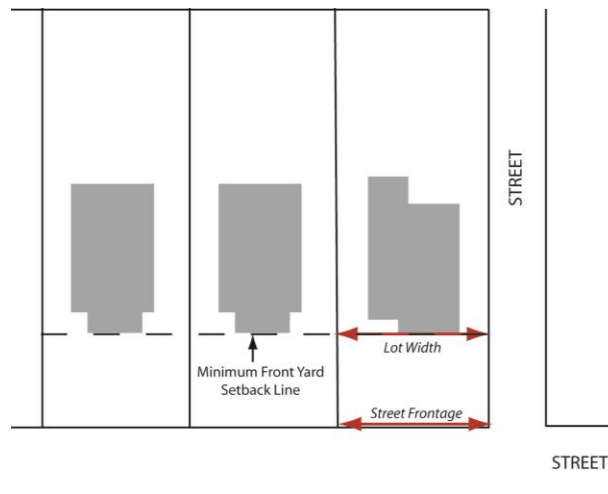


Figure 5.05-9: Measurement location of lot width and street frontage

(4) Height Measurement and Exceptions

a) Height Measurement

- (i) Where specified in stories, building height shall be measured in number of complete stories above the finished grade for any elevation fronting on a public street including attics, half-stories, mezzanines, at-grade structured parking, but excluding features that are greater than one-half story or completely below grade, such as basements, cellars, crawl spaces, sub-basements, and underground parking structures.
- (ii) Where specified in feet, building height shall be measured as the vertical distance from the average grade at the base of the structure to (See [Figure 5.05-10](#)):
 - A. The highest point of a flat roof;
 - B. The deck line of a mansard roof; or
 - C. The mean height between the eaves and ridge on gable, hip, or gambrel roofs.

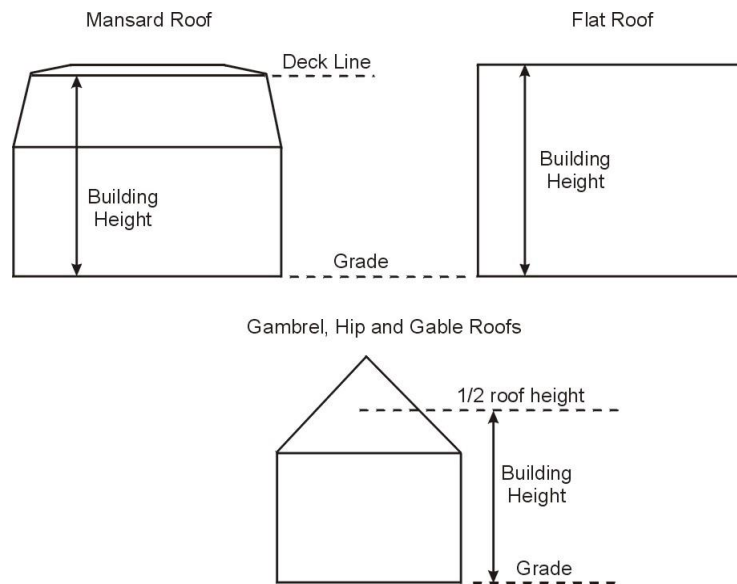


Figure 5.05-10: Measurement of roof heights based on the type of roof.

b) Exceptions to Height Limits

Height limitations stipulated in this resolution shall not apply:

- (i) To barns, silos or other agricultural buildings or structures on farms (not located in an improved platted subdivision); to church spires, belfries, cupolas and domes, monuments, chimneys, smokestacks, flag poles; to parapet walls extending not more than four feet above the limiting height of the building.
- (ii) To bulkheads, elevator penthouses, water tanks, monitor and lookout towers, provided:
 - A. The height of any such structure shall not be greater than the number equal to the height of the first story of the principal structure; and
 - B. The total footprint of the structure shall not exceed 60% of the footprint of the principal structure and shall have the same materials as the principal structure unless an alternative material is approved by the Zoning Administrator.

(B) GENERAL SITE DEVELOPMENT STANDARDS

(1) Waste Receptacles

All solid waste receptacles resulting from any permitted principal, conditional, or accessory use shall either be disposed of, stored in buildings or in a completely enclosed container. Such building, container, or dumpster shall be located in a side or rear yard.

(2) Height Limit at Street Corners (Traffic Safety Visibility Triangle)

Development proposed adjacent to any public or private street, or alley intersection, in every district shall be designed to provide a clear visibility area for pedestrian and traffic safety. See [Figure 5.05-11](#) and [Figure 5.05-12](#).

- a) A traffic safety visibility triangle area, which may include private property and/or public right-of-way, is a triangle area defined by measuring 30 feet from the intersection of the extension of the front and side street curb lines (or the right-of-way lines where there is no curb) and connecting the lines across the property. See [Figure 5.05-11](#).

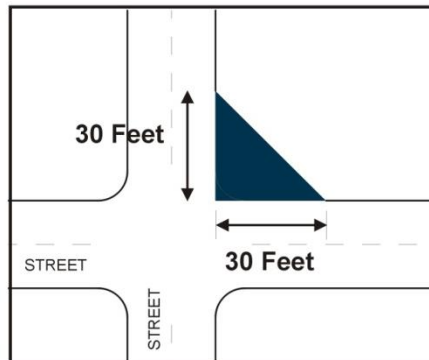


Figure 5.05-11: Traffic safety visibility triangle for intersecting streets.

- b) For intersections of streets and driveways, the traffic safety visibility area shall be created by measuring 25 feet from the edge of the driveway along the street and 20 feet along the driveway, perpendicular from the street. See [Figure 5.05-12](#).

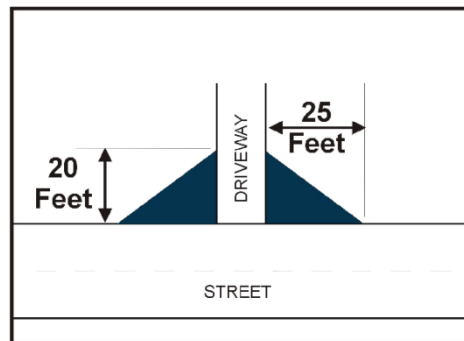


Figure 5.05-12: Traffic safety visibility triangle for driveway and street intersections.

- c) No structure, sign, fence or landscape element shall exceed 30 inches in height, measured from the top of the curb or grade, within the traffic safety visibility area, unless approved by the Zoning Administrator.²
- d) An exception to this requirement shall be for existing trees where the canopy is trimmed to a minimum of eight feet above grade.

(3) Riparian Setbacks

- a) Riparian setbacks shall be required for all development in the township and subject to the Summit County Riparian Setback Ordinances attached to this resolution as “Appendix A”.²

(C) SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICT

| TABLE 5.05-A: SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL ZONING DISTRICTS | | | | | | | | |
|--|----------------------|--------------------------|------------------------------------|-------------------|---------------------------|------------------------|------------------|---------------------------------|
| | MINIMUM LOT AREA [1] | MINIMUM LOT WIDTH (FEET) | MINIMUM STREET FRONTAGE (FEET) [2] | MINIMUM SETBACKS | | | | MAX. BUILDING HEIGHT (FEET) [2] |
| | | | | FRONT YARD (FEET) | SIDE YARD ONE SIDE (FEET) | SIDE YARDS BOTH (FEET) | REAR YARD (FEET) | |
| OPEN SPACE CONSERVATION DISTRICT (O-C) | | | | | | | | |
| All Principal Uses [3] | 5 acres | 300 | 50 | 60 | 20 | 50 | 50 | 35 |
| LOW DENSITY RESIDENTIAL DISTRICT (R-1) | | | | | | | | |
| Single-Family Dwellings [3] | 21,000 sq. ft. | 100 | 50 | 40 | 15 | 30 | 50 | 35 |
| All Other Principal Uses | 43,560 sq. ft. | 100 | 50 | 60 | 15 | 30 | 50 | 35 |
| MEDIUM DENSITY RESIDENTIAL DISTRICT (R-2) | | | | | | | | |
| Single-Family Dwellings | 15,400 sq. ft. | 80 | 50 | 40 | 10 | 20 | 40 | 35 |
| Two-Family Dwellings[3] | 30,800 sq. ft. | 100 | 50 | 40 | 10 | 20 | 40 | 35 |
| All Other Principal Uses | 43,560 sq. ft. | 100 | 50 | 40 | 10 | 20 | 40 | 35 |
| TRADITIONAL RESIDENTIAL DISTRICT (R-3) | | | | | | | | |
| Single-Family Dwellings | 12,600 sq. ft. | 80 | 50 | 40 | 10 | 20 | 40 | 35 |
| Two-Family Dwellings[3] | 22,000 sq. ft. | 80 | 50 | 40 | 10 | 20 | 40 | 35 |
| All Other Principal Uses | 43,560 sq. ft. | 80 | 50 | 40 | 10 | 20 | 40 | 35 |

NOTES:
 [1] sq. ft. = square feet – The Summit County Health District may require a larger lot area than established for the applicable zoning district if an on-site wastewater system (e.g., septic system) is required.
 [2] Building heights are maximum heights except as provided in [Section 5.05\(A\)\(4\):Height Measurement and Exceptions](#).
 [3] The minimum site development standards for conservation subdivision uses may vary from these requirements in accordance with [Section 5.04\(D\): Conservation Subdivisions and Conservations Subdivisions with Attached Dwellings](#).

- (1)** [Table 5.05-A](#) establishes the minimum site development standards for residential zoning districts.
- (2)** All dwellings shall have at least one story entirely above ground level and shall have a continuous and complete solid concrete or masonry perimeter foundation. ²
- (3)** There shall not be more than one principal building on an individual lot except as otherwise permitted as part of a PD District.

² Effective 10/13/13

² Effective 10/13/13

(4) Floor Area Requirements

In order to promote healthful living conditions and to stabilize the value and character of residential areas, dwelling units shall be erected, altered, moved, maintained and occupied only in accordance with the following minimum floor area requirements. For the purposes of calculating the floor area, all areas within basements, garages and any attached or detached accessory building or structure shall not be included.

- a) The total minimum floor area for a single-family dwelling unit shall be 1,000 square feet.
- b) The total minimum floor area for a two-family dwelling shall be 700 square feet per unit.

(D) SITE DEVELOPMENT STANDARDS FOR NONRESIDENTIAL ZONING DISTRICT

- (1) Table 5.05-B establishes the minimum site development standards for nonresidential zoning districts.
- (2) There can be more than one principal building on an individual lot. When multiple principal buildings are located on an individual lot, the spacing between the buildings shall be reviewed and approved by the Springfield Township Fire Chief or their designee.
- (3) The maximum impervious surface coverage shall be calculated by dividing the amount of the site that is covered by any material that substantially reduces or prevents the infiltration of stormwater by the total horizontal area of the lot. Impervious surfaces include, but are not limited to, roofs, streets, sidewalks, and parking lots paved with asphalt, concrete, compacted sand, compacted gravel or clay.

TABLE 5.05-B: SITE DEVELOPMENT STANDARDS FOR NONRESIDENTIAL ZONING DISTRICTS

| DISTRICT | MINIMUM LOT AREA [1] | MINIMUM LOT WIDTH (FEET) | MAXIMUM IMPERVIOUS SURFACE COVERAGE | SETBACKS | | | MAX. BUILDING HEIGHT (FEET) [3] |
|---|----------------------|--------------------------|-------------------------------------|-------------------|--|---|---------------------------------|
| | | | | FRONT YARD (FEET) | SIDE AND REAR YARD [2] ADJACENT TO A RESIDENTIAL DISTRICT (FEET) | SIDE AND REAR YARD [2] ADJACENT TO A NONRESIDENTIAL DISTRICT (FEET) | |
| All Principal Uses in the Limited Business District (C-1) | 21,780 sq. ft. | 75 ² | 80% | 25 | 35 | 10 | 35 |
| All Principal Uses in the Community Commercial District (C-2) | 43,560 sq. ft. | 150 | 75% | 40 | 50 | 20 | 45 |
| All Principal Uses in the Highway Commercial District (C-3) | 43,560 sq. ft. | 150 | 75% | 60 | 50 | 20 | 45 |
| All Principal Uses in the Office and Research Park District (O-R) | 43,560 sq. ft. | 120 | 60% | 30 | 75 | 25 | 60 |
| All Principal Uses in the Light Industrial District (I-1) | 21,780 sq. ft. | 100 | 70% | 50 | 100 | 10 | 60 |

² Effective 10/13/13

Article 5: Zoning Districts and Permitted Uses
 Section 5.05 Area, Setback, and Other Site Development Standards
 Subsection ((D): Site Development Standards for Nonresidential Zoning District

TABLE 5.05-B: SITE DEVELOPMENT STANDARDS FOR NONRESIDENTIAL ZONING DISTRICTS

| DISTRICT | MINIMUM LOT AREA [1] | MINIMUM LOT WIDTH (FEET) | MAXIMUM IMPERVIOUS SURFACE COVERAGE | SETBACKS | | | MAX. BUILDING HEIGHT (FEET) [3] |
|--|----------------------|--------------------------|-------------------------------------|-------------------|--|---|---------------------------------|
| | | | | FRONT YARD (FEET) | SIDE AND REAR YARD [2] ADJACENT TO A RESIDENTIAL DISTRICT (FEET) | SIDE AND REAR YARD [2] ADJACENT TO A NONRESIDENTIAL DISTRICT (FEET) | |
| All Principal Uses in the Manufacturing and Storage District (I-2) | 43,560 sq. ft. | 150 | 70% | 50 | 150 | 25[4] | 60 |

NOTES: [1] sq. ft. = square feet

[2] The applicable standard shall apply to each side and rear lot line.

[3] Building heights are maximum heights except as provided in Section 5.05(A)(4): Height Measurement and Exceptions.

[4] This setback shall be increased by one additional foot for every two feet in height of building or structure over 30 feet.

Article 6: Planned Development Districts

Section 6.01 Purpose

This article is intended to permit the creation of Planned Development Districts (PDs) to encourage the efficient use of land and resources, promote greater efficiency in providing public and utility services, and encourage innovation in the planning and building of all types of development. Such districts may be permitted as amendments to the Springfield Township Zoning Map, on application and approval of specific and detailed plans where tracts suitable in location and character for the uses and structures proposed are to be planned and developed. Regulations set forth in this article are adopted to accommodate unified planning and development that are consistent with existing established land use patterns in Springfield Township. The township's character is related to the physical attributes of the township, including its land use patterns and natural resources. The PD district is intended to achieve the following land use objectives:

- (A) Provide a variety of housing and lot sizes to promote the planning of a development that is more sensitive to the protection of natural resources on sites by clustering the housing in areas physically suited to accommodating development and preserving the resources in open space.
- (B) Encourage the protection of open space by permitting developments with a range of densities that also provide open space, consistent with the open space character of the surrounding area.
- (C) Permit the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation; the provision of readily accessible open space and recreation areas; and the creation of functional and interesting activity areas.
- (D) Preserve open spaces to reduce erosion, improve water quality, provide wildlife habitats, retain scenic views, and reduce storm water runoff.
- (E) Promote economical and efficient use of land and reduce infrastructure costs through unified development.
- (F) Provide for a variety of housing types in a single unified development that is integrated into the community.
- (G) Respect the character of surrounding developments by providing appropriate buffers as a transition to higher density uses.
- (H) Provide a higher level of design review to ensure attractive, well-planned communities and eliminate the barriers to creative and sensitive design that may exist when attempting to comply with conventional district standards and subdivision rules.
- (I) Respect the balance between building mass or volume and vegetation mass or volume by considering scale relationships between the new development and existing buildings and the landscape.

Section 6.02 Planned Development District Types

- (A) There are three types of PD Districts that, when adopted, serve as the base zoning district for the subject property. The three types are as follows:
 - (1) RPD: Planned Residential District
 - (2) MUPD: Mixed-Use Planned Development District
 - (3) PIPD: Planned Industrial Park District
- (B) In addition to the primary purpose statement established above, the following are individual purpose statements for each of the applicable PD types:

Subsection ((C): Permit the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation; the provision of readily accessible open space and recreation areas; and the creation of functional and interesting activity are

(1) RPD: Planned Residential District

The purpose of the RPD District is to allow for the development of a site where the primary use of land is residential with the ability to include public, institutional, and recreational uses as approved by the township and to:

- a) Allow flexible residential development on larger sites, especially sites that have natural features such as wetlands, natural lakes, ponds, marshes, steep slopes, rock outcroppings, floodplains and larger wooded areas, which contribute to the character of Springfield Township in order to preserve these natural features;
- b) Permit the flexible spacing of lots and buildings in order to encourage the separation of pedestrian and vehicular circulation; the provision of readily accessible open space and recreation areas; and the creation of functional and interesting residential areas; and
- c) Ensure that Planned Residential Developments are compatible with surrounding single-family neighborhoods.

(2) MUPD: Mixed-Use Planned Development District

The MUPD District and its regulations are established in order to permit compact development that fosters a more traditional neighborhood design characterized as a walkable community and which facilitates more efficient use of services. More specifically, the purposes of this district are to:

- a) Permit residential and economic development that is compatible with the Comprehensive Land Use Plan for Springfield Township and that fosters a sense of place for the township;
- b) Permit, in select areas, a pedestrian oriented mixture of uses including offices, limited retail, and higher density residential in a manner that reinforces the present compact environment to take advantage of areas situated in proximity to amenities and services in the Township, including but not limited to Springfield Lake area;
- c) Ensure that new development and/or redevelopment will occur in a manner that provides adequate transition between more intense retail uses and lower density residential; and
- d) Ensure that new development and/or redevelopment comply with these objectives by requiring a development plan and establishing a review process to ensure that all phases of a development are consistent with these regulations.

(3) PIPD: Planned Industrial Park District

The PIPD District is established to provide for and accommodate industrial uses in a planned industrial development and to permit creative, unified, and imaginative industrial development. It is the intention in establishing these regulations that all development pursuant to this section shall be permitted only with the use of public sanitary sewer and public water. This district will be free from encroachment of residential, commercial, retail, and institutional uses so that it may develop for purely industrially oriented purposes and shall conform to the following intentions:

- a) To encourage the establishment of industries which are mutually compatible;
- b) To provide development and operational standards to minimize traffic congestion, noise, glare, air pollution, water pollution, fire and safety hazards, and drainage problems;
- c) To prohibit industrial uses, which, because of the potential emanation of dust, smoke, noise, fumes, odors, or vibrations, are inconsistent with the purpose of this section;
- d) To establish standards for environmental development, including landscaping and requirement of open areas that will tend to result in healthful and productive working conditions; and

- e) To establish an industrial district that minimizes negative impact to the safety, health and welfare of the abutting properties to the PIPD District by reason of emission or creation of noise, vibration, smoke, dust or other particulate matter toxic and noxious materials, odors, fire or explosive hazards, glare or heat or electromagnetic disturbance.

Section 6.03 PDs Approved Prior to the Effective Date of this Resolution

Any Planned Development (PD) approved prior to the effective date of this resolution shall continue in accordance with the approved plans. Modifications, amendments, and expansion of existing PDs shall be in accordance with this article.

Section 6.04 Minimum Project Area

- (A) An application for a PD shall be for property that is under a single ownership or, if under several ownerships, the application shall be filed jointly by all owners of the properties included in the proposed PD boundaries.
- (B) The minimum gross area of a tract of land developed as a PD shall be 10 acres.
- (C) The Zoning Commission may authorize review of a tract of land smaller than 10 acres if, upon written request by the owner of land, they find that either:
 - (D) The requested smaller land area has unique natural features that would not be preserved if the parcel were developed as a conventional subdivision; or
 - (E) The ownership of the property and surrounding land and/or other use and development restrictions abutting the property reasonably prevent the applicant from acquiring the additional land necessary to satisfy the minimum area required.
- (F) All land within the PD shall be contiguous in that it shall not be divided into segments by existing or proposed limited access highways, arterial streets, and other streets except local and collector streets, or any tract of land (other than roads or right-of-way for utility or related purposes) not owned by the developer of the PD. The determination of local streets for the purposes of this provision shall be based upon the specifications of the Summit County Subdivision Regulations.

Section 6.05 Permitted Uses

- (A) **PERMITTED USE TABLE SUMMARY**
 - (1) [Table 6.05-A](#) sets forth the uses allowed within each of the PD types.
 - (2) A “P” in a cell indicates that a use is allowed in the respective PD type.
 - (3) A “PS” in a cell indicates that a use category is permitted in the respective PD type if it meets the additional standards set forth in the numerically referenced sections and any other reasonable standards that the Zoning Commission or Board of Trustees may establish.
 - (4) A blank and/or shaded cell indicates that a use is prohibited in the respective PD type.
 - (5) All uses are subject to all other applicable regulations of this article and this resolution.

| TABLE 6.05-A: PERMITTED USES IN PLANNED DEVELOPMENTS | | | | |
|---|--------------------------------------|-------------|-------------|-------------------------------|
| PERMITTED USES P = Permitted Use | PLANNED DEVELOPMENT DISTRICTS | | | USE-SPECIFIC STANDARDS |
| | RPD | MUPD | PIPD | SEE SECTION: |
| AGRICULTURAL USES | | | | |
| Agricultural uses | PS | PS | PS | Section 5.04(A) |
| RESIDENTIAL USES | | | | |
| Adult family homes or small residential facilities | P | P | | |
| Bed and breakfast establishments | PS | PS | | Section 5.04(C) |
| Dwellings, attached (3+ units) | PS | PS | | Section 6.05(C) |
| Dwellings, single-family | P | P | | |
| Dwellings, two-family | P | P | | |
| Institutional housing | PS | | | Section 5.04(E) |
| Permanently sited manufactured housing | PS | | | Section 5.04(F) |
| PUBLIC AND INSTITUTIONAL USES | | | | |
| Active parks and recreation | PS | PS | PS | Section 5.04(G) |
| Churches and places of worship | PS | PS | PS | 0 |
| Cultural institutions | PS | PS | PS | 0 |
| Educational facilities (primary and secondary) | PS | PS | | 0 |
| Educational facilities (business or trade schools) | | | P | |
| Passive parks, recreation, and open space | P | P | P | |
| Public safety and service facilities | PS | PS | PS | Section 5.04(N) |
| Type-B day care homes | P | P | | |
| GENERAL RETAIL AND OFFICE USES | | | | |
| Banks and financial institutions | | P | | |
| Bars and taverns | | P | | |
| Commercial entertainment or recreation (indoors) | | P | | |
| Day care centers (child or adult) | | PS | PS | Section 5.04(O) |
| Funeral homes | | P | P | |
| General offices (administrative, professional, business) | | P | P | |
| Hotels and motels | | P | | |
| Instructional studios | | P | | |
| Medical and dental offices or clinics | | P | | |
| Outdoor dining areas | | PS | | Section 5.04(R) |
| Outdoor display and sales | | PS | PS | Section 5.04(S) |
| Outdoor storage | | | PS | Section 5.04(T) |
| Personal service establishments | | P | | |
| Restaurants | | P | | |
| Retail commercial uses | | P | | |
| Sales offices and showrooms | | P | P | |
| Service commercial uses | | P | | |
| Veterinarian offices and animal hospitals | | PS | | Section 5.04(U) |
| VEHICLE AND TRANSPORTATION RELATED USES | | | | |
| Gasoline stations | | P | | Section 5.04(V) |

| TABLE 6.05-A: PERMITTED USES IN PLANNED DEVELOPMENTS | | | | |
|---|-------------------------------|------|------|------------------------|
| PERMITTED USES P = Permitted Use | PLANNED DEVELOPMENT DISTRICTS | | | USE-SPECIFIC STANDARDS |
| | RPD | MUPD | PIPD | SEE SECTION: |
| Parking lot or structure | P | P | P | Section 5.04(X) |
| Passenger transportation terminal | | | P | |
| Truck/transfer facilities | | | P | Section 5.04(Y) |
| Vehicle repair garages (major repair) | | | | Section 5.04(Z) |
| Vehicle service uses (minor repair) | | P | | Section 5.04(V) |
| Vehicle washing establishments | | P | | Section 5.04(AA) |
| INDUSTRIAL USES | | | | |
| Distribution facilities | | | P | |
| Industrial service uses | | | P | Section 5.04(BB) |
| Industrial uses, light | | | P | Section 5.04(BB) |
| Laboratories | | | P | Section 5.04(DD) |
| Research and development facilities | | | P | Section 5.04(DD) |
| Warehouses | | | P | |
| OTHER USES | | | | |
| Essential Services | P | P | P | |
| Mixed Use Development | | PS | | Section 5.04(GG) |
| Radio and television stations (no towers or satellites) | | | P | |
| Wireless telecommunication facilities | | | P | Section 5.04(II) |

(B) LIMITING PERMITTED USES

As part of the review of a PD preliminary plan application, the Zoning Commission and Board of Trustees may identify uses that are permitted within a specific PD type that should be limited (with set conditions) or prohibited within the proposed PD preliminary plan application. Any such limitations and conditions shall be established in the approval of the PD preliminary plan.

(C) DWELLINGS, ATTACHED (3+ UNITS)

Attached dwellings may be permitted in the RPD and MUPD District provided they meet the following regulations:

- (1)** There shall be a maximum of eight units per structure.
- (2)** The following architectural standards shall apply to all attached dwellings with three or more attached dwelling units.
 - a)** The minimum size floor area for any individual dwelling unit shall be 700 square feet per unit.
 - b)** Separate entrances are encouraged for each unit in an attached dwelling structure.
 - c)** Front facades shall incorporate variation in mass through one or more of the following methods every thirty feet of façade frontage:
 - (i)** Wall offsets in the form of projections and/or recesses in the façade plane. Wall offsets shall have a minimum depth of two feet;
 - (ii)** Bay windows;
 - (iii)** Façade color changes;

- (iv) Use of pilasters, columns or other detailing to articulate the façades; or
 - (v) Roofline changes when coupled with correspondingly aligned façade material changes.
- d) In addition to wall offsets, front facades and side façades on buildings on corner lots, shall provide a minimum of three of the following design features for each residential unit fronting



onto the street (See

e) [Figure 6.05-1](#) and

f) [Figure 6.05-2](#)):

- (i) One or more dormer windows or cupolas;
- (ii) A recessed entrance;
- (iii) A covered porch;
- (iv) Pillars, posts, or pilasters;
- (v) One or more bay windows with a minimum twelve inch projection from the façade plane;
- (vi) Eaves with a minimum 6- inch projection from the façade plane;
- (vii) A parapet wall with an articulated design, which entails design variation rather than a simple rectilinear form; or
- (viii) Multiple windows with a minimum four inch wide trim.



Figure 6.05-1: This image illustrates how multiple design features are incorporated into the design to de-emphasize the fact that this is a single structure.



Figure 6.05-2: This multi-family development lacks sufficient façade variation yielding a monotonous appearance

- g)** Individual attached dwelling structures served by common entryways and containing six or fewer units shall be constructed to give the appearance of a large single-family detached home (See
- h)** [Figure 6.05-3](#)).



Figure 6.05-3: These images demonstrate how an attached residential structure of six or fewer units can be constructed to appear as a large detached residential structure.

- i)** To the degree practicable, all roof vents, pipes, antennas, satellite dishes, and other roof penetrations and equipment (except chimneys) shall be located on the rear elevations or configured to have a minimal visual impact as seen from the street.

(D) ACCESSORY USES AND STRUCTURES IN A PD DISTRICT

Accessory uses in a PD District shall be subject to the following standards:

- (1) Accessory uses and structures related to dwellings in a PD shall be subject to the standards applied to accessory uses in the R-2 District.
- (2) Accessory uses and structures related to nonresidential uses shall be subject to the standards applied to the C-3 District.

Section 6.06 General Development Standards

Except as otherwise authorized by the Zoning Commission and the Board of Trustees, PD districts shall comply with the following development standards:

(A) DENSITY AND INTENSITY OF USES

- (1) All PDs shall comply with the standards set forth in [Table 6.06-A](#).
- (2) A minimum of 35 percent of the floor area in a MUPD shall be residential dwelling units.

| TABLE 6.06-A: PD DENSITY AND INTENSITY STANDARDS | | | | |
|--|---|--|------------------------------------|-------------------------|
| PD DISTRICT TYPE | MINIMUM OPEN SPACE REQUIRED (OF TOTAL SITE) | MAXIMUM GROSS DENSITY (TOTAL SITE) | MAXIMUM NET DENSITY (ANY ONE ACRE) | MAXIMUM BUILDING HEIGHT |
| RPD | 25% | 3.5 units per acre | 8.0 units per acre | 35 feet |
| | 45% | 5.0 units per acre [1] | 10.0 units per acre | 35 feet |
| MUPD | 20% | 8.0 units per acre [1] | 16.0 units per acre | 45 feet |
| PIPD | As may be required for resource protection pursuant to Section 6.07 . | No maximum densities applicable but the maximum lot coverage by buildings, pavement, and other hard surfaces shall not exceed 70% of the total site. | | 60 feet |
| NOTES: [1] A minimum of 25% of the units must be attached dwelling types (two-family or multi-family) in the RPD and 40% in the MUPD. FAR = Floor Area Ratio | | | | |

(B) PERMITTED NUMBER OF DWELLING UNITS

- (1) The maximum permitted number of dwelling units in an RPD or MUPD project shall be calculated by multiplying the total area of “residential developable land” by the maximum gross density. For the purposes of this calculation, “residential developable land” is any land area outside of land that is designated as or for:
 - a) Rights-of-way that exist prior to the application, but not including rights-of-way that will be proposed as part of the application; and
 - b) Land designated solely for nonresidential development.
- (2) The permitted number of dwelling units may be located on any size lot or in any area of the development in accordance with this article and outside of the required minimum open space area (See [Table 6.06-A](#).) and outside of any areas that must be protected due to presence of natural resources (See [Section 6.07: Resource Protection Standards](#).)

(C) LOT STANDARDS

(1) General Lot Standards

- a) Lots shall be situated in locations least likely to block scenic vistas as seen from public roadways.

- b) No building or structure on any lot that is adjacent to a state designated route shall be located closer than 70 feet from the right-of-way of such a street.

(2) Lot Standards for Residential Only Uses

- a) A setback of 20 feet shall be provided along the perimeter of a RPD District. No structures or parking shall be permitted in this setback area. The perimeter setback is intended to be a landscaped buffer. The applicant may request, or the Zoning Commission may recommend and the Board Trustees may approve, modifications in the width or use of the perimeter setback when unique conditions warrant such modifications including opportunities for connectivity to adjacent uses and developments.
- b) The minimum lot area for any residential only use shall be 5,000 square feet.
- c) The minimum lot width for any residential only use shall be 50 feet.
- d) Lots of less than 8,000 square feet shall have garages that are either:
 - (i) Rear-loaded; or
 - (ii) Set back a minimum of five feet from the front façade of the remainder of the house.
- e) There shall be a minimum distance of 60 feet between the rear facades of any two homes and 10 feet between the side facades of any two homes. If lots are established, these distance requirements do not have to be equally applied to each lot (i.e., there does not have to be a five-foot side yard setback on each lot to meet the 10-foot side façade separation).
- f) The minimum front yard setback shall be 25 feet from any local residential street right-of-way, however, the facade of any front-loading garage (the garage portion of the front façade) shall be setback 30 feet from the street right-of-way. For homes that have frontage along a county designated road, the minimum front yard setback shall be 40 feet.
- g) If no right-of-way exists, the minimum front yard setback shall be 25 feet from the edge of pavement or the back of any easement the county may require along the street for the purposes of utilities, whichever is greater. The facade of any front-loading garage (the garage portion of the front façade) shall be setback 30 feet from the edge of pavement or the back of any easement the county may require along the street for the purposes of utilities, whichever is greater.

(3) Lot Standards for Mixed Use and Nonresidential Uses

- a) There shall be no minimum lot area or lot width requirements for mixed use buildings or other nonresidential uses.
- b) A setback of 50 feet shall be provided along the perimeter of a MUPD and PIPD Districts. No structures or parking shall be permitted in this setback area. The perimeter setback is intended to be a landscaped buffer. The applicant may request, or the Zoning Commission may recommend and the Board Trustees may approve, modifications in the width or use of the perimeter setback when unique conditions warrant such modifications including opportunities for connectivity to adjacent uses and developments.
- c) Buildings in the MUPD District may be built up to the front lot line or right-of-way line, however, in no case shall a building in the MUPD District be set back more than 70 feet from right-of-way line.
- d) The minimum front yard setback shall be 50 feet in the PIPD District.
- e) There shall be a minimum setback of 50 feet between any building in an MUPD District and an adjacent residential zoning district or RPD District.

- f) There shall be a minimum setback of 100 feet between any building in an PIPD District and an adjacent residential zoning district or RPD District.

(D) FLOOR AREA REQUIREMENTS FOR DWELLING UNITS

In order to promote healthful living conditions and to stabilize the value and character of residential areas, dwelling units shall be erected, altered, moved, maintained, and occupied only in accordance with the following minimum floor area requirements. For the purposes of calculating the floor area, all areas within basements, garages and any attached or detached accessory building or structure shall not be included.

- a) The total minimum floor area for a single-family dwelling unit shall be 1,000 square feet.
- b) The total minimum floor area for a two-family dwelling shall be 700 square feet per unit.
- c) The minimum floor area for any dwelling unit in an attached dwelling (with more than two units) shall be 700 square feet per unit.

(E) STREET, DRIVE, AND SIDEWALK REQUIREMENTS

(1) General Street and Drive Design Criteria

- a) The area of the proposed project devoted to streets and related pavement should be the minimum necessary to provide adequate and safe movement through the development.
- b) Street alignments should follow natural contours and be designed to conserve natural features.
- c) The locations of streets should be planned to avoid excessive stormwater runoff and the need for storm sewers.
- d) Dead-end streets shall be prohibited, except as stub streets.
- e) Permanent cul-de-sac streets are strongly discouraged and should only be utilized in instances where they are necessary due to topography, configuration of land, existing road layouts or other special circumstances. The Zoning Commission and Board of Trustees may require stub streets to extend to the development boundaries for planned road connections.
- f) There shall be no direct access from individual dwelling units in a RPD to an arterial road.

(2) Private Streets

Private streets shall meet the following requirements:

- a) A private street shall not be planned or be expected to extend to serve property outside the RPD.
- b) Rights-of-way shall not be required for private streets; however, utility easement(s) may be required along the length of the private street.
- c) The design and layout of the private street shall provide adequate and safe access to the intended units, as determined by the Springfield Township Police and Fire Departments.
- d) All private streets shall be identified by street signs that state "Private" or "Pvt" and such signs shall be in place prior to the sale of any dwelling unit on such street.
- e) All private streets shall be constructed to the standards required for public streets in the Summit County Subdivision Regulations.

(3) Common Drives

Common drives shall only be allowed in RPDs and only be permitted in compliance with the following requirements:

- a) A common drive shall serve no more than eight residential structures.
- b) A common drive shall extend from a public street or a private street and shall not connect to any other existing or planned public or private street.
- c) The design and layout of the common drive shall provide adequate and safe access to the intended units, as determined by the Springfield Township Fire Department.
- d) Rights-of-way are not required for common drives; however, a 10-foot wide utility easement shall be required along the length of the common drive, unless the Zoning Commission determines that such easement is unnecessary.
- e) All common drives shall be paved and have a minimum width of 12 feet for one-way drives and a minimum width of 14 feet for two-way drives. Dead-end drives providing access to two or more units shall be designed with a turn-around, unless otherwise permitted by the Springfield Township Fire Department.

(4) Disclosure

Whenever a private street or common drive is included in a RPD, deed restrictions shall be required and shall specifically include the following language:

“The undersigned grantee(s) hereby acknowledge(s) that (he, she, they) understand that the premises described herein is located upon a non-dedicated private street or common drive. And further, the grantee(s) understands that no government body is responsible for care and maintenance of said private street or common drive.”

(5) Pedestrian Circulation, Walkways, and Trails

- a) A pedestrian circulation system shall be included in the RPD and should be designed to ensure that pedestrians can walk safely and easily throughout the development, without having to walk or utilize the street for travel. The pedestrian system should provide connections between properties and activities or special features within common areas and need not always be located along streets. If the pedestrian system intersects a public or private street within the development, “pedestrian crossing” signs shall be posted.
- b) A trail system may be provided within the area of open space. The system should be designed to minimize disturbance of the site with regard to the natural drainage system and topography. To the maximum extent feasible, natural materials should be used in the construction and maintenance of the trail system.
- c) When developed adjacent to contiguous to a public trail, park, or recreation area, the development shall provide pedestrian access from the development to the public area by way of connecting walkway, trail, boardwalk, or bridge.

(F) DEVIATION FROM STANDARDS

- (1)** The Zoning Commission and Board of Trustees may approve deviations from any of general development standards in this [Section 6.06: General Development Standards](#) except those standards found in [Table 6.06-A: PD Density and Intensity Standards](#).
- (2)** Such deviation must be reviewed and approved as part of the preliminary development plan.
- (3)** In approving a deviation from these standards, the Zoning Commission and Board of Trustees must find that:
 - a) The proposed alternative achieves the purposes of the PD district to the same or better degree than the subject standard;

- b) The proposed alternative achieves the goals and intent of this resolution and the land use plan to the same or better degree than the subject requirement; and
- c) The proposed alternative results in benefits to the township that are equivalent to or better than compliance with the established standard.

Section 6.07 Resource Protection Standards

- (A) The natural resources listed in this section are resources that are sensitive to development and shall be protected as part of permanently protected open space. Such open space may count toward the minimum open space requirements of [Table 6.06-A: PD Density and Intensity Standards](#), provided they meet all other applicable standards of this article and, in particular, [Section 6.08: Open Space Standards](#).
- (B) If the total area of land covered by the natural resources that must be protected in accordance with [Table 6.07-A](#) exceeds the amount of open space required in [Table 6.07-A](#), then the applicant shall be required to preserve the remaining natural resources in additional open space areas.
- (C) [Table 6.07-A](#) establishes the minimum percentages of those natural resource areas that are to be preserved as part of the open space requirements (See [Table 6.06-A](#)). The Zoning Commission and Board of Trustees may reduce the percentages listed in [Table 6.07-A](#) if they make a finding that:
 - (1) The proposed alternative achieves the intent of resource protection to the same or better degree than the subject standard;
 - (2) The proposed alternative achieves the goals and intent of this resolution and the land use plan to the same or better degree than the subject requirement; and
 - (3) The proposed alternative results in benefits to the township that is equivalent to or better than compliance with the established percentage.
- (D) Preliminary and final development plans shall include maps of the resources identified in [Table 6.07-A](#), and indicate those portions that will be protected within the open space required as part of the PD and permanently protected in accordance with this article.

| TABLE 6.07-A: RESOURCE PROTECTION STANDARDS | |
|---|--|
| NATURAL RESOURCE | PERCENTAGE TO BE PRESERVED |
| Floodplains as defined by FEMA | 100% |
| Wetlands | Subject of U.S. Army Corps of Engineers and Ohio EPA requirement |
| Riparian Corridors | As Required by Summit County |
| Steep slopes 30% or steeper | 85% |
| Steep slopes 20 – 30% | 70% |
| Note: [1] Slope shall be measured as a percentage of vertical distance of rise (e.g. change in elevation above sea level) divided by horizontal distance of run. | |

Section 6.08 Open Space Standards

- (A) Any open space preserved as part of one of the PD types shall be preserved or used in a manner established within the specific PD and shall be either:

- (1) Owned by the township, county, state, park district, or other non-profit entity (as may be approved by the Zoning Commission and Board of Trustees) subject to acceptance by the appropriate legislative body; or
 - (2) Protected by a conservation easement as outlined in [Section 6.08\(F\)](#) and as approved by the Township Zoning Commission and Board of Trustees; and/or
 - (3) Owned jointly or in common by the developer and/or owners of the building lots with maintenance provided through a homeowners' or property owners' association (See [Section 6.08\(G\): Homeowners' or Property Owners' Associations.](#)).
- (B) The following areas shall not count toward the minimum open space required in [Table 6.06-A](#):
- (1) Private and public roads, and associated rights-of-way;
 - (2) Other public utility rights-of- way and easements in excess of 50 feet;
 - (3) Public or private parking areas, access ways, and driveways related to any residential use;
 - (4) Required setbacks between buildings, and parking areas;
 - (5) Required setbacks between buildings and streets;
 - (6) Required minimum spacing between buildings and parking areas;
 - (7) Private yards, including front, back and side yards; or
 - (8) Above-ground buildings, pipes, apparatus, and other equipment for community or individuals, septic or sewage disposal systems.
- (C) Wherever possible, open space should be located contiguous to open space, parks, and recreational lands adjacent to the subject property.
- (1) Multiple small isolated parcels shall be discouraged.
 - (2) All open space areas shall have a minimum width of 30 feet in all directions in order to count toward the open space requirement.
- (D) Further subdivision of the open space or its use for other than those uses prescribed in the approved preliminary and final PD plans shall be prohibited. Structures and buildings accessory to the open space may be erected on the open space, subject to the review of the site by the Zoning Commission and Board of Trustees. Any restrictions on the established open space shall be memorialized in a conservation easement consistent with the provisions of [Section 6.08\(F\)](#).
- (E) **USE OF REQUIRED OPEN SPACE**
- (1) Open space shall be designed and intended for the use and/or enjoyment of residents of the proposed development. The open space may be designed for use for the general public only if the township accepts the land as a public dedication.
 - (2) Areas designated for required open spaces shall be preserved in its natural state unless otherwise permitted as follows:
 - a) They are designated to be utilized for farming when authorized in a conservation easement (See [Section 6.08\(F\)](#) or in a homeowners' association's covenants and restrictions recorded with the Summit County Recorder's Office; or
 - b) They are designated to be utilized for stormwater management facilities. Easements shall be required to enable the maintenance of these facilities; or
 - c) Disturbance of the open space is required for the construction of improvements and infrastructure or for mitigation efforts that may be required by FEMA, the Army Corps of Engineers, or other county or federal agencies; or

- d) They are designated to be used as active recreation areas designed and intended for the use and/or enjoyment of residents of the development or the general public. These active recreation areas shall be located in areas with the least impact on natural amenities and natural resources (See [Section 6.07: Resource Protection Standards](#)).

(3) Reclamation of Disturbed Open Space

Any area to be designated as required open space that is disturbed during construction or otherwise not preserved in its natural state, shall be landscaped with vegetation which appeared in those respective areas of the required open space immediately prior to being disturbed during construction or otherwise not preserved in their natural states.

(F) CONSERVATION EASEMENTS

Prior to the recording of a PD subdivision, a conservation easement may be placed on all lands and private waters used to satisfy the open space requirement of this district. The conservation easement shall:

- (1) Run with the land, regardless of ownership;
- (2) Provide for protection of the land in perpetuity;
- (3) Be granted and deeded to the township, a township approved land trust, or other qualified organization approved by the township.
- (4) Be solely for the purpose of ensuring the land remains undeveloped; and
- (5) Shall not, in any way, imply the right of public access or any other right or duty not expressly established by the terms of the easement.
 - a) While the township, township approved land trust, or other qualified organization must hold the conservation easement, the property itself shall still be owned by the original property owner, the developer (applicant of the PD), or the homeowners' association.
 - b) The conservation easement shall include information on how the property will be maintained by the property owner and shall also state that failure to maintain the property in accordance with the conservation easement agreements shall be considered a violation of this zoning resolution. In addition, the holder of the easement may pursue any remedy provided by law or equity, including, but not limited to, the remedies in Section 5301.70 of the Ohio Revised Code.

(G) HOMEOWNERS' OR PROPERTY OWNERS' ASSOCIATIONS

The following shall apply where a homeowners' association or property owners' association will be established to maintain the open space or other common areas of the PD.

- (1) A homeowners' association or property owners' association shall be established to permanently maintain all open space, common areas and conservation easements related to the PD.
- (2) All homeowners' association or property owners' association agreements shall be submitted for approval as part of the final development plan review procedure. Copies of the proposed covenants, articles of incorporation, and bylaws of the association shall be submitted with said agreements. No set of proposed covenants, articles of incorporation, or bylaws of a homeowners' association or property owners' association shall permit the abrogation of any duties set forth in this section.
- (3) The applicant shall be required and reviewed by the township's legal counsel to ensure that the homeowners' or property owners' association will be legally bound to preserve and maintain the open space and resource protection areas in perpetuity as required by this resolution.

- (4) All homeowners' associations or property owners' associations shall guarantee maintenance of all open space and common areas within the boundaries of the development. In the event of a failure to maintain such open space or common areas, the township may do any of the following:
 - a) If the open space or common area is owned by the township, township approved land trust or other qualified organization, county, state or a park district, the township may remedy the failure to maintain at its own cost and seek reimbursement from the homeowner's association, or seek to enforce the homeowner's association's duty to maintain through an injunction or any other civil penalty.
 - b) If the open space or common area exists pursuant to a conservation easement in which the township is a party to such easement, the township may seek to enforce the terms of the conservation easement as provided in [Section 6.08\(F\)](#).
 - c) If the open space or common area is owned jointly or in common by the owners of the building lots, or by any other owner of the property to be maintained, the township may seek to enforce the association's non-performance of its obligations and duties through an injunction or any other civil remedy as permissible by law.

Section 6.09 Planned Development District Review Procedure

(A) PLANNED DEVELOPMENT (PD) INITIATION

- (1) PDs may be initiated by the property owner or an agent of the property owner.
- (2) All PD applications shall be subject to [Section 3.03: Common Review Requirements](#).

(B) PRELIMINARY DEVELOPMENT PLAN REVIEW PROCEDURE

(1) Preliminary Development Plan Review

a) Step 1 – Pre-application Conference

- (i) The applicant should meet with the Zoning Administrator and contact the Summit County Department of Development, Planning and GIS Division to discuss the initial concepts of the proposed PD and general compliance with applicable provisions of this zoning resolution prior to the submission of the application. During this time, an applicant may also request a preliminary, informal meeting with the Zoning Commission to discuss the initial concepts. ¹
- (ii) Discussions that occur during a pre-application conference or a preliminary meeting with staff or the Zoning Commission are not binding on the township and do not constitute official assurances or representations by Springfield Township or its officials regarding any aspects of the plan or application discussed.

b) Step 2 – PD Zoning Map Amendment and Preliminary Development Plan Application

- (i) The applicant may submit an application for a PD zoning map amendment and preliminary development plan review.

¹ Effective 8/12/13

- (ii) The application shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record.
 - (iii) Each application shall be signed by all of the owners or the owners' authorized agent, of the property within the area proposed to be reclassified, attesting to the truth and correctness of all facts and information presented with the applications.
 - (iv) All applications shall be submitted with the required fees as established in the Springfield Township fee schedule.
 - (v) The application shall include a list of the names and mailing addresses of adjacent property owners including those with shared lot lines and those directly across the street.
 - (vi) The applicant shall submit the preliminary development plan simultaneously with the application for a PD zoning map amendment.
- c) **Step 3 – Referral to the Summit County Planning Commission**
 - (i) Within five days after the filing of a PD zoning map and preliminary development plan application (Step 2), the township shall transmit a copy thereof to the Summit County Planning Commission.
 - (ii) The Summit County Planning Commission shall recommend the approval, approval with modifications, or denial of the proposed PD zoning map amendment and preliminary development plan, and shall submit such recommendation to the Zoning Commission.
 - (iii) Such recommendation shall be considered at the public hearing held by the Zoning Commission on such proposed PD zoning map amendment and preliminary development plan.
- d) **Step 4 – Public Hearing and Recommendation by the Zoning Commission**
 - (i) Upon the filing of a PD zoning map and preliminary development plan (Step 4), the Zoning Commission shall set a date for a public hearing regarding the proposed amendment and preliminary development plan.
 - (ii) The public hearing shall not be less than 20 or more than 40 days after the date the application (Step 3) was submitted.
 - (iii) Notification shall be given in accordance with Section 519.12 of the ORC.
 - (iv) Within 30 days after the Zoning Commission's public hearing (Step 6), the Zoning Commission shall recommend the approval, approval with modifications, or denial of the proposed PD Zoning Map Amendment and Preliminary Development Plan, and submit such recommendation together with such application, preliminary development plan, and recommendation of the Summit County Planning Commission to the Board of Trustees.
- e) **Step 5 – Public Hearing and Decision by the Board of Trustees**
 - (i) Upon receipt of the recommendation from the Zoning Commission (Step 4), the Board of Trustees shall set a time for a public hearing on such proposed PD zoning map amendment and preliminary development plan.
 - (ii) The date of the public hearing shall not be more than 30 days after the date of the receipt of such recommendation from the Zoning Commission.
 - (iii) Notification shall be given in accordance with Section 519.12 of the ORC.

- (iv) Within 20 days after its public hearing, the Board of Trustees shall either adopt or deny the recommendations of the Zoning Commission, or adopt some modification thereof. In the event the Board of Trustees overturns or modifies the recommendation of the Zoning Commission, a majority vote of the Board of Trustees shall be required.
- (v) Approval of the preliminary development plan shall include density, intensities, land uses and their inter-relationship, design standards, and building location. Location of buildings (if applicable) and uses may be altered slightly due to engineering feasibility which is to be determined in the subsequent preparation of the detailed final development plans.
- (vi) The Board of Trustees' decision on the PD zoning map amendment and the preliminary development plan is a legislative action of the Board of Trustees and is subject to the same effective date and referendum provisions as set forth in [Section 6.09\(B\)\(2\): Effective Date and Referendum](#). After approval of the PD zoning map amendment and preliminary development plan, and after the subsequent referendum period has ended, the Official Zoning Map shall be changed to reflect this amendment.
- (vii) Once the PD zoning map amendment is effective, the requirements for PDs in [Section 6.09\(C\): Final Development Plan Review Procedure](#), along with the approved preliminary development plan, and any approved conditions, shall apply to the future development of the property.

(2) Effective Date and Referendum

- a) Any PD zoning amendment adopted by the Board of Trustees shall become effective 30 days after the date of such adoption.
- b) A referendum of any amendments may be undertaken within the 30 days after the date of the Board of Trustees decision in accordance with ORC Section 519.12.

(3) Review Criteria for a Preliminary Development Plan

The following criteria shall serve as conditions for the review and recommendation or decision on the preliminary development plan:

- a) The PD and preliminary development plan are consistent with the intent and purpose of this zoning resolution and, in particular, the furtherance of the purpose of the PD as set forth in [Section 6.01: Purpose](#) and [Section 6.02: Planned Development District Types](#).
- b) The PD and preliminary development plan are consistent with the adopted Springfield Township Comprehensive Land Use Plan.
- c) The internal streets and primary and secondary roads that are proposed are adequate to serve the proposed development and properly interconnect with the surrounding existing road network as designated on the Springfield Township or Summit County Thoroughfare Plan. The plan must demonstrate that improvements or other actions have been or will be taken to mitigate those traffic problems identified by the Zoning Commission, and in the traffic impact analysis, if required, that are attributable to the proposed development.
- d) The proposed infrastructure, utilities, and all other proposed facilities are adequate to serve the planned development and properly interconnect with existing public facilities.
- e) The proposed uses, location and arrangement of structures, lots, parking areas, walks, open spaces, landscaping, lighting and appurtenant facilities are compatible with the surrounding land uses.

- f) Required resource protection land and open space areas are identified and provisions have been made for the care and maintenance of such areas.
- g) The design and layout of the open space areas incorporate existing natural resources in a method that provides benefit to the overall community while ensure long time protection of the resources.
- h) The preliminary development plan has been transmitted to all other agencies and departments charged with responsibility of review.
- i) When the township boards are reviewing a new or modified preliminary development plan following the expiration of a previous development plan (See [Section 6.09\(D\): Time Limits.](#)), the township may take into consideration changes in township land use and development policy when making recommendations and decisions related to the preliminary development plan.

(4) Additional Requirements for Preliminary Development Plans

In approving a preliminary development plan, the township shall establish the maximum gross density of the PD. The project density approved by the Board of Trustees in the preliminary development plan shall be subject to the application of the development standards of this resolution and any conditions of the approved preliminary development plan. If, upon the application of the development standards and the conditions of the approved plan, the applicant cannot achieve the maximum approved density, then the applicant shall be confined limited to the density achieved from the application of the standards and any conditions.

(5) Crucial Features of the PD (Preliminary Development Plan)

- a) The township may incorporate a list of “crucial features of the PD” as part of a preliminary development plan approval.
- b) The crucial features of the PD are those items or features that the township finds crucial or indispensable to the PD approval and as such, the township finds that such items or features shall not be altered in the future unless undertaken as a major modification to the PD (See [Section 6.09\(I\): Modifications to Approved Preliminary or Final Development Plans.](#)). Such crucial features may include, as an example, the amount and/or location of open space, density, protected natural resources, or other key elements of the development.
- c) The Zoning Commission may include a recommendation on the list of crucial features as part of their recommendation to the Board of Trustees, which the Board of Trustees may adopt within their decision. The Board of Trustees shall also have the authority to modify the list of crucial features the Zoning Commission includes in its recommendation or create its own list of crucial features as part of the Board of Trustee’s decision.
- d) If a list of crucial features is included in the decision on the preliminary development plan, such list shall be placed in a prominent position on the drawings submitted as part of the PD records.

(C) FINAL DEVELOPMENT PLAN REVIEW PROCEDURE

(1) Final Development Plan Review Procedure

- a) **Step 6 – Submission of a Final Development Plan**
 - (i) Once the PD zoning map amendment and preliminary development plan have been approved by the Board of Trustees, the applicant shall proceed with the preparation of the detailed final development plan(s) in whole or in phases.

- (ii) Prior to submitting a final development plan(s), the applicant should obtain preliminary subdivision plan approval from Summit County to ensure compliance with the subdivision regulations prior to finalizing the final development plan under this article.
- (iii) The final development plan shall include all such forms, maps, and information, as may be prescribed for that purpose by the Zoning Commission to assure the fullest practicable presentation of the facts for the permanent record.
- (iv) The detailed final development plan shall be consistent with the applicable PD requirements in this zoning resolution and the contents of the approved preliminary development plan.
- (v) A final development plan shall include all necessary legal documentation relating to the incorporation of a Homeowner's Association for the purpose of maintaining the specified open space within all residential planned developments.
- (vi) The application shall include a list of the names and mailing addresses of adjacent property owners including those with shared lot lines and those directly across the street.

b) Step 7 – Public Meeting and Decision by the Zoning Commission

- (i) Upon receipt of the detailed final development plan and recommendations of staff, the Zoning Commission shall, at a public meeting, study and review the detailed final development plan to determine whether all requirements have been satisfied, and the conditions specified in [Section 6.09\(C\)\(2\): Review Criteria for a Final Development Plan](#), have been met.
- (ii) The Zoning Administrator shall mail written notices of the public meeting to adjacent property owners a minimum of seven days in advance of the scheduled meeting. The notice shall be sent through the regular mail.
- (iii) Within 30 days of the Zoning Commission’s public meeting, the Zoning Commission shall approval, approval with modifications, or deny the proposed final development plan.
- (iv) Copies of the findings and recommendations of the Commission shall be made available to any other interested persons.
- (v) After approval of the final development plan, the applicant shall be required to submit a revised final development plan incorporating any revisions or modifications approved by the township to be maintained for township records.

(2) Review Criteria for a Final Development Plan

The following criteria shall serve as conditions that should generally be satisfied before the approval of the final development plan:

- a) Appropriate arrangements with the applicant have been made to ensure the accomplishment of the public improvements and reservation of open space as indicated on the preliminary development plan and final development plan.
- b) The proposed detailed final development plan for an individual section of the overall PD is consistent in contents (building location, as applicable, land uses, densities and intensities, yard requirements, and area and frontage requirements) with the approved preliminary development plan

- c) Each individual phase of the development can exist as an independent unit that is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained. No individual phase shall exceed the approved density.
- d) That any part of the PD not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Zoning Commission and Board of Trustees, left in its natural state.
- e) That any exception from the design standards provided in the PD is warranted by the design and amenities incorporated in the detailed final development plan.
- f) That the detailed final development plan is consistent with the intent and purpose of this zoning resolution.
- g) Proposed covenants, easements and other provisions meet development standards and protect the public health, safety, and general welfare.
- h) The final development plan has been transmitted to all other agencies and departments charged with responsibility of review.
- i) Preliminary development plans and final development plans shall include a list of any and all features in the PD Plans which were crucial, and indispensable, in order to gain PD approval from the township. This list, under the heading, "Crucial Features for this PD," shall be reviewed for approval or denial as part of the PD process and shall be placed in a prominent position on the drawings to remain a permanent component of the record drawings.

(3) Crucial Features of the PD (Final Development Plan)

- a) The Township may incorporate a list of "crucial features of the PD" as part of a final development plan approval.
- b) The crucial features of the PD are as defined in [Section 6.09\(B\)\(5\)](#), and may be included in the decision on the final development plan.
- c) The list of crucial features included in the decision on the final development may be the same as those incorporated in the decision on the preliminary development plan or may be a modified version of the list of crucial features included in the decision on the preliminary development plan.
- d) If a list of crucial features is included in the decision on the final development plan, such list shall be placed in a prominent position on the drawings submitted as part of the PD records.

(D) TIME LIMITS

- (1) The final development plan shall be submitted within one year after approval of the preliminary development plan, or the approval of the preliminary development plan will expire and the plan will be deemed null and void.
- (2) Upon expiration of the preliminary development plan, the property shall still be zoned as a PD with a voided preliminary development plan. The property owner or authorized agent may submit an application and new preliminary development plan for consideration pursuant to [Section 6.09\(B\)\(1\): Preliminary Development Plan Review](#) or an application for a zoning map amendment to another district (See [Section 3.06: Zoning Text or Map Amendment](#)).
- (3) An applicant can request an extension of any applicable time limit by requesting a status review of the PD (See [Section 6.09\(E\): Review of Status of PD Development Plans](#)) and requesting an extension as part of that review.

- (4) If the applicant has not received subdivision plat approval or an extension pursuant to this article within one-year of the approval of the final development plan approval, both the preliminary and final development plans will become null and void.
- (5) Upon the expiration of the preliminary and/or final development plan, the Board of Trustees or the Zoning Commission may initiate a zoning map amendment to change the PD zoning on the property to another zoning district. The applicant may also initiate a zoning map amendment or submit a new preliminary development plan, with all applicable fees, pursuant to the review procedure established in this article.

(6) Phased Developments

- a) For phased developments, the Zoning Commission and Board of Trustees may approve a phased final development plan schedule as part of the preliminary and/or final development plan approval. In such case, the approved time frames shall establish when the approved development plans shall expire.
- b) When an applicant proposes to complete the project in phases, each phase shall have adequate provision for access, open space, parking, storm water management, and other public improvements to serve the development in accordance with the applicable criteria set forth in this article. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property. The open space areas shall be reasonably proportioned in each phase of the project, and the proposed construction of any recreation facilities shall be clearly identified on a phasing plan.

(E) REVIEW OF STATUS OF PD DEVELOPMENT PLANS

- (1) If an applicant fails to comply with all of the provisions of this article, the Board of Trustees may review the status of any approved PD district or any development plan, and take action, in accordance with the following procedures:
 - a) The Board of Trustees may hold a public hearing to review the status of any approved development plan and, at the conclusion of the hearing, may by resolution:
 - (i) Extend any applicable time period; or
 - (ii) Modify or revoke the preliminary and/or final development plan approval.
 - b) The Board of Trustees may initiate a zoning map amendment to rezone the property to another zoning district.
- (2) If the applicant requires an extension of the time limits, it shall be the applicant’s responsibility to request a status review by submitting a written request to the Zoning Administrator.

(F) APPROVED PLANS STAY WITH LAND

- (1) Approved preliminary and final development plan shall be attached to the land for which the plans were approved, regardless if the land ownership, developer, or applicant changes.
- (2) If there is a change in land ownership, the new land owner may:
 - a) Continue with the PD process and development in accordance with this article and the approved plans;
 - b) Submit a new preliminary development plan and/or final development plan in accordance with this article; or
 - c) Submit an application for a zoning map amendment in accordance with [Section 3.06: Zoning Text or Map Amendment](#).

(G) EFFECT OF A FINAL DEVELOPMENT PLAN

- (1)** The approved final development plan shall be kept on record in the township offices together with all resolutions, applications, plats, plans, and other information regarding the development.
- (2)** The resolutions prepared by the Zoning Commission and Board of Trustees shall serve as the official record for the permitted uses and activities which are approved for the property in the PD.
- (3)** The use of the PD property or the location, erection, construction, reconstruction, enlargement, or change of any building or structure in a manner which is not consistent with the final development plan shall be considered a violation of this zoning resolution and subject to the procedures and penalties specified in [Article 15: Enforcement and Penalties](#).

(H) REQUIRED CONDITIONS FOR THE ISSUANCE OF A ZONING CERTIFICATE

- (1)** A zoning certificate may be issued for a structure in a PD district, in accordance with an approved final development plan, following approval by the Summit County Planning Commission of a final subdivision plat for that portion of the PD within which the proposed structure is to be located, and recording of the approved subdivision plat.
- (2)** No zoning certificate shall be issued for any property in a PD and no construction, except preliminary excavation, shall begin until an approved final development plan is in effect for that phase or property. The final development plan becomes effective upon approval by the Zoning Commission.

(I) MODIFICATIONS TO APPROVED PRELIMINARY OR FINAL DEVELOPMENT PLANS

- (1)** If an applicant proposes to modify an approved preliminary development plan or final development plan, the applicant shall submit the proposed modifications to the Zoning Administrator for transmittal to the appropriate authority based on paragraphs (3) and (4) below.
- (2)** The proposed modifications shall be classified as a minor or major modification based on the following:

a) Minor Modifications

Minor modifications shall include, but are not limited to, changes that do not involve:

- (i)** Changes to the approved plan including, but not limited to, a change of use or density to a more intense use or density than permitted by the approved preliminary development plan or changes to the location or amount of land designated for a specific land use or open space;
- (ii)** A reduction of more than five percent in the number of parking spots;
- (iii)** A change of the permitted uses to a use not otherwise permitted in the proposed PD;
- (iv)** Any change that will increase demand on any on or off-site infrastructure;
- (v)** Moving a building closer to any of the perimeter lot lines adjacent to properties outside of the boundary of the PD; or
- (vi)** An expansion of a building footprint that affects the specified setbacks of the approved plan.

b) Major Modifications

Major modifications shall include, but are not limited, to:

- (i)** A change in density or intensity;
- (ii)** Changes to the property or project boundaries of the entire PD District;

- (iii) Modifications in the internal street and thoroughfare locations or alignments which significantly impact traffic patterns or safety considerations;
- (iv) Anything not classified as a minor modification above; or
- (v) Any change that the Zoning Commission determines, after review, should be forwarded on to the Board of Trustees as a major modification.

(3) Review of Minor Modifications

- a) The Zoning Commission shall be responsible for reviewing and making a decision on minor modifications to an approved preliminary development plan or final development plan.
- b) Such review and decision shall take place at a public meeting of the Zoning Commission and shall not require any additional notice beyond what is required by the ORC for public meetings.
- c) The decision of the Zoning Commission on minor modifications shall be deemed administrative.
- d) If a preliminary development plan is amended, any future final development plan shall comply with the amended preliminary development plan.

(4) Review of Major Modifications

- a) Major modifications shall require a public hearing with the Zoning Commission and Board of Trustees to revise the preliminary development plan pursuant to [Section 6.09\(B\): Preliminary Development Plan Review Procedure](#), with the following provisions:
 - (i) The new plan shall not be subject to review by the Summit County Planning Commission; and
 - (ii) Major modifications shall be subject to new application fees.
- b) If a preliminary development plan is amended, any future final development plan shall comply with the amended preliminary development plan.

Article 7: Accessory and Temporary Use Regulations

Section 7.01 Accessory Use Regulations

(A) PURPOSE

This section authorizes the establishment of accessory uses and structures that are incidental and customarily subordinate to principal uses. The intent of this section is to allow a broad range of accessory uses while not creating adverse impacts on surrounding lands.

(B) GENERAL PROVISIONS

- (1) The structure or use shall be incidental to and customarily found in connection with a principal building or use permitted in the district in which it is located.
- (2) The structure or use shall be located on the same lot as the principal use for which it serves.
- (3) Unless otherwise stated in this section, a zoning certificate shall be required prior to construction or establishment of an accessory use or structure.
- (4) An accessory use or structure shall not be established unless a principal use has first been established on a site in conformance with the applicable provisions of this zoning resolution.
- (5) Unless permitted by the Zoning Commission or Board of Trustees as part of a Planned Development (PD) approval, accessory uses and structures shall be prohibited in any open space area that is preserved by a covenant, deed restriction, or other private agreement.
- (6) Accessory structures used for agricultural purposes shall be exempt from these regulations. To be exempt, the building should be one which is necessary for, or customarily used in conjunction with, the specific agricultural use that is active on the property. Such structures include, but are not limited to, barns, greenhouses, and other buildings that are specifically designed for agricultural uses. Although such a structure may have some incidental use for other than agricultural activities, the principal use of the structure must be agricultural.
- (7) Small accessory structures that do not exceed 20 square feet in gross floor area, shall be exempt from the provisions of this section.
- (8) No accessory structure shall be used for the storage of equipment or materials for an off-premises business on a lot where the principal use is residential in nature.

(C) MAXIMUM NUMBER, SIZE, AND LOT COVERAGE

- (1) There shall be no more than two detached accessory buildings (i.e., individual detached accessory buildings or outdoor wood furnaces) shall be permitted on a single lot in any zoning district.
- (2) The total floor area of the two accessory buildings shall not exceed 900 square feet on a parcel of land one acre or less. For properties that exceed one acre, the maximum floor area of the two buildings shall not exceed 2.5 percent of the total lot area, with a maximum of 1,600 square feet.

(D) SETBACK REQUIREMENTS

Unless otherwise specified herein, the following setback requirements shall apply to accessory uses and structures:

- (1) An accessory building that is attached to the principal building (including attached by a breezeway) shall be made structurally a part thereof and shall be subject to the minimum setback requirements of the applicable zoning district and/or use.
- (2) A detached accessory building shall be set back a minimum of six feet from a principal building in the R-3 district and 10 feet from a principal building in the O-C, R-1, and R-2 districts.

(E) MAXIMUM HEIGHT

- (1) Unless otherwise permitted for amateur radio transmitters or antenna and small wind energy systems, the maximum height of accessory uses and structures shall be as established below.
 - a) The height of accessory structures in the O-C, R-1, R-2, R-3, and C-1 districts shall not exceed 20 feet.
 - b) The maximum height of an accessory use or structure in all other districts shall be 35 feet.
- (2) In no case shall an accessory use or structure exceed the height of the principal structure.

(F) PERMITTED ACCESSORY USES

Table 2.02-A lists the accessory uses and structures allowed within all zoning districts. The following is an explanation of the abbreviations and columns in Table 2.02-A.

(1) Permitted Use (P)

A “P” in a cell indicates that an accessory use or structure is permitted by-right in the respective zoning district. Permitted accessory uses and structure are subject to all other applicable regulations of this zoning resolution, including the additional standards set forth in this section.

(2) Permitted Use with Use-Specific Standards (PS)

- a) A “PS” in a cell indicates that an accessory use or structure is allowed by-right in the applicable zoning district if it meets the additional standards set forth in the numerically referenced sections in the last column. Permitted uses and structures with use-specific standards are subject to all other applicable regulations of this section and zoning resolution.
- b) Accessory uses and structures permitted with use-specific standards under this category are approved administratively by the zoning administrator pursuant to the zoning certificate review procedure (where required).

(3) Conditional Use (C)

A “C” in a cell indicates that, in the respective zoning district, an accessory use or structure is permitted if reviewed and approved as a conditional use pursuant to [Section 3.07: Variance or Conditional Use](#). Conditional uses are subject to all other applicable regulations of this zoning resolution, including the additional standards set forth in this section.

(4) Prohibited Uses (Blank Cells)

- a) A blank cell indicates that the listed accessory use or structure is prohibited in the applicable zoning district.
- b) The outdoor storage of junk, wood, lumber, building materials, parking of inoperative or unlicensed motor vehicles, or similar items of property shall be prohibited on all lots where the principal use is residential. Outdoor storage on all other lots shall be classified as “outdoor storage” as regulated in [Table 5.03-A](#).

(5) Zoning Certificate Required

The “Zoning Certificate Required” column identifies if a zoning certificate is required for the applicable accessory use or structure.

(6) Yards Permitted

The “Yards Permitted” column identifies in which yards the applicable accessory use or structure is permitted. See also [Section 5.05\(A\)\(2\):Setbacks and Yards](#), for more information about specific yard locations for interior, corner, double frontage, panhandle, cul-de-sac, or curved street lots.

(7) Numerical References (Last Column)

The numbers contained in the “Use-Specific Standards” column are referenced to additional standards and requirements that apply to the use and structure type listed. Standards referenced in the “Use-Specific Standards” column apply in all zoning districts unless otherwise expressly stated and may apply to a conditionally permitted use and/or a permitted use with use-specific standards.

| TABLE 7.01-A: PERMITTED ACCESSORY USE TABLE | | | | | | |
|---|-------------------------------------|--|-------------------|------------------------------------|---|--|
| PERMITTED USES P = Permitted Use PS = Permitted with Additional Use-Specific Standards C = Conditional Use Blank Cell = Prohibited | RESIDENTIAL ZONING DISTRICTS | NONRESIDENTIAL ZONING DISTRICTS | | ZONING CERTIFICATE REQUIRED | YARDS PERMITTED F = FRONT S = SIDE R = REAR | USE-SPECIFIC STANDARDS SEE SECTION |
| | O-C, R-1, R-2, AND R-3 | C-1, C-2, AND C-3 | O-R, I-1, AND I-2 | | | |
| Accessory Retail Sales | | | PS | No | Inside principal building | Section 7.01(G)(1) |
| Amateur Radio Transmitter or Antennas | PS | PS | PS | Yes | R | Section 7.01(G)(2) |
| Automated Teller Machines (ATM) | | PS | PS | Yes [1] | S or R | Section 7.01(G)(3) |
| Community Gardens | PS | PS | PS | Yes [1] | F, S, or R | Section 7.01(G)(4) |
| Detached Accessory Buildings | PS | PS | PS | Yes | S or R | Section 7.01(G)(5) |
| Drive-Through Facilities | | PS | PS | Yes [1] | S or R | Section 7.01(G)(6) |
| Driveways | PS | PS | PS | No | F, S, or R | Section 11.07 |
| Drop-Off Boxes | | PS | PS | No | S or R | Section 7.01(G)(7) |
| Home Occupations | PS | | | No | Inside principal building | Section 7.01(G)(8) |
| Indoor Food Sales | | | PS | No | | Section 7.01(G)(9) |
| Keeping of Chickens | PS | | | No | S or R | Section 7.01(G)(10) |
| Outdoor Wood Furnaces | PS | | | Yes | S or R | Section 7.01(G)(11) |
| Ponds or Lakes | PS | PS | PS | Yes | F, S, or R | Section 7.01(G)(12) |
| Porches or Decks | PS | PS | PS | Yes | F, S, or R | Section 7.01(G)(13) |
| Private or Community Swimming Pools | PS | | | Yes | S or R | Section 7.01(G)(14) |
| Roadside Stands | PS | | | No | F, S, or R | Section 7.01(G)(15) |
| Type-B day care homes (1-6 children) | P | | | No | Inside principal building | |
| Satellite Dishes | PS | PS | PS | See Section 7.01(G)(16). | F, S, or R | Section 7.01(G)(16) |
| Small Wind Energy Conservation Systems | PS | PS | PS | Yes | R | Section 7.01(G)(17) |
| Solar Panels | PS | PS | PS | See Section 7.01(G)(18). | | Section 7.01(G)(18) |
| Stand-Alone Basketball Hoops | PS | PS | PS | No | F, S, or R | Section 7.01(G)(19) |
| Tennis Courts or Other Game Courts | PS | PS | PS | No | R | Section 7.01(G)(20) |
| Tree Houses, Play Sets, or Trampoline | P | | | No | R | |
| Unenclosed Patios | PS | PS | PS | No | S or R | Section 7.01(G)(21) |
| Other Accessory Uses | C | PS | PS | See Section 7.01(G)(22) | | |

NOTES:
 [1] ATMs and drive-through facilities shall be permitted in the stated zoning district when they are accessory and attached to the building containing the principal use. The zoning certificate approval may be part of the zoning certificate application for the principal use.
 [2] Satellite dishes should be located in the side or rear yard to the maximum extent feasible. However, these regulations shall not prohibit the location of a satellite dish in the front yard.

(G) USE-SPECIFIC STANDARDS

(1) Accessory Retail Sales

Principal uses in the applicable zoning district may include some retail sales provided:

- a) The floor area dedicated to retail sales is less than 10% of the total building floor area;
- b) The retail sales take place in the principal building; and
- c) The retail sales are related to the services rendered, products stored, or products produced as part of the principal use.

(2) Amateur Radio Transmitters or Antennas

Noncommercial amateur radio antenna structures for use by licensed amateur radio operators shall be authorized for use by licensed amateur radio operators in all districts, provided that:

- a) The height of the structure does not exceed the lesser of the width or depth of the property as determined by a line bisecting such structure and measured from one side of the property line to the other, or from the front property line to the rear at the shortest distance there between. However, such height shall not exceed 100 feet or be restricted to less than 60 feet.
- b) The setback for the central vertical portion of the antenna structure shall be a minimum of 10 feet from all property lines for structures up to 45 feet in height and shall increase by one foot for every three feet of increased height. All rigid radiating elements of the antenna structure shall be set back a minimum of 10 feet from all property lines.
- c) The construction shall be of such type as may be required by the American National Standards Institute (ANSI), the Electronics Industry Association (EIA), and Summit County to form a safe and durable structure.

(3) Automated Teller Machines (ATM)

ATMs may be permitted provided they meet the following standards:

- a) The use of the ATM shall be subject to the applicable standards of drive-through facilities (See [Section 7.01\(G\)\(6\): Drive-Through Facilities.](#)); and
- b) All canopies over the ATM shall be considered a part of the principal structure and shall meet all the same setback requirements of the principal structure in the applicable zoning district.

(4) Community Gardens

- a) As stated in [Section 3.02\(A\): Agricultural Use Exemption](#), gardens located on an individual lot that are for the use of the property owner or occupant, shall be permitted in all yards and without a zoning certificate.
- b) Community gardens may be allowed as an accessory use when associated with public or institutional principal use (e.g., religious institution or educational facility).
- c) The owner of the property shall have an established set of operating rules addressing the governance structure of the garden; hours of operation; maintenance and security requirements and responsibilities; and distribution of garden plots.
- d) The name and telephone number of the owner and any person designated as the person in-charge of garden coordination along with a copy of the operating rules shall be kept on file with the zoning administrator.
- e) The site shall be designed and maintained so that water and fertilizer will not drain onto adjacent properties.

- f) There shall be no retail sales on site, except for produce grown on the site.
- g) No building or structures shall be permitted on the site unless the community garden is accessory to a use (See the accessory use regulations in Section 7.01: Accessory Use Regulations.) in which case, the buildings and structures shall be considered as accessory to the principal use of the lot.
- h) Benches, bike racks, raised/accessible planting beds, picnic tables, seasonal farm stands, garden art, rain barrel systems, and children's play areas may be permitted.
- i) Fences and walls shall be subject to the provisions of [Article 9: Fencing, Walls, and Hedges](#).

(5) Detached Accessory Buildings

All detached accessory buildings shall be set back a minimum of 10 feet from the side and rear lot lines.

(6) Drive-Through Facilities

The following standards shall apply to businesses that contain a drive-through facility, regardless if the drive-through is part of another use (e.g., restaurant or financial institution) or if it is a stand-alone use (e.g., automatic teller machine).

a) General Standards

- (i) Drive-through facilities are prohibited in the C-1 District.
- (ii) Audible electronic devices such as loudspeakers, automobile service order devices, and similar instruments shall be set back a minimum of 300 feet from any residential dwelling unit.
- (iii) No service shall be rendered, deliveries made, or sales conducted within the required front yard; customers served in vehicles shall be parked to the sides and/or rear of the principal structure.
- (iv) All drive-through areas, including but not limited to menu boards, stacking lanes, trash receptacles, loudspeakers, drive up windows, and other objects associated with the drive-through area shall be located in the side or rear yard of a property to the maximum extent feasible, and shall not cross, interfere with, or impede any public right-of-way.
- (v) A fence or screen between four and six feet in height shall be constructed along any property line abutting a residential district.

b) Stacking Space and Lane Requirements

See [Section 11.06: Stacking Space Requirements for Drive-Through Facilities](#).

c) Menu Board Signs

- (i) One menu board sign for each stacking lane shall be allowed provided it does not exceed 35 square feet in sign area. Any additional attachments such as pictures or photographs of food and other items shall be included within the maximum signage area.
- (ii) Menu board signage shall not be included in the total calculated allowed signage for a property under [Article 13: Signs](#).
- (iii) No menu board sign shall exceed seven feet in height measured from the grade of the adjacent driving surface to the top of the sign.

- (iv) All menu board signs shall be internally illuminated.
- (v) Menu boards shall be reviewed and approved as part of the zoning certificate for the drive-through establishment or, when a menu board is to be added, as part of a separate zoning certificate application.

(7) Drop-Off Boxes

- a) The drop-off box shall be screened on a minimum on three sides to a height that fully screens the use unless otherwise required in this zoning resolution;
- b) Screening shall be accomplished by the use of hedges, wall, or decorative fence that provides full opacity screening.

(8) Home Occupations

a) Purpose

The purpose of this section is to set forth regulations that control the establishment and operation of home occupations. The intent is to control the nonresidential use of a residential dwelling unit so that the nonresidential use is limited to an accessory use, and does not in any manner whatsoever disrupt or alter the residential character of the neighborhood in which it is located. Compliance with these regulations should result in all home occupations being located and conducted so that their existence is not detectable in any manner from the outside of the dwelling unit.

b) Standards for Home Occupations

- (i) A person whose principal employment is outside of the home but who temporarily works out of a home office shall not be considered as operating a home occupation subject to these standards.
- (ii) The home occupation, including the storage of equipment, supplies, or any apparatus related to the use, shall be conducted entirely within the dwelling unit and no use of any accessory structure or yard space shall be permitted except that storage of equipment and supplies may be conducted in a garage to the extent that at all times the number of vehicles for which the garage was designed to accommodate shall be able to be parked in such garage.
- (iii) Such use shall be clearly incidental and secondary to the use of the dwelling unit for dwelling purposes.
- (iv) Such use shall be conducted only by persons residing in the dwelling unit except that one additional employee may work in the dwelling unit that is not a resident.
- (v) There shall be no display, nor stock in trade, nor commodities sold except those that are produced on the premises and in no case shall retail sales be permitted.
- (vi) The use shall not involve more than 25% of the floor area of the dwelling unit.
- (vii) There shall not be any change in the outside appearance of the building or premises, or other visible exterior change related to the home occupation.
- (viii) No sign, other than one non-illuminated nameplate, two square feet in area and mounted flat on the front face of the dwelling or on a driveway lamppost, shall be erected or maintained on the premises.
- (ix) No more than one home occupation shall be permitted within any single dwelling unit.

- (x) No building or structure shall be used to operate a business, store equipment, or supplies used for a business, or serve as a location where multiple employees meet or park prior to going to work off-site.
 - (xi) No equipment or process shall be permitted or used in such home occupation that creates a nuisance by reason of noise, odor, dust, vibration, fumes, smoke, electrical interference or other causes, or which is found unsafe by the County Board of Health. No equipment or process shall be used that creates visual or audible interference in any radio or television receiver off the premises, or causes fluctuations in line voltage off the premises.
 - (xii) No traffic shall be generated by such home occupation in greater volume than is normally expected for the residential neighborhood.
 - (xiii) In no instance is an auto repair business, shop, or use permitted in any residential zoning district.
- c) **The following are examples of permitted home occupations:**
- (i) Clerical and other similar business services;
 - (ii) Instruction in music, dance or other type of teaching with a maximum number of two students at a time;
 - (iii) The office of a professional accountant, attorney, broker, consultant, insurance agent, realtor, architect, engineer, sales representative, and similar office oriented occupations;
 - (iv) Artists, sculptors, photographers, and other providers of home crafts;
 - (v) Barber shop/beauty salon with a maximum of one chair;
 - (vi) A licensed massage therapist who provides massage therapy for a maximum of one client at any given time; or
 - (vii) Any similar use as determined by the zoning administrator.

(9) Indoor Food Sales

Indoor food sales occurring as an accessory use shall comply with the following standards:

- a) The square footage used by the accessory use, including preparation, sales, and storage, but not including dining, shall not exceed 20% of the total floor area of the principal use.
- b) Entrance to the food sales area shall be via the principal use it serves and shall not have dedicated off-street parking areas or signage.

(10) Keeping of Chickens

The keeping of up to four chickens is permitted on lots with a minimum lot area of one half acre provided that:

- a) The principal use is a single-family dwelling;
- b) No person shall keep any rooster;
- c) No person shall slaughter any chickens for commercial sales;
- d) The chickens shall be provided with a covered enclosure for protection from the elements;
- e) Chickens must always be confined within a fenced area of the yard at all times per [Section 5.04\(A\)\(4\)](#), and
- f) All enclosures and fenced areas designed to house the chickens shall be subject to Summit County's animal nuisance regulations.

(11) Outdoor Wood Furnaces

Outdoor wood furnaces shall only be permitted as an accessory use on lots with a minimum lot area of five acres.

a) Setbacks

Outdoor wood furnaces shall be set back:

- (i) A minimum of 100 feet from all lot lines;
- (ii) A minimum of 200 feet from the boundaries of all recorded subdivisions with lots less than five acres in size; and
- (iii) A minimum of 200 feet from all residential dwellings not located on the property where the outdoor wood furnace will be situated.

b) Permitted and Prohibited Fuels

- (i) Fuel burned in any new or existing outdoor wood furnace shall be only natural, untreated wood, wood pellets, corn products, biomass pellets, or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas, or propane backup.
- (ii) The following fuels are strictly prohibited in new or existing outdoor wood furnaces:
 - A. Wood that has been painted, varnished or coated with similar material and/or has been pressure-treated with preservatives and contains resins or glues as in plywood or other composite wood products.
 - B. Rubbish or garbage, including but not limited to food wastes, food packaging, or food wraps.
 - C. Any plastic materials, including but not limited to nylon, PVC, ABS, polystyrene or urethane foam, and synthetic fabrics, plastic films and plastic containers.
 - D. Rubber, including tires or other synthetic rubber-like products.
 - E. Any other items not specifically allowed by the manufacturer or this section.

c) Nonconforming Use

Outdoor wood furnaces that were installed prior to the effective date of this amendment shall be permitted to continue. However, if the existing outdoor wood furnace does not meet the standards of this section, the outdoor wood furnace shall be considered a nonconforming use subject to the nonconforming use provisions of this zoning resolution (See [Article 14: Nonconformities](#)).

(12) Ponds or Lakes

All public or private ponds and lakes containing over one and one-half feet of water depth shall be considered structures and shall require a zoning certificate prior to installation to determine compliance with the requirements of this Section.

- a) A zoning certificate is not required for a private pond or lake located on land used for agricultural purposes that is exempt from the regulations of this zoning resolution (See [Section 3.02\(A\): Agricultural Use Exemption](#)).
- b) The high water mark on all sides of the pond or lake shall conform to all required setback lines established for the district in which it is located.

- c) Where embankments are utilized, the toe of the slope for said embankment shall be a minimum of 10 feet from any property line and/or 60 feet from the road right-of-way line.
- d) Ponds or lakes shall be at least 25 feet from the principal building.
- e) A zoning certificate shall be obtained prior to construction of a pond or lake. The applicant shall submit to the Zoning Administrator a copy of the proposed pond or lake plans and documentation that such pond or lake plan has been reviewed and stamped as approved by the Summit County Soil and Water Conservation District.

(13) Porches or Decks

- a) Porches or decks that are enclosed (with screening or other materials), have a roof, that are physically attached to the principal structure, or that extend more than three feet above the average grade shall meet the setback requirements for principal buildings in the applicable zoning district. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).
- b) All other porches may extend into required setbacks in accordance with [Section 5.05: Area, Setback, and Other Site Development Standards](#).

(14) Private or Community Swimming Pools

- a) All outdoor swimming pools shall be set back 10 feet from the required side lot line and rear lot line.
- b) The swimming pool, or the entire property on which it is located, shall be walled or fenced to prevent uncontrolled access by children from the street or from adjacent properties. Said fence or wall shall not be less than four feet in height and maintained in good condition with a gate and lock.
- c) Such fence shall be constructed so as to have no openings, holes, or gaps larger than three inches in any dimension, except for doors or gates. An accessory building may be used in or as part of such enclosure.
- d) Above-ground pools that have a vertical surface of at least four feet in height shall be required to have fences and gates only where access is made to the pool.
- e) Any pool for the use of occupants of multi-family dwellings containing over three apartments or those that are accessory to a nonresidential use shall meet the structural and sanitary requirements of the Ohio Department of Health.
- f) The pool shall be intended and used solely for the enjoyment of the occupants of the principal use of the property on which it is located.
- g) Outdoor community pools shall be set back a minimum of 50 feet from interior lots within the development and 150 feet from any lot outside of the development as measured from the edge of the water.
- h) The construction, plumbing and electrical requirements, inspections, and other safety facilities shall comply with all applicable county or state codes.

(15) Roadside Stands

- a) A roadside stand shall only be permitted where 50% or more of the gross income received from the stand is derived from produce raised on farms owned or operated by the market operator in a normal crop year;
- b) The roadside stand shall be located on the same property as where the produce is raised;
- c) The structure shall not exceed 800 square feet;

- d) The structure and any related parking areas shall be set back 60 feet from all lot lines; and
- e) That one ground mounted sign may be permitted provided it does not exceed 12 square feet in sign area, six feet in height, and only external illumination is used.

(16) Satellite Dishes

- a) Satellite dishes that are one meter in diameter or less shall be subject to the following standards:
 - (i) To the maximum extent feasible, such dishes should be located to the side or rear of a structure. However, the township shall not have the authority to prevent the location of these smaller satellite dishes in the front yard.
 - (ii) Such dishes shall not require a zoning certificate.
- b) Satellite dishes that exceed one meter in diameter shall be subject to the following standards:
 - (i) Satellite dishes may be erected or installed on the ground of any property.
 - (ii) Roof mounting of dishes is only permitted in the O-R, I-1, and I-2 districts.
 - (iii) Ground mounted satellite dishes shall be set back a minimum five feet from all lot lines.
 - (iv) Satellite dishes shall be prohibited in the front yards of any property on which it is located.
 - (v) Installation of a these satellite dishes shall require a zoning certificate.
 - (vi) The maximum height of the satellite dish shall be 15 feet as measured from the average grade.
 - (vii) The maximum diameter of the satellite dish shall be 12 feet.

(17) Small Wind Energy Systems

- a) Small wind energy systems that are attached to a roof or structure are permitted provided that the measurement from the average grade to the tip of the blade of the system does not exceed the maximum height of buildings permitted in the applicable zoning district. In no case shall a roof-mounted wind energy system be large enough to exceed a height of more than 12 feet above the roof in any zoning district.
- b) Stand-alone small wind energy systems may be permitted on lots with a minimum lot area of one acre. The pole or supporting structure shall be set back a distance equal to 110% of the total height from:
 - (i) Any public right-of-way, unless written permission is granted with the governmental agency with jurisdiction over the right-of-way;
 - (ii) Any overheard utility lines; and
 - (iii) All lot lines.
- c) The maximum height shall be 125 feet in a residential area, 150 feet in a commercial area, and 200 feet in an industrial area measured from the average grade to the highest point on the blade.
- d) All small wind energy systems shall comply with all applicable sections of the State of Ohio Building Code.
- e) No more than one wind turbine shall be permitted on a residential lot.

(18) Solar Panels

- a) Roof-mounted solar panels that are visible from a public right-of-way shall be flush-mounted to the roof or may be elevated on one side of the panel to a distance that does not exceed five feet as measured from the roof surface to the top of the panel.
- b) Roof-mounted solar panels that are not visible from a public right-of-way shall not be elevated from the roof surface more than two feet.
- c) Roof-mounted solar panels shall not count toward the maximum number of accessory structures permitted on the property and shall not require a zoning certificate.
- d) Freestanding solar panels shall be limited to a maximum height of 19 feet and shall be located in the side or rear yard. Such freestanding solar panels shall require a zoning certificate.

(19) Stand-Alone Basketball Hoops

Basketball hoops shall not be located in any right-of-way.

(20) Tennis Courts or Other Game Courts

- a) Tennis courts or other game courts shall be set back 10 feet from all lot lines.
- b) Any lighting of the game court shall be turned off during the hours between 10:00 p.m. and 7:00 a.m.
- c) No lighting shall be established so as to shine directly into an adjacent residential dwelling.

(21) Unenclosed Patios

All unenclosed patios may extend into required setbacks in accordance with [Section 5.05: Area, Setback, and Other Site Development Standards](#).

(22) Other Accessory Uses

- a) Other accessory uses in a residential zoning district shall be subject to a conditional use review (See [Section 3.07: Variance or Conditional Use](#)).
- b) Other accessory uses in a nonresidential zoning district may be permitted by the zoning administrator if they are customarily found in conjunction with and required for the full utilization and economic viability of the principal business use. The zoning administrator shall have the authority to determine that a proposed accessory use (not otherwise defined in [Table 7.01-A](#)) shall be subject to conditional use review (See [Section 3.07: Variance or Conditional Use](#)).

Section 7.02 Temporary Uses and Structures

(A) PURPOSE

This section allows for the establishment of certain temporary uses and structures of limited duration, provided that such uses or structures do not negatively affect adjacent properties, and provided that such uses or events are discontinued upon the expiration of a set time period. Temporary uses and structures shall not involve the construction or alteration of any permanent building or structure.

(B) PERMITTED TEMPORARY USES AND STRUCTURES

[Table 7.02-A](#) summarizes allowed temporary uses and structures and any general or specific standards that apply. Temporary uses or structures not listed in the table are prohibited.

| TABLE 7.02-A: TEMPORARY USES AND STRUCTURES | | | |
|---|--|--------------------------------|----------------------------|
| TEMPORARY USE OR STRUCTURE | ALLOWABLE DURATION (PER SITE) | ZONING CERTIFICATE REQUIRED | ADDITIONAL REQUIREMENTS |
| Construction Dumpsters | Until issuance of a certificate of occupancy | No | Section 7.02(C)(2) |
| Construction Trailers | Until issuance of a certificate of occupancy | Yes | Section 7.02(C)(3) |
| Gravel Surface Parking Lots | Until issuance of a certificate of occupancy | No | |
| Real Estate Sales/Model Homes | Until 80% occupancy of the phase or subdivision is reached | Yes | Section 7.02(C)(4) |
| Seasonal Agricultural Sales | 120 days per calendar year | Yes | Section 7.02(C)(5) |
| Temporary Special Events | See Section 7.02(C)(6). | Yes | Section 7.02(C)(6) |
| Temporary Storage in a Portable Container | 30 days per site | No | Section 7.02(C)(7) |
| Temporary Structures for Public or Institutional Uses | 3 years | Yes | Section 7.02(C)(8) |

(C) TEMPORARY USE AND STRUCTURE STANDARDS

(1) General Standards

- a) All temporary uses or structures shall be reviewed in accordance with this section and all other applicable sections of this zoning resolution.
- b) All temporary uses or structures shall:
 - (i) Not be detrimental to property or improvements in the surrounding area or to the public health, safety, or general welfare;
 - (ii) Be compatible with the principal uses taking place on the site;
 - (iii) Not have substantial adverse effects or noise impacts on nearby residential neighborhoods;
 - (iv) Not include permanent alterations to the site;
 - (v) Not maintain temporary signs associated with the use or structure after the activity ends;
 - (vi) Not violate the applicable conditions of approval that apply to a site or use on the site;
 - (vii) Not interfere with the normal operations of any permanent use located on the property; and
 - (viii) Contain sufficient land area to allow the temporary use, structure, or special event to occur, as well as adequate land to accommodate the parking and traffic movement.

(2) Construction Dumpsters

Temporary trash receptacles or dumpsters shall be located outside public rights-of-way and shall comply with the following standards:

- a) Be located to the side or the rear of the site, to the maximum extent feasible;
- b) Be located as far as possible from existing residential dwellings;
- c) Not be located within a floodplain or otherwise obstruct drainage flow; and
- d) Not be placed within five feet of a fire hydrant or within a required landscaping area that has already been constructed.

(3) Construction Trailers

Construction trailers may be permitted on a construction site provided that the trailer is:

- a) Located on the same site or in the same development as the related construction;
- b) Not located within a required open space set-aside or landscaping area; and
- c) Associated with development subject to valid building and zoning certificates.

(4) Real Estate Sales Office/Model Home

One temporary real estate sales office or model home per builder or developer shall be permitted in a section or phase of a new residential or nonresidential development, provided that the use:

- a) Is located on a lot approved as part of the subject development;
- b) Is operated by a developer or builder active in the same phase or section where the use is located; and
- c) Is removed or the model home is converted into a permanent residential use once 80% occupancy in the section or phase of the development is reached. For the purposes of these standards, occupancy shall include both the physical occupancy of buildings by the resident or tenant or sale of a completed building to a private party beyond the builder or developer.

(5) Seasonal Agricultural Sales

Seasonal agricultural sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, may be permitted in accordance with the following standards:

a) Location

- (i) The property contains an area not actively used that will support the proposed temporary sale of products without encroaching into or creating a negative impact on existing vegetated areas, open space, landscaping, traffic movements, or parking space availability.
- (ii) The sale of goods shall not occur within the public right-of-way, or within 200 feet of a dwelling.

b) Range of Goods Limited

The range of goods or products available for sale shall be limited to non-processed products obtained primarily through farming or agricultural activities, including, but not necessarily limited to: pumpkins; grains and seed crops; fruits of all kinds; vegetables; nursery, floral, ornamental, and greenhouse products; trees and forest products, including Christmas trees, and firewood; bees and beekeeping products; seafood; and dairy products.

c) Hours of Operation

The hours of operation of the seasonal sale of agricultural products shall be from 7:30 A.M. to 10:00 P.M., or the same hours of operation as a principal use on the same lot, whichever is more restrictive.

(6) Temporary Special Events

a) A temporary zoning certificate for temporary special events such as festivals, circuses, concerts, tents, and similar uses shall be valid for no more than two weeks provided:

(i) The applicant receives other applicable permits from the Summit County Building Department and the Springfield Township Fire Department.

(ii) The plans receive approval by the Summit County Sheriff's Office for the purposes of protecting the public safety.

b) Temporary tents for outdoor sales may be permitted for a 14-day period once every 90 days.

(7) Temporary Storage in a Portable Shipping Container

Temporary storage in a portable shipping container shall be allowed to serve a permitted use provided it is placed on a paved surface and is, to the maximum extent feasible, located in the side or rear yards.

(8) Temporary Structures for Public or Institutional Uses

Temporary structures serving public or institutional uses shall comply with the following standards:

a) Location

(i) The use shall be located to the side or rear of the principal structure(s) and at least five feet from any other structure.

(ii) The use shall not be permitted within required off-street parking, required open space areas, or required landscaping areas.

b) Standards

(i) Under skirting or other materials shall be used to prevent unauthorized access underneath the structure.

(ii) Parking shall be provided for the temporary structure in conformance with [Article 11: Parking, Loading, and Mobility](#).

c) Approval and Duration

This use is permitted if approved by the zoning administrator, and may remain on the site for no more than three years. This period may be renewed for two additional years, for good cause shown, upon approval of a written request, submitted to the zoning administrator at least 30 days prior to the expiration of the zoning certificate. In no event, however, shall such extensions allow the temporary structure to remain on the site for more than five years.

Article 8: Outdoor Lighting Standards

Section 8.01 Purpose

- (A) The purpose of this article is to regulate the placement, orientation, distribution patterns, and fixture types of outdoor lighting in order to preserve, protect and enhance the character of the township and the lawful nighttime use and enjoyment of property located within the township.
- (B) All outdoor lighting fixtures located on the applicable site (including lighting for signs and on buildings) shall be arranged so as to:
 - (1) Provide safety, utility and security;
 - (2) Control light trespass and glare on adjacent properties and public roadways; and
 - (3) Reduce atmospheric light pollution.

Section 8.02 Applicability

- (A) The regulations of this article shall apply to all uses except for single-family, two-family, and attached dwellings.
- (B) Lighting plans shall be submitted for approval with all applications for zoning certificates in the nonresidential and planned development districts and for all nonresidential uses in residential districts unless specifically exempted below.

Section 8.03 Exemptions

- (A) Lighting plans shall not be required for single-family and two-family dwellings, regardless of where the use is located.
- (B) Decorative outdoor lighting fixtures with bulbs that do not exceed 25 watts, installed seasonally, are exempt from the requirements of this article.
- (C) Street lights shall be exempt from the provisions of this article.
- (D) Temporary construction or emergency lighting is exempt from the requirements of this article. Such lighting shall be discontinued immediately upon completion of the construction work or abatement of the emergency necessitating such lighting.
- (E) All outdoor lighting fixtures existing and legally installed prior to the effective date of this article shall be exempt from the requirements of this article. When existing lighting fixtures become inoperative, their replacements are subject to the provisions of this article.
- (F) Nothing in this article shall apply to lighting required by the FAA or any other federal regulatory authority.

Section 8.04 Outdoor Lighting Standards

- (A) All outdoor lighting fixtures subject to review as part of this article, including but not limited to lighting fixtures used for parking areas, buildings, building overhangs, canopies, signs, billboards, displays and landscaping, shall be full cut-off type fixtures, except for decorative light fixtures. See [Figure 8.04-1](#).

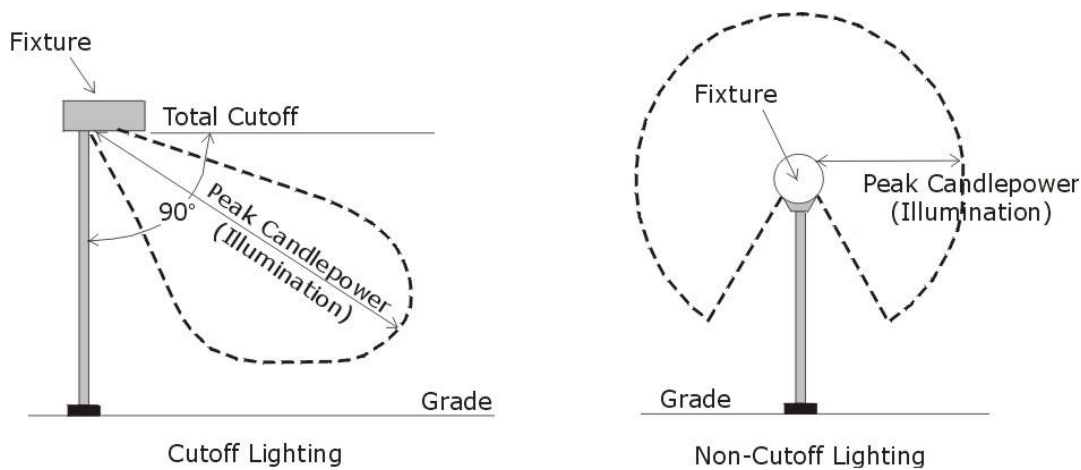


Figure 8.04-1: Illustration of cutoff lighting versus non-cutoff lighting

- (B) Lighting attached to a canopy or awning (e.g., for uses such as gasoline stations, service stations, and drive-through facilities) shall be recessed ceiling fixtures.
- (C) No light fixture shall exceed 24 feet above grade. The maximum height for non-cutoff lighting fixtures shall be 12 feet above grade.
- (D) The maximum level of light trespass at a property line shall be 0.5 footcandles at the property line.
- (E) Exterior lighting shall not be designed or located in such a way as to shine directly into an adjacent dwelling unit, regardless of the applicable zoning district.
- (F) The placement of light poles within raised curb planter areas or landscaped islands is encouraged, but conflicts with parking lot trees that can obscure the lighting shall be avoided through alternative lighting locations.
- (G) Outdoor lighting shall not be of such an intensity or color distortion as to cause glare or to impair the vision of drivers or pedestrians. Mercury lighting shall be prohibited.
- (H) Uniform lighting shall be provided to prevent various intensities of lighting throughout the parking area. Such uniform lighting shall be illustrated in the required lighting plan.
- (I) Lighting attached to a building shall not be designed, located, or mounted so as to exceed the height of the building.
- (J) For statues, monuments, fountains, flags, or other objects for which it may not be possible to reliably and consistently illuminate with full cutoff lighting, upward lighting may be used only in the form of spotlights which confine the illumination to the object of interest.
- (K) The use of search lights, laser lighting, or lights that pulse, flash, rotate or simulate motion for advertising or promotions is prohibited.

Section 8.05 Measurement

- (A) Light levels shall be measured in footcandles with a direct reading, portable light meter. Readings shall be taken only after the cell has been exposed long enough to take a constant reading.
- (B) Measurements shall be taken at the property line, along a horizontal plane at a height of three and one-half (3.5) feet above the ground.

Article 9: Fencing, Walls, and Hedges

Section 9.01 Applicability

Fences, walls, and hedges may be permitted in all zoning districts in accordance with this section and [Section 7.01: Accessory Use Regulations](#).

Section 9.02 Zoning Certificate Required

The construction of fences and walls shall require the issuance of a zoning certificate. The planting of hedges shall not require a zoning certificate but shall be done in a manner that will comply with the location and height requirements of this section.

Section 9.03 Decorative Fencing

Small portions of fences, such as decorative fencing used for landscaping, that are not longer than 20 feet in length but which comply with the height, yard and maintenance requirements set forth in this subsection, shall not require a zoning certificate.

Section 9.04 Snow Fences

A snow fence or fence of similar type may be erected in any yard during the period from the first of November to the first of April for the sole purpose of preventing the drifting of snow on highways, driveways and sidewalks. Such fence shall not otherwise be used at any time as a temporary or permanent fence or enclosure. No zoning certificate shall be required for a snow fence.

Section 9.05 Retaining Walls

- (A) An embankment to be retained on any lot that exceeds 48 inches high shall be benched so that no individual retaining wall exceeds a height of six feet except where the BZA determines that topography requires a wall of greater height, and each bench is a minimum width of 36 inches. See [Figure 9.05-1](#).
- (B) Retaining walls over 48 inches, measured from the top of the footing to the top of the wall, are required to be designed and certified by a registered professional engineer licensed in Ohio. A copy of the signed construction drawing should be submitted with a zoning certificate application.
- (C) In reviewing an application for a retaining wall, the Zoning Administrator may forward the application to the County Engineer for review and comment.



Figure 9.05-1: Retaining shall be benched, or terraced, so that no individual wall exceeds a height of six feet.

Section 9.06 Location and Height Standards

(A) FRONT YARDS

- (1)** Fences, walls, and hedges in any front yard shall not exceed a height of 48 inches, except as regulated in [Section 5.05\(B\)\(2\): Height Limit at Street Corners \(Traffic Safety Visibility Triangle\)](#).¹
- (2)** Barbed wire fencing shall be prohibited in the front yard. Masonry walls are permitted in the front yard provided the materials are decorative in nature and not cement block.
- (3)** See [Figure 9.06-1](#) for an illustration of where the maximum front yard height of fences applies to interior, corner, panhandle, and double frontage lots.

(B) SIDE AND REAR YARDS

- (1)** Fences and walls located in the side or rear yards shall not exceed a height of eight feet in residential zoning districts and ten feet in nonresidential zoning districts. In the industrial zoning districts, an additional height of two feet may be added to fencing for the purposes of adding barbed wire fencing (not in the front yard) for security purposes.
- (2)** See [Figure 9.06-1](#) for an illustration of where the maximum side and rear yard height of fences applies to interior, corner, panhandle, and double frontage lots.

¹ Effective 8/12/13

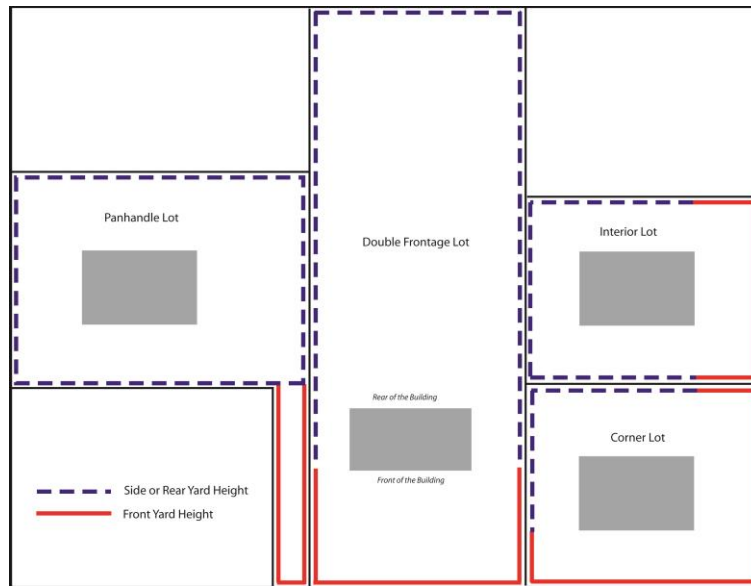


Figure 9.06-1: Yard locations related to the maximum fence height

(C) MEASUREMENT

Fence or wall height shall be measured from the lowest point within three feet on either side of the fence to the top most portion of the fence. See Figure 9.06-2.

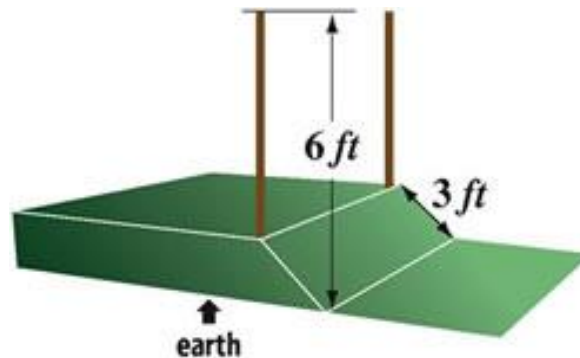


Figure 9.06-2: Fencing shall be measured from the lowest point within three feet on either side of the fence.

Section 9.07 Construction, Maintenance and Repair

(A) The height of a fence shall be measured from the average natural grade at the base of the fence or support structure to the tallest element of the fence. Fencing or walls should follow the natural contour of the land on which it is located. See Figure 9.07-1.

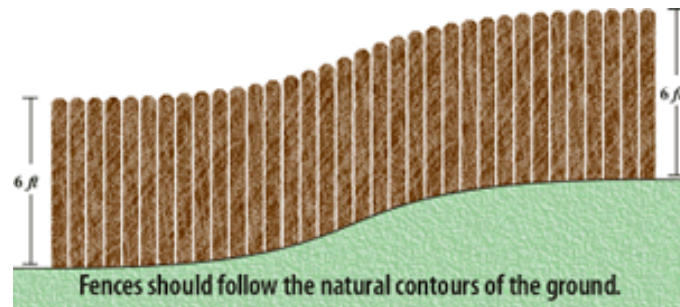


Figure 9.07-1: This illustrates how fencing is measured along a natural contour.

- (B) No fence, wall or hedge shall be constructed and maintained so as to be hazardous to existing or future neighboring uses.
- (C) The smooth finished side of the fence or wall shall be the side of the fence that faces outward from the lot or yard being fenced.
- (D) When erected near a property or lot line, the entire fence and any of its supporting structures or appurtenances shall be contained within the lot or property of the person erecting or having erected said fence.
- (E) All fences, walls and hedges shall be maintained in a neat and orderly manner.

Article 10: Architectural Standards

Section 10.01 Purpose

The purpose of architectural standards is to ensure the exterior of new construction and additions to existing buildings are well designed, detailed, and crafted to embody high standards of architectural design and to ensure the long-term viability of commercial and industrial structures in the township.

Section 10.02 Applicability

The following standards shall apply to all development in the development in nonresidential districts and to development in the MUPD and PIPD districts.

Section 10.03 Authority to Review

For the purposes of this section, the Zoning Administrator shall be authorized to review and make decisions on architectural standards as provided for in Section 519.171 of the Ohio Revised Code.

Section 10.04 Architectural Standards

(A) ORNAMENTATION

All visible elevations shall include decorative features such as cornices, pilasters, and friezes. Building recesses and protrusions are strongly encouraged on larger buildings to break long uninterrupted building walls. See [Figure 10.04-1](#).



Figure 10.04-1: The buildings in the above images contain pilasters, cornices, and a series of façade setbacks (recesses) to visually break up the appearance of large facades.

(B) FAÇADE MASSING

(1) Offset Required

Front façades 60 feet wide or wider shall incorporate wall offsets of at least two feet in depth (projections or recesses) a minimum of every 40 feet. Each required offset shall have a minimum width of 20 feet. See [Figure 10.04-2](#).

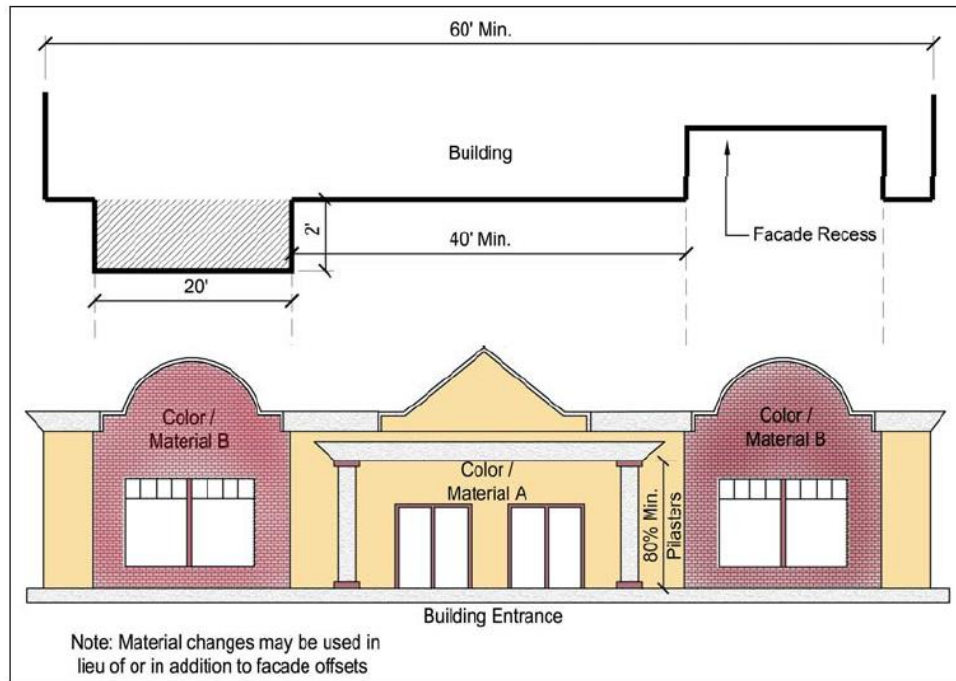


Figure 10.04-2: Illustration of how the façade offset provisions may be applied.

(2) Offset Alternatives

The following alternatives can be used in place of the required front façade offsets:

- a) Façade color changes following the same dimensional standards as the offset requirements;
- b) Pilasters having a minimum depth of one foot, a minimum width of one foot, and a minimum height of 80 percent of the façade's height; and/or
- c) Roofline changes when coupled with correspondingly aligned façade material changes.

(3) Roof Line Changes

- a) Roofline changes shall include changes in roof planes or changes in the top of a parapet wall, such as extending the top of pilasters above the top of the parapet wall.
- b) When roofline changes are included on a façade that incorporates wall offsets or material or color changes, roof line changes shall be vertically aligned with the corresponding wall offset or material or color changes. See [Figure 10.04-3](#).



Figure 10.04-3: Illustration of roofline changes along a long façade wall.

(C) Roofs

(1) Flat Roofs

When flat roofs are used, parapet walls with three-dimensional cornice treatments shall conceal them. The cornice shall include a perpendicular projection a minimum of eight inches from the parapet façade plane. See Figure 10.04-4.

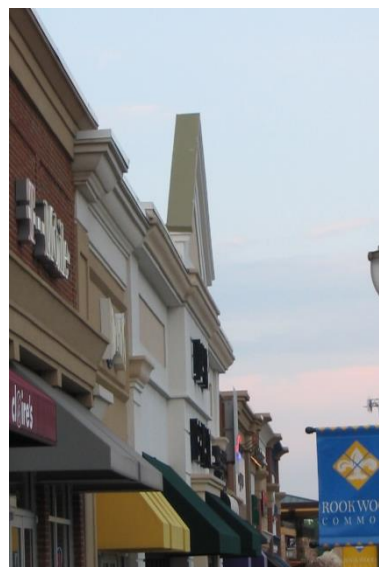
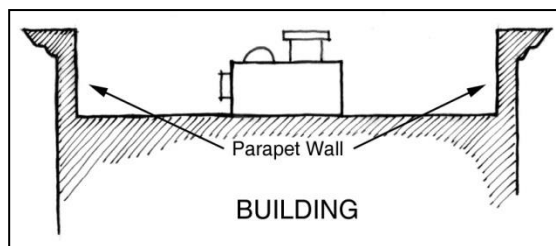


Figure 10.04-4: The image on the left illustrates the use of parapet walls to screen mechanical equipment. Tall, thin parapets such as the one shown in the image on the right should be avoided to prevent the appearance of false walls.

(2) Asymmetric or Dynamic Roofs

Asymmetric or dynamic roof forms allude to motion, provide variety and flexibility in nonresidential building design, and allow for unique buildings. Asymmetric or dynamic roof forms shall be permitted on nonresidential buildings as an alternative to [Section 10.04\(C\)\(I\): Flat Roofs](#). See [Figure 10.04-5](#) for an example of a building with a dynamic roof form.



Figure 10.04-5: An example of a dynamic roof line.

(3) Roof Penetrations and Equipment

All roof-based mechanical equipment, as well as vents, pipes, antennas, satellite dishes, and other roof penetrations (with the exception of chimneys), shall be located on the rear elevations or screened with a parapet wall having a three-dimensional cornice treatment so as to have a minimal visual impact as seen from:

- a) Public streets;
- b) Existing single family uses;
- c) Vacant land zoned for agricultural or residential; and
- d) RPDs.

(D) CUSTOMER ENTRANCES

(1) Required Entrances

Each side of a building facing a public street shall include at least one customer entrance, except that no building shall be required to provide entrances on more than two sides of the structure that face public streets.

(2) Entrance Design

Buildings shall have clearly defined, highly visible customer entrances that include no less than three of the following design features (See [Figure 10.04-6](#)):

- a) Canopies/porticos above the entrance;
- b) Roof overhangs above the entrance;
- c) Entry recesses/projections;
- d) Arcades that are physically integrated with the entrance;
- e) Raised corniced parapets above the entrance;
- f) Gabled roof forms or arches above the entrance;
- g) Outdoor plaza adjacent to the entrance having seating and a minimum depth of 20 feet;

- h)** Display windows that are directly adjacent to the entrance;
- i)** Architectural details, such as tile work and moldings, that are integrated into the building structure and design and are above and/or directly adjacent to the entrance; or
- j)** Integral planters or wing walls that incorporate landscaped areas or seating areas. A wing wall is a wall secondary in scale projecting from a primary wall and not having a roof.



Figure 10.04-6: This large retail center utilized several different design features to articulate the individual facade and customer entrances.

Section 10.05 Enforcement of Standards

Through the adoption of this zoning resolution, the Board of Trustees grant the Zoning Administrator the authority to review and enforce the provisions of this section during the review of a zoning certificate application.

Article 11: Parking, Loading, and Mobility

Section 11.01 Purpose

The purpose of this article is:

- (A) To relieve congestion on the streets by requiring that parking, loading, and associated circulation be provided on property and off streets in relation to the parking demand generated by the property user;
- (B) To promote safety and convenience for people by requiring that vehicular use areas and driveways be located and constructed according to good standards for visibility and accessibility; and
- (C) To protect the visual amenities and values of residential areas by the visual screening of large parking areas by limiting the parking and storage of vehicles, boats, trailers and trucks in residential areas.

Section 11.02 Applicability

- (A) All vehicular use areas (e.g., parking spaces, loading spaces, stacking spaces, driveways, etc.) shall be provided in conformance with the provisions of this article prior to occupying or using any building, structure, land, or portion thereof.
- (B) **New and Expanded Uses**
The requirements of this article shall apply to the following:
 - (1) A zoning certificate application for the construction of a new building;
 - (2) For an alteration, addition, or change of use of an existing building that would expand the square footage of a use or would require additional parking, loading, or stacking spaces, based on the requirements of this article; or
 - (3) Where an expansion of a vehicular use area is proposed.
- (C) **EXISTING USES**
The requirements of this article shall not apply to buildings and uses legally in existence on the effective date of this zoning resolution unless modified in the manner stated in [Section 11.02\(B\): New and Expanded Uses](#). Furthermore, any vehicular use areas now serving such existing buildings or uses shall not be reduced below the requirements established in this article in the future.
- (D) **MAINTENANCE**
The duty to provide and maintain all parking, loading, or other vehicular use areas shall be the joint responsibility of the owner, operator, and lessee of the use for which the vehicular areas are required.
- (E) **PLAN REVIEW**
For any off-street parking, loading, or vehicular use area required under this article with five or more parking spaces, a plan shall be submitted with the application for a zoning certificate or certificate of conformance. The required contents of the plan shall be as established by the Zoning Administrator.

Section 11.03 General Standards Applicable to all Vehicular Use Areas

- (A) **MAINTENANCE**
 - (1) All vehicular use areas shall be maintained free from litter, junk, or rubbish.
 - (2) All adjacent sidewalks shall be kept free from dirt, ice, sleet, and snow and in a safe condition for use by pedestrians.

- (3) All signs, markers or any other methods used to indicate direction of traffic movement and location of parking and/or loading spaces shall be maintained in a neat and legible condition.
- (4) The owner shall, at his own expense, maintain all paved surfaces in a smooth and dust-free condition and repair any disintegration of the surface by patching or resealing when such disintegration takes place.

(B) STORAGE

All vehicular use areas for nonresidential uses shall not be used for the continuous storage of a vehicle for more than 48 hours, except where expressly permitted in this resolution as accessory to the principal use of the lot.

(C) LANDSCAPING

Landscaping for vehicular use areas shall be as established in [Article 12: Landscaping and Buffering](#).

(D) FIRE CODE

All parking and loading plans shall conform to all requirements set forth in the fire code as adopted by Springfield Township and as approved by the township's fire department.

(E) DRAINAGE

All vehicular use areas shall be graded, drained and provided with adequate drainage and storm water management facilities so that the adjacent properties and rights-of-way, including public sidewalks, are not be subject to flooding by water run-off from the proposed vehicular use areas.

(F) OTHER USES WITHIN REQUIRED VEHICULAR USE AREAS

No vehicle repair work or service of any kind, except emergency repairs, shall be permitted in or associated with any vehicular use area. Outdoor display, sales, or storage of any merchandise within any required vehicular use area shall not be permitted unless otherwise specifically permitted as a principal use.

(G) SEASONAL COVER

A seasonal cover is permitted to be erected over an open off-street parking space only when in compliance with the following:

- (1) The parking space is located in compliance with all other applicable regulations of this resolution.
- (2) The seasonal cover shall be constructed of material is properly secured so as not to cause damage to any adjoining property.
- (3) The seasonal structure shall only be permitted in the side and rear yards and shall be set back a minimum of 10 feet from all lot lines.
- (4) The seasonal structure shall be set back a minimum of 10 feet from the front building line of the principal structure.
- (5) Only structures designed and intended to serve as protection for vehicles shall be permitted as seasonal covers.
- (6) Seasonal covers shall be permitted between the first of November and the first of April each year.
- (7) The maximum size of any seasonal cover shall be 12 feet by 22 feet with a maximum height of 15 feet.
- (8) In no case shall a canvas tent or similar structure be permitted as a seasonal cover.

(H) SURFACING

- (1)** All vehicular use areas shall be graded and paved with an asphalt or concrete surface unless otherwise provided in this article.
- (2)** Platted lots with single-family homes that have a minimum lot area of one acre shall be exempt from these surfacing requirements.
- (3)** All residential uses may have driveways and vehicular use areas constructed of 100% porous pavers or porous pavement systems.
- (4)** All nonresidential uses may utilize porous pavement for up to 100% of its vehicular use area. Nonresidential uses may use structural lawns or pervious pavers for up to 50% of its vehicular use area.
- (5)** Only 25 percent of an area paved with pavers or other porous pavement systems shall count toward the maximum impervious surface coverage standards in [Section 5.05: Area, Setback, and Other Site Development Standards](#).

(I) LIGHTING

All lighting within a vehicular use area shall be subject to the standards in [Article 8: Outdoor Lighting Standards](#).

(J) STRIPING

The individual parking spaces and loading spaces shall be striped according to the approved layout of the vehicular use area.

Section 11.04 Off-Street Parking Requirements

(A) UNITS OF MEASURE

The following rules shall apply when computing parking spaces:

(1) On-Street Parking

On-street parking spaces shall not be counted toward off-street parking space requirements.

(2) Multiple Uses

Unless otherwise noted or approved, off-street parking areas serving more than one use shall provide parking in an amount equal to the combined total of the requirements for each use.

(3) Fractions

When a measurement of the number of required spaces results in a fractional number, any fraction of $\frac{1}{2}$ or less shall be rounded down to the next lower whole number and any fraction of more than $\frac{1}{2}$ shall be rounded up to the next higher whole number.

(4) Area Measurements

- a)** Unless otherwise specifically noted, all square footage-based parking standards shall be computed on the basis of gross floor area of all floors in a nonresidential building.
- b)** Up to 15 percent of the gross floor area may be excluded from the above calculation if the area is used for storage, loading, unloading, or for mechanical equipment.

(5) Occupancy- or Capacity- Based Standards

- a) For the purpose of computing parking requirements based on employees, students, residents, or occupants, calculations shall be based on the largest number of persons working on a single shift, the maximum enrollment, or the maximum fire-rated capacity, whichever is applicable, and whichever results in a greater number of parking spaces.
- b) In hospitals, bassinets shall not be counted as beds.
- c) In the case of benches, pews and similar seating accommodations, each 24 inches thereof shall be counted as one seat for the purpose of determining the parking requirements.

(6) Stacking Spaces

Vehicle stacking spaces that are required for drive through facilities (See [Section 11.06: Stacking Space Requirements for Drive-Through Facilities.](#)) shall not count toward the off-street parking requirements of this section.

(7) Unlisted Uses

- a) Upon receiving an application for a use not specifically listed in the parking schedule below, the Zoning Administrator shall apply the parking standard specified for the listed use that is deemed most similar to the proposed use in regards to use, size and intensity of use.
- b) If the Zoning Administrator determines that there is no listed use similar to the proposed use, intensity, or size, they may refer to the estimates of parking demand based on recommendations from parking studies prepared by the Institute of Traffic Engineers (ITE), Urban Land Institute (ULI), and/or the American Planning Association (APA).

(B) REQUIRED NUMBER OF PARKING SPACES

- (1) [Table 11.04-A](#) defines the number of parking spaces required for each use within Springfield Township.
- (2) For all uses except single-family and two-family dwellings, the number of parking spaces required in [Table 11.04-A](#) below may be modified according to the following provisions without requiring a variance or other review outside of the zoning certificate:
 - a) An applicant may provide a number of spaces equal to the number of spaces required by [Table 11.04-A](#); or
 - b) Up to 10 percent fewer than the number of spaces required by [Table 11.04-A](#); or
 - c) Up to 20 percent more than the number of spaces required by [Table 11.04-A](#).
- (3) Applicants may proposed fewer parking spaces than provided in this section through the use of shared parking or off-site parking as established in [Section 11.04\(E\): Alternative Parking Options](#).
- (4) Applicants may propose more spaces than allowed in this section provided they submit a parking demand study that illustrates the need for the additional parking spaces.

| TABLE 11.04-A: MINIMUM OFF-STREET PARKING STANDARDS | |
|---|---|
| USE | REQUIRED NUMBER OF PARKING SPACES |
| AGRICULTURAL USES | |
| Agricultural uses | No parking spaces required |
| Nurseries and greenhouses | 1.0 space per 500 square feet of sales area |
| RESIDENTIAL USES | |
| Adult family homes or small residential facilities | 1.5 spaces per bedroom |
| Adult group homes or large residential facilities | 1.5 spaces per bedroom |

TABLE 11.04-A: MINIMUM OFF-STREET PARKING STANDARDS

| USE | | REQUIRED NUMBER OF PARKING SPACES |
|--|--|---|
| Bed and breakfast establishments | | 1.0 space per guest room plus requirement for dwelling unit |
| Conservation subdivision | | 2.0 spaces per dwelling unit with a minimum of two spaces enclosed |
| Conservation subdivision with attached dwellings | | Required spaces based on the specific dwelling type to be constructed |
| Dwellings, attached (3-4 units) | | 1.5 spaces per dwelling unit plus 0.5 spaces per unit designated as visitor or guest parking |
| Dwellings, single-family | | 2.0 spaces per dwelling unit with a minimum of two spaces enclosed |
| Dwellings, two-family | | 2.0 spaces per dwelling unit with a minimum of two spaces enclosed |
| Institutional housing | | 1.5 spaces per bedroom |
| Permanently sited manufactured housing | | 4.0 spaces per dwelling unit with a minimum of two spaces enclosed |
| PUBLIC AND INSTITUTIONAL USES | | |
| Active parks and recreation | Ballfields | 30.0 spaces per field |
| | Golf courses | 8.0 spaces per hole |
| | Golf driving ranges | 2.0 spaces per tee |
| | Miniature golf courses | 2.0 spaces per hole |
| | Racquetball, handball and tennis courts | 5.0 spaces per court |
| | Swimming pools (not associated with a residence) | 1.0 space per 50 square feet of swimming area including water, lawn, deck, and bathhouse |
| | Parks or playgrounds not otherwise specified | 1.0 space per 10,000 square feet of park or playground area |
| Campgrounds | | 2.0 spaces per campsite |
| Cemeteries | | 1.0 space per four seats in a chapel or place of assembly |
| Churches and places of worship | | 1.0 space per 3 fixed seats in the main assembly room or 1 space per 3 persons, whichever is greater |
| Cultural institutions | | 1.0 space per 250 square feet of floor area or 1.0 space per 4 seats based upon the design capacity, whichever is greater |
| Educational facilities (primary and secondary) | | 1.5 spaces per classroom, library, lecture hall, and cafeteria plus 1.0 space per three fixed seats of public assembly areas. High schools shall have an additional 1.0 space per five students at maximum capacity |
| Educational facilities (business or trade schools) | | 6.0 spaces per each classroom and 1.0 space per 300 sq. ft. of administrative office space |
| Hospitals | | 1.0 space for every 2 patient beds plus outpatient clinics, laboratories, pharmacies and other similar uses shall have 4 spaces per 1,000 square feet. |
| Passive parks, recreation, and open space | | Parking spaces should be provided as appropriate, but are not required for passive parks, recreation, and open space. |
| Public safety and service facilities | | 1.0 space per 300 square feet |
| Type-A day care homes (7-12 children) | | 2.0 spaces in addition to that required for the dwelling unit |
| Type-B day care homes (1-6 children) | | No additional parking spaces required |
| GENERAL RETAIL AND OFFICE USES | | |
| Banks and financial institutions | | 1.0 space per 250 square feet |
| Bars, taverns, ore restaurants | | 15.0 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater |
| Club | | 1 space per 3 fixed seats in the main assembly room or 1 space per 3 persons, whichever is greater |
| Commercial entertainment or recreation (indoors) | | 1.0 space per 200 square feet or 1.0 space per four persons at maximum capacity, whichever is greater |
| Commercial entertainment or recreation (outdoors) | | 1.0 space per 5,000 square feet of land area or 1.0 space per three persons at maximum capacity, whichever is greater |

TABLE 11.04-A: MINIMUM OFF-STREET PARKING STANDARDS

| USE | REQUIRED NUMBER OF PARKING SPACES |
|--|---|
| Building supply or farm sales establishments | 1.0 space per 400 square feet |
| Day care centers | 1.0 space per three children at maximum capacity |
| Drive-through facilities | No parking spaces required. See Section 11.06 . |
| Funeral homes | 1.0 space per 50 square feet |
| General offices (administrative, professional, business) | 1.0 space per 300 square feet |
| Hotels and motels | 1.0 space per room or suite |
| Instructional studios | 1.0 space per 300 square feet |
| Kennels, Commercial | 1.0 space per 400 square feet |
| Medical and dental offices or clinics | 1.0 space per 250 square feet |
| Outdoor dining areas | 15.0 spaces per 1,000 square feet or 1 space for each 4 seats, whichever is greater |
| Outdoor display and sales | 1.0 space per 400 square feet |
| Outdoor storage | 1.0 space per 1,000 square feet |
| Personal service establishments | 6.0 spaces per 1,000 square feet, or 2.0 spaces per station/chair, whichever is greater |
| Retail commercial uses | 1.0 space per 300 square feet |
| Sales offices and showrooms | 1.0 space per 500 square feet |
| Service commercial uses | 1.0 space per 250 square feet |
| Veterinarian offices and animal hospitals | 1.0 space per 250 square feet |
| VEHICLE AND TRANSPORTATION RELATED USES | |
| Gasoline stations | 1.0 space per 200 square feet |
| Motor vehicle/farm implement sales and rental | 1.0 space per 400 square feet of indoor display area and 1.0 space per 1,000 square feet of outdoor display area |
| Parking lot or structure | No additional parking spaces required |
| Passenger transportation terminal | See Table 11.04-B . |
| Truck services/truck stop facilities | See Table 11.04-B . |
| Truck/transfer facilities | See Table 11.04-B . |
| Vehicle repair garages (major repair) | 1.0 space per 300 feet for facilities under 5,000 square feet or 1.0 space per 500 square feet for facilities of 5,000 square feet or larger. |
| Vehicle service uses (minor repair) | |
| Vehicle washing establishments | 1.0 space per 200 square feet of building area (excluding car wash area) |
| INDUSTRIAL USES | |
| All industrial uses | See Table 11.04-B . |
| OTHER USES | |
| Essential Services | No parking spaces required |
| Gas and Oil Wells | 1.0 space required |
| Mixed Use Development | Parking shall be provided as required for the individual uses in the development |
| Radio and television stations (no towers or satellites) | 1.0 space required |
| Soil removal or mineral extraction | As determined by the Zoning Administrator |
| Wireless telecommunication facilities | 1.0 space per provider |

(C) OFF-STREET PARKING STANDARDS FOR SELECTED SERVICE AND INDUSTRIAL USES

Uses that reference this subsection in [Table 11.04-A: Minimum Off-Street Parking Standards](#) shall provide the minimum number of spaces identified in [Table 11.04-B: Off-Street Parking Standards for Selected Industrial Uses](#).

| TABLE 11.04-B: OFF-STREET PARKING STANDARDS FOR SELECTED INDUSTRIAL USES | | |
|--|--|----------------------------------|
| USE OR ACTIVITY | | REQUIRED NUMBER OF SPACES |
| Office or administrative area | | 1.0 space per 300 square feet |
| Indoor sales area | | 1.0 space per 200 square feet |
| Indoor storage, warehousing, assembly, vehicular service, or manufacturing area: | 1-3,000 square feet of floor area | 1.0 space per 250 square feet |
| | 3,001-5,000 square feet of floor area | 1.0 space per 500 square feet |
| | 5,001-10,000 square feet of floor area | 1.0 space per 750 square feet |
| | 10,001 or more square feet of floor area | 1.0 space per 1,250 square feet |
| Outdoor sales, display, or storage area (3,000 square feet or less) | | 1.0 space per 750 square feet |
| Outdoor sales, display, or storage area (more than 3,000 square feet) | | 1.0 space per 1,000 square feet |
| NOTE: The total number of required spaces is cumulative based on the variety of different functions present in a single use. | | |

(D) PARKING REQUIREMENTS FOR PHYSICALLY DISABLED

Applicants shall provide parking spaces for the physically disabled as required by the Ohio Basic Building Code and shall include all necessary markings, striping, and signage.

(E) ALTERNATIVE PARKING OPTIONS

The following are three methods of accommodating parking as an alternative to constructing the required number of parking spaces on an individual lot.

(1) Deferred Parking

A portion of the required parking spaces may remain landscaped and unpaved or paved with porous pavement provided that the parking and unpaved areas complies with the following standards. See [Figure 11.04-1](#).

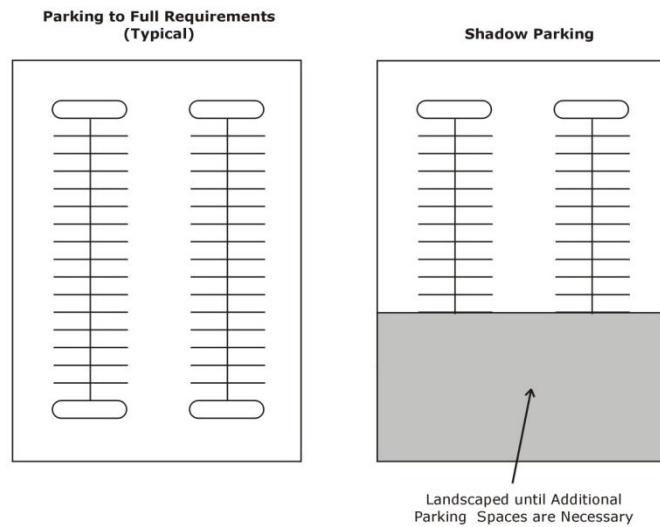


Figure 11.04-1: Illustration of deferred parking

- a) No more than 30 percent of the required number of parking spaces may be designated for deferred parking.
- b) The area designated as a deferred parking area, or future parking, area shall be considered an impervious surface for the purpose of calculating the impervious surface covered as established in [Section 5.05: Area, Setback, and Other Site Development Standards](#).
- c) The plans submitted with the zoning certificate application shall denote the location and layout of that portion of the parking area that currently not deemed required. The plan shall indicate that the “deferred” parking spaces will be constructed according to this resolution in the event that the Zoning Administrator makes a finding, at any time, that all or any portion of this parking is necessary.
- d) At no time shall any portion of the required parking area that is so designated for future construction be used for the construction of any structure or paved surface with the exception that grass pavers (See [Figure 11.04-2](#).) or reinforced turf may be used to provide temporary parking provided that the pavers allow for grass and other vegetation to grow through the material.



Figure 11.04-2: Image of grass pavers

- e) At no time shall any portion of the required parking or loading that is so designated for future construction as provided herein be counted as open space or other non-paved areas required by other provisions of this article.
- f) The owner shall initiate construction of the approved "future" parking area, as identified on the approved plan, within three months of the receipt of a certified letter or a letter through normal postal service (in the event that the certified letter is not accepted) sent to the owner of record from the Zoning Administrator, identifying that such parking is determined to be necessary.
- g) When the designated deferred parking area is constructed, such parking shall be constructed in a manner to meet the parking lot landscaping requirements of [Section 12.07: Landscaping and Screening of Vehicular Use Areas](#).

(2) Shared Parking

A portion of the required parking spaces may be located on an adjacent property if the parking area complies with the following.

- a) Shared parking is encouraged and permitted if the multiple uses that the shared parking will benefit can cooperatively establish and operate the facilities.
- b) The applicant shall have the burden of proof for reduction of the total number of parking spaces and shall document and submit information substantiating their request. Shared parking may be approved if:
 - (i) A sufficient number of spaces are provided to meet the highest demand of the participating uses;
 - (ii) The uses are located adjacent to each other;
 - (iii) Evidence has been submitted by the parties operating the shared parking facility, to the satisfaction of the Zoning Administrator, documenting the nature of uses and the times when the individual uses will operate so as to demonstrate the lack of potential conflict between them.
 - (iv) The shared parking spaces will not be located in excess of 300 feet from the uses they are intended to serve;
 - (v) A legal shared parking agreement is submitted and approved by the Springfield Township Attorney or the prosecuting attorney, that provides for the rights of the respective parties to use the shared parking areas in a manner adequate to accommodate multiple users or that parking spaces will be shared at specific times of the day (i.e., one activity uses the spaces during daytime hours and another activity use the spaces during evening hours). This agreement shall include provisions, evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.
 - (vi) The approved shared parking agreement shall be filed with the application for a zoning certificate and shall be filed with the county recorder and recorded in a manner as to encumber all properties involved in the shared parking agreement.
 - (vii) No zoning certificate will be issued until proof of recordation of the agreement is provided to the Zoning Administrator.
 - (viii) Shared parking shall not account for more than 30 percent of the required parking spaces as established in [Section 11.04\(B\): Required Number of Parking Spaces](#).

(3) Off-Site Parking

A portion of the required parking spaces may be located on a separate lot from the lot on which the principal use is located if the off-site parking complies with the following standards.

- a) Off-site parking shall not be used to satisfy the off-street parking standards for residential uses, hospitals, bars (if not incidental to a restaurant), or convenience stores and other convenience-oriented uses. Required parking spaces reserved for persons with disabilities shall not be located in an off-site parking facility.
- b) No off-site parking space shall be located more than 500 feet from the primary entrance of the use served, measured along the shortest legal, practical walking route. This route may include crossing a right-of-way provided it uses a legal crosswalk.
- c) Off-site parking shall not be permitted on a vacant lot in a residential zoning district.
- d) Off-site parking areas shall adhere to the regulations of the same or a more intensive zoning classification than that required for the use served.
- e) In the event that an off-site parking area is not under the same ownership as the principal use served, a written off-site parking agreement shall be required.
- f) An off-site parking agreement shall be submitted and approved as to form by the Springfield Township Attorney or the prosecuting attorney. This agreement shall include provisions, evidence of deed restrictions or other recorded covenants that ensure that the spaces will be properly maintained during the life of the development.
- g) The off-site parking agreement approved by the Springfield Township Attorney shall be filed with the application for a zoning certificate and shall be recorded as a deed restriction or covenant in a manner as to encumber all properties involved in the off-site parking agreement.
- h) Final inspection to authorize occupancy shall not be granted until proof of recordation of the agreement is provided to the Zoning Administrator.
- i) Off-site parking shall be used and maintained solely for parking as long as the use, as recorded and approved, exists. The off-site parking agreement may be terminated when the additional site is no longer necessary, there is a change of use, or the approved conditions are no longer applicable.

(F) DESIGN STANDARDS FOR PARKING LOTS

Unless otherwise specified, the standards of this section shall apply to all parking lots or areas that can accommodate five or more parking spaces.

(1) Location

All driveways and open off-street parking areas shall comply with the following:

- a) All motor vehicles shall be parked in a driveway, open off-street parking space, or garage.
- b) All parking spaces shall be connected to a public street by a driveway, except dwelling units which may be accessed from an alley.
- c) Parking spaces required for dwelling units shall be located on the same lot as the dwelling unit served. Required guest parking in a multi-family development shall be equally distributed throughout the development.
- d) Parking for commercial, office or industrial uses shall not be permitted in residential districts.
- e) All required off-street parking spaces shall have direct access to an aisle or driveway without the need to move any other vehicle.

- f) All off-street parking lots of more than five spaces shall be set back a minimum of 20 feet from the right-of-way in the C-1 and C-2 districts, and 30 feet in all other nonresidential zoning districts.
- g) All off-street parking lots of more than five spaces shall be set back 10 feet from the side and rear lot lines (where shared parking is not utilized) when adjacent to other nonresidential districts and 20 feet when adjacent to a residential district.
- h) All truck parking in industrial districts shall be set back a minimum of 50 feet from all lot lines.

(2) Dimensional Requirements

- a) Parking stalls shall conform to the minimum standards set forth in Table 11.04-C and Figure 11.04-3.
- b) Any parking space adjoining a landscaped area of the parking lot may include a two-foot overhang into the landscaped area as part of the required parking stall length, provided curbing or well maintained wheel stops are used to prevent damage to landscaped areas. (See Figure 11.04-3.)

| TABLE 11.04-C: PARKING AREA DIMENSIONS | | | | |
|---|--|--|---|--|
| ANGLE OF PARKING (DEGREES) | ONE-WAY MANEUVERING AISLE WIDTH (FEET) "A" | TWO-WAY MANEUVERING AISLE WIDTH (FEET) "A" | PARKING STALL WIDTH (FEET) "B" | PARKING STALL LENGTH (FEET) "C" |
| 0 – Parallel | 12 | 21 | 10 | 23 |
| 30 – 53 | 14 | 21 | 10 | 20 |
| 54 – 75 | 19 | 22 | 10 | 20 |
| 76 – 90 | 22 | 24 | 9 | 18 |

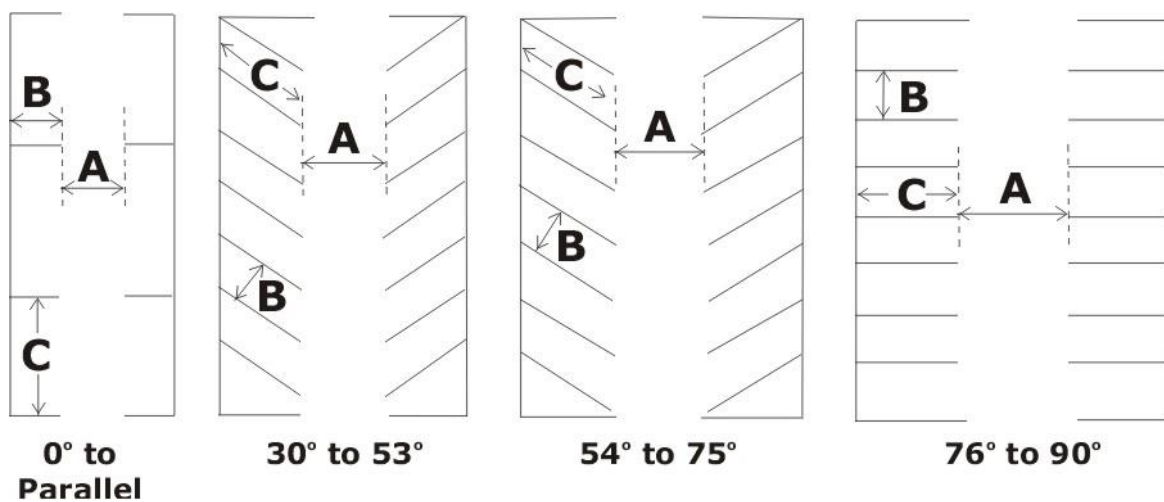


Figure 11.04-3: Parking area dimensions

(3) Cross Access Easements

- a) The Zoning Administrator shall review all sites in nonresidential zoning districts to determine whether it is necessary to provide cross access easements to adjacent parcels in order to achieve better circulation throughout the corridor and to minimize driveway cuts along public roads. Such review will be in conjunction with the Summit County Engineers Office.
- b) Where a cross access easement is determined to be necessary, shared maintenance agreements shall be filed with the Summit County Recorder and provided to the Zoning Inspector prior to approval. All cross access easements shall comply with the Summit County Engineer's Office Access Management Regulations or as otherwise approved or required.

(G) WHEELS STOPS AND CURBING

- (1) Continuous concrete curbing or wheel stops that are at least six inches high and six inches deep shall be provided for parking spaces located adjacent to fences, walls, walkways, sidewalks, and landscaped areas to protect pedestrians and landscaped areas.
- (2) When provided, wheel stops shall be placed to allow for two feet of vehicle overhang area within the dimension of the parking space.
- (3) Wheel stops and curbing should be designed to allow for snow removal and access to snow storage areas, including on landscaped islands and adjacent buffers.

Section 11.05 Off-Street Loading Requirements

(A) APPLICABILITY

On the same premises with every building, structure, or part thereof, erected and occupied for commerce, industry, public assembly, or other uses involving the receipt or distribution by vehicles of materials or merchandise, there shall be provided and permanently maintained adequate space for standing, loading and unloading services in order to avoid undue interference with public use of the streets or alleys in conformance with this section.

(B) NUMBER OF LOADING SPACES REQUIRED

- (1) Table 11.05-A establishes the number of loading spaces required.

| TABLE 11.05-A: LOADING SPACE REQUIREMENTS | |
|---|---|
| GROSS FLOOR AREA | REQUIRED NUMBER OF SPACES |
| Up to 10,000 sq. ft. | 0 |
| 10,001 to 25,000 sq. ft. | 1 |
| 25,001 to 50,000 sq. ft. | 2 |
| 50,001 to 100,000 sq. ft. | 3 |
| 100,001 to 200,000 sq. ft. | 4 |
| Over 200,001 Square Feet | 4 plus 1 additional space for every 50,000 square feet over 200,001 square feet |

- (2) Off-street loading spaces shall not count toward any minimum parking space requirements.

(C) LOADING SPACE DESIGN STANDARDS

Every loading space shall be designed, constructed, and maintained in accordance with the standards and requirements set forth below:

(1) Location of Required Loading Spaces

- a) Loading spaces shall be located on the same lot as the building or structure to which they are accessory.
- b) No loading space shall be located in any front yard, nor shall it permit any vehicle to extend into any front yard or across any lot lines of a more restrictive district while the vehicle is being loaded or unloaded.

(2) Dimensions

Loading spaces shall have a minimum width of 12 feet, a minimum length of 40 feet and a minimum vertical clearance of 15 feet.

(3) Access

- a) Loading spaces shall be designed and arranged to provide access to a street or alley in a manner that will create the least possible interference with traffic movement and parking lot circulation. The Zoning Administrator shall approve access to and from loading spaces.
- b) No part of any truck or van that is being loaded or unloaded may extend into the right-of-way of a public thoroughfare.
- c) Loading spaces shall be designed with sufficient apron area to accommodate truck-turning movements and to prevent backing of trucks onto any street right-of-way.

(4) Screening

- a) All operations, materials, and vehicles within any loading space that are visible from a public street or from any residential use shall be screened.
- b) The screening material shall be at least six feet in height and 100 percent opaque and shall satisfy the buffer requirements of the most restrictive adjacent district.
- c) Screening areas shall also be subject to applicable requirements and standards in [Article 12: Landscaping and Buffering](#).

Section 11.06 Stacking Space Requirements for Drive-Through Facilities

- (A) The number of required stacking spaces shall be as provided for in [Table 11.06-A](#). See [Figure 11.06-1](#) for illustration of stacking spaces:

| TABLE 11.06-A: STACKING SPACE REQUIREMENTS | | |
|---|---|------------------------|
| ACTIVITY | MINIMUM STACKING SPACES (PER LANE) | MEASURED FROM: |
| Bank, Financial Institution or Automated Teller Machine (ATM) | 3 | Teller or Window |
| Restaurant | 6 | Pick-Up Window |
| Full Service Car/Truck Wash | 6 | Outside of Washing Bay |
| Self-Service or Automated Car/Truck Wash | 2 | Outside of Washing Bay |
| Fuel or Gasoline Pump Island | 2 | Pump Island |
| Other | As determined by the Zoning Administrator | |

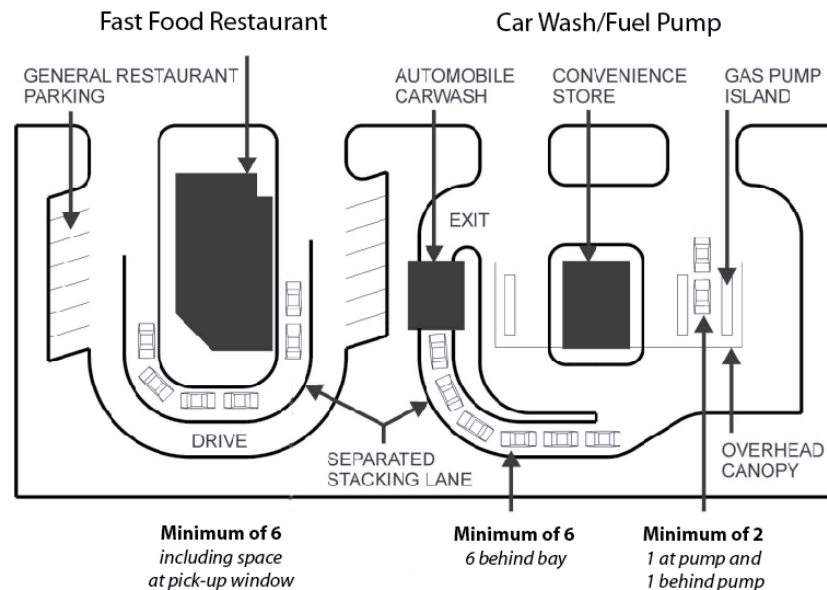


Figure 11.06-1: Location of stacking spaces and lanes. Note that the stacking lanes are oriented toward the side and rear yards rather than the front yard.

- (B) Stacking lanes shall be provided for any use having a drive-through establishment and shall apply comply with the following standards:
- (1) All stacking lanes shall be set back 25 feet from all rights-of way.
 - (2) Drive-through stacking lanes shall have a minimum width of ten feet.
 - (3) When stacking lanes are separated from other stacking lanes, bypass lanes or from other site areas, the separation shall be by means of a raised concrete median, concrete curb, or landscaping.
 - (4) Washing bays in a car wash shall not count toward the stacking space requirement.
 - (5) Pump spaces can count toward the stacking space requirement.
 - (6) Stacking spaces shall be a minimum of 10 feet by 20 feet in size.
 - (7) Stacking spaces may not impede on- or off-site traffic movements or movements in or out of off-street parking spaces.
 - (8) Stacking spaces shall be separated from other internal driveways by surface markings or raised medians.
 - (9) These stacking space requirements shall be in addition to the off-street parking space requirements.
 - (10) See [Section 7.01\(G\)\(6\): Drive-Through Facilities](#) for additional design requirements for all drive-through establishments.

Section 11.07 Driveway Standards

To preserve and maintain efficient traffic movement, permitted access to all public streets shall be limited as defined herein. A goal of these driveway standards is to limit and reduce the number of driveways in favor of combined driveways and the construction of service roads to handle access to multiple parcels. These regulations are in addition to any other required state, county, or local approvals.

- (A) Driveways shall be subject to Summit County’s driveway apron requirements.

- (B) Driveways shall be located in such a manner as to interfere as little as possible with the use of adjacent residential property and the flow of traffic on adjacent streets, and to avoid undue interference with pedestrian access to street corners.
- (1) Driveways on corner lots shall be located as far from the street intersection as practicable.
 - (2) For parking areas having a capacity of 10 or more vehicles, the center line of the driveway apron shall be located not less than 75 feet from the nearest street intersection right-of-way line.
 - (3) Driveways for conforming uses and lots shall not be located less than 20 feet from a side lot line nor 40 feet from an access drive on an adjoining lot.
 - (4) Access drives for nonconforming uses and lots shall be located as far as practicable from another access drive, measured from the edge of the pavement, as determined by the BZA.
- (C) New driveways shall be aligned with existing driveways across a street unless such alignment is shown to be undesirable in a Traffic Impact Study. Where such alignments are shown to be undesirable, the centerlines of opposing driveways shall be offset at least 100 feet.
- (D) Each lot shall be permitted to have a single, two-way driveway, except in cases where a Traffic Impact Study is prepared clearly demonstrates that it is beneficial to permit a second driveway from the standpoint of traffic movement. Examples of where a second drive may be justified include large corner lots where driveways on both streets may be desirable and instances where two, one-way drives are preferred more than one, two-way drive.
- (E) The width and coverage of driveways and access drives shall comply with the following:
- (1) Driveways for single-family detached and attached dwelling units shall have a minimum width of eight feet and a maximum width of 30 feet.
 - (2) The minimum width of driveways for multi-family dwellings and nonresidential uses shall be 12 feet for a one-lane access drive or 20 feet for a two-lane access drive at the right-of-way line, and shall not exceed a total of 30 feet in width at the curb line of the street.
 - (3) One-way entrances and exits shall be limited to two lanes and all other access drives shall not exceed three lanes.
 - (4) The driveway or access drive shall not cover more than 35% of the area of the front yard.
- (F) Driveways may be used for the following purposes:
- (1) The parking of passenger cars owned by the occupants of the dwelling and their visitors.
 - (2) The parking of one commercial car or truck not exceeding seven feet in height nor having more than one and one half (1 ½) ton capacity as specified by the manufacturer, that is used in connection with said occupant's livelihood, except that larger trucks may momentarily park in a driveway for emergencies and making deliveries. This provision does not include construction equipment or landscaping equipment, or trailers to haul such equipment.
 - (3) The parking or storage of recreational vehicles in compliance with [Section 11.08: Parking or Storage of Vehicles in Residential Districts](#).
- (G) Applications for zoning certificates or certificates of conformance that include a driveway shall be submitted to the Springfield Township Fire Department for review and comment related to emergency access, fire control, and related safety issues.
- (H) Driveways that require a culvert may be subject to review and permitting requirements from the Springfield Township Roads Department.
- (I) Left turn storage lanes shall be provided within the public street for all truck terminal facilities and for any commercial, manufacturing, wholesale or storage facility with more than 100,000 square feet of gross floor area unless they are found to be unnecessary by a Traffic Impact Study.

Section 11.08 Parking or Storage of Vehicles in Residential Districts

- (A) Off-street parking spaces for residential uses in a residential zoning district shall comply with the provisions of this section.
- (B) Uncovered off-street parking spaces that are located on a driveway may be located in any yard but shall be set back a minimum of 20 feet from any right-of-way and three feet from any lot line.⁴
- (C) **PARKING AND STORAGE OF RECREATIONAL VEHICLES**
 - (1) Not more than two recreational vehicles, campers or boats, or trailers for such vehicle or equipment, shall be stored outdoors. Only one of the two recreational vehicles may have a length greater than 24 feet.
 - (2) Outdoor storage shall be permitted only in the side or rear yard. The Zoning Administrator may approve an alternate location if the property owner can demonstrate the lot configuration and structure create practical difficulties with side and rear yard storage. The practical difficulties may not be self-created.
 - (3) The outdoor storage of a recreational vehicle shall be set back a minimum of five feet from a rear lot line and 10 feet from a side lot line.
 - (4) Recreational vehicles shall be parked on a paved or gravel surface.⁴
 - (5) No screening shall be required for recreational vehicles stored more than 15 feet from any lot line. Recreational vehicles stored closer to a lot line than 15 feet shall be screened with solid fencing in accordance with [Article 9: Fencing, Walls, and Hedges](#).
 - (6) A recreational vehicle, camper, boat or trailer may be parked on a driveway in the front yard⁴ only for loading or unloading purposes for a period not to exceed seven days in any 30-day period.
 - (7) Recreational vehicles, campers, and boats shall not be used as a dwelling, office, or other business, structure, or for storage of any material.

Section 11.09 Parking of Inoperable Vehicles

- (A) No person shall park, store or leave, or permit the parking or storing of any unlicensed motor vehicle or any vehicle in a rusted, wrecked, junked, partially dismantled, inoperative, or abandoned conditions, whether attended or not, upon any property within Springfield Township unless the same is completely enclosed within a building.
- (B) No person shall store or leave or permit the storing of any boat or trailer that is in a rusted wrecked, junked, partially dismantled, inoperative, or abandoned conditions, whether attended or not, upon any property within Springfield Township unless the same is completely enclosed within a building.

⁴ Effective 11/4/13

Article 12: Landscaping and Buffering

Section 12.01 Purpose

The purpose of this section is to protect and promote the public health, safety, general welfare, and beautification of Springfield Township through the township's ability to regulate land use in a method that utilizes the benefits of landscaping. Specifically, it is the purpose of this section to:

- (A) Protect privacy and provide buffering land uses of differing intensities;
- (B) Encourage the creation of an attractive appearance, provide interest and lessen the monotony along the public street;
- (C) Remove, reduce, lessen or absorb the impact between one use or zoning district and another;
- (D) Aid in noise, glare and heat abatement;
- (E) Contribute to the process of air purification, ground water recharge, and control of ground water runoff;
- (F) Encourage efforts to preserve large trees, natural wet lands, and/or other natural features;
- (G) Prevent tree loss by eliminating or reducing compaction, filling or excavation near tree roots;
- (H) Prevent or reduce soil erosion and sedimentation and stormwater runoff;
- (I) Enhance energy conservation;
- (J) Control the urban heat island effect; and
- (K) Increase and maintain property values.

Section 12.02 Applicability

- (A) For the purposes of this article, the Zoning Administrator shall be authorized to review and make decisions on landscaping plans as provided for in Section 519.171 of the Ohio Revised Code.
- (B) The development standards of this article shall apply to new property development and any collective substantial expansion of existing structures, except for individual single family dwellings and two family dwellings (duplexes) and parking lots of five spaces or smaller. Substantial expansion of existing structures shall be defined based on the criteria established in [Table 12.02-A](#).

| TABLE 12.02-A: SUBSTANTIAL EXPANSION | |
|--------------------------------------|-------------------------------|
| WHEN EXISTING STRUCTURE IS.... | A SUBSTANTIAL EXPANSION IS... |
| 0 - 1,000 Sq. Ft. | 50% or Greater |
| 1,001 - 10,000 Sq. Ft. | 40% or Greater |
| 10,001 - 25,000 Sq. Ft. | 30% or Greater |
| 25,001 - 50,000 Sq. Ft. | 20% or Greater |
| 50,001 Sq. Ft. and larger | 10% or Greater |

- (C) [Section 12.06: Buffering Between Land Uses](#) shall apply to any size expansion of a structure where such expansion will decrease the setback between the structure and a residential zoning district, the buffering and screening standards of this article shall apply.
- (D) Where there is no expansion of a structure but the vehicular use area is expansion, this article shall apply to any new vehicular use areas.

Section 12.03 Landscaping and Buffer Plan

(A) LANDSCAPING AND BUFFER PLAN REQUIREMENT

- (1)** Any property to which this article applies shall illustrate all proposed landscaping and buffer, including the proposed landscaping material, on a site plan or on a separate landscaping and buffer plan as part of the application for a zoning certificate.
- (2)** All plans shall include a table listing the existing plant material that will be retained and all proposed plant materials within the landscaping and buffer areas. This shall include the common and botanical names, sizes and other remarks as appropriate to describe the landscaping material selection.

(B) APPROVAL OF A LANDSCAPING AND BUFFER PLAN

Criteria for the approval of a landscaping and buffer plan shall be as follows:

- (1)** No zoning certificate shall be issued without approval of a landscaping and buffer plan.
- (2)** Failure to implement the landscaping and buffer plan within 12 months of the issuance of a zoning certificate shall be deemed a violation of this resolution.
- (3)** The township may seek professional advice from a landscape architect or licensed nurseryman in the review of the submitted plans. The cost of such consultation may be passed on the applicant.

(C) CHANGES TO AN APPROVED LANDSCAPING AND BUFFER PLAN

The Zoning Administrator may authorize minor changes from the requirements of this article.

- (1)** For purposes of this subsection, minor changes shall be defined as changes to the landscaping plans that are not visible and do not affect the theme or character established for the subject development project.
- (2)** A revised plan shall be submitted to the Zoning Administrator for review.

Section 12.04 Landscaping Materials and Standards

(A) RESPONSIBILITY FOR INSTALLATION OF LANDSCAPING MATERIALS

All landscaping and buffering shall be provided by the person in charge of or in control of developing the property, whether as owner, lessee, tenant, occupant or otherwise.

(B) USE OF LANDSCAPED AREAS

- (1)** Vehicle parking shall not be permitted in landscaped areas.
- (2)** All screening shall be free of advertising or other signs, except for pertinent directional or instructional signs for the efficient flow of vehicles.

(C) EASEMENTS

Nothing shall be planted or installed within any underground or overhead utility, drainage, or gas easement without the consent of the utility provider, easement holder, or the township.

(D) LANDSCAPING MATERIALS

The following items are suitable for landscaping materials used individually or in combination with each other, subject to review and approval by the Zoning Administrator.

(1) Existing Landscape Material

- a) Unless otherwise noted, existing landscape material in healthy condition can be used to satisfy the requirements of this article in whole or in part provided they meet all requirements of this article.
- b) The Zoning Administrator shall determine satisfaction of this requirement.

(2) Walls and Fences

- a) Walls and fences shall be constructed of weatherproof materials, including pressure treated wood, redwood, cedar, synthetic lumber, or vinyl, and aluminum or galvanized hardware. Except as specifically noted, chain link fences with or without wooden or synthetic slat material shall not be allowed when used to satisfy landscaping and screening requirements.
- b) Chain link fences with or without wooden or synthetic slat material shall not be allowed when used to satisfy the buffer requirements of this article.
- c) Walls and fences may be designed with a finished side on both sides of the fence, but where only one side is finished, the wall and fence shall be designed to orient that finished side away from the subject lot so the finished side faces the adjacent lots.

(3) Plants

- a) All plants shall be living and hardy within the United States Department of Agriculture's Hardiness Zone 5, and thriving in Summit County. Plant materials used in conformance with the provisions of this section shall conform to the standards of the American Association of Nurserymen and shall have passed any inspection required under state regulations.
- b) Trees shall be balled and burlapped or in containers. Shrubs, vines, and ground covers can be planted as bare root as well as balled and burlapped or from containers.
- c) All landscaping materials shall be free of noxious weeds, disease, and pests.
- d) Nursery stock identification tags shall not be removed from any planting prior to inspection and approval of final installation by the township.
- e) A plant list has been established for Springfield Township and lists prohibited street trees and recommended plant types for the township. The plant list is maintained by the Zoning Administrator.
- f) The following are specific standards for landscaping materials.

(i) Deciduous Trees

- A.** Deciduous trees shall have a minimum caliper of at least two inches Diameter-at-Breast-Height (DBH) and a clear trunk height of six feet that conforms to acceptable nursery industry procedures at the time of planting.
- B.** If deciduous trees are to be used for screening purposes, additional materials listed in this article shall be used to create a dense buffer.

(ii) Ornamental and Understory Trees

Ornamental and understory trees shall have a minimum height of four feet or a minimum caliper of at least 1.5 inches DBH that conforms to acceptable nursery industry procedures at the time of planting.

(iii) Evergreen Trees

- A.** Evergreen trees shall be a minimum of six feet in height at the time of planting.

- B.** Evergreen plantings used for buffering shall be planted at a maximum distance of 20 feet on center to provide an effective buffer.
- C.** White pine trees are not acceptable trees for screening/buffering purposes.

(iv) Shrubs and Hedges

- A.** Shrubs shall be at least 20 inches in height at the time of planting and have a mature height of not less than 36 inches.
- B.** Hedges shall be at least 36 inches in height at the time of planting.
- C.** All hedges shall be designed to provide an effective, dense screen and mature height of at least six feet within four years after the date of the final approval of each planting when used for perimeter landscaping or screening applications.

(v) Grass and Ground Cover

- A.** Grass of the fescue, bluegrass or perennial rye families shall be planted in species normally grown as lawns in Summit County.
- B.** In swales or other areas subject to erosion, solid sod, erosion reducing net or suitable mulch shall be used and grass seed shall be sown for immediate protection until complete coverage is achieved.
- C.** Grass sod shall be clean and free of weeds and noxious pests or diseases.
- D.** Ground cover shall be planted in such a manner as to provide 75 percent complete coverage after two growing seasons.

g) Additional Landscaping Beyond the Minimum Requirements

Once the minimum landscape requirements have been met, any size plant may be installed on a lot to supplement the minimum requirements.

(4) Species Diversity

- a)** When fewer than 40 trees are required on a site, at least two different species shall be utilized, in roughly equal proportions.
- b)** When 40 or more trees are required on a site, at least three different species shall be utilized, in roughly equal proportions.
- c)** Required shrubs shall utilize the same species diversity requirements.
- d)** Nothing in this subsection shall be construed so as to prevent the utilization of a more diverse number of different species than specified above.

(5) Earth Mounds or Berms

Earth mounds or berms may be used as buffers, however, differences in natural elevation between areas requiring a buffer does not constitute an earth mound. Earth mounds shall be constructed of earthen materials and shall conform to the following:

- a)** Mounds or berms shall conform to any county grading requirements. The maximum slope shall be a maximum of one foot in height for every three feet in length.
- b)** Mounds and berms shall be designed with physical variations in height and alignment throughout its length.
- c)** Landscaping plant materials may be installed on mounds or berms and shall be arranged in an irregular pattern to accentuate the physical variation and achieve a natural appearance.

- d) The landscaping and buffer plan shall show sufficient detail to demonstrate compliance with the above provisions, including a plan and profile of the mound or berm, soil types and construction techniques.
- e) Mounds and berms shall be located and designed to minimize the disturbance of existing trees located on the site or adjacent thereto.
- f) No part of any mound shall be elevated more than 30 inches above natural grade within 10 feet of any right-of-way or property line, and the toe of such mound shall be located a minimum of three feet from any right-of-way or property line.
- g) Adequate ground cover shall be used and maintained to prevent erosion of the earth mound and to achieve a natural appearance.
- h) No mound wastewater treatment system or other similar on-site wastewater treatment system shall count toward the buffering requirement.

(6) Grade Changes

In cases where grading is necessary that results in a parking lot lower in elevation than the surrounding area or adjacent right-of-way, the resulting embankment shall be planted with low shrubs and shade or ornamental trees. The type and variety of plantings shall be based on the steepness of the slope. The maximum slope shall be a maximum of one foot in height for every 2.5 feet in length for landscaping between the lot line and the parking lot.

(7) Measurements

Whenever there is a height measurement related to landscaping and buffering, such measurement shall be taken from the highest finished adjacent grade to the top of the material.

Section 12.05 Landscaping Along Streets and in Front Yards

All areas within the required building and parking setback, excluding driveway openings, shall be landscaped and maintained with the following minimum requirements:

- (A) Within this area, three deciduous trees and ten shrubs for every 100 linear feet of street frontage, not including drive entrances.
- (B) Areas not devoted to trees and shrubs shall be planted with grass, ground cover, or other live landscape treatment, excluding paving or gravel, including land in the street right-of-way that is not occupied by street or sidewalk pavement, or mulch.
- (C) Landscaping materials shall not be fruit or nut bearing nor have thorns or briars.
- (D) Landscaping materials may be placed in any manner and do not have to be equally spaced. Applicants are strongly encouraged to locate trees and shrubs in a manner that will prevent damage from salt and other materials used to melt snow from the roads.

Section 12.06 Buffering Between Land Uses

Development shall provide a buffer between land uses in accordance with this section. The buffer shall have the width, amount of vegetation, and other features to properly mitigate the negative effects of contiguous incompatible uses.

(A) BUFFER LOCATION

- (1) Buffer areas shall be located between the uses for which they are required to buffer or screen.
- (2) The buffer areas shall be placed on the property being developed, regardless of ownership.

(B) STRUCTURES

No structure shall be permitted within a required buffer area other than a wall, fence, mound, or earth berm. Driveways may cross perpendicularly across a buffer area, disturbing the least amount of buffer.

(C) REQUIRED BUFFER AREA

Buffer areas shall be provided as set forth below:

- (1)** When a development in a C-1, C-2, C-3, O-R, or MUPD district abuts a residential district, a buffer area with a minimum width of 25 feet shall be provided unless a greater setback is required as part of a variance or conditional use.
- (2)** When a development in a I-1, I-2, or PIPD district abuts a residential district, a buffer area with a minimum width of 35 feet shall be provided unless a greater setback is required as part of a variance or conditional use.
- (3)** When a use other than single-family, two-family, attached dwellings, or conservation developments are permitted in any residential district, a buffer area with a minimum width of 20 feet shall be provided unless a greater setback is required as part of a variance or conditional use.
- (4)** Where the minimum setback for the applicable zoning district differs from the required buffer yard, the more restrictive standard shall apply.

(D) SCREENING

Screening within the buffer area shall consist of one or a combination of two or more of the following in order to form a solid continuous visual screen:

- (1)** A dense vegetative planting incorporating trees/evergreens/hedges of a variety that are equally effective in winter and summer.
- (2)** A non-living opaque structure such as a brick, slump block, stucco masonry wall, or a solid fence that is compatible with the principal structure.
- (3)** A fence having openings with a landscaped area at least 10 feet wide.
- (4)** A maintained, landscaped earthen berm at least 10 feet wide.
- (5)** Maintenance of the existing natural vegetation that forms a screen with a height not less than six feet and shall be equally effective in winter and summer.

(E) HEIGHT OF SCREENING

The height of screening shall comply with the following:

- (1)** Visual screening walls, fences, mounds, or earthen berms and fences in combination shall be a minimum of six feet high measured from the natural grade, in order to accomplish the desired screening effect.
- (2)** Vegetation shall be a minimum of six feet high measured from the natural grade, in order to accomplish the desired screening effect. The required height shall be achieved no later than twelve months after the initial installation.

(F) PLACEMENT OF SCREENING

The location of the wall, fence, or vegetation shall be placed within the buffer area to maximize the screening effect. Trees, evergreens, and/or hedges shall be adequately spaced and appropriately staggered to meet the screening objectives within two years after the initial installation. The landscaping and buffer plan shall indicate the specific type of option(s) to be used.

(G) ADDITIONAL SCREENING REQUIRED

Whenever a lot with a lower elevation than the abutting residential parcel requires screening and buffering, the height of the required screening shall be sufficient to adequately screen the site from the adjacent residential lot. The Zoning Administrator, and BZA when applicable, may, in its review of the landscaping plan, require more than the minimum requirements specified in this section in order to accomplish the desired screening effect.

Section 12.07 Landscaping and Screening of Vehicular Use Areas

(A) INTERIOR LANDSCAPING OF PARKING LOTS

(1) Amount of Landscaping Required

- a) For all parking areas with 5 to 50 parking spaces, a total of five percent of the paved area (not including loading spaces or stacking lanes/spaces) shall be landscaped under the provisions of this section.
- b) For all parking areas with more than 50 parking spaces, a total of 10 percent of the paved area (not including loading spaces or stacking lanes/spaces) shall be landscaped under the provisions of this section.

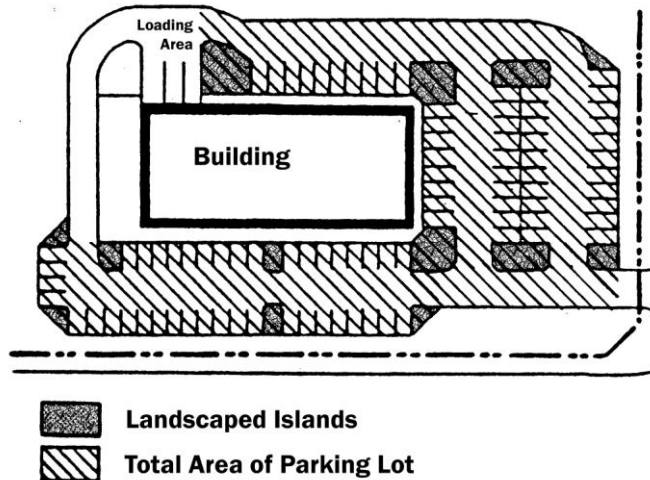


Figure 12.07-1: Parking Lot Interior Calculation

- (2) The required landscaping shall be located within landscaped islands. Landscaped areas that extend into parking areas from the perimeter landscaping may count toward this requirement but only that area that extended into the parking area. See Figure 12.07-1. See also Figure 12.07-2.



Figure 12.07-2: Landscaping and screening is intended to soften the appearance of large expanses of parking areas and can also provide areas for stormwater management.

- (3)** Landscaped islands shall be developed and distributed throughout the parking lot to define major circulation aisles and driving lanes; and to provide visual and climatic relief from broad expanses of pavement.
 - a)** Each island shall have a minimum dimension of four feet by nine feet.
 - b)** There shall be a minimum of one deciduous tree and one shrub provided for every 15 parking spaces; such trees shall be planted within the required landscaped islands but not all islands are required to have a tree or shrub.
 - c)** Additional shrubs or low, spreading plant materials may be planted within the required landscaped islands provided there is no impairment to the visibility of motorists or pedestrians.
- (4)** Landscaped areas on the site that are outside of any vehicular use area and do not touch the parking area shall not be counted as interior parking lot landscaped areas.
- (5)** The landscaped islands shall be protected by the installation of continuous curbs or wheel stops with a height of six inches.
- (6)** The landscaped islands should be designed, to the maximum extent feasible, to accommodate stormwater runoff. The use of porous pavement and/or specially designed brick or block is encouraged to increase on-site water detention for plant material and ground water supplies and to reduce problems associated with runoff.

Section 12.08 Screening of Outside Storage Areas or Other Service Areas

(A) INTENT AND APPLICABILITY

In addition to all other landscaping standards in this section, screening shall be required to conceal specific nonresidential areas of high visual or auditory impact. Such areas shall be screened at all times, unless otherwise specified, regardless of adjacent uses, districts, or other landscaping material.

(B) ITEMS TO BE SCREENED

The following areas shall be screened in accordance with this section:

- (1) Large waste receptacles (dumpsters) and refuse collection points (including large recycling containers);
- (2) Loading and service areas;
- (3) Outdoor freezers or other accessory structures;
- (4) Outdoor storage areas (including storage tanks) not subject to the outdoor storage requirements of [Section 5.04\(T\): Outdoor Storage](#);
- (5) Mechanical equipment and utility meters not located on, and screened by, the building or structure.

(C) SCREENING REQUIREMENTS

- (1) All screening shall be approved during zoning certificate review.
- (2) All items to be screened shall be shielded from view from public roads and adjoining residential zoned property.
- (3) All items to be screened shall be located in the side or rear yards.
- (4) All items to be screened shall be provided with a visual screen consisting of fences, walls, berms or approved plant materials or a combination thereof. The screening shall be at least one foot higher than the item to be screened but not less than six feet in height and shall extend along three sides of the items to be screened. For dumpster, a gate shall be required on the fourth side where access is provided to the dumpster. The gate shall be opaque enough to shield from view the interior of the service area.
- (5) All plant materials used for required screens around service areas shall be of an evergreen variety.
- (6) If an adjacent building provides screening on one side of the service area, only two sides need to be screened, bermed, or walled, with a gate required in front of the service area. The gate shall be opaque enough to shield from view the interior of the service area.
- (7) Roof mounted mechanical equipment shall be screened by parapet walls or other screening device with height not lower than six inches below the height of mechanical equipment (See also [Figure 10.04-4](#)).
- (8) **Fence or Wall Screens**
 - a) Fences or walls shall be compatible with the architectural materials and patterns of the principal structure. See [Figure 12.08-1](#).
 - b) Under no circumstances shall a wall be constructed of unfinished concrete or cinder block.



Figure 12.08-1: Use of a wall and fencing for screening that is architecturally compatible with the principal building.

Section 12.09 Installation and Maintenance

- (A)** Required yards and all other portions of the lot not covered by permitted structures shall be landscaped with grass, trees, shrubbery and/or other appropriate ground cover or landscaping material, which at all times shall be pruned, trimmed, and maintained in good and healthy condition.
- (B)** All landscaping materials shall be installed and maintained according to accepted nursery industry procedures. The property owner shall be responsible for continued, perpetual maintenance of all landscaping materials, and shall keep them in a proper, neat and orderly appearance, free from refuse, debris, and noxious and unsightly weeds at all times.
- (C)** The landscaping shall regularly be kept clean and free of debris, litter, and weeds.
- (D)** All unhealthy or dead plant material shall be replaced within 30 days, or by the next planting period, whichever comes first. Replacement material shall conform to the original intent of the landscaping and buffer plan.
- (E)** Violation of installation provisions or failure to maintain the landscaping shall constitute a violation of this resolution. Such violation be grounds for the Zoning Administrator to require replacement of the landscape material or initiate legal proceedings to enforce the provisions of this resolution.

Article 13: Signs

Section 13.01 Purpose

The purpose of this article is to promote the public health, safety, and welfare through the provision of standards for existing and proposed signs of all types. More specifically, this article is intended to:

- (A) Encourage the effective, reasonable and appropriate use of signs as a means of communication for businesses, organizations, and individuals in Springfield Township;
- (B) Encourage the effective, reasonable and appropriate use of signs as a means of communication for businesses, organizations, and individuals in Springfield Township; ³
- (C) Enhance and protect the physical appearance of the community by controlling the size, location and design of permanent signs to be harmonious and visually attractive in their surroundings; ³
- (D) Promote and maintain the economic and social well being of the township; ³
- (E) To encourage attractive and appropriate identification of on-premises signs in commercial and industrial districts in order to foster economic success;
- (F) To protect and preserve the aesthetic quality and physical appearance of the Township and protect the health, safety, and welfare of the public by minimizing the hazards to pedestrian and vehicular traffic;³
- (G) Ensure that signs are located and designed to reduce sign distraction and confusion that may be contributing factors in traffic congestion and accidents, and maintain a safe and orderly pedestrian and vehicular environment; and
- (H) Provide broadly for the expression of individual opinions through the use of signs on private property;
- (I) Reduce sign clutter.³

Section 13.02 Applicability

- (A) The regulations contained within this article shall apply to all signs and to all zoning districts.
- (B) Signs, other than those installed by the township, county, city, state, or federal government, are specifically prohibited in the public right-of-way. No sign shall be permitted within a public right-of-way unless specifically stated otherwise.³
- (C) No sign shall be erected, established, modified, created, or maintained in Springfield Township without the issuance of a zoning certificate and the payment of fees unless otherwise exempted in this article.
- (D) No zoning certificate is required for the non-structural maintenance of a sign or for a change of copy on changeable copy signs.³
- (E) A zoning certificate is required for changes of sign panels, painted signs or letters that are attached to a structure or wall.³
- (F) All structural changes to a sign or supporting structure shall require a permit.³
- (G) All wiring, fittings, and materials used in the construction, connection, and operation of electrically illuminated signs shall be in accordance with the provisions of the local electrical code in effect.
- (H) No sign of any classification shall be installed, erected, or attached to a structure in any form, shape, or manner that is in violation of Summit County's or Ohio's building or fire codes.
- (I) Signs along interstate and primary highways, if permitted under this Resolution, shall conform to ORC Chapter 5516.³

³ Effective 10/28/13

Section 13.03 Computations and Rules of Measurement

The following principles shall control the computations of sign area and sign height.

(A) SIGN FACE OR AREA

- (1) The area of a sign face, shall be computed by means of the smallest square, rectangle, circle, triangle, or combination thereof that shall encompass the extreme limits of the writing, representation, emblem, or other display, together with any material or color that is an integral part of the background of the display or used to differentiate the sign from backdrop or structure against which it is placed.³
- (2) The calculation for the sign face area does not include any supporting framework, bracing, or decorative fence or wall, unless such structural support is determined by the Zoning Administrator to constitute an integral part of the sign design or is determined to be designed to attract attention. See Figure 13.03-1.

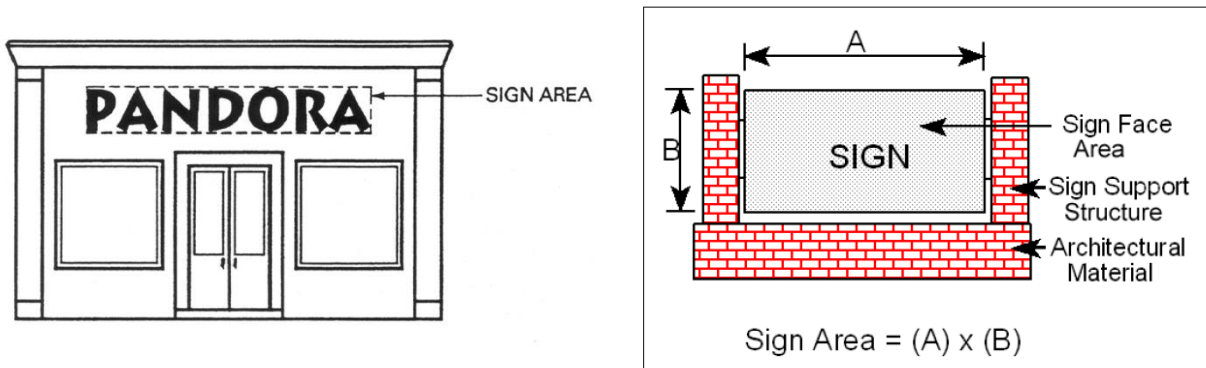


Figure 13.03-1: Illustration of sign area calculation for a wall sign (left) and a ground sign (right).

- (3) The sign area for a sign with more than one face (multi-faced signs) shall be computed by adding together the area of all sign faces visible from any one point.
- (4) When two identical sign faces are placed back to back, so that both faces cannot be viewed from any one point at the same time, and when such sign faces are part of the same sign structure and are not more than 12 inches apart or form a V-angle equal to or less than 30 degrees, the sign area shall be computed by the measurement of one of the faces.³
- (5) No more than two display faces shall be permitted for freestanding and projecting signs.

(B) STREET AND BUILDING FRONTAGE

- (1) When calculating street frontage, only the improved street frontage that lies in the unincorporated area of Springfield Township shall be used in the calculation.
- (2) For multi-occupant buildings, the portion of a building that is owned or leased by a single occupant shall be considered a building unit. The building frontage for a building unit shall be measured from the centerline of the party walls defining the building unit.

³ Effective 10/28/13

- (3) A building shall have two frontages whenever the lot has frontage on two or more streets, or the building has a public entrance on a wall other than the wall facing the street. The property owner shall determine which wall shall be the primary frontage. Only one wall of any building or tenant space shall be considered the primary frontage and only one wall considered secondary.³

(C) WINDOW AREA

Where the sign area is based on the total window area, the window area shall be calculated as the total area of glass windows on the building frontage.

(D) SIGN HEIGHT

- (1) The height of a sign shall be computed as the distance from the average natural grade at the base of the sign or support structure to the top of the highest attached component of the sign.
- (2) A ground mounted sign on a man-made base, including a graded earth mound, shall be measured from the average natural grade, where the sign is to be located, prior to the addition of the sign or change of grade.³

(E) SIGN SETBACKS

- (1) The required setbacks for a sign shall apply to all elements of the sign including its frame and base.
- (2) The setback of a projecting sign shall be measured horizontally from the outward edge of the sign frame to the street right-of-way line or lot line, as applicable.³

(F) ELECTRIC LINE CLEARANCE³

Signs shall maintain a minimum horizontal clearance of eight feet from the fall radius and a minimum vertical clearance of eight feet from electrical lines in accordance with the National Electrical Code in effect or other regulations, as applicable.

Section 13.04 Signs Exempt from this Article

The following signs and messages are exempt from the regulations of this article:

(A) NONCOMMERCIAL SPEECH SIGNS

- (1) Noncommercial speech signs shall not be posted in any place or in any manner that is destructive to public property upon posting or removal.
- (2) Noncommercial speech signs shall be subject to [Section 5.05\(B\)\(2\) Height Limit at Street Corners \(Traffic Safety Visibility Triangle\)](#) and, for the purposes of safety, shall be set back a minimum of 10 feet from all street rights-of-way lines to allow for clear visibility.
- (3) The maximum height of noncommercial speech signs shall be six feet.³

- (B) Signs bearing no commercial message and installed by employees or officials of a township, city, county, state or federal agency in the course of their governmental duties;
- (C) Other signs conforming with the Manual of Uniform Traffic Control Devices and bearing no commercial message;
- (D) Reflectors and safety signs or devices used to mark driveways, towers and potentially dangerous structures or situations provided such signs and devices do not display commercial messages;

³ Effective 10/28/13

- (E) Signs required by a state or federal statute;
- (F) Signs required by an order of a court of competent jurisdiction;
- (G) Signs installed by public utilities in their rights-of-way or on their facilities and bearing no commercial message other than such message is necessary to identify the use;
- (H) Signs installed by a transit company with a franchise or other right to operate in Summit County, where such signs are installed along its routes and relate to schedules or other information about the transit route;
- (I) Flags, emblems and insignias of national, state or local political subdivisions;
- (J) Commemorative plaques placed on a structure or stand-alone commemorative plaques by recognized historical agencies; such signs shall bear no commercial message. Such signs shall not exceed six square feet in area and shall not be illuminated and may require approval by the state or county depending on the authority over the applicable roadway;
- (K) Signs that do not exceed eight square feet in sign area and six feet in height that give notice of Neighborhood Crime Watch Programs being in effect;
- (L) Name and/or address descriptions mounted to the front wall of a building or to a lamppost in the front yard not-to-exceed four(4) square feet in sign area (e.g., street numbers);³
- (M) Window signs that do not exceed 25 percent of the total window surface. The window signs shall be so located as to allow clear visibility into the building for the purposes of fire and police protection;³
- (N) Directional ground-mounted monument signs, with no commercial message, not-to-exceed two signs per driveway indicating entrance and exit locations with a maximum permitted sign area of three square feet and a maximum height of 3.5 feet;³
- (O) Any work of art that does not displaying a commercial message provided that the work of art meets all other applicable standards of this resolution;
- (P) Architectural features that are either part of the building or part of a freestanding structure are not considered signs and are thus exempt from these regulations. Architectural features include any construction attending to, but not an integral part of the sign, and which may consist of landscape or building or structural forms that enhance the site in general;
- (Q) Holiday decorations for religious or national holidays. Such decorations may blink, flash, or move. No such holiday decorations shall interfere with traffic, present any hazard, or be detrimental to public health, safety, or morals;
- (R) Routine maintenance of any sign, not involving structural changes to the sign; and
- (S) Changes of message, either manually or electronically, on a message board or reader board, subject to limitations in this article on the frequency of changes of message.

Section 13.05 Prohibited Signs

The following signs are specifically prohibited in Springfield Township:

- (A) Signs in the right-of way, unless specifically permitted in this article (See also [Section 13.04: Signs Exempt from this Article](#));³

³ Effective 10/28/13

- (B) Pennants, banners (except under [Section 13.08\(D\): Temporary Signs for Special Events](#)), streamers and similar type devices intended to grab the attention of drivers or pedestrians;
- (C) Roof signs and signs that extend above or beyond the building façade, except as otherwise specifically permitted in this article;
- (D) Flags intended for advertising or commercial purposes;
- (E) Signs emitting sounds;
- (F) All portable advertising signs attached to trailers, boats or motor vehicles except those on licensed commercial delivery and service vehicles related to and regularly used in the normal course of business for a permitted use;³
- (G) Beacons and searchlights, except for emergency purposes;
- (H) Off-premise signs unless permitted as an outdoor advertising sign in accordance with [Section 13.07; Off-Premise Outdoor Advertising Signs \(Billboards\)](#);
- (I) Flashing, moving, inflatable, blinker, racer type, intermittent, rotating, moving or revolving signs, whirligig devices, inflatable signs and tethered balloons, pennants, ribbons, streamers, spinners, exposed light bulbs, and strings of lights not permanently mounted to a rigid background, and other similar types of attention-getting devices excepted when allowed as part of an electronic message center in [Section 13.07: Permitted Signs](#) or when permitted as an exemption in [Section 13.04: Signs Exempt from this Article](#);
- (J) Merchandise, equipment, products, vehicles or other items not themselves for sale and placed for attention getting, identification or advertising purposes;
- (K) Permanent signs erected or attached to accessory structures;
- (L) Signs attached to a utility pole, tree, trash receptacle, bench or other structure not intended or approved as a sign support and³
- (M) Signs imitating or resembling official traffic or governmental signs or signals.³
- (N) **ABANDONED SIGNS³**
 - (1) Any sign that no longer represents a bona fide business conducted on the premises for a period of 24 months.^{3, 5}
 - (2) Such signs shall be removed by the owner, agent or property owner within 30 days of notice from the Springfield Zoning Office.

Section 13.06 General Construction

- (A) Signs shall be structurally sound and located so as to pose no threat to pedestrian or vehicular traffic.
- (B) The construction, erection, safety and maintenance of signs shall comply with the current building code used by the Summit County Department of Building Standards.
- (C) Permanent signs shall be constructed and erected to withstand wind pressures and shall be fastened, suspended or supported so that they will not be a menace to persons or property.
- (D) No sign shall be erected so as to project over and obstruct any window, door, fire escape, balcony, platform, stairway, ladder, vent or other means of ingress of any building.
- (E) No sign shall be attached to a utility pole, tree, trash receptacle, bench, or other structure not intended or approved as a sign support.

³ Effective 10/28/13 ⁵Effective 1/10/16

- (F) Temporary signs shall be durable and weather-resistant and fastened or anchored to a structure or the ground.³

Section 13.07 Permitted Signs

The following are provisions for permitted, permanent signs that require a zoning certificate.

- (A) **ON-PREMISE SIGNS FOR PUBLIC AND INSTITUTIONAL USES IN ANY DISTRICT**
 - (1) One ground-mounted monument sign is permitted per front yard for any public or institutional use in any zoning district.³
 - (2) The maximum sign area and height shall be in accordance with [Section 13.07.3](#)
 - (3) Signs shall be set back a minimum of 10 feet from the street right-of-way line and a minimum of 20 feet from any adjacent lot line. Where two signs are proposed on a corner lot, the minimum setback from any intersecting street right-of-way lines shall be 40 feet.
 - (4) One wall sign, in addition to a ground mounted monument sign shall be permitted not to exceed 40 square feet or one square foot per lineal foot of building façade, whichever is less.³
 - (5) **Changeable Copy**
 - a) Ground mounted monument signs may include a changeable copy area provided that it does not comprise more than 75 percent of the total sign area. See [Figure 13.07-1.3](#)
 - b) The changeable copy may be an electronic message center, but in no case shall the copy contain moving animation or change copy more than one time per 10-seconds.
 - (6) Ground mounted monument signs shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area. See [Figure 13.07-1.3](#)



Figure 13.07-1: Illustration of a sign for an institutional use on a brick base with foundation plantings.

³ Effective 10/28/13

(B) ENTRANCE MONUMENTS FOR RESIDENTIAL SUBDIVISIONS OR DEVELOPMENTS

A maximum of two ground-mounted monument signs or a maximum of two signs attached to a fence or wall shall be permitted at each development entrance along a township, county, or state road under the following provisions:³

(1) Ground-Mounted Monument Sign

- a) One ground-mounted monument sign is permitted at each development entrance.
- b) The signs shall be setback 10 feet from the public right-of-way line.
- c) The maximum sign area shall be 32 square feet per side (two sides maximum).³
- d) The maximum height of the ground sign, including architectural support structure, shall be six feet.
- e) The zoning certificate shall include information suitable to identify an established mechanism to ensure the ongoing maintenance of the entire entrance structure, ground mounted sign, and associated landscaping.
- f) The sign shall not include any changeable copy.
- g) The sign shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area.
- h) No sign shall bear a commercial message; and
- i) Illuminated signs shall only use external lighting sources.

(2) Wall Signs Attached to a Fence or Wall

- a) Up to two wall signs shall be permitted at each development entrance in lieu of ground mounted sign(s).³
- b) The walls or fence shall be setback a minimum of 10 feet from the public right-of-way line.³
- c) The maximum sign area shall be 32 square feet per sign.³
- d) The sign shall not exceed the height of the fence or wall to which it is attached.
- e) The zoning certificate shall including information suitable to identify an established mechanism to ensure the ongoing maintenance of the sign(s), supporting structure and associated landscaping.³
- f) The wall or fence that bears the sign shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area.³
- g) The sign shall not include any changeable copy.
- h) No sign shall bear a commercial message; and
- i) Illuminated signs shall only use external lighting sources.

(C) ON-PREMISE SIGNS IN NONRESIDENTIAL DISTRICTS

The following regulations apply to permanent signs in nonresidential districts that require a zoning certificate.

(1) Ground Mounted Monument Signs

- a) Ground mounted monument signs are permitted in accordance with [Table 13.07-A](#), only where the principal building is located a minimum of 12 feet from the right of way.³
- b) All signs shall be located a minimum of 35 feet from an adjacent lot line in a residential district.
- c) Signs must display the street address. If typeface is 3 inches or less in height it will not be calculated as part of the sign area.³
- d) Ground mounted monument signs shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area. See [Figure 13.07-1](#).³
- e) **Changeable Copy**
 - (i) Ground mounted monument signs may include a changeable copy sign provided that it does not comprise more than 50 percent of the total sign area.
 - (ii) The changeable copy may be an electronic message center, but in no case shall the copy change more than one time per 10-seconds.

TABLE 13.07-A: GROUND MOUNTED MONUMENT SIGNS³

| BUILDING SETBACK [1] | MAXIMUM NUMBER | MAXIMUM AREA | MAXIMUM HEIGHT | MINIMUM FRONT SETBACK [1] |
|--|----------------|---------------|----------------|---------------------------|
| Less than or equal to 12 feet | Not Permitted | Not Permitted | Not Permitted | Not Permitted |
| Greater than 12 feet but less than 30 feet | 1 per lot [2] | 24 sq. ft. | 8 ft. | 10 ft. |
| Greater than 30 feet but less than 50 feet | 1 per lot [2] | 36 sq. ft. | 8 ft. | 10 ft. |
| Greater than 50 feet | 1 per lot [2] | 48 sq. ft. | 8 ft. | 10 ft. |
| Entrance and Exit Signs | 2 per driveway | 3 sq. ft. | 3.5 ft. | 5 ft. |

[1] Measured from right of way
 [2] Except as permitted in [Section 13.07\(C\)\(1\)\(f\)](#) for lots that exceed 300 feet of street frontage on any one street.

f) Additional Ground Mounted Monument Signs³

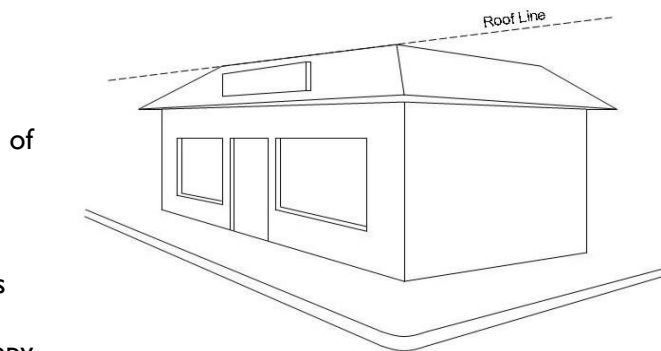
- (i) One additional ground mounted monument sign shall be permitted for frontage exceeding 300 feet. On corner lots each street frontage shall be calculated separately.
- (ii) Multiple signs on the same street frontage shall be separated by a minimum of 200 feet measured along the right of way line.
- (iii) In no case shall more than 3 ground mounted monument signs be permitted on a single property.

(2) Wall, Projecting, Canopy, or Awning Signs

- a) Signs shall display the address of the property of where it is located if not included as part of another permitted sign on the premise. If letters are 3 inches or less it will not be calculated as part of the sign area.³

³ Effective 10/28/13

- b) Wall signs (integral or attached to a building), projecting, canopy, or awning signs are permitted in accordance with the following:
- c) One projecting sign is permitted only where there exists 12' or less distance from building face to right of way or property line.³
- d) Projecting signs shall have 8 foot minimum height to bottom of sign and 12 foot maximum height to top of sign.³
- e) Projecting signs may extend 4 feet maximum from face of building and/or 3 feet horizontal distance from edge of sign to right of way line.³
- f) No projecting sign shall be located closer than 30 feet to another projecting sign.³
- g) No signs shall not block any doorways, windows or other means of ingress or egress.³
- h) The maximum area of any combination of wall, projecting, canopy, or awning signs on a single structure or tenant space shall not exceed one square foot per lineal foot of building or tenant frontage with a total not to exceed 150 square feet of sign area.³
- i) The above ratio applies to the primary frontage of a building. If a building has a secondary frontage as defined in Section 13.03(B) the allowance shall be 60% of the sign area allowed for the primary frontage.³
- j) Awning signs may extend over a pedestrian way and shall have a minimum clearance of eight (8) feet from the ground to the bottom of the awning and must maintain a minimum of 5 feet horizontal distance from the street right of way line.³
- k) **Changeable Copy**
 - (i) Wall, projecting or canopy-signs may include changeable copy provided that it does not comprise more than 25 percent of the total sign area.³



- of
- l) No signs feet canopy
- m) No sign shall project above the roof line. See Figure 13.07-1.

(ii) The changeable copy may be an electronic message center, but in no case shall the copy consist moving animation or change more than one time per 10-seconds. sign, except for projecting shall extend more than two beyond any building façade, façade, or wall.

Figure 13.07-2; Illustration of roof line.

(3) Multi-Tenant Identification Signs³

- a) Multi-tenant identification signs are permitted in all commercial and industrial districts.
- b) In addition to the sign allowance listed in [Table 13.07-AB](#), 18 square feet is allowed for the development or business complex name, if desired.
- c) All signs shall be set back a minimum of 35 feet from any adjacent lot line in a residential district or 15 feet from a non-residential lot line. Where multiple signs are permitted due to the street frontage, such signs shall be separated by a minimum of 500 feet measured along the right of way line.
- d) When a multi-tenant identification sign is permitted on a site it is the property owner's responsibility to determine if the sign area shall be devoted to identification of the building(s), the anchor occupant, all occupants, or some combination thereof.
- e) Such signs shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area. See [Figure 13.07-1](#).
- f) Signs shall display the address or address range of the tenant spaces. If typeface is 3 inches or less it will not be calculated in total sign area.
- g) Changeable copy is not permitted on a multi-tenant sign.

TABLE 13.07-B: MULTI TENANT IDENTIFICATION SIGNS³

| GROSS LEASABLE AREA | MAXIMUM NUMBER | MAXIMUM AREA | MAXIMUM HEIGHT | MINIMUM SETBACK FROM RIGHT-OF-WAY |
|-----------------------------------|----------------|---|----------------|-----------------------------------|
| Up to 25,000 sq. ft. | 1 per lot [2] | 50 sq. ft. or 10 sq. ft. per tenant space | 8 feet | 10 feet |
| 25,001 sq. ft. to 75, 000 sq. ft. | 1 per lot [2] | 100 sq. ft. or 10 sq. ft. per tenant space | 15 feet | 20 feet |
| Greater than 75,001 sq. ft. | 1 per lot [2] | 150 sq. ft. or 10 sq. ft. per tenant space. | 15 feet | 20 feet |
| Entrance and Exit Signs | 2 per driveway | 3 sq. ft. | 3.5 ft. | 5 feet |

[2] Except as permitted in [Section 13.07\(C\)\(1\)\(1\)e](#) for lots that exceed 500 feet of frontage on any one street.

³ Effective 10/28/13

h) Additional Multi-Tenant Signs³

- (i) One additional multi-tenant sign shall be permitted for frontage exceeding 500 feet. On corner lots each street frontage shall be calculated separately
- (ii) Signs on the same lot shall be separated by a minimum of 300 feet measured along the right of way line.
- (iii) In no case shall more than 3 ground multi-tenant signs be permitted on a single property.

(4) Freestanding Pole Signs³

- a) Permitted within 660 feet of the I-77 ramp right-of-way.
- b) Only one freestanding pole sign shall be allowed per lot.
- c) Maximum sign area shall be 100 square feet.
- d) Maximum height shall be 75 feet.
- e) Illuminated signs shall only use internal lighting sources.

(5) Menu Boards, Sandwich Boards, or A-Frame Signs

Menu boards, sandwich board, or similar A-frame signs may be permitted, without a zoning certificate, under the following provisions:

- a) A maximum of one sign shall be permitted for each business or establishment.
- b) The maximum sign areas shall be six square feet with a maximum height of four feet.
- c) The sign shall only be permitted on the sidewalk adjacent to the business during business hours and only when a minimum sidewalk clearance width of four feet can be maintained for pedestrian safety.
- d) The sign shall not be illuminated.

(D) ON-PREMISE SIGNS PERMITTED IN PLANNED DEVELOPMENT DISTRICTS

- (1) Signs that have been approved as part of a planned development district may vary from the requirements stated within this article.
- (2) Variations permitted through the planned development district review process may include, but are not limited to, total number of signs permitted, sign size, sign setback, sign height, material composition of sign and percentage of sign area devoted to changeable copy or electronic copy.
- (3) Ground-mounted signs shall be limited to monument style signs in all planned development districts.

(E) OFF-PREMISE OUTDOOR ADVERTISING SIGNS (BILLBOARDS)

- (1) Outdoor advertising signs are hereby classified as a business use and, in compliance with Section 519.20 of the ORC, are permitted in all nonresidential districts, in the MUPD or PIPD district, and on lots that are used for agricultural purposes.
- (2) Only one outdoor advertising sign, with a maximum of two sign faces, may be permitted on a single lot.
- (3) An outdoor advertising sign shall be considered a principal use of a lot.
- (4) Each lot shall comply with the minimum lot size requirement in the applicable zoning district.

³ Effective 10/28/13

- (5) Outdoor advertising signs shall be freestanding signs and shall not be located on or attached to a building or other structure not intended or utilized for the sole purpose of supporting said sign.
 - a) The maximum sign area and sign height for outdoor advertising signs are established in Table 13.07-A.³

| TABLE 13.07-A: PERMITTED OUTDOOR ADVERTISING SIGNS | | |
|---|------------------------------|-----------------------|
| DISTRICT | MAXIMUM AREA | MAXIMUM HEIGHT |
| When located on a lot with an agricultural use in a residential district | 48 square feet | 10 feet |
| When located in the C-I district or MUPD district | 150 square feet | 20 feet |
| When located in any other nonresidential district or in the PIPD district | 150 square feet ³ | 30 feet |

- (6) All outdoor advertising signs shall comply with the setback requirements of the applicable zoning district.
- (7) Outdoor advertising signs shall be set back a minimum of 1,000 feet from any other outdoor advertising sign.
- (8) Outdoor advertising signs located along any federal or state route shall comply with all applicable federal and state regulations including Sections 5516.06 and 5516.061 of the ORC.
- (9) An outdoor advertising sign shall be erected in a landscaped setting that has a minimum size equal to or exceeding the sign face area. See Figure 13.07-1.³
- (10) The illumination of outdoor advertising signs shall comply with the following:
 - a) Outdoor advertising signs located within residential districts or within 1,000 feet of a residential district shall not be illuminated.
 - b) Outdoor advertising signs located in a nonresidential district may be externally illuminated through fixtures located external to the sign face and no internal light sources or light producing elements in the sign face or message media shall be permitted.
 - c) Such illumination shall be concentrated upon the area of the sign face so as to prevent glare upon the roadway or adjacent properties.

Section 13.08 Temporary Signs

(A) GENERAL DEFINITIONS RELATED TO TEMPORARY SIGNS

- (1) Temporary signs shall be as defined in this resolution and may include, but are not limited to political signs, real estate signs, and special event signs.
- (2) Temporary signs with a commercial message include, but are not limited to, real estate signs, signs that reference the sale of items or other business related activities, or that include text classified as a commercial message.
- (3) Temporary signs that do not contain a commercial message include, but are not limited to, political signs and any other sign with text that is not classified as a commercial message.

³ Effective 10/28/13

(B) STANDARDS THAT APPLY TO ALL TEMPORARY SIGNS

- (1) No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured by any permanent means to any building, permanent sign, other structure, or improvement, or to the ground upon which it is erected.
- (2) No temporary sign shall be mounted, attached, affixed, installed, or otherwise secured so as to protrude above the roof of a structure.
- (3) No temporary sign shall be illuminated by anything other than non-reflected daylight, except by variance issued by the BZA.
- (4) Portable, temporary signs are permitted provided they are secured to prevent damage to other structures or property and are not located on a wheeled or other transport chassis.⁴
- (5) No temporary sign shall be located in a right-of-way or within a visibility triangle. See [Section 5.05\(B\)\(2\):Height Limit at Street Corners \(Traffic Safety Visibility Triangle\)](#).⁴

(C) TEMPORARY SIGNS FOR DEVELOPMENT/CONSTRUCTION

- (1) One temporary, on premise sign may be posted on the site where a development project or subdivision is under construction.
- (2) A zoning certificate shall be required for the sign.
- (3) The sign may be posted 60 days prior to, and throughout the duration of construction.
- (4) Such signs shall not exceed 64 square feet in area per side (two sides maximum).
- (5) The maximum height of the signs shall be eight feet.
- (6) The sign shall be set back a minimum of 25 feet from the right-of-way line.
- (7) The applicant must submit a request to renew the applicable zoning certificate every six months.

(D) TEMPORARY SIGNS FOR SPECIAL EVENTS

- (1) One temporary, on premise sign may be allowed to announce special on-site events and may be erected 30 days prior to the event and must be removed within one week after the event with the occurrence of no more than twice a year or as approved by the Zoning Administrator.⁴
- (2) A zoning certificate shall be required for the sign.
- (3) Such signs shall not exceed 36 square feet in area per side (two sides maximum).
- (4) The maximum height of the signs shall be eight feet.
- (5) The sign shall be set back a minimum of 25 feet from the right-of-way line.

(E) TEMPORARY SIGNS ON PROPERTIES FOR LEASE OR SALE**(1) Temporary Signs on Properties for Lease or Sale in Residential Districts**

Up to two temporary signs that contain a commercial message may be permitted on an individual lot (without a zoning certificate). Such signs shall be limited to six square feet or less in sign area and five feet in height.

⁴ Effective 11/4/13

(2) Temporary Signs on Properties for Lease or Sale in Nonresidential Districts

- a) Up to two temporary signs that contain a commercial message may be permitted on an individual lot (without a zoning certificate). Such signs shall be limited to six square feet or less in sign area and five feet in height.
- b) In addition to the above two temporary signs, a larger temporary sign is allowed in a nonresidential district provided it complies with the following requirements:
 - (i) The owner of the property where the sign will be located shall apply for and receive a zoning certificate for the sign;
 - (ii) There shall be a limit of one sign per lot and such sign shall not exceed 24 square feet per side with a maximum of two sides;
 - (iii) A zoning certificate shall be required for the sign.
 - (iv) The maximum height shall be eight feet; and
 - (v) The applicant must submit a request to renew the applicable zoning certificate every six months.

Section 13.09 Enforcement and Maintenance**(A) REMOVAL OF SIGNS BY THE ZONING ADMINISTRATOR**

- (1) The Zoning Administrator shall have the authority to have any temporary or permanent sign removed that constitutes a public nuisance in that it endangers the public health or safety. This may include situations such as a sign which has been abandoned or is illegal as defined in this resolution, dangerous, materially, electrically, or structurally defective as may be identified by the building inspector. The Zoning Administrator shall keep the sign at the township offices until such time the sign may be lawfully disposed of or returned pursuant to [Section 13.09\(A\)\(6\)](#) below.
- (2) The Zoning Administrator shall also have the authority to have any sign (except a valid nonconforming sign) removed that does not have a zoning certificate or a sign that is not in compliance with the zoning certificate issued.
- (3) Before removing any such sign, the Zoning Administrator shall first make all reasonable efforts to prepare and serve upon the property owner or occupant a notice which describes the sign and specifies the violation involved. This notice shall require that a permanent sign be removed or the violation corrected within the next ten days or that a temporary sign shall be removed or the violation corrected within the next 24 hours. If no emergency exists and the notice is not complied with, the Zoning Administrator will institute legal proceedings for removal of the sign and for a possible violation of the zoning resolution pursuant to the Ohio Revised Code.
- (4) All notices issued by a Zoning Administrator may be served by certified mail or delivery to the property owner, current occupant, or to a person temporarily or permanently in charge of the establishment or the sign owner in case of temporary signs. Any time periods provided in this section shall be deemed to commence on the date of the service of the notice.
- (5) The property owner and current occupant shall be jointly and severally obligated to reimburse the township immediately for all third party and administrative expenses incurred in removing any sign including, but not limited to, costs to township of time of township employees. If the violations are corrected and removal obligations paid, the property owner, the occupant or the sign owner of temporary sign may reclaim the sign from the township.

- (6) The sign shall become the property of Springfield Township after thirty 30 days if removal costs are not paid or if violations are not corrected. Thereafter, the sign shall be disposed of in any manner deemed appropriate by the Township Trustees. This possible result shall also be explained by the served notice.

(B) REMOVAL OF UNLAWFUL SIGN IN THE PUBLIC RIGHTS-OF-WAY

Signs, other than those installed by the township, county, city, state, or federal government, are specifically prohibited in the public right-of-way. The township shall immediately remove or cause to be removed from the public right-of-way any sign other than governmental as referenced above. Just as a private property owner may remove any sign placed on his or her private property, so may the township if the sign is in violation of this article. Such removal authority must be exercised in a nondiscriminatory manner.

(C) MAINTENANCE OF SIGNS

- (1) All signs as herein permitted shall be constructed and maintained and illuminated in a safe manner, comply with applicable codes and kept in good repair.
- a) Signs shall be free from rust, dust, dirt, and other such debris
 - b) Exposed surfaces shall be clean and painted if paint is required.
 - c) Defective parts shall be replaced.
 - d) The Zoning Administrator shall have the right to order the repair or removal of any sign that is defective, damaged, or substantially deteriorated. Such sign shall be repaired or removed by the owner, agent, or person having the beneficial use of the sign within 30 days after notification to the owner from the Zoning Administrator.
- (2) Signs shall not be constructed, maintained, and/or illuminated in such a manner as to create or allow the obstruction of vision or drivers, pedestrians, or the general public, or create a fire or safety hazard. Signs shall be subject to the vision clearance regulations of [Section 5.05\(B\)\(2\):Height Limit at Street Corners \(Traffic Safety Visibility Triangle\)](#).

Section 13.10 Nonconforming Sign Regulations

- (A) Any sign lawfully existing on the effective date of an amendment to this article that does not conform to all the standards and regulations of the current resolution shall be deemed to be legally nonconforming.
- (B) A nonconforming sign shall not be replaced by another nonconforming sign except that the substitution or interchange of poster panels, painted boards, or demountable material on nonconforming signs shall be permitted with the issuance of a zoning certificate. This shall allow for the reimaging of a sign when there is a change in ownership or use provided that the nonconformity is not expanded. However, in no case shall the support structure of the sign be altered.
- (C) Minor repairs and maintenance of nonconforming signs such as repainting, electrical repairs, and neon tubing repair shall be permitted. However, no structural repairs or changes in the size or shape of the sign shall be permitted except to make the sign comply with the requirements of this article.
- (D) DAMAGE OF A NONCONFORMING SIGN**
- (1) If a nonconforming sign is damaged and/or destroyed, the owner may replace the sign with one that conforms to the regulations contained in this resolution. Such work shall require the owner to submit an application for, and receive an approved, zoning certificate.

- (2) If the owner voluntarily removes the sign or reduces the sign height or sign area, that owner shall not be permitted to rebuild the sign to the original height, size, shape, or on the same structure and shall be required to bring the sign into compliance with these regulations to the maximum extent feasible.

(E) TERMINATION OF A NONCONFORMING SIGN

A legal nonconforming sign shall immediately lose its legal nonconforming status, and therefore shall be brought into conformance with this article or removed, when any one of the following occur:

- (1) The size or shape of the sign or the sign structure is voluntarily changed by the owner;
- (2) The use to which the nonconforming sign is accessory is vacant for two years.

Section 13.11 Illegal Signs

- (A) Any sign which is contrary to the requirements of this resolution and which does not satisfy the nonconforming specifications stated in this resolution shall be deemed an illegal sign.
- (B) Signs that were illegally erected, established, or maintained with respect to the applicable requirements of prior resolutions shall be removed or brought into compliance with this sign resolution per the requirements and procedures of [Article 15: Enforcement and Penalties](#).

Article 14: Nonconformities

Section 14.01 Purpose

Within the districts established by this resolution, some lots, uses of lands or structures, or combinations thereof may exist which were lawful prior to the effective date or amendment of this resolution, but that are prohibited, regulated, or restricted under the terms of this resolution. The legitimate interest of those who lawfully established these nonconformities are herein recognized by providing for the continuance of such uses, subject to regulations limiting their completion, restoration, reconstruction, extension, and/or substitution. Nevertheless, while it is the intent of this resolution that such nonconformities be allowed to continue until removed, they should not be encouraged to survive, unless otherwise allowed in this article or specifically addressed in this resolution.

Section 14.02 General Provisions

- (A) The lawful use of any use, building, structure, or of any land or premises as existing and lawful at the time of enactment of this resolution may be continued although such use, building, structure, or of any land does not conform to the provisions of this resolution.
- (B) Passage of this resolution in no way legalizes any illegal uses existing at the time of its adoption.
- (C) An applicant for any development review procedure that deals with a nonconformity shall bear the burden of proof in demonstrating that the use was a legal nonconformity on the effective date of this resolution.

Section 14.03 Determination of Nonconformity Status

- (A) At the time of application for a zoning certificate or request for variance regarding a nonconforming lot, building, structure or use, the property owner shall submit sufficient evidence for the Zoning Administrator or BZA, as applicable, to determine that such lot, building, structure, or use was lawfully created or established in accordance with the zoning regulations in existence at that time.
- (B) If the evidence submitted indicates the lot, building, structure or use was legally established and has since become nonconforming because of the establishment of or amendment to this resolution, the Zoning Administrator shall issue a zoning certificate identifying it as a legal nonconformity. A copy of such certificate shall be kept on file in the township zoning office.

Section 14.04 Nonconforming Uses and Variances

- (A) Whenever a nonconforming use has been changed to a conforming use, such use shall no longer be defined as a nonconforming use nor shall the property be returned to the former nonconforming use.
- (B) The granting of a variance for a use that otherwise complies with this resolution, shall not create a nonconforming use when the variance is granted.
- (C) When a property owner or authorized agent is granted a variance for a nonconformity that addresses the nonconformity, the use shall no longer be considered nonconforming.
- (D) If a property owner or authorized agent is granted a variance for a nonconformity that addresses some nonconformities but additional nonconformities continue, the use shall still be subject to the provisions of this resolution.

Section 14.05 Nonconforming Uses

Where, at the time of adoption of this resolution, lawful uses of land or structures exist that would not be permitted by the regulations of this resolution, the uses may be continued so long as they remain otherwise lawful and provided:

- (A) No such nonconforming uses shall be enlarged or increased, nor extended to occupy a greater area of land that was occupied at the effective date of adoption or amendment of this zoning resolution unless it complies with the provision of [Section 14.05\(E\): Expansion of a Nonconforming Use](#).
- (B) No such nonconforming use 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 if this zoning resolution.
- (C) No additional structures shall be constructed on a lot with a nonconforming use unless such new structure complies with the requirements of this resolution and the applicable zoning district.
- (D) **CHANGE OR SUBSTITUTION OF NONCONFORMING USE**
A nonconforming use of a building, structure, or land shall not be changed or substituted to another nonconforming use unless the BZA, as part of a variance, finds that the use proposed is equally appropriate or more appropriate to the district than the existing nonconforming use, and that the use proposed is in less conflict with the character of uses permitted in the applicable zoning district than the existing nonconforming use. In permitting such change, the BZA may require appropriate conditions and safeguards in accordance with other provisions of this resolution.
- (1) Whenever a nonconforming use is changed to a less intensive use, such use shall not thereafter be changed to a more intensive nonconforming use.
- (2) Substitution to an auto repair use shall not be permitted in residential districts.
- (E) **EXPANSION OF A NONCONFORMING USE**
- (1) Notwithstanding the foregoing provisions to the contrary, the usable area of a nonconforming residential use may be increased or improved, regardless of the applicable zoning district.
- (2) Notwithstanding the foregoing provisions to the contrary, the usable area of a nonconforming, nonresidential use may be increased or improved, regardless of the applicable zoning district, where the owner of such use can demonstrate through application to the BZA that the manner in which the useable area of the nonconforming use will be increased or improved will have minimal adverse impact upon adjacent properties and other permitted land uses in the surrounding neighborhood or can be made compatible with the adjacent properties and the uses in the surrounding neighborhood upon compliance with specified conditions.
- (3) Variances to expand a nonconforming uses into a required setback or to otherwise vary a regulation that applies to the subject site shall be prohibited.
- (4) The BZA shall review a request to expand a nonconforming use pursuant to the variance procedure in [Section 3.07: Variance or Conditional Use](#) and shall be subject to the review criteria of this section.
- (F) **EXISTING USE RECLASSIFIED AS A CONDITIONAL USE**
In the event an existing use that was permitted by right at the time the use was established is thereafter reclassified as a conditional use for applicable district due to a zoning text amendment, such use shall be considered to be an approved conditional use without any further action. However, any subsequent change to such use shall require review and approval by the BZA in accordance with this article.

(G) TERMINATION OF NONCONFORMING USES**(1) Termination of Use through Discontinuance**

When any nonconforming use is discontinued or abandoned for more than two years, any new use shall not thereafter be used except in conformity with the regulations of the district in which it is located, and the nonconforming use may not thereafter be resumed. The intent to continue a nonconforming use shall not be evidence of its continuance.

(2) Termination of Use by Damage or Destruction

- a) If a nonconforming residential use in a nonresidential district is damaged or destroyed to any extent, such structure and use may be reestablished on the same lot. Such reestablishment of the use shall require the issuance of a zoning certificate.
- b) If a nonconforming, nonresidential use in a residential district is damaged, but not to an extent greater than 60% of the principal structure's value, such structure and use may be reestablished on the same lot to the same size and intensity of use as was previously existing immediately prior to the damage or destruction. Such reestablishment of the use shall require the issuance of a zoning certificate.
- c) If a nonconforming, nonresidential use in a residential district is damaged beyond 60% of the principal structure's value, such structure and use may only be reestablished with approval by the BZA after consideration of surrounding uses and the impact of the nonconforming use.

Section 14.06 Nonconforming Structures and Sites

A nonconforming building or structure may continue to be used or occupied by a use permitted in an applicable zoning district so long as it remains otherwise lawful and does not constitute a public nuisance, subject to the following provisions:

- (A) Any nonconforming structure or site may be enlarged, maintained, repaired, or altered provided, however, no such enlargement, maintenance, repair or alteration shall either create an additional nonconformity or increase the degree of the existing nonconformity of all or any part of such structure or site, unless otherwise specified in this resolution.
- (B) A nonconforming structure shall not be relocated in whole or in part to any other location on the same or any other lot unless the entire structure shall thereafter conform to the regulations of the applicable zoning district after being relocated.
- (C) The principal use of a nonconforming building may be changed to any other use permitted in the applicable zoning district as long as the new use complies with all regulations of this resolution specified for such use, except the regulations to which the building did not conform prior to the change in use.
- (D) The governmental acquisition of a portion of a lot for a public purpose that results in reduction in a required yard or building setback below that required in the applicable zoning district shall not render a structure nonconforming.
- (E) **Damage or Destruction of a Nonconforming Structure Containing a Conforming Use**
 - (1) If a nonconforming structure is damaged and/or completely destroyed, the owner may rebuild the structure to the same height, and setbacks as the original nonconforming structure as it existed prior to the damage or destruction. Such work shall require the owner to submit an application for, and receive an approved, zoning certificate.
 - (2) If an owner rebuilds a legally nonconforming structure, they may expand the structure provided, as stated in [Section 14.06\(A\)](#), any expansion or change does not increase the nonconformity that existed prior to the damage.

- (3) If the owner voluntarily removes the structure or reduces the nonconformity, that owner shall not be permitted to rebuild the structure to the original height, size, or setback and shall be required to bring the structure into compliance with these regulations to the maximum extent feasible.

Section 14.07 Nonconforming Lots of Record

A nonconforming lot of record may be used in accordance with this section.

(A) NONCONFORMING LOTS OF RECORD IN RESIDENTIAL DISTRICTS

- (1) If an existing lot of record in residential district is occupied by a dwelling, such dwelling shall be maintained and may be repaired, modernized or altered, provided that:
- a) The building shall not be enlarged in floor area unless the enlarged section(s) complies with all regulations of this resolution, with the exception of the lot area and the lot width regulations.
 - b) The number of dwelling units shall not be increased unless in conformance with this resolution.
 - c) Dwelling units may be expanded without requiring any additional garage space or parking space provided the addition does not occupy space that could be used for parking or a garage in compliance with these regulations.
 - d) The Zoning Administrator may authorize detached garages to be located not less than five feet from side and rear lot lines when the Zoning Administrator determines that compliance with the setback requirements is not possible.
- (2) In any residential district, a single-family dwelling and its customary accessory uses may be erected on a vacant single lot of record after the effective of this resolution provided the buildings comply with the following:
- a) The width of the side yard of any such lot need not exceed 10 percent of the width of the lot, provided, however, that there shall be a minimum side yard setback of five feet.
 - b) The rear yard setback of any such lot need not exceed 20 percent of the depth of the lot, provided, however, that the minimum rear yard setback shall be 10 feet.
 - c) Notwithstanding the above provision, any construction proposed on an existing lot of record that is a panhandle lot which results in a proposed dwelling unit being constructed behind an existing dwelling shall be reviewed by the BZA. The BZA shall review the placement of the building on the lot and may require screening to protect the privacy of the existing dwelling unit.

(B) NONCONFORMING LOTS OF RECORD IN NONRESIDENTIAL DISTRICTS

In any nonresidential district, a use that is permitted in the applicable district, and its customary accessory uses, may be erected on a vacant single vacant lot of record provided the buildings comply with the following:

- (1) The width of the side yard of any such lot need not exceed 10 percent of the width of the lot, provided, however, that there shall be a minimum side yard setback of five feet.
- (2) The rear yard setback of any such lot need not exceed 20 percent of the depth of the lot, provided, however, that the minimum rear yard setback shall be 10 feet.
- (3) In no case shall a nonresidential use on a nonconforming lot of record be exempt from the provisions of [Article 12: Landscaping and Buffering](#).

Section 14.08 Nonconforming Signs

See [Section 13.10: Nonconforming Sign Regulations](#) for the regulation of nonconforming signs.

Section 14.09 Repair and Maintenance

- (A) 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 footprint and height of the structure as it existed, when it became nonconforming, shall not be increased unless in accordance with this article.
- (B) Nothing in this section shall be deemed to prevent the strengthening or restoring to safe condition of any building, or part thereof, declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a building permit for such activities shall be required.

Article 15: Enforcement and Penalties

Section 15.01 Enforcing Officer

The Zoning Administrator is hereby designated as the enforcing officer of this resolution. The enforcing officer is hereby authorized to enforce, issue orders to prevent and stop violations, and administer the provisions of this resolution. The Zoning Administrator may be assisted by other personnel as the Township Trustees may authorize.

Section 15.02 Remedies

If any building or land is used, altered, constructed, enlarged or any such action proposed in violation of the provisions of this resolution or any amendment or supplement thereto, the township attorney, the enforcing officer, any person or any property owner damaged by or subject to damage by such violation in addition to remedies provided by law is hereby empowered or authorized to institute appropriate action or proceedings to prevent such unlawful location, erection, construction, reconstruction, alterations, enlargement, change maintenance or use.

Section 15.03 Other Action

Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation.

Section 15.04 Penalties

Any person, firm or corporation violating any regulation, provision, amendment or supplement to this resolution, or failing to obey any lawful order of the Zoning Administrator issued pursuant thereto, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be fined not more than \$500.00 or the maximum amount allowed by the Ohio Revised Code. Each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues may be deemed a separate offense.

Section 15.05 Affected Parties

The owner or tenant of any building, structure, premises, or part thereof, and any architect, engineer, surveyor, builder, contractor, agent, or other person who commits, participates in, assists in, or maintains a violation may be found guilty of a separate offense and suffer the penalties herein provided.

Section 15.06 Other Actions

Nothing herein contained shall prevent the township from taking such other lawful action as is necessary to prevent or remedy any violation including issuing a misdemeanor citation for a continuing zoning resolution violation.

Article 16: Definitions

Section 16.01 Purpose

It is the purpose of this article to define words, terms, and phrases contained in this resolution.

Section 16.02 General Rules for Interpretation

The following rules shall apply for construing or interpreting the terms and provisions of this resolution.

(A) MEANINGS AND INTENT

All provisions, terms, phrases, and expressions contained in this resolution shall be interpreted in accordance with the general purposes set forth in [Section 1.01: Purpose](#), and the specific purpose statements set forth throughout this resolution. When a specific section of this resolution gives a different meaning than the general definition provided in this article, the specific section's meaning and application of the term shall control.

(B) HEADINGS, ILLUSTRATIONS, AND TEXT

In the event of a conflict or inconsistency between the text of this resolution and any heading, caption, figure, illustration, table, or map, the text shall control. Graphics and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

(C) LISTS AND EXAMPLES

Unless otherwise specifically indicated, lists of items or examples that use terms like "for example," "including," and "such as," or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

(D) REFERENCES TO OTHER REGULATIONS OR PUBLICATIONS

Whenever reference is made to a resolution, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, statute, regulation, or document, unless otherwise specifically stated.

(E) DELEGATION OF AUTHORITY

Any act authorized by this resolution to be carried out by a specific official of the township may be carried out by a designee of such official.

(F) TECHNICAL AND NON-TECHNICAL TERMS

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

(G) PUBLIC OFFICIALS AND AGENCIES

All public officials, bodies, and agencies to which references are made are those of Springfield Township, Summit County, Ohio, unless otherwise indicated.

(H) MANDATORY AND DISCRETIONARY TERMS

The words "shall," "must," and "will" are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words "may" and "should" are permissive in nature.

(I) CONJUNCTIONS

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

- (1) “And” indicates that all connected items, conditions, provisions or events apply; and
- (2) “Or” indicates that one or more of the connected items, conditions, provisions, or events apply.

(J) TENSES AND PLURALS

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

(K) TERMS NOT DEFINED

If a term used in this resolution is not defined in this article, the Zoning Administrator shall have the authority to provide a definition based upon the definitions used in accepted sources, including but not limited to A Planners Dictionary, A Glossary of Zoning, Development, and Planning Terms, and A Survey of Zoning Definitions, published by the American Planning Association.

Section 16.03 Definitions

ABUTTING OR ADJACENT

The land, lot, or property adjoining the property in question along a lot line or separated only by an alley, easement, or street.

ACCESSORY BUILDING, STRUCTURE, OR USE

See definitions under “building, accessory” “structure, accessory” or “use, accessory.”

ACCESSORY RETAIL SALES

Retail sales of products manufactured or assembled on the same site where the sale of products is accessory to the principal manufacturing or assembly use.

ACTIVE PARKS AND RECREATION

Any park or recreational facility that requires grading of the land, construction of facilities, lighting, or is developed for ball fields, tennis courts, swimming pools, skate parks, disc golf, and other similar outdoor facilities with the exception of bike and hike trails and golf courses.

ADULT ARCADE

Any place to which the public is permitted or invited in which coin-operated, slug-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and in which the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE, ADULT NOVELTY STORE, OR ADULT VIDEO STORE

A commercial establishment that, for any form of consideration, has as a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental of any of the following:

- Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations, that are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas; and/or
- Instruments, devices, or paraphernalia that are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of self or others.

Adult bookstore, adult novelty store, or adult video store includes a commercial establishment as defined in Section 2907.38 of the Ohio Revised Code. An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials exhibiting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store, or adult video store. The existence of other principal business purposes does not exempt an establishment from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, such materials that exhibit or describe specified sexual activities or specified anatomical areas.

ADULT CABARET

A nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, that regularly features any of the following:

- Persons who appear in a state of nudity or semi-nudity;
- Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities; or
- Films, motion pictures, video cassettes, slides, or other photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT

The sale, rental, or exhibition, for any form of consideration, of books, films, video cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.

ADULT ENTERTAINMENT ESTABLISHMENT

An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, nude or seminude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code, is not an “adult entertainment establishment”.

ADULT FAMILY HOMES

A residence or facility, as defined and regulated in Chapter 5119.70 of the Ohio Revised Code, which provides accommodations for three to five unrelated adults and provides supervision and personal care services to at least three of the unrelated adults. See also definition of “small residential facilities.”

ADULT MEDIA OR MATERIAL

Any of the following, whether new or used:

- Books, magazines, periodicals or other printed material, or digitally stored materials that are distinguished or characterized by an emphasis on the exposure, depiction or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
- Films, motion pictures, video or audio cassettes, slides, computer displays or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
- Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

ADULT MOTION PICTURE THEATER

A commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.

ADULT THEATER

A theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi-nudity or live performances that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

AGRICULTURAL USES

See "agriculture."

AGRICULTURE

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

ALLEY

Any public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

ALTERATION

Any change, addition, or modification in construction, type of occupancy, increase in floor space, the consummated act of which may be referred to herein as "altered" or "reconstructed."

AMATEUR RADIO TRANSMITTER OR ANTENNA

Any transmitter, antenna, tower, or other apparatus designed for communications through amateur radio, also referred to as ham radio.

ANTENNA (WIRELESS TELECOMMUNICATION FACILITIES)

Any panel, whip, dish, or other apparatus designed for communications through the sending and/or receiving of electromagnetic waves, excluding any support structure other than brackets/platforms.

ANTENNA SUPPORT STRUCTURE

Any building or other structure, other than a tower, which can be used for location of wireless telecommunications facilities and antenna.

APPEAL

An appeal of an administrative decision made by the Zoning Administrator, considered by the BZA, in accordance with [Section 3.08: Appeals](#).

APPLICANT

A person who is authorized by the provisions of this resolution to file an application.

APPLICATION

The completed form or forms and all accompanying documents, exhibits, and fees required of an applicant by the appropriate township department, board, or commission as part of the review for an application.

AUTHORIZED AGENT

A person with express written consent to act upon another person's behalf.

AUTOMATED TELLER MACHINE (ATM)

An automated device that provides bank and financial institutional customers with cash withdrawal and other financial services without the need for a bank teller.

AWNING

A roof like cover that is temporary or permanent in nature, and that projects from the wall of a building for the purpose of shielding an area of a structure and constructed of a rigid supporting framework with a canvas, vinyl or fabric covering.

BANKS AND FINANCIAL INSTITUTIONS

Establishments engaged in deposit banking. Banks or financial institutions may include, but are not limited to, commercial banks, loan or mortgage companies, stockbrokers, savings institutions, credit unions, and other similar uses.

BANNER

Any sign of lightweight fabric or similar material that is mounted to a building or other structure at one or more edges.

BAR, TAVERNS, OR RESTAURANTS

- A bar or tavern is an establishment providing or dispensing, for on-site consumption, any fermented malt beverage, malt beverage, special malt, vinous, or spirituous liquors. The sale of food products including, but not limited to, sandwiches and light snacks may be a secondary use to the service of the aforementioned drinks.
- A restaurant is an establishment with table service whose principal business is the selling of unpackaged food and beverages to the customer in a ready to consume state, in individual servings, or in non-disposable containers, provided that no drive-through window is permitted.

BASEMENT

That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story, except as provided in for in the definition of "story" and "story, half."

BED AND BREAKFAST ESTABLISHMENTS

Any place of lodging that provides four or fewer rooms for rent on a temporary basis, is the owner’s personal residence, is occupied by the owner at the time of rental, and where meals may be served to guests.

BERM

In the context of landscaping, buffer yard, or screening requirements, shall mean a mound of earth typically used to shield, screen, and buffer undesirable views and to separate potentially incompatible uses. See also the definition of “mound.”

BILLBOARD

See definition for “sign, outdoor advertising”

BLOCK

The property abutting one side of a street and lying between the two nearest intersecting streets, (crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate lines of the township.

BOARD OF TRUSTEES

The Springfield Township, Summit County, Ohio, Board of Township Trustees

BOARD OF ZONING APPEALS

The Springfield Township, Summit County, Ohio, Board of Zoning Appeals

BOTTOMLESS (ADULT ENTERTAINMENT ESTABLISHMENTS)

Less than full opaque covering of male or female genitals, pubic area, or buttocks.

BUFFER OR BUFFERYARD

An area of natural or planted vegetation adjoining or surrounding a land use and unoccupied in its entirety by any building structure, paving or portion of such land use, for the purposes of separating, screening, and softening the effects of the land use, no part of which buffer is used for active recreation or parking, or interior access drives. A buffer may include a wall, fence, or berm as provided in accordance with the provisions of [Article 12: Landscaping and Buffering](#).

BUILDING

Any structure, either temporary or permanent, that has a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, or property of any kind.

BUILDING FRONTAGE

See definition of “frontage, building.”

BUILDING HEIGHT

The vertical distance of a building as measured pursuant to [Section 5.05\(A\)\(4\): Height Measurement and Exceptions](#).

BUILDING LINE (FRONT FAÇADE)

A line that runs parallel and adjacent to the primary building façade.

BUILDING SUPPLY OR FARM SALES ESTABLISHMENTS

A building and/or lot used for the wholesale or retail sales of building, contractor, or agricultural related materials.

BUILDING, ACCESSORY

A building on the same lot with, and of a nature customarily incident and subordinate to, that of the principal building.

BUILDING, NONCONFORMING

A building that lawfully occupied a lot at the effective date of this resolution, or amendments thereto, and that does not currently conform to the regulations of the applicable zoning district.

BUILDING, PRINCIPAL

The building containing the main or principal uses on the lot.

BZA

The Board of Zoning Appeals.

CAMPGROUNDS

Temporary or permanent buildings, tents, or other structures established or maintained as a temporary living quarters, operated continuously for a period of five days or more for recreation, religious, education or vacation purposes.

CANOPY

A free standing permanent roof-like shelter not attached to or requiring support from an adjacent structure.

CEMETERIES

A place for interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.

CERTIFICATE OF CONFORMANCE

A certificate of conformance is a certificate that demonstrates approval of a change in occupancy or use of a building or structure and demonstrates that the use is in compliance with this zoning resolution. See [Section 3.05: Certificate of Conformance](#).

CHICKENS, KEEPING OF

The non-commercial raising and caring of female chickens on a residential lot as an accessory use.

CHURCHES AND PLACES OF WORSHIP

A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to facilitate public worship.

CLUB

A building or portion thereof or premises owned or operated by a corporation, association, or group of persons for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit which is customarily carried on as a business.

CO-LOCATE OR CO-LOCATION

The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

COMMERCIAL ENTERTAINMENT OR RECREATION (INDOORS)

Any commercial activity that is related to the entertainment or sports industry, except adult entertainment establishments, that may include, but is not limited to motion picture theaters, indoor pools, bowling alleys, skating rinks, indoor tennis courts, and similar activities.

COMMERCIAL ENTERTAINMENT OR RECREATION (OUTDOORS)

Any outdoor commercial activity that is related to the entertainment or sports industry such as outdoor commercial swimming pools (subject to the community pool provisions), miniature golf, golf courses, driving ranges, skiing facilities, and similar activities. See also the definitions for “active parks and recreation,” “commercial entertainment or recreation (indoors),” and “passive parks, recreation, and open space.”

COMMERCIAL MESSAGE

Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

COMMON AREAS

Parcels of land, together with the improvements thereon, the use and enjoyment of which shall be shared by the owners and occupants of the individual building sites within a development.

COMMON DRIVE

A driveway shared by multiple buildings, tenants or uses.

COMMUNITY GARDEN

A single piece of land that is gardened collectively, as an accessory use, by a group of people that may include individual garden plots designated for individual gardens.

COMPLETED APPLICATION

An application that has been determined to be complete in accordance with [Section 3.03\(B\)\(3\): Complete Application Determination](#).

COMPREHENSIVE PLAN OR COMPREHENSIVE LAND USE PLAN

The most recently adopted version of the Springfield Township Comprehensive Land Use Plan.

CONSERVATION SUBDIVISIONS

The division of a tract of land into two or more lots, building sites, or other divisions along with additional land area set aside as open space for conservation, agricultural, recreational, or other rural purposes in accordance with [Section 5.04\(D\): Conservation Subdivisions and Conservations Subdivisions with Attached Dwellings](#). Such development shall be limited to single-family detached dwellings.

CONSERVATION SUBDIVISIONS WITH ATTACHED DWELLINGS

The division of a tract of land into two or more lots, building sites, or other divisions along with additional land area set aside as open space for conservation, agricultural, recreational, or other rural purposes in accordance with [Section 5.04\(D\): Conservation Subdivisions and Conservations Subdivisions with Attached Dwellings](#). Such development may include attached dwellings.

CONSTRUCTION DUMPSTER

A container used for the temporary storage of rubbish or materials related to the related construction site or project.

CONSTRUCTION TRAILER

A mobile home, trailer, or similar temporary structure that is used as an office or for storage in conjunction with a construction project.

COUNTY

Summit County, Ohio

CUL-DE-SAC

A dead-end street which includes a turnaround space.

CULTURAL INSTITUTIONS

Public or private facilities used for display, performance, or enjoyment of heritage, history, or the arts. This use includes, but is not limited to, museums, libraries, art performance venues, cultural centers, and interpretative sites but does not include movie theaters.

DAY CARE CENTERS (ADULT OR CHILD)

A facility operated for the purpose of providing care, protection, and guidance to individuals during part of a 24-hour day. This term includes nursery schools, preschools, adult day care centers, child day care centers, or other similar uses. Day care center does not include public or private educational facilities or any facility offering care to individuals for a full 24-hour period. See also definition for “Type-B Family Day Care Home.”

DBH

See “diameter-at-breast height.”

DENSITY

The quotient of the total number of dwelling units as divided by total area of the site. Unless otherwise specified in this resolution, density shall mean gross density as defined in “density, gross.”

DENSITY, GROSS

Unless otherwise defined, gross density shall be the total number of dwelling units divided by the gross area of a site (including streets, easements, rights-of-way, open space set-asides, and/or other public dedications established as part of the development.).

DENSITY, NET

The total number of dwelling units divided by the gross area of the site minus any land used for streets, easements, rights-of-way, open space set-asides, and/or other public dedications.

DEVELOPMENT

Any manmade change to improved or unimproved land, including but not limited to the construction of buildings or other structure, mining, dredging, filing, grading, paving, excavation, or drilling.

DIAMETER-AT-BREAST HEIGHT (DBH)

DBH is used to measure the caliper of a tree trunk at the specific height of 4.5 feet above the ground.

DISTINGUISHED OR CHARACTERIZED BY THEIR EMPHASIS UPON (AS RELATED TO “ADULT ENTERTAINMENT ESTABLISHMENTS.”)

The dominant or principal character and theme of the object described by this phrase. For instance, when the phrase refers to films “that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas,” the films so described are those whose dominant or principal character and theme are the exhibition or description of specified sexual activities or specified anatomical areas.

DISTRIBUTION FACILITIES

Facilities in enclosed buildings primarily engaged in the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale to individual or business customers. This shall not include heavy manufacturing, resource extraction, bulk storage of hazardous materials, or scrap or salvage operations.

DISTRICT

See definition of “zoning district.”

DRIVE-THROUGH FACILITIES

An establishment that encourages or permits customers to receive services, or obtain goods while remaining in their motor vehicles.

DRIVEWAY

A private way, other than a street or alley, that provides access to one lot of record for the use of vehicles and pedestrians unless approval has been granted for a shared driveway in which case, the driveway may serve multiple uses.

DROP-OFF BOX

A small collection facility where recyclable materials, clothing, or household goods are purchased or accepted from the public. Typical uses include neighborhood recycling stations and thrift store collection trucks.

DWELLING

A building or portion thereof used exclusively for residential purposes, including single-family, two-family, and multi-family dwellings, but not including hotels, motels, tents, recreational vehicle, cabins, or boarding or lodging houses.

DWELLING UNIT

A single unit of one or more rooms providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation but not including a tent, cabin, hotel, motel recreational vehicle, or other temporary or transient structure or facility. A dwelling unit shall not include a mobile home or recreational vehicle, camping equipment, or a manufactured home except for permanently sited manufactured homes that conform to the requirements for such uses.

DWELLING, ATTACHED

A building or portion thereof designed for or used exclusively for residential purposes by three or more families or housekeeping units. Attached dwelling shall include apartment buildings, condominiums, elderly housing, and buildings where three or more dwellings are attached by common walls or floors within a single structure.

DWELLING, SINGLE-FAMILY

A building designed for or used exclusively for residential purposes by one family or housekeeping unit.

DWELLING, TWO-FAMILY

A building or portion thereof design for or used exclusively for residential purposes by 2 families or housekeeping units.

EASEMENT

Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his or her property.

EDUCATIONAL FACILITIES (PRIMARY AND SECONDARY)

Buildings or structures used to teach students primarily under the age of 19. Educational facilities may include primary schools, elementary schools, middle schools, or high schools. Educational facilities shall not include, colleges, vocational schools, and other similar uses.

EDUCATIONAL FACILITIES, HIGHER

Buildings or structures used to teach students at a level beyond primary schools, elementary schools, middle schools, and high schools. Higher educational facilities shall include, but not be limited to, colleges, vocational schools, universities, training centers and other similar uses.

ELECTRONIC MESSAGE CENTER

A sign whose alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments.

ENGINEER

Any engineer licensed by the State of Ohio.

ENTERTAINMENT DEVICE

Any mechanical, electronic, video, or digital device that is capable of accepting anything of value, directly or indirectly, from or on behalf of the person, for the purpose of playing a game, viewing a video display, hearing an audio transmission, or reading entries or outcomes from any other kind of device. An "entertainment device" does not include any vending machines, juke boxes, audio books, video players, or any other device that gives anything of value where the only value given, directly or indirectly, is a video or audio transmission.

ENTERTAINMENT DEVICE ARCADES

Establishments where four or more entertainment devices are kept for use by the public or by persons other than the owner of the devices, where persons give anything of value to access the use of the entertainment devices or the premises, and the person may be given anything of value by the operator, whether the giving occurs on or off the premises or at the same time or a later time. Entertainment device arcades may include or be referenced to as internet cafes, cybercafes or lounges, internet sweepstakes, video sweepstakes, video gaming arcades, electronic gaming operations, or other similar establishments.

ENTRANCE MONUMENT

A fence, wall, or sign located at the entrance of a subdivision or development that identifies the name of the subdivision or development.

ESSENTIAL SERVICES

The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement by public utilities, county, or other governmental agencies of streets, roads, underground, surface or overhead gas, electrical, steam, fuel or water transmission or distribution systems, collection, supply or disposal systems; including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories and the use of land in connection therewith, for the furnishing of adequate service by such utilities or governmental departments for the public health, safety and general welfare.

EXCAVATION

The process of altering the natural grade/elevation by cutting, filling, or moving the earth, or any activity by which soil or rock is cut, dug, quarried, uncovered, removed, displaced, or relocated.

EXPANSION

An increase in the size of an existing structure or use, including physical size of the land, building, parking, or other improvements or structures.

FAÇADE

The exterior wall of a building parallel to the frontage line or the street that fronts the parcel on which the building is located. Facades may be on the front, side, or rear elevation of the building regardless of whether the building side faces a street.

FARM IMPLEMENT SALES AND RENTAL²

A building and lot used for the display, sale or rental of new or used farm implements that are in operable condition and where repair service may be an incidental accessory use.

FENCE

An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

FINAL DEVELOPMENT PLAN REVIEW⁴

Review conducted by the Zoning Commission of a development plan that indicates among other things all area calculations, riparian, wetland and FEMA floodplain areas, exact location of structures, landscaping, vehicular use areas, open space, lighting, easements and accessory structures.

FLAG

Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

FLOOD

The following terms used in this Resolution are defined as set forth in the regulations governing the National Flood Insurance Program (44 CFR Section 59.1). Wherever there exists a conflict between the following definitions, the federal definitions shall apply.

- Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.
- Floodplain: The land area susceptible to inundation by water as a result of a flood and for the purposes of this Resolution shall mean the 100-year and 500-year floodplain as determined by the Federal Emergency Management Agency.
- Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

FLOODPLAIN

See definition of “flood.”

FLOODWAY

See definition of “flood.”

FLOOR AREA

Unless otherwise stated, floor area is the sum of the gross horizontal areas of all the several floors of a building or buildings, including interior balconies and mezzanines. All horizontal measurements are to be made between the exterior faces of walls including the walls of roofed porches having more than one wall.

² Effective 10/13/13

⁴ Effective 11/4/13

FOOTCANDLE

A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.

FOOTPRINT

The area of a building measured from the exterior surface of the exterior walls at grade level.

FOUNDRY

An industrial establishment that manufactures metal castings.

FRONTAGE, BUILDING

The length of the facade of an enclosed building facing a public or private street. See [Figure 16.03-1](#).

FRONTAGE, STREET

The distance for which the front boundary line of the lot and the street line are coincident. See [Figure 16.03-1](#).

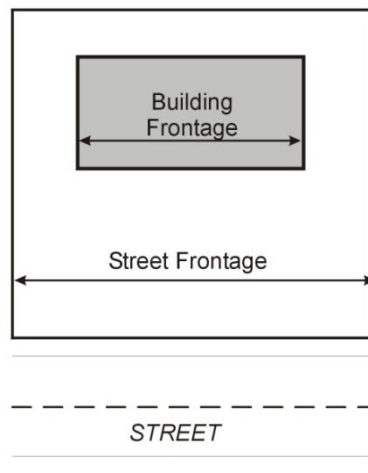


Figure 16.03-1: An illustration of street frontage versus building frontage

FUNERAL HOMES

A building or part thereof used for human funeral services and which may include space for the embalming and other services used in the preparation of the dead for burial, the storage of caskets, funeral urns, and other related supplies, the storage of funeral vehicles, facilities for cremation, chapels, and other related uses.

GARAGE

An accessory building primarily intended for and used for the enclosed storage or shelter of private motor vehicles of the owner or occupant of the principal building.

GAS AND OIL WELLS

A well, bored into the earth that produces natural gases and oils that are captured at the surface for further refining and distribution.

GASOLINE STATIONS

Establishments that sell unleaded and diesel gasoline along with other automotive fuels.

GENERAL OFFICES (ADMINISTRATIVE, PROFESSIONAL, BUSINESS)

Establishments providing executive, management, administrative, or professional services including, but not limited to, real estate, architecture, legal, travel, employment, advertising, design, engineering, accounting, and similar uses.

GLARE

Direct light that causes annoyance, discomfort or loss in visual performance and visibility.

GOLF COURSE

A tract of land laid out with at least nine holes for playing a game of golf with improved tees, greens, fairways, and hazards.

GRADE

The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above ground level shall be measured at the sidewalk, unless otherwise defined herein.

GRASS

A species of perennial grass grown as permanent lawns or for landscape purposes, as distinguished from those species grown for agricultural or commercial seed purposes.

GRAVEL SURFACE PARKING LOTS

An area designated for the parking or temporary storage of vehicles that is surfaced with gravel or other types of crushed stone to create a temporary parking surface.

GROUND COVER

A plant growing less than two feet in height at maturity that is grown for ornamental purposes. Ground covers are used as an alternative to grasses. On slopes, ground covers control erosion while eliminating the maintenance of mowing on hillsides. Ground covers also provide permanent covering of open ground to prevent erosion and/or create visual appeal.

HEDGE

A line of closely spaced shrubs and tree species, planted and trained in such a way as to form a barrier, screen, or to mark the boundary of an area.

HOME OCCUPATION

An occupation or profession for financial gain or profit which is incidental to and carried on entirely within a dwelling unit located on a lot, exclusive of attached garage or patio areas, by resident occupants of the dwelling unit and which occupation is clearly incidental to and accessory to the residential use of the property.

HOSPITALS

A facility providing physical or mental health services, inpatient or over-night accommodations, and medical or surgical care of the sick or injured.

HOTEL AND MOTELS

A building in which lodging, with or without meals, is offered for compensation and in which there are more than five sleeping rooms.

HOUSEKEEPING UNIT

One or more persons occupying a dwelling unit and living as a single group, and doing their own cooking on the premises as distinguished from a group occupying a bed and breakfast establishment, hotel, or motel.

IMPERVIOUS SURFACE

Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to buildings, roofs, parking and driveways, sidewalks, and pavement.

INDOOR FOOD SALES

The sale of food and non-alcoholic beverages as an accessory use to another nonresidential use including restaurants, cafeterias, and food or beverage kiosks, where the sale of food and beverages is clearly incidental to the principal use.

INDUSTRIAL SERVICE USES

Establishments primarily engaged in rendering services to office, business, or industrial establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; management and consulting services; protective services; office equipment rental and leasing; commercial research; development and testing; photo finishing; machine repair, and personal supply services.

INDUSTRIAL USES, HEAVY

Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions. "Heavy industrial uses" shall also mean those uses engaged in the operation, parking, and maintenance of vehicles, cleaning of equipment or work processes involving solvents, recycling establishments, public works yards, and container storage.

INDUSTRIAL USES, LIGHT

The manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, or vibrations is not noticeable from the adjacent properties.

INSTITUTIONAL HOUSING

Housing for the elderly or infirm in which three or more unrelated individuals may live on a short-term or long-term basis and where both food and care are provided for compensation. Institutional housing includes, but is not limited to elderly housing, nursing homes, assisted living facilities, and hospices. Institutional housing shall not include hospitals, medical offices/clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

INSTRUCTIONAL STUDIOS

An establishments that provides educational programs, workshops, or classes in art or health and fitness, including but not limited to, art studios, dance studios, photography studios, health centers, etc.

JUNK

Scrap or abandoned metal, paper, building materials and equipment, bottles, glass, appliances, furniture, rags, rubber, inoperable vehicles, and parts thereof.

KEEPING OF CHICKENS

The non-commercial raising and caring of female chickens on a residential lot as an accessory use.

KENNEL, COMMERCIAL AND ANIMAL DAY CARE

Any lot or premises, on which four or more dogs, cats or other household animals (not owned by the owner or operator of the establishment) are bred, boarded, cared for, or trained for commercial purposes.

LABORATORIES

A building or part thereof in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products except as incidental to the main purpose of the laboratory.

LANDSCAPE MATERIAL

Landscaping consists of:

- Material such as, but not limited to, living trees, shrubs, vines, lawn grass, ground cover, and landscape water features; and
- Non-living durable material commonly used in landscaping including, but not limited to, rocks, pebbles, sand, decorative walls and fences, brick pavers and earthen mounds, but excluding pavements for vehicular use.

LANDSCAPING

The improvement of a lot, parcel, tract of land, or portion thereof, with grass, shrubs, and trees. Landscaping may include pedestrian walks, flower beds, trees, shrubs, and ornamental objects such as fountains, statuary, and other similar natural and artificial objects.

LIGHT TRESPASS

Light emitted by a lighting fixture that falls beyond the boundaries of the property on which the fixture is installed.

LIGHT, CUTOFF

An artificial outdoor light source designed to ensure that no light is directly emitted above a horizontal line parallel to the ground as regulated and illustrated in [Article 8: Outdoor Lighting Standards](#).

LIGHT, NON-CUTOFF

An artificial outdoor light source designed to allow light to be directly emitted above a horizontal line parallel to the ground as regulated and illustrated in [Article 8: Outdoor Lighting Standards](#).

LIVESTOCK³

Farm animals that are kept or raised for use, pleasure or profit such as cattle, horses, sheep, pigs, goats or of similar size or character.

LOADING SPACE

An off-street space on the same lot with a building, or a group of such buildings and accessory buildings, or utilized for the principal use and accessory use.

LOT

A parcel of land that is part of a plat, legally recorded in the Recorder's Office of Summit County, Ohio, occupied or intended to be occupied by a principal use or structure, together with any accessory structures or uses and such access ways, parking area, yards, and open spaces required in this resolution.

LOT AREA

The total area within the lot lines of a lot, excluding any street right-of-way or other legal public dedication.

³ Effective 10/28/13

LOT COVERAGE

That portion of a lot that is covered by the principal and accessory building, structures, and surfaces that prevent the passage or absorption of stormwater including paving and driveways (impervious surfaces).

LOT LINE, FRONT

The front property line, which is coterminous with the street right-of-way. A front lot line is generally parallel to or less than 45 degrees to the rear lot line. The front lot line is generally opposite the rear lot line except as may be identified in Section 5.05(A)(2): Setbacks and Yards. Also see Figure 16.03-2.

LOT LINE, REAR

A lot line opposite a front yard. A rear lot line is generally parallel to or less than 45 degrees to the front street right-of-way line. See Figure 16.03-2 and Section 5.05(A)(2): Setbacks and Yards.

LOT LINE, SIDE

A lot line generally extending perpendicular to the front and rear lot lines. The side lot line extends between the front lot line and the rear lot line. See Figure 16.03-2 and Section 5.05(A)(2): Setbacks and Yards.

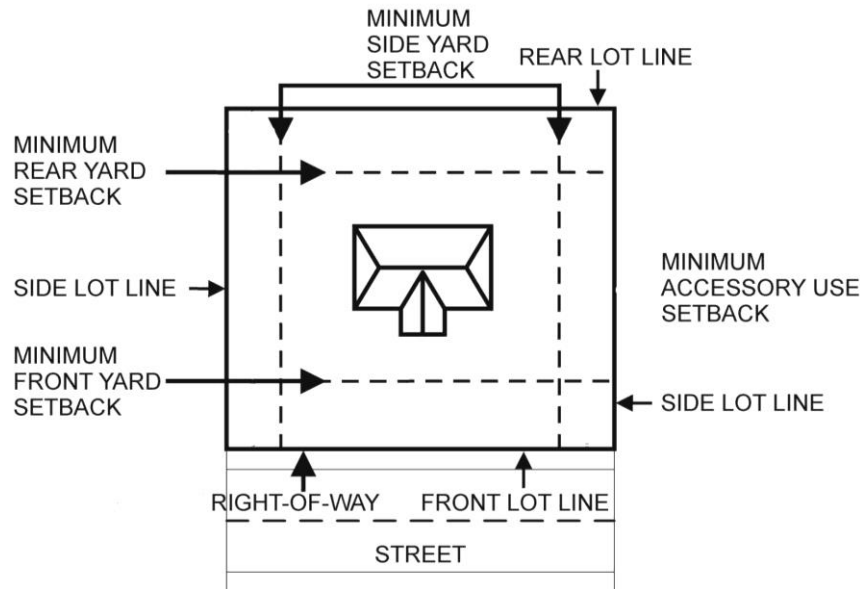


Figure 16.03-2: Image of typical lot lines on an interior lot

LOT LINES

The property lines bounding the lot.

LOT OF RECORD

A parcel of land, the dimensions of which are shown on a document or map filed with the Summit County Recorder of Deeds, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

LOT WIDTH

The horizontal distance between the side lot lines measured at the two points where the building line, or setback line, intersects the side lot lines. When the minimum setback line is not perpendicular to the side lot lines, lot width shall be measured at the midpoint of the minimum setback line. See Figure 16.03-3.

LOT, CORNER

A lot abutting upon two or more streets at their intersection or upon two parts of the same street, and in either case forming an interior angle of less than 135 degrees. See [Figure 16.03-3](#).

LOT, CUL-DE-SAC OR CURVED STREET

A lot with frontage along a curved street or cul-de-sac. See [Figure 5.05-8](#).

LOT, DOUBLE FRONTAGE

A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot. See [Figure 16.03-3](#).

LOT, INTERIOR

A lot that has a single street frontage, a rear lot line, and at least two side lot lines. See [Figure 16.03-3](#).

LOT, NONCONFORMING

A vacant lot that does not meet the minimum lot width, street frontage, and/or lot area requirements of the applicable zoning district.

LOT, PANHANDLE

A lot not fronting or abutting a public street and where access to the public street is limited to a narrow strip of land. See [Figure 16.03-3](#).

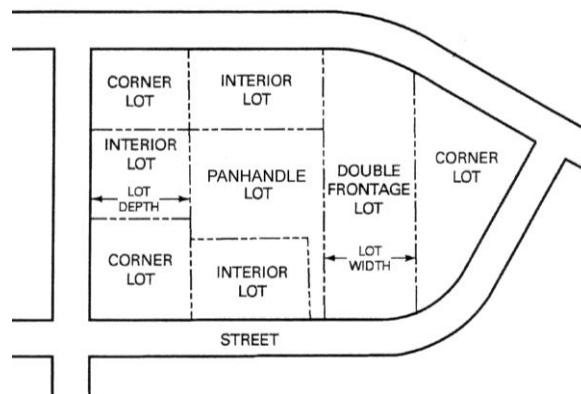


Figure 16.03-3: Illustration of lot configurations and types

MAIN USE

See definition of “Principal Use” under the broader definition of “use.”

MAXIMUM EXTENT FEASIBLE

That no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize the potential harm or adverse impacts have been undertaken. Economic considerations may be taken into consideration.

MEDICAL AND DENTAL OFFICES OR CLINICS

Office or clinic uses concerned with the diagnosis, treatment, and care of human beings related to medicine or dental. This definition does not include hospitals or convalescent homes.

MIXED USE DEVELOPMENT

A lot or building that contains a mixture of uses that are permitted in the applicable zoning district. Attached residential dwellings in accordance with [Section 5.04\(GG\): Mixed Use Development](#).

MONOPOLE

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

MOTOR VEHICLE SALES²

A building and lot used for the display and sale of new motor vehicles where repair service and sales of operable used motor vehicles may be an incidental accessory use.

MOUND

A mound or berm formed as a result of man-made grading and/or excavation.

NAMEPLATE

A sign indicating only the name and/or address of the person, business, or activity occupying the lot or the buildings.

NONCONFORMITY

A use, lot, structure, building, sign, or lighting that does not comply with the provisions of this zoning resolution. See also the definitions for “use, nonconforming,” “lot of record,” “building, nonconforming,” and “structure, nonconforming.”

NUDE OR SEMINUDE MODEL STUDIO

Any place where a person, who regularly appears in a state of nudity or semi-nudity, is provided for money or any other form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. A modeling class or studio is not a nude or seminude model studio and is not subject to this chapter if it is operated in any of the following ways:

- By a college or university supported entirely or partly by taxation;
- By a private college or university that maintains and operates educational programs, the credits for which are transferable to a college or university supported entirely or partly by taxation;
- In a structure that has no sign visible from the exterior of the structure and no other advertising indicating that a person appearing in a state of nudity or semi-nudity is available for viewing, if in order to participate in a class in the structure, a student must enroll at least three days in advance of the class and if not more than one nude or seminude model is on the premises at any one time.

NUDITY, NUDE, OR STATE OF NUDITY

The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft, or cleavage with less than a fully opaque covering; or the showing of the female breasts with less than a fully opaque covering of any part of the nipple.

- Regularly features or regularly shown means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the ongoing business of the adult entertainment establishment.

NURSERIES AND GREENHOUSES

An establishment used for the growing, storage, and sale of legal garden plants, shrubs, trees, or vines for retail or wholesale sales.

OFFICIAL ZONING MAP

The Official Zoning Map of Springfield Township, Summit County, Ohio.

² Effective 10/13/13

ORC

The Ohio Revised Code

ORDINARY HIGH WATER MARK

The point on the bank or shore up to which the presence and action of water is so continuous or frequent as to leave a distinct mark by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic.

OUTDOOR DINING AREAS

Areas on sidewalks (public or private), patios, or other unenclosed areas, excluding vehicular use areas) that are designated for outdoor seating where patrons may be served food and beverage for on-site dining.

OUTDOOR DISPLAY AND SALES

The placement of products or materials for sale outside of a retail or wholesale sales establishment. See [Section 5.04\(S\): Outdoor Display and Sales](#).

OUTDOOR LIGHTING

Any source of light that is installed or mounted outside of an enclosed building or structure, but not including streetlights installed or maintained along public streets by a government agency or public utility. See [Article 8: Outdoor Lighting Standards](#).

OUTDOOR STORAGE

The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours. See [Section 5.04\(T\): Outdoor Storage](#).

OUTDOOR WOOD FURNACE

Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An outdoor wood furnace may also be referred to as an outdoor wood boiler or outdoor wood-fired hydronic heater.

OWNER

A person recorded as such on official records and including duly authorized agent or notary, a purchaser, devisee, judiciary; and person having a vested or contingent interest in the property in question.

PARAPET OR PARAPET WALL

That portion of a building wall that rises above the roof level.

PARCEL

A distinct portion or tract of land as is recorded and distinguished in the Summit County Auditor's Property Tax Atlas. See also definition of "lot."

PARKING AISLE

The driveway or access drive by which a car enters and departs a parking space.

PARKING LOT

A surface level facility providing vehicular parking spaces along with adequate drives and aisle, for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles.

PARKING SPACE

A designated parking area designed for one vehicle that is exclusive of drives, aisles or entrances giving access thereto.

PARKING STRUCTURE

A structure (e.g., parking garage) providing vehicular parking spaces along with adequate drives and aisle, for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles.

PARTIAL DEVELOPMENT PLAN REVIEW⁴

Review of a development plan where it has been determined by the Zoning Administrator that there are inconsequential or no changes proposed to an existing site or structures and therefore only a partial development plan review is necessary. The review can be conducted by the Zoning Administrator or sent to the Zoning Commission as determined by the Zoning Administrator.

PASSENGER TRANSPORTATION TERMINAL

A facility that is point or place whereby a transport conveyance (e.g., bus, van, car, railroad, etc.) disperses or receives passengers.

PASSIVE PARKS, RECREATION, AND OPEN SPACE

Any park or recreational facility where there is no grading of the land, the construction of facilities, lighting, or development of ball fields with the exception that passive parks, recreational facilities, and conservation areas may include the development of trails and sidewalks.

PERMANENTLY SITED MANUFACTURED HOME

A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban Development. Pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974, "88 Stat. 700, 42 U.S.C.A 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards and which meet the following requirements for a permanently sited manufactured home:

- The structure is affixed to a permanent foundation and is connected to appropriate facilities;
- The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area, excluding garages, porches, or attachments, of at least 900 square feet;
- The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a 6-inch minimum eave overhang, including appropriate guttering;
- The structure was manufactured after January 1, 1995; and
- The structure is not located in a manufactured home park as defined in Section 3733.01 of the Ohio Revised Code.

PERSON

Any individual, corporation, government agency, government official, business trust, partnership, association, two or more persons having a joint interest, or any other legal entity.

PERSONAL SERVICE ESTABLISHMENTS

Establishments that are primarily engaged in providing services generally involving the care of the person or person's possessions. Personal services may include, but are not limited to, laundry and dry-cleaning services, barber shops, beauty salons, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.

⁴ Effective 11/4/13

PLANNING COMMISSION

The Summit County, Ohio, Planning Commission

PORCHES OR DECKS

An enclosed or unenclosed surface area attached to a building, that is not used for livable space but that is elevated above the ground, at its highest point, by at least 18 inches.

PRELIMINARY DEVELOPMENT PLAN REVIEW⁴

Review conducted by the Zoning Commission of a development plan that indicates the general concept of proposed development or redevelopment of a site or structures including but not limited to the general location of use areas, open space or landscaping.

PRIVATE OR COMMUNITY SWIMMING POOL

A structure, whether above or below grade level, designed to hold water more than 24 inches deep with a total surface area exceeding 100 square feet, that is designed to be used for personal recreation (private swimming pool) or as a recreational amenity to a larger development (community swimming pool).

PUBLIC HEARING

A meeting open to the public advertised in advance in the local printed media, or as otherwise required by statute, concerning proposed resolutions, amendments or other official township business which require public participation and input.

PUBLIC SAFETY AND SERVICE FACILITIES

Facilities operated by public agencies for the protection of the public, or the provision of governmental services, that may include, but are not limited to, fire stations and other firefighting facilities, sheriff and police stations, public works departments, township or county offices, and emergency medical service facilities.

QUORUM

The minimum number of board members that must be present in order to conduct official business or take official action.

RADIO AND TELEVISION STATIONS (NO TOWERS OR SATELLITES)

Facilities used to produce, operate, or develop radio or television programs for distribution through various telecommunication formats but that do not include on-site towers or satellites.

RAISING OF CROPS

The use of land for field and orchard uses including production of field crops, flowers and seeds, fruits, grains, melons, ornamental crops, tree nuts, trees and sod, vegetables. Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing, and sales in the field not involving a permanent structure.

REAL ESTATE SALES/MODEL HOMES

A dwelling unit temporarily converted into a sales and display office or a temporary sales office established in a development or subdivision for the purpose of providing an example of the units in the development.

RECESSED CEILING FIXTURE

An outdoor lighting fixture recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling.

⁴ Effective 11/4/13

REINFORCED TURF

Grass grown on a special membrane that is laid over a prepared bedding layer that includes a sub-base designed specifically to support the temporary parking of motor vehicles while having the appearance of a turf lawn.

RESEARCH AND DEVELOPMENT FACILITIES

An establishment or facility for carrying on investigation in the natural, physical, or social sciences, or engineering and development as an extension of investigation with the objective of creating end products.

RETAIL COMMERCIAL USES

Establishments primarily engaged in the sale of goods and materials to the general public. Retail commercial uses may include, but are not limited to, bookstores, antique stores, convenience stores, bakeries, grocery stores, and other similar uses.

RIGHT-OF-WAY

An area or strip of land, either public or private, on which an irrevocable right-of-passage has been recorded for the use of vehicles or pedestrians or both.

ROADSIDE STAND

The use of any land or a structure for the sale of produce in accordance with the provisions of [Section 7.01: Accessory Use Regulations](#).

ROOF LINE

The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

SALES OFFICES AND SHOWROOMS

Office or retail space designed to provide an area to demonstrate or show certain goods and materials that are large-scale or not necessarily a component of typical retail commercial uses including, but not limited to, kitchen showrooms, plumbing supply sales, appliance showrooms, office furniture supplies, etc.

SATELLITE DISH

A parabolic dish antenna including its structural supports, used for reception of various satellite television programming signals.

SCREEN OR SCREENING

A visual shield between uses accomplished by the use of berms, landscaping, walls or other aesthetic means.

SEASONAL AGRICULTURAL SALES

A temporary structure or vehicle used in the sale of agricultural products such as fruits, vegetables, and juices where such facilities may sell agricultural products not grown on site. Seasonal sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, which may be permitted on a temporary basis pursuant to [Section 7.02: Temporary Uses and Structures](#).

SEASONAL COVER

A temporary shelter for motor vehicles or recreational vehicles while such vehicles are stored or parked through the winter.

SELF-STORAGE FACILITIES

A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, or controlled-access stalls or lockers for the dead storage of a customer's goods or wares.

SEMINUDE OR STATE OF SEMI-NUDITY

A state of dress in which opaque clothing covers not more than the genitals, pubic region, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

SERVICE COMMERCIAL USES

Establishments that primarily engage in rendering services to businesses including, but not limited to, printers, equipment rental, protective services, mailing, photo finishing, and other similar uses.

SETBACK

The minimum distance a building or structure must be built from a property line or road right-of-way as defined further in [Section 5.05\(A\): Measurements, Computations, and Exceptions](#).

SETBACK LINE

The line created when applying the required setback distance to a lot.

SETBACK, FRONT

The minimum distance required between a building, structure, or improvement and the front lot line.

SETBACK, REAR

The minimum distance required between a building, structure, or improvement and the rear lot line.

SETBACK, RIPARIAN

The area set back from the ordinary high water mark on each bank of a stream to protect the riparian area and stream from impacts of development, and streamside residents from impacts of flooding and land loss through erosion.

SETBACK, SIDE

The minimum distance required between a building, structure, or improvement and a lot that that is shared with another lot where such lot line is defined as a side lot line.

SEXUAL ENCOUNTER ESTABLISHMENT

A business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:

- Two or more persons may congregate, associate, or consort for the purpose of engaging in specified sexual activities.
- Two or more persons appear nude or seminude for the purpose of displaying their nude or seminude bodies for their receipt of consideration or compensation in any type or form.

An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to Section 4731.15 of the Ohio Revised Code, is not a “sexual encounter establishment.”

SHRUB

A woody plant, smaller than a tree, consisting of several small stems emerging from the ground, or small branches near the ground. Shrubs may be deciduous or evergreen.

SIDEWALK

A pedestrian walkway within a right-of-way of a public street but not on the street surface.

SIGN

Any object, device, display or structure or part thereof situated outdoors or adjacent the interior of a window or doorway which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, pictures, logos, figures, designs, symbols, fixtures, colors, illumination or projected images.

SIGN AREA

The entire display area of a sign including the advertising surface located on one or more sign faces and any framing, trim and molding, but not including the supporting structure as measured pursuant to [Article 13: Signs](#).

SIGN FACE

The area or display surface used for the message. See [Section 13.03\(A\): Sign Face or Area](#).

SIGN HEIGHT

The vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure. See [Section 13.03\(D\): Sign Height](#).

SIGN, ABANDONED

A sign or sign structure which no longer correctly directs any activity conducted or product available on the premises where such sign is displayed.

SIGN, A-FRAME

A sign consisting of two hinged boards that hang front and back, with the hinge at the top or along the side.

SIGN, ANIMATED OR MOVING

Any sign or part of a sign which changes physical position by any movement or rotation or which gives visual impression of such movement or rotation.

SIGN, AWNING OR CANOPY

Any sign that is painted on, part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area identifying the name of the owner and business, industry, or pursuit conducted within the premises.

SIGN, CHANGEABLE COPY

A sign such as a bulletin board, announcement board, or electronic message center, where the message or graphics is not permanently affixed to the structure, framing, or background and may be periodically replaced or covered over by electronic or mechanical devices.

SIGN, DIRECTIONAL GROUND

A permanent sign located on private property, at or near the public right-of-way, directing or guiding vehicles from the street onto private property.

SIGN, EXEMPT

Signs exempted from normal permit requirements.

SIGN, FLASHING

Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or any externally mounted intermittent light source.

SIGN, FREESTANDING POLE

A sign that is supported from the ground by poles or other types of individual supports.

SIGN, GROUND-MOUNTED MONUMENT⁴

Any freestanding permanent sign placed at or within 18 inches of average grade level or attached to a supporting base structure.

SIGN, ILLEGAL

Any sign which is contrary to the requirements of this resolution and which does not satisfy the nonconforming specifications stated in this resolution.

SIGN, MENU BOARD

Any signage pertaining to items, goods, or services offered by a drive-through business.

SIGN, MULTI-TENANT⁴

A sign that identifies multiple tenants in one structure or a grouping of buildings on a single lot in lieu of independent signs.

SIGN, NONCOMMERCIAL SPEECH SIGN

A sign that does not contain any “commercial speech.”

SIGN, NONCONFORMING

Any sign lawfully existing on the effective date of a resolution, which does not conform to all the standards and regulations of the current resolution.

SIGN, OFF-PREMISES

Any sign, including billboards, that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.

SIGN, ON-PREMISES

A sign, which advertises or otherwise directs attention to an activity on the same lot where the sign is located.

SIGN, OUTDOOR ADVERTISING

Any sign that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.

SIGN, PERMANENT

A sign permitted by this resolution to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.

SIGN, PORTABLE

A sign not permanently affixed to the ground, building, or other structure, which may be moved from place to place, including, but not limited to, signs designed to be transported by means of wheels, and signs attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the day to day operations of a business.

SIGN, PROJECTING

A sign attached to a building and extending perpendicular from the building wall.

SIGN, ROOF

Any sign erected, constructed, mounted, or maintained upon or over the roof or parapet wall of a building and having its principal support on the roof or walls of the building.

⁴ Effective 11/4/13

SIGN, SANDWICH BOARD

See “sign, a-frame.”

SIGN, TEMPORARY

A sign that is designed to be used only temporarily and is not permanently, or intended to be permanently, attached to a building, attached to a structure or installed in the ground.

SIGN, WALL

A sign fastened to the wall of a building or structure (such as a fence or wall) in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not project more than 18 inches from such building or structure. On a wall sign, the exposed face of the sign is in a plane parallel to the plane of said wall or structure.

SIGN, WINDOW

A sign that is applied or attached to the glass of a window or door, or located inside a building within three feet of a window so that the sign is visible and capable of being read from the outside of the building.

SMALL LIVESTOCK ³

Miniature farm animals such as chickens, miniature horses or goats that are kept or raised for pleasure, but not for profit or use.

SMALL RESIDENTIAL FACILITIES

A home or facility, as defined and regulated in Section 5123.19 of the ORC, in which a mentally retarded or developmentally disabled person resides, except the home of a relative or legal guardian in which a mentally retarded or developmentally disabled person resides, a respite care home certified under Section 5126.05 of the Ohio Revised Code, a county home or district home operated pursuant to Chapter 5155 of the Ohio Revised Code, or a dwelling in which the only mentally retarded or developmentally disabled residents are in an independent living arrangement or are being provided supported living.

- A small residential facility shall be furthermore defined as a “residential facility” where there is supervision in a family setting of 6 to 8 persons.
- See also “adult family home.”

SMALL WIND ENERGY CONSERVATION SYSTEMS

An engine or motor having a drive shaft driven by the impulse air to create power for the site where such system is located. For the purposes of this resolution, a small wind energy conservation system is one that is rated at 100 Kilowatts of power or less.

SNOW FENCE

A temporary fence designed to prevent or minimize the drifting of snow across certain areas of a lot.

³ Effective 10/28/13

SOIL REMOVAL OR MINERAL EXTRACTION

The extraction of sand, gravel, rock, soil or other material from the land and either the removing thereof from the site or processing the extracted materials. The only exclusion from this definition shall be removal of materials associated with construction of a building (e.g. removal of soil and rock for footings and basements), provided such removal is an approved item in the building permit.

Extraction means any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or moved and shall include the conditions resulting therefrom, including but not limited to gravel pits and not including the impacts of such operation.

SOLAR PANELS

Structures designed to utilize solar energy as an alternate for, or supplement to, a conventional energy system.

SPECIFIED ANATOMICAL AREA

Means the cleft of the buttocks, anus, male or female genitals, or the female breast. Specified anatomical areas also means less than completely and opaquely covered human genitals, pubic region, buttock and female breasts below a point immediately above the top of the areola; and/or human male genitals in a discernibly turgid state even if completely and opaquely covered.

SPECIFIED SEXUAL ACTIVITIES

Human genitals in a state of sexual stimulation or arousal: acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus, or fellatio; and/or fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.

STACKING SPACE OR LANE

A lane or area that is specifically designated for cars to “stack” in while utilizing drive-up or drive-through services at uses that may include, but are not limited to, car washes, restaurants, and financial institutions.

STAND-ALONE BASKETBALL HOOPS

Basketball hoop structures that are not attached to a structure and may be moved from point to point.

STATE

The State of Ohio

STORY

Part of a building, except a mezzanine as defined herein, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. If the floor level directly above a basement is more than six feet above grade, such basement shall be considered a story.

STORY, HALF

An uppermost story lying under a sloping roof having an area of at least 200 square feet with a clear height of seven feet six inches (7'6"). For the purpose of this resolution, the usable floor area is only that area having at least four feet clear height between floor and ceiling.

STREAM

A flowing body of water with a current, confined within a bed and stream banks. See also the Summit County Riparian Setback Ordinance.

STREET FRONTAGE

See definition of “frontage, street.”

STREET, PRIVATE

A street or roadway that has not been dedicated for public use, or accepted by the Springfield Township Board of Trustees and is not maintained by the township. Additionally, a private street must meet the specifications for public streets as established by and approved under the Summit County Subdivision Regulations.

STREET, PUBLIC

A publicly dedicated or owned right-of-way constructed to Summit County Engineer standards intended or used, for vehicular and pedestrian movement, and, except where limited or controlled access, affording the principal means of access to abutting properties.

STRUCTURAL ALTERATION

Any change, other than incidental repairs, which would prolong or modify the life of the supporting members of a building, such as bearing walls, columns, beams, girders or foundations.

STRUCTURAL LAWN

An area of land intended to be used for temporary or seasonal parking with structural plastic or concrete pavement materials under the surface, allowing for the growth of grass through the pavement material, having the appearance of a vegetated lawn.

STRUCTURE

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. All buildings are considered structures.

STRUCTURE, ACCESSORY

A structure (including buildings but not fences) that is accessory and incidental to the principal building.

STRUCTURE, NONCONFORMING

A structure where the use is permitted in the applicable zoning district but the structure does not meet the setbacks, development standards, site development standards, or other dimensional or numerical standards for the applicable district.

TELECOMMUNICATIONS

The technology that enables information to be exchanged through the transmission of voice, video or data signals by means of electrical or electromagnetic systems.

TEMPORARY SPECIAL EVENTS

A temporary use on private property that is not usual or customary for that property and the zoning district in which the subject property is located (e.g., festivals, circuses, and other temporary events).

TEMPORARY STORAGE IN A PORTABLE CONTAINER

A portable structure or container that allows for storage of goods or materials, on or off-site and which is not permanently affixed to a foundation.

TEMPORARY STRUCTURE FOR PUBLIC OR INSTITUTIONAL USES

A temporary structure that is related and incidental to a use within the institutional use classification that may include temporary classrooms or storage facilities.

TEMPORARY ZONING CERTIFICATE

A certificate reviewed and approved, approved with conditions, or denied by the Zoning Administrator in accordance with [Section 3.04: Zoning Certificate](#).

TENNIS COURT OR OTHER GAME COURT

An area designated and designed for the playing of tennis, basketball, handball, racquetball, or other similar sport or game.

TENT

Any structure used for living or sleeping purposes, or for sheltering a public gathering constructed wholly or in part from canvas, tarpaulin, or other similar materials and shall include: shelter providing for circuses, carnivals, side shows, revival meetings, camp meetings and all similar meetings or exhibitions in temporary structures.

TOWNSHIP

Springfield Township, Summit County, Ohio

TREE HOUSES, PLAY SETS, OR TRAMPOLINES

Recreational equipment for children that may include, but is not limited to, small structures in trees, swings, slides, monkey bars, trampolines, and play enclosures.

TREE, DECIDUOUS

Generally, a tree that loses all of its leaves for part of the year. Sometimes called a broad-leaf tree or a hardwood tree.

TREE, EVERGREEN

A tree with foliage that is not dropped, or that remains green throughout the year.

TREE, ORNAMENTAL

A small to medium tree with an expected height of 20 feet at maturity and that is planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage.

TREE, UNDERSTORY

A tree that would occupy the understory of a forest in a natural ecological situation. These types of trees are often referred to as ornamental trees. Examples include redbud, hazel, alder, holly, hornbeam, dogwood, witch-hazel, etc.

TRUCK SERVICES/TRUCK STOP FACILITIES

A facility intended to provide services to the trucking industry including, but not limited to, convenience stores, gasoline sales, overnight parking, restaurants, and minor repair services (no collision or body work), and truck scales.

TRUCK/TRANSFER FACILITIES

A stand-alone facility where goods and materials are not manufactured or sold but may be transferred between trucks and/or rail cars or where trailers may be loaded or unloaded from trucks or trains. This definition does not include the loading or unloading of goods or materials onto rail cars or trucks at the point of manufacturing, assembly, or where the goods are to ultimately be sold.

TYPE-B DAY CARE HOMES (1-6 CHILDREN)

A permanent residence of the provider in which child day care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this definition, any children under six years of age who are related to the provider and who are on the premises of the Type-B day care home shall be counted. Type-B day care homes do not include homes where all of the children being cared for are siblings and the residence is the home of the siblings. Type-B day care homes do not include any child day camp as defined in ORC Section 5104.01.

UNENCLOSED PATIOS

Uncovered, non-enclosed outdoor hard surfaced areas that are no higher than 18 inches above the ground.

USE

A purpose for which land, a building, lot, sign, or other structure is arranged, intended, designed, occupied or maintained.

USE, ACCESSORY

A use or building on the same lot with, and of a nature customarily incident and subordinate to, those of the main use or building.

USE, CONDITIONAL

A use permitted within a district only with a conditional use permit approval from the BZA. See [Section 3.07: Variance or Conditional Use](#).

USE, NONCONFORMING

A use that lawfully occupied a building or land at the effective date of this resolution, or amendments thereto, and that does not conform to the use regulations of the applicable zoning district.

USE, PRINCIPAL

The principal use to which the premises are devoted and the primary purpose for which the premises exist.

USE, TEMPORARY

A use or building permitted to exist during periods of construction of the main building or use, or for special events, but not inhabitable.

VARIANCE

A deviation from the requirements of this resolution that is approved, approved with condition, or denied by the BZA in accordance with [Section 3.07: Variance or Conditional Use](#).

VEHICLE

Any contrivance that is used in the public or private transportation of one or more persons, is used in the transportation of goods over public or private property on roadways, or is used in a commercial or agricultural enterprise. A contrivance that is designed to be pushed, pulled, or towed by any self-propelled vehicle is considered a vehicle.

VEHICLE REPAIR GARAGES (MAJOR REPAIR)

A facility that provides major engine overhauls and collision repair services, including body frame straightening and repair, replacement of damaged parts, and painting.

VEHICLE SERVICE USES (MINOR REPAIR)

A building, structure, or land used for the general repair and routine maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including, but not limited to, muffler, oil change and lubrication, tire service and sales, installation of accessory, or engine repair. All activities shall take place within an enclosed building.

VEHICLE WASHING ESTABLISHMENTS

The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

VEHICLE, INOPERABLE

Any transportation device that is unfit for use for any of the following reasons:

- Not currently licensed for use on the roads in the State of Ohio; and
- Not roadworthy or in a state of disrepair.

VEHICLE, JUNK

A vehicle as defined in Section 4513.63 of the Ohio Revised Code.

VEHICLE, RECREATIONAL

Vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven, which may be designed as temporary living accommodations, and is used for recreational, camping, and travel use.

Recreational vehicles may include, but are not limited to the following:

- Travel Trailer: A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified "travel trailer" by the manufacturer.
- Motorized Home: A portable dwelling designed and constructed as an integral part of a self-mounted vehicle on wheels and designed for travel and vacation uses.
- Pick-up Camper: A structure designed primarily to be mounted on a pick-up truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses.
- Boats and Boat Trailers: Includes floats and rafts, plus the normal equipment to transport the same on the highway.
- Fold-Out Tent Trailers/Pop-up Campers: A canvas folding structure mounted on wheels and designed for travel and vacation uses.

VEHICULAR USE AREA

Any paved ground surface area, except public rights-of-way, used by any type of vehicle, whether moving or at rest for the following purposes, but not limited to driving, parking, loading, unloading, storage or display.

VETERINARIAN OFFICES AND ANIMAL HOSPITALS

Facilities used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations in a wholly enclosed building on the premises only for treatment, observation and/or recuperation.

WALL

An architectural partition with a height and length greater than its thickness; used to divide or enclose an area or to support another structure.

WALL, RETAINING

A retaining wall is a structure that holds back soil or rock from a building, structure or area. Retaining walls prevent downslope movement or erosion and provide support for vertical or near-vertical grade changes.

WAREHOUSES

Structures used for the storage or distribution of goods where there is no sale of items to retailers or the general public unless permitted as an accessory use to the warehouse.

WETLANDS

An area of land whose soil is saturated with moisture either permanently or seasonally. For the purposes of this resolution, wetlands shall be those areas designated as such on the National Wetlands Inventory, as established by the U.S. Fish and Wildlife Service.

WIRELESS TELECOMMUNICATIONS ANTENNA

The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

WIRELESS TELECOMMUNICATIONS FACILITIES

Facilities consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

WIRELESS TELECOMMUNICATIONS TOWER

A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed and lattice construction steel structures.

YARD

An open space on the same lot with a building, 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 a rear yard, the minimum horizontal distance between the lot line and the nearest portion of the main building shall be used.

YARD, FRONT

Unless otherwise stated, a yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than the projection of the usual steps or entranceway. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).

YARD, REAR

Unless otherwise stated, a yard extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between the rear lot line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).

YARD, SIDE

Unless otherwise stated, a yard between the main building and the side lot line of the lot extending from the front yard to the rear yard. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).

ZONING COMMISSION

The Springfield Township, Summit County, Ohio, Zoning Commission.

ZONING ADMINISTRATOR

The Zoning Administrator, his/her assistants, or any other person designated by the Board of Trustees to perform the statutory duties of the Zoning Inspector.

ZONING CERTIFICATE

A certificate reviewed and approved, approved with conditions, or denied by the Zoning Administrator in accordance with [Section 3.04: Zoning Certificate](#).

ZONING DISTRICT

A section or sections of the unincorporated territory of Springfield Township for which regulations governing the use of buildings and premises, the height of buildings, development standards, yards, lot areas, and other standards are uniform.

ZONING DISTRICTS, NONRESIDENTIAL

Nonresidential zoning districts shall be the C-1, C-2, C-3, O-R, I-1, or I-2 districts.

ZONING DISTRICTS, PLANNED DEVELOPMENT

Planned development zoning districts shall be the RPD, MUPD, and PIPD districts.

ZONING DISTRICTS, RESIDENTIAL

Residential zoning districts shall be the O-C, R-1, R-2, and R-3 districts.

ZONING INSPECTOR

See “Zoning Administrator.”

ZONING MAP

The Official Zoning Map of Springfield Township

ZONING MAP AMENDMENT

An amendment or change to the Official Zoning Map of Springfield Township, reviewed and decided upon by the Board of Trustees in accordance with [Section 3.06: Zoning Text or Map Amendment](#).

ZONING TEXT AMENDMENT

An amendment or change to the text of the Springfield Township Zoning Resolution reviewed and decided upon by the Board of Trustees in accordance with [Section 3.06: Zoning Text or Map Amendment](#).