

## GENERAL INFORMATION

### Subject

Request	-	Study of Scrap and Salvage Facilities
Applicant	-	Toledo City Council One Government Center, Suite 2120 Toledo, OH 43604

## STAFF ANALYSIS

The Toledo City Council requested a study of scrap and salvage facilities to research further zoning restrictions when adjacent to residential areas. The research conducted by staff recommends a proposed text amendment to Chapter 1104 – Use Regulations. The proposed text modifications are shown in highlighted italics in Exhibit “A”.

### Background & History

Per the Zoning Code definition of TMC§1116.0245 – *Scrap and Salvage Operations*, includes the storage, sale, dismantling, or other processing of used, source-separated, or waste materials not intended for reuse in their original form. Typical uses include motor vehicle salvage dealers, wrecking yards, junk yards, and salvage yards, but not including Recycling Facilities.

Currently Scrap and Salvage Operations are only permitted in the General Industrial (IG) zoning district, which is the most intensive category in the Zoning Code. As stated in TMC§1102.1300, the IG district is intended to permit moderate and high-impact industrial uses, including large scale or specialized industrial operations requiring good transportation access and public facilities and services.

In addition to only being permitted within IG zoning districts, all Scrap and Salvage Operations are required to seek a Special Use Permit in accordance with the procedures of TMC§1111.0700. Additionally, Scrap and Salvage Operations are subject to the Landscaping and Screening requirements of Chapter 1108, including the Buffer and Screening Requirements of TMC§1108.0203 with Outdoor Storage Screening.

TMC Chapter 733 – *Junk Yards* outlines the requirements for these types of businesses to obtain a business license through the Division of Treasury. As a condition of issuing the license, the business must be enclosed with solid built non-transparent privacy fence at least seven-feet (7') high. Adequate passageways shall be maintained to permit access for use by emergency vehicles and equipment to all portions of the property. This application is not only reviewed by Treasury but also the Division of Code Enforcement, Fire Prevention, and the Toledo-Lucas County Health Department. Furthermore, depending on the type of materials being processed/stored by the scrap and salvage operation, an Ohio EPA permit may also be required for the handling of materials and/or discharge of pollutants.

## STAFF ANALYSIS (cont'd)

### Proposed Text Amendment

As a result of this study on scrap and salvage facilities, staff is proposing a setback requirement as a text amendment to TMC Chapter 1104 – Use Regulations. The proposed text amendment would require any new or future expansion of Scrap and Salvage Operations to be at least one-hundred feet (100') from any residential zoning district or residential use. This modification will limit the setback and storage of scrap and salvage materials from any adjacent residential land uses and further protect residents from excess dust, noise, and negative secondary effects. Additionally, the existing Special Use procedures of TMC§1111.0700 can further impose controls that will aid in the reduction of negative impacts on surrounding residential properties.

All existing Scrap and Salvage Operations that are located within one-hundred feet (100') of a residential district or use will be considered legal nonconforming uses and subject to TMC§1114.0200, provided the proposed text amendment is approved. The proposed text modifications to TMC§1104 are highlighted in italics as shown in Exhibit “A”.

### Peer Cities Review

Staff reviewed Ohio peer city municipal codes for specific zoning regulations pertaining to similar uses including scrap yards and junk yards. Like Toledo, most cities regulate the location by zoning districts (i.e., industrial zones) and require these businesses to obtain a license in order to maintain compliance with standards. Most cities have regulations that restrict how these businesses operate, including mandatory record keeping, limited hours, noise levels, and environmental controls. Additionally, most peer cities included requirements for specific types of fencing or screening to shield the view and limit the height in which materials can be stored. Below is a summary of findings for municipal codes of Ohio peer cities which regulate scrap and salvage operations or similar type uses.

- **Columbus:** An impound lot, junk yard or salvage yard requires a **Special Permit** and shall only be located in an M, Manufacturing District. In addition to complying with the underlying zoning standards, an impound lot, junk yard or salvage yard shall comply with the requirements of Chapter 3392.
  - No junk yard, impound lot, or salvage yard shall be operated within 600 feet of any residential or institutional zoning district.
- **Akron:** A **Conditional Use** permit is required for any outside storage of scrap, junk storage, salvaged materials in all zoning districts. Article 17 of the Akron Code of Ordinances focuses on "Junk Dealers—Junk Yards," including regulations on fencing, operating hours, and storage.
  - In any residence district, any junk yard, wrecked motor vehicle yard, or used building materials yard shall maintain an open, unoccupied space ten feet (10') in width on each side of any lot.
  - For commercial purposes, the wreckage of parts of vehicles or any junk or any used building materials on any open lot or parcel of ground must be enclosed within a fence is not less than seven feet (7') in height.

## STAFF ANALYSIS (cont'd)

### Peer Cities Review

- **Cleveland:** Scrap and salvage operations are permitted by right in the General Industry District (Sect. 345.04) and subject to specific use regulations for Junk and Wrecking Yards; Walls or Fences outlined in Section 347.06.
  - The lot upon which the storage use occurs is located no closer than five hundred (500) feet to a residence district, and such uses are enclosed within a minimum seven foot (7') high solid masonry wall or solid, nontransparent, well-maintained substantial fence not closer to the street line than the setback building line.
  - Materials shall not be stored more than eight feet (8') above the top height of the wall or fence enclosing the property measured from the outside base elevation of the required screening fence.
- **Dayton:** Section 150.565.29 of Dayton's zoning ordinance pertains to "Junkyard/Salvage Yards" requiring a license and a **Conditional Use** permit in the General Industrial I-2 zoning districts.
  - The minimum lot size shall be twenty (20) acres, and the minimum lot width shall be 250 feet.
  - The outdoor storage of junk shall be entirely enclosed within a solid wall or fence that includes solid gates and has a minimum height of 10 feet.
  - All aspects of a junkyard shall be located no closer than 300 feet to any residential zoning district boundary and 150 feet to all other lot lines.
- **Cincinnati:** Defined as "metal waste salvage yard" and "junk yard" in their zoning code, Section 1413-05, requires a **Conditional Use** permit in the MG Manufacturing General and the ME Manufacturing Exclusive zoning districts. Additionally, these facilities are subject to the business regulations of Chapter 843 - Junk Dealers and Second-Hand Dealers which includes fencing and screening requirements.
  - No person shall operate or maintain a junk yard within 1,000 feet of the nearest edge of the right of way of any public street or highway unless the ordinary view thereof from such street or highway is substantially obscured by a barrier of natural objects, plantings or fence.
  - "Fence" shall mean a barrier at least six feet (6') but not more than ten feet (10') in height, which is either comprised of plantings or natural objects, or constructed of any non-transparent material, approved by the director of buildings and inspections, and created and maintained so as to substantially obscure the junk located within or upon the premises of the junk yard from the ordinary view of persons passing upon any public street or highway located within the City of Cincinnati.

## STAFF ANALYSIS (cont'd)

### Forward Toledo Comprehensive Land Use Plan

The Forward Toledo plan (adopted by Ord. 430-24) identified Future Land Use Designations with specific physical and geographic characteristics for developments as well as the types of land uses that would be compatible. Effective urban land use planning requires a strategic balance between controlled growth, adaptable flexibility, and protecting valuable assets like neighborhood character and natural resources. Scrap and Salvage Operations would be categorized as a High-Impact Industrial (HI) land use designation. The High-Impact Industrial designation maintains and, where appropriate, expands large-scale industrial operations. This designation clearly delineates space in the city for industries that may cause negative impacts when located near other non-industrial users. These Industrial land uses may cause negative impacts on neighbors, such as high-traffic demand or pollution, and therefore not compatible with residential uses. The proposed text amendment is supportive of the Forward Toledo Plan and the Future Land Use Designations as it will impose stricter setbacks on Scrap and Salvage Operations with the intent of reducing impacts on surrounding residential properties and protecting the quality and character of neighborhoods.

Staff recommends approval of the proposed text amendment to TMC Chapter 1104 – Use Regulations as it meets the challenge of a changing condition where Scrap and Salvage Operations are encroaching near residential properties and neighborhoods and further restrictions are needed to reduce negative impacts. Additionally, the proposed text amendment is consistent with the Forward Toledo Comprehensive Land Use Plan and the stated purpose of the Zoning Code.

## STAFF RECOMMENDATION

The staff recommends that the Toledo City Plan Commission recommend approval of M-3-25, a text amendment to TMC Chapter 1104 – Use Regulations – Scrap and Salvage Operations, to Toledo City Council, for the following **two (2)** reasons:

1. The proposed text amendment meets the challenge of a changing condition (**TMC§1111.0506 (A)** – Review and Decision-Making Criteria); and
2. The proposed text amendment is consistent with the Forward Toledo Comprehensive Land Use Plan and the stated purpose of the Zoning Code (**TMC§1111.0506 (B)** – Review and Decision-Making Criteria).

REF: M-3-25. . . July 3, 2025

ZONING TEXT AMENDMENT  
TOLEDO CITY PLAN COMMISSION

REF: M-3-25  
DATE: July 3, 2025  
TIME: 2:00 P.M.

ZONING AND PLANNING COMMITTEE  
TOLEDO CITY COUNCIL

DATE: August 13, 2025  
TIME: 4:00 P.M.

RS

One (1) Exhibit "A" follows.

**Exhibit “A”**  
**Proposed Text Modification**  
 (Additions in italic highlight. Deletions in bold strikethrough.)

**1104.0100 | Use Table**

<i>Use Category</i>	<i>RS12</i>	<i>RS9</i>	<i>RS6</i>	<i>RD6</i>	<i>RM (all)</i>	<i>R MH</i>	<i>CN</i>	<i>CO</i>	<i>CM</i>	<i>CS</i>	<i>CR</i>	<i>CD</i>	<i>IL</i>	<i>IG</i>	<i>IP</i>	<i>POS</i>	<i>IC</i>
Industrial Use Types																	
Scrap and Salvage Operations	-	-	-	-	-	-	-	-	-	-	-	-	-	S [35]	-	-	-

*[35] Subject to standards of Sec. 1104.2700 | Scrap and Salvage Operations*

**1104.2700 | Scrap and Salvage Operations****1104.2701 Setbacks**

*Any new or future expansion of Scrap and Salvage Operations shall be set back no less than 100 feet from any residential district or use and shall be screened to obscure the materials from the view from the right-of-way.*