Springfield Township Zoning Resolution

Springfield Township
Hamilton County, Ohio

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ARTICLE 1
PURPOSE

1.01 This Resolution is enacted for the purpose of promoting the public health, safety, morals, comfort, and general welfare; to conserve and protect property and property values; to secure the most adequate and economical provisions for public improvement, all in accordance with and as reflected in the Zoning Map and documents and records of Springfield Township for the desirable future development of the Township, and to provide a method of administration and to prescribe penalties for the violations of the provisions hereafter described all as authorized by the provisions of Chapter 519 and the Sections thereunder of the Ohio Revised Code.

ARTICLE 2
TITLE

2.01 This Resolution shall be known and may be cited and referred to as the "Springfield Township, Hamilton County Zoning Resolution."

ARTICLE 3
INTERPRETATION OF STANDARDS

3.01 In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements for the promotion of the public health, safety, morals, comfort, and general welfare. Where this Resolution imposes a greater restriction than is imposed or required by other provisions of law or by other rules or regulations or resolution, the provisions of this Resolution shall control. For the purpose of the Resolution, the following additional rules of interpretation shall apply:

3.01.1 In the event of a conflict between the text of these provisions and any caption, figure, illustration, table, or map, the text of these provisions shall control.
3.01.2 The words "shall," "must," and "will" as used in these provisions, are mandatory and indicate and obligation to comply with the particular provision to which they apply.
3.01.3 The word "may" as used in these provisions is permissive.
3.01.4 Words used or defined in one tense or form shall include other tenses and derivative forms.
3.01.5 Words used in the singular shall include the plural and words used in the plural shall include the singular unless the context of the particular usage clearly indicates otherwise.
3.01.6 The masculine gender shall include feminine, and vice versa.
3.01.7 Headings and captions used throughout this resolution are for convenience and reference only and shall in no way be held to explain, modify, amplify, or aid in the interpretation or meaning of any provision in this resolution. Statements of intent or purpose statements

used throughout this resolution are for general information only and shall in no way be held to be requirements or standards.

3.02 Whenever a court declares by judgement or decree that is final, that the zoning of a specific lot or district (known henceforth herein as property), is unconstitutional or unreasonable because it is overly restrictive, the property so affected shall thereupon be subject to the next lower restrictive district; provided however that where the court in such judgement or decree, declares that the property may be used for a particular use or uses on the property, then such property shall be subject to the regulations applicable to the most restrictive district in which the particular use or uses, declared proper by the court are permitted.

ARTICLE 4
DISTRICTS AND BOUNDARIES THEREOF

4.01 For the purpose of this Resolution the unincorporated territory of Springfield Township, Hamilton County, Ohio, is hereby divided into the following categories of Zoning Districts:

R-1A	"Residential District"
R-1	"Residential District"
R-2	"Residential District"
R-3	"Residential District"
R-4	"Residential District"
B-1	"Neighborhood Business District"
B-2	"General Business District"
O-1	"Low Intensity Office District"
O-2	"General Office District"
M-1	"Light Industrial District"
M-2	"General Industrial District"
R-PUD	"Residential Planned Unit Development District"
C-PUD	"Commercial Planned Unit Development District"
M-PUD	"Industrial Planned Unit Development District"
RCO	"Road Corridor Overlay District"
SP-PUD	"Special Purpose Planned Unit Development District"

4.02 The boundaries of these districts are hereby established as shown on the Zoning Map or Maps of the unincorporated territory of Springfield Township, Hamilton County, Ohio, which map or maps are made part of this Resolution. The said Zoning Map or Maps and all notations and reference and other matters shown thereon, shall be and are hereby made part of this Resolution. Said Zoning Map or Maps, shall be properly attested by the Development Services Director and are the property of the Springfield Township Board of Trustees and shall remain on file in the office of the Springfield Township Development Services Department, Springfield Township, Hamilton County, Ohio.

4.03 The Development Services Director shall determine the exact location of district boundary lines based upon the records kept by the Development Services Department and Board of Township Trustees. In the event that a person affected by a determination of the Development Services Director about the exact location of a district boundary line disagrees with the determination of the Development Services Director, the affected party may appeal to the Board of Zoning Appeals as provided in Article 8, Subsection 8.042.

ARTICLE 5
ENFORCEMENT AND ADMINISTRATION

5.01 TOWNSHIP ZONING DEPARTMENT. The Board of Township Trustees hereby creates the Springfield Township Development Services Department and a Director/Administrator to administer the activities of said department.

5.011 The Director/Administrator of the Development Services Department is authorized to issue Zoning Certificates and the Director/Administrator may authorize the Township Code Enforcement Officer to issue Zoning Certificates. Any Zoning Certificate issued by the Director/Administrator or designated subordinate shall conform to the provisions of this Resolution, and no Zoning Certificate for a use or building, which is in conflict with the provisions of this Resolution, shall be issued. Any Zoning Certificate issued in conflict with this Resolution shall be null and void.

5.02 ZONING CERTIFICATES. It shall be unlawful for an owner or lessee to use or permit the use of any structure, building land, part thereof, hereafter created, erected, changed, converted, or enlarged, wholly or partly, until a Zoning Certificate has been issued by the Springfield Township Development Services Department. Such Zoning Certificate shall show that such building or premises or part thereof, and the proposed uses thereof, are in conformity with the provisions of this Resolution.

5.021 The Springfield Township Development Services Department shall act upon all applications for Zoning Certificates on which they are authorized to act by the provisions of this Resolution within thirty (30) days after receiving an application which is in full compliance with the applicable requirements as specified under Subsection 5.06 of this Article. The Springfield Township Development Services Department shall issue either a Zoning Certificate or a Notice of Refusal to the applicant for a Zoning Certificate within thirty (30) days. Failure to notify the applicant of such refusal within said thirty (30) days shall entitle the applicant to a Zoning Certificate, unless the applicant has consented in writing to an extension.

5.022 No Zoning Certificate for excavation use or construction shall be issued by the Springfield Township Development Services Department, unless the plan specifications and the intended use conform to the provisions of this Resolution.

5.03 TEMPORARY ZONING CERTIFICATES. The Springfield Township Development Services Department may issue Temporary Zoning Certificates, pursuant to the provisions of Article 10, Subsection 10.11.

5.04 NON-CONFORMING USE ZONING CERTIFICATES. The Springfield Township Development Services Department may, during specific inspection or under written request from the owner or tenant, issue a Non-Conforming Use Zoning Certificate for any building or premises legally existing prior to the effective date of this Resolution. Said Certificate shall be issued pursuant to the provisions of Article 10, Subsection 10.07.

5.05 FINAL INSPECTION CERTIFICATE. A Final Inspection Certificate shall be required upon the completion of any work for which a Zoning Certificate was issued. Said Final Inspection Certificate shall state that the building, structure, or land complies with the provisions of this Resolution, has been built or occupied according to the plans submitted for a Zoning Certificate, and has been inspected by the Springfield Township Development Services Department to determine said compliance.

5.06 APPLICATIONS FOR ZONING CERTIFICATES AND FINAL INSPECTION CERTIFICATES. The applicant shall submit the proper Zoning Certificate Application form, signed by the property owner or agent, together with the appropriate plan sets, as determined by the Springfield Township Development Services Department. Plans shall be drawn to scale in blackline or blueline, showing the actual shape and dimensions of the lot to be built upon or changed in its use, in whole or part; the exact location, size, and height of any building or structure to be erected or altered; the existing and intended use of each building or structure or part thereof; the number of families or housekeeping units the buildings is designed to accommodate; and where no buildings are involved, the location of the present use and the proposed use to be made of the lot; and such other information as required by this Resolution. Unless otherwise waived by the Development Services Director, all dimensions shown on these plans relating to the location and size of the lot to be built upon, shall be based on actual survey prepared by a registered surveyor.

5.061 The Springfield Township Development Services Department shall retain one set of the plans for its files and the Zoning Certificate if in compliance with the provisions of this Resolution. The applicant shall then take the approved plan sets and Zoning Certificate to the Hamilton County Building Department to make application for the necessary building permits, if applicable.

5.062 Upon receiving the necessary building and other applicable permits as necessary, and the completion of the requested use of the lot, and before occupying the building or structure or using the land, the applicant or owner shall request, in writing, a final inspection of the premise by the Springfield Township Development Services Department. The Department shall issue either the said Final Inspection Certificate or a Refusal Notice stating the reasons and relevant provisions of the Resolution not being complied with, within seven (7) working days of the request for final inspection.

5.07 FEES. There shall be a fee for all Zoning Certificates. Fees shall be determined by the Board of Township Trustees and a copy of such fee schedule shall be available from the Springfield Township Development Services Department. The fee charged for Zoning Certificates includes the Final Inspection Certificate.

5.08 VIOLATIONS AND PENALTIES. It shall be unlawful to locate, erect, construct, reconstruct, enlarge, change, maintain, or use any building or land in violation of the provisions of this Resolution; or any amendment or supplement thereto adopted by the Board of Township Trustees. Any person, firm or corporation violating any of the provisions of this Resolution or, any amendment or supplement thereto, shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be fined not more than five hundred dollars ($500.00), each and every day during which such illegal location, erection, construction, reconstruction, enlargement, change, maintenance or use continues, may be deemed a separate offense.

5.09 VIOLATIONS - REMEDIES. In case any building is or is proposed to be located, erected, constructed, reconstructed, enlarged, changed, maintained or used, or any land is or is proposed to be used in violation of this Resolution or any amendment or supplement thereto, the Board of Township Trustees, the Prosecuting Attorney of Hamilton County, or adjacent property owner who would be specially damaged by such violations, in addition to all other remedies provided by law, may institute injunction, mandamus, abatement or proceedings to prevent, enjoin, abate or remove such unlawful location, erection, construction, reconstruction, enlargement, change, maintenance or use.

5.10 ENFORCEMENT OF CONDITIONAL USES. A property owner, agent or lessee, upon receiving a conditional use permit, pursuant to Subsection 8.024 of this Resolution shall have the right to continue using the property under the conditional use permit as long as the property owner, agent, or lessee complies with the conditions established therewith. Violations of said conditions will be processed pursuant to the provisions of Subsection 5.08 and 5.09 of this Resolution.

ARTICLE 6
DISTRICT CHANGES AND RESOLUTION AMENDMENTS

6.01 GENERAL. District changes and amendments to the text of this Resolution shall be made in accordance with the provisions of 519.12 of the Ohio Revised Code as it may be amended from time to time by the Ohio General Assembly. These provisions may be obtained from the Springfield Township Development Services Department.

6.02 FEES. Each application for zoning amendment, except those initiated by the Zoning Commission or Board of Trustees shall be accompanied by a check payable to Springfield Township or a cash payment in an amount to be determined by the Board of Township Trustees to cover the cost of publishing, posting and/or mailing of notices of the hearing or hearings required by the foregoing provisions and/or other expenses in conjunction therewith.

ARTICLE 7
ZONING COMMISSION

7.01 APPOINTMENT. A Zoning Commission is hereby created. The Commission shall be composed of five members who reside in the unincorporated area of the township, within the territorial limits of the zoning jurisdiction, to be appointed by the Board of Township Trustees, and the terms of the members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his successor is appointed and qualified. Members of the Zoning Commission shall be removable for non-performance of duty, misconduct in office, or other cause by the Board of Township Trustees, upon written charges being filed with the Board, after a public hearing has been held regarding such charges, and after a copy of the charges has been served upon the member so charged at least ten (10) days prior to the hearing, either personally, by registered mail, or by leaving such copy at his/her usual place of residence. The member shall be given an opportunity to be heard and answer such charges. Vacancies shall be appointed by the Board of Township Trustees and shall be for the unexpired term.

7.02 PROCEDURE. The Zoning Commission shall organize and adopt rules for the transaction of business, and keep a record of its actions and determinations. Meetings of the Commission shall be held at the call of the Secretary or Chairperson, and at other times as the Commission may determine. All meetings of the Commission shall be open to the public. The Commission shall keep minutes of its proceedings showing the vote of each member upon each question, or if absent, or failing to vote, indicating such fact, and shall keep record of its examinations and other official actions, all of which shall be filed in the Springfield Township Development Services Department and kept as public record.

7.021 Three (3) members of the Commission shall constitute a quorum. Such quorum may exercise the powers of the Commission and the actions of a majority of the full Commission. All actions of the Commission shall have the concurrence of at least three (3) members, and the failure of any proposed amendment, supplement or action to receive an affirmative vote of at least three (3) members shall be considered a recommendation or vote against such amendment, supplement, or action and shall be so recorded and certified as applicable.

7.022 The Commission may call upon Township or County Departments for assistance in the performance of its duties and it shall be the duty of such departments to render such assistance as may reasonably be required.

7.03 POWERS. The Zoning Commission shall have the power to adopt rules and procedures for the transaction of business; hear and approve applications for Zoning Certificates for properties located within a Road Corridor Overlay District pursuant to Article 27, Subsection 27.08 of the Zoning Resolution; hear and approve applications for Final Development Plans, pursuant to Article 26, Subsection 26.14 and 26.15 of the Zoning Resolution; initiate amendments or supplements to the Zoning Resolution

and submit recommendations to the Board of Trustees on requests for district changes and resolution amendments pursuant to the provisions of Article 6 of this Resolution and such other powers as may be conferred on the Township Zoning Commission from time to time by the laws of Ohio. The Zoning Commission shall also have the authority to submit recommendations on special issues as requested by the Board of Township Trustees.

7.04 APPLICATIONS. Applications for district changes and resolution amendments shall be in accordance with Article 6 of this Resolution.

7.041 Applications for a Final Development Plan shall be in accordance with Article 26, Subsection 26.13, 26.14, and 26.15 of this Resolution.

7.042 Applications for a Zoning Certificate on property located within a Road Corridor Overlay District shall be in accordance with Article 27, Subsection 27.08 of this Resolution.

7.05 HEARINGS. Hearings of the Zoning Commission regarding district changes and resolution amendments shall be held in accordance with Section 519.12 of the Ohio Revised Code.

7.051 The time and place of each hearing shall be established by the Secretary with the approval of the Commission, and in accordance with 519.12 of the Ohio Revised Code.

7.052 In any case where the Commission may deem it necessary or desirable to continue a hearing, such meeting may be recessed or continued. In such cases, public announcement shall be made as to the date and the time of the continuance, and no further notice need be given thereof.

ARTICLE 8
BOARD OF ZONING APPEALS

8.01 APPOINTMENT. A Board of Zoning Appeals is hereby created. The Board shall be composed of five members who reside in the unincorporated area of the township, within the territorial limits of the zoning jurisdiction, to be appointed by the Board of Township Trustees, and the terms of the members shall be of such length and so arranged that the term of one member will expire each year. Each member shall serve until his/her successor is appointed and qualified. Members of the Board shall be removable for non-performance of duty, misconduct in office or other causes, by the Township Trustees upon written charges having been filed with the Trustees and after a public hearing has been held regarding such charges, a copy of the charges having been served upon the member so charged at least ten (10) days prior to the hearing, either personally or by registered mail, or by having the same at his/her usual place of residence. The member shall be given an opportunity to be heard and answer such charges. The Board of Trustees may appoint two alternate members to the Township Board of Zoning Appeals, for terms to be determined by the Board of Township Trustees. An alternate member shall take the place of an absent regular member at any meeting of the Board of Zoning Appeals, according to procedures prescribed by resolution by the Board of Trustees. An alternate member shall meet the same appointment criteria as a regular member. When attending a meeting on behalf of an absent member, the alternate member may vote on any matter on which the absent member is authorized to vote. Vacancies shall be appointed by the Board of Township Trustees, and shall be for the unexpired term.

8.02 POWERS OF THE BOARD OF ZONING APPEALS.

8.021 General. In exercising its power, the Board may in conformity with the provisions of statute and of this Resolution, reverse or affirm wholly or partly, or may modify the order, requirement, decision or determination appealed from, and may make such order, requirement, decision or determination as ought to be made, and to that end shall have all powers of the officer from whom the appeal is taken.

8.022 Administrative Review. The Board shall have the power to hear and decide appeals, filed as hereinbefore provided, where it is alleged by the appellant that there is error in any order, requirements, decision, grant, or refusal made by the Development Services Director or a designated subordinate in the interpretation of the provisions of this Resolution.

8.023 Variances. The Board shall have the power to authorize upon appeal in specific cases, filed as hereinbefore provided, such variances from the terms of the Zoning Resolution as will not be contrary to the public interest, but only in such cases, where, owing to special conditions pertaining to a specific piece of property, the literal enforcement of the provisions or requirements of this Resolution would an unnecessary hardship.

8.024 Conditional Uses. The Board shall have the power to authorize upon application, conditional use zoning certificates, for those uses which are specified as such by this Resolution, and for those uses which are determined by the Board to be of the same character as a principal or conditional use as specified by this Resolution.

8.025 Non-Conforming Uses. The Board shall have the power to grant the substitution of a non-conforming use, existing at the time of enactment of this Resolution, by another non-conforming use, provided, however, that the substituted use appears and is first permitted in the same Article of this Resolution as the current non-conforming use, and the Board determines the proposed substituted use is not of greater intensity or density than the existing non-conforming use.

8.0251 The Board shall have the power to grant the extension of a non-conforming use upon the lot occupied by such use, or on an adjoining lot; provided that such extension is necessary and incidental to such existing non-conforming use.

8.026 Temporary Structures and Uses. The Board shall have the power to grant the temporary use of a structure or premises in any District for a purpose or use that does not conform to the provisions of Article 10, Subsection 10.11 or other provisions of the District in which the use or structure is located, provided that such use be of a temporary nature and does not involve the erection of a substantial structure. Special Exception Zoning Certificates granted for such uses shall be in the form of a temporary and revocable permit, for not more than a twelve (12) month period, subject to such conditions as will safeguard the public health, safety, convenience and general welfare.

8.03 PROCEDURE. The Board shall organize and adopt rules for its own government in accordance with this Resolution. Meetings of the Board shall be held at the call of the Secretary or Chairperson, and at such other times as the Board may determine. The Chairperson, or in his/her absence, the acting Chairperson, may administer oaths and the Board may compel the attendance of witnesses. All meetings of the Board shall be open to the public. The Board shall keep minutes of its proceedings showing the vote of each member upon each question, or, if absent, or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Township Trustees and shall be public record.

8.031 Three (3) members of the Board shall constitute a quorum. The Board shall act by Resolution, and the concurring vote of three (3) members of the Board shall be necessary to reverse any order or determination of the Development Services Director or designated subordinate; or to decide in favor on an applicant in any matter of which the Board has original jurisdiction under this Resolution; or to grant any variance from the requirements stipulated in this Resolution.

8.032 The Board may call upon Township and County departments for assistance in the performance of its duties, and it shall be the duty of such departments to render such assistance as may reasonably be required.

8.04 APPLICATIONS, APPEALS, HEARINGS AND STAY OF PROCEEDINGS.

8.041 Applications - When and By Whom Taken. An application, in cases in which the Board has original jurisdiction under the provisions of this Resolution, may be filed by any property owner, including a tenant, or agent thereof. Such application shall be filed with the Development Services Director who shall transmit same to the Board.

8.042 Appeals - When and By Whom Taken. An appeal to the Board may be taken by any person aggrieved, or by any officer of the Township affected by any decision of an enforcement officer of the Springfield Township Development Services Department. Such appeal must be made within twenty (20) days after the decision by filing with the Springfield Township Development Services Department and with the Board, the proper application specifying the grounds thereof for the appeal. The Development Services Director shall forthwith transmit to the Board all the papers constituting the record upon which the action appealed from was taken.

8.043 Hearings. The Board shall fix a reasonable time for the hearing of the application or appeal, giving ten (10) days notice in writing to the parties in interest and giving notice of such public hearing by one publication in one or more newspapers in general circulation in the Township at least (10) days before the date of such hearing, and decide the same within a reasonable time after it is submitted. Each application for appeal shall be accompanied by a check or money order, payable to Springfield Township, in the amount to be determined by the Board of Trustees to cover the cost of publishing and/or posting and mailing the notice of the hearing or hearings and other expenses in conjunction therewith. At the hearing, any party may appear in person or by attorney. Any person adversely affected by the decision of the Board may appeal to the Court of Common Pleas of Hamilton County, on the ground that the decision was unreasonable or unlawful. A notice of appeal shall be made to the Development Services Director.

8.044 Decision of the Board. The Board shall decide all applications and appeals within thirty (30) days after the final hearing thereon.

8.045 A certified copy of the Board's decision shall be transmitted to the applicant or appellant, and to the Development Services Director. Such decision shall be binding upon the Development Services Director and on appointed inspectors, and observed by them, and they shall incorporate the terms and conditions of the same in the permit to the applicant or appellant, whenever a permit is authorized by the Board.

8.046 The decision of the Board shall not become final until the expiration of thirty (30) days from the date such decision is made, unless the Board shall find the immediate

taking effect of such decision is necessary for the preservation of such property or personal rights and shall so certify on the record.

8.047 Stay of Proceedings. An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Development Services Director certifies to the Board, after notice of appeals shall have been filed with him/her, that by reasons of facts or conditions existing, a stay would, in his/her opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by an order which may, on due cause shown, be granted by the Board or judicial proceedings on application after notice to the Development Services Director.

8.05 STANDARDS FOR THE GRANTING OF APPLICATIONS AND APPEALS.

8.051 Standards for Administrative Review and Interpretations. Where it has been alleged by an appellant that there is error in any order, requirement, decision, grant, or refusal made by the Springfield Township Development Services Department, the Board shall request from the Development Services Director, a report stating the position of the department and the rationale for the decision made, or order served. Said report shall be made part of the record at the hearing regarding the appeal, and staff shall present all testimony in support of its decision. The appellant shall then present information and reasons why he/she feels the decision of staff is in error. Upon hearing from both the staff and the appellant and all others who wish to be heard, the Board shall reverse or affirm wholly, or partly, or modify the decision appealed from. In rendering its decision, the Board shall give due regard to the evidence presented and ensure that the spirit and purpose of this Resolution is observed and maintained.

8.0511 In hearing appeals regarding use interpretations, the Board shall not authorize any use which is not specifically permitted by this Resolution unless it finds that the following facts and conditions exist:

a) That the use requested in the appeal is similar in character, scale, intensity, and traffic trip generation to the other permitted uses in the same zone district.

b) That the authorizing of such use will not be detrimental to adjacent properties and will not materially impair the purpose of this Resolution or the public interest.

c) That the proposed site on which the use is to be located is adequate to facilitate the needs and requirements of said use.

8.052 Standards for Variances. The Board may grant variances where by reason of the exceptional narrowness, shallowness or unusual shape of a specific piece of property on the effective date of this Resolution, or by reason of exceptional topographic conditions, or other extraordinary situation or condition of such piece of property, or of the use or development of property immediately adjoining the piece of property in question, the literal enforcement of the requirements of this Resolution would cause unnecessary hardship--unnecessary to carry out the spirit and purpose of this Resolution.

8.0521 In reviewing an application for a variance, the Board shall use the following standards in rendering a determination:

a) The subject property is exceptional as compared to other parcels subject to the same provision by reason of unique physical condition, irregular or substandard shape or size; exceptional topographical features; or the extraordinary physical conditions peculiar to and inherent in the subject property that amount to more than a mere inconvenience to the owner and that relate to or arise out of the parcel rather than the personal situation of the current owner of the parcel.

b) The carrying out of the strict literal enforcement of the provision from which the variance is sought would deprive the owner of substantial rights commonly enjoyed by owners of other parcels subject to the same provision.

c) That the authorizing of such variance will not be of substantial detriment to adjacent property, and will not materially impair the purposes of this Resolution or the public interest.

d) That the alleged hardship has not been self-created or is not merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of the other lots subject to the same provision, nor merely an inability to make more money from the subject property.

8.0522 No granting of a variance shall be authorized by the Board for requests that are of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.

8.0523 In authorizing a variance, the Board may attach thereto such conditions regarding the location, character and other features of the proposed structure or use as it may deem necessary in the interest of the furtherance of the purposes of the Resolution and in the public interest. In authorizing a variance with attached conditions, the Board shall require such evidence and guarantee or bond as it may deem to be necessary, that the conditions attached are being complied with.

8.053 Standards for Conditional Uses and Special Exceptions. In hearing applications for conditional uses or special exceptions, the Board shall give due regard to the nature and condition of all adjacent uses. In authorizing a conditional use or special exception, the Board should impose requirements and conditions with respect to location, construction, maintenance, and operation that are deemed necessary to mitigate the special characteristics of the use in order to make it compatible with adjacent properties, and for the protection of adjacent properties and the public interest.

8.0531 In reviewing an application for a conditional use or special exception, the Board shall use the following standards in rendering a determination:

a) The proposed conditional use or special exception is compatible in size, character, scale and intensity with adjacent existing uses, or is in keeping with the general vicinity in which it is located.

b) Special conditions or requirements imposed, can mitigate the special characteristics which are inherent to the use and enable compatibility with the existing neighborhood, and maintain the spirit of this Resolution.

c) The authorizing of such conditional use or special exception will not be of substantial detriment to the adjacent property or surrounding neighborhood.

ARTICLE 9
DEFINITIONS

9.01 The following definitions shall be used in the interpretation and construction of the Resolution; and words used in the present tense include the future; the singular number shall include plural, and the plural the singular; and the word "shall" is mandatory and not directory.

9.02 ACCESSORY USE OR STRUCTURE. A structure or use that is incidental to and customarily found in connection with a principal building or use; is subordinate to and serves a principal building; is subordinate in area, extent, or purpose to the principal building or principal use served and; is located on the same lot as the principal building or use served. An accessory building attached to the main building in a substantial manner by a wall or roof shall be considered part of the main building.

9.03 ADMINISTRATIVE REVIEW. A review conducted by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.022.

9.04 ADULT MATERIAL. Any book, magazine, newspaper, pamphlet, poster, print, picture, slide, transparency, figure, image, description, motion picture, film, video, phonographic record or tape or compact disc, computer hardware or software, other tangible thing or any service capable of arousing interest through sight, sound or touch and

1) which material is distinguished or characterized by an emphasis on matter displaying, describing or representing sexual activity, including masturbation, sexual excitement, nudity, bestiality or human bodily functions or elimination; or

2) which service is distinguished or characterized by an emphasis on sexual activity, including masturbation, sexual excitement, nudity, bestiality or human bodily functions or elimination.

9.05 ADULT ENTERTAINMENT ESTABLISHMENT. Any business, use or facility which has adult material as a substantial or significant portion of its services or stock in trade or which routinely features exhibitions of persons nude or topless, bottomless, strippers, male or female impersonators or similar entertainment which constitutes adult material.

9.06 AGRICULTURE. The use of land for agricultural purposes, including farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry, and the necessary accessory uses for packing, treating or storing the produce; provided, however, that the operation of any such accessory uses shall be secondary to that of normal agricultural activities and provided further that the above uses shall not include the raising and care of dogs, cats, or similar animals for pets or the commercial feeding of garbage or offal to swine or other animals.

9.07 AGRICULTURE STRUCTURE. A structure used solely for the purpose of agriculture, farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, and animal and poultry husbandry.

9.08 BED AND BREAKFAST INN. An owner occupied dwelling unit where lodging, with or without meals, is provided for compensation.

9.09 BERM. Landscaped mounds used to buffer and to shield.

9.10 BOARD. The Board of Zoning Appeals of Springfield Township, Hamilton County, Ohio.

9.11 BUILDING. Any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, or property.

9.12 BUILDING, HEIGHT OF. The vertical distance from the average contact ground level at the front wall of the building to the highest point of the coping of a flat roof or the deck line of a mansard roof, or to the main height level between eaves and the ridge for gable, hip or gambrel roofs.

9.13 BUILDING, PRINCIPAL. A building in which the primary use of the lot on which the building is located is conducted.

9.14 BUILDING, PUBLIC. A building used for administrative, service or cultural purposes operated by a tax-supported agency.

9.15 CHURCH OR PLACE OF RELIGIOUS WORSHIP. A building in which people regularly attend to participate in or hold religious services, meetings or other religious activities.

9.16 CLUB, PRIVATE. A building or portion thereof, or premises owned by a corporation, association, person or persons for a social, educational or recreational purpose, not primarily for profit nor to render a service which is customarily carried on as a business.

9.17 CODE ENFORCEMENT OFFICER. The Director of Development Services, his/her assistants, or any other person designated by the Board of Township Trustees to perform the statutory duties of Code Enforcement Officer.

9.18 COMMERCIAL VEHICLE. A vehicle of one and one-half (1-1/2) ton and greater rated capacity used for occupational, employment or enterprise purposes that is carried on for profit by the owner, lessee, or licensee.

9.19 COMMISSION, PLANNING. Hamilton County, Ohio Planning Commission.

9.20 COMMISSION, ZONING. Springfield Township Zoning Commission.

9.21 CONDITIONAL USE. A use that owing to some special characteristics attendant to its operation or installation may be permitted in a district subject to approval by the Board of Zoning Appeals, and subject to the special requirements to ensure the use and operation is not detrimental to public health, safety, or general welfare.

9.22 CONDITIONAL USE CERTIFICATE. A certificate issued by the Development Services Department upon approval by the Board of Zoning Appeals to allow a use other than a permitted use to be established within a Zoning District, provided that the prior conditions for approval have been met.

9.23 CONVENIENCE BUSINESS USE. Commercial establishments such as office or retail uses which cater to the adjacent residential districts; provided that all such operations including storage, display and sales be conducted completely within an enclosed building.

9.24 DAY CARE CENTERS. An establishment providing continuous supervised temporary care for six (6) or more children under license by the State of Ohio.

9.25 DENSITY. The number of dwelling units per gross acre.

9.26 DEVELOPMENT SERVICES DEPARTMENT. The Springfield Township Development Services Department.

9.27 DIRECTOR. The Director of the Springfield Township Development Services Department who shall exercise all powers conferred by law on a Code Enforcement Officer either personally or through individuals under his/her control and supervision.

9.28 DISTRICT. A portion of the unincorporated territory of Springfield Township throughout which certain uniform regulations and requirements apply.

9.29 DWELLING. A building or portion thereof used exclusively for residential purposes, including one-family, two-family, three-family, and multi-family dwellings, but not including hotels, extended stay hotels/motels, boarding and lodging houses.

9.30 DWELLING, SINGLE-FAMILY. A building designed for or used exclusively for residential purposes by one family or housekeeping unit.

9.31 DWELLING, TWO-FAMILY. A building designed for or used exclusively for two families or housekeeping units.

9.32 DWELLING, THREE-FAMILY. A building designed for or used exclusively for three families or housekeeping units.

9.33 DWELLING, MULTI-FAMILY. A building or portion thereof designed for or used exclusively for four or more families.

9.34 DWELLING UNIT. One or more rooms physically arranged so as to create an independent housekeeping establishment for occupancy by one family with separate toilets and facilities for cooking and sleeping.

9.35 EXTENDED STAY HOTEL/MOTEL. A facility with more than five (5) sleeping rooms that is kept, used, maintained, advertised, or held out to the public as a place where sleeping rooms are offered on a single room occupancy basis and intended for use as a primary residence for residential guests for a period of more than thirty (30) days.

9.36 FAMILY. One or more persons related by blood, adoption or marriage, living and cooking together in a dwelling unit, exclusive of household servants. A number of persons, but not exceeding five, living and cooking together as a single housekeeping unit though not related by blood, adoption or marriage shall constitute a family. (For purposes of this Resolution only).

9.37 FENCE. A structure, other than a building, comprised of customary building materials, which serves to form a barrier or boundary for means of protection, privacy, confinement, or used for decorative purposes.

9.38 FINAL INSPECTION CERTIFICATE. A document issued by the Development Services Department stating that the building, structure, or land has been inspected by the Department and complies with the provisions of this Resolution and conforms with the application and plans submitted for a Zoning Certificate.

9.39 FINAL DEVELOPMENT PLAN. A detailed site plan, submitted as part of the Planned Unit Development process of a proposed development prepared by a professional urban planner, engineer, architect, or landscape architect which indicates the proposed use, building plans, engineering plans, and landscaping plans for a specific project.

9.40 FLOOD PLAIN. Land areas susceptible to being inundated by water as determined by the Hamilton County Engineer.

9.41 FLOOR AREA. The total horizontal area of all floors finished as usable area. Measurement of floor area shall be taken to the outside of the exterior walls. Floor area shall not include: unfinished basement; elevator and stair bulkheads; attic space; terraces, breezeways and open porches; uncovered steps and garages.

9.42 FRONTAGE. The length of any one property line of a premise, which property line abuts a legally dedicated public street right-of-way.

9.43 FUNERAL HOME. A building or part thereof used for human funeral services. Such building may contain space and facilities for embalming and the performance of other services in the preparation of the dead for burial; the performance of autopsies; the storage of caskets, funeral urns, and other related funeral supplies; and the storage of funeral vehicles. Facilities for cremation shall not be included.

9.44 GARAGE, PRIVATE. A detached accessory building or a portion of the principal building used only for the storage of self-propelled passenger vehicles or trailers by the families resident upon the premises. Such garage, except on farms for agricultural purposes, shall not be used for the storage of more than one (1) commercial vehicle of greater than one and one-half (1-1/2) ton rated capacity.

9.45 GRADE LEVEL. The average of the finished ground level at the center of the walls of a building or structure.

9.46 HOME OCCUPATION. Any occupation conducted in its entirety within a dwelling unit, provided that no person other than members of the family residing on the premises shall be engaged in such occupation and no more than five (5) customers or clients are brought onto the premises daily for the purpose of conducting business.

9.47 HOTEL. A building in which lodging is provided and offered to the public for one (1) or more days for compensation, and in which ingress and egress to and from all rooms are made through an inside office or lobby under supervision at all times.

9.48 IMPERVIOUS SURFACE. Any material that substantially reduces or prevents the infiltration of storm water into previously undeveloped land. Impervious surface shall include gravel and paved driveways and parking areas, sidewalks, roofs and other similar structures.

9.49 INOPERABLE VEHICLE. Any transportation device which is unfit for use due to not being currently licensed for use on roads in the State of Ohio or is unfit for travel due to the lack of a part or parts so as to make it not road worthy according to the Ohio Revised Code.

9.50 JUNK. Scrap or abandoned metal, paper, building material and equipment, bottles, glass, appliances, furniture, rags, rubber, inoperable motor vehicles, and parts thereof, except when processed as part of a recycling operation as defined and regulated by this Resolution.

9.51 JUNK YARD. A place where waste, discarded or salvaged materials are brought, sold, exchanged, baled, packed, disassembled or handled, including wrecking yards, house wrecking yards, used lumber yards, and yards for the storage of salvaged structural steel materials and equipment; but not including such places where uses are conducted entirely within a completely enclosed building, and not including, used cars in operable condition, or salvaged materials incidental to manufacturing operations, or recycling operations as defined and regulated by this Resolution.

9.52 KENNEL. Any structure or premises on which five (5) or more dogs and/or cats are kept.

9.53 LAND USE PLAN. The Springfield Township Land Use Plan, as adopted by the Township Trustees.

9.54 LOADING SPACE, OFF STREET. An off-street area, used exclusively for loading and unloading, at least ten (10) feet wide, fifty (50) feet long, and fifteen (15) feet high; within or outside a building, and located outside of the front, side, or rear setback area required of the building it serves; for the temporary parking of commercial vehicles which are loading or unloading merchandise or materials.

9.55 LOT. A piece or parcel or tract of land, which is legally recorded by the Hamilton County Recorder's office, occupied or intended to be occupied by a principal building or structure or utilized for a principal use and uses accessory thereto, together with such open spaces and frontage as required by this Resolution.

9.56 LOT, CORNER. A lot abutting on and at the intersection of two or more public dedicated right-of-ways (See Figure 5 in Graphic Appendix).

9.57 LOT COVERAGE. The percentage of the site which is covered by impervious surface (See Figure 2 in Graphic Appendix).

9.58 LOT, DOUBLE FRONTAGE. An interior lot having frontage on two (2) non-intersecting streets (See Figure 5 in Graphic Appendix).

9.59 LOT FRONTAGE. The minimum distance required by this Resolution in which any one property line of a lot must abut a legally dedicated public street right-of-way (See Figure 3 and 6 in Graphic Appendix).

9.60 LOT, INTERIOR. A lot other than a corner lot (See Figure 2 in Graphic Appendix).

9.61 LOT, AREA. The computed area contained within the lot lines (See Figure 2 in Graphic Appendix).

9.62 LOT, DEPTH. The average horizontal distance between the front and rear lot lines (See Figure 2 in Graphic Appendix).

9.63 LOT, LINES. The property lines which bound the lot (See Figure 2 in Graphic Appendix).

9.64 LOT LINE, FRONT. On an interior lot, the lot line abutting a street; on a corner lot, the shorter lot line abutting the street; or on a panhandle lot, the interior lot line most parallel to and nearest the street from which access is obtained (See Figure 2 in Graphic Appendix).

9.65 LOT, PANHANDLE OR FLAG. Lots approved under certain conditions that contain less frontage on a street than is normally required. The panhandle is an access corridor to lots or parcels located behind parcels with normally required street frontage (See Figures 2 and 7 in Graphic Appendix).

9.66 LOT LINE, REAR. The lot line opposite and most distant from the front lot line (See Figure 2 in Graphic Appendix).

9.67 LOT LINE, SIDE. Any lot line which is not a front or rear lot line (See Figure 2 in Graphic Appendix).

9.68 LOT WIDTH. The horizontal distance between side lot lines, measured at the designed front setback line (See Figure 2 in Graphic Appendix).

9.69 MANUFACTURING. The assembling, altering, converting, fabricating, finishing, processing or treatment which combines one or more raw materials or components into a product.

9.70 MOTEL. A building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for travelers and having automobile parking adjacent or conveniently located on the premises.

9.71 NIGHTCLUB. A bar, restaurant, coffee house or similar establishment where a dance floor or entertainment is provided.

9.72 NON-CONFORMANCE, CERTIFICATE OF. A certificate issued by the Development Services Department which certifies that a building, structure or premises legally existed prior to the enactment of this Resolution or amendments, thereto.

9.73 NON-CONFORMING BUILDING. Any building that does not meet the limitations on building size and location on a lot as those limitations are established for the district in which the building is located.

9.731 NON-CONFORMING STRUCTURE. Any building in, on, or about which a non-conforming use is present.

9.74 NON-CONFORMING USE. Any use legally existing and used at the time of enactment of this Resolution and the adoption of a map incorporated by reference in this Resolution or any amendments to this Resolution or the map, which does not conform with the regulations of the district in which it is located.

9.75 OUTDOOR WOOD-BURNING FURNACE: An accessory structure, device, equipment, apparatus, or appliance designed to be located outside and to transfer heat, via liquid or other means, through the burning of wood or other permitted material,

for heating interior spaces or for heating swimming pool or hot tub water. "Outdoor Wood-Burning Furnace" does not include a fire pit, fire bowl, fire pot, outdoor fireplace, wood-fired barbeque, or chimenea. An Outdoor Wood-Burning Furnace may also be referred to as an Outdoor Wood Boiler or as an Outdoor Wood Hydronic Heater.

9.751 OUTDOOR WOOD-BURNING FURNACE CHIMNEY: Any flue or stack, in accordance with the manufacturer's instructions and specifications, that carries off exhaust from an Outdoor Wood-Burning Furnace, Boiler, or Hydronic Heater.

9.752 NURSING HOME. A privately operated State licensed place of domicile or other facility which provides skilled nursing and dietary care for persons who are ill or incapacitated, or service for the rehabilitation of persons who are convalescing from illness or incapacitation.

9.76 OUTSIDE STORAGE. The keeping, outside of an enclosed building, of any goods, material, merchandise, or vehicles in the same place for more than forty-eight hours.

9.77 PARK, PUBLIC. An area open to the general public which is owned or leased by Springfield Township or Hamilton County, and which is directly operated by Springfield Township or Hamilton County for recreational, educational, cultural, or aesthetic use.

9.771 PARK, NON-PROFIT. A recreational area that is accessory to and owned and operated by a non-profit organization, which is not affiliated with any particular political subdivision and has an identified mission not solely based on recreation.

9.772 PARK, COMMERCIAL. A recreational area owned and operated by a for-profit organization or a political subdivision other than those listed in Section 9.77 which includes baseball fields, swimming pools, bowling alleys, skating rinks, golf driving ranges, stables or riding academies, amusement parks, or similar recreation uses and facilities.

9.78 PARKING AREA, PRIVATE. A permanently surfaced open area for the same uses as a parking garage.

9.79 PARKING AREA, PUBLIC. A permanently surfaced open area, other than a street or other public way, used for the parking of automobiles and available to the public whether for a fee, free, or as an accommodation for clients or customers.

9.80 PARKING SPACE. A permanently surfaced area of not less than one-hundred and sixty-two (162) square feet, for the parking of a motor vehicle (See Figure 4 in Graphic Appendix).

9.81 PERSONAL SERVICE USE. An establishment which offers services to members of the general public.

9.82 PLANNED UNIT DEVELOPMENT. Land under unified control to be planned and developed as a whole in a single development operation or a definitely programmed series of development operations or phases. A planned development includes principal and accessory structures and uses substantially related to the character and purposes of the planned unit development. A planned development is built according to general and detailed plans that include not only street, utilities, lots and building and building locations, and the like, but also site plans for all buildings as are intended to be located, constructed, used, and related to each other, and plans for other uses and improvements on the land as related to the buildings. A planned unit development includes a program for the provisions, operations and maintenance of such areas, facilities, and improvements as will be for common use by some or all of the occupants of the planned unit development or community.

9.83 PRELIMINARY DEVELOPMENT PLAN. A site plan submitted as part of the Planned Unit Development process during the amendment process for district designation which indicates the approximate areas and arrangement of the proposed uses and zone districts.

9.84 RECREATIONAL AND CAMPING VEHICLES. A motor home, mobile home, house trailer, truck camper, boat, travel trailer, and/or any other vehicle which is principally designed and used for recreation purposes, as opposed to being regularly used for transportation purposes.

9.85 RECYCLING. The collection, separation, recovery and sale or reuse of metals, glass, paper, leaf waste, plastics, and other materials which would otherwise be disposed or processed as waste or the mechanized separation and treatment of waste (other than combustion) and creation and recovery of reusable materials other than a fuel for the operation of energy.

9.86 RESEARCH FACILITY. A building or group of buildings in which are located facilities for scientific research, investigation, testing, or experimentation, but not facilities for the manufacture or sale of products, except as incidental to the main purpose of the laboratory.

9.87 RESTAURANT. An establishment that serves food and beverages primarily to persons seated on the premises.

9.88 RIGHT OF WAY, STREET. A public thoroughfare used, or intended to be used, for the passage or travel by motor vehicles.

9.89 ROAD CORRIDOR URBAN DESIGN PLAN. A plan adopted by the Board of Trustees in connection with a Road Corridor Overlay District which provides design standards and provisions for a specifically designated area along a road corridor.

9.90 SCHOOL, PRIMARY, SECONDARY, COLLEGE OR UNIVERSITY. Any institution organized and operated under the laws of Ohio to provide regular courses of instruction for students in kindergarten through grade 12 or any college or university accredited by the Ohio Department of Education or by an accrediting association recognized by the United States Office of Education.

9.91 SIGN. Any device, structure, fixture, or placard using graphics, symbols, and/or written copy for the primary purpose of identifying, providing directions, or advertising any establishment, product, goods, or services.

9.92 SIGN, BILLBOARD. A one hundred forty-five (145) square feet or greater sign structure advertising an establishment, merchandise, service, special message, or entertainment which is located on property zoned for business, industrial, or agricultural purposes.

9.93 SIGN, CHANGEABLE MESSAGE. A sign whose information content can be altered manually or by electronic means.

9.94 SIGN, CONSTRUCTION. A temporary sign to give information about construction that is soon to commence or is currently in progress on the property on which the sign is located.

9.95 SIGN, COPY. The graphic content of a sign surface in either permanent or removable letter, pictographic, symbolic, or alphabetic form.

9.96 SIGN, DIRECTIONAL. A sign which provides directional assistance to access an establishment conveniently and safely.

9.97 SIGN, ELECTION. A temporary sign which endorses a candidate for office or promotes an issue which will be voted upon at an officially sanctioned national, state, or local election.

9.98 SIGN, FREESTANDING. A sign supported permanently upon the ground by poles or braces and not attached to any building or structure.

9.99 SIGN, GOVERNMENT. Any temporary or permanent sign erected and maintained by the township, county, state or federal government for traffic direction or for designation of or direction to any school, hospital, historical site, or public service, property, or facility.

9.991 SIGN, LOW PROFILE OR GROUND. A sign mounted directly to the ground with a maximum height not to exceed ten (10) feet.

9.992 SIGN, NONCONFORMING. A sign which was erected legally, but does not comply with the subsequently enacted provisions pertaining to signs.

9.993 SIGN, REAL ESTATE. A temporary sign advertising the real estate upon which the sign is located as being for rent, lease or sale.

9.994 SIGN, SUBDIVISION. A freestanding or wall sign identifying a recognized subdivision, condominium complex, residential development, or a business or industrial park.

9.995 SIGN, TEMPORARY. A sign not constructed or intended for long-term use.

9.996 SIGN, WALL. A sign attached essentially parallel to and extending not more than twenty-four (24) inches from the wall of a building with no copy on the sides or edges. This definition includes painted, individual letter, and cabinet signs.

9.997 SPECIAL EXCEPTION. An exception pertaining to an uncommon or infrequent use which may be permitted in specific districts subject to compliance with certain standards and explicit conditions as set forth by the Board of Zoning Appeals.

9.998 STORY. That portion of a building included between the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it.

9.999 STRUCTURE. Anything constructed, excluding pavement, the use of which requires the permanent location on the ground, or attachment to something having permanent location on the ground.

9.9910 STRUCTURAL ALTERATION. Any change in the structural members of a building, such as walls, columns, beams or girders.

9.9911 SUBDIVISION. The division of land, lot, tract, or parcel into two or more parcels, plats, or sites, approved by the Hamilton County Planning Commission, for sale, lease, offer, or development.

9.9912 SWIMMING POOL. A permanent, open tank or other structure not located within a completely enclosed building so as to contain at least three feet of water at any point.

9.9913 TOWN HOUSE. A structure containing two (2) or more attached single-family dwellings in a continuous row, each dwelling designed and erected as a unit and separated from adjoining units by a wall or walls.

9.9914 TOWNSHIP TRUSTEES. The Springfield Township, Hamilton County, Ohio Board of Township Trustees.

9.9915 USE, PRINCIPAL. The primary use and chief purpose of a lot or structure.

9.9916 VARIANCE. A modification approved by the Board of Zoning Appeals regarding area or dimension requirements of this Resolution, where such modification will not

be contrary to the public interest and where owing to conditions unique to the property and not the result of the actions by the applicant, a literal enforcement of the requirement would result in unnecessary and undue hardship for the property owner.

9.9917 VEHICLE. Any self-powered unit moving on wheels or runners and used as a means of transport.

9.9918 WIRELESS AND CELLULAR ANTENNA. Any exterior apparatus designed for telephonic, radio, television or other electronic telecommunications, through the transmission, relay or receiving of electromagnetic waves.

9.9919 WIRELESS AND CELLULAR TELECOMMUNICATION EQUIPMENT. Any antenna, satellite dish, communication device or equipment which is used for transmitting, relaying or receiving communication signals except equipment preempted from regulators by the Telecommunications Act of 1996 (P.L. 104-104), as amended.

9.9920 WIRELESS AND CELLULAR TELECOMMUNICATION FACILITY. Any cables, wires, lines, wave guides, antennas, equipment or structures associated with the transmission or reception of communications as authorized by the Federal Communications Commission (FCC) which an applicant seeks to locate or has installed upon a tower or existing structure.

9.9921 WIRELESS AND CELLULAR TELECOMMUNICATION TOWER. Any free-standing structure or any structure to be attached to a building or other structure that is designed and constructed primarily for the purpose of supporting one or more antennas, including self-supporting lattice towers, guy towers, monopole towers, radio and television transmission towers, microwave towers, common-carrier towers, cellular telephone towers and alternative tower structures that meet the criteria established by Ohio Revised Code 519.211(B)(1).

9.9922 YARD, FRONT. An open space extending the full width of the lot, between a principal building and the front lot line, unoccupied and unobstructed from the ground upward (See Figure 3 in Graphic Appendix).

9.9923 YARD, REAR. An open space extending the full width of the lot between a principal building and the rear lot line, unoccupied and unobstructed from the ground upward (See Figure 3 in Graphic Appendix).

9.9924 YARD, SIDE. An open space extending from the front yard to the rear yard between a principal building and the nearest side lot line, unobstructed from the ground upward (See Figure 3 in Graphic Appendix).

9.9925 YARD REQUIREMENT, FRONT YARD DEPTH. The minimum open space, required by the specific district provisions, which must be provided between a

principal building and the front lot line, unoccupied from the ground upward (See Figure 3 in Graphic Appendix).

9.9926 YARD REQUIREMENT, REAR YARD DEPTH. The minimum open space, required by the specific district provisions, which must be provided between a principal building and the rear lot line, unoccupied from the ground upward (See Figure 3 in Graphic Appendix).

9.9927 YARD REQUIREMENT, EACH SIDE YARD. The minimum open space, required by the specific district provisions, which must be provided between a principal building and each side lot line, unobstructed from the ground upward (See Figure 3 in Graphic Appendix).

9.9928 ZONING CERTIFICATE. A document issued by the Development Services Department which certifies that a building, structure, or use has been reviewed by the department and found to be consistent with the terms of this Resolution.

9.9929 ZONING MAP. The Zoning Map of Springfield Township, Hamilton County, Ohio.

ARTICLE 10
GENERAL PROVISIONS FOR ALL DISTRICTS

10.01 PURPOSE. The general provisions provided by this article, unless otherwise specifically stated, apply to all uses and structures for all the Zone Districts in this Resolution.

10.02 ONE PRINCIPAL PERMITTED STRUCTURE PER PARCEL. Except as provided in the specific provisions of Articles 17, 20, including 20.095, 23, and 26, a maximum of one principal permitted structure or building shall be permitted per parcel, unless authorized by the Board of Zoning Appeals through the granting of a Special Exception or as approved in a PUD District.

10.03 CONFORMANCE REQUIRED. Except as hereafter specified, no land, building, structure, or premises shall be used, and no building or part thereof, or other structure, shall be located, erected, moved, reconstructed, extended, enlarged or altered except in conformity with the regulations specified for the District in which it is located.

10.04 CONTINUING EXISTING USES. Except as hereafter specified, any use, building or structure, legally existing at the time this amendment to the zoning resolution becomes effective may be continued as a legal nonconforming use, even though such use, building or structure may not conform with the provisions of this Resolution for the District in which it is located.

10.041 LOT OF RECORD. In any district where dwellings are permitted, a single family dwelling may be located on any lot of record in existence as of the effective date of this Resolution, irrespective of its area or dimensions, provided any one of the following conditions exist:

a) All front, side, and rear yard requirements of this Resolution for the district in which the lot is located are met.

b) A building permit for said dwelling has been properly granted and remains effective by the Hamilton County Building Department prior to the amendment and effective date of this Resolution.

c) The Springfield Township Board of Zoning Appeals grants a variance in area requirements.

10.05 BURDEN OF ESTABLISHING LEGALITY OF NONCONFORMITY. The burden of establishing that any use, building, or structure is lawfully nonconforming under the provisions of this Resolution, shall in all cases be upon the owner of such nonconformity and not upon the Township.

10.06 INVENTORY AND NOTICE OF NONCONFORMING USES, BUILDINGS, AND STRUCTURES. After the effective date of this Resolution, or any amendment

thereto creating new nonconformities, the Springfield Township Development Services Department shall inventory all nonconforming uses, buildings, and structures and determine the names and addresses of the owners of record thereof. For each such nonconformity inventoried, the Springfield Township Development Services Department shall determine the nature and extent of the nonconformity.

10.061 Upon making such determination, the Springfield Township Development Services Department shall notify the aforesaid owner or lessee in writing by registered mail of his/her determination. Such inventory and notices shall be kept on file in the Zoning Department and be a matter of public record.

10.062 The determinations of the Springfield Township Development Services Department made pursuant to this Subsection shall be subject to appeal to the Board of Zoning Appeals pursuant to Article 8, Subsection 8.042.

10.07 ZONING CERTIFICATES FOR LEGAL NON-CONFORMITIES. The owner of any non-conforming use, building, or structure may at any time apply to the Springfield Township Development Services Department for a Zoning Certificate of Non-conformance to establish the legality of such non-conformity as of a specified date. Such application shall be filed and processed pursuant to the provisions of Article 5, Subsection 5.06.

10.071 Any person receiving a notice pursuant to Subsection 10.05 above shall be required, within sixty (60) days of receipt of such notice, to apply to the Springfield Township Development Services Department for a Zoning Certificate with respect to the identified non-conformity. Unless an appeal from the determination of the Director has been filed, such application shall be accompanied by an affidavit acknowledging the Director's decision. This affidavit shall be kept on file in the Springfield Township Development Services Department and be a matter of public record.

10.072 If, upon reviewing an application for a Zoning Certificate of Non-conformance, the Springfield Township Development Services Department shall determine that the use, building, or structure in question was lawfully existing at the time of the effective date of the provision creating the non-conformity in question, and remains lawfully existing subject only to such non-conformity at the time of such application, and that any required affidavit is in order, the Springfield Township Development Services Department shall issue a Zoning Certificate of Non-conformance, evidencing such facts and setting forth the nature and extent of the non-conformity. Otherwise, the Department shall refuse to issue such certificate and shall declare such use, building, or structure to be in violation of this Resolution.

10.08 NON-CONFORMING USES. Whenever a non-conforming use has been changed back to a conforming use, such use shall not thereafter be changed to a non-conforming use.

10.09 ALTERATION OF NON-CONFORMING STRUCTURES/USES/BUILDINGS. Except as expressly provided in this Article, no non-conforming structure or use, except when required by law or order, shall be enlarged, reconstructed, or structurally altered, unless the use thereof is changed to a use permitted in the district in which such structure is located. Further, except as expressly provided in this Article, no non-conforming building, except when required by law or order, shall be enlarged, reconstructed, or structurally altered, unless the enlargement, reconstruction, or alteration of the building is in compliance with the provisions of this Resolution.

10.091 When authorized by the Board, in accordance with the provisions of Article 8, Subsections 8.025 and 8.0251, the substitution for a non-conforming use for another non-conforming use or an extension of a non-conforming use may be made.

10.092 Any non-conforming building or structure damaged by fire, flood, explosion, wind, earthquake, war, riot or other calamity or Act of God; may be restored or reconstructed and used as before such happening provided: that within 120 days of such happening an application for a Zoning Certificate has been applied for and the required plans are submitted containing the seal of a registered architect or engineer and certification is given by said architect or engineer that the proposed restoration can be done safely; and further provided that building size or square footage are not increased.

10.093 Such repairs and maintenance work as required to keep a non-conforming structure or non-conforming building in sound condition may be made to a non-conforming building or structure, provided no structural alterations are made except such as required by law or authorized by the Board of Zoning Appeals pursuant to Article 8, Subsections 8.025 and 8.0251.

10.10 NON-CONFORMING USE OR STRUCTURE DISCONTINUED. No non-conforming structure where a non-conforming use has discontinued for two (2) years or more shall again be used for any use non-conforming to the district in which it is located.

10.11 TEMPORARY USES. Subject to the specific regulations and time limits that follow, and to other applicable regulations of the district in which the use is permitted, the following temporary uses, and no others, are permitted in the Zoning Districts herein specified:

10.111 House, Apartment, Garage and Yard Sales. House, apartment, garage, and yard sales are permitted in any district, but only when limited to the personal possessions of the owner or occupant of the dwelling unit at which such sale is being conducted. Such use shall be limited to a period not to exceed no more than two (2) consecutive days and no more than three (3) such sales shall be conducted from the same property in any twelve (12) month period. No Zoning Certificate shall be required for such use.

10.112 Contractor's Offices and Equipment Sheds. Contractor's offices and portable equipment sheds are permitted when accessory to a construction project. No such use shall contain any sleeping or cooking accommodations. Such use shall be limited to a period not to exceed the duration of the active construction phase of such project.

10.113 Model Units, Including Real Estate Offices. Model units including real estate offices are permitted when an accessory use to a new development. No such use shall contain sleeping or cooking accommodations unless located in a model dwelling unit. Such use shall be limited to a period of the active selling or leasing of units or space in such development and to the activities related to the development in which such office is located. No such office shall be used as the general office or headquarters of any firm. Such uses shall require the issuance of Zoning Certificate specifying such use as an approved model unit or real estate office.

10.114 Festivals and Circuses. Festivals and Circuses are permitted only when sponsored by a not-for-profit religious, philanthropic or civic group or organization. Such use shall be limited to a period not to exceed three (3) days.

10.115 Tents. Tents are permitted in connection with any permitted, accessory or temporary use. No tent shall be allowed to remain for a period of more than two (2) days longer than the period during for which it is associated is allowed to remain.

10.116 Portable Storage Units (PODS). Portable storage units are permitted in connection with any permitted or temporary use. All portable storage units must be located on an impervious surface outside of the right-of-way and shall not exceed 1,200 cubic feet. Such use shall be limited to a period not to exceed thirty (30) days. No more than two (2) thirty (30) day periods may be permitted for the same property within a twelve (12) month period. No portable storage unit may be used for living purposes.

10.12 TEMPORARY USES REQUIRE ZONING CERTIFICATES. Except as specifically provided, no temporary use shall be maintained unless a Zoning Certificate evidencing the compliance of such use with the provisions of this Resolution has been issued

10.121 Such Certificate may be denied if the Director determines that the public health, safety, or welfare would be, or may reasonably be expected to be, impaired by the issuance thereof.

10.122 A Zoning Certificate for a temporary use may be conditioned upon such special requirements as the Director may determine to achieve the purposes of this Resolution and to protect the public health, safety and welfare.

10.13 TEMPORARY USE LIMITATIONS. All temporary uses shall comply with the use limitations applicable in the district in which it is located as well as with the limitations made applicable by Subsection 10.11 of this Article.

10.131 No temporary use shall be operated during any hours or any days of the week except as are designated by the Zoning Certificate, on the basis of the nature of the use and the character of the surrounding area.

10.132 Signs permitted for temporary uses shall be pursuant to Subsection 10.2893 #4 of this Article.

10.14 CONVERSION OF DWELLING. The conversion of any building into a dwelling or the conversion of any dwelling so as to accommodate an increased number of dwelling units or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this Resolution, and only when the resulting occupancy will comply with the requirements governing new construction in such district.

10.15 ACCESSORY BUILDINGS AND USES. Accessory uses or structures shall be permitted in all districts provided that: a) it is incidental to and customarily found in connection with a principal building permitted by the district in which it is located; b) it is subordinate to and serves a principal building or use; c) it is subordinate in area, extent, or purpose to the principal building; and d) it is located on the same lot as the principal building or use for which it serves.

10.151 The square footage of any accessory building or the total square footage of all accessory buildings shall not exceed twenty-five (25) percent of the square footage of the principal building. In ground swimming pools shall be permitted to exceed twenty-five (25) percent of the square footage of the principal building or use.

10.152 No accessory building shall contain facilities used for dwelling purposes.

10.153 No accessory building or structure shall be located in a front or side yard, except on a corner or double frontage lot. Accessory buildings or structures are permitted in the side yard area which is parallel to the rear of the house on corner lots, and in the front yard, parallel to the rear of the house on double frontage lots, provided they are not located within the required yard setback area.

10.154 Accessory uses and buildings not exceeding one thousand (1,000) square feet in size shall be located at least ten (10) feet from the principal building, and at least three (3) feet from all property lines. Accessory uses and buildings exceeding one thousand (1,000) square feet in size shall be located at least ten (10) feet from the principal building and ten (10) feet from the rear property line. The required side-yard setback for accessory uses and buildings in excess of one thousand (1,000) square feet shall be the same as those required for principal structures in the district in which the accessory use or building is located. Swimming pools shall not be required to set back at least ten (10) feet from the principal structure when connected to the principal structure by a deck.

10.155 The maximum number of accessory buildings permitted shall be two (2) and shall be included in the calculation of the lot coverage percentage pursuant to the district in which it is located.

10.16 TRAFFIC VISIBILITY ACROSS CORNER LOT. On a corner lot, no fence, structure, or planting shall be erected or maintained within the triangle formed by measuring twenty (20) feet from the point of intersection of the two lot lines adjoining the two streets (See Figure 5 in Graphic Appendix).

10.17 REQUIRED AREA OR SPACE CANNOT BE REDUCED. No lot, yard, court or other space shall be reduced in area or dimensions so as to make said area or dimension less than the minimum required by this Resolution; and if already less than the minimum required, said area or dimension shall not be further reduced. No part of a yard, parking area, or other space provided for any building or structure, shall be included as part of a yard, parking area or other space required for another building or structure located on a separate lot.

10.18 OFF-STREET PARKING. In all districts, there shall be provided, at the time any building is erected or enlarged, or increased in capacity, off-street parking spaces for automobiles with the requirements specified by the General District Provisions in which the building is located. For uses not specifically listed in the General District Provisions, off-street parking shall be determined by consulting the American Planning Association's Off-street Parking Requirements. When a building is enlarged the parking requirements shall be calculated using the entire building (See Figure 4 in Graphic Appendix).

10.181 Each off-street parking space for standard cars shall have an area not less than one-hundred and sixty-two (162) square feet and be at least nine (9) feet wide and eighteen (18) feet long.

Each off-street parking space for compact cars shall have an area not less than one-hundred and twelve (112) square feet and be at least eight (8) feet wide and fourteen (14) feet long. Such parking for compact cars shall not be included in calculations for required parking.

Each off-street parallel parking space shall have an area not less than two-hundred and seven (207) square feet and be at least nine (9) feet wide and twenty-three (23) feet long.

10.182 A parking plan, drawn to scale, showing the traffic control plan and exact size and location of each space is required in conjunction with each application for a Zoning Certificate. The parking area plan shall provide maneuvering space for parking in the form of access aisles of the following minimum widths:

24 feet for 90 degree parking
18 feet for 60 degree parking

14 feet for 45 degree parking
12 feet for 30 degree parking
12 feet for 0 degree parking

10.183 Except in the case of dwellings, no parking lot area shall be less than four hundred (400) square feet in area.

10.184 For purposes of calculating the required number of parking spaces pursuant to the parking requirements in this Resolution, floor area shall mean the gross floor area used or intended to be used by tenants, or client or patients, including areas occupied by fixtures and equipment used for display or sales merchandise. It shall not include areas used principally for non-public purposes, such as storage or incidental repair, or restroom facilities.

10.185 All parking areas shall be located on the same lot as the principal building or use unless approved by the Board of Zoning Appeals pursuant to the standards and procedures for conditional uses as set forth in Article 8, Subsection 8.053, or as approved pursuant to the provisions of an RCO or PUD District.

10.186 All off-street parking areas shall be surfaced with an asphaltic, Portland cement binder, or other like pavement so as to provide a durable and dustless surface, shall be graded and drained as to dispose of all surface water accumulated within the area, in accordance with the standards of the Hamilton County Engineer's office, and shall be arranged and marked as to provide for safe loading and unloading and parking and storage of self-propelled vehicles. Approved storage yards shall use surface materials so as to provide a dustless surface.

10.187 Landscaping of parking areas shall be maintained in living and well-trimmed condition. Screening, if other than landscaping shall be maintained in good repair through the use of proper building materials.

10.188 Nonresidential parking areas for more than five (5) vehicles, which adjoin or face lots situated in any residential district, or institutional premises (churches, schools, public buildings of an administrative or cultural type), shall be screened on each side by a masonry wall, solid fence or earth berm. Such screening shall be not less than four (4) feet or more than six (6) feet in height and shall be maintained in good repair, pursuant to the provisions of Subsection 10.187 and without any form of advertising thereon.

10.189 A buffer area of not less than six (6) feet in width shall be maintained between all parking areas (exclusive of access points of ingress and egress) and any street right-of- way. Such area shall be landscaped with grass, shrubs, trees, or ground cover and maintained in a living and well trimmed condition.

10.1891 A perimeter buffer area of not less than four (4) feet in width shall be maintained between all parking areas (exclusive of access points of ingress or egress or areas for cross easement) and the side and rear property lines. Such area shall be landscaped

with grass, shrubs, trees, or ground cover and maintained in a living and well trimmed condition.

10.1892 All off-street parking areas shall be designed in a way so as to prevent vehicles from having to back out of the lot onto a public street and so as to prevent the moving of one vehicle to access that of another.

10.19 NUISANCES PROHIBITED. No inoperable vehicle, unlicensed trailer or discarded furniture, appliances or other miscellaneous junk materials, shall be permitted to remain exposed on the premises for a period of more than ten (10) days. Specific demolition and rehabilitation projects requiring the placement of a dumpster for periods exceeding thirty (30) days shall be permitted provided a Zoning Certificate has been issued pursuant to Article 5, Subsection 5.02. Trailers used in conjunction with an approved storage yard in an Industrial District shall not be included in this provision.

10.20 EXEMPTED TOWERS AND PUBLIC UTILITIES. Non-cellular wireless and telecommunication towers and facilities licensed by the Federal Communications Commission, and Public Utilities licenses by the Public Utilities Commission of Ohio (PUCO) are exempted from the requirements of this Resolution. Cellular and wireless telecommunications towers located in areas other than areas zoned for residential use are exempt for the requirements of this Resolution except as provided by Ohio Revised Code 519.211.

10.21 ZONING AUTHORITY FOR WIRELESS AND CELLULAR TELECOMMUNICATION TOWERS. Except in accordance with Ohio Revised Code 519.211 and the provisions of this Resolution, no person shall, in an area zoned for residential uses, locate, erect, construct, reconstruct, change, alter, use or enlarge any wireless and cellular telecommunication tower. Whenever a notice has been received or an objection has been lodged, in the manner prescribed in Ohio Revised Code 519.211, regarding a wireless and cellular telecommunication tower in an area zoned for residential uses, the Board of Zoning Appeals, shall, upon application, have the power to issue at its discretion conditional use zoning certificates after public hearing allowing the construction, location, erection, reconstruction, change, alteration or enlargement of such wireless and cellular telecommunication tower if it finds that the applicant has satisfied all of the applicable requirements of this Article.

10.212 Exceptions. The following are exceptions to the regulations contained in this Article pertaining to wireless and cellular communication towers:

a. A Zoning Certificate shall be granted as-of-right, without the need for public hearing, to permit the construction of a new wireless and cellular telecommunication tower proposed to be located in an area zoned for residential use if that new tower or antenna is added to an existing tower and if such installation extends less than 25 feet above the original height of the structure on which it is mounted.

b. Wireless and cellular telecommunication towers not located in an area zoned for residential uses are exempt from zoning.
c. Wireless and cellular telecommunication towers located in an area zoned for residential uses are exempt from the provisions of this Article unless, within 15 days after the date of mailing of the applicant's notice sent pursuant to Ohio Revised Code 519.211(F)(1), either of the following apply:

i. The Township Trustees or a contiguous property owner gives written notice to the Township Trustees requesting that the wireless and cellular telecommunications tower be subjected to this Resolution; or
ii. A member of the Township Trustees makes an objection to the proposed location of the wireless and cellular telecommunications tower.

10.213 Procedures. The following procedures required for the issuance of a Conditional Use Certificate shall be in addition to any procedures required by Article 8 pertaining to conditional uses and the Ohio Revised Code Sections pertaining to wireless and cellular telecommunication towers.

a. Pre-Application Conference. Any person or company intending to construct or to apply for the placement or operation of a wireless and cellular telecommunication tower within an area zoned for residential uses shall first schedule a pre-application conference with the Development Services Director. The purpose of the pre-application conference is to discuss the needs of the applicant, evaluate the impact to the proposed tower on adjacent property and neighborhoods, discuss possibilities of co-location, identify alternate sites that may minimize the negative impact on residential areas, and clarify the application process and requirements.

b. Required Application Documents. Any request filed under this section for review of a proposal to construct a wireless and cellular telecommunications tower shall include the following:

i. Analysis of Co-location Alternative: Unless the application is for co-location, the application shall submit certification, supported by evidence, indicating that co-location of the proposed wireless and cellular telecommunications tower with an existing, approved tower cannot be accommodated. The applicant's certification shall include a listing of all existing wireless and cellular telecommunications towers in the Township, a description of each existing site, and a discussion of the ability or inability to co-locate on each exiting site according to the following scope of analysis:

- For a tower proposed to exceed a height of 100 feet but less than 200 feet, analysis must include all towers within a 1 ½ mile radius;

- For a tower proposed to exceed a height of 100 feet but less than 200 feet, analysis must include all tower within a 1 mile radius;
- For a tower proposed to be built at a height less than 100 feet, analysis must include all towers within a ½ mile radius.

Reasons for not co-locating on a site would include the following:

- No existing wireless and cellular telecommunications towers are located within the above-listed radius of the site;
- Existing wireless and cellular telecommunications towers are not of sufficient height to meet the applicant's engineering requirements;
- Existing wireless and cellular telecommunications towers do not have sufficient structural strength to support applicant's proposed antenna and related equipment;
- Applicant's planned equipment would cause radio frequency interference with other existing or planned equipment of the wireless and cellular telecommunications tower, or the existing or planned equipment of the wireless and cellular telecommunications tower would cause interference with applicant's planned equipment which cannot be reasonably prevented;
- Unwillingness of the owner of the existing wireless and cellular telecommunications tower to enter into a co-location arrangement;
- Existing wireless and cellular telecommunications towers do not provide an acceptable location or requisite coverage for the applicant's communication network.

ii. Analysis of New Tower Site Alternatives: Unless the application is for co-location, the application shall submit certification, supported by evidence, indicating that the proposed new site for a wireless and cellular telecommunications tower is an essential location. The applicant's certification shall include a listing of potential sites, a description of each potential site (including ground elevations) and a discussion of the ability r inability of the site to host a telecommunications tower according to the following site of analysis:

- For a tower proposed to exceed a height of 100 feet but less than 200 feet, analysis must include all towers within a 1 ½ mile radius;
- For a tower proposed to exceed a height of 100 feet but less than 200 feet, analysis must include all tower within a 1 mile radius;
- For a tower proposed to be built at a height less than 100 feet, analysis must include all towers within a ½ mile radius.

Potential sites that should be considered (in order from most preferred to least preferred) include: existing telecommunication towers and utility towers, public land in non-residential districts, industrial districts, commercial districts, and residential districts.

Reasons for not locating on a potential site include the following:

* Unwillingness of the site owner to site a wireless and cellular telecommunications tower on commercially reasonable terms;
* Topographical limitations of the site;
* Adjacent impediments that would preclude the construction of a cellular and wireless telecommunications tower;
* Existing potential sites do not provide an acceptable location for requisite coverage for the applicant's communications system.

iii. Analysis of Visual Impact. The applicant for a Conditional Use Certificate to construct a wireless and cellular telecommunications tower shall submit, subject to a non-site owner's permission to enter upon the land, a pictorial representation, such as a silhouette drawing, photograph, etc. of the proposed wireless and cellular telecommunications tower from a point 400 feet from the facility in each of the four compass directions showing the relationship of the tower against the massing of surrounding structures, trees, and other intervening visual masses.

iv. Consistency with Adopted Plans. The applicant shall submit a justification statement demonstrating that the proposed construction is in agreement with any plans, relating to telecommunications towers, duly adopted by the Township Trustees.

v. Other Approvals. The applicant shall submit evidence in a form satisfactory to the Board that the proposal has been approved by all agencies and governmental entities with jurisdiction, as well as evidence that the proposal conforms to all applicable requirements of the Ohio Department of Transportation, the Federal Aviation Administration, the Federal Communications Commission, or the successors to their respective functions.

c. Expert Review. Prior to granting a Conditional Use Certificate, the Board may require that the applicant's proposal and analysis be reviewed by an independent qualified consultant(s), at the cost of the applicant. Special review fees, not to exceed $2,500.00 may be established to cover the costs of staff and/or external expert review of requests filed under this section.

d. Agreement to Enable Co-location. In the event the construction of a new wireless and cellular telecommunications tower by the applicant, the applicant shall agree to the shared use of such tower, when technically feasible, by other telecommunication companies upon payment of reasonable fees to the applicant, or agreement to reciprocal terms for co-location involving other sites, provided such shared use does not violate any law, rule or regulation. Any new wireless and cellular telecommunications towers shall be designed to accommodate

antennas for more than one use. Such agreement shall be incorporated in the application for the Conditional Use Certificate and shall be a condition upon which such certificate is granted.

e. Agreement to Accommodate Public Safety Antennas. The applicant shall agree to accommodate the communications antennas of local police, fire, ambulance, and other governmental departments at no charge where technically feasible. Such agreement shall be incorporated in the application for the Conditional Use Certificate and shall be a condition upon which such certificate is granted.

f. Agreement to Submit an Annual Network Inventory. On or before January 1st of each calendar year, each applicant (having been granted a Conditional Use Certificate) shall provide a listing of the present locations of the applicant's wireless and cellular telecommunications towers in the Township. The applicant shall provide any changes to the "annual" plan that have occurred since January 1st or verify the continued accuracy of the plan submitted. Such agreement shall be incorporated in the application for Conditional Use Certificate and shall be a condition upon which such certificate is granted.

g. Guarantee of Removal if Abandoned. To ensure the removal of all improvements at any abandoned wireless and cellular telecommunications tower, in an area zoned for residential use, any applicant filing a request, except for multi-user co-location towers, under this section shall, deposit with the Board and to the benefit of the Township Trustees, a letter of credit, a performance bond, or other security acceptable to the Township Trustees. Performance bonds are to be issued by a bonding agency certified and licensed by the State of Ohio. The bonding agency shall recommend the amount of the bond required covering the costs associated with the removal of the improvements and the restoration of the land to its original condition prior to the construction of the wireless and cellular telecommunications tower. Verification of the performance bond, line of credit, or other security issued to guarantee the removal and restoration of the land, are to be submitted to the Board on or before January 1st of each calendar year while the tower is in use. Any guarantee submitted shall be irrevocable and shall provide for the Township Trustees to collect the full amount of the guarantee if the applicant fails to maintain the guarantee. A change in ownership, lessee, successor by merger requires the issuance of a new guarantee. A new guarantee shall be submitted to the Board for approval and submission to the Township Trustees. The owner or lessee shall enter into a written agreement with the property owner to remove all improvements made in association with the construction of the tower and to restore the property to its original state when the tower is no longer in use and/or at the time of the termination of the lease agreement. An agreement to each of the provisions of this section shall be incorporated in the application for Conditional Use Certificate and shall be a condition upon which such certificate is granted.

10.22 ZONING CERTIFICATE PROCEDURES FOR WIRELESS AND CELLULAR TELECOMMUNICATION TOWERS. Any wireless and cellular telecommunication tower granted a Conditional User Certificate by the Board of Zoning Appeals, pursuant to Article 10, Subsection 10.21 shall require the issuance of a Zoning Certificate.

Any wireless and cellular telecommunication tower proposed to be located in an R-District and which has been determined to be subject to township zoning shall require the issuance of a Zoning Certificate. Upon application of the public utility for such a Zoning Certificate, the Development Services Director shall forward said application to the Board of Trustees. The Board of Trustees shall, upon receipt of such application, set a time for a public hearing on the proposed application within thirty (30) days from the date of receipt of the application. Notice of such public hearing shall be given by certified mail to the applicant and all property owners whose land is contiguous to or directly across the street from the property where the tower is proposed to be located. The notice shall set forth a time and place of the public hearing and a summary of the proposed tower.

10.221 The Township Board of Trustees shall have the power to hear and decide whether the proposed tower is in keeping with the intent of this Resolution to maintain the public health, safety and general welfare of the residents of Springfield Township. In considering an application for a wireless and cellular telecommunication tower, the Board of Trustees shall give due regard to the nature and condition of all adjacent uses and structures and to ensure that the height and location of the tower has been approved by all other governmental agencies charged with the responsibility of maintaining air safety. The Board of Trustees shall also ensure that no other structure is located within a distance from the base of the tower that is less than the height of the tower itself. The Board of Trustees may impose other conditions and requirements as deemed necessary for the protection of adjacent properties and the public interest.

10.222 SPECIFIC CRITERIA PERTAINING TO WIRELESS AND CELLULAR TELECOMMUNICATION TOWERS. The following criteria apply to wireless and cellular telecommunication towers:

a. Design. A new wireless and cellular telecommunications tower built in an area zoned for residential use shall, to the extent economically and technologically feasible, be designed, engineered and constructed as follows:

i. a tower 75 feet tall or less shall be designed, engineered, and constructed to support antennas installed by one or more wireless communication service providers;

ii. a tower more than 75 feet tall but less than 150 feet tall shall be designed, engineered, and constructed to support antennas installed by two or more wireless communication service providers;

iii. a tower 150 feet tall or more shall be designed, engineered, and constructed to support antennas installed by three or more wireless communication service providers. Monopole tower installations are required unless it is demonstrated that another type of tower is required for safety purposes or for co-location or multiple use requirements of the Board.

b. Lot Size. Lot size shall be the minimum for the zoning district in which the wireless and cellular telecommunications tower is to be built. Sufficient ground space shall be provided to enable multiple equipment structures in accordance with co-location requirements and plans.

c. Setbacks for Towers. Wireless and cellular telecommunications towers shall be located so as to establish a clear zone for falling tower debris, ice and/or the collapse of the tower. Towers shall be such that the distance from the base of the tower to any adjoining property line of a residential use or district is a minimum of 100 percent of the proposed tower height and a minimum of 50 percent of the proposed tower height from any adjoining non-residential use or district.

d. Visual Impact. Wireless and cellular telecommunications towers shall be constructed using designs and materials that reduce visual impact to the extent economically and technologically feasible.

e. Abandonment. The applicant (or its successors in interest) shall, within 30 days of permanently ceasing operation of a wireless and cellular communications tower, provide written notice of abandonment to the Development Services Director. An unused tower may stand no longer than 12 months following abandonment. All costs associated with demolition of the tower and associated equipment and buildings shall be borne by the most recent tower operator of record unless such costs are the contractual or legal responsibility of another party. A tower is considered abandoned when it ceases transmission for 30 consecutive days. If the use of any wireless and cellular telecommunications tower is discontinued, the owner shall provide the Development Services Director with a copy of the notice to the FCC of intent to cease operations within 30 days of such notice to the FCC. If the tower will not be reused, the owner shall have 180 days from submittal of the FCC notice to the Board to obtain a demolition permit and remove the tower that will not be reused. If the tower is to be reused, the owner shall have no more than 12 months from the submittal of the FCC notice to the Director, in which to commence new operation of the tower. Upon failure to commence new operation of the tower within 12 months, the tower shall be presumed to be abandoned, and the owner shall immediately obtain a demolition permit and remove the tower that is presumed to be abandoned. If the owner fails to remove a tower in the time provided in this section, the Development Services Director may cause the demolition and removal of the

tower and recover its costs of demolition and removal from the Guarantee deposited by the applicant.

10.23 HEIGHT LIMIT EXCEPTIONS. Height limitations stipulated elsewhere in this Resolution shall not apply to the following:

10.231 Barns, silos or other farm buildings or structures on farms; water towers; transmission towers; and parapet walls extending not more than four (4) feet above the limiting height of the building.

10.232 To places of public assembly in churches, schools and other permitted public and semi-public buildings, provided that for each three (3) feet by which the height of such building extends the maximum height otherwise permitted in the district, its side and rear yards shall be increased in width or depth by an additional foot over the side and rear yards required for the highest building otherwise permitted in the district.

10.24 CORNER AND DOUBLE FRONTAGE LOTS. Buildings on corner lots shall be required to have two front yards of the required depth pursuant to the district in which it is located. Such corner lots need not have a rear yard, however two side yards shall be required (See Figure 5 in Graphic Appendix).

10.241 Buildings on lots having frontage on two non-intersecting streets shall not be required to provide a rear yard, however, a minimum front yard depth, pursuant to the district where such building is located, must be maintained on both streets (See Figure 5 in Graphic Appendix).

10.25 PERMITTED PROJECTIONS INTO REQUIRED YARDS. The following architectural features may project into the required front or side yard as follows:

a) Cornices, canopies, eaves, or other architectural features not to exceed two (2) feet, six (6) inches.

b) Fire escapes may project a distance not to exceed four (4) feet.

c) An open stair and necessary landing may project a distance not to exceed four (4) feet.

d) A front porch not exceeding four (4) feet, provided it is open on three sides, except for railings or banisters.

e) Bay windows, balconies, or chimneys not exceeding three (3) feet, provided that the aggregate width of such projections shall not exceed one-third (1/3) of the length of the wall upon which it is located.

10.26 FENCES AND WALLS. Fences and walls may be located in front, side and rear yards as follows for all lots located in an R District, but not in a recorded residential subdivision.

a) If not exceeding at any point four (4) feet in height above the elevation of the surface of the ground, fences and walls may be located in any yard Entrance gates and walls located within twenty-five (25) feet on each side of the driveway shall be permitted if not exceeding six feet in height above the elevation of the ground.

b) If not exceeding at any point six (6) feet in height above the elevation of the surface of the ground, fences and walls may be located in any side or rear yard, subject to the above requirement regarding corner lots.

c) All fences or walls must be of wood, stone, brick, metal, chain link material, or synthetic materials and shall be maintained in good repair and appearance. Paint shall be applied to all painted surfaces, with sufficient frequency so that no bare wood or material is exposed. No fence or wall shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street. The use of scrap or salvage materials, barbed wire, or electrical above ground fences shall be prohibited.

10.27 SWIMMING POOLS. Swimming pools are permitted as accessory uses in all residential districts, subject to the requirements of Subsection 10.15 of this Article. In-ground pools or the entire property on which they are located, must be enclosed completely by a fence or wall of at least four (4) feet in height above the elevation of the ground before completion of the pool. All gates in said fence or wall shall be self latching. Above ground pools that have walls that are at least four (4) feet in height above the elevation of the ground and provide an enclosure to all direct access points to the pool, meeting the above fence requirements, shall not be required to fence the entire area surrounding the pool. No Zoning Certificate shall be issued for any pool which does not include in the submitted plans, an existing or proposed fence meeting the above requirements.

10.28 GENERAL SIGN PROVISIONS. The following provisions apply to signs in all districts. Additional specific requirements in regard to type, size, location, and other requirements for signs in the residential, office, business, and industrial districts are included in the respective General Provisions of each use category.

10.281 The setback and location requirements of accessory uses, pursuant to Subsection 10.15 of this Article, shall not apply to signs. Specific setback and location requirements as well as other requirements for signs are included with each permitted sign type.

10.282 Zoning Certificate Required. A Zoning Certificate shall be obtained before any sign (except signs exempted by this Article) is located, erected, constructed, reconstructed, enlarged, structurally modified, or used in any Zoning District in Springfield Township.

10.283 Exempted Signs. Except as otherwise provided, the following signs shall not be subject to the provisions of this Zoning Resolution:

a) Governmental signs for identification, control of traffic and other regulatory purposes, street signs, warning signs, railroad crossing signs, and signs of public utility companies for the purpose of identification or public safety;

b) Flags, emblems, insignia, and signs of any governmental agency or political subdivision;

c) Signs within a stadium, theater, building, arena, or other structure, provided that such signs can be viewed only by persons within such stadium, theater, building, arena, or other structure.

10.284 Measurement of Sign Area. The display surface area of a sign shall be considered as including the entire area within a single continuous perimeter enclosing the extreme limits of writing, representations, emblems, or any figure of similar character together with any frame or other material or color forming an integral part of the display area or used to differentiate such sign from the background against which it is placed; excluding supports, trim, uprights, or base which are necessary for structural purposes.

10.2841 When a sign has more than one (1) display surface area readable from adjacent properties and/or right-of-ways, all readable surfaces shall be added cumulatively.

10.2842 Street addresses which are made an integral part of the sign, and which do not exceed nine (9) square feet in area, shall not be considered part of the sign display area.

10.285 Prohibited Signs. The following types of signs are specifically prohibited:

a) pennants, banners, streamers, and similar type devices unless approved pursuant to Subsection 10.2893 (4);

b) signs which employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention, other than electronic message boards pursuant to the requirements of this article;

c) all portable business advertising signs;

d) beacons and searchlights, except for emergency purposes;

e) advertising signs attached to, painted on or placed on a stationary motor vehicle, trailer, or other licensed or unlicensed vehicle or conveyance which is located in such a manner to serve exclusively as a permanent, temporary, or portable sign.

f) real estate signs displayed at locations other than on the premises offered for sale or rent, except within a recorded subdivision and on private property with the approval of the owner.

g) promotional balloons filled with helium, gas, air or any other gaseous material either suspended from or affixed to a structure, vehicle or ground.

10.286 Prohibited Sign Locations. Sign locations shall be in accordance with the particular regulations of this article or the Zoning District in which the sign is to be located. Under no circumstances shall a sign (other than those exempted by this article) be located in a right-of-way or applied to trees, utility poles, supporting structures for street signs and other governmental signs, bus shelters, benches, trash receptacles, newspaper vending machines or boxes, or any other portable or temporary supporting device. Trash receptacles, newspaper vending machines and similar devices may contain the identification of the owner of such device.

10.2861 No sign shall be erected in such a manner as to obstruct free and clear vision to any public thoroughfare or traffic flow along a designated parking lot aisle way for use by the general public.

10.287 Maintenance and Repair. All signs and sign structures, including the component parts of each, shall be kept in good repair and in a proper state of preservation by the owners of the sign or property owners on which the sign is located.

10.288 Message Changes. Message changes are permitted and do not require a Zoning Certificate for manual or electronic changeable copy signs or sign areas such as reader boards, menu boards, bulletin boards, and marquees. Message or copy changes which require permanent replacement panels or the replacement of the sign surface area shall require a Zoning Certificate.

10.289 Reader Boards and Electronic Message Boards. Reader boards and electronic message boards are considered as part of the permitted display area of a sign. Each separate message copy must be displayed a minimum of five (5) seconds.

10.2891 Non-conforming Signs. All signs legally existing before the effective date of the amendment of this Resolution may be continued, even though such sign may not conform with the provisions (excluding safety, maintenance, and repair) of this Resolution, provided, such signs are properly maintained and do not endanger the public health, safety, or general welfare.

10.28911 Such signs shall be issued a Legal Nonconforming Structure Certificate, pursuant to Subsection 10.07. Message or copy changes and general maintenance shall be permitted on all nonconforming signs. However, relocation or replacement of the sign or any alteration in the size or structure of the sign except toward compliance with this Resolution shall cause the sign to lose its status as legally non-conforming.

10.2892 Signs Permitted in All Districts Not Requiring a Zoning Certificate. The following types of temporary signs are permitted in all districts provided they comply with the following requirements. Such signs shall not require the approval of a Zoning Certificate.

1. TEMPORARY REAL ESTATE SIGNS--Real estate signs advertising the sale, rental or lease of the premises on which they are maintained, provided:

a) No such sign shall exceed sixteen (16) square feet in display area and have a maximum of two display faces.

b) All such signs set back a minimum of fifteen (15) feet from any street right-of-way or adjoining property line and conform to Subsection 10.16, regarding traffic visibility.

c) No such sign shall exceed six (6) feet in height from grade.

d) No such sign shall be illuminated in any way.

e) No more than one (1) sign may be displayed per road frontage of the subject premises.

2. ELECTION SIGN--An election sign which endorses a candidate for office or attempts to influence the outcome of an issue which will be voted upon at an officially sanctioned election, provided:

a) No such sign shall exceed thirty-two (32) square feet of display area and shall have a maximum of two display faces.

b) All such signs shall be located out of the road right-of-way and be in conformance with Subsection 10.16, regarding traffic visibility.

10.2893 Signs Permitted in All Districts. The following types of signs are permitted in all districts provided that they comply with the following requirements. These signs shall require the issuance of a Zoning Certificate.

1. TEMPORARY CONSTRUCTION SIGNS--Construction signs indicating the name of architects, engineers, contractors and similar persons or firms involved in the design or construction of a structure or project, provided:

a) No such sign shall exceed sixty-four (64) square feet in display area and have a maximum of two display faces.
b) All such signs shall set back a minimum of fifteen (15) feet from any road right of way or adjoining property line, and conform with Subsection 10.16, regarding traffic visibility.

c) No such sign shall exceed ten (10) feet in height.

d) Such signs shall not be illuminated in any way.

e) The number of such signs shall be limited to one sign per two hundred (200) feet of frontage of the parcel in which the construction is taking place.

f) Such signs may be erected for a period of sixty (60) days prior to construction and extend throughout the construction period. All such signs must be removed upon the issuance of a Final Zoning Certificate of Use for the structure or project.

2. STREET ADDRESS DISPLAYS--Signs displaying the address of a business or property are permitted as part of a subdivision identification sign, on-premise ground sign or a wall sign. Such display shall not be calculated as part of the sign display area if less than nine (9) square feet in area.

3. ON-SITE DIRECTIONAL SIGNS--Directional signs used in connection with parking or loading facilities or similar uses, provided that such signs not exceed four (4) square feet in area, do not extend over the street right-of-way, and in no way obstruct or impair the safety of pedestrians or motorists. Such signs may contain the logo or identification of the business or use on the premises provided it is in conjunction with the directional message.

Directional signs which contain the name or logo of the business or use of the property in conjunction with the directional message that are used as the sole form of freestanding identification on the property shall be permitted a maximum of fifteen (15) square feet of display area. A maximum of two such signs shall be permitted per parcel.

4. TEMPORARY SIGNS--Temporary signs used to promote a non-profit organization's activities or events, fund raising public service events or messages provided:

a) No such sign shall have a display area exceeding sixty-four (64) square feet per face, with a maximum of two (2) faces.

b) All such signs shall conform to Subsection 10.16, regarding traffic visibility.

c) Use of such signs shall be limited to three (3) display periods, not exceeding sixty (60) days per period during each calendar year.

10.29 LANDSCAPING REQUIRED. In all Districts, there shall be provided at the time any new principal structure is erected, required landscaping trees. Landscaping trees shall be located within the front yard area but not within the public right-of-way.

a) Landscaping trees shall be calculated at one tree per fifty (50) feet of frontage and shall be required to have a caliper size of at least two (2) inches.

b) All landscaping trees shall be installed according to the approved landscaping plan by no later than the next planting season or within six (6) months from the date that a Final Zoning Certificate is issued, season permitting.

c) The owner of the property shall be responsible for maintenance of all landscaping trees and shall keep all trees in a proper, neat and orderly appearance.

10.30 EXTERIOR LIGHTING. When exterior lighting is used within any District that adjoins any lot in a residential district or recorded residential subdivision, lighting shall be directed so as to not disturb adjacent properties. A photometric lighting plan shall be submitted to the Development Services Department when lighting is used pursuant to this Article.

10.31 OUTDOOR WOOD-BURNING FURNACES. Outdoor Wood-Burning Furnaces shall be permitted in all districts and shall not be subject to the accessory structure height limitations or setback requirements as defined in other sections of this resolution, but shall be subject to the specific requirements as follows:

a) A Zoning Certificate shall be obtained before any Outdoor Wood-Burning Furnace is located, erected, constructed, reconstructed, enlarged, structurally modified, or used in any Zoning District in Springfield Township.

b) All Outdoor Wood-Burning Furnaces shall be constructed, maintained, and operated in conformance with the manufacturer's instructions and the requirements of all applicable agencies, including but not limited to the Hamilton County Building Department and the Ohio EPA regulations regarding emissions and equipment labeling.

c) Fuel burned in any new or existing Outdoor Wood-Burning Furnace shall be only natural untreated wood, wood pellets, corn products or other listed fuels specifically permitted by the manufacturer's instructions such as fuel oil, natural gas or propane backup.

d) Outdoor Wood-Burning Furnaces shall be located in the rear-yard only a minimum of 150 feet from all property lines and a minimum of 200 feet from the nearest residence not serviced by the Outdoor Wood-Burning Furnace (See Figure 13 in Graphic Appendix).

e) Outdoor Wood-Burning Furnaces shall have chimneys, in accordance with manufacturer's specifications, and the chimney shall extend at least 2 feet above the peak of the residence serviced by the Outdoor Wood-Burning Furnace (See Figure 13 in Graphic Appendix).

ARTICLE 11
GENERAL PROVISIONS FOR RESIDENTIAL DISTRICTS

11.01 PURPOSE. The specific provisions of this article, and the general provisions provided by Article 10, shall apply to the R-1A, R-1, R-2, R-3, R-4 Zone Districts of this Resolution, unless otherwise specified.

11.02 STREET FRONTAGE REQUIRED. Except as provided in Subsection 11.021 or 11.022, all lots used for residential purposes shall have frontage on a public dedicated right-of-way in accordance with the requirements of the district where it is located.

11.021 The specific district requirements regarding lot frontages may be reduced to forty (40) feet on lots located along a cul-de-sac or curved road. The required forty (40) foot street frontage shall be measured at the street right-of-way on the ball of the cul-de-sac or curve. The frontage required by the specific district shall be maintained at the designed building setback line, for such lots (See Figure 6 in Graphic Appendix).

11.022 The specific district requirements regarding lot frontages may be reduced to twenty (20) feet on panhandle lots, subject to the following requirements: (See Figure 7 in Graphic Appendix).

a) A minimum width of twenty (20) feet shall be provided for the complete length of the "handle."

b) The frontage required by the specific district shall be maintained at the designed building setback line.

c) The maximum distance from the street right-of-way to the designed building set back line shall not exceed four hundred and fifty (450) feet.

d) All such panhandle lots shall be approved prior to development of and located within a newly recorded residential subdivision, and the number of panhandle lots shall not exceed ten percent (10%) of the total number of lots in the subdivision.

11.0221 The area contained in the "handle" of the panhandle lot shall not be used for purposes of calculating the required lot area (See Figure 7 in Graphic Appendix).

11.023 Frontage along limited-access or interstate roadways shall not be considered as part of the required street frontage (See Figure 8 in Graphic Appendix).

11.03 SIDEWALKS REQUIRED. Sidewalks shall be in accordance with Hamilton County Engineer standards, for all lots platted in a subdivision after the effective date of this Resolution which are located in R-1A, R-1, R-2, R-3, and R-4 Zone Districts.

11.04 OFF-STREET PARKING. In all residential districts, there shall be provided, at the time any building is erected or enlarged, or increased in capacity, off-street parking spaces for automobiles with the requirements herein.

11.041 Vehicles shall be required to park in the designated off-street parking area only. The parking of vehicles on the lawn, or in other areas not designated for parking, for more than a twenty-four hour period, shall be prohibited

11.042 In all residential districts, new single-family detached residential dwellings shall require the interior dimensions of an enclosed garage be not less than three hundred and sixty (360) square feet which is no less than eighteen (18) wide and twenty (20) feet in depth.

11.043 The number of off-street parking spaces required shall be as follows:

Uses	Parking spaces required
Single Family	2.0 per dwelling unit
Two-Family	2.0 per dwelling unit
Multi-Family	2.0 per dwelling unit
Churches/Places of Worship	1.0 per 8 seats in main assembly area
Bed and Breakfast	1.0 per guest room
Cemeteries	1.0 per employee
Day Care Centers	1.0 per staff member; plus 1.0 per five students
Golf Courses	25 spaces, plus 8.0 per hole and one space for each 100 square feet of floor area in any cocktail lounge, bar, or similar establishment
Elementary Schools	1.0 per 850 sq. ft. of classroom space; plus 1.0 per 100 sq. ft. of office space; plus 1.0 per 50 sq. ft. of assembly space
Jr. Sr. High Schools	1.0 per 60 sq. ft. of classroom space; plus 1.0 per 100 sq. ft. of office space

Universities, Colleges, Tech Schools	1.0 per 100 sq. ft. of classroom
Hospitals	1.0 per 80 sq. ft. of sleeping space; plus 1.0 per 100 ft. of office space; plus 1.0 per 150 sq. ft. of treatment space
Nursing Homes/Rest Homes	1.0 per 500 sq. ft. of sleeping space; plus 1.0 per 100 sq. ft. of office space

11.05 HOME OCCUPATIONS. Home occupations are permitted in all residential districts as accessory uses to a single family dwelling, subject to the general requirements regarding Zoning Certificates (Article 5, Subsection 5.02) and further provided:

a) All such activity is conducted completely within a dwelling unit.

b) No person other than members of the family residing on the premises is engaged in such occupation and no more than five (5) customers or clients are brought onto the premises daily for the purpose of conducting business.

c) Home occupation does not occupy more than three hundred (300) square feet of floor area within the dwelling unit and does not require alteration to the structure, or include a private entrance.

d) No mechanical equipment is installed which is rated for more than one and one-half (1-1/2) horsepower.

11.06 STORAGE OF RECREATIONAL, CAMPING, AND COMMERCIAL VEHICLES AND EQUIPMENT. The storage, outside of an enclosed building, of one (1) recreational vehicle, commercial vehicle, camper, or water craft shall be permitted, provided that it is not located within the front yard area. Such vehicle, camper, or water craft shall be located on a paved or concrete surface at least five (5) feet from any side property line, and not less than twenty-five (25) feet from any rear property line.

11.061 All recreational and camping vehicles and equipment shall be free of fixed connections to water, gas, or sanitary sewer facilities, and at no time be used for living or housekeeping purposes.

11.062 Such vehicles or trailers shall carry a current year license and registration.

11.063 The storage of a commercial vehicle of two (2) ton or greater rated capacity shall be prohibited in all residential districts.

11.064 NUISANCES PROHIBITED. No inoperable vehicle, unlicensed trailer or discarded furniture, appliances or other miscellaneous junk materials shall be permitted to remain on the premises outside of an enclosed structure for a period of more than ten

(10) days. Specific demolition and rehabilitation projects requiring the placement of a dumpster for periods exceeding thirty (30) days shall be permitted provided a Zoning Certificate has been issued pursuant to Article 5, Subsection 5.02.

11.07 SIGNS PERMITTED IN THE RESIDENTIAL DISTRICTS. In addition to the signs permitted by Article 10-General Provisions, the following signs are also permitted in all the Residential Districts:

11.071 A permanent residential subdivision or identification sign which identifies the name and address of the complex or subdivision may be located on any lot within the subdivision or complex, provided:

a) No such sign shall exceed sixteen (16) square feet in identification display area.

b) All such signs shall conform with Article 10, Subsection 10.16, regarding traffic visibility.

c) No such sign or any portion of the structure they may be integral with, except for pilasters shall exceed six (6) feet in height from grade.

d) Such signs are illuminated through indirect lighting only.

11.072 Professional signs where permitted, in conjunction with an approved home occupation or accessory use. Such signs shall not exceed two (2) square foot in area and shall be attached flat against a building.

11.073 Identification signs for churches, schools, community centers or other public or semi-public buildings or institutional uses, provided:

a) No such sign shall exceed thirty-two (32) square feet in identification display area.

b) All such signs shall conform with Article 10, Subsection 10.16, regarding traffic visibility.

c) No such signs or any portion of the structure they may be integral with, except for pilasters shall exceed six (6) feet from grade.

11.08 FENCES AND WALLS. Fences and walls may be located in any front, side and rear yards as follows:

a) For lots in recorded residential subdivisions, if not exceeding at any point six (6) feet in height above the elevation of the surface of the ground, they may be located in any side or rear yard.

b) For lots in recorded residential subdivisions, if not exceeding at any point six (6) feet in height above the elevation of the surface of the ground, they may be located in the front yard, parallel to the rear of the house on double frontage lots.

c) For lots in recorded residential subdivisions, if not exceeding at any point six (6) feet in height above the elevation of the surface of the ground, they may be located in the front yard, parallel to the side of the house on corner lots, provided they are not located within the required yard setback.

d) All fences or walls shall be of wood, stone, brick, metal, chain link material, or synthetic materials and shall be maintained in good repair and appearance. Paint shall be applied to all painted surfaces with sufficient frequency so that no bare wood or material is exposed. No fence or wall shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street. The use of scrap or savage materials, barbed wire, electrical above ground fences shall be prohibited.

11.09 SUBDIVISION ENTRANCE GATES, FENCES AND WALLS. Subdivision entrance gates, fences and walls, posts and pilasters may be located on any lot within a residential subdivision, but not within the public right-of-way, provided:

a) Subdivision entrance gates, fences, walls, posts or pilasters shall be of wood, stone, brick, metal or synthetic materials and shall be maintained in good repair and appearance. Paint shall be applied to all painted surfaces with sufficient frequency so that no bare wood or material is exposed. The use of chain link, barbed wire, stock fence or strand wire shall be prohibited. No such structure shall be constructed so that the unfinished portion faces or is visible from an adjacent property or street.

b) Gates, fences and walls, except for posts and pilasters, are not to exceed six (6) feet in height.

c) All such gates, fences and walls shall conform with Article 10, Subsection 10.16, regarding traffic visibility.

d) Subdivision entrance walls, when used as a sign in conjunction with Article 11.071, shall comply with Article 11.071 a) – d).

11.10 REAR YARD DECKS. Rear yard decks shall be permitted to project eight (8) feet into a required rear yard provided it is open on three sides, except for railings or banisters. Rear yard decks pursuant to this Article shall not be permitted to be enclosed by a roof and/or walls.

11.11 ACCESSORY STRUCTURES AND USES. Accessory structures and uses shall be permitted in all Residential Districts provided that: a) it is incidental to and customarily found in connection with a principal building permitted by the Residential District in which it is located; b) it is subordinate to and serves a principal building or use; c) it is subordinate in area, extent, or purpose to the

principal building; and d) it is located on the same lot as the principal building or use for which it serves.

11.111 Such accessory structures and uses shall be subject to the provisions of Article 10, Subsections 10.151, 10.152, 10.153, 10.154, and 10.155 and all other requirements of this Article or other applicable requirements of this Resolution.

11.112 The maximum number of accessory structures and uses permitted shall be as follows and shall be included in the calculation of the lot coverage pursuant to the Residential District in which it is located:

a) Two (2) accessory structures or uses for any lot in a Residential District.

ARTICLE 12
R-1A RESIDENCE DISTRICT

12.01 PURPOSE. The R-1A District reserves certain land areas for one-family homes and related compatible uses.

12.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

12.021 Agricultural and farm uses, including any customary agricultural use, building or structure for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, greenhouses and nurseries, not including garden stores or supply centers, provided that such are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 12.06 of this Article.

12.0211 Animal and poultry husbandry or the keeping of farm animals, provided that such uses are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 12.06 of this Article, and further provided that a maximum of one (1) animal per acre, up to five (5) animals be permitted, and any building or structure used for the keeping of animals be located not less than one hundred (100) feet from any other lot in a Residence District or recorded residential subdivision.

12.0212 Agricultural and farm uses as listed above, which are located on lots containing more than five (5) acres, not subject to the provisions of Subsections 12.021, 12.0211, and 12.06 of this Article.

12.022 One family detached dwellings.

12.023 Public parks

12.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals pursuant to the standards and procedures set forth in Article 8, Subsection 8.053:

12.031 Churches, and other similar places of worship.

12.032 Public and private elementary and high schools.

12.033 Public buildings and properties of an administrative, cultural, recreational or service type including such buildings used to house not-for-profit organizations.

12.034 Bed and breakfast establishments, provided it is owner-occupied and contains not more than three guests rooms.

12.035 Country clubs, golf courses (excluding driving ranges which are not a part of a golf course or miniature golf course) and other private, profit oriented, non-commercial recreation areas and facilities including swimming pools.

12.036 Cemeteries.

12.037 Non-profit parks.

12.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right provided they comply with the requirements of Article 11, Subsection 11.11 and all other requirements of this Article or other applicable requirements of this Resolution.

12.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character as the above-permitted uses.

12.06 DEVELOPMENT STANDARDS. In addition to the General Provisions set forth in Article 10 and the General Residential Provisions as set forth in Article 11, the following standards for arrangement and development of land and buildings are required in the R-1A Residence District.

12.061 HEIGHT STANDARDS. No principal structure shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height, whichever is less, and no accessory structure shall exceed twenty (20) feet in height, except as provided in Article 10, Subsection 10.23.

12.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure (See Figure 3 in Graphic Appendix).

Lot Areas	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
One Family Dwellings - 20,000 sq. ft.	100 ft.*	50 ft.	15 ft.	35 ft.	50%
Other permitted uses - 40,000 sq. ft.	200 ft.	100 ft.	50 ft.	100 ft.	45%

* See Article 11, Subsection 11.02 for exceptions.

ARTICLE 13
R-1 RESIDENCE DISTRICT

13.01 PURPOSE. The R-1 District reserves certain land areas for one-family homes and related compatible uses.

13.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

13.021 Agricultural and farm uses, including any customary agricultural use, building or structure for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, greenhouses and nurseries, not including garden stores or supply centers, provided that such are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 13.06 of this Article.

13.0211 Animal and poultry husbandry or the keeping of farm animals, provided that such uses are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 13.06 of this Article, and further provided that a maximum of one (1) animal per acre, up to five (5) animals be permitted, and any building or structure used for the keeping of animals be located not less than one hundred (100) feet from any other lot in a Residence District or recorded residential subdivision.

13.0212 Agricultural and farm uses as listed above, which are located on lots containing more than five (5) acres, not subject to the provisions of Subsections 13.021, 13.0211, and 13.06 of this Article.

13.022 One family detached dwellings.

13.023 Public parks.

13.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals pursuant to the standards and procedures set forth in Article 8, Subsection 8.053:

13.031 Churches, and other similar places of worship.

13.032 Public and private elementary and high schools.

13.033 Public buildings and properties of an administrative, cultural, recreational or service type including such buildings used to house not-for-profit organizations.

13.034 Bed and breakfast establishments, provided it is owner-occupied and contains not more than three guests rooms.

13.035 Country clubs, golf courses (excluding driving ranges which are not a part of a golf course or miniature golf course) and other private, profit oriented, non-commercial recreation areas and facilities including swimming pools

13.036 Cemeteries.

13.037 Non-profit parks.

13.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right provided they comply with the requirements of Article 11, Subsection 11.11 and all other requirements of this Article or other applicable requirements of this Resolution.

13.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character as the above-permitted uses.

13.06 DEVELOPMENT STANDARDS. In addition to the General Provisions set forth in Article 10 and the General Residential Provisions as set forth in Article 11, the following standards for arrangement and development of land and buildings are required in the R-1 Residence District.

13.061 HEIGHT STANDARDS. No principal structure shall exceed two and one-half (2 1/2) stories or thirty-five (35) feet in height, whichever is less, and no accessory structure shall exceed twenty (20) feet in height, except as provided in Article 10, Subsection 10.23

13.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure. (See Figure 3 in Graphic Appendix)

Lot Areas	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
One Family Dwellings - 14,000 sq. ft.	80 ft.*	40 ft.	10 ft.	35 ft.	50%
Other permitted uses - 40,000	200 ft.	100 ft.	50 ft.	100 ft.	45%

* See Article 11, Subsection 11.02 for exceptions.

ARTICLE 14
R-2 RESIDENCE DISTRICT

14.01 PURPOSE. The R-2 District reserves certain land areas for one-family homes and related compatible uses.

14.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

14.021 Agricultural and farm uses, including any customary agricultural use, building or structure for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, greenhouses and nurseries, not including garden stores or supply centers, provided that such are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 14.06 of this Article.

14.0211 Animal and poultry husbandry or the keeping of farm animals, provided that such uses are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 14.06 of this Article, and further provided that a maximum of one (1) animal per acre, up to five (5) animals be permitted, and any building or structure used for the keeping of animals be located not less than one hundred (100) feet from any other lot in a Residence District or recorded residential subdivision.

14.0212 Agricultural and farm uses as listed above, which are located on lots containing more than five (5) acres, not subject to the provisions of Subsections 14.021, 14.0211, and 14.06 of this Article.

14.022 One family detached dwellings.

14.023 Public parks.

14.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals pursuant to the standards and procedures set forth in Article 8, Subsection 8.053:

14.031 Churches, and other similar places of worship.

14.032 Public and private elementary and high schools.

14.033 Public buildings and properties of an administrative, cultural, recreational or service type including such buildings to house not-for-profit organizations.

14.034 Bed and breakfast establishments, provided it is owner-occupied and contains not more than three guests rooms.

14.035 Country clubs, golf courses (excluding driving ranges which are not a part of a golf course or miniature golf course) and other private, profit oriented, non-commercial recreation areas and facilities including swimming pools.

14.036 Cemeteries.

14.037 Non-profit parks.

14.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right provided they comply with the requirements of Article 11, Subsection 11.11 and all other requirements of this Article or other applicable requirements of this Resolution.

14.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character as the above permitted uses.

14.06 DEVELOPMENT STANDARDS. In addition to the General Provisions set forth in Article 10 and the General Residential Provisions as set forth in Article 11, the following standards for arrangement and development of land and buildings are required in the R-2 Residence District.

14.061 HEIGHT STANDARDS. No principal structure shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height, whichever is less, and no accessory structure shall exceed twenty (20) feet in height, except as provided in Article 10, Subsection 10.23.

14.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure. (See Figure 3 in Graphic Appendix).

Lot Areas	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
One Family Dwellings - 10,500 sq. ft.	70 ft.*	35 ft.	8 ft.	35 ft.	50%
Other permitted uses - 40,000	200 ft.	100 ft.	50 ft.	100 ft.	45%

* See Article 11, Subsection 11.02 for exceptions.

ARTICLE 15
R-3 RESIDENCE DISTRICT

15.01 PURPOSE. The R-3 District reserves certain land areas for one family homes and related compatible uses.

15.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

15.021 Agricultural and farm uses, including any customary agricultural use, building or structure for farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, greenhouses and nurseries, not including garden stores or supply centers, provided that such are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 15.06 of this Article.

15.0211 Animal and poultry husbandry or the keeping of farm animals, provided that such uses are located on lots which contain three (3) or more acres and comply with all other requirements of Subsection 15.06 of this Article, and further provided that a maximum of one (1) animal per acre, up to five (5) animals be permitted, and any building or structure used for the keeping of animals be located not less than one hundred (100) feet from any other lot in a R-District or recorded residential subdivision.

15.0212 Agricultural and farm uses as listed above, which are located on lots containing more than five (5) acres, not subject to the provisions of Subsections 15.021, 15.0211, and 15.06 of this Article.

15.022 One family detached dwellings.

15.023 Public parks.

15.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals pursuant to the standards and procedures set forth in Article 8, Subsection 8.053:

15.031 Churches, and other similar places of worship.

15.032 Public and private elementary and high schools.

15.033 Public buildings and properties of an administrative, cultural, recreational or service type including such buildings used to house not-for-profit organizations.

15.034 Bed and breakfast establishments, provided it is owner-occupied and contains not more than three guests rooms.

15.035 Country clubs, golf courses (excluding driving ranges which are not a part of a golf course or miniature golf course) and other private, profit oriented, non-commercial recreation areas and facilities including swimming pools.

15.036 Cemeteries.

15.037 Non-profit parks.

15.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right provided they comply with the requirements of Article 11, Subsection 11.11 and all other requirements of this Article or other applicable requirements of this Resolution.

15.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character as the above-permitted uses.

15.06 DEVELOPMENT STANDARDS. In addition to the General Provisions set forth in Article 10 and the General Residential Provisions as set forth in Article 11, the following standards for arrangement and development of land and buildings are required in the R-3 Residence District.

15.061 HEIGHT STANDARDS. No principal structure shall exceed two and one-half (2-1/2) stories or thirty-five (35) feet in height, whichever is less, and no accessory structure shall exceed twenty (20) feet in height, except as provided in Article 10, Subsection 10.23

15.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure. (See Figure 3 in Graphic Appendix).

Lot Areas	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
One family Dwellings - 6,000 sq. ft.	50 ft.*	30 ft.	5 ft.	30 ft.	50%
Other Permitted Uses - 40,000 sq. ft.	200 ft.	100 ft.	50 ft.	100 ft.	45%

* See Article 11, Subsection 11.02 for exceptions.

ARTICLE 16
R-4 MULTIPLE-FAMILY RESIDENCE DISTRICT

16.01 PURPOSE. The R-4 District reserves certain land areas for two-family or multiple dwelling development, not in excess of four (4) units per building.

16.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

16.021 Agricultural and farm uses, including any customary agricultural use, building or structure for, farming, dairying, pasturage, apiculture, horticulture, floriculture, viticulture, greenhouses and nurseries, not including garden stores or supply centers, provided that such are located on lots which contain one (3) or more acres and comply with all other requirements of Subsection 16.06 of this Article.

16.0211 Animal and poultry husbandry or the keeping of farm animals, provided that such uses are located on lots which contain one (3) or more acres and comply with all other requirements of Subsection 16.06 of this Article, and further provided that any building or structure used for the keeping of animals be located not less than one hundred (100) feet from any other lot in a R-District or recorded residential subdivision.

16.0212 Agricultural and farm uses as listed above, which are located on lots containing more than five (5) acres, not subject to the provisions of Subsections 16.06, 16.21, & 16.0211 of this Article.

16.022 One family detached dwellings.

16.023 Two-family dwellings.

16.024 Multiple-Family dwellings; row dwellings and townhouses, not exceeding 4 units per building.

16.025 Public parks.

16.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals pursuant to the standards and procedures set forth in Article 8, Subsection 8.053.

16.031 Churches, and other similar places of worship.

16.032 Public and private elementary and high schools.

16.033 Public buildings and properties of an administrative, cultural, recreational or service type including such buildings used to house not-for-profit organizations.

16.034 Bed and breakfast establishments, provided it is owner-occupied and contains not more than three guests rooms.

16.035 Country clubs, golf courses (excluding driving ranges which are not a part of a golf course or miniature golf course) and other private, profit oriented, non-commercial recreation areas and facilities including swimming pools.

16.036 Cemeteries.

16.037 Rest homes or nursing homes for convalescent patients.

16.038 Non-profit parks.

16.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right provided they comply with the requirements of Article 11, Subsection 11.11 and all other requirements of this Article or other applicable requirements of this Resolution.

16.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character as the above-permitted uses.

16.06 DEVELOPMENT STANDARDS. In addition to the General Provisions set forth in Article 10 and the General Residential Provisions as set forth in Article 11, the following standards for arrangement and development of land and buildings are required in the R-4 Multiple Family Residence District.

16.061 HEIGHT STANDARDS. No principal structure shall exceed three (3) stories or forty-five (45) feet in height, whichever is less, and no accessory structure shall exceed twenty (20) feet in height, except as provided in Article 10, Subsection 10.23

16.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure. (See Figure 3 in Graphic Appendix).

Lot Areas	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
One Family Dwellings - 6,000 sq. ft.	50 ft.*	30 ft.	5 ft.	30 ft.	50%
Two Family Dwellings - 12,000 sq. ft.	80 ft.	30 ft.	8 ft.	30 ft.	50%

Lot Areas	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
Multi-Family Dwellings (not exceeding 4 units) 15,000 sq. ft.	100 ft.	30 ft.	10 ft.	40 ft.	50%
Other Permitted Uses - 40,000 sq. ft.	200 ft.	100 ft.	50 ft.	100 ft.	45%

* See Article 11, Subsection 11.02 for exceptions.

ARTICLE 17
GENERAL PROVISIONS FOR OFFICE DISTRICTS

17.01 PURPOSE. The specific provisions of this article, and the general provisions provided by Article 10, shall apply to the O-1 and O-2 districts of this Resolution.

17.02 MULTIPLE OCCUPANCIES/USES PERMITTED. Multiple occupancies/uses on a lot shall be permitted in all Office Districts provided such uses/occupancies are located within the same principal building (See Figure 9 in Graphic Appendix).

17.03 PRINCIPAL BUILDING GROUPS PERMITTED. Lots which are located in an Office District may contain more than one principal building provided such buildings are utilized for the same business or company and principal permitted use (See Figure 10 in Graphic Appendix).

17.04 OFF-STREET PARKING. In all office districts, there shall be provided, at the time any building is erected or enlarged, or increased in capacity, off street parking spaces for automobiles with the requirements herein:

17.041 The number of off-street parking spaces required shall be as follows:

Uses	Parking spaces required
Art Gallery, Antique Store, Interior Decorator Service	4.0 per 1000 sq. ft. of floor area
Banks and Financial Institutions	1.0 per 200 sq. ft. of floor area; plus 6.0 stacking spaces for first drive-in window; plus 4.0 stacking spaces for each additional drive-in window plus one space per 2 employees
Business or Professional Office	1.0 per 400 sq. ft. of floor area
Medical or Dental Offices and Clinics	1.0 per 200 sq. ft. of floor
Research and Development Facilities	1.0 per 1,200 sq. ft. of floor area
Funeral Homes	1.0 per 50 sq. ft. of public area
Radio and Television Studios	1.0 per 500 sq. ft. of gross floor area
Veterinarian Clinics	1.0 per 500 sq. ft. of floor area

Government or Public Building	1.0 per 250 sq. ft. of floor area used by the public; plus 1.0 per 600 sq. ft. of gross floor area not used by the public
Churches/Places of Worship	1.0 per 8 seats in principal auditorium
Day Care Centers	1.0 per staff person; plus 1.0 per four students
Elementary Schools	1.0 per 850 sq. ft. of classroom space; plus 1.0 per 100 sq. ft. of office space; plus 1.0 per 50 sq. ft. of assembly space
Jr. Sr. High Schools	1.0 per 60 sq. ft. of classroom space; plus 1.0 per 100 sq. ft. of office space
Universities, Colleges, Tech Schools	1.0 per 100 sq. ft. of classroom space; plus 1.0 per 50 square ft. of assembly space
Hospitals	1.0 per 80 sq. ft. of sleeping space; plus 1.0 per 100 sq. ft. of office space; plus 1.0 per 150 sq. ft. of treatment space 1.0 space per bed
Nursing Homes/Rest Homes	1.0 per 500 sq. ft. of sleeping space; plus 1.0 per 100 sq. ft. of office space 1.0 space for each six beds, plus one space for each two employees

17.05 OUTSIDE STORAGE PROHIBITED. No outside storage of products or other miscellaneous items (garbage disposal dumpsters excluded) shall be permitted.

17.051 All dumpsters and trash containers must be completely screened by a fence, wall, or earth berm of not less than six (6) feet, or more than eight (8) feet in height. Such screening shall be maintained in good condition without any form of advertising thereon. The side of the enclosure used for access shall contain a minimum width of ten (10) feet, and shall not be located so as to face any street, unless equipped with gates so the dumpster can be fully enclosed.

17.06 SIGNS. In addition to the signs permitted by Article 10--General Provisions, the following signs are permitted in all the Office Districts:

17.061 BUSINESS PARK IDENTIFICATION GROUND SIGN. A permanent business park identification ground sign, which identifies the name and address of the park or subdivision, may be located on any lot within the park or subdivision, which is located at the entrance of the park or subdivision. Said signs may be located on the same lot as an accessory business sign, and are subject to the following requirements:

a) No such sign shall exceed forty-eight (48) square feet in identification display area.

b) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, subsection 10.16, regarding traffic visibility.

c) No such sign or any portion of the structure they may be integral with, shall exceed ten (10) feet from grade.

17.062 GROUND SIGN. In addition to the above mentioned business park identification signs, ground signs accessory to the business or use located on the premise, are permitted subject to the following requirements:

a) All such signs conform to the following maximum display area requirements:

Frontage Along Public Street Right of Way	Permitted Square Feet of Display Area
0 - 300 ft.	48 sq. ft.
301+ ft.	96 sq. ft.

The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

Total Square Footage of Principal Building	Permitted Square Feet of Display Area
0 - 20,000 ft.	48 sq. ft.
20,001+ ft.	96 sq. ft.

b) The maximum amount of display area for a ground mounted sign shall be forty-eight square feet. Parcels containing 0 - 300 feet of frontage or (in cases where no frontage exists) a principal building containing 0 - 20,000 square feet, shall be permitted one ground sign per parcel. Parcels containing more than 300 feet of frontage or (in cases where no frontage exists) a principal building containing 20,001 square feet, shall be permitted two (2) ground signs (maximum of 48 square feet per sign) per parcel.

c) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, subsection 10.16, regarding traffic visibility.

d) No such signs or any portion of the structure they may be integral with, shall exceed ten (10) feet from grade.

17.0621 On corner lots, the maximum permitted display area shall be calculated by using the greater amount of the two frontages, not the combined total of both (See Figure 11 in Graphic Appendix).

17.063 BUILDING SIGNS. In addition to the above mentioned business park identification and accessory business ground signs, buildings in the office districts may also contain wall (integral or attached), projecting, or awning signs as accessory uses to the business or use located on the premise. Such signs shall be subject to the following requirements:

a) The total amount of square feet permitted for such signs shall not exceed four percent (4%) of the total square footage of the front building wall elevation. Corner or double frontage lots shall be permitted four percent (4%) of the total square footage of each front building wall elevation and shall not be cumulative.

b) No sign shall project more than two (2) feet beyond any building or roof line.

17.064 DIRECTIONAL SIGNS. A sign which provides directional assistance to access an office or business which is not located on the parcel where the sign is located, provided:

a) No such sign shall exceed six (6) square feet of identification display area.

b) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, subsection 10.16, regarding traffic visibility.

c) No such signs or any portion of the structure they may be integral with, shall exceed four (4) feet from grade.

d) Such signs shall be limited to one sign per parcel.

17.065 TEMPORARY ELECTION SIGNS. Temporary election signs which endorse a candidate for office or promotes an issue which will be voted upon at an officially sanctioned election are permitted in all office districts. Said signs shall not require the issuance of a Zoning Certificate, but shall be subject to the following requirements.

a) No such sign shall exceed thirty-two (32) square feet of display area and shall have a maximum of two display faces.

b) All such signs shall conform with subsection 10.16, regarding traffic visibility.

17.07 FENCES AND WALLS. Fences and walls may be located in side and rear yards as follows:

a) If not exceeding at any point six (6) feet in height above the elevation of the surface of the ground, they may be located in any side or rear yard.

b) All fences or walls shall be of wood, stone, brick, metal, chain link material, or synthetic materials and shall be maintained in good repair and appearance. Paint shall be applied to all painted surfaces, with sufficient frequency so that no bare wood or material is exposed. No fence or wall shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street. The use of scrap or salvage materials, barbed wire, or electrical above ground fences shall be prohibited.

ARTICLE 18
O-1 LOW INTENSITY OFFICE DISTRICT

18.01 PURPOSE. The O-1 Low Intensity Office District reserves certain land areas for low intensity office and professional service establishments where a transition between residential uses and other more intensive uses is necessary.

18.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

18.021 Office uses where services are performed involving administrative, clerical, professional, or consultation purposes.

18.022 Banks and financial institutions, provided there is no drive thru or pick-up window.

18.023 Day care centers.

18.024 Bed and Breakfast facilities, provided it is owner-occupied and contains not more than four guestrooms.

18.025 Churches and other similar places of worship.

18.026 Public and private elementary and high schools.

18.027 Public buildings and properties of an administrative, cultural, or service type including such buildings used to house not-for profit organizations.

18.03 CONDITIONAL USES. The following use is a principal conditional use permitted only after approval by the Board of Zoning Appeals pursuant to the standards and procedures set forth in Article 8, Subsection 8.053.

18.031 Any use which involves the sale of retail goods or products to customers, and provided it is incidental and an integral part of an above mentioned permitted use in this district, and consists of not more than twenty-five (25) percent of the permitted use.

18.032 Wireless and Cellular Telecommunication Tower or Facilities.

18.04 ACCESSORY USES AND STRUCTURES. Accessory uses and structures shall be permitted as of right, provided they comply with the requirements of Article 10, Subsection 10.15, and all other requirements of this Article or other applicable requirements of this Resolution.

18.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals, pursuant to Article 8, Subsection 8.051, to be of the same general character as the above-permitted uses.

18.06 DEVELOPMENT STANDARDS. In addition to the General Provisions as set forth in Article 10 and the General Office Provisions set forth in Article 17, the following standards for arrangement and development of land and buildings are required in the O-1 Low Intensity Office District.

18.061 HEIGHT STANDARDS. No principal structure shall exceed thirty-five (35) feet in height, and no accessory structure shall exceed twenty (20) feet in height, except as provided in Article 10, Subsection 10.23.

18.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage and yard requirements shall apply to each principal building or structure (See Figure 3 in Graphic Appendix), provided that in all cases where an O-1 District is located within a Road Corridor Overlay District the area requirements of the Road Corridor Overlay District shall apply.

Lot Area	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
8,000 sq. ft.	60 ft.	30 ft.	15 ft.	35 ft.	80%

ARTICLE 19
O-2 GENERAL OFFICE DISTRICT

19.01 PURPOSE. The O-2 General Office District reserves certain land areas for office, institutional and professional service establishments.

19.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

19.021 Any use permitted in the O-1 District, subject to the General Office Provisions and requirements of this district.

19.022 Research facilities, provided no retail trade with the general public is involved, and that no stock of goods is maintained for sale to customers.

19.023 Banks and financial institutions, including drive thru and pick-up windows.

19.024 Funeral Homes.

19.025 Radio and television broadcasting studios.

19.026 Art galleries and studios.

19.027 Veterinarian offices and clinics provided that the entire establishment be within a completely enclosed building, and there be no breeding and boarding of dogs or other animals, except for confinement under emergency treatment in facilities within the building.

19.028 Hospitals and medical centers.

19.029 Rest homes or nursing homes for convalescent patients.

19.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals pursuant to the standards and procedures set forth in Article 8, Subsection 8.053.

19.031 Any use which involves the sale of retail goods or products to customers, and only when it is incidental and an integral part of an above mentioned permitted use in this district.

19.032 Restaurants, drug stores, barber and beauty shops, and gift shops provided they are located within a building or structure containing a permitted use(s) in this district.

19.033 Wireless and Cellular Telecommunication Tower or Facilities.

19.04 ACCESSORY USES AND STRUCTURES. Accessory uses and structures shall be permitted as of right, provided they comply with the requirements of Article 10, Subsection 10.15 and all other requirements of this Article or other applicable requirements of this Resolution.

19.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals, pursuant to Article 8, Subsection 8.051 to be of the same general character as the above permitted uses.

19.06 DEVELOPMENT STANDARDS. In addition to the General Provisions as set forth in Article 10, and the General Office Provisions as set forth in Article 17, the following standards for arrangement and development of land and buildings are required in the O-2 General Office District.

19.061 HEIGHT STANDARDS. No principal structure shall exceed forty-eight (48) feet in height, and no accessory structure shall exceed twenty (20) feet in height, except as provided in Article 10, Subsection 10.23.

19.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage and yard requirements shall apply to each principal building or structure (See Figure 3 in Graphic Appendix), provided that in all cases where an O-2 District is located within a Road Corridor Overlay District the area requirements of the Road Corridor Overlay District shall apply.

Lot Area	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
8,000 sq. ft.	None	30 ft.	15 ft.	35 ft.	80%

ARTICLE 20
GENERAL PROVISIONS FOR BUSINESS DISTRICTS

20.01 PURPOSE. The specific provisions of this Article and the general provisions provided by Article 10, shall apply to the B-1 and B-2 zone districts of this Resolution. Parking requirements for uses first permitted in the O-1 or O-2 District are provided in Article 17, Subsection 17.04.

20.02 MULTIPLE OCCUPANCIES/USES PERMITTED. Multiple occupancies/uses on a lot shall be permitted in all Business Districts provided such uses/occupancies are located within the same principal building (See Figure 9 in Graphic Appendix).

20.03 PRINCIPAL BUILDING GROUPS PERMITTED. Lots which are located in a Business District may contain more than one principal building provided such buildings are utilized for the same business or company and principal permitted use (See Figure 10 in Graphic Appendix).

20.04 REQUIRED CONDITIONS. Unless specifically permitted by the District in which it is located, all uses must comply with the following requirements.

20.041 All business, service or processing shall be conducted within a completely enclosed building, except for off-street automobile parking, off-street loading, and specifically permitted uses.

20.042 Process and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water-carried waste to the public interest.

20.043 All dumpsters and trash containers must be completely screened by a fence, wall, or earth berm of not less than six (6) feet or more than eight (8) feet in height. Such screening shall be maintained in good condition without any form of advertising thereon. The side of the enclosure used for access shall contain a minimum width of ten (10) feet, and shall not be located so as to face any street, unless equipped with gates so the dumpster can be fully enclosed.

20.05 OFF-STREET PARKING. In all Business Districts, there shall be provided, at the time any building is erected or enlarged, or increased in capacity, off-street parking spaces for automobiles with the requirements herein.

20.051 The number of off-street parking spaces required shall be as follows:

Uses	Parking spaces required
Convenience and Personal Service Uses	1.0 per 300 sq. ft. of floor area
Bowling Alley	5.0 per lane
Car Wash--Self Serve	2.0 per bay/stall 4.0 stacking spaces per/stall
Car Wash--Conveyor	30 stacking spaces/conveyor 12 stacking spaces /conveyor at exit
Dry Cleaners	1.0 per 300 sq. ft. of floor area
Gas or Auto Service Stations	1.0 per 400 sq. ft. of floor area
Laundromat	1.0 per 200 sq. ft. of floor area
Photography Studios	1.0 per 300 sq. ft. of floor area
Printing and Publishing Shops	1.0 per 300 sq. ft. of floor area
Restaurant	1.0 per 150 sq. ft. of floor area
Restaurant-Drive thru	1.0 per 150 sq. ft. of floor area 6.0 stacking spaces per drive thru lane

20.06 MULTIPLE OCCUPANCIES AND USES NOT SPECIFIED. In the case of multiple occupants in one principal structure, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Where a use is not specifically mentioned, the requirements for a use which is most similar shall apply.

20.07 OFF-STREET LOADING SPACES REQUIRED. In connection with every building or part thereof erected for uses which customarily receive or distribute material or merchandise by vehicle, there shall be provided, on the same lot with such buildings, off-street loading spaces with the requirements herein.

20.071 All principal permitted uses involving retail, wholesale, or other similar uses requiring the receipt or distribution by vehicles of materials or merchandise, shall provide off-street loading space as follows:

Square Footage of Principal Building	Number of Loading Spaces Required
Less than 1000 sq. ft.	None Required
More than 1000 sq. ft. but less than 10,000 sq. ft.	One loading space
More than 10,000 sq. ft. but less than 40,000 sq. ft.	Two loading spaces
More than 40,000 sq. ft.	Three loading spaces, plus one space for each 30,000 sq. ft. over 40,000 of building area

20.072 Each off-street loading space shall conform with the following standards.

a) Each off-street loading space shall be at least ten (10) feet in width, fifty (50) feet in length and have a vertical clearance of fifteen (15) feet or more.

b) All loading spaces shall be graded and improved with bituminous concrete or Portland concrete, and be drained as to dispose of all surface water in accordance with the standards of the Hamilton County Public Works.

c) All required loading spaces shall be off-street and shall be located on the same lot as the specific use to be served. No loading space shall be located within a front, side or rear yard setback and in no case shall any space be located less than fifty (50) feet from any R-District.

20.08 SIGNS. In addition to the signs permitted by Article 10-General Provisions, the following signs are permitted in all the Business Districts.

20.081 FREESTANDING SIGNS. Freestanding signs, accessory to the business or use, including the identification of a business center or mall, located on the premise are permitted. Such signs shall be completely in the form of a pole sign or a ground-mounted sign, and are subject to the following requirements applicable to each.

20.0811 GROUND SIGNS.

a) All such signs conform to the following maximum display area requirements:

Frontage Along Public Street Right of Way	Permitted Square Feet of Display Area
0 - 150 ft.	48 sq. ft.
151 - 300 ft.	96 sq. ft.
301+ ft.	144 sq. ft.

The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

Total Square Footage of Principal Building	Permitted Square Feet of Display Area
0 - 10,000 ft.	48 sq. ft.
10,001-20,000 ft.	96 sq. ft.
20,001+ ft.	144 sq. ft.

b) The maximum amount of display area for a ground mounted sign shall be forty-eight square feet. Parcels containing less than 150 feet of frontage or in cases where no frontage exists, a principal building containing less than 10,000 square feet shall be permitted one ground sign per parcel. Parcels containing 151-300 feet of frontage or in cases where no frontage exists, a principal building containing 10,001-20,000 square feet shall be permitted two (2) ground signs (maximum of 48 square feet per sign) per parcel. Parcels containing more than 301 feet of frontage or in cases where no frontage exists, a principal building containing more than 20,001 square feet shall be permitted three (3) ground signs (maximum of 48 square feet per sign) per parcel.

c) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, Subsection 10.16, regarding traffic visibility.

d) No such signs or any portion of the structure they may be integral with, shall exceed ten (10) feet from grade.

20.0812 POLE SIGNS.

a) All such signs conform to the following maximum display area requirements:

Frontage Along Public Street Right of Way	Permitted Square Feet of Display Area
0 - 150 ft.	60 sq. ft.
151 - 300 ft.	96 sq. ft.
301+ ft.	144 sq. ft.

The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

Total Square Footage of Principal Building	Permitted Square Feet of Display Area
0 - 10,000 ft.	60 sq. ft.
10,001-20,000 ft.	96 sq. ft.
20,001+ ft.	144 sq. ft.

b) Such signs shall be limited to one sign per parcel except for parcels which have in excess of three hundred and one (301) feet of frontage, or in cases where no frontage exists, a principal building containing more than twenty-thousand and one (20,001) square feet. In such instances, two signs per parcel shall be permitted, however the maximum square feet of both (combined) shall not exceed one-hundred and forty-four (144) square feet.

c) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, Subsection 10.16, regarding traffic visibility.

d) No such signs or any portion of the structure they may be integral with, shall exceed twenty (20) feet from grade.

20.0813 On corner lots, the maximum permitted display area shall be calculated by using the greater amount of the two frontages, not the combined total of both (See Figure 11 in Graphic Appendix).

20.082 BUILDING SIGNS. In addition to either of the above mentioned freestanding signs, buildings in the business districts may also contain; wall (integral or attached), projecting, or awning signs which are accessory to the business or use located on the premise. Such signs shall be subject to the following requirements:

a) The total amount of square feet permitted for such signs shall not exceed eight percent (8%) of the total square footage of the front building wall elevation. Corner or double frontage lots shall be permitted eight percent (8%) of the total square footage of each front building wall elevation and shall not be cumulative.

b) No sign shall project more than two (2) feet beyond any building or roof line.

20.083 DIRECTIONAL SIGNS. A sign which provides directional assistance to access an establishment which is not located on the parcel where the sign is located, provided:

a) No such sign shall exceed six (6) square feet of identification display area.

b) All such signs shall set back a minimum of five (5) feet from any street right-of-way or adjoining property line and conform with Article 10, Subsection 10.16, regarding traffic visibility.

c) No such signs or any portion of the structure they may be integral with, shall exceed four (4) feet from grade.

d) Such signs shall be limited to one sign per parcel.

20.084 BILLBOARD SIGNS. A sign structure advertising an establishment, merchandise, service, special message, or entertainment provided:

a) No billboard sign shall exceed four hundred forty-eight (448) square feet, excluding cutouts, extensions, and embellishments.

b) All billboard signs shall comply with the setback and side yard requirements for a principal building in the district where it is located.

c) All billboard signs shall be located at least five hundred (500) feet from any parcel located in any R-District or recorded residential subdivision.

d) All billboard signs shall be located at least five hundred (500) feet from the entrance to any public park, public or parochial school, library, church, or museum.

e) No billboard sign shall be located within five hundred (500) on either side of the street of another billboard sign visible to traffic approaching from the same direction.

f) No billboard signs or any portion of the structure they may be integral with, shall exceed forty-five (45) feet in height from grade.

g) No billboard sign shall be located on a parcel which contains another principal structure.

20.085 TEMPORARY ELECTION SIGN. Temporary election signs which endorse a candidate for office or promote an issue which will be voted upon at an officially sanctioned election are permitted in all office districts. Said signs shall not require the issuance of a Zoning Certificate, but shall be subject to the following requirements:

a) No such sign shall exceed thirty-two (32) square feet of display area and shall have a maximum of two display faces.

b) All such signs shall conform with Subsection 10.16, regarding traffic visibility.

20.09 FENCES AND WALLS. Fences and walls may be located in side and rear yards as follows:

a) If not exceeding at any point eight (8) feet in height above the elevation of the surface of the ground, they may be located in any side or rear yard.

b) All fences or walls shall be of wood, stone, brick, metal, chain link material, or synthetic materials and shall be maintained in good repair and appearance. Paint shall be applied to all painted surfaces, with sufficient frequency so that no bare wood or material is exposed. No fence or wall shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street. The use of scrap or salvage materials, barbed wire, or electrical above ground fences shall be prohibited.

ARTICLE 21
B-1 NEIGHBORHOOD BUSINESS DISTRICT

21.01 PURPOSE. The B-1 Neighborhood Business District promotes and protects land areas for convenience commercial, personal services and certain types of business and professional uses which are located in close relationship to areas of surrounding residential development.

21.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

21.021 Any use permitted by the O-1 or O-2 Districts.

Convenience businesses which cater to the adjacent residential neighborhood; provided that all such operations including storage, display and sales, be conducted completely within an enclosed building.

Personal services establishments which offer services to members of the adjacent neighborhood such as shoe repair, barber shops, beauty shops, watch repair, or self-service laundromats.

21.022 Restaurants, not including drive-thru restaurants.

21.023 Billboard signs; subject to the General Business Provisions (Article 20, Subsection 20.095).

21.024 Financial institutions, including drive-in financial institutions.

21.025 Schools, including public, private, and business.

21.026 Private clubs or lodges.

21.027 Public buildings and properties of an administrative, cultural, or service type including such buildings used to house not-for-profit organizations.

21.0271 Churches and similar places of worship.

21.0272 Hospitals, rest homes or nursing homes for convalescent patients.

21.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval of the Board of Zoning Appeals, pursuant to the standards and procedures set forth in Article 8, Subsection 8.053.

21.031 Dwelling or dwellings if a part of an approved principal use permitted in this district.

21.032 Wireless and Cellular Telecommunication Tower or Facilities.

21.033 Commercial parks.

21.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right, provided they comply with the requirements of Article 10, Subsection 10.15 and all other requirements of this Article or other applicable requirements of the Resolution.

21.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character as the above-permitted uses.

21.06 DEVELOPMENT STANDARDS. In addition to the General Provisions, as set forth in Article 10 and the General Provisions for Business Districts as set forth in Article 20, the following standards for arrangement and development of land and buildings are required in the B-1 Neighborhood Business District.

21.061 HEIGHT REGULATIONS. No structure shall exceed thirty-five (35) feet in height, except as provided in Article 10, Subsection 10.23.

21.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure (See Figure 3 in Graphic Appendix), provided that in all cases where a B-1 District is located within a Road Corridor Overlay District the area requirements of the Road Corridor Overlay District shall apply.

Lot Area	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
10,000 sq. ft.	None	25 ft.	15 ft.	35 ft.	80%

ARTICLE 22
B-2 GENERAL BUSINESS DISTRICT

22.01 PURPOSE. The B-2 General Business District promotes and protects certain land areas for community and highway oriented retail and service establishments which serve the residents of the township.

22.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

22.021 Any principal permitted use in the B-1 District.

22.022 Automobile fuel service stations including the on-site filling of propane tanks as an accessory use and mechanical auto body repair garages; provided that no such use shall be located less than two hundred (200) feet from any lot located in a R-District or recorded residential subdivision.

22.023 Automobile, truck, trailer, recreational vehicle, and farm implement, storage, sales and service establishments for display, hire storage and sales, including sales lots and repair of such; provided that all such operations other than storage, display and sales be conducted within a completely enclosed building; and further provided that any building used for repair work shall be located not less than two hundred (200) feet from any lot in an R-District or recorded residential subdivision.

22.024 Carpenter shops, electrical, plumbing, heating and air conditions shops; printing, publishing and lithography shops; furniture upholstering shops; provided that no such use shall be located less than two hundred (200) feet from any lot in a R-District or recorded residential subdivision.

22.0241 Self-storage units, including outdoor storage when in conjunction with facilities provided for indoor storage; provided that no such use shall be located less than one hundred (100) feet from any lot in an R-District or recorded residential subdivision.

22.025 Garden stores, supply centers, and greenhouses.

22.026 Hotels, motels.

22.027 Extended stay hotels/motels.

22.028 Billboard signs; subject to the General Business provisions (Article 20, Subsection 20.095).

22.029 Night clubs and drive-thru restaurants, including outdoor seating; provided that the drive-thru window or outdoor seating area shall be located not less than two hundred (200) feet from any R-District or recorded residential subdivision.

22.0210 Animal hospitals or kennels which board animals overnight; provided any building or area on the premises used for such purposes shall be located not less than two hundred (200) feet from any R-District or recorded residential subdivision, and one hundred (100) feet from any B-1 District.

22.0211 Commercial parks, provided that any buildings or principal uses shall be located not less than two hundred (200) feet from any lot in an R-District or a recorded residential subdivision.

22.0212 The following uses are permitted outside of a completely enclosed building when not located within three hundred (300) feet of any R-District or recorded residential subdivision and when conducted within an area enclosed on all sides with a solid wall or uniformly painted solid board fence, not less than six (6) feet in height:

22.02121 Building material sales yard, not including concrete mixing. Retail lumberyard, including millwork only when incidental.

22.02122 Stone or monument works not employing power driven tools or if employing such tools then only within a completely enclosed building at least three hundred (300) feet from any R-District, or a recorded residential subdivision.

22.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals, pursuant to the standards and procedures set forth in Article 8, Subsection 8.053.

22.031 Dwelling or dwellings if a part of an approved principal use in this district.

22.032 Theaters, including drive-in theaters.

22.033 Wireless and Cellular Telecommunication Tower or Facilities.

22.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right, provided they comply with the requirements of Article 10, Subsection 10.15 and all other requirements of this Article or other applicable requirements of the Resolution.

22.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsections 8.051 to be of the same general character as the above-permitted uses.

22.06 DEVELOPMENT STANDARDS. In addition to the General Provisions as set forth in Article 10 and the General Provision for the Business Districts as set forth in Article 20, the following standards for the arrangement and development of land and buildings are required in the B-2 General Business District.

22.061 HEIGHT REGULATIONS. No structure shall exceed thirty-five (35) feet in height except as provided in Article 10, Subsection 10.23.

22.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure (See Figure 3 in Graphic Appendix), provided that in all cases where a B-2 District is located within a Road Corridor Overlay District the area requirements of the Road Corridor Overlay District shall apply.

Lot Area	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
10,000 sq. ft.	None	25 ft.	15 ft.	35 ft.	80 %

ARTICLE 23
GENERAL PROVISIONS FOR INDUSTRIAL DISTRICTS

23.01 PURPOSE. The specific provisions of this article and the general provisions provided by Article 10, shall apply to the M-1 and M-2 Zone Districts of this Resolution. Parking requirements for uses first permitted in the O-1 or O-2 District are provided in Article 17, Subsection 17.04. Parking requirements for uses first permitted in the B-1 or B-2 District are provided in Article 20, Subsection 20.06.

23.02 MULTIPLE OCCUPANCIES/USES PERMITTED. Multiple occupancies/uses on a lot shall be permitted in all Industrial Districts provided such uses/occupancies are located within the same principal building (See Figure 9 in Graphic Appendix).

23.03 PRINCIPAL BUILDING GROUPS PERMITTED. Lots which are located in a Industrial District may contain more than one principal building provided such buildings are utilized for the same business or company and principal permitted use (See Figure 10 in Graphic Appendix).

23.04 OUTSIDE STORAGE. Outside open storage of materials used in conjunction with the principal use is permitted and may be stored anywhere on the property, except in front of the principal building or in a required yard setback. Such storage shall be screened on all sides which are visible from and located within two hundred (200) feet of the street by an eight (8) foot earth berm, fence, wall, or landscaping. If landscaping is chosen as the screening technique, a plan must be submitted to and approved by the Code Enforcement Officer, on the basis that such landscaping will achieve the desired screening. Landscaping shall be maintained in trimmed, living condition (See Figure 12 in Graphic Appendix).

23.041 The storage of such materials shall not exceed sixteen (16) feet in height.

23.05 OFF-STREET PARKING. In all industrial districts, there shall be provided, at the time any building is erected or enlarged, or increased in capacity, off street parking spaces for automobiles with the requirements herein:

23.051 The number of off-street parking spaces required shall be as follows:

Use	Parking Spaces required
Contractor Storage Yard	1.0 per 1000 sq. ft. of floor area; plus 1.0 per 5000 ft. of lot area
Wholesale and Warehousing	1.0 per 3,000 sq. ft. of gross floor area
Industry and Manufacturing	1.0 per 200 sq. ft. of office use; plus 1.0 per 400 sq. ft. of manufacturing operations; plus 1.0 per 3000 sq. ft. of warehouse space

Truck Terminal	1.0 per 1000 sq. ft. of gross floor area
Research and Development Facilities	1.0 space per 500 sq. ft. of gross floor area

23.06 MULTIPLE OCCUPANCIES AND USES NOT SPECIFIED. In the case of multiple occupants in one principal structure, the total requirements for off-street parking facilities shall be the sum of the requirements for the various uses computed separately. Where a use is not specifically mentioned, the requirements for a use which is most similar shall apply. Only those uses which are first permitted by the industrial districts are listed in the parking requirements in this Article. Parking requirements for uses which are permitted in the industrial districts, but are first permitted elsewhere in this Resolution are located in the applicable district provisions where they are first permitted.

23.07 OFF-STREET LOADING SPACES REQUIRED. In connection with every building or part thereof erected for uses which customarily receive or distribute material or merchandise by vehicle, there shall be provided, on the same lot with such buildings, off-street loading spaces with the requirements herein.

23.071 Off-street loading requirements shall be as follows:

Square Footage of Principal Building	Number of Loading Spaces Required
Less than 2000 sq. ft.	None required
More than 2000 sq. ft. but less than 10,000 sq. ft.	One loading space
More than 10,000 sq. ft. but less than 40,000 sq. ft.	Two loading spaces
More than 40,000 sq. ft.	Three loading spaces, plus one space for each 30,000 sq. ft. over 40,000 of building area

23.072 Each off-street loading space shall conform with the following standards.

a) Each off-street loading space shall be at least ten (10) feet in width, fifty (50) feet in length and have a vertical clearance of fifteen (15) feet or more.

b) All loading spaces shall be graded and improved with bituminous concrete or Portland concrete, and provide drainage in accordance with the standards of the Hamilton County Engineer's office.

c) All required loading spaces shall be off-street and shall be located on the same lot as the specific use to be served. No loading space shall be located within a front, side, or rear yard setback and in no case shall any space be located less than fifty (50) feet from any R-District.

23.08 SIGNS. In addition to the signs permitted by Article 10- General Provisions, the following signs are permitted in all the Industrial Districts:

23.081 BUSINESS PARK IDENTIFICATION GROUND SIGN. A permanent business park identification ground sign which identifies the name and address of the park or subdivision may be located on any lot within the park or subdivision which is located at the entrance of the park or subdivision. Said signs may be located on the same lot as a accessory business sign, and are subject to the following requirements:

a) No such sign shall exceed forty-eight (48) square feet in identification display area.

b) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, Subsection 10.16, regarding traffic visibility.

c) No such sign or any portion of the structure they may be integral with, shall exceed ten (10) feet from grade.

23.082 GROUND SIGNS. In addition to the above mentioned business park identification signs, ground signs, accessory to the business or use located on the premise, are permitted subject to the following requirements:

a) All such signs conform to the following maximum display area requirements:

Frontage Along Public Street Right of Way	Permitted Square Feet of Display Area
0 - 300 ft.	48 sq. ft.
301+ ft.	96 sq. ft.

The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

Total Square Footage of Principal Building	Permitted Square Feet of Display Area
0 - 20,000 ft.	48 sq. ft.
20,001+ ft.	96 sq. ft.

b) The maximum amount of display area for a ground mounted sign shall be forty-eight (48) square feet. Parcels containing 0 - 300 feet of frontage or in cases where no frontage exists, a principal building containing 0 - 20,000 square feet, shall be permitted one ground sign per parcel. Parcels containing more than 300 feet of frontage or in cases where no frontage exists, a principal building containing 20,001 square feet, shall be permitted two (2) ground signs (maximum of forty-eight (48) square feet per sign) per parcel.

c) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, Subsection 10.16, regarding traffic visibility.

d) No such signs or any portion of the structure they may be integral with, shall exceed ten (10) feet from grade.

23.0821 On corner lots, the maximum permitted display area shall be calculated by using the greater amount of the two frontages, not the combined total of both (See Figure 11 in Graphic Appendix).

23.083 BUILDING SIGNS. In addition to the above mentioned business park identification and accessory business ground signs, buildings in the industrial districts may also contain: wall (integral or attached), projecting, or awning signs as accessory to the business or use located on the premise. Such signs shall be subject to the following requirements:

a) The total amount of square feet permitted for such signs shall not exceed four percent (4%) of the total square footage of the front building wall elevation. Corner

or double frontage lots shall be permitted four percent (4%) of the total square footage of each front building wall elevation and shall not be cumulative.
b) No sign shall project more than two (2) feet beyond any building or roof line.

23.084 DIRECTIONAL SIGNS. A sign which provides directional assistance to access an office or business which is not located on the parcel where the sign is located, provided:

a) No such sign shall exceed six (6) square feet of identification display area.

b) All such signs shall set back a minimum of five (5) feet from any street right-of-way or adjoining property line and conform with Article 10, Subsection 10.16, regarding traffic visibility.

c) No such signs or any portion of the structure they may be integral with, shall exceed four (4) feet from grade.

d) Such signs shall be limited to one sign per parcel.

23.09 TEMPORARY ELECTION SIGNS. Temporary election signs which endorse a candidate for office or promote an issue which will be voted upon at an officially sanctioned election are permitted in all industrial districts. Said signs shall not require the issuance of a Zoning Certificate, but shall be subject to the following requirements.

a) No such sign shall exceed thirty-two (32) square feet of display area and shall have a maximum of two display faces.

b) All such signs shall conform with Subsection 10.16, regarding traffic visibility.

23.10 FENCES AND WALLS. Fences and walls may be located in front, side and rear yards as follows for all lots located in an Industrial District.

a) If not exceeding at any point eight (8) feet in height above the elevation of the surface of the ground, fences and walls may be located in any front yard, provided said fence is of chain link or transparent material and all entrance gates or emergency access gates provide an opening of at least twenty-four (24) feet in width and fourteen (14) feet in height to allow for passage of emergency vehicles, unless when used pursuant to Subsection 23.04.

b) If not exceeding at any point eight (8) feet in height above the elevation of the surface of the ground, fences may be located in any side or rear yard. The use of barbed wire shall be permitted on fences in the side and rear yard provided said barbed wire is not less than six feet or more than eight (8) feet in height above the elevation of the surface of the ground.

c) All fences or walls shall be of wood, stone, brick, metal, chain link material, or synthetic materials and shall be maintained in good repair and appearance. Paint shall be applied to all painted surfaces, with sufficient frequency so that no bare wood or material is exposed. No fence or wall shall be constructed so that any unfinished portion faces or is visible from an adjacent property or street. The use of scrap or salvage materials, shall be prohibited.

ARTICLE 24
M-1 LIGHT INDUSTRIAL DISTRICT

24.01 PURPOSE. The M-1 Light Industrial District promotes and protects land areas for industrial development, wholesaling and warehousing uses, and limited commercial use.

24.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

24.021 Any use permitted and as regulated, including development standards, by the O-1 or O-2 District.

24.022 Any use permitted and as regulated, including development standards by the B-1 or B-2 Districts, provided said use is completely within three hundred (300) feet of an existing road right-of-way at the time of enactment of this Resolution.

24.023 Research and development facilities, distribution warehouses, wholesale warehouses, package delivery companies, bottling and packaging companies, manufacturing which involves only previously prepared materials or finished parts, including minor assembling, altering, fabricating, finishing, processing, treatment, storage, and incidental sales of such products, provided said use is not first permitted by the provisions of the M-2 District of this Resolution or conducts as its principal activity, a use specified by Article 25, Subsection 25.03 of this Resolution; and further provided said use is located at least one hundred (100) feet from an R-District or recorded residential subdivision.

24.024 Building material sales yard, including concrete mixing; retail lumber yards including mill work; provided said use or principal building is located at least two hundred (200) feet from an R-District or recorded residential subdivision.

24.025 Contractor's equipment storage yard or plant, or storage and rental equipment commonly used by a contractor, provided that any such use or principal building is located at least two hundred (200) feet from an R-District or recorded residential subdivision.

24.026 Trucking and motor freight station or terminal; carting express or hauling establishments; the storage of vehicles; provided any such use or principal building is located at least two hundred (200) feet from an R-District or recorded residential subdivision.

24.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals, pursuant to the standards and procedures set forth in Article 8, Subsection 8.053.

24.031 Dwelling or dwellings only when in conjunction and accessory to a principally permitted use.

24.032 Wireless and Cellular Telecommunication Tower or Facilities.

24.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right, provided they comply with the requirements of Article 10, Subsection 10.15 and all other requirements of this Article or other applicable requirements of the Resolution.

24.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character of the above- permitted use.

24.06 DEVELOPMENT STANDARDS. In addition to the General Provisions, as set forth in Article 10, and the General Provisions for Industrial Districts, as set forth in Article 23, the following standards for arrangement and development of land and buildings are required in the M-1 Light Industrial District.

24.061 HEIGHT REGULATIONS. No structure shall exceed fifty (50) feet in height, except as provided in Article 10, Subsection 10.23.

24.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure (See Figure 3 in Graphic Appendix), provided that in all cases where a M-1 District is located within a Road Corridor Overlay District, the area requirements of the Road Corridor Overlay District shall apply.

Lot Areas	Lot Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
10,000 sq. ft.	None	25 ft.	5 ft.	40 ft.	85 %

ARTICLE 25
M-2 GENERAL INDUSTRIAL DISTRICT

25.01 PURPOSE. The M-2 General Industrial District promotes and protects certain land areas for general industrial development, manufacturing, processing and related operations.

25.02 PRINCIPAL PERMITTED USES. The following uses are principal uses permitted as of right, provided that a Zoning Certificate and Final Inspection Certificate have been issued pursuant to Article 5, Subsection 5.06.

25.021 Any use permitted and as regulated, including development standards, by the principal permitted use as regulated in the M-1 Light Industrial District.

25.022 Manufacturing, recycling when conducted in an enclosed building, or other similar industrial actions of unfinished parts or materials provided said use is located at least three hundred (300) feet from any R-District or recorded residential subdivision, and further provided that the specific principal activity of such use does not require conditional use approval pursuant to Subsection 25.03 of this Article. Uses permitted by this Subsection which are located in an M-2 District which existed prior to the creation of an adjacent R-District or recorded residential subdivision shall not be required to be located three hundred (300) feet away from such R-District or recorded residential subdivision.

25.023 Adult Entertainment Establishments, provided said use is located at least five hundred (500) feet from any R-District or recorded residential subdivision.

25.03 CONDITIONAL USES. The following uses are principal conditional uses permitted only after approval by the Board of Zoning Appeals, pursuant to the standards and procedures set forth in Article 8, Subsection 8.053.

25.031 Automobile wrecking yards and junk yards, provided that the site contain not less than ten (10) acres and be completely enclosed by a solid fence. Such fence shall be free of any type of advertising, and not less than eight (8) feet in height. Stacking of automobiles shall not be permitted unless they are completely screened from surrounding roadways or properties.

25.032 Animal slaughtering, stock yards, or similar activities involving the processing or storage of livestock.

25.033 Any use, excluding automobile service stations, which conducts as its principal activity, the production, processing, storing, or similar industrial action of solids, liquids, or gases, that have a degree of hazard rating in health, flammability, or reactivity of 2, 3, or 4 as ranked by the National Fire Protection Association 704.

25.034 Any use which involves incineration, processing, reduction, storage of garbage, debris, infectious or medical waste, dead animals, or other types of refuse.

25.035 Wireless and Cellular Telecommunication Tower or Facilities.

25.04 ACCESSORY USES. Accessory uses and structures shall be permitted as of right, provided they comply with the requirements of Article 10, Subsection 10.15 and all other requirements of this Article or other applicable requirements of the Resolution.

25.05 PROHIBITED USES. Uses not specifically listed as permitted by this district may be permitted if determined by the Board of Zoning Appeals pursuant to Article 8, Subsection 8.051 to be of the same general character of the above-permitted uses.

25.06 DEVELOPMENT STANDARDS. In addition to the General Provisions, as set forth in Article 10, and the General Provisions for Industrial Districts, as set forth in Article 23, the following standards for arrangement and development of land and buildings are required in the M-2 General Industrial District.

25.061 HEIGHT REGULATIONS. No structure shall exceed fifty (50) feet in height, except as provided in Article 10, Subsection 10.23.

25.062 AREA, FRONTAGE AND YARD REQUIREMENTS. The following minimum area, frontage, and yard requirements shall apply to each principal building or structure (See Figure 3 in Graphic Appendix), provided that in all cases where an M-2 District is located within a Road Corridor Overlay District, the area requirements of the Road Corridor Overlay District shall apply.

Lot Areas	Frontage	Front Yard Depth	Each Side Yard	Rear Yard Depth	Lot Coverage
10,000 sq. ft.	None	25 ft.	5 ft.	40 ft.	85 %

ARTICLE 26
PUD-PLANNED UNIT DEVELOPMENT DISTRICTS

26.01 PURPOSE. This article authorizes the creation of certain types of planned unit development districts which provide a flexible zoning procedure for residential, commercial, industrial, and special purpose land uses. These districts permit new techniques in community development and flexible design and development regulations which assure an efficient utilization and allocation of land. Maximum overall gross densities and intensities can be achieved on tracts within these districts when approved by the Board of Trustees and/or Zoning Commission which assure a minimum adverse effect on natural features and the environment, and which assure greater efficiency in providing public and utility services or which due to key design, land use, or public amenities offer an increased overall benefit to the community and promotes the public health, safety, and general welfare.

26.02 TYPES OF PLANNED UNIT DEVELOPMENT DISTRICTS. The following are the planned unit development districts which are available to property owners at their election:

"R-PUD" Residential Planned Unit Development
"C-PUD" Commercial Planned Unit Development
"M-PUD" Industrial Planned Unit Development
"SP-PUD" Special Purpose Planned Unit Development

26.03 PRINCIPAL PERMITTED USES. All uses in a Planned Unit Development District are subject to the approval of a preliminary and final development plan by the Zoning Commission and Board of Township Trustees pursuant to Subsection 26.09 through 26.16, inclusive. The following explains the uses permitted by each of the Planned Unit Development Districts. Uses not specifically listed as permitted by these districts may be permitted if determined by the Zoning Commission and/or Board of Trustees to be of the same general character as the above permitted uses.

26.031 The following uses are principal permitted uses in the R-PUD District:

26.0311 Any use permitted either as a principal or conditional use in the R-1, R-1A, R-2, or R-3 Districts.

26.0312 Multiple-family dwellings, row dwellings and townhouses.
The density of these uses in a Residential Planned Unit Development shall be determined pursuant to the General Design Standards listed in Article 26.04 and not necessarily restricted to the development standards of the R-4 (Multiple-Family) District.

26.032 The following uses are principal permitted uses in the C-PUD District:

26.0321 Any use permitted either as a principal or conditional use in the O-1, O-2, B-1, or B-2 Districts.

26.033 The following uses are principal permitted uses in the M-PUD District:

26.0331 Any use permitted either as a principal or conditional use in the O-1, O-2, B-1, B-2, M-1, or M-2 Districts.

26.034 The following uses are principal permitted uses in the SP-PUD District. Said district shall be for designating those uses approved on a planned unit basis which are not generally included in other districts of this Resolution, employ a combination of district provisions, or due to unique circumstances or unusual characteristics require special design consideration:

26.0341 Airports.

26.0342 Amusement centers or parks.

26.0343 Colleges or universities.

26.0344 Community centers and recreational areas

26.0345 Museum and cultural centers, including outdoor theaters.

26.0346 Stadiums and sports arenas.

26.0347 Mass transit terminals.

26.0348 Zoos.

26.04 GENERAL DESIGN STANDARDS. Design standards for area, lot coverage, density, yard requirements, parking, landscaping, and screening for a proposed Planned Unit Development shall be established by the Zoning Commission and Board of Township Trustees on the Preliminary Development Plan. Exceptions and variations from the standards provided by the non-planned Zoning Districts of this Resolution may, and should be granted by the Zoning Commission and Board of Township Trustees when it is determined that due to certain design elements, natural features, and public amenities, the exceptions are warranted. Standards for public infrastructure improvements shall be governed by the applicable regulations of the county agency charged with the responsibility for review and approval.

26.05 MINIMUM LOT AREA. The tract of land to be developed on a planned unit basis shall be a minimum of three (3) acres. Infill tracts of less than three (3) acres may be considered and approved by the Zoning Commission and Board of Township Trustees on a planned unit basis when the use is in compliance with the Springfield Township Land Use Plan.

26.06 COMMON OPEN SPACE. There shall be reserved, within the tract to be developed on a planned unit basis, a minimum percentage of land area of the entire tract for use as common open space. The Zoning Commission and Board of Trustees may require additional open space as warranted by the individual development plan. This minimum percentage of land shall be as follows:

26.061 R-PUD -10% for projects of exclusively single-family units.
15% for projects of mixed units.
20% for projects of exclusively multi-family units.

26.062 C-PUD - 15% for all projects.

26.063 M-PUD - 15% for all projects.

26.064 SP-PUD - 15% for all projects.

26.065 Required common open space shall not consist of isolated or fragmented pieces of land which will serve no useful purpose or which will present maintenance difficulties.

26.066 Required common open space may include pedestrian walkways, parkland, open areas, bridle paths, drainage ways and detention basins, swimming pools, clubhouses, tennis courts, golf courses, parking areas for any of the above, and other lands of essentially open or undisturbed or improved character, exclusive of off-street parking areas and street right-of-ways.

26.067 Ownership of common open space in an R-PUD shall be transferred by the developer to a legally established homeowners association, or if accepted, to the Board of Township Trustees, or other public or quasi-public agency. Common open space that includes a clubhouse, golf course or other recreational facilities may remain in private ownership, subject to size and special conditions applied by the Zoning Commission and Board of Township Trustees. Common open space in a C-PUD, M-PUD, or SP-PUD may also be dedicated to the Township or other public or quasi-public agency pursuant to the above requirements or remain in private ownership, provided public easement, as determined necessary by the Zoning Commission and Board of Trustees, is granted and officially recorded on the plat.

26.07 PLANNED UNIT DEVELOPMENTS REQUIRE DISTRICT CHANGE. In addition to the following specific procedures and provisions of this Article regarding requirements for application and approval of planned districts, an application request for any of the Planned Unit Development Districts included in this Article are also subject to the procedures set forth in Article 6. The original establishment and application of a planned unit development shall be regarded as and subject to the same requirements as a district change.

26.08 PROCEDURES FOR APPLICATION. The owner/developer(s) shall engage in informal consultation with the Director prior to filing any application request for a planned unit development. The purpose of said consultation is to explain the application procedures and the submission requirements to the applicant. No statement or representation by the Director, however, shall be binding on either the Zoning Commission or Board of Township Trustees.

26.081 After meeting with the Director to discuss the procedures, the applicant must submit the Planned Unit Development Application Packet (available from the Development Services Department), fully completed, along with a fee in the amount determined by the Board of Trustees to cover the cost of the publishing, posting and/or mailing the notices of the hearings required by the foregoing provisions and/or other expenses in conjunction therewith. In addition to the application packet, a Preliminary Development Plan pursuant to Subsection 26.09, must also be submitted with the application.

26.09 SUBMISSION OF PRELIMINARY DEVELOPMENT PLAN. The applicant shall submit ten (10) copies of the Preliminary Development Plan and one (1) 8 1/2" X 11" or 11" X 17" photostat of the Preliminary Development Plan together with the other information required by the application packet. The application packet is available from the Development Services Department, and contains a checklist of submission requirements and application procedures for Planned Unit Developments. The Preliminary Development Plan shall include the following items:

26.091 A survey of the tract to be developed, showing a metes and bounds description of property lines and total acreage, existing zone district boundaries, the area and district which is proposed to be rezoned, and property ownership of the subject site and all adjacent parcels and parcels within two-hundred (200) feet of the subject site.

26.092 Base mapping of the tract to be developed and surrounding property within one hundred (100) feet, showing existing features of the property including: streets, alleys, easements, utility lines, existing land use and structures, and general topography (minimum of five (5) foot intervals) and physical features.

26.093 A preliminary site plan showing the following: the approximate areas and arrangement of the proposed uses and the relationship of abutting land uses and zone districts; the proposed general location of vehicular circulation, showing how this circulation pattern relates to the primary and secondary road alignments, the proposed treatment of existing topography, drainage ways and tree cover; and the location of schools, parks, community amenities or facilities, if any.

26.094 Anticipated time schedule of projected development, if the total landholding is to be developed in stages, or if construction is to extend beyond a two (2) year time period.

26.095 In the case of an R-PUD District, the Preliminary Development Plan shall also include the proposed type of unit, density level, and proposed area setbacks of each

residential area, and the type, general location and approximate acreage of the common open space. All other miscellaneous and accessory uses shall also be included.

26.096 In the case of a C-PUD, M-PUD, or a SP-PUD the Preliminary Development Plan shall identify the principal and accessory types of uses that are to be included in the proposed development, including their approximate location, size, and intensity. The proposed type, general location and approximate acreage of common open space shall also be included.

26.10 PROCEDURES FOR APPROVAL OF PRELIMINARY DEVELOPMENT PLAN. The applicant shall submit the Planned Unit Development Application Packet and Preliminary Development Plan to the Springfield Township Development Services Department.

26.101 The Development Services Department.upon receiving such application and Preliminary Development Plan shall, within five (5) days, transmit a copy thereof to the Hamilton County Regional Planning Commission. The Regional Planning Commission, shall at a regular meeting, recommend the approval or denial of the proposed zoning amendment, and Preliminary Development Plan, or the approval of some modification thereof and shall submit such recommendation to the Springfield Township Zoning Commission. Such recommendation shall be considered at the public hearing held by the Zoning Commission on the proposed zoning amendment and Preliminary Development Plan.

26.102 The Springfield Township staff shall study the material received and confer with other agencies of government as appropriate in the case, to determine general acceptability of the proposal submitted. Staff shall submit written recommendations to the Zoning Commission and the applicant prior to the public hearing held by the Zoning Commission.

26.103 The Springfield Township Zoning Commission shall advertise and hold a public hearing in accordance with the procedures outlined in Article 6 of this Resolution. The Zoning Commission shall make written findings of fact regarding its decisions. The Zoning Commission may explicitly impose special conditions relating to the Planned Unit Development with regard to the type and extent of public improvements to be installed, landscaping, development, improvement and maintenance of common open space, and other pertinent development characteristics.

26.104 Following the public hearing by the Zoning Commission, the application, Preliminary Development Plan, staff report, recommendation of the Hamilton County Regional Planning Commission, and recommendation of the Springfield Township Zoning Commission shall be forwarded to the Springfield Township Board of Trustees. The Trustees shall advertise and hold a public hearing and approve, modify or deny the application and request for the zone amendment and Preliminary Development Plan, in accordance with the procedures outlined in Article 6 and 26.11 of this Resolution.

The unanimous vote of the Board of Trustees shall be required in order to deny or modify the recommendation of the Zoning Commission. The Board of Trustees shall make written findings of fact regarding its decisions.

26.105 Approval of the Preliminary Development Plan shall include density, intensities, land uses and their inter-relationship, design standards, and building location. Location of buildings (if applicable) and uses may be altered slightly due to engineering feasibility which is to be determined in the subsequent preparation of the detailed Final Development Plans.

26.106 Approval of the Preliminary Development Plan shall constitute the creation of a separate Planned Unit Development Zoning District. After approval of a Preliminary Development Plan by the Board of Trustees and after the subsequent referendum period has ended, the Official Zoning Map is changed to reflect this amendment.

26.11 REQUIRED CONDITIONS FOR APPROVAL OF PRELIMINARY DEVELOPMENT PLAN. The Township Zoning Commission and Board of Trustees shall study and review all applications for Planned Unit Developments and shall make written findings as to whether all requirements have been satisfied. The following serve as conditions which should generally be satisfied before the approval of the Preliminary Development Plan.

26.111 The Planned Unit Development District is consistent with the adopted Springfield Township Land Use Plan (if applicable).

26.112 The use(s) proposed will not be detrimental to present and potential surrounding uses, but will have a beneficial effect which could not be achieved as well under other Zoning Districts.

26.113 The internal streets and primary and secondary roads that are proposed properly interconnect with the surrounding existing road network.

26.114 The site will be accessible from public roads that are generally adequate to carry the traffic that will be imposed upon them by the proposed development and the streets and driveways on the site will be adequate to serve the residents or occupants of the proposed development.

26.115 The minimum common open space area(s) have been designated and shall be duly transferred to a legally established Homeowner's Association or has been dedicated to Springfield Township or another public or quasi-public agency as herein provided in Subsection 26.067.

26.116 The Preliminary Development Plan is consistent with the intent and purpose of this Resolution, to promote the public health, safety and general welfare of the residents of Springfield Township, Hamilton County, Ohio.

26.117 The Preliminary Development Plan has been transmitted to all other agencies and departments charged with responsibility of review.

26.12 TIME LIMITS AND EXTENSIONS. The approval of a Preliminary Development Plan shall become null and void and the Board of Trustees or Zoning Commission may initiate proceedings to rezone the land to its former zoning classification, unless within three (3) years of date of the approval of the Preliminary Development Plan, construction has started on the first section of the planned unit landholding, and it has been formally approved by the Zoning Commission in accordance with the provisions of this Article and Resolution.

26.121 An extension of the time limit for the Preliminary Development Plan may be approved by the Board of Township Trustees. Such approval shall be given upon a finding of the purpose and necessity for such extension, evidence of reasonable effort toward the accomplishment of the Preliminary Development Plan, and the recommendation of the Zoning Commission.

26.13 SUBMISSION OF FINAL DEVELOPMENT PLAN. Once the Planned Unit Development District and Preliminary Development Plan have been approved by the Board of Township Trustees, the applicant shall proceed with the preparation of the detailed Final Development Plan(s) in whole or in phases. The applicant shall submit ten (10) copies of the Final Development Plan and one 8 1/2" X 11 or 11" X 17" photostat of the Final Development Plan(s) together with the other requirements of the Final Development application packet. The application packet is available from the Development Services Department and contains a checklist of requirements and application procedures for Planned Unit Developments.

26.131 The detailed Final Development Plan shall be consistent with the contents of the approved Preliminary Development Plan, and be prepared by a professional urban planner, engineer, architect or landscape architect and include the following items:

26.132 Site plan(s) of the development showing survey of the tract, lot lines, building outlines, off street parking areas and spaces, pedestrian walkways, and vehicular circulation.

26.133 Preliminary building plans, including floor plans and exterior elevations.

26.134 Landscaping plans showing quantity, size and varieties of landscaping which are proposed.

26.135 Specific engineering plans, showing site grading, street plans and improvements, drainage and utility improvements and extensions, and treatment of general topography and common open space.

26.136 In the case of an R-PUD, the Final Development Plan shall also include the proposed type of unit, density level, area and setback requirements of each residential area, and

the type, location, and acreage of common open space. All other miscellaneous and accessory structures shall also be indicated.

26.137 In the case of a C-PUD, M-PUD, and SP-PUD, the Final Development Plan shall identify the principal and accessory types of uses that are to be included in the development, and the area and setbacks which are proposed. The proposed type, location and acreage of all common open space shall also be included.

26.138 All necessary legal documentation relating to the incorporation of a Homeowner's Association for the purpose of maintaining the specified common open space within the Planned Unit Development.

26.139 Copies of any restrictive covenants that are to be recorded.

26.14 APPROVAL PROCEDURES FOR FINAL DEVELOPMENT PLANS. The applicant shall submit the Final Development Plan Application Packet and the Final Development Plan(s) to the Springfield Township Development Services Department..

26.141 The Springfield Township staff shall study the material received and confer with other agencies of government as appropriate in the case, to determine general acceptability of the proposal submitted. Staff shall submit written recommendations to the Zoning Commission and the applicant prior to the public meeting held by the Zoning Commission.

26.142 Upon receipt of the detailed Final Development Plan and recommendations of staff, the Zoning Commission shall, at a public meeting of the Commission, study and review the detailed Final Development Plan(s) on the basis that all requirements have been satisfied, and the conditions specified in Subsection 26.15 have been met.

26.15 REQUIRED CONDITIONS FOR APPROVAL OF FINAL DEVELOPMENT PLAN. The Township Zoning Commission shall study, review, and make written findings regarding the Final Development Plan to ensure the following specific conditions have been met:

26.151 Appropriate arrangements with the applicant have been made which will ensure the accomplishment of the public improvements and reservation of common open space as indicated on the Preliminary and Final Development Plan. If deemed necessary by the Board of Township Trustees during the Preliminary Development Plan process, this may require that the Board of Township Trustees hold bond to ensure the successful and proper completion.

26.152 The proposed detailed Final Development Plan(s) for the individual section(s) of the overall Planned Unit District is consistent in contents (building location--as applicable, land uses, densities and intensities, yard requirements, and area and

frontage requirements) with the approved Preliminary Development Plan and the Springfield Township Land Use Plan.

26.153 Each individual phase of the development can exist as an independent unit which is capable of creating an environment of sustained desirability and stability, or that adequate assurance will be provided that such objective can be obtained.

26.154 That any part of the Planned Unit Development not used for structures, parking and loading areas, or streets, shall be landscaped or otherwise improved; or if approved by the Zoning Commission, left in its natural state.

26.155 That any exception from the design standards provided in the PUD is warranted by the design and amenities incorporated in the detailed Final Development Plan.

26.156 That the internal streets and thoroughfares proposed are suitable and adequate to accommodate the anticipated traffic within and through the development.

26.157 That the detailed Final Development Plan is consistent with the intent and purpose of this Resolution to promote the public health, safety and general welfare of the residents of Springfield Township, Hamilton County, Ohio.

26.158 The Final Development Plan has been transmitted to all other agencies and departments charged with the responsibility of review.

26.16 EFFECTS OF FINAL DEVELOPMENT PLAN APPROVAL. The approved Final Development Plan is kept on record in the Springfield Township Development Services Department together with all resolutions, applications, plats, plans, and other information regarding the development. The Resolutions prepared by the Zoning Commission and Township Trustees serve as the official record for the permitted uses and activities which are approved for the planned unit landholding. The use of the planned unit landholding or the location, erection, construction, reconstruction, enlargement, or change of any building or structure in a manner which is not consistent with the Final Development Plan shall be considered a violation of this Resolution and subject to the procedures and penalties specified in Article 5, Subsection 5.08.

26.17 REQUIRED CONDITIONS FOR THE ISSUANCE OF A ZONING CERTIFICATE AND FINAL CERTIFICATE OF OCCUPANCY. No Zoning Certificate shall be issued for any property in a Planned Unit Development District and no construction, except preliminary excavation, shall begin until an approved Final Development Plan is in effect for that phase or property. The Final Development Plan becomes effective upon approval of a Resolution by the Zoning Commission.

26.171 No Final Inspection Certificate shall be granted for any property in a Planned Unit Development District until the Director receives written certification that all public and private improvements, such as roads, utilities, drainage basins, and other

improvements have been satisfactory installed pursuant to applicable regulations. In the case of public improvements, such certification shall be by the government agencies charged with the applicable responsibility. In the case of private improvements, the certification shall be provided by a professional registered engineer or architect.

26.18 ADJUSTMENTS TO PLANNED UNIT DEVELOPMENTS.

26.181 Major Changes. Major Changes to an existing Planned Unit Development, modifications from the Preliminary Development Plan, or revisions to a Final Development Plan for a tract of land in which development has not already begun or is completed, in light of technical or engineering considerations, shall include the following. Such changes shall be subject to reconsideration and approval by the Board of Township Trustees and shall be required in accordance with the procedures specified in Subsection 26.09 through 26.12 inclusive. Major changes shall be determined by the Zoning Commission and include:

a) An increase in density or intensity.

b) Changes in the outside boundaries of the Planned Unit Development District.

c) Significant modification of the type, location or amount of land designated for a specific land use or open space.

d) Modifications in the internal street and thoroughfare locations or alignments which significantly impact traffic patterns or safety considerations.

26.182 Minor Changes. All changes not deemed to be major changes by the Zoning Commission shall be considered minor changes. Minor changes shall be subject to the approval of the Zoning Commission and the procedures set forth in Subsection 26.13 through 26.17 inclusive.

ARTICLE 27
RCO-ROAD CORRIDOR OVERLAY DISTRICT

27.01 PURPOSE. The RCO District supplements the standards of the underlying Zoning Districts through the use of an Overlay District and certain specified roadway corridor areas where a specific Road Corridor Land Use/Urban Design Plan has been adopted by the Springfield Township Board of Trustees.

The RCO District, and supplementary Road Corridor Land Use/Urban Design Plan, which is incorporated into the RCO regulations, provide design standards which are unique to a particular area. The standards are created specifically to address the unique existing and desired physical and architectural characteristics which are inherent to a particular area in order to:

a) mitigate the detrimental effects of intensity of use within the corridor upon the safety of residents and the use and enjoyment of their property;

b) preserve and enhance the streetscape along the roadway, in order to maintain the character and to promote safe pedestrian movement;

c) improve the compatibility between residential and non-residential uses;

d) improve the appearance, usefulness and signage;

e) help reduce traffic congestion.

27.02 PRINCIPAL PERMITTED USES. Any use which is permitted in the Zoning District or Districts underlying an RCO District shall be permitted with either a Permitted or Conditional Use Zoning Certificate pursuant to the procedures and requirements of Subsection 27.08 of this Article.

27.03 USES EXEMPT FROM RCO DISTRICT REQUIREMENTS. The RCO District requirements shall not apply to properties which are used exclusively for single-family, two-family, and three-family dwellings and related accessory uses, nor agricultural uses and related structures.

27.04 PROCEDURES FOR RCO DISTRICT DESIGNATION. The Board of Trustees, Zoning Commission, or owners or lessees of property within the area proposed for an RCO District, in accordance with the procedures for amending the Zoning Map set forth in Article 6, may designate an area along a roadway as a RCO District. Such amendment shall include the area to be included within the RCO District and a Road Corridor Land Use/Urban Design Plan containing the information pursuant to Subsection 27.05 of this Article setting forth the supplemental development provisions for the area within the RCO District.

27.05 REQUIRED CONTENTS OF A ROAD CORRIDOR URBAN DESIGN PLAN. The designation of any area within the Township as a RCO District shall require the preparation and adoption (in accordance with the provisions of Subsection 27.04) of a Road Corridor Urban Design Plan. Such plan shall contain the following information:

27.051 A survey of the area to be included in the RCO District, showing property lines, existing Zoning District boundaries, and property ownership of all parcels to be included with the RCO.

27.052 Base mapping of the area to be included in the RCO showing existing features of the properties, including: streets, alleys, easements, utility lines, existing land use and structures, and general topography and physical features.

27.053 Base mapping of the area to be included in the RCO showing the recommended land uses for all properties in the RCO, and plans for the entire area regarding pedestrian movement and vehicular access control.

27.054 Written or graphic requirements for building and structure setbacks, heights, maximum building coverage, and floor area ratios.

27.055 Written or graphic requirements for off-street parking and loading.

27.056 Written or graphics requirements for signage.

27.057 Written or graphic requirements for landscaping and screening between adjacent sites, and land uses.

27.058 Written or graphic requirements for the architectural character of buildings and structures and exterior lighting of streets, parking areas, buildings, and signs.

27.059 Written policy statements regarding recommended key public improvements necessary to achieve substantial elements of the plan.

27.06 PREPARATION OF A ROAD CORRIDOR URBAN DESIGN PLAN. The preparation of a Road Corridor Land Use/Urban Design Plan may be prepared by any appointed agent of the Board of Trustees (i.e., Development Services Department, or independent consultant) or any appointed agent of a property owner or group of property owners located within the subject area to be classified in the RCO Districts pursuant to the requirements of this Article and other applicable requirements of this Resolution.

27.07 EFFECTS OF ADOPTED RCO DISTRICT AND ROAD CORRIDOR URBAN DESIGN PLAN. Upon the adoption of a RCO District and Road Corridor Land Use/Urban Design Plan for a designated area, these regulations shall supersede or supplement, as applicable, the regulations of the underlying Zone Districts within the

RCO District. In the case of conflict with other provisions of this Resolution, the regulations of the RCO District and Road Corridor Land Use/Urban Design Plan shall control.

27.08 PROCEDURES FOR OBTAINING A ZONING CERTIFICATE ON PROPERTY WITHIN AN RCO DISTRICT. Upon the designation of an area as an RCO District, the use of any structure, building, land, or part thereof, hereinafter created, erected, changed, converted, or enlarged, wholly or partly, shall require the issuance of a Zoning Certificate in accordance with the following procedures and requirements:

27.081 Each application for a Zoning Certificate shall be accompanied by the proper number of plan sets pursuant to the amount specified by the application instructions. Plans shall be drawn to scale in blackline or blueprint, showing the actual shape and dimensions of the lot to be built upon or changed in its use, in whole or in part; the exact location, size and height of any building or structure to be erected or altered; the existing or intended use of each building or structure or part thereof; the number of families or housekeeping units the building is designed to accommodate; and when no buildings are involved, the location of the present use and the proposed use to be made of the lot. The plans should also indicate all other applicable information as required by the Road Corridor Urban Design Plan.

27.082 Within fifteen (15) days of the date of said application for a Zoning Certificate, the Development Services Department staff shall review the proposal to determine consistency with the adopted Road Corridor Land Use/Urban Design Plan and underlying Zone District and file report of such findings to the applicant and Zoning Commission. In preparing its report, the Development Services Department staff shall confer with all other applicable township, county, and state departments and agencies and incorporate their recommendations and findings into the report to the Zoning Commission.

27.083 Within thirty (30) days of receipt of said report from the Development Services Department, the Zoning Commission shall hold a public hearing, and by Resolution, either approve, deny, or modify the application for the Zoning Certificate. In rendering its decision the Zoning Commission shall give due regard to the report presented by staff, testimony presented by proponents and opponents of said proposal, and the requirements and objectives of the applicable Road Corridor Urban Design Plan.

27.084 Upon the approval of a Zoning Certificate by the Zoning Commission, the Development Services Department shall issue the Zoning Certificate and return the approximate number of approved plans, stamped with Development Services Department approval, to the applicant in order that he/she may proceed with the applications necessary for all building and other applicable permits.

27.09 IMPROVEMENTS EXEMPT FROM THE REQUIREMENTS OF THE RCO DISTRICT. Interior remodeling and exterior maintenance work and repairs (new roofs, painting etc.) shall be exempt from the requirements of this Article.

Winton Road Corridor Overlay District

Springfield Township
Hamilton County, Ohio

27.10 GENERAL ADMINISTRATIVE

27.11 PURPOSE. The purpose of the Winton Road Corridor Overlay District is to supplement the underlying zone districts and provide development regulations and standards that are specific to and appropriate for this particular area of Springfield Township.

These provisions are meant to assure compatibility between new development and the unique physical characteristics of the area. These provisions are also intended to coordinate redevelopment efforts in order to achieve a desired character that promotes the public health, safety, and general welfare of the residents and property owners in and adjacent to the specific roadway corridor area to which this overlay district is applied.

The Winton Road (RCO) District and supplementary Winton Road Corridor Design Guidelines, incorporated into the Winton Road (RCO) District regulations, are created specifically to address the unique existing and desired physical and architectural characteristics that are inherent to a particular area for the purposes of:

1. Improving the appearance of buildings, parking lots, yards, and signs;
2. Preserving and enhancing the streetscape along the roadway, in order to maintain the character and to promote safe pedestrian movement;
3. Improving the compatibility between residential and non-residential uses;
4. Helping to reduce traffic congestion and improve traffic circulation.

27.12 SUB-DISTRICTS IN THE WINTON ROAD CORRIDOR
The Winton Road Corridor shall have five (5) sub-districts (Districts A, B, C, D, & E) which have unique characteristics and land use patterns. The official Winton Road Corridor map shall contain the official delineation of the sub-districts. Parcels located within the Winton Road Corridor District will comply with the Design Guidelines for the entire district as well as the Design Guidelines specific to the sub-district in which the parcel is located.

27.13 EFFECT OF ADOPTION. Pursuant to Article 27 of the Springfield Township Zoning Resolution, the Winton Road Corridor Overlay Plan does hereby become a part of the Zoning Resolution. The specific provisions of this Overlay District shall supersede, as applicable, the regulations of the underlying Zone Districts and other provisions related thereto within the Winton Road Corridor Overlay District.

All provisions of the Springfield Township Zoning Resolution shall apply, unless the provisions of the Winton Road RCO District specifically address otherwise.

The provisions of the Winton Road Corridor Overlay District, upon effective date of adoption, shall apply to all uses, requiring a Zoning Certificate, pursuant to Article 5,

subsection 5.02 of the Springfield Township Zoning Resolution, except those specifically exempted by section 27.17.

27.14 CONTINUING EXISTING USES. Any building, structure, or the use thereof, legally existing at the time this Overlay District becomes effective, may be continued as a legal non-conforming use, building, or structure, even though such use, building, or structure may not conform with the provisions of this Overlay District.

27.15 PROCEDURES FOR OBTAINING A ZONING CERTIFICATE ON PROPERTY WITHIN THE WINTON ROAD RCO DISTRICT. Upon the effective date of the Winton Road RCO District, the use of any structure, building, land, or part thereof, hereinafter created, erected, changed, converted, or enlarged, wholly or partly, shall require the issuance of a Zoning Certificate in accordance with the following procedures and requirements:

Each application for a Zoning Certificate shall be accompanied by fifteen (15) complete plans. Plans shall be drawn to scale in blackline or blueprint, showing the actual shape and dimensions of the lot to be built upon or changed in its use, in whole or in part; the exact location, size and height of any building or structure to be erected or altered; the existing or intended use of each building or structure or part thereof; the number of families or housekeeping units the building is designed to accommodate; and when no buildings are involved, the location of the present use and the proposed use to be made of the lot. The plans should also indicate all other applicable information as required by this Road Corridor Overlay District Plan, pursuant to section 27.16.

Within fifteen (15) days of the date of said application for a Zoning Certificate, the Development Services Department staff shall review the proposal to determine consistency with the adopted Winton Road Corridor Overlay Plan, provisions of the underlying Zone District, and other applicable provisions of the Zoning Resolution. The staff shall mail a copy of its report of findings to the applicant and file its report with the Zoning Commission in regard to all principal structures and use changes. Accessory uses shall not be subject to review by the Zoning Commission.

In preparing its report, for principal uses and use changes, the Development Services Department staff shall confer with all other applicable township, county, and state departments and agencies and incorporate their recommendations and findings into the report to the Zoning Commission.

Within thirty (30) days of receipt of said report from the Development Services Department staff, the Zoning Commission shall hold a public hearing, and by Resolution, either approve, deny, or modify the application for the Zoning Certificate.

The Development Services Department shall notify all adjoining properties owners, by first class mail, at least ten (10) days before the date of the public hearing. The

notice shall set forth the time and place of the public hearing and the nature of the proposed application.

Upon the approval of a Zoning Certificate by the Zoning Commission, the Development Services Department shall issue the Zoning Certificate and return five (5) sets of the approved plans, stamped with Development Services Department approval, to the applicant in order that he/she may proceed with the applications necessary for all building and other applicable permits.

27.16 REQUIRED CONDITIONS FOR APPROVAL OF A ZONING CERTIFICATE IN THE WINTON ROAD RCO DISTRICT. All applications for a Zoning Certificate within the Winton Road Corridor Overlay District, except those uses which are specifically exempt by Section 27.17, shall be reviewed by the Development Services Department staff to determine consistency with the principal permitted uses of the underlying Zoning District, all applicable provisions of the Springfield Township Zoning Resolution, and the specific written provisions and graphic plans of the Winton Road Corridor Overlay District. Such findings shall be reported to the Township Zoning Commission at the public hearing concerning the application and be made part of the record.

The Zoning Commission shall study, review, and make written findings regarding applications for zoning certificates in the Road Corridor Overlay Area to ensure the following specific conditions are met:

The proposed internal vehicular circulation and parking plan for the site is consistent with the Access Management Plan of the Winton Road Corridor Overlay Plan and properly connects with the primary and secondary road network.

The proposed architectural character, landscaping, scale, massing, and materials of the structure or building and exterior lighting is consistent with the adopted goals and objectives of the Winton Road Corridor Overlay Plan.

The site plan contains elements and components which create an area of sustained desirability and stability and achieve the goals and objectives of the Winton Road Corridor Overlay Plan.

The application is consistent with planned future public improvements necessary in the area or to achieve substantial elements of the Winton Road Corridor Overlay District.

27.17 USES EXEMPT FROM THE WINTON ROAD RCO DISTRICT. The Winton Road Corridor Overlay District provisions shall not apply to properties used exclusively for single-family, two-family, and three-family dwellings and related accessory uses, nor to agricultural uses and related structures.

27.18 IMPROVEMENTS EXEMPT FROM THE REQUIREMENTS OF THE RCO DISTRICT. Interior remodeling and exterior maintenance work and repairs (new roofs, painting, etc.) shall be exempt from the requirements of these provisions, provided that said improvement does not involve a change of use or result in a structural addition or deletion to the property.

27.19 GENERAL PROVISIONS

27.20 PRINCIPAL PERMITTED USES. All uses, except those specifically exempted by Section 27.17, in the Winton Road Corridor Overlay District are subject to the approval of a Zoning Certificate by the Zoning Commission, pursuant to Sections 27.15 and 27.16 of this plan, inclusive. Uses permitted as of right, are those permitted by the underlying Zone District in which a particular parcel is located.

27.21 PROHIBITED USES. Uses not specifically listed as permitted or conditional by the underlying Zone District are prohibited, unless determined by the Zoning Commission to be of the same character as the principally permitted or conditional uses of the specific underlying Zone District.

27.22 REQUIRED CONDITIONS. Unless specifically permitted by the District in which it is located, all uses must comply with the following requirements.

All business, service or processing shall be conducted within a completely enclosed building, except for off-street automobile parking, off-street loading, and uses specifically permitted by the District where it is located or granted by the Zoning Commission.

Process and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water--carried waste to the public interest.

27.23 SIDEWALKS REQUIRED. Sidewalks shall be required for all portions of a parcel which front along a public street in accordance with Hamilton County Engineer Standards.

27.24 OUTSIDE STORAGE PROHIBITED. No outside storage of products or other miscellaneous items (garbage disposal dumpsters excluded) shall be permitted, except for uses specifically permitted by the District where it is located or granted by the Zoning Commission.

All dumpsters and trash containers must be completely screened by a fence, wall, or earth berm of not less than six (6) feet, or more than eight (8) feet in height on at least three sides. Such screening shall be maintained in good condition without any form of advertising thereon. The side of the enclosure used for access shall contain a

minimum width of ten (10) feet, and shall not be located so as to face any street, unless equipped with gates, so the dumpster can be fully enclosed.

27.25 HEIGHT LIMIT EXCEPTIONS. No height limit exceptions shall apply to any building or structure within the Winton Road Corridor Overlay District, except those uses and structures specifically exempted by Section 27.17.

27.26 FENCES AND WALLS. Fences and walls may be located on any property within the Winton Road Corridor Area, pursuant to Article 10, subsection 10.26 of the Springfield Township Zoning Resolution, with the following exceptions:

No fence shall exceed six (6) feet in height above the elevation of the surface of the ground in a side or rear yard, and four (4) feet in a front yard.

The use of chain link shall be prohibited for any fence which is located within the front yard.

27.27 STORAGE OF RECREATIONAL, CAMPING AND COMMERCIAL VEHICLES AND EQUIPMENT. Unless otherwise permitted in any Business, Office or Industrial District, the storage of recreational vehicles, campers, water craft or commercial vehicles shall be stored within a fully enclosed building. All such vehicles and equipment shall be free of fixed connections to water, gas, or sanitary sewer facilities, and at no time be used for living or housekeeping purposes.

27.28 OFF-STREET PARKING. Requirements for off-street parking and the specific numbers of spaces required for each use within the Winton Road Corridor Overlay District shall be pursuant to Article 10, subsection 10.18 of the Springfield Township Zoning Resolution, with the following exceptions:

Required off-street parking spaces shall not be required to be located on the same parcel as the principal use served, and may be located in a Residential District, provided the parcel in the Residential District is contiguous to the parcel where the principal use is located, and in all cases the required number of spaces must be within three hundred (300) feet of the principal use parcel.

Uses which utilize private common parking areas referred to in this section must demonstrate that legal rights of easement exist and have been recorded to permit the use of the required number of parking spaces, on the adjacent or surrounding property. This documentation shall be provided to the Zoning Commission, as applicable, before a Zoning Certificate is issued for said use.

Uses which utilize public off-street parking areas referred to in this section shall be reviewed by the Zoning Commission, as applicable, to determine the impact to adjacent or surrounding parcels, before a Zoning Certificate is issued for said use.

27.29 OFF-STREET LOADING. Each building or part thereof erected for uses which customarily receive or distribute material or merchandise shall comply with Article 20, subsection 20.8 of the Springfield Township Zoning Resolution with the following exceptions:

Required off-street loading spaces shall not be required to be located on the same parcel as the specific uses to be served, provided said loading space can be accommodated within one hundred and fifty (150) feet of said use and further provided that the documentation of legal right of easement exist as explained in Section 27.28.

27.30 SIGNS. The following provisions apply to all signs in the Winton Road RCO District. The setback and location requirements of accessory uses, pursuant to subsection 10.15 of the Springfield Township Zoning Resolution, shall not apply to signs. Specific setback and location requirements as well as other requirements for signs are included with each permitted sign type.

27.31 Zoning Certificate Required. A zoning certificate shall be obtained from the Springfield Township Development Services Department before any sign (except signs exempted by this District) is located, erected, constructed, reconstructed, enlarged, structurally modified, or used in the Winton Road RCO District. Said Zoning Certificate may be issued by the Development Services Department, pursuant to Article 5, subsection 5.06. The procedures specified in Sections 27.15 thru 27.16 shall not apply to signs and accessory uses.

27.32 Exempted Signs. Signs exempted by Article 10, subsection 10.283 of the Springfield Township Zoning Resolution shall also be exempt from the provisions of the Winton Road RCO District.

27.33 Measurement of Sign Area. The measurement and calculation of sign area in the Winton Road RCO District shall be pursuant to Article 10, subsection 10.284 of the Springfield Township Zoning Resolution.

27.34 Prohibited Signs. The following types of signs are specifically prohibited in the Winton Road RCO District:

a) Pennants, banners, streamers, and similar type devices unless approved pursuant to Subsection 27.40 (4);

b) Signs which employ any parts or elements which revolve, rotate, whirl, spin or otherwise make use of motion to attract attention;

c) All portable business advertising signs;

d) Beacons and searchlights, except for emergency purposes.

e) Signs attached to, painted on or placed on a motor vehicle, trailer, or other licensed or unlicensed vehicle or conveyance which is located in such a manner to serve as a permanent, temporary, or sign.

f) Real estate signs displayed at locations other than on the premises offered for sale or rent.

g) Promotional balloons filled with helium, gas, air or any other gaseous material either suspended from or affixed to a structure, vehicle or ground.

27.35 Prohibited Sign Locations. All sign locations shall be in accordance with the following regulations of this District. Specifically prohibited sign locations are pursuant to Article 10, subsection 10.286 of the Springfield Township Zoning Resolution.

27.36 Maintenance and Repair. All signs and sign structures, including the component parts of each, shall be kept in good repair and in a proper state of preservation by the owners of the sign or property owners on which the sign is located.

27.37 Reader Boards for Changeable Copy Permitted. Reader boards which allow changeable copy are permitted and are considered as part of the permitted display area of a sign.

27.38 Non-conforming Signs. All signs legally existing before the effective date of the adoption of this District may be continued, even though such sign may not conform with the provisions (excluding safety, maintenance, and repair) of this District, provided, such signs are properly maintained and do not endanger the public health, safety, or general welfare.

Such signs shall be issued a Legal Non-conforming Structure Certificate, pursuant to subsection 10.07 of the Springfield Township Zoning Resolution. Message or copy changes and general maintenance shall be permitted on all non-conforming signs. However, relocation or replacement of the sign or any alteration in the size or structure of the sign except toward compliance with this resolution shall cause the sign to lose its status as legally non-conforming.

27.39 Signs Permitted in the Winton Road Corridor District Not Requiring a Zoning Certificate. Signs permitted in the Winton Road RCO District which do not require the approval of a Zoning Certificate are pursuant to Article 10, subsection 10.2892 (et. seq.) of the Springfield Township Zoning Resolution.

27.40 Signs Permitted in the Winton Road RCO District Requiring a Zoning Certificate. The following types of signs are permitted in the Winton Road RCO District provided that they comply with the following requirements applicable to each. These signs shall require the issuance of a Zoning Certificate:

1. TEMPORARY CONSTRUCTION SIGNS--Construction signs indicating the name of architects, engineers, contractors and similar persons or firms involved in the design or construction of a structure or project, provided:

a) No such sign shall exceed sixty-four (64) square feet in display area and have a maximum of two display faces.

b) All such signs shall set back a minimum of fifteen (15) feet from any road right-of-way or adjoining property line, and conform with subsection 10.16, of the Springfield Township Zoning Resolution regarding traffic visibility.

c) No such sign shall exceed ten (10) feet in height.

d) Such signs shall not be illuminated in any way.

e) The number of such signs shall be limited to one sign per two hundred (200) feet of frontage of the parcel in which the construction is taking place.

f) Such signs may be erected for a period of sixty (60) days prior to construction and extend throughout the construction period. All such signs must be removed upon the issuance of a Final Zoning Certificate of Use for the structure or project.

2. STREET ADDRESS DISPLAYS--Signs displaying the address of a business or property are permitted as part of an on-premise ground sign or a wall sign. Such display shall not be calculated as part of the sign display area if less than nine (9) square feet in area.

3. ON-SITE DIRECTIONAL SIGNS--Directional signs used in connection with parking or loading facilities or similar uses, provided that such signs not exceed six (6) square feet in area, do not extend over the street right-of-way, and in no way obstruct or impair the safety of pedestrians or motorists. Such signs may contain the logo or identification of the business or use on the premises provided it is in conjunction with the directional message.

Directional signs which contain the name or logo of the business or use of the property in conjunction with the directional message that are used as the sole form of freestanding identification on the property shall be permitted a maximum of twelve (12) square feet of display area. A maximum of two such signs shall be permitted per parcel.

4. TEMPORARY SIGNS--Temporary signs used to promote a non-profit activities or events, fund raising public service events or messages provided:

a) No such sign shall have a display area exceeding sixty-four (64) square feet per face, with a maximum of two (2) faces.

b) All such signs shall conform to Subsection 10.16 regarding traffic visibility.

c) Use of such signs shall be limited to three (3) display periods, not exceeding sixty (60) days per period during each calendar year.

6. DIRECTIONAL SIGNS. A sign which provides directional assistance to access an office or business which is not located on the parcel where the sign is located, provided:

a) No such sign shall exceed six (6) square feet of identification display area.

b) All such signs shall set back a minimum of ten (10) feet from any street right-of-way or adjoining property line and conform with Article 10, Subsection 10.16, regarding traffic visibility.

c) No such sign or any portion of the structure they may be integral with, shall exceed four (4) feet from grade.

d) Such signs shall be limited to one (1) sign per parcel.

7. FREESTANDING SIGNS. Freestanding signs, accessory to a business use, located on the premise are permitted. Such signs shall be completely in the form of a pole sign or a ground-mounted sign, and are subject to the following requirements applicable to each, unless otherwise approved by the Zoning Commission.

GROUND SIGNS:
Permitted in Sub-Districts A, B, C, D, and E of the Winton Road Corridor Overlay District.

a) All such signs conform to the following maximum display area requirements:

Permitted Square Feet of Display Area
48 sq. ft.

b) Such signs shall be limited to one sign per parcel.

c) All such signs shall set back a minimum of five (5) feet from any street right-of-way or adjoining property line and conform with Article 10, subsection 10.16, of the Springfield Township Zoning Resolution, regarding traffic visibility.

d) No such signs or any portion of the structure they may be integral with, shall exceed ten (10) feet from grade.

e) Such sign is located in either an O or B underlying Zone District of the Springfield Township Zoning Resolution.

POLE SIGNS:
Permitted in Sub-District D of the Winton Road Corridor Overlay District.

a) All such signs conform to the following maximum display area requirements:

Frontage Along Public Street Right-of-Way	Permitted Square Feet of Display Area
0 - 150 ft.	60 sq. ft.
151 - 300 ft.	96 sq. ft.
301+ ft.	144 sq. ft.

The following requirements shall apply only to those parcels which have no frontage on a public dedicated street:

Total Square Footage of Principal Building	Permitted Square Feet of Display Area
0 - 10,000 ft.	60 sq. ft.
10,001-20,000 ft.	96 sq. ft.
20,001+ ft.	144 sq. ft.

b) Such signs shall be limited to one sign per parcel except for parcels which have in excess of three hundred and one (301) feet of frontage, or in

cases where no frontage exists, a principal building containing more than twenty-thousand and one (20,001) square feet. In such instances, two signs per parcel shall be permitted, however the maximum square feet of both (combined) shall not exceed one-hundred and forty-four (144) square feet.

c) All such signs shall set back a minimum of five (5) feet from any street right-of-way or adjoining property line and conform with Article 10, subsection 10.16, of the Springfield Township Zoning Resolution, regarding traffic visibility.

d) No such signs or any portion of the structure they may be integral with, shall exceed ten (20) feet from grade.

e) Such sign is located in either an O or B underlying Zone District of the Springfield Township Zoning Resolution.

BUILDING SIGNS. In addition to either of the above mentioned freestanding signs, buildings in the Winton Road RCO District may also contain; wall (integral or attached), projecting, or awning signs which are accessory to the business or use located on the premise. Such signs shall be subject to the following requirements:

a) The total amount of square feet permitted for such signs shall not exceed eight percent (8%) of the total square footage of the front building wall elevation. Corner or double frontage lots shall be permitted eight percent (8%) of the total square footage of each front building wall elevation and shall not be cumulative.

b) No sign shall project beyond any building or roof line.

BILLBOARD SIGNS. A sign structure advertising an establishment, merchandise, service, special message, or entertainment provided:

a) No billboard sign shall exceed four hundred forty-eight (448) square feet, excluding cutouts, extensions, and embellishments.

b) All billboard signs shall comply with the setback and side yard requirements for a principal building in the district where it is located.

c) All billboard signs shall be located at least five hundred (500) feet from any parcel located in any R-District or recorded residential subdivision.

d) All billboard signs shall be located at least five hundred (500) feet from the entrance to any public park, public or parochial school, library, church, or museum.

e) No billboard sign shall be located within five hundred (500) feet on either side of the street of another billboard sign visible to traffic approaching from the same direction.

f) No billboard signs or any portion of the structure they may be integral with, shall exceed forty-five (45) feet in height from grade.

g) No billboard sign shall be located on a parcel which contains another principal structure.

27.41 DEVELOPMENT STANDARDS. In addition to the General Administrative and General Provisions of this District, standards for arrangement and development of land and buildings are required in the Winton Road RCO District. These standards shall supersede, as applicable, the development standards provided for by the underlying Zone District.

27.42 EXISTING BUILDINGS AND LOTS OF RECORD. Height, area, frontage, and yard requirements for existing buildings on existing lots of record shall be permitted to be maintained at the current as built dimensions. Such provision shall also apply to all buildings and structures involving a change of use.

The alteration, expansion, or modification of an existing structure shall be permitted provided such alteration, expansion, or modification conforms to the supplementary Winton Road Corridor Design Guidelines and is approved by the Zoning Commission.

27.43 NEW BUILDINGS AND STRUCTURES. All new buildings and structures shall conform to the supplementary Winton Road Corridor Design Guidelines and standards outlined in the underlying zoning district in which it is located, unless otherwise approved by the Zoning Commission.

ARTICLE 28

Graphic Appendix

GRAPHIC	TITLE	TEXT LOCATION
2	Interior Lot	Definitions
2	Lot Area	Definitions
2	Lot Depth	Definitions
2	Lot Lines	Definitions
2	Rear	
2	Side	
2	Front	
2	Panhandle Lot	Definitions
2	Lot Width	Definitions
2	Lot Coverage	Definitions
3	Lot Frontage	Definitions
3	Front Yard	Definitions
3	Side Yard	Definitions
3	Rear Yard	Definitions
3	Yard Requirements	Definitions
3	Front Yard Depth	
3	Rear Yard Depth	
3	Each Side Yard	
4	Off-Street Parking	10.18
5	Corner Lot	10.24
5	Traffic Visibility across Corner Lot	10.16
5	Double Frontage Lot	10.241
6	Lot Frontage on a Cul-de-sac or Curved Road	11.021
7	Panhandle Lot Requirements	11.022 11.0221
8	Limited-Access or Interstate Roadway Frontage	11.023
9	Multiple Occupancies/Uses Permitted	20.02
10	Principle Building Groups Permitted	23.03
11	Sign Display Area Calculation for Corner Lots	20.0913
12	Outside Storage	23.04
13	Outdoor Wood Burning Furnace	10.31

FIGURE 2: DEFINITIONS

Interior Lot
Lot Area
Lot Depth
Lot Lines
Rear
Side
Front
Panhandle Lot
Lot Width
Lot Coverage

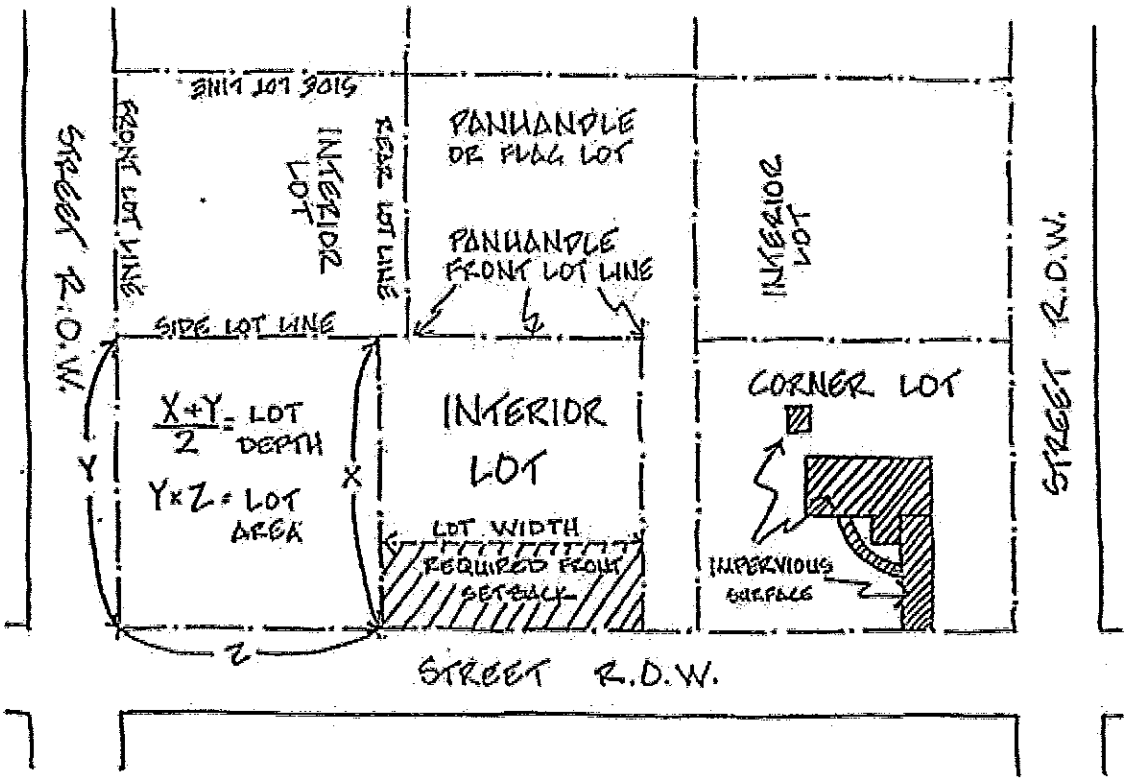


FIGURE 3: DEFINITIONS

Lot Frontage
Front Yard
Side Yard
Rear Yard
Yard Requirement
Front Yard Depth
Rear Yard Depth
Each Side Yard

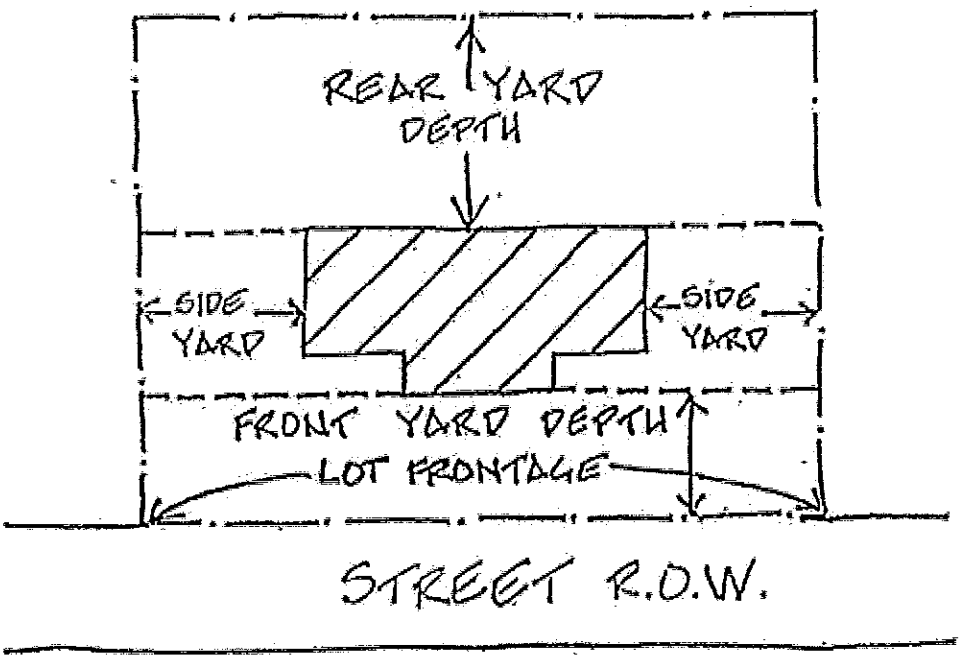


FIGURE 4: OFF STREET PARKING

Section 10.16

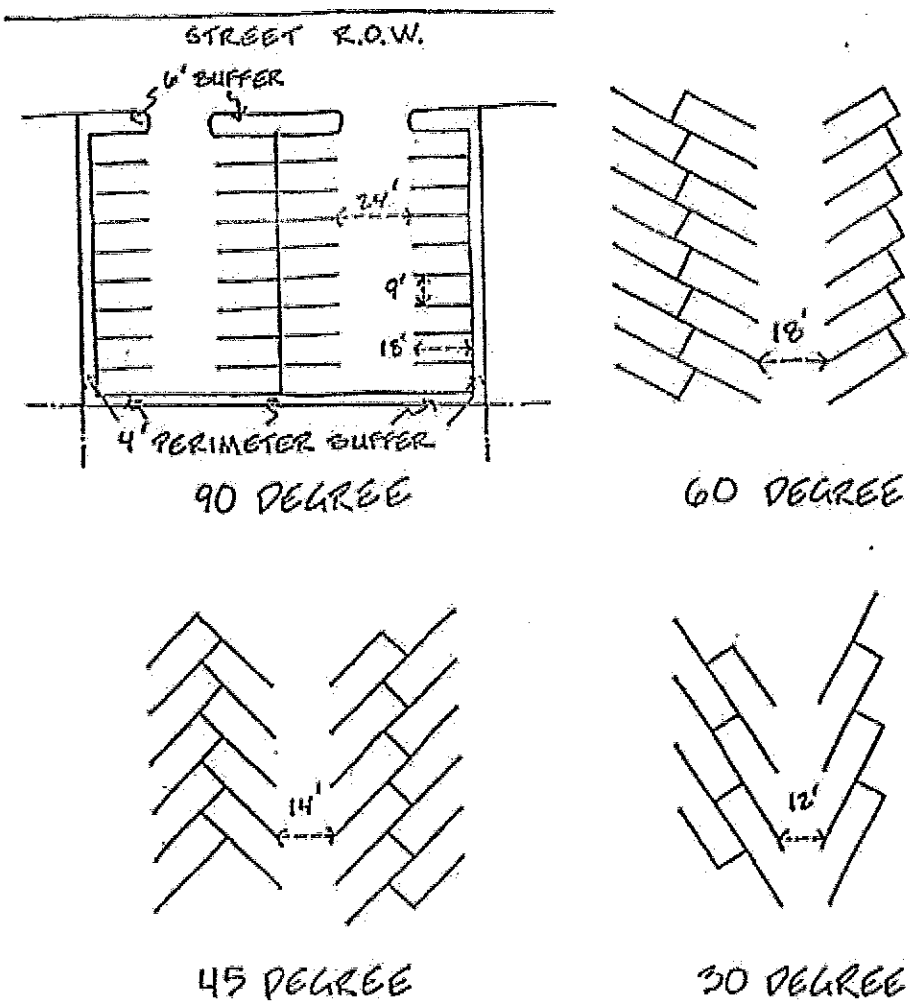
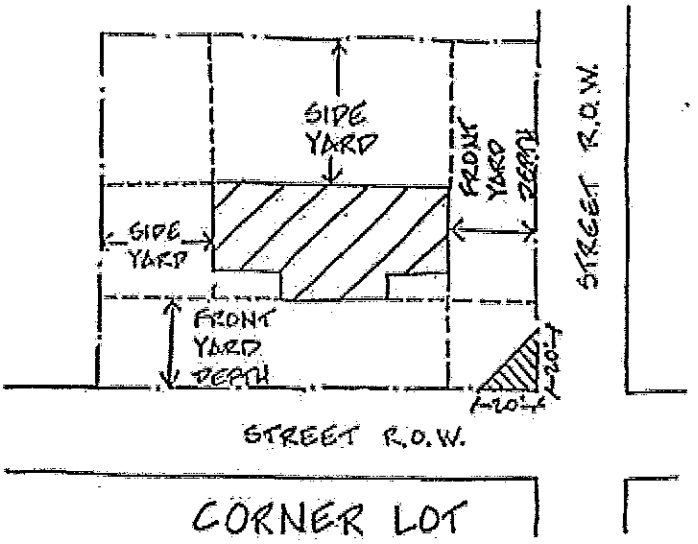


FIGURE 5:

Corner Lot	10.24
Traffic Visibility Across Corner Lot	10.16
Double Frontage Lot	10.241



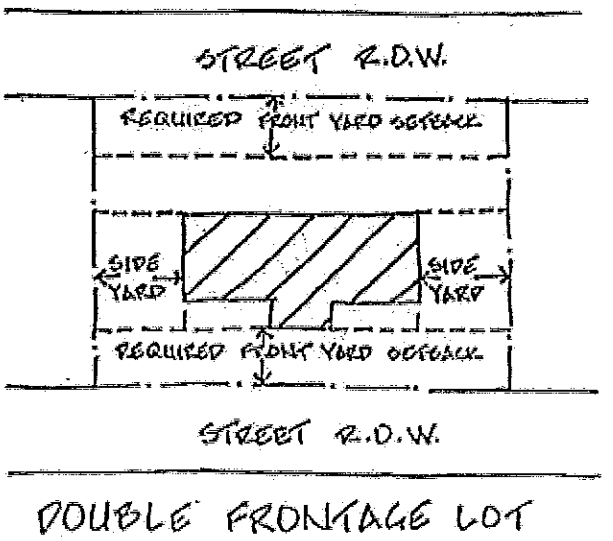


FIGURE 6: LOT FRONTAGE ON A CUL-DE-SAC OR CURVED ROAD

Section 11.021

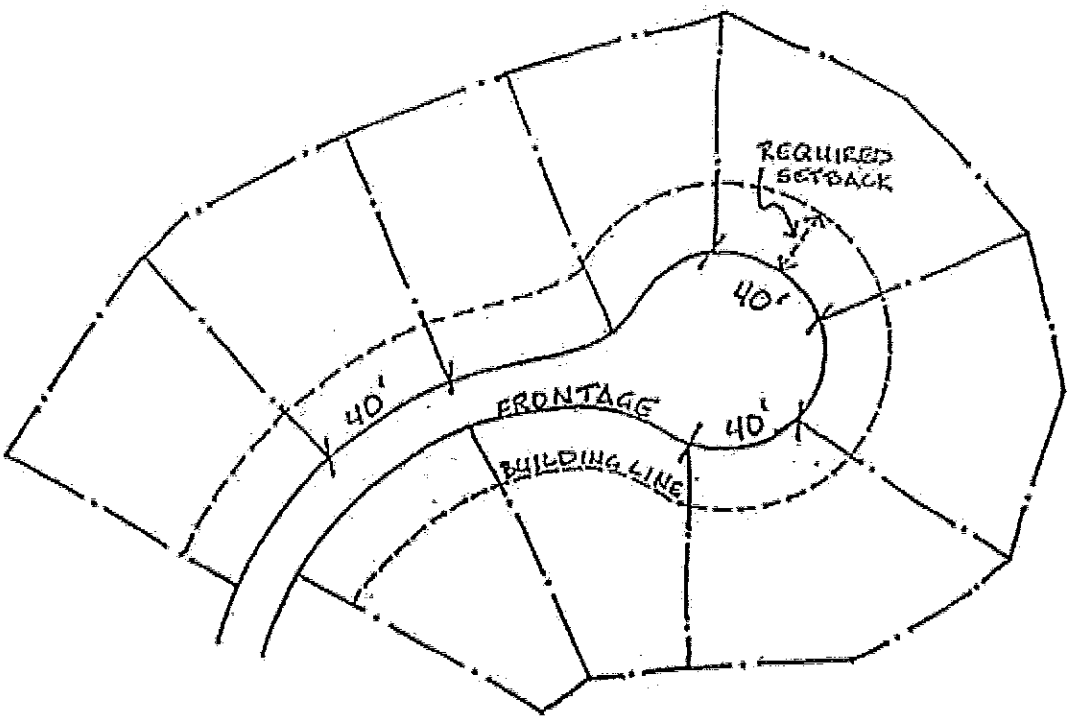


FIGURE 7: PANHANDLE LOT REQUIREMENTS

Section 11.022, 11.0221

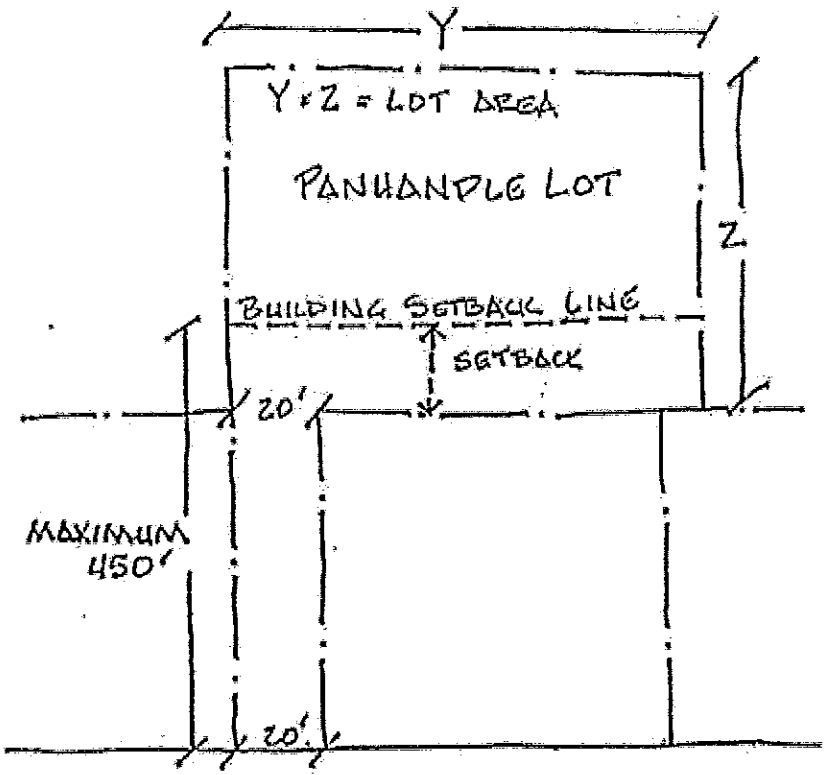


FIGURE 8: LIMITED-ACCESS OR INTERSTATE ROADWAY FRONTAGE

Section 11.023

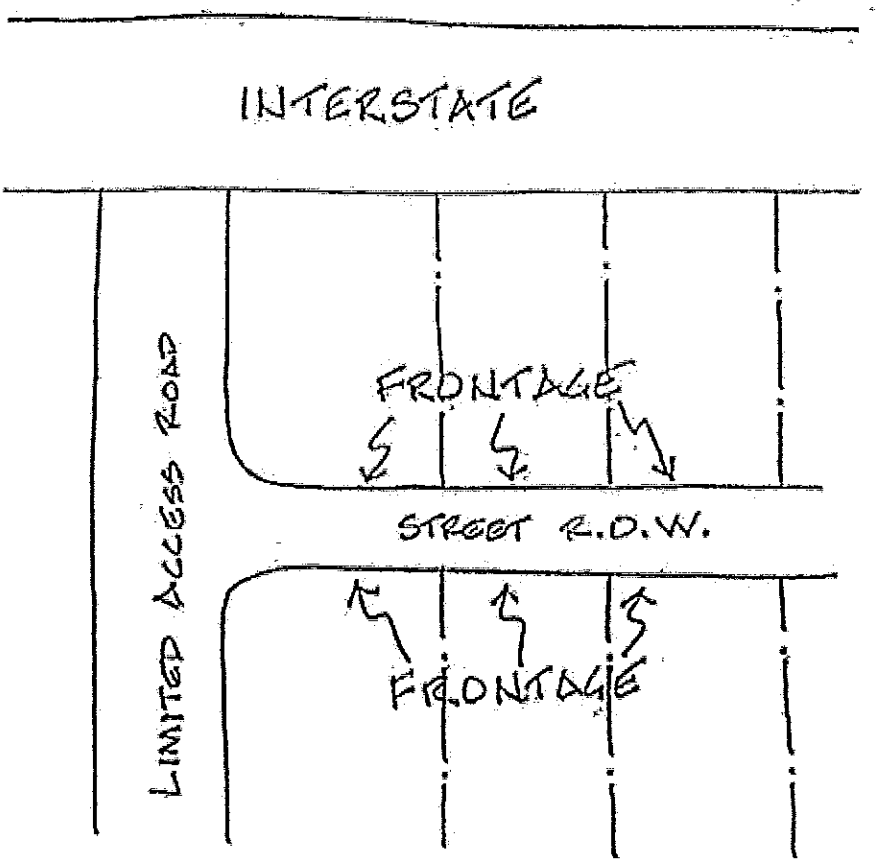


FIGURE 9: MULTIPLE OCCUPANCIES/ USES PERMITTED

Section 20.02

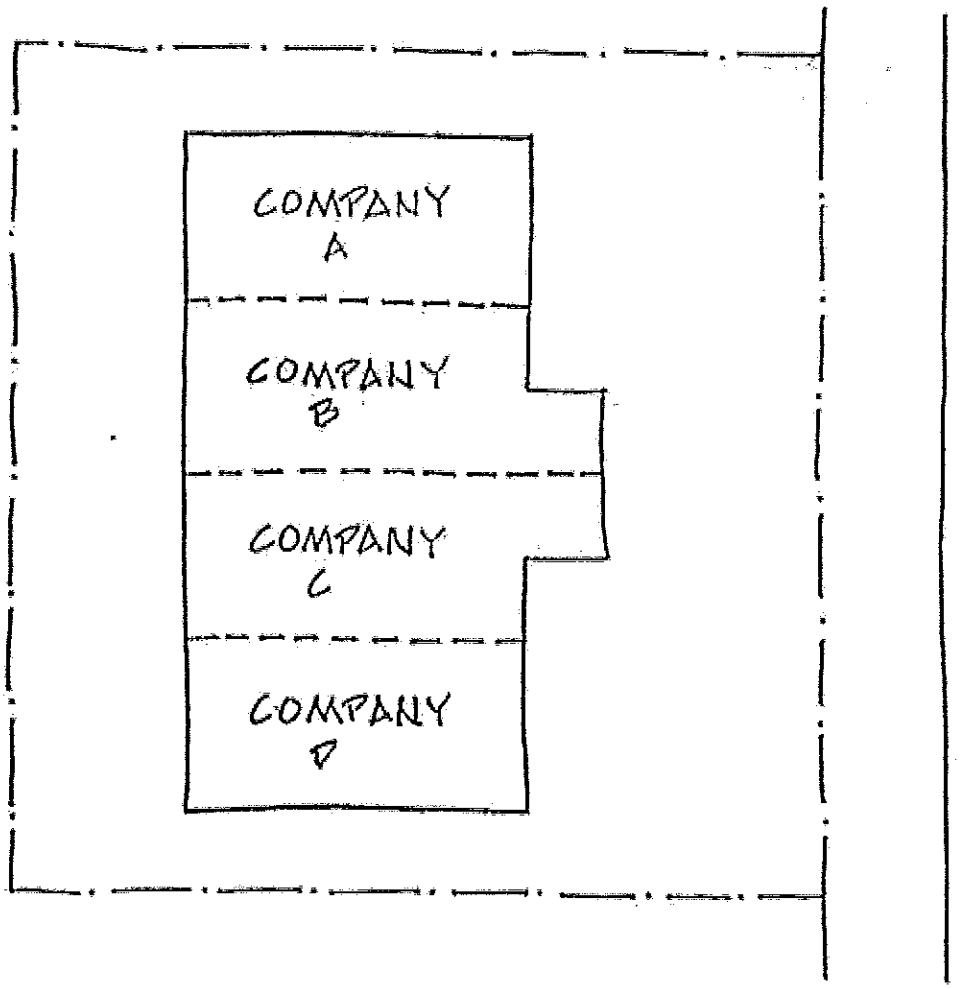


FIGURE 10: PRINCIPLE BUILDING GROUPS PERMITTED

Section 23.03

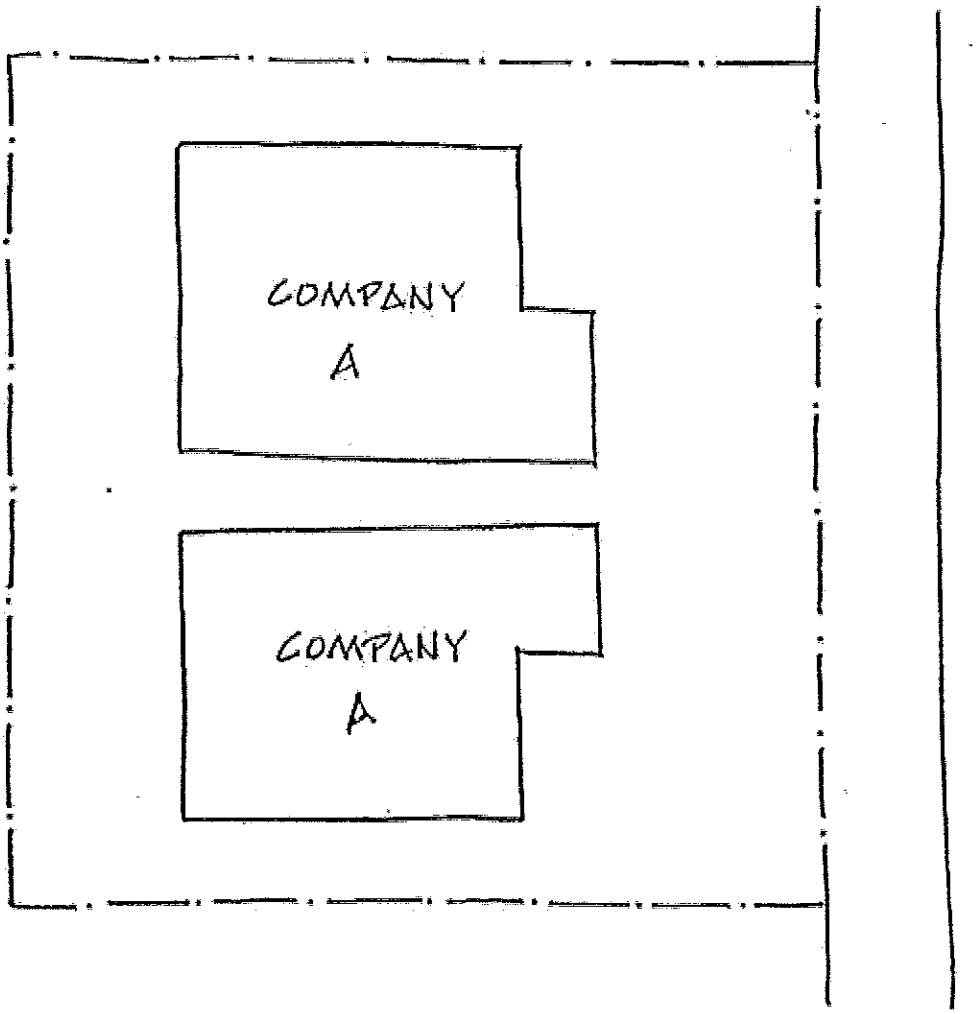


FIGURE 11: SIGN DISPLAY AREA CALCULATION FOR CORNER LOTS

Section 20.0913

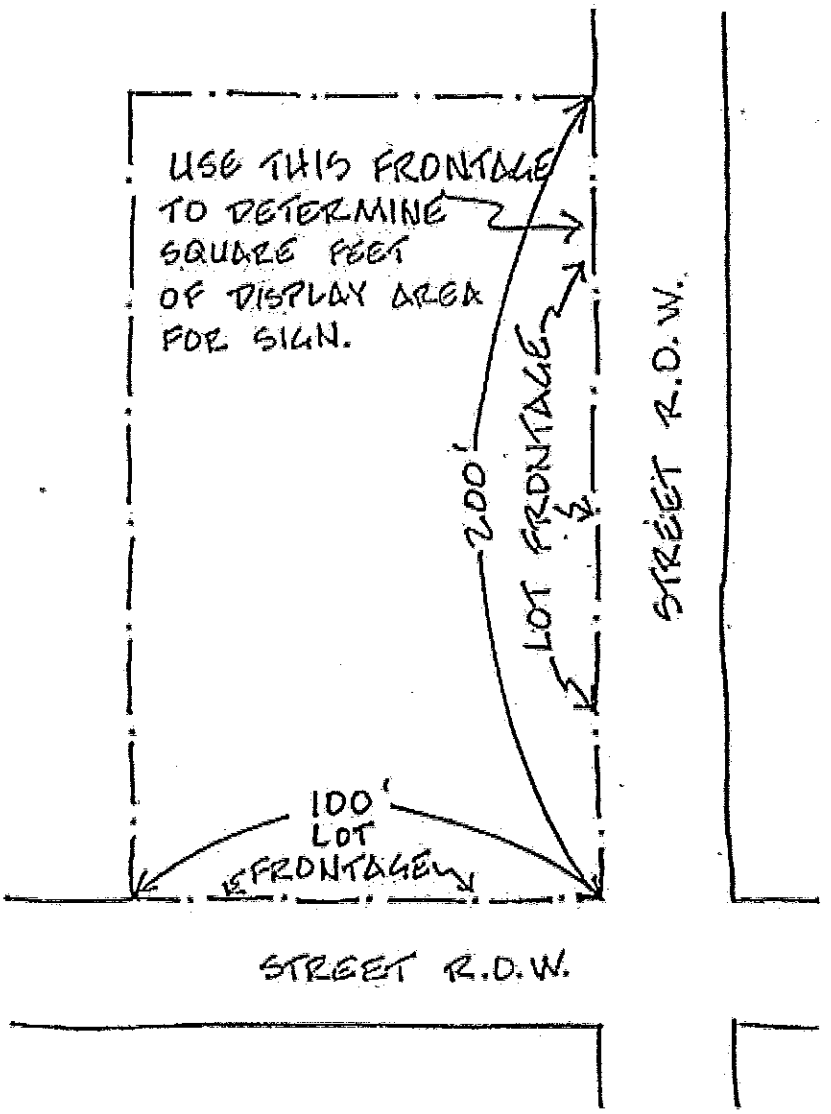
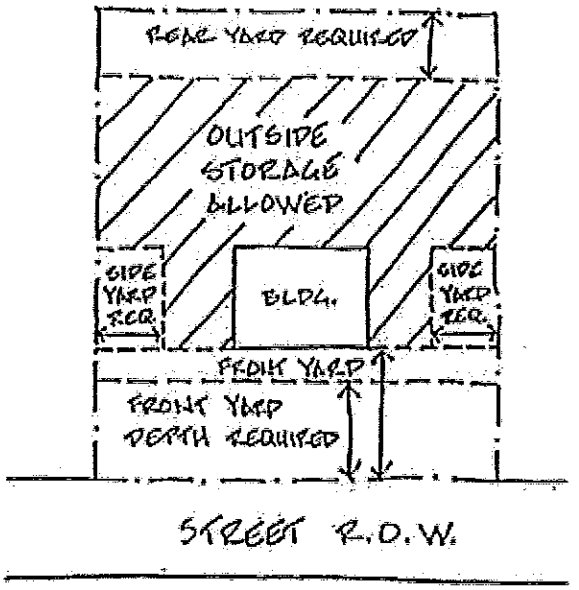


FIGURE 12: OUTSIDE STORAGE

Section 23.04



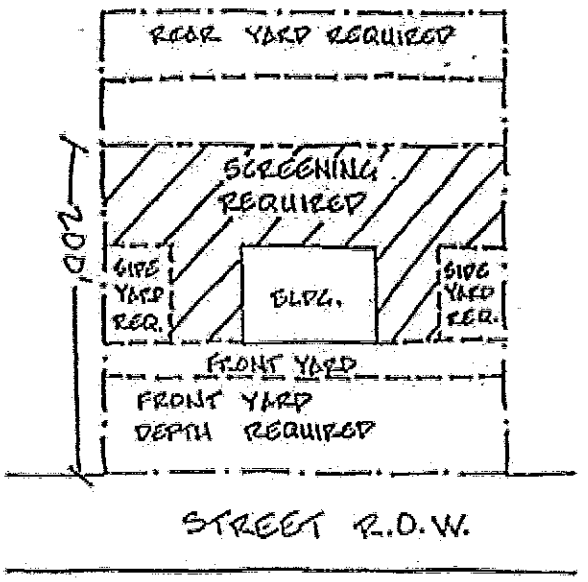
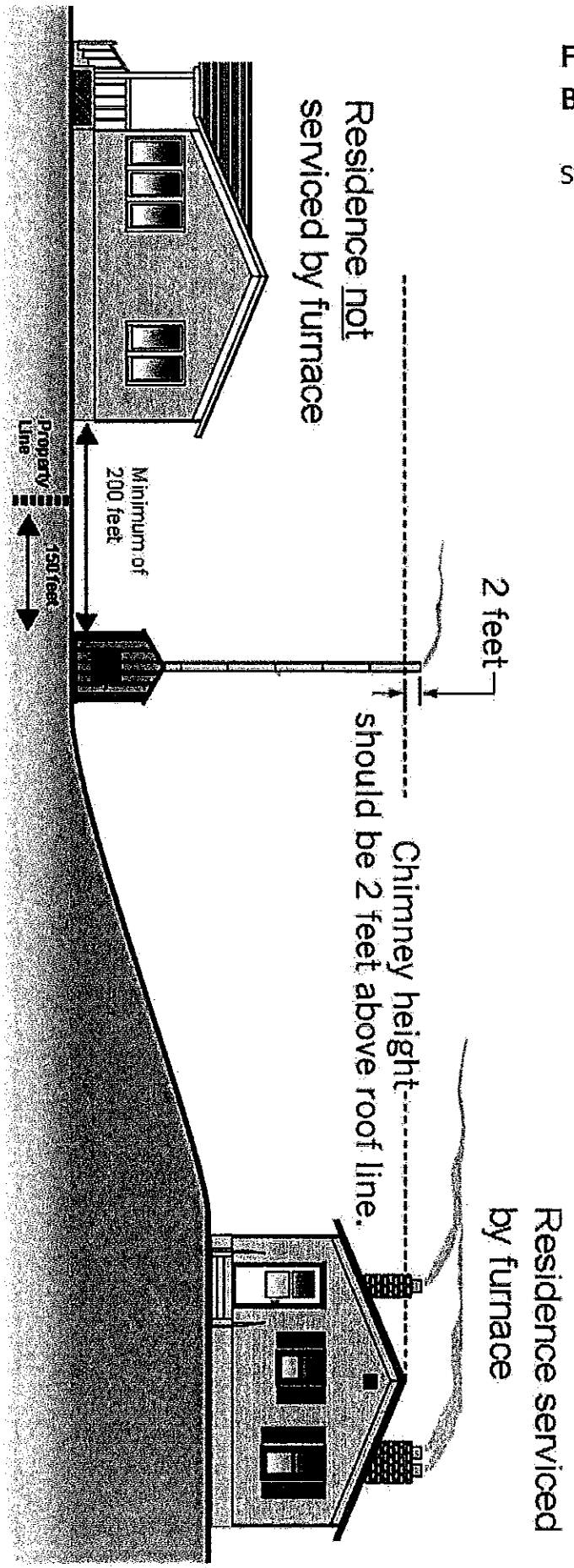


FIGURE 13: OUTDOOR WOOD-BURNING FURNACE

Section 10.31