

GENERAL INFORMATION

Subject

- Request - Amendment to the Providence Township Zoning Resolution regarding Conditional Uses, and Signs
- Location - Providence Township
- Applicant - Providence Township Zoning Commission

**STAFF ANALYSIS**

The Providence Township Zoning Commission requests an amendment to the Providence Township Zoning Resolution regarding Conditional Uses and Signs. The township zoning resolution has not been updated to reflect the change from Special Uses to Conational Uses. The following sections, Two (2), Three (3), Four (4), Six (6), and Nine (9), in the township zoning resolution have been altered to remove Special Use and replace with Conditional Use. This text amendment will bring Providence Township into compliance with the Ohio Revised Code Section 519 and will mirror Waterville Township’s Zoning Resolution.

The township submitted a second text amendment using the Waterville Township Zoning Resolution as their guide to replace the sign code in Section Seven (7) in its entirety. The new sign code language will provide additional information on obtaining a sign along with sign exemptions. In addition, the new section will allow for on-premise Electric Message Center (EMC) signs that have not been permitted. Staff worked with the township to make additional corrections within the Providence Zoning Resolution in order to reflect the changes as shown in EXHIBIT “A.”

**STAFF RECOMMENDATION**

The staff recommends that the Lucas County Planning Commission recommend approval of the proposed amendment to the Providence Township Zoning Resolution shown in EXHIBIT "A" to the Providence Township Zoning Commission and Township Trustees.

TEXT AMENDMENT  
PROVIDENCE TOWNSHIP  
LUCAS COUNTY PLANNING COMMISSION  
REF: Z25-C25  
DATE: September 27, 2023  
TIME: 9:00 A.M.

MLM/KB  
EXHIBIT "A" follows

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

SECTION 2.1 Interpretation of Terms or Words

CROSS REFERENCES

SECTION 3 Establishment of Districts - Described  
SECTION 7.10 Signs and Outdoor Advertising Structures - Definitions

**2.1 Interpretation of Terms or Words**

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

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

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

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

**Adult Amusement or Entertainment:** An establishment customarily engaged in the presentation of nude and seminude exhibitions and performances for commercial or pecuniary gain, which excludes minors by virtue of age. This definition does not apply to the exhibition, presentation, showing or performance of any play, ballet, drama, tableau or production in any theater, concert hall, museum of fine arts, school, institution of higher learning or similar establishment which is primarily devoted to such exhibitions, presentations, shows or performance as a form of expression of opinion, communication, speech, ideas, information, art or drama as differentiated from commercial or business advertising, promotion, selling or servicing products or services or otherwise advancing the economic welfare of a commercial or business enterprise such as a hotel, motel, bar, nightclub, restaurant, tavern or dance hall. (Revised 5-20-98, Z25-C9)

**Adult Book Store:** An establishment which has a substantial portion of its stock in trade, books, magazines or other periodicals, from which minors are excluded by virtue of age. (Revised 5-20-98, Z25-C9)

**Adult Movie House:** An establishment displaying movies that are rated, X, XX or XXX which is customarily not open to the general public by excluding minors by virtue of age. (Revised 5-20-98, Z25-C98)

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words**(cont'd)

**Adult Oriented Uses:** Adult oriented uses means businesses which include adult amusement and entertainment, adult bookstores, adult movie houses and adult video stores as defined herein. (Revised 4-5-2000, Z25-C10)

**Adult Video Store:** An establishment which has a substantial portion of its stock in movies, for sale or for rent, from which minors are excluded by virtue of age. (Revised 5-20-98, Z25-C9)

**Agriculture:** Includes farming, ranching, algaculture, aquaculture, apiculture, horticulture, viticulture, animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals, poultry husbandry and the production of poultry and poultry products, dairy production, the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms, timer and pasturage. "Agriculture" also includes activities involving the processing, drying, storage and marking of agricultural products if those activities are conducted in conjunction with but secondary to actual production of those products. (Revised Z25-C24)

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

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

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

**Alley:** A public thoroughfare less than 30 feet wide.

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

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

**Animal Unit:** An animal or animals equal to 1,000 pounds of live weight or less. (Revised 8-7-02, Z25-C12)

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

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

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words** (cont'd)

**Auction Market**: A building, structure, or site which primary is for selling; of goods, merchandise, land, etc., by a bidding process.

**Auto Wrecking/Salvage Yard**: See **Motor Vehicle Salvage Yard**

**Automotive Service Station**: See **Motor Vehicle Service Station**

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

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

**Board**: Shall mean Board of Zoning Appeals.

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

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

**Boarding of Livestock and Domesticated Animals**: Stabling, housing and feeding of animals for compensation or for use in a commercial activity, exhibit or for other commercial/recreational purposes.

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

**Borrow Pits**: A borrow pit is a term used in construction and civil engineering. It describes an area where material (usually soil, gravel or sand) has been dug for use at another location. The term is literal - meaning a pit from where material was borrowed, although without an implication of someday returning the material. (Revised 4/2/09, Z25-C15)

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

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

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

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words** (cont'd)

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

**Business:** Business means an office, salesroom, store, site, or shop engaged in the supply/distribution or sales of commodities, products, or services. (Revised 4-5-00, Z25-C10)

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

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

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

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

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

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

**Commercial:** A use or activity which includes the purchase, sale, or exchange of goods or services including the display and transportation of commodities.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

2.1 Interpretation of Terms or Words (cont'd)

**Commercial Vehicle:** Any vehicle with a carrying capacity of over 6000 pounds and used or designed to be used for business or commercial purposes.

**Commission:** Shall mean the Zoning Commission of Providence Township.

**Computerized Sweepstakes Device:** Any computer, machine, game or apparatus which, upon the insertion of a coin, token, access number, magnetic card, or similar object, or upon the payment of anything of value, and which may be operated by the public generally for use as a contest of skill, entertainment or amusement, whether or not registering a score, and which provides the user with a chance to win anything of value. Machines designated for use by the State Lottery Commission are not Computerized Sweepstakes Devices for purposes of this Resolution.

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

**Covenant:** A private legal restriction on the use of land, contained in the deed to the property or otherwise formally recorded.

**Cul-de-sac:** A short street having one (1) end open to traffic and being terminated by a vehicle turn-around.

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

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

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

**Disposal:** the discharge, deposit, injection, dumping, spilling, leaking, emitting, or placing of any waste into or on any land or ground or surface water or into the air.

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

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words** (cont'd)

**Drive-Up:** Establishment or facilities where goods or services are provided from windows or in drive through areas to customers in cars or to the cars, and where the cars are temporarily stopped or standing and which commonly does, or could involve a lineup of cars waiting in line for such goods or services. Current examples of drive-up developments include, but are not limited to, car washes, drive-up windows at banks and at fast food restaurants.

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

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

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

**Easement:** A grant by the property owner of the use of a part of the property by the public, a corporation or persons for specific purposes.

**Electricity:** Energy made available by the flow of electric charge through a conductor.  
(Revised 4-2-08, Z25-C14)

**Electric power:** The product of voltage and current. (Revised 4-2-08, Z25-C14)

**Electrical generator:** A device that produces electrical energy from a mechanical energy source. (Revised 4-2-08, Z25-C14)

**Exception:** See Conditional Use (Special Exceptions)



**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words** (cont'd)

**Extraction Industry:** The removal of soil, sand, gravel or minerals from land or water for purposes of resale or use in the commercial operation of a business or the production of a good or service.

**Fall zone:** The area, defined as the furthest distance from the tower base, in which a tower will collapse in the event of a structural failure. This area is more than the total height of the structure. (Revised 4-2-08, Z25-C14)

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

**Feeder line:** Any power line that carries electrical power from one or more wind turbines or individual transformers associated with individual wind tow. (Revised 4-2-08, Z25-C14)

**Flea Market:** A building, structure or site which primary purpose is for the leasing/renting of space, stalls or areas which are used for selling goods or merchandise.

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

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

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

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words (cont'd)**

**Geothermal Systems:** energy systems where power is extracted from heat stored in the earth and designed to deliver a heating and cooling resource to any structure.

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

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

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

**Home Occupation:** An occupation carried on exclusively by the occupant(s) of a dwelling, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and does not change the external character of the dwelling. (Revised 8-7-02, Z25-C12)

**Hospital:** A health care facility which provides for diagnostic, medical, surgical or psychiatric treatment and care. It may include but not limited to related facilities for educational and training facilities for health professionals.

**Hotel:** A building in which lodging, or boarding and lodging, are provided and offered to the public for compensation and in which ingress and egress to and from all rooms is made through an inside lobby or office normally supervised by a person in charge at all hours. As such, it is open to the public as distinguished from a boarding house, a lodging house, or an apartment which are herein defined.

**Industrialized Unit:** "Industrialized Unit" means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized unit" does not include a manufactured or mobile home as defined in this zoning resolution. (Revised 4-5-2000, Z25-C10)

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

- a) It does not display a valid license plate and is in either wrecked, partially wrecked, dismantled, partially dismantled, or discarded condition, or is incapable of being driven; or
- b) It is wrecked, partially wrecked, dismantled, partially dismantled, discarded or is incapable of being driven and has remained in such condition for a continuous period of 14 days.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words (cont'd)**

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

**Kenel**: See **Boarding of Livestock and Domesticated Animals**

**Land Use Plan**: Shall mean the "Providence Township Land Use Plan", as adopted by the Lucas County Planning Commission and Lucas County Commissioners.

**Livestock**: Any animal that is domesticated for use, pleasure, or profit.

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

**Lodging House**: See **Boarding House**

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

- a) **Lot Area** - the total horizontal area within the boundaries of a lot exclusive of all rights- of-way of any access easement, alley, public or private street.
- b) **Lot, Corner** - a lot abutting upon two (2) or more streets at their intersection.
- c) **Lot Coverage** - the ratio of enclosed ground floor area of all buildings on a lot to the horizontally projected area of the lot, expressed as a percentage.
- d) **Lot Depth** - the horizontal distance between the front and rear lot lines, measured along the median between the two (2) side lot lines.
- e) **Lot Frontage** - the horizontal distance of the boundary line of a lot abutting a street or road right-of-way. On corner or through lots, the street or building address shall be considered frontage. For purposes of minimum lot width and frontage requirements, the required lot width and frontage shall be continuous. (Revised 4-5-00, Z25-C10)
- f) **Lot Interior** - a lot other than a corner lot.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

2.1 **Interpretation of Terms or Words (cont'd)**

- g) Lot of Record - a lot which is part of a subdivision, the map of which has been recorded in the office of the County Recorder of Lucas County, Ohio; or a parcel of land described by metes and bounds, the description of which has been recorded in the office of the County Recorder.
- h) Lot Width - the horizontal distance between the side lot lines, measured at right angles to the lot depth at the legally established building setback line. For purposes of minimum lot width and frontage requirements, the required lot width and frontage shall be continuous. (Revised 4-5-00, Z25-C10)

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

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

Manufactured Home: "Manufactured Home" means a building unit or assembly of closed construction fabricated in an off-site facility, designed for assembly at the building site, bearing certification that it is built in conformance with the federal manufactured housing construction and safety standards established by the secretary of the U.S. Department of Housing and Urban Development pursuant to the "Manufactured Housing and Construction Safety Act of 1974". (Revised 4-5-00, Z25-C10)

Manufactured Home Park: "Manufactured Home Park" means any lot, parcel or tract of land designed exclusively for the occupancy by manufactured homes or mobile homes, used for human habitation, are parked, either free of charge or for revenue purposes, which include any roadway, building, structure, vehicle or enclosure used or intended for use as part of the facilities of such manufactured home park.

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

- a) General Manufacturing - manufacturing, which by its nature and function may require large parcels, effective separation from residential and most commercial areas, confinement within enclosed buildings and screened enclosures having an opaqueness of 75 percent or greater, where outside storage of materials are necessary. General Manufacturing shall include, but not be limited to, processing of vegetables and fruit, dairy and bakery products, soft drinks and confections, textiles, glass, wood and plastic production, and fabrication, pharmaceuticals, metal fabrication, machining, tool and die, hardware and appliance production.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words (cont'd)**

- a) Heavy Manufacturing - manufacturing which requires large acreage parcels for isolation and separation from residential and commercial development, special consideration because of the potential spillover effect on surrounding areas and the use of buildings and open areas of the parcel for processing production and storage of materials. Heavy manufacturing shall include, but not be limited to, smelting and primary metal processing, mineral extraction, metal salvage and fabrication, motor vehicles and related products, manufactured housing, household appliances manufacturing, chemical and gas manufacture, refining, manufacturing and/or processing of animals, or animal parts for food, fertilizer or other purposes including the tanning and production of leather goods and furs.
  
- b) Restricted Manufacturing - any industrial use which is conducted entirely within enclosed substantially constructed buildings; involving the use of only light machinery and equipment; should not use the open area about the buildings for the storage of materials or equipment other than for the unloading or loading operations at the rear or within an enclosure which abuts a building. Where it is necessary to store materials or equipment external to buildings, sufficient distance separation from neighboring properties and/or fencing or natural screening shall be required as specified under Section 8.2. Restricted manufacturing may include the manufacture of drugs, jewelry, musical instruments, sporting goods; the processing and assembly of small glass products, small household appliances, small electronic products, scientific instruments, and parts for the production of finished equipment; office, computing and accounting machines; research and laboratory testing; printing, publishing and engraving plants; and other similar products and operations.

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

**Massage Parlor:** An establishment or place primarily in the business of providing massage services operated by anyone not a duly licensed medical doctor, osteopath, chiropractor, nurse, physical therapist treating patients recommended by a licensed physician under a duly licensed physician's direction, state licensed massage therapist or person practicing the art of massage on the face or hands in a duly licensed beauty parlor or barber shop. (Revised 4-5-00, Z25-C10)

**Mobile Home:** "Mobile Home" means a factory-built building unit which contains a mobile component as an integral part of the unit, designed for transportation, after fabrication, to the site at which it is to be occupied as a building unit complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, location on jacks or other foundations and connection essential public utilities. "Mobile Home" does not qualify as a "Manufactured Home" or as an "Industrialized" Unit as defined in this zoning resolution (Revised 4-5-00, Z25-C10)

**Mobile Home Park:** See **Manufactured Home Park**

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words (cont'd)**

**Modular Home:** "Modular Home" means a factory-built building unit or assembly of closed construction, that is substantially self-sufficient as a unit or as part of a greater structure designed for assembly at the building site. See "Industrialized Unit" or "Manufactured Home". (Revised 4-5-00, Z25-C10)

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

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

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

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

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

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

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

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

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

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

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(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

2.1 Interpretation of Terms or Words (cont'd)

- b) Contains five (5) or more parking spaces for any residential use.

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

**Permanent Foundation:** A permanent masonry, concrete, or locally approved footing or foundation, to which a manufactured or mobile home may be affixed. (Revised 4-5-00, Z25-C10)

**Permanently Site Manufactured Home:** A manufactured home that meets all of the following criteria: (Revised 4-5-00, Z25-C12)

1. The structure is affixed to a permanent foundation and is connected to appropriate facilities;
2. The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area of at least 900 square feet, excluding garages, porches, or attachments (structure must also conform to minimum floor area requirements for all dwellings contained in Section 4.4.1);
3. The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a six-inch minimum eave overhang, including appropriate guttering;
4. The structure was manufactured after January 1, 1995;
5. The structure is not located in a manufactured home park, as defined in this resolution.

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

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

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

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

2.1 **Interpretation of Terms or Words** (cont'd)

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

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

**Private Garage**: See **Garage**

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

**Public Garage**: See **Garage**

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

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

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

**Recreational Vehicle**: Any vehicular portable structure designed and constructed to be used as a temporary dwelling, or, for travel, recreational or vacation purposes. These include, but are not limited to, tiny houses, motor homes, travel trailers, tent campers and truck campers, vehicles used for off-road recreation, competition or show events (i.e. all terrain vehicles, dirt bikes, racing vehicles or other vehicles used in competition or show events and that are not licensed for operating on, or to be driven on a public road). (Revised 5-20-98, Z25-C9, Z25-C24)

**Rotor diameter**: The diameter of the circle described by the moving rotor blades. (Revised 4- 2-08, Z25-C14)

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



**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

2.1 **Interpretation of Terms or Words** (cont'd)

**Semi-Public Uses:** Services and facilities which are provided to the public that are privately owned and controlled. These include, but are not limited to, churches, parochial schools, hospitals, and other educational, religious or philanthropic organizations. (Revised 10/15/97 - Z25-C8)

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

**Shopping Center:** A group of retail businesses and services on a single site with common parking facilities and containing building(s) containing a collective floor area of 10,000 square feet or greater.

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

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

**Sludge:** A solid or near solid by-product of sewage treatment or industrial waste treatment.

**Small wind turbine:** Is defined as 15kw capacity or less. (Revised 4-2-08, Z25-C14)

**Solar Panel:** a (single cell or) group of solar cells arranged into a panel that can be installed onto a flat surface that become the main element in a solar electricity system.

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

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

**Storage Garage:** See **Garage**

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

2.1 Interpretation of Terms or Words (cont'd)

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

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

**Street:** A dedicated public thoroughfare which provides vehicular and pedestrian access to abutting properties and approved as part of a record plat under applicable subdivision regulations by the Toledo-Lucas County Plan Commissions in accordance with Chapter 711 and Chapter 713 O.R.C. For the purpose of this Resolution, the word "street" shall include the words "road" and "highway".

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

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

**Sweepstakes/Internet Cafe:** Any premises upon which any "Computerized Sweepstakes Device" is located for the use or entertainment of the public, whether or not such premises has other business purposes of any nature whatsoever.

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

**Telecommunication Tower:** Any structure with radio frequency transmission or reception equipment attached that is free standing or is to be connected to a building or other structure. A telecommunication tower shall meet all of the following conditions:

- a) It is constructed on or after October 31, 1996;
- b) Is owned or principally used by a public utility engaged in the provision of telecommunication service;

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words** (cont'd)

- c) Is a free-standing structure or is attached to another building or structure and is higher than the maximum allowable height permitted in the zoning district in which it is located. (Revised 10-15-97, Z25-C8)

**Total height:** The highest point, above ground level, reached by a rotor tip. (Revised 4-2-08, Z25-C14)

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

**Tower:** Towers include vertical structures that support electrical generator, rotor blades, or meteorological equipment. (Revised 4-2-08, Z25-C14)

**Tower height:** The total height of the tower exclusive of the rotor blades. (Revised 4-2-08, Z25-C14)

**Turbine:** Rotary engine in which the kinetic energy of a moving fluid is converted into mechanical energy by causing a bladed rotor to rotate. (Revised 4-2-08, Z25-C14)

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

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

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

**Waste:** includes but is not limited to: animal waste, bulking agents, commingled yard waste, compost, foreign matter, hazardous waste, household hazardous waste, industrial solid waste, infectious waste, leachate, lime sludge, municipal solid waste, radioactive waste, residual solid waste, scrap tires, sludge, solid waste, source-separated yard waste, yard waste, liquid waste, toxic chemicals, construction debris, demolition debris and any other substance or material with a potential or capacity to be injurious to human health or the environment without proper disposal.

**Waste Disposal Facility:** any site, location, tract of land, installation, or building used for incineration, composting, sanitary land filling or any other method of handling, disposing, treating, processing, transferring or storing of waste.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 2 DEFINITIONS**

**2.1 Interpretation of Terms or Words** (cont'd)

**Wind**: Air moving (sometimes with considerable force) from an area of high pressure to an area of low pressure. (Revised 4-2-08, Z25-C14)

**Wind turbine**: A wind turbine is any electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy through the use of airfoils or similar devices to capture the wind. (Revised 4-2-08, Z25-C14)

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

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

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

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

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

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 3 ESTABLISHMENT OF DISTRICTS**

SECTION 3.1	Agricultural/Residential District
SECTION 3.2	Commercial Districts
SECTION 3.3	Industrial Districts/Office Research
SECTION 3.4	District Map
SECTION 3.5	District Boundaries

CROSS REFERENCES

SECTION 2	Definitions
SECTION 4	Use Regulation
SECTION 6	<del>Special Uses</del> <b>Conditional Uses</b>

The Township is hereby divided into districts under general categories which shall be known as: "Agricultural/Residential Districts", "Commercial Districts", and "Industrial Districts/ Office Research".

**3.1 Agricultural/Residential District**

3.1.1 "A" Agricultural

The Agricultural District is to provide for agricultural and agriculturally related uses, rural residences, essential public facilities and services such as public buildings, schools, railroads, public utilities. This may include some commercial activities which are an integral part of agriculture, such as roadside stands or structures used for the sale of agricultural produce or products and/or nursery and greenhouse sales areas, home occupations, churches and other related nonprofit public service facilities. Intense residential development is discouraged. However, where both public water and public sanitary sewers become available, the district may allow low density residential development on large lots, in a neighborhood setting, with minimal intrusion of nonresidential uses.

3.1.2 "R-1" Single Family

The Single Family Residential District is to provide for medium density residential development where public water and public sanitary sewers are available. It is intended that uses within this district be contained with a neighborhood setting, and non-residential uses be directly related to needs of the neighborhood.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 3 ESTABLISHMENT OF DISTRICTS**

**3.1 Commercial Districts**

**3.1.1 "C-1" Restricted Commercial**

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

**3.1.2 "C-2" General Commercial**

The General Commercial District provides for businesses which serve a regional market. Businesses may be grouped into small shopping centers located along a major thoroughfare, or at corners of major intersections on large lots to allow for ingress, egress, internal circulation and adequate parking. Typically, these businesses will be high generators of traffic. Examples of these include, but are not limited to, shopping centers, malls, drive-through businesses, motels, restaurants, gas stations, etc. All uses and activities should be inside buildings. Where it is necessary to use external areas of buildings for storage of equipment or business activities, sufficient distance separation from neighboring properties and/or fencing or natural screening shall be required as specified under Section 8.2.

**3.1.3 "C-3" Village Center Commercial**

Village Center Commercial provides for business, governmental and institutional uses which serve the entire village. To provide convenient access to activities and businesses, residential uses are allowed within this district.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 3 ESTABLISHMENT OF DISTRICTS****3.2 Industrial Districts/Office Research****3.2.1 "M-1" Light Industrial/Office Research**

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

**3.2.2 "M-2" General Industrial**

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

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 3 ESTABLISHMENT OF DISTRICTS**

**District Map**

3.3.1 Description: The location and boundaries of districts established shall be shown on the map entitled "Providence Township Zoning Plan, 1995". A certified copy of this map is on file in the office of the Board of Providence Township Trustees. Said map and all notations, dimensions and designations shown thereon are hereby declared to be part of this Resolution.

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

**District Boundaries**

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

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



**Exhibit “A”**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 4 USE REGULATIONS**

SECTION 4.1	Permitted Uses
SECTION 4.2	District Use Restrictions
SECTION 4.3	<del>Special Uses</del> <b>Conditional Uses</b>
SECTION 4.4	Basic Yard, Area and Height Requirement for Dwellings
SECTION 4.5	Basic Yard, Area, Height Requirement for All Buildings Other than Dwellings
SECTION 4.6	Exceptions

CROSS REFERENCES

SECTION 2	Definitions
SECTION 3	Establishment of Districts and Zoning Map
SECTION 5	Off Street Parking and Loading
SECTION 6	<del>Special Uses</del> <b>Conditional Use</b>
SECTION 7	Supplementary District Uses and Structures (Signs, Site Plan Review etc.). Specific supplemental regulations applicable to a permitted use are referenced following that use
SECTION 8	Design and Development Standards for Multi-Family, Non- Residential, Commercial and Industrial Uses
SECTION 11	Planned Unit Development
SECTION 12.2	Zoning Certificate
SECTION 12.3	Conditions Under Which Zoning Certificates are
Required SECTION 12.4	Application and Issuance of a Zoning Certificate
SECTION 12.5	Fees
SECTION 13.3.2	Exceptions
SECTION 14	Amendments

4.3 ~~Special~~ **Conditional** Uses

As provided for under Section 6.

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**~~SECTION 6 SPECIAL USES~~**

- ~~SECTION 6.1 Purpose~~
- ~~SECTION 6.2 Special Uses and Procedures~~

~~CROSS REFERENCES~~

- ~~SECTION 2 Definitions~~
- ~~SECTION 3 Establishment of Districts~~
- ~~SECTION 4.5 Basic Yard, Area, Plot Coverage and Height Requirements for all Buildings Other Than Dwellings~~
- ~~SECTION 5 Off Street Parking and Loading~~
- ~~SECTION 7 Supplementary District Uses and Structures~~
- ~~SECTION 8 Design and Development Standards etc.~~
- ~~SECTION 12 Enforcement~~
- ~~SECTION 14 Amendments~~

**6.1 Purpose**

~~In addition to uses specifically classified and permitted in each District in this Resolution, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public. The "special uses" require particular consideration as to their proper location in relation to adjacent established or intended uses, or the planned development of the community. The "special uses" fall into two (2) categories, as follows:~~

~~6.1.1 Uses either municipally operated, or uses traditionally affected by public interest.~~

~~6.1.2 Uses entirely private in character, which, because of their peculiar locational needs or the nature of the service they offer to the public, may have to be established in a district or districts, in which they cannot reasonably be allowed as a permitted use under the zoning regulations.~~

**6.2 Special Uses and Procedures**

~~The Board of Township Trustees may permit by resolution, the amendment of this Zoning Resolution and Zoning Map, the following uses of land or structures in any district except as specifically provided otherwise, after report thereon by the Zoning Commission and subject to the requirements and procedures set forth herein. Special Uses existing at the time of adoption of this Resolution may be continued and shall be considered as uses conforming to the Resolution.~~

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 6—SPECIAL USES**

~~6.2.1 Special Uses Permitted~~

~~In Any "A" District:~~

~~Airport or Aircraft landing field~~  
~~Animal Care Facilities~~  
~~Auction Market~~  
~~Banquet Halls~~  
~~Boarding of Livestock and Domesticated Animals~~  
~~Borrow Pits (Revised 4-2-09, Z25-C15)~~  
~~Cemetery/Memorial Gardens~~  
~~Clubs~~  
~~Community/Public Swimming Pools~~  
~~Day Care Facilities~~  
~~Flea Market~~  
~~Golf Courses~~  
~~Institutional Health Care Facilities~~  
~~Nursing Homes~~  
~~Public Uses~~  
~~Semi Public Uses~~  
~~Small Wind Turbine~~  
~~Sports Field, Indoor/Outdoor Courts~~  
~~Telecommunication Tower (Revised 4-2-08, Z25-C14)~~

~~In Any "R" District~~

~~Borrow Pits (Revised 4-2-09, Z25-C15)~~  
~~Day Care Facilities~~  
~~Manufactured Home Parks (Revised 8-7-02, Z25-C12)~~  
~~Public Uses~~  
~~Semi Public Uses~~  
~~Telecommunication Tower (Revised 8-7-02, Z25-C12)~~

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**~~SECTION 6~~—SPECIAL USES**

6.2.1. Special Uses Permitted (cont'd)

**~~In A "C-2" District:~~**

~~Adult Oriented Uses (Revised 4-5-00, Z25-C10)~~  
~~\*Adult Amusement and Entertainment~~  
~~\*Adult Book Store~~  
~~\*Adult Movie House~~  
~~\*Adult Video Store~~  
~~Borrow Pits (Revised 4-2-09, Z25-C15)~~  
~~\*Massage Parlor~~  
~~Auction Markets~~  
~~Boarding of Livestock and Domesticated Animals~~  
~~Flea Markets~~  
~~Shopping Centers Sweepstakes/Internet Cafes~~  
~~(See 7.27)~~

**~~In Any "M" District:~~**

~~Airport or Aircraft Landing~~  
~~Field Borrow Pits (Revised 4-2-09, Z25-C15)~~  
~~Extraction Industry~~  
~~Motor Vehicle Salvage (Revised 5-20-98, Z25-C9)~~  
~~Nursery / Landscaping Business with on site  
composting  
(Revised 12-1-10, Z25-C22)~~  
~~Waste Disposal Facility (Revised 12-1-10, Z25-C22)~~

6.2.1            Expiration of Special Use Permit

~~A Special Use Permit shall be granted for only one (1) particular use and said permit shall automatically expire if, for any reason, the special use is not initiated within one (1) year of the granting of the permit or if the special use ceases to exist for more than two (2) years.~~

6.2.2—Procedure for Special Uses

~~The procedure for filing of the application, review fees, notices, referral to the County Planning Commission, public hearing by the Zoning Commission and the Trustees, passage, and determination of a Special Use shall be the same as procedures for an amendment to the Zoning Resolution as shown in Section 13.~~

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

***SECTION 6 CONDITIONAL USES***

<b><i>SECTION 6.1</i></b>	<b><i>Purpose</i></b>
<b><i>SECTION 6.2</i></b>	<b><i>Initiation</i></b>
<b><i>SECTION 6.3</i></b>	<b><i>Application</i></b>
<b><i>SECTION 6.4</i></b>	<b><i>Procedure for Conditional Use</i></b>
<b><i>SECTION 6.5</i></b>	<b><i>Public Information</i></b>
<b><i>SECTION 6.6</i></b>	<b><i>Conditional Use Review Criteria</i></b>
<b><i>SECTION 6.7</i></b>	<b><i>Imposition of Conditions</i></b>
<b><i>SECTION 6.8</i></b>	<b><i>Expiration of Conditional Use Permit</i></b>

***CROSS REFERENCES***

<b><i>SECTION 2</i></b>	<b><i>Definitions</i></b>
<b><i>SECTION 4.1</i></b>	<b><i>Permitted Uses</i></b>
<b><i>SECTION 6.6</i></b>	<b><i>Conditional Uses Review Criteria</i></b>
<b><i>SECTION 7</i></b>	<b><i>Supplementary District Uses and Structures</i></b>
<b><i>SECTION 8.5</i></b>	<b><i>Site Plan Review</i></b>
<b><i>SECTION 12.4</i></b>	<b><i>Authority to File Application</i></b>

***6.1 Purpose***

***In addition to uses specifically classified and permitted in each district in this Resolution, there are certain additional uses which it may be necessary to allow because of their unusual characteristics or the service they provide the public. The "conditional uses" require particular consideration as to their proper location in relation to adjacent established or intended uses, or the planned development of the community.***

***6.2 Initiation***

***Pursuant to Section 12.4 (Authority to File Applications), any person having authority to file applications may initiate an application for a conditional permitted use.***

***6.3 Applicability***

***The provisions of this section apply to the location and maintenance of any and all Conditional Uses. Permits are required before any use listed as a conditional use in Section 4.1 (Permitted Uses) may be established or expanded.***

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 6 CONDITIONAL USES**

**6.4 Procedure for Conditional Uses**

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

**1. Application. An applicant shall file with the Zoning Inspector the following:**

- a. *Name, address, and phone number of applicant(s).*
- b. *Legal description of the property.*
- c. *Present zoning district.*
- d. *Description of proposed request for the Conditional Use.*
- e. *A site plan when required in Section 8.5 (Site Plan Review).*
- f. *A narrative statement evaluating the effects on adjoining property; the effect of such elements as noise, glare, odor, light, fumes and vibration on adjoining property; and a discussion of the general compatibility with adjacent and other parcels within the immediate area of the proposed Conditional Use.*
- g. *Statements explaining how the proposed conditional use complies with the general standards and any applicable specific standards for conditional uses in Section 6.6 (Conditional Uses Review Criteria).*
- h. *Such other information regarding the property, proposed use, or surrounding area as may be pertinent to the deliberations of the Board.*
- i. *A fee, in accordance with Section 12.5 (Schedule of Fees, Charges, and Expenses,) shall accompany each application for a Conditional Use Permit.*

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 6 CONDITIONAL USES**

**2. Referral to County Planning Commission and Township Zoning Commission**

- a. *All requests for a Conditional Use shall be referred to the Lucas County Planning Commission for review and recommendation prior to the Board of Zoning Appeals public hearing.*
- b. *The application for Conditional Use will be forwarded to the Lucas County Planning Commission by the Zoning Inspector.*
- c. *The Lucas County Planning Commission's recommendation for approval or denial of the said use, or approval with conditions, shall be submitted to the Township Board of Zoning Appeals. When received, such recommendation shall then be considered at a public hearing held by the BZA on said proposed use.*
- d. *Conditional Use applications subject to Section 8.5 (Site Plan Review) shall be referred to the Zoning Commission, or to the Architectural Review Board if in the State Route 95 and Interchange Overlay District, for review and recommendation prior to the Board of Zoning Appeals public hearing. When received, such recommendation for approval or denial of the site plan, or approval with conditions, shall be considered at a public hearing held by the BZA on said proposed use.*

**3. Public Hearing. Once the completed application has been received:**

- a. *The applicant must post in a secure fashion and maintain one or more on-site notices within five (5) feet of the lot line adjacent to the public road during the period in which the application is being considered by the Lucas County Planning Commission and the Providence Township Board of Zoning Appeals. The applicant shall remove the posted notices within ten (10) days after the decision of the Board of Zoning Appeals. No one except the applicant, agent or Township shall remove or tamper with any such notice during the time it is required to be posed and maintained. Providence Township will provide the form of the notice and its content.*
- b. *The Board of Zoning Appeals shall schedule a reasonable time for the hearing of a matter to come before it and shall give at least ten (10) days' notice to the parties in interest including adjacent and contiguous property owners, stating the time and place. In addition, notice of such public hearing shall be given in one publication in one or more newspapers of general circulation at least ten (10) days before the date of such hearing.*

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 6 CONDITIONAL USES**

4. *Action by Board. The Board of Zoning Appeals shall make its findings and determination in writing within 20 days of the public hearing. At the hearings, any party may appear in person by agent or by attorney and shall be given the opportunity to be heard. A copy of the findings and determination made by the Board of Zoning Appeals shall be transmitted to the applicant by ordinary mail.*

**6.5 Public Information**

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

**6.6 Conditional Uses Review Criteria**

*In reviewing conditional uses, the Board of Zoning Appeals shall consider the following:*

1. *The use is a conditional use, permitted with approval by the Board in the district where the subject lot is located;*
2. *The use is in accordance with the objectives of the Providence Township 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 Board shall also consider the following as applicable to the subject application:*
  - c. *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;*
  - d. *The frequency and duration of various indoor and outdoor activities and special events and the impact of these activities on the surrounding area;*
  - e. *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;*
  - f. *The capacity of adjacent streets to handle increased traffic in terms of traffic volume;*
  - g. *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;*



**Exhibit “A”**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 6 CONDITIONAL USES**

- h. *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 fire or other hazards created by the proposed use;***
- i. *The general appearance of the neighborhood will not be adversely affected by the location of the proposed use on the parcel;***
- j. *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;***
- k. *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;***
- l. *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;***
- m. *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***
- n. *Any other physical or operational feature or characteristic that may affect the public health, safety and welfare.***

**6.7 Imposition of Conditions**

- 5. *In granting any Conditional Use, the Board of Zoning Appeals shall insure that the specific conditions and standards established in Section 7 (Supplementary District Uses & Structures), have been adequately addressed.***
- 6. *The Board may prescribe other appropriate conditions and safeguards as it deems necessary to ensure that the use will be conducted in conformance with the intent and purpose of this Resolution. Such conditions and safeguards may include:***
  - a. *Increased landscaping requirements.***
  - b. *Screening between any proposed Conditional Use and adjacent property and/or roadway.***
  - c. *The location of parking areas.***
  - d. *Regulating the hours and/or days of operation.***

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 6 CONDITIONAL USES**

*e. Lighting locations, intensity and areas to be illuminated.*

*f. Any other item deemed necessary to protect the general health, safety and welfare of the community.*

**6.8 Expiration of Conditional Use Permit**

*A Conditional Use Permit shall be granted for only one (1) particular use and said permit shall automatically expire if, for any reason, the conditional use is not initiated within one (1) year of the granting of the permit or if the conditional use ceases to exist for more than two (2) years.*

**SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES**

**7.10 Signs and Outdoor Advertising Structures**

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

**7.10.1 Definitions**

**Sign Structure**

- a) ~~Permanent~~ Any sign or sign structure affixed to the land by foundation, permanent supports, or to buildings or structures.
- b) ~~Temporary~~ A sign (includes flags and banners) which is limited in use for a designated period of time to serve an event, activity or the sale or rental of property.
- e) ~~Portable Sign~~ Any sign which is not permanently attached to the ground or a building.

**7.10.2 General Provisions**

- a) ~~Permanent signs and portable signs (where applicable) shall require a permit.~~
- b) ~~Residential identification signs shall not require a permit.~~

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.2 General Provisions (cont'd)**

- ~~c) The following temporary signs shall not require a permit, but shall be removed no later than 10 days after an event or transaction:
  - 1. Signs announcing special public or institutional events.
  - 2. Signs pertaining to public elections.
  - 3. Signs advertising the sale or rental, or lease of personal property or real estate.~~
- ~~d) No portable signs shall be permitted, except for a one-time opening of a business but not to exceed 30 days.~~
- ~~e) No sign shall project into any public right-of-way nor obstruct traffic visibility at street or highway intersections.~~
- ~~f) Each application for a sign permit shall include number of signs, a drawing of the proposed sign(s), dimensions, color, illumination, location in relation to the building and roadway, and construction details.~~
- ~~g) All nonconforming signs and billboards will be permitted to remain in place, but shall be subject to review under this section when replaced or changed significantly.~~
- ~~h) All signs will be maintained and subject to review by the Zoning Inspector. If in need of repair, it will be deemed temporarily nonconforming for a period of 30 days. Upon reinspection, the sign shall conform to requirements under this section or be removed.~~
- ~~i) Each business shall be permitted one (1) flat wall sign or a sign suspended from the principal building/frontage and one (1) free-standing sign permanently affixed to the ground and located on site of that business.~~
- ~~j) Sign area includes total area of all sign faces.~~
- ~~k) No signs shall be permitted which contain flashing lights or movable parts or lighting which is intermittent in operation.~~
- ~~l) Signs for home occupations shall not exceed four (4) square feet in area and shall be wall mounted or low profile. (Revised 8-8-02, Z25-C12)~~

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont'd)**~~7.10.3 Sign Dimensions Sign Type Maximum Dimension~~~~————— **Sign Type** ————— **Maximum Dimension**~~~~a) Non-Commercial~~

- |   |                            |
|---|----------------------------|
| <del>1. Announcement/Professional sign</del>  | <del>Six (6) sq. ft.</del> |
| <del>2. Bulletin Boards</del>                 | <del>32 sq. ft.</del>      |
| <del>3. Area or Building Identification</del> | <del>12 sq. ft.</del>      |

~~b) Commercial/Industrial~~

- |  |   |
|--|---|
| <del>1. Primary</del>                                | <del>Area = (1.5 x Bldg. Width) but not greater than 100 sq. ft.</del>                |
| <del>2. Wall</del>                                   | <del>Two (2) foot projection</del>  |
| <del>3. Free Standing</del>                          | <del>20 ft. in height</del>   |
| <del>4. Suspended</del>                              | <del>42 in. projection from building nine (9) ft. above grade to bottom of sign</del> |
| <del>5. Billboards/Poster Panels</del>               | <del>20 ft. in height 72 sq. ft. in area</del>  |
| <del>6. Identification Sign (Business Complex)</del> | <del>100 sq. ft. in area</del>  |

~~7.10.4 Setback Requirements~~

- | <del>Sign Type</del>   | <del>Minimum</del>  |
|--|---|
| <del>a) Real Estate Sign/<br/>Bulletin Boards right-of-way</del> | <del>10 ft. from road</del>   |
| <del>b) Business Signs<br/>Free-standing</del>                   | <del>20 ft. from road right-of-way<br/>30 ft. from any lot line</del>   |
| <del>c) Billboard/Poster Panels</del>                            | <del>Front yard depth 50 ft. from side or rear lot line</del>   |
| <del>d) Commercial Signs</del>                                   | <del>100 ft. from lot line when abutting residence is located within 100 ft. of lot line 300 ft. from lot line when facing public parks, schools, or public buildings</del> |
| <del>e) Home Occupation Signs</del>                              | <del>5 feet from road right-of-way. (Revised 8-7-02, Z25-C12)</del>   |

**Exhibit “A”**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont’d)**

~~—In case any sign shall be installed, erected, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify in writing the owner or lessee thereof to alter such sign so as to comply with this Resolution. Failure to comply with any of the provisions of this Chapter shall be deemed a violation and shall be punishable under Section 11.4 of this Resolution.~~

**7.10 *Signs***

<b>SECTION 7.10.1</b>	<b><i>Purpose</i></b>
<b>SECTION 7.10.2</b>	<b><i>Applicability</i></b>
<b>SECTION 7.10.3</b>	<b><i>Applications</i></b>
<b>SECTION 7.10.4</b>	<b><i>General Provisions</i></b>
<b>SECTION 7.10.5</b>	<b><i>Prohibited Signs</i></b>
<b>SECTION 7.10.6</b>	<b><i>Exemptions</i></b>
<b>SECTION 7.10.7</b>	<b><i>On-premises Electronic Message Center</i></b>
<b>SECTION 7.10.8</b>	<b><i>Off-Premise Signs</i></b>
<b>SECTION 7.10.9</b>	<b><i>Signs in Agricultural and Residential Districts</i></b>
<b>SECTION 7.10.10</b>	<b><i>Signs in Commercial and Industrial Districts</i></b>
<b>SECTION 7.10.11</b>	<b><i>Common Signage Plans for Multiple Uses</i></b>
<b>SECTION 7.10.12</b>	<b><i>Definitions</i></b>

**7.10.1 *Purpose***

***The purpose of these sign regulations is to provide standards for the placement, display and use of signs. These standards are designed to enhance the aesthetic environment of the Township; improve pedestrian and traffic safety; and minimize possible adverse effects of signs on nearby public and private property.***

**7.10.2 *Applicability***

- A. *Unless otherwise provided by this Resolution, all new signs shall require a permit. Application for sign permits shall be made to the Zoning Inspector. Payment of fees shall be in accordance with the Permit Fee schedule. No permit is required for the maintenance of a sign or for a change of copy on painted, printed, or changeable copy signs, so long as the sign area or structure is not modified in any way.***
- B. *All legal nonconforming signs and billboards may remain in place, but when relocated, replaced, or changed significantly shall be subject to the provisions of this Resolution.***

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.3 Applications**

*Each application for a sign permit shall include a drawing of the proposed sign showing the following information:*

- A. Name and address of the owner of the sign.*
- B. Street address or location of the property on which the sign is to be located, along with the name and address of the property owner.*
- C. The type of sign or sign structure as defined in this Resolution.*
- D. A simple site plan with dimensions showing the proposed location of the sign in relation to the lot lines, rights-of-way, and existing and proposed structures, buildings and signs on the premises.*
- E. A drawing of the proposed sign showing the following specifications: dimensions, height, design, copy, color, illumination, and construction details (materials, structural supports, and electrical components of the proposed sign).*
- F. Computations showing total number and area of existing and proposed signs on the lot.*

**7.10.4 General Provisions**

- A. No sign shall project into any public right-of-way or obstruct traffic visibility at street or highway intersections. The Township may remove any sign placed within the public right-of-way.*
- B. If a sign is installed, constructed, or maintained in violation of any of the terms of this Resolution, the Zoning Inspector shall notify the owner or lessee thereof to alter such sign so as to comply with this Resolution.*
- C. All signs and advertising structures except as hereinafter modified may be illuminated externally by reflected light provided the source of light is not directly visible and is so arranged so as to reflect away from the adjoining premises and provided that such illumination shall not be placed as to cause confusion or a hazard to traffic or conflict with traffic control signs or lights. Uplighting is prohibited on billboards adjacent to residential zoning districts and shall be turned off between 11 p.m. and sunrise in all other areas.*
- D. All signs will be maintained and subject to review by the Zoning Inspector. If in a state of needed repair, a sign will be deemed temporarily nonconforming for a period of 30 days. Upon reinspection, the sign must conform to requirements under this section or be removed.*
- E. If a permit is denied, an appeal of that decision shall be filed within 20 days with the Board of Zoning Appeals.*

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.5 Prohibited Signs**

**The following types of signs are prohibited in all districts:**

**A. Abandoned Signs**

**Abandoned sign(s) and sign structure shall be removed within 30 days of notification by the Township Zoning Inspector.**

**B. Animated Signs**

**No sign shall be permitted which is animated by means of flashing, blinking or traveling lights or any other means not providing constant illumination (e.g., searchlights, laser-source lights, etc.). Changeable copy signs are not considered animated signs.**

**C. Temporary Signs**

**Portable signs, flags, pennants, banners, feather banners, twirling signs, sandwich board signs, balloons or other gas-filled figures, except as follows:**

- 1. The above shall be permitted at the opening of a new business or re-opening of a seasonal business in a commercial or industrial district for a total period not to exceed 30 days. A sign permit is required.**
- 2. Flags and pennants shall be permitted in residential districts with model homes on lots in a new subdivision not to exceed a total period of 15 consecutive days in any calendar year.**
- 3. Signs with no commercial message shall be permitted at events for the duration of the event for a total period not to exceed 60 days.**
- 4. Banner signs not exceeding 30 square feet in aggregate are allowed for a total period not to exceed 30 days per year and require a sign permit.**

**D. Flags with a commercial message except as provided in Section 7.10.5(C) (Temporary Signs).**

**E. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.**

**F. Any sign or other object which interferes with the safety of the traveling public.**

**G. Roof Signs.**

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.6 Exemptions**

**A. *The following types of signs are authorized in every district and are exempt from sign permit requirements:***

- 1. *Signs erected and maintained by the Federal government, the State of Ohio, or Lucas County;***
- 2. *Any sign required to be posted by a valid and applicable federal, state, or local law, or regulation;***
- 3. *Signs erected and maintained by this township.***
- 4. *Signs required to be posted by this township;***
- 5. *Any sign inside a building;***
- 6. *Works of art display that do not include a commercial message;***
- 7. *Seasonal or Holiday signs, lights and decorations with no commercial message to decorate a property;***
- 8. *Traffic directional signs on private property which contain no commercial message.***

**B. *The following types of signs are exempt from sign permit requirements but shall be non-illuminated and setback a minimum of ten (10) feet from right-of-way and property lines:***

- 1. *Signs not exceeding 32 square feet in sign area for "C" or "M" zoned property when that property is being offered for sale, rental or lease of the premises upon which sign is located;***
- 2. *Signs not exceeding 32 square feet in sign area when that property is being offered for sale or lease as a subdivision or undeveloped acreage;***
- 3. *Signs not exceeding 50 square feet in sign area when placed upon work under construction with an active Building Permit;***
- 4. *Signs or tablets not exceeding two (2) square feet in area when cut into any masonry surface or when constructed of bronze or other incombustible materials and attached to the surface of a building.***



**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.6 Exemptions (cont'd)**

- C.** *The following types of temporary signs are exempt from sign permit requirements but shall not be placed within the public right-of-way and the total face area of all temporary signs on a parcel shall not exceed twelve (12) square feet in area.*
- 1.** *Yard Signs: Yard signs shall be displayed for no more than seven (7) days.*
  - 2.** *Bandit Signs: Bandit signs shall be displayed for no more than 60 days.*
- D.** *Signs not exceeding six (6) square feet in sign area for "A" or "R" zoned property when that property is being offered for sale, rental or lease of the premises upon which sign is located are exempt from sign permit requirements but shall be non-illuminated and shall not be placed within the public right-of-way.*

**7.10.7 On-premises Electronic Message Center**

*The following regulations shall apply to Electronic Message Centers in all districts:*

- A.** *Maximum Number: No more than one (1) Electronic Message Center attached to a permitted on-premise freestanding Sign shall be allowed per property.*
- B.** *Message Duration: Each Message displayed on an Electronic Message Center must be static and must be depicted for a minimum of eight (8) seconds. When a Message is changed, the change shall occur within three (3) seconds. The continuous scrolling of Messages is prohibited.*
- C.** *Brightness: Electronic Message Center signs and are subject to the following brightness limits:*
- 1.** *During daylight hours between sunrise and sunset, luminance shall be no greater than 5,000 nits.*
  - 2.** *At all other times, luminance shall be no greater than 250 nits.*
  - 3.** *Each electronic message center sign must have a light sensing dimming device that will automatically adjust the brightness of the display as the natural ambient light conditions change to comply with the above brightness limits.*
- D.** *Size: No freestanding Electronic Message Center shall exceed 50 percent of the total allowable square footage for any on-premise freestanding Sign.*
- E.** *The addition of any Electronic Message Center to any Non-Conforming freestanding Sign is prohibited.*

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.8 Off-Premise Signs**

*Off-premise signs are permitted in districts zoned for industry and business and lands used for agricultural purposes per ORC Section 519.20, subject to the following:*

- A. Off-premise signs shall be limited to billboards and poster panels;*
- B. Billboards and poster panels shall not exceed 72 square feet per sign face;*
- C. Height of billboard and poster panels shall not exceed 15 feet above grade;*
- D. Billboards and poster panels shall not be located in any of the required yard areas for principal use in that district.*

**7.10.9 Signs in Agricultural and Residential Districts**

*Signs shall be permitted as follows:*

- A. One (1) low-profile or one (1) wall sign shall be allowed for each lot which contains a non-residential main building permitted in the district. Low-profile signs in "A" and "R" districts shall not exceed 32 square feet in area. Wall signs in "A" and "R" districts shall not exceed 24 square feet in area. Corner lots may have one sign on each lot frontage.*
- B. For those properties on which a home occupation or bed and breakfast has been approved in accordance with the provisions of this Resolution permanent signs shall not exceed four (4) square feet in area and shall be wall mounted or low profile with a minimum setback of five (5) feet from the right-of-way line;*
- C. For Residential Development entrances (including subdivision identification) the owner or owners of the residential development may erect and maintain not more than two (2) signs and shall be setback from the right-of-way a minimum distance of ten (10) feet. The total sign area of a single sign located at a single entrance shall not exceed 32 square feet, shall not exceed 42 inches in height, and shall contain no commercial message. Any entrance sign proposed to be located within the center of a boulevard entrance shall be located in a manner so as not to create a traffic hazard from the standpoint of adequate sight distances;*
- D. All signs except those exempt in Section 7.10.6 (Exemptions), and those permitted in Section 7.10.9 (Signs in Agricultural and Residential Districts), subsections (b) and (c) shall be located a minimum distance of 25 feet from the right-of-way line and not less than 30 feet from any adjacent lot line.*

**Exhibit “A”**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont’d)**

**7.10.10 Signs in Commercial and Industrial Districts**

**One (1) of each sign type listed below, except as indicated, shall be permitted per lot in Commercial and Industrial Districts:**

<b>Table 12-1 Signs in Commercial and Industrial Districts</b>					
<b>Zoning District</b>	<b>Type of Sign Permitted</b>	<b>Max. Size of Pole Sign (Sq. Ft.)</b>	<b>Max. Size of Wall Sign <sup>[1]</sup> <sup>[2]</sup></b>	<b>Max. Size of Low Profile Sign (Sq.Ft.)<sup>[3]</sup></b>	<b>Max. Size of Projecting Sign (Sq.Ft.) <sup>[4]</sup></b>
<b>C-1</b>	<i>Wall, low profile, pole, and projecting</i>	<i>60 per face</i>	<i>1.5 sq. ft. per lineal ft. bldg. width</i>	<i>60 per face</i>	<i>40</i>
<b>C-2</b>	<i>Wall, low profile, pole, and projecting</i>	<i>100 per face</i>	<i>1.5 sq. ft. per lineal ft. bldg. width</i>	<i>100 per face</i>	<i>40</i>
<b>C-3</b>	<i>Wall, low profile</i>	<i>N/A</i>	<i>1.5 sq. ft. per lineal ft. bldg. width</i>	<i>50</i>	<i>N/A</i>
<b>C-4</b>	<i>Wall, low profile, awning, or canopy</i>		<i>1.5 sq. ft. per lineal ft. of street frontage, or 5% of the ground floor of the principal bldg., or 1,000 s.f., whichever is less</i>	<i>50 per face Height maximum of 8 ft.</i>	<i>N/A</i>
<b>M-1</b>	<i>Wall, low profile</i>	<i>N/A</i>	<i>1.5 sq. ft. per lineal ft. bldg. width</i>	<i>50</i>	<i>N/A</i>
<b>M-2</b>	<i>Wall, low profile</i>	<i>N/A</i>	<i>1.5 sq. ft. per lineal ft. bldg. width</i>	<i>50</i>	<i>N/A</i>

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**Footnotes:**

**[1] *Lineal building width facing the right-of-way(s); multiple wall signs are permitted provided the combined square footage is within the wall sign size limit indicated.***

**[2] *Awning, backlit awning and canopy signs are treated as wall signs for the purposes of this table. The sign area for awning, backlit awning, and canopy signs is the copy area.***

**[3] *No low-profile sign is permitted when a pole sign is used.***

**[4] *No projecting sign is permitted when a pole sign is used.***

**7. *Pole Signs and Low-Profile Signs on Double Frontage Lot***

***If a development is located on a lot that is bordered by two streets that do not intersect at the lot's boundaries (double frontage lot), then the development may, subject to the limitations in Section 7.10.10 (Signs in Commercial and Industrial Districts), Subsection (a), have a pole or low-profile sign on each street.***

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

***All pole signs shall be located at least ten (10) feet from the right-of-way line, not less than ten (10) feet from any adjacent lot line, and may not exceed a height of 30 feet.***

**9. *Location of Low-Profile Signs***

***Low-profile signs shall be setback a minimum distance of 15 feet from the right-of-way and ten (10) feet from any adjacent lot line.***

**10. *Location of Signs Adjacent to Agricultural or Residential Districts***

***Signs shall be located a minimum distance of 30 feet from any lot lines of parcels zoned Agricultural or Residential.***

**7.10.11 *Common Signage Plans for Multiple Uses***

**A. *In lieu of the requirements elsewhere in this section, when a structure contains more than one business establishment, or when the owners of two or more contiguous lots voluntarily agree to develop common signage, a common signage plan may be submitted.***

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.11 Common Signage Plans for Multiple Uses (cont'd)**

**B. A common signage plan shall specify standards for consistency among all signs affected by the plan in regard to:**

- 1. Color scheme**
- 2. Lettering**
- 3. Lighting**
- 4. Location of signs**
- 5. Material**
- 6. Sign Proportion**

**C. Common signage plans may not exceed the following limitations:**

- 1. Maximum Sign Area: The total maximum aggregate area of all signs (pole, wall, low profile or projecting) shall not exceed either two (2) square feet of signage per lineal foot of street frontage, or five (5) percent of the ground floor of the principal building, or 1,000 square feet, whichever is less;**
- 2. Maximum Number of Pole or Low-Profile Signs: Pole or low-profile signs are limited to one (1), for each 300 feet of frontage.**

**7.10.12 Definitions**

**The definitions for the following terms are cited in Section 12 (Signs), but may also appear elsewhere in this Resolution:**

**"Abandoned Sign" means a sign or sign structure which no longer identifies or advertises a business, service, owner, product, or activity or removed within the specified time as ordered by this Resolution.**

**"Animated Sign" means a sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical, or other means.**

**"Area Identification Sign" means a sign which identifies a neighborhood, a residential subdivision, a multi-family residential complex or a commercial or industrial complex.**

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.12 Definitions (cont'd)**

*"Area of sign" means the area of the largest single face of the sign where the copy is placed, but excluding the necessary supports or uprights on which the sign may be placed. If the sign consists of more than one section, all areas shall be totaled. Embellishments and other architectural features are not included in the square footage of the sign area calculation, and are not to exceed 50 percent of the sign area.*

*"Awning Sign" means a sign attached to an awning covering a doorway, window, or face of the building.*

*"Backlit Awning Sign" means a sign attached to an awning (or canopy) that is covered with translucent fabric and is internally illuminated.*

*"Bandit Signs" means a sign constructed, in whole or substantial part, of paper, cloth, canvas, plastic sheet, cardboard, wallboard, plywood, or other like materials that is not protected from exposure to the natural elements, but is made of weather-resistant materials that last for more than seven (7) days but less than 60 days without significant loss through exposure to the elements or wear and tear.*

*"Banner" means a temporary sign not exceeding 30 square feet in aggregate displayed on a flag, or strip of lightweight material made of paper, cloth, or fabric which is attached to a building, sign, or other structure.*

*"Billboard" (see "Off-Premise Sign")*

*"Building face or wall" means all window and wall area of a building in one plane or elevation.*

*"Canopy Sign" means any sign attached to or constructed on a roof-like covering with poles, or an overhanging shelter.*

*"Changeable Copy Sign" means a sign or portion thereof with character, letters, or illustrations that can be changed or rearranged through manual, mechanical, or electronic means, without altering the face or the surface of the sign.*

*"Clearance (of a Sign)" means the smallest vertical distance between the grade of the adjacent street, highway, or street curb and the lowest point of any sign, including framework extending over that grade.*

*"Commercial Message" means 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.*

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.12 Definitions (cont'd)**

***"Copy" means the graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.***

***"Copy Area" means the area in square feet of the smallest geometric figure which describes the area enclosed by the actual copy of a sign.***

***"Cutoff fixture" – Means a type of light fixture with no light emitted above horizontal, no light dispersion or direct glare shines above a 90-degree, horizontal plane from the base of the fixture.***

***"Directional Sign" means an on-premise sign giving directions or instructions, to facilitate traffic flow. Such signs shall not contain the business name or business logo.***

***"Double-Faced Sign" means a sign with two faces.***

***"Electronic Message Center Sign" shall mean a sign or a portion of a sign with a sign copy composed of a series of lights that alternates and changes in frequent intervals through electronic means including, but not limited to, television screens, plasma screens, digital screens, holographic displays and LED (light emitting diode) technology. An electronic message center sign shall not be considered a changeable copy sign.***

***"Exempted signs" means exempted from normal permit requirements.***

***"Facade" means the entire building front including the parapet.***

***"Face of Sign" means the area of a sign on which the copy is placed.***

***"Feather Banner" means a portable sign consisting of a vertical banner made of vinyl, nylon reinforced vinyl, polyethylene or polyester-like materials, durable fabric or similar material, the longer dimension of which is typically attached to a pole or rod that is driven into the ground, supported by an individual stand or bracketed to a structure. Also called a "blade sign," "swooper," "flutter flag," "bow sign" or "teardrop banner." This definition includes functionally similar devices. See also "Banner."***

***"Foot-candle" - A unit of measure of the intensity of light falling on a surface, equal to one lumen per square foot.***

***"Frontage, Building" means the length of an outside building wall on a right-of-way.***

**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.12 Definitions (cont'd)**

***"Frontage, Lot" means the length of the property line of any one premise along a public right-of-way on which it borders.***

***"Height" (of a Sign) means the vertical distance measured from the highest point of the sign, excluding decorative embellishments, to the grade of the adjacent street or the surface grade beneath the sign, whichever is less.***

***"Identification Sign" means a sign whose copy is limited to the name and address of a building, institution, or person and/or to the activity or occupation being identified.***

***"Legal Nonconforming Sign" means a sign which was constructed legally, but which does not comply with subsequently enacted sign restrictions and regulations.***

***"Low Profile Sign" means a sign mounted directly to the ground with maximum height not to exceed five (5) feet from the surface grade beneath the sign and not to exceed seven (7) feet from the adjacent street grade.***

***"Message" means the wording or copy on a sign.***

***"NIT or NITS" means a luminance-measuring unit equal to one candela (one candle) per square meter measured perpendicular to the rays from the source.***

***"Off-Premise Sign" (also "Billboard") means a sign structure advertising an establishment, merchandise, service, or entertainment, which is not sold, produced, manufactured, or furnished at the property on which said sign is located.***

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

***"Pole Sign" means any sign supported by upright structures or supports that are anchored in the ground and that are independent from any building or other structure.***

***"Portable Sign" means any sign not permanently attached to the ground or other permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; signs converted to A- or T-frames; menu and sandwich board signs; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless said vehicle is used in normal day-to-day operations of the business.***



**Exhibit "A"**

(Additions in italic highlight. Deletions in strikethrough.)

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

**7.10.12 Definitions (cont'd)**

*"Projecting Sign" means a sign, other than a flat wall sign, which is attached to and projects from a building wall or other structure not specifically designed to support the sign.*

*"Residential Sign" means any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services offered on the premises where the sign is located, if offering such service at such location conforms with all requirements of this Resolution.*

*"Roof Sign" means any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.*

*"Seasonal Sign" or "Holiday Sign" means signs such as holiday decorations installed for a limited period of time.*

*"Sign" means any device, fixture, placard, or structure that uses any color, form, graphic, illumination, symbol, or writing to advertise, announce the purpose of, or identify the purpose of a person or entity, or to communicate information of any kind to the public. Architectural design features such as building accent lighting are not considered signs.*

*"Sign Face" means the entire area of sign on which copy could be placed.*

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

*"Temporary Sign" means any portable sign, flag, pennant, banner, feather banner, bandit sign, or yard sign that is used temporarily or is not permanently mounted.*

*"Wall Sign" means a sign attached to or erected against a wall of a building, with the face parallel to the building wall and extending not more than one (1) foot therefrom, which advertises the use carried on within such building.*

*"Window Sign" means any sign, pictures, symbol, or combination thereof, designed to communicate information about an activity, business, commodity, event, sale, or service, that is placed inside a window or upon the interior window panes or glass and is visible from the exterior of the window.*

**Exhibit “A”**

(Additions in italic highlight. Deletions in strikethrough.)

**SECTION 7 SUPPLEMENTARY DISTRICT USES AND STRUCTURES (cont’d)**

**7.10.12 Definitions (cont’d)**

*“Work of Art Display” means a hand-painted work of visual art that is either affixed to or painted directly on the exterior wall of structure with the permission of the property owner. An original art display does not include: mechanically produced or computer-generated prints or images, including but not limited to digitally printed vinyl; electrical or mechanical components; or changing image art display.*

*“Yard Sign” means a sign that, in whole or substantial part, is not made of weather-resistant material and not adequately protected from the natural elements.*

**SECTION 9 State Route 295 and Interchange Overlay District**

- SECTION 9.1 Purpose and Intent
- SECTION 9.2 State Route 295 and Interchange Overlay District Boundaries
- SECTION 9.3 Review and Approval Procedures
- SECTION 9.4 Permitted and ~~Special~~ **Conditional** Uses
- SECTION 9.5 Excluded Uses
- SECTION 9.6 Accessory Buildings and Uses
- SECTION 9.7 Development Standards
- SECTION 9.8 Parking and Loading Requirements
- SECTION 9.9 Architectural Review Requirements
- SECTION 9.10 Access Management and Traffic Impact Studies
- SECTION 9.11 Signage Requirements
- SECTION 9.12 Outside Requirements
- SECTION 9.13 Utilities
- SECTION 9.14 Landscape Buffering Requirements

**CROSS REFERENCES**

- SECTION 7 Use Regulations
- SECTION 5 Parking & Loading Requirements
- SECTION 7 Supplementary District Uses and Structures
- SECTION 8 Special Provisions for Non-Residential, Commercial and Industrial Uses
- SECTION 10 Non-Conforming Lots, Structures and Uses

9.4 Permitted and ~~Special~~ **Conditional** Uses

All uses which are permitted or special uses in the underlying zoning district(s) except the uses expressly excluded in Section 9.5.