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ARTICLE I
TITLE, INTERPRETATION

- 101 Title
 - 102 Minimum Requirements
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-

101 TITLE

This Resolution shall be known and may be cited as the “Westfield Township Zoning Resolution”. It may be referred to herein as “this Resolution”.

102 MINIMUM REQUIREMENTS

In their interpretation and application, the provisions of this Resolution shall be held to be minimum requirements, adopted for the promotion of the public health, safety and morals. Whenever the requirements of this Resolution conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolution, the most restrictive, or that imposing the higher standards, shall govern unless otherwise provided by law.

103 SEPARABILITY

Should any section or provision of this Resolution be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of this Resolution as a whole or any part thereof other than the part so declared to be unconstitutional or invalid.

104 CONFLICTING RESOLUTIONS

All resolutions or part of resolutions in conflict with the Zoning Resolution or inconsistent with the provisions of the Resolution are hereby repealed to the extent necessary to give this Resolution full force and effect. This Resolution shall become effective thirty (30) days after the date of approval of the Westfield Township Trustees according to the procedures established in ***Section 519.12 of the Ohio Revised Code (ORC)***.

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**ARTICLE II
GENERAL REGULATIONS**

201	Compliance Required
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201 COMPLIANCE REQUIRED

No building or structure shall be erected, converted, enlarged, re-constructed, or structurally altered, nor shall any building, structure or land be used in a manner which does not comply with all of the district provisions established by this Resolution for the districts in which the building, structure or land is located.

202 GENERAL REGULATION OF USESA. Agriculture.

1. Except as provided in **Section 202.A.2** below, nothing contained in this Resolution shall prohibit the use of any land for agricultural purposes or the construction or use of buildings or structures incident to the use for agricultural purposes of the land upon which said buildings or structures are located, including buildings or structures that are used primarily for vinting and selling wine and that are located on land, any part of which is used for viticulture. No zoning certificate shall be required, and no zoning certificate fee shall be charged for such use, building or structure.
2. As authorized by **Ohio Revised Code (ORC) 519.21(B)**, the following regulations shall apply to any platted subdivision approved under **ORC sections 711.05, 711.09 or 711.10** and to any area consisting of fifteen (15) or more lots approved under **ORC 711.131** that are contiguous to one another (or some of which are contiguous to one another and adjacent to one side of a dedicated public road, and the balance of which are contiguous to one another and adjacent to the opposite side of the same dedicated public road):

- a. On any lot having an area less than one (1) acre, agriculture shall be prohibited, provided that non-commercial agricultural-type activities may be conducted in the rear yard of such lot for the sole purpose of producing goods or maintaining animals for the use by the residents of the dwelling located on the lot. All structures used for agricultural-type activities shall comply with the setbacks established for the district. No agricultural-type activity shall be conducted in a manner which results in a nuisance or hazard.
 - b. On lots greater than one (1) acre, but not greater than five (5) acres, all buildings or structures incident to the use of land for agricultural purposes shall comply with the regulations of the district relating to setback lines and height. Dairying and animal and poultry husbandry shall be permitted to be established on lots within the sub-division until such time as thirty-five percent (35%) of the lots are developed with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under **ORC 4503.06**. After thirty-five percent (35%) of the lots are so developed, dairying and animal and poultry husbandry shall be considered nonconforming use.
- B. Prohibited Uses. Any use which is not specifically listed as a permitted use or as a Conditional use for one or more of the zoning districts, or which is not otherwise interpreted and approved as provided by this Resolution, shall be prohibited. A prohibited use shall not be established in any district, except pursuant to a use variance approved by the Board of Zoning Appeals (BZA).
- C. Pre-empted Uses. State and federal laws may require the Township to allow the establishment of a use which is not listed as a permitted or conditional use in a district. Where state or federal laws require that such a use be allowed, all provisions of this Resolution shall apply to do the use to the extent that the application of the provisions is consistent with and not precluded by state or federal laws.
- D. Nuisance Prohibited. No use shall be permitted or authorized to be established which, when conducted in compliance with the provisions of this Resolution and any additional conditions and requirements prescribed, is or may become hazardous or unreasonably noxious or offensive to the public welfare.

203 GENERAL REGULATION OF LOTS

- A. Street Frontage.
1. Every lot hereafter created shall have frontage upon a public road, or upon a private road approved for frontage, conforming to the requirements of this Resolution.
 2. Limited Access Right-of-Way. When a parcel is adjacent to a limited access right-of-way to which the parcel has no direct access, such right-of-way shall not be defined as a lot frontage. The yard adjacent to such limited access right-of-way shall be defined as a side yard.
- B. Change of Ownership. Any part of a lot which is required by this Resolution as a yard, setback, open space, or for other use or purpose shall not be separated from such lot by change of ownership or by subdivision, nor shall any such required part of a lot be counted or calculated to satisfy the yard or other open space requirement of or for any other building.

- C. Projections into Yard Areas. Except as otherwise provided in this Resolution, every part of a required yard shall be open to the sky unobstructed. Terraces, uncovered porches, platforms which do not extend more than two (2) feet above the level of the ground and not above the level of the floor of the first story may project into a required side or rear yard provided these projections be distant at least five (5) feet from any lot line.
- D. Corner Lots.
1. Required Yards Facing Street. on a corner lot, and on a double frontage lot, both yards abutting the public or private streets shall comply with the minimum front yard requirements.
 2. Visibility at Corner Lots. So as not to obstruct clear view by passenger car drivers, no obstruction to view in excess of two (2) feet in height shall be placed on any corner lot within a triangular area formed by the street right-of-way lines and a line connecting them at points thirty (30) feet from the intersection of the street right-of-way lines.
- E. ¹Lot Splits and Combinations. All proposed lot splits and lot combinations shall be presented to the Zoning Inspector along with the proper fees and an original drawing and legal description showing the proposed lot changes. The original drawing must be approved and signed by Zoning Inspector and two Township Trustees. The signature will be valid for 90 days. After 90 days, the drawing must be resubmitted for approval.

204 GENERAL REGULATION OF STRUCTURES

- A. Construction Begun Prior to Zoning. Nothing contained in these regulations shall hinder the construction of a structure or prohibit its use where construction has started before the effective date of these regulations provided that a valid zoning certificate has been obtained and provided further that such structure shall be completed within two (2) years from the date of passage of the regulations.
- B. Maximum Height of Structures.
1. Except as otherwise provided in this Resolution, no building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed a maximum height of thirty-five (35) feet.
 2. Fire or parapet walls, skylights, towers, flagpoles, chimneys, smokestacks, water tanks or similar structures may be erected above the height limits herein. The above exceptions may not be erected to exceed more than fifteen (15) feet over the height limit; nor shall such structure be used for any purpose other than a use incidental to the principal use of the building.
 3. Radio, television and other communication aerials or masts may be erected to a maximum of seventy-five (75) feet from ground level.
 4. Churches and temples may be erected to a height not to exceed seventy-five (75) feet if the building is set back from each minimum building setback line at least one (1) foot for each foot of additional building height above the limit otherwise provided in the district in which the building is located.
 5. Small Wind Energy Systems may exceed thirty-five (35) feet in tower height with the completion of a wind assessment. (**See Section 205.J.**)

¹ Added 5/20/2026

- C. Principal Buildings. No more than one (1) dwelling unit shall be permitted on any lot unless otherwise specifically stated in this Resolution, and every dwelling shall be located on a lot having the required frontage on a public or private street. Two family dwellings and multifamily dwellings where permitted, may have more than one (1) dwelling unit per lot.
- F. Temporary Buildings. Temporary buildings for use incidental to construction work may be erected in any of the zoning district contingent upon the following conditions:
1. A six (6) month time limit for removal of the temporary building except that the zoning inspector may approve one extension of up to six (6) additional months.
 2. Approval by Medina County Health Department of the sanitary facilities.
 3. At least one (1) off-street parking space shall be provided.
- G. A dwelling shall have a complete foundation installed to a depth below frost line.

205 ²ACCESSORY STRUCTURES AND USES

A. General.

1. An accessory structure (*See Definition 1102.A.1*) shall comply with all yard setback regulations applicable to the principal building.
2. Accessory uses and structures shall be permitted in all districts in conformance with the provisions of this Resolution.
3. An accessory use or structure shall only be established on a lot having a principal building (*See Definition 1102.A.10*).

B. Fences.

³A fence shall mean a railing, wall, or other means of enclosing a yard, garden, field, etc., to show where a property line is, or to keep people or animals out, or for decoration.

Functional: a “functional fence” is intended to enclose a parcel or portion of a parcel in order to prevent or make difficult entry by animals, persons, or vehicles. Such a fence may also be a visual screen. Chain link, masonry, stockade, and similar type fences are examples of functional fences.

Decorative: a “decorative fence” is intended to enclose a parcel or portion of a parcel in a decorative manner and is not necessarily intended to preclude or inhibit entry or vision into the property. Examples of decorative fences include split rail, wrought iron, and similar fences that are visually “transparent” and/or readily breached.

² Amended in its entirety 10-30-2023

³ Added 5-20-2026

1. Fences shall be permitted in compliance with the standards in the following table. Agricultural fences shall be exempted as provided in **Section 202.A.1.**

DISTRICT	MAXIMUM HEIGHT	MAXIMUM OPACITY
RR and SR District		
Front Yard	4 feet	40%
Side Yard	6 feet	None
Rear Yard	6 feet	None
LC, HC, I District		
Front Yard	4 feet	40%
Side Yard	8 feet	None
Rear Yard	8 feet	None

2. Fence Height. The height of a fence shall be measured from the top elevation of the top board, rail, or wire to the natural grade of the ground, or, in the case of a wall, from the top surface to the ground.
3. ⁴ Fence Opacity. Fence opacity is the degree of openness which light or views is blocked measured perpendicular to the fence for each fence section between supports.
4. Where a traffic vision hazard is created by a fence, the Zoning Inspector shall require a modification to the height or location of the fence as required to prevent or eliminate the hazard.
5. Fences may be installed abutting the property line.
6. Barbed wire fences and electric fences are prohibited.
7. Fences located in the front yard, or in a side yard which abuts a public right-of-way shall not be made of chain link, wire, mesh, or metal pipe materials.
8. Where the design of a fence results in a different appearance on each side, the fence shall be constructed with the finished side facing toward the abutting property.
9. ⁵If after installation a fence is determined to be in disrepair or in need of painting, upon notice from the Township, the parcel owner must make the necessary repairs within sixty (60) days, weather permitting.
10. ⁶A zoning certificate and site plan are required.

C. Swimming Pools.

1. Swimming pools shall require a zoning certificate.
 - a. Swimming pools not requiring an electrical permit shall not require a zoning certificate and shall comply with all applicable Medina County Codes.
2. A private residential pool shall only be established as accessory to and on the same lot as a dwelling.
 - a. Swimming pools are not permitted in the Local Commercial District without an established residence.
3. ⁷Swimming pools shall not be located closer to any street than the dwelling and shall conform to all required side and rear yard minimum building setback lines.

⁴ Amended in its entirety 07-15-2016

⁵ Amended in its entirety 05-20-2026

⁶ Amended in its entirety 05-20-2026

⁷ Amended 07-19-2012

D. Lakes and Ponds.

1. Lakes and ponds containing over one and one half (1½) feet of water depth shall be considered as structures. A zoning certificate shall be required for new construction or significant expansion of the surface area of a lake or pond.
2. Lakes or ponds and all associated structures and embankments, including the outside base of the dam associated with a lake or pond shall not be located in the required front, side and rear yard setbacks and shall not be located closer than fifty (50) feet to the right-of-way of a street.
3. Lakes or ponds shall meet standards and specifications of the Medina County Soil and Water Conservation District and/or **Chapter 1521 of the ORC**. A copy of the approved lake specifications shall be submitted with the application for zoning certificate to the Zoning Inspector.
4. Fire Ponds. A copy of the approved fire pond specifications shall be submitted with the application to the Zoning Inspector.
5. ⁸ Anaerobic lagoons or ponds. No pond, lagoon, impoundment area or storage vessel shall be constructed or used to store sewage, industrial waste, animal waste or human waste, treated or untreated in any zoning district, except for waste generated on the premises either human, animal or industrial.

This prohibition shall not apply to Household Sewage Treatment Systems or Small Flow On-site Sewage Treatment Systems approved by the Medina County Board of Health or other agency with authority to approve Household Sewage Treatment Systems or Small Flow On-site Sewage Treatment Systems installations.

E. Home Occupation. A home occupation may be permitted as an accessory use according to the criteria established below and the district regulations of **Article III**.

1. A home occupation shall be clearly incidental and subordinate to the use of the lot and structure as a dwelling.
2. Not more than twenty-five percent (25%) of the floor area and no more than eight hundred (800) square feet of the dwelling unit shall be used in the conduct of the home occupation.
3. A home occupation shall only be conducted by persons residing on the property with no more than one (1) non-resident employee.
4. No activity, material, goods, or equipment indicative of the occupation shall be visible from any public right-of-way or adjacent property except for such material, goods and equipment that would be normally visible in the district.
5. Signs shall be permitted subject to **Article IV**.
6. Accessory structures for home occupations may be a garage or other building detached from the dwelling. The maximum floor area in an accessory structure used for a home occupation shall be eight hundred (800) square feet. Accessory structures for home occupation shall comply with all other applicable requirements in the zoning district.
7. The total of all floor area used for the home occupation, inclusive of floor areas in all buildings on a lot, shall not exceed eight hundred (800) square feet. Any basement floor area used for the home occupation shall be included in the calculation of the total.

⁸ Amended 10-07-2019

- F. Satellite Dish.
1. A satellite dish having a diameter of nineteen (19) inches or greater shall not be located in a front yard or a side yard abutting a street, except where evidence is provided to the Zoning Inspector that such location is necessary to receive the signal. A satellite dish shall comply with all setback requirements for accessory structures.
 2. A satellite dish over three (3) feet in diameter shall not be located on a roof unless plans for the installation are prepared by a qualified engineer certifying its safety.
- G. Exterior Lighting.
1. Exterior lighting shall be permitted as an accessory use in all districts to extent necessary for the normal use, function, and enjoyment of property for the permitted uses and conditional uses of the lots within the districts and as necessary for purposes of safety.
 2. All lighting shall be directed away from adjacent streets or roads so as not to impair safe movement of traffic.
 3. No lighting shall shine directly onto adjacent properties.
 4. Lighting installed on lots used for other than dwelling shall comply with the following standards:
 - a. All lighting fixtures shall be “cutoff fixtures” or “down lighting” designed to produce light of an intensity sufficient for the proposed use and to direct light to the intended areas.
 - b. Total height of pole and fixture shall not exceed twenty-five (25) feet.
- H. Exterior Loudspeakers. Exterior loudspeakers and/or amplifiers and other sound generating equipment such as bells, buzzers or sirens which are audible outside of the lot on which they are located shall be prohibited in commercial and industrial districts except where specifically approved in a Site Plan Review or conditional zoning certificate or where required for safety purposes.
- I. Farm Market. As provided in **519.21(C) of the ORC**, a farm market shall not be prohibited in any industrial, commercial or residential district of Westfield Township provided that fifty percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year and further provided that the farm market complies with the following regulations necessary to protect the public health and safety:
1. Parking. At least one (1) off-street parking space shall be provided in a paved or gravel surfaced area for each two hundred (200) square feet of floor area of the farm market. Parking spaces and aisles shall be set back at least twenty (20) feet from the public right-of-way.
 2. The market structure and goods displayed or for sale shall be setback at least twenty (20) feet from the public right-of-way.
- J. ⁹ Small Wind Energy Systems. It is the purpose of this regulation to promote the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of utility supplied electricity. A small wind energy system is permitted as an accessory use¹⁰ in the Rural Residential, Local Commercial, Highway Commercial and Industrial District.

⁹ Added in its entirety 12-05-2012

¹⁰ Added 09-20-2017

Westfield Township shall notify all contiguous property owners of the applicant to inform them that an application has been submitted and recommend establishing a baseline of operations and reception for all electrical devices due to possible interference from the installation of a power generator for a small wind energy system. The cost of the notification shall be calculated and added to the application fee.

A Small Wind Energy System with a tower height exceeding thirty-five (35) feet shall be required to complete a wind assessment.

Prior to the issuance of a zoning certificate for the installation of a small wind energy system with a tower height in excess of thirty-five (35) feet on any approved parcel or in any zoning district, the applicant shall have completed a Wind Speed Analysis or Wind Study performed by a qualified professional. The purpose of this is to identify the optimum energy producing height on the applicant's site and shall provide the following information:

1. Ranges of wind speed.
2. The hours per year of wind speed in each range.
3. The output during those hours.
4. Total output in kilowatt hours per year for each of the ranges.
5. Recommended height based on analysis.

No person shall cause, allow, or maintain the use of a small wind energy system without first having obtained a zoning permit from the Zoning Inspector. A small wind energy system must meet the following requirements:

1. Primary purpose shall be to provide power to the principal and accessory uses of the property and not for the generation of power for commercial purposes.
2. One small wind energy system tower per lot or parcel.
3. A small wind energy system shall not be erected on a rooftop.
4. Minimum setback from all property lines, structures, rights-of-way, and above ground utility lines shall be no less than one hundred and ten percent (110%) of the tower height.
5. Anchor points for guy wires for the tower shall be located no closer than twenty-five (25) feet from any property line and not on or across any above ground electric transmission or distribution lines.
6. Minimum height from the base of the tower to the lowest part of the blade tip or rotor system shall be twelve (12) feet.
7. Tower and blade color shall only consist of white, off white, gray, or neutral colors such as earth tones of green or brown.
8. No tower, nacelle or blades shall be used for advertising of any kind excluding the manufacturer of the system.
9. No small wind energy system shall be lit except as required by the Federal Aviation Administration, or other applicable federal, state or county law.
10. The tower shall have either:
 - a. Tower climbing apparatus located no closer than twelve (12) feet to the ground level at the base of the structure.
 - b. A locked anti-climb device installed on the tower; **or**
 - c. Shall be completely enclosed with a locked fence at least six (6) feet in height to prevent uncontrolled access from unauthorized personnel.

11. Warnings of electrical shock or high voltage information shall be posted on the small wind energy system.
 - a. Emergency contact information shall be posted on the tower climbing apparatus, locked anti-climb device or locked perimeter fence on all small wind energy systems, listing the emergency contact personnel and 24- hour emergency phone numbers.
 - b. Owners of all small wind energy systems must register those structures with local emergency and police authorities.
 12. An automatic braking system shall be required to prevent uncontrolled rotation.
 13. All small wind energy systems must comply with all federal, state and county regulations, including to but not limited to building, mechanical and electrical regulations and shall not create a nuisance to contiguous properties.
 14. No homemade small wind energy systems shall be permitted.
 15. All small wind energy systems shall be installed, operated, and maintained per the manufacturer's instruction, including compliance with the Ohio Environmental Protection Agency (OEPA) regulations regarding storage and disposition of batteries and other hazardous materials.
 - a. All small wind energy systems shall be maintained in working order, structurally sound and with any surface treatments intact.
 16. Site Plan Requirements for Zoning Certificate Application shall include:
 - a. Property lines and physical dimensions of the site.
 - b. Location of small wind energy system tower, guy wires, setbacks from property lines, easements, and any structures on the property.
 - c. Location of warnings/emergency information.
 - d. Tower height of the proposed small wind energy system.
 - e. Scaled drawing no smaller than 1" = 100'.
- K. ¹¹Outdoor Wood Fired Boilers (OWB), Phase 2 EPA Emission Standards ONLY shall be permitted as an accessory use in the Rural Residential District (**RR**) and Local Commercial District (**LC**) according to the criteria established below and the district regulation of **Sections 303 and 305**.
1. Outdoor wood fired boilers shall require a zoning certificate.
 2. May be permitted on any lot or parcel of three (3) acres or more.
 3. Shall be permitted as a residential accessory use only.
 4. Shall be permitted as a means to produce heat for a structure, accessory use and or water.
 5. Shall be located a minimum of one hundred (100) feet from property lines and or road rights-of-way.
 6. May be located in a side yard, with compliance of **Section 205.K.5**.
 7. Shall require a smokestack height of minimum of twenty feet (20), measured at OWB base of unit.
 8. The installation, location, maintenance, operation, and fuels burned shall be in compliance, conformance and or by recommendations of the manufacture of the OWB.
 9. Must comply with all applicable Medina County Building Department regulations (building, electrical, mechanical, plumbing, heating).

In order to obtain a zoning certificate for an OWB the applicant must provide the following information prior to zoning certificate issuance:

¹¹ Added in its entirety 03-12-2014

1. Proof of manufacture's certified Phase 2 EPA emission standards of OWB to be installed.
2. Completion of application by property owner of record or designee.
3. Information from County Tax Maps indicating acreage, property owner and lot dimensions.
4. A scaled drawing detailing the OWB staked location, and distances from property lines and existing structures.
5. Provide a printed copy of the manufacture's documentation and specifications for installation, maintenance, operation of the OWB and recommended fuels to burn.

By authorizing the installation of an OWB, Westfield Township or its representatives are NOT authorizing a nuisance as defined in **Article XI**.

L. Solar Panels.

Solar panels are a permitted accessory structure, subject to the following requirements:

1. All solar panel installations shall comply with all applicable building, electrical and plumbing codes.
2. Ground mounted solar panels shall:
 - a. Be located in accordance with the side and rear yard setbacks established for all accessory structures of the district.
 - b. Be permitted in the front yard with a one hundred (100) foot setback from the road right-of-way and shall not exceed twelve (12) feet in height.
 - c. ¹²Not exceed one quarter (0.25) acre in all zoning districts. (Except in the Highway Commercial District (**HC**) – See **Section 606.A.35.b**).
3. Roof mounted solar panels on the principal building and/or accessory building when installed on the same plane as the roof structure plane and not exceeding eight (8) inches above or beyond the roof plane or that are made part of the roof design utilizing capping and or framing, **shall not be considered as an accessory structure**.
4. Roof mounted solar panels that by design or roof plane must be mounted above the eight (8) inch restriction, shall be considered an accessory structure and shall comply with the following:
 - a. Within the Suburban Residential (**SR**) District and Rural Residential (**RR**) District the installed solar panel must not be above the peak/ridge of the roof line.
5. ¹³ Roof mounted solar panels on a flat roof shall not exceed ten (10) feet in height above the roof deck.

M. ¹⁴ Driveway Entrance Features.

Structure built at the entrance and/or exit of a lot for the purpose of security and/or decoration.

1. **SHALL NOT** be built within the road right-of-way.
2. **SHALL NOT** be made of chain link, wire, mesh or metal pipe material.
3. May be solid wall construction, not to exceed forty (40) linear feet from the wall opening on either side of entrance.
4. Minimum opening width twenty (20) feet.
5. Minimum opening clearance height sixteen (16) feet.
6. Structures greater than six (6) feet in height require a Medina County Building Department permit.

¹² Amended 10-30-2023

¹³ Added in its entirety 10-20-2014

¹⁴ Added in its entirety 06-15-2016

N. ¹⁵Storage Containers

It is the intent of this section to limit the placement and use of any shipping container as an accessory building, storage building, on any parcels located in any zoning district in Westfield Township except as provided for herein. This limitation is to protect the public health and safety and the aesthetic quality of Westfield Township.

1. Storage Container is defined to mean: any prefabricated structure designed for transporting goods or for the temporary storage of property, such as pods, steel shipping containers, cargo containers, packing or storage crates, and all parts or all of semi-trailer.
2. Storage containers are considered accessory structures.
3. Storage Containers sited on any parcels located in any zoning district is prohibited except as specifically approved and under an active permit issued as a temporary use.
 - a. Requests for a temporary use permit for a temporary storage container or containers will be reviewed by the Zoning Inspector to determine compliance with other codes or ordinances; the submitted site plan and to determine that adequate space exists and that placement does not impact vehicular traffic.
4. No permit for a storage container shall be valid longer than six (6) months. The Zoning Inspector may grant a single extension for no more than sixty (60) days on proof that the storage container is planned to be removed within that sixty (60) day period. The Zoning Inspector may inspect the condition of the storage container before an extension is issued. The Zoning Inspector may deny an extension permit if the Storage Structure is not in compliance with the site plan submitted or if the Storage Container falls into disrepair, becomes dilapidated or is otherwise a nuisance in violation of the Township Zoning Ordinance.
5. Storage containers that are placed on construction sites with an active building permit or placed in advance of a project where a building permit is to be issued are not regulated by this section with the exception of location and impact on vehicular traffic.
6. Any Storage Container that is in violation of this resolution is subject to abatement.

206 MINIMUM FLOOR AREA

No structure shall be erected, reconstructed or converted for use as a dwelling unit unless the following minimum floor area per dwelling unit is provided:

<u>Unit type</u>	<u>Minimum floor area per dwelling unit</u>
Single or two-family dwelling w/full basement	1,400 square feet
Single or two-family dwelling w/out full basement	1,600 square feet

207 ¹⁶ OIL AND GAS WELLS

No building used for human occupancy shall be erected within one hundred (100) feet from any oil or gas well, storage tanks, and/or separator units, abandoned or not abandoned. No building used for human occupancy shall be erected within fifty (50) feet of a well that has been properly plugged (as defined by the **ORC**).

¹⁵ Amended in its entirety 05-20-2026

¹⁶ Amended in its entirety 08-30-2023

**ARTICLE III
DISTRICT REGULATIONS**

301		Establishment of Districts, Zoning Districts Map
302	NH	Natural Hazards Overlay Districts
303	RR	Rural Residential District
304	SR	Suburban Residential District
305	LC	Local Commercial District
306	HC	Highway Service Commercial District
307	I	Industrial District
¹⁷ 308	EG	East Greenwich Overlay District
	PRD	Planned Residential District
	OIPD	Office/Industrial Park District
¹⁸ 309	HCI	Highway Commercial Industrial Planned Unit Overlay District

301 ESTABLISHMENT OF DISTRICTS; ZONING DISTRICTS MAP

- A. Establishment of Zoning Districts. The following Zoning Districts are hereby established for the unincorporated area of Westfield Township, Medina County, Ohio. For the interpretation of this Resolution, the Zoning Districts have been formulated to realize the general purposes set forth by the Ohio Revised Code. In addition, the specific purpose of each Zoning District shall be as stated in this Resolution.
- NH Natural Hazards Overlay District
 - RR Rural Residential District
 - SR Suburban Residential District
 - LC Local Commercial District
 - HC Highway Service Commercial District
 - I Industrial District
 - ¹⁹EG East Greenwich Overlay District
 - ²⁰HCI Highway Commercial Industrial Planned Unit Overlay District
- B. Zoning Map. The Zoning Districts and their boundary lines are indicated upon a map entitled “Westfield Township Zoning District Map” which map together with all notations, references and other matters shown thereon is hereby made a part of this Resolution. The zoning map shall be maintained in the office of the Township Fiscal Officer and shall be updated to show all amendments or changes.
- C. Interpretation of District Boundaries. Where uncertainty exists with respect to the boundaries of any of the districts as shown on the zoning map the following rules shall apply:
1. Where district boundaries are indicated as approximately following the center line of streets, the center line of alleys or the center line of highways, such lines shall be interpreted to be district boundaries.

¹⁷ Added 01-15-2018¹⁸ Added 06-02-2021¹⁹ Added 01-15-2018²⁰ Added 06-02-2021

2. Where district boundaries are so indicated that they are approximately parallel to the center lines of streets, the center lines of alleys or the center lines of highways, such boundaries shall be interpreted as being parallel and at such a distance as indicated on the map. If no distance is given, dimensions shall be determined by the use of scale shown on the zoning map.

302 NH - NATURAL HAZARDS OVERLAY DISTRICT**A. Purpose.**

The purpose of the Natural Hazards Overlay District (**NH**) is to protect those areas in the Township which:

1. Are subject to flooding.
2. Have organic or muck soils.

Controlled use of these areas is required to protect human life, to prevent or minimize material or economic losses, to reduce the cost to the public for emergency public aid and relief efforts occasioned by unwise occupancy of flood prone areas, and to direct development to site which are capable of supporting the intended activity.

- B. Data Sources and Map.** The general boundaries of the **NH** District are shown on the map titled, “Natural Hazards Overlay Zoning District Map” (**NH** Map), which is on file in the Westfield Township Hall. The **NH** Map shows one hundred (100) year flood plains, within which may be other natural hazards such as organic soils or poor natural drainage soils. This map is intended to be only a generalized compilation of natural hazards data.

Questions pertaining to the exact district boundaries shall be resolved by scaling distances on the original source maps and reports, which are hereby adopted by reference.

1. ¹Sources for the flood prone areas are as follows:
 - a. One hundred (100) year flood plain. Digital Flood Insurance Rate Maps (DFIRMs). Federal Emergency Management Agency (FEMA); 2013 or as subsequently amended.
2. Sources for organic soil and poor natural drainage areas are as follows:
 - a. Digital soils information for Medina County. Soil Survey Geographic database (SSURGO), Ohio Department of Natural Resources (ODNR) and United States Department of Agriculture’s Natural Resources Conservation Services (NRCS); 2005 or subsequently amended.
 - b. Soil Survey of Medina County, Ohio. United States Soil Conservation Service; November 1977 or as subsequently amended.

When updated or new sources of information are made available, the Zoning Commission (ZC) may review such information and recommend amendments to the **NH** Map. Where interpretation is needed as to the exact location of the boundaries, the Zoning Inspector shall make the necessary interpretation. Any persons contesting the location of a district boundary shall be given a reasonable opportunity to present their case to the Zoning Inspector. The Zoning Inspector may utilize information provided by the applicant documenting the relevant conditions on a specific site, such as reports by qualified professionals, in making the interpretation.

- C. Overlay District.** Due to the relationship of natural hazard areas to physical features of the terrain rather than any artificial boundaries, the **NH** district shall consist of an “overlay” district and may occur in part of one or more of the Zoning Districts described in the Resolution. All land included in the **NH** district shall be subject to the requirements specified herein, in addition to the normal requirements of the Zoning District in which

¹ Amended 03-18-2015

said land is located. If a building site is partially within **NH** district, the **NH** regulations apply only for the portion of the site within the **NH** district.

- D. Warning and Disclaimer of Liability. This regulation is designed to limit development in areas which have a potential for flooding or other natural hazards as indicated by scientific soil analysis and does not imply that areas outside the district or land uses permitted within the district will be free from flooding damages or damages from other natural hazards. Larger floods may occur or flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris.
- E. Regulations Pertaining to Flood Prone Areas.
1. **Uses.**
 - a. **Permitted Uses.** Only the permitted uses of the **RR** district shall be permitted in the **NH** district. The permitted uses of the underlying district shall not otherwise be permitted.
 - b. **Conditional Uses.** Only the conditional uses of the **RR** district shall be eligible for approval as conditional uses in the **NH** district. The conditional uses of the underlying district shall not otherwise be permitted.
 - c. All permitted uses are subject to review by the Zoning Commission (ZC). All conditional uses are subject to review by the Board of Zoning Appeals (BZA) as specified in Section 302.E.4 below.
 2. **Reserved.**
 3. Lot and Building Requirements. Same as **RR** district.
 4. Before issuance of a zoning certificate. For any use in a flood prone area as shown on the **NH** Map, the applicant shall submit information and signed statements certifying compliance with the following:
 - a. All buildings and structures shall be reasonably safe from flooding from a one hundred (100) year frequency and shall have a first floor (or basement if there is to be a basement) elevation at least two (2) feet above the level of such flood.
 - b. No structures or uses would adversely affect the efficiency or unduly restrict the capacity of the channels or floodways of any stream, drainage ditch, or any other drainage facility or system.
 - c. No materials, either organic or inorganic, shall be stored in either open storage or enclosed storage in such a manner as to present a hazard of pollution or contamination of stream waters in the case of flooding.
 5. Review of Applications in a Flood Prone Area. The Zoning Inspector may seek the assistance of any agencies having jurisdiction or relevant expertise or information necessary to review the application and determine compliance.
- F. Regulations Pertaining to Organic Soil Areas.
1. **Uses.** The only permitted use in the organic soil area shall be open space uses, such as agriculture and recreation which involve no substantial buildings for human occupancy or use. (Except where the applicant can demonstrate that the lot will be modified to make one or more of the permitted uses of the underlying district feasible, in a manner conforming with applicable regulations.)
 2. Lot and Building Requirements. Same as **RR** district, as applicable.

303 RR - RURAL RESIDENTIAL DISTRICT

A. Purpose.

The purpose of the Rural Residential District (**RR**) is to provide for rural residential development at a low density which will promote the continuation of the predominant rural character of the community. It is also the intention of this district to allow residential development of sufficiently low density to preclude creation of public health and safety problems and which could result in the need to extend central facilities in an uneconomical fashion. This district is further intended to encourage agricultural production as part of the life of the community.

B. Uses.

1. Permitted Uses.

- a. Single family dwelling.
- b. Two Family dwelling.
- c. Farm Market as provided in **Section 205**.
- d. Home occupation as provided in **Section 205.E**.
- e. Accessory structures and uses as provided in **Section 205**, and including but not limited to signs as regulated by **Article IV** and parking as regulated by **Article V**. **See also item i under conditional uses below and Section 508.**
- f. Temporary buildings incidental to construction as provided in **Section 204.D**.
- g. Public school.
- h. ¹Common open space within a Planned Development District in the East Greenwich Overlay District (**EG**).

2. Conditional Uses.

Conditional Uses		Use is subject to the following subsections of Section 606
a.	Churches and other places of worship.	2, 12, and 13
b.	Governmentally owned or privately owned and/or operated recreation areas which include overnight camping, either as a primary or secondary activity.	11, 13, 18, 19, and 25
c.	Reserved.	
d.	Governmentally or privately owned and/or operated recreation areas, other than those 2, 3, 5, 6, 11, 13, 18, and 19 described above, such as: picnic areas, play-grounds, private parks, club pools, golf courses, tennis clubs, country clubs, equestrian activities, and other similar recreation facilities or uses of similar character. Uses similar in character to the following shall be excluded: commercial recreational uses such as drive-in theaters, miniature golf courses, golf-driving ranges, rifle ranges, trapshooting, skeet shooting ranges, pistol ranges, or other ranges for use of firearms; the operation	

¹ Added 01-15-2018

	of snowmobiles, motorcycles and all-terrain vehicles when conducted as a business such as by renting such vehicles or charging a fee in order to operate such vehicles on private property or the inviting of spectators to view the operation of such vehicles or allowing competition among such vehicles with or without charging a fee.	
e.	Governmentally owned and/or operated buildings and facilities other than those listed in (d) above.	3, 4, 6, 8, 9, 10, 12, and 13
f.	Cemeteries.	22
g.	Strip Mining.	24
h.	² Reserved.	
i.	³ Two (2) commercial vehicles, commercial Trailers, or commercial units exceeding 7,049 pounds.	3, 6, 11, 12, 13, 15, 16, and 27
j.	Bed and Breakfast Inn.	33
k.	Planned Development.	29
l.	Non-public school.	
m.	⁴ Government Projects.	33
n.	Solar Energy Commercial Installations.	35

C. Natural Hazard Overlay Areas. Areas of the **RR** District which are within the Natural Hazards Overlay District (**NH**) are also subject to the requirements of **Section 302** of this Resolution.

D. Minimum Dimensions for Lots and Yards.

1. Lots and yards in the **RR** District shall comply with the minimum requirements in the following table, except that permitted rear lots shall comply with the requirements state in **Section 303.H**:

RR RURAL RESIDENTIAL DISTRICT

Minimum Dimensions for Lots and Yards

	Single Family Dwelling	Two-Family Dwelling
⁵ Minimum Lot Area	3 acres	5 acres
⁶ Lot Frontage		
Lots not on cul-de-sac bulb	250 feet	350 feet
Lots with frontage on cul-de-sac bulb	100 feet	150 feet
⁷ Lot Depth	250 feet	250 feet
⁸ Lot Width at Minimum Building Setback Line		
Lots not on cul-de-sac bulb	250 feet	350 feet

² Amended 06-10-2006

³ Added 04-26-1989 (Note regulations for one (1) commercial vehicle as an accessory use at **Section 508.D**, Vehicle Storage)

⁴ Added 12-15-2006

⁵ Amended 11-06-1997

⁶ Amended 11-06-1997

⁷ Amended 11-06-1997

⁸ Amended 11-06-1997

Lots with frontage on cul-de-sac bulb	250 feet at a distance not greater than 100 feet from the right-of-way	250 feet at a distance not greater than 100 feet from the right-of-way
⁹ Front Yard Setback	70 feet	70 feet
Side Yard Setback	25 feet	25 feet
Rear Yard Setback	25 feet	25 feet

2. The lot area requirements in the above table shall be minimum requirements. If the Medina County Health Department requires a greater lot area for disposal of sewage effluent in compliance with its regulations, then the greater lot area shall be the required lot area.
3. In all cases, the right-of-way shall be as shown on the records of Medina County but, for purposes of determining the front lot line, shall not be less than thirty (30) feet from the centerline.

E. Driveway Requirements. *See Article V, Vehicles, Parking and Driveways.*

F. Commercial Vehicles. *See Section 508, Vehicle Storage.*

G. Reserved.

H. Rear Lot Development.

Rear lots complying with the provision of **Section 303.H** shall be permitted in the **RR**. The purposes of these provisions for rear lot development shall be maintaining the rural character while recognizing the encroachment of residential development into the area and the apparent need to allow development of back land parcels no longer suited for agricultural purposes.

1. The only principal use permitted on a rear lot shall be one (1) single family dwelling. The dwelling and accessory uses and structures shall only be located on the “Buildable area” of the rear lot as provided in **Section 303.2.H.2.c**.
2. Minimum Lot Requirements. A rear lot shall include an “access area” and a “buildable area” complying with the following minimum requirements:
 - a. The “access area” and the “buildable area” shall be joined on a single lot and shall be executed with the requirements provided by law for deeds and shall be filed with the recorder of this county for record.
 - b. The “access area” of the lot shall have a minimum sixty (60) feet of frontage on a public street and shall have a minimum width of sixty (60) feet through its entire depth.
 - c. ¹⁰The minimum “buildable area” shall be five (5) acres. The area of the “access area” shall not be included in the required “buildable area”. Minimum lot width and depth of the building area shall be three-hundred fifty (350) feet.
 - d. A rear lot shall not be approved unless evidence is provided that the dimensions of the remainder of the lot or parcel from which the rear lot is subdivided may be subdivided in conformance with this Resolution, particularly with regard to the frontage available for future lots.
3. Yard Requirements. Minimum setback from any lot line shall be fifty (50) feet.

⁹ Amended 11-06-1997

¹⁰ Amended 11-06-1997

4. Access Driveway Requirements.
 - a. Maximum one (1) single family dwelling per driveway.
 - b. All lots shall have a driveway with a minimum of sixteen (16) feet unobstructed with a minimum of ten (10) feet driving surface.
 - c. Where such driveway crosses a filled ravine, the graded surface shall have seeded banks having a slope not less than three (3) to one (1).
 - d. Where a curve occurs in a driveway, the inside edge of the driveway surface shall have a minimum radius of thirty-five (35) feet.
 - e. Exact location of a driveway shall be shown on a plot plan presented to the Zoning Inspector and approved by same.
 - f. All driveway surfaces or beginning of slope must be ten (10) feet from all side and rear lot lines.
 - g. ¹¹The minimum distance between rear lot access driveway locations shall be five hundred (500) feet along the adjacent public thoroughfare.
5. Fire Safety Requirements. A street identification sign shall be placed at the access driveway entrance. The minimum size shall be 6" x 18" with light reflecting numerals for the house numbers.

¹¹ Amended 09-15-1999

304 SR - SUBURBAN RESIDENTIAL DISTRICT

A. Purpose.

The purpose of the Suburban Residential District (**SR**) is to provide the suburban type residential development in those areas of Westfield Township which have central sewer and central water systems available; in which roads and other facilities are suitable to support such development; and as otherwise recommended in or consistent with the **Westfield Township Development Policy Plan**. The **SR** District regulations are designed to avoid excessive demands on community facilities and services and to provide residential development with a degree of flexibility in order to effectively utilize the natural topography and landscape.

B. Uses.

1. Permitted Uses.

- a. Single family dwelling.
- b. Two Family dwelling.
- c. Farm Market as provided in **Section 205.I**.
- d. Home occupation as provided in **Section 205.E**.
- e. Accessory structures and uses as provided in **Section 205** and including but not limited to signs as regulated by **Article IV** and parking as regulated by **Section 508.E**.
- f. Temporary buildings incidental to construction as provided in **Section 204.D**.
- g. Public school.

2. Conditional Uses.

Conditional Uses		Use is subject to the following subsections of Section 606
a.	Churches and other places of worship.	2, 12, and 13
b.	Governmentally or privately owned and/or operated recreation areas, other than those described above, such as: picnic areas, playgrounds, private parks, club pools, golf courses, tennis clubs, country clubs, equestrian activities, and other similar recreation facilities or uses of similar character. Uses similar in character to the following shall be excluded: commercial recreational uses such as drive-in theaters, miniature golf courses, golf-driving ranges, rifle ranges, trapshooting, skeet ranges, pistol ranges, or other ranges for use of firearms; the operation of snowmobiles, motorcycles and all-terrain vehicles when conducted as a business such as by renting such vehicles or charging a fee in order to operate such vehicles on private property or the inviting of spectators to view the operating of such vehicles or allowing competition among such vehicles with or without charging a fee.	2, 3, 5, 6, 11, 13, 18, and 19
c.	Governmentally owned and/or operated buildings and facilities other than those listed in Section 304.B.2.b above.	3, 4, 6, 8, 9, 10, 12, and 13

d.	Cemeteries.	22
e.	Strip Mining.	24
f.	Bed and Breakfast Inn.	31
g.	Planned Development.	29
h.	Non-public school.	
i.	¹ Government Projects.	33

C. Natural Hazard Overlay Areas. Areas of the **SR** District which are within the Natural Hazards Overlay District are also subject to the requirements of **Section 302** of this Resolution.

D. Minimum Dimensions for Lots and Yards.

1. Lots and yards in the **SR** District shall comply with the minimum requirements stated in the following table, except as provided in **Section 304.D.4** below:

SR SUBURBAN RESIDENTIAL DISTRICT

Minimum Dimensions for Lots and Yards

	Single Family Dwelling	Two-Family Dwelling
² Minimum Lot Area	1 acre	1.5 acres
³ Lot Frontage:		
Lots not on cul-de-sac bulb	100 feet	140 feet
Lots with frontage on cul-de-sac bulb	60 feet	85 feet
Lot Width at Minimum Building Setback Line*	100 feet	140 feet
Front Yard Setback*	50 feet	50 feet
Side Yard Setback*	10 feet	10 feet
Rear Yard Setback*	25 feet	25 feet
*Lots which do not have access to central water and sanitary sewer lines on the street frontage shall comply with the requirements of Section 303.D.		

2. The lot area requirements in the above table shall be minimum requirements. If the Medina County Health Department requires a greater lot area for disposal of sewage effluent in compliance with its regulations, then the greater lot area shall be the required lot area.
3. In all cases, the right-of-way line shall be as shown on the records of Medina County, but for purposes of determining the front lot line, shall not be less than thirty (30) feet from the center-line.
4. Where property in the **SR** District has frontage on an arterial street, lots proposed to have frontage on the arterial street shall comply with at least one of the following requirements:
 - a. The lots shall not have access to the arterial street but shall have frontage on and shall have direct vehicular access constructed to a public collector or local street or to an approved private street.
 - b. The lots shall not have access to the arterial street, but shall have frontage on and shall have direct vehicular access to a marginal street.
 - c. The lots shall comply with all requirements for frontage, lot width, area, and yards as provided in **Section 303.D.**

¹ Added 12-15-2006

² Amended 03-01-2000

³ Amended 03-01-2000

E. Driveway Requirements. *See Article V, Vehicles, Parking and Driveways.*

F. Commercial Vehicles. *See Section 508, Vehicle Storage.*

G. Planned Development. *See Section 606.A.29.*

H. ⁴Rear Lot Development.

Rear lots complying with the provision of **Section 304.H** shall be permitted in the **SR**. The purposes of these provisions for rear lot development shall be maintaining the rural character while recognizing the encroachment of residential development into the area and the need to allow development of back land parcels no longer suited for agricultural purposes.

1. The only principal use permitted on a rear lot shall be one (1) single family dwelling. The dwelling and accessory uses and structures shall only be located on the “buildable area” of the rear lot as provided in **Section 304.H.2.c.**
2. Minimum Lot Requirements. A rear lot shall include an “access area” and a “buildable area” complying with the following minimum requirements:
 - a. The “access area” and the “buildable area” shall be joined on a single lot and shall be executed with the requirements provided by law for deeds and shall be filed with the recorder of this county for record.
 - b. The “access area” of the lot shall have a minimum sixty (60) feet of frontage on a public street and shall have a minimum width of sixty (60) feet through its entire depth.
 - c. The minimum “buildable area” shall be five (5) acres. The area of the “access area” shall not be included in the required “buildable area”. Minimum lot width and depth of the building area shall be three-hundred fifty (350) feet.
 - d. A rear lot shall not be approved unless evidence is provided that the dimensions of the remainder of the lot or parcel from which the rear lot is subdivided may be subdivided in conformance with this Resolution.
3. Yard Requirements. Minimum setback from all lot lines shall be fifty (50) feet.
4. Access Driveway Requirements.
 - a. Maximum one (1) single family dwelling per driveway.
 - b. All lots shall have a driveway with a minimum of sixteen (16) feet unobstructed with a minimum of ten (10) feet driving surface.
 - c. Where such driveway crosses a filled ravine, the graded surface shall have seeded banks having a slope not less than three (3) to one (1).
 - d. Where a curve occurs in a driveway, the inside edge of the driveway surface shall have a minimum radius of thirty-five (35) feet.
 - e. Exact location of a driveway shall be shown on a plot plan presented to and approved by the Zoning Inspector.
 - f. All driveway surfaces or beginning of slope must be ten (10) feet from all side and rear lot lines.
 - g. The minimum distance between rear lot access driveway locations shall be five hundred (500) feet along the adjacent public thoroughfare.

⁴ Added in its entirety 04-15-24

5. Fire Safety Requirements. A street identification sign shall be placed at the access driveway entrance. The minimum size shall be 6”x 18” with light reflecting numerals for the house numbers.

305 LC - LOCAL COMMERCIAL DISTRICT

A. Purpose.

The purpose of the Local Commercial District (LC) is to provide for a variety of retail, service and administrative establishments in unified groupings to serve the needs of the residents of Westfield Township. The LC District regulations are designed to provide for limited commercial development that can be located in relatively close proximity to residential uses.

B. Uses.

1. Permitted Uses.

- a. Single family dwelling or two-family dwelling.
- b. Establishments engaged primarily in the fields of finance, insurance and real estate, such as banks without drive-in facilities, credit agencies, investment firms, real estate and insurance firms.
- c. Bed and Breakfast, establishments engaged in providing a variety of services to individuals and business establishments, such as personal services; miscellaneous business services, medical and health services, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, nonprofit, professional, charitable and labor organizations, dance studio and school, bowling alley, recreational activities such as: club pool or commercial pool, tennis, basketball, badminton, volley ball courts, football and soccer fields, motion picture and theatrical playhouse.
- d. Establishments engaged in retail trade such as drug stores, books and stationery, apparel, florist, garden supply, antiques, sporting goods, jewelry, optical goods, furniture, home furnishings, office equipment, office supplies, beverages, restaurants, and food stores.
- e. Churches and other buildings for the purpose of religious worship.
- f. Governmentally owned and/or operated buildings and facilities.
- g. Veterinary clinic or hospital.
- h. Educational, religious, or philanthropic institutions.
- i. Accessory uses clearly incidental to the principal uses permitted on the same premises.
- j. Signs as regulated by **Article VI**.
- k. Parking and loading as regulated by **Article V**.
- l. Accessory buildings, home occupations as provided in **Section 205.E**.
- m. Farm market as provided in **Section 205.I**.

2. Conditional Uses.

Conditional Uses		Use is subject to the following subsections of Section 606
a.	Drive-in establishments including banks, restaurants and refreshment stands but excluding drive-in theaters and commercial amusement parks.	6, 8, and 15
b.	Gasoline filling station.	6, 8, 17, and 21
c.	Automotive repair.	6, 8, 13, 15, 17, and 21
d.	Auto wash.	6, 8, 15, 17, and 21
e.	The following uses may be conducted not closer than one hundred (100) feet from any residential district: <ul style="list-style-type: none"> 1. Carpenter, cabinet, upholstering, sheet metal, 	6, 13, 15, and 21

	plumbing, heating, roofing, air conditioning, sign painting, painting and other similar establishments. 2. Repair services for machinery and equipment other than automotive repair. See Section 305.B.2.c above.	
f.	Mini storage facility.	
g.	Clubs, lodges, fraternal, charitable or social organizations.	
h.	¹ Government Projects.	33

C. Minimum Dimensions for Lots and Yards.

1. Lots and yards in the **LC** District shall comply with the minimum requirements stated in the following table:

LOCAL COMMERCIAL DISTRICT

Minimum Dimensions for Lots and Yards

		Two Family Dwelling	All Uses Other Than Dwelling
Lot Area	3 acres	5 acres	No Minimum
Lot Frontage	250 feet	350 feet	150 feet
Lot Frontage (on a cul-de-sac bulb)*	100 feet*	150 feet*	150 feet*
Lot Depth	250 feet	250 feet	² 200 feet
Lot Width at Minimum Building Setback Line	250 feet	350 feet	150 feet
Lot Width at Minimum Building Setback Line (lots on a cul-de-sac bulb)	250 feet at a distance not greater than 100 feet from right-of-way*	250 feet at a distance not greater than 100 feet from right-of-way*	250 feet at a distance not greater than 100 feet from right-of-way*
Front Yard Setback	70 feet	70 feet	70 feet
Side Yard Setback	25 feet	25 feet	25 feet
Rear Yard Setback	25 feet	25 feet	25 feet
*³All measurements of frontage and setback lines for cul-de-sac lots to follow the same arc as the road.			

2. The lot area requirements in the above table shall be minimum requirements. If the Medina County Health Department requires a greater lot area to dispose of sewage effluent in compliance with its regulations, then the greater lot area shall be the required lot area. In the case of a commercial use so situated, written approval of the Health Department for the installation of an on-site system shall be required prior to the issuance of a zoning certificate.
3. In all cases, the right-of-way line shall be as shown on the records of Medina County, but for purposes of determining the front line of a lot shall not be less than thirty (30) feet from the centerline.
4. Driveway. **See Article V, Vehicles, Parking and Driveways.**

¹ Added 12-15-2006

² Amended 05-30-1990

³ Amended 09-16-2005

- D. Allowed Building Size All commercial buildings and/or structures shall not exceed a total of five thousand (5,000) square feet.
- E. Landscaping and Buffers Required. On any lot where a use other than a dwelling is established, the following buffers shall be constructed and permanently maintained.
1. Front Yard Buffer. A landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel shall be constructed.
 2. Side Yard Buffer. When adjacent to a residential district, the side yard adjacent to such district or use shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the side yard.
 3. Rear Yard Buffer. When adjacent to a residential district, the rear yard adjacent to such district or use shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the rear yard.
- F. Supplementary Regulations.
1. Merchandise Display. Storage of materials, equipment, supplies and displays shall take place within a completely enclosed building.
 2. Refuse Storage. All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests.
 3. Site Plan Review. **See Section 807.B.**
 4. Natural Hazard Areas. Areas with the Natural Hazards District are subject to all requirements of **Section 302** of this Resolution.

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306 HC – HIGHWAY SERVICE COMMERCIAL DISTRICT

A. Purpose.

¹The purpose of the Highway Service Commercial District (**HC**) is to provide locations for establishments offering accommodations and services primarily through automobile and truck traffic on US 224/I-76 and I-71 as well as benefiting the local market. The uses permitted in this district by nature tend to result in high volumes of non-local traffic, including commercial vehicles, traffic congestion, parking problems, storage problems and are therefore distinguishable from uses in Local Commercial District (**LC**) on the basis of size and intensity of use. The location of these uses shall be limited to sites offering convenient access to and from these major highways such that adjacent zoning districts will not be disturbed with the external effects of these uses. Central water and sewer service is required. **(See exception in Section 306.E.4.)**

B. Uses.

1. Permitted Uses.

- a. Restaurants and eating places.
- b. Motels.
- c. Sexually Oriented Businesses, subject to **Section 306.E.6.**
- d. Accessory uses and structures as provided in **Section 205** and including signs as regulated by **Article IV**, parking and loading as regulated by **Article V**.
- e. Convenient Care Clinic.

2. Conditional Uses.

		Subject to subsections of ² Section 606
a.	Drive-in establishments, including any permitted use listed in Section 306.B.1 above, and including auto washes, bank(s), drug stores and refreshment stands but excluding drive-in theaters and commercial amusement parks.	3, 4, 6, 8, 10, 14, 15, 16, 21.a., and 21.c.
b.	Gasoline filling stations.	3, 4, 6, 8, 10, 14, 15, 16, 17, and 21
c.	³ Automotive and truck repair.	3, 4, 6, 8, 10, 14, 15, 16, 17, and 21
d.	Auto wash.	3, 4, 6, 8, 10, 14, 15, 16, 17, and 21
e.	Club pool, commercial pool, sports and fitness center and/or instructional studio.	3, 4, 6, 8, 10, 14, 15, 16, 19, and 21.c.
f.	⁴ Government Projects.	33
g.	⁵ Grocery and food stores not exceeding 75,000 square feet.	3, 4, 6, 8, 10, 14, 15, 16, 21.a, and 21.c.
h.	Establishments engaged in retail trade such as drug stores, books and stationery, apparel, florist, garden supply, antiques, sporting goods, jewelry, optical goods,	3, 4, 6, 8, 10, 14, 15, 16, and 21.c.

¹ Amended 09-02-2015
² Subsections of Section 606 added
³ Added 09-02-2015
⁴ Added 12-15-2006
⁵ Added 09-02-2015

	furniture, home furnishings, office equipment and office supplies, not exceeding 30,000 square feet.	
i.	⁶ Establishments engaged in providing a variety of services to individuals and establishments, such as personal services, miscellaneous business services, medical and health services, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, banking, credit agencies, investment firms, real estate, insurance, data management/storage, professional, nonprofit, charitable, and labor organizations.	3, 4, 6, 8, 10, 14, 15, 16, and 21.c.
j.	Similar use.	32

- Any of the above permitted uses, conditional uses and identified similar uses may be located within a common structure, providing such structure and site plan complies with the requirements of this Resolution.

C. Minimum Dimensions for Lots and Yards.

- Lots and yards in the **HC** District shall comply with the minimum requirements stated in the following table:

HC HIGHWAY SERVICE COMMERCIAL DISTRICT

Minimum Dimensions for Lots and Yards

Lot Area:	
Lots fronting on Lake Road and Greenwich Road	2 acres
⁷ Lot Frontage:	
Lots fronting on Lake Road and/or Greenwich Road	300 feet
Lots fronting on all other streets	150 feet
Lots fronting on a cul-de-sac bulb	150 feet*
⁸ Lot Width at Minimum Building Setback Line:	
Lots fronting on Lake Road and/or Greenwich Road	300 feet
Lots fronting on all other streets	150 feet
Lots fronting on a cul-de-sac bulb	150 feet at a distance not greater than 100 feet from the right-of-way*
⁹ Minimum Lot Depth:	
Lots fronting on Lake Road and/or Greenwich Road	300 feet
Front Yard Setback:	
Lots fronting on Lake Road and/or Greenwich Road	100 feet
Lots fronting on all other streets	40 feet
Side Yard Setback	25 feet
Side Yard Setback adjacent to Residential District	100 feet
Rear Yard Setback	25 feet

⁶ Added 09-02-2015

⁷ Amended 01-06-2006 and 09-02-2015

⁸ Amended 01-06-2006 and 09-02-2015

⁹ Amended 01-06-2006 and 09-02-2015

Rear Yard Setback adjacent to Residential District	100 feet
¹⁰ Maximum Impervious Surface	75%
*All measurements of frontage and setback lines to follow the same arc as the road.	

2. In all cases, the right-of-way line shall be as shown on the records of Medina County, but for purposes of determining the front line of a lot shall not be less than thirty (30) feet from the centerline.
- D. Landscaping and Buffers Required. On any lot, the following buffers shall be constructed and permanently maintained:
1. Front Yard Buffer. A landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel shall be constructed.
 2. Side Yard Buffer. When adjacent to a residential district, the side yard adjacent to such district or use shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the side yard.
 3. Rear Yard Buffer. When adjacent to a residential district, the rear yard adjacent to such district or use shall consist of a landscaped and planted buffer strip twenty-five (25) feet in width and running the length of the rear yard.
- E. Supplementary Regulations.
1. Site Plan Review. **See Section 807.B.**
 2. Natural Hazard Areas. Areas within the Natural Hazards District are subject to all requirements of **Section 302** of this Resolution.
 3. Refuse Storage. All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests.
 4. Water and Sewer. Central water and sanitary sewer services are required for all uses in the **HC** District. No use of land shall be established until connections to central water and sanitary sewer services are installed and approved by the County Engineer; ¹¹**however**, an existing home/structure/building may be converted to a permitted/conditional commercial use with the Ohio Environmental Protection Agency (OEPA) approval of the existing septic system and/or well water system.
 5. Outdoor Storage-Screening. Outdoor storage areas shall be totally screened from view from all public rights-of-way and from all adjacent residential districts by landscaping, walls, fences or topography. Outdoor storage shall not occur in any required front yard or in any yard adjacent to a residential district.
 6. Sexually Oriented Business.
 - a. It is the purpose and intent of the provisions of this Zoning Resolution which specifically apply to sexually oriented businesses to regulate such business with the intent of promoting the health, safety, and morals of the citizens of the Township, establishing reasonable and uniform regulations to prevent any deleterious location and concentration of businesses within the Township, thereby reducing or eliminating the adverse secondary effects from such businesses. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative materials, including sexually oriented materials. Similarly, it is not the intent nor effect of this Zoning Resolution to restrict or deny access by adults to sexually oriented

¹⁰ Amended 09-02-2015

¹¹ Added 09-02-2015

- materials protected by the First Amendment, or to deny access by the distributors and exhibitors of sexually oriented entertainment to their intended market. Neither is it the intent nor the effect of this Zoning Resolution to condone or legitimize the distribution of obscene material. The provisions of this Zoning Resolution have neither the purpose nor effect of imposing a limitation or restriction on the content of any communicative material including sexually oriented materials.
- b. A sexually oriented business shall comply with the following supplementary regulations, in addition to compliance with all other requirements of this Zoning Resolution:
- i. No sexually oriented business shall be located on a lot which is located within five hundred (500) feet of a lot on which another sexually oriented business is located.
 - ii. No sexually oriented business shall be located on a lot which is located within six hundred (600) feet of a residential or **LC** District.
 - iii. No sexually oriented business shall be located on a lot which is located within 1,000 feet of a lot containing a church, library, public park, playground, daycare center, school, campground, sports field or any institution where children are kept day or night.
 - iv. Measurement of required distances in **Sections 306.E.6.b.i, 306.E.6.b.ii, and 306.E.6.b.iii** shall be made in a straight line without regard to intervening structures or objects between the points of each of the subject properties which are nearest one another.
 - v. No more than one sexually oriented business shall be operated, established, or maintained within a building or structure.
 - vi. Structures will be designed to prevent internal activities or displays from being visible from the outside.
- c. A sexually oriented business that is legally located per these regulations does not become non-conforming if one of the protected uses as in **Section 306.E.6.b.iii** locates within a designated buffer area.

307 I - INDUSTRIAL DISTRICT

A. Purpose.

The purpose of the Industrial District (I) is to provide for industrial uses on lots in districts which are both suitable for such uses and protected from encroachment by other uses. It is the intent of this district that industrial uses be developed as a unified site, which is planned and developed specifically as an industrial park to accommodate several uses or as a larger site to accommodate a single use. Permitted uses are those which have no detectable effects outside the I district. Central water and sewer facilities are required.

B. Uses.

1. Permitted Uses.

- a. Manufacturing activities including assembling component parts in manufactured products; mechanical or chemical transformation of materials into new products; transformation of materials by heat, electricity, or other forms of energy; the blending of new materials; and the packaging of materials.
- b. Warehousing and storage.
- c. Wholesale trade.
- d. Terminal facilities for motor freight transportation.
- e. Research and testing.
- f. Printing and publishing.
- g. Accessory uses and structures as provided in **Section 205** and including signs as regulated by **Article IV**; parking and loading as regulated by **Article V**.

2. Conditional Uses.

		Subject to these sub sections of <i>Section 606</i>
a.	Strip mining.	24
b.	Junk yard, salvage yard or impound lot.	26
c.	Similar use.	32
d.	¹ Government Projects.	33

C. ² Minimum Dimensions for Lots and Yards.

Lots and yards in the I district shall comply with the minimum requirements stated in the following table:

	Lots not abutting a Residential district	Lots abutting a Residential district
Lot Area	1 acre	1 acre
Lot Frontage	100 feet	100 feet
Lot Width at Minimum Building Setback Line	150 feet	150 feet
Minimum Lot Depth	200 feet	200 feet
Front Yard Depth	75 feet	100 feet

¹ Added 12-05-2006

² Amended 01-06-1996

Side Yard Width	25 feet	100 feet
Rear Yard Depth	50 feet	100 feet

- D. Landscaping and Buffers Required. On any lot the following buffers shall be constructed and permanently maintained:
1. Front Yard Buffer. A landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel shall be constructed.
 2. Side Yard and Rear Yard Buffer. When a side or rear yard is adjacent to a residential district, a landscaped and planted buffer strip fifty (50) feet in width shall be constructed running the length of the yard.
- E. Supplementary Regulations.
1. Site Plan Review. **See Section 807.B.**
 2. Natural Hazard Overlay Areas. All areas within the **NH** are also subject to all requirements of **Section 302** of this Resolution.
 3. Water and Sewer. Central water and sewer facilities shall be required for all uses in the **I** District.
 4. Outdoor Storage Screening. Outdoor storage areas shall be totally screened from view from all public rights-of-way and from all adjacent residential districts by landscaping, walls, fences or topography. Outdoor storage shall not occur in any required front yard or in any yard adjacent to a residential district.
 5. Refuse Storage. All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests.
 6. Industrial Performance Standards. Every establishment desiring to locate in the **I** Industrial District shall submit evidence to the satisfaction of the Zoning Inspector that its activities will not violate the following performance standards:
 - a. Air Pollution. Establishments emitting air pollution affecting ambient air quality shall show evidence of conformance with all Ohio Environmental Protection Agency (OEPA) requirements.
 - b. Vibration. No vibration shall be permitted which is discernible without instruments at the property line of the establishments creating such vibration and beyond any boundary of the district.
 - c. Smoke, Fly Ash, Dust, Dirt. No establishment shall exhaust or discharge into the air any quantity of fly ash, smoke, dust, dirt, or similar form of particulate matter except as permitted by the standards of OEPA.
 - d. Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable beyond the property line.
 - e. Solid and Liquid Wastes. No discharge of liquid or solid wastes into any public or private sewage system, lake, stream, ditch, or other body of water, floodway, swale, retention pond, or other intermittent facility for water storage or management or onto or into the ground except as approved by the OEPA.
 - f. Radioactivity. No establishment shall produce, store, transfer, or use radioactive materials in any manner hazardous to human health.
 - g. Electric or Electronic Disturbance. No establishment shall produce electronic or electrical disturbances perceptible beyond the property line.
 - h. Fire and Explosion Hazards. Materials and processes having potential for fire or explosion hazards shall not be permitted in close proximity to residential areas where they constitute undue safety

- hazards. When permitted, such uses shall be controlled by the requirements of the Westfield Fire Department.
- i. Noise. Noise which is determined objectionable to an ordinary person at the property line due to volume, frequency or beat shall be prohibited.

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308 ¹EG - EAST GREENWICH OVERLAY DISTRICTA. Purpose.

The term "East Greenwich" used in this text, references the area east of the I-71 overpass on Greenwich Road as identified to the Westfield Township/Guilford Township Line. The purpose of the East Greenwich Overlay District (**EG**) is to encourage residential and office/industrial development in this Greenwich Road area consistent with the recommendations of the Westfield Township Development Policy Plan by providing development alternatives not currently available in the existing zoning districts.

B. Effect of the East Greenwich Overlay District.

1. **Section 308** establishes the area of the **EG**, and the planned unit development regulations set forth herein for Office/Industrial Planned Development (**OIPD**) or for Planned Residential Development (**PRD**) which may be effective on specific properties within the **EG** District at the election of property owners and with the approval of the Township.
2. The regulations in effect in the zoning districts currently designated within the **EG** District area shall continue to be in effect on properties within the **EG** District until the owner(s) of property(ies) apply for an **OIPD** or **PRD** and the Township approves as provided in this Article.

C. Area of the East Greenwich Overlay District.

The **EG** District includes the properties located within the area of Westfield Township as identified in the Westfield Township Zoning District Map.

D. Planned Residential District (PRD).1. Purpose.

The purpose of the **PRD** is to provide locations for planned residential developments within the **EG** District.

2. Qualifying Conditions for PRD.

- a. Only property (a lot or lots) located within the **EG** District may be approved for a **PRD**, and may include property within the area of the Overlay District currently designated in the Local Commercial District (**LC**).
- b. Property proposed for a **PRD** shall:
 - i. Total at least ten (10) contiguous acres exclusive of existing public rights-of-way.
 - ii. Have access to an existing improved public road and frontage thereon of not less than sixty (60) feet.
 - iii. Not be divided by existing public or private right of way, easements, roads or similar physical or legal barriers which limit use for purposes of the **PRD**.
- c. The land for which a **PRD** application is submitted must be in single ownership or the subject of an application filed collectively by all owners of the properties intended to be included within the **PRD**. All land included within a **PRD** shall be under the control of the applicant, whether that applicant is an individual, partnership, or corporation or a group of individuals, partnerships or corporations. At the time of application, applicants shall present firm evidence to the satisfaction of the Zoning Commission (ZC) of unified control of the entire area within the proposed development.

¹ Added entire **EG** section 01-15-2018

3. Standards for PRD.
- a. Greenwich Road Frontage Design Standards:
- i. Vehicular access to and from properties in a **PRD** shall be provided by a limited number of new access roads intersecting with Greenwich Road as approved in the Final Development Plan.
 - ii. Direct access to and from Greenwich Road from a lot with frontage thereon shall only be permitted where it is found that it is not feasible to provide access for that lot from approved new access road(s).
 - a) The lot(s) shall comply with the zoning requirements of the underlying district.
 - iii. All structures shall be located at least one hundred (100) feet from exterior boundaries which do not abut another **PRD** (*ref. Section 308.D.4.c.i*).
- b. Common Open Space Required.
- i. Definition. For purposes of the **PRD** requirements, "common open space" is defined as an area of land and/or water designed and reserved for use and enjoyment by the owners and guests of the development and/or the general public. Common open space may contain accessory structures and improvements necessary or desirable for noncommercial uses which are educational, recreational or cultural.
 - ii. General Standards. Common open space shall be located and designed to comply with the following standards:
 - a) Be sufficiently aggregated to create large areas of planned open space.
 - b) As a priority, conserve significant natural topographic and landscape features to the extent practicable (including but not limited to steep slopes, wetlands, woodlands, lakes or ponds, historic lands, environmentally sensitive areas, or similar conservation-oriented areas).
 - c) May provide outdoor active or passive recreation accessible to the residents of the proposed development. May provide facilities for such uses as club house, pool, tennis courts, golf, and equestrian. But shall NOT be used for organized large field sports, such as football, baseball, or soccer fields. Any open space intended to be devoted to recreational activities shall be of a usable size and shape for the intended purposes. Recreation areas shall be provided with sufficient parking and appropriate access.
 - d) Be not less than fifty (50) feet in width at any point.
 - e) The preferred features of required common open space, as appropriate for the conditions of a specific **PRD** include: centrally located; located along the street frontages of the development to enhance appearance of the development and the surrounding area; located to preserve significant natural features; and/or located to interconnect other open spaces throughout the development or on contiguous properties.
 - f) If the site contains a lake, stream or other body of water, the Township may require that a portion of the required open space abut the body of water.
 - g) Protection of Open Space. Open space shall be prohibited from further subdivision or development and required to remain in its natural state or as otherwise approved in the development plan. The ownership, protection and control of open space and/or conservation easements shall be accomplished by means provided in the Medina County Subdivision Regulations, approved by the ZC and established by means of legal documents approved and duly recorded. Ownership may be held by any entity approved by the ZC and may be a Home Owners Association, the Township, Medina County Park District, State of Ohio, a land trust or other entity, provided that the proposed owner has or will have the capacity to preserve and

maintain the land according to the provisions of this Resolution including but not limited to the creation of dedicated blocks and/or easements.

- h) Maintenance of Open Space. Maintenance of open space shall be addressed in the documents establishing the owners' association and their responsibilities, or those of other approved legal entities, as provided in the Medina County Subdivision Regulations.
- iii. Minimum Required Open Space Area. At least twenty percent (20%) of the total land area of the **PRD** shall be designated and used as common open space. To promote usable open space, at least seventy-five percent (75%) of the minimum required open space shall be land (which may include wetlands) and not more than twenty-five percent (25%) of the minimum required open space may be open water (which may include natural or man-made lakes, ponds, and wet retention facilities).

Land area devoted to the following shall NOT be included as meeting the open space requirement:

- a) Proposed new or existing public rights-of-way.
 - b) Parking areas, access drives, common drives and driveways, except as otherwise permitted to provide access to the open space.
 - c) Setbacks required for separation of buildings and parking areas from project boundaries and public roads. However, such setbacks may be included in the calculation of required open space if they are contiguous to and part of a larger common open space.
 - d) Required spacing between buildings, such as in clustered areas without lots or condominiums, and parking areas.
 - e) Private yards within subdivided lots.
- c. Infrastructure Required.
 - i. Subdivision Improvements. All areas of a **PRD** shall be developed within a Major Subdivision as provided by the Medina County Subdivision Regulations.
 - ii. Public Utilities. The applicant for a Planned Development shall demonstrate the availability of public water and public sanitary sewer with sufficient capacity to serve the proposed development or the suitability of proposed lots for on-site septic systems conforming to applicable regulations, or private sanitary sewer system conforming to applicable regulations. The applicant shall demonstrate the capacity to finance and construct any necessary off-site improvements including but not limited to sanitary sewers, water lines, road improvements and capacity upgrades, and storm water management facilities.
 - iii. Public Roads. The platting and construction of public roads shall be encouraged for access to all residential development. Where public road frontage is not required for uses such as clustered dwellings, attached dwellings, senior apartments, assisted living and nursing home facilities, all dwellings shall be located with adequate access to and not more than six hundred (600) feet distant from a public road.
 - iv. Pathways for bicycles and pedestrians shall be incorporated throughout the planned development to ensure connectivity between uses, common open spaces, and with adjacent properties. Sidewalks shall be installed on both sides of public roads and on private roads as determined in site plan review.
 - d. Owner's Association Required.
An owner's association shall be created as provided in the Medina County Subdivision Regulations.

4. Specific Standards for PRD Uses.

a. Permitted Uses.

- i. Single-family dwelling as defined in this Zoning Resolution, located on an individual lot with frontage on a public road.
- ii. Clustered single-family dwellings which may be located on individual lots or together on a common lot.
- iii. Attached single-family dwellings provided that no part of one dwelling shall be located above or below any part of another dwelling.
- iv. Senior apartment dwellings in buildings containing not more than twenty-four (24) units and not higher than three (3) stories, and units individually rented or leased to households having at least one (1) individual aged fifty-five (55) years or older.
- v. Assisted living facility, nursing home.
- vi. Public park.

b. Accessory uses, and structures, signs, and parking shall be subject to the provisions of this Zoning Resolution applicable to such uses when located in the Suburban Residential District **SR** unless other specific standards are established in approval of the Development Plan.

c. Dwellings.

i.

Dwelling Type		Minimum Unit Setback *	Minimum Yards (feet)		
			Front	Side	Rear
Detached single family - with sanitary sewers and public water	Minimum lot 12,000 square feet, minimum lot width 80 feet, minimum lot depth 125 feet.	40	40	10	40
Detached single family - without sanitary sewers	Minimum lot 1.0 acre or as required by Medina County Health Dept. whichever is larger, minimum lot width 100 feet.	60	60	20	50
Attached single family	Maximum four (4) units may be attached in one building. Minimum Building separations: 25 feet between sides, 50 feet rear to rear and rear to side.	25	25	na	25
Clustered Single family detached	Detached cluster dwellings 1.0 or 1.5 stories in height shall be separated at least 15 feet: dwellings 2.0 stories or higher shall be separated 20 feet from all other dwellings.	25	25	na	25
<p>*Setback shall be measured from the right-of-way line or from a point thirty (30) feet from the center line, whichever is greater.</p> <p>Additional Setback Standards: All structures shall be located at least one hundred (100) feet from the exterior boundaries which do not abut another PRD.</p>					

ii. Additional Dwelling Density Standard.

Where dwellings, other than single-family detached dwellings on individual lots are proposed (including attached single-family dwellings, clustered single-family dwellings, or senior apartment dwellings), an area or areas of land within the **PRD** shall be identified for the locations of such dwellings. (That identified area of land shall not include the area(s) of any existing or proposed public road rights-of-way and shall not include any area required to provide the required minimum open space.) The maximum density of dwellings for the identified area of land shall be determined by multiplying its total acreage by four (4.0). All dwellings located within the identified area(s) shall comply with all other applicable requirements of this Resolution including but not limited to yards and setbacks.

Example calculation for Dwelling Density Standard.

- A) 50 acres of land is proposed for clustered single-family dwelling.
- B) 2 acres of land is used or planned for public rights of way.
- C) 10 acres minimum (20%) is required common open space.
- D) 50 acres – 2 acres – 10 acres = 38 acres.
- E) 38 acres x 4.0 units per acre = 152 maximum potential units.

iii. Height, Floor Area, Width.

- A) The height of residential principal buildings and structures shall not exceed two and one half (2 ½) stories and thirty-five (35) feet as measured from the grade to the eave line for at least fifty (50) percent of the perimeter of each building.
- B) The height of residential accessory buildings and structures shall not exceed ten (10) feet. The total floor area of all accessory buildings and structures shall not exceed one hundred fifty (150) square feet.
- C) Minimum Dwelling Floor Areas. All single-family dwellings shall have habitable floor areas of 1,400 square feet or greater.
- D) Minimum Dwelling Width. The width of a dwelling shall be at least twenty-eight (28) feet.
- E) Senior apartment dwellings and units in assisted living buildings are exempt from the floor area and width requirements above.

iv. Natural Hazards Overlay Areas. Where land proposed to be included within a **PRD** is located within a **NH**, that part of the **PRD** shall be subject to the requirements applicable to **NH** and the applicable requirements shall supersede the requirements for **PRD**. The use of land within a **NH** for **PRD** common open space shall be encouraged.E. Office/Industrial Park District (OIPD).1. Purpose.

The purpose of the **OIPD** is to provide locations for planned office and industrial developments within the East Greenwich Overlay District.

2. Qualifying Conditions for OIPD.

- a. Only property located within the **EG** north of Greenwich Road may be approved for an **OIPD**.
- b. Property proposed for an **OIPD** shall;
 - i. Contain either:
 - A) A minimum of twenty (20) contiguous acres exclusive of existing public rights-of-way (including at least fifteen (15) acres of property which is not in **NH**); or

- B) A minimum of ten (10) contiguous acres to be developed and maintained as a single lot for a single use (including at least eight (8) acres of property which is not in **NH**).
 - ii. Have access to an existing improved public road and frontage thereon of not less than one hundred (100) feet.
 - iii. Not be divided by existing public or private right of way, easements, roads or similar physical or legal barriers which limit use for purposes of the **OIPD**.
 - c. The land for which an **OIPD** application is submitted must be in single-ownership or the subject of an application filed collectively by all owners of the properties intended to be included within the **OIPD**. All land included within a planned office industrial development shall be under the control of the applicant, whether that applicant is an individual, partnership, or corporation or group of individuals, partnerships **OR** corporations. Applicants shall present firm evidence to the satisfaction of the ZC at the time of application, of unified control of the entire area within the proposed development.
3. General Standards for **OIPD**.
- a. Infrastructure.
 - i. Subdivision Improvements. All areas of an **OIPD** shall be developed within a Major Subdivision as provided by the Medina County Subdivision Regulations except where approved as a ten (10) acre minimum lot as provided above.
 - ii. Public Utilities. The applicant for an **OIPD** shall demonstrate the availability of public water and public sanitary sewer with sufficient capacity to serve the proposed development or private sanitary sewer system conforming to applicable regulations and shall demonstrate the capacity to finance and construct any necessary off-site improvements.
 - iii. Public Roads. All roads shall be dedicated public roads. Provisions for future road extensions to abutting properties may be required.
 - b. Uses.
 - i. Permitted Uses.
 - A) Light industrial establishments in which the principal activity is the manufacturing, processing, assembly or packaging of goods and materials.
 - B) Research, development, analysis, or testing as the principal use in laboratories, product development centers, testing facilities, or research centers which may include associated light fabrication and assembly operations as an accessory use.
 - C) Warehousing.
 - D) Wholesale trade.
 - E) General office uses or business, professional, medical or governmental offices.
 - F) Indoor and outdoor recreational facilities.
 - G) Printing and publishing.
 - H) Appliance repair centers.
 - I) Commercial bakeries.
 - J) Communication towers and communication antennas.
 - K) Day care center (child or adult), nursery school or similar facility.
 - L) Business services including mailing, reproduction, stenographic, word-processing, data entry, computer programming, photocopying, duplicating, data processing, business machine servicing, and temporary labor services.
 - M) Business, Trade Schools, Educational Studios, Philanthropic Groups.

N) Media Production, including Motion Picture Studios and Stations, Radio and Television Broadcasting and Recording Stations.

ii. **Conditional Uses.**

- A) Indoor self-service storage facilities.
- B) Animal hospitals and kennels.
- C) Pest control services.
- D) Crematory.
- E) Distribution.
- F) Contractor shops.
- G) Public and private utility facilities, and governmental maintenance facilities, including the storage and maintenance of customary motor vehicles and equipment.
- H) Sales, service and rental of agricultural and construction equipment.
- I) Landscaping and Lawn care companies.
- J) Automobile and truck service and repair, towing.
- K) Rental truck facilities.

iii. **Accessory Structures and Uses. (See Section 205.)**

- A) Indoor sales and display for products manufactured, processed, fabricated, assembled or warehoused on the premises provided the sales and display areas do not exceed twenty-five percent (25%) of the gross floor area of the main use.
- B) Outdoor sales or display of vehicles or equipment sold or rented on the premises as part of a permitted use listed for the **OIPD** are subject to review and approval of a site plan by the ZC.
 - 1) The outdoor area (or areas) intended to be used for such outdoor sales or display is (are) clearly indicated on a site plan attached to and made part of the Zoning Permit.
 - 2) A description of the general nature of the vehicles or equipment to be sold or displayed in the outdoor areas shall be attached to the Zoning Permit.
 - 3) No other part of the site is used for such purpose at any time.
 - 4) One (1) area for outdoor sales or display may be located in the front yard of the lot, the area shall be paved with asphalt or concrete, shall not exceed 1,500 square feet, and shall not be located closer to the public right-of-way than thirty (30) feet.
 - 5) No vehicle or equipment or any part thereof shall exceed a height of ten (10) feet above natural grade.
 - 6) The total area of such designated areas shall not exceed twenty-five percent (25%) of the area of the lot on which the permitted use is located.
 - 7) Where located in a side or rear yard, the area(s) shall be paved with asphalt or concrete, setback as required for buildings and outdoor uses. Approved outdoor sales or display areas inside and rear yards shall be screened as follows:
 - a) The entire outdoor sales or display area shall be enclosed on all sides (except any side where visibility is obstructed by a building on the site) by a solid wall or a minimum six (6) foot solid fence with openings no greater than fifteen percent (15%) or no less than eighty-five (85) percent opaque, or

- b) a dense vegetative planting incorporating trees, evergreens, and/or hedges of a variety that are as equally effective in their screening effect, in both summer and winter, as a solid wall or solid fence with openings no greater than fifteen (15) percent or no less than eighty-five percent (85%) opaque, or
 - c) a combination of the methods described in **Sections 308.E.3.b.iii.B)7)a) and 308.E.3.b.iii.B)7)b)** above.
 - d) The approved screening shall be maintained in healthy and sound condition in compliance with the intended screening effect at all times that outdoor sales and display is conducted on the designated area.
- C) Outdoor storage of materials, goods, equipment or vehicles, including customer equipment and vehicles temporarily stored on site for servicing or repair only as a use accessory to an otherwise permitted or conditional use provided that:
- 1) Vehicles brought to and removed from the site on a daily basis which are owned by employees, customers, or persons providing services to the business may be stored in a parking area as authorized by this Resolution and shall not be subject to these provisions.
 - 2) All materials, goods, equipment or vehicles stored on the site shall be owned, rented, or leased by the business which is the use of the site. No part of the site shall be used for the storage of materials, goods, equipment, or vehicles owned by uses which are not approved uses of the site. No outdoor storage space shall be permitted to be used, rented, leased, or otherwise authorized by the property owner or user of the site for a purpose which is not directly associated with the approved use of the site.
 - 3) Outdoor storage shall be located at least one hundred (100) feet from any property which is not located in an **OIPD**. Outdoor storage shall be located so that it does not adversely affect the use of neighboring properties and the health or safety of persons residing and/or working in the neighborhood. Storage shall be placed in a manner which protects neighboring properties from any exposure to noise, odor, dust or vibration.
 - 4) Outdoor storage of any top soil, loam, sand, gravel or other erodible fill type substances on land shall be prohibited unless done pursuant to a zoning permit which may include provisions for monthly inspections, a limit on the nature and volume of materials to be stored, and provisions for erosion control, elimination of standing and stagnant water, dust control, silt fences or other site storm water runoff controls necessary to control, prevent and limit storm water runoff including sediment and other pollutants into the private and public storm water ditches and facilities or the natural lakes and streams.
 - 5) The excavation, demolition, processing or outdoor storage for sale or transfer off-site of soil, mulch, other earth substances, logs, stumps, demolition debris or other types of fill material (collectively hereinafter referred to as substances) is prohibited unless the materials are generated by, or the consequence of construction pursuant to or implementation of a presently approved construction permit for the site or subdivision improvements. The substance(s) shall not be treated, screened or otherwise processed or refined upon the site prior to storage or transfer from the site.
 - 6) The outdoor area (or areas) intended to be used for such outdoor storage is (are) clearly indicated on a site plan attached to and made part of the Zoning Permit.

- 7) A description of the general nature of the materials, goods, equipment, or vehicles to be stored in the outdoor areas shall be attached to the Zoning Permit.
 - 8) No other part of the site is used for such purpose at any time.
 - 9) The area(s) shall be paved with asphalt or concrete, and setback as required for buildings and outdoor uses.
 - 10) No stored materials, goods, equipment or vehicle or any part thereof shall exceed a height of ten (10) feet above natural grade.
 - 11) The total area of such designated areas shall not exceed twenty-five percent (25%) of the area of the lot on which the permitted use is located.
 - 12) The approved outdoor storage area shall be screened as follows:
 - a) The entire outdoor storage area shall be enclosed on all sides (except any side where visibility is obstructed by a building on the site) by a solid wall or a minimum six (6) foot solid fence with openings no greater than fifteen percent (15%) or no less than eighty-five percent (85%) opaque, **OR**
 - b) A dense vegetative planting incorporating trees, evergreens, and/or hedges of a variety that are as equally effective in their screening effect, in both summer and winter, as a solid wall or solid fence with openings no greater than fifteen percent (15%) or no less than eighty-five percent (85%) opaque. **OR**
 - c) A combination of the methods described in **Sections 308.E.3.b.iii.C)12)a) and 308.E.3.b.iii.C)12) b)** above.
 - d) The approved screening shall be maintained in healthy and sound condition in compliance with the intended screening effect at all times that outdoor storage is conducted on the storage area.
- D. Off street parking and other vehicular facilities as permitted by **Article V**, Vehicles, Parking and Driveways for the Industrial District (I).
- E. Signs as permitted by **Article IV Sign Regulations for the Industrial District (I)**.
- c. Lot, Area, and Height Requirements.
- i. Minimum Lot Area: one (1) acre.
 - ii. Minimum Lot Frontage: one hundred and fifty (150) feet.
 - iii. Minimum Lot Width: one hundred and fifty (150) feet at building setback line.
 - iv. Maximum Building Height: thirty-five (35) feet.
 - v. Minimum Yards and Setbacks: Front yard fifty (50) feet; side and rear yards twenty-five (25) feet. Where adjacent to property, which is not within an **OIPD**, buildings and outdoor uses shall be setback at least one hundred (100) feet and parking for employee and customer vehicles may be located in the setback but not closer than fifty (50) feet to the lot line.
 - vi. Maximum Lot Coverage: Forty percent (40%).
- d. Environmental Protection Standards.
- i. Natural Hazards Overlay Areas. As applicable, properties within an **OIPD** which are within a Natural Hazard District shall be subject to the requirements of **Section 302** of this Resolution.
 - ii. Containment of Environmental Impacts.
 - A) Where any building is proposed for a use which generates noise, dust, odors, bright lights, or other environmental impacts or hazards which may be emitted from the building via open doors or windows, then doors and openable windows shall not be located on any side of the building which is parallel or nearly parallel to a lot line abutting a district in which residential

use is permitted. Windows in these locations may be permitted if fixed in place and of sufficient construction to prevent emission of the impacts and hazards.

- B) Loading docks and loading doors shall not be located on any side of the building which is parallel or nearly parallel to a lot line abutting a district in which residential use is permitted.
 - C) Building elevation drawings or other design drawings illustrating the intended locations of windows, doors, and loading facilities shall be submitted with the site plan for review and approval by the ZC.
- e. Site Plan Review Required. Prior to establishing any use on any property located within an approved **OIPD**, site plan review shall be required as provided in **Section 807** of this Resolution.
- F. Procedures for Application, Review, and Approval of Planned Development (PRD OR OIPD).
- 1. Pre-Application Conference. The applicant for a planned development is encouraged to request a meeting with the Zoning Inspector prior to submitting an application for the purposes of reviewing the applicable regulations and to obtain other information relevant to the proposal. Applicants are encouraged to confer with public officials and agencies who may be involved in review and approval of proposed development, including but not limited to the Medina County Health Department, Highway Engineer, Director of Planning Services, and Sanitary Engineer.
 - 2. Preliminary Development Plan.
 - a. Application. An application for a planned development shall be submitted to the ZC by the owner, owner's authorized representative or option holder of the property that is the subject of the application. The application shall be submitted in the form of a letter of request along with a fee and deposits established by the Township Trustees, and a Preliminary Development Plan and narrative containing the information specified below.
 - i. Preliminary Development Plan. A Preliminary Development Plan shall be submitted and include the following:
 - A) Name, address, phone number and email address of the applicant.
 - B) Name, address, phone number and email address of the professional or firm that prepared the plan.
 - C) Legal description of the property.
 - D) North arrow, scale and title block.
 - E) General location map.
 - F) Property boundary survey.
 - G) Adjacent buildings and structures within two hundred (200) feet of the property boundaries.
 - H) All perimeter streets abutting the property, including right-of-way width.
 - I) Existing topographic conditions (two-foot intervals).
 - J) Existing natural features (woods, ponds, streams, wetlands).
 - K) Approximate location of existing and proposed utilities, including a preliminary utility and drainage concept plan.
 - L) Uses proposed within the planned development and general locations.
 - M) Numbers and types of dwelling units proposed and locations.
 - N) Conceptual layout of the development illustrating the general location of interior streets, access points to abutting streets, common open spaces, areas to be developed by type of use, parking areas and easements.

- O) The ZC reserves the right to request a traffic impact study to assess the impacts of proposed development on existing traffic facilities, to determine the feasibility of accommodating the traffic, and to identify necessary improvements and sources of funding for the improvements. Required improvements should be not only those directly on the frontages of the subject site, but also, those which can be determined necessary to mitigate the impacts on roads and facilities utilized to access the site or area.
- P) Any other information deemed necessary by the ZC to determine the character of the proposed development and compliance with these regulations.
- ii. Project Narrative. A written statement shall be submitted, providing the following information:
 - A) Statement of how the Planned Development meets each of the applicable provisions of this Zoning Resolution.
 - B) Identification of the present owners of all land within the proposed project.
 - C) Explanation of the proposed character of the Planned Development, including a summary of acreage by use, number and type of dwelling units, area and percent of the project area to be preserved as common open space, minimum lot sizes by type of use.
 - D) A general description of the proposed development schedule and anticipated phases.
 - E) Intended agreements, provisions and covenants to govern the use of the planned development, and any common open space areas to be preserved.
- b. Zoning Commission Review. At the next regularly scheduled meeting after submission of an application, the ZC shall review the application to determine if it contains all items and information required by this Resolution. When it is determined that an application is complete, the ZC shall set the date for a public hearing at its next regularly scheduled meeting (or at a later date agreed with the applicant).
 - i. Notice of hearing. The following notices shall be provided:
 - A) Written notice of the hearing shall be mailed by first class mail to the property owner or owner's authorized representative or option holder of the property that is the subject of the application and the owners of the property contiguous to and directly across the street from the subject property. The notice shall be sent at least ten (10) days before the day of the hearing and shall contain the time, place and purpose of the hearing. A failure to notify, as provided in this section, shall not invalidate any proceedings or actions taken by the ZC or Township Trustees.
 - B) Notice to the general public of the ZC's agenda shall be posted on the township website at least fourteen (14) days prior to the date of the hearing.
 - ii. Requests for Reviews. Upon setting the date for a hearing, the Commission may submit the application to such agencies and professionals as it deems necessary, which may include but not be limited to the Township Fire Chief, the Medina County Highway Engineer, Sanitary Engineer, and Director of Planning Services.
 - iii. Public hearing. The ZC shall conduct a public hearing in accordance with its rules of procedure.
 - iv. Recommendation. Upon voting on the application, the ZC shall forward its recommendation to the Township Trustees that the Preliminary Development Plan be approved as presented, approved with supplementary conditions, or not approved.
- c. Township Trustees Action. Within sixty (60) days of receiving the recommendation from the Z, the Township Trustees shall conduct a public hearing prior to taking final action on the Preliminary Development Plan.

- i. Notice of hearing. Notice shall be provided in the manner set forth for the ZC review above.
 - ii. Public hearing. The Township Trustees shall conduct a public hearing in accordance with its rules of procedure.
 - iii. Action. After the public hearing, the Township Trustees shall vote to approve, approve with supplementary conditions or deny the Preliminary Development Plan.
 - iv. Failure of the applicant to comply with any conditions of approval shall be considered a violation of the Zoning Resolution and is subject to all applicable enforcement, remedies and penalties available to the Township in law or equity and as provided for in this Resolution.
 - v. Effect of Township Trustees Action. Township Trustees action approving a Preliminary Development Plan authorizes the applicant to prepare and submit a Final Development Plan, but not to initiate construction or take any other action. Approval of a Preliminary Development Plan shall not constitute approval of the Final Plan. Rather, it shall be deemed an expression of approval to the layout submitted on the Preliminary Plan and as a guide to the preparation of the Final Plan, which will be submitted for approval of the ZC upon the fulfillment of the requirements of these regulations and conditions of the preliminary approval, if any. Township Trustees action disapproving a Preliminary Development Plan shall halt any other action on the part of the Township with regard to the Plan or the Township Trustees may authorize the applicant to resubmit an amended Preliminary Development Plan.
 3. Final Development Plan. The following procedures shall be followed for the review of the Final Development Plan.
 - a. Timing. An application for Final Development Plan approval shall be filed not later than twenty-four (24) months after the effective date of Township Trustees approval of the Preliminary Development Plan, otherwise the Preliminary Development Plan approval shall expire. Three (3) one-year extensions may be authorized by the ZC for good reason and justifiable cause. The applicant must demonstrate they have made a good faith attempt to work towards a Final Development Plan submittal. The applicant shall submit the request for extension in writing to the ZC who shall make a written determination regarding its decision to extend or deny the extension. Both the request and the determination shall be made part of the record. If the applicant fails to submit a Final Development Plan within this time frame, the approved Preliminary Development Plan shall be deemed to have expired, and the applicant must submit a new Planned Development application.
 - b. Application. An application for approval of the Final Development Plan shall be submitted by the property owner or owner's authorized representative to the Zoning Inspector. The application shall be filed in the form of a letter, along with a fee established by the Township Trustees, including a Final Development Plan and narrative containing the information specified in the following subsections. Incomplete payment of established fees or an incomplete application will not be accepted and will not be processed or forwarded to the ZC.
 - i. Final Plan. A Final Development Plan, substantially consistent with the approved Preliminary Development Plan shall be submitted with the required application. The Final Plan shall contain all information deemed necessary by the ZC to confirm compliance with the provisions of this Article and with all other applicable regulations. At minimum, the application for Final Development Plan shall include:
 - A) The proposed locations of all uses including but not limited to dwellings, open spaces, commercial uses, and infrastructure.

- B) A subdivision plan or other survey indicating the locations of all lots, rights-of-way, easements, and other divisions of land.
- C) A grading plan indicating existing and planned topography.
- D) A storm water facilities plan.
- ii. Project Narrative. A project narrative shall also accompany the application and Final Development Plan and provide the following:
 - A) Proposed covenants and/or deed restrictions governing the use, design, maintenance, ownership and control of development and common areas.
 - B) Identification of the entity responsible for maintenance of common areas to the satisfaction of the ZC.
 - C) Description of all deviations from the otherwise applicable zoning requirements.
 - D) The total number of dwelling units, numbers of units by type, and locations of all units; if a phased development, totals, types and locations by phase.
 - E) Open space calculations, identifying the gross acreage and percent of lands to be preserved as common open space, including calculations by phase of the development, if applicable.
 - F) Improvements that would be the responsibility of the developer such as construction of roads, parks, utilities, pathways, sidewalks and similar elements; and off-site improvements as identified in **Section 308.F.2.a.i.O**) or the application review process.
 - G) An anticipated development schedule by phase, if applicable, with time frame of completion by phase once initiated.
 - H) A proposed schedule or sequence for coordination of other required approvals, including but not limited to subdivision approvals, which may include simultaneous applications, reviews, and approvals subject to acceptance of such schedule by the Township.
- iii. The ZC may require additional information beyond what is specifically required if, in its' judgment, more detailed information is necessary due to the size of the development; number of phases proposed; or the interrelationship of roads, utilities or drainage systems within the total site.
- c. Phased Projects. If a Planned Development is to be constructed in two or more phases, Final Development Plan approval may be granted for individual phases; provided, a complete plan for the entire Planned Development was first given Preliminary Development Plan approval and that each subsequent phase shall be submitted for Final Development Plan approval and is consistent with the approved Preliminary Development Plan. Each phase shall have adequate provision for access, parking, open space, storm water management, and other public improvements to serve the development. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property.
- d. Zoning Commission Review. The application materials shall be forwarded to the ZC for review. At its next regularly scheduled meeting after submission of a complete application and all required plans and information, the ZC shall consider the application and take action to approve, approve with supplementary conditions or not approve the Final Development Plan, based on the review standards of **Section 308.F.4**. The Final Development Plan shall be approved if it conforms to the Preliminary Plan. Approval by the ZC shall authorize the applicant to proceed with the Planned Development subject to all applicable regulations, conditions, and agreements. Disapproval by the ZC

- shall halt any other action on the part of the Township with regard to the Plan unless the ZC authorizes the applicant to resubmit an amended Final Development Plan.
- e. Performance Guarantee, Development Agreement. In conjunction with the approval of a Final Development Plan, the applicant may be required to provide a performance guarantee and/or a development agreement to address additional issues specific to the Planned Development.
4. Review Standards. In considering a Planned Development application, the ZC shall find that the development meets all applicable requirements and qualifying conditions, as well as the following general standards:
- a. Purpose of a Planned Development. The Planned Development shall be consistent with the stated purposes of this District.
 - b. Surrounding Uses. The Planned Development shall be compatible with the existing and intended uses surrounding the subject property.
 - c. Natural Environment. The design and layout of the Planned Development shall be harmonious with the natural character of the site and surrounding area and shall employ best management practices to ensure their conservation.
 - d. Public Facilities and Services. The Planned Development shall not place undue burden on the capacity of public facilities and services such as, but not limited to, roads, fire and police protection, water, sanitary sewer service and drainage.
 - e. Protects Health, Safety and Welfare. The Planned Development shall not contain uses or conditions of use that may be injurious to the public health, safety, or welfare.
 - f. Consistent with All Applicable Standards and Requirements. The Planned Development shall conform to all applicable requirements of this Resolution.
 - g. Final Development Plan. The Final Development Plan is substantially consistent with the representations made and plans shown during the Preliminary Development Plan stage of approval.
 - h. Recognizable and Substantial Benefits. Approval of the planned unit development will result in a recognizable and substantial benefit to the users the project and to the community which would not otherwise be feasible or achievable under conventional zoning districts.
5. Commencement of Construction; Revocation of Approval. Construction shall commence and proceed meaningfully toward completion subsequent to Final Development Plan approval, or approved phases thereof, in accordance with the following:
- a. For purposes of this section, meaningful progress toward completion shall mean, at a minimum, all of the following: site clearing, rough grading, and installation of infrastructure improvements: sanitary sewer, storm water facilities including storm water management facilities, and water mains.
 - b. If construction has not commenced within twenty-four (24) months, the applicant may request one extension of up to twenty-four (24) additional months. The request shall be submitted, in writing, to the ZC prior to the expiration of the original twenty-four (24) month time limit and shall provide reasonable evidence to the effect that unforeseen difficulties or special circumstances have been encountered, causing delay in commencement of the Planned Development. If an extension is not requested or is not submitted prior to the expiration of the original time limit, the Final Development Plan shall become null and void.
 - c. Following expiration of the foregoing time limits, the Township Trustees may initiate proceedings to revoke approval of the Planned Development.

6. Amendments, Approval of Minor Changes. Changes to an approved Final Development Plan shall be permitted only under the following circumstances:
 - a. The holder of an approved Final Development Plan shall notify the ZC of any proposed change to the approved plan in writing, identifying proposed changes "from and to" as identified in the site plan and or plan narrative.
 - b. Minor changes may be approved by the ZC during a regular or special meeting called for the purpose, with a majority of members present. Changes may be approved upon determining that the proposed revision(s) will not alter the basic design nor any specified conditions or commitments imposed as part of the original approval.
 - c. Minor changes are one or more of the following:
 - i. Reduction in building size or increase in building size up to five percent (5%) of the total approved floor area.
 - ii. Movement of building or other structures to a location that meets all established setbacks.
 - iii. Changes in parking layout that do not alter the number of spaces by more than five percent (5%) of the total spaces within the parking area and do not change the location of driveways or roads providing access to the parking area. The ZC shall not reduce the number of parking spaces below the minimum requirements of **Section 502**.
 - iv. Changes required or requested by a county, state or federal regulatory agency in order to conform to other laws or regulations.
 - v. Any changes approved shall be noted on the previously approved site plan of the planned development.
 - d. A proposed change to an approved Final Development Plan that does not meet one of the criteria above shall be considered an amendment to the approved Final Development Plan and a request for modification shall be submitted to the ZC and reviewed in accordance with the procedures established for the Final Development Plan review and approval process.
 - e. When, in the judgment of the ZC, the proposed requested modification(s) substantially deviates from the approved Preliminary Development Plan, the requested modification(s) shall be reviewed by the ZC as an Amended Preliminary Development Plan, and shall be reviewed in accordance with the provisions of this Article for the approval of a Preliminary Development Plan.
7. Modification of Minimum Requirements. The applicant for a Planned Development shall identify, in writing, all proposed deviations from the requirements for a **PRD** or **OIPD**. Modifications may be approved by the Township Trustees during the preliminary development plan review stage, after ZC recommendation. Adjustments to the minimum requirements may be permitted only if they will result in a higher quality and more sustainable development, consistent with the purpose of the planned development regulations.
8. Expansion of Planned Development Area. A property located within the area described in **Section 308.E.2.a** which is contiguous with but not contained within an approved Planned Development may apply for approval of an expansion of the contiguous Planned Development. The proposed area of expansion shall not be required to contain a minimum acreage but shall be subject to all other provisions of this Resolutions and all other applicable Township regulations.

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309 ¹HCI – HIGHWAY COMMERCIAL INDUSTRIAL PLANNED UNIT OVERLAY DISTRICT**A. Purpose.**

The term Highway Commercial Industrial Planned Unit Overlay District (**HCI**) used in this text references the area east of Lake Road and bordered on the north by US 224, on the south by Greenwich Road, and to the west of the I-71/I-76 interchange. The purpose of the **HCI** district is to provide for a mix of highway service commercial and industrial uses to serve the automobile and truck traffic on US 224/I-76 and I-71 and the local surrounding market. This optional overlay district is designed to allow flexibility between highway commercial uses and industrial uses by allowing development alternatives not currently available in the existing zoning districts.

B. Effect of the Highway Commercial Industrial Planned Unit Overlay District.

1. **Section 309**, establishes the area of the **HCI** and the planned unit development regulations for a Highway Commercial/Industrial Planned Development (HCI).
2. The regulations in effect in the zoning districts currently designated within the **HCI** District area shall continue to be in effect on properties within the **HCI** District until the owner(s) of property(ies) apply for a **HCI** and the Township approves as provided in this Article.

C. Area of the Highway Commercial Industrial Planned Unit Overlay District.

The **HCI** District includes the properties located within the area of Westfield Township as identified in the Westfield Township Zoning District Map.

D. Uses.**1. Permitted Uses.**

- a. Restaurants and eating places.
- b. Motels.
- c. Accessory uses and structures as provided in **Section 205** and including signs as regulated by **Article IV**, parking and loading as regulated by **Article V**.
- d. Convenient Care Clinic.
- e. Manufacturing activities including assembling component parts in manufactured products; mechanical or chemical transformation of materials into new products; transformation of materials by heat, electricity, or other forms of energy; the blending of new materials; and the packaging of materials.
- f. Warehousing and storage.
- g. Wholesale trade.
- h. Terminal facilities and motor freight transportation.
- i. Research and testing.
- j. Printing and publishing.
- k. Equipment leasing/rental business.
- l. Bed and breakfast establishments.
- m. Veterinary clinic or hospital.

¹ Added entire **HCI** section 06-02-2021

- n. Educational, religious or philanthropic institutions.

2. Conditional Uses.

		Subject to subsections of Section 606.A
a.	Drive-in establishments, including any permitted use listed in Section 309.D.1 above, and including auto washes, bank(s), and refreshment stands but excluding drive-in theaters and commercial amusement parks.	3, 4, 6, 8, 10, 14, 15, 16, 21.a, and 21.c
b.	Gasoline filling stations.	3, 4, 6, 8, 10, 14, 15, 16, 17, and 21
c.	Automotive and truck repair.	3, 4, 6, 8, 10, 14, 15, 16, 17, and 21
d.	Auto wash.	3, 4, 6, 8, 10, 14, 15, 16, 17, and 21
e.	Grocery and food stores not exceeding 75,000 square feet.	3, 4, 6, 8, 10, 14, 15, 16, 21.a, and 21.c
f.	Establishments engaged in providing a variety of services to individuals and business establishments, such as personal services; miscellaneous business services, medical and health services, engineering and architectural services, legal services, accounting, auditing and bookkeeping services, banking, credit agencies, investment firms, real estate, insurance, data management/storage, professional, nonprofit, charitable and labor organizations.	3, 4, 6, 8, 10, 14, 15, 16, and 21.c
g.	Recreational activities such as: dance studio and school, bowling alley, club pool or commercial pool, tennis, basketball, badminton, volleyball courts, football and soccer fields, motion picture and theatrical playhouse.	3, 4, 6, 8, 10, 14, 15, 16, and 21.c
h.	Establishments engaged in retail trade such as drug stores, books and stationery, apparel, florist, garden supply, antiques, sporting goods, jewelry, optical goods, furniture, home furnishings, office equipment and office supplies, not exceeding 30,000 square feet.	3, 4, 6, 8, 10, 14, 15, 16, and 21.c
i.	Government Projects.	33
j.	Similar use.	32

- 3. Any of the above permitted uses, conditional uses and identified similar uses may be located within a common structure, providing such structure and site plan complies with the requirements of this Resolution.

E. Minimum Dimensions for Lots and Yards.

- 1. Lots and yards in the **HCI** District shall comply with the minimum requirements stated in the following table:

HIGHWAY COMMERCIAL INDUSTRIAL PLANNED UNIT OVERLAY DISTRICT

Minimum Dimensions for Lots and Yards

Lot Area	1 acre
Lot Frontage	
Lots fronting on Lake Road and/or Greenwich Road	300 feet
Lots fronting on all other streets	150 feet
Lots fronting on a cul-de-sac bulb	150 feet*
Lot Width at Minimum Building Setback Line	
Lots fronting on Lake Road and/or Greenwich Road	300 feet
Lots fronting on all other streets	150 feet
Lots fronting on a cul-de-sac bulb	150 feet*
Minimum Lot Depth	200 feet
Front Yard Setback	
Lots fronting on Lake Road and/or Greenwich Road	100 feet
Lots fronting on all other streets	40 feet
Side Yard Setback	25 feet
Rear Yard Setback	25 feet
Maximum Impervious Surface	75%
*All measurements of frontage and setback lines to follow the same arc as the road.	

2. In all cases, the right-of-way line shall be as shown on the records of Medina County, but for purposes of determining the front line of a lot shall not be less than thirty (30) feet from the centerline.

F. Landscaping and Buffers Required. On any lot the following buffers shall be constructed and permanently maintained.

1. Front Yard Buffer. A landscaped strip twenty (20) feet in width adjacent to the right-of-way and running the entire frontage of the parcel shall be constructed.
2. Side Yard Buffer. The side yard shall consist of a landscaped and planted buffer strip five (5) feet in width and running the length of the side yard.
 - a. Designated wetlands at least ten (10) feet in width may be substituted for the landscape and buffer requirement.
3. Rear Yard Buffer. The rear yard shall consist of a landscaped and planted buffer strip five (5) feet in width and running the length of the rear yard.
 - a. Designated wetlands at least ten (10) feet in width may be substituted for the landscape and buffer requirement.
4. Additional landscaping and buffer requirements for Outdoor Storage of Materials and Outdoor Storage Businesses can be found in **Section 309.G.4.k.**

G. Supplementary Regulations.

1. Merchandise Display. Storage of materials, equipment, supplies and displays shall take place within a completely enclosed building.
2. Refuse Storage. All outdoor refuse storage areas shall be screened from view from adjacent properties. All refuse shall be stored in rodent proof containers or enclosures. Refuse storage areas shall be maintained in a neat and orderly fashion so as not to attract insects, rodents or other pests.
3. Natural Hazard Areas. Areas within the Natural Hazards District are subject to all requirements of **Section 302** of this Resolution.
4. Outdoor Storage of Materials and Outdoor Storage Businesses. Outdoor storage of materials, goods, equipment or vehicles, including customer equipment and vehicles temporarily stored on site for servicing or repair only as a use accessory to an otherwise permitted or conditional use provided that:
 - a. Vehicles brought to and removed from the site on a daily basis which are owned by employees, customers, or persons providing services to the business may be stored in a parking area as authorized by this Resolution and shall not be subject to these provisions.
 - b. All materials, goods, equipment or vehicles stored on the site shall be owned, rented, or leased by the business which is the use of the site. No part of the site shall be used for the storage of materials, goods, equipment, or vehicles owned by uses which are not approved uses of the site. No outdoor storage space shall be permitted to be used, rented, leased, or otherwise authorized by the property owner or user of the site for a purpose which is not directly associated with the approved use of the site.
 - c. Outdoor storage shall not be located within one hundred (100) feet from any residential zoned district or current residence. Outdoor storage shall be located so that it does not adversely affect the use of neighboring properties and the health or safety of persons residing and/or working in the neighborhood. Storage shall be placed in a manner which protects neighboring properties from any exposure to noise, odor, dust or vibration.
 - d. Outdoor storage of any top soil, loam, sand, gravel or other erodible fill type substances on land shall be prohibited unless done pursuant to a zoning permit which may include provisions for monthly inspections, a limit on the nature and volume of materials to be stored, and provisions for erosion control, elimination of standing and stagnant water, dust control, silt fences or other site storm water runoff controls necessary to control, prevent and limit storm water runoff including sediment and other pollutants into the private and public storm water ditches and facilities or the natural lakes and streams.
 - e. The excavation, demolition, processing or outdoor storage for sale or transfer off-site of soil, mulch, other earth substances, logs, stumps, demolition debris or other types of fill material (collectively hereinafter referred to as substances) is prohibited unless the materials are generated by, or the consequence of construction pursuant to or implementation of a presently approved construction permit for the site or subdivision improvements. The substance(s) shall not be treated, screened or otherwise processed or refined upon the site prior to storage or transfer from the site.
 - f. The outdoor area (or areas) intended to be used for such outdoor storage is (are) clearly indicated on a site plan attached to and made part of the Zoning Permit.

- g. A description of the general nature of the materials, goods, equipment, or vehicles to be stored in the outdoor areas shall be attached to the Zoning Permit.
 - h. The total area of such outdoor storage shall not exceed thirty percent (30%) of the area of the overlay on which the permitted use is located.
 - i. The area(s) where incoming and outgoing traffic, deliveries, or any other public traffic turning movements occur shall be paved with asphalt or concrete, and setback as required for buildings and outdoor uses. Designated storage areas or yards are permitted to be stone or gravel base and shall be gated from direct access from public roadways. Stone or gravel base yards shall be professionally maintained and repaired as needed by the landowner.
 - j. No stored materials, goods, equipment or vehicle or any part thereof shall exceed a height of fifteen (15) feet above natural grade.
 - k. The approved outdoor storage area shall be screened by one of the following methods:
 - i. The entire outdoor storage area shall be enclosed on all sides (except any side where visibility is obstructed by a building on the site) by a solid wall or a minimum six (6) foot solid fence with openings no greater than fifteen percent (15%) or no less than eighty-five percent (85%) opaque. **OR,**
 - ii. A dense vegetative planting incorporating trees, evergreens, and/or hedges of a variety that are as equally effective in their screening effect, in both summer and winter, as a solid wall or solid fence with openings no greater than fifteen percent (15%) or no less than eighty-five percent (85%) opaque. **OR,**
 - iii. A seeded topsoil mound(s) a minimum of six (6) feet in height. The topsoil mound shall be maintained and mowed in a professional manner. **OR,**
 - iv. A combination of the methods described in **Sections 309.G.1, 309.G.2, and 309.G.3** above.
 - v. The approved screening shall be maintained in healthy and sound condition in compliance with the intended screening effect at all times that outdoor storage or outdoor business is conducted on the storage area.
5. Water and Sewer. Central water and sanitary sewer services are recommended in the **HCI** District.
6. Industrial Performance Standards. Every establishment desiring to locate in the Industrial (**I**) District shall submit evidence to the satisfaction of the Zoning Inspector that its activities will not violate the following performance standards:
- a. Air Pollution. Establishments emitting air pollution affecting ambient air quality shall show evidence of conformance with all Ohio Environmental Protection Agency (OEPA) requirements.
 - b. Vibration. No vibration shall be permitted which is discernible without instruments at the property line of the establishments creating such vibration and beyond any boundary of the district.
 - c. Smoke, Fly Ash, Dust, Dirt. No establishment shall exhaust or discharge into the air any quantity of fly ash, smoke, dust, dirt, or similar form of particulate matter except as permitted by the standards of OEPA.
 - d. Odors. No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable beyond the property line.
 - e. Solid and Liquid Wastes. No discharge of liquid or solid wastes into any public or private sewage system, lake, stream, ditch, or other body of water, floodway, swale, retention pond, or other

- f. intermittent facility for water storage or management or onto or into the ground except as approved by the OEPA.
 - g. Radioactivity. No establishment shall produce, store, transfer, or use radioactive materials in any manner hazardous to human health.
 - h. Electric or Electronic Disturbance. No establishment shall produce electronic or electrical disturbances perceptible beyond the property line.
 - i. Fire and Explosion Hazards. Materials and processes having potential for fire or explosion hazards shall not be permitted in close proximity to residential areas where they constitute undue safety hazards. When permitted, such uses shall be controlled by the requirements of the Westfield Fire Department.
 - j. Noise. Noise which is determined objectionable to an ordinary person at the property line due to volume, frequency or beat shall be prohibited.
7. Direct access to and from Greenwich Road. Direct access to and from Greenwich Road from a lot with frontage there on shall only be permitted whereas found it is not feasible to have access to and from Lake Road or any approved new access road(s).
- H. Procedures for Application, Review, and Approval of Planned Development.
1. Pre-Application Conference. The applicant for a planned development is encouraged to request a meeting with the Zoning Inspector prior to submitting an application for the purposes of reviewing the applicable regulations and to obtain other information relevant to the proposal. Applicants are encouraged to confer with public officials and agencies who may be involved in review and approval of proposed development, including but not limited to the Medina County Health Department, Highway Engineer, Director of Planning Services, and Sanitary Engineer.
 2. Preliminary Development Plan.
 - a. Application. An application for a planned development shall be submitted to the ZC by the owner, owner's authorized representative or option holder of the property that is the subject of the application. The application shall be submitted in the form of a letter of request along with a fee and deposits established by the Township Trustees, and a Preliminary Development Plan containing the information specified below.
 - b. Preliminary Development Plan. A Preliminary Development Plan shall be submitted at the time of application and include the following:
 - i. Name, address, phone number and email address of the applicant.
 - ii. Name, address, phone number and email address of the professional or firm that prepared the plan.
 - iii. Legal description of the property.
 - iv. North arrow, scale and title block.
 - v. General location map.
 - vi. Property boundary survey.
 - vii. Adjacent buildings and structures within two hundred (200) feet of the property boundaries.
 - viii. All perimeter streets abutting the property, including right-of-way width.
 - ix. Existing topographic conditions (minimum two-foot intervals).

- x. Existing natural features (woods, ponds, streams, wetlands).
 - xi. Approximate location of existing and proposed utilities, including a preliminary utility and drainage concept plan.
 - xii. Uses proposed within the planned development and general locations.
 - xiii. Numbers and types of bed and breakfast establishments proposed and locations.
 - xiv. Conceptual layout of the development illustrating the general location of interior streets, access points to abutting streets, common open spaces, areas to be developed by type of use, parking areas and easements, subject to the Medina County Subdivision rules and regulations.
 - xv. The ZC reserves the right to request a traffic impact study to assess the impacts of proposed development on existing traffic facilities, to determine the feasibility of accommodating the traffic, and to identify necessary improvements and sources of funding for the improvement. Required improvements should be not only those directly on the frontages of the subject site, but also those which can be determined necessary to mitigate the impacts on roads and facilities utilized to access the site or area.
 - xvi. Any other information deemed necessary by the ZC to determine the character of the proposed development and compliance with these regulations.
3. Staff Review. The Zoning Inspector will review the application and Preliminary Development Plan to determine if it contains all items and information required by this Resolution. When it is determined that an application is complete, the Zoning Inspector shall set the date for a public hearing. The application must be received at least fourteen (14) calendar days prior to the public hearing. The ZC does have the ability to call for a special meeting at their discretion and ability to review the submitted application.
 4. Requests for Reviews. Upon setting the date for a hearing, the ZC may submit the application to such agencies and professionals as it deems necessary, which may include but not be limited to the Township Fire Chief, the Medina County Highway Engineer, the Sanitary Engineer, and the Director of Planning Services.
 5. Public Hearing. The ZC shall conduct a public hearing in accordance with its rules of procedure.
 6. Recommendation. Upon voting on the application, the ZC shall forward its recommendation to the Township Trustees that the Preliminary Development Plan be approved as presented, approved with supplementary conditions, or not approved.
 7. Township Trustees Action. Within thirty (30) days of receiving the recommendation from the ZC, the Township Trustees shall conduct a public hearing prior to taking final action on the Preliminary Development Plan.
 - a. Notice of hearing. Notice shall be provided in the manner set forth for the ZC review above.
 - b. Public Hearing. The Township Trustees shall conduct a public hearing in accordance with its rules of procedure.
 - c. Action. After the public hearing, the Township Trustees shall vote to approve, approve with supplementary conditions or disapprove the Preliminary Development Plan.
 - d. Failure of the applicant to comply with any conditions of approval shall be considered a violation of the Zoning Resolution and is subject to all applicable enforcement, remedies and penalties available to the Township in law or equity and as provided for in this Resolution.

- e. Effect of Township Trustees Action. Township Trustees action approving a Preliminary Development Plan authorizes the applicant to prepare and submit a Final Development Plan, but not to initiate construction or take any other action. Approval of a Preliminary Development Plan shall not constitute approval of the Final Plan. Rather, it shall be deemed an expression of approval to the layout submitted on the Preliminary Plan and as a guide to the preparation of the Final Plan, which will be submitted for approval of the ZC upon the fulfillment of the requirements of these regulations and conditions of the preliminary approval, if any. Township Trustees' action disapproving a Preliminary Development Plan shall halt any other action on the part of the Township with regard to the Plan or the Township Trustees may authorize the applicant to resubmit and amended Preliminary Development Plan.
8. Final Development Plan.
- a. Timing.
- i. An application for Final Development Plan can be submitted to the ZC after the ZC's review and recommendations are forwarded to the Township Trustees. The Final Development Plan cannot be heard at ZC until the Township Trustees have voted to approve or approve with supplementary conditions. If the Township Trustees does not vote on the Preliminary Development Plan to approve or approve with supplementary conditions, the application for Final Development Plan will be rejected by the ZC and will not be heard. If the Preliminary Development Plan is approved or approved with supplementary conditions, the application for Final Development Plan shall be acted upon by the ZC within (thirty) 30 days of the Township Trustees vote on the Preliminary Development Plan.
- ii. An application for Final Development Plan approval shall be filed not later than twenty-four (24) months after the effective date of Township Trustees approval of the Preliminary Development Plan, otherwise the Preliminary Development Plan approval shall expire. Three (3) one-year extensions may be authorized by the ZC for good reason and justifiable cause. The applicant must demonstrate they have made a good faith attempt to work towards a Final Development Plan submittal. The applicant shall submit the request for extension in writing to the ZC who shall make a written determination regarding its decision to extend or deny the extension. Both the request and the determination shall be made part of the record. If the applicant fails to submit a Final Development Plan within this timeframe, the approved Preliminary Development Plan shall be deemed to have expired and the applicant must submit a new Planned Development application.
- b. Application. An application for approval of the Final Development Plan shall be submitted by the property owner or owner's authorized representative to the Zoning Inspector. The application shall be filed in the form of a letter, along with a fee established by the Township Trustees, including a Final Development Plan and narrative containing the information specified in the following subsections. Incomplete payment of established fees or an incomplete application will not be accepted and will not be processed or forwarded to the ZC.
- c. Final Plan. A Final Development Plan, substantially consistent with the approved Preliminary Development Plan shall be submitted with the required application. The Final Plan shall contain all information deemed necessary by the ZC to confirm compliance with the provisions of this Article and with all other applicable regulations. At minimum, the application for Final Development Plan shall include:

- i. The proposed locations of all uses including but not limited to dwellings, open spaces, commercial uses, and infrastructure.
 - ii. A subdivision plan or other survey indicating the locations of all lots, rights-of-way, easements, and other divisions of land.
 - iii. A grading plan indicating existing and planned topography.
 - iv. A storm water facilities plan.
 - d. Project Narrative. A project narrative shall also accompany the application and Final Development Plan and provide the following:
 - i. Proposed covenants and/or deed restrictions governing the use, design, maintenance, ownership and control of development and common areas;
 - ii. Identification of the entity responsible for maintenance of common areas to the satisfaction of the ZC;
 - iii. Description of all deviations from the otherwise applicable zoning requirements;
 - iv. Improvements that would be the responsibility of the developer such as off-site improvements as identified in **Section 309.H.2.b**.
 - e. The ZC may require additional information beyond what is specifically required if, in its judgement, more detailed information is necessary due to the size of the development, number of phases proposed; or the interrelationship of roads, utilities or drainage systems with the total site.
 - f. Phasing. If a Planned Development is to be constructed in two or more phases, Final Development Plan approval may be granted for individual phases; provided, a complete plan for the entire Planned Development was first given Preliminary Development Plan approval and that each subsequent phase shall be submitted for Final Development Plan approval and is consistent with the approved Preliminary Development Plan. Each phase shall have adequate provision for access, parking, storm water management, and other public improvements to serve the development. Each phase shall be provided with temporary or permanent transitional features, buffers, or protective areas in order to prevent any adverse impact on completed phases, future phases, and adjoining property.
9. Zoning Commission Review. The application materials shall be forwarded to the ZC for review. The ZC shall consider the application based on the timing of the submittal and **Section 309.H.8.a** and take action to approve, approve with supplementary conditions or not approve the Final Development Plan, based on the review standards of **Section 309.H.10**. The Final Development Plan shall be approved if it conforms to the Preliminary Plan. Approval by the ZC shall authorize the applicant to proceed with the Planned Development subject to all applicable regulations, conditions, and agreements. Disapproval by the ZC shall halt any other action on the part of the Township with regard to the Plan unless the ZC authorizes the applicant to resubmit an amended Final Development Plan.
10. Review Standards. In considering a Planned Development application, the ZC shall find that the development meets all applicable requirements and qualifying conditions, as well as the following general standards:
 - a. Purpose of the Planned Development. The Planned Development shall be consistent with the stated Purposes of the District.
 - b. Surrounding Uses. The Planned Development shall be compatible with the existing and intended uses surrounding the subject property.

- c. Public Facilities and Services. The Planned Development shall not place undue burden on the capacity of public facilities and services such as, but not limited to roads, fire and police protection, water, sanitary sewer service and drainage.
 - d. Protects Health, Safety and Welfare. The Planned Development shall not contain uses or conditions of use that may be injurious to the public health, safety or welfare.
 - e. Consistent with All Applicable Standards and Requirements. The Planned Development shall conform to all applicable requirements of the Resolution.
 - f. Final Development Plan. The Final Development Plan is substantially consistent with the representations made and plans shown during the Preliminary Development stage of approval.
11. Commencement of Construction; Revocation of Approval. Construction shall commence and proceed meaningfully toward completion subsequent to Final Development Plan approval, or approved phases thereof, in accordance with the following:
- a. For purposes of this section, meaningful progress toward completion shall mean, at a minimum, all of the following: site clearing, rough grading, and installation of infrastructure improvement: sanitary sewer, storm water facilities including storm water management facilities, and water mains.
 - b. If construction has not commenced within twenty-four (24) months, the applicant may request one extension of up to twenty-four (24) additional months. The request shall be submitted, in writing, to the ZC prior to the expiration of the original twenty-four (24) month time limit and shall provide reasonable evidence to the effect that unforeseen difficulties or special circumstances have been encountered, causing delay in commencement of the Planned Development. If an extension is not requested or is not submitted prior to the expiration of the original time limit, the Final Development Plan shall become null and void.
 - c. Following expiration of the foregoing time limits, the Township Trustees may initiate proceedings to revoke approval of the Planned Development.
12. Amendments, Approval of Minor Changes. Changes to an approved Final Development Plan shall be permitted only under the following circumstances:
- a. The holder of an approved Final Development Plan shall notify the ZC of any proposed change to the approved plan in writing, identifying proposed changes “from and to” as identified in the site plan and or plan narrative.
 - b. Minor changes may be approved by the ZC during a regular or special meeting called for the purpose, with a majority of members present. Changes may be approved upon determining that the proposed revisions(s) will not alter the basic design nor any specified conditions or commitments imposed as part of the original approval.
 - c. Minor changes are one or more of the following:
 - i. Reduction or increase in building size up to five percent of the total approved floor area.
 - ii. Movement of building or other structures to a location that meets all established setbacks.
 - iii. Changes in parking layout that do not alter the number of spaces by more than five percent of the total spaces within the parking area and do not change the location of driveways or roads providing access to the parking area. The ZC shall not reduce the number of parking spaces below the minimum requirement of **Section 502**.

- iv. Changes required or requested by a county, state or federal regulatory agency in order to conform to other laws or regulations.
- v. Any changes approved shall be noted on the previously approved site plan of the planned development.
- d. A proposed change to an approved Final Development Plan that does not meet one of the criteria above shall be considered an amendment to the approved Final Development Plan and a request for modification shall be submitted to the ZC and reviewed in accordance with the procedures established for the Final Development Plan review and approval process.
- e. When, in the judgment of the ZC, the proposed requested modification(s) substantially deviates from the approved Preliminary Development Plan, the requested modification(s) shall be reviewed by the ZC as an Amended Preliminary Development Plan, and shall be reviewed in accordance with the provisions of this Article for the approval of a Preliminary Development Plan.

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ARTICLE IV
SIGN REGULATIONS

401	Purpose and Intent
402	Compliance Required
403	Zoning Certificate Required
404	Zoning Certificate Exceptions
405	General Requirements
406	Signs Permitted in Residential Districts
407	Signs Permitted in HC, LC, I and ¹ HCI Districts

401 PURPOSE AND INTENT

Sign regulations, including provisions to control the type, design, size, location, illumination, and maintenance thereof, are hereby established in order to achieve, among others, the following purposes:

- A. To promote and maintain attractive and high value residential districts.
- B. To provide for reasonable and appropriate methods and conditions for advertising goods sold or services rendered in commercial districts.
- C. To provide for appropriate and harmonious identification of uses and services within industrial districts.
- D. To protect values.
- E. To promote public health, safety and welfare by avoiding conflicts between signs and traffic control devices, avoiding traffic hazards and reducing visual distractions and obstructions.
- F. To protect and preserve the aesthetic quality and physical appearance of the Township.

402 COMPLIANCE REQUIRED

Signs shall be designed, erected, painted, repainted, posted, reposted, placed, replaced, hung, displayed, altered, reconstructed, moved or maintained in whole or in part only in accordance with the provisions set forth in this section. The provisions of this chapter shall not amend or in any way interfere with other rules or regulations governing traffic or public safety signs.

403 ZONING CERTIFICATE REQUIRED

- A. A Zoning Certificate issued by the Zoning Inspector pursuant to the provisions of **Article VIII** shall be required prior to the erection, display, relocation, replacement, reinstallation or alteration of any sign, including temporary signs except as otherwise specifically exempted in **Section 404**. In addition to the standard

¹ Added 06-02-2021

requirements of **Article VIII** regarding applications for Zoning Certificates, applications for signs shall also be accompanied by detailed information regarding the design of the sign, including dimensions, materials, method of attachment or support, source of illumination and the relationship to any building or structure to which it is or is proposed to be installed or affixed.

- B. Ohio Department of Transportation (ODOT) Permits. All signs within six hundred and sixty (660) feet of the right-of-way of I-71 and I-76 and RT 3 and RT 224 are also subject to regulation by ODOT under **Ohio Revised Code Chapter 5516** and the regulations adopted pursuant to Chapter 5516. Zoning Certificates for signs within six hundred and sixty (660) of these rights-of-way shall not be issued without evidence that a permit has first been issued by ODOT or notice from ODOT that a state permit is not necessary.

404 ZONING CERTIFICATE EXCEPTIONS

No Zoning Certificate shall be required for:

- A. Periodic repair, repainting or maintenance which does not alter the sign including, but not limited to, the sign face, design, or structure.
- B. Changing the lettering, graphic or information on a sign specifically approved as a changeable copy sign whether automatic or manual and changing the face of any sign (provided such change does not alter the dimension of the sign).
- C. Legal notices, warnings, regulatory, informational, or directional signs erected by any public agency or utility.
- D. Signs not exceeding two (2) square feet in area directing and guiding traffic and parking on private property, such as signs designating handicapped parking, reserved parking, visitor parking and loading areas provided that such signs do not bear advertising or logo material.
- E. Wall signs not exceeding three (3) square feet in area which cannot be seen from a public street or right-of-way or from adjacent properties.
- F. One temporary sign not exceeding four (4) square feet in area per lot or parcel.

405 GENERAL REQUIREMENTS

The following provisions shall apply to all signs.

- A. The total area of all signs permitted on a lot in accordance with regulations set forth in the following sections shall include the area of all of the sign faces visible from a public right-of-way, including the area of signs placed upon the surface of windows or doors but shall not include signs not exceeding two (2) square feet in area directing and guiding traffic and parking on private property as provided in **Section 404.D** or any signs which cannot be seen from a public street right-of-way or adjacent properties.

- B. The area of a sign shall be measured within a continuous perimeter enclosing the extreme limits of such sign including all text and graphics and any device used to attract attention provided, however that structural elements lying outside the limits of such sign and not forming an integral part of the display shall not be included as sign area. The area of a sign attached to, painted on or part of a building shall include the background color of the sign if it varies from the main color of the building.
- C. Free-standing signs shall be limited to a maximum of two (2) faces. Where the two faces of a free-standing sign are oriented one hundred eighty degrees (180°) or back-to-back to one another, the total sign area of such sign shall be measured as if the sign had a single face.
- D. Height. The height of a free-standing sign shall be measured from the finished grade at the base of the sign to the highest point or element of the sign.
- E. Frontage. For the purposes of calculating permitted sign area, the frontage of a building shall be the number of linear feet of the facade facing the principal street or containing the main entrance and the frontage of a lot shall be the number of linear feet that the lot abuts on the principal street.
- F. Illumination. Signs in the Rural Residential (**RR**) and Suburban Residential Districts (**SR**) shall not be illuminated except as specifically provided herein. Signs in Highway Service Commercial (**HC**), Local Commercial (**LC**), Industrial Districts (**I**), and ²Highway Commercial Industrial (**HCI**) may be illuminated. Where illuminated signs are permitted, they shall conform to the following requirements:
1. All illuminated signs shall comply with the requirements of the National Electric Code.
 2. Electrical wiring serving any sign shall be installed underground or on or within the structure to which the sign is attached.
 3. Illumination shall not be of excessive brightness and shall be shielded so as to prevent direct light or glare from being cast into any adjoining residential area or at vehicles traveling on a public right-of-way. Such lighting shall be shielded so as to prevent view of the light source from any adjoining residence or residential district and/or vehicles approaching on a public right-of-way from any direction.
 4. Flashing, moving or intermittent illumination shall not be permitted.
 5. The colors red or green whether in direct illumination or reflection shall not be used where such use may interfere with the sight lines of a traffic signal.
- G. All signs shall be located in conformance with the following criteria:
1. No signs shall be attached to utility poles, street signs or traffic control poles.
 2. No signs shall be located within or shall obstruct any public right-of-way, traffic control device or street identification signs at intersections.
 3. No sign shall be located so as to obstruct sight distances for vehicles entering or exiting any property or traveling on a public street.
 4. No sign shall be erected or maintained in such a manner that any portion of its surface or its supports will interfere in any way with the free use of access to any fire lane, exit or standpipe or so as to obstruct any window so that light or ventilation is reduced below minimum standards required by any applicable law or building code.

² Added 06-02-2021

- H. Prohibited Signs. Unless otherwise specifically permitted herein, the following signs are prohibited in all districts:
1. Pennants, ribbons, streamers, strings of light bulbs, spinners or other similar devices.
 2. Mobile, portable or wheeled signs.
 3. Signs placed on parked vehicles or trailers for the purpose of advertising a product or business located on the same or adjacent property excepting an identification sign which is affixed to a vehicle regularly operated in the pursuance of day-to-day business or activity of an enterprise provided such vehicles is not parked in the front yard or a side yard abutting a right-of-way.
 4. Signs placed inscribed or supported upon a roof or upon any structure which extends above the roof line of any building.
 5. Inflatable images.
 6. Signs containing flashing, moving, intermittent or running lights or which imitate traffic control devices.
 7. Signs which employ any part or element which revolves, rotates, whirls, spins or otherwise make use of motion to attract attention.
 8. Beacons or searchlights.
 9. Signs which hang less than eight and one-half (8 ½) feet above a pedestrian walkway or less than fourteen (14) feet above a vehicular path.
- I. Any owner, part owner, tenant or lessee who allows a sign to remain on his property shall be deemed to have knowledge of the erection and nature of the sign. All signs of any nature shall be maintained in a state of good repair. No sign shall be allowed to remain which becomes structurally unsafe, hazardous or endangers the safety of the public or property. Upon determining that a sign is structurally unsafe, hazardous or endangers the safety of the public or property, the Zoning Inspector shall order the sign to be made safe or removed. The owner of the sign, the occupant of the premises on which the sign or structure is located or the persons or firms maintaining the same shall upon receipt of written notice from the Zoning Inspector, forthwith in the case of immediate danger and in any case within a reasonable time secure, repair or remove said sign or structure in a manner approved by the Zoning Inspector. If said person or firm fails to comply with such order within a reasonable time, the Zoning Inspector may take action to have the sign removed.
- J. The Zoning Inspector shall order the removal or modification of any sign erected without a zoning certificate found to be in violation of these regulations. The owners of the sign, the occupant of the premises on which the sign or structure is located or the person or firm maintaining the same shall upon written notice of such violation from the Zoning Inspector, within a reasonable time, remove or modify the sign to comply with these regulations. If such sign is not removed or brought into compliance as directed in the notice of violation within a reasonable time, the Zoning Inspector may in addition to other remedies provided by law, institute injunction, mandamus, abatement or any other appropriate action or proceeding to prevent, enjoin, abate or remove such violation.

406 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS

The following signs shall be permitted in the **RR** Rural Residential and **SR** Suburban Residential Districts and shall conform to the regulations set forth herein:

A. Permanent Signs.

1. One (1) sign which may be either a wall or free-standing sign not exceeding twelve (12) square feet in area may be permitted for each lot or parcel. If free-standing, no part of the structure or sign shall exceed six (6) feet in height and shall not be located less than ten (10) feet from the road right-of-way or any lot line except as otherwise permitted by law.
2. A residential development containing more than fifty (50) dwelling units may be permitted one (1) free-standing sign at each entrance to the development provided that such sign does not exceed twenty-five (25) square feet in area, does not exceed six (6) feet in height and is located at least fifteen (15) feet from any street right-of-way or property line except as otherwise permitted by law. The base and foundation of each such sign shall be landscaped with no fewer than five (5) evergreen shrubs.
3. In lieu of the signs permitted in **Sections 406.A.1 and 406.A.2** above, approved conditional uses of lots and structures may be permitted such signs as may be established by the Board of Zoning Appeals (BZA) and specified as part of the conditional zoning certificate. Signs approved under these provisions may reflect reasonable modification of the requirements for signs in these districts taking into account the scale and intensity of the use or uses and other comparisons relative to permitted uses of the district.

B. Temporary Signs.

1. Two (2) temporary signs, which may be either a wall or free-standing sign, not exceeding four (4) square feet in area shall be permitted for each lot or parcel. Free-standing temporary signs shall not exceed three (3) feet in height nor shall such signs be located less than ten (10) feet from the road right-of-way or any lot line or within the road right-of-way except as otherwise permitted by law.
2. One (1) temporary sign not to exceed twelve (12) square feet in area and four (4) feet in height shall be permitted.
3. Temporary signage placed off site shall be permitted with the permission of the private property owner if in compliance with the following requirements:
 - a. Shall not exceed four (4) square feet in area.
 - b. Shall not exceed three (3) feet in height.
 - c. Shall not be placed within road right-of-way except as otherwise permitted by law.
 - d. Shall be placed on private property with permission from property owner.
4. On a corner lot one (1) temporary sign is permitted for each street frontage not to exceed the square foot regulations permitted in **Section 406**.
5. Lots with frontage exceeding two hundred and fifty (250) feet may be permitted one (1) additional temporary sign per two hundred and fifty (250) feet of frontage or a fraction thereof. Area of the sign not to exceed four (4) square feet for each sign. Height of sign not to exceed three (3) feet and to be located not less than ten (10) feet from any rear or side lot line.
6. **Conditional Uses** in the **RR** and **SR** Districts may be permitted additional temporary signage during the construction phase of a project not to exceed thirty-two (32) square feet in area, eight (8) feet in height and not less than fifteen (15) feet from the road right-of-way or side lot lines except as otherwise permitted by law. The quantity and duration of such signs to be determined by the BZA during the approval process.

C. ³Sign Matrix

<u>Permanent</u>	<u>Type</u>	<u>Number Allowed</u>	<u>Area not To exceed</u>	<u>Height not To exceed</u>	<u>Location</u>	<u>Landscape</u>
<u>Permanent</u> 406.A.1	Free-standing or Wall	1	12 square feet	6 feet	Not less than 10 feet from right-of-way or any lot line	
<u>Permanent</u> 406.A.2	Free-standing	1 at each Entrance	25 square feet	6 feet	At least 15 feet from any street right-of-way or property line	Base or foundation shall have at least 5 evergreen shrubs
<u>Permanent</u> 406.A.3	Conditional Use	See Zoning Text 406.A.3				
<u>Temporary</u> 406.B.1	Free-standing or Wall	2	4 square Feet	3 feet	Not less than 10 feet from any rear or side lot line or within road right-of-way	
<u>Temporary</u> 406.B.2	Free-standing	1	12 square feet	4 feet		
<u>Temporary</u> 406.B.3	Free-standing with the permission of private property owner	n/a	4 square feet each	3 feet	Not within road right-of-way but can be placed on private property with permission of the property owner	
<u>Temporary</u> 406.B.4	Corner lot Free-standing	1 sign each street with frontage	4square feet each	3 feet	Not less than 10 feet from any rear or side lot line	
<u>Temporary</u> 406.B.5	Free-standing	1 per 250 feet frontage or fraction thereof	4 square feet each	3feet	Not less than 10 feet from any rear or side lot line	
<u>Temporary</u> 406.B.6	Conditional Use (See Zoning Text 406.B.6.)	32 square feet	8 feet	3 feet	Not less than 15 feet from road right-of-way or side lot line	

407 SIGNS PERMITTED IN THE HC, LC, I, AND HCI DISTRICTS

The following signs shall be permitted in the Highway Service Commercial (**HC**), Local Commercial (**LC**), Industrial Districts (**I**), and ⁴Highway Commercial Industrial Planned Unit (**HCI**) Districts and shall conform with the regulations set forth herein. The signage for a residential use within any of these Districts shall comply with the provisions of **Section 406**.

³ Sign Matrix added 12-05-2009⁴ Added 6-2-2021

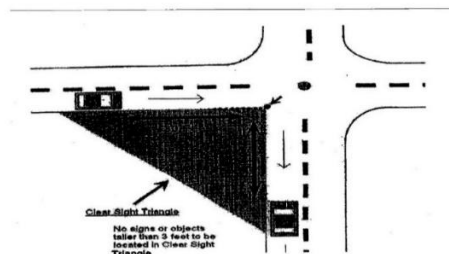
- A. Permanent Signs. The total permanent sign area may be allocated to any or all of the following sign types subject to the restrictions and requirements set forth herein:
1. Wall Signs. The total area of all permanent wall signs for each use, parcel, building or land under common ownership or control shall not exceed one and one-half (1.5) square foot for each one (1) lineal foot of the building wall which is more parallel to the frontage of the lot on which the building is located. Wall signs shall not project more than eighteen (18) inches in front of the building wall to which they are attached nor shall more than twenty percent (20%) of the sign's total height be extended above the top of the wall.
 2. Free-Standing Signs. Each use, parcel, building or land under common ownership or control shall be permitted the signs provided in either **a. or b.** below:
 - a. One (1) free-standing sign which shall not exceed thirty-two (32) square feet in area nor twenty (20) feet in height. Parcels which have frontage on two (2) or more streets may have a second free-standing sign provided that the second free-standing is located on a different street and does not exceed thirty-two (32) square feet in area nor eight (8) feet in height. Minimum setback from road right-of-way shall be ten (10) feet except as otherwise permitted by law and from all other property lines shall be twenty (20) feet.
 - b. On a lot on which are located three (3) or more separate spaces or buildings, one (1) free-standing sign which shall not exceed fifty (50) square feet in area nor twenty-five (25) feet in height. Minimum setback from right-of-way shall be twenty (20) feet except as otherwise permitted by law and from all other property lines shall be forty (40) feet.
 3. High Rise Sign. Each lot in the **HC** and ⁵**HCI** Districts may have one (1) pole type high rise accessory sign on such lot that is designed to be seen from Interstate 71 or 76 and US 224. Such sign shall be located within six hundred and sixty (660) feet of the interstate right-of-way except as otherwise permitted by law. Such signs shall have a maximum height of 1,132 feet above sea level and a maximum area of one hundred and sixty (160) square feet.
 4. Gasoline Filling Station Signs. In addition to the other signs permitted by this section, gasoline filling stations may have not more than one (1) unlighted double-faced accessory sign per pump island. Such signs shall have a maximum area of five (5) square feet and shall be permanently attached to the pump islands.
 5. Window Signs. Window signs shall not obscure more than thirty percent (30%) of the glazed outer surface of any window.
 6. Billboards. Billboards shall be permitted in commercial and industrial districts and land used for agriculture as required by **Ohio Revised Code Section 519.20** and shall require a zoning certificate. Such sign shall be located so as to maintain the same minimum front, side and rear yard requirements as for buildings in that district except that no such sign shall be located closer than five hundred (500) feet to a dwelling. Nor shall any such sign be permitted closer than five hundred (500) feet to a public park, public or private school, library, church, hospital, or similar institution. The maximum area of such sign shall be three hundred (300) square feet. The maximum height of such sign shall be thirty-five (35) feet. Such sign visible to approaching traffic on either or both sides of a right-of-way except as otherwise permitted by law and shall have a minimum spacing of five hundred (500) feet.

⁵ Added 06-02-2021

7. ⁶Digital Message Signs are permitted for ground signs only and only one (1) such sign shall be permitted per parcel in the **HC** and **HCI** Districts only. A digital sign shall meet the following requirements:
 - a. Sign shall not exceed thirty-two (32) square feet in area or eight (8) feet in height.
 - b. Sign shall be located twenty (20) feet from road right-of-way except as permitted by law and from all other property lines shall be forty (40) feet.
 - c. Frequency. Copy change shall not be more than once per sixty (60) seconds and both text and color shall remain static between intervals.
 - d. Color. Any digital message sign erected within one hundred (100) feet of an intersection where an illuminated device has been provided for the control of traffic shall not duplicate the electric light of such sign in any colors appearing in the traffic control signal.
 - e. Illumination. Illumination level of a digital message sign shall not exceed .3 foot candles as measured from the adjacent right-of-ways.
 - f. Digital Message Signs shall be programmed to dim and brighten automatically in response to changes in ambient light to avoid undue brightness.
 - g. Digital Message Signs shall be programmed to “freeze” or go blank if there is a malfunction so that flashing or other distracting movement does not result.
 - h. Digital Message Signs shall not obstruct the public thoroughfare, highway, sidewalk, or adjacent premises so as to cause a traffic hazard or nuisance.

B. Temporary Signs.

1. Four (4) temporary signs which may be either a wall or free-standing not to exceed four (4) square feet in area not three (3) feet in height or one temporary sign not exceeding thirty-two (32) square feet in area or eight (8) feet in height shall be permitted for each lot or parcel. Free-standing temporary signs shall not be located less than ten (10) feet from any lot line or within the road right-of-way except as otherwise permitted by law.
2. One (1) temporary free-standing sign may be erected on a site during construction or re-construction of a building for which a valid building permit has been obtained. Such sign shall not exceed thirty-two (32) square feet in area not eight (8) feet in height. Each sign shall be located a minimum of fifteen (15) feet from any street right-of-way except as otherwise permitted by law or property line and shall be removed within five (5) days after permanent occupancy of the building.
3. Parcels which have frontage on two (2) or more streets may have one (1) free-standing temporary sign per street frontage which shall not exceed thirty-two (32) square feet in area nor eight (8) feet in height. The minimum setback from any road right-of-way shall be ten (10) feet except as otherwise permitted by law and from all other property lines shall be twenty (20) feet. No signs or objects taller than three (3) feet are to be located in the Clear Sight Triangle Diagram.



⁶ Added 09-15-2010

- 4. Lots with frontage exceeding three hundred (300) feet may have one (1) additional temporary sign per three hundred (300) feet or fraction thereof not to exceed the square foot regulations as permitted in **Section 407**.

C. **RESERVED.**

D. **7Sign Matrix. Signs permitted in the HC, LC, I, and 8HCI Districts.**

The following signs shall be permitted in the **HC, LC, I, and HCI** Districts and shall conform with the regulations set forth herein. **The signage for a residential use within any of these districts shall comply with the provisions of Section 406.**

Permanent	Type	Number	Area not to exceed	Height not to exceed	9Location	Obscurity	Projection
407.A.1	Wall See text 407.A.1		See text 407.A.1	Not more than 20% of the signs total height be extended above the top of the wall	See Section 407.A.1		Not more than 18 inches in front of the building wall to which they are attached
407.A.2.a	Free-standing	1 per street	32 square feet	1 st sign 20 feet 2 nd sign 8 feet	10 feet from road right-of-way and 20 feet from all other property lines		
407.A.2.b	Free-standing Lots with 3 or more businesses in 3 or more buildings or spaces	1	50 square feet	25 feet	20 feet from road right-of-way and 40 feet from all other property lines		
407.A.3	High Rise	1	160 square feet	1,132 feet above sea level	Located within 660 feet of the interstate right-of-way		
407.A.4	Gasoline filling station	1 unlighted	5 square feet		Permanently attached to the pump		

⁷ Added 12-05-2009

⁸ Added 06-02-2021

⁹ Location of Signs apply except as otherwise permitted by law

		Double faced per pump island					
407.A.5	Window					Not more than 30% of the glazed outer surface	
407.A.6 REQUIRES A ZONING CERTIFICATE	Billboards Commercial, industrial districts and land used for agriculture only	Minimum spacing of 500 feet	300 square feet	35 feet	Must maintain minimum front, side and rear yard requirements for buildings in that district but may not be located closer than 500 feet to a dwelling, park, private school, library, church, hospital or similar institution		
¹⁰ 407.A.7	Digital Message Signs HC and HCI only	1 per parcel	32 square feet	8 feet	20 feet from road right-of-way and 40 feet from all other property lines		

Temporary	Type	Number Allowed	Area not To exceed	Height not To exceed	Location	Time Frame
407.B.1	Wall or Free-standing	4	4 square Feet each	Free-standing 3 feet	Not less than 10 feet from any side lot line or within the road right-of-way	
	OR					
	Wall or Free-Standing	1	32 square Feet	8 feet	Not less than 10 feet From any side lot line or within the road right-of-way	
407.B.2	Free-standing during construction or reconstruction of a building for which a	1	32 square Feet	8 feet	Minimum of 15 feet from any street right-of-way or property line	Must be removed within 5 days after permanent occupancy of the building

¹⁰ Added 09-15-2010

	valid building permit has been obtained					
407.B.3	Parcels with frontage on 2 or streets	1 for each street	32 square feet	8 feet	10 feet from road right-of-way; 20 feet from all other property lines; and in accordance with the Clear Sight Triangle Diagram	
407.B.4	Lots exceeding 300 feet in frontage	1 additional per 300 feet of fraction therefo	32 square Feet	8 feet	10 feet from right-of-way and 20 feet from any other property line	

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ARTICLE V**VEHICLES, PARKING AND DRIVEWAYS**

501	General Requirements
502	Parking Space Requirements
503	Loading Space Requirements
504	Parking Area Dimensions
505	Parking Area Design
506	Entrances and Exits
507	Location of Parking in Yards
508	Vehicle Storage
509	Culverts and Drainage Ditch Enclosures
510	New Driveways

501 GENERAL REQUIREMENTS

- A. No building or structure shall be erected, substantially altered or its use changed unless permanently maintained off-street parking and loading spaces have been provided in accordance with the provisions of this Article.
- B. Unless otherwise approved by the Board of Zoning Appeals (BZA), required parking, and loading spaces shall be located on the same lot as the use for which they are required.
- C. No parking or loading facility shall be designed or located in a manner which causes or requires vehicles to obstruct a public right-of-way while attempting to enter a lot or which causes or requires vehicles to exit a lot other than in a residential district by backing up.
- D. Parking shall not be permitted on any unpaved areas in the Suburban Residential (**SR**), Local Commercial (**LC**), Highway Service Commercial (**HC**), Industrial (**I**), and Highway Commercial Industrial Planned Unit Overlay ¹(**HCI**) Districts with the exception of residential or home occupation uses.
- E. The owner of parking or loading facilities, including landscaping or buffers required, therefore shall maintain them in good condition, free of holes, trash, and debris.

502 PARKING SPACE REQUIREMENTS

- A. Parking spaces shall be provided for each use and structure as required in **Table 502**.
- B. Where the Zoning Inspector determines that the off-road parking and loading requirements for a use are not specifically defined herein, the parking and loading facilities for such use shall be determined in a Site Plan Review as provided in **Section 807.B**. The parking and loading areas shall be developed so as to be sufficient to meet all the parking and loading needs of the proposed use and sufficient space shall be

¹ Added 06-02-2021

reserved on the site to provide for the reasonable future re-use. In determining the required number of spaces, the Commission shall consider the following:

1. Parking requirements established in this Resolution for uses which are similar to the proposed use, particularly with regard to parking demand.
 2. Information about probable parking demand for the proposed use from the site design professionals and other resources.
 3. Parking demand information provided by the applicant.
- C. The parking spaces required for a use or building shall be calculated by multiplying the floor area of the building or use by the respective “off-street parking spaces required” as listed in **Table 502**. A fractional number shall be increased to the next whole number.
- D. Where two (2) or more uses are located on the same lot, the total number of spaces required shall equal the individual requirements summed.
- E. Where evidence is presented that a proposed use will require fewer parking or loading spaces than required by this Resolution, the Zoning Commission (ZC) may approve initial construction of fewer spaces than required, provided that conditions are established reserving space on the site where additional parking/loading can be constructed in compliance with this Resolution.

TABLE 502

PARKING SPACES REQUIRED

USE	OFF-STREET PARKING SPACES REQUIRED
Dwellings.	2 spaces per dwelling unit
Dining Room, restaurant, tavern, night club.	1 for each 50 square feet of dining floor area
Bowling alley.	4 for each alley or lane plus 1 additional space for each 100 square feet of the area used for restaurant, cocktail lounge or similar use.
Auditoriums, sport arenas, theaters and similar assembly used.	1 for each 4 seats
Automotive repair.	4 for each service bay
Gasoline filling stations.	2 for each gasoline pump
Hotels and motels.	1 per each sleeping room plus 1 space for each 2 employees
Funeral parlors, mortuaries and similar type uses.	1 for each 100 square feet of floor area in slumber rooms, parlors or service rooms
Retail stores.	1 for each 250 square feet of floor area
Banks, financial institutions and similar uses.	1 for each 200 square feet of floor area
Offices, public or professional, administration or service buildings.	1 for each 400 square feet of floor area
Shopping Centers.	5 spaces for each 1,000 square feet of gross leasable floor area
Churches and other places of religious assembly.	1 for each 5 seats
Hospitals.	1 for each bed

Medical and Dental Clinics.	1 for every 200 square feet floor area of examination/treating room, office and waiting room
All types of manufacturing permitted in any Industrial District.	1 for each 500 square feet of floor area
Storage and wholesale uses; cartage, express, parcel delivery and freight terminals.	

503 LOADING SPACE REQUIREMENTS

- A. Every building other than a dwelling used for non-residential purposes, which customarily receives or distributes goods by motor vehicles shall provide sufficient space on the premises for all loading and service purposes.
- B. Every building having over 5,000 square feet of gross floor area shall be provided with at least one (1) truck loading and unloading space not less than twelve (12) feet in width, forty (40) feet in length and fourteen (14) feet clearance.
- C. An additional truck space of these dimensions shall be provided for every additional 20,000 square feet or fraction thereof, of gross floor area in the building.
- D. Access to truck loading and unloading space shall be provided directly from a public street or alley or from any right-of-way that will not interfere with public convenience and that will permit the orderly and safe movement of such trucks.

504 PARKING AREA DIMENSIONS

- A. Off road accessory parking areas shall provide parking spaces, each of which shall be not less than two hundred (200) square feet in area exclusive of access driveways or aisles not less than ten (10) feet in width and not less than twenty (20) feet in length.
- B. Aisles serving individual parking spaces shall have widths not less than the following:

Parking angle	90 degrees	60 degrees	45 degrees	Parallel Parking
Minimum Aisle Width	22 feet	17 ½ feet	13 feet	12 feet

505 PARKING AREA DESIGN

- A. All parking areas with a capacity over twelve (12) vehicles shall be stripped between stalls to facilitate the movement into and out of the parking stalls.
- B. Parking areas shall be useable shape, paved with bituminous, concrete, or equivalent surfacing, graded and drained to dispose of all surface water in a manner designed to minimize adverse effects on abutting properties, streams and public roads. An all-weather driving surface as in **Section 510.A** shall be acceptable for residential and home occupation uses.

- C. All lighting used to illuminate such parking areas shall be so arranged as to direct the light away from adjoining premises or roads and no open light sources such as the stringing of light bulbs shall be permitted.
- D. Within the area of any parking lot with a capacity of twenty (20) or more vehicles, at least one (1) tree shall be planted and maintained for each ten (10) spaces. A fractional number of trees shall be increased to the next whole number.

506 ²ENTRANCES AND EXITS

- A. Entrances and exits shall be located to minimize traffic congestion and avoid undue interference with pedestrian access at road intersection corners. Medina County Highway Engineer's office shall review all entrances and exits onto County and Township roads prior to installation. The Ohio Department of Transportation (ODOT) must approve any entrance and exit on a State Highway.
- B. Access ways shall be not more than thirty (30) feet in width at the right-of-way line except that access ways primarily for truck use shall be not more than eighty (80) feet in width at the right-of-way line.
- C. In the **LC** and **HC** districts, no entrance or exit shall be located closer than one hundred and fifty (150) feet to intersection right-of-way lines.

507 ³LOCATION OF PARKING IN YARDS

- A. In an **RR** or **SR** District, off-road parking facilities, except approved driveways, shall not occupy any part of any required setback.
- B. In an **LC**, **HC**, **I** or ⁴**HCI** District, open off-road parking facilities may be located in the required front yard setback provided that at least a twenty (20) foot wide landscaped strip is located between the parking area and the road right-of-way line. Where an **HC** or **I** District abuts a residential district, parking shall not be located closer to the residential district than fifty (50) feet.
- C. In all districts, open off-road parking facilities may occupy rear and side yard providing that such use meets all the required side and rear yard setback requirements of that district.

508 VEHICLE STORAGE

- A. ⁵Motor Vehicle. No disabled motor vehicle shall be left on private property for more than thirty (30) days outside of a completely enclosed building.

² Amended 06-15-2016

³ Amended 06-15-2016

⁴ Added 06-02-2021

⁵ Amended 04-15-24

1. ⁶Junk Motor Vehicles. The Township has the authority to regulate junk motor vehicles as defined in and in accordance with the ORC 505.173 (E)(1), (2) and (3) as follows:

“Junk Motor Vehicle” means a motor vehicle that meets all the following criteria:

- a. Three model years old, or older.
 - b. Apparently inoperable.
 - c. Extensively damaged, including, but not limited to, any of the following: missing wheels, tires, engine, or transmission.
2. ⁷Junk Vehicle. Any vehicle or accessory, including but not limited to cars, trucks, buses, motorcycles, trailers, and boats, shall be considered a junk vehicle meeting one or more criteria listed below:
 - a. The vehicle is without a valid current registration and/or license plate.
 - b. The vehicle is inoperable or is incapable of being driven under its own motor power.
 - c. The engine, wheels, or other parts of the vehicle have been removed.
 - d. The vehicle is without fully inflated tires and/or has any type of support under it.
 - e. The vehicle does not comply with state regulations.
 - f. The vehicle has a substantial damaged or missing window, windshield, door, motor, transmission, or other similar major part.
 - g. The vehicle remains on private property without the permission of the legal parcel owner.
 - h. A trailer or other item(s) remains on public properties in violation of Notice to Remove issued by the Zoning Inspector.
- B. Boats and Recreational Vehicles. No boat or recreational vehicle may be stored closer than ten (10) feet to any property line.
- C. In the **LC**, **HC**, and **I** Districts, no vehicle owned by or used in the operation of a business shall be parked in the front yard or in the side yard abutting a public right-of-way (including a side yard abutting a limited access highway) of the lot on which the business is located.
- D. RR District, Parking of Commercial Vehicles. In the **RR** District, one (1) commercial vehicle, one (1) commercial trailer, or one (1) commercial unit exceeding 7,049 pounds may be parked on a lot provided that:
1. The commercial vehicle, commercial trailer or commercial unit is used in the employment of the occupant of the parcel.
 2. The commercial vehicle, commercial trailer or commercial unit shall not be parked in any required front, side, or rear yard.
 3. The commercial vehicle, commercial trailer or commercial unit shall not be used to warehouse or store freight and must be licensed and registered for the current year.
 4. The occupant of the parcel shall only repair those trucks and/or trailers that meet the ownership requirements and all truck and/or trailer repairs shall be done in such a manner so as not to inconvenience neighboring lots unless there is an emergency and repairs shall not be done between the hours of 10:00 p.m. and 7:00 a.m.

⁶ Added 04-15-24

⁷ Added 04-15-24

5. All truck and/or trailer parts including but not limited to engine parts must be stored in an area of the lot totally surrounded with a non-transparent fence six (6) feet in height to obscure the parts from view outside the lot. The fence shall comply with all provisions of **Section 205.B**.
- E. In the **SR** District, no commercial vehicle exceeding 7,049 pounds in weight shall be stored outdoors or parked overnight. No commercial vehicle shall be parked in a required front, side or rear yard.

509 CULVERTS AND DRAINAGE DITCH ENCLOSURES

On all building sites located on Westfield Township roads, the culvert or drainage ditch enclosure permit shall be obtained from the Medina County Engineers' Office. In the case of a new culvert for a new home, the permit must be obtained prior to the issuance of a zoning certificate.

510 NEW DRIVEWAYS

- A. Temporary or permanent access driveways shall be installed before construction of buildings can begin. The installation shall consist of an all-weather driving surface capable of bearing the load of construction, emergency and passenger vehicles accessing the lot. An all-weather driving surface is a surface as: compacted stone, gravel, brick, bituminous or concrete. Permanent access driveways in **HC, I**, or ⁸**HCI** Districts shall be bituminous or concrete.
- B. Driveways shall be located at least ten (10) feet from any property line and shall be at least ten (10) feet wide at the right-of-way line.
- C. Permits for driveways must be obtained from the County Engineer and installed to Township and County specifications.
- D. Driveways shall in no way inhibit or modify the storm water drainage characteristics of adjacent properties.
- E. All driveways longer than five hundred (500) feet shall be constructed with a turnaround at the distal end of the driveway from the street right-of-way. The turnaround may be constructed as either a radial or a "T" shaped turnaround. All turnarounds must meet the minimum turnaround requirements for the largest fire emergency vehicle that may have to access the lot. Turnaround areas must remain unobstructed at all times.
- F. Access drives longer than five hundred (500) feet shall include passing lanes at a minimum of every five hundred (500) feet. Passing lanes shall consist of an additional ten (10) feet of width in excess of the minimum as required in **Section 510.B** with an all-weather surface for a length of fifty (50) feet.

⁸ Added 06-02-2021

ARTICLE VI
CONDITIONAL USES

601	Purpose
602	Conditional Uses Generally
603	Procedure
604	Basis of Determination
605	General Standards for All Conditional Uses
606	Specific and Supplementary Conditions

601 PURPOSE

The purpose of the Conditional Uses Article is to establish standards and procedures for regulating uses which have the potential to be made compatible with the districts in which they are listed as conditional uses but which, due to the nature of their operation, appearance or other characteristics, require individual review and control of their design, intensity, configuration and impacts upon the district and the community in order to ensure such compatibility and preservation of the district and the community.

602 CONDITIONAL USES GENERALLY

- A. Conditional uses which may be considered for approval are those uses which are identified in this Resolution as conditional uses for the respective district. A use listed as a conditional use shall not be permitted by right. The identification of a use as a conditional use in a district shall not establish or imply any rights for approval of the use for any lot, nor shall the approval of a conditional use on a lot establish or imply any rights for approval of the same use on any other lot. Listing as a conditional use shall afford the opportunity to submit an application for a conditional use which may be approved or denied on the basis of the provisions of this Resolution.
- B. The Board of Zoning Appeals (BZA) may issue conditional zoning certificates as set forth in this Resolution. However, no certificate shall be issued unless reasonable conditions are established which will ensure harmony of land uses and will not adversely affect the health, safety and morals of persons who now reside or use or who may reside or use that land within the reasonable futures in the general area in which the proposed use is to be located.
- C. In order to accomplish these objectives, provision is made in this Resolution for a more detailed consideration of each of certain specified activities as it may relate to proposed conditions of location, design, size, operations, intensity of use, generations of traffic and traffic movements, concentration of population, processes and equipment employed, amount and kind of public facilities and services required, together with many other factors. Uses possessing these particularly unique characteristics are designed as conditional uses. Such use may be authorized by the issuance of conditional zoning certificates with such conditions and safeguards attached as may be deemed necessary for the protection of the public welfare.

D. ¹Conditional Use for Government Projects.

1. Conditional use may be established for a government sponsored project on a temporary basis on land that is leased by the government or agent thereof, such as a contractor or supplier.
2. Due to the scope and magnitude of a government sponsored project such as highway expansion, water, or sewer projects this conditional use provision has been established.
3. A conditional use for a government project may be issued in any of the zoning districts in Westfield Township.
4. The intent of this provision is:
 - a. To provide safe travel on area roads to the normal traffic patterns.
 - b. To maximize the efficiency of the project.
 - c. To allow oversight of project areas by the BZA.
5. Project areas include but are not limited to:
 - a. Staging.
 - b. Storage.
 - c. Refuse areas.
 - d. Support areas to the main project **AND/OR**,
 - e. The construction of processing plans built for the purpose of supplying the project.
6. Each project area shall require an application and will be reviewed independently by the BZA.
7. These conditional uses shall only be temporary. As used in this rule, "temporary" shall be defined as the time necessary to complete the project but not to exceed four (4) years. If necessary, an extension may be applied for through the BZA.
8. Upon project completion or after the termination of the temporary use, all structures, utilities, materials, and refuse shall be removed by the applicant unless they meet the zoning requirements of the district, the lease agreement with the owner and the rules of the BZA.
9. The area of land used shall be reclaimed to its original condition unless the lease agreement with the owner states otherwise and in accordance with the Westfield Township Zoning Resolution.

603 PROCEDURE

Any application for a conditional zoning certificate for any structure or use listed as a conditional use under this Resolution shall be submitted and reviewed in accordance with the following procedures.

- A. Application Submitted to Board of Zoning Appeals. Any application shall be submitted through the Zoning Inspector to the BZA on a special form for that purpose.
- B. Data Required in Application. Every application shall be accompanied by the following information and data:
 1. Special form supplied by the Zoning Inspector filled out in full by the applicant.
 2. Site plan review application as required by **Section 807.E**.
 3. A statement with supporting evidence regarding the required findings specified in **Sections 605 and 606** below.
 4. Such other information required by the Zoning Inspector or the BZA to determine compliance of the proposed use with the provisions of this Resolution.

¹ Added 12-15-2006

- C. Review by Board of Zoning Appeals. The BZA shall review the proposed development as presented on the submitted plans and specifications in terms of the conditions established in this Resolution. The BZA may seek assistance from appropriate sources and any cost of which shall be borne by the applicant.
- D. Public Hearing. After adequate review and study of any application, the BZA shall hold a public hearing or hearings upon every application after providing notice on the township website at least ten (10) days prior to the date of the hearing. Such notice shall indicate the place, time and subject of the hearing. The BZA shall notify the owners of property adjacent to and across the street from the subject lot of the public hearing.
- E. Board of Zoning Appeals Action. The BZA shall within forty-five (45) days after conclusion of the public hearing take one of the following actions:
1. Approve the proposed conditional use and authorize the Zoning Inspector to issue the zoning certificate. In granting approval, the BZA may prescribe appropriate conditions and safeguards in conformance with the intent and purposes of this Resolution for the protections of nearby property and the public health, safety, and morals. Conditions may include, but are not limited to:
 - a. Specific requirements for the layout, construction and maintenance of the site including but not limited to the locations of the uses, structures, driveways and parking areas and the maintenance and periodic replacement of fences, landscape material and other features.
 - b. Requirements for periodic inspection of the premises or for the inspection or submittal of records regarding its operation to determine compliance with the approval.
 - c. Requirements for inspection or testing and for payment of the costs thereof deemed necessary to ensure that certain serious impacts or hazards do not occur.
 - d. Specific prohibitions against certain activities, times of operations or other circumstances which may be commonly associated with such use, and which are not acceptable within the terms of the approval.
 2. Deny the proposed conditional use and specify the reason(s) for disapproval.
- F. Re-application. No application for a conditional zoning certificate which has been denied wholly or in part by the BZA shall be resubmitted except on grounds of newly discovered evidence or proof of changed conditions which would be sufficient to justify reconsideration as determined by the BZA.
- G. Time Limit. A conditional zoning certificate for a use permitted under these regulations may be issued for a specified time limit. After the time limit has elapsed, a new conditional zoning certificate shall be required may be issued provided that the BZA determines that the use has been and is being operated according to the specifications of the Zoning Resolution and the previous conditional zoning certificate, **IF** necessary, the BZA may make additional requirements for the continued operation of the use as a prerequisite for re-issuance of the conditional zoning certificate.
- H. ²Termination. The conditional zoning certificate shall become void as the expiration of one (1) year after date of issuance unless the structure or alteration thereof is started, and work is continuing at a reasonable rate.

² Amended 01-06-2006

I. Enforcement.

1. If the Zoning Inspector finds that any provision of this Resolution relating to a conditional use is being violated or that any condition, safeguard, or requirement of a conditional use approval is being violated or breached, the Zoning Inspector shall take action to enforce the provisions of the Resolution or the condition, safeguard or requirement of the conditional use approval as provided for violations of this Resolution.
2. If the BZA determines that revocation of the conditional use permit may be appropriate action in enforcement of the provisions of this Resolution or of any condition, safeguard, or requirement of the conditional use approval, then the BZA shall set a date for a hearing regarding revocation. At least ten (10) days prior to the hearing, written notice shall be issued to the person responsible for the violation advising of the specific violation, and of the date, time, and location of the hearing. The BZA shall conduct the hearing at the date and time established, shall consider the record, shall consider any evidence submitted by or on behalf of the holder of the zoning certificate and evidence submitted by the Zoning Inspector and shall determine the action to be taken. The BZA may take any of the following actions as determined appropriate to resolve the violation:
 - a. Order the action necessary to correct the violation.
 - b. Revoke the approval of the conditional use.
 - c. Amend the terms of the approval of the conditional use.

604 BASIS OF DETERMINATION

The BZA shall establish that the general conditions and the specific conditions pertinent to each use outlined in the following sections shall be satisfied by the completion and operation of the proposed development. The BZA may impose such additional conditions and safeguards deemed necessary for the general welfare, for the protection of individual property rights and for ensuring that the intent and objectives of this Resolution will be observed.

605 GENERAL STANDARDS FOR ALL CONDITIONAL USES

The BZA shall review the particular facts and circumstances of each proposed use in terms of the following general conditions and shall find adequate evidence showing that such use on the proposed location:

- A. Will be harmonious with and in accordance with the general objectives or with any specific objective of the land use and thoroughfare plan of current adoption.
- B. Will be designed, constructed, operated, and maintained so as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that such use will not change the essential character of the same area.
- C. Will not be hazardous or disturbing to existing or future neighboring uses.
- D. Will not be detrimental to property in the immediate vicinity or to the community as a whole.

- E. Will be served adequately by essential public facilities and services such as highways, roads, police and fire protection, drainage structure, refuse disposal and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such service.
- F. Will be in compliance with State, County and Township regulations.
- G. Will have vehicular approaches to the property which shall be so designed as not to create an interference with traffic on surrounding public streets or roads.

606 SPECIFIC AND SUPPLEMENTARY CONDITIONS

- A. **Specific Conditions.** The BZA shall review each proposed use in terms of the specific conditions listed for conditional uses in each district.
 - 1. **Reserved.**
 - 2. All structures and activity areas except open parking areas shall be located at least one hundred (100) feet from all property lines.
 - 3. Loudspeakers and/or amplifiers which cause a hazard or annoyance to nearby residences shall not be permitted.
 - 4. All points of entrance or exit should be located no closer than two hundred (200) feet from the intersection of two (2) major thoroughfares; and/or no closer than two hundred (200) feet from the intersection of a major thoroughfare and a local or collector thoroughfare.
 - 5. **Reserved.**
 - 6. No lighting shall constitute a nuisance and shall in no way impair safe movement of traffic on any road or highway; no lighting shall shine directly on adjacent properties.
 - 7. Elementary school structures should be located on a collector thoroughfare.
 - 8. Such developments should be located on major thoroughfares, at intersections of major and/or collector thoroughfares or on marginal access streets for major thoroughfares.
 - 9. Such developments should be located adjacent to nonresidential uses such as churches, parks or commercial district.
 - 10. Such uses shall not require uneconomical extensions of utility services at the expense of the community.
 - 11. Site locations should be preferred that offer natural or man-made barriers that would lessen the effect of intrusion into an area.
 - 12. Such uses should be property landscaped to be harmonious with surrounding residential uses.
 - 13. All permitted installations shall be maintained in a neat, orderly condition so as to prevent injury to any single property, individual or the community in general. A bond may be required to ensure that this provision will be met.
 - 14. Any temporary structures must be indicated as such on site plans submitted to the BZA for approval. Such structures shall not be continued as permanent structures. The period of continuance shall be set by the BZA.
 - 15. All ingress and egress driveways shall be sufficiently separated from intersections to avoid traffic conflicts. Driveways shall be designed to provide adequate internal circulation and where necessary to provide sufficient storage space so that waiting vehicles will not extend into a public right-of-way or block circulation on the site.

16. Truck parking areas, maneuvering lanes and access way to public roads shall be designed to cause no interference with the safe and convenient movement of automobile and pedestrian traffic on and adjacent to the site.
17. The site shall not be used for the storage and/or overnight parking of vehicles other than storage of rental trailers and/or trucks.
18. Only retail uses which are customarily accessory or incidental to the principal recreational use shall be permitted as part of the park, recreational area or campground. Permitted retail uses are refreshment stands, souvenir stands, concession stands, park office and the limited sale of groceries when the customers are primarily the campers using the park. Buildings and signs for such retail uses shall not be arranged to attract customers from adjacent highways.
19. All activities, programs and other events shall be adequately and properly supervised so as to prevent any hazard and to assure against any disturbance or nuisance to surrounding properties, residents or to the community in general.
20. **Reserved.**
21. The following regulations shall apply to gas filling stations:
 - a. Gasoline filling stations shall conform to all setback requirements of the district in which they are permitted except that gasoline pump islands need not conform to the minimum building setback lines but shall be set back from all road right-of-way lines at least fifty (50) feet.
 - b. Lubrication, washing and other incidental servicing of motor vehicles and all supply and merchandise storage shall be completely within an enclosed building except as provided elsewhere herein.
 - c. Lighting including permitted illuminated signs shall be arranged so as not to reflect or cause glare that would constitute a nuisance to any residential district or hazard to traffic on any public thoroughfare.
 - d. Ingress and egress driveways shall be separated from the intersection of any two (2) road right-of-way lines by at least forty (40) feet and from property lines by at least twenty (20) feet. A curb shall be installed where any service areas adjoin any road right-of-way lines except at driveway approaches.
 - e. Employee vehicles and vehicles awaiting servicing or return to customers following servicing shall be parked in areas indicated for such parking on the approved site plan. Such parking areas shall not be closer than fifty (50) feet to any road right-of-way line.
22. The area proposed for a **cemetery** shall be used for cemetery purposes only and shall meet the following requirements:
 - a. Only memorial park cemeteries having grave markers flush with the surface of the ground shall be permitted. The term "Marker" to refer to name of deceased.
 - b. Except for office uses incidental to cemetery operations, no business or commercial uses of any kind shall be permitted on the cemetery site.
 - c. Minimum area required for a cemetery site is to be forty (40) acres.
 - d. Pavement width of driveways shall be at least ten (10) feet (10 feet per moving land).
 - e. Driveways should be useable shape, improved with bituminous, concrete or equivalent surfacing and so graded and drained as to dispose of all surface water accumulation within the area.
 - f. Pavement is to be installed as development progresses and as indicated on the final plans approved by the BZA.
 - g. Sufficient parking space shall be provided as to not deter traffic flow within the cemetery.
 - h. A grave site shall not be within two hundred (200) feet of an existing residence and in no case, shall a grave site be closer than thirty (30) feet from an adjoining property line.

- i. The BZA shall have the power to determine the need for amount of plant materials, walls or fences or any combination of these on any property line of land under consideration. The plans and specification for the overall site development shall include the proposed arrangement of such plantings and structures.
 - j. **Reserved.**
 - k. Provisions shall be made for landscaping throughout the cemetery. Location of cemetery buildings and all other structures shall conform to front, side, and rear yard minimum building setback lines of the particular district in which it is located.
 - l. No grave sites shall be located within eighty (80) feet of the right-of-way line of any publicly dedicated thoroughfare.
 - m. The BZA may require financial guarantees be made that the cemetery will be developed as proposed on the plans approved by the BZA. Guarantees shall be in a form approved by the BZA and may be one of the following:
 - i. A performance bond in the amount of \$25,000 for cemeteries of forty (40) acres. An additional \$5,000 shall be required for each ten (10) acres over forty (40) acres or for each ten (10) acres added at a later date. The amount of the bond will be reduced annually and by an amount that will leave the balance of the bond proportional to the portion of the cemetery not developed by to the specifications of the plans approved by the BZA.
 - ii. Other methods as might be worked out by the BZA, Township Trustees, developers, and their legal advisors.
 - n. The BZA may require that a trust fund of an amount set by the Township Trustees be established by the cemetery developers for the perpetual maintenance of the cemetery grounds. The trust fund would be established before any burial spaces are sold or used and would be held and invested by a financial institution mutually agreed upon by the developers and the Township Trustees. A percentage of the money from the sale of each burial space would be put into the maintenance trust fund. The percentage would be an amount set by the BZA. Interest yielded by the fund would be applied toward the maintenance of the cemetery grounds.
23. **Reserved.**
24. The following regulations shall apply to **strip mining** for coal, gravel, sand, clay, limestone, or sandstone deposits in Westfield Township:
- a. A permit must be issued by the Ohio Department of Natural Resources (ODNR) according to the procedures and requirements of **Chapter 1514 of the Ohio Revised Code (ORC)** and the rules adopted pursuant thereto.
 - b. The applicant shall present to the zoning Inspector plans for reclamation of the land proposed to be mined. The reclamation plans shall have been approved by the ODNR. The reclamation plan shall propose a future use to the site which is in accordance with the Westfield Township Zoning Resolution or other such comprehensive plan currently in effect. The reclamation shall be completed before evacuation of the site by the applicant.
25. ³ Specific conditions pertaining to **recreation areas** which allow campgrounds:
- a. The 2005 Ohio Department of Health (ODH) regulations of Recreational Vehicle Park, Recreation Camp, Combined Park-Camp and Temporary Park-Camp Rules, **Ohio Administrative Code Chapter 3701-25** as amended or supplemented shall be the primary regulations for campgrounds in Westfield

³ Amended in its entirety 09-02-2006

- Township. Additional regulations on campgrounds by Westfield Township Zoning Resolution shall also apply.
- b. All aspects of a campground shall comply with the Westfield Township Zoning Resolution, Medina County Subdivision Regulations, Medina County Building Code, Ohio Basic Building Code, Ohio Sanitary Code and Ohio Department of Health Regulations as amended or supplemented where applicable.
 - c. The recreational uses permitted will be only those specifically listed in the Conditional Use Certificate granted.
 - d. All permanent building structures and recreational vehicles shall be a minimum distance of twenty-five (25) feet from all property lines.
 - e. Lighting. **ODH 3701-25-69** regulations apply. Also, Westfield Township Zoning Resolution **Section 205.G**.
 - f. Amplified Sound. **ODH 3701-25-66. I** and **3701-25-67**. Also amplified sound, which causes a hazard or annoyance shall not be permitted between the hours of 11:00 p.m. to 8:00 a.m.
 - g. Parking. **ODH 3701-25-74**.
 - h. Sites. **ODH 3701-25-56**.
 - i. Signage. Westfield Township Zoning Resolution **Article IV**. Signage is established by the BZA as part of the Conditional Zoning Certificate.
 - j. Storage of recreational vehicles shall be permitted within a campground, either on campsites or within a central storage compound. The central storage compound shall provide for and maintain a twenty-five (25) foot buffer.
 - k. Except for the campground owners or their employees, a recreational vehicle, cabin, cottage or tent shall not be used as a permanent residence. Permanent residence would be a primary residence for a person or family.
 - l. Accessory structures and uses shall be permitted with compliance from ODH regulations and Westfield Township Zoning Resolution **Section 205.A**.
26. Specific conditions pertaining to **junkyards, salvage yards or impound lots**.
- a. They shall be totally surrounded with a non-transparent minimum six (6) foot fence so as to obscure the contents from the ordinary view of citizens passing by.
 - b. No salvage item shall be allowed to remain outside of the fence.
 - c. All equipment pertaining to said operation must be contained within the perimeter of the fence.
27. Not more than two (2) commercial vehicles, two (2) commercial trailers, or two (2) commercial units may be parked at one time.
28. **Reserved.**
29. Planned Developments.
- a. Purpose. The purpose of this section is to encourage wise use of the natural landscape and topography to promote the preservation of open space and natural areas and to provide a variety of residential opportunities in the township. This may be accomplished through use of land development techniques provided in this section which allow flexibility in arranging lots and building sites.
 - b. Permitted Districts. A planned development may be approved as a conditional use in the **RR** and **SR** districts.
 - c. Requirements, Standards and Guidelines.
 - i. Density.

- A) For purposes of calculating density of a planned development, any land which is open water, floodplain, wetland, existing public right-of-way or other land which is determined by the BZA to be similarly unsuitable for construction of dwelling shall be excluded (subtracted) from the total area of the planned development.
 - B) In a planned development in the **RR** district, after exclusion of the land area described in **Section 606.A.29.c.i.A)** above, the maximum number of dwelling units permitted on the remaining balance of the land area shall not exceed one unit per two and one half (2 ½) acres.
 - C) In a planned development in the **SR** district, after exclusion of the land described in **Section 606.A.29.c.i.A)** above, the maximum number of dwelling units permitted on the remaining balance of the land area shall not exceed one unit per 0.75 acres.
 - D) The densities calculated as stated in **Sections 606.A.29.c.i.A), 606.A.29.c.i.B), and 606.A.29.c.i.C)** above are only intended to calculate the maximum density which **may be** permitted by the BZA. On the basis of findings relating to the location of the planned development, its surrounds, its design, its impact on nearby areas and other factors, the BZA may permit the maximum density **or may limit the density to a lower amount.**
 - E) The density of units on any single acre within a planned development shall not exceed one (1) unit per 0.75 acre in the **RR** district and shall not exceed one (1) unit per 0.25 acre in the **SR** district unless the BZA approves a higher density based on findings regarding setbacks of the units from roads and other properties, amenities provided and other factors consistent with the purpose and intent of the Resolution.
- ii. Minimum Area Required. The minimum area to be considered for a planned development shall be thirty (30) contiguous acres which are not crossed by public or private rights-of-way, easements, roads, rails or similar physical or legal barriers except that the BZA may permit a planned development on not more than two (2) parcels of land which are proximate to one another but are not contiguous where proposed development of the properties meets the purpose and intent of the section and does not otherwise adversely affect the development and surrounding properties.
 - iii. Lots and Yards.
 - A) Lots created within a planned development shall only be recorded as part of a major subdivision according to the procedures and requirements of the Medina County Subdivision Regulations. The form of ownership of structures, pavement, private roads and land within a planned development shall be as approved by the BZA and in compliance with the Medina County Subdivision Regulations.
 - B) To the greatest extent feasible, vehicular access to lots shall be by means of new internal roads constructed within the planned development. No more than thirty percent (30%) of the frontage of the planned development on existing public roads shall be plated for purposes of lot frontages providing direct access to the existing public roads. Lot frontages plated onto the existing public roads shall at a minimum comply with the lot frontage requirements of the residential district in which they are located.
 - C) No part of an area of open water, wetland or flood plain shall be subdivided into private lots, except as approved by the BZA in the Development Plan.

- D) Setbacks from Existing Roads. Structure shall be set back from an existing public right-of-way not less than one hundred (100) feet in the **RR** district and not less than seventy-five (75) feet in the **SR** district. The minimum setback from any other boundary of a planned development shall be seventy-five (75) feet.
- E) Setbacks from Proposed Roads. The minimum setback from a proposed public right-of-way or from the edge of pavement of a proposed private road shall be not less than thirty-five (35) feet.
- F) The minimum separation between dwellings shall be twenty (20) feet.
- G) An area at least twenty (20) feet in width paralleling the edges of all wetlands shall be preserved in its natural state. No building shall be constructed closer than thirty-five (35) feet to a wetland.
- iv. Uses. The permitted or conditional uses in a planned development shall be the same as permitted or conditional in the district in which the planned development is located provided that the specific uses are approved in conditional use approval of the planned development. Uses which are not approved in the original conditional use approval shall only be established subsequently by application for a conditional use and amendment of the development plan.
- v. Open Space.
- A) A minimum of thirty percent (30%) of the land area of the planned development shall be designated as permanent open space.
- B) No more than thirty percent (30%) of the required area of designated permanent open space may be open water, wetland, floodplain or otherwise undevelopable land.
- C) All parts of the designated open space shall be preserved in their natural state or designed and improved for the use and enjoyment of residents of the development or for the general public or utilized for field crops or pasture of animals. Areas developed as community rooms, club pool or commercial pool, athletic facilities or other active recreation uses shall not be included in the calculation of open space. Storm water management facilities; such as retention or detention ponds may be located in open space areas.
- D) The following uses shall **not** be included in the calculation of designated open space: required setbacks and minimum spacing between buildings, parking areas, project boundaries or roads, private yards within private lots; small, fragmented, or isolated areas that have a dimension less than seventy-five (75) feet in any direction. The areas of private roads and public road rights-of-way, parking areas, access ways and driveways shall not be included in the calculation of designated open space except where the BZA determines that these facilities are designed solely to provide access to and use of the open space.
- E) Open space shall be protected from further subdivision and the ownership of open space and control of conservation easements shall be as approved by the BZA and established by means of legal documents approved and duly recorded. Ownership may be held by any entity approved by the ZC and may be a homeowner association, the Township, Medina County Park District, State of Ohio, a land trust, or other entity, provided that it shall be demonstrated to the satisfaction of the BZA that the proposed owner has or will have the capacity to preserve and maintain the land according to the provisions of this Resolution.
- vi. Special Application Requirement. In addition to the application requirements for a conditional zoning certificate set forth in this **Article VI**, an application for a planned unit development shall include:

- A) The information required for site plan reviews in **Section 807.2**.
 - B) Names, addresses and phone numbers of the owner(s) of the property; applicant (if other than owner); and written authorization to represent the property if applicant is other than the owner.
 - C) Names and addresses of all property owners adjacent to and across the road from the property development.
 - D) A complete development plan illustrating:
 - 1) All existing lot lines, easements, and rights-of-way.
 - 2) Land uses and existing structures within thirty (30) feet of the planned development.
 - 3) All proposed uses and number of dwelling units.
 - 4) General locations and types of all proposed sanitary sewer or septic systems, water lines or wells and storm drainage and retention systems; information regarding the availability and feasibility of the systems to support the proposed development.
 - 5) Boundaries of proposed permanent open space areas, dimensions, total land area and areas of segments (if any). (A survey documenting the exact boundaries and land area of the open space shall be required prior to final approval of the planned development.)
 - 6) Any other information required by the BZA during the course of review of the application to determine compliance with these regulations.
- vii. Special Procedures. The BZA may grant preliminary approval of a conditional zoning certificate for a planned development and withhold final approval pending receipt of written approval of the proposed utilities and storm water systems by the County Engineer and pending approval of the proposed subdivision (if any) by the County Planning Commission. The BZA may require that the applicant submit such written approvals for consideration by the BZA before granting final approval of the conditional zoning certificate.
30. **Reserved.**
31. Bed and Breakfast Inn.
- a. Shall be incidental and accessory to the dwelling which is the principal residence of the operator.
 - b. Maximum two (2) bedrooms shall be used for Bed and Breakfast guests.
 - c. Shall comply with all applicable requirements for home occupation as provided in **Section 205.E**.
 - d. A breakfast meal may be served but only to overnight guests.
32. Similar Use. An applicant may submit an application for a conditional use permit for a building or use which is not specifically listed as a permitted use or a conditional use in the district. The BZA shall determine if the proposed use is a "similar use" which shall be conditionally permitted in the district. In making the determination the BZA shall consider the following:
- a. Whether the use has characteristics and impacts consistent with those of one or more of the permitted uses in the district or of a conditional use or uses already existing in the district; whether the use has characteristics and impacts more consistent with those of the permitted uses of the subject district than with the permitted uses of any other district.
 - b. Whether the establishment of the use in the district will significantly alter the nature of the district.
 - c. Whether the use will create dangers to health and safety or create offensive noise, vibration, dust, heat, smoke, odor, glare, traffic, or other objectionable impacts or influences to an extent greater than normally resulting from permitted uses listed in the subject district.
 - d. Whether the use typically requires site conditions or features, building bulk or mass, parking or other requirements dissimilar from permitted uses and whether the typical development of site and

buildings for the use is compatible with those required for permitted uses and can be constructed in conformance with the standard regulations for height, lot dimensions, setbacks etc. of the district.

33. ⁴Specific and Supplementary Conditions. Specific conditions pertaining to government sponsored construction projects:
- a. Must have direct access to main project work area, access by State maintained road or access to local roads as approved by the County or Township.
 - b. Processing plants must be a minimum of six hundred (600) feet from a neighboring residential dwelling.
 - c. Fencing shall be allowed not to exceed six (6) feet in height for the security and safety of project area and be approved as part of the conditional use permit.
 - d. One sign shall be permitted on the project site not to exceed thirty-two (32) square feet and six (6) feet in height. Signage ancillary to the temporary use shall be kept to a minimum, not impede safe travel on roadways and be approved as part of the conditional use permit.
 - e. Lighting shall be downcast and shielded so as not to shine onto adjoining properties or roadways.
 - f. Due to the nature of these conditional uses **Sections 605.A and 605.B** shall not be considered in the review process by the BZA.
 - g. A copy of the lease agreement shall be submitted with the application to the BZA. Personal, financial, and other information not pertinent to this application shall be eliminated.
 - h. A performance guarantee shall be required by the lessee to insure reclamation of property as per the lease agreement and zoning requirements.
34. **Reserved.**
35. ⁵Solar Energy Commercial Installations.
- a. Solar Energy Commercial Installations shall be considered the principal use.
 - b. Shall be conditionally permitted on a parcel of ten (10) acres or less in the **HC** District.
 - c. Shall comply with the front, side and rear yard setback requirements.
 - d. Shall have a minimum six (6) foot security fence surrounding the entire solar installation.
Section 205.B Exempt.
 - e. Shall have a twenty (20) foot wide landscaped buffer the entire frontage outside the road right-of-way except for ingress and egress as required. Landscape buffer to block view of frontage fence line.
 - f. Side and rear yard landscape buffers a minimum of twenty (20) foot wide may be implemented as part of the site plan review.
 - g. Accessory buildings or structures as they apply to **Section 205.A**.
 - h. Signage as compliant with **Section 406.A**.
 - i. Ingress, egress and off road parking as compliant with **Article V**.

⁴ Added 12-05-2006

⁵ Added 10-20-2014

ARTICLE VII
NONCONFORMING USES, BUILDINGS AND LOTS

701	Purpose
702	Policy
703	Regulations
704	Certificate of Nonconforming Use
705	Nonconforming Lots

701 PURPOSE

The purpose of this article is to provide for the continuation of uses that do not conform to the existing zoning, but which were in operation prior to the enactment of this Resolution or amendments thereto, but not to encourage their continuation. It is the intent of this article that nonconforming uses and structures be afforded reasonable opportunities for extension, but not be used as grounds for adding other structures or uses prohibited elsewhere in the same district. It is also the purpose of this article to impose limitations on the development of substandard lots.

702 POLICY

The lawful use of any building or land existing at the effective date of this Resolution or amendments thereto may be continued, although such use does not conform with the provisions of this Resolution.

703 REGULATIONS

- A. Alterations. A building, structure, lot or parcel containing a nonconforming use may be altered, improved or reconstructed provided that:
1. ¹A nonconforming structure may be altered or enlarged to extend such structure to a total area not to exceed twenty-five percent (25%) more than the existing area of the structure, provided that the alteration or enlargement shall not extend or enlarge the nonconformity of the building, structure, lot or parcel.
 2. A nonconforming use may be altered or enlarged to extend the area of such use to a total area not to exceed twenty-five percent (25%) more than the legally existing area of the use, provided that the alteration or enlargement shall otherwise comply with the current regulations of the district in which it is located. Provided, however, that the area or intensity or nature of a use shall not be altered or enlarged in any manner which creates or increases a nuisance or hazard affecting or potentially affecting the surrounding properties or the community.
- B. Nonconforming to Nonconforming Use. A nonconforming use may not be changed to another nonconforming use unless the ZC determines that the proposed use is less in conflict with the character and uses in the district than the existing nonconforming use.

¹ Amended 05-20-2026

- C. Restoration. This Resolution shall not prevent the reconstruction, repairing, rebuilding and continued use of any nonconforming building or structure damaged by fire, collapse, explosion or acts of God subsequent to the date of this Resolution, wherein the expense of such work does not exceed sixty percent (60%) of the replacement cost of the building or structure at the time such damage occurred.
- D. Construction Approved Prior to Resolution. Nothing in this Resolution shall prohibit the completion of construction and use of a nonconforming building for which a zoning certificate has been issued prior to the effective date of this Resolution or any amendment provided the following:
1. That construction was commenced within ninety (90) days after the issuance of such certificate.
 2. That construction is carried on diligently and without interruption for a continuous period in excess of thirty (30) days.
 3. That the entire building shall have been completed within one (1) year after the issuance of the zoning certificate.
- E. Displacement. No nonconforming use shall be extended to displace a conforming use. When a nonconforming use has been changed to a more restricted use or to a conforming use, such use shall not hereafter be changed to a less restricted or nonconforming use. A nonconforming use may be changed to another nonconforming use provided that the changed nonconforming use is identical or in less conflict with the character and use of the district than the existing nonconforming use as determined by the BZA.
- F. Discontinuance or Abandonment. Whenever a nonconforming use has been voluntarily discontinued for a period of two (2) years or more, any further use shall be in conformity with the provisions of this Resolution.
- G. Unsafe Structures. Nothing in this Resolution shall prevent the strengthening or restoring to a safe condition of any portion of a building or structure declared unsafe by a proper authority.
- H. Conditional Uses. All legally nonconforming uses which exist at the time of passage of this Resolution or amendments hereto and which are conditional uses in their respective districts under this Resolution shall be issued conditional zoning certificates within one (1) year after the passage of this Resolution or amendments hereto by the BZA. Failure by the BZA to issue a conditional zoning certificate within one (1) year shall not affect the status of the use as a legal nonconforming use.

704 CERTIFICATE OF NONCONFORMING USE

Within one (1) year of the effective date of this Resolution or any amendment, the Zoning Inspector shall issue a "Certificate of Nonconforming Use" to all owners of legal nonconforming use property, the use of which does not conform to the provisions of the district in which the property is located. No use of land, buildings or structures shall be made other than that specified on the "Certificate of Nonconforming Use" unless said use shall be in conformance with the provisions of the district within which the property is located. A copy of each "Certificate of Nonconforming Use" shall be filed with the BZA and a copy retained by the Zoning Inspector. The nonconforming status of the use shall not be affected if a Certificate of Nonconforming Use is not issued.

705 NONCONFORMING LOTS

- A. Single Nonconforming Lot of Record. In any district in which single family dwellings are permitted, a single-family dwelling and customary accessory structures may be erected on a single lot of record conforming to the Resolution at the time it was recorded, even though the lots now fails to meet the requirements for lot area or lot width, or both, of this Resolution. The lot shall comply with the following:
1. The lots must be in separate ownership and control from any adjacent lot.
 2. Prior to issuance of a zoning certificate, the owner shall submit an affidavit certifying that the lot was not in common ownership or control at the time the lot was made nonconforming by amendment of the Resolution.
 3. The lot shall comply with all other applicable requirements of this Resolution, including but not limited to required yard dimensions.
- B. ²Nonconforming Lots of Record in Combination. Legally created lots of record as of the effective date of this amendment, containing at least one and one half (1 ½) acres and with one hundred and fifty (150) feet of frontage, shall be considered buildable lots despite their failure to meet the area and frontage requirements adopted herein, provided that this exception should not apply to more than two (2) lots of continuous frontage existing under common ownership on the date this section is effective.

² Amended 08-10-1998

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ARTICLE VIII
ADMINISTRATION AND ENFORCEMENT

801	Zoning Inspector
802	Board of Zoning Appeals
803	Zoning Commission
804	Zoning Certificates
805	Schedule of Fees, Charges and Expenses
806	Enforcement
807	Site Plan Review

801 ZONING INSPECTOR

The Township Trustees shall establish and fill the position of Township Zoning Inspector as provided in the *Ohio Revised Code (ORC)*. The Zoning Inspector shall give bond as provided in the *ORC*.

802 BOARD OF ZONING APPEALS (BZA)

The BZA shall have such power as specified by *Chapter 519 of the ORC* by *Article VI and IX* of this Resolution and as otherwise provided in this Resolution.

803 ZONING COMMISSION (ZC)

A. Powers. The ZC shall have the following duties:

1. Initiate proposed amendments to the text or zoning districts map of this Resolution.
2. Review all proposed amendments to this Resolution and make recommendations to the Township Trustees.
3. Review, approve or deny site plans as specified by *Section 807*.
4. Make recommendations to the Township Trustees on all matters concerning planning, zoning, and development in Westfield Township.

B. Members. Membership of the ZC shall be as provided in the *ORC*.

C. Organization and Procedures of the ZC shall be as provided in the *ORC*.

804 ZONING CERTIFICATES

A. Application for Zoning Certificate. Before establishing a use, constructing, or altering any sign (except changing the face of a sign), structure or building, including accessory buildings, application shall be made to the Zoning Inspector for a zoning certificate. The applications shall include the following information:

1. A plat drawn to scale showing the exact dimensions and area of the lot to be built upon.
2. The location, dimensions, height, and bulk of structures to be erected.
3. The intended use.

4. The proposed number of sleeping rooms, dwelling units, employees, and other uses.
 5. The yard, open area and parking space dimensions.
 6. Information indicating compliance with the requirements of **Article II** and the appropriate district regulations.
 7. Evidence that sanitary sewage disposal facilities for the use have been approved by the Medina County Health Department or the Medina County Sanitary Engineer, as appropriate.
 8. Any other pertinent data as may be necessary to determine and provide for the enforcement of this Resolution.
- B. Application for Conditional Zoning Certificate. If the application is for a conditional zoning certificate, the application procedure defined in **Section 602** shall be followed in lieu of the above regulations.
- C. Staking Required. At the time of submitting an application for a zoning certificate, or at a time agreed with the Zoning Inspector, the applicant shall install stakes on the lot indicating the intended location of any structure subject to the application. Stakes shall be maintained until the Zoning Inspector has inspected the proposed location and approved their removal. The Zoning Inspector may determine that staking is not necessary for verification of compliance with these provisions and may waive the requirement for staking.
- D. Zoning Certificate Issued after Culvert Permits. No zoning certificate shall be issued to build any structure within the confines of the unincorporated area of the Township which has ingress or egress to a highway until the owner of such property has secured a permit from the Ohio Department of Transportation (ODOT), Medina County Engineer or the Township Trustees (*whichever authority has jurisdiction*) and completed proper installation of such culvert, if such culvert is necessary for adequate removal of storm water from the vicinity.
- E. Time for Issuance. The Zoning Inspector shall issue a zoning certificate within thirty (30) days after the receipt of application **if** the application complies with the requirements of this Resolution and the application is accompanied by the proper fee, unless such application is for a conditional zoning certificate in which case issuance will be determined by the requirements of **Article VI**.
- F. Referral to Ohio Department of Transportation (ODOT). Prior to issuance of any zoning certificate for any land within three hundred (300) feet of the centerline of a certified new highway or highway improvement of within five hundred (500) feet from the intersection of an existing public road with said centerline, the Director of the ODOT shall be notified as provided by the **ORC**.
- G. Term of Certificate. The zoning certificate shall become void at the expiration of one (1) year after date of issuance unless construction is started. If no construction is started or use changed within one (1) year of the date of certificate, a new certificate shall be applied for.
- H. Denial of Application for Zoning Certificate.
1. The Zoning Inspector shall deny an application for a zoning certificate for any of the following reasons:
 - a. The applicant has failed to provide information required by this Resolution or by the certificate application.

- b. The applicant has falsely answered a question or has provided false information required by the Resolution of the certificate application.
 - c. The required application or certificate fees have not been paid.
 - d. The application does not comply with one or more of the provisions of this Zoning Resolution.
2. If the Zoning Inspector denies an application, he/she shall notify the applicant of the denial and state the reason(s) for the denial.

I. Zoning Violation Notice; Revocation of Certificate.

1. The Zoning Inspector shall issue a Zoning Violation Notice if the Inspector determines that:
 - a. Construction activity on a lot does not comply with the provisions of this Zoning Resolution or with the provisions of any special permits or approvals, such as a conditional zoning certificate established according to the provisions of this Zoning Resolution **or**
 - b. Use of a lot, building or other structure does not comply with the provisions of this Zoning Resolution or with the provisions of any special permits or approvals such as a conditional zoning certificate established according to the provisions of this Zoning Resolution.
2. A written Zoning Violation Notice shall be delivered to the owner of the lot on which the violation is occurring or has occurred or to the owner or operator of the use which is in violation. The Notice shall indicate the nature of the violation and shall order the action necessary to correct it. The Notice shall state what action the Zoning Inspector intends to take if the violation is not corrected. The Notice shall advise the Inspector's decision or order may be appealed to the BZA within ten (10) days of receipt of the notice.
3. If no appeal is filed, the Zoning Inspector shall take necessary and appropriate action required to resolve the violation. Corrective action may include revocation of the zoning certificate. If an appeal is filed, all action shall be stayed unless the Zoning Inspector prepares a statement certifying that the situation poses imminent peril to the public health, safety and welfare and that immediate action is warranted.

J. Appeal of Certificate Denial or Certificate Revocation.

After denial of an application or revocation of a certificate, the applicant or person to whom the certificate was issued may appeal for review of such administrative action by the BZA.

805 SCHEDULE OF FEES, CHARGES AND EXPENSES

- A. The Township Trustees shall by resolution establish a schedule of fees, charges and expenses and a collection procedure for zoning certificates, amendments, appeals for variance, conditional zoning certificates, site plan approvals and other matters pertaining to the administration and enforcement of this Resolution requiring investigations, inspections, legal advertising, postage and other expenses. The schedule of fees shall be posted in the Township Hall and may be altered or amended **only** by the Township Trustees.
- B. Until all applicable fees, charges and expenses have been paid in full, no action shall be taken on any application or appeal.

806 ENFORCEMENT

- A. Violation Prohibited. As provided in the **ORC**, no building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used and no land shall be used in violation of the Zoning Resolution. Each day of continuation of a violation may be deemed a separate offense.
- B. Inspection. The Zoning Inspector shall inspect each alleged violation and shall in writing order correction of all conditions which are found to be in violation of this Resolution.
- C. Correction Period. All violations shall be corrected as directed in the written order issued by the Zoning Inspector. Any violations not corrected within a specified time period shall be reported to the County Prosecutor who shall initiate prosecution procedures.
- D. Action may be taken to prevent or resolve violations as provided in the **ORC**.
- E. Penalty. Whoever violates the provisions of this Zoning Resolution shall be fined as provided by the **ORC**.

807 SITE PLAN REVIEW

- A. Purpose. The purposes of these site plan requirements include but are not limited to:
 1. Ensuring compliance with the requirements of this section and of the Zoning Resolution generally.
 2. Promoting proper design for efficient use of land, high quality developments and maintaining or increasing property values.
 3. Protecting adjoining properties and districts from adverse impacts.
 4. Modifying development proposals to take advantage of site opportunities and to mitigate potential problems.
 5. Promoting safe and convenient vehicular and pedestrian movement in and around site developments, particularly on local roads.
 6. Mitigating or preventing adverse impacts on the environment.
- B. Site Plan Review Required; Conformance with Approved Site Plan Required. The uses listed below shall only be established, operated, and maintained or substantially altered or relocated in conformance with a site plan or an amendment to a site plan approved by the ZC or by the BZA as provided in the following table:

DISTRICT	SITE PLAN REVIEW BY ZONING COMMISSION	SITE PLAN REVIEW BY BOARD OF ZONING APPEALS
RR District	Public School	All conditional uses
SR District	Public School	All conditional uses
LC District	All permitted uses except single and two family dwellings, home occupations and farm markets	All conditional uses
HC District	All permitted uses	All conditional uses
I District	All permitted uses	All conditional uses

¹ HCI District	All permitted uses	All conditional uses
² PRD	All permitted uses except single family dwellings on individual lots with frontage on a public road	NA
³ OIPD	All permitted uses	All conditional uses

As used above, “substantial alteration” shall include but not limited to:

1. Establishment of a new, additional or replacement use or relocation of a use on a site.
2. Construction of a new building or relocation of a building on a site including any accessory structure exceeding two hundred (200) square feet.
3. An addition to an existing building if the addition exceeds five hundred (500) square feet.
4. Construction of new driveways, parking or loading areas.

C. Procedures.

1. Submittal. Application for site plan review shall be submitted to the Zoning Inspector. The Zoning Inspector shall determine if the application includes all requirements of **Section 807.D:** Application Requirements. If the application is complete, the Inspector shall forward it for review to either the ZC or to the BZA as specified in **Section 807.B.** If the application is not complete, the Inspector shall notify the applicant of items required to make the application complete and ready for review.
2. Zoning Commission Review of Site Plan.
 - a. A site plan which is subject to review by the ZC shall be reviewed by the ZC at one (1) or more of its public meetings. The ZC shall take action to approve or deny a site plan application within a reasonable time after the first meeting at which the complete application is reviewed.
 - b. Application for amendment of a site plan shall be submitted and reviewed as required for the original site plan.
 - c. The ZC may require that the trip generation report be reviewed by the County Engineer. When the ZC determines that the traffic impacts of a proposed site plan development will significantly affect the use or function of roads in the vicinity of the development, the ZC may require the applicant to prepare a more detailed traffic impact study. If the ZC determines that a traffic impact study is required, then the applicant shall deposit funds to pay for preparation of such a study according to current professional standards.
 - d. In the case of a large or complex project requiring site plan review, the ZC may grant preliminary or conditional approval or may grant approval of project phases. The terms of such preliminary, conditional and/or phased approval shall be stated for the record.
 - e. The ZC may grant conditional approval of any site plan, after clearly stating the conditions for the record and may authorize the Zoning Inspector to determine when compliance with the conditions has been achieved so that the site plan has been approved.
 - f. The ZC may adopt additional reasonable rules for procedures and administration of site plan review, not in conflict with these regulations, including but not limited to:
 - i. A schedule for the submittal and review of complete applications.
 - ii. Requirements for review by other public officials (e.g., Fire Chief, County Engineer) prior to review by the ZC.

¹ Added 06-02-2021

² Added 01-15-2018

³ Added 01-15-2018

- iii. Required number of copies, standards for drawings.
 - iv. Coordination of concurrent certificate applications and approvals.
3. Board of Zoning Appeals Review of Site Plan. A site plan which is subject to review by the BZA as part of an application for conditional uses shall be reviewed as provided in **Article VI** – Conditional Zoning Certificates. Where not in conflict with the provisions of **Article VI**, the BZA may apply the provisions and procedures set forth in **Section 807.C.2**.
- D. Application Requirements. The following items shall be required for a complete site plan review application:
1. Completed site plan application form.
 2. A site plan drawing shall be provided, legibly drawn at a scale of not less than 1" = 20 feet and illustrating the following as applicable to the proposed use or construction:
 - a. Location map, north arrow, scale, date of drawing and identification of preparer.
 - b. A boundary survey.
 - c. Existing topography and proposed finished grades with a maximum contour interval of two (2) feet.
 - d. Proposed locations and setback distances of buildings, driveways, parking, activity areas, septic systems and other site features; minimum building setback lines required by this Zoning Resolution.
 - e. Locations and designs of all proposed signs, waste storage and other accessory structures.
 - f. Locations and purposes of all existing and proposed public and private easements.
 - g. Circulation and parking plan, surfacing material for all vehicular use areas.
 - h. Planting and landscape plan including all buffer areas required by this Resolution.
 - i. Architectural drawings of the exterior of principal buildings, indicating design features and the type and color of materials to be used.
 - j. Drawings of accessory building, signs and screening for trash or other outdoor storage areas.
 - k. An outdoor lighting plan showing the location and types of fixtures, their purpose, intensity and the area being lit. At a minimum, lighting shall comply with **Section 205.G**.
 - l. If applicable, an outdoor sound system plan showing locations of speakers. At a minimum, outdoor sound equipment shall comply with **Section 205.H**.
 3. Text including, but no limited to:
 - a. A statement containing the following information:
 - i. Description of the proposed development of operation, including any off-site impacts.
 - ii. Floor areas of all existing and proposed buildings.
 - iii. Amount of floor area to be used for various uses, including retail, office, storage, servicing etc.
 - iv. Maximum number of employees.
 - v. Maximum seating capacity.
 - vi. Number of parking spaces required by these regulations and the number proposed.
 - b. Trip Generation Report. A trip generation report shall be prepared and submitted by the applicant for any site plan which proposes new construction on a vacant site, greater than ten percent (10%) increase of existing floor area or a change of use except that the ZC or BZA may waive the requirement for a report where it determines that the traffic impacts will be insignificant. The trip generation report shall be a letter or brief report which contains at a minimum, the following information:
 - i. The name and address of the preparer of the estimates and a brief statement of the qualifications of the preparer.
 - ii. An estimate of the number of average trip ends for the current generator(s) on the site at the peak hour(s) of the generator(s) and the peak hour of the roadway.

- iii. An estimate of the number of average trip ends for the proposed generator(s) on the site at the peak hour(s) of the generator(s) and the peak hour of the roadway.
 - iv. An estimate of the increase (or decrease) in trip ends between the current and proposed developments.
 - v. An estimate of the trip ends of any periodic or seasonal activity on the site.
 - vi. The source(s) of the estimate(s) (e.g. Institute of Transportation Engineers (ITE) Trip Generation, on-site counts or another source).
 - vii. A plan for vehicular access to and from the site which minimizes congestion and safety impacts and promotes efficient movement of vehicles.
- E. Review Standards. The ZC and where applicable to conditional zoning certificates, the BZA shall review and act upon site plan applications based on the following standards and taking into consideration the reasonable fulfillment thereof:
1. Conformance with the laws and regulations of the Township, County, State and Federal governments.
 2. Traffic and Circulation.
 - a. The site plan shall show that proper relationship will exist between thoroughfares, service roads, driveways, and parking areas to encourage pedestrian and vehicular traffic safety on both public and private lands.
 - b. On-site traffic circulation shall be designed to make possible adequate fire and police protection.
 - c. Curb cuts, internal driveways, parking areas and pedestrian walkways shall be arranged to promote safe and efficient movement within the site, between adjacent sites and between the site and the adjacent thoroughfare system.
 - d. The number and location of openings from the site to adjacent thoroughfares shall be designed to maintain the traffic movement function of arterial and collector streets.
 3. Vegetation, Topography, Screening.
 - a. Building location and placement shall be developed with consideration given to minimizing removal of trees and change of topography.
 - b. Maximum possible visual and auditory privacy for surrounding properties and occupants shall be provided through good design and use of proper building materials and landscaping.
 - c. In large parking areas, visual relief shall be provided through the use of trees planted, landscaped dividers, island and walkways.
 - d. Screening of parking areas, service areas and refuse storage areas from surrounding properties shall be provided through landscaping and/or ornamental walls of fences where necessary to promote harmony with adjacent development.
 4. All the development features including the principal buildings, open spaces, service roads, driveways and parking areas shall be so located and related as to minimize the possibility of adverse effects upon adjacent developments.
 5. In case of any industrial use, adequate provision shall be made for the disposal of industrial wastes. Wastes containing poisonous, corrosive, flammable or explosive solids, liquids or gases, oils or gases shall not be discharges into the sanitary sewer or into water sources.

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ARTICLE IX
BOARD OF ZONING APPEALS

901	General
902	Composition and Appointment
903	Organization
904	Powers
905	Administrative Appeals
906	Variance Appeals
907	Procedure for Administrative and Variance Appeals

901 GENERAL

A Board of Zoning Appeals (BZA) is hereby created and shall have all the powers and duties prescribed by law and by this Resolution.

902 COMPOSITION AND APPOINTMENT

Membership of the BZA shall be as provided by the Ohio Revised Code (**ORC**).

903 ORGANIZATION

Rules, organization, and meetings of the BZA shall be as provided by the **ORC**.

904 POWERS

The BZA shall have the following powers:

- A. To hear and decide appeals including:
 - 1. Administrative appeals as further described in **Section 905** below.
 - 2. Variance appeals as further described in **Section 906** below.
- B. To review and approve, deny, or conditionally approve conditional zoning certificates as described in **Article VI**.
- C. Such other powers as provided in this Resolution and as provided in the **ORC**.

905 ADMINISTRATIVE APPEALS

The BZA shall have the power to hear and decide appeals where it is alleged there is error in any order, requirement, decision, or determination made by the Zoning Inspector or the Zoning Commission (ZC) in the enforcement of this Resolution. Administrative appeals shall be reviewed in the manner specified in **Section 907**.

906 VARIANCE APPEALS

- A. General. The BZA shall have the power to authorize upon appeal in specific cases such variance from the terms of the Zoning Resolution as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of this Resolution will result in unnecessary hardship or practical difficulty and so that the spirit of this Resolution shall be observed, and substantial justice done. Variance appeals shall be reviewed in the manner specified below and in **Section 907**.
- B. Area Variances. Where the appeal requests an area variance, that is, a variance from the area, height, setback, yard, or other dimensional requirements of the district, then the following standards shall be considered and weighed in determining whether the grant of a variance is warranted to afford relief from the practical difficulties:
1. Whether the property in question will yield a reasonable return or whether there can be any beneficial use of the property without the variance.
 2. Whether the variance is substantial.
 3. Whether the essential character of the neighborhood would be substantially altered or whether adjoining properties would suffer a substantial detriment as a result of the variance.
 4. Whether the variance would adversely affect the delivery of governmental services.
 5. Whether the property owner purchased the property with knowledge of the zoning restriction.
 6. Whether the property owner's predicament feasibly can be obviated through some method other than a variance.
 7. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting the variance.
- C. Use Variance. Where the appeal requests a use variance, that is, a variance for the approval of a use which is not permitted in the district, then the following standards shall be considered and weighed in determining whether the grant of a variance is warranted to afford relief of an unnecessary hardship.
1. Whether uses permitted in the district may be reasonably established on the property and whether they are economically viable on the property in question without the variance.
 2. Whether the variance is the minimum variance which will afford relief to the property owner.
 3. Whether the essential character of the neighborhood will be substantially altered, or adjoining properties will suffer interference with their proper future development and rights because of the variance.
 4. Whether the property in question has unique or exceptional circumstances or conditions that do not generally apply to other properties in the vicinity and within the same district.
 5. Whether the hardship condition was created by actions of the applicant.
 6. Whether the spirit and intent of the Zoning Code will be observed, and substantial justice done by granting the variance.
 7. Whether the use requested is similar in impact to the permitted uses in the subject district.
 8. Whether the subject property is adequate to meet the needs and requirements of the proposed use.
- D. Supplementary Conditions. In granting a variance appeal, the BZA may impose such conditions as it may deem necessary to protect the public health, safety, and morals and in furtherance of the purposes and intent of this Resolution, including the requirement of a bond to guarantee that all special conditions imposed by the board will be complied with.

907 PROCEDURE FOR ADMINISTRATIVE AND VARIANCE APPEALS

- A. General. Appeals to the BZA concerning the powers specified in **Section 905 and 906** for administrative appeals and variance appeals may be taken by any person or corporation or by any officer of Westfield Township adversely affected by any decision of the Zoning Inspector. The appeal shall be taken within twenty (20) days after the decision of the Zoning Inspector. The appeal shall be taken within twenty (20) days after the decision by filing with the Zoning Inspector a notice of appeal specifying the grounds upon which the appeal is taken. The Zoning Inspector shall transmit to the BZA the notice of appeal and all papers constituting the record of the action which is appealed.
- B. Stay of Proceeding. An appeal shall stay all proceedings in furtherance of the action appeals, unless the Zoning Inspector shall certify to the BZA after the notice of the appeal has been filed, that a stay would cause imminent peril to life or property. In such vases, proceedings shall not be stayed by other than a restraining order granted by the BZA or by a court having lawful jurisdiction.
- C. Public Hearing and Notices. The BZA shall hold a public hearing within thirty (30) days after the receipt of an appeal from the Zoning Inspector. Notice of the hearing shall be provided on the township website at least ten (10) days before the date of the public hearing. The notice shall state the time, place, and object of the public hearing. Notices shall be sent at least ten (10) days before the hearing to all parties involved in the appeal and to all property owners adjacent to or across the road from the subject property. The BZA may recess such hearing and if the time and place to the continued hearing is publicly announced at the time of adjournment, no further notice shall be required.
- D. Assistance. Applications for appeals may be submitted by the BZA to the ZC for review and comment. The findings of the ZC shall be submitted to the BZA prior to its public hearing and shall be included in the minutes of that hearing. The BZA may also seek assistance from any other appropriate source.
- E. Decisions. Within twenty (20) days after the public hearing, the BZA shall either approve or deny the request for appeal. A certified copy of the BZA 's decision shall be transmitted to the applicant or appellant and to the Zoning Inspector. Such decision shall be binding upon the Zoning Inspector and shall be incorporated in the terms and conditions of the zoning certificate whenever a certificate is authorized by the BZA. Any appellant having been denied an appeal by the BZA, may appeal to the Court of Common Pleas.

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**ARTICLE X
AMENDMENTS**

1001 General

1001 GENERAL

The Trustees of Westfield Township may, from time to time, amend by resolution the number, shape, area, or regulations of districts established on the Zoning Districts Map or the regulations set forth in this Resolution. All amendments shall be made according to the procedures required by **Section 519.12** of the Ohio Revised Code (**ORC**) and this Article and only after receipt of recommendations from the Zoning Commission (ZC).

- A. Amendment to the Zoning Resolution may be initiated by:
 - 1. Motion of the ZC,
 - 2. Passage of a resolution by the Township Trustees and certification to the ZC, **OR**
 - 3. Filing an application with the ZC by one or more owners or lessees of property within the area proposed to be changed or affected by the proposed amendment to the Township Zoning Resolution.

- B. ¹Zoning amendment by a property owner or lessee shall be considered filed upon receipt of a complete application by the ZC at one of its twelve (12) regularly scheduled meetings.

¹ Amended 01-06-2006

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ARTICLE XI
RULES OF CONSTRUCTION & DEFINITIONS

1101 Rules of Construction
1102 Definitions

1101 RULES OF CONSTRUCTION

The following shall be applicable to all provisions of this Resolution:

- A. Words used in the present tense shall include the future tense.
- B. The singular number shall include the plural and the plural the singular.
- C. The word “**shall**” is mandatory and not discretionary. The word “**may**” is permissive.
- D. The word “**structure**” shall include the word “**building**”.
- E. The word “**used**” shall include the words “**arranged, designed, constructed, altered, converted or intended to be used**”.
- F. A “**person**” shall mean, in addition to an individual, a firm, corporation, association or any legal entity which may own and/or use land or buildings.
- G. The word “**herein**” means “**this Resolution**”.
- H. The provisions of this Resolution shall be construed to achieve the purposes and intent for which they are adopted.
- I. Nothing in this Resolution is intended to abrogate any easement, covenant, deed restriction or other private agreement; however, where the provisions of this Resolution are more restrictive or impose higher standards or requirements than such easement, covenant, deed restriction, or other private agreement, the requirements of this Resolution shall govern.
- J. In the event of a conflict between the text in this Resolution and any caption, figure, illustration, table or map, the text of this Resolution shall control. In the event of any conflict between a chart and an illustration, the chart shall control. All illustrations included in this Resolution are for illustrative purposes only.
- K. In the event of any conflict in limitations, restrictions or standards applying to an individual use or structure, the more restrictive provisions shall apply.
- L. An act authorized by this Resolution to be carried out by a specific official or agency of the Township is impliedly authorized to be carried out by a designee of such official or agency.
- M. The time within which an act is to be done shall be computed by excluding the first and including the last day. If the last day is a Saturday, Sunday, or legal holiday, that day shall be excluded.

- N. Any reference to the Ohio Revised Code (**ORC**) or to other state or federal statutes or rules or those of other agencies having jurisdiction shall be construed to be a reference to the most recent enactment of such statute or rule and shall include any amendments as may from time to time be adopted.

1102 DEFINITIONS

- A. For the purpose of this Resolution certain terms are hereby defined. Words and terms not herein defined should be interpreted in accord with their normal dictionary meanings and customary usage.
1. **“Accessory Structure or Use”**. A structure or use customarily incidental and subordinate to the principal building and located on the same lot or premises as the principal building. Accessory structures include but are not limited to: fence, sign, storage shed, swimming pool and satellite dish. Accessory uses include but are not limited to home occupations, parking, and storage of home maintenance equipment.
 2. **“Accessway”**. An area, typically a driveway with an apron and/or curb cut approved for vehicular travel from a road to a lot.
 3. **“Agriculture”**. Use of land for farming; ranching; aquaculture; horticulture; viticulture; animal husbandry (including but not limited to the care and raising of livestock, equine and fur-bearing animals); poultry husbandry and the production of poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with but are secondary to such husbandry or production.
 4. **“Alteration”**. As applied to a building or structure is a change or rearrangement in the structural parts or in the exit facilities or an enlargement, whether by extending on a side or by increasing in height or by moving from one location to another.
 - a. **“Structural Alterations”**. Any change in the supporting members of a building such as bearing walls, columns, beams, girders or any substantial changes in the roof and exterior walls.
 5. **“Automotive Repair”**. The maintenance, repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service and the painting and cleaning of vehicles. The term does not include auto wash or gasoline filling station.
 6. **“Auto Wash”**. A permanent facility for washing the exterior of vehicles by machine, by employees of the business or by customers and may include facilities for waxing, drying, or vacuuming vehicles. An auto wash is a drive-in facility.
 7. **“Basement”**. A story having more than one half (1/2) of its height below average grade.
 8. **“Bed and Breakfast Inn”**. An accessory use located within a single-family dwelling which is the principal residence of the owner and operator, providing overnight accommodations and a morning meal to the traveling public for compensation.
 9. **“Buffer”**. An area of land, typically a strip of land abutting a lot line, improved with fences, earth mounds, trees, shrubs, other natural or planted vegetation or other characteristics or improvements for the purposes of separating one use from another use of a different character and protecting one use from noise, lights, appearance, litter, other impacts, incompatibilities, or nuisances of the abutting or nearby use. Specific setbacks or yards separating uses may also serve as a buffer or part thereof. Required buffer elements may vary depending on the nature of the site and the nature of the uses.
 10. **“Building”**. Any structure having a roof supported by columns or by walls and intended for the enclosure, shelter or housing of persons, animals, or chattels.
 - a. **“Building Height”**. The vertical distance measured from the average elevation of the proposed finished grade at the front of the building to the highest point of the roof for flat roofs, to the deck line of mansard roofs and to the mean height between eaves and ridge for gable, hip gambrel roofs.
 - b. **“Building, Principal”**. The building housing the principal activity performed on any lot.

11. **“Cemetery”**. Land used or intended to be used for the burial of the human or animal dead and dedicated for cemetery purposes, including crematories, mausoleums and mortuaries if operated in connection with and within the boundaries of such cemetery.
12. **“Church or Place of Worship”**. A church, synagogue, temple, mosque, or other facility used for prayer by persons of similar belief or for conducting formal religious services by a religious congregation on a regular basis. A place of worship may include such facilities as meeting rooms and congregate dining areas for communal use by the members or participants. The term does not include such uses as temporary residence, retail sales or other uses specifically defined and regulated by this Resolution.
13. **“Club”**. A building or portion thereof or premises owned or operated by a person for a social, literary, political, educational, or recreational purpose primarily for the exclusive use of members and their guests.
14. ¹ **“Clustered Single Family Detached Dwelling”**. A single-family dwelling physically detached from other dwellings and located on a lot with other single-family dwellings. A cluster single family dwelling is not located on an individual lot.
15. ² **“Common Open Space or (open space)”**. Is defined as an area of land and/or water designed and reserved for use and enjoyment by the owners and guests of the development and/or the general public. Common open space may contain accessory structures and improvements necessary or desirable for noncommercial uses which are educational, recreational, or cultural.
16. **“Conditional Zoning Certificate”**. A certificate issued by the Board of Zoning Appeals (BZA) to allow a conditional use to be established within the district.
17. **“Convenient Care Clinic”**. A Medical Health Care Clinic located in retail stores, truck stops, supermarkets and pharmacies that treat uncomplicated minor illnesses, provide preventative health care services, provide examination and treatment solely on an out-patient basis. They are sometimes called Retail Clinics, Retail Based Clinics or Walk in Medical Clinics. Staffing may include nurses, nurse practitioners, physician assistants and/or physicians.
18. **“Density”**. A unit of measurement; the number of dwelling units per acre of land.
19. **“Development Policy Plan”**. The Westfield Township Development Policy Plan or similar land use plan or a plan or any portion thereof adopted by the Trustees of Westfield Township showing the general location and extent of present and proposed physical facilities, including housing, industrial and commercial uses, major thoroughfares, parks, schools, and other community facilities. This plan establishes the goals, objectives, and policies of the community.
20. **“Digital Message Signs”**. A sign on which copy/image changes through electrical or electronic means at intervals.
21. **“District” or “Zoning District”**. An area of the Township within which the provision of this Resolution governing structures and the uses of land are uniform. Boundaries of the districts are shown on the zoning district map which is part of this Resolution.
 - a. **“Commercial District”**. Any district in which the permitted uses are primarily commercial sales or services, including the Local Commercial District (**LC**) and the Highway Service Commercial District (**HC**).
 - b. **“Overlay District”**. Generally, a district which encompasses one or more underlying districts or parts thereof and which imposes additional requirements above those of the underlying districts. The Natural Hazard Overlay District (**NH**), ³East Greenwich Overlay District (**EG**) and ⁴Highway Commercial Industrial Planned Unit Overlay District (**HCI**) are overlay districts.
 - c. **“Industrial District”**. Any district in which the permitted uses are primarily industrial or manufacturing uses. The Industrial District (**I**).

¹ Added 01-15-2018

² Added 01-15-2018

³ Added 01-15-2018

⁴ Added 06-02-2021

- d. **“Residential District”**. Any district in which a dwelling is a permitted use, including the Rural Residential District (**RR**) and the Suburban Residential District (**SR**).
22. **“Drive-in Establishment”**. Any use which involves sales or services to customers who are in or on vehicles or a facility where vehicles are lined up or queued for service such as washing or oil change. Examples of drive-in facilities include: food windows at restaurants, bank tellers, Automatic Teller Machines (ATMs), book or videotape drop-offs, auto wash, parcel or material pickup facilities for retail businesses.
23. **“Dump”**. Any premises used primarily for disposal by abandonment, discarding, dumping, reduction, burial, incineration, or any other means and for whatever purpose of garbage, sewer, trash, refuse, waste material of any kind, junk discarded machinery, vehicles, or parts thereof, offal or dead animals.
24. **“Dwelling”**. Any building, including a manufactured home but excluding a house trailer or mobile home as defined herein, having a complete masonry foundation which contains one or more dwelling units.
- a. **“Dwelling Unit”**. Space within a dwelling comprising living, dining, sleeping room or rooms, storage closets as well as space and equipment for cooking, bathing and toilet facilities all used by only one (1) family and its household employees.
- b. **“Dwelling, Single Family”**. A dwelling containing one (1) dwelling unit only separated from other dwelling units by open space.
- c. **“Dwelling, Two Family”**. A dwelling containing two (2) dwelling units, which may be either attached side by side or one above the other.
- d. **“Mobile Home”**. A moveable or portable structure designed and constructed to be towed as a unit or units on its or their own chassis and running gear on the public streets or highways and designed, constructed, and equipped with the necessary service connections for human occupancy and habitation.
- e. **“Manufactured Home”**. A dwelling fabricated in an off-site manufacturing facility for installation or assembly at the building site, bearing a label certifying that it is built in compliance with the Federal Manufacturing Housing Construction and Safety Standards Housing and Urban Development (HUD) Code and otherwise complying with all zoning requirements applicable to a dwelling unit in the district in which the manufactured home is proposed to be installed.
25. **“Family”**. One or more persons occupying a premise and living as a single housekeeping unit as distinguished from a group occupying a boarding house, lodging house, club, fraternity, or hotel.
26. **“Farm Market”**. A use as provided in Ohio Revised Code (**ORC 519.21 (C)**), involving the sale of goods from which 50 Percent (50%) or more of the gross income is derived from produce raised on farms owned or operated by the market operator in a normal crop year and otherwise established and operated in compliance with **Section 205.I**.
27. **“Fence”**. An accessory structure constructed of wood, iron, steel, vinyl, or other material (not including shrubbery or other natural growth) erected in a manner and positioned to enclose or partially enclose a lot or part of a lot. Structures which have an ornamental purpose, and which do not serve the purpose of enclosing a lot or part thereof and which are not erected on lot lines or in close proximity to lot lines shall not be included in the definition of “fence”.
28. **“Fire Chief”**. The Chief of the Westfield Fire & Rescue District.
29. **“Flood”** terms relating to:
- a. **“Channel”**. A natural or artificial watercourse of perceptible extent with bed and banks to confine and conduct continuously or periodically flowing water.
- b. **“Flood or Flooding”**. A general and temporary condition of partial or complete inundation of normally dry areas from the overflow of streams, rivers, or other inland water.
- c. **“Flood Plain”**. The relatively flat area or lowlands adjoining the channel of a river, stream, watercourse, ocean, lake, or other body of standing water which has been or may be covered by flood water.
- d. **“Floodway”**. The channel of the watercourse and those portions of the adjoining flood plains which are reasonable required to carry and discharge the regional flood.
- e. **“Floodway Fringe”**. That portion of the regional flood plain located outside of the floodway.

- f. **“Regional Flood”**. A flood which is representative of large floods known to have occurred generally in the area and reasonable characteristic of what can be expected to occur on a particular stream. The regional flood generally has a frequency of approximately 1 every 100 years as determined by an analysis of floods in a particular stream and other streams in the same general region.
 - g. **“Flood-prone Area.”** Land subject to flooding as shown on any of the three sources cited in **Section 301.2** and generalized on the **NH** District Map. Where 100-year flood plains are indicated by United States Geological Survey (USGS) or HUD, these areas are shown on the **NH** District Map. Otherwise, flood areas are shown as indicated in the Soil Survey of Medina County, Ohio.
 - h. **“Regional Flood Plain”**. The area inundated by the regional flood (100-year frequency flood). The regional flood plain is comprised of floodway and the floodway fringe as defined above and is the basis for flood plain regulation.
30. **“Floor Area”**.
- a. **“Floor Area of a Dwelling”**. The sum of the gross horizontal areas of the several floors of a dwelling, excluding basement floor areas not devoted to residential use but including the area of roofed porches and roofed terraces. All dimensions shall be measured between interior faces of walls.
 - b. **“Floor Area of a Building Other Than a Dwelling”**. (To be used in calculating parking requirements.) The floor area of the specified use excluding stairs, washrooms, elevator shafts, maintenance shafts and rooms, storage spaces, display windows, fitting rooms, or similar areas.
31. **“Frontage”**. The line along which the front line of a lot and the road right-of-way line are coincident.
32. **“Garbage Dump”**. An area of land used for disposing of old or scrap copper, brass, rope, rags, trash, waste, batteries, rubber, iron, steel, old or scrap ferrous or nonferrous materials solid or liquid, hazardous waste materials by burying or injection into the soil. As used herein, “hazardous waste” means those substances which singly or in combination pose a significant present or potential threat or hazard to human health or to the environment, and which, singly or in combination require special handling, processing, or disposal because they are or may be flammable, explosive, reactive, corrosive, toxic, infectious, carcinogenic, biocentrative, or persistent in nature, potentially lethal or an irritant or strong sensitizer.
33. **“Gasoline Filling Station”**. Any area of land including any structure or structures thereon that is or are used or designed to be used for the supply of gasoline, oil or other fuel for the propulsion of vehicles. The term “gasoline filling station” does not include automotive repair or auto wash.
34. **“Home Occupation”**. A use accessory to a dwelling unit, which is an activity, profession, occupation, service, craft, or revenue producing hobby conducted on a lot on which a dwelling is the principal use, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes, and which does not change the character thereof.
35. **“Impound Lots”**. (See **Definition A.37, Junk Yard, Impound Lot, Salvage Yard.**)
36. **“Junk”** means old or scrap copper, brass, brass, rope, rags, trash, waste, batteries, paper, rubber iron, steel, and other old scrap ferrous or nonferrous materials.
37. **“Junk Yard, Impound Lot, Salvage Yard”**. A place, structure, or part thereof for private and/or commercial use where junk, waste, discarded or salvaged materials are bought, sold, exchanged, stored, baled, packed, disassembled, or handled including automobile wrecking yards, house wrecking and structural steel materials and equipment; with such lot or yards as being at least one hundred (100) square feet in size with storage of more than five (5) days.
38. **“Light Industrial”**. Any operation which assembles, improves, manufactures, produces, fabricates, or packages goods or materials in a manner which does not create a noticeable amount of the external effects of the manufacturing process such as smoke, noise, soot, dirt, pollution, vibration, odor, etc. Warehousing, wholesaling, and distribution of the finished products produced at the site are allowed as part of this use.
39. **“Loading Space”**. An off-street space or berth on the same lot with a building or contiguous to a group of buildings for the temporary parking of a commercial vehicle while loading or unloading merchandise or materials and which abuts upon a street, alley, or other appropriate means of access.

40. **“Lot”** terms relating to:
- a. **“Lot”**. For the purposes of this Resolution, a lot is a parcel of land of sufficient size to meet minimum zoning requirements for use, coverage, and area and to provide such yards and other open spaces as are herein required. Such lot shall be inclusive of any area of any public right-of-way conveyed by easement or dedication of any public road, and it shall be inclusive of any private road. Such lot shall have frontage on an improved public or private road.
 - b. **“Lot, Corner”**. A lot at the junction of and abutting on two (2) or more intersecting streets.
 - c. **“Lot Depth”**. The distance between the mid points of straight lines connecting the foremost points of the side lot lines at the lot frontage and the rearmost points of the side lot lines in the rear.
 - d. **“Lot, Double Frontage”**. A lot which abuts two or more public street which do not intersect at the boundaries of the lot.
 - e. **“Lot Frontage”**. Lot frontage shall be the distance between side lot lines measured along the front line of the lot coincident with the right-of-way line of a public street (or a private street approved for frontage). *See Section 203.D.1.*
 - f. **“Lot, Interior”**. A lot which abuts another lot or lots on the full length of its side and rear lot lines.
 - g. **“Lot Lines”**. The lines defining the limits of a lot.
 - h. **“Lot, Minimum Area Of”**. The area of a lot as computed inclusive of any portion of any right-of-way for any public or private road.
 - i. **“Lot Width at Minimum Building Setback Line”**. The distance between the side lot lines perpendicular to or as nearly perpendicular to the side lot lines as possible measured at the minimum building setback line.
 - j. **“Lot, Rear”**. A panhandle shaped lot or parcel with its widest area set back some distance from a road and having a strip of land connecting to the road to provide legal access to the road.
41. **“Mini-storage Facility”**. A structure containing separate, individual, and private storage spaces; leases or rents on individual leases.
42. **“Minimum Building Setback Line”**. A line parallel to the street right-of-way line at such distance from the street right-of-way line as required by the minimum front yard depth in the district in which it is located.
43. **“Motel” or “Hotel”**. An establishment or building providing a number of bedrooms, baths, etc., and usually food service for the accommodation of travelers.
44. ⁵ **“Nacelle”**. The enclosure located at the top of a wind turbine tower that houses the gearbox, generator, and other equipment.
45. **“Nuisance”**. The unreasonable, unwarranted, or unlawful use of one’s property in a manner that substantially interferes with the enjoyment or use of another individual’s property, without an actual trespass or physical invasion to the land.
46. **“Operator”**. The word “operator” means and includes the owner, permit or certificate holders, custodian, manager, operator, or person in charge of any permitted or licensed premises.
47. **“Organic Soil”**. Land identified in the Soil Survey of Medina County as having Carlisle muck, Linwood muck, Willete muck or Walkkill silt loam soils.
48. **“Person”**. An individual, proprietorship, partnership, corporation, association, or other legal entity.
49. **“Performance Bond”**. An agreement by a sub divider or developer with the Township for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the applicant’s agreement.
50. **“Pond, Lake”**. A water filled space, in ground or enclosed by earthen dikes, having a depth greater than twenty-four inches (24”) when completely filled, which is designed, used or maintained for aesthetic value, wildlife habitat or the control of storm water. As distinguished from a swimming pool, a lake or pond is typically constructed: with a bottom of soil, sand, clay, or gravel; with sides having low or moderate slopes; and is typically filled with untreated water from natural sources such as a spring, stream,

⁵ Added 12-05-2012

collection of surface water or may fill from the natural level of groundwater and commonly has a free-flowing outlet or controlled overflow.

51. **“Poor Natural Drainage Area”**. Lands shown in the Soil Survey of Medina County as having a severe hazard for dwellings with basements due to seasonable high-water table or poor natural drainage as indicated in **Table 7 of the Soil Survey**.
52. ⁶**“Power Center”**. Serves as the central connection point for the electrical components in the system and provides a number of necessary control functions.
53. **“Public Utility”**. Any person, firm, corporation, governmental agency, or board fully authorized to furnish to the public electricity, gas, steam telephone, telegraphy, transportation, or water.
54. **“Right-of-way”**. A strip of land used or dedicated for use as a public or private way. In addition to the roadway, it normally incorporates the curbs, lawn strips, sidewalks, lighting, drainage facilities and may include special features (required by the topography or treatment), such as grade separation, landscaped areas, viaducts, and bridges.
55. ⁷**“Rotor”**. The rotating part of a turbine, including the blades.
56. **“Sanitary Landfill”**. A land disposal site employing a method of disposing of solid or liquid wastes and/or solid or liquid hazardous hazards by burying in injection into the land.
57. **“Satellite Dish”**. A satellite signal receiving antenna characteristically shaped like a saucer or dish.
58. **“School, Non-Public”**. An educational use, including preschool/kindergarten, elementary, middle school, high school, or trade school, but **not** child daycare operated by an organization accredited by the Ohio Department of Education but other than the local school district.
59. **“School, Public”**. An educational use operated by the local school district including child day care, preschool/kindergarten, elementary, middle school, high school or trade school.
60. **“Setback Line”**. (*See Definition A.42, Minimum Building Setback Line.*)
61. **“Sewers, Central or Group”**. An approved sewage disposal system which provides a collection network and disposal system and central sewage treatment facility for a single development, community, or region.
62. **“Sexually-oriented Business”**. Terms relating to:
 - a. **“Adult Arcade”**. A commercial use where any form of consideration, one or more still motion picture projectors, slide projectors or similar machines, or other image producing machines for viewing by five or fewer persons each are regularly used to show films, motion pictures, video cassette, slides or other photographic reproductions which are characterized by their depiction or description of specified sexual activities.
 - b. **“Adult Bookstore, Adult Novelty Store, Adult Video Store”**. A commercial use in which fifty percent (50%) or more of its revenues or fifty percent (50%) or more of its interior business or advertising is devoted to the sale, rental and/or for any form of consideration of any one or more of the following:
 - i. Books, magazines, periodicals or other printed matter, photographs, films, motion pictures, video cassettes, slides or other visual representation which are characterized by the depiction of specified sexual activities or specified anatomical areas.
 - ii. Instruments, devices, or paraphernalia which are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of themselves or others.
 - c. **“Adult Motion Picture Theater”**. A commercial use where films, motion pictures, video cassettes, slides or similar photographic reproductions which are characterized by the depiction or description of specified sexual activities or specified anatomical area are regularly shown for any form of consideration.
 - d. **“Adult Theater”**. A theater, concert hall, auditorium, or similar commercial use which for any form of consideration regularly features persons who appear in a state of nudity or live performances which are characterized by exposure of specified anatomical areas or by specified sexual activities.

⁶ Added 12-05-2012

⁷ Added 12-05-2012

- e. **“Adult Cabaret”**. A nightclub, bar, restaurant bottle club or similar commercial use, whether or not alcoholic beverages are served, in which persons appear in a state of nudity in the performance of their duties.
 - f. **“Escort Agency”**. A commercial use which furnishes, offers to furnish, or advertises to furnish escorts as one of its primary business purposes for a fee, tip or other consideration.
 - g. **“Escort”**. A person who for any form of consideration, agrees or offers to act as a companion, guide, date for another person or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.
 - h. **“Massage Parlor”**. Any place where for any form of consideration or gratuity, massage, alcohol rub, administration of fomentations, electric or magnetic treatments or any other treatment manipulation of the human body which occurs as a part of or in connection with specified sexual activities or where any person providing such treatment, manipulation or service related thereto exposes his or her specified anatomical areas. The definition of sexually oriented businesses shall not include the practice of massage in any licensed hospital nor by a licensed chiropractor or osteopath nor by any nurse or technician working under the supervision of a licensed physician, surgeon, chiropractor, or osteopath, nor by trainers for any amateur, semiprofessional, or professional athlete or athletic team or school athletic program.
 - i. **“Nude Model Studio”**. Any place where a person who regularly appears in a state of nudity or displays specified anatomical areas is provided for money or any form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. **“Nude Model Studio”** does **not** include: a proprietary school licensed by the state of Ohio, a college, junior college or university supported entirely or in part by public taxation; a private college or university that offers educational programs in which credits are transferable to a college, university supported entirely or in part by public taxation; or a use where classes are held in a structure that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing where a student must enroll at least three days in advance of the class in order to participate and where no more than one nude or semi-nude model is on the premises at any one time.
 - j. **“Sexual Encounter Establishment”**. A business or commercial establishment that as one of its primary business purposes offers for any form of consideration a place where two (2) or more persons may congregate, associate or consort for the purpose of specified sexual activities or the exposure of specified anatomical areas or activities when one (1) or more of the persons is in a state of nudity or semi-nude. The definition of sexually oriented businesses shall **not** include an establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized sexual therapy.
63. **“Sign”** terms relating to:
- a. **“Sign”**. A structure or part thereof or any device attached to land, buildings or any object of any nature which is displayed for purposes of advertisement, announcement, declaration, demonstration, identification, or expression or to direct attention to a person, institution, organization, activity, place, object, product, or business.
 - b. **“Sign, Freestanding”**. A sign erected on a free-standing frame, mast, pole, wall or other brace or support structure and not attached to any building.
 - c. **“Sign, Marquee”**. A sign attached to the underside, topside or face of a marquee roof over a walk or permanent awning.
 - d. **“Sign, Projecting”**. A sign erected on or attached to the outside wall of a building, and which projects out at an angle therefrom.
 - e. **“Sign, Temporary”**. A sign constructed of cloth, paper, wood, fabric, or other temporary material with or without a structural frame and intended or designed for a limited period of display.
 - f. **“Sign, Wall”**. A sign erected on, attached to, painted on the surface of or integral with the wall of any building, located in a plane parallel to the plane of the wall and supported by the building.

- g. **“Sign, Window”**. A sign painted on, attached, or affixed to the interior or exterior surface of windows or doors of a building or otherwise intended to be seen through a window or door.
64. ⁸ **“Small Wind Energy System”**. A wind energy conversion system consisting of a wind turbine, tower and associated control or conversion electronics which has a rated capacity of less than 5MW and which is intended to primarily reduce on site consumption of utility power.
65. ⁹ **“Solar Energy Commercial Installation”**. A facility established for the primary purpose of generating electricity with photovoltaic panels to be sold at wholesale and/or retail purposes.
66. **“Storage and Warehouse”**. A use engaged in storage wholesale and distribution of the manufactured products, supplies and equipment excluding bulk storage of materials that are flammable or explosive or that present hazards or conditions commonly recognized as offensive or a nuisance.
67. **“Street”, “Thoroughfare” or “Road”**. For purposes of these Regulations, “street, thoroughfare or road” and all the following words and phrases shall have the same definitions as provided in the Medina County Subdivision Regulations.
- a. Arterial Street.
 - b. Collector Street.
 - c. Cul de sac.
 - d. Local Street.
 - e. Marginal Access Street.
 - f. Private Street.
 - g. Public Street.
68. ¹⁰ **“Structure”**. Anything constructed or erected which required location in or on the ground, including signs, fences, decks, porches, walls, buildings, lakes, ponds, swimming pools, satellite dishes and communication towers **except that** on a lot which is used for a dwelling in any district. The following shall not be interpreted as a structure when established for personal use by the occupant of the dwelling: mailboxes, swing sets, play sets, sand boxes, bird houses and feeders, basketball, football, tennis, badminton, soccer, and volleyball areas.
69. **“Subdivision Regulations”**. The Medina County Subdivision Regulations, as amended.
70. **“Swimming Pool”**. A water filled enclosure, permanently constructed or portable, having a water depth of more than twenty-four inches (24”) when completely filled, which is designed, used or maintained for swimming or wading. As distinguished from a lake or pond, a swimming pool is typically constructed with enclosure walls of metal, plastic, wood, or concrete; one or more sides are typically steeply sloped, and it is typically filled with water from wells, or a public water source as opposed to surface water sources.
- a. **“Private Residential Pool”**. A swimming pool which is an accessory structure and used on a lot with a dwelling exclusively used by the residents and guests of a dwelling without paying a charge for admission.
 - b. **“Club Pool”**. A swimming pool exclusively used by the residents and guests of a homeowners’ association, condominium or other similarly associated area of the Township; members and guests or a private club; patrons of a motel provided that use of the pool shall not be subject to paying a charge for admission other than annual membership fees or motel room fees.
 - c. **“Commercial Pool”**. A swimming pool operated with a charge for admission.
71. **“Telecommunication Tower”**. A telecommunication tower as defined in **ORC 519.211**.
72. ¹¹ **“Tower”**. The support structure, including guyed, monopole and lattice types, upon which a wind turbine or other mechanical device is mounted.

⁸ Added 12-05-2012

⁹ Added 10-20-2014

¹⁰ Amended 06-15-2016 and 5-20-2026

¹¹ Added 12-05-2012

73. ¹² **“Tower Height”**. The height of a tower measured from the natural grade surrounding the support pad to the tip of the blade in a vertical position along with the vertical axis of the tower.
74. **“Truck Sales and Repair”**. The sales of trucks, truck-tractors, semi-trailers and repair and maintenance services provided that the trucks, truck-tractors, and semi-trailers shall be limited to those which have not been acquired for dismantling purposes and that any mechanical repair or body work shall be conducted within an enclosure.
75. **“Use”** terms relating to:
- a. **“Use”**. The principal purpose for which a lot or building thereon is designed, arranged, intended and for which it may be used, occupied, or maintained.
 - b. **“Conditional Use”**. A use permitted within a district other than a principally permitted use requiring a conditional zoning certificate and approval of the BZA. Conditional uses permitted in each district are listed in the district regulations in **Article III**.
 - c. **“Accessory Use”**. (*See Definition A.1, Accessory Use or Structure.*)
 - d. **“Nonconforming Use”**. A building, structure or use of land existing at the time of the enactment of the Resolution and which does not conform to the use regulations of the district in which it is located.
 - e. **“Permitted Use”**. A use permitted listed as a permitted use in a district, **not** a conditional use.
76. **“Variance”**. A grant by the BZA permitting use of property in a manner not wholly in accordance with the provisions of this Resolution as a means of resolving a practical difficulty or unnecessary hardship.
77. **“Vehicle”** terms relating to:
- a. **“Vehicle.”** Anything on wheels or runners including motorized bicycles but **not** including vehicles operated exclusively on rails or tracts or from overhead trolley wires and not including vehicles of a police department or fire department and vehicles used by such department in the discharge of its functions.
 - b. **“Disabled Motor Vehicle.”** A vehicle which is:
 - i. Extensively damaged including but not limited to any of the following: missing wheels, tires, or transmission etc.
 - ii. Apparently inoperable.
 - c. **“Commercial Semitrailer”**. A vehicle of the truck type so designed and used in conjunction with the truck tractor that a considerable part of its own weight or that of its load rests upon and is carried by the truck tractor and shall include a trailer drawn by a truck tractor, semitrailer combination.
 - d. **“Commercial Truck”**. Any motor vehicle designed, used, or maintained primarily for the transportation of property and not for the carrying of passengers.
 - e. **“Commercial Truck Tractor”**. Any motor vehicle designed and used primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicles and load so drawn.
 - f. **“Commercial Unit”**. A combination of one (1) commercial vehicle and one (1) commercial trailer.
 - g. **“Commercial Vehicle”**. A motorized vehicle with commercial plates.
 - h. **“Vehicle, Recreational”**. A vehicular type of unit designed as temporary living quarter for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle. A recreational vehicle may be a travel trailer camping trailer, truck camper or motor home.
 - i. ¹³**“Junk Vehicle”**. Any vehicle or accessory, including but not limited to cars, trucks, buses, motorcycles, trailers, and boats, shall be considered a junk vehicle meeting one or more criteria listed below:
 - a. The vehicle is without a valid current registration and/or license plate.
 - b. The vehicle is inoperable or is incapable of being driven under its own motor power.
 - c. The engine, wheels, or other parts of the vehicle have been removed.
 - d. The vehicle is without fully inflated tires and/or has any type of support under it.
 - e. The vehicle does not comply with state regulations.

¹² Added 12-05-2012

¹³ Added 04-15-24

- f. The vehicle has a substantial damaged or missing window, windshield, door, motor, transmission, or other similar major part.
 - g. The vehicle remains on private property without the permission of the legal parcel owner.
 - h. A trailer or other item(s) remains on public properties in violation of Notice to Remove issued by the Zoning Inspector.
78. **“Warehouse and Storage”.** (See *Definition A.66, Storage and Warehouse.*)
79. **“Water, Central or Group”.** An approved public water system, well or wells required to be approved by Ohio Environmental Protection Agency (OEPA).
- 80.¹⁴ **“Wind Turbine”.** A device that converts kinetic wind energy into rotational energy that drives an electrical generator. A wind turbine typically consists of a tower, nacelle, body, power center and a rotor with two or more blades.
- 81.¹⁵ **“Yard”.** Terms relating to:
- a. **“Yard, Front.”** An area extending between side lot lines across the front of a lot and from the public or private road right-of-way line to the front of the principal building.
 - b. **“Yard, Rear.”** An area extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the principal building.
 - c. **“Yard, Side.”** An area extending from the principal building to the side lot line on both sides of the principal building between the lines establishing the front and rear yards.
 - d. **“Yard Setbacks.”** A required open space unoccupied and unobstructed by any structure or portion of a structure from three (3) feet above the general ground level of the graded lot upward, unless otherwise regulated by the Resolution. Yard ornaments not exceeding twenty-seven (27) cubic feet (3’x3’x3’) and furniture may be permitted in any yard, setback subject to height limitations and requirements limiting obstruction of visibility. Yard Depth shall be measured perpendicular to or as nearly perpendicular as possible to the front, side, or rear lot lines.
 - e. **“Yard Setbacks, Front.”** An area extending between side lot lines across the front of a lot and from the public or private road right-of-way line to the depth setback requirements per the zoning district. In the case of a private road, an additional thirty (30) feet from the center of the road is required.
 - f. **“Yard Setbacks, Rear.”** An area extending between side lot lines across the rear of a lot and from the rear lot line to the rear of the depth setback requirements per the zoning district.
 - g. **“Yard Setbacks, Side.”** An area extending from the side lot line on both sides parallel extending from the front lot line to the rear lot line to the depth setback requirements per the zoning district.
82. **“Zoning Certificate”.** A document issued by the Zoning Inspector authorizing the use of lots, structures, uses of land and structure.
83. **“Zoning District Map” or “Zoning Map”.** Means the Zoning District Map of Westfield Township together with all amendments subsequently adopted.
84. **“Zoning Inspector”.** Means the Zoning Inspector of Westfield Township or the authorized representative of the Zoning Inspector.

¹⁴ Added 12-05-2012

¹⁵ Amended 06-15-2016 with d,e,f,g added