

## GENERAL INFORMATION

### Subject

|           |   |   |
|-----------|---|---|
| Request   | - | Amendment to the Monclova Township Zoning Resolution to modify the US20 A (Maumee Western) Overlay District, and add new language regarding Self-Service Storage Facilities, Short-term Rentals, and Small Solar Facilities |
| Location  | - | Monclova Township   |
| Applicant | - | Monclova Township Zoning Commission   |

## STAFF ANALYSIS

The Monclova Township Zoning Commission requests an amendment to the Monclova Township Zoning Resolution to modify the 20A (Maumee Western) Overlay District, and add new language regarding Self-Service Storage Facilities, Short-term Rentals, and Small Solar Facilities. The Monclova Township Trustees and Zoning Commission are working diligently to prepare for new development along 20A with the new interchange, and would like to provide additional uses for the new development.

The 20A update will provide design guidelines for accessory uses, fuel stations, lighting, and sign overlay requirements. In addition, there will be maintenance standards for structures and landscaping. In the past year, Monclova Township has approved two requests for commercial zoning for properties abutting 20A, and anticipate additional zoning requests in the next year for development within the district.

The proposed Self-Service Storage Facilities section will replace the existing language for Self-Storage Facilities in its entirety. The differences between the two sections includes: hours of operation when the site abuts an agricultural or residential district; any new self-service storage facilities will be restricted to operating in commercial, and industrial zoning districts; the storage of vehicles at the site must be screened; the installation of landscaping around the site will now be required; and hazardous materials will be prohibited from storage facilities except where authorized by the Ohio Fire Code.

The proposed Short-term Rentals will be a new use added to Section 9, Supplemental Regulations. The addition of Short-term Rentals is to address the use of Air Bed & Breakfast (Air B&B) for transients or travelers who prefer to stay in a local residence. The guidelines will limit each rental agreement to thirty (30) consecutive days, and will require a conditional use in AR, C-1 and C-2 zoning districts. For parcels that are zoned AR, the property shall have a minimum lot size of three (3) acres. For parcels that are zoned C-1 and C-2, the property shall have a minimum lot size of one (1) acre.

**STAFF ANALYSIS (cont'd)**

Each property owner will be required to obtain a short-term rental permit from the Township prior to marketing the property. The application requires a site plan that identifies on-site parking, a trash collection point, and the authorized number of travelers. Information regarding the caretaker's point of contact must be provided, and maintained with the Township while operating the short-term rental for the property.

Staff met with the township zoning inspector to discuss licensing in lieu of a conditional use for Short-term Rentals. The township has incurred issues with short term rentals in residential subdivisions, therefore, it is preferred to restrict the rentals to larger residential lots to prevent nuisance issues. The intent is not to interfere with monthly lessening agreements for apartments and single-family dwellings since the property owners will be able to have month to month leases with the same tenant and will not require a conditional use.

The proposed Small Solar Facilities will be added to Section 9 for Supplemental Regulations. The language proposed is identical to the other townships where the solar panels will not be located on the front portion of the structure, and the maximum height will not exceed fifteen (15) feet for ground mounted solar energy systems. The amendment is shown in EXHIBIT "A."

**STAFF RECOMMENDATION**

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

TEXT AMENDMENT  
MONCLOVA TOWNSHIP  
LUCAS COUNTY PLANNING  
COMMISSION  
REF: Z17-C382  
DATE: March 27, 2024  
TIME: 9:00 A.M.

MLM/KB  
EXHIBIT "A" follows

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

| <b>Section 9</b> | <b>Supplemental Regulations</b>  |               |
|------------------|--|---------------|
| <b>9.1</b>       | General  | 9 - 1         |
| <b>9.2</b>       | Accessory Building or Structures   | 9 - 1         |
| <b>9.3</b>       | Antennae Dish  | 9 - 2         |
| <b>9.4</b>       | Sexually Oriented Businesses and Employees                                       | 9 - 2         |
| <b>9.5</b>       | Small Wind Turbine and Other Wind Powered Generators                             | 9 - 4         |
| <b>9.6</b>       | Motor Vehicle Salvage Yards and Junk Yards                                       | 9 - 11        |
| <b>9.7</b>       | Extraction Industries  | 9 - 12        |
| <b>9.8</b>       | Large Scale Retail Projects  | 9 - 13        |
| <b>9.9</b>       | Fences   | 9 - 16        |
| <b>9.10</b>      | Home Occupation  | 9 - 17        |
| <b>9.11</b>      | Kennels  | 9 - 19        |
| <b>9.12</b>      | Ponds  | 9 - 19        |
| <b>9.13</b>      | <del>Self Storage Facilities</del> <b><i>Self-Service Storage Facilities</i></b> | 9 - 21        |
| <b>9.14</b>      | More Than One Principal Building   | 9 - 22        |
| <b>9.15</b>      | Swimming Pools   | 9 - 23        |
| <b>9.16</b>      | Private Tennis Courts  | 9 - 23        |
| <b>9.17</b>      | Nursery and Landscaping – Lawn Care Services                                     | 9 - 23        |
| <b>9.18</b>      | Temporary Structures   | 9 - 24        |
| <b>9.19</b>      | Telecommunications Towers  | 9 - 24        |
| <b>9.20</b>      | Blighting Factors or Causes of Blight  | 9 - 25        |
| <b>9.21</b>      | Environmental Standards  | 9 - 26        |
| <b>9.22</b>      | Open Storage and Display of Material and Equipment                               | 9 - 27        |
| <b>9.23</b>      | Yard/Garage Sales  | 9 - 27        |
| <b>9.24</b>      | Vehicle Sales in Residential Districts   | 9 - 28        |
| <b>9.25</b>      | Access for Fire Protection   | 9 - 28        |
| <b>9.26</b>      | Dwelling Units Above the Ground Level  | 9 - 28        |
| <b>9.27</b>      | Waste Disposal Facility  | 9 - 28        |
| <b>9.28</b>      | Internet Gaming Establishments/Cafes   | 9 - 29        |
| <b>9.29</b>      | Manufactured Home Parks  | 9 - 30        |
| <b>9.30</b>      | Manufactured Homes   | 9 - 31        |
| <b>9.31</b>      | Dumping and/or Spreading of Sewage Sludge  | 9 - 31        |
| <b>9.32</b>      | Farm Markets   | 9 - 31        |
| <b>9.33</b>      | Outdoor Wood Furnaces  | 9 - 32        |
| <b>9.34</b>      | Dirt Mounds  | 9 - 34        |
| <b>9.35</b>      | Crematoriums   | 9 - 35        |
| <b>9.36</b>      | Compressor and Pump Stations   | 9 - 36        |
| <b>9.37</b>      | <b><i>Short-Term Rentals</i></b>   | <b>9 - 37</b> |
| <b>9.38</b>      | <b><i>Small Solar Facilities</i></b>   | <b>9 - 41</b> |

## **EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

### **SECTION 5**

#### **OVERLAY DISTRICTS**

##### **SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District**

###### **A. Purpose and Intent**

The purpose of the U.S. 20A Overlay District is to promote and protect the public health, safety, comfort, convenience and general welfare by providing for consistent and coordinated treatment and connectivity of the properties bordering U.S. 20A in Monclova Township. U.S. 20A is a major east-west route through Monclova Township, is the site of a planned future interchange with I-475/U.S. 23, and is designated as a major access road to Toledo Express Airport. The area in the vicinity of U.S. 20A is emerging as a significant growth corridor for residential, commercial, and industrial development. U.S. 20A is maintained under the jurisdiction of the Ohio Department of Transportation (ODOT). The U.S. 20A Overlay District provides standards intended to preserve and enhance the environmental and aesthetic qualities of the U.S. 20A Corridor and manage access to abutting property and the airport in a manner that will maintain traffic safety and roadway capacity.

The U.S. 20A Zoning Overlay District is intended to provide additional zoning controls for the U.S. 20A Corridor in order to better manage access and land use in this area. The establishment of the Overlay District was included as a recommendation in the Monclova Township Land Use Plan and is intended to help implement and support the plan. Inclusion of parcels within the overlay district boundaries is not intended to change the land use designations shown for those parcels in the plan.

###### **B. U.S. 20A Overlay District Boundaries**

The boundaries of the District are hereby established as shown on the Zoning District Map. The District includes those parcels with frontage along the U.S. 20A right-of-way to a depth of 600 feet from the centerline of the right-of-way along both sides, extending from I-475/U.S. 23 (at the Maumee border) to Whitehouse-Spencer Road (at the Swanton Township border).

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**C. Review and Approval Procedures**

Site plan review and approval shall be necessary for all new development and for any existing structure that is enlarged by 50% or more or when the enlargement contains 5,000 square feet or more in floor area. Single-family residences are exempt from these site plan review requirements but are required to obtain the ODOT driveway access permit noted below. Site plan review shall be required if any portion of the parcel lies within the overlay boundaries, even if all or part of the structure does not. The site plan review shall be as specified in Section 12. Site plans will also be reviewed for conformance with ODOT's U.S. 20A Access Management Plan (July 2002 plan and any future updates). In addition, ODOT requires a driveway access permit application for any new or modified access, as well as for a change in use for existing driveways. ODOT may require a performance bond for this permit.

**D. Appeals Process**

An appeal of the Zoning Administrator's decision on a site plan review under this section may be made to the Board of Zoning Appeals in accordance with the process provided for appeals in Section 16.

**E. Permitted and Conditional Uses**

All uses which are permitted are Conditional Uses in the underlying zoning district(s) except the uses expressly excluded by Section 4.

**Excluded Uses**

Adult-oriented uses  
Auction market with outdoor display and storage  
Automobile/truck repair garage when not in conjunction with new automobile/ truck sales  
Billboards Boat storage  
Flea market with outdoor sales or storage Internet Gaming  
Establishment/Café Junkyard  
Landfill

**Landscaping – Lawncare Services**

Manufactured home, mobile home or industrialized dwelling unit sales Manufactured home park

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**E. Permitted and Conditional Uses** (cont'd)

Motor vehicle body  
shop Motor vehicle  
salvage yard  
Outdoor storage of construction materials and  
equipment Sale of fireworks  
***Self-Storage Facility***  
Used car sales when not in conjunction with  
new car sales

**F. Non-Conforming Lots, Structures and Uses**

Lots, structures and uses which are lawful before the adoption of the U.S. 20A Overlay District but which become non-conforming under the terms of the overlay district shall be permitted to continue under the grandfather provisions contained in Section 10.

**G. *Accessory Buildings and Uses***

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

**H. *Architectural Standards***

***The purpose of architectural standards is to ensure the exterior of new construction and additions and/or renovations to existing buildings are well designed, detailed and crafted to embody high standards of architectural design and to ensure the long-term viability of commercial structures in the township. Further it is encouraged that when existing buildings are remodeled and/or enlarged that the entire building is brought into conformity with the township architectural review requirements per section 12.4 of the Monclova Township Zoning Resolution.***

***Main building entrance doors are recommended to be a minimum of ninety-six (96) inches in height.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**I G. Development Standards**

**1. Minimum Front Yard Setback**

- a. The minimum front yard setback along U.S. 20A shall be the greater of 50 feet from the right-of-way line or 150 feet from the centerline of the U.S. 20A pavement as of the date of adoption of this overlay district. Parcels with frontage on more than one street shall have a minimum front yard setback from the right-of-way line of the minor street as specified in Sections 4.14.D.
- b. In the event that any dwelling existing or under construction at the date of adoption of the U.S. 20A Zoning Overlay district is damaged so extensively that it must be rebuilt, the replacement dwelling may be constructed in accordance with the 100 foot from centerline front yard setback requirement in effect prior to adoption of the overlay district.
- c. The 100-foot front yard setback requirement in effect prior to adoption of the overlay district will remain in effect for any existing lot of record, or any portion of an existing lot of record under a single zoning district for split-zoned parcels, with a depth of 300 feet or less from the U.S. 20A centerline.

**2. Minimum Side Yard Setback**

As specified in the underlying zoning district.

**3. Minimum Rear Yard Setback**

As specified in the underlying zoning district. In addition, a twenty-five (25') foot rear yard landscape area shall be provided where the rear yard abuts an agricultural or residential zoning district outside the overlay district. Single- family residences are exempt from the rear yard landscape area requirement.

**4. Maximum Building Height**

As specified in the underlying zoning district.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**I G. Development Standards** (cont'd)

**5. Minimum Front Yard Landscape Area**

Twenty-five (25') feet along U.S. 20A and 10 feet along side streets. The landscape area shall be located outside of the right-of-way within the front yard setback area(s) and no off-street parking shall be located within the landscape area. Single-family residences are exempt from the front yard landscape area requirement. In those instances where a parallel service road is provided within the required front yard the minimum landscape area width shall be ten (10') feet.

**6. Lot Frontage**

No existing lot that has frontage U.S. 20A may be subdivided in such a manner so as to reduce such frontage on U.S. 20A to less than 200 feet for any one lot, unless a Traffic Impact Study is reviewed and approved by the Lucas County Engineer and ODOT. Existing lots of record at the time of this amendment's adoption with widths of under 200 feet retain their legal status in accordance with Section 9 of the Zoning Resolution.

**7. Parking Requirements**

Parking is prohibited in the front yard landscape area (see Section 6) and in the rear yard setback when adjoining a residential district. Efforts to break up large expanses of pavement are to be encouraged by the interspersing of appropriate planting areas wherever possible. The number of parking spaces required are as established in Section 6 of this Resolution depending upon the zoning and the intended land use.

**8. *Shall comply with all access management regulations.***

**J. *Fuel Station Design Standards***

**1. *Gas station canopies shall utilize high quality materials and support structures shall feature masonry type materials such as brick or stone.***

**2. *Unique landscaping is encouraged. Decorative water features are encouraged and shall be well-maintained. Landscaping is recommended around free-standing signage. All landscaping shall be irrigated.***



**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**K. *Lighting Standards***

- 1. *All canopy lighting whether gas station or otherwise shall be recessed lighting with no light pollution off site.***
- 2. *All freestanding lighting shall be shoebox- style with light directed downward. Decorative lighting may also be used and will be reviewed on a case by case basis.***
- 3. *Light poles shall not exceed twenty (20') feet in height.***
- 4. *No light pollution is allowed off site.***
- 5. *All building lighting shall be decorative in nature. Any building mounted wall pack lighting shall be shielded and shall not be visible from the right of way.***

**L. *Sign Standards***

- 1. *All lighted signs shall be internally illuminated; external lighting sources are not allowed.***
- 2. *All freestanding signs shall be monument style and shall follow the size and setback provisions of Section 7.***
- 3. *Monument Signs shall be constructed with high quality materials. Sign bases shall utilize masonry materials such as brick, stone, or stucco so as to be of similar appearance to the main building on the parcel.***
- 4. *All existing non-conforming signs are encouraged to be brought into compliance with the provisions of this section.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

***M. Maintenance Standards***

***Monclova Township encourages the maintenance of all existing buildings and land. All painted surfaces shall be kept free of peeling paint. Any metal surfaces shall be kept free of rust. When exterior building finishes are changed and/or replaced they should be made to conform to the provisions of this section. All landscaping areas shall be maintained to be free of weeds, and any overgrown vegetation shall be maintained. Any dead vegetation shall be removed and replaced with similar plantings. Whenever buildings in this district are renovated, the signage, lighting, and landscaping shall be brought into compliance with this section.***

***N. H. Landscape Requirements***

Site plan review shall also include the review of landscape design elements and conformance with all applicable requirements.

**1. General Landscape Requirements**

In addition to the required front yard landscape area, landscaping for all uses except single-family dwellings, shall be provided in the following areas:

- a. At the perimeter of sites to buffer, separate, and/or screen adjacent land uses.
- b. At the perimeter of parking lots to shade, separate, and/or screen the view of parked cars from adjacent streets and land uses.
- c. In the interior of parking lots to provide shade and break up large expanses pavement.
- d. Around the perimeter of buildings to enhance the appearance of structures.
- e. When barriers or fences are utilized, plant material shall be included.
- f. Plants, fencing and other landscape material areas shall not include any portion of the right-of-way.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**N. H. Landscape Requirements** (cont'd)

- g. All loading areas shall be landscaped for screening purposes.
- h. Trash receptacles and refuse containment shall be screened from public view and shall not be placed within any required setback areas.
- i. All rooftop HVAC units shall be adequately screened from the view of neighboring properties.

**2. Specific Landscape Requirements**

These requirements shall be met unless an alternative landscape plan providing equivalent screening and buffering is approved by the Zoning Administrator. Landscaping is not required within utility easements.

- a. A planting strip at least five (5') feet in width shall be located along any parking area perimeter abutting a public roadway. The planting strip shall not be located within the right-of-way but may be included within the front yard landscape area required per Section 5.1.G.5. Within this planting strip there shall be one (1) two and a half (2.5") inch caliper deciduous shade tree per fifty (50) linear feet of perimeter parking area. There shall also be a four (4) foot tall hedge (at maturity) of shrubs (evergreen or deciduous) to provide screening. An alternative arrangement of perimeter landscaping material such as mounding, fencing, or walls may be considered as part of the site plan review process. The planting strip should be setback at least five (5) feet from the parking lot pavement edge for maintenance purposes.
- b. Landscaping within parking areas is necessary not only to reduce the generation of heat and water runoff but also to break up visually the expanse of paved areas. Landscape islands with shade trees shall be strategically placed throughout the parking lot. Landscaping within parking areas will be required as follows:

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**N. H. Landscape Requirements** (cont'd)

- i. Any open parking area (including loading areas and aisle ways) containing more than six thousand (6,000) square feet of area or fifteen (15) or more parking spaces shall provide a permeable interior landscaping area equal to at least five percent (5%) of the total parking area.

**2. Specific Landscape Requirements** (cont'd)

- a. For parking areas over thirty thousand (30,000) square feet in size, the required landscaping shall be designed to break up the visual expanse of pavement with landscape features such as boulevards, larger landscape islands, or areas of preserved on-site native vegetation. This landscaping requirement may also include storm water retention areas or drainage courses, if designed so as to provide an attractive natural asset to the site.
- b. The minimum required plant materials for the interior of parking areas shall be one deciduous tree for every three thousand (3,000) square feet of parking area. Where site distance or maneuvering conflicts exist, trees shall have a clear trunk of at least five (5') feet above the ground, and the remaining required landscape areas shall be planted with shrubs or ground cover not to exceed two feet in height.
- c. Foundation planting is required for all exterior building walls that are visible from a road. Foundation plantings shall be placed within five (5') feet of the building perimeter. Ten (10) shrubs shall be required for every one hundred (100) lineal feet of horizontal exterior building wall visible from the road, street, or highway. If foundation plantings are deemed not practical due to unique features of the site and/or building, an alternative plan may be considered as part of the site plan review process.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**N. H. Landscape Requirements** (cont'd)

- d. The required front yard landscape strip shall be unoccupied except for landscape material, steps, walks, terraces and driveways. Innovative treatments are encouraged in this area, but the design must not interfere with adequate sight distance. Within the landscape strip, at least one (1), two and one-half (2 ½") inch caliper deciduous or two (2), six (6') foot high evergreen trees or a combination, shall be installed for each one hundred (100') feet of property frontage along with other appropriate landscape materials.
- e. All required landscape areas shall be protected by curbing or a suitable barrier to prevent vehicular encroachment.
- f. An irrigation system shall be installed in all required landscape areas unless drought resistant, native species are utilized.

**3. Landscape Maintenance and Replacement Requirements**

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

- a. Landscape material shall not interfere with public utilities, restrict pedestrian or vehicular access, or otherwise constitute a traffic hazard.
- b. All trees, shrubs, ground covers and other plant materials shall be replaced if they fail to thrive.
- c. Replacement plants shall conform to the approved plan. Dead or unhealthy plants shall be replaced within the next planting season.
- d. As part of the site plan, a bond, escrow, or other suitable guarantee shall be filed with the Zoning Administrator to ensure the landscape material is installed and maintained for a two (2) year period. No Zoning Certificate shall be issued until the bond, escrow or other suitable guarantee is accepted.

## EXHIBIT "A"

(Deletions in strike out, additions in bold italics)

### SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District (cont'd)

#### **O. 4.** Access to Individual Parcels

Access along U.S. 20A shall be reviewed relative to the distance from other drive approaches and from roadway intersections and shall conform to ODOT's U.S. 20A Access Management Plan. Access shall be reviewed by the Lucas County Engineer and ODOT prior to approval. When deemed appropriate by the Lucas County Engineer or ODOT, the developer may be required to prepare a traffic impact study. Left and right turn lanes are encouraged and may be required as conditions of approval by the controlling jurisdiction (Lucas County Engineer or ODOT).

##### 1. Access Permits

All access permits shall be reviewed and approved by the Lucas County Engineer and ODOT. Design and location of access driveways onto U.S. 20A must be in compliance with applicable ODOT guidelines and regulations.

##### 2. Access Options

The preferred method of providing access to parcels is to reduce or eliminate driveways and curb cuts by using front access drives (frontage roads), rear access drives, cross access easements and shared drive approaches. When parcels abut more than one roadway, the preferred access option is to locate access points on a county or township road near the intersection with U.S. 20A.

#### **P. 4.** Traffic Impact Study

If required by the Lucas County Engineer or ODOT, a traffic impact study shall be prepared by a qualified professional engineer at the developer's expense. The study shall investigate the feasibility and benefits of improvements such as signals, turn lanes, driveway movement limitations, etc. to protect the safety and welfare of the traveling public. The traffic impact study shall be in accordance with current ODOT access management guidelines and shall include the following elements:

1. A description of the site and study area.
2. Anticipated development of adjacent parcels.
3. Existing and projected future traffic volumes.
4. Trip generation and distribution.
5. Traffic assignment resulting from the development.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

6. An assessment of the impact resulting from driveway alternatives.
7. Recommendations for site access and transportation improvements needed to maintain traffic flow at an acceptable and safe level of service.
8. An evaluation of the effects the proposed development will have on the level of service and roadway capacity.

**Q. 4. Other Requirements**

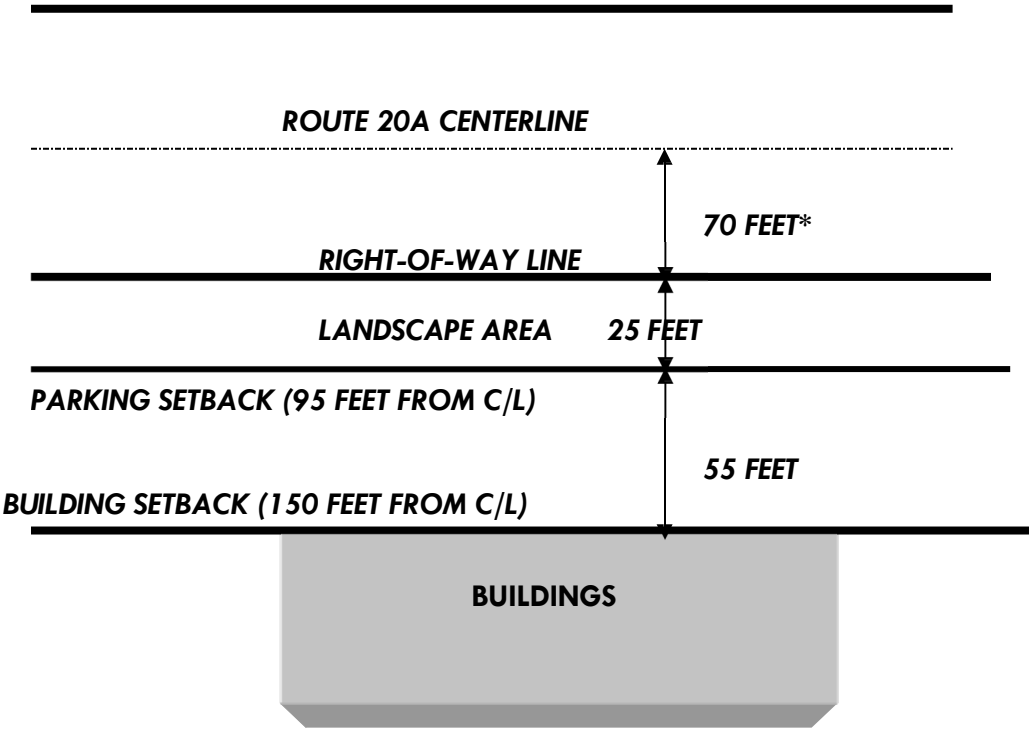
1. **Pole Signs**  
No pole signs shall be permitted in the U.S. 20A Zoning Overlay District.
2. **Semi-truck Loading Areas**  
Semi-truck loading berths or bays for merchandise and materials which face  
U.S. 20A shall be suitably screened by landscaping or fencing.
3. **Utilities**  
Utilities for new development shall be underground.
4. **Lighting**  
In reviewing the lighting proposed for a development, factors to be considered include the following: safety, security, prevention of light spillage or glare onto adjoining residential properties or streets, and height/placement of lighting based on the use.

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 5.1 U.S. 20A (Maumee Western Road) Zoning Overlay District** (cont'd)

**FIGURE 5-A DEVELOPMENT STANDARDS EXAMPLE**



(70-foot half right-of-way per ODOT U.S. 20A Access Management Plan recommended right-of-way width for segment from Strayer Road to Weckerly Road. Typical existing half right-of-way width 40 to 50 feet.)



## EXHIBIT "A"

(Deletions in strike out, additions in bold italics)

### SECTION 9.13 **SELF STORAGE FACILITIES**

#### **A. General Requirements**

1. ~~Self storage facilities shall be limited to rental of storage units and external vehicle storage spaces, pickup and deposit of stored items.~~
2. ~~Radioactive material, explosives and flammable or hazardous chemicals shall be prohibited from storage. This prohibition shall be included in the lease agreement of storage units. A copy of the lease agreement shall be filed with zoning administrator as a condition of the permit.~~

#### **B. Specific Requirements**

1. **Lot Area:**
  - a. ~~Minimum lot area shall be two (2) acres.~~
  - b. ~~Maximum lot area shall be three (3) acres for "R-3" Districts.~~
2. **Lot coverage:** ~~Maximum lot coverage of units and storage areas shall be 50% of gross lot area.~~
3. **Setback:**
  - a. ~~Front yard: 50 feet~~
  - b. ~~Side or Rear Yard: 25 feet when abutting or opposite an "A" Yard or "R" District~~
  - c. ~~15 feet when opposite or abutting a "C" or "M" District~~
4. **Height:** ~~Height of structures shall be in conformance with structures or equal the average height of structures on properties abutting or opposite to self storage facilities where no adjacent structures exist, the maximum height shall be 15 feet to highest point of building.~~
5. **Lighting:** ~~Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arrange to reflect light away from adjoining residential property or any public way.~~

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.13      SELF STORAGE FACILITIES** (cont'd)

6. ~~Site Plan:~~ A site plan shall be required and subject to approval by the Zoning Commission, with review by the Planning Director of the Lucas County Planning Commission.
7. ~~Signs:~~ Shall conform to requirements under Section 7.
8. ~~Pavement:~~ All roadways and parking areas shall be paved with concrete, asphalt or bituminous pavement.
9. ~~No door openings for any storage unit shall be constructed facing any residentially zoned property.~~
10. ~~Fencing, walls, or landscaping/plant screening shall be required around the perimeter of the facility, where deemed appropriate under the site plan review setbacks may be waived and a unit wall approved in lieu of a fence or landscaping.~~
11. ~~Special Requirements:~~ Where abutting or opposite an "A" or "R" District:
  - a. ~~Fencing or walls shall consist of decorative wood or stone, decorative concrete block or similar materials compatible with surrounding residential dwellings.~~
  - b. ~~Hours of operation shall be no earlier than 7:00 A.M. nor later than 8:00 P.M. daily.~~
12. ~~External storage of vehicles:~~ External storage of vehicles shall be limited to cars, boats and recreational vehicles; shall be limited to one external vehicle storage space per 2,000 square feet of enclosed storage space; shall be prohibited within any required yard area; and shall be suitably screened and fenced.

(Revised 12/17/01. Z17-C244)

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.13 SELF-SERVICE STORAGE FACILITIES** (cont'd)

*As used in the Monclova Township Zoning Resolution, self-service storage facility definitions shall have the following meaning:*

- 1. "Self-service storage facility" (also referred to as "SSFs"), means any real property that has a structure with controlled access and used for the purpose of renting or leasing individual storage space in the facility, both indoor and outdoor, under the following conditions:*
  - a. The occupants or renters have access to the storage space only for the purpose of storing and removing personal property.*
  - b. The owner does not issue a warehouse receipt, bill of lading, or other document of title for the personal property stored in the storage space.*
  - c. No SSF shall be used for living purposes or for conducting personal or commercial business activity.*
- 2. Outdoor Storage Facility or Business means the leasing or renting of space of an unenclosed area to person for storing of any goods, material, merchandise, building or construction materials, vehicles, or similar items of personal property.*
- 3. "Owner" means a person that is the owner or operator of a self-service storage facility, the lessor or sublessor of an entire self-service storage facility, the agent of any of the foregoing, or any other person authorized by any of the foregoing to manage the facility or to receive rent from an occupant pursuant to a rental agreement. Names of owners and/or operators responsible for 24hr watch of the SSF shall provide current contact information with the Zoning Administrator.*

**A. General Requirements**

- 1. Hours of Operation and Management: Where abutting or opposite an A or R District hours of operation shall be no earlier than 7:00 a.m. nor later than 8:00 p.m. daily.*

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.13 SELF-SERVICE STORAGE FACILITIES** (cont'd)

**2. Location:**

- a. Indoor Self-storage Facilities shall be permitted uses in M-1 and M-2 districts, and conditional uses in C-3 districts, only.***
- b. Outdoor Storage Facilities or Businesses shall be permitted uses in M-1 and M-2 districts, and conditional uses in C-2 or C-3 districts.***
- c. SSFs shall not be located in a tax increment financed area or any type of economic development district or zone since the primary purpose of such district is to facilitate economic development and employment opportunities that help to generate resources for public safety and health functions for Monclova Township.***
- d. No SSFs shall be located 150 feet from a wetland.***

**3. Lot Area:**

- a. Minimum lot area shall be two (2) acres.***
- b. Maximum lot area shall be three (3) acres for "C-3" Districts.***

**4. Lot coverage: *Maximum lot coverage of units and storage areas shall be 50% of gross lot area.***

**5. Setbacks:**

- a. Front yard - 50 feet***
- b. Side or Rear Yards - 25 feet when abutting or opposite an "A" Yard or "R" District:***
- c. When opposite or abutting a C' or "M" District – 15 feet***

**6. Height: *Height of structures shall be in conformance with structures or equal the overage height of structures on properties abutting or opposite to self-storage facilities where no adjacent structures exist, the maximum height shall be 15 feet to highest point of building.***

**7. Lighting: *Lighting shall be provided to illuminate facility entrances, driveways, parking areas and storage entrance areas and so arrange to reflect light away from adjoining residential property or any public way. A Glint and Glare Study may be required at the election of the Zoning Administrator.***

**8. Site Plan: *A site plan shall be required and subject to approval by the Zoning Commission, with review by the Planning Director of the Lucas County Planning Commission. Site plan requirements shall conform to requirements under Section 12.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.13 SELF-SERVICE STORAGE FACILITIES** (cont'd)

- 9. Signs: Shall conform to requirements under Section 7.**
- 10. Pavement and Interior Access: All roadways and parking areas shall be paved with concrete, asphalt or bituminous pavement. Interior drive aisle widths shall not be less than 25 feet.**
- 11. Orientation: No door openings for any storage unit shall be constructed facing any residentially zoned property.**
- 12. External storage of vehicles and hazardous materials:**
  - a. External storage of vehicles shall be limited to cars, boats and recreational vehicles; shall be limited to one external vehicle storage space per 2,000 square feet of enclosed storage space; shall be prohibited within any required yard area; and shall be suitably screened and fenced. All vehicle types must be in operable and working condition.**
  - b. Radioactive materials, explosives and flammable or hazardous chemicals shall be prohibited from storage, except as authorized by the Ohio Fire Code. This prohibition shall be included in the lease agreements of the SSFs and a copy of the lease agreement shall be filed with the Zoning Administrator as a condition of any permit.**
- 13. Landscaping: Fencing, walls, or landscaping/plant screening shall be required around the perimeter of the facility, where deemed appropriate under the site plan review setbacks may be waived and a unit wall approved In lieu of a fence or landscaping. Where abutting or opposite an A or R District:**
  - a. Fencing or walls shall consist of decorative wood or stone, decorative concrete block or similar materials compatible with surrounding residential dwellings.**

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.37 SHORT-TERM RENTALS**

**A. PUBLIC PURPOSE**

*This section is intended to protect and promote the health and safety of all the citizens of Monclova Township by requiring the registration and certification of short-term rentals within the Township. It is also the intent of this section to protect the integrity of residential neighborhoods while allowing property owners to receive remuneration from rental of a dwelling to help maintain the dwelling.*

**B. DEFINITIONS**

*Caretaker - A caretaker is an individual, other than the short-term rental permit holder, who is responsible for the oversight and care of the short-term rental.*

*Parking Space – A parking space shall be a minimum of 10 feet by 20 feet, located off-street, outside of a road right of way, and in one of the following locations: a garage or carport; a paved or gravel driveway; or a paved or gravel parking pad.*

*Renter – As used in this Resolution, a renter is an occupant or renter of a short-term rental pursuant to a rental agreement.*

*Septic Approval –Septic approval is a form or document prepared by Lucas County Health Department attesting to the property, if on a private septic system, is compliant in regards to its home sewage treatment system (HSTS).*

*Short-term Rental Property- Short-term rental property (also referred to as “STRs”) means a house, apartment, condominium, cooperative unit, cabin, cottage, or bungalow, or one or more rooms therein, that is, or are, offered or rented wholly or partly for a fee to transients or travelers for a period of thirty (30) consecutive days or less, by persons other than the permanent occupant or owner from which the permanent occupant or owner receives monetary compensation, regardless of whether amenities, including meals, daily housekeeping, concierge services, or linen services, are provided.*

*Short-term Rental Permit – A permit for a short-term rental property located in a zoning district duly issued by Monclova Township Zoning department. The fee for the permit shall be \_\_\_\_\_.*

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.37 SHORT-TERM RENTALS (cont'd)**

*Special Events – In association with a short-term rental: A wedding, outdoor party, family reunion or similar gathering that exceeds the maximum number of occupants allowed under the short-term rental permit.*

**C. APPLICABILITY**

*Short-term rentals (STRs) shall only be permitted as conditional use in the following zoning districts: AR, C-1 and C-2. Minimum lots sizes for AR parcels must be three (3) acres or more with setbacks as per Sect. 4.2 D. of Zoning Resolution. C-1 and C-2 parcels shall have a minimum lot size of one (1) acre and have a minimum front yard setback of 35 feet, minimum side yard of 20 feet and minimum rear setback 60 feet. STR's are prohibited in all platted AR subdivisions.*

**1. Permit Required.**

*A permit is required prior to the rental of any residential dwelling to be rented for a period of thirty (30) days or less.*

*a) A permit issued by the Township shall be valid until the dwelling is sold, unless the conditions for approval of the permit are violated.*

*b) A permit will be issued by Monclova Township Zoning within 30 days of receipt of Monclova Township Board of Zoning Appeals approval, a complete short-term rental permit application, and;*

*I. For properties with public sanitary sewer or Lucas County Sanitary Sewer documentation attesting that is the case or:*

*II. For properties with a home sewage treatment system (HSTS) a current Lucas County septic approval.*

*III. Review and approval from the Monclova Fire Department and/or public safety representative.*

*c) The permit shall indicate the maximum number of guests that can be accommodated at the rental in accordance with the standards listed in Section \_\_\_\_\_ (Capacity Limit).*

*d) A permit and permit holder shall be subject to all of the standards and penalties of the zoning resolution.*

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.37 SHORT-TERM RENTALS (cont'd)**

**2. Application.**

***An application provided by the Township for a short-term rental permit shall include the following at a minimum:***

- a) Address of property.***
- b) Property owner name(s).***
- c) Signature of property owner(s) and caretaker.***
- d) Contact information including: name, address, and 24-hour contact phone number for the owner of the property and the caretaker. It is the permit holder's responsibility to inform the Township of any change in caretaker or contact information for the permit holder or caretaker.***
- e) Number of bedrooms in the dwelling.***
- f) Number of parking spaces as defined under Section 28.02.***

**3. Site plan.**

***A site plan of the property shall include location of the dwelling, location and number of smoke and carbon monoxide detectors, driveway or other point of access, site lighting, landscaping/buffering provisions, and designated parking spaces meeting the definition of a parking space under Section \_\_\_\_.***

**D. SHORT-TERM RENTAL STANDARDS**

**1. Parking.**

***Parking for guests in a short-term rental shall only be in identified parking spaces as defined in this resolution. No on-street parking shall be permitted in association with a short-term rental.***

**2. Trash.**

***Refuse and recyclables shall be stored in appropriate containers with tight fitting lids and shall be regularly picked up by a licensed waste hauler.***

**3. Special Events.**

***Special events as defined in this section are not permitted at a short-term rental property.***



**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.37 SHORT-TERM RENTALS (cont'd)**

**4. Capacity Limit.**

*The maximum number of renters to be accommodated shall be equal to the number of bedrooms multiplied by a factor of 2. The number of bedrooms shall be as certified by the applicant. The permit issued by the township shall indicate the maximum number of renters that may be accommodated as calculated under these standards.*

**5. Contact.**

*The permit holder or a caretaker representing the property owner must be available by telephone at all times in the event of an emergency or an issue that requires immediate attention.*

**6. Permit Number.**

*The unique short-term rental permit number issued by the Township shall be included in any advertisement for the rental and posted in a location visible from the street or road serving the property.*

**7. Pets.**

*Pets shall be secured on the premises or on a leash at all times.*

**8. Signs.**

*No signs advertising the property shall be allowed.*

**9. Lodging Tax.**

*The Short-term Rental property and owner shall be subject to the three percent Monclova Township lodging tax.*

**10. Campfires.**

*Any campfires at a short-term rental property:*

- a) Shall be contained within a fire ring or other comparable container.*
- b) Shall be located no less than 50 feet from any structure or any combustible material, located away from overhanging tree branches, and located such that the prevailing winds will not deliver smoke to adjacent residences.*
- c) Shall be under the direct supervision of an adult at all times.*
- d) Shall be fully extinguished prior to leaving the fire.*

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.37 SHORT-TERM RENTALS (cont'd)**

**E. VIOLATIONS AND REVOCATION OF PERMIT**

**1. Violations.**

*Any of the following will be considered a violation of the Monclova Township Zoning Resolution:*

- a) Failure to update information with the Township such as the caretaker's or owner's contact information in a timely manner.*
- b) Advertising a short-term rental for a capacity in excess of that allowed under the permit issued by the Township.*
- c) Failure of the permit holder or his/her designated caretaker to be available at any time during the tenure of an active short-term rental*
- d) Providing false or misleading information on the application for a short-term rental permit.*
- e) Failure to obtain a short-term rental permit when operating a short-term rental.*
- f) Complaints of site nuisances such as noises, smoke, odors, vibrations, objectionable and excessive lighting or traffic congestion.*
- g) Failure to comply with any of the standards under Section \_\_\_\_.*

**2. Nuisance Per Se.**

*Any short-term rental permit holder or caretaker who violates any provision of this resolution shall be responsible for an infraction of the Monclova Township Zoning Resolution and may be subject to a fine as outlined in Section 14.6 and as authorized under ORC 519.99. The Township shall have the right to commence a civil action to enforce compliance with this resolution. Each day this resolution is violated shall be considered a separate violation.*

**3. Revocation.**

*The Township may revoke a short-term rental permit following two separate violations on the same property under the same ownership within any single calendar year. The property owner may reapply for a permit the following calendar year and receive a short-term rental permit if all violations have been resolved.*

**F. ENFORCEMENT OFFICIALS**

*In accordance with Ohio Revised Code, the Monclova Township Zoning Administrator or an officer of the Lucas County Sheriff department is hereby designated as authorized officials to issue violations directing alleged violators to appear in court.*

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.38 SMALL SOLAR FACILITIES**

***Solar facilities of fifty (50) megawatts or more shall be required to submit an application with the Ohio Power Siting Board (OPSB) at the Public Utilities Commission of Ohio (PUCO) and are required to meet OPSB regulations.***

**A. DEFINITIONS**

***Ground Mounted Solar Energy Systems: A solar energy system that mounts a solar panel or panels and facilities on or above the ground.***

***Integrated Solar Energy Systems: A solar energy system that is incorporated into or replaces standard building materials and does not have mounting equipment. For example, these systems may include materials that replace traditional roofing, shingle, or siding materials, awnings, canopies, skylights, or windows.***

***Rooftop Solar Energy Systems: A solar energy system that is mounted to a structure or building's roof on racks.***

***Small Solar Facility: A Solar Energy System and associated facilities with a single interconnection to the electrical grid and designed for, or capable of, operation at an aggregate capacity of less than fifty (50) megawatts.***

***Solar Energy: means radiant energy (direct, diffused, or reflected) received from the sun that can be collected and converted into thermal or electrical energy.***

***Solar Energy System: means a system and associated facilities that collect Solar Energy, which may include, but is not limited to, an Integrated Solar Energy System, Rooftop Solar Energy System, or Ground Mounted Solar Energy System.***

**B. WHERE PERMITTED**

***1. Integrated Solar Energy Solar Systems: Construction, erection, or siting of an Integrated Solar Energy System is permitted in all zoning districts. A Zoning Certificate shall be required in all zoning districts.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***

- 2. Rooftop Solar Energy Systems: Subject to the restrictions contained in this Section 9.37 any construction, erection, or siting of a Rooftop Solar Energy System shall be a permitted use in all zoning districts. A Zoning Certificate shall be required in all zoning districts.***
- 3. Ground Mounted Solar Energy Systems: Such systems are permitted on parcels greater than one (1) acre in size. The construction, erection, or siting of a Ground Mounted Solar Energy System is permitted as an accessory structure and shall comply with the regulations in this Section and Section 9.2 A Zoning Certificate is required in all zoning districts.***
- 4. Small Solar Facilities: Subject to the restrictions contained in this Section, as well as any other relevant conditions as the Board of Zoning Appeals may determine, any construction, erection, or siting of Small Solar Facilities may be permitted as a conditional use on parcels five (5) acres and larger in the M-1 Industrial/Office Research District.***

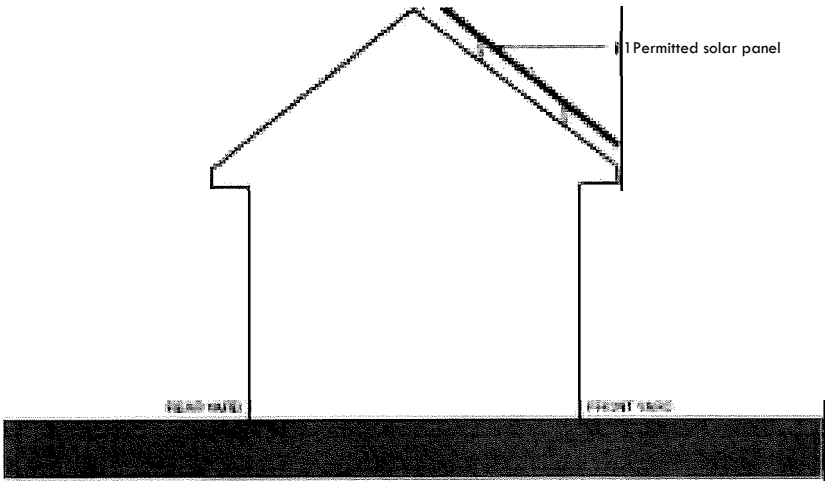
***C. GENERAL REQUIREMENTS***

- 1. Integrated or Rooftop Solar Energy Systems***
  - a. Height: The maximum height of any Integrated or Rooftop Solar Energy System shall not exceed the maximum height applicable to principal structures located in the zoning district where located. An Integrated or Rooftop Solar Energy System mounted on a roof shall not vertically exceed the highest point of the roof to which it is attached. In no instance shall the system extend greater than 18 inches from roof's or wall's surface.***

**EXHIBIT "A"**

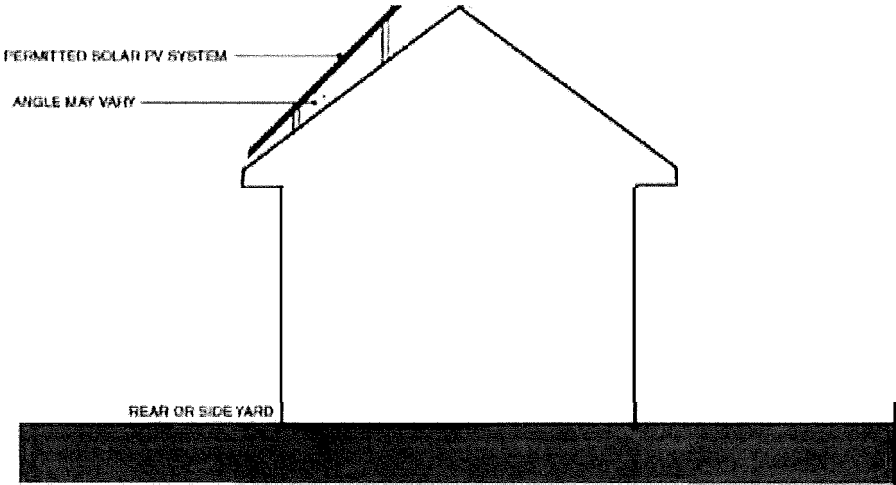
(Deletions in strike out, additions in bold *italics*)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***



***FIGURE 1***

***Roof-mounted solar panels that are mounted at an angle to the roof structure shall only be permitted on roof surfaces that face the side or rear lot. No integrated system can be located on a front façade or any façade facing a public right-of-way.***



***FIGURE 2***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***

***b. Coverage: An Integrated or Rooftop Solar Energy System shall cover no more than 50% of a structure's walls and/or roof, as applicable.***

***c. Components: All exterior electrical lines must be located entirely underground and placed in conduit.***

***2. Ground Mounted Solar Energy Systems***

***a. Height: The maximum height of any Ground Mounted Solar Energy System at any point shall not exceed eight (8') feet.***

***b. Coverage: Ground Mounted Solar Energy Systems shall not exceed three hundred (300) square feet in size in any Residential District. Such systems shall not exceed six hundred (600) square feet in size in Commercial and Industrial Districts.***

***c. Components: All exterior electrical lines must be located entirely underground and placed in conduit.***

***d. Visual Buffer: A Ground Mounted Solar Energy System shall have a visual buffer of ornamental vegetation, conifers, evergreens, plantings, and/or fencing that provides reasonable visual screening to minimize view of and noise from the Small Solar Facilities on adjacent lots and from any public right-of-way. Ground Mounted Solar Energy Systems located on corner lots shall comply with all applicable requirements (including, but not limited to, those for yards, buffering, and screening) for lots in the zoning district where located. The Ground Mounted Solar Energy System shall not be located in a landscape buffer.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

**SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)**

***e. Maintenance: Ground Mounted Solar Energy Systems shall be maintained in good working order at all times. The owner of the property shall, within thirty (30) days of permanently ceasing operation of a Ground Mounted Solar Energy/ System, provide written notice of abandonment to the Zoning Administrator unused Ground Mounted Solar Energy System may stand no longer than ninety (90) days following abandonment. All costs associated with the dismantling/demolition of the Ground Mounted Solar Energy System and associated equipment shall be the responsibility of the property owner. A Ground Mounted Solar Energy System is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing Ground Mounted Solar Energy System. The property shall be returned to a graded, seeded and/or landscaped state similar to its condition prior to construction/installation.***

**3. Small Solar Facility**

***a. Height: The maximum height of Small Solar Facilities at any point shall not exceed ten (10') feet in height from grade.***

***b. Coverage: Small Solar Facilities shall be included as part of any lot coverage calculation applicable to the zoning district where located. Small Solar Facilities shall comply with the 60% maximum lot coverage requirement for non-residential districts.***

***c. Components: All exterior electrical lines must be located entirely underground and placed in conduit.***

***d. Visual Buffer: Small Solar Facilities shall have a visual buffer of ornamental vegetation, conifers, evergreens, plantings, and/or fencing that provides reasonable visual screening to reduce view of and noise from the Small Solar Facilities on adjacent lots and from any public right-of-way. Small Solar Facilities located on corner lots shall comply with the applicable requirements (including, but not limited to, those for yards, buffering, and screening) for lots in the zoning district where located. The Small Solar Energy System shall not be located in a landscape buffer.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***

- e. Lighting: All lighting associated with the Small Solar Facility shall focus light inward toward the solar equipment and shall be downlit and shielded. Small Solar Facilities shall be placed or arranged in a manner so as not to reflect unmeasurable glare onto adjacent buildings, properties, or roadways.***
- f. Noise: Noise Control will be enforced by local law enforcement in accordance with ORC 505 and the Monclova Township Noise Resolution.***
- g. Setbacks: Any Small Solar Facility must comply with the setback requirements applicable to the zoning district where located.***
- h. Maintenance: Small Solar Facilities shall be maintained in good working order at all times. The owner of the property and owner of the Small Solar Facilities shall, within thirty (30) days of permanently ceasing operation of a Small Solar Facility, provide written notice of abandonment to the Zoning Administrator. An unused Small Solar Facility may stand no longer than ninety (90) days following abandonment. All costs associated with the dismantling/demolition of the Small Solar Facility and associated equipment shall be the responsibility of the property owner. A Small Solar Facility is considered abandoned when it ceases transmission of electricity for thirty (30) consecutive days. Removal includes removal of all apparatuses, supports, and or other hardware associated with the existing Small Solar Facility. The property shall be returned to a graded, seeded and/or landscaped state similar to its condition prior to construction/installation.***
- i. Building Permits: All Small Solar Facilities and parts thereof shall obtain all applicable required Building Permits from the State of Ohio and County or other local building jurisdiction.***
- j. Advertising: Small Solar Facilities and the property where located shall not be used for the display of advertising. For the purposes of this section, reasonable and customary identification (name, insignia, logo, and/or similar) of the manufacturer or operator of the system that is incorporated into or manufactured on the equipment itself shall not be considered advertising.***



**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***

***k. Other Restrictions: A Small Solar Facility should be designed to minimize site disturbances and shall comply with all applicable federal, state, and local laws, rules, and regulations.***

***D. CRITERIA FOR CONDITIONAL USES***

***a. A Small Solar Facility to be located in a zoning district in which it is identified as a conditional use is subject to and shall follow the application process for a Conditional Use Permit provided in this Resolution.***

***b. Where identified as a conditionally permitted use, any Small Solar Facility shall comply with the following specific requirements:***

***i. Road Use Maintenance Agreement: The property owner shall provide for the adequate maintenance and protection of Township maintained, protected, or managed infrastructure (including, but not limited to roadways, rights-of-way, and easements) to be used in connection with the Small Solar Facility as detailed further in a road use and maintenance agreement ("RUMA") with the Township. Any damaged public roads, culverts, and bridges shall be repaired promptly to their previous or better condition by the property owner or their designee under the guidance of the appropriate regulatory authority.***

***ii. Safety Services: The property owner shall provide sufficient evidence that the property can be adequately served by the appropriate safety services, for example, a letter from the applicable fire department verifying that emergency response personnel and vehicles can safely reach and service the property, including the area where the Small Solar Facility is located.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***

***iii. Location:***

***1. Any Small Solar Facility other than an Integrated or Rooftop Solar Energy System (except components located entirely underground) shall be located entirely in the rear yard.***

***2. No Small Solar Facility shall be located in front of a principal building or structure. In the case of corner lots, no Small Solar Facility shall be located between a principal building or structure and a public right-of-way.***

***iv. Height: the maximum height of any Small Solar Facility shall not exceed ten (10') feet.***

***v. Buffers and Setbacks:***

***1. Where a Small Solar Facility is located on property adjacent to or in close proximity to property zoned for residential use (as determined by the Zoning Inspector), no part of the Small Solar Facility (other than components located entirely underground) shall be located within two hundred (200') feet of an existing residential dwelling.***

***2. No Small Solar Facility (other than components located entirely underground) shall be located within fifty (50') feet of any property line.***

***3. No Small Solar Facility (other than components located entirely underground) shall be located within one hundred (100') feet of a public right-of-way or shared-use driveway.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***

- vi. ***Visual Buffer: A Small Solar Facility shall have a visual buffer of ornamental vegetation, conifers, evergreens, plantings, and/or fencing designed to and that does all of the following:***
  - 1. ***Enhances the view from any existing residential dwelling and from any public right-of-way.***
  - 2. ***Should be harmonious with and enhance the existing vegetation in the area; and***
  - 3. ***Provides reasonable visual screening to minimize view of and noise from the Small Solar Facilities to adjacent lots and from any public right-of-way.***
- vii. ***Glare: Solar panels shall be placed or arranged in a manner so as not to reflect unreasonable glare onto adjacent buildings, properties, or roadways. A Glint and Glare Study may be required as requested by the Zoning Administrator.***
- viii. ***Lighting: All lights associated with the Small Solar Facility must narrowly focus light inward toward the equipment, be downlit and shielded, and prohibit any light to splash or flood onto any adjacent property.***
- ix. ***Fencing: Any fencing and/or screening installed in connection with the Small Solar Facility shall be harmonious and compatible with the surrounding properties and uses. Fencing shall be always maintained in good repair.***
- x. ***Conditions: Any conditions or other requirements as determined by the Board of Zoning Appeals in connection with the issuance of a Conditional Use Permit.***

**EXHIBIT "A"**

(Deletions in strike out, additions in bold italics)

***SECTION 9.38 SMALL SOLAR FACILITIES (cont'd)***

***E. CERTIFICATE OF ZONING COMPLIANCE***

- 1. A certificate of zoning compliance shall be required before any construction is commenced on a Small Solar Facility.***
- 2. Applicant shall provide the Township Zoning Administrator with the following items and/or information when applying for a certificate of zoning compliance:***
  - a. An engineering report that shows:***
    - 1. The total size and height of the proposed Small Solar Facility.***
    - 2. Data specifying the megawatt size and generating capacity in megawatts of the particular Small Solar Facility.***
    - 3. Hazardous materials containment and disposal plan.***
  - b. A site plan showing the location of the Small Solar Facility including all equipment and components thereof in relation to (and measurements of distances from) all existing structures on the property, roads and other public rights-of-way, adjacent property owners and parcel lines, fence location, landscaping, and signage.***
  - c. Evidence of compliance with applicable setback and all other applicable zoning restrictions.***
  - d. A maintenance agreement and dismantling plan & schedule that outlines how the Small Solar Facility including all equipment and components thereof will be dismantled upon abandonment.***
  - e. Any other information or materials reasonably requested by the Zoning Administrator.***