

2025

# Springfield Zoning Code



# Springfield Zoning Code

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# TITLE ONE - INTRODUCTORY STANDARDS

## CHAPTER 1101 - Legal Provisions

### 1101.01 Title

This Part shall be known and may be cited as the “Zoning Code of the City of Springfield, Ohio”, or as the “Zoning Code”.

### 1101.02 Effective Date

This Zoning Code shall become effective on Date<sup>1</sup> 2025.

### 1101.03 Purpose and Intent

This Zoning Code is being enacted for the following reasons:

- (a) To promote and protect the public health, safety, comfort, and welfare of the residents of the City of Springfield;
- (b) To protect the property rights of all individuals by assuring the compatibility of uses and practices within districts;
- (c) To facilitate the provision of public utilities and public services;
- (d) To provide for mixed use corridors and promote walkability;
- (e) To promote and enhance existing neighborhoods;
- (f) To produce affordably priced housing;
- (g) Lower barriers to development and redevelopment;
- (h) To promote safe streets where all modes are welcomed and safe; and
- (i) To achieve the goals of the City of Springfield's Charter, the Ohio Revised Code, or under common law rulings.

### 1101.04 Applicability

- (a) **Interpreted as Minimum Requirements.** In their interpretation and application, the provisions of this Zoning Code shall be held to be minimum requirements (unless a maximum standard is established).

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<sup>1</sup> Placeholder for effective date.

- (b) Compliance Required.** No building, structure, or land shall hereafter be used or occupied, and no building or structure or part thereof shall hereafter be erected, constructed, reconstructed, moved, or altered, except in conformity with all of the regulations herein specified for the district in which it is located.

### 1101.05 Severability

Should any article, section, or provision of this Zoning Code be declared by a court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of this Zoning Code as a whole, or any part this Zoning Code other than the part so declared to be unconstitutional or invalid.

### 1101.06 Conflicting Provisions

- (a) Repeal and Effect of Repeal.** All Zoning Resolutions, maps, or parts thereof in conflict with the provisions of this Zoning Code are hereby repealed. Except as expressly provided in this Zoning Code, such repeal shall not affect or impair any act done, offense committed or right accrued, or liability, penalty, forfeiture, or punishment incurred prior to the time such repeal takes effect; the same may be enjoyed, asserted, enforced, prosecuted, or inflicted, as fully and to the same extent as if such repeal had not been affected.
- (b) Conflict with State or Federal Regulations.** If the provisions of this Zoning Code are inconsistent with those of the state or federal government, the more restrictive provision will control, to the extent permitted by law.
- (c) Conflict with other City Regulations.** If the provisions of this Zoning Code are inconsistent with one another, or if they conflict with provisions found in other adopted ordinances, regulations of the City, or any proffers or conditions of approval, the more restrictive provision will control unless otherwise expressly stated.
- (d) Conflict with Private Agreements and Covenants.** This Zoning Code is not intended to interfere with, abrogate, or annul any easement, covenant, deed restriction, or other agreement between private parties. The City does not enforce private covenants.

## CHAPTER 1102 - General Provisions

### 1102.01 Rules of Interpretation

- (a)** All references in this Zoning Code to other regulations or manuals refer to the most current version and citation for those regulations or manuals, unless expressly indicated otherwise. When the referenced regulations or documents have been repealed and not replaced by other regulations or manuals, requirements within this Zoning Code for compliance are no longer in effect.

- (b) Illustrations, diagrams, and flowcharts are included in this Zoning Code to illustrate the intent and requirements of the text. In the case of a conflict between the text and any illustration, diagram, or flowchart, the text controls.
- (c) Section headings are provided for ease of use and organization and shall not be interpreted as regulatory.

## CHAPTER 1103 - Using the Code

### 1103.01 Overview

The following Section describes how information and regulations of this Zoning Code are presented. They provide a guide to the naming convention for zoning districts and a step-by-step guide for how to navigate and find information in the Zoning Code.

### 1103.02 Using the Code

- (a) Step 1: Determine the Zoning District
  - (1) Obtain the subject property's zoning from the [Official Zoning Map](#) hosted on the City's website.
  - (2) Take note of the zoning of properties abutting the subject property.
- (b) Step 2: Find the Development Context
  - (1) Zoning districts are organized and grouped into district categories according to development context in the Zoning Code.
  - (2) The first letter of the zoning district naming convention indicates the applicable district category (development context).
  - (3) The two letters following the hyphen in the zoning district naming convention indicate the summarizing characteristics, nature, or overarching development pattern of the zoning district.
  - (4) For example, if the subject property is zoned R-LD, the first letter, "R" in the zoning district naming convention indicates the applicable development context – in this case, the Residential district category. The two letters following the hyphen, "LD" in the zoning district naming convention indicates the overarching development pattern – in this case, low density residential development.
- (c) Step 3: Understand the Zoning District
  - (1) Gain further understanding of the subject property's applicable zoning by reviewing the zoning district purpose statement found in TITLE Three - District Standards.

- (2) For example, read link (Section 1109.02 Low Density Residential (R-LD) District), for a description of the R-LD district.

**(d) Step 4: Identify Use Allowances**

- (1) To find what uses are allowed on the subject property, select the interactive link to the Table 1104.03.1: Use Table found in subsection (b) of the applicable zoning district.
- (2) Once in Table 1104.03.1: Use Table, find whether a use is permitted by-right by staff (stylized as "P"), permitted as a limited use by staff (stylized as "L"), allowed as a conditional use via approval by the Board of Zoning Appeals (stylized as "C"), or prohibited in the applicable zoning district (stylized as blank).
- (3) All uses are listed in the first column of Table 1104.03.1: Use Table and the zoning district categories and zoning districts are listed in the first two rows for the next 13 columns.
- (4) Allowed primary and accessory and temporary uses and the relevant parking requirements are listed in the first column of Table 1104.03.1: Use Table and zoning districts are listed across the remaining table columns.
- (5) Table cell entries for each use indicate whether the use is allowed in the zoning district or allowed subject to specific limitations, and/or subject to a specific review.
- (6) The last column of Table 1104.03.1: Use Table references the user to a particular use's applicable use-specific regulations. These regulations are contained within the CHAPTER 1106 - Use-Specific Standards of TITLE Two - Use Standards. In some cases, use limitations reference their applicability to certain zoning districts.

**(e) Step 5: Review the Applicable Dimensional Standards**

- (1) To find out the dimensional standards (setbacks, height, lot size, etc.) on the subject property, review the dimensional standards table provided in subsection (c) of the applicable zoning district.

**(f) Step 6: Review the Site Development Standards**

- (1) Review TITLE Four - Site Development Standards which includes standards that are generally applicable to all new development, regardless of the applicable zoning district.
- (2) These standards address parking and loading, landscaping, site lighting, signs, urban design, basic performance standards, and similar standards to ensure development is constructed to the applicable zoning district's intent and scale.
- (3) For example, the Parking and Loading chapter provides different parking configurations for certain development types (i.e., residential, commercial, etc.).

**(g) Step 7: Understand the Procedural Standards and Enforcement**

- (1)** Review TITLE Five - Procedural Standards to gain an understanding of all development procedures applicable to new development as required by this Zoning Code.
- (2)** The Title first identifies and summarizes all the review and decision-making bodies and their respective roles pertaining to a given development procedure as established in this Zoning Code.
- (3)** The Title then describes common steps to all development procedures (i.e., noticing requirements, provision for pre-application conference, etc.), and then describes the steps required for each type of development procedure (i.e., site plan, conditional use permit, rezonings, variances, etc.).

**(h) Step 8: Understand When Nonconforming Standards Apply**

- (1)** TITLE Six - Nonconforming Standards contains the rules for nonconforming and compliant uses, structures, signs, and lots.
- (2)** If a development is nonconforming, any redevelopment or new development must adhere to the standards of this Title.

**(i) Step 9: Know the Enforcement Protocol**

- (1)** Finally, TITLE Seven - Enforcement Standards contains general enforcement provisions, including what constitutes a violation of the Zoning Code and the associated penalties.

**(j) Step 10: Clarify any Uncertainty with the Definition Title**

- (1)** If there are any terms or phrases that are unclear, consult TITLE Nine - Definitions.

# TITLE TWO - USE STANDARDS

## CHAPTER 1104 - General Provisions

### 1104.01 Purpose and Applicability

Table 1104.03.1: Use Table lists the uses permitted within all zoning districts. All uses are defined in CHAPTER 1105 - Land Use Terms and Definitions. Approval of a use listed in this Title, and compliance with the applicable use-specific standards for that use, authorizes that use only. Development or use of a property for any other use not specifically allowed in this Title and approved under the appropriate process is prohibited.

### 1104.02 Organization

The uses allowed in each of the zoning districts established in Table 1104.03.1: Use Table are defined as follows:

- (a) **Table Symbology.** Table 1104.03.1: Use Table is arranged according to the following symbols established in Table 1104.02.1: Use Table Symbology.

*Table 1104.02.1: Use Table Symbology*

Symbol	Meaning	Description
P	Permitted by-Right	A "P" in a district column indicates that a use is permitted by right by staff. These uses are subject to all other applicable regulations of this Zoning Code.
L	Permitted as a Limited Use	An "L" in a district column indicates that a use is permitted by right by staff as a limited use, if it meets the applicable use-specific standards. These uses are subject to all other applicable regulations of this Zoning Code.
C	Permitted as a Conditional Use	A "C" in a district column indicates that a use requires a conditional use permit subject to the discretion of the Board of Zoning Appeals. In addition to the conditions provided by the Board of Zoning Appeals, these uses may have applicable use-specific standards provided in Chapter Use-Specific Standards, Accessory Uses, and Temporary Uses. All conditional uses are subject to all other applicable regulations of this Zoning Code.
	Prohibited	A blank cell in a district column indicates that a use is prohibited in the district.

Symbol	Meaning	Description
--	Not Required	A "--" in a district column indicates that a minimum parking ratio is not required for a particular use.

- (b) **Standards Column.** The "Standards" column provides a reference to associated standards for certain uses allowed by right and for conditional uses. Where a blank space is in the column, there is no associated standard. Where there is information in the column, there are associated standards.
- (c) **Unlisted Uses.** If a proposed use is not specifically listed in Table 1104.03.1: Use Table, the Community Development Director shall determine whether the use is allowed or not allowed. This determination shall be based upon the similarity in nature and character to one or more uses that are listed in Table 1104.03.1: Use Table.
- (1) In making this determination, the Community Development Director may consider whether the use has similar visual, traffic, environmental, parking, employment, and other impacts as an expressly listed use.
  - (2) The Community Development Director may also refer to empirical studies or generally accepted planning or engineering sources (e.g., American Planning Association's publication, "A Planner's Dictionary") in making this determination.
  - (3) Unauthorized if Prohibited
    - A. If the Community Development Director determines that a proposed use does not fit within a given use type and is not functionally the same as an allowed, accessory, conditional, or temporary use, then the use is a prohibited use.
    - B. The Community Development Director's determination may be appealed pursuant to Section 1130.04 .

### 1104.03 Use Table

The following uses may be permitted by-right, as a limited use, or by conditional use permit within the districts indicated as provided in Table 1104.03.1: Use Table. In addition to these allowances, use-specific standards (CHAPTER 1106 - Use-Specific Standards) may apply.

Table 1104.03.1: Use Table

<b>Key:</b> P = By-Right Allowance L = Limited Use Allowance C = Conditional Use Allowance N/A = Not Applicable	Residential			Commercial				Industrial		Public and Institutional			Max. Parking Ratio	Use-Specific Standards	
	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE			P-DM
	Use		C	E											
<b>Residential Uses</b>															
Adult Family Home	C		C	C										5:1,000 sf	1106.01 (a)
Adult Group Home	C		C	C										5:1,000 sf	1106.01 (b)
Children’s Residential Center	C		C	C								C	C	5:1,000 sf	1106.01 (c)
Conventional Apartment			P	P				P				C		2:1 BRU + 3:2 BRU + 4:3 BRU	
Cottage Court		C	C	C										2:DU	1106.01 (d)
Courtyard Apartment			P	L				L				C		2:1 BRU + 3:2 BRU + 4:3 BRU	1106.01 (e)
Educational Housing												P		5:1,000 sf	

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	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE			P-DM
							C	E							
Use															
Emergency Shelter			C	C			C					C	C	6:1,000 sf	1106.01 (f)
Foster Home	C	C	C											5:1,000 sf	1106.01 (g)
Four-Unit Dwelling			L	L				L						4:DU	1106.01 (h)
Group Home for Children			C									C		5:1,000 sf	1106.01 (i)
Halfway House Facility	C		C									C		5:1,000 sf	1106.01 (j)
Home for the Aging			P									P		6:1,000 sf	1106.01 (k)
Live-Work Dwelling			L	L	L			L						4:1,000 sf	1106.01 (l)
Main Street Mixed Use Building			L	L			L	L				C	C	8:1,000 sf	1106.01 (m)
Multi-Unit Dwelling			L	L				L				C		4:DU	1106.01 (n)
Nursing Home			P	P	P			C				P		6:1,000 sf	1106.01 (o)
One-Unit Dwelling	P	P	P											N/A	1106.01 (p)
Recovery Housing Residence	C		C	C								C		5:1,000 sf	1106.01 (q)
Residential Care Facility	C		C	C										5:1,000 sf	1106.01 (r)
Residential Facility	C		C	C										5:1,000 sf	1106.01 (s)

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	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE			P-DM
							C	E							
Use															
Three-Unit Dwelling			L	L				L						4:DU	1106.01 (t)
Tiny Home		C	C											N/A	1106.01 (u)
Townhome		P	P	L	L			L						2:DU	1106.01 (v)
Transitional Housing			C	C							C			6:1,000 sf	1106.01 (w)
Two-Unit Dwelling	P	P	P	L										N/A	1106.01 (x)
Vertical Mixed Use Building					C	C	C	C				C	C	8:1,000 sf	1106.01 (y)
<b>Nonresidential Uses</b>															
Adult Day Care				C	P							P		6:1,000 sf	
Active Park/Recreational Facilities	C	C	C	C	P	P					P	P		N/A	1106.02 (a)
Agricultural Operations	P													N/A	
Agritainment	L													N/A	1106.02 (b)
Artisanal Manufacturing				P	P	P	P	P	P					3:1,000 sf	
Assembly Hall				L	P	P	P				P	P		8:1,000 sf	1106.02 (c)
Automotive Repair						L			P	P				2:1,000 sf	1106.02 (d)
Automotive Sales and Rental					C	P			P					4:1,000 sf	1106.02 (e)

Key: P = By-Right Allowance L = Limited Use Allowance C = Conditional Use Allowance N/A = Not Applicable	Residential			Commercial					Industrial		Public and Institutional			Max. Parking Ratio	Use-Specific Standards
	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE	P-DM		
							C	E							
Use															
Automotive Service					L	P			P					2:1,000 sf	1106.02 (f)
Automotive Wash					C	P	C	C	P					2:1,000 sf	1106.02 (g)
Bar				C	L	P	L	L	C					10:1,000 sf	1106.02 (h)
Bed and Breakfast		C	L	L				C						5:1,000 sf	1106.02 (i)
Brewery						C			P	P				5:1,000 sf	
Cannabis Growing/Processing									P					4:1,000 sf	
Cemetery	C	C	C	C	C						C	C		N/A	1106.02 (j)
Check-Cashing Business					P	P								5:1,000 sf	
Child Care Center			C	P	P							P	P	6:1,000 sf	
Clinic				P	P	P	P					P	P	5:1,000 sf	
Club					P	P	P	P				C		8:1,000 sf	
College/University												P		N/A	
Communication Facility	C	C	C	C	C	C	C	C	C	C	C	C	C	N/A	1106.02 (k)
Community Center		C	C	C	P	P					C	P		8:1,000 sf	1106.02 (l)
Community Garden		C	L	L										N/A	1106.02 (m)

Key: P = By-Right Allowance L = Limited Use Allowance C = Conditional Use Allowance N/A = Not Applicable	Residential			Commercial					Industrial		Public and Institutional			Max. Parking Ratio	Use-Specific Standards
	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE	P-DM		
							C	E							
Use															
Crematory									P	P				3:1,000 sf	
Distillery									P	P				5:1,000 sf	
Educational Institution		L	L	P	P	P						P		N/A	1106.02 (n)
Financial Institution				P	P	P	L	L						5:1,000 sf	1106.02 (o)
Flex Warehouse						P			P					3:1,000 sf	
Funeral Services					C	C								8:1,000 sf	1106.02 (p)
Ghost Kitchen						P			P					3:1,000 sf	
Government Use	C	C	C	C	C	C	C	C	C	C	C	C	C	N/A	
Greenhouse/Nursery	P								P		C			N/A	
Hospital						C	C	C				C	P	N/A	1106.02 (q)
Hotel					C	P	P	P							
Indoor Commercial Amusement				L	P	P	C	C						8:1,000 sf	1106.02 (r)
Intensive-Impact Industrial and Manufacturing										P				2:1,000 sf	
Kennel				L	P	P			P					5:1,000 sf	1106.02 (s)

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	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE	P-DM		
							C	E							
Use															
Laboratory									P	P		C	C	3:1,000 sf	
Limited-Impact Industrial and Manufacturing						C			P	P				3:1,000 sf	
Major Utilities and Public Service Facility	P	C	C	C	C	C	C	C	P	P	C	P	C	N/A	1106.02 (t)
Microbrewery	C			L	P	P	P	L	P					8:1,000 sf	1106.02 (u)
Microdistillery	C			C	P	P	P	L	P					8:1,000 sf	1106.02 (v)
Mineral Extraction	C									C				N/A	1106.02 (w)
Minor Utilities and Public Service Facility	C								C	C		C		N/A	1106.02 (x)
Night Club					C	C	C							10:1,000 sf	
Outdoor Commercial Amusement					C	C								50:acre	1106.02 (y)
Parking Facility					C	P	C	C				C	C	N/A	
Passive Park/Recreational Facilities	P	P	P	P							P	P		N/A	
Pawnbroker					L	L								5:1,000 sf	1106.02 (z)

<b>Key:</b> <b>P</b> = By-Right Allowance <b>L</b> = Limited Use Allowance <b>C</b> = Conditional Use Allowance <b>N/A</b> = Not Applicable	Residential			Commercial					Industrial		Public and Institutional			Max. Parking Ratio	Use-Specific Standards	
	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE	P-DM			
	Use		C	E												
Personal Services				P	P	P	P	P						5:1,000 sf		
Professional Office				P	P	P	P	P				P	P	4:1,000 sf		
Religious Land Use	L	L	L	L	P	P	P	P				P		8:1,000 sf	1106.02 (aa)	
Restaurant				L	P	P	L	L	P					10:1,000 sf	1106.02 (bb)	
Retail Store				L	P	P	P	P	P					8:1,000 sf	1106.02 (cc)	
Salvage Yard										L				N/A	1106.02 (dd)	
Self-Storage Facility						C			L	P		C		N/A	1106.02 (ee)	
Sexually Oriented Business						C			C					8:1,000 sf	1106.02 (ff)	
Solid Waste Transfer Station										C				N/A		
Technical School	C				P	P			P	P		P		6:1,000 sf		
Transportation Facility						P	C	C	P		C	C	C	N/A		
Urban Farm			C	C	C	C	C	C	C		C	C		N/A	1106.02 (gg)	
Veterinarian Facility	C			L	P	P			P					4:1,000 sf	1106.02 (hh)	
Warehouse									P	P				2:1,000 sf		
Wholesale and Distribution									P	P				2:1,000 sf		
<b>Accessory and Temporary Uses</b>																



<b>Key:</b> P = By-Right Allowance L = Limited Use Allowance C = Conditional Use Allowance N/A = Not Applicable	Residential			Commercial					Industrial		Public and Institutional			Max. Parking Ratio	Use-Specific Standards
	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE	P-DM		
							C	E							
Private Utility	C	C	C	C	C	C	C	C	C	C	C	C	C	N/A	
Type A Family Child Care Home	C	C	C									C		N/A	
Type B Family Child Care Home	C	C	C									C		N/A	
Vertiport					L	L	C	C	L	L	C	L	L	N/A	1107.05 (k)
Walk-Up Window				L	L	L	L	L						N/A	1107.05 (l)

# CHAPTER 1105 - Land Use Terms and Definitions

## 1105.01 Residential Uses

### (a) A Uses

#### (1) Adult Family Home

A residence or facility that provides accommodations to three (3) to five (5) unrelated adults and provides supervision and personal care services to at least three (3) of those adults, and is licensed according to the provisions of Chapter 3722 of the Ohio Revised Code.

#### (2) Adult Group Home

A residence or facility that provides accommodations to six (6) to 16 unrelated adults and provides supervision and personal care services to at least three (3) of the unrelated adults, and is licensed according to the provisions of Chapter 3722 of the Ohio Revised Code.

### (b) B Uses (Reserved)

### (c) C Uses

#### (1) Children's Residential Center

A use as defined in [Ohio Admin. Code 5101:2-1-01\(B\)\(71\)](#), as amended.

#### (2) Conventional Apartment

A residential building or group of buildings arranged, intended, and designed to be occupied by twelve or more households living independently of each other, and each including its own separate kitchen and bathroom accommodations.

#### (3) Cottage Court

A group of small, detached one- and two-unit dwellings located on one lot arranged around a shared court visible from the street.

#### (4) Courtyard Apartment

A medium-to-large sized detached dwelling arranged, intended, and designed to be occupied by twelve or more households living independently of each other, and each including its own separate kitchen and bathroom accommodations, oriented around a courtyard or series of courtyards.

### (d) D Uses (Reserved)

### (e) E Uses

#### (1) Educational Housing

A building or group of buildings in which housing is provided for individual students and faculty under the general supervision or regulation of an accredited college or university and as distinguished from an apartment, hotel, motel, or rooming house. Educational Housing may include facilities such as a commissary, snack bar, lounge, and study area, dining halls, and accessory kitchen, recreation facilities, and laundry, provided that these facilities are for the benefit and use of the occupants and their guests and not open to the general public. Examples of Educational Housing include but are not limited to Fraternity/Sorority Homes, Dormitories, Faculty Flats, and the like.

**(2) Emergency Shelter**

Those uses as defined in [Ohio Admin. Code 5101:2-1-01\(B\)\(114-115\)](#), as amended.

**(f) F Uses**

**(1) Foster Home**

A use as defined in [Ohio R.C. Ch. 5103.02\(D\)](#), as amended.

**(2) Four-Unit Dwelling**

A detached dwelling arranged, intended or designed to consist of four dwelling units on one lot.

**(g) G Uses**

**(1) Group Home for Children**

A use as defined in [Ohio Admin. Code 5101:2-1-01\(B\)\(138-139\)](#), as amended.

**(h) H Uses**

**(1) Halfway House Facility**

A use as defined in [Ohio R.C. Ch. 5120.102\(D\)](#), as amended.

**(2) Home for the Aging**

A use as defined in [Ohio R.C. Ch. 3721.01\(A\)\(8\)](#), as amended.

**(i) I Uses (Reserved)**

**(j) J Uses (Reserved)**

**(k) K Uses (Reserved)**

**(l) L Uses (Reserved)**

**(1) Live-Work Dwelling**

A dwelling unit that is also used for work purposes, provided that the "work" component is restricted to limited intensity such as a professional office, artist's

workshop, studio, or other similar uses, is located on the street level, and the residential unit is occupied by the owner or manager of the "live" component. The "live" component may be located on the street level (behind the work component) or any other level of the building.

**(m) M Uses**

**(1) Main Street Mixed Use Building**

A small-to-medium-sized, low-to-mid-rise building with two or more different uses such as residential, office, retail, public, or entertainment uses. No residential use shall be allowed on the ground floor of a Main Street Mixed-Use Building. Example floor space configurations include but are not limited to:

- Ground floor retail, restaurant, or office storefronts with second floor apartment lofts;
- A three-floor building with retail on the ground floor, office on the second floor, and apartment/condo units on the third floor.

**(2) Multi-Unit Dwelling**

A detached dwelling arranged, intended or designed to consist of five (5) to twelve (12) dwelling units on one lot.

**(n) N Uses**

**(1) Nursing Home**

A use as defined in [Ohio R.C. Ch. 3721.01\(A\)\(6\)](#) and [Ohio Admin. Code 3701-16-01\(W\)](#), as amended.

**(o) O Uses**

**(1) One-Unit Dwelling**

A detached dwelling arranged, intended or designed to consist of one dwelling unit on one lot.

**(p) P Uses (Reserved)**

**(q) Q Uses (Reserved)**

**(r) R Uses**

**(1) Recovery Housing Residence**

A use as defined in [Ohio R.C. Ch. 5119.01\(A\)\(17\)](#), as amended.

**(2) Residential Care Facility**

A use as defined in [Ohio R.C. Ch. 3721.01\(A\)\(7\)](#), [Ohio R.C. Ch. 5119.34](#), [Ohio Admin. Code 3701-16-01\(II\)](#), and [Ohio Admin. Code 5101:2-1-01\(280\)](#), as amended.

**(3) Residential Facility**

A use as defined in [Ohio R.C. Ch. 5119.34\(B\)](#), as amended.

**(s) S Uses (Reserved)**

**(t) T Uses**

**(1) Three-Unit Dwelling**

A detached dwelling arranged, intended or designed to consist of three dwelling units on one lot.

**(2) Tiny Home**

A detached dwelling arranged, intended, or designed to consist of one dwelling unit on one lot which is less than 400 hundred square feet and affixed to a permanent foundation.

**(3) Townhome**

A dwelling that is part of a structure containing three or more dwelling units, each designed and constructed for occupancy by one household, with each dwelling unit attached by a common wall to another, in which each dwelling unit is located on individual lots.

**(4) Transitional Housing**

A use as defined in [Ohio Admin. Code 122:6-1-01\(F\)](#), as amended.

**(5) Two-Unit Dwelling**

A detached dwelling arranged, intended or designed to consist of two dwelling units on one lot.

**(u) U Uses (Reserved)**

**(v) V Uses**

**(1) Vertical Mixed Use Building**

A medium-to-large-sized, mid-to-high-rise building with two or more different uses such as residential, office, retail, public, or entertainment uses. No residential use shall be allowed on the ground floor of a Vertical Mixed-Use Building. Example floor space configurations include but are not limited to:

- Ground floor retail, restaurant, or office storefronts with upper floor apartment lofts;
- A five-floor building with retail and restaurants on the ground floor, office on the second floor, hotel accommodations and apartment/condo units on the third and fourth floors, and a restaurant and bar on the fifth floor.

- (w) W Uses (Reserved)
- (x) X Uses (Reserved)
- (y) Y Uses (Reserved)
- (z) Z Uses (Reserved)

## 1105.02 Nonresidential Uses

### (a) A Uses

#### (1) Adult Day Care

A licensed facility for the daytime care of an adult. This term includes any provided Adult day services (ADS) as defined by [Ohio Admin. Code 173-39-02.1](#), as amended.

#### (2) Active Park/Recreational Facilities

Indoor or outdoor recreational pursuits typically available to the public, that involve cooperative or team activity, including those activities that occur on ball fields, sport courts, skateparks, ice rinks, and the like.

#### (3) Agricultural Operations

The use of land for growing forages and sod crops; grains and seed crops; vegetables; trees and forest products; fruits, including grapes, nuts, and berries; nursery, floral, ornamental, and greenhouse products; or lands devoted to a soil conservation or forestry management program. Agricultural Operations also engage in the keeping, pasturing, and feeding of livestock for the sale of livestock or livestock products. An Agricultural Operations is assessed by the County Auditor at "current agricultural use value."

#### (4) Agritainment

Events and activities that allow for recreation, entertainment, and tourism that is in conjunction with on-going agricultural activities on-site (examples include, but are not limited to corn mazes, hayrides, wedding venues, rodeos, and petting zoos).

#### (5) Artisanal Manufacturing

The manufacturing and production of goods by an artisan or craftsperson done by hand or small machinery, located within a building or indoor tenant space. This use typically includes but is not limited to jewelry, metalwork, cabinetry, woodworking, stained glass, textiles, ceramics, or handmade food products for off-site consumption.

#### (6) Assembly Hall

A building(s) or portion of a building in which facilities are provided for small to large gatherings and events for civic, educational, political, religious, cultural, or social purposes. Events that typically occur within an Assembly Hall are weddings, conferences, concerts, exhibitions, parties, live musical/acting performances, and the like. An Assembly Hall may be supported by ancillary uses that provide food and drink to those attending events.

**(7) Automotive Repair**

A building, place, or facility that offers mechanical and body work on motor vehicles including straightening of body parts, body repairs, battery rebuilding, painting, welding, short term storage of automobiles not in operating condition, outdoor similar work on motor vehicles that may involve noise, glare, fumes, smoke, or similar impacts.

**(8) Automotive Sales and Rental**

A building(s) and any associated open areas other than a street or required automobile parking space used for the display or sale of new or used automobiles, motorcycles, ATVs, recreational vehicles, light trucks, and trailers, to be displayed and sold on the premises, and where minor repair work and maintenance is done for those vehicles. This use does not allow for the storage of wrecked automobiles or the dismantling of automobiles or the storage of automobile parts or junk on the premises.

**(9) Automotive Service**

A building, structure, or land use for the limited repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles include, but not limited to, muffler repair and replacement, oil change and lubrication, tire service and sales, installation of accessories, or diagnostic services. Automotive Service work does not involve significant noise, glare, fumes, smoke, or similar impacts. Any repair, maintenance, or service activity more extensive than provided in the Automotive Service use, shall constitute as an Automotive Repair use and be regulated as such.

**(10) Automotive Wash**

A facility, whether automatic, semi-automatic or manual, for washing automobiles, motorcycles, ATVs, recreational vehicles, light trucks, trailers, and the like.

**(b) B Uses**

**(1) Bar**

An establishment providing or dispensing, for on-site consumption, alcoholic beverages, including but not limited to any fermented malt beverage, malt beverage, special malt, vinous, spirituous liquors, and those drinks specified in [Ohio R.C. Ch.](#)

[4301.01\(14\)](#), as amended. The sale of hot food products may be included as an ancillary use to the beverages provided on-site.

**(2) Bed and Breakfast**

An owner-occupied property, other than a hotel, which offers lodging for paying guests and which serves meals to these guests and which contains one or more guest bedrooms and where facilities for food preparation are not provided in the individual guest bedrooms.

**(3) Brewery**

A facility for the brewing of beer and ale for sale on the premises, as well as for off-site sales and distribution, which produces more than 10,000 barrels annually and may include a restaurant, bar, tasting, or retail space. The brewing operation processes the ingredients to make beer and ale by mashing, cooking, and fermenting. The brewing operation does not include the production of any other alcoholic beverages.

**(c) C Uses**

**(1) Cannabis Growing/Processing**

A facility operated by an organization or business that is licensed by the State of Ohio to either extract constituent chemicals or compounds to produce cannabis concentrate or incorporate cannabis or cannabis concentrate into a product formulation to produce a cannabis product.

**(2) Cemetery**

A place for interment of human or animal remains or cremated remains, including a burial park for earth interments, a mausoleum for vault or crypt interments, a columbarium for cinerary interments, or a combination thereof.

**(3) Check-Cashing Business**

A use as defined in [Ohio R.C. Ch. 1315.21\(B\)](#), as amended.

**(4) Child Care Center**

A use as defined in [Ohio Admin. Code 5101:2-1-01\(B\)\(63\)](#), as amended. This term includes nursery schools, preschools, and other similar uses.

**(5) Clinic**

An establishment where human patients are not hospitalized overnight and examined and are treated by or under the care and supervision of doctors, dentists, or other medical practitioners.

**(6) Club**

A use as defined in [Ohio R.C. Ch. 4301.01\(13\)](#), as amended.

**(7) College/University**

A privately-owned or publicly-owned institution providing full-time or part-time education beyond the high school level, including any on-campus lodging rooms, housing for students or faculty, athletic facilities, food halls, medical services, and the like.

**(8) Communication Facility**

Towers, antennas, equipment, equipment buildings and other facilities used in the provision of wireless communication services, small cellular telecommunication services, and the like.

**(9) Community Center**

A place, structure, area or other facility that is open to the public, under the jurisdiction of a public or nonprofit agency, and is used for community recreation, education and service activities. A community center may include, but is not limited to, the following uses: auditorium, multipurpose room, gymnasium, meeting space, open space, playground, playing courts, playing field, and swimming pool.

**(10) Community Garden**

A use that provides land or space for people to grow plants for non-commercial purposes, such as beautification, education, recreation, or harvest for personal consumption, and is managed by a specific person, group, association, or entity responsible for maintenance and operations. Examples of those who can manage include but are not limited to school/religious groups, homeowners' associations, rotary club, etc.

**(11) Crematory**

A building or portion of a building where human remains and deceased animals are cremated in cremation retorts.

**(d) D Uses**

**(1) Distillery**

A facility for distilling spirits and liquor, including wine, for sale and distribution on-premises or off-site, that produces more than 50,000 proof gallons annually, and including restaurant/bar space, tasting space, or retail space.

**(e) E Uses**

**(1) Educational Institution**

A public or private educational facility offering instruction at the elementary, junior, or senior high school levels in the branches of learning and study required to be taught in the schools of Ohio. Educational facilities may include but are not limited to ancillary uses such as playgrounds, ball fields, temporary classroom buildings, gyms, auditoriums, and amphitheaters.

**(f) F Uses**

**(1) Financial Institution**

An establishment where the primary occupation is financial services such as banking, savings, and loans. It does not include financial services that typically occur in an office or storefront, such as investment companies, loan companies, credit and mortgage, insurance services, or brokerage firms), which are classified under "Professional Office," below.

**(2) Flex Warehouse**

A building or portion thereof used for the housing of where building and construction trade services are provided to the public. This use shall include, but is not limited to, contractor offices, including landscaper's showrooms, construction supplies and storage including plumbing, heating, air conditioning, and building equipment, materials, sales, and other uses similar in nature and impact.

**(3) Funeral Services**

A building or part thereof used for human funeral services, that may include space for the embalming and other services used in the preparation of the dead for burial; the storage of caskets, funeral urns, funeral vehicles, and other related supplies; facilities for cremation, chapels, and other related uses.

**(g) G Uses**

**(1) Ghost Kitchen**

A place or facility for preparing, cooking, baking, and selling of food products on the premises for off-premise consumption. Accessory office and waiting spaces shall be incidental to the primary use.

**(2) Government Use**

A building or land used and controlled exclusively for governmental or public purposes by any department or branch of government including city, state, county, federal, or other recognized public entity. Such use may include, but is not limited to, city offices, public works, libraries, post offices, training facilities, fire stations, police storefronts, and other similar uses.

**(3) Greenhouse/Nursery**

A place where plants, including flowers, shrubs, trees, and sometimes seeds, are grown and sold. This use does not include the growing and selling of marijuana.

**(h) H Uses**

**(1) Hospital**

A facility providing physical or mental health services, inpatient or overnight accommodations, and medical or surgical care for the sick or injured. Such a facility may include Clinics.

**(2) Hotel**

A use as defined in [Ohio R.C. Ch. 3731.01\(A\)](#), as amended.

**(i) I Uses**

**(1) Indoor Commercial Amusement**

A place where entertainment activities occur completely within an enclosed structure for a fee, including but not limited to theaters, bowling alleys, arcades, skating rinks, escape rooms, pool halls, video and pinball parlors. An Indoor Commercial Amusement may include but are not limited to ancillary uses such as food and beverage sales and giftshops that are designed and intended primarily for the use of patrons.

**(2) Intensive-Impact Industrial and Manufacturing**

The manufacturing, processing, and storing of paper, chemicals, plastics, rubber, cosmetics, drugs, nonmetallic mineral products (such as concrete and concrete products, glass), primary metals, acetylene, cement, lime, gypsum or plaster-of Paris, chlorine, corrosive acid or fertilizer, insecticides, disinfectants, poisons, explosives, paint, lacquer, varnish, petroleum products, coal products, plastic and synthetic resins, electrical equipment, appliances, batteries, and machinery. This use also includes the heaviest and most intensive facilities which warrants additional review by the City such as: asphalt and concrete mixing plants, smelting, animal slaughtering, oil refining, and magazine contained explosives facilities.

**(j) J Uses (Reserved)**

**(k) K Uses**

**(1) Kennel**

A facility licensed to house dogs, cats, or other household pets or where grooming, breeding, boarding or training or selling of animals is conducted as business. This use includes pet resorts/hotels, pet adoption centers, dog training centers, animal rescue shelters and sanctuaries.

**(l)** L Uses

**(1)** Laboratory

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

**(2)** Limited-Impact Industrial and Manufacturing

The manufacturing of products, from extracted, raw, recycled or secondary materials, including bulk storage and handling of those products and materials, or crushing, treating, washing, and/or processing of materials. This includes similar establishments, and businesses of a similar and no more objectionable character. It also includes incidental finishing and storage. Goods or products manufactured or processed on-site may be sold at retail or wholesale on or off the premises. This does not include any activity listed under Intensive-Impact Industrial and Manufacturing. Examples of Limited-Impact Industrial and Manufacturing include the manufacture or production of the following goods or products: apparel (including clothing, shoes, dressmaking); boats and transportation equipment; brooms; caskets; communication or computation equipment; dairy products; die-cut paperboard and cardboard; drugs, medicines, pharmaceutical; electrical equipment or machinery; farm machinery; fasteners and buttons; feed and grain; food/baking (including coffee roasting, creameries, ice cream, ice, frozen food, confectionery, and beverage); fruit and vegetable processing, canning and storage; gaskets; glass products made of purchased glass; household appliances; industrial controls; leather and allied products; lithographic and printing processes (including printing plants as defined below); mattresses; medical equipment and supplies; medicines; mill work and similar woodwork; mobile homes; musical instruments; novelties; office supplies; optical goods; photographic equipment; prefabricated and modular housing and components; printing and print supplies (including printing plants); 3-D printing, radio and TV receiving sets; sanitary paper products; scientific and precision instruments; service industry machines; signs; textiles (including dyeing, laundry bags, canvas products, dry goods, hosiery, millinery); tobacco products; toys, sporting and athletic goods; and watches and clocks.

**(m)** M Uses

**(1)** Major Utilities and Public Service Facility

Infrastructure services that typically have substantial visual or operational impacts on nearby areas. Typical uses include but are not limited to water and wastewater treatment facilities, high-voltage electric substations, utility-scale power generation facilities (including wind, solar and other renewable and nonrenewable energy

sources), sanitary landfills and utility-scale water storage facilities, such as water towers and reservoirs.

**(2) Microbrewery**

An establishment where beer and malt beverages are made on the premises and offered for consumption on site, offered for sale directly to customers (including filling growlers), sold to licensed wholesalers to distribute the beer to retailers. Ohio State Law establishes an annual production limit of 10,000 barrels for microbreweries.

**(3) Microdistillery**

An establishment where distilling of spirits and liquor are made on premises, and offered for consumption on site, offered for sale directly to customers, sold to licensed wholesalers for distribution. Ohio State Law establishes an annual production limit of 50,000 proof gallons for microdistilleries.

**(4) Mineral Extraction**

The extraction or quarrying of coal, ores, stone, minerals, top soil or aggregate resources from the ground. Examples include quarrying or dredging for sand, gravel or other aggregate materials; mining and top soil extraction. This also includes crushing, washing and grading coal, ore, stone, sand, gravel, minerals, topsoil or aggregate resources and manufacture of Portland cement.

**(5) Minor Utilities and Public Service Facility**

Infrastructure services that need to be located in or close to the area where the service is provided. Minor utilities and public service facilities generally do not have regular employees at the site and typically have few if any impacts on surrounding areas. Typical uses include water and sewer pump stations; gas regulating stations; underground electric distribution substations; electric transformers; water conveyance systems; stormwater facilities and conveyance systems; telephone switching equipment and emergency communication warning/broadcast facilities.

**(n) N Uses**

**(1) Night Club**

A use as defined in [Ohio R.C. Ch. 4301.01\(14\)](#), as amended.

**(o) O Uses**

**(1) Outdoor Commercial Amusement**

A place where entertainment activities occur outdoors for a fee, including but not limited to miniature golf, batting cages, water slides, driving ranges, theme parks, drive-in theaters, and go cart tracks. An Outdoor Commercial Amusement may

include but are not limited to ancillary uses such as food and beverage sales and giftshops that are designed and intended primarily for the use of patrons.

**(p) P Uses**

**(1) Parking Facility**

An area reserved or used for parking or storage of motor vehicles, hauling trailers or boats on premises on which there is no principal building. Alternatively, the use may utilize a structure used specifically for the parking or storage of motor vehicles. A Parking Facility includes those parking arrangements that are surface-level, above-grade, and below-grade structure.

**(2) Passive Park/Recreational Facilities**

Parks and recreational pursuits, such as interpretive programs and trail systems that take advantage of geological, biological, or scenic resources located within the city limits.

**(3) Pawnbroker**

A use as defined in [Ohio R.C. Ch. 4727.01](#), as amended.

**(4) Personal Services**

Establishments that are primarily engaged in providing services generally involving the care of the person or person's possessions. Personal services may include, but are not limited to, laundry and dry-cleaning services, barber shops, beauty salons, music schools, informational and instructional services, tanning salons, and portrait studios.

**(5) Professional Office**

A use or structure where business or professional activities are conducted or business or professional services are made available to the public, including, but not limited to, tax preparation, accounting, architecture, legal services, medical professionals, dental laboratories, psychological counseling, real estate and securities brokering, and professional consulting services.

**(q) Q Uses (Reserved)**

**(r) R Uses**

**(1) Religious Land Use**

A structure, group of structures, or lands intended for regular gatherings of people to attend, participate in or conduct religious services and other related activities and associated accessory uses. Associated accessory uses may include religious instruction classrooms, church offices, counseling programs, private school, youth

programs, parking, child and adult day care facilities, summer camps, recreational facilities, caretaker's quarters, food bank, thrift shop, sale of religious items, and cemeteries.

**(2) Restaurant**

An establishment where food and drink are prepared, sold to customers, and may be consumed on the premises. A restaurant may include the incidental sales and service of alcoholic beverages for on-site consumption. Such uses include but are not limited to cafes, coffee shops, delicatessen, sit-down dining, and fast food.

**(3) Retail Store**

A building(s) or facility(ies) in which the sale of goods, products, or merchandise is sold directly to the consumer. Typical uses include but are not limited to clothing stores, department stores, electronic and appliance stores, bike shops, bookstores, hobby shops, jewelry stores, furniture stores, pet supply stores, shoe stores, antique shops, secondhand stores, record shops, CBD/smoke shops, sporting goods stores, variety stores, musical instrument stores, medical supply sales, office supplies, convenience stores, and beauty supply shops. Cannabis dispensaries are excluded from this definition.

**(s) S Uses**

**(1) Salvage Yard**

A use as defined in [739.01\(c\)](#) of the Code of Ordinances.

**(2) Self-Storage Facility**

A building or group of buildings consisting of individual, self-contained spaces that are leased or owned for the storage of business goods, household goods, or contractor supplies.

**(3) Sexually Oriented Business**

Those uses defined in [707.02](#) of the Code of Ordinances, as amended.

**(4) Solid Waste Transfer Station**

A building or facility that is used or intended to be used primarily for the purpose of transferring solid wastes that are generated off the facility's premises from vehicles or containers into other vehicles or containers for transportation to a solid waste disposal facility. The operation is totally enclosed within a building.

**(t) T Uses**

**(1) Technical School**

An institution in an enclosed building that focus on teaching the skills needed to perform a particular job, technical trade, or professional skill. Examples include schools of cosmetology, modeling academies, computer training facilities, vocational schools, administrative business training facilities and similar uses.

**(2) Transportation Facility**

Any structure or transit facility that is primarily used, as part of a transit system, for the purpose of loading, unloading, or transferring passengers or accommodating the movement of passengers from one mode of transportation to another.

**(u) U Uses**

**(1) Urban Farm**

Any land or indoor facility that cultivate flowers, fruits, and vegetables and sells those products for commercial purposes. Ancillary uses that support the operation such as washing, packaging, and storing facilities are included. This use is less intensive than the Agricultural Operations use. Any agricultural activity more extensive than provided in the Urban Farm use, shall constitute as an Agricultural Operations use and be regulated as such.

**(v) V Uses**

**(1) Veterinarian Facility**

A facility where animals or pets are given medical or surgical treatment and are cared for during the time of such treatment. This use may include an accessory kennel that is limited to short-term boarding incidental to the veterinarian facility.

**(w) W Uses**

**(1) Warehouse**

An enclosed storage facility which is used to store goods or parts, or for any part of the shipping process. This use includes cross-dock facilities.

**(2) Wholesale and Distribution**

A facility or area for the storage of goods, and the sale of goods to other firms for resale, including activities involving significant storage and movement of products or equipment. This use does not involve manufacturing or production. Examples include but are not limited to: carting, cold storage, distribution facilities, dry goods wholesale, express crating, hauling, feed locker plants, fulfillment centers that combine storage with call centers, hardware storage, merchant wholesalers (such as restaurant supply sales), warehouse or produce/fruit/food storage and wholesale structures, wholesale sale of paper supplies, shoes, sporting goods, professional and commercial equipment and supplies, and otherwise preparing goods for

transportation. Distribution means the intake of goods and merchandise, individually or in bulk, the short-term holding or storage of such goods or merchandise, and/or the breaking up into lots or parcels and subsequent shipment off-site of such goods and merchandise. Distribution may be provided to an entity with an identity of interest with the facility or to businesses and individuals unrelated to the distributor. The term distribution also includes a transshipment facility for the temporary holding, storage and shipment of goods or vehicles.

- (x) X Uses (Reserved)
- (y) Y Uses (Reserved)
- (z) Z Uses (Reserved)

### 1105.03 Accessory and Temporary Uses

#### (a) A Uses

##### (1) Accessory Building

A subordinate building, located on the same lot as the primary building, the use of which is clearly incidental to and customarily found in connection with the primary building or use of the property. Such uses include but are not limited to equipment storage sheds, personal workshop space, and the like.

##### (2) Accessory Dwelling Unit

An attached or detached additional dwelling unit associated with a principal residence on the same lot or parcel of that principal residence. This use includes those uses commonly referenced as carriage houses, granny flats, servant's quarters, garage apartments, guard residences, and the like.

##### (3) Alternative Energy System

Any wind or solar driven devices and equipment (whether roof, ground mounted, or tower mounted) used for the purpose of providing electrical power to a privately owned lot or parcel. These systems are accessory in function, are not of an industrial or large-scale, and are reserved exclusively for private or personal use.

##### (4) ATM

An automated device that performs banking or financial functions at a location remote from the controlling financial institution.

#### (b) B Uses (Reserved)

#### (c) C Uses

##### (1) Cargo Containers

A standardized, reusable weatherproof fully enclosed box-like structure constructed with doors, originally designed for the shipment or storage of freight or other goods, and commonly designed for or is capable of being mounted on a railroad car or chassis for movement by truck or ship.

**(2) Charitable Donation Container**

An accessory structure where clothes, goods, products, and other items are placed for donation and are subsequently delivered to a charitable organization for public consumption.

**(d) D Uses**

**(1) Drive-Thru Facility**

Any associated facilities related to a building opening, including windows, doors, or mechanical devices, through which occupants of a motor vehicle receive or obtain a product, food, or service.

**(e) E Uses (Reserved)**

**(f) F Uses (Reserved)**

**(1) Fueling and Charging Services**

Facilities and equipment arranged, designed, used, or intended to be used for the primary purpose of dispensing gasoline, oil, diesel fuel, and electricity at retail direct to on-premises vehicles. Such services include fueling pumps, charging stations, and the like. This use does not include charging stations situated on residential properties since those facilities are for the property owner's or tenants' personal use.

**(g) G Uses**

**(1) Garage or Yard Sales**

General sales, open to the public, conducted from or on a residential lot or in any residential district for the purpose of disposing of personal lot or other lot, including but not limited to, all sales entitled "garage, " "lawn, " "estate," "yard," "attic", "tag" or "rummage sale."

**(h) H Uses**

**(1) Home Occupation**

An occupation, profession, or business activity for financial gain or profit which results in a product or service and is conducted in whole or in part in a dwelling unit and is subordinate to the residential use of the property.

**(i) I Uses (Reserved)**

**(j) J Uses (Reserved)**

- (k) K Uses (Reserved)
- (l) L Uses (Reserved)
- (m) M Uses (Reserved)

(1) Mobile Food Service

A commercial operation that utilizes a licensed, motorized vehicle (food truck) or concession trailer for the sale of cooked or prepared food and beverage items that are sold to the general public for on-site or off-site consumption.

- (n) N Uses (Reserved)

(o) O Uses

(1) Outdoor Dining

An accessory dining space reserved for customers and patrons at a restaurant, brewery/distillery, hotel, or mixed-use building.

(2) Outdoor Storage

The keeping of any goods, materials, merchandise, or vehicles outside of a structure or building for more than 48 consecutive hours. Outdoor storage shall not include vehicles, tool rental establishments, greenhouses, or other uses where the sale of the merchandise is the primary use of the property.

(p) P Uses

(1) Personal Swimming Pool

A swimming pool on private property for the use of the property owner, including family and guests.

(2) Private Kennel

The use of a residence or private property to partake in Hobby Breeder activities.

(3) Private Utility

Those utilities provided by a contractor or franchise on private property for personal use.

- (q) Q Uses (Reserved)

- (r) R Uses (Reserved)

- (s) S Uses (Reserved)

- (t) T Uses

(1) Type A Family Child Care Home

A use as defined in Ohio R.C. Ch. 5104.01(UU), as amended.

**(2) Type B Family Child Care Home**

A use as defined in Ohio R.C. Ch. 5104.01(VV), as amended.

**(u) U Uses (Reserved)**

**(v) V Uses**

**(1) Vertiport**

An area of land, structural surface, building, or structure with one or more designated drone staging areas for use by small unmanned aircraft systems (sUAS) under 55 pounds total take-off weight or as defined in Section 44801 of Title 49, United States Code, as amended, whichever is the lesser, to distribute commercial goods by air. This includes any appurtenant areas used or intended for use for unmanned aircraft system buildings, structures, and other facilities.

**(w) W Uses**

**(1) Walk-Up Window**

Any associated facilities related to a building opening, including windows, doors, or mechanical devices, through which customers and patrons on foot receive or obtain a product, food, or service.

**(x) X Uses (Reserved)**

**(y) Y Uses (Reserved)**

**(z) Z Uses (Reserved)**

## CHAPTER 1106 - Use-Specific Standards

### 1106.01 Residential Uses

**(a) Adult Family Home**

**(1)** An Adult Family Home shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.

**(b) Adult Group Home**

**(1)** An Adult Group Home shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.

**(c) Children's Residential Center**

**(1)** A Children's Residential Center shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use

(d) Cottage Court

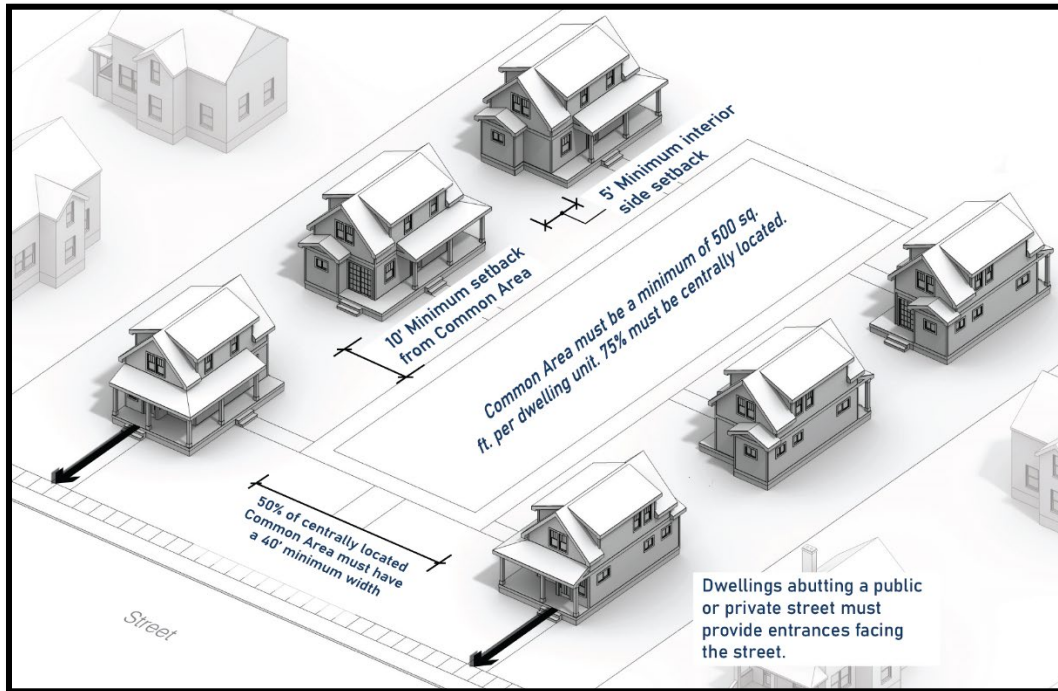


Figure 1106.01.1: Cottage Court Layout

- (1) Figure 1106.01.1: Cottage Court Layout shows an example of a Cottage Court layout.
- (2) The minimum total lot area required for a Cottage Court is the cumulative area required for each dwelling type provided within the development.
- (3) Where a dwelling fronts on the common open space, it is considered to meet the requirement for frontage on a public or private street.
- (4) The zoning district standards apply to each individual dwelling type within the Cottage Court with the following exceptions:
  - A. The maximum building height is limited to 35 feet for all dwellings.
  - B. For dwellings that front the common open space, the minimum front setback required is ten feet as measured from the common open space.
  - C. For dwellings that front the common open space, the required minimum rear and side setbacks is five feet.
- (5) For any dwelling abutting a public or private street, an entrance to the dwelling must face the street.
- (6) For any dwelling that fronts the common open space, the front façade of the dwelling shall be oriented to the common open space.
- (7) Common open space shall be provided and shall meet the following standards:

- A. The minimum area of the common open space is 500 square feet per dwelling.
  - B. At least 50% of the centrally located common open space shall have a minimum width of 40 feet.
  - C. Of the required amount of common open space, 75% shall be centrally located.
  - D. All common open space shall be accessible to all residents.
  - E. Yards for dwellings are not counted toward the required amount of common open space. However, such yards may be in addition to the required amount of common open space.
- (e) Courtyard Apartment
- (1) Common open space shall be provided for a Courtyard Apartment development.
  - (2) A Courtyard Apartment shall be designed where the prominent feature of the development is the common open space.
  - (3) For each dwelling unit provided, 100 square feet of common open space shall be provided.
  - (4) The required common open space:
    - A. May be hardscaped up to 50%.
    - B. Shall provide outdoor furniture, amenities, and similar items for the use of residents.
- (f) Emergency Shelter
- (1) An Emergency Shelter shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.
- (g) Foster Home
- (1) A Foster Home shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.
- (h) Four-Unit Dwelling
- (1) A Four-Unit Dwelling may be designed as a stacked, side-by-side, or multi-side dwelling.
  - (2) Where possible, a Four-Unit Dwelling shall provide rear-entry parking.
  - (3) A Three-Unit Dwelling shall comply with the requirements of Section 1106.01 (w)(2).
- (i) Group Home for Children
- (1) A Group Home for Children shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.

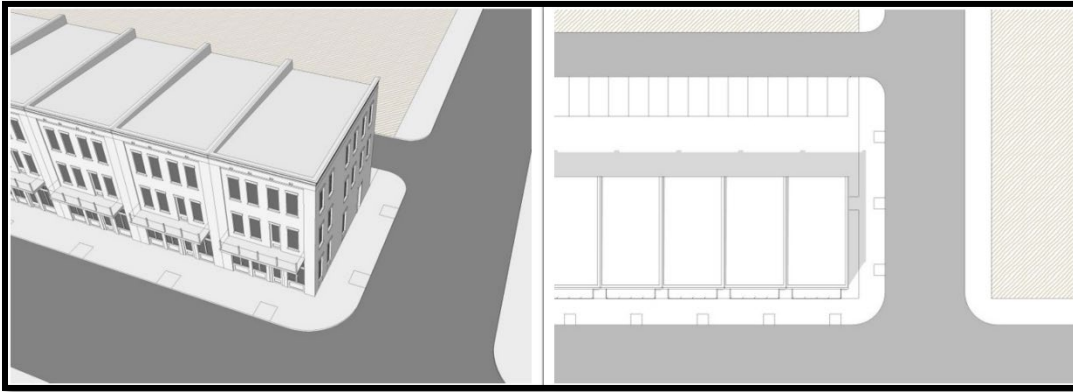
**(j) Halfway House Facility**

**(1)** A Halfway House Facility shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.

**(k) Home for the Aging**

**(1)** A Home for the Aging shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.

**(l) Live-Work Dwelling**



*Figure 1106.01.2: Live-Work Dwellings*

**(1)** The “live” component may be located on the street level (behind the work component) or any other level of the building. Figure 1106.01.2: Live-Work Dwellings shows an example of Live-Work Dwellings where parking is provided in the rear.

**(2)** The residential unit shall be occupied by the business owner or manager.

**(m) Main Street Mixed Use Building**

**(1)** The first floor shall be reserved for nonresidential uses.

**(2)** The residential use shall not exceed 75% of the total Mixed-Use Building square footage.

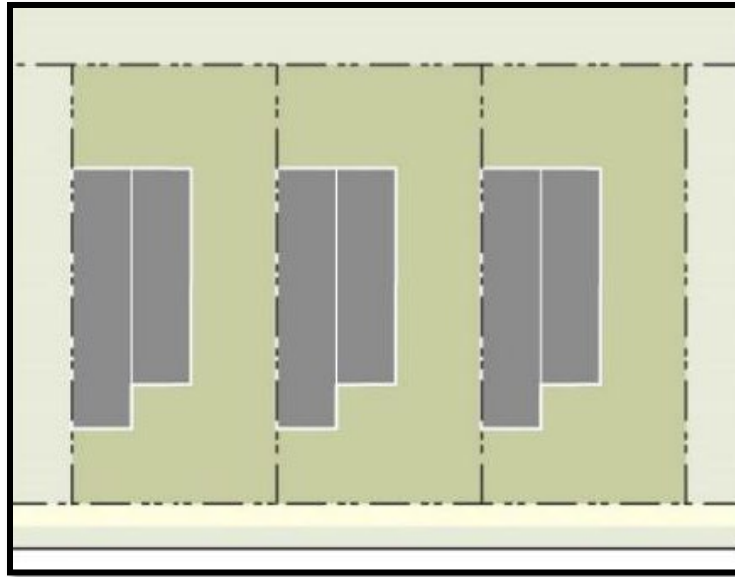
**(3)** All on-site parking shall be located at the rear of the site.

**(n) Multi-Unit Dwelling**



*Figure 1106.01.3: Multi-Unit Dwelling*

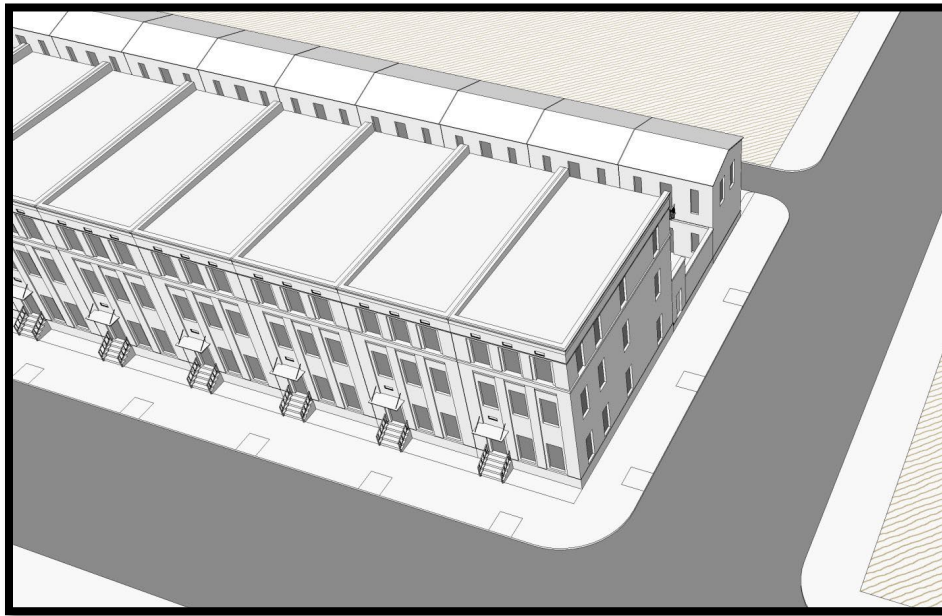
- (1) A Multi-Unit Dwelling may be designed as a stacked or multi-sided dwelling.
  - (2) A Multi-Unit Dwelling shall be designed to where no more than four dwelling units are provided side-by-side on any one story of the dwelling.
  - (3) A Multi-Unit Dwelling shall comply with the requirements of Section 1106.01 (w)(2).
  - (4) Figure 1106.01.3: Multi-Unit Dwelling shows an example of a Multi-Unit Dwelling where rear-entry parking is provided.
- (o) Nursing Home
- (1) A Nursing Home shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.
- (p) One-Unit Dwelling
- (1) Zero Lot Line Development



*Figure 1106.01.4: Zero Lot Line Development*

- A. The dwelling may be constructed with a zero side yard on one side, and a side yard of not less than 10 feet extending the full depth of the lot on the other side.
  - B. The dwelling may be placed on the “zero” side yard line (see the dwelling placement as provided in Figure 1106.01.4: Zero Lot Line Development).
  - C. In all cases, there shall be at least a 10-foot side yard on corner lots where adjacent to a street right-of-way or alley.
  - D. Under no circumstances shall the separation between two zero lot line dwellings, or between a zero lot line dwelling and any other type of principal building on an adjacent lot, be less than 10 feet wall-to-wall.
- (q) Recovery Housing Residence
- (1) A Recovery Housing Residence shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.
- (r) Residential Care Facility
- (1) A Residential Care Facility shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.
- (s) Residential Facility
- (1) A Residential Facility shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.
- (t) Three-Unit Dwelling

- (1) A Three-Unit Dwelling may be designed as a stacked, side-by-side, or multi-side dwelling.
  - (2) A Three-Unit Dwelling shall comply with the requirements of Section 1106.01 (w)(2).
- (u) Tiny Home
- (1) A Tiny Home shall meet the applicable zoning district's dimensional requirements.
  - (2) A Tiny Home shall be securely fixed to a permanent foundation.
  - (3) A Tiny Home shall connect to water, wastewater, and electric utilities (including connection to the electrical grid).
  - (4) All final plans and construction details for a Tiny Home shall be signed and sealed by a registered engineering professional and they shall comply with Appendix Q in the most recently adopted version of International Residential Code.
- (v) Townhome



*Figure 1106.01.5: Townhomes*

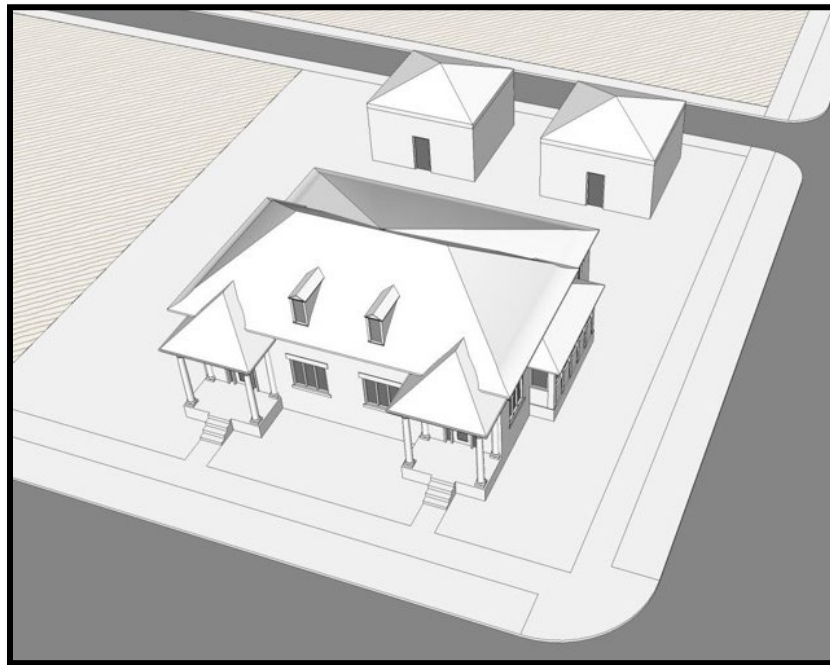
- (1) No Townhome row shall exceed eight (8) units.
- (2) At the end of a Townhome row, a five-foot minimum side yard setback shall be provided.
- (3) Where possible, Townhomes shall provide rear-entry parking.
- (4) All parking shall be on the public right-of-way or shall provide rear entry parking garages where alley access exists.

- (5) Figure 1106.01.5: Townhomes shows an example of a Townhome row where rear-entry parking is provided.

(w) Transitional Housing

- (1) Transitional Housing shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.

(x) Two-Unit Dwelling



*Figure 1106.01.6: Two-Unit Dwelling*

- (1) A Two-Unit Dwelling may be designed as a stacked, side-by-side, or multi-sided dwelling.
- (2) Each front ground floor façade entrance shall be accompanied by a:
- A. Stoop with an area of at least 50 square feet;
  - B. Porch with an area of at least 75 square feet; or
  - C. A recessed or projecting entry at least three feet deep with a structural covering (canopy, awning, etc.)
- (3) Figure 1106.01.6: Two-Unit Dwelling shows an example of a side-by-side Two-Unit Dwelling where rear-entry parking is provided.

(y) Vertical Mixed Use Building

- (1) The first floor shall be primarily used for nonresidential uses.

- (2) The first floor may incorporate residential uses but shall be limited to 25% of the square footage on the first floor.
- (3) The residential use shall not exceed 75% of the total Mixed Use Building square footage.
- (4) All on-site parking shall be located at the rear of the site with the exception that no more than 25% of the on-site parking may be allowed in front of the site.
- (5) Parking in the front of the site is prohibited in the C-DT district.
- (6) Nonresidential uses are allowed on the top floor of a Vertical Mixed Use Building.

### 1106.02 Nonresidential Uses

#### (a) Active Park/Recreational Facilities

- (1) All site lighting for the purposes of illuminating Active Park/Recreational Facilities or any accessory use shall terminate at 11:00 p.m. Lighting for walls, security measures, sconces, and parking facilities are excluded from this requirement.
- (2) Noise generated by Active Park/Recreational Facilities shall not exceed 40 dBA at any residential property line between the hours of 11:00 p.m. and 8:00 a.m.

#### (b) Agritainment

- (1) Noise shall not exceed 70 decibels at the property boundaries.
- (2) An Agritainment use shall provide sanitary and waste services for participants and spectators.
- (3) An Agritainment use shall provide paved emergency medical services and fire lanes as part of the facility's operations.
- (4) The fire lane shall be at least 28 feet wide.

#### (c) Assembly Hall

- (1) In the C-NC district the maximum building footprint of an Assembly Hall on a lot is 10,000 square feet.

#### (d) Automotive Repair

- (1) All Automotive Body Repair activities shall take place within a building, and in no instance shall activities occur in the open, outside of that building unless located in the I-LI or I-HI districts.
- (2) On-site overnight vehicle keeping is prohibited unless vehicles are stored inside a building or fully screened as provided in Section 1120.03 .

#### (e) Automotive Sales and Rental

- (1) An Automotive Sales or Rental use shall not be located within 300 feet of any other Automotive Sales or Rental use.
  - (2) No more than 50% of the total building floor area may be used for related accessory uses such as retail sales, repair and service, and washing.
  - (3) Inventory spaces shall not count toward the maximum parking requirements.
- (f) Automotive Service
- (1) An Automotive Service use shall be located 150 feet from any residential district.
  - (2) All Automotive Service activities shall take place within a building, and in no instance shall activities occur in the open, outside of that building unless located in the I-LI or I-HI districts.
  - (3) On-site overnight vehicle keeping is prohibited.
- (g) Automotive Wash
- (1) An Automotive Wash shall be located 150 feet from any residential district.
  - (2) An Automotive Wash shall be closed for business between midnight and 6:00 a.m.
  - (3) Automotive Wash activities located in the C-LC district shall occur within a completely enclosed structure.
- (h) Bar
- (1) A Bar shall be located 150 feet from religious land uses and schools.
- (i) Bed and Breakfast
- (1) A Bed and Breakfast shall be subordinate to the principal use of the lot which must be a dwelling.
  - (2) A Bed and Breakfast shall be owner-occupied and managed at all times.
  - (3) The maximum number of rented bedrooms/guestrooms is five.
  - (4) Rented bedrooms/guestrooms shall only be used by transient visitors and travelers and rented on a nightly, weekend, or weekly basis.
  - (5) No cooking facilities are allowed in any of the bedrooms/guestrooms.
  - (6) A Bed and Breakfast shall meet all of the minimum requirements of the City-County Health Department and shall conform in all respects to the requirements of the fire code, building code, electrical code, and plumbing code.
  - (7) A Bed and Breakfast is responsible for the collection of the required City hotel/motel tax.

- (8) All City-County Health Officers, Building Inspectors, the Fire Marshal and their assistants, and other code enforcement officials of the City shall have the right to go on any premises of a Bed and Breakfast during normal business hours for the purpose of verifying compliance with this subsection and all other applicable ordinances of the City.

(j) Cemetery

- (1) A Cemetery shall have a minimum site area of 20 acres.
- (2) All buildings, structures, gravestones, and other structures associated with a Cemetery shall be located at least 100 feet from all lot lines abutting a residential zoning district.
- (3) A Cemetery may be located adjacent to a residential district or use if situated at the terminus of a residential block. In this instance, screening shall be provided as required in Section 1120.03 .
- (4) A Cemetery in concert with Funeral Services shall comply with the regulations provided in 1106.02 (p).

(k) Communication Facility

- (1) The base and all related facilities and structures of the proposed wireless telecommunications facilities will be effectively screened from view.
- (2) All utilities at the site shall be installed underground and in compliance with all laws, ordinances, rules and regulations of the City, including specifically, but not limited to, the National Electrical Safety Code and the National Electrical Code where appropriate.
- (3) Access roads, turn-around space and parking have been provided to assure adequate emergency and service access.
- (4) Maximum use of existing roads, whether public or private, shall be made to the extent practicable.
- (5) Road construction shall minimize ground disturbance and the cutting of vegetation.
- (6) Road grades shall closely follow natural contours to assure minimal visual disturbance and reduce soil erosion.
- (7) Any new tower to be constructed on the site shall be no higher than necessary, and in no case, higher than 190 above existing grade.
- (8) Wireless telecommunications facilities shall not be artificially lighted or marked, except as required by law.

- (9) Towers shall be galvanized and painted with a rust-preventive paint of a non-contrasting gray or similar color to harmonize with the surroundings and shall be maintained in accordance with the requirements of this chapter.
  - (10) All wireless telecommunications facilities and antennas shall be fenced or otherwise secured in a manner that prevents unauthorized access. Specifically:
    - A. All antennas, towers and other supporting structures, including guy wires, shall be made inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or collided with; and
    - B. Transmitters and telecommunications control points shall be installed in such a manner that they are readily accessible only to persons authorized to operate or service them.
  - (11) Wireless telecommunications facilities shall contain a sign no larger than four square feet located near the base of the tower in order to provide adequate notification to persons in the immediate area of the presence of an antenna that has transmission capabilities and shall contain the name(s) of the owner(s) and operator(s) of the antenna(s), as well as emergency phone number(s). The sign shall be on the equipment shelter or cabinet of the applicant and be visible from the access point of the site and must identify the equipment owner of the shelter or cabinet. The sign shall not be lighted, unless lighting is required by applicable law, rule or regulation. No other signage, including advertising, shall be permitted.
  - (12) All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from any residential property line a minimum of a distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 50% of the height of the tower or structure.
  - (13) All proposed towers and any other proposed wireless telecommunications facility structures shall be set back from any nonresidential property line a minimum of a distance equal to the height of the proposed tower or wireless telecommunications facility structure plus 25% of the height of the tower or structure.
- (I) Community Center
- (1) A Community Center shall be located with access to an arterial street or on a street pavement wider than 30 feet.
  - (2) The following dimensional requirements shall be applicable only to the construction of a new building:
    - A. Minimum lot area: 40,000 square feet.

- B.** Minimum yards: 2.25 feet of horizontal distance shall be provided for each one foot of building height measured between the nearest point of any lot line and the nearest point from which the height is measured.

**(m) Community Garden**

- (1)** Activities and structures may include greenhouses, hoop houses, cold frames, sheds, water capture facilities, or other small structures for the keeping of tools and equipment, composting, and needs for the Community Garden.
- (2)** Structures are subject to the requirements of the applicable zoning district.
- (3)** Community Garden activities shall be managed to prevent infestation of insects and other pests.
- (4)** A Community Garden shall be free of rank weeds.
- (5)** Composting practices provided on-site shall not include the burning of materials.

**(n) Educational Institution**

- (1)** An Educational Institution shall not be located mid-block in between two residential districts or uses.
- (2)** An Educational Institution may be located adjacent to a residential district or use if situated at the terminus of a residential block. In this instance, screening shall be provided as required in Section 1120.03 .

**(o) Financial Institution**

- (1)** In the C-DT district:
  - A.** A Financial Institution with Drive-Thru Facilities is prohibited.
  - B.** An ATM is allowed but shall only be provided in such a manner that it is only accessible to pedestrians.

**(p) Funeral Services**

- (1)** A Funeral Services site shall have a minimum frontage of 120 feet and a minimum lot area of 40,000 square feet.
- (2)** Funeral Services shall be located at least 100 feet from any residential district or use.
- (3)** Funeral Services including cremation or embalming shall be constructed, installed, operated, and maintained in accordance with all manufacturer's specifications and all applicable federal, state, and local permits. City inspectors shall have the right to enter and inspect the operations to determine compliance with this provision.

**(q) Hospital**

(1) A conditional use permit is required for any associated flight facilities necessary to the Hospital's operations.

(r) Indoor Commercial Amusement

(1) No ancillary or accessory activities associated with an Indoor Commercial Amusement shall be provided outside. Such activities shall cause an Indoor Commercial Amusement use to be classified as an Outdoor Commercial Amusement.

(2) In the C-NC district, the maximum building footprint of an Indoor Commercial Amusement on a lot is 10,000 square feet.

(s) Kennel

(1) A Kennel shall comply with the following requirements:

A. A minimum lot area of 20,000 square foot shall be provided.

B. The following setbacks apply:

i. Front: 50 feet

ii. Side: 40 feet

iii. Rear: 50 feet

C. All structures shall be located at least 200 feet from a Residential district.

D. Outside runs used for animals are prohibited, and all services shall be provided within a fully enclosed building.

(2) In the C-NC district, the maximum building footprint of a Kennel on a lot is 10,000 square feet.

(t) Major Utilities and Public Service Facility

(1) Site Standards for Facilities

A. Utility substations shall be located at least 100 feet from a Residential district boundary.

B. The site shall access an arterial street or on a street pavement wider than 30 feet.

C. All proposed uses and facilities located within 100 feet of a Residential district shall be contained within buildings or structures.

D. A landscaped berm at least five feet in height shall be required in all yards abutting a Residential district or street.

(2) Location of Utility Lines

- A. Such use shall not endanger the health and safety of residents or workers in the area.
  - B. The location of the use shall provide for minimal visual impact and shall not impair the use of surrounding properties.
  - C. The alignment of the use shall follow the topography to minimize any effects to the terrain.
  - D. There shall be minimal vegetative clearance for soil erosion control.
- (u) Microbrewery
- (1) A Microbrewery shall comply with the brewing regulations as provided in State Law.
  - (2) A Microbrewery includes on-site consumption as a principal or ancillary use.
  - (3) A Microbrewery may include other ancillary uses like food and retail sales, tasting events, or private parties.
  - (4) A Microbrewery shall utilize best management practices and available technology to minimize potential adverse odors associated with the use.
  - (5) In the C-NC district and C-DT-E subdistrict:
    - A. The maximum building footprint of a Microbrewery on a lot is 10,000 square feet.
    - B. A Microbrewery shall be located 150 feet from religious land uses and schools.
    - C. No outdoor storage is permitted, including parking and storage of vehicles associated with the business.

(v) Microdistillery

- (1) A Microdistillery shall comply with the distilling regulations as provided in State Law.
- (2) A Microdistillery shall comply with the regulations provided in Section 1106.02 (u).

(w) Mineral Extraction

Mineral Extraction is subject to the following specific requirements:

- (1) A license to operate shall be obtained from the Department of Natural Resources (DNR). Failure to maintain said license shall constitute abandonment.
- (2) An application for such operation shall set forth the following information (compare to DNR requirements):
  - A. Name of the owner or owners of land from which removal is to be made.
  - B. Name of the applicant making request for such a permit.

- C. Name of the person or corporation conducting the actual removal operation.
  - D. Location, description and size of the area from which the removal is to be made.
  - E. Type of resources or materials to be removed.
  - F. Proposed method of removal and whether or not blasting or other use of explosives will be required.
  - G. Description of equipment to be used.
  - H. Anticipated ending date for extraction and the method of rehabilitation and reclamation of the area.
  - I. The means that will be used to prevent the deposition of mud and debris from trucks on public streets and highways.
  - J. The means of controlling fugitive dust from the extraction.
  - K. Certification that all state and federal regulations can and will be met.
- (3) Mineral Extraction shall not occur within 1,000 feet of a Residential District.
  - (4) Mineral Extraction shall not occur within 100 feet of abutting property or a street.
  - (5) The banks of an extraction site less than five feet deep, shall be sloped at a grade of not less than three feet horizontal to one foot vertical, and such banks shall be surfaced with at least six inches of suitable soil and seeded with a vegetative cover to prevent erosion.
  - (6) Whenever the floor of an extraction site is more than five feet below the grade of the site's perimeter or the site contains more than three feet of water, the site shall be completely enclosed by a barrier consisting of a fence on not less than a six foot high mound of earth planted with suitable dense planting or other suitable material sufficient in either case to prevent persons from entering the site. Such mound shall be located at least 25 feet from any street, road, highway or boundary of the quarry property.
  - (7) All quarrying, blasting, drilling or mining shall be carried out in a manner and on such scale as to minimize dust, noise and vibrations and to prevent adversely affecting the surrounding properties. A blasting permit shall be obtained from the Springfield Fire Division for all blasting that is done.
- (x) Minor Utilities and Public Service Facility
    - (1) Minor Utilities and Public Service Facility shall comply with the regulations provided in Section 1106.02 (t).
  - (y) Outdoor Commercial Amusement

- (1) An Outdoor Commercial Amusement use shall be located 500 feet from any residential district or use.

(z) Pawnbroker

- (1) A Pawnbroker shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use.
- (2) A Pawnbroker shall comply with the regulations provided in [CHAPTER 743 Pawnbrokers](#).
- (3) A Pawnbroker shall be located at least 1,000 feet from another Pawnbroker.

(aa) Religious Land Use

- (1) A Religious Land Use shall be located with access to an arterial street or on a street pavement wider than 30 feet.
- (2) The following dimensional requirements shall be applicable only to the construction of a new building:
  - A. Minimum lot area: 40,000 square feet.
  - B. Minimum yards: 2.25 feet of horizontal distance shall be provided for each one foot of building height measured between the nearest point of any lot line and the nearest point from which the height is measured.

(bb) Restaurant

- (1) In the C-NC district the maximum building footprint of a Restaurant on a lot is 10,000 square feet.
- (2) In the C-NC district a Restaurant with Drive-Thru Facilities is prohibited if the Restaurant will abut a residential district or use.
- (3) In the C-DT district a Restaurant with Drive-Thru Facilities is prohibited.

(cc) Retail Store

- (1) In the C-NC district the maximum building footprint of a Retail Store on a lot is 10,000 square feet.

(dd) Salvage Yard

- (1) A Salvage Yard shall meet all local, county, and state rules, regulations, and ordinances pertaining to the use.
- (2) A Salvage Yard shall comply with the regulations provided in [CHAPTER 739 Salvage Yard Operators](#).
- (3) A Salvage Yard shall be located at least 1,000 feet from a residential district.

- (4) Any outdoor storage shall be conducted entirely within an enclosed fence, wall or other solid screen as provided in Section 1120.03 .
- (5) Solid gates shall be provided at driveway areas.
- (6) Such enclosures shall be constructed on or inside the front, side and rear lot lines and shall be constructed in such a manner that no outdoor storage or salvage operations shall be visible from an adjacent property, street or highway.
- (7) Storage, either temporary or permanent, between such fence or wall and any property line is expressly prohibited.
- (8) Junk or salvage materials shall not form part of the fence, be piled higher than the height of the fence, nor be placed against the fence.
- (9) For fire protection, an unobstructed firebreak eight feet in width shall be maintained around the entire Salvage Yard.
- (10) The storage of rags, paper and similar combustible waste shall not be closer than 100 feet to any property line, unless enclosed in a masonry building of not less than four-hour fire resistive construction.

**(ee)** Self-Storage Facility

- (1) A Self-Storage Facility shall be secured so that access is limited to tenants (or owners) and fire, police, or emergency service officials.
- (2) A Self-Storage Facility shall provide adequate drive aisles between all buildings for vehicle circulation and fire and emergency access.
- (3) A Self-Storage Facility unit shall not be used for the storage of explosives, ammunition, or hazardous or flammable materials.
- (4) Self-Storage Facility units shall be used solely for the purpose of storage of goods and possessions and shall not be used for the operation of a business, hobby, band rehearsal, or any type of activity not related to the storage of personal property of the owner or tenant of the unit.
- (5) Outdoor storage may be allowed in approved on-site areas for vehicles and recreational equipment if they are covered by an awning or canopy structure.
- (6) The Self-Storage Facility may include accessory on-site offices and living quarters.
- (7) These accessory spaces shall not exceed more than 3,000 square feet.

**(ff)** Sexually Oriented Business

- (1) A Sexually Oriented Business shall comply with the regulations provided in [CHAPTER 707 Sexually Oriented Businesses](#).

**(gg)** Urban Farm

- (1) An Urban Farm shall comply with the regulations provided in Section 1106.02 (m).
- (2) Any non-household animals provided on an Urban Farm shall comply with the regulations provided in CHAPTER 1124 - Animal Regulations.

**(hh) Veterinarian Facility**

- (1) Outside runs used for the treatment of animals is prohibited in the C-NC district.
- (2) In the R-AG district, a Veterinarian Facility may treat and house non-household animals.
- (3) In the R-AG district, a Veterinarian Facility shall be enclosed and screened as provided in Section 1120.03 or fenced as provided in Section 1120.04 (d) to restrain animals from running at large.

## CHAPTER 1107 - Accessory Uses and Features Standards

### 1107.01 Purpose

This Chapter authorizes the establishment of accessory uses, buildings, and functions, collectively referred to as accessory features, that are incidental and customarily subordinate to principal uses. An item is “accessory” if it is “incidental and customarily subordinate” to a principal use and complies with the standards established in this Chapter. All principal uses allowed in a zoning district shall be deemed to include those accessory uses, buildings, and functions typically associated with the use, unless specifically prohibited in this Chapter.

### 1107.02 Approval Procedure

- (a) **Generally.** Any of the accessory uses identified in this Title may be allowed as accessory to an authorized principal use provided that:
  - (1) The proposed accessory feature is allowed in the base district where proposed; and
  - (2) The proposed accessory feature is consistent with the general and specific standards for accessory uses in this Chapter.
- (b) **Simultaneously with a Principal Use.** Accessory features may be reviewed as part of review of an associated principal use. In cases where the principal use is subject to a Conditional Use Permit, an accessory feature may only be authorized in accordance with an approved Conditional Use Permit.
- (c) **Subsequent to a Principal Use**
  - (1) Unless exempted, a building permit shall be required in cases where an accessory use or building is proposed subsequent to a principal use.

- (2) In cases where the principal use is subject to a Conditional Use Permit, an accessory use may only be authorized in accordance with the provisions in TITLE Five - Procedural Standards.

### 1107.03 Interpretation of Unidentified Accessory Features

The Community Development Director shall evaluate applications for accessory features that are not identified in this Chapter on a case-by-case basis, based on the following standards:

- (a) The definition of "accessory feature" in TITLE Nine -Definitions, and the general accessory feature standards and limitations established in this Chapter;
- (b) The purpose and intent of the base districts in which the accessory feature is located;
- (c) Potential adverse effects the accessory feature may have on other lots, compared with other uses permitted in the district; and
- (d) The compatibility of the accessory feature with other uses permitted in the district.

### 1107.04 General Standards for all Accessory Features

All accessory features shall be subject to the general standards in this Chapter, as well as any applicable supplemental standards in this Section and all standards applicable to the associated principal use.

- (a) **Size.** All accessory features shall:
  - (1) Be clearly subordinate in area, extent, and purpose to the principal use or structure;
  - (2) Not violate the bulk, density, parking, landscaping, or open space standards of this Zoning Code when taken together with the principal use or structure; and
  - (3) The floor area of any detached accessory building shall not exceed 50% of the floor area of the principal structure. The total combined floor area of all buildings shall not exceed the maximum lot coverage for the zoning district in which it is located.
- (b) **Function.** All accessory features shall directly serve the principal use or building, and be accessory and clearly incidental to the principal use or building.
- (c) **Timing.** Accessory features shall not be constructed or established prior to the start of construction of the principal use or building. An accessory feature shall not be used until the construction of the principal building is complete.
- (d) **Height.** Accessory features shall be limited to a maximum height of 15 feet unless exempted from the height requirements in this Zoning Code.
- (e) **Location**
  - (1) Accessory features shall be located on the same lot as the principal use or building.

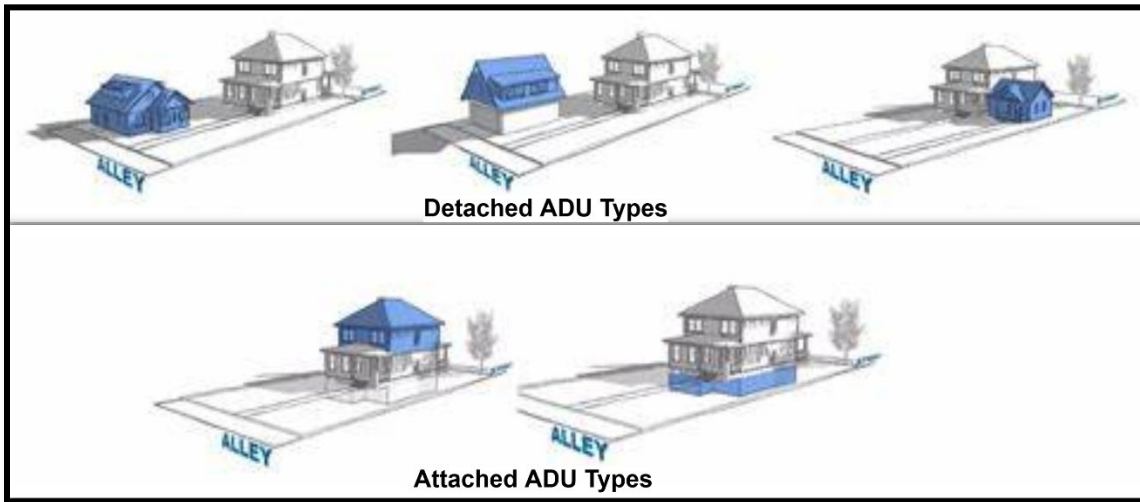
- (2) Accessory features shall not be located within platted or recorded easements.
  - (3) Accessory buildings shall be set back at least five feet from any side and 10 feet from any rear property line.
  - (4) Accessory buildings shall be set back at least five feet from the principal use or building on all sides.
  - (5) A detached accessory building in a residence district closer to the front line than 80 feet shall be no closer to any of its side lot lines than ten feet. On a corner lot whose rear line is the side line of a lot in a residence district, no accessory building shall be placed closer than ten feet to such rear line, nor closer than 20 feet to the street line on the side of the lot.
- (f) **Miscellaneous.** Any accessory building attached to a main building, except by a breezeway or roofed passageway with open or latticed sides, shall comply in all respects with the requirements for main buildings.

### 1107.05 Accessory Feature-Specific Regulations

(a) Accessory Dwelling Unit

- (1) Only one Accessory Dwelling Unit is allowed on a lot.
- (2) An Accessory Dwelling Unit shall comply with the required setbacks and height requirements of the zoning district in which the unit is located.
- (3) An Accessory Dwelling Unit must not exceed the height of the principal dwelling.
- (4) An Accessory Dwelling Unit must connect utilities to those of the principal dwelling.
- (5) The property owner must occupy the principal dwelling or Accessory Dwelling Unit as the owner's permanent residence.
- (6) An Accessory Dwelling Unit may be constructed in forms provided in Figure 1107.05.1: ADU Types.

Figure 1107.05.1: ADU Types



(7) An Accessory Dwelling Unit must comply with the requirements established in Table 1107.05.1: ADU Specifications.

Table 1107.05.1: ADU Specifications

Principal Use on Lot ↓	ADU Type Allowed ↓			Min. Lot Size	Max. ADU Size
	Detached	Attached			
		To Principal Dwelling	Above Detached Parking Structure		
One-Unit Dwelling	Yes	Yes	Yes	6,000 square feet	1,200 square feet
Two-Unit Dwelling	Yes	Yes	Yes	10,000 square feet	1,000 square feet
Townhome	No	No	Yes	5,000 square feet	800 square feet
Three-Unit Dwelling	Yes	No	Yes	12,000 square feet	900 square feet
Four-Unit Dwelling	Yes	No	Yes	14,000 square feet	850 square feet
Multi-Unit Dwelling	Yes	No	Yes	18,000 square feet	800 square feet

(8) An ADU shall be architecturally consistent with the principal dwelling by having similar:

- A. Shape and style of exterior doors and windows;
- B. Building materials;
- C. Paint color(s); and
- D. Roof style.

(9) A Detached Accessory Dwelling Unit shall only be located in the rear of a lot.

**(b) Alternative Energy System**

**(1) Solar Panels**

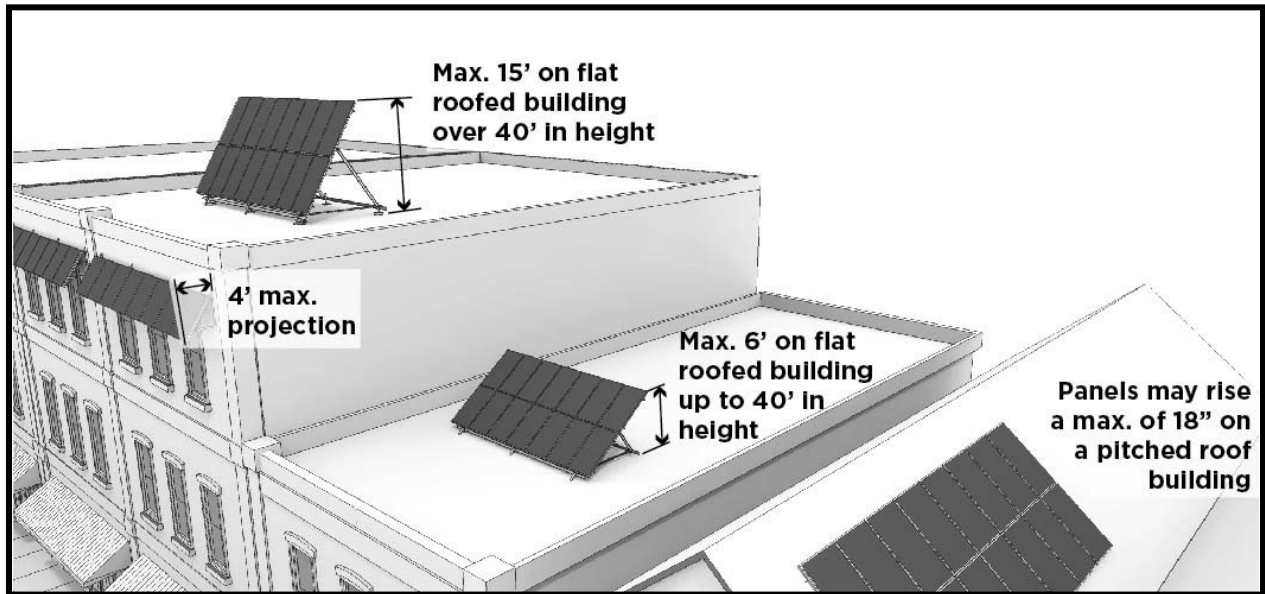
**A. General Requirements**

- i. A solar panel may be building-mounted or freestanding.
- ii. Solar panels must be placed so that concentrated solar radiation or glare is not directed onto nearby properties or roadways.

**B. Building-Mounted Systems**

- i. A building-mounted system may be mounted on the roof or wall of a principal building or accessory structure (see Figure 1107.05.2: Building Mounted Systems).
- ii. On pitched roof buildings, the maximum height a roof-mounted solar panel may rise is 18 inches.
- iii. On flat roofed buildings up to 40 feet in height, the roof-mounted solar panel system is limited to a maximum height of six feet above the surface of the roof.
- iv. On flat roofed buildings over 40 feet in height, the roof-mounted solar panel system is limited to 15 feet above the height of such structure.
- v. Roof-mounted solar energy systems are excluded from the calculation of building height.
- vi. Wall-mounted solar panels may project up to four feet from a building façade and shall be integrated into the structure as an architectural feature (see Figure 1107.05.2: Building Mounted Systems).

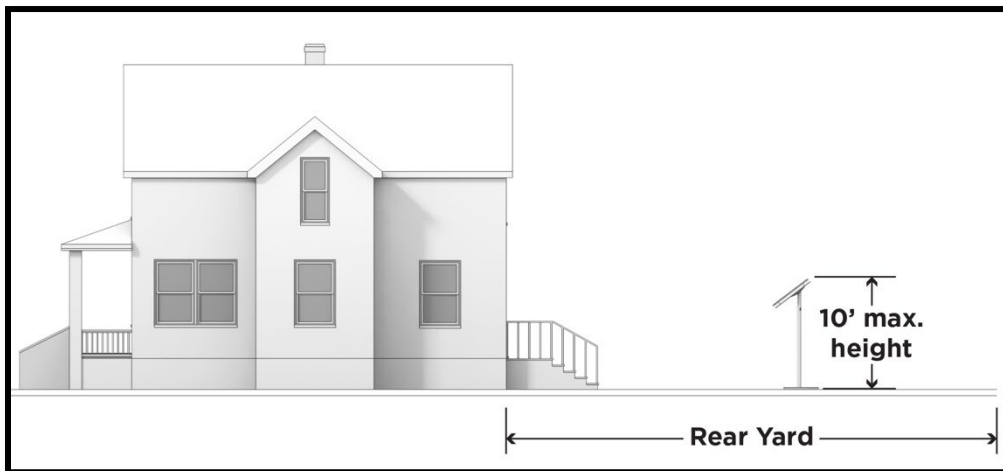
Figure 1107.05.2: Building Mounted Systems



C. Freestanding Systems

- i. A freestanding system is prohibited in the front yard.
- ii. The maximum height of a freestanding system is ten feet in residential districts (see Figure 1107.05.3: Freestanding Systems).

Figure 1107.05.3: Freestanding Systems



D. Co-Location

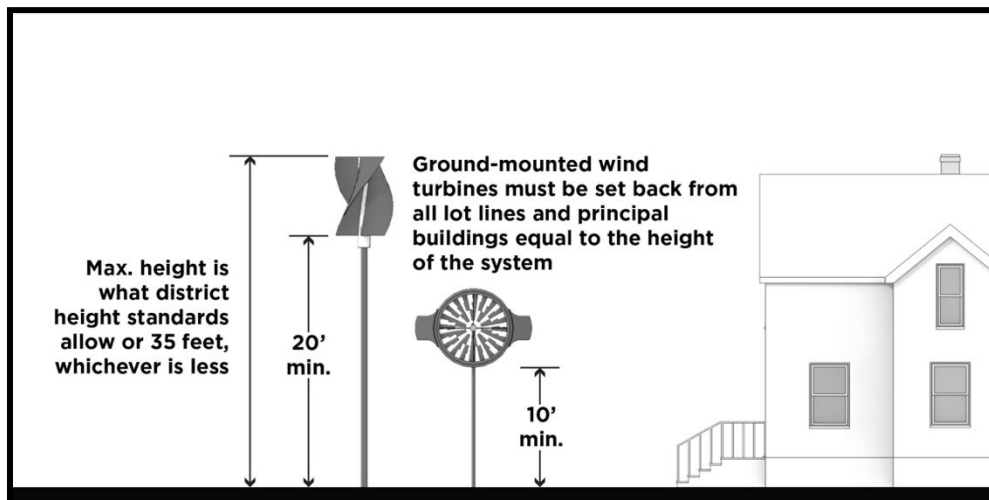
- i. Solar panels may be co-located on existing structures such as wireless communication towers and light poles.

- ii. Solar panels may be co-located on the roof of accessory structures such as pergolas and parking lot shade structures, and may serve as the roof as such structures.

(2) Wind Turbines

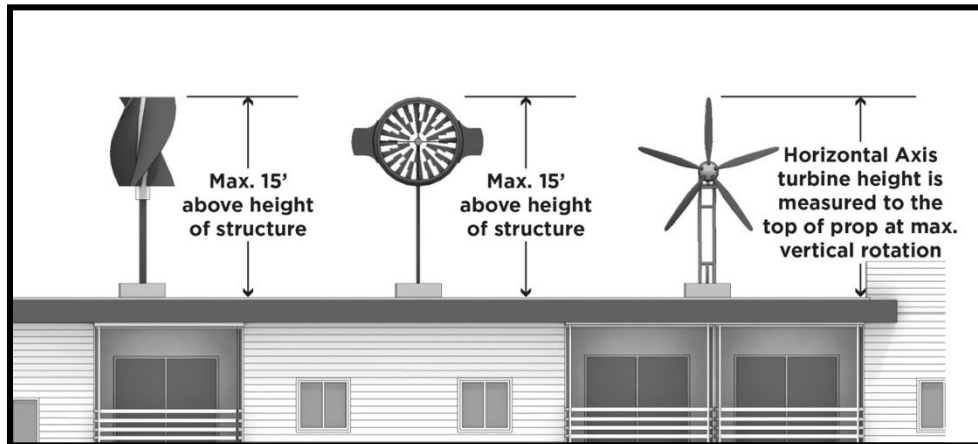
- A. Wind turbines may be designed as either vertical or horizontal axis turbines, or designs that combine elements of the different types of turbines.
- B. Wind turbines are subject to the following height restrictions:
  - i. The maximum height of any ground-mounted wind turbine is the maximum height allowed in the district or 35 feet, whichever is less (see Figure 1107.05.4: Ground-Mounted Wind Turbine Specifications). A taller height may be allowed by a conditional use permit.

*Figure 1107.05.4: Ground-Mounted Wind Turbine Specifications*



- ii. The maximum height of any wind turbine mounted upon a structure is 15 feet above the height of such structure (see Figure 1107.05.5: Structure-Mounted Wind Turbine Specifications).

Figure 1107.05.5: Structure-Mounted Wind Turbine Specifications



iii. Maximum height is the total height of the turbine system as measured from the base of the tower to the top. For vertical axis turbines, the maximum vertical height of the turbine blades is measured as the length of a prop at maximum vertical rotation.

iv. No portion of exposed turbine blades (vertical access wind turbine) may be within 20 feet of the ground. Unexposed turbine blades (horizontal access wind turbine) may be within ten feet of the ground (see Figure 1107.05.4: Ground-Mounted Wind Turbine Specifications).

C. Ground-mounted wind turbines are permitted only in the rear yard. The tower must be set back from all lot lines equal to the height of the system. No principal buildings may be located within this area.

D. All wind turbines must be equipped with manual (electronic or mechanical) and automatic over speed controls to limit the blade rotation speed to within the design limits of the wind energy system.

(c) ATM

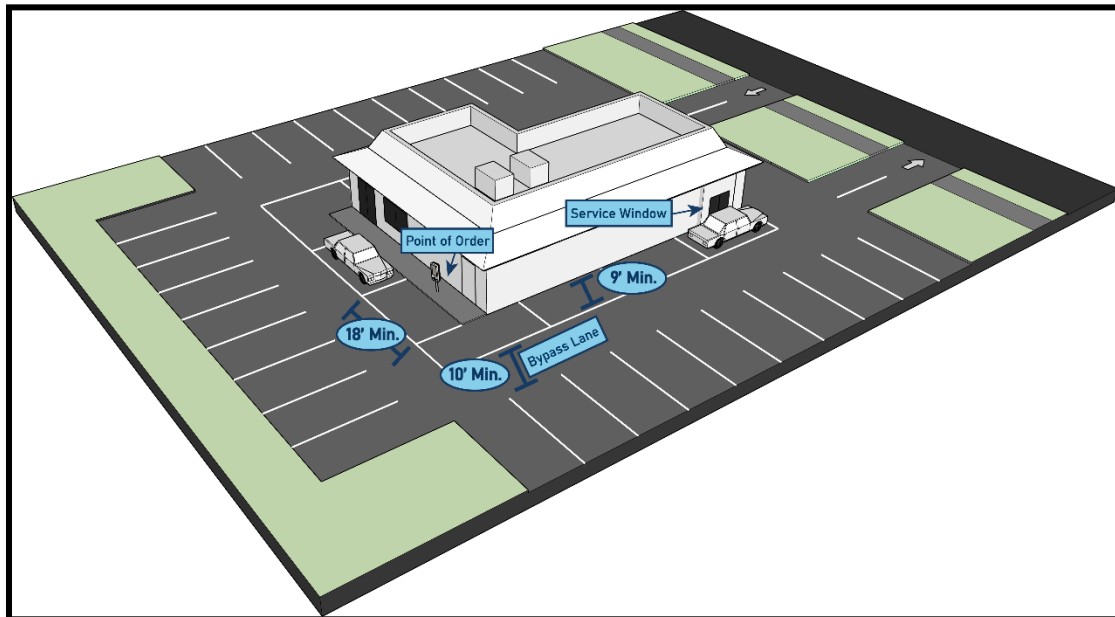
- (1) An ATM may be provided as a standalone item or attached to a building.
- (2) An ATM attached to a building shall be located on the front or side façade of a building to which it is attached.
- (3) Any standalone ATM providing drive-thru facilities shall satisfy the requirements provided in Section 1107.05 (f).

(d) Cargo Containers

- (1) Cargo containers shall not be used as the primary use of a property.

- (2) Cargo containers 120 square feet or smaller in size may be used as temporary structures in nonresidential districts but shall not be placed in any required front or side yard setbacks.
  - (3) Cargo containers exceeding 120 square feet are allowed in residential districts only if in active use for the storage of construction materials for ongoing permitted construction, or for a maximum period of seven consecutive days in association with the relocation of the contents of a residential structure.
  - (4) Cargo containers exceeding 120 square feet:
    - A. Shall only be located in the rear yard and outside of any required setback.
    - B. Shall not be placed in any required parking area.
    - C. The combined area of the containers shall not exceed the floor area of the permanent structures on the property.
    - D. The stacking of cargo containers is prohibited in all districts except for industrial districts.
    - E. Screening shall be provided and comply with the requirements in Section 1120.03.
  - (5) Cargo containers exceeding 120 square feet in industrial districts may be stacked two high.
- (e) Charitable Donation Containers
- (1) Charitable donation containers shall only be allowed in nonresidential districts subject to issuance of a Zoning Certificate.
  - (2) Charitable donation containers shall be subject to all applicable setback requirements of the zoning district within which it is located.
  - (3) No more than one charitable donation containers shall be permitted at one time on a given lot, combined lot, development site, or complex.
  - (4) A charitable donation container shall not exceed 78 inches in height – as measured from grade level, 60 inches in width, or 60 inches in depth.
  - (5) Charitable donation containers shall not be permitted on a vacant lot, on a lot that contains a vacant primary building, or on a lot that contains a primary building of which a majority of the building is vacant.
- (f) Drive-Thru Facility

Figure 1107.05.6: Drive-Thru Facility Standards



- (1) Any development providing a Drive-Thru Facility shall meet the requirements provided in Table 1107.05.2: Drive-Thru Facility Stacking Standards. Figure 1107.05.6: Drive-Thru Facility Standards is an example of a single Drive-Thru Facility with one point of order and one service window.

Table 1107.05.2: Drive-Thru Facility Stacking Standards

Use	Requirement
Restaurant	<ul style="list-style-type: none"> <li>• 3 stacking spaces to each point of order;</li> <li>• 3 stacking spaces between the point of order and the first service window (including the position at the first service window); and</li> <li>• (If applicable) 2 stacking spaces between the first service window and the second service window (including the position at the second service window)</li> </ul>
All other Uses	<ul style="list-style-type: none"> <li>• 3 stacking spaces, including the position at the service window</li> </ul>

- (2) A stacking space is at least nine feet wide by 18 feet long, exclusive of access driveways and parking aisles.
- (3) Stacking lanes shall be clearly marked and shall not interfere with on-site or off-site traffic circulation.
- (4) For any Drive-Thru Facility associated with a Restaurant, stacking lanes shall be accompanied with an abutting 10-foot-wide bypass lane.
- (5) Stacking areas shall not be located between the front building line and the public street upon which the building fronts.

**(g) Fueling and Charging Services**

- (1) Fueling and Charging Services shall not be located within 100 feet of any residential district.
- (2) At the four corners of a street intersection, Fueling and Charging Services shall be restricted to two of the four corner lots to prevent the proliferation of Fueling and Charging Services on all four lots.
- (3) Fueling and Charging Services may include fuel pumps, fuel pump islands, electric vehicle charging facilities and equipment, freestanding canopies, liquid storage tanks, and other associated items with fueling and charging, but shall meet the requirements of this Subsection.
- (4) Any fuel pump island or other structure shall meet the zoning district's applicable minimum setbacks.
- (5) All fuels shall be transferred from underground storage tanks by means of approved dispensing units located at least 15 feet from all property lines. All dispensers shall be protected from vehicle damage by rigidly mounting them in a concrete platform of at least six inches in height extending a minimum of 12 inches beyond the dispenser in all directions. When adequate protection is not provided by the concrete platform alone, additional safeguards shall be provided by a pipe bollard or guard rails.
- (6) Underground tanks for the storage of flammable or combustible liquids shall be located at least five feet from any wall, foundation, or property line. The top of the flammable liquid tanks shall be below the lowest floor elevation of any building within 20 feet of the tanks.
- (7) All freestanding canopies shall be constructed with a minimum vertical clearance of 15 feet.
- (8) All freestanding canopies shall be set back at least 15 feet from all property lines.

**(h) Home Occupation**

- (1) A Home Occupation shall be operated solely within the dwelling unit or an accessory building to the dwelling unit.
- (2) One person not a resident of the premises may be employed to assist in the Home Occupation.
- (3) Nothing in these provisions shall prevent persons who do not reside on the premises from assisting in those aspects of a Home Occupation that are off-premises.
- (4) A Home Occupation that occupies more than 10% of the floor area of a dwelling unit is subject to the provisions of the Ohio Basic Building Code. Floor area shall be construed as that area of a dwelling unit bounded by the exterior walls or fire walls of the dwelling unit (refer to the Ohio Basic Building Code, as regulated in Chapter 1303 of Part 13--Building Code of the Codified Ordinances of Springfield).
- (5) There shall be no external alteration of the residential appearance of a dwelling. However, an entrance which provides direct access to the Home Occupation may be constructed in a wall of the dwelling that does not face a street.
- (6) There shall be no direct selling or leasing of stocks of merchandise, supplies or products on premises. A person may pick up an order made by prior arrangements.
- (7) There shall be no disturbance such as noise, vibration, electrical interference, smoke, dust, odor, heat or glare beyond the lot lines or beyond the confines of the dwelling unit.
- (8) There shall be no outdoor display visible from outside the dwelling.
- (9) There shall be no toxic; explosive; flammable; combustible; corrosive; etiologic; or radioactive materials, used or stored on the premises, except that which is generally used for domestic purposes.
- (10) No more than two persons may avail themselves of the services provided by a Home Occupation at any one time. However, classes for generalized or specialized private instruction for more than two but not more than 10 individuals may be permitted if authorized as a conditional use by the Board of Zoning Appeals.
- (11) The following uses and activities shall be prohibited:
  - A. Ambulance service;
  - B. Animal service, including a veterinarian establishment; animal grooming business; kennel; or establishment for the boarding of animals;
  - C. Appliance repair shop for large appliances such as but not limited to clothes washers and dryers; cooking ranges; refrigerators and freezers; and dishwashers;
  - D. Barber shop;

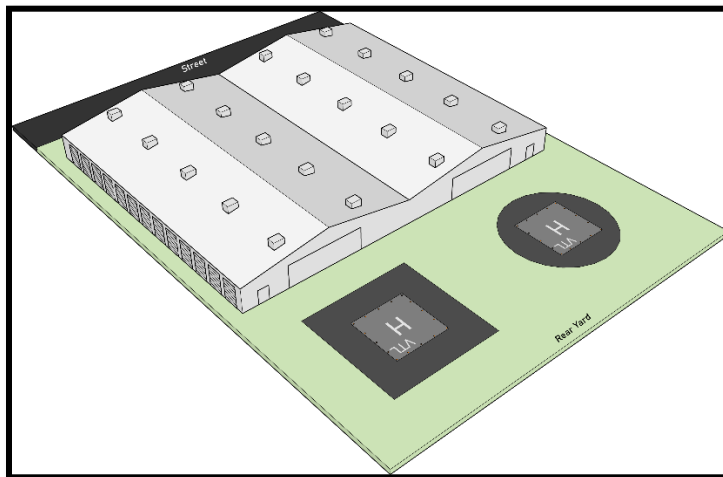
- E. Beauty parlor, including a manicurist and cosmetologist;
  - F. Limousine service involving more than two limousines;
  - G. Machine shop;
  - H. Office of a person in a healing profession;
  - I. Painting of vehicles, trailers, or boats;
  - J. Tattoo parlor;
  - K. Vehicle and motorized equipment repair, including parts sales or detailing; vehicle washing; and large and small engine repair; and
  - L. Welding shop.
- (12) A zoning certificate shall be obtained from the Community Development Director prior to establishing a Home Occupation. A Home Occupation shall, on occasion, be subject to inspection to determine compliance with these provisions.
- (i) Outdoor Dining
- (1) Outdoor Dining shall be designated on an approved plan.
  - (2) Outdoor Dining shall not exceed 75% of the principal building's gross floor area.
  - (3) Any seating must be of metal, natural stone, concrete, or brick.
  - (4) If the seating is not firmly attached to the ground or to a building, the seating shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
  - (5) Seating placed in the right-of-way must of de minimis impact, and be placed so as allow a minimum unobstructed right-of-way clearance of four feet.
- (j) Outdoor Storage
- (1) Outdoor Storage shall be designated on an approved plan.
  - (2) Outdoor Storage shall not be placed:
    - A. Within any required setbacks.
    - B. Within parking spaces, fire lanes, easements, maneuvering aisles, or loading areas.
    - C. On the roof of any structure.
    - D. To exceed the required screening height.
    - E. At the front of any principal building.

- (3) Outdoor Storage is limited to five percent of the total lot area or 20% of the principal building's gross floor area, whichever is more restrictive unless located in an Industrial district.
- (4) Outdoor Storage shall be screened pursuant to Section 1120.03.
- (5) Outdoor Storage items shall be stored on a paved surface, and associated access and maneuvering driveways shall be constructed of a paved surface.

**(k) Vertiport**

- (1) A Vertiport shall meet all local, county, state, and federal rules, regulations, and ordinances pertaining to the use, including design standards required by the FAA.
- (2) A Vertiport shall be designated and shown on an approved plan.
- (3) The Vertiport shall not be placed (see Figure 1112.05.7: Ground-Based Vertiports):
  - A. Within any required building setbacks;
  - B. Within fire lanes, easements, maneuvering aisles, customer pick-up lanes, or required loading and parking spaces;
  - C. In the front yard; and
  - D. So as to obstruct visibility or interfere with pedestrian or vehicle circulation.

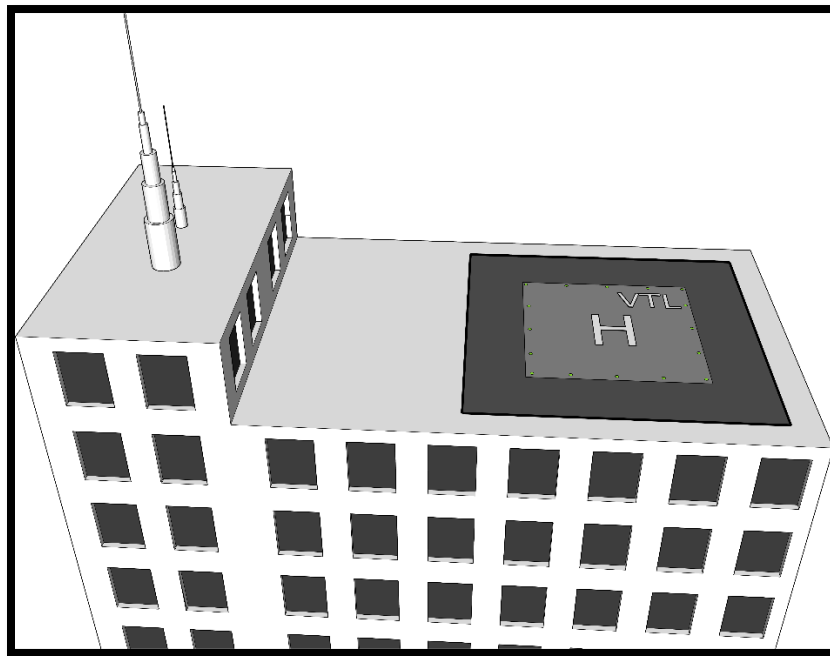
*Figure 1107.05.7: Ground-Based Vertiports*



- (4) The Vertiport is limited to 20% of the total lot area. This requirement does not apply to a Vertiport located on the roof of a building.
- (5) When located at grade in the C-LC, C-HC, P-PR, P-IE, and P-DM districts, any goods, materials, containers, trailers, or other equipment shall be screened as required in Section 1120.03. Landing pads are exempt from this screening requirement.

- (6) When a Vertiport is located on the roof of a building (see Figure 1107.05.8: Rooftop Vertiport):
  - A. Any roof-mounted mechanical equipment, excluding landing pads, is subject to the screening requirements provided in Section 1120.03; and
  - B. Any additional structure, parapet wall, screening, safety railing, or other appurtenance associated with the Vertiport is subject to the maximum height requirement of the district, except a single mast up to 10 feet in height for a windsock may exceed the maximum height requirement.

*Figure 1107.05.8: Rooftop Vertiport*



- (7) A Vertiport shall not be located within 150 feet of a residential district.
- (8) Parking is not required for a Vertiport.
- (I) Walk-Up Window
  - (1) A Walk-Up Window shall be located on the front or side façade to the building to which it is attached.
  - (2) A Walk-Up Window may include a temporary or permanent seating/waiting area.

# TITLE THREE - DISTRICT STANDARDS

## CHAPTER 1108 - General Provisions

### 1108.01 Generally

- (a) The use, erection, construction, reconstruction, relocation, or alteration of any building, structure, or land shall comply with the regulations of this Title for the zoning district in which the building, structure, or land is located.
- (b) Any use, erection, construction, reconstruction, relocation, or alteration of any building, structure, or land shall comply with the City's flood plain regulations as provided in [CHAPTER 1329](#) of the Codified Ordinances.

## 1108.02 Zoning Districts Established

- (a) **Generally.** The City is geographically divided into 12 zoning districts, established in Table 1108.02.1: Comprehensive Plan-Zoning Conversion.
  - (1) Zoning districts capture the major development categories, including residential and nonresidential uses and development activities. Each zoning district includes permitted uses and dimensional standards.
  - (2) Some zoning districts have subdistricts that provide additional regulations to encourage the preferred development outcomes in each subdistrict.
- (b) **Comprehensive Plan Congruency and Zoning Conversion.** See Table 1108.02.1: Comprehensive Plan-Zoning Conversion to show how the former zoning districts have been converted into the new zoning districts. Additionally, Table 1108.02.1: Comprehensive Plan-Zoning Conversion shows the new zoning districts' relationship to the Clark County Comprehensive Plan.

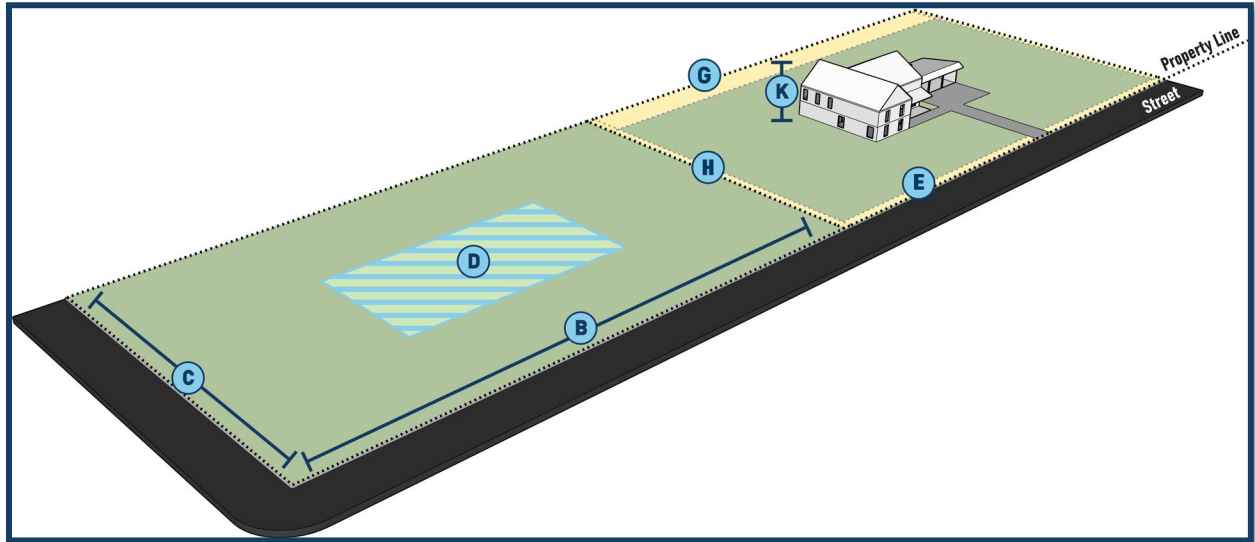
Table 1108.02.1: Comprehensive Plan-Zoning Conversion

Key: ✓ = Zoning District intends to accommodate the development patterns provided in a given future land use category   “ - ” = Not Applicable		Residential				Commerce				Employment/Institutional					
Comprehensive Plan Future Land Use Plan Category →		Rural/ Agricultural	Suburban Living		Traditional Neighborhood		Village Center	Downtown Core	Commercial Center	Mixed Use		Employment Center	Park and Recreation	Industrial	Institutional Campus
Previous District ↓	Applicable District ↓		Low	High	Low	High				Low	High				
<b>Residential Districts</b>															
A RR-1	R-AG	✓	-	-	-	-	-	-	-	-	-	-	✓	-	-
RS-5	R-LD	-	✓	-	✓	-	-	-	-	-	-	-	✓	-	-
RS-8 RFBH RM-12 RM-20 RM-44 RM-44A	R-HD	-	-	✓	-	✓	-	-	-	-	✓	-	✓	-	-
<b>Commercial Districts</b>															
CN-1 CN-2	C-NC	-	-	-	-	-	✓	-	-	✓	-	-	-	-	-
CO-1 CC-2	C-LC	-	-	-	-	-	-	-	✓	-	-	-	-	-	-
CI-1 CH-1 CC-2A RDP	C-HC	-	-	-	-	-	-	-	✓	-	-	-	-	✓	-
CB-10	C-DT	-	-	-	-	-	✓	✓	-	✓	✓	-	-	-	-

Key: ✓ = Zoning District intends to accommodate the development patterns provided in a given future land use category   “ - ” = Not Applicable		Residential					Commerce					Employment/Institutional				
<b>Industrial Districts</b>																
M-1	I-LI	-	-	-	-	-	-	-	-	-	-	-	✓	-	✓	-
M-2	I-HI	-	-	-	-	-	-	-	-	-	-	-	-	-	✓	-
<b>Public and Institutional Districts</b>																
G	P-PR	-	-	-	-	-	-	-	-	-	-	-	-	✓	-	-
G EC-1	P-IE	-	-	-	-	-	-	-	-	-	-	-	-	-	-	✓
DMC	P-DM	-	-	-	-	-	-	-	-	-	-	-	✓	-	-	✓
<b>Special Districts</b>																
PD	S-PD	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

# CHAPTER 1109 - Residential Districts

## 1109.01 Agriculture (R-AG) District



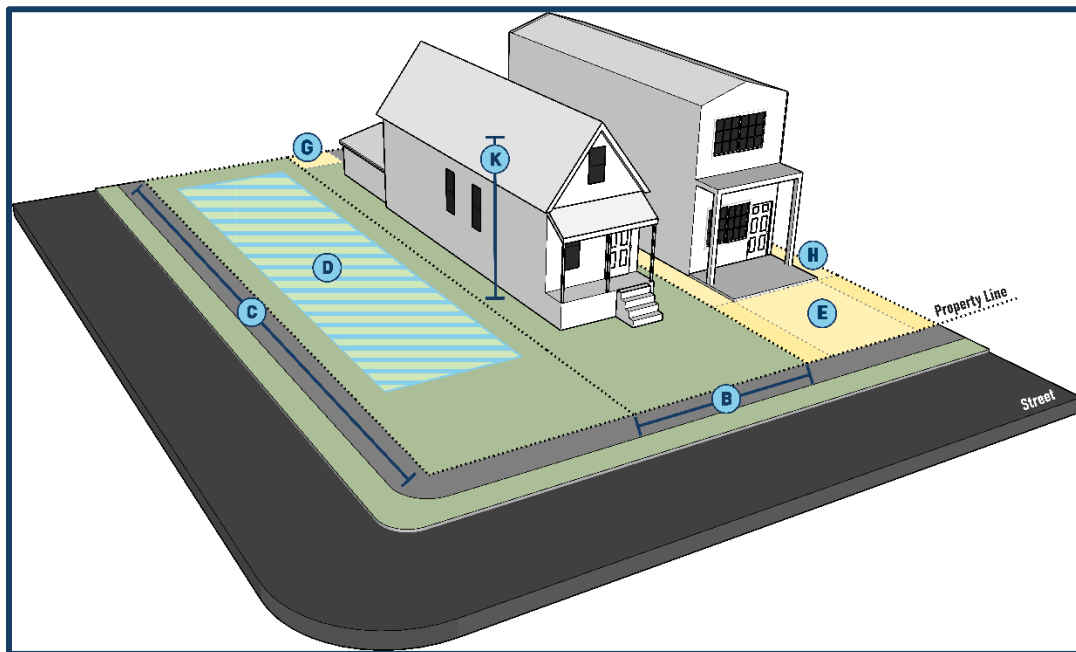
- (a) **Purpose.** The Agriculture (R-AG) district preserves large tracts of undeveloped land for agricultural pursuits and provides open space or intended managed growth areas in which agricultural uses of land continue until municipal services are provided for intensified development. This district protects agricultural areas from the encroachment of urban and suburban development. This district accommodates the characteristics of the *Rural/Agricultural* and *Park and Recreation* character areas as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Agriculture (R-AG) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Agriculture (R-AG) district shall follow the standards in Table 1109.01.1: Agriculture (R-AG) District Dimensional Standards.

*Table 1109.01.1: Agriculture (R-AG) District Dimensional Standards*

Agriculture (R-AG) District – Dimensional Standards		
<i>Lot Requirements</i>		
A	Lot Area (min.)	8 acres
B	Lot Width (min.)	300 feet
C	Lot Depth (min.)	50 feet
D	Total Lot Building Coverage (max.)	N/A
<i>Setback Requirements</i>		
E	Front (min.)	5 feet
F	Front (max.)	N/A
G	Rear (min.)	20 feet

Agriculture (R-AG) District – Dimensional Standards		
H	Side (min.)	5 feet
I	Corner Side Yard (min.)	5 feet
Building Requirements		
J	Height (min.)	N/A
K	Height (max.)	35 feet
L	Transparency	N/A
Applicable Site Development Standards		
<ul style="list-style-type: none"> <li>CHAPTER 1115 - Dimensional Regulations</li> <li>CHAPTER 1116 -</li> <li>CHAPTER 1117 - Landscaping</li> <li>CHAPTER 1118 - Site Lighting</li> <li>CHAPTER 1119 - Signs</li> </ul>		<ul style="list-style-type: none"> <li>CHAPTER 1120 - Screening and Fencing</li> <li>CHAPTER 1121 - Waste Management</li> <li>CHAPTER 1123 - Infill</li> <li>CHAPTER 1124 - Animal Regulations</li> <li>CHAPTER 1125 - Performance Standards</li> </ul>

### 1109.02 Low Density Residential (R-LD) District



(a) **Purpose.** The Low Density Residential (R-LD) district primarily accommodates low-density residential development supported by parks, open space, cultural, and educational amenities. This district accounts for the characteristics of the *Suburban Living, Low Intensity, Traditional Neighborhood, Low Intensity, and Park and Recreation* character areas as envisioned in the **Clark County Comprehensive Plan**.

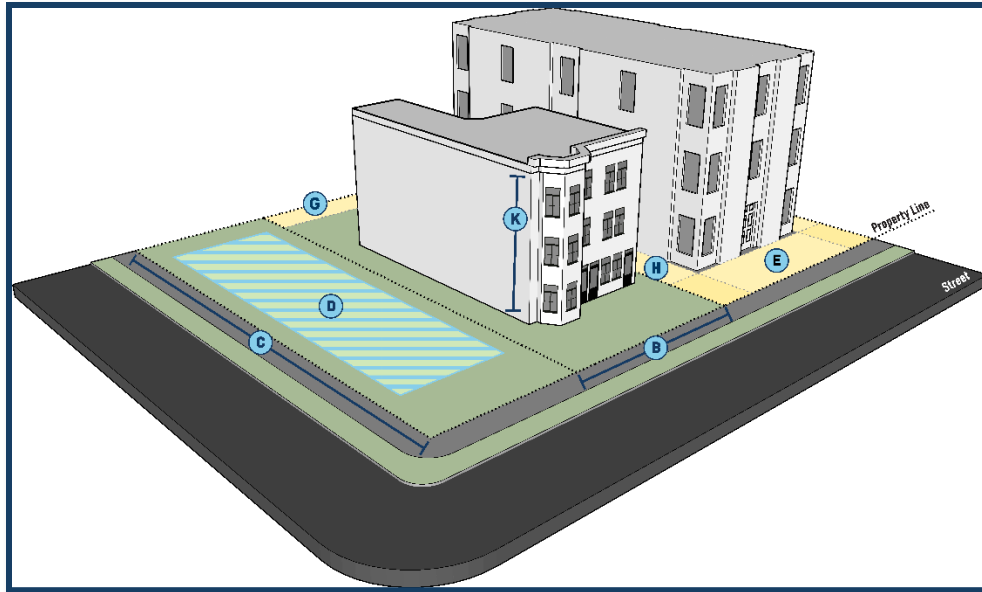
(b) **Uses.** Use allowances in the Low Density Residential (R-LD) district shall comply with those provided in Table 1104.03.1: Use Table.

(c) **Dimensional Standards.** Development in the Low Density Residential (R-LD) district shall follow the standards in Table 1109.02.1: Low Density Residential (R-LD) District Dimensional Standards.

*Table 1109.02.1: Low Density Residential (R-LD) District Dimensional Standards*

Low Density Residential (R-LD) District – Dimensional Standards				
Use/Development Type →		One-Unit Dwelling	Townhome	Two-Unit Dwelling
<i>Lot Requirements</i>				
A	Lot Area (min.)	5,000 square feet	4,000 square feet	6,000 square feet
B	Lot Width (min.)	35 feet	20 feet	45 feet
C	Lot Depth (min.)	Not to exceed 4 times the width		
D	Total Lot Building Coverage (max.)	50%	60%	60%
<i>Setback Requirements</i>				
E	Front (min.)	20 feet	15 feet	20 feet
F	Front (max.)	N/A	N/A	N/A
G	Rear (min.)	10 feet	10 feet	10 feet
H	Side (min.)	5 feet	N/A	5 feet
I	Corner Side Yard (min.)	20 feet	15 feet	20 feet
<i>Building Requirements</i>				
J	Height (min.)	N/A	N/A	N/A
K	Height (max.)	35 feet	35 feet	35 feet
L	Transparency	N/A	N/A	N/A
<i>Applicable Site Development Standards</i>				
<ul style="list-style-type: none"> <li>• CHAPTER 1115 - Dimensional Regulations</li> <li>• CHAPTER 1116 -</li> <li>• CHAPTER 1117 - Landscaping</li> <li>• CHAPTER 1118 - Site Lighting</li> <li>• CHAPTER 1119 - Signs</li> </ul>		<ul style="list-style-type: none"> <li>• CHAPTER 1120 - Screening and Fencing</li> <li>• CHAPTER 1121 - Waste Management</li> <li>• CHAPTER 1123 - Infill</li> <li>• CHAPTER 1124 - Animal Regulations</li> <li>• CHAPTER 1125 - Performance Standards</li> </ul>		

### 1109.03 High Density Residential (R-HD) District



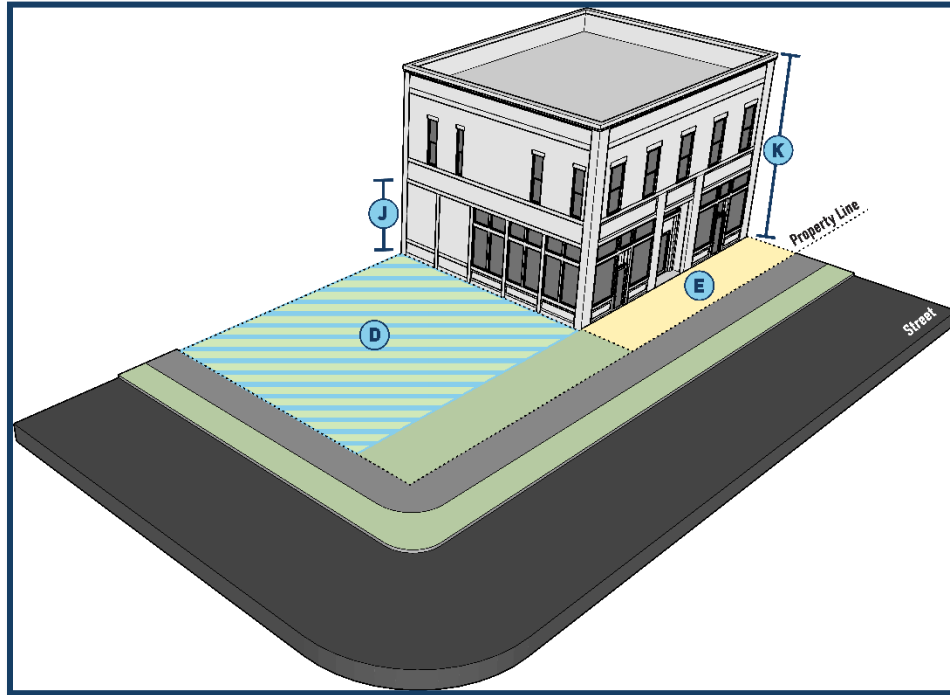
- (a) **Purpose.** The High Density Residential (R-HD) district provides for medium-to-high density residential development with a diversified range of housing choices. This district encourages “Missing Middle Housing” (MMH) and multi-family residential uses at appropriate scales, serving as a transition between low-density residential areas and nonresidential nodes. The range of housing products provided in this district should be appropriately situated ensuring development is of scale with surrounding residential areas. Medium-density residences are preferable along local and collector streets supported by parks, open space, cultural, and educational amenities, while higher-density residences are more suitable along arterial streets within close proximity to nonresidential nodes and activity areas. This district accommodates the characteristics of the *Suburban Living, High Intensity, Traditional Neighborhood, High Intensity, and Mixed Use, Low Intensity, and Mixed Use, High Intensity* character areas as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the High Density Residential (R-HD) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the High Density Residential (R-HD) district shall follow the standards in Table 1109.03.1: High Density Residential (R-HD) District Dimensional Standards.

Table 1109.03.1: High Density Residential (R-HD) District Dimensional Standards

High Density Residential (R-HD) District – Dimensional Standards						
Use/Development Type →		One & Two-Unit Dwellings	Townhome	Three & Four-Unit Dwellings	Multi-Unit Dwelling	Apartments
<i>Lot Requirements</i>						
A	Lot Area (min.)	4,000 square feet	3,000 square feet	8,000 square feet	10,000 square feet	15,000 square feet
B	Lot Width (min.)	35 feet	20 feet	45 feet	50 feet	60 feet
C	Lot Depth (min.)	Not to exceed 4 times the width				
D	Total Lot Building Coverage (max.)	60%	80%	70%	70%	80%
<i>Setback Requirements</i>						
E	Front (min.)	15 feet	15 feet	15 feet	15 feet	15 feet
F	Front (max.)	N/A	N/A	N/A	N/A	N/A
G	Rear (min.)	10 feet	10 feet	10 feet	10 feet	10 feet
H	Side (min.)	5 feet	N/A	5 feet	5 feet	10 feet
I	Corner Side Yard (min.)	15 feet	15 feet	15 feet	15 feet	15 feet
<i>Building Requirements</i>						
J	Height (min.)	N/A	N/A	N/A	N/A	N/A
K	Height (max.)	35 feet	35 feet	35 feet	35 feet	45 feet
L	Transparency	N/A	N/A	N/A	N/A	N/A
<i>Applicable Site Development Standards</i>						
<ul style="list-style-type: none"> <li>• CHAPTER 1115 - Dimensional Regulations</li> <li>• CHAPTER 1116 -</li> <li>• CHAPTER 1117 - Landscaping</li> <li>• CHAPTER 1118 - Site Lighting</li> <li>• CHAPTER 1119 - Signs</li> </ul>				<ul style="list-style-type: none"> <li>• CHAPTER 1120 - Screening and Fencing</li> <li>• CHAPTER 1121 - Waste Management</li> <li>• CHAPTER 1123 - Infill</li> <li>• CHAPTER 1124 - Animal Regulations</li> <li>• CHAPTER 1125 - Performance Standards</li> </ul>		

## CHAPTER 1110 - Commercial Districts

### 1110.01 Neighborhood Commercial (C-NC) District



- (a) **Purpose.** The Neighborhood Commercial (C-NC) district provides pedestrian-oriented and neighborhood-scale development offering small-scale retail, service, office, and entertainment needs of nearby residential neighborhoods. Stores, offices, and other businesses in this district should generally accommodate most of the neighborhood residents within walking distance or short vehicular commute. Large-scale development and high-intensity uses are not appropriate, whereas small-scale retail, service, and restaurant establishments are preferable in this district. The C-NC district may serve as a mixed-use transitional area between the C-DT district and lower density residential areas in a development pattern often found along town main streets and in neighborhood commercial areas of older cities. This district accommodates the characteristics of the *Village Center* and *Mixed Use, Low Intensity* character areas as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Neighborhood Commercial (C-NC) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Neighborhood Commercial (C-NC) district shall follow the standards in Table 1110.01.1: Neighborhood Commercial (C-NC) District Dimensional Standards.

Table 1110.01.1: Neighborhood Commercial (C-NC) District Dimensional Standards

Neighborhood Commercial (C-NC) District – Dimensional Standards		
<i>Lot Requirements</i>		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	N/A
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
<i>Setback Requirements</i>		
E	Front (min.)	20 feet
F	Front (max.)	N/A
G	Rear (min.)	N/A
H	Side (min.)	N/A
I	Corner Side Yard (min.)	20 feet
<i>Building Requirements</i>		
J	Height (min.)	15 feet
K	Height (max.)	35 feet
L	Transparency	Yes
<i>Applicable Site Development Standards</i>		
<ul style="list-style-type: none"> <li>• CHAPTER 1115 - Dimensional Regulations</li> <li>• CHAPTER 1116 -</li> <li>• CHAPTER 1117 - Landscaping</li> <li>• CHAPTER 1118 - Site Lighting</li> <li>• CHAPTER 1119 - Signs</li> </ul>	<ul style="list-style-type: none"> <li>• CHAPTER 1120 - Screening and Fencing</li> <li>• CHAPTER 1121 - Waste Management</li> <li>• CHAPTER 1123 - Infill</li> <li>• CHAPTER 1124 - Animal Regulations</li> <li>• CHAPTER 1125 - Performance Standards</li> </ul>	

### 1110.02 Light Commercial Corridor (C-LC) District

- (a) **Purpose.** The Light Commercial Corridor (C-LC) district encourages a variety of low-to-moderate intensity commercial development along high-volume corridors which serve residents and visitors on a local to citywide scale. Development in this district mostly gravitates towards those reliant on vehicular travel, although some pedestrian-oriented development patterns may be suitable on occasion. This district accommodates the characteristics of the *Commercial Center* character area as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Light Commercial Corridor (C-LC) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Light Commercial Corridor (C-LC) district shall follow the standards in Table 1110.02.1: Light Commercial Corridor (C-LC) District Dimensional Standards.

Table 1110.02.1: Light Commercial Corridor (C-LC) District Dimensional Standards

Light Commercial Corridor (C-LC) District – Dimensional Standards		
Lot Requirements		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	N/A
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
Setback Requirements		
E	Front (min.)	0 feet
F	Front (max.)	20 feet
G	Rear (min.)	10 feet
H	Side (min.)	N/A
I	Corner Side Yard (min.)	20 feet
Building Requirements		
J	Height (min.)	15 feet
K	Height (max.)	45 feet
L	Transparency	Yes
Applicable Site Development Standards		
<ul style="list-style-type: none"> <li>CHAPTER 1115 - Dimensional Regulations</li> <li>CHAPTER 1116 -</li> <li>CHAPTER 1117 - Landscaping</li> <li>CHAPTER 1118 - Site Lighting</li> <li>CHAPTER 1119 - Signs</li> </ul>	<ul style="list-style-type: none"> <li>CHAPTER 1120 - Screening and Fencing</li> <li>CHAPTER 1121 - Waste Management</li> <li>CHAPTER 1123 - Infill</li> <li>CHAPTER 1124 - Animal Regulations</li> <li>CHAPTER 1125 - Performance Standards</li> </ul>	

### 1110.03 Heavy Commercial Corridor (C-HC) District

- (a) **Purpose.** The Heavy Commercial Corridor (C-HC) district provides a variety of moderate-to-high intensity commercial development along high-volume corridors which serve residents and visitors on a citywide to regional scale. Development in this district is reliant on those traveling by vehicle. Uses and businesses whose operations are intensive and extensive characterized by outdoor display, storage, and/or sale of merchandise, may be suitable for this district. This district accommodates the characteristics of the *Commercial Center* and *Industrial* character areas as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Heavy Commercial Corridor (C-HC) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Heavy Commercial Corridor (C-HC) district shall follow the standards in Table 1110.03.1: Heavy Commercial Corridor (C-HC) District Dimensional Standards.

Table 1110.03.1: Heavy Commercial Corridor (C-HC) District Dimensional Standards

Heavy Commercial Corridor (C-HC) District – Dimensional Standards		
<i>Lot Requirements</i>		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	N/A
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
<i>Setback Requirements</i>		
E	Front (min.)	20 feet
F	Front (max.)	N/A
G	Rear (min.)	10 feet
H	Side (min.)	5 feet
I	Corner Side Yard (min.)	20 feet
<i>Building Requirements</i>		
J	Height (min.)	15 feet
K	Height (max.)	45 feet
L	Transparency	Yes
<i>Applicable Site Development Standards</i>		
<ul style="list-style-type: none"> <li>• CHAPTER 1115 - Dimensional Regulations</li> <li>• CHAPTER 1116 -</li> <li>• CHAPTER 1117 - Landscaping</li> <li>• CHAPTER 1118 - Site Lighting</li> <li>• CHAPTER 1119 - Signs</li> </ul>		<ul style="list-style-type: none"> <li>• CHAPTER 1120 - Screening and Fencing</li> <li>• CHAPTER 1121 - Waste Management</li> <li>• CHAPTER 1123 - Infill</li> <li>• CHAPTER 1124 - Animal Regulations</li> <li>• CHAPTER 1125 - Performance Standards</li> </ul>

### 1110.04 Downtown (C-DT) District

**(a) Purpose.** The Downtown (C-DT) district promotes high intensity, compact, pedestrian-oriented development focused on providing a mix of commercial, institutional, and residential uses within the City's core (Downtown) and nearby areas. Development and redevelopment within this district should be versatile enough to reduce building vacancies and abandoned lots, while increasing the availability of open spaces, plazas, and amenities. This district comprises of two mapped subdistricts - *Core* and *Edge* - which have specific use allowances and development regulations to ensure the preferred development outcomes. These two subdistricts have their own purposes, but generally these subdistricts should:

- (1) Facilitate pedestrian-oriented, mixed-use, urban infill redevelopment, providing shopping, employment, housing, and business and personal services;
- (2) Promote an efficient, compact, and walkable development pattern that encourages pedestrian activity while reducing reliance on automobiles;

- (3) Allow development flexibility in land use and site design;
  - (4) Effectively regulate downtown and its surrounding areas to create attractive and functional development outcomes as envisioned in the *Downtown Core* and *Village Center* character areas of the **Clark County Comprehensive Plan**;
  - (5) Revitalize the historic downtown and its surrounding areas while preserving Springfield’s history and heritage; and
  - (6) Enhance the significance of the City’s authentic core to residents, tourists, and visitors and serve as a support and stimulus to business and industry.
- (b) **Establishment of Subdistricts.** To achieve an appropriate location of uses, form, and scale within the C-DT district, the district shall be classified into the following subdistricts:
- (1) **Core.** The Core (C-DT-C) subdistrict preserves and enhances the existing buildings along main thoroughfares and those properties contained within the subdistrict and identified on the Zoning Map. Additionally, compatible infill and redevelopment of the area is preferred within this subdistrict. This subdistrict emphasizes pedestrian-focused and mixed-use development requiring new buildings and additions to existing buildings to be consistent with the historical form and architectural traditions of the area.
  - (2) **Edge.** The Edge (C-DT-E) subdistrict promotes compatible infill and redevelopment of the area immediately surrounding the Core (C-DT-C) subdistrict by providing a range of low-to-moderate intensity nonresidential development and varying residential transitions between the Core (C-DT-C) subdistrict and the adjacent surrounding neighborhoods. This subdistrict emphasizes small-to-medium scale development consistent with the immediate surrounding area within the subdistrict.
- (c) **Uses.** Use allowances in the Downtown (C-DT) district shall comply with those provided in Table 1104.03.1: Use Table.
- (d) **Dimensional Standards.** Development in the Downtown (C-DT) district shall follow the standards in Table 1110.04.1: Downtown (C-DT) District Dimensional Standards.

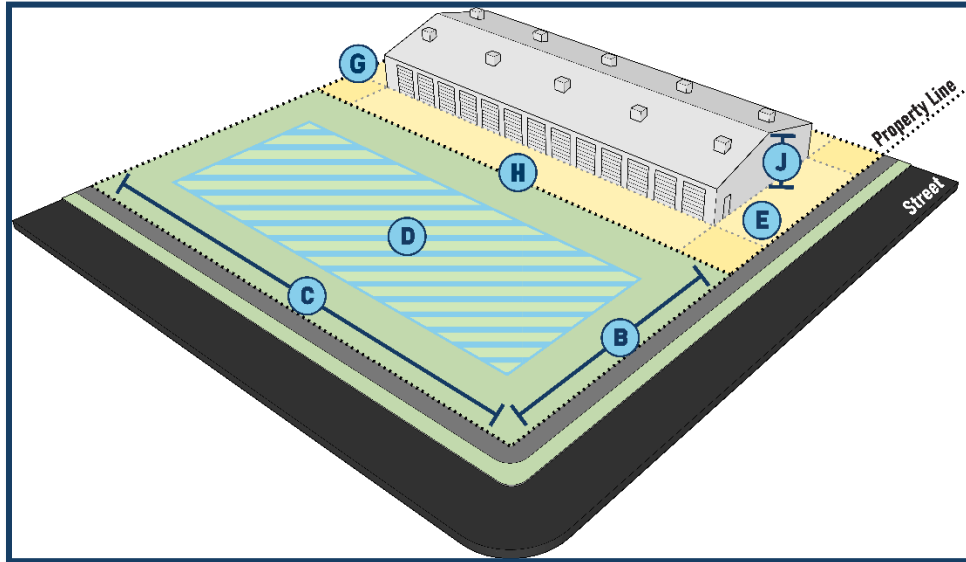
Table 1110.04.1: Downtown (C-DT) District Dimensional Standards

Downtown (C-DT) District – Dimensional Standards			
		Subdistrict	
		Core (C)	Edge (E)
<i>Lot Requirements</i>			
A	Lot Area (min.)	N/A	N/A
B	Lot Width (min.)	N/A	N/A
C	Lot Depth (min.)	N/A	N/A
D	Total Lot Building Coverage (max.)	N/A	N/A

Downtown (C-DT) District – Dimensional Standards			
		Subdistrict	
		Core (C)	Edge (E)
<i>Setback Requirements</i>			
E	Front (min.)	0 feet	5 feet
F	Front (max.)	5 feet	15 feet
G	Rear (min.)	0 feet	0 feet
H	Side (min.)	0 feet	0 feet
I	Corner Side Yard (min.)	0 feet	5 feet
<i>Building Requirements</i>			
J	Height (min.)	30 feet	30 feet
K	Height (max.)	65 feet	45 feet
L	Transparency	Yes	Yes
<i>Applicable Site Development Standards</i>			
<ul style="list-style-type: none"> <li>CHAPTER 1115 - Dimensional Regulations</li> <li>CHAPTER 1116 -</li> <li>CHAPTER 1117 - Landscaping</li> <li>CHAPTER 1118 - Site Lighting</li> <li>CHAPTER 1119 - Signs</li> <li>CHAPTER 1120 - Screening and Fencing</li> </ul>		<ul style="list-style-type: none"> <li>CHAPTER 1121 - Waste Management</li> <li>CHAPTER 1122 - Urban Design</li> <li>CHAPTER 1123 - Infill</li> <li>CHAPTER 1124 - Animal Regulations</li> <li>CHAPTER 1125 - Performance Standards</li> </ul>	

## CHAPTER 1111 - Industrial Districts

### 1111.01 Light Industrial (I-LI) District



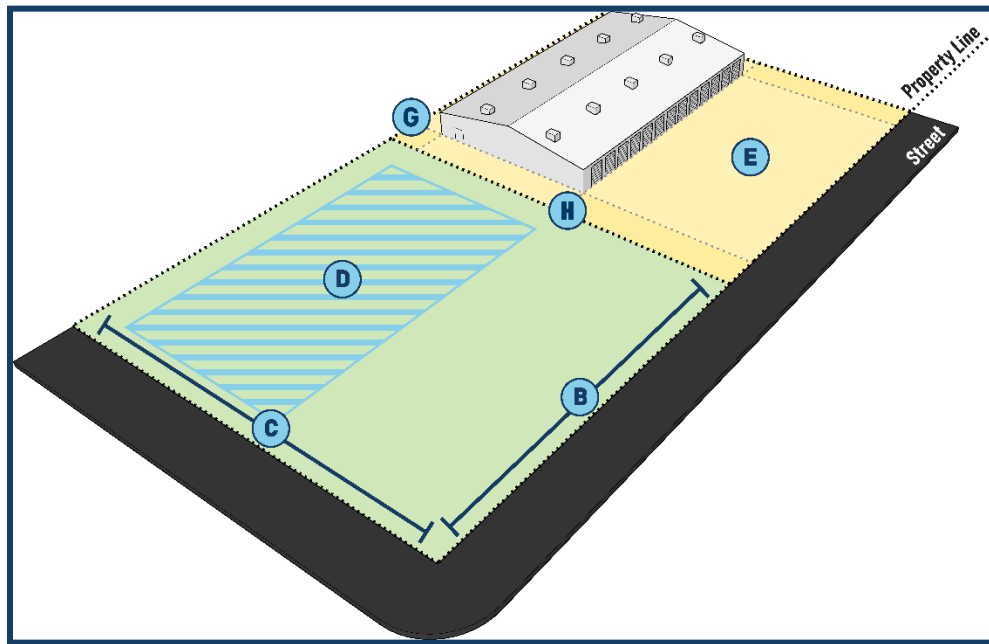
- (a) **Purpose.** The Light Industrial (I-LI) district provides for an assortment of research facilities, employment parks, and low-intensity manufacturing and industrial uses that are clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare. This district serves as a transition between heavy industrial uses and other less intensive commercial activity and residential uses. Access to this district should be directly from an arterial or collector street and not through a residential district. This district accommodates the characteristics of the *Industrial and Employment Center* character areas as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Light Industrial (I-LI) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Light Industrial (I-LI) district shall follow the standards in Table 1111.01.1: Light Industrial (I-LI) District Dimensional Standards.

Table 1111.01.1: Light Industrial (I-LI) District Dimensional Standards

Light Industrial (I-LI) District – Dimensional Standards		
Lot Requirements		
A	Lot Area (min.)	20,000 square feet
B	Lot Width (min.)	100 feet
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
Setback Requirements		
E	Front (min.)	20 feet

Light Industrial (I-LI) District – Dimensional Standards		
F	Front (max.)	N/A
G	Rear (min.)	20 feet
H	Side (min.)	20 feet
I	Corner Side Yard (min.)	20 feet
Building Requirements		
J	Height (min.)	15 feet
K	Height (max.)	45 feet
L	Transparency	No
Applicable Site Development Standards		
<ul style="list-style-type: none"> <li>CHAPTER 1115 - Dimensional Regulations</li> <li>CHAPTER 1116 -</li> <li>CHAPTER 1117 - Landscaping</li> <li>CHAPTER 1118 - Site Lighting</li> <li>CHAPTER 1119 - Signs</li> </ul>		<ul style="list-style-type: none"> <li>CHAPTER 1120 - Screening and Fencing</li> <li>CHAPTER 1121 - Waste Management</li> <li>CHAPTER 1123 - Infill</li> <li>CHAPTER 1124 - Animal Regulations</li> <li>CHAPTER 1125 - Performance Standards</li> </ul>

### 1111.02 Heavy Industrial (I-HI) District



(a) **Purpose.** The Heavy Industrial (I-HI) district provides areas for manufacturing, processing, assembling, storing, testing, and industrial uses that are extensive and intensive in character, and require large sites, open storage and service areas, extensive services and facilities, and access to major transportation networks. Development in this district is sometimes incompatible with less intensive uses because of traffic, noise, vibration, dust, glare, or emissions, and are intrusive to commercial activity and

residential areas. Access to this district should be directly from an arterial or collector street and not through a residential district. This district accommodates the characteristics of the *Industrial* character area as envisioned in the **Clark County Comprehensive Plan**.

- (b) **Uses.** Use allowances in the Heavy Industrial (I-HI) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Heavy Industrial (I-HI) district shall follow the standards in Table 1111.02.1: Heavy Industrial (I-HI) District Dimensional Standards.

*Table 1111.02.1: Heavy Industrial (I-HI) District Dimensional Standards*

Heavy Industrial (I-HI) District – Dimensional Standards		
<i>Lot Requirements</i>		
A	Lot Area (min.)	1 acre
B	Lot Width (min.)	200 feet
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
<i>Setback Requirements</i>		
E	Front (min.)	100 feet
F	Front (max.)	N/A
G	Rear (min.)	20 feet
H	Side (min.)	20 feet
I	Corner Side Yard (min.)	100 feet
<i>Building Requirements</i>		
J	Height (min.)	15 feet
K	Height (max.)	85 feet
L	Transparency	No
<i>Applicable Site Development Standards</i>		
<ul style="list-style-type: none"> <li>• CHAPTER 1115 - Dimensional Regulations</li> <li>• CHAPTER 1116 -</li> <li>• CHAPTER 1117 - Landscaping</li> <li>• CHAPTER 1118 - Site Lighting</li> <li>• CHAPTER 1119 - Signs</li> </ul>		<ul style="list-style-type: none"> <li>• CHAPTER 1120 - Screening and Fencing</li> <li>• CHAPTER 1121 - Waste Management</li> <li>• CHAPTER 1123 - Infill</li> <li>• CHAPTER 1124 - Animal Regulations</li> <li>• CHAPTER 1125 - Performance Standards</li> </ul>

## CHAPTER 1112 - Public and Institutional Districts

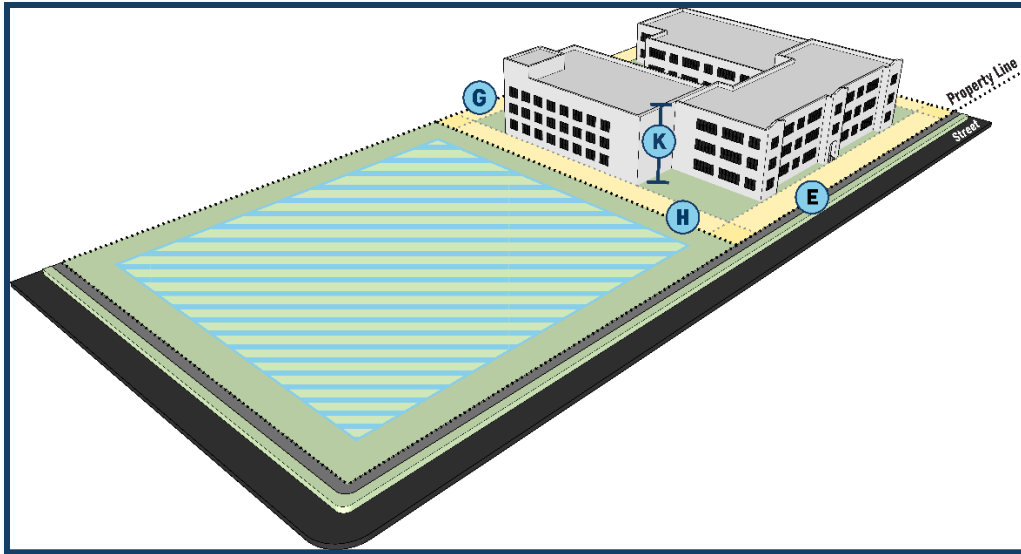
### 1112.01 Parks and Recreation (P-PR) District

- (a) **Purpose.** The Parks and Recreation (P-PR) district provides and maintains land for open space and for essential public service. This district accommodates the characteristics of the *Park and Recreation* character area as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Parks and Recreation (P-PR) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Parks and Recreation (P-PR) district shall follow the standards in Table 1112.01.1: Parks and Recreation (P-PR) District Dimensional Standards.

*Table 1112.01.1: Parks and Recreation (P-PR) District Dimensional Standards*

Parks and Recreation (P-PR) District – Dimensional Standards		
<i>Lot Requirements</i>		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	N/A
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
<i>Setback Requirements</i>		
E	Front (min.)	20 feet
F	Front (max.)	N/A
G	Rear (min.)	20 feet
H	Side (min.)	20 feet
I	Corner Side Yard (min.)	20 feet
<i>Building Requirements</i>		
J	Height (min.)	N/A
K	Height (max.)	45 feet
L	Transparency	No
<i>Applicable Site Development Standards</i>		
<ul style="list-style-type: none"> <li>• CHAPTER 1115 - Dimensional Regulations</li> <li>• CHAPTER 1116 -</li> <li>• CHAPTER 1117 - Landscaping</li> <li>• CHAPTER 1118 - Site Lighting</li> <li>• CHAPTER 1119 - Signs</li> </ul>	<ul style="list-style-type: none"> <li>• CHAPTER 1120 - Screening and Fencing</li> <li>• CHAPTER 1121 - Waste Management</li> <li>• CHAPTER 1123 - Infill</li> <li>• CHAPTER 1124 - Animal Regulations</li> <li>• CHAPTER 1125 - Performance Standards</li> </ul>	

### 1112.02 Institutional and Educational (P-IE) District



- (a) **Purpose.** The Institutional and Educational (P-IE) district provides appropriate areas for the development of educational, religious, and governmental facilities. This district accommodates the characteristics of the *Institutional Campus* character area as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Institutional and Educational (P-IE) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Institutional and Educational (P-IE) district shall follow the standards in Table 1112.02.1: Institutional and Educational (P-IE) District Dimensional Standards.

Table 1112.02.1: Institutional and Educational (P-IE) District Dimensional Standards

Institutional and Educational (P-IE) District – Dimensional Standards		
<i>Lot Requirements</i>		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	N/A
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
<i>Setback Requirements</i>		
E	Front (min.)	20 feet
F	Front (max.)	N/A
G	Rear (min.)	20 feet
H	Side (min.)	20 feet
I	Corner Side Yard (min.)	20 feet
<i>Building Requirements</i>		
J	Height (min.)	N/A
K	Height (max.)	45 feet

Institutional and Educational (P-IE) District – Dimensional Standards		
L	Transparency	No
<i>Applicable Site Development Standards</i>		
<ul style="list-style-type: none"> <li>CHAPTER 1115 - Dimensional Regulations</li> <li>CHAPTER 1116 -</li> <li>CHAPTER 1117 - Landscaping</li> <li>CHAPTER 1118 - Site Lighting</li> <li>CHAPTER 1119 - Signs</li> </ul>		<ul style="list-style-type: none"> <li>CHAPTER 1120 - Screening and Fencing</li> <li>CHAPTER 1121 - Waste Management</li> <li>CHAPTER 1123 - Infill</li> <li>CHAPTER 1124 - Animal Regulations</li> <li>CHAPTER 1125 - Performance Standards</li> </ul>

### 1112.03 Downtown Medical Campus (P-DM) District

- (a) **Purpose.** The Downtown Medical Campus (P-DM) district provides centralized medical and institutional facilities and services for Springfield residents and Clark County citizens. This district may be supported by uses and amenities that provide convenience services and goods for patients, employees, and visitors. This district accommodates the characteristics of the *Institutional Campus* and *Employment Center* character areas as envisioned in the **Clark County Comprehensive Plan**.
- (b) **Uses.** Use allowances in the Downtown Medical Campus (P-DM) district shall comply with those provided in Table 1104.03.1: Use Table.
- (c) **Dimensional Standards.** Development in the Downtown Medical Campus (P-DM) district shall follow the standards in Table 1112.03.1: Downtown Medical Campus (P-DM) District Dimensional Standards.

Table 1112.03.1: Downtown Medical Campus (P-DM) District Dimensional Standards

Downtown Medical Campus (P-DM) District – Dimensional Standards		
<i>Lot Requirements</i>		
A	Lot Area (min.)	N/A
B	Lot Width (min.)	N/A
C	Lot Depth (min.)	N/A
D	Total Lot Building Coverage (max.)	N/A
<i>Setback Requirements</i>		
E	Front (min.)	5 feet
F	Front (max.)	N/A
G	Rear (min.)	0 feet
H	Side (min.)	0 feet
I	Corner Side Yard (min.)	5 feet
<i>Building Requirements</i>		
J	Height (min.)	15 feet
K	Height (max.)	65 feet

Downtown Medical Campus (P-DM) District – Dimensional Standards		
L	Transparency	No
<i>Applicable Site Development Standards</i>		
<ul style="list-style-type: none"><li>CHAPTER 1115 - Dimensional Regulations</li><li>CHAPTER 1116 -</li><li>CHAPTER 1117 - Landscaping</li><li>CHAPTER 1118 - Site Lighting</li><li>CHAPTER 1119 - Signs</li></ul>		<ul style="list-style-type: none"><li>CHAPTER 1120 - Screening and Fencing</li><li>CHAPTER 1121 - Waste Management</li><li>CHAPTER 1123 - Infill</li><li>CHAPTER 1124 - Animal Regulations</li><li>CHAPTER 1125 - Performance Standards</li></ul>

## CHAPTER 1113 - Special Districts

### 1113.01 Planned Development (S-PD) District

(a) **Purpose.** The purpose of the Planned Development (S-PD) district is to provide for zoning and subdivision regulation of Planned Developments to allow more flexible design of single use residential, commercial, or industrial uses developments as well as allow modern integrated developments of mixed residential, commercial, industrial, recreational, or agricultural uses, with such Planned Developments regulated so as to be in substantial conformity with the Clark County Comprehensive Plan adopted by the City, with the City's Thoroughfare Plan, and with the purposes established in this Section, and so as to not have substantially adverse effects on neighboring areas which outweigh the benefits to the community derived from the Planned Development. In addition, the regulation of Planned Developments under this Section is intended to further the following purposes:

- (1) To provide flexibility in architectural design, placement, and clustering of buildings, use of open space, provision of traffic circulation facilities and parking, and related site development considerations;
- (2) To provide for the preservation and best use of existing landscape features and environment characteristics through development sensitive to and protective of the natural features of the PD district and the surrounding area in a harmonious fashion;
- (3) To promote efficient land use with smaller networks of utilities and streets;
- (4) To provide a more flexible zoning mechanism to facilitate redeveloping older residential areas and to encourage infill development;
- (5) To enable the creation of a more desirable environment than would be possible through the application of the regulations in the City's conventional zoning districts;
- (6) To provide a comprehensive planning process and an integrated body of regulation for zoning and subdivision control of each Planned Development;
- (7) To provide for more usable and suitably located recreation facilities, open spaces, and other public, private, and common amenities than would otherwise be provided under conventional land use development regulation;
- (8) To combine and coordinate architectural styles, building forms, and building relationships within Planned Developments;
- (9) To provide for appropriate land covenants, easements, and financial assurances and securities to ensure completion of public improvements, completion of construction of Planned Development phases, long term maintenance of common areas and other amenities in Planned Developments, long term maintenance and preservation of

- Planned Development features intended to mitigate adverse effects on neighboring areas and areas within the Planned Development and preservation of the attributes of the Planned Development necessary to integration of the uses permitted therein;
- (10) To provide for the integration of diverse uses in a manner that will allow the uses to complement each other and that will promote convenience of access to various uses by the community within and near the Planned Development;
  - (11) To provide aesthetically pleasing development which will foster a livable environment in the Springfield community and which will promote the public welfare;
  - (12) To provide a flexibility in zoning and subdivision regulation that will incentivize developers to opt for pursuing a planned development subject to more comprehensive municipal regulation, even though the developer may incur increased early development costs associated with undertaking the PD district planning process.
- (b) **Uses.** Uses for each separate Planned Development (PD) District shall be established in the ordinance granting the Planned Development (PD) District.
- (c) **Dimensional Standards.** A Planned Development (PD) District requires a minimum of 5 contiguous acres.
- (d) **Special Regulations**
- (1) Dimensional and development standards for each separate Planned Development (PD) District shall be established in the ordinance granting the Planned Development (PD) District and may include but shall not be limited to uses, density, lot area, lot width, lot depth, yard depths and widths, building height, building elevations, coverage, floor area ratio, parking, access, screening, landscaping, accessory buildings, signs, lighting, management associations, and other requirements as the City Commission may deem appropriate.
  - (2) The Planned Development (PD) District shall conform to all other sections of the ordinance and this Zoning Code unless specifically exempted in the granting ordinance.

# TITLE FOUR - SITE DEVELOPMENT STANDARDS

## CHAPTER 1114 - General Provisions

### 1114.01 Purpose

This Title establishes uniform standards for the development and improvement of property throughout Springfield to ensure quality development that is consistent with the Clark County Comprehensive Plan.

### 1114.02 Organization

This Title is organized into the following chapters for each development standard as summarized in Table 1114.02.1: Development Standards Overview. Specific regulations and standards apply as provided in this Title.

*Table 1114.02.1: Development Standards Overview*

Development Standard	Location	Summary
Dimensional Regulations	CHAPTER 1115 -	Addresses the various yards, setbacks, and dimensional requirements that apply to a lot or development
Parking and Loading	CHAPTER 1116 -	Provides for when parking and loading is required and how a site manages parking and loading accommodations
Landscaping	CHAPTER 1117 -	Regulates the necessary landscaping requirements to improve the development aesthetic and maintain the City's natural feel
Site Lighting	CHAPTER 1118 -	Regulates site lighting to minimize light pollution while balancing the desire for safely lit properties
Signs	CHAPTER 1119 -	Regulates the various sign types and prescribes allowances based on zoning districts
Screening and Fencing	CHAPTER 1120 -	Provides regulations where more intensive development needs to buffer from less intensive development. It also accounts for those instances where fencing may be applied to protect privacy.
Waste Management	CHAPTER 1121 -	Provides requirements for on-site waste management facilities to improve the development aesthetic and mitigate potential nuisance complaints
Urban Design	CHAPTER 1122 -	Provides a set of design requirements to retain and produce attractive Downtown development

Development Standard	Location	Summary
Infill	CHAPTER 1123 -	Addresses instances where redevelopment is to occur on previously developed lots
Animal Regulations	CHAPTER 1124 -	Provides flexible regulations that accounts for the safekeeping of various non-household animals on a lot
Performance Standards	CHAPTER 1125 -	Mitigates a development's potential to create public nuisances (smoke, odor, dust, noise, etc.)

### 1114.03 Applicability

- (a) This Title applies to all new development, expansions, and redevelopment within the city limits of Springfield unless otherwise specified. Each chapter in this Title establishes when a particular standard applies.
- (b) Each application for a development plan, site plan, zoning certificate, building permit, certificate of occupancy, conditional use permit, or other application shall include information as to the location, dimensions, and provision of the applicable standards provided in this Title.
- (c) Any development located within the flood plain shall comply with the City's flood plain regulations as provided in [CHAPTER 1329](#) of the Codified Ordinances.

### 1114.04 General Measurement Rules

- (a) Standards for Rounding
  - (1) When a measurement results in a fractional number, any fraction less than one-half shall be rounded down to the next whole number. Any fraction of one-half or greater shall be rounded up to the next higher whole number.
  - (2) When a calculation or measurement results in a fractional percentage, any percentage ending between .0 and .5 shall be rounded down to the next lower whole number. Any percentage ending in .5 or greater shall be rounded up to the next higher whole number.
- (b) **Distance Measurements.** Unless otherwise expressly stated, all distances specified in this Zoning Code are to be measured as the length of an imaginary straight line joining those points.
- (c) **Separation Measurements.** Where a minimum separation is required or provided between a given use or lot and a separate use, lot, or district, such separation shall be measured as the shortest distance between the lot line associated with the given use or lot and the nearest point of the separate lot or district, as required, without regard to intervening buildings.

## 1114.05 Alternative Compliance

Any development may inquire about alternative compliance to allow for development flexibility. Alternative compliance requests shall follow the requirements provided in Section 1130.01 .

# CHAPTER 1115 - Dimensional Regulations

## 1115.01 Purpose

The purpose of this Chapter is to establish clear guidelines for measuring and applying required lots, yards, setbacks, height, and other dimensional features.

## 1115.02 Applicability

This Chapter applies to any lot, yard, setback, or height required by this Zoning Code within Springfield city limits.

## 1115.03 Standards

### (a) Number of Buildings per Lot

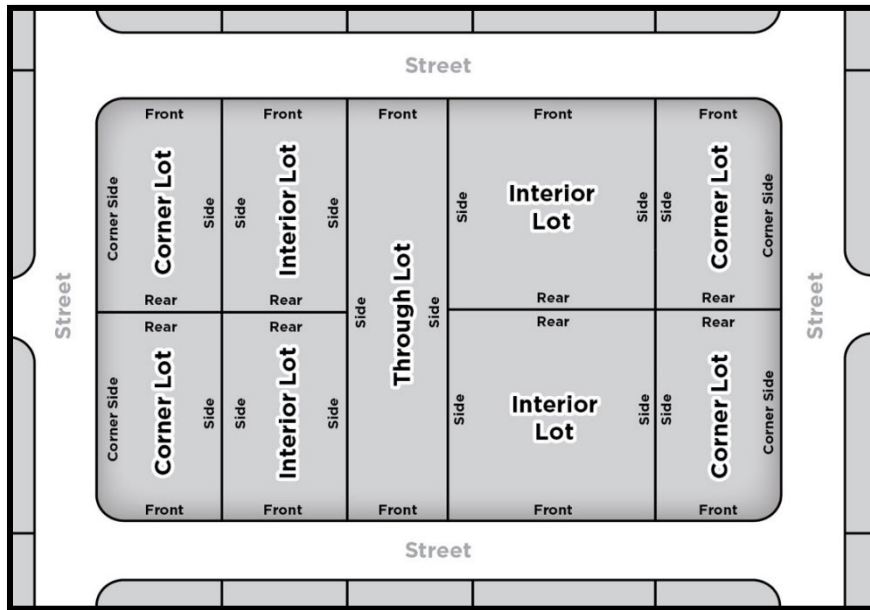
- (1) **Residential Uses.** Only one principal building for one-unit, two-unit, three-unit, four-unit, or multi-unit dwellings with permitted accessory buildings is allowed on a lot, unless specified otherwise in this Zoning Code.
- (2) **Nonresidential and All Other Uses.** Where a lot is used for townhomes, courtyard and conventional apartments, nonresidential uses, or a combination of those uses, more than one principal building may be located upon the lot, but only when conforming to all applicable requirements to those uses and the zoning district in which it is located, unless specified otherwise in this Zoning Code.

### (b) Yards and Setbacks

- (1) Generally
  - A. Every part of a required yard shall be unoccupied and unobstructed by any portion of a structure from the ground upward, except as provided below.
  - B. In measuring a setback, the shortest distance between a lot line and the building applies.
  - C. All yards abutting a street are measured from the nearest edge of the right-of-way, or from the lot line, whichever provides the greater setback.

- D. Required yard means that portion of any yard constituting the minimum area required in any zoning district, but excluding that portion of the yard in excess of the minimum required area.
- E. This Zoning Code’s required lots, yards, and setbacks are summarized in Figure 1115.03.1: Lots, Yards, and Setbacks Summary.

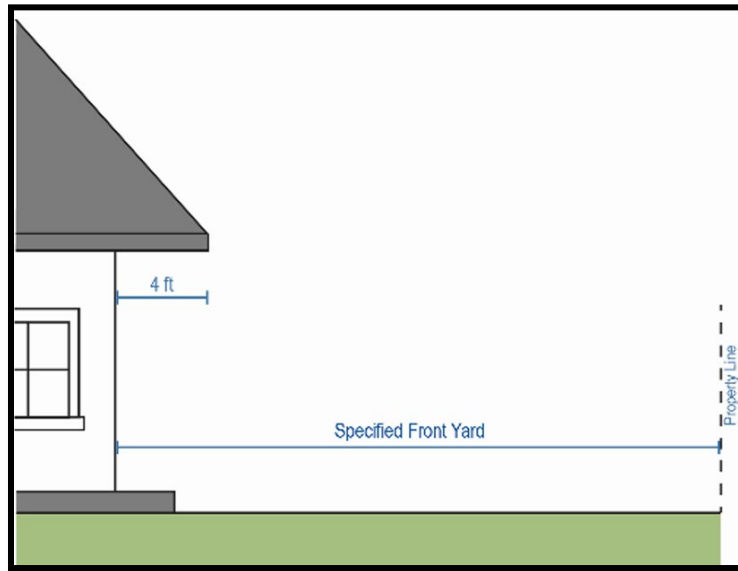
Figure 1115.03.1: Lots, Yards, and Setbacks Summary



(2) Front Yard Regulations

- A. The front yard shall be open and unobstructed. Eaves and roof extensions or a porch may project into the required front yard for a distance not to exceed four feet (see Figure 1115.03.2: Front Yard Projection).

Figure 1115.03.2: Front Yard Projection



- B. Where a building line has been established by an approved plat that deviates from the setback that is prescribed by this Zoning Code, the required front yard shall comply with the building line established by that plat.

**(3) Side Yard Regulations**

- A. Every part of a required side yard shall be open and unobstructed except for the ordinary projections of window sills, belt courses, cornices, and other architectural features projecting not to exceed one (1) foot into the required side yard and roof eaves projecting not to exceed four (4) feet into the required side yard. A fence (in accordance with Section 1120.04 ) may be constructed on the property line adjacent to a side yard.
- B. Where a side property line divides a nonresidential district from a residential district, a minimum ten (10) foot side yard is required for the nonresidential lot side adjacent to that residential district.

- (4) Rear Yard Regulations.** Every part of a required rear yard shall be open and unobstructed except for permitted accessory buildings and the ordinary projections of window sills, belt courses, cornices, roof overhangs, and other architectural features projecting not to exceed four feet into the required rear yard. A fence (in accordance with Section 1120.04 ) may be constructed on the property line adjacent to a rear yard.

**(c) Lot Standards**

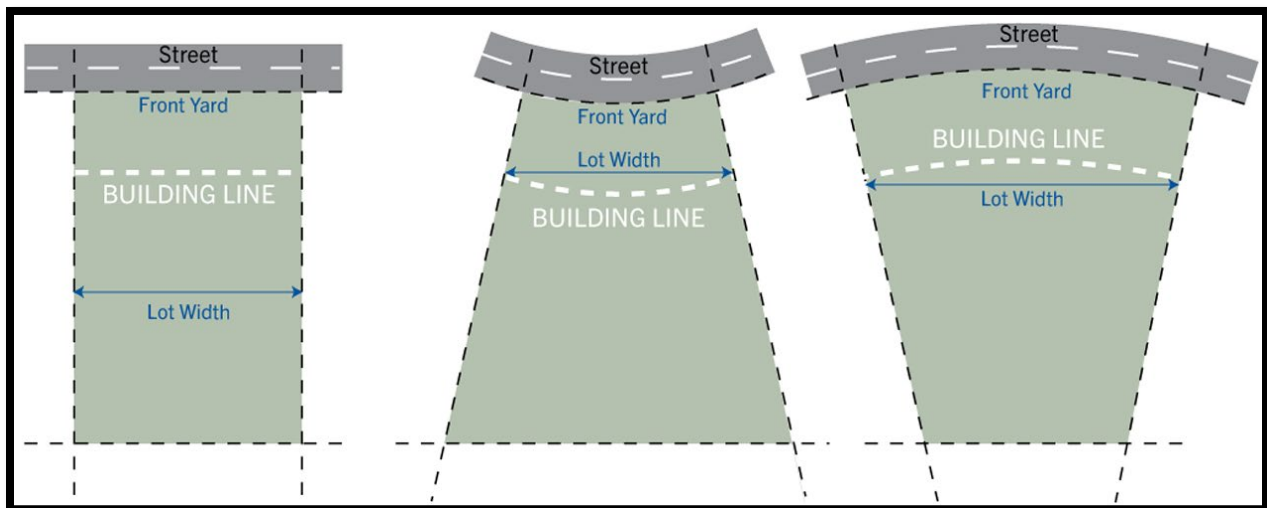
**(1) Lot Area**

- A. No lot shall be created or reduced in area, width, or depth below the minimum requirements established in TITLE Three - District Standards.
- B. A lot that was legally created prior to the adoption of this Zoning Code may be redeveloped, but any deviations from the standards provided in this Zoning Code may utilize the infill standards in this Title or shall require a variance.
- C. The total space required for a lot is calculated by multiplying the lot's depth by it's width.

**(2) Lot Width**

- A. Lot width is the distance parallel to the front property line, measured at the front setback line.
- B. Lot width on a curving front line means the distance parallel to the tangent of the front property line at the building setback line.
- C. The lot width and the lot frontage may have different lengths on an irregularly shaped lot as they are measured at different points on the lot.
- D. Refer to Figure 1115.03.3: Lot Width Summary to clarify lot width measurements.

*Figure 1115.03.3: Lot Width Summary*



- (3) Lot Depth.** Lot depth is the distance measured from the front property line to the rear property line.

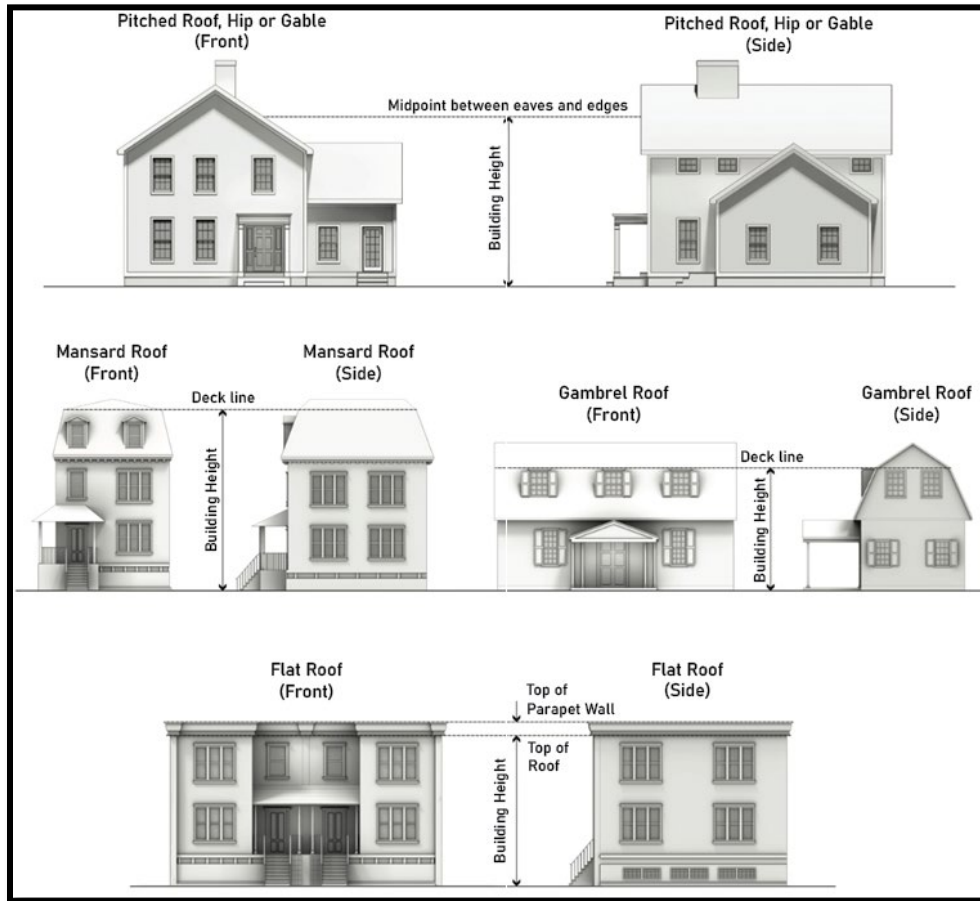
**(4) Total Lot Building Coverage**

- A. Total lot building coverage is the percentage of the lot that is occupied by the ground area of a building and its accessory buildings.
- B. Fences, walls, and gates are not included when calculating total lot building coverage.

(d) Building Height

- (1) Maximum building height is measured as the vertical distance from street grade to (see Figure 1115.03.4: Building Height Summary):
  - A. The top of a flat roof, including structures designed with a decorative mansard roof concealing a flat roof.
  - B. The deck line of a mansard or gambrel roof.
  - C. The midpoint height between the eaves and the ridge in the case of a pitched roof.
  - D. Any dormers that extend past the roofline cannot exceed the maximum building height permitted in the district, as measured from the adjacent average grade, or its equivalent, to the top of the dormer.
- (2) For the purposes of building height measurement, roof types are defined as follows:
  - A. **Flat Roof.** A roof that is not pitched and where the surface of the roof is generally parallel to the ground. A mono-pitched roof, also called a shed roof, is a single-sloping roof surface, and is also considered a flat roof.
  - B. **Mansard or Gambrel Roof.** A two-sided roof with two slopes on each side. The upper slope is positioned at a shallow angle, while the lower slope is steep. A gambrel roof has vertical gable ends, while a mansard roof is hipped at the four corners of the building.
  - C. **Pitched Roof.** A gable or hip roof having a slope or pitch of at least one foot rise for each four feet of horizontal distance in the direction of the slope or pitch of the roof. A hipped roof is sloped in two pairs of directions compared to the one pair of direction for a gable roof.

Figure 1115.03.4: Building Height Summary



**(3) Exempt Buildings from Maximum Height Requirements**

- A. Public and semipublic or public service buildings, when permitted in a district, may be erected to a height not to exceed 60 feet.
- B. Churches, temples, mosques, and similar places of religious assembly may be erected to a height not to exceed 75 feet if the building is set back from each lot line at least one foot for each foot of additional building height above the height limit otherwise provided in the district in which the building is built.

**(4) Exempt Elements from Maximum Height Requirements.** Except as specifically stated in other parts of this Zoning Code, no building shall be erected, converted, enlarged, reconstructed, or structurally altered to exceed the maximum allowed height hereinafter established for the district in which the building is located, except that the following elements may be constructed above such height limits:

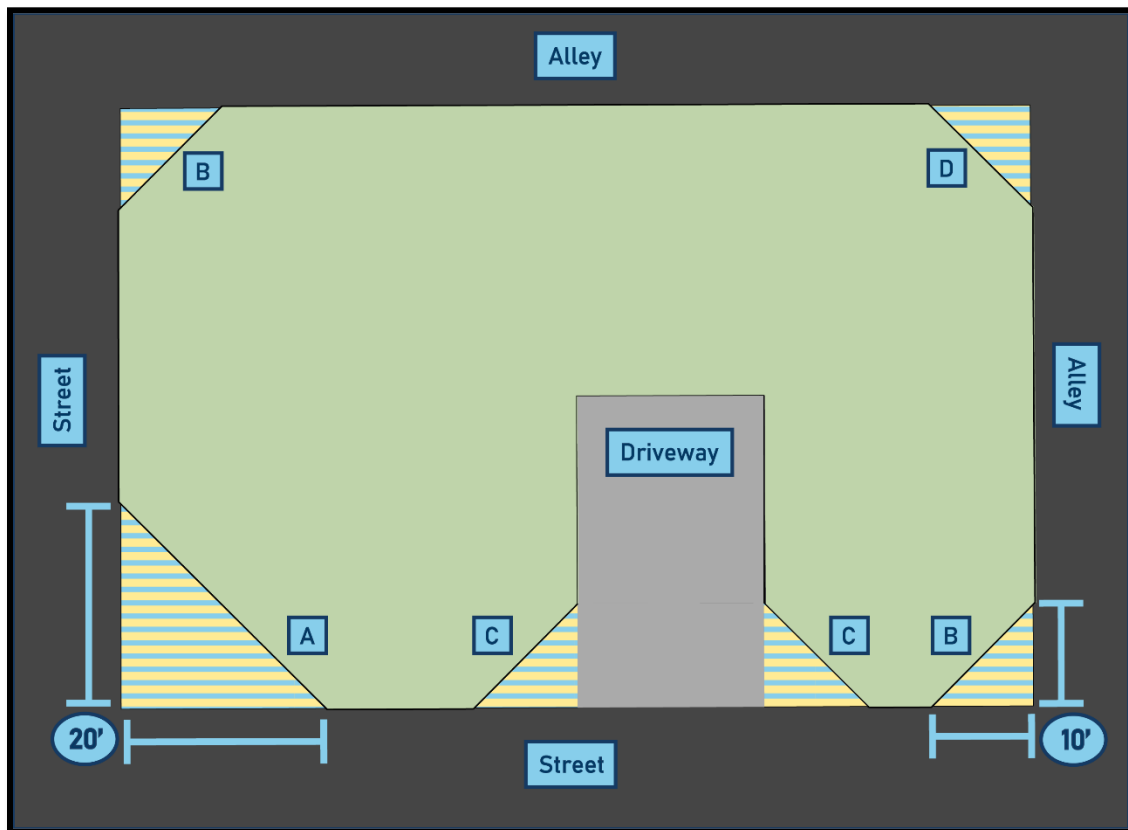
- A. Penthouse or roof buildings for the housing of elevators, stairways, tanks, ventilating fans, or similar equipment required to operate and maintain the building;

- B. Fire or parapet walls;
  - C. Skylights, towers, steeples, and stage/screen lofts;
  - D. Flag poles, chimneys, and smokestacks;
  - E. Radio and television aerials;
  - F. Water tanks and similar structures.
- (e) Sight Visibility
- (1) Generally
    - A. These provisions apply to all new development or proposed expansions into the sight visibility triangle. However, these provisions do not apply to or otherwise interfere with:
      - i. The placement and maintenance of traffic control devices under governmental authority and control and public utilities;
      - ii. Existing screening and fencing requirements; and
      - iii. Existing and future City, state, and federal regulations.
    - B. Obstructions are prohibited at elevations 2.5 feet above the average street grade within the sight visibility triangle. Prohibited obstructions include any fence, wall, screen, billboard, sign, structure, landscaping, or any other object.
    - C. At intersections where streets do not intersect at or near right angles, the Community Development Director shall have the authority to increase the minimum sight distances required above as they deem necessary to provide safety for both vehicular and pedestrian traffic.
  - (2) **Street Intersections.** At intersections where streets intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the two curb lines from their point of intersection 20 feet along the curb and connecting these points with an imaginary line, creating a triangle (see label A in Figure 1115.03.5: Sight Visibility Triangles).
  - (3) **Street and Alley Intersections.** At intersections where a street and alley intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the street curb and alley lines from their point of intersection 10 feet along the curb and alley line, connecting these points with an imaginary line, creating a triangle (see label B in Figure 1115.03.5: Sight Visibility Triangles).
  - (4) **Street and Driveway Intersections.** At intersections where a street and driveway intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the point of the driveway's entry 10 feet along the street's curb and

driveway entry point, connecting these points with an imaginary line, creating a triangle (see label C in Figure 1115.03.5: Sight Visibility Triangles).

- (5) **Alley Intersections.** At intersections where alleys intersect at or near right angles, the sight visibility triangle shall be the area formed by extending the two alley lines from their point of intersection 10 feet along the alley lines, connecting these points with an imaginary line, creating a triangle (see label D in Figure 1115.03.5: Sight Visibility Triangles).

Figure 1115.03.5: Sight Visibility Triangles



## CHAPTER 1116 - Parking and Loading

### 1116.01 Purpose

The purposes of this Chapter are to:

- (a) Ensure that adequate off-street parking is provided for new land uses and changes in use;
- (b) Minimize the negative environmental and development design impacts that can result from excessive parking, driveways, and drive aisles within parking areas;

- (c) Establish standards and regulations for safe and well-designed parking and vehicle circulation areas that minimize conflicts between pedestrians and vehicles within parking areas and surrounding land uses;
- (d) Regulate off-street parking and specify the requirements for residential off-street parking as they pertain to the appearance and the health, safety, and welfare of the City;
- (e) Offer flexible means of minimizing the amount of area devoted to vehicle parking by allowing reductions in the number of required spaces in context-sensitive locations;
- (f) Ensure compliance with provisions of the Americans with Disabilities Act (ADA);
- (g) Minimize the visual impact of off-street parking areas; and
- (h) Ensure that adequate off-street bicycle parking facilities are provided in walkable areas and promote parking that offers safe and attractive pedestrian routes.

### 1116.02 Applicability

- (a) Any new building, structure, use, redeveloped site, or enlarged or expanded existing building or use, must meet this Chapter's requirements.
- (b) Developments that require permanent parking may provide parking spaces in a structure or on a hard-paved surface area.
- (c) When a change in intensity of use of any building, structure, or area may allow for an increase in on-site parking, any increment of additional required parking shall comply with the maximum parking ratios provided in accordance with this Chapter unless an adjustment is permitted in Section 1116.05 .

### 1116.03 General Requirements

- (a) Compliance Required
  - (1) **ADA Compliance.** All ADA parking spaces and related ADA accessibility features are required to be installed in accordance with the current edition of the ADA Standards for Accessible Design (the "ADA Standards") as published by the Department of Justice. Where discrepancies exist between this Zoning Code and the ADA Standards, the ADA Standards shall apply. All required parking shall meet the ADA Standards.
  - (2) No building shall be erected and no existing building shall be moved onto another lot unless the requirements for off-street parking and off street loading spaces are fulfilled. No existing building shall be altered or added to and no change shall be made in the use of a building or premises that will increase the number of parking spaces needed for the occupants, employees, patrons, client, or guests, by exceeding the maximum parking ratios as provided in this Chapter.

- (3) Any required parking spaces for a building or use that are provided on adjacent land, where such arrangement is permitted under this Zoning Code, shall be allocated to the exclusive use of such building or premises during its normal hours of activity or operation and the right to such exclusive use shall be officially recorded as a limitation upon such adjacent land, such limitation to continue in effect as long as the requirement under this Zoning Code exists.
- (b) **Maximum Parking Ratios.** Required parking shall be provided within the maximum off-street parking ratios as established in Table 1104.03.1: Use Table.
- (c) **Increased Maximum Parking.** No existing or proposed parking shall be increased unless otherwise specified in this Chapter. Increases in parking spaces may be permitted by the Board of Zoning Appeals if:
  - (1) The need is clearly demonstrated to the satisfaction of the Board of Zoning Appeals; and
  - (2) The probabilities of future changes in occupancy or attendance and the effects of parking and loading are mitigated.

#### 1116.04 Parking Measurements

- (a) Generally
  - (1) **Fraction of a Space.** When the calculation of the number of required parking spaces results in a requirement of a fractional space, the closest whole number applies. If the fractional amount is less than one half (1/2), the next lowest whole number applies.
  - (2) **Square Footage (Floor Area).** The gross building square footage.
- (b) **Parking Specific Metrics.** Table 1116.04.1: Interpretation of Parking Metrics summarizes the various parking metrics used to determine required parking.

*Table 1116.04.1: Interpretation of Parking Metrics*

Metric	Example	Interpretation
Square Footage (Floor Area)	1:1,000 SF	1 parking space for each 1,000 square feet of the building's floor area (excluding bathrooms)
Dwelling Unit	1:DU	1 parking space for each dwelling unit
Bedroom Unit	0.5:1 BRU + 1.5:2 BRU	0.5 parking spaces for each single bedroom apartment unit plus 1.5 parking spaces for each two bedroom apartment unit
Bedroom(s)/Guestroom(s)	1 + (0.75) bedrooms	1 parking space plus the number of parking spaces from calculating 0.75 times all bedrooms
Acres	1:5 acres	1 parking space for every 5 acres
Site	5:site	5 parking spaces for the entire site
Bay	1:bay	1 parking space for every bay

Metric	Example	Interpretation
Pump	1:2 pumps	1 parking space for every 2 pumps

### 1116.05 Adjustments and Reductions to Required Parking

The following situations may count towards the maximum parking requirements:

**(a) Availability of Public Parking**

- (1) If a supply of public parking exists within the maximum walking distance, as specified below, and is sufficient to meet the demands of a use, then up to 50% of the public spaces provided may count towards the proposed use's maximum parking requirement.
- (2) The maximum walking distance is five hundred (500) feet from the proposed use.

**(b) On-street Parking**

- (1) On-street parking consists of parking spaces located within the public right-of-way.
- (2) Each parking space that is in a public right-of-way abutting the lot may count as a required parking space for the purpose of meeting the requirements in Table 1104.03.1: Use Table.
- (3) Each parking space must be on a hard-paved area abutting or within the public right-of-way. If it is in a public right-of-way, then it shall not prohibit or limit access for emergency service vehicles as required by the Fire Marshal.

**(c) Shared Parking.** For any development containing a mix of uses or where an off-site parking agreement is proposed, and where individual uses operate or have a parking demand at different peak periods, a shared parking arrangement may be permitted and count towards the allowed maximum parking requirements.

### 1116.06 Parking Design

**(a) Generally.** All parking and stacking spaces, driveways, and aisles shall be constructed of:

- (1) Asphalt;
- (2) Concrete;
- (3) Brick/Block (Permeable) Pavers;
- (4) Grass Pavers/Porous Pavement; or
- (5) Pervious Concrete.

**(b) Location**

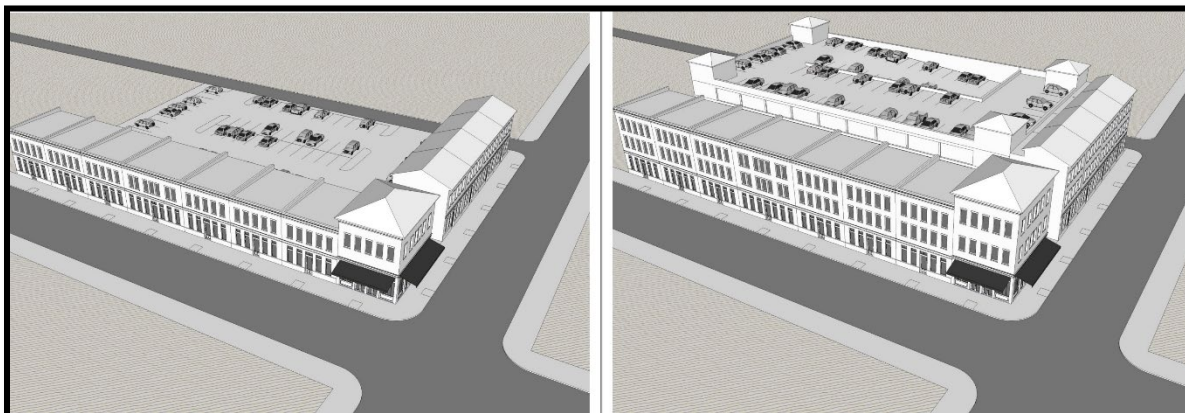
- (1) All required parking spaces shall be located on the same lot as the principal building, structure, or use; however, required parking spaces may be located on an adjacent lot not further than 1,500 feet from the subject property boundary. Such off-site parking arrangement may be approved by the Planning Board and shall be recorded against the land of both the subject lot and lot providing the required parking spaces.
- (2) Where off-street parking (on-site parking) is required, parking may be located as provided in Table 1116.06.1: District-Specific On-Site Parking Location.

Table 1116.06.1: District-Specific On-Site Parking Location

On-Site Location	Residential			Commercial					Industrial		Public and Institutional		
	R-AG	R-LD	R-HD	C-NC	C-LC	C-HC	C-DT		I-LI	I-HI	P-PR	P-IE	P-DM
							C	E					
Front	✓	✓	✓	✓	✓	✓	✗	✗	✓	✓	✓	✓	✓
Rear	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Side	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

- (3) Where parking is provided within a principal building, any parking located at the first story of the building shall be located behind the floor area measuring at least thirty (30) feet in depth along the street line.
- (4) Where parking in the rear of a nonresidential lot or development is provided, parking shall be completely obscured from street view except where a parking garage is provided. A parking garage may extend above the roofline of the building in which it is attached. Figure 1116.06.1: Nonresidential Rear Parking shows examples of rear surface parking (left graphic) and garage parking (right graphic).

Figure 1116.06.1: Nonresidential Rear Parking



(c) Configuration

(1) Nonresidential Development Parking

A. Construction

- i. All areas, spaces, driveways, and aisles associated with parking shall be configured as provided in Table 1116.06.2: Parking Area Configuration.

*Table 1116.06.2: Parking Area Configuration*

Parking Angle → Requirement (ft) ↓	90°	60°	45°	30°	0°
Width Parallel to Aisle	9	11.4	12.7	17.6	24
Length at 90	18	20	19	15.5	9
Minimum One-Way Aisle Width	24	18	13	12	14
Minimum Two-Way Aisle Width	24	22	22	22	22
<i>Module Width Parallel to:</i>					
Single Row Parking	42	38	32	27.5	23
Double Row Parking	60	58	51	43	32
Double Row Parking with Single Interlock	N/A	56	47.5	39.6	N/A
Double Row Parking with Double Interlock	N/A	54	43.5	36.2	N/A

- ii. All parking spaces shall be connected to an aisle, which shall have the minimum width indicated in Table 1116.06.2: Parking Area Configuration.
- iii. When different parking space configurations abut the same aisle, the greatest aisle width shown in Table 1116.06.2: Parking Area Configuration shall be provided.
- iv. Parking spaces shall be designed to permit ingress and egress of a vehicle to and from a parking space without moving any other vehicle occupying a parking space except for residential uses.
- v. No parking area shall be so designed in such a manner that exiting a parking space would require backing into a street or alley.
- vi. Parking areas with spaces along lot lines and alleys shall be provided with car stops or curbing so no part of a parked vehicle can extend beyond a lot line or into an alley.
- vii. In parking areas, all parking and stacking spaces, driveways and aisles shall be pitched or curbed and drained in such a manner as to prevent the flow of excess water from such areas onto adjoining property or into streets and alleys which do not have adequate drainage facilities. The adequacy of drainage facilities as well as compliance with the stormwater regulations of

CHAPTER 961 of the Codified Ordinances of Springfield, Ohio, shall be determined by the City Engineer.

- viii. In all parking areas, parking spaces shall be visibly delineated on the surface by painted or marked stripes.
- ix. If two or more parking areas are connected by a driveway, the parking areas shall be designed so that an aisle connected to more than 12 parking spaces is not used as a drive-in providing access to another parking area.
- x. When the number of parking spaces provided exceeds 50, the developer shall permanently retain onsite the first quarter (1/4) inch of every storm event.

**B. Landscaping and Screening**

- i. Landscaping and screening may apply for certain parking arrangements.
- ii. When required landscaping applies, it shall comply with those requirements provided in Section.
- iii. When required screening applies, it shall comply with those requirements provided in Section 1120.03.

**C. Other Standards.** Any required off-street parking area other than for dwellings shall comply with the following conditions:

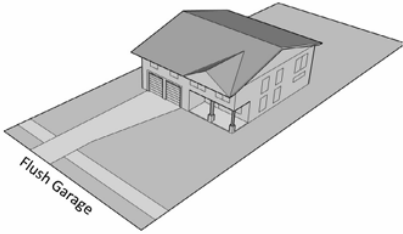
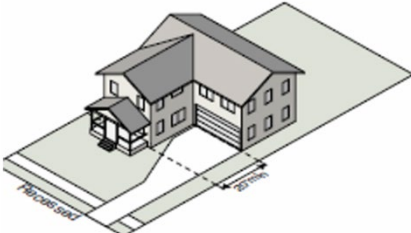
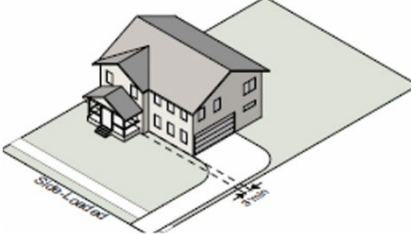
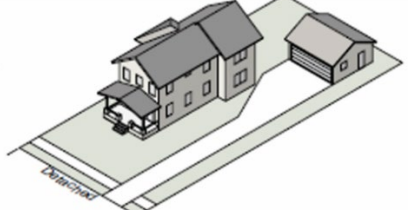
- i. The driveways and parking spaces are smoothly graded on a hard-paved surface and adequately drained;
- ii. Surface waters are not permitted to discharge over or onto public sidewalks or roadways or onto other premises;
- iii. Any associated lighting is directed away from adjacent residential areas and so arranged to prevent light pollution; and
- iv. Any parking areas using lighting may be lit one hour before and after the development's operational hours.


**(2) Residential Parking**

**A. Construction**

- i. Residential parking may be constructed and configured as provided in Table 1116.06.3: Residential Parking Configurations.

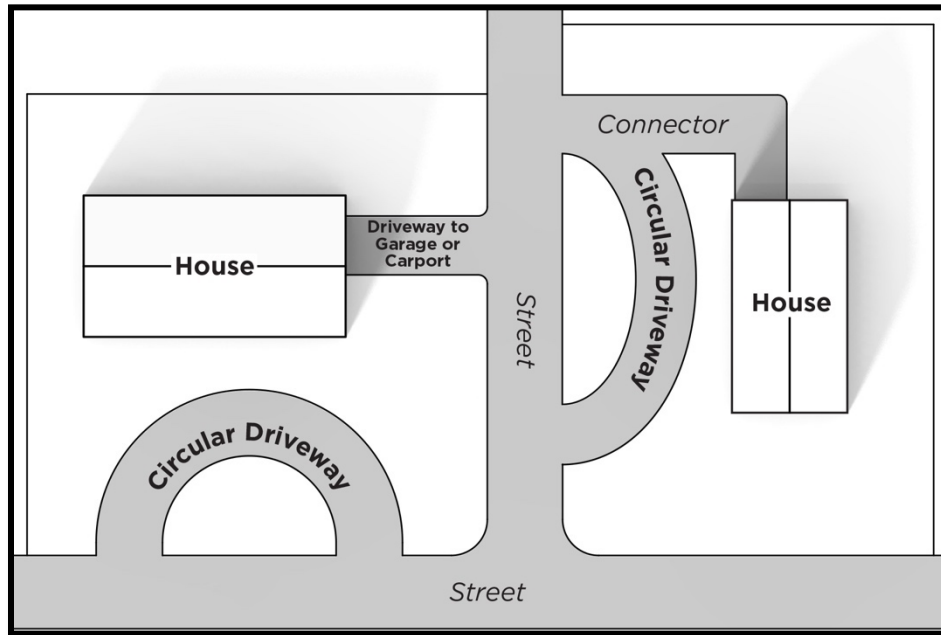
Table 1116.06.3: Residential Parking Configurations

Parking Style	Requirements	Graphic
Flush	<ul style="list-style-type: none"> <li>Garage is attached to the primary structure and where the garage doors are oriented to the street</li> <li>In no case shall the garage be the front-most protrusion of the front facade of the house</li> <li>The garage may be flush with the front façade of the house or a covered front porch</li> <li>The total width of the garage door (including any center column between two garage doors) shall not exceed more than 55% of the width of the façade in which the garage is placed</li> <li>A single garage door shall not exceed 16 ft in width. If two garage doors are proposed, each garage door shall not exceed 8 ft in width</li> </ul>	
Recessed	<ul style="list-style-type: none"> <li>Garage doors are oriented toward the street</li> <li>Garage doors must be positioned at least 20 ft behind the front wall plane of the house</li> <li>There is no restriction on garage door width</li> </ul>	
Side-Loaded	<ul style="list-style-type: none"> <li>Garage doors are oriented perpendicular to the front wall plane</li> <li>Any wall of the garage must be located at least 3 ft behind the front wall plane of the house</li> </ul>	
Detached Residential Garage	<ul style="list-style-type: none"> <li>Garage is placed entirely to the rear of the house</li> </ul>	

Parking Style	Requirements	Graphic
Rear/Alley-Loaded	<ul style="list-style-type: none"> <li>Garage is placed entirely to the rear of the house and is alley-accessed</li> <li>Garage doors must face the alley</li> <li>The garage must either be located 4 ft from the alley right-of-way or be a minimum of 20 ft from the alley right-of-way</li> <li>Where parking spaces are located between the garage and the alley, the garage must be located at least 20 ft from the alley right-of-way</li> </ul>	

- ii. Residential parking may be designed so that a vehicle may back into a public street or alley to obtain ingress or egress.
- iii. For one-, two-, three- and four-unit dwellings on lot widths greater than 75 feet, multiple points of access are allowed when the following conditions are met:
  - a. On lots with a residential garage:
    1. The driveway leading to a residential garage, not to exceed the maximum width allowed, except for flares adequate to access the garage (see Figure 1116.06.2: Connectors and Circular Driveways).
    2. A connector driveway may extend from a circular driveway to beyond the front wall of the structure. Connector driveways must comply with driveway width requirements.
  - b. On lots without a residential garage:
    1. No driveway, other than a circular driveway, may be constructed in the area between the front wall of the principal structure and the front property line (see Figure 1116.06.2: Connectors and Circular Driveways).
    2. A connector driveway may extend from a circular driveway to beyond the front wall of the principal dwelling. Connector driveways must comply with driveway width requirements.

Figure 1116.06.2: Connectors and Circular Driveways



- c. Driveways and parking spaces can be provided as a two-track "Hollywood" design with a width of 18 inches per wheel track. Tire base of vehicles parked or stored on Hollywood drive must be accommodated by the two-track design.
- B. Additional Location Requirements.** Parking spaces, stacking spaces, aisles and driveways shall be located as follows:
- i. Generally
    - a. Off-Street parking and stacking spaces, aisles, and driveways shall be located on the same lot as the use served except as provided in Section 1116.05 .
    - b. Driveways and aisles in all Residential districts and in all other districts abutting a Residential district, shall not be located closer than three feet to a lot line except for single-family dwellings (including zero lot line and townhouse units) and duplexes.
    - c. A parking area shall not be located closer than five feet to a lot with a single-family residence or duplex in other Residential districts.
  - ii. Front Yard
    - a. No parking or storage space in a Residential district and in the Commercial and Industrial districts within 50 feet of a Residential district along the same frontage shall be permitted within a front yard.

- b. For detached single-family dwellings in the Residential districts, two of the required parking spaces may be provided within a front yard on a regularly constructed driveway, provided not less than 50% of the front yard shall remain in open space free of impervious surface.
- c. For zero lot line dwellings, duplexes, and family care facilities, only two of the required parking spaces may be provided within the front yard on a regularly constructed driveway, provided not less than 50% of the front yard shall remain in open space free of impervious surface.

iii. **Rear Yard.** Parking and stacking spaces, driveways and aisles may be located within a rear yard.

(3) Access and Driveway Design

- A. **Generally.** These regulations are applicable in zoning districts without access and driveway requirements specific to the zoning district. If the district specifically requires access and driveway design, those requirements control. The City Engineer may develop and implement policies necessary to control the design and construction of driveways that are consistent with this Zoning Code.
- B. The number of driveways on a given street or access easement is based on the following:
  - i. All development shall meet the requirements provided in Table 1116.06.4: Maximum Number of Driveways unless specified otherwise.

Table 1116.06.4: Maximum Number of Driveways

Lot Frontage	Max. Number of Driveways
< 150 feet	1 For single-family dwellings with lot frontages greater than 75', a circular driveway is allowed
150 – 450 feet	2
451 – 600 feet	3

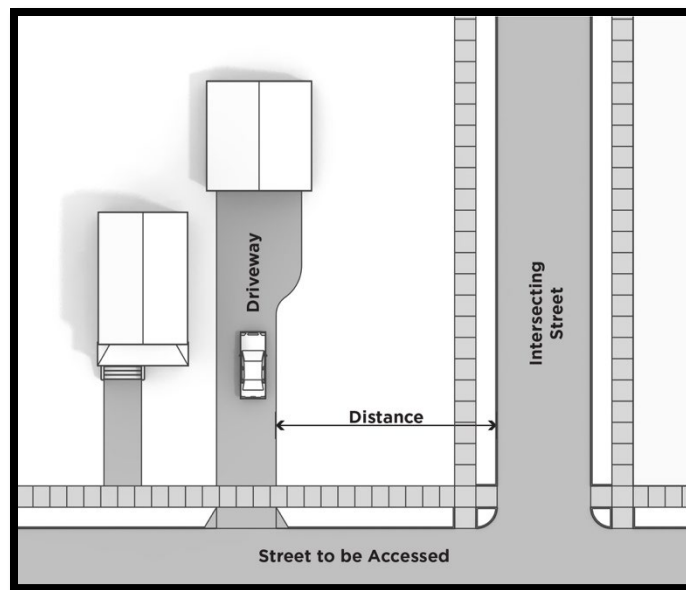
Lot Frontage	Max. Number of Driveways
601 – 750 feet	4
> 750 feet	Determined by City Engineer

- ii. The City Engineer may impose other access and driveway requirements as necessary based on specific site conditions.
- C. The minimum distance between a driveway and the intersecting street is described in Table 1116.06.5: Driveway-Street Spacing. Figure 1116.06.3: Driveway-Street Spacing Graphic shows an example of driveway spacing in relation to an intersecting street.

Table 1116.06.5: Driveway-Street Spacing

Classification of Intersecting Street	Classification of Street to be Accessed		
	Arterial	Collector	Local
Arterial	200 ft	150 ft	100 ft
Collector	150 ft	100 ft	50 ft
Local	100 ft	50 ft	50 ft

Figure 1116.06.3: Driveway-Street Spacing Graphic



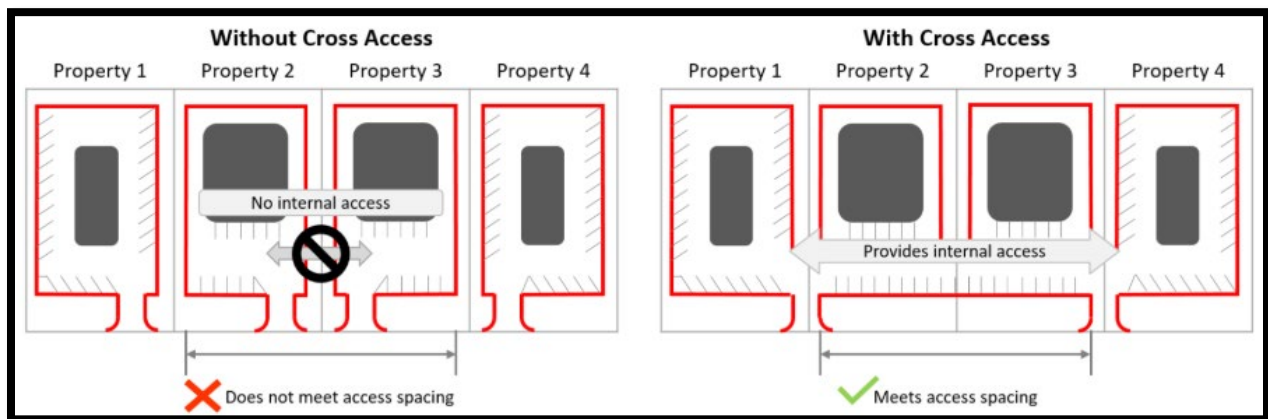
- i. If the required distance cannot be met due to lot size or other constraint as verified by the City Engineer, the driveway shall be located as far as possible from the intersecting street.

- ii. All driveways in a development must be separated by a minimum distance equal to the width of the wider driveway.
- iii. No curb cut may encroach on the frontage of adjacent property without the written consent of the owner for such encroachment, except where a joint use driveway with the adjacent property is established at the request of both owners.

**D. Cross Access**

- i. Cross access shall be provided for all development with two or more abutting lots that front a street except for one-, two-, three-, and four-unit dwelling developments as depicted in Figure 1116.06.4: Cross Access, subject to the following standards.

Figure 1116.06.4: Cross Access



- ii. Cross access may be provided at the front or at the back of a group of lots, depending on the anticipated amount of pedestrian activity for the development.
- iii. Driveway spacing shall comply with Section 1116.06 (c)(3).

### 1116.07 Bicycle Parking

**(a) Generally**

- (1) Bicycle parking is required for certain uses in the R-HD, C-NC, C-LC, C-DT, P-PR, P-IE, and P-DM zoning districts to encourage the use of bicycles by providing secure and convenient places to park bicycles.
- (2) Required bicycle parking is designed so people of all ages and abilities can access bicycle parking and securely lock their bicycle without inconvenience.
- (3) Bicycle spaces are measured as the ability for a facility to store one bicycle. One bicycle space equals one stored bicycle.

- (4) A bicycle parking facility shall not obstruct pedestrian traffic or interfere with the use of the pedestrian area.
- (b) **Required Minimums.** When a development provides more than 10 on-site parking spaces, minimum bicycle parking requirements shall comply with those provided in Table 1116.07.1: Minimum Bicycle Parking Ratios.

*Table 1116.07.1: Minimum Bicycle Parking Ratios*

Development/Use	Ratio
Courtyard Apartment	1 bicycle spaces per 20 units
Conventional Apartment	1 bicycle spaces per 15 units
Mixed Use Building (Main Street Mixed Use Building and Vertical Mixed Use Building)	1 bicycle space per 500 square feet
Bar	1 bicycle space per 1,000 square feet
Brewpub	1 bicycle space per 1,000 square feet
Restaurant	1 bicycle space per 500 square feet
Active and Passive Park/Recreational Facilities	2 bicycle spaces per 20,000 square feet of lot area
Any nonresidential building larger than 10,000 square feet	1 bicycle space per 5,000 square feet

(c) Bicycle Facilities

(1) **Generally.** A bicycle facility shall:

- A. Allow a bicycle frame and one wheel to be locked to the rack with a high-security lock;
- B. Allow a bicycle to be securely held with its frame supported in at least one place;
- C. Be durable and securely anchored to the ground, pavement, or building;
- D. Have a locking surface thin enough to allow standard u-locks to be used, but thick enough so the rack cannot be cut with bolt cutters; and
- E. Not include any elements, impediments, or features within the interior space.

(2) **Installation.** A bicycle facility shall be:

- A. Available to the public;
- B. Located in a convenient, well-lit area that is clearly visible to both a visitor to the building and a person who is on the sidewalk that access the building's primary entrance; and
- C. Within 150 feet of:
  - i. The primary entrance of each building, and closer than the nearest vehicle parking space; or

- ii. At least one primary entrance of a building with multiple entrances; unless an alternative location during the site plan process is approved; and
- D. Outfitted to where a bicycle can be safely and securely locked.

### 1116.08 Special Vehicle Parking

- (a) Special vehicles in the R-AG district may be stored on a well-maintained gravel pad in the rear yard that is a minimum of five feet from side and rear yard property lines.
- (b) Except for the purpose of making local deliveries, no special vehicle designed for the shipment of detonable materials and explosives; flammable/combustible solids, liquids or gasses; nor hazardous materials as defined by the Ohio Department of Transportation shall be parked or stored on any lot in a Residential district.
- (c) Special vehicles used for commercial purposes shall not be stored in any Residential district.

### 1116.09 Loading

- (a) **Ratios.** Every nonresidential development which requires the loading or unloading of goods, supplies, or materials in its daily operation shall provide at least one off-street loading space for every 10,000 square feet of gross floor area, so located as to avoid backing vehicles into or out of public streets to serve the premises.
- (b) **Location.** A loading space is:
  - (1) Located within the same development as the building or use served;
  - (2) Prohibited from encroaching into a sidewalk, street, or public right-of-way;
  - (3) Prohibited from being located between the front building line and the front property line;
  - (4) Located to the rear or side of buildings and is visually unobtrusive;
  - (5) Set back a minimum distance of 100 feet from any adjacent residential zoning district or use unless completely enclosed by building walls, a uniformly solid wall, or any combination of the two;
  - (6) Set back a minimum distance of 40 feet from any public street, nearest point of intersection on any two streets or highway, or front property line; and
  - (7) Oriented away from the street frontage.
- (c) **Dimensions**
  - (1) Unless otherwise specified, all off-street loading spaces shall have a minimum dimension of 12 feet by 35 feet and an overhead clearance of 15 feet.

- (2) In no case shall required off-street loading spaces encroach upon off-street parking spaces required by this Chapter, or on public right-of-way.

(d) Maneuvering

- (1) The size of delivery vehicles intending to serve the site determines maneuvering area size.
- (2) Each maneuvering area for loading spaces must not conflict with parking spaces or with the maneuvering areas for spaces.

(e) Design

- (1) Each loading space must minimize conflicts with other vehicular, bicycle, and pedestrian traffic.
- (2) Loading spaces shall be designed so that vehicles shall maneuver entirely within the property lines of the premises and not on public right-of-way.
- (3) Unenclosed off-street loading areas shall be permanently paved on a hard-paved surface.
- (4) Landscaping and screening requirements, provided in CHAPTER 1117 - Landscaping and CHAPTER 1120 - Screening and Fencing, apply to loading facilities and shall prevent direct views of the loading facilities and their driveways from adjacent properties and public right-of-way.

(f) Urban Loading Standards

(1) Applicability

- A. This Subsection applies exclusively to those properties located in the C-DT district.
- B. The regulations of Section 1116.09 (a)-(e) do not apply to those properties located in the C-DT district.

(2) Standards

- A. Loading may be provided in any right-of-way adjacent to the applicable site.
- B. Loading occurring in a street shall be restricted to the hours of 8 p.m. to 8 a.m.
- C. Loading in an alley may occur at any time of day.
- D. No delivery vehicle shall be loading/unloading products for more than 30 minutes at a time.

## CHAPTER 1117 - Landscaping

### 1117.01 Purpose

The purpose of this Chapter is to preserve Springfield's character and integrate and enhance new development by promoting landscape design that:

- (a) Reinforces the identity of the community;
- (b) Appropriately situates new buildings in the landscape;
- (c) Provides adequate vegetation for screening and buffering between land uses;
- (d) Provides tree canopies to reduce urban heat island effect;
- (e) Preserves the existing native trees and other physical site values where possible;
- (f) Reduces stormwater runoff;
- (g) Accounts for unique landscaping treatment in dense, urban areas;
- (h) Soften the visual impact of paved areas, parking lots, and adjoining right-of-way; and
- (i) Identifies climate-appropriate landscape material.

### 1117.02 Applicability

- (a) **Generally.** The Chapter applies to:
  - (1) All development for new construction within Springfield's city limits except for the exemptions listed below.
  - (2) The following landscaping standards apply to all new nonresidential development and to the expansion by more than 25% of an existing building mass or site in any zoning district.
- (b) **Exemptions.** This Chapter does not apply to any property with a plan or permit that was approved prior to the adoption of this Zoning Code, unless an amended plan or permit is required by the requirements in the submittal checklist.

### 1117.03 General Requirements

- (a) Installation
  - (1) All tree plantings required by this Chapter shall be installed before occupancy or commencement of a use.
  - (2) If because of weather conditions the plantings cannot be installed before occupancy or commencement of a use, the Community Development Director may issue a temporary zoning certificate and grant a delay of tree installation until the seasonal calendar dates of March 15 or September 1, whichever occurs first.
  - (3) Tree installation shall then occur within 60 days after the calendar date.
- (b) Maintenance

- (1) It shall be the responsibility of the owner of a lot to maintain and replace, if necessary, trees required by these provisions after their planting.
- (2) Any trees on the public right-of-way or on private property that overhang the public right-of-way shall be maintained according to the provisions of Chapter 907 of the Codified Ordinances, as amended.
- (3) All plantings shall be properly weeded, mulched, and kept free of trash and other unsightly material.

(c) Recommended Plant Species

- (1) The varieties and sizes of trees permitted by this code for the use indicated are specified in the list of Recommended Trees for Springfield, Ohio, (as provided by the City Forestry Division.).
- (2) Trees not included on the list may be used to fulfill the requirements of this chapter upon approval of the City Forestry Division.
- (3) Any development requiring more than four trees shall use at least two or more species of trees with no more than 50% being one particular tree species.

(d) **Planting Sizes.** The following specifications shall be met at the time of planting as provided in Table 1117.03.1: Planting Sizes.

*Table 1117.03.1: Planting Sizes*

Tree Type	Height at Maturity	Minimum Requirements at Time of Planting
Large Deciduous Tree (Large Tree)	> 45 feet	<ul style="list-style-type: none"><li>• Minimum trunk diameter of two (2) inches when measured six (6) inches above established grade and show the growth capabilities, branch formation and crown balance that is indigenous to the particular variety</li></ul>
Medium Deciduous Tree (Medium Tree)	30 – 45 feet	<ul style="list-style-type: none"><li>• Single stem</li><li>• Minimum trunk diameter of two (2) inches when measured six (6) inches above established grade and show the growth capabilities, branch formation and crown balance that is indigenous to the particular variety</li></ul>
Small Deciduous Tree (Small Tree)	20 – 30 feet	<ul style="list-style-type: none"><li>• Minimum trunk diameter of two (2) inches when measured six (6) inches above established grade and show the growth capabilities, branch formation and crown balance that is indigenous to the particular variety</li></ul>

Tree Type	Height at Maturity	Minimum Requirements at Time of Planting
Coniferous Tree	-	<ul style="list-style-type: none"> <li>• Minimum height of five (5) feet when measured from the planted level to the top of the tree</li> <li>• This height may be reduced to three (3) feet when it is required to be used for screening purposes</li> <li>• The needle color and branching habits shall be normal for the species and the appearance shall be indicative of previous care in pruning and development</li> </ul>

**(e) Measurements and Calculations**

- (1) The required distance for the location of a tree shall mean the distance to the center of the trunk.
- (2) Where fractional numbers of trees result, the number of trees required shall be rounded to the closest whole number. If the fractional amount is one half (1/2), the next lowest whole number shall be applied.
- (3) Existing trees may be used to satisfy the requirements of the tree regulations, provided they meet the minimum size requirements for trees at initial planting and they are an approved tree per the list of Recommended Trees for Springfield, Ohio, or are approved by the City Forestry Division.

**(f) Locational Requirements**

- (1) No tree shall be planted within 10 feet of a utility pole.
- (2) At street intersections within the right-of-way or within eight (8) feet of the right-of-way, trees shall not be located within 70 feet of the intersection of curb lines (or pavement edge where curbs do not exist) along arterial streets, within 50 feet along collector streets, or within 30 feet along local streets. In instances where two different types of streets intersect, the location of the tree shall be determined by the type of street adjacent to the proposed tree. (City Engineer is to calculate distances.)
- (3) Trees shall be located a minimum of four (4) feet from the edge of planting area or right-of-way line.

**(g) Tree Placement within Street Rights-of-Way**

- (1) A tree planting permit shall be obtained from the City Forestry Division for new developments, placement and species of trees in street rights-of-way as provided on construction drawings.
- (2) No trees shall be planted where the width of the area between a curb and a sidewalk is less than four (4) feet. If no sidewalk exists, the width between a curb and a right-

- of-way line shall be at least nine (9) feet. Trees shall not be located within two (2) feet of a street curb or edge of pavement where a curb does not exist, within two (2) feet of a sidewalk, nor within six (6) feet of a right-of-way line where a sidewalk does not exist. (City Engineer is to determine how close a tree should be to the street pavement where a curb does not exist.)
- (3) At the intersection of a street and a drive or at the intersection of a street and an alley, trees shall not be located within 15 feet of the edge of the drive or the right-of-way line of the alley.
  - (4) Large and medium trees shall not be spaced closer than 30 feet apart nor closer than 14 feet of a building. Small trees shall not be spaced closer than 16 feet apart nor closer than eight (8) feet of a building.
  - (5) Trees shall be placed to avoid interference with the construction, maintenance and operation of public and private utilities and services above or below ground as determined by the utility companies and the City Engineer.

#### 1117.04 Nonresidential Standards

- (a) **Generally.** Nonresidential development shall comply with the landscaping requirements provided in this Section and plant required landscaping accordingly before obtaining a certificate of occupancy.
- (b) **Requirements**
  - (1) **Generally**
    - A. Trees shall be placed to avoid interference with the construction, maintenance and operation of public and private utilities and services above or below ground as determined by the utility companies and the City Engineer.
    - B. Any large and medium trees provided on-site shall not be spaced closer than 30 feet apart.
    - C. Any large and medium trees provided on-site shall not be spaced closer than 14 feet of a building.
    - D. Any small trees provided on-site shall not be spaced closer than 16 feet apart.
    - E. Any small trees provided on-site shall not be spaced closer than 8 feet of a building.
  - (2) **Required Plants in Front Yards (Adjacent to Street Rights-of-Way)**
    - A. Large trees shall be planted at a minimum ratio of one tree for every 40 feet of lot frontage.
    - B. Large trees shall be planted adjacent to street rights-of-way.

**(3) Required Plants in Rear and Side Yards**

- A.** Large, medium, or small trees shall be planted at a minimum ratio of one tree for every 80 feet of the yard's length.
- B.** This requirement may be substituted by landscaping in rear and side yards that provide a continuous mix of coniferous trees mixed with small trees spaced every 50 feet of the yard's length.
- C.** Trees shall not be spaced closer than 15 feet from an abutting side and rear property lines.

**(4) Required Landscaping in Parking Lots**

**A. Applicability**

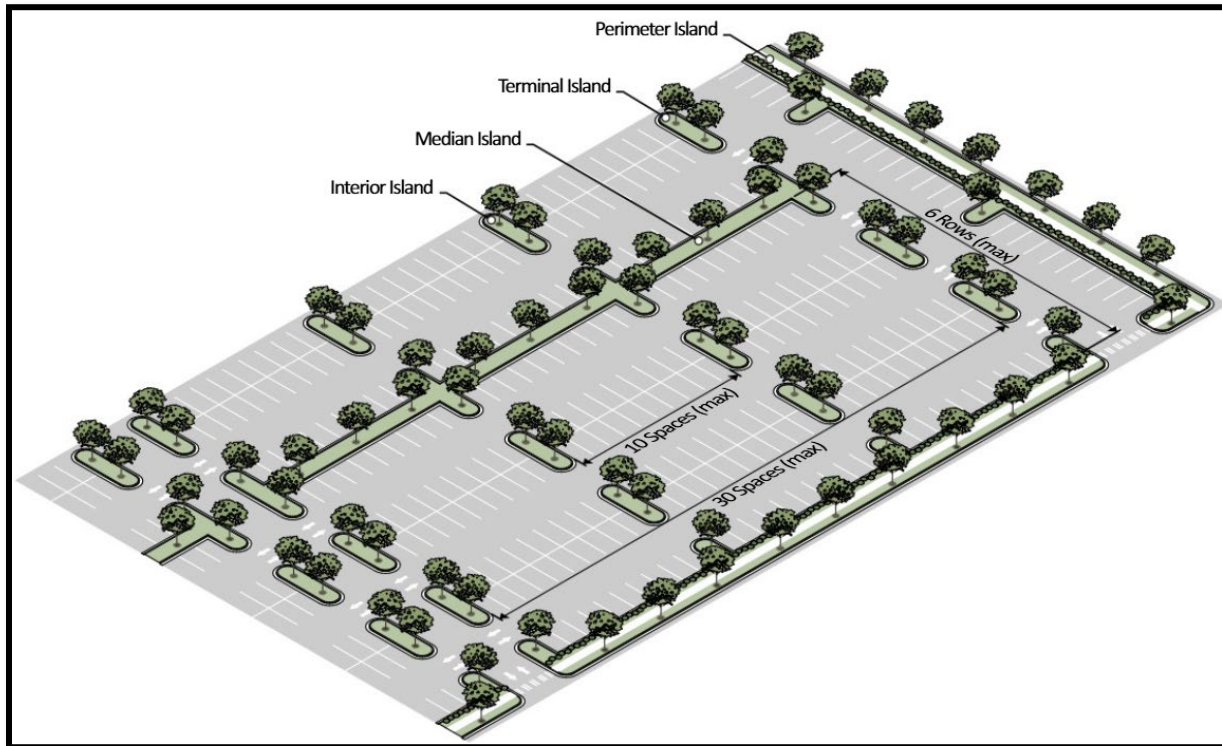
- i.** This Subsection applies to all on-site surface parking areas with more than 10 parking spaces. For purposes of this Subsection, multiple platted lots contained on a single site and any separate parking areas connected with drive aisles are considered a single parking area.
- ii.** At least 1 medium or large tree must be planted in each surface parking area with 10 spaces or less.
- iii.** All surface parking areas of any size within any district with frontage on any portion of a street right-of-way (not including an alley) must be screened along the street edge as provided in Section 1120.03 .

**B. Generally**

- i.** Trees utilized in parking areas shall be designated on the construction drawings.
- ii.** The varieties and sizes of trees permitted are specified in the list of Recommended Trees for Springfield, Ohio (as provided by the City Forestry Division). Trees not included on the list may be used to fulfill the requirements of this Chapter upon approval of the City Forestry Division.
- iii.** All trees shall be placed within planting areas of pervious material suitable for tree growth and separated from parking spaces, driveways and aisles by a continuous curb or barrier a minimum of five inches in height or a depressed planting area engineered to accept and infiltrate stormwater and separated from parking spaces, driveways and aisles by a cut curb or other practice that will deter traffic from entering the planting area.
- iv.** Trees shall be located so a parking space is not more than 50 feet from a tree.
- v.** Tree planting areas shall have a minimum area of 120 square feet for each small tree and 160 square feet for each medium and large tree.

- vi. All depressed area designs shall be detailed in the construction drawings and be approved by the City Engineer.
- vii. Figure 1117.04.1: Parking Lot Landscaping summarizes the requirements provided below of this Subsection.

Figure 1117.04.1: Parking Lot Landscaping



**C. Perimeter Islands**

- i. A landscape perimeter island shall be provided along primary internal access drives.
- ii. A landscaped perimeter island shall be a minimum of five feet wide, landscaped with shrubs installed at a rate of 30 shrubs per 100 linear feet that under typical conditions can be expected to reach a height and spread of three feet within three years of planting. All shrubs shall be a minimum of 18 inches tall when planted. In lieu of planting a hedge, a wall at least three feet in height may be installed.
- iii. A perimeter island may also serve as the location for a sidewalk connecting the use and the street. In such case, the sidewalk shall be a minimum of six feet wide and the remaining planting area shall be no less than five feet wide.

**D. Interior Islands**

- i. A landscaped interior island shall be provided for every 10 parking spaces. Interior islands shall be distributed evenly throughout the parking area.
- ii. An interior island shall be a minimum of eight feet in width and be a minimum of 300 square feet in area.
- iii. All parking rows shall terminate with a landscaped interior terminal island.
- iv. No more than 30 parking spaces shall be located between terminal islands.
- v. Interior islands may be consolidated, or intervals may be expanded to preserve existing trees.

**E. Median Islands**

- i. A landscape median island shall be provided between every six single parking rows.
- ii. A landscape median island must be a minimum of six feet wide.
- iii. A median island may also serve as the location for a sidewalk connecting parking and the use served by the parking area. The sidewalk shall be a minimum of five feet wide. If trees or shrubs are planted in the median, the median width shall be expanded by at least five feet.
- iv. Median islands may be consolidated, or intervals may be expanded to preserve existing trees.

**F. Tree Coverage**

- i. Each interior island (and terminal interior island) shall include at least one medium or large tree.
- ii. In no case shall there be less than one medium or large tree for every 4,000 square feet of parking area.

**G. Landscape Border**

- i. When a parking area is provided within 20 feet of any street, a landscape border not less than four feet in width is required between the parking area and the street.
- ii. The landscape border may be broken for necessary walkways, driveways, and sight distance areas.
- iii. Such landscaping shall contain a combination of trees (40 feet on center) and shrubs (4 feet on center) making at least a three feet high visual barrier during the summer months, at plant maturity.
- iv. A wall or fence can be placed in the landscape border strip (see Section 1120.03 ), as can a berm.

- v. Shrubs, hedges, and other landscape-screening materials (except trees) cannot exceed four feet in height.

### 1117.05 Residential Standards

- (a) **Generally.** Applicants are required to plant the amount established in Table 1117.05.1: Residential Planting Requirements per lot prior to obtaining a certificate of occupancy.
- (b) Requirements
  - (1) Trees selected from the tree list in this Section shall be planted on all residential lots.
  - (2) At least one of the trees must be placed in the front yard of the lot.
  - (3) For all residential properties, common areas, and open space lots, applicants are required to plant one tree per 40 linear feet of street frontage. Trees may be grouped or clustered to facilitate site design.
  - (4) The following minimum standards apply as established in Table 1117.05.1: Residential Planting Requirements. An applicant shall choose one of three planting options. An applicant may plant the required large trees, medium trees, small trees, or an alternative combination of the three tree types specified in Table 1117.05.1: Residential Planting Requirements.

Table 1117.05.1: Residential Planting Requirements

Tree Type → Zoning District ↓	Large <sup>1</sup>	Medium <sup>1</sup>	Small <sup>2</sup>	Alternative Combination (Large/Medium/Small)
R-AG	2	5	8	0/7/10 8/0/0 1/6/9
R-LD	0	1	2	0/0/3 1/0/1 0/2/1
R-HD	0	1	1	0/0/2 1/0/0
<b>Notes</b>	<sup>1</sup> = Large and medium trees shall not be located closer than 14 feet to a dwelling or building <sup>2</sup> = Small trees shall not be located closer than 8 feet to a dwelling or building			

- (5) Existing trees with a minimum trunk diameter of six (6) inches measured six (6) inches above established grade may be substituted for new trees at the ratio of one (1) existing tree for every two (2) new trees.

### 1117.06 Urban Landscaping Standards

- (a) Applicability

- (1) This section applies exclusively to those properties located in the C-DT district.
- (2) The regulations of Sections 1117.04 and 1117.05 do not apply to those properties located in the C-DT district.

**(b) Standards**

- (1) Trees shall not be required along the frontage of a property.
- (2) The front yard may be paved to match the pavement of the public frontage.
- (3) Planter boxes and hanging plants is required for development in the C-DT district unless providing a small tree for every 50 feet of linear feet along the frontage of a property.
- (4) Planter boxes shall be bottomless, flow-through boxes with native plants, placed next to buildings and designed to capture runoff.
- (5) Planter boxes may be placed in courtyards or adjacent sidewalks with runoff sent to them via French drains or hidden pipes.

## CHAPTER 1118 - Site Lighting

### 1118.01 Purpose

The purposes of this Chapter are to:

- (a) Allow the use of site lighting for night-time safety, utility, security, productivity, enjoyment, and commerce;
- (b) Minimize adverse off-site impacts of lighting;
- (c) Curtail light pollution, reduce skyglow, and improve the nighttime environment for astronomy;
- (d) Help protect the natural environment from the adverse effects of night lighting from gas or electric sources;
- (e) Conserve energy and resources to the greatest extent possible; and
- (f) Encourage site lighting that is functional, aesthetically pleasing, and complementary to the architectural style of buildings or settings.

### 1118.02 Applicability

- (a) **Generally.** This Chapter applies to all site lighting within Springfield city limits. All site lighting installed after the effective date of this Zoning Code shall comply with this Chapter.

**(b) Exemptions.** The following are exempt from the regulations in this Chapter unless noted otherwise:

- (1) Public street lighting, providing that new street lighting shall be approved by the Service Department;
- (2) Temporary holiday displays;
- (3) Emergency/warning lights; and
- (4) City-owned facilities, provided these uses meet the following standards:
  - A. The luminaire angle from a lighting source that illuminates a recreational use may exceed an angle of zero degrees only to the extent necessary for lighting the use, provided that the luminaire is shielded to minimize spillover to surrounding properties;
  - B. Maximum permitted illumination at the property line for a recreational use shall be two footcandles; and
  - C. Site lighting for a recreational use shall be extinguished within an hour of the event's end.

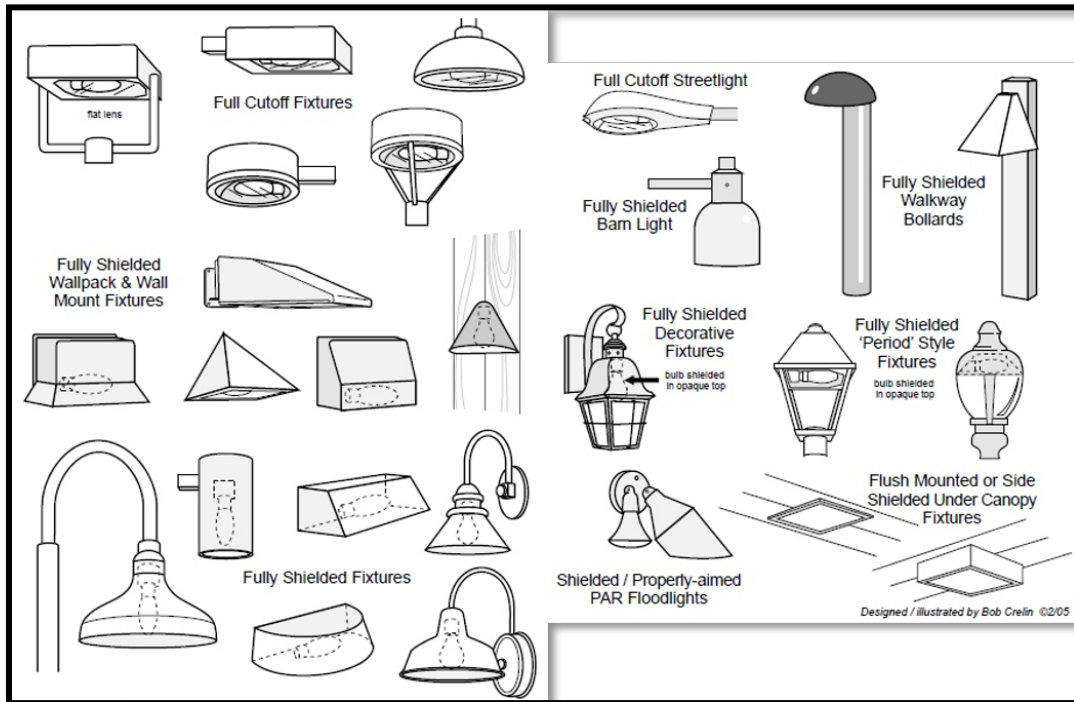
### 1118.03 Standards

**(a) Generally**

- (1) The direct or reflected light from any light fixture shall not create a traffic hazard to operators of motor vehicles on public streets or to operators of aircraft, and no colored lights may be used in such a way as to be confused or construed as street traffic or air traffic control devices.
- (2) No blinking, flashing, or fluttering lights, or other illuminated device that has a changing light intensity, brightness, or color, is permitted in any zoning district.
- (3) The Community Development Director may require modifications to any site lighting fixture after installation upon finding that the lighting, as installed, does not comply with these standards.

**(b) Lighting Design**

Figure 1118.03.1: Acceptable Light Fixtures



- (1) All site lighting shall meet the functional security needs of the proposed land use without adversely affecting surrounding properties and the natural environment.
- (2) All new and replacement lighting fixtures shall be full cutoff and downcast, except those light sources less than five hundred (500) lumens for individual light fixtures, one hundred fifty (150) lumens for individual lights in a light string (e.g., patio lights), and three thousand (3,000) Kelvin in color temperature are not required to be full cutoff and downcast. For examples of cutoff and downcast light fixtures, refer to Figure 1118.03.1: Acceptable Light Fixtures.
- (3) Light sources shall be concealed or shielded to minimize the potential for glare and light pollution.
- (4) Lights that shine outward and create direct glare are prohibited.
- (5) The amount of light trespass projected onto a residential use from another property shall not exceed 0.1 footcandles at the property line.
- (6) Lighting shall be distributed evenly to minimize extremes in luminance levels.
- (7) Light types of limited spectral emission, such as low-pressure sodium or mercury vapor lights, are prohibited in all areas.
- (8) Energy efficient lighting shall be used to the maximum extent practicable.

- (9) Light sources in residential zoning districts shall not exceed three thousand (3,000) Kelvin in color temperature.
- (10) Light sources in nonresidential zoning districts shall not exceed five thousand (5,000) Kelvin in color temperature.
- (11) Light fixtures used to illuminate flags, statues, or any other objects shall minimize glare beyond the illuminated object.

## CHAPTER 1119 - Signs

### 1119.01 Purpose

The purpose of this Chapter is to regulate signs of all types (permanent and temporary) in a manner that:

- (a) Protects constitutional rights to free speech by providing ample opportunities for expression through signs, while avoiding content-based distinctions, and providing clear approval standards;
- (b) Protects public health and safety by:
  - (1) Minimizing visual traffic hazards, distractions and obstructions for motorists, cyclists, and pedestrians, or signs causing confusion by virtue of visual similarity to traffic control signs;
  - (2) Reducing hazards caused by collapse, fire, collision, decay, or abandonment;
  - (3) Not obstructing firefighting or police surveillance; and
  - (4) Encouraging the upgrading, updating, or removal of signs that are poorly maintained, or do not conform to this Chapter, and preventing signs that are potentially dangerous due to structural deficiencies and disrepair.
- (c) Enhances the appearance and economic value of the landscape, by providing that signs:
  - (1) Do not create a nuisance to persons using the public rights-of-way;
  - (2) Do not constitute a nuisance to occupancy of adjacent and contiguous property by their brightness, size, height, or movement; and
  - (3) Are not detrimental to land or property values.
- (d) Promotes the community's appearance, character, quality, and business climate by encouraging signs that are attractive and functional for their intended purpose, and that are in scale and harmony with the development site and building(s) and with surrounding areas;

- (e) Reduces and prevents visual clutter or potential deterioration of the community's appearance and attractiveness; and
- (f) Implements the goals and policies of the City's adopted planning policies by establishing uniform standards and procedures to regulate the size, type, number, design, placement, illumination, timeframe for display, and maintenance of signs.

## 1119.02 Applicability

### (a) Generally

- (1) This Chapter applies everywhere within the Springfield city limits, except as specifically stated otherwise in this Chapter.
- (2) This Chapter does not prohibit signs required by state or federal law and does not authorize signs that state or federal law prohibits.
- (3) A person shall not erect, operate, display, or otherwise use any sign that this Chapter prohibits.
- (4) A person shall not erect, operate, display, or otherwise use any sign at a time, place, or manner that this Chapter prohibits.

### (b) Message Neutrality

- (1) **Content Neutrality.** Despite any other provision of this Chapter, no sign is subject to any limitation based on the content of its message.
- (2) **Substitution Allowed.** Any sign authorized in this Chapter may contain any noncommercial copy or messages instead of a commercial or another noncommercial message.

## 1119.03 Prohibited and Exempt Signs

(a) **Prohibited Signs.** Signs may not be located in front of the building setback line, and, unless expressly permitted, the following types of signs are prohibited to the extent such signs are:

- (1) Flimsy or non-weatherproof signs, including, but not limited to, signs made of cloth or paper or insecurely mounted;
- (2) Pole signs;
- (3) Portable, flashing, moving or revolving signs;
- (4) Searchlights, balloons, or sound attraction devices;
- (5) Signs containing wording or color combinations similar to traffic control signs or devices that are therefore unsafe in that they are likely to confuse motorists and pedestrians;

- (6) Back lit translucent signs integrated into or framed by any awning, canopy, marquee, or mansard; and
- (7) Signs, or portions of structures, awnings or fascia, neon or neon type or laser signs.

**(b) Exempt Signs.** The following signs and related objects are generally allowed to be erected and publicly displayed at any location within the Springfield city limits, except as otherwise specifically proscribed within this Section, and a city-issued sign permit is not required to erect and display any of the following signs unless specifically set forth in this Section. This Section shall not apply to:

- (1) Any signs and signals properly authorized by law, signs authorized by statute or a state agency, and other traffic signals, public warnings, or legal notices provided that such objects are installed in a location and in a manner and condition required by federal or state statute, a state agency, or a City ordinance or authorized authority.
- (2) Nonconforming signs.
- (3) Existing billboards.
- (4) Signs required by governmental bodies or agencies having proper jurisdiction for a public purpose by law, statute, or ordinance. This also includes any signs the City Commission decides by ordinance or resolution to erect within its city limits or any real property that it may own or control.
- (5) Signs on vehicles, trailers, or equipment are exempted only to the extent such signs are incidental to the primary use of the vehicle, trailer, or equipment, provided that the vehicle, trailer, or equipment is in good mechanical repair and is not left in one place for more than 72 hours without being moved.
- (6) Signs erected by the City that direct vehicular or pedestrian traffic, which may display arrows, words, or other symbols to indicate directions of facilities.
- (7) Address numerals and other similar information required to be maintained by law or governmental order, rule, or regulation, provided that the size of the sign may not exceed the requirements of such law, order, rule, or regulation.
- (8) Signs contained within a walled, fenced, or secured property or area.
- (9) Signs that are interior facing and not visible from public right-of-way.
- (10) Signs erected by governmental bodies or agencies serving the public, that are less than 32 square feet in area.
- (11) Decorations, lights, pennants, and similar devices on public property with permission and under the supervision of the City.
- (12) Seasonal lights and decorations customarily displayed during federally, state, or local recognized holidays.

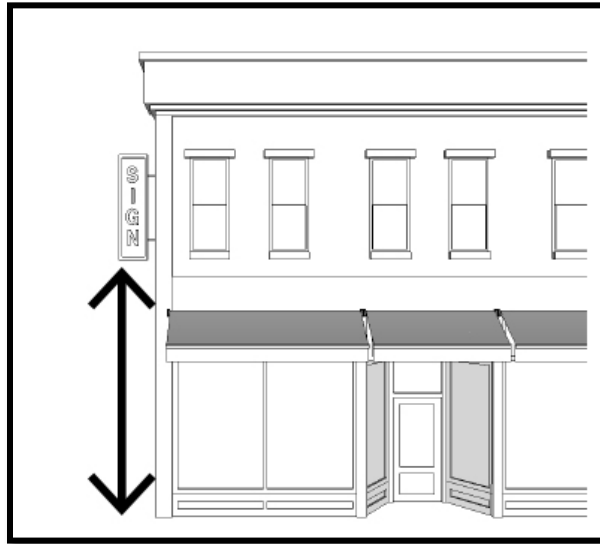
- (13) Burglar/security alarms and signs that are less than eight square feet in area.
- (14) Signs in plaza or public space structures located in the City's right-of-way, that are installed and maintained by the City or a contractor authorized by the City.

#### 1119.04 General Requirements

(a) Design and Installation

- (1) All signs shall be maintained in good condition at all times.
- (2) No sign shall be located within a sight visibility triangle as provided in Section 1115.03 (e) unless specified otherwise.
- (3) No sign shall violate zoning district dimensional standard, unless specified otherwise.
- (4) No sign shall impair any motorist's view of pedestrian or vehicular traffic.
- (5) No sign shall be related or connected in any way to sound attraction devices unless specified otherwise.
- (6) Any electrical service provided to a freestanding sign shall be underground.
- (7) All signs shall be erected and maintained so as to be safe and secure so as not to fall or cause danger to person or property nor to rot or deteriorate or be blown down by reason of weather and shall be subject to applicable regulations contained or incorporated in the Code of Ordinances.
- (8) All freestanding sign shall be placed in concrete bases or footings.
- (9) All freestanding signs shall be landscaped around the base of the sign in an area equal to three feet for each square foot of sign and base area.
- (10) All attached signs shall affix flush against the wall of the building, canopy, or awning, or as flush as possible while allowing the plane of the face of the sign to remain perpendicular to the ground.
- (11) All on-premise signs shall maintain a vertical clearance as provided in Section 1119.07 when projecting over a right-of-way, sidewalk, walkway, or driveway, unless specified otherwise (see Figure 1119.04.1: Sign Vertical Clearance).

Figure 1119.04.1: Sign Vertical Clearance



(12) Wherever a development is under one ownership or operated as a unit with a single development, signs shall be relatively consistent and similar in appearance and location (either on the building or on awning but not both), size, type, and style, and architectural scale.

**(b) Measurements**

**(1) Sign Area**

- A. Sign area is measured in square feet ("sf") and calculated as the width multiplied by the height of a single rectangle that contains all sign elements, including decorative embellishments, and any internally illuminated or backlit panel, fabric, or similar material not approved as an architectural element of the building.
- B. Sign area includes cabinets, background panels, or colors that are part of the sign installation and not part of the building architecture or the sign support.
- C. Sign area measurements are as follows:
  - i. Only one side of a multi-faced sign is considered when determining the sign area, if the faces are equal in size, the interior angle formed by the faces is less than 45 degrees, and the two faces are not more than 18 inches apart.
  - ii. Where two faces of a multi-faced sign are not equal in size, but the interior angle formed by the faces is less than 45 degrees and the two faces are no more than 18 inches apart, the larger sign face is used to calculate sign area.

- iii. When the interior angle formed by the faces of a multi-faced sign is greater than 45 degrees, or the faces are greater than 18 inches apart, all sides of the sign are considered in calculating sign area.
- iv. For irregularly shaped signs, the sign area is calculated as the sum of the boundaries that completely contain all sign elements.
- v. The calculation of sign area for a single sign includes all related sign elements on the same facade or structure. Sign elements are related if they are all constructed in a similar manner and are located less than five feet apart. Additionally, to be considered a single sign, the facade on which the elements of the sign are mounted can be offset by up to five feet.
- vi. Where two or more signs are allowed on a facade, the separate sign area rectangles for each sign are added together to determine the total amount of sign area on that building façade.
- vii. Area limits control the sign area per face for a sign with two faces.
- viii. Where sign area is required as a percentage, the sign area is a continuous portion of a building façade exclusive of doors and windows, consisting of a plane surface.

**(2) Sign Height**

- A. The sum of the height of the sign base and sign face as measured from the ground immediately adjacent to the highest point of the sign, including any cabinets, trim, or attachments.
- B. Height limits include the combined height of the sign face and monument base.

### 1119.05 Sign Features

Signs may incorporate the following features established below; however, these features shall only be allowed as established in the tables in Sections 1119.07 and 1119.08 .

**(a) Changeable Copy**

- (1) Generally.** Permanent signs may incorporate changeable copy as the tables in Sections 1119.07 and 1119.08 . Figure 1119.05.1: Changeable Copy Examples shows examples of signs that incorporate changeable copies.

Figure 1119.05.1: Changeable Copy Examples



(2) **Standards.** Changeable copies may be illuminated if the dimensions and standards allow illumination for the sign type in that zoning district.

(b) Illumination

- (1) Signs may be internally or externally illuminated as provided in this Chapter and in those instances where permitted according to the tables in Sections 1119.07 and 1119.08 .
- (2) Figure 1119.05.2: Illumination Examples shows examples of signs that incorporate illumination.

Figure 1119.05.2: Illumination Examples



- (3) All types of artificial light sources used to illuminate a sign face which are not shaded or concealed so that the light will not interfere with the vision of motorists or shine directly on residential property in any residential district, and illumination which flashes or simulates movement, shall be prohibited.
- (4) No sign may be of such intensity or brilliance as to impair the vision of a motorist or to otherwise interfere with the motorist's operation of a vehicle.
- (5) No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device or signal.
- (6) Illuminated signs shall be equipped with a mechanism that automatically adjusts the brightness to maintain compliance with the illumination standards of this Chapter.
- (7) Illuminated signs shall be equipped with a means to immediately turn off the display or lighting if it malfunctions or poses a threat to public safety. The owner of these signs must immediately turn off the sign or lighting when ordered to do so by the City if the sign cannot be immediately adjusted to comply with the illuminated sign standards set forth in this Chapter or it otherwise poses a threat to public safety.

(8) Illuminated signs must adhere to the following standards listed in Table 1119.05.1: Sign Illuminance Standards.

A. **Generally.** Maximum Luminance Standards are measured in footcandles.

B. **Daytime Standards.** During the time between the First Sunday in November through the Second Sunday in March the standard daytime hours are 7:30 a.m. until 6 p.m. During the time between the Second Sunday in March through the First Sunday in November the standard daytime hours are 6 a.m. until 7:30 p.m. (Times based on information provided by the Astronomical Application Department of the U.S. Naval Observatory).

C. **Nighttime Standards.** During the time between the First Sunday in November through the Second Sunday in March the standard nighttime hours are 6 p.m. until 7:30 a.m. During the time between the Second Sunday in March through the First Sunday in November the standard nighttime hours are 7:30 p.m. until 6 a.m. (Times based on information provided by the Astronomical Application Department of the U.S. Naval Observatory).

Table 1119.05.1: Sign Illuminance Standards

Zoning District	Maximum Footcandles	
	Day	Night
R-AG R-LD P-PR P-IE	28.8	2.787
R-HD C-NC	55.74	18.58
C-LC	74.32*	18.58
C-HC I-LI I-HI	92.9*	46.45**
C-DT P-DM	92.9*	46.45**
Notes	* = (55.74 in inclement weather, such as fog, rain, or snow) ** = (18.58 in inclement weather, such as fog, rain, or snow)	

(c) **Digital Dynamic Display Sign Operational Regulations.** Figure 1119.05.3: Digital Dynamic Displays shows examples of signs that incorporate digital dynamic displays.

Figure 1119.05.3: Digital Dynamic Displays



- (1) Digital Dynamic Display Sign (Single Color).** A digital dynamic display (single color) sign shall operate with the following standards:
- A. Shall comply with the sign tables in Sections 1119.07 and 1119.08 .
  - B. These signs shall be operated so that the sign message remains constant for a period of at least 15 seconds before changing to another sign message.
  - C. These signs shall not have continual motion.
  - D. The images and messages displayed must be static, and the transition from one static display to another must be instantaneous without any special effects.
    - i. There shall be no left and right flow of messages;
    - ii. No up and down scrolling or otherwise;
    - iii. No moving or flashing of images displayed on the sign; and
    - iv. No cross fade with simultaneous dissolve and appearance of sign messages.
  - E. Each sign shall be operated in conformance with the illumination standards in Section 1119.05 (b).

- F. A digital dynamic display single color sign shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions, in accordance with the following:
    - i. A digital dynamic display sign shall have installed equipment that will automatically adjust luminance based on time of day in order to be compliant with this Chapter.
    - ii. These signs shall be equipped with a means to immediately turn off the display or lighting if it malfunctions or poses a threat to public safety, such as fails or ceases to operate in its usual or normal programmed manner, causing motion, movement, flashing or any similar effects.
    - iii. Signs shall be immediately turned off when ordered to do so by the City when the City has determined that the sign does not comply with the illumination standards set forth in this Chapter or it otherwise poses a threat to public safety, if the sign cannot be immediately adjusted to comply with the illumination standards set forth in this Chapter and cease to pose a threat to public safety. A malfunctioning sign or a sign not in compliance with these operational standards shall remain turned off until it is restored to operate in conformity to the requirements of this Chapter.
- (2) **Digital Dynamic Display Sign (Multi-Color).** A digital dynamic display multi-color sign shall operate with the following standards:
- A. All of the standards provided in Section 1119.05 (c)(1)A-E.
  - B. Image transition timing requirements shall comply with Table 1119.05.2: Transition Standards.

*Table 1119.05.2: Transition Standards*

Zoning District	Transition Time
R-AG R-LD P-PR P-IE	Not applicable
R-HD C-NC C-LC C-HC C-DT I-LI I-HI P-DM	15 seconds

Zoning District	Transition Time
Notes	All signs shall be operated so that the sign message remains static for a period of the assigned time before changing to another sign message

- C. A digital dynamic display multi-color sign shall use automatic level controls to reduce light levels at night and under cloudy and other darkened conditions as required in Section 1119.05 (c)(1)F.
- D. The following standards apply:
  - i. **Longitudinal Location.** A digital dynamic display multi-color sign shall not be erected in locations that already place high demands upon driver attention, such as intersections, interchange entry and exit points, channelization features, close proximity to traffic control devices (including official route markings and directional signing), highway structures (bridges, viaducts, overpasses), and other roadway features which require a high level of attention to the driving task (by way of example, sharp curves, land drops, "weaving" areas, areas of reduced sight distance).
  - ii. **Spacing and Density.** This Subsection refers to the number of digital dynamic display signs that are located within a specified linear distance adjacent to the roadside areas, and how these signs affect highway traffic safety and successful delivery of informational messages to motorists. An approaching driver shall not be able to see two or more digital dynamic display multi-color signs within their field of view at the same time. Each zoning district may have a different potential detection distance that defines the distance of a driver's field of vision. Table 1119.05.3: Detection Distance Requirements lists the applicable detection distance for each zoning district.

Table 1119.05.3: Detection Distance Requirements

Zoning District	Detection Distance
R-AG R-LD P-PR P-IE	400 feet +
R-HD C-NC	800 feet +
C-LC	1,000 feet +
C-HC I-LI I-HI	1,000 feet +

Zoning District	Detection Distance
C-DT P-DM	300 feet +

- iii. **Lateral Location.** In determining conditions to impose on the distance that digital dynamic display multi-color signs are set back from the highway, measured in distance from the edge of the main traveled way or the angle of a digital dynamic display multi-color sign on which the messages are displayed relative to the line of sight of motorists on the adjacent highway. Digital dynamic display multi-color signs shall be located and angled so as to reduce the need for a driver to turn their head to read them as they.
- iv. **Interaction with Traffic Signs.** Digital dynamic display multi-color signs shall be located so as not to be detrimentally affect the effectiveness of official traffic control devices. Digital dynamic display multi-color signs shall not be erected in locations that distract drivers from or prevent drivers from seeing traffic control information (i.e. road markings, traffic signs and traffic signals) in roadway settings where drivers must make decision and take actions.
- v. **Compatibility with Ambient Environment.** Digital dynamic display multi-color signs shall not be located where they will create a harsh visual contrast with the ambient environment where they will not be harmonious and appropriate in appearance with the existing or intended character of the general vicinity or where they will change the essential character of the area.

### 1119.06 Sign Types

(a) Purpose

- (1) This Chapter establishes the required standards for signs according to the following sign classification system as provided in Table 1119.06.1: Sign Classification Summary.

Table 1119.06.1: Sign Classification Summary

Applicable ↓		Previous ↓	
Sign Category	Sign Subcategory	Sign Type	Sign Type
On-Premise Signs	Freestanding Signs	Monument Sign	Foundation Monument Sign Monolith Monument Sign
		Pole Sign	Traditional Monument Sign
	Attached Signs	Wall Sign	Fascia Sign
		Attached Awning/Canopy Sign	Awning Sign Canopy Sign

Applicable ↓		Previous ↓	
		Projecting Sign	Projecting Sign
		Hanging Sign	
		Window Sign	Window Sign
		Freestanding Canopy Sign	
	Incidental Signs	General Incidental Sign	Directional Sign Flag Integral Sign Swinging Sign
	Speaker Board		
Off-Premise Signs <sup>1</sup>	Billboard	Billboard	
	Subdivision Entry Sign	Development Sign	
	Bench Billboard	Bench Billboard	
Temporary Signs	Temporary Sign	Temporary Sign Construction Sign Real Estate Sign Yard Sale Sign Portable Sign Trailer Sign Banner Balloon	
Notes	<sup>1</sup> Off-Premise signs are treated as accessory uses and require a conditional use permit as approved by the BZA <sup>2</sup> Digital dynamic displays are sign features which may subject to conditional use permit review by the BZA		

(2) This classification system provides flexibility for persons, businesses, and entities who display signs, avoids sign distinctions that depend on a sign's message, supports the communities' aesthetic goals, and avoids potential traffic hazards and clutter.

(b) **Signs Allowed by District.** Signs are generally allowed by zoning district as provided in Table 1119.06.2: Sign Type Allowance Summary. For more specific allowances and standards for a given sign type, refer to Sections 1119.07 1119.08 and 1119.09.

Table 1119.06.2: Sign Type Allowance Summary

Key →	✓ = sign allowed   ✗ = sign not allowed   NR = sign allowed for nonresidential uses only   "-" = the standard does not apply   C = sign allowed by Conditional Use Permit					
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM	Code Location
<b>On-Premise Signs (See Section 1119.07)</b>						
Freestanding Signs						

Key →	✓ = sign allowed   ✗ = sign not allowed   NR = sign allowed for nonresidential uses only   "-" = the standard does not apply   C = sign allowed by Conditional Use Permit					
Monument Sign	NR	NR	✓	✓	✓	Section 1119.07 (b)(1)
Pole Sign	✗	NR	✓	✓	✗	Section 1119.07 (b)(2)
<b>Attached Signs</b>						
Wall Sign	NR	NR	✓	✓	✓	Section 1119.07 (c)(1)
Attached Awning/Canopy Sign	NR	NR	✓	✓	✓	Section 1119.07 (c)(2)
Projecting Sign	NR	NR	✓	✓	✓	Section 1119.07 (c)(3)
Hanging Sign	NR	NR	✓	✓	✓	Section 1119.07 (c)(4)
Window Sign	NR	NR	✓	✓	✓	Section 1119.07 (c)(5)
Freestanding Canopy Sign	✗	NR	✓	✓	✗	Section 1119.07 (c)(6)
<b>Incidental Signs</b>						
General Incidental Sign	NR	NR	✓	✓	✓	Section 1119.07 (d)(1)
Speaker Board	✗	NR	✓	✗	✗	Section 1119.07 (d)(2)
<b>Off-Premise Signs (See Section 1119.08)</b>						
Billboard	✗	✗	C	C	✗	Section 1119.08 (b)
Bench Billboard	-	-	-	-	-	Section 1119.08 (c)
Subdivision Entry Sign	✓	✓	✓	✓	✗	Section 1119.08 (d)
<b>Temporary Signs</b>						Section 1119.09

(c) **Generally.** This Chapter establishes standards for individual sign types. Sections and subsections on each sign type address the following standards:

- (1) Images or graphics that illustrate the sign type; and
- (2) A table summarizing the applicable sign standards, including:
  - A. The sign type definition;
  - B. If the sign type is allowed in the designated zoning districts in the tables in Sections 1119.07 and 1119.08 ;
  - C. If a sign permit is required;
  - D. The maximum number of signs of each type;
  - E. Maximum sign dimensions, including:
    - i. Sign area;
    - ii. Sign height;
    - iii. Sign setbacks; and
    - iv. Other requirements.
  - F. If the following sign features provided in Section 1119.05 are allowed or prohibited:
    - i. Illumination features;
    - ii. Changeable copies; and
    - iii. Digital dynamic display.

### 1119.07 On-Premise Signs

- (a) **Generally.** On-premise signs are classified into three sign subcategories: freestanding signs, attached signs, and incidental signs. This Section provides regulations for each sign subcategory.
- (b) **Freestanding Signs.** Freestanding signs are classified into one of the following sign types: monument signs or pole signs. Their associated regulations are established in this Subsection. A lot may have one freestanding sign, but not multiple unless specified elsewhere in this Subsection.
  - (1) Monument Signs
    - A. **Generally.** The required standards for monument signs shall comply with Table 1119.07.1: Monument Sign Standards.



Table 1119.07.1: Monument Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	<u>Monument Sign</u> : An on-premise, permanent freestanding sign mounted or appearing to be mounted directly in the ground or on a footer in the ground.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	NR	NR	✓	✓	✓
Permit Required?	✓	✓	✓	✓	✓
Number per Lot	1	1	1	1	1
<b>Dimensions</b>					
Sign Area (max.)	50 sf	50 sf	150 sf	400 sf	50 sf
Sign Height (max.)	6 ft	10 ft	15 ft	15 ft	10 ft
<b>Distance/Setback</b>					
From Front Property Line (min.)	5 ft	5 ft	10 ft	10 ft	5 ft
From Adjacent Property Lines (min.)	5 ft	5 ft	10 ft	10 ft	5 ft
From Another Freestanding Sign (min.)	50 ft	50 ft	50 ft	50 ft	50 ft

Key →		✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit			
Features		50 ft	50 ft	50 ft	50 ft
External Illumination	NR	NR	✓	-	✓
Internal Illumination	NR	NR	✓	-	✓
Changeable Copy	NR	NR	✓	-	✓
Single-Color Digital	NR	NR	✓	-	✓
Multi-Color Digital	✗	✗	C	C	C

**B. Bonuses and Special Allowances.** The following bonuses apply:

- i. Additional five square feet for masonry construction materials for base or framing 50% masonry minimum.
- ii. The maximum sign area for a monument sign on a lot with multiple tenants may be increased by 25%.
- iii. Any lot with multiple tenants may have up to three monument signs if each of those signs are 25% percent less than the applicable maximum sign area allowance.

**(2) Pole Signs**

**A. Generally.** The required standards for pole signs shall comply with Table 1119.07.2: Pole Sign Standards.



Table 1119.07.2: Pole Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	<u>Pole Sign</u> : An on-premise, permanent freestanding sign mounted directly in the ground by a pole(s) or columnal support structure(s) providing open-air between the base of the sign and the ground.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	✗	NR	✓	✓	✗
Permit Required?	-	✓	✓	✓	-
Number per Lot	-	1	1	1	-
<b>Dimensions</b>					
Sign Area (max.)	-	75 sf	150 sf	150 sf	-
Sign Height (max.)	-	20 ft	35 ft	35 ft	-
<b>Distance/Setback</b>					
From Front Property Line (min.)	-	5 ft	10 ft	10 ft	-
From Adjacent Property Lines (min.)	-	5 ft	10 ft	10 ft	-
<b>Features</b>					
External Illumination	-	NR	✓	✓	-
Internal Illumination	-	NR	✓	✓	-
Changeable Copy	-	NR	✓	✓	-
Single-Color Digital	-	NR	✓	✓	-
Multi-Color Digital	-	✗	C	C	-

**B. Bonuses and Special Allowances.** The following bonuses apply:

- i. Additional five square feet for masonry construction materials for base or framing 50% masonry minimum.
- ii. The maximum sign area for a pole sign on a lot with multiple tenants may be increased by twenty-five percent 25%.

iii. Any lot with multiple tenants may have up to three pole signs if each of those signs are 25% percent less than the applicable maximum sign area allowance.

(c) **Attached Signs.** Attached signs are classified into one of the following sign types: wall signs, attached awning/canopy signs, projecting signs, hanging signs, or window signs. Their associated regulations are established in this Subsection. A building may have multiple attached signs, unless specified elsewhere in this Subsection.

(1) Wall Signs

A. **Generally.** The required standards for wall signs shall comply with Table 1119.07.3: Wall Sign Standards.



Table 1119.07.3: Wall Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit					
Definition →	<u>Wall Sign:</u> An on-premise sign permanently affixed on an exterior building wall.					
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM	
<b>General</b>						
Allowed?	NR			✓		
Permit Required?	✓			✓		
Number per Building	No limit					

<b>Key →</b>	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit	
<b>Dimensions</b>		
Sign Area (max.)	15% of the wall's area	
Sign Height (max.)	Roofline	
<b>Features</b>		
External Illumination	NR	✓
Internal Illumination	NR	✓
Changeable Copy	NR	✓
Single-Color Digital	NR	✓
Multi-Color Digital	✗	C

(2) Attached Awning/Canopy Signs

A. **Generally.** The required standards for attached awning/canopy signs shall comply with Table 1119.07.4: Attached Awning/Canopy Sign Standards.



Table 1119.07.4: Attached Awning/Canopy Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	<u>Attached Awning/Canopy Sign</u> : An on-premise sign permanently painted, printed, attached, or otherwise applied to any facet of the covering or frame structure of an awning or attached structural canopy.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	NR		✓		
Permit Required?	✓		✓		
Number per Building	No limit				
<b>Dimensions</b>					
Sign Area (max.)	25% of the applicable attached awning/canopy's area				
Sign Height (max.)	Top of the first story				
<b>Features</b>					
External Illumination	NR		✓		
Internal Illumination	NR		✓		
Changeable Copy	NR		✓		
Single-Color Digital	NR		✓		
Multi-Color Digital	✗		C		

(3) Projecting Signs

- A. **Generally.** The required standards for projecting signs shall comply with Table 1119.07.5: Projecting Sign Standards.



Table 1119.07.5: Projecting Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	<u>Projecting Sign</u> : An on-premise sign permanently affixed to and projects from the wall of a building and is generally perpendicular to the building façade.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	NR	NR	✓	✓	✓
Permit Required?	✓	✓	✓	✓	✓
Number per Building	No limit	No limit	No limit	No limit	No limit
<b>Dimensions</b>					
Sign Area (max.)	40 sf	40 sf	40 sf	40 sf	40 sf
Sign Clearance (min.)	12 ft	12 ft	12 ft	12 ft	12 ft
<b>Features</b>					
External Illumination	NR	NR	✓	✓	✓
Internal Illumination	NR	NR	✓	✓	✓
Changeable Copy	NR	NR	✓	✓	✓
Single-Color Digital	NR	NR	✓	✓	✓

<b>Key →</b>	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Multi-Color Digital	✗	✗	C	C	C

**(4) Hanging Signs**

**A. Generally.** The required standards for hanging signs shall comply with Table 1119.07.6: Hanging Sign Standards.



Table 1119.07.6: Hanging Sign Standards

<b>Key →</b>	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
<b>Definition →</b>	<u>Hanging Sign</u> : An on-premise sign permanently suspended or hanging from the underside of a canopy, awning, ceiling, marquee, roof overhang, a covered porch, or walkway.				
<b>District → Requirement ↓</b>	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	NR	NR	✓	✓	✓
Permit Required?	✓	✓	✓	✓	✓
Number per Building	No limit	No limit	No limit	No limit	No limit
<b>Dimensions</b>					
Sign Area (max.)	25 sf	25 sf	40 sf	40 sf	25 sf

<b>Key →</b>	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Sign Clearance (min.)	12 ft	12 ft	12 ft	12 ft	12 ft
<b>Features</b>					
External Illumination	NR	NR	✓	✓	✓
Internal Illumination	NR	NR	✓	✓	✓
Changeable Copy	✗	✗	✗	✗	✗
Single-Color Digital	✗	✗	✗	✗	✗
Multi-Color Digital	✗	✗	✗	✗	✗

(5) Window Signs

A. **Generally.** The required standards for window signs shall comply with Table 1119.07.7: Window Sign Standards.



Table 1119.07.7: Window Sign Standards

<b>Key →</b>	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit
<b>Definition →</b>	<u>Window Sign</u> : An on-premise sign permanently suspended or hanging from the underside of a canopy, awning, ceiling, marquee, roof overhang, a covered porch, or walkway.

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	NR	NR	✓	✓	✓
Permit Required?	✓	✓	✓	✓	✓
Number per Window	1	1	1	No limit	1
<b>Dimensions</b>					
Sign Area (max.)	25% of window	25% of window	25% of window	25% of window	25% of window
<b>Features</b>					
External Illumination	NR	NR	✓	✓	✓
Internal Illumination	NR	NR	✓	✓	✓
Changeable Copy	✗	✗	✗	✗	✗
Single-Color Digital	✗	✗	✗	✗	✗
Multi-Color Digital	✗	✗	✗	✗	✗

(6) Freestanding Canopy Signs

A. **Generally.** The required standards for freestanding canopy signs shall comply with Table 1119.07.8: Freestanding Canopy Sign Standards.



Table 1119.07.8: Freestanding Canopy Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	Freestanding Canopy Sign: An on-premise sign that is permanently affixed to a freestanding canopy.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	✗	NR	✓	✓	✗
Permit Required?	-	✓	✓	✓	-
Number per Freestanding Canopy	-	2	No limit	No limit	-
<b>Dimensions</b>					
Cumulative Sign Area (max.)	-	75 sf	125 sf	150 sf	-
<b>Features</b>					
External Illumination	-	NR	✓	✓	-
Internal Illumination	-	NR	✓	✓	-
Changeable Copy	-	NR	✓	✓	-
Single-Color Digital	-	NR	✓	✓	-
Multi-Color Digital	-	✗	C	C	-

**B. Design and Installation**

- i. A freestanding canopy sign shall affix flush against the surface of the face of the freestanding canopy or as flush as possible while still allowing the plane of the face of the sign to remain perpendicular to the ground.
- ii. The face of a freestanding canopy sign shall not extend above the top surface of the face of the freestanding canopy to which it is attached.

**(d) Incidental Signs.** Incidental signs are classified into one large, general category. Their associated regulations are established in this Subsection. A building or lot may have multiple incidental signs as allowed in this Subsection.

**(1) General Incidental Signs**

**A. Generally.** The required standards for incidental signs shall comply with Table 1119.07.9: General Incidental Sign Standards.

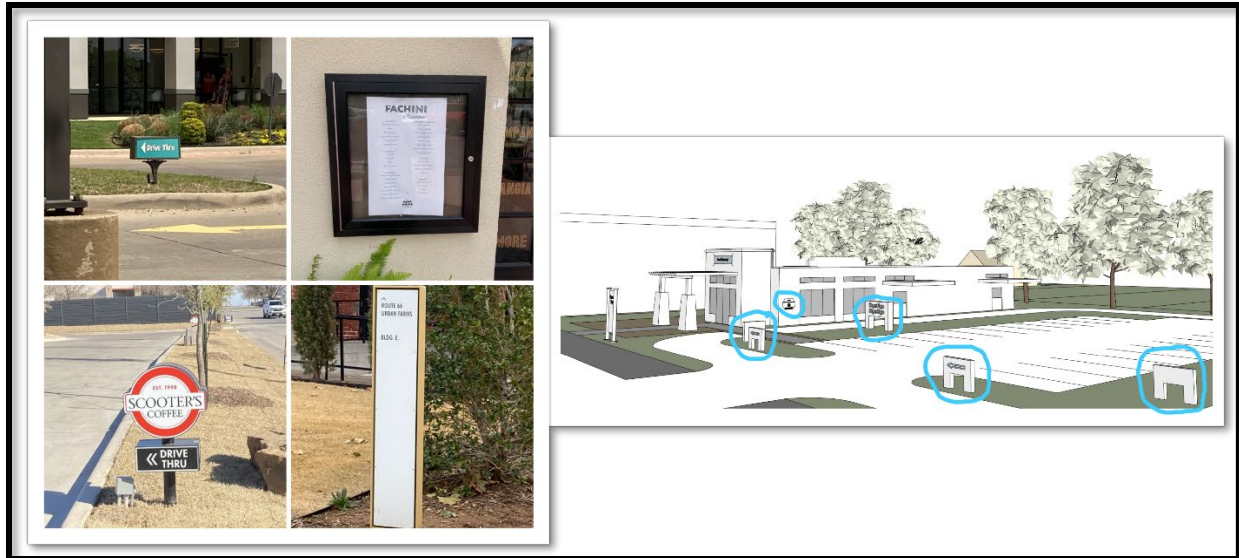


Table 1119.07.9: General Incidental Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit					
Definition →	<u>General Incidental Sign</u> : A permanent on-premise sign that is freestanding or attached to a building that is in addition to the primary freestanding and attached sign types for the property, and that has a height and scale that is clearly subordinate to the primary sign types allowed for the property. Examples of general incidental signs include menu boards, flags, occupant directories, property or tenant identification names or numbers, wayfinding signs, directional signs, and signs warning the public against trespassing or danger from animals. The list of examples is not exhaustive and is provided to clarify the regulations and does not limit the content of general incidental signs.					
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM	
<b>General</b>						
Allowed?	NR	NR	✓	✓	✓	
Permit Required?	NR	NR	✓	✓	✓	
Number per Lot	No limit	No limit	No limit	No limit	No limit	
<b>Dimensions</b>						
Sign Area (max. per sign)	20 sf	20 sf	35 sf	50 sf	20 sf	
Sign Area (cumulative max.)	50 sf	50 sf	75 sf	100 sf	50 sf	
Sign Height (max.)	4 ft	4 ft	6 ft	6 ft	4 ft	

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
<b>Distance/Setback</b>					
From Front Property Line (min.)	5 ft	5 ft	5 ft	5 ft	5 ft
From Adjacent Property Lines (min.)	5 ft	5 ft	5 ft	5 ft	5 ft
From a Freestanding Sign (min.)	20 ft	20 ft	35 ft	50 ft	20 ft
<b>Features</b>					
External Illumination	NR	NR	50 ft ✓	50 ft ✓	50 ft ✓
Internal Illumination	NR	NR	50 ft ✓	50 ft ✓	50 ft ✓
Changeable Copy	✗	✗	50 ft ✓	50 ft ✓	50 ft ✓
Single-Color Digital	✗	✗	50 ft ✗	50 ft ✗	50 ft ✗
Multi-Color Digital	✗	✗	50 ft ✗	50 ft ✗	50 ft ✗

**B. Additional Standards**

- i. There is no maximum incidental sign allowance.
- ii. The sum of the incidental sign area on a lot or building shall not exceed those established in Table 1119.07.9: General Incidental Sign Standards.

**C. Design and Installation**

- i. An attached incidental sign shall affix flush against the wall of the building in which it is located.
- ii. A freestanding incidental sign shall have an enclosed base and be securely and firmly embedded in the ground.
- iii. Incidental signs constructed in conjunction with a freestanding sign shall be consistent with the building elements and materials of those established on the same lot and within the development.

**(2) Speaker Boards**

- A. Generally.** The required standards for speaker boards shall comply with Table 1119.07.10: Speaker Board Standards.

Table 1119.07.10: Speaker Board Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   “-” = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	<u>Speaker Board</u> : A professionally constructed and installed sign made of a durable, weather-resistant product such as metal or high-density plastic and may include a two-way speaker system for ordering from a vehicle in a drive thru lane provided the volume of the speaker does not exceed ambient noise conditions as measured at the property line.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	✗	NR	✓	✗	✗
Permit Required?	-	NR	✓	-	-
Number per Lot	-	2	No limit	-	-
<b>Dimensions</b>					
Sign Area (max. per sign)	-	25 sf	40 sf	-	-
Sign Area (cumulative max.)	-	50 sf	120 sf	-	-
Sign Height (max.)	-	6 ft	8 ft	-	-
<b>Distance/Setback</b>					
From Front Property Line (min.)	-	25 ft	50 ft	-	-
From Adjacent Property Lines (min.)	-	15 ft	25 ft	-	-
From a Residential District (min.)	-	50 ft	100 ft	-	-
<b>Features</b>					
External Illumination	-	NR	✓	-	-
Internal Illumination	-	NR	✓	-	-
Changeable Copy	-	NR	✓	-	-
Single-Color Digital	-	NR	✓	-	-
Multi-Color Digital	-	✗	C	-	-

**B. Design and Installation**

- i. A speaker board shall provide no more than three feet and no less than 18 inches of horizontal separation from the curb or edge of the driveway the speaker board faces.
- ii. Speaker boards shall provide a minimum landscaped area of two square feet per one square foot of sign area abutting the sign base.

**1119.08 Off-Premise Signs**

**(a) Generally**

- (1) Off-premise signs are classified into three sign types: billboards, bench billboards, and subdivision entry signs. This Section provides regulations for each off-premise sign type.
- (2) An off-premise sign is considered an accessory use that requires conditional use permit approval.
- (3) No conditional use permit shall be granted if an off-premise sign is proposed to be erected on a lot without a building or use.
- (4) An off-premise sign shall be permitted in addition to the on-premise signs permitted on a lot.
- (5) Off-premise signs which otherwise comply with every other applicable provision of this Chapter shall be specifically permitted upon properties abutting any route within the City designated by the federal or state governments, or National Road Ohio Scenic Byway Advisory Group, or any like organization, as a "Scenic Byway."

**(b) Billboards**

- (1) **Generally.** The required standards for billboards shall comply with Table 1119.08.1: Billboard Standards.

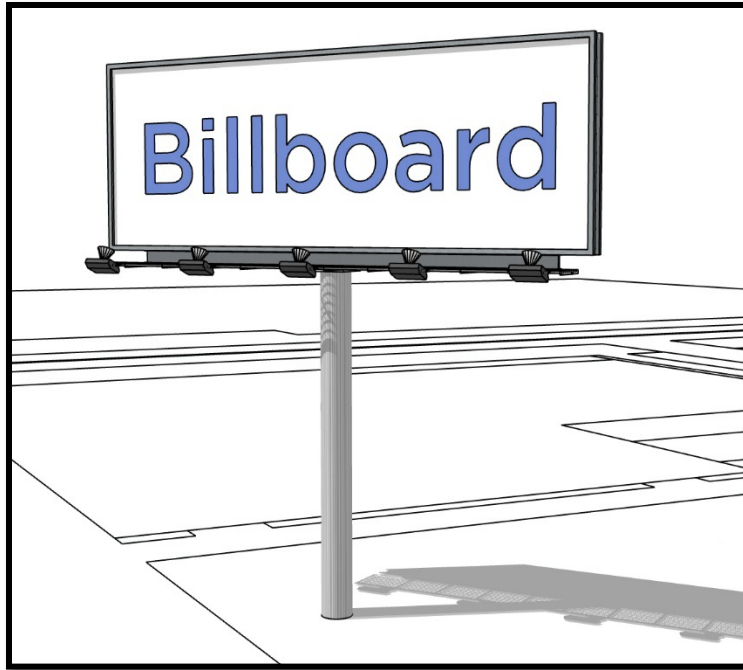


Table 1119.08.1: Billboard Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   “-” = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	<u>Billboard</u> : A permanent off-premise freestanding sign or sign structure upon which a message is placed on a poster or panel and mounted on a pole or metal structure typically with a monopole structure constructed with tubular steel support, tubular steel framing, and a single display panel with a concrete foundation.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	✗	✗	C	C	✗
Permit Required?	-	-	✓	✓	-
Number per Lot	-	-	1	1	-
<b>Dimensions</b>					
Sign Area (max.)	-	-	500 sf	500 sf	-
Sign Height (max.)	-	-	35 ft	35 ft	-
<b>Distance/Setback</b>					
From Front Property Line (min.)	-	-	10 ft	10 ft	-

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
From Adjacent Property Lines (min.)	-	-	10 ft	10 ft	-
From Another Billboard (min.)	-	-	1,000 ft	1,000 ft	-
From a Residential District (min.)	-	-	200 ft	200 ft	-
<b>Features</b>		50 ft	50 ft	50 ft	50 ft
External Illumination	-	-	C	C	-
Internal Illumination	-	-	C	C	-
Changeable Copy	-	-	C	C	-
Single-Color Digital	-	-	C	C	-
Multi-Color Digital	-	-	C	C	-

**(2) Additional Standards**

**A.** A billboard shall not be located within 200 feet of a:

- i.** Public parking area;
- ii.** Educational institution;
- iii.** Religious land use;
- iv.** Cemetery; or
- v.** Government use.

**B.** A billboard shall not exceed the height prescribed in Table above the height of the nearest street grade.

**(3) Design and Installation.** A billboard is not classified as a pole sign.

**(c) Bench Billboards**

**(1) Design**

- A.** The length of the bench billboard shall not exceed six feet or 72 inches.
- B.** The height of the bench billboard shall not exceed three and one half feet or 42 inches from the ground.
- C.** Bench billboards shall not weigh more than 250 pounds.

- D. Seats.** Seat boards shall consist of two inch by six inch boards of metal, composite, or wood construction cut to appropriate lengths and sufficiently protected against weatherization.
  - E. Copy Face.** The back of the bench upon which sign copy may be attached may not exceed twelve square feet and is to be constructed of metal and/or a minimum one-half inch plywood. Exterior grade paint must be used for any painted surfaces.
  - F. Support Legs.** Support legs and required armrests are to be constructed of concrete and/or metal.
  - G. Armrests.** Armrests shall be required on all bench billboards exceeding 36 inches in length and shall be placed in the center and ends of the bench. Armrests are to be constructed of metal, concrete, or wood.
  - H.** The bench billboard must be placed on a continuous permanent dust-free surface of sufficient size and composition to maintain the stability of the bench billboard. Bench billboards shall rest completely within the footprint of the surface.
  - I.** Bench billboards not firmly attached to the ground shall be constructed so as to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- (2) A property owner may allow a bench billboard to be placed on private property subject to the following limitations:
- A.** A sign permit is required for each bench billboard.
  - B.** No bench billboard is permitted to be located within the public rights-of-way; except when the owner of the bench billboard has entered into a contract with the City for placement of bench billboards upon public rights-of-way.
  - C.** Bench billboards to be placed on private property may be permitted only for those locations meeting the criteria for off-premises signs set forth in this Section.
  - D.** Bench billboards shall be placed to not interfere with or obstruct the clear vision of pedestrians and motorists to detract approaching traffic at intersections; nor impede the ability of pedestrians to travel along public rights-of-way.
- (3) All benches shall be maintained in accordance with the City's Property Maintenance Code. Any bench billboard which has fallen into such a state of disrepair or has suffered such damage and wear to be not in compliance with the City's Property Maintenance Code or is otherwise dangerous to use shall be promptly and without delay removed or repaired.

- (4) Bench billboards shall be removed promptly and without delay from locations when the sign permit for the bench billboard expires and no immediately succeeding permit is obtained.
- (5) Bench billboards may be located within the public rights-of-way only when the owner of the bench billboard has entered into a contract with the City authorizing placement of the bench billboard upon public rights-of-ways. And when such location meets the following requirements:
  - A. Bench billboards shall be placed on locations meeting the criteria for off-premise signs set forth in this Section.
  - B. Bench billboards shall be placed to not interfere with or obstruct the clear vision of pedestrians and motorists to detect approaching traffic at intersections; nor impede the ability of pedestrians to travel along public rights-of-way.
  - C. No bench billboard shall contribute to visual clutter or create a dangerous distraction or obstruction for pedestrians and motorists.

(d) Subdivision Entry Sign

- (1) **Generally.** The required standards for subdivision entry signs shall comply with Table 1119.08.2: Subdivision Entry Sign Standards.



Table 1119.08.2: Subdivision Entry Sign Standards

Key →	✓ = yes, a permit is required or the feature is allowed   ✗ = no/not allowed   NR = the sign type or feature is allowed for nonresidential uses only   sf = square feet   ft = feet   "-" = the standard does not apply   C = Allowed by Conditional Use Permit				
Definition →	Subdivision Entry Sign: A permanent off-premise freestanding sign of the monument sign variety located at the entry of a platted subdivision from a local, collector, or arterial street.				
District → Requirement ↓	R-AG R-LD P-PR P-IE	R-HD C-NC	C-LC	C-HC I-LI I-HI	C-DT P-DM
<b>General</b>					
Allowed?	✓	✓	✓	✓	✗
Permit Required?	✓	✓	✓	✓	-
<b>Dimensions</b>					
Sign Area (max.)	50 sf	50 sf	75 sf	75 sf	-
Sign Height (max.)	6 ft	8 ft	8 ft	8 ft	-
<b>Distance/Setback</b>					
From Front Property Line (min.)	5 ft	5 ft	10 ft	10 ft	-
From Adjacent Property Lines (min.)	5 ft	5 ft	10 ft	10 ft	-
<b>Features</b>					
External Illumination	✓	✓	✓	✓	-
Internal Illumination	✓	✓	✓	✓	-
Changeable Copy	✗	✗	✗	✗	-
Single-Color Digital	✗	✗	✗	✗	-
Multi-Color Digital	✗	✗	✗	✗	-

- (2) **Design and Installation.** Two (2) subdivision entry signs may be located at the intersection of a local, collector, or arterial street and an entry street or private driveway into a subdivision. The signs shall be configured as follows:
- A. Two (2) signs with one (1) sign face each located on opposite sides of the entry street or private driveway;
  - B. One (1) sign with two (2) faces located within a landscaped area dividing two (2) one-way entry streets or private driveways; or

C. One (1) sign located on one (1) side of the entry street or private driveway.

### 1119.09 Temporary Signs

The Community Development Director may issue Temporary Sign Permits, subject to the following limitations:

- (a) No temporary sign shall be permitted if displaying the sign will be injurious to or contrary to the purposes to be accomplished by this Chapter.
- (b) If the temporary sign is not firmly attached to the ground or to a building, the temporary sign shall be constructed to be able to withstand a wind pressure of not less than 80 miles per hour without falling over or blowing away.
- (c) No sign shall be displayed for more than 30 consecutive days.
- (d) No more than six Temporary Sign Permits shall be issued to any one occupied unit within any one calendar year.
- (e) No more than one Temporary Sign permit shall be issued to any one occupied unit for display of a temporary sign during any one time.
- (f) No more than one temporary sign shall be displayed for every 100 linear feet of frontage in a nonresidential development.
- (g) Signs shall not be located closer than 10 feet from the property line or lease line for the address separating such address from the adjacent address.
- (h) Additional signage or exceptions to these regulations may be requested through a conditional use permit application to the Board of Zoning Appeals.
- (i) A minimum time period of 14 consecutive days in which no temporary signage is displayed must elapse between the removal and placement of any subsequent temporary signage.
- (j) Temporary signs must be removed upon expiration of the temporary sign permit.
- (k) Expired and non-permitted temporary signs are to be defined and treated as 'rubbish' pursuant to Chapter 1323 of Part 13 of the Codified Ordinances of Springfield, Ohio, for the purposes of removal by the City.

## CHAPTER 1120 - Screening and Fencing

### 1120.01 Purpose

The purposes of this Chapter are to:

- (a) Minimize conflicts between potentially incompatible land uses and development on abutting property;
- (b) Ensure that screens and fences are attractive and in character with the community;
- (c) Maintain fences by recognizing their use to create privacy; and
- (d) Distinguish screens and fences from each other by clearly defining the two terms and applying specific standards to each term.

### 1120.02 Applicability

This Chapter applies to all development within the Springfield city limits. This Chapter does not apply to residential development unless otherwise specified.

### 1120.03 Screening Standards

(a) Screening Summary

- (1) Screening shall meet the standards and apply as provided in Table 1120.03.1: Screening Summary and Section 1120.03 (b).
- (2) Screening composition shall consist of one or a combination of the following screen types as provided in Table 1120.03.1: Screening Summary unless specified elsewhere in this Zoning Code.

Table 1120.03.1: Screening Summary

Screen Type	Composition	Applicable Screening Scenario	Screen Type Allowed	Height	
				Min.	Max.
A	An evergreen planting screen of pyramidal arbor vitae with plantings being at least three (3) feet high, spaced four (4) feet on center at time of planting	Nonresidential Development in a Nonresidential District abutting a Residential District	A, B, C, D, E	6 ft	8 ft
B	A solid opaque wall comprised of masonry (brick, stone, etc.), concrete block, or precast concrete panels.	Development in a Residential District abutting a Residential District	A, C, E	6 ft	8 ft
C	A wrought-iron or tubular steel fence with masonry columns at 20 feet on center with a mix of shrubs and trees located between masonry columns	Around Waste Enclosures (see Section)	A, B, E	6 ft	10 ft

Screen Type	Composition	Applicable Screening Scenario	Screen Type Allowed	Height	
				Min.	Max.
D	An earthen berm at least twenty (20) feet wide with a maximum slope height exceeding at least six (6) feet covered with grass, shrubs, and trees planted at the base between slopes	Outdoor Storage	A, B, C, D, E	6 ft	10 ft
E	Alternate equivalent screening composition that provides an exceptional screening aesthetic, meets sound structural practices and engineering design criteria, and meets the intent and function of this Chapter at the discretion of the Planning Board	Loading Areas	A, B, C, D, E	8 ft	10 ft
		Parking Row abutting and facing ROW or Residential District	A, B	3 ft	6 ft
		HVAC and Mechanical Equipment	A, B, C	3 ft	6 ft
		Other Required Screening	A, B, C, D, E	6 ft	8 ft

(3) Figure 1120.03.1: Examples of Screening Types shows examples of some of the screening types.

Figure 1120.03.1: Examples of Screening Types



**(b) Screening Specifications**

**(1) Generally**

- A.** Applicable required screening shall be provided along the property lines of the subject property unless otherwise specified.
- B.** Screening comprised of masonry, concrete, or metal shall not be erected or placed that would interfere with the installation or maintenance of any public utility line, service, or drainage way within a dedicated easement unless approved by the Community Development Director.
- C.** For screening using any vegetation or plant material provided at the time of installation shall be a minimum of three (3) feet tall measured from the natural grade. Vegetation or plant material provided shall reach a maturity height of at least six (6) feet one (1) year after installation.
- D.** Screening shall not conflict with the sight visibility triangle requirements of Section 1115.03 (e).
- E.** Before certificate of occupancy issuance, all approved screening must be in place.
- F.** All screening shall be permanently and continually maintained in a neat and orderly manner as a condition of use. The certificate of occupancy may be revoked by the Community Development Director for failure to adequately maintain such screening.
- G.** Screening may be waived by the Community Development Director where the view is or will be blocked by a change in grade or by natural or human-made features to the same degree as would be provided by screening which meets the requirements of this Chapter.

**(2) Screening within Residential Contexts**

- A.** Any required screening provided by a more intensive use abutting a residential use or district shall be permanently and adequately maintained by the more intensive use's property owner.
- B.** If there is existing screening or fence along a residential property line and a nonresidential use is proposed, the required screening shall be a living plant screen that complies with this Section and is deemed acceptable by the Community Development Director. However, this requirement may be waived if a 5-foot minimum space between two screens and fences are provided for maintenance access. The intent of these requirements is to eliminate screening situations where two screening walls or fences directly abut each other.
- C.** Screening shall not be erected, placed, or planted beyond the front building line of any permitted building in a residential district, either on a corner lot or

interior lot, unless otherwise allowed by the Board of Zoning Appeals through a variance request.

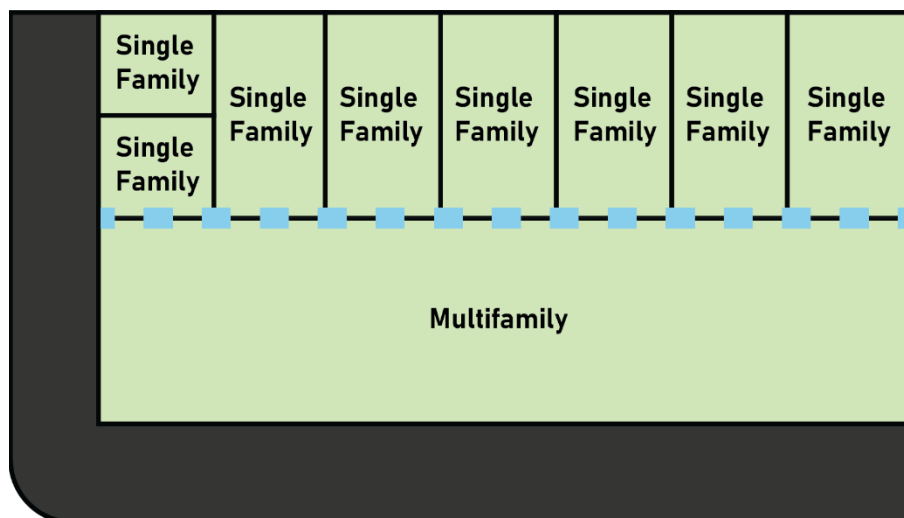
- D. Where a nonresidential use abuts a residential lot or use, the side and rear property lines abutting that residential lot or use shall be suitably screened by the nonresidential use so as to obscure the view from the residential lot, use, or district to the nonresidential use to a height not less than six feet (see the blue dashed line in Figure 1120.03.2: Required Screening Abutting a Residential Lot/Use).

Figure 1120.03.2: Required Screening Abutting a Residential Lot/Use



- E. Where an apartment development abuts a residential use or district, the side and rear property lines of that apartment development shall be screened from view of adjacent dwelling(s) (see the blue dashed line in Figure 1120.03.3: Required Apartment Screening Abutting a Residential Lot/Use).

Figure 1120.03.3: Required Apartment Screening Abutting a Residential Lot/Use



- F. Screening requirements are not required for educational institutions, active and passive park/recreational facilities, or religious land uses, except where a parking lot or active outdoor intensive use area (such as a playground) is adjacent to a residential lot or dwelling.
- (3) Screening for HVAC and Mechanical Equipment
- A. Ground mechanical and heating and air conditioning equipment in nonresidential and multi-family uses shall be screened from view from the public right-of-way and from adjacent residential property.
  - B. Roof-mounted mechanical units shall be screened from view at a point of four feet above the property line with a parapet wall, mansard roof, or alternative architectural element.
  - C. The height of the screening device shall be equal to or greater than the height of the mechanical unit provided that the device shall not extend more than six feet above the roof on a one- or two-story building or more than twelve feet above the roof on a building of three or more stories.
  - D. A mechanical unit that is taller than the maximum permitted height of the screening feature shall be set back from the screen three feet plus one foot for each foot exceeding the height of the screen.
  - E. Screening for mechanical units shall apply to new building construction only.
- (4) Screening for Parking
- A. Where a parking area is provided within 50 feet on the same side of the street as a lot in a Residential district, the lot shall be screened from view of that portion of the parking area within 50 feet.
  - B. Where a parking area is provided on a lot within 150 feet across the street from an Residential district, the lot shall be screened from view of that portion of the parking area within 150 feet.
  - C. Wherever a parking lot or driveway adjoins a residential district, such parking lot or driveway shall be separated and screened from the residential district pursuant to this Section.

#### 1120.04 Fencing Standards

(a) Generally

- (1) Fences are not required for any property within Springfield city limits.
- (2) No fences exceeding three (3) feet in height shall be allowed in the required front yard in any residential district.

- (3) No fence is allowed in the required right-of-way.
- (4) No fence shall conflict with the sight visibility triangle requirements of Section 1115.03 (e).
- (5) Every fenced enclosure constructed under the provisions of this Section shall have at least one gate in its perimeter.
- (6) All fences constructed under the provisions of this Section shall be maintained to comply with the requirements of this Section at all times. The Community Development Director may order the repair or removal of a fence if it is more than 10% damaged or leaning 20 degrees from vertical. Fences shall be repaired in compliance with the provisions of this Section.

**(b) Corner Lots**

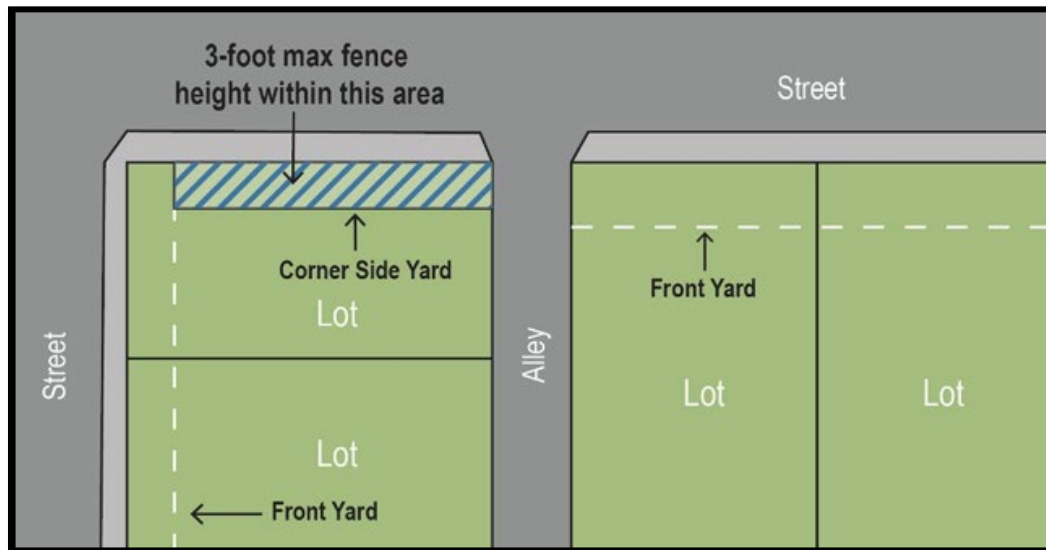
- (1) On all corner lots in residential districts that have opposing rear lot lines, fences may be constructed not to exceed six feet in height along the side and rear lot lines, as indicated in Figure 1120.04.1: 6-Foot Fence Height Limit.

*Figure 1120.04.1: 6-Foot Fence Height Limit*



- (2) On all residential district corner lots where the rear lot line is opposed to a side lot line across an alley from that side lot line, no fence exceeding three feet in height shall be constructed upon or within the side yard that is next to the street at a distance from the side building line greater than the minimum side yard requirement, as indicated in Figure 1120.04.2: Fence Near Alley.

Figure 1120.04.2: Fence Near Alley



(c) Design Requirements

- (1) The minimum fence height is six feet from natural grade with a maximum height of eight feet, unless otherwise specified.
- (2) Treated lumber shall be used, attached with galvanized screws to galvanized poles installed in two feet of premixed concrete.

(d) **Security Fencing.** Except in the R-AG district, barbed wire and electric fences are subject to the following requirements.

- (1) Barbed wire shall consist of twisted wires with barbs on each wire a minimum distance of four inches apart. Concertina wire shall be prohibited.
- (2) Except for the enclosure of agricultural operations, barbed wire fences shall be permitted only in the R-AG district, provided that the bottom strand of barbed wire shall not be less than six feet above grade.
- (3) Barbed wire may be placed on gate arms and fences and screens at least eight feet above natural grade in industrial districts.
- (4) An electric fence for the enclosure of agricultural operations shall not carry a charge greater than 25 milliamperes nor a pulsating current longer than one-tenth (1/10) second in a one second cycle. All electric fence charges shall carry the seal of an approved testing laboratory.
- (5) Barbed wire and electric fences shall be prohibited within five feet of a public sidewalk or within five feet of a street right-of-way line where a public sidewalk does not now exist.

## CHAPTER 1121 - Waste Management

### 1121.01 Purpose

The purpose of this Chapter is to provide adequate provisions for on-site waste disposal and collection while promoting sightly development.

### 1121.02 Applicability

This Chapter applies to all nonresidential development within Springfield city limits. This Chapter does not apply to residential development unless otherwise specified.

### 1121.03 Standards

- (a) **Generally.** Waste facilities within the R-HD, C-NC, C-LC, C-HC, I-LI, I-HI, P-PR, P-IE, and P-DM districts shall comply with the minimum standards below.
- (1) Waste facilities require waste enclosures and shall meet the requirements established in Section 1120.03 .
  - (2) Waste enclosure screening materials shall be as provided in Section 1120.03 with the additional allowance of the use of metal or wood. Screening materials shall be of the colors provided on the exterior walls of the main building.
  - (3) All waste enclosures shall be fully screened on all sides except for the side where the waste facility is accessed.
  - (4) A solid metal gate is required, and when open, shall not encroach into any fire lane.
  - (5) No solid metal gate shall exceed 10 feet in height.
  - (6) Gates shall remain closed except when in use for access.
  - (7) One waste enclosure is required on every lot unless a double waste enclosure is provided on an adjacent lot and access is mutually agreed upon by the two lot owners.
  - (8) Waste facilities shall not be located in front of the main building unless no other option is available as determined by the Community Development Director.
- (b) **Design.** Waste facilities within the R-HD, C-NC, C-LC, C-HC, I-LI, I-HI, P-PR, P-IE, and P-DM districts shall comply with the design specifications below.
- (1) Required waste enclosures shall have a minimum inside dimension of 12 feet by 12 feet with a waste enclosure gate opening of not less than 12 feet in width.
  - (2) A turnaround area shall be provided of sufficient length to allow the collection truck to exit without backing onto a public right-of-way.

- (c) **Urban Waste Management Solutions.** Within the C-NC and C-DT districts, City-contractor approved rolling carts and wheeled dumpsters may be used to meet this Chapter's requirements.

#### 1121.04 Alternative Compliance

- (a) The Community Development Director may approve the following modifications in this Chapter by the alternative compliance process:
  - (1) Reducing the 40-foot straight backing requirement by 10 feet; and
  - (2) Expanding the allowance of City-contractor approved rolling carts and wheeled dumpsters to properties other than those in the C-NC and C-DT districts.
- (b) Any modification seeking greater relief than provided above requires a variance.

## CHAPTER 1122 - Urban Design

### 1122.01 Purpose

The purposes of this Chapter are to:

- (a) Establish minimum standards for the appearance of development and corresponding architectural design and site elements that enhance property values, reflecting the interest of the City's general welfare;
- (b) Promote aesthetically appealing development in Downtown Springfield;
- (c) Encourage the design of a developed environment that is built to human scale; and
- (d) Ensure buildings are compatible with its surrounding area and contributes to the unique character of Downtown Springfield.

### 1122.02 Applicability

- (a) This Chapter applies to development located in the C-DT district.
- (b) This Chapter does not apply to development located in other districts.

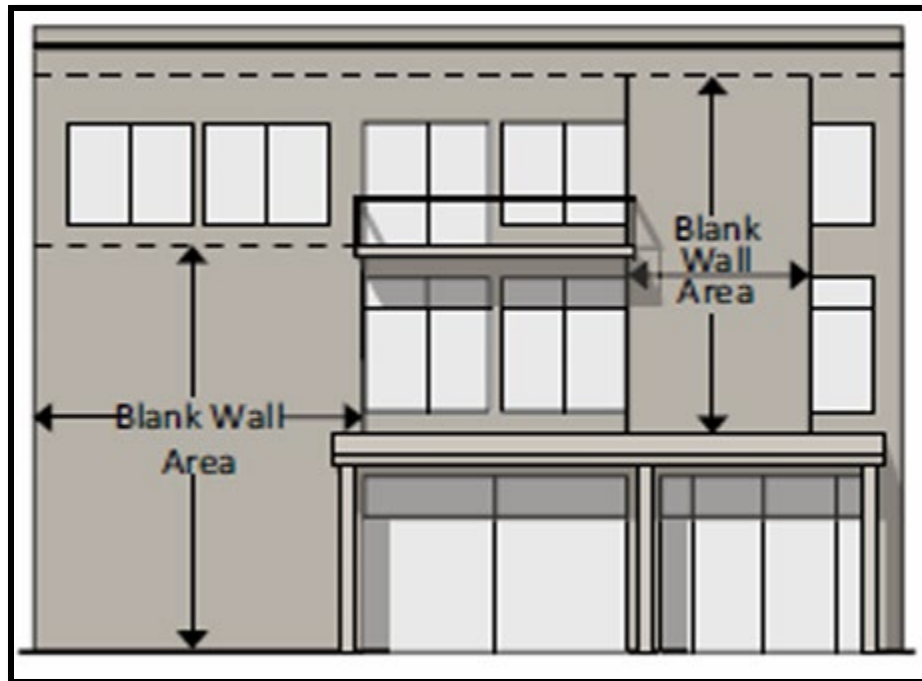
### 1122.03 Standards

- (a) Building Entrances
  - (1) Building facades facing public streets shall incorporate a main entrance door on the street.
  - (2) Building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.

**(b) Blank Wall Area**

- (1)** Blank wall area means any portion of the exterior façade of the building that does not include a substantial material change; such as windows or doors, or one of the expression tools included in this Section or one of the building elements included in this Section.
- (2)** Substantial material change means a change between exterior building materials such as wood, metal, glass, brick, architectural block, stone or stucco. Substantial material change should occur at an inside corner, where feasible. Paint color is not a substantial material change.
- (3) Purpose**
  - A.** The blank wall area regulations are intended to prevent large, monotonous expanses of undifferentiated building mass; and
  - B.** The level of architectural detail should be most intense at the street level, where it is within view of the pedestrians on the sidewalk.
- (4) General Requirements**

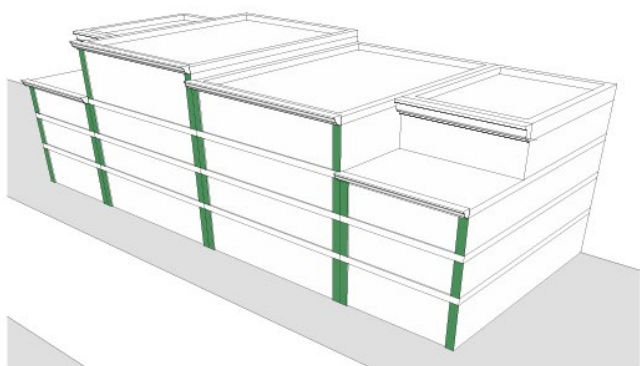
*Figure 1122.03.1: Blank Wall Area Summary*

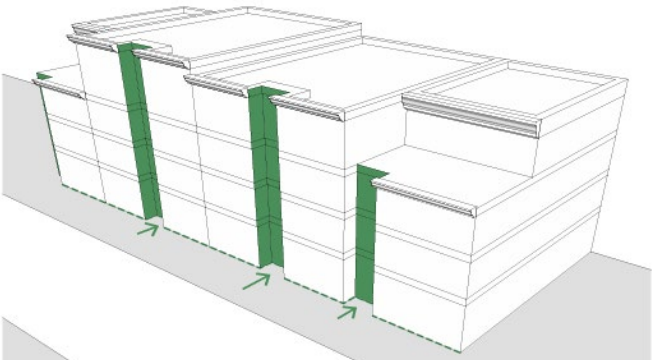
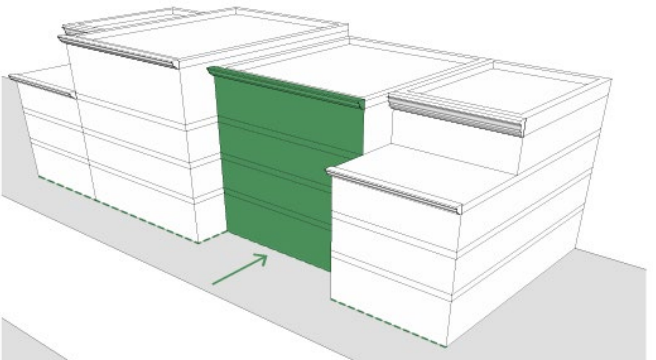
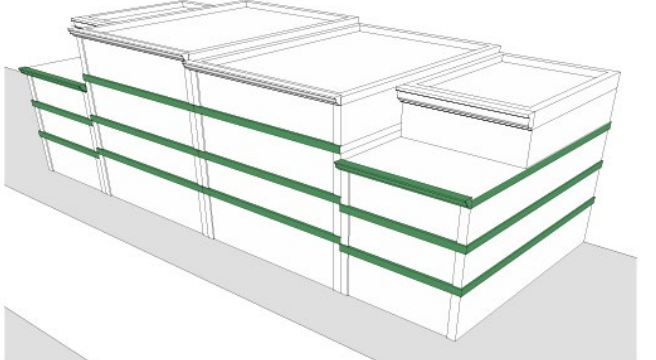


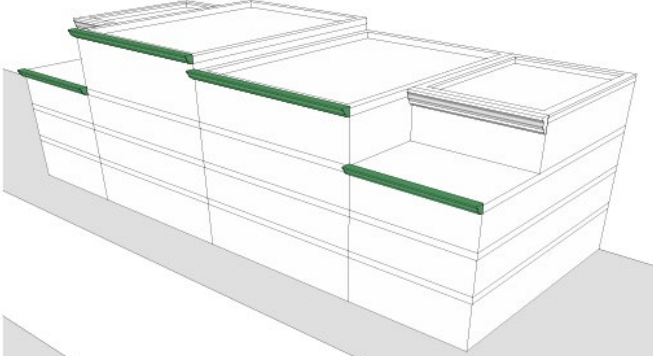
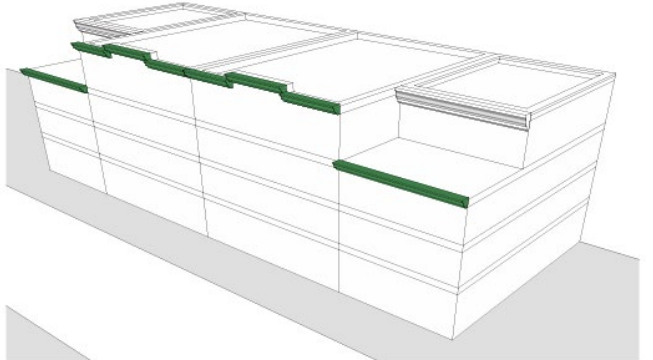
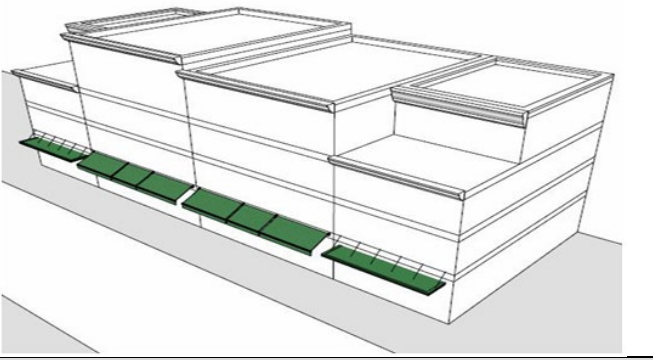
- A.** The blank wall area standard applies to any portion of an exterior facade.
- B.** Blank wall area applies in both a vertical and horizontal direction.
- C.** Blank wall area applies to both ground and upper stories.

- D.** Figure 1122.03.1: Blank Wall Area Summary summarizes the blank wall area requirements.
- (c) Expression Elements**
- (1) Purpose.** The standards in this section are intended to ensure that expression tools utilized to satisfy the blank wall area standards are of sufficient size and design to meet the intent of the blank wall area requirement.
- (2) General Requirements**
- A.** In addition to the requirements of Section 1122.03 (b), the following standards must be met:
- i.** For primary building facades greater than 120 feet in length, a minimum of three expression elements must be applied. One vertical expression element and one (1) horizontal expression element (from Table 1122.03.1: Expression Element Standards) must be used. The third expression element may be selected from either the vertical or horizontal expression elements lists.
  - ii.** For primary building facades 120 feet or less in length, a minimum of two expression elements must be applied. One vertical expression element and one horizontal expression element (from Table 1122.03.1: Expression Element Standards) must be used.
- B.** The standards in Table 1122.03.1: Expression Element Standards are intended to ensure that the vertical and horizontal expression elements utilized to satisfy the blank wall area standards are of sufficient size and design to meet the intent of the blank wall area requirement.

*Table 1122.03.1: Expression Element Standards*

Expression Element ↓	Graphic ↓
<b>Vertical Expression Elements</b>	
<b>Vertical Expression Line:</b> A vertical expression line created by molding	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• A vertical expression line with a minimum size of at least 4 inches in depth and 1 ft in width</li> <li>• The vertical expression line must occur at a minimum interval of every 60 ft across the building frontage and shall reflect historic facade widths</li> </ul>	
<b>Wall Notch:</b> A front façade setback providing vertical articulation to a building façade	

Expression Element ↓	Graphic ↓
<p><b>Requirements:</b></p> <ul style="list-style-type: none"><li>• Each wall notch must provide a front facade setback of a minimum depth of 4 ft and length of 8 ft</li><li>• Wall notches shall be spaced to reflect historic facade width</li></ul>	
<b>Wall Offset: An offset in façade wall into different modules</b>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"><li>• Facade module must have a minimum 10 ft offset from an adjacent module</li><li>• The wall offset shall be located such that it relates to historic facade widths</li></ul>	
<b>Horizontal Expression Elements</b>	
<b>Horizontal Expression Line: A horizontal expression line created by molding</b>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"><li>• A horizontal expression line must be a minimum of 4 inches in depth and 1 ft in height</li><li>• Incorporate horizontal expression lines at heights that align with traditional elements of historic buildings such as awnings, transoms, and cornices</li><li>• The maximum length a horizontal expression line can run without changing height is 120 ft</li></ul>	
<b>Cornice: A cornice detail providing a horizontal articulation</b>	

Expression Element ↓	Graphic ↓
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• The cornice detail must be at least 18 inches in height</li> <li>• The cornice detail must be at least 6 inches deep</li> <li>• The cornice detail must extend the entire width of the facade</li> <li>• The cornice detail shall vary in height at widths that reflect historic facade modules</li> </ul>	
<p><b>Varied Parapet Height:</b> A change in the height of the parapet along the length of the building</p>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• The parapet offset shall be a minimum of 2 ft in height from the adjacent parapet</li> <li>• The parapet offset shall occur at a minimum interval of every 60 ft across the building frontage, and shall reflect historic precedent</li> <li>• On the sections of the building that incorporate this horizontal expression element, the awning/canopy height shall also be raised a minimum of 2 ft in height from the adjacent awning/canopy heights to reflect the change in this facade module</li> </ul>	
<p><b>Awning/Canopy:</b> A wall mounted, cantilevered structure providing shade and cover from the weather for a sidewalk</p>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• An awning/canopy must be a minimum of 7 ft clear height above the sidewalk and must have a minimum depth of 5 ft</li> <li>• An awning/canopy may extend into a primary or side street setback</li> <li>• An awning/canopy may encroach up to 6 ft into the public right-of-way but must be at least 2 ft inside the curb line or edge of pavement, whichever is greater</li> </ul>	

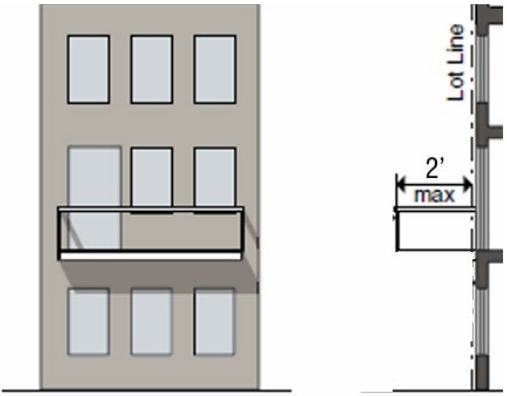
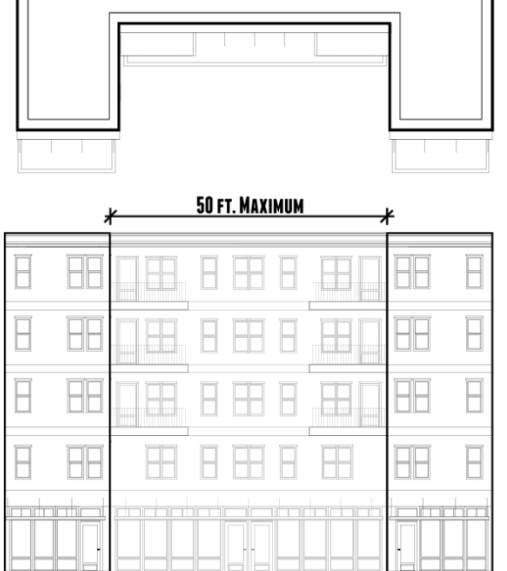
**(d) Building Elements**

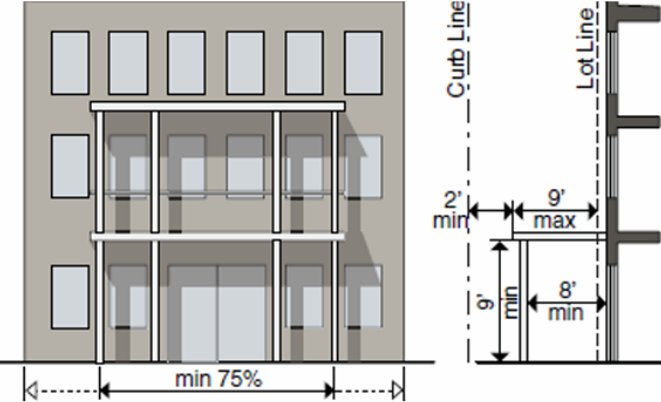
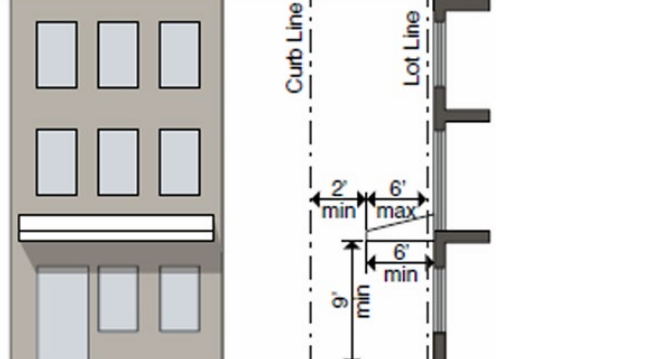
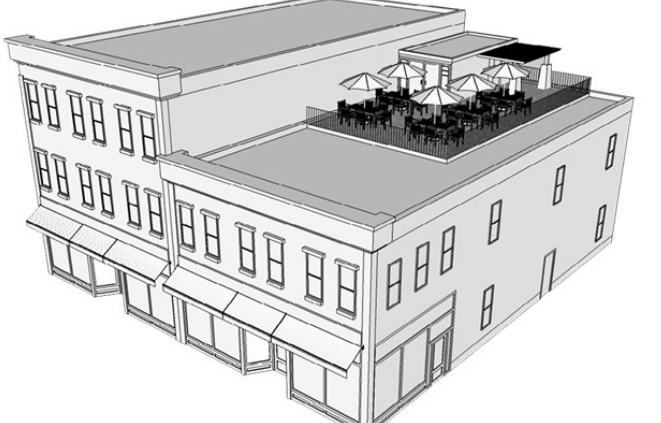
**(1) Purpose.** The standards in this Subsection along with Table 1121.03.1: Expression Element Standards are intended to ensure that building elements are of sufficient size and design to meet the intent of the requirements in Section 1121.03 (b).

- (2) Building elements that do not encroach into a required setback and that are not being used to satisfy the blank wall area requirements do not need to comply with the general requirements in this section.
- (3) **Right-of-Way Encroachment.** A building element may encroach into the right-of-way in accordance with the standards of this Chapter.
- (4) **Building Element Typology.** The building elements established in Table 1122.03.2: Building Element Typology Standards shall be provided.

Table 1122.03.2: Building Element Typology Standards

Building Element ↓	Graphic ↓
<p><b>Front Porch:</b> A raised structure attached to a building that forms a covered entrance to a doorway</p> <p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• A front porch must be at least 6 ft deep (excluding the steps and any porch posts)</li> <li>• A front porch shall have a minimum of 50 square feet</li> <li>• Front porch posts which flank the front door, entry, or access point to the unit shall be separated a minimum of 5 ft</li> <li>• A front porch must be contiguous with a width not less than 45% of the building facade</li> <li>• A front porch must be roofed and may be screened but cannot be fully enclosed.</li> <li>• A front porch may extend up to 9 ft, including the steps, into a required front setback, provided that such extension is at least 2 ft from the vertical plane of any lot line</li> </ul>	
<p><b>Stoop:</b> An exterior stair and landing for ground floor residential where the first story is elevated to provide privacy for the windows</p> <p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• A stoop must be no more than 6 ft deep (not including the steps) and 6 ft wide</li> <li>• A stoop may be covered but cannot be fully enclosed</li> <li>• A stoop may extend up to 6 ft, including the steps, into a required setback, provided that such extension is at least 2 ft from the vertical plane of any lot line</li> <li>• A stoop may not encroach into the public right-of-way</li> </ul>	

Building Element ↓	Graphic ↓
<p><b>Balcony:</b> A platform projecting from the wall of an upper-story of a building with a railing along its outer edge, often with access from a door or window</p>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• A balcony may be covered but cannot be fully enclosed</li> <li>• A balcony must have a clear height above the sidewalk of at least 9 ft</li> <li>• A balcony may extend into a primary or side street setback</li> <li>• A balcony may encroach up to 2 ft into the public right-of-way</li> </ul>	 <p>The graphic consists of two parts. On the left is a perspective drawing of a three-story building with a balcony on the second floor. On the right is a side elevation showing the building's profile relative to a vertical 'Lot Line'. A horizontal dimension line indicates a maximum encroachment of 2 feet from the lot line into the public right-of-way.</p>
<p><b>Forecourt:</b> An open area at grade, or within 30 inches of grade, that serves as an open space, plaza or outdoor dining area. A forecourt is designed for pedestrian activity that is often related to the operation of the business(es) with entrances that open into the forecourt and windows that look into the forecourt.</p>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• A forecourt must be no more than one-third of the length of the building face, and in no case longer than 50 ft in width</li> <li>• A forecourt must be no less than 10 ft in depth.</li> <li>• The depth of the forecourt should not exceed the general width</li> <li>• A maximum of one forecourt is permitted per lot</li> <li>• A forecourt meeting the above requirements is considered part of the building</li> <li>• The forecourt shall include a landscaping feature (such as planters) and features that encourage pedestrian activity (such as benches or tables)</li> </ul>	 <p>The graphic shows a perspective drawing of a multi-story building with a large open area (forecourt) in front of it. A dimension line above the forecourt indicates a maximum width of 50 feet.</p>
<p><b>Gallery:</b> A covered passage extending along the outside wall of a building supported by arches or columns that is open on 3 sides</p>	

Building Element ↓	Graphic ↓
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• A gallery must have a clear depth from the support columns to the building's facade of at least 8 ft and a clear height above the sidewalk of at least 9 ft</li> <li>• A gallery must be contiguous and extend over at least 75% of the width of the building facade</li> <li>• A gallery may extend into a primary or side street setback</li> <li>• A gallery may encroach up 9 ft into the public right-of-way but must be at least 2 ft inside the curb line or edge of pavement, whichever is greater</li> </ul>	
<p><b>Awning/Canopy:</b> A wall mounted, cantilevered structure providing shade and cover from the weather for a sidewalk</p>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• An awning/canopy must be a minimum of 7 ft clear height above the sidewalk and must have a minimum depth of 5 ft</li> <li>• An awning/canopy may extend into a primary or side street setback</li> <li>• An awning/canopy may encroach up to 6 ft into the public right-of-way but must be at least 2 ft inside the curb line or edge of pavement, whichever is greater</li> </ul>	
<p><b>Rooftop Deck:</b> An outdoor area located on the roof of a building, although it is not necessarily located on the highest roof plane. For instance, it could be located on the roof of the third story, where the fourth and fifth stories of the building are stepped back from the front façade. A rooftop deck exists where an applicant chooses to utilize this outdoor space.</p>	
<p><b>Requirements:</b></p> <ul style="list-style-type: none"> <li>• The rooftop deck must be enclosed by a railing or partial wall. The railing of a rooftop deck must be set back from the street-facing walls of the floor beneath it by a minimum of 4 ft</li> <li>• A rooftop garden must be set back from the building frontage at least 10 ft, and a green roof must be set back from the building frontage at least 5 ft and have a low profile so as not to be seen from the public realm</li> </ul>	

(e) Transparency

(1) **Purpose.** Transparency requirements are intended to lend visual interest to street-facing building facades for both pedestrians and building occupants and minimize

blank wall areas. These requirements aim to ensure sight lines from the sidewalk to the goods and services provided inside the property.

(2) General Requirements

Figure 1122.03.2: Transparency Summary



- A. The minimum percentage of windows and doors that must cover a ground story facade is measured between 0 and 12 feet above the adjacent sidewalk.
- B. The minimum percentage of windows that must cover upper story facades is measured between the top of the floor plate of the upper story and the bottom of the ceiling structure (see Figure 1122.03.2: Transparency Summary).
- C. Windows shall not be made opaque by non-operable window treatments (for example curtains, blinds or shades within the conditioned space are considered operable, whereas stationary shades such as “faux roman” shades that do not move are considered non-operable).
- D. Glass shall be considered transparent where it has a transparency higher than 60% and external reflectance of less than 15%. Clear glazing must have a visible transmittance rate of 0.5 or greater to count towards the transparency requirement.
- E. For all residential uses, at least 30% of each building façade facing public streets shall be transparent window glass or open.
- F. For nonresidential uses, at least 60% of each building façade facing public streets shall be transparent window glass or open.

**(f) Building Materials**

- (1) Hard surfaced building materials are required for all nonresidential uses.
- (2) Acceptable building materials include:
  - A. Masonry;
  - B. Parged block;
  - C. Glass block; and
  - D. Plaster/stucco.
- (3) Building materials used on building walls and roofs shall not be more than 30% highly reflective glass, such as tempered or mirrored glass.
- (4) Highly tinted glass or glass tinted in unnatural colors or with a highly reflective finish shall be avoided.
- (5) Building materials may artificially simulate natural materials that they are not.
- (6) The following building materials for nonresidential uses shall be prohibited on visible facades from public streets:
  - A. Corrugated metal panels;
  - B. Siding; and
  - C. Wood used as a finish material.

**(g) Parking**

- (1) Parking must be provided in rear of building as provided in Section 1116.06 .
- (2) In locations where a rear yard fronts a street or is visible within 150 feet of a street, all parking must be screened as provided in Section 1120.03 .
- (3) Off-Street parking is not required for individual uses.

**(h) Outdoor Lighting**

- (1) Ornamental or decorative lights mounted with brackets shall be provided when attached to the building.
- (2) Outdoor lighting and site furniture shall be architecturally integrated with the building's style, material, and color.
- (3) Down lighting shall be used to reinforce circulation corridors.

## **CHAPTER 1123 - Infill**

### **1123.01 Purpose**

The purpose of this Chapter is to accommodate and encourage compatible development in existing developed areas, while reinforcing the established character of those areas and mitigating adverse impacts on adjacent properties.

### 1123.02 Applicability

This Chapter applies to all development and redevelopment within Springfield city limits unless otherwise specified.

### 1123.03 Standards

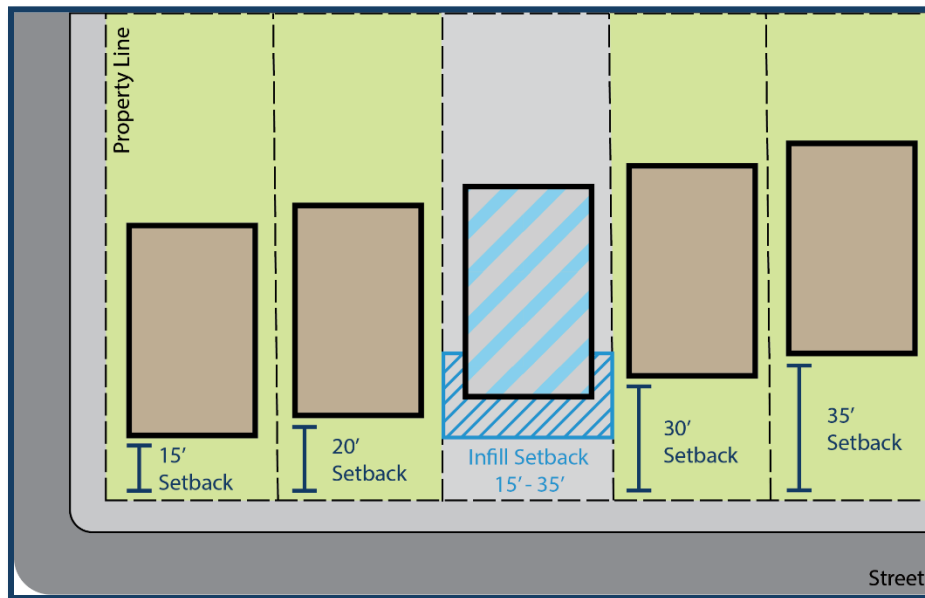
**(a) Generally**

- (1) Infill development shall share a similar height to surrounding buildings.
- (2) Infill development shall reflect the architectural styles on either side along the block face.
- (3) The relationship between height, width, material, and style of existing facades shall be respected.
- (4) Infill development shall have consistent setbacks with the buildings on it's block face.
- (5) Generally, infill development lots shall meet the required minimums of the zoning district in which it is located, except specified otherwise in this Chapter.

**(b) Setbacks**

- (1) The front setback for infill development shall be determined by assessing the as-built setbacks on the block face (see Figure 1123.03.1: Infill Development Setback Range), or the applicable zoning district's requirement, whichever is least restrictive for redevelopment.

Figure 1123.03.1: Infill Development Setback Range



(2) Infill development may be placed anywhere between the smallest and largest front setbacks on the block face (see Figure 1123.03.1: Infill Development Setback Range).

(3) All other setbacks shall meet the zoning district's dimensional standards unless specified otherwise in this Chapter.

(c) Architectural Requirements

(1) Infill development shall use similar building materials as assessed by the as-built developments on the block face.

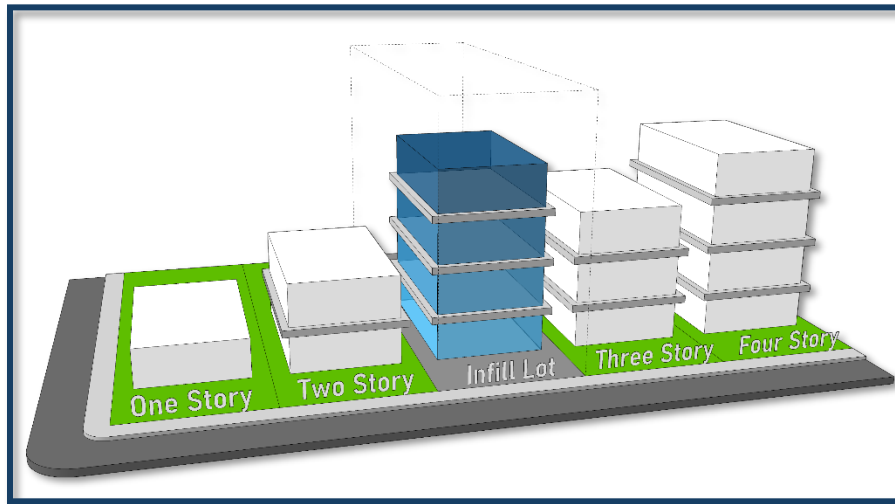
(2) Color shades shall be used to facilitate blending infill development into the block face. The color shades of building materials shall draw from the range of color shades that already exist on the block or in the adjacent neighborhood. If no specified range can be determined, then infill development shall utilize earth tones.

(3) The use of high-intensity colors, metallic colors, or fluorescent colors is prohibited.

(d) Building Height

(1) The building height for infill development shall be determined by assessing the as-built building heights on the block face (see Figure 1123.03.2: Infill Development Building Height), or the applicable zoning district's requirement, whichever is least restrictive for redevelopment.

Figure 1123.03.2: Infill Development Building Height



(2) The building height for infill development may be placed anywhere between the shortest and tallest building height on the block face (see Figure 1123.03.2: Infill Development Building Height).

(e) **Glare.** Building materials and windows shall not create excessive glare nor create a significant adverse impact on the adjacent property owners, neighborhood, or community in terms of vehicular and pedestrian safety and enjoyment of views.

### 1123.04 Alternative Compliance

(a) Dimensional requirements may be further modified as provided by this Section.

(b) In instances where redevelopment of a vacant lot is impractical or will otherwise prevent the future development of the lot because of the applicable zoning district's requirements, the following requirements may be modified and approved by the Community Development Director as provided in Table 1123.04.1: Infill Dimensional Modifications by the alternative compliance process specified in Section 1129.01 .

Table 1123.04.1: Infill Dimensional Modifications

Requirement	Modification
Minimum Lot Area	A 20% decrease to the applicable zoning district requirement
Minimum Lot Width	A 15% decrease to the applicable zoning district requirement
Maximum Total Lot Building Coverage	A 10% increase to the applicable zoning district requirement
Minimum Front Setback	A 20% decrease to the applicable zoning district requirement
Minimum Rear Setback	A 20% decrease to the applicable zoning district requirement

- (c) These modifications may be in addition to the setback averaging method provided in Section 1123.03 .
- (d) Any modification seeking greater relief than provided in Section 1123.03 and Table 1123.04.1: Infill Dimensional Modifications, requires a variance.

## CHAPTER 1124 - Animal Regulations

### 1124.01 Purpose

The purpose of this Chapter is to regulate the allowance, conditions, and location of non-household animals on lots.

### 1124.02 Applicability

This Chapter applies to all development within Springfield city limits where non-household animals are to be provided on a property.

### 1124.03 Standards

- (a) Generally
  - (1) Non-household animals shall follow the requirements provided in Table 1124.03.1: Animal Unit Summary. A property shall not exceed the maximum animal unit requirements provided in Table 1124.03.1: Animal Unit Summary.

Table 1124.03.1: Animal Unit Summary

Animal Type	Number of Animals Per One Animal Unit	Lot Size → District ↓	Number of Animal Units Allowed Per Lot			
			< 1 acre	1 – 5 acres	5 – 10 acres	> 10 acres
Cattle	1	R-AG	3*	6*	9*	12*
Horse, Donkey, Mule	1	R-LD	2	3	4	5
Pig	1	R-HD	1	2	3	4
Goat, Sheep, Llama, Alpaca	2	C-NC	-	-	-	-
Honeybee Colony	2	C-LC	-	-	-	-
Fowl (chicken, quail, turkey, duck, dove, geese)	4	C-HC	-	-	-	-
<b>Notes</b> * = animal units per acre - = not allowed		C-DT	-	-	-	-
		I-LI	-	-	-	-
		I-HI	-	-	-	-
		P-PR	2	3	4	5
		P-IE	2	3	4	5
		P-DM	-	-	-	-

(2) An animal unit is a calculation that assigns a number of non-household animals in a flexible manner. For example, one animal unit may be one pig, two honeybee colonies, or four fowls. Four animal units could be one of the following possible combinations:

- A. 4 cattle
- B. 4 horse, donkey, mule
- C. 4 pigs
- D. 8 goat, sheep, llama, alpaca
- E. 8 honeybee colonies
- F. 16 fowl
- G. 2 cattle and 4 goat, sheep, llama, alpaca
- H. 1 cattle, 1 pig, and 8 fowl

(3) All non-household animals shall be set back at least 20 feet from all property lines unless specified otherwise in this Chapter.

- (4) The following animal types are prohibited on lots less than one acre:
  - A. Cattle;
  - B. Horse, Donkey, Mule;
  - C. Pig; and
  - D. Goat, Sheep, Llama, Alpaca
- (5) Structures for cattle, horses, donkeys, mules, pigs, goats, sheep, llamas, and alpacas shall be at least 200 feet from every abutting R-LD and R-HD property lines.
- (6) Structures for fowl or small animals shall not be less than 100 feet from every abutting R-LD and R-HD property lines.
- (7) All non-household animals are prohibited from being located in front and side yards.
- (8) Exotic animals are not permitted in Springfield, except as part of a licensed circus or exhibition.

**(b) Animal-Specific Regulations**

**(1) Honeybee Colony**

- A. All Honeybee colonies shall be registered with the Ohio Department of Agriculture and shall comply with all requirements set forth in ORC Chapter 909.
- B. Honeybee colonies shall be enclosed as required below:
  - i. A minimum six foot tall flyway barrier around the Honeybee colonies shall be provided;
  - ii. The flyway barrier shall consist of a solid wall, fence, dense vegetation, or combination of the three; and
  - iii. The flyway barrier shall extend 10 feet beyond the hive in each direction along the ground.

**(2) Fowl**

- A. **Lots Less than One Acre.** The following requirements apply on lots less than one acre:
  - i. Fowl shall be sheltered in a coop and shall not be allowed inside a dwelling.
  - ii. A coop shall provide at least four square feet of space per fowl.
  - iii. Coops shall be located at least five feet from any side property line and at least ten feet from any rear property line.

- iv. Coops shall be located at least 30 feet from any dwelling unit located on an adjacent lot.
- v. Fowl shall be kept within a coop from 6 p.m. to 6 a.m. During the other hours of the day, fowl shall have access to an unpaved outdoor roaming area of at least eight square feet per fowl.
- vi. Fowl or their coops or enclosures shall not be allowed front of the rear wall of the primary structure.
- vii. Coops shall be kept clean so as to prevent pests, infestations, and noxious odors.
- viii. Coops shall be designed, built, and maintained to prevent access by predators.
- ix. Water and food shall be always provided on-site and accessible.
- x. Any electrical or heat sources shall comply with the City Building Code.
- xi. The outdoor slaughter of fowl is prohibited.

**B. Roosters**

- i. Roosters are prohibited on all R-LD and R-HD properties and those lots less than one acre.
- ii. A rooster shall be kept at least 100 feet from any dwelling or building on adjacent properties.
- iii. In districts where roosters are allowed, for every eight fowl, one rooster is permitted.

## CHAPTER 1125 - Performance Standards

### 1125.01 Purpose

The purpose of this Chapter is to establish regulations that protect the public from the potential negative effects of certain development by regulating the transmission of noise, vibration, odor, and harmful substances and emissions.

### 1125.02 Applicability

- (a) **New Uses.** Any commercial or industrial use established after the effective date of this Zoning Code shall comply with the minimum performance standards contained in this Chapter.
- (b) **Existing Uses.** Existing lawfully conforming or nonconforming commercial and industrial uses which are not in compliance with the performance standards of this

Zoning Code are exempt from the requirements of this Chapter. However, a use that does not comply with the standards shall not be increased in the degree of noncompliance. Such uses shall be permitted to be enlarged or altered provided that the enlargement or alteration complies with these performance standards.

- (c) **Certification.** When necessary, the Community Development Director may require the applicant certify by a registered professional engineer or other qualified person, at the expense of the applicant, that the performance standards for a proposed use can be met.

### 1125.03 Standards

- (a) **Generally.** All uses shall conform to the standards of the Ohio Environmental Protection Agency regarding glare, heat, exterior light, liquid or solid wastes, vibrations, and noise and the regulations provided below.
- (b) **Smoke.** The emission of smoke from any operation or activity shall not exceed a density or equivalent opacity permitted below. For the purpose of grading the density or equivalent opacity of smoke, the Ringelmann Chart as published by the United States Bureau of Mines shall be used.
- (1) In Commercial districts, the emission beyond lot lines of smoke darker in shade than Ringelmann No. 1 from any chimney, stack, vent, opening or combustion process shall be prohibited.
- (2) In Industrial districts, the emission of smoke darker in shade than Ringelmann No. 2 from any chimney, stack, vent, opening or combustion process beyond district boundary lines shall be prohibited, except that the emission of smoke of a shade not to exceed Ringelmann No. 3 is permitted for not more than three minutes total in any one eight-hour period when starting or cleaning a fire.
- (c) **Particulate Matter.** No person shall operate or cause to be operated any furnace or combustion device for the burning of coal or other natural or synthetic fuels without using approved equipment, methods, or devices to reduce the quantity of gasborne or airborne solids or fumes emitted into the open air exceeding a rate permitted below at the temperature of 500 degrees Fahrenheit. For the purpose of determining the adequacy of such devices, these conditions shall apply when the percentage of excess air in the stack does not exceed 50% at full load. The foregoing requirement shall be measured by the A.S.M.E. Test Code for dust-separating apparatus. All other forms of dust, dirt and lye ash shall be completely eliminated insofar as escape or emission into the open air is concerned.
- (1) In Commercial districts, the emission of particulate matter suspended in air shall not exceed 0.35 grains (.0023 ounces) per standard cubic foot (70 degrees F. and 14.7

- psia) of air during any one-hour period or a total from all vents and stacks of one-half (1/2) pound per acre of lot area during any one hour period.
- (2) In Industrial districts, the emission of particulate matter suspended in air shall not exceed 0.35 grains (.0023 ounces) per standard cubic foot (70 degrees F. and 14.7 psia) of air during a one-hour period for a total from all vents and stacks of three pounds per hour per acre of lot area during any one hour period.
- (d) **Toxic Matter.** The release of airborne toxic matter from any operation or activity shall not exceed the fractional quantities permitted below of the Threshold Limit Values adopted by the American Conference of Governmental Industrial Hygienists. If a toxic substance is not listed, verification that the proposed level of toxic matter will be safe and not detrimental to the public health or injurious to plant and animal life shall be required. The measurement of toxic matter shall be on the average of any 24-hour sampling period.
- (1) In Commercial districts, the release beyond lot lines of airborne toxic matter shall not exceed one-eighth (1/8th) of the Threshold Limit Values.
- (2) In Industrial districts, the release beyond district boundary lines of airborne toxic matter shall not exceed one-eighth (1/8th) of the Threshold Limit Values.
- (e) **Odor.** The emission of offensive odorous matter from an operation or activity shall not exceed the odor threshold concentration defined in the American Society for Testing and Material Method D1391-57 "Standard Method for Measurement of Odor in Atmosphere (Dilution Method)" as the level which will just evoke a response in the human olfactory system when measured as follows:
- (1) In Commercial districts, when measured five feet above ground level, odorous matter shall not exceed the odor threshold concentration beyond lot lines.
- (2) In Industrial districts, when measured five feet above ground level, odorous matter shall not exceed the odor threshold concentration beyond district boundary lines.
- (f) **Vibration.** Earthborne vibrations from any operation or activity shall not exceed the displacement values below. Vibration displacement shall be measured with an instrument capable of simultaneously measuring in three mutually perpendicular directions. The maximum vector resultant shall be less than the vibration displacement permitted as determined by the calculations provided in Table 1125.03.1: Vibration Calculations.

Table 1125.03.1: Vibration Calculations

Formula		Constant K by Type of Vibration			
		District and Place of Measurement	Continuous	Impulsive <sup>1</sup>	< 8 pulses per 24-hr period
D = K/f where:	D = displacement in inches	<b>Commercial Districts:</b> at lot lines	0.003	0.006	0.015
	K = constant given (subsequent columns)	<b>Industrial Districts:</b> at district boundary lines	0.030	0.060	0.150
	f = frequency of the vibration transmitted through the ground in cycles per second	At Residential Districts, recreational area, or educational institution	0.003	0.006	0.015 boundary lines
Notes	<sup>1</sup> = at least 1 second rest between pulses which do not exceed 1 second duration				

(g) **Glare.** Glare or light from any operation and all lighting for parking areas or for the external illumination of buildings or grounds shall be directed or located in such a manner that all direct or indirect illumination shall not exceed .35 footcandles at a Residential district boundary and the source of light shall not be visible within a Residential district or within a lot of a conforming residential use in a Commercial district.

# TITLE FIVE - PROCEDURAL STANDARDS

## CHAPTER 1126 - General Provisions

### 1126.01 Purpose

The purposes of this Title are to:

- (a) Establish the appropriate workflows associated with each land development process;
- (b) Ensure that processes comply with state law;
- (c) Assign decision-making authority, completeness review, and deadlines to ensure that the processes are efficient and fair to applicants; and
- (d) For discretionary or legislative decisions, provide notice and an opportunity to be heard by persons affected by the application.

### 1126.02 Applicability

This Title establishes rules and procedures for specific land use decisions under the jurisdiction of the City Commission, Planning Board, Board of Zoning Appeals, Springfield Landmarks Commission, and City Staff (where applicable).

### 1126.03 Procedural Steps

This Title establishes rules for procedures, such as notices and public meetings/hearings. It then describes the process for specific land use decisions. The procedures have a common workflow using a list of basic steps. Each step is summarized with an overview description as reflected in Table 1126.03.1: Procedural Steps.

*Table 1126.03.1: Procedural Steps*

Step	Overview
Applicability	This is the type of development or situation that is subject to the process.
Initiation	This is how the applicant begins the process, including which department or official receives the application.
Completeness	This is how the City determines that the application has sufficient information to be processed.
Notice and Hearings	This describes the type of notice, how it is provided, and the conditions of any applicable required public meetings/hearings.
Action	This states who reviews, recommends, and approves the application and the type of proceeding that leads to the decision.
Approval Criteria	These are any standards that apply to the application. All applications are subject to the regulations of this Zoning Code.

Step	Overview
Subsequent Applications	If an application is denied, some processes have a waiting period before that type of application can be resubmitted for the property.
Appeals	This provides a way to review an application that is denied or that has conditions that the applicant disagrees with.
Scope of Approval	This indicates what activity the application authorizes. For example, some approvals send the applicant to the next step in the overall process, while others authorize construction or use.
Recordation	This states how the formal approval decision is maintained.

### 1126.04 Approval Summary

Table 1126.04.1: Authority Table summarizes the major review procedures for land use applications and development activity in Springfield city limits and who acts on those applications. Not all procedures addressed in this Title are summarized in Table 1126.04.1: Authority Table (see subsequent sections of this Title for additional details on each procedure).

Table 1126.04.1: Authority Table

Application	Required?			Approval Authorities				
	PAC	Notice	Public Hearing	CDD	PB <sup>1</sup>	BZA	CC	SLC
<b>Entitlement Procedures</b> Amendment (Text or Map/Rezoning)      ✗      ✓      ✓      R      R      -      D      - Planned Development Zoning/Rezoning      ✓      ✓      ✓      R      R      -      D      -								
<b>Site Development Procedures</b> Conditional Use Permit      ✗      ✓      ✓      R      -      D      -      - Zoning Certificate      ✗      ✗      ✗      D      -      A      -      - Site Plan      ✗      ✗      ✗      D      -      A      -      - Parking Lot Permit      ✗      ✗      ✗      D      -      -      -      - Communication Facility/Tower Permit      ✗      ✓      ✓      R      -      D      -      - Certificate of Appropriateness <sup>2</sup> ✗      ✗      ✗      R      -      -      -      D								

<b>Key:</b> ✘ = Not Required   ✔ = Required   - = Not Applicable   R = Review and Recommend   D = Decision (a decision includes the review of the application)   A = Appeal Decision   PAC = Pre-Application Conference   CDD = Community Development Director   PB = Planning Board   CC = City Commission   BZA = Board of Zoning Appeals   SLC = Springfield Landmarks Commission				<b>Approval Authorities</b>					
<b>Application</b>	<b>Required?</b>								<b>CDD</b>
	<b>PAC</b>	<b>Notice</b>	<b>Public Hearing</b>						
Home Occupation Permit	✘	✘	✘	D	-	A	-	-	
<b>Relief Procedures</b>									
Alternative Compliance	✘	✘	✘	D	-	-	-	-	
Variance	✘	✔	✔	R	-	D	-	-	
Appeals from Landmarks Commission	✘	✔	✔	-	-	D	-	-	
Appeals from Administrative Decision	✘	✔	✔	-	-	D	-	-	
Notes	<sup>1</sup> In certain instances, CEDA (the regional planning board) may serve in the capacity as the Planning Board for application. For more clarity on CEDA’s role in the development process, refer to the Codified Ordinances. <sup>2</sup> The Community Development Director and Springfield Landmarks Commission both can decide a certificate of appropriateness application. See Section 1129.05 for clarity.								

## CHAPTER 1127 - Common Procedures

### 1127.01 Pre-Application

- (a) **Applicability.** These requirements apply to any application if the applicant elects to request a pre-application conference with the City.
- (b) **Initiation.** Before submitting an application subject to this Title, the applicant may request a meeting with the Community Development Department concerning the plans and data as specified in this Zoning Code.
- (c) **Purpose of Meeting.** The purpose of the meeting is to assist an applicant prior to the submittal of an application, to coordinate the technical aspects of development, inform the applicant about potential planning and development issues, and to prepare the City for upcoming development proposals.

- (d) **Scheduling.** Any applicants wishing to discuss a development proposal with the Community Development Department shall schedule a meeting at least five (5) business days prior to the meeting.
- (e) Pre-Application Conference (PAC)
- (1) The pre-application conference shall include the following:
- A. A discussion of technical studies, plans and other information deemed relevant to the specific application request;
  - B. Discussion of the anticipated level of citizen interest;
  - C. A discussion of the general project consistency with this Zoning Code and the Clark County Comprehensive Plan.
- (2) The applicant shall provide a brief overview of the project, including proposed location, uses, densities, project layout, and design features.
- (3) The Community Development Department will provide information and comments at the pre-application conference but will not take formal action on the application. In addition to provision of verbal information, the Community Development Department may provide a pre-application conference checklist.
- (4) The applicant's and Community Development Department's comments are for purposes of information, but are not binding on either the City or the applicant.
- (f) Documentation
- (1) During the meeting, the Community Development Department may review and complete an informational checklist, based on the scope of the application.
- (2) The Community Development Department will record in writing and provide the applicant any pertinent information concerning the project scope, as described by the applicant, as well as verbal guidance provided by City staff.

## 1127.02 Submitting Applications

- (a) **General Requirements.** Applications filed under this Zoning Code must include the information as required per the application forms provided by the Community Development Department as hosted on the [City of Springfield, Ohio Official Website](#). All applications shall be made on forms prepared by the Community Development Department.
- (b) Required Fees
- (1) The City Commission may establish fees for all applications required in this Zoning Code.

- (2) The following application fees shall be provided as required in Table 1127.02.1: Base Application Fees. Fees may be refunded as determined by the City Commission.

Table 1127.02.1: Base Application Fees

Application	Fee	
	1 to 3-Unit Dwellings	All other Uses/ Development Types
Amendment Conditional Use Permit Variance Appeals from Landmarks Commission	\$57.00	\$285.00
Amendment Rezoning	\$285.00	
Zoning Certificate Home Occupation Appeals from Administrative Decision Alternative Compliance	\$25.00	
Communication Facility/Tower Permit	-	See 1129.06 (c)(5)
Parking Lot Permit	-	\$150.00 + 1 per parking space

(c) Review for Completeness

- (1) The Community Development Department will not process incomplete applications.
- (2) An application is not complete until all required items are submitted per the application forms provided by the Community Development Department as hosted on the [City of Springfield, Ohio Official Website](#).
- (3) Any required plans part of an application submittal, unless otherwise specified, shall be prepared by a qualified professional.
- (4) All required plans part of an application submittal, unless otherwise specified, shall be drawn at a scale at least 20 feet to the inch.
- (5) When applications are submitted, the Community Development Department will review them for completeness.
- (6) The time period to process an application does not commence until the Community Development Department determines that the application is properly submitted and the applicant has corrected any deficiencies in the application.
- (7) Review for completeness of application forms is solely to determine whether information required for submission with the application is sufficient to allow further processing.
- (8) The Community Development Department will determine whether the application is complete and will transmit the determination to the applicant. If the Community

Development Department determines that the application is not complete, the Community Development Department will specify those parts of the application that are incomplete and will indicate how they can be made complete, including a list and description of the information needed to complete the application. No approval authority is obligated to further review the application until the required information is corrected.

- (9) An approval authority may provide submittal deadlines for materials required in support of any application provided for on the [City of Springfield, Ohio Official Website](#). Compliance with those deadlines is required to proceed with the application.

### 1127.03 Noticing and Public Hearings

(a) Generally

(1) Purpose

- A. The purpose of noticing is to provide a fair and consistent method to notify the community about proposed development in which the community may provide input on a particular proposed development at a public hearing.
- B. The purpose of a public hearing is to allow the applicant and all other interested parties a reasonable and fair opportunity to be heard, to present evidence relevant to the application, and to rebut evidence presented by others.

- (2) **Rules of Procedure.** The City Commission, Planning Board, and Board of Zoning Appeals may adopt rules of procedure for public meetings and hearings.

- (b) **City Commission.** After the recommendations and report of the Planning Board have been filed, the City Commission shall before enacting any proposed amendment, hold a public hearing on the proposed amendment, giving notice of the time and place of the hearing, which notice shall be published in a newspaper having a general circulation in the city at least 30 days before the public hearing.

- (c) **Planning Board.** The Planning Board shall before acting on any proposed application, hold a public hearing on the proposed application, giving notice of the time and place of the hearing, which notice shall be published at least 10 days before the public hearing.

(d) Board of Zoning Appeals

- (1) When an application or appeal has been filed in proper form and with the required data, the Secretary of the Board shall immediately place such application or appeal upon the calendar for hearing and cause notices stating the time, place and object of the hearing to be served personally or by mail at least 10 days, excluding Saturday, Sundays and holidays, prior to the day of such hearing, upon the applicant or the

- appellant, and to such persons as the Board of Zoning Appeals may specify in its rules and regulations which notices, if by mail, shall be sent to the last known address of the respective property owners.
- (2) The Board of Zoning Appeals shall also publish notice of such hearing in a newspaper of general circulation in Clark County at least seven days prior to the public hearing.
  - (3) Any party may appear at such hearings in person or by authorized agent.
  - (4) Upon the day for hearing any application or appeal, the Board of Zoning Appeals may adjourn the hearing to permit additional information to be secured, or to cause such further notice as it deems proper to be served upon such other property owners as it decides may logically be concerned with such application or appeal. In the case of an adjourned hearing, persons previously notified and persons already heard need not be notified of the time of resumption of such hearing unless the Board of Zoning Appeals so decides.

#### 1127.04 Administrative Review

- (a) **Review by Other Departments, Divisions, and Entities.** The Community Development Department staff may forward copies of the application to various local, regional (the Regional Planning Commission), state and federal entities and departments for their review and comment. The Community Development Department may ask the reviewers to respond in writing or attend an application review meeting with the Community Development Department.
- (b) **City Staff Review.** City staff shall review the application and supporting information. This may occur in a meeting with the applicant and representatives of other entities or departments. After reviewing the information, the Community Development Director shall prepare a report summarizing the information for the approval authorities and providing a recommendation for action and any proposed conditions. The applicant or other interested parties may obtain a copy of the staff report from the department before the meeting at which the application is scheduled to be presented.
- (c) **Staff Report.** If an individual section of this Title delegates to staff the authority to approve, approve with conditions/modify, or deny/disapprove an application, the staff report may include a written decision to that effect.

#### 1127.05 Action and Decisions

- (a) Generally
  - (1) **Action.** Approval authorities shall hold regularly scheduled public meetings and hearings to receive and review public input on items required by this Zoning Code.

Recommendations and decisions shall be rendered in a timely manner, based upon the specific requirements of the following:

- A. Conformance with these regulations, the Clark County Comprehensive Plan, and other adopted plans, design guidelines and policies;
- B. Recommendations of staff and approval authorities;
- C. Input of reviewing agencies and departments;
- D. Public comment and testimony received at the hearing; and
- E. Effects of the proposal on the neighborhood, area, and community-at-large.

(2) Authority to Condition Development Approvals

- A. After review of the application, other pertinent information or documents, and any evidence made part of the public record, approval authorities may impose conditions that are reasonably necessary to assure compliance with applicable general or specific standards expressed in these regulations.
- B. The Community Development Director shall include a copy of the conditions with the record of decision.
- C. The applicant shall be notified of any conditions imposed on the application.

(b) **City Staff.** City staff decisions shall be rendered in a timely manner, based upon the specific requirements of the following:

- (1) Conformance with this Zoning Code, the Clark County Comprehensive Plan, and other adopted plans, design guidelines and policies; and
- (2) Input of reviewing agencies and departments.

### 1127.06 Application Withdrawal

- (a) **Generally.** An application may be withdrawn at any time prior to formal consideration by an approval authority.
- (b) **No Public Meeting/Hearing Required.** If no public meeting/hearing is required, the applicant shall give notice of the withdrawal to the Community Development Director at the earliest possible time.
- (c) **Public Meeting/Hearing Required.** If a public meeting/hearing is required, an applicant may request a withdrawal from the Community Development Director at any time prior to the opening of the meeting. Once the public meeting/hearing is opened, the approval authority shall decide whether to approve the request and may instead act on the application.

### 1127.07 Scope of Approval

- (a) **Generally.** The approval authority may take any action on the application that is consistent with the notice given (if applicable), including approval of the application, conditional approval of the application, or denial of the application.
- (b) **Revisions.** The approval authority may allow revisions to the application if the effect of the revision is to reduce the density or intensity of the original application, reduce the impact of the development, or reduce the amount of land involved from that indicated in the notices of the hearing. The approval authority may not permit a greater amount of development, a more intensive use, a larger area of land than indicated in the original application, or a greater variance than was indicated in the notice.

### 1127.08 Post-Decision Revisions

#### (a) Minor Revisions

- (1) The Community Development Director may approve minor revisions to the terms of an approved application. "Minor revisions" are those that are necessary in light of technical considerations discovered after the decision on the application, and that do not substantively change the character of the approval. Minor revisions include but are not limited to:
  - A. An increase in gross floor area not exceeding 35%;
  - B. Substitution of landscape materials if the proposed materials are of a similar shape, size, and type;
  - C. Location of trees; and
  - D. Changes to building materials, parking lot design, screening elements, building location, or similar elements of site or building design, that would improve the site or are needed because of circumstances not foreseen at the time of application approval.
- (2) Minor revisions must be authorized in writing.
- (3) Minor revisions are subject to appeal to the Board of Zoning Appeals. On appeal, no further action will be taken to process the application, and/or issued permits are stayed pending the Board of Zoning Appeal's determination.

#### (b) Major Revisions

- (1) A major revision is any revision that the Community Development Director determines exceeds the conditions of a minor revision.
- (2) A major revision is approved by the original approval authority and is required in accordance with the procedures established for the original consideration of the application.

- (3) In making a major revision determination, the Community Development Director may seek a recommendation from any approval authority involved in the original application process.

## 1127.09 Appeals

### (a) Generally

- (1) Any decision may be appealed.
- (2) Any party aggrieved by a decision may seek judicial review in any court of competent jurisdiction pursuant to general law.
- (3) Certain decisions may be appealed to a specific approval authority as established in CHAPTER 1130 - Relief Procedures.

- (b) Stay of Proceedings.** An appeal shall stay all proceedings in furtherance of the action appealed from, unless the Community Development Director certifies to the Board of Zoning Appeals, after notice of appeal shall have been filed, that by reason of facts stated in the certificate, a stay would, in their opinion, cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by a restraining order which may, on due cause shown, be granted by the Board of Zoning Appeals after notice to the Community Development Director, or by judicial proceedings.

## CHAPTER 1128 - Entitlement and Pre-Development Procedures

### 1128.01 Amendment (Text or Map/Rezoning)

- (a) **Applicability.** This Section applies to amend or change the regulations of this Zoning Code. This includes the regulations and boundaries or classification of property contained within this Zoning Code or a change to the Zoning Map (rezoning).
- (b) **Initiation.** An amendment may be initiated by:
- (1) City Commission on its own motion;
  - (2) Planning Board recommendation;
  - (3) Community Development Department; or
  - (4) On petition by a resident or their authorized agent.
- (c) **Completeness**
- (1) Generally, refer to Section 1127.02 .
  - (2) In addition to the requirements provided in Section 1127.02 (c), the following items shall be provided for any amendment to the Zoning Map:
    - A. A plot plan of the petitioned property and all other properties within 200 feet of the lands;
    - B. The names and addresses of all property owners of the petitioned property and those within 200 feet of any part of the

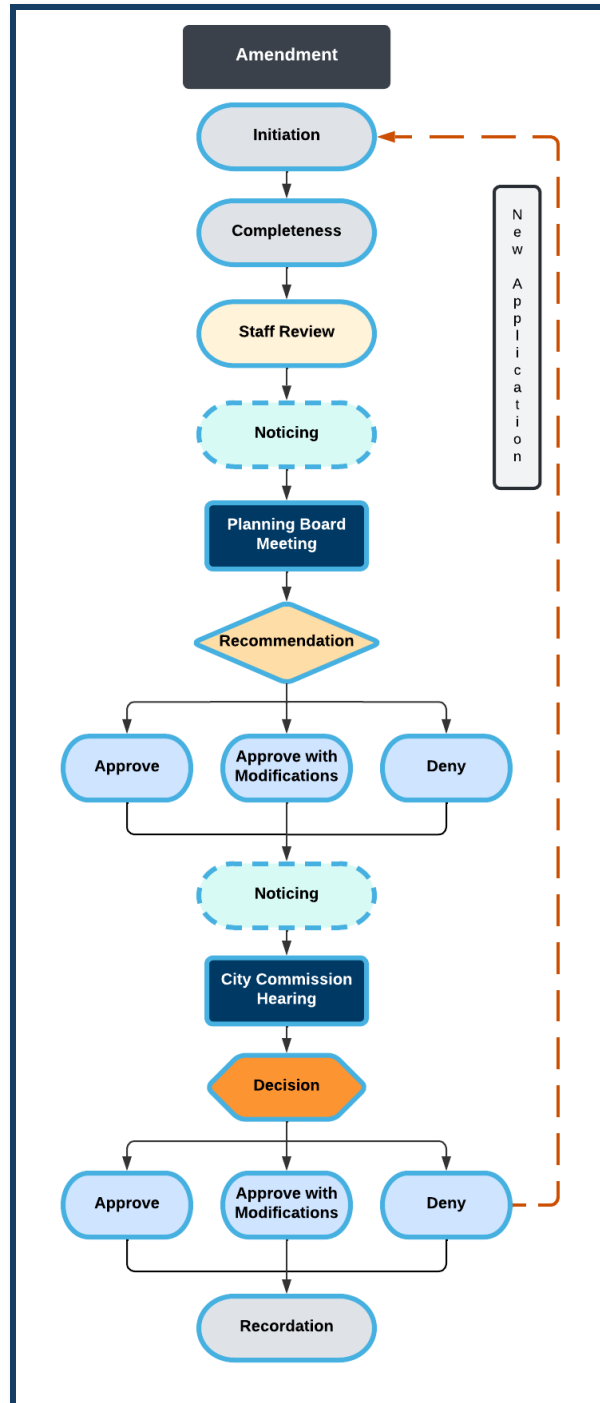


Figure 1128.01.1: Amendment Flowchart

petitioned property; however, when 10 or more contiguous properties are joined in one petition by motion of the City Commission or instigation by the Planning Board, the names and addresses of those of the petitioned properties and those within 200 feet need not be;

- C. A written statement setting forth the reasons for amending the Zoning Map as petitioned; and
- D. Any other documentation as necessary to process the proposed Zoning Map amendment.

**(d) Notice and Hearing(s)**

- (1) Noticing shall be provided twice, once for each public meeting, and shall comply with Section 1127.03 and state law, as applicable.
- (2) A City Commission public hearing is required which shall comply with Section 1127.03.

**(e) Action**

**(1) Community Development Director Review and Recommendation.** The Community Development Director shall review the amendment and provide a recommendation to the Planning Board to:

- A. Approve the amendment;
- B. Deny the amendment; or
- C. Approve the amendment with modifications.

**(2) Planning Board Review and Recommendation**

**A. Generally.** The Planning Board shall review the amendment and submit a recommendation and report to City Commission to:

- i. Approve the amendment;
- ii. Deny the amendment; or
- iii. Approve the amendment with modifications.

**B. Timing**

- i. The Planning Board's recommendation and report shall be provided within 45 days of the applications filing date to the City Commission.
- ii. If the Planning Board does not submit a report within 45 days of the filing date of the application, it shall be considered to have submitted a report approving the proposed amendment.
- iii. An applicant may waive this time limitation in writing.

- (3) **City Commission Decision.** The City Commission shall consider the amendment at a public hearing after a report and recommendation has been provided by the Planning Board. After the public hearing is closed, the City Commission shall, by ordinance:
- A. Approve the amendment;
  - B. Deny the amendment; or
  - C. Approve the amendment with modifications.
- (f) **Approval Criteria.** An amendment to this Zoning Code or the Zoning Map is a legislative decision subject to the City Commission’s discretion. The City Commission may approve the amendment if it:
- (1) Is consistent with the Clark County Comprehensive Plan, long-range planning policies, or other strategic goals of the City; and
  - (2) Promotes and protects public health, safety, and general welfare.
- (g) **Subsequent Applications.** Not applicable.
- (h) **Appeals.** Refer to Section 1127.09 .
- (i) **Scope of Approval.** The approval of an amendment does not authorize the development of land; however, an amendment may facilitate other Zoning Code applications, permits, or actions that are consistent with the standards and requirements of this Zoning Code.
- (j) **Recordation.** The amendment shall be codified and published as part of the Springfield Codified Ordinances by the City Clerk.

### 1128.02 Planned Development Zoning/Rezoning

(a) Applicability

(1) Lands Eligible for Inclusion in a PD District

A. A PD district shall be comprised only of contiguous lands forming a single, cohesive area to be developed as a unit, either at one time or in phases. No PD district may surround an island of land not included as part of the PD district.

B. No PD district shall be established unless all owners of freehold estates in the lands included within the proposed PD district have given their consent, in writing, to the establishment of the proposed PD district and to their lands being made subject to the PD Ordinance to be adopted by the City Commission and to the terms of the Master Development Plan related thereto and unless all such owners have provided all legally binding instruments the City Commission finds are necessary to the enforcement of long term obligations imposed under the said PD Ordinance and Master Development Plan.

(b) **Initiation.** A Planned Development Zoning/Rezoning may be initiated on petition by the owner or authorized agent of the subject property.

(c) Completeness

(1) Generally, refer to Section 1127.02 .

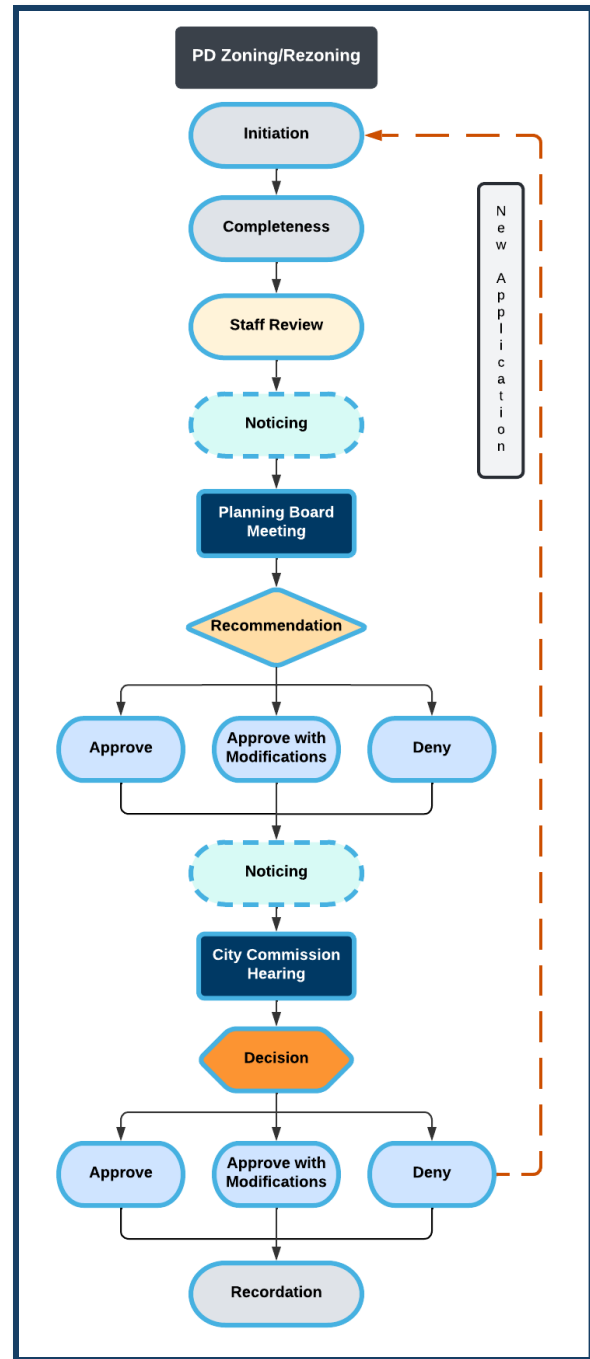


Figure 1128.02.1: PD Zoning/Rezoning Flowchart

(2) Pre-application Conference

A. Prior to the submission of an application for the establishment of a PD district, the applicant (along with such consultants and professional advisors as the applicant chooses to attend) shall meet with the Community Development Director (along with such other City staff members which the Community Development Director deems appropriate) for the purpose of assisting the applicant in submitting a complete and compliant application for consideration by the Planning Board. Upon receiving a request for a pre-application conference from a prospective applicant, the Community Development Director shall schedule a pre-application conference at City Hall to be held within 25 days of the prospective applicant's request for a pre-application conference. The prospective applicant may request, in writing, that the pre-application conference be scheduled for a later date. The applicant shall have prepared and shall have delivered to the Community Development Director at least six copies of the following data at least five days prior to the scheduled pre-application conference date:

- i. A sketch plan of the proposed PD district;
- ii. A statement:
  - a. Of the total number of acres in the proposed PD district;
  - b. Of the number and type of structures and lots;
  - c. Of the number of acres to be occupied by each type of use in the proposed PD district;
  - d. Explaining the objectives of the proposed Planned Development and the uses to be included within the proposed PD district; and
- iii. Any known:
  - a. Deviations from subdivision regulations to be sought; and
  - b. Plans for private utilities, amenities, and roadways.

Notwithstanding the foregoing, the applicant may, at the applicant's option, submit a complete draft PD district application in lieu of the above mentioned items.

B. If the applicant fails to submit the above mentioned data to the Community Development Director at least five days prior to the scheduled pre-application conference, the Community Development Director shall reschedule a pre-application conference for a date after the above mentioned data has been delivered to the Community Development Director, but no later than thirty days

after the above mentioned data has been delivered to the Community Development Director.

- C. After the initial pre-application conference, the Community Development Director may schedule such additional pre-application conferences as the Community Development Director finds to be necessary to enable the applicant to submit a complete and compliant application for consideration by the Planning Board.
- (3) The applicant seeking to have land rezoned as a PD district shall submit to the Community Development Director six copies of a PD Rezoning Application which shall include the following:
- A. An opinion of an Ohio-licensed attorney, which is addressed to The City of Springfield, Ohio and upon which the City may rely, containing a good and sufficient legal description of the lands which are the subject of the application and stating all owners of freehold estates in such lands. If one or more applicants is a holder of a contractual right to become an owner of a freehold estate in such lands, then the application shall also include a true copy of the document establishing such contractual right and an opinion of an Ohio-licensed attorney, which is addressed to The City of Springfield, Ohio and upon which the City may rely, verifying that the said document is legally binding on the parties thereto in accordance with the terms of such document.
  - B. A Preliminary Master Development Plan which shall include the following exhibits:
    - i. A statement of objectives describing the proposed Planned Development's:
      - a. General purpose;
      - b. General character;
      - c. Permitted and prohibited uses; and
      - d. Rationale supporting the assumptions and choices made by the applicant.
    - ii. A vicinity map drawn to a scale to show an area of no less than 1,000 feet surrounding the proposed PD district (a larger area may be required if the Planning Board determines that information on a larger vicinity is needed to properly review the application) showing the location of the proposed Planned Development in relation to:
      - a. Existing streets and thoroughfares, showing the location and size of all existing utilities facilities, including drainage, water, sewer, electrical, and fire hydrants;

- b. Existing public and private facilities, including but not limited to, schools, recreation areas, public utility facilities, stormwater detention facilities and police and fire stations;
  - c. Existing zoning and existing land uses on the proposed PD district site and on surrounding areas; and
  - d. Existing easements on the proposed PD district site;
- iii. A boundary survey plat map and good and sufficient legal description of the lands which are the subject of the application (such legal description being compliant with the requirements of the Clark County, Ohio County Engineer for conveying interests in real estate).
- iv. A topographic survey using the most recent United States Geological Service topographic survey if more detailed topographic information is not available.
- v. A site analysis map drawn to the same scale as the Preliminary Master Development Plan plat map, described below, which shall indicate flood prone areas, areas with slopes greater than five percent (5%), areas of soils which are marginally suited for development purposes and a tree survey (including tree cover, existing vegetation and other natural areas of significance as indicated in an accompanying Natural Area Inventory prepared by an ecologist or similarly trained environmental specialist).
- vi. A Preliminary Master Development Plan plot plan drawn to a scale suitable to clearly depict the following characteristics of the proposed PD district (the scale for the vicinity map being a minimum standard):
- a. Proposed land uses within the proposed PD district and their location;
  - b. Proposed lot sizes within the proposed PD district, indicated either by lot lines drawn in their proposed location or a statement on the face of the Preliminary Master Development Plan concerning proposed lot sizes, including minimum lot sizes;
  - c. Proposed setbacks defining the distance buildings will be set back from:
    - 1. Property lines surrounding the proposed PD district;
    - 2. Proposed and existing streets and alleys, identified as either public or private;
    - 3. Other proposed buildings;
    - 4. The center line of ditches, streams, creeks and the high water line of lakes and ponds;
    - 5. Lot lines within the proposed PD district; and



- xiii. A proposed construction/development schedule for the Planned Development and each phase thereof.
- xiv. Proposed deed and easement documents for public infrastructure within the PD district and proposed easement documents for proposed common areas, ingress and egress rights-of-way for lots within the proposed PD district and such other conveyance documents necessary to establish permanent rights needed by owners and occupants of the proposed Planned Development.
- xv. Proposed land covenants necessary to provide for permanent protection of rights of land owners within the proposed PD district, to provide for long term enforcement of conditions intended to protect the interests of land owners in neighboring areas and to provide for permanent protection of land features and characteristics of the proposed Planned Development.
- xvi. A draft proposed PD Ordinance in a format prescribed by the Community Development Director and approved by the Law Director.
- xvii. Proposed financial assurances and security or other mechanisms necessary to effectively ensure completion of public improvements, completion of construction of Planned Development phases, long term maintenance of common areas and other amenities in the proposed Planned Development, long term maintenance and preservation of Planned Development features intended to mitigate adverse effects on neighboring areas and areas within the proposed Planned Development and preservation of the attributes of the proposed Planned Development necessary to integration of the uses permitted therein accomplish the purposes of this Chapter as pertaining to the proposed Planned Development.

(4) At any time during the application review process, the Planning Board may require the applicant to supplement its application to provide such additional data as the Planning Board may require to evaluate the character and impact of the proposed PD district.

**(d) Notice and Hearing(s)**

- (1) Noticing shall be provided twice, once for each public meeting, and shall comply with Section 1127.03 and state law, as applicable.
- (2) A City Commission public hearing is required which shall comply with Section 1127.03.

**(e) Action**

- (1) When an application to establish a PD district is in good order, complete and compliant with the requirements of this Section, it shall be submitted to the Planning Board. An applicant may waive, in writing, the 45 day deadline for consideration of a zoning amendment petition by the Planning Board.
  - (2) After the Planning Board's due consideration of an application for establishment of a PD district, the Planning Board shall prepare and submit to the City Commission a written report of its findings which form the basis of the Planning Board's recommendation and shall make its recommendation on such application to the City Commission by:
    - A. Recommending adoption of the PD district to which the applicant has consented, in writing as required in this Chapter, and tendering to the City Commission a PD Ordinance to establish the PD district; or
    - B. Forwarding to the City Commission a PD Ordinance to establish the PD district to which the applicant has consented, in writing as required in this Chapter, but recommending that the PD district proposed in the forwarded PD Ordinance not be established.
  - (3) In the event the City Commission considers a PD Ordinance which is materially different from the PD Ordinance recommended by the Planning Board, the applicant must consent, in writing, to such modified PD Ordinance (as required in this Chapter) and the considered PD Ordinance shall be adopted only by the affirmative vote of at least four members of the City Commission.
- (f) Approval Criteria
- (1) This section is intended to provide guidance to the City staff in assisting applicants wishing to petition for establishment of a PD district and to provide guidance to the Planning Board in its consideration of and adjustment of a Preliminary Master Development Plan and in designing a PD Ordinance to be recommended to the City Commission, if a PD district is to be recommended.
  - (2) The Planning Board shall consider the following matters in reviewing and adjusting a Master Development Plan and designing a PD Ordinance to be recommended to the City Commission:
    - A. Whether the proposed PD district meets the qualifications of this Section.
    - B. What permitted uses are appropriate for the proposed PD district;
    - C. Compliance with stormwater regulations;
    - D. Conformance to density policies established by the Clark County Comprehensive Plan or by the City Commission;

- E.** The location and sizing of buildings so as to provide adequate light and ventilation to protect the health of the occupants and users of the Planned Development;
- F.** The location and sizing of buildings so as to provide necessary access for fire apparatus and other emergency vehicles;
- G.** The location and sizing of buildings so as to provide a reasonable degree of privacy for residents and occupants of the Planned Development;
- H.** Establishing appropriate setback and yard requirements for the proposed Planned Development;
- I.** Ingress and egress for the proposed Planned Development from and to public thoroughfares and traffic circulation within the proposed PD district and avoidance of overburdening existing public thoroughfares;
- J.** Establishing appropriate open space for recreation and to establish an attractive environment that is beneficial to the public health, safety and welfare;
- K.** Determine whether appropriate land will be dedicated to public use for public roadways, public utilities, public recreation facilities and public parks;
- L.** The location and sizing of public utilities within the proposed PD district to ensure adequate service within the proposed PD district and to avoid overburdening existing public utilities;
- M.** The use of and design of buffers within and on the boundary of the proposed PD district to separate uses and to mitigate substantially adverse effects on property within the proposed PD district and on property in neighboring areas and compliance of buffers with CHAPTER 1117 - Landscaping and CHAPTER 1120 - Screening and Fencing of this Zoning Code;
- N.** The provision of adequate parking, the location of parking facilities and whether off-street parking should be permitted which deviates from the requirements of CHAPTER 1116 - Parking and Loading of this Zoning Code;
- O.** The grouping of buildings and the variety and design of building types;
- P.** The compatibility of land uses within the proposed PD district and the compatibility of land uses permitted in the proposed PD district with lawful land uses existing in neighboring areas;
- Q.** The impact of land uses within the proposed PD district on environmental features of the proposed PD district which are to be preserved and on environmental features in neighboring areas;

- R. The need for limitation on land uses within the proposed PD district in furtherance of the purposes of this Chapter and the compatibility of land uses within the proposed PD district and with land uses in neighboring area;
- S. The form of ownership interests intended for the Planned Development;
- T. Access to public transportation systems;
- U. The location and design of landscaping within the proposed PD district and compliance with the Zoning Code;
- V. The location and design of signs within the proposed PD district and compliance with the Zoning Code;
- W. The appropriate size for subdivision lots within the proposed PD district for the various uses permitted within the proposed PD district;
- X. Every lot within the proposed PD district is required to have access to a public thoroughfare either directly or by means of a private road;
- Y. Streets within the proposed PD district, public or private, are required to conform to the minimum requirements of Part Twelve of the Codified Ordinances and to the specifications for public roadway structures adopted by the City Engineer, whether the roadway is public or private, but alleys may deviated from the minimum requirements of Part Twelve of the Codified Ordinances if the City Fire Chief determines that such deviation will not prevent access to abutting properties by fire apparatus;
- Z. How is development of the proposed PD district to be completed in progressive phases and whether the proposed schedule development of the PD district is practical and will accomplish build out of phases of the Planned Development within a reasonable time;
- AA. What land covenants, easements, other interests in real estate and financial assurances and security are necessary to ensure completion of public improvements, completion of construction of the Planned Development phases, long term maintenance of common areas and other amenities in the Planned Development, long term maintenance and preservation of Planned Development features intended to mitigate adverse effects on neighboring areas and areas within the Planned Development and preservation of the attributes of the Planned Development necessary to integration of the uses permitted in the proposed PD district;
- BB. What precautions are to be taken to preserve environmental attributes of the proposed PD district which are to be retained and on environmental features in neighboring areas;

- CC. What standards should the PD Ordinance contain to govern exercise of Planning Board discretion in administering the PD Ordinance and approving modifications to the Master Development Plan over time; and
  - DD. What uses should be specifically prohibited within the proposed PD district.
- (g) Subsequent Applications
- (1) This Subsection applies if:
    - A. The applicant withdraws a Planned Development Zoning/Rezoning application after notice of hearing is published; or
    - B. The City Commission denies a Planned Development Zoning/Rezoning application.
  - (2) If the above requirements apply, the applicant shall not submit a Planned Development Zoning/Rezoning application for the same zoning district request on the same property for at least six months.
  - (3) The above waiting period begins with either the date of withdrawal of the prior application before the Planning Board or City Commission or the date of the City Commission's denial of the prior application.
- (h) Appeals. Not applicable.
- (i) Scope of Approval
- (1) An approval letter shall be issued certifying the PD zoning request is compliant with the conditions of this Zoning Code which may permit the applicant to apply for other permits and plans.
  - (2) The Planning Board shall administer each PD Ordinance in accordance with the standards for such administration established in the PD Ordinance and shall administer such PD Ordinance in a manner consistent with accomplishing the purposes of this Chapter set forth in Section 1113.01 . Administration of a PD Ordinance may include modification of the Master Development Plan; provided such modification is in compliance with the standards for administration established in the PD Ordinance and is consistent with accomplishing the purposes of this Chapter set forth in Section 1113.01.
    - A. Property owners seeking a modification of the Master Development Plan governing their land may file a written request for modification with the Planning Board describing the modification requested and providing all data needed by the Planning Board to determine whether such requested modification can be approved under the standards established in the PD Ordinance governing such land.

- B. The Planning Board shall consider a request for modification only when all owners of freehold estates in the subject land have joined in making the request.
  - C. The Planning Board may require that a request be supplemented with such additional data as the Planning Board determines is necessary to determine whether a requested modification should be granted.
  - D. The Planning Board shall grant the requested modification if the Planning Board is able to find that the requested modification is in compliance with the standards for administration established in the PD Ordinance and is consistent with accomplishing the purposes of this Chapter set forth in Section 1113.01.
- (3) If all or a portion of a Planned Development is rezoned, the Planning Board shall direct the Community Development Director to submit an affidavit to the Clark County, Ohio County Recorder giving notice to the public that the relevant portion of the Planned Development is no longer subject to the PD Ordinance. The affidavit shall be in a form approved by the Law Director.
- (4) The Board of Zoning Appeals shall perform the functions delegated to it pertaining to a PD district.
- (5) No building permit shall be issued for any construction within a PD district until after the applicant has achieved full and complete compliance with the requirements of this Section, as specified in the PD Ordinance.
- (j) Recordation
- (1) After adoption of a PD Ordinance by the City Commission, the land owners within the PD district shall record with the Clark County, Ohio County Recorder an affidavit notifying the public that the lands described in the PD Ordinance have been made subject to the PD Ordinance. The affidavit shall be in a form approved by the Law Director.
  - (2) After adoption of a PD Ordinance by the City Commission, the land owners within the PD district shall also record with the Clark County, Ohio County Recorder such other deeds, easements declarations of land covenants and such other conveyances of interests in real property as the PD Ordinance requires.
  - (3) After adoption of a PD Ordinance by the City Commission, the applicant shall deliver to the City proof acceptable to the City Manager and Law Director that such financial assurances, security and other mechanisms as are required under the PD Ordinance are in place, properly funded and enforceable.
  - (4) If a Planned Development or a phase of a Planned Development is not under substantial construction within 24 months after the commencement date for the relevant portion of the Planned Development, as specified in the Development

Schedule adopted in the PD Ordinance; then, upon a determination by the City Commission that the PD Ordinance shall not be amended to allow an extension of time to commence substantial construction of the relevant portion of the Planned Development, the Planning Board shall proceed to consider whether such lands included in the portion of the Planned Development may be rezoned and shall make its recommendation to the City Commission.

## CHAPTER 1129 - Site Development Procedures

### 1129.01 Zoning Certificate

(a) Applicability

- (1) No land or structure shall be used or converted nor a building permit issued for the construction of a building or structure until a zoning certificate has been issued by the Community Development Director.
- (2) Failure to obtain a zoning certificate is a Zoning Code violation.

(b) **Initiation.** The applicant shall submit a zoning certificate application to the Community Development Director once all required permits and applications are approved.

(c) Completeness

- (1) Generally, refer to Section 1127.02 .
- (2) In addition to the requirements provided in Section 1127.02 (c), the following items shall be provided:
  - A. Name, address and phone number of the applicant;
  - B. Legal description of the property;
  - C. Existing and proposed uses of the property; and
  - D. Zoning district of the proposed use.

(d) **Notice and Hearing(s).** Not applicable.

(e) **Action.** Within five working days after a receipt of a zoning certificate application, the Community Development Director shall review and act to:

- (1) Approve the zoning certificate; or
- (2) Disapprove the zoning certificate.

(f) **Approval Criteria.** The Community Development Director shall approve the zoning certificate application if it complies with:

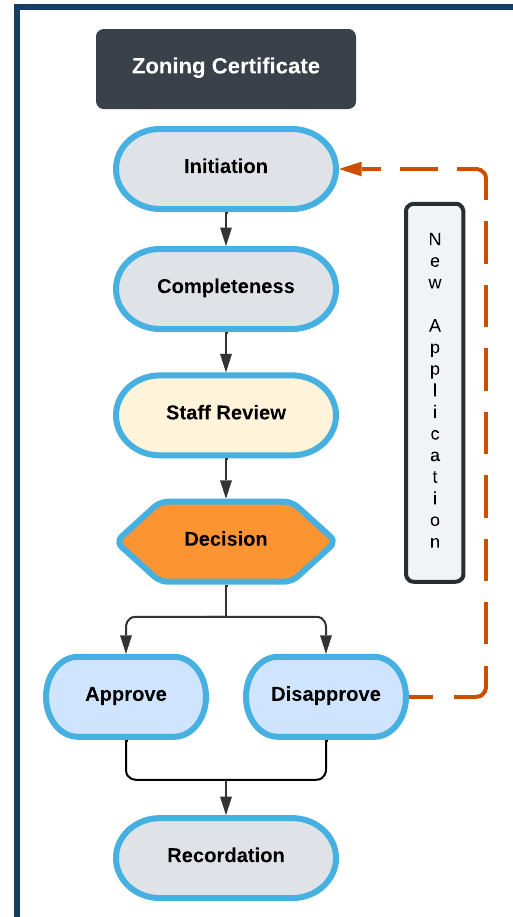


Figure 1129.01.1: Zoning Certificate Flowchart

- (1) All applicable requirements and provisions of this Zoning Code;
- (2) All applicable requirements of the Codified Ordinances, including the Building Code and Fire Code; and
- (3) Any conditions of any currently applicable and unexpired rezoning, conditional use permit, development plan, variance, or appeal decisions that apply to the property. If any of these prior approvals have expired, the applicant must obtain a new approval before applying for a zoning certificate.

**(g) Subsequent Applications.** Not applicable.

**(h) Appeals.** Not applicable.

**(i) Scope of Approval**

**(1) Generally**

- A. An approval letter shall be issued certifying the zoning certificate is compliant with the conditions of this Zoning Code which may permit the applicant to apply for other permits and plans.
- B. A zoning certificate authorizes the use of land and occupancy of a building or structure as shown in the approved application.
- C. A zoning certificate shall remain in effect as long as the use of such building or land is in full conformity with the provisions of this Zoning Code and with any conditions upon which such certificate was issued.
- D. A temporary zoning certificate may be issued when a delay in the planting of trees is warranted, or a delay in the paving of parking and stacking spaces, driveways or aisles is warranted.

**(2) Revocation**

- A. A use shall be established on the basis of the application and plans approved with a zoning certificate by the Community Development Director. Any use established contrary to that authorized shall be deemed a violation of this Zoning Code.
- B. The Community Development Director may issue a revocation notice to revoke a zoning certificate that was issued contrary to the code based upon false information or misrepresentation in the application.
- C. Written notice of such revocation shall be given to the person holding the zoning certificate together with notice that further work, as described in the canceled zoning certificate, shall not proceed unless and until a new zoning certificate has been obtained or an extension granted.

**(3) Expiration**

- A.** If the work described in any zoning certificate has not been completed within the time specified, the zoning certificate shall expire.
- B.** The zoning certificate shall be revoked by the Community Development Director according to the procedures prescribed in Section 1129.01 (i)(2).

**(j) Recordation**

- (1)** The Community Development Department shall maintain a record of all zoning certificates, and copies shall be furnished upon request to any person.
- (2)** When plans are required, one copy of the plans shall be returned to the applicant after the Community Development Director has marked such copy either as approved or disapproved and so attested by signing the copy. One copy of the plans, similarly marked, shall be retained by the Community Development Director.

## 1129.02 Conditional Use Permit

(a) **Applicability.** This Section applies to any application for approval of:

- (1) A use designated as a conditional use in Table 1104.03.1: Use Table;
- (2) Any person who desires to replace a lawful nonconforming use with another nonconforming use; or
- (3) Any other unique development activity requiring action by the Board of Zoning Appeals during initial review as determined by the Community Development Director.

(b) **Initiation.** A conditional use permit may be initiated by the owner or applicant of the subject property.

(c) **Completeness**

(1) Generally, refer to Section 1127.02 .

(2) An applicant shall specify the section of this Zoning Code under which the conditional use permit is sought and may suggest, in a draft conditional use permit, such proposed conditions as the applicant believes are necessary and sufficient to warrant issuances of the conditional use permit applied for.

(3) The application shall include such evidence as is necessary and sufficient to demonstrate that issuance of the applied for conditional use permit is warranted when the standards identified in this Section are applied.

(4) A conditional use permit application shall include the following:

- A. A site and development plan at an appropriate scale showing:
  - i. Proposed placement of structures on the subject property;
  - ii. Provisions for ingress and egress;
  - iii. Off-street parking and off-street loading areas;

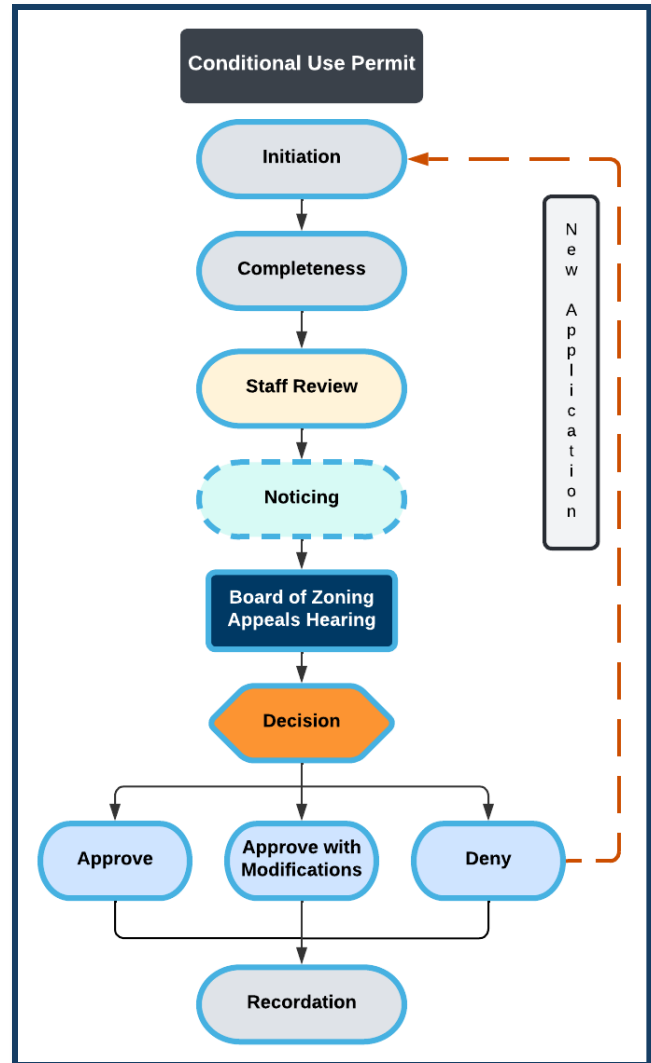


Figure 1129.02.1: Conditional Use Permit Flowchart

- iv. Refuse and service areas; and
  - v. Required yards and other open spaces;
  - B. Plans showing proposed locations for utility connections;
  - C. Plans for proposed screening and buffering, if any, with reference as to type, dimensions, and character;
  - D. The type, dimensions, and character of any proposed:
    - i. Landscaping;
    - ii. Signs; and
    - iii. Site lighting; and
  - E. If applicable, compliance with any additional regulations required for a particular conditional use as provided in TITLE Three -Use Standards.
- (d) Notice and Hearing(s)
- (1) Noticing shall comply with Section 1127.03 and state law, as applicable.
  - (2) A public hearing is required and shall comply with Section 1127.03 .
- (e) Action
- (1) **Community Development Director Review and Recommendation.** The Community Development Director shall review the conditional use permit and provide a recommendation to the Board of Zoning Appeals to:
    - A. Approve the conditional use permit;
    - B. Deny the conditional use permit; or
    - C. Approve the conditional use permit with conditions or modifications.
  - (2) **Board of Zoning Appeals Decision.** The Board of Zoning Appeals shall consider the conditional use permit at a public hearing after a recommendation has been provided by the Community Development Director. After the hearing is closed, the Board of Zoning Appeals shall act to:
    - A. Approve the conditional use permit;
    - B. Deny the conditional use permit; or
    - C. Approve the conditional use permit with conditions or modifications.
- (f) Approval Criteria
- (1) Decision to Approve

**A. Generally.** The Board of Zoning Appeals shall review the facts and circumstances of the conditional use permit application and shall approve a conditional use permit only if the applicant demonstrates that the proposed conditional use:

- i. Would not be hazardous, harmful, noxious, offensive or a nuisance to the surrounding neighborhood by reason of noise, smoke, odor, vibration, dust and dirt, cinders, noxious gases, glare and heat, fire and safety hazards, sewage wastes and pollution, transportation and traffic, aesthetic and psychological effects.

*Note: The Board of Zoning Appeals may use and give recognition to those performance standards which are available in model codes or ordinances, or have been developed by planning, manufacturing, health, architectural and engineering organizations, and can be applied to the proposed use, to assist it in reaching a fair and objective decision;*

- ii. Is in fact a conditional use as established under the provisions of this Zoning Code as eligible to be permitted in the district involved;
- iii. Will be harmonious with and in accordance with the general objectives, or with any specific objective of this Zoning Code;
- iv. Will be designed, constructed, operated and maintained as to be harmonious and appropriate in appearance with the existing or intended character of the general vicinity and that the use will not change the essential character of the same area;
- v. Will be served adequately by essential public facilities and services such as highways, streets, police and fire protection, drainage structures, refuse disposal, water and sewer, and schools, or that the persons or agencies responsible for the establishment of the proposed use shall be able to provide adequately any such services;
- vi. Will not create excessive additional requirements at public cost for public facilities and services and will not be detrimental to the economic welfare of the community;
- vii. Will have ingress and egress for the subject property which shall be so designed as not to create an interference with traffic on surrounding public thoroughfares and which shall not be detrimental to vehicular and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
- viii. Will locate off-street parking, loading areas, refuse deposit locations, service areas, utility connection facilities, signs and site lighting so as not be

detrimental to vehicular and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe and so as not to result in detrimental economic, noise, glare or odor effects on adjoining properties and properties generally in the district.

**B. Compatibility.** In considering the compatibility of the proposed conditional use with all adjacent uses and structures, the Board of Zoning Appeals shall consider:

- i. The existing land use pattern;
- ii. The impact of the proposed conditional use upon the load on public facilities such as schools, utilities, and streets;
- iii. Changed or changing conditions which find the proposed use to be advantageous to the community and the neighborhood;
- iv. The impact of the proposed use upon living conditions in the neighborhood;
- v. The impact of proposed use upon traffic congestion and public safety matters;
- vi. The impact of the proposed use upon stormwater drainage;
- vii. The impact of the proposed use upon light and air to adjacent areas;
- viii. The impact of the proposed use upon property values in the adjacent area;
- ix. The impact of the proposed use upon the improvement or development of adjacent property in accordance with existing regulations; and
- x. The impact of the proposed use with regard to the scale of needs of the neighborhood or the community.

**C. Upon Authorization**

- i. Upon authorizing a conditional use, the Board of Zoning Appeals shall impose such requirements and conditions with respect to location, construction, maintenance and operation, in addition to those expressly stipulated in this Zoning Code for the particular conditional use, as the Board of Zoning Appeals may deem necessary for the protection of adjacent properties and the public interest in furtherance of the purpose of this Zoning Code.
- ii. The Board of Zoning Appeals shall issue written findings of fact and its written determination that the standards specified in this Section, when applied to the conditional use permit applied for, warrant issuance of the conditional use permit.

(2) Decision to Deny

- A. If the Board of Zoning Appeals is unable to find adequate evidence showing that the proposed conditional use is warranted when the standards specified in this Section are applied, then no conditional use permit shall be issued.
  - B. In denying a conditional use permit, the Board shall issue written findings of fact and its written determination that the standards specified in this Section when applied to the conditional use permit applied for do not warrant conditional use permit approval.
- (g) **Subsequent Applications.** The applicant shall not file a subsequent application for a conditional use permit for a particular parcel of property, or part thereof, until the expiration of 12 calendar months from the denial decision date of the initial conditional use permit applied for; unless the Board of Zoning Appeals specifically waives the waiting period based upon a determination that either:
- (1) That the new application proposes a conditional use materially different from the initial conditional use which was denied;
  - (2) That not waiving the waiting period will impose a substantial hardship on the applicant resulting from the applicant's mistake or inadvertence; or
  - (3) That newly discovered matters warrant waiving the waiting period.
- (h) **Appeals.** Not applicable.
- (i) **Scope of Approval**
- (1) **Generally.** The approval of a conditional use permit does not authorize the development of land. A conditional use permit allows the applicant to initiate other Zoning Code applications (i.e., building permit, zoning certificate, sign permit, etc.).
  - (2) **Violations.** Any conditional use permit is in violation of this Zoning Code and shall be suspended or revoked if:
    - A. A court having jurisdiction or a jury find the holder of the conditional use permit guilty of a violation or if a holder of a conditional use permit pleads guilty of violating.
    - B. Any requirement or term or condition of the conditional use permit or has not conformed, at any time, with any or all of the requirements or terms or conditions as set out in the conditional use permit as approved by the Board of Zoning Appeals.
    - C. The activity authorized by the conditional use permit commences prior to the institution of all conditions imposed by the conditional use permit.

- D. The use for which the conditional use permit was authorized does not commence within six months of the effective date of the conditional use permit. The Community Development Director may grant an extension of up to six months for good cause shown, upon petition of the conditional use permit holder.
  - E. The use for which the conditional use permit is authorized is discontinued for six consecutive months.
- (3) **Notification.** If the use discontinues or fails to commence as stipulated in this Zoning Code, the Community Development Director will issue written notification to the property owner. Ten days after issuance of this notice, the Community Development Director shall issue the permit holder written notification of the conditional use permit's official revocation and removal.
- (j) Recordation
- (1) The certified decision of the conditional use permit application shall be recorded at the expense of the applicant with the Board of Zoning Appeals.
  - (2) A certified copy of the decision shall be maintained by the Community Development Department.
  - (3) The applicant shall retain a copy of the decision from the Community Development Department.

### 1129.03 Site Plan

(a) Applicability

(1) **Generally.** Site plan approval is required for all development except one-unit dwellings, two-unit dwellings, three-unit dwellings, four-unit dwellings, and for all instances that meet the following thresholds:

- A. New construction or expansion of an existing building or structure that increases the existing floor area by 35%; or
- B. New construction or expansion of parking lots that increase the existing impervious area by 35%.

(2) **Deviations Prohibited.** A site plan shall not authorize deviation from any applicable development standards normally required by the existing underlying zoning, including, but not limited to signs, landscaping, parking, or dimensional requirements.

(3) **Waiver of Site Plan.** The Community Development Director may waive the requirement to prepare a site plan based on site characteristics and the nature of the proposed changes being suitable for field verification or integration with a building permit.

(4) **Exceeding the Required Thresholds.** Any site plan that exceeds the thresholds provided in this Section shall apply for a variance and shall follow the requirements provided in Section 1130.02.

(b) **Initiation.** The applicant shall submit a site plan application to the Community Development Director.

(c) Completeness

(1) **Generally.** Generally, refer to Section 1127.02 .

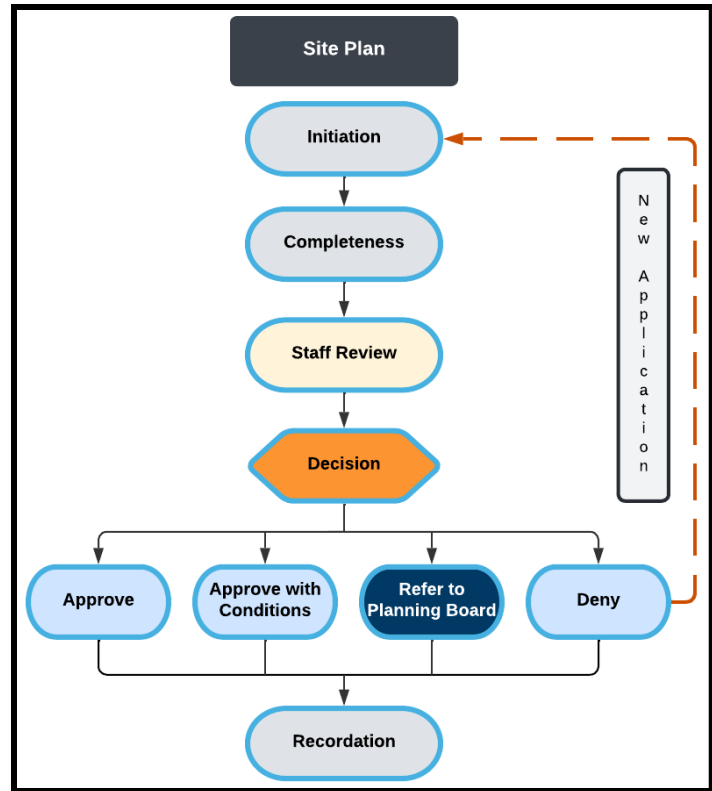


Figure 1129.03.1: Site Plan Flowchart

(2) **Other Plans.** In addition to the requirements of above, the following plans and items shall be provided to make a complete site plan submittal:

**A. Plot Plan.** The plot plan shall show:

- i. The proposed location of all structures identified by type, size, height and use;
- ii. The assignment of all lands subdivided; and
- iii. The location of all structures within 200 feet of properties adjoining the proposed development.

**B. Plat and Topography Map.** The plat and topography map shall show the proposed development area's:

- i. Property lines;
- ii. Easements;
- iii. Street rights of way;
- iv. Topographic contours; and
- v. Landscape features.

**C. Circulation Plan.** The circulation plan shall show:

- i. Analysis of the traffic impacts of the proposed use;
- ii. On-site vehicular and pedestrian circulation patterns, including cross lot access;
- iii. The location and dimensions of proposed driveways and walkways (points of egress and ingress); and
- iv. The locations and arrangement of parking spaces and loading facilities.

**D. Architectural Plan (in the C-DT district only).** These documents shall include plans and designs for all structures and other such other information to explain the purpose, appearance, materials, and construction. More specifically, the architectural plan shall show:

- i. All proposed exterior building materials and their corresponding colors;
- ii. The design and specifications of all buildings and structures;
- iii. The proposed fenestration all buildings and structures; and
- iv. The floor plan of all buildings and structures.

**E. Landscape Plan.** The landscape plan shall show:

- i. All proposed and required landscaping;

- ii. The landscape treatment;
- iii. Plazas, parks and other landscape features and amenities; and
- iv. The proposed grading and drainage plan.

**F. Lighting Plan.** The lighting plan shall show:

- i. All proposed site lighting locations; and
- ii. The design and specifications of all proposed site lighting.

**G. Other Items.** Any other information needed to address the proposed development's impacts as determined and required by the Community Development Director.

**(d) Notice and Hearing(s).** Not applicable.

**(e) Action**

**(1) Community Development Director Review and Decision.** The Community Development Director shall review the site plan and shall act to:

- A. Approve the site plan;
- B. Deny the site plan;
- C. Approve the site plan with conditions; or
- D. Refer the site plan to the Planning Board for its review and final action.

**(2) Authorization to Impose Conditions**

- A. **Generally.** The Community Development Director may impose conditions necessary to maintain the integrity of the City's zoning districts, to ensure the proposed use is consistent with the Comprehensive Plan, conforms with this Zoning Code, is appropriate to its location and compatible with neighboring uses, and does not cause undue traffic congestion or significant deterioration of the environment.
- B. **Conditions Supplementary.** All requirements imposed by a site plan are in addition to and supplement this Zoning Code's requirements.
- C. **Authorized Conditions.** Authorized conditions include, but are not limited to:
  - i. **Site Plan Features.** Limitations or requirements regarding the area, setbacks, open space, landscaping, buffering, lighting, fencing, signage, off-street parking, and similar site plan features of the proposal.
  - ii. **Operations.** Limitations or requirements regarding the proposed use's operating characteristics, duration, or any similar feature of the proposed use.

**iii. Duration.** If the Community Development Director or Planning Board limits the duration of a site plan, a six month grace period, starting from the final approval date, is afforded to the applicant in addition to the time period stipulated in the site plan conditions.

**(f) Approval Criteria**

**(1) Generally.** The site of the proposed use or any associated improvements is not in violation of any local, state, or federal law (other than a zoning violation).

**A.** The use and site plan for the proposed use conforms, at a minimum, with all applicable provisions of this Zoning Code for the existing underlying zoning designation, including but not limited to:

**i. Site Development Standards.** All parking, landscaping, signage, lighting, improvement, and dimensional regulations as required in TITLE Four - Site Development Standards.

**ii. Zoning District Standards.** The purpose of the zoning district in which the proposed use is to be located and any dimensional standards applicable to the particular proposed use.

**iii. Use-Specific Standards.** All use-specific standards applicable to the proposed use as required in TITLE Two - Use Standards.

**B.** Site plans are only authorized for the proposed use(s).

**(2) Suitability.** The characteristics of the proposed site are suitable for the proposed use considering the size, shape, location, topography, and location of improvements and natural features.

**(3) Timeliness.** The proposed use or development is timely, considering the adequacy of transportation systems, public facilities, and services, existing or planned for the area affected by the proposed use.

**(4) Compatibility to Surrounding Area.** The proposed use will not alter the character of the surrounding area in a manner that substantially limits, impairs, or precludes the use of surrounding properties for the principal uses listed as allowable by the underlying zoning district.

**(5) Comprehensive Plan.** The proposed use satisfies any applicable goals and policies of the Comprehensive Plan that apply to the proposed use.

**(6) Use Appropriate and Compatible.** The use is appropriate to its proposed location and compatible with the character of neighboring uses, or enhances the mixture of complementary uses and activities in the immediate vicinity.

- (7) **Traffic.** The use shall not cause undue traffic congestion, dangerous traffic conditions or incompatible service delivery, parking, or loading problems. Necessary mitigating measures shall be proposed by the applicant.
- (8) **Nuisance.** The operating characteristics of the use do not create a nuisance and the impacts of the use on surrounding properties are minimized with respect to noise, odors, vibrations, glare, and any other similar conditions.
- (9) **Environment.** The use shall not cause significant deterioration to water resources, wetlands, wildlife habitat, scenic characteristics, or other natural features. As applicable, the proposed use shall mitigate its adverse impacts on the environment.
- (g) **Subsequent Applications.** Not applicable.
- (h) **Appeals.** A site plan decision may be appealed to the Board of Zoning Appeals as provided in Section 1130.04 .
- (i) **Scope of Approval**
  - (1) **Generally**
    - A. An approval letter shall be issued certifying the site plan is compliant with the conditions of this Zoning Code which may permit the applicant to apply for other permits and plans.
    - B. After the site plan is approved, the process of obtaining a building permit or certificate of occupancy consistent with any conditions of site plan approval may commence.
  - (2) **Site Plan Revisions**
    - A. **Generally.** Any revision to an approved site plan, other than those that qualify as minor pursuant to this Subsection, require amendment of the approved or existing site plan. Revisions to an approved site plan shall only be authorized by the Community Development Director pursuant to the procedures established in this Subsection, and subject to appeal as provided in Section 1130.04 .
    - B. **Minor Revisions to an Approved Site Plan**
      - i. The Community Development Director may approve minor revisions to a previously approved site plan without notice or a public hearing. A minor revision is one that becomes necessary during the use's actual implementation, which could not be reasonably anticipated during its review, and that does not significantly change the original approval granted.
      - ii. A minor revision includes:
        - a. Building revisions/expansions that do not increase the height of a building or building area more than 35%;

- b. Changes in the number of parking spaces (adding, removing, or relocating twenty (20) parking spaces or less), provided that parking requirements are met;
- c. Adjustments to waste facilities;
- d. Minor revisions to approved elevations; and
- e. Substitution of similar plant materials on an approved landscape plan.

C. Major Revisions to an Approved Site Plan

- i. A change outside the scope of minor revisions or to any of the following site plan requirements below is not considered minor:
  - a. Use - Those activities allowed on site by the site plan.
  - b. Operational Characteristics - The gross limitations or requirements regarding the proposed use's operating characteristics.
  - c. Site Plan Features - The gross limitations or requirements regarding the area, setbacks, open spaces, landscaping, buffering, lighting, fencing, signage, or the off-street parking of the proposal.
  - d. Duration - Requirements governing the duration of the permit.
  - e. Permit Holder - Requirements regarding the person or entity to whom the permit is issued.
- ii. Major Revisions initiate a new site plan submittal subject to the standards of this Section and those provided in Section 1127.08 .

(3) Revocation

- A. **Criteria.** An approved site plan is considered in violation of this Zoning Code and shall be revoked if a court of law finds the use in violation of any of the following conditions:
- i. The use established on site does not conform, at any time, with any or all approved permit condition(s) and or any local, state, or federal law.
  - ii. The activity authorized by the site plan commences prior to the institution of all conditions imposed by the site plan.
  - iii. Discontinuance of the approved use for at least six consecutive months.
  - iv. The approved use does not commence within six months of the final approval date.

- B. Revocation Procedures.** If the Community Development Director's inspection reveals noncompliance with this Zoning Code, site plan revocation procedures shall commence as follows:
- i.** The Community Development Director shall, upon discovery of site plan noncompliance, issue a written warning, granting a grace period of at least 30 calendar days. During this time, the use may be brought into compliance with the current approved site plan for that location.
  - ii.** If noncompliance persists after the conclusion of the warning grace period, a Community Development Director shall issue written citation.
  - iii.** If the citation results in a guilty verdict, the site plan is considered revoked.
  - iv.** The Community Development Director shall issue the permit holder written notification of the site plan's official revocation.
  - v.** In the event of discontinuance or failure to commence as stipulated above, Community Development Director shall issue written notification to the applicant. Ten calendar days after issuance of Community Development Director notification of discontinuance or failure to commence, the Community Development Director shall then issue the permit holder written notification of the site plan's official revocation.
- (j) Recordation.** The applicant and Community Development Director shall maintain a copy of the approved site plan.

### 1129.04 Parking Lot Permit

(a) **Applicability.** The construction of new or modified parking lot areas, except those associated with new development projects, requires approval of a parking lot permit.

(b) **Initiation.** A parking lot permit shall be initiated by the owner or applicant of the subject property.

(c) **Completeness.**

(1) Generally, refer to Section 1127.02 .

(2) In addition to the requirements provided in Section 1127.02 (c), the following items shall be provided:

- A. Proof of Ownership or Ownership Affidavit;
- B. Site Plan that includes the number of parking spaces with landscaping and drive/ aisle area to scale;
- C. Stormwater Management Plan and Report (Includes Stormwater Calculations (Refer to Chapter 961 of the Springfield Codified Ordinances));
- D. Stormwater Pollution Prevention Plan (SWPPP) required for sites that disturb one acre or more;
- E. Notice of Intent (NOI) from Ohio EPA for sites that disturb one (1) acre or more; and
- F. Application fee as required in Table 1126.02.1: Base Application Fees. (Additional review fees apply if more than one (1) acre of land is disturbed - see Chapter 961)

(d) **Notice and Hearing(s).** Not applicable.

(e) **Action.** The Community Development Director shall review the parking lot permit application and act to:

- (1) Approve the parking lot permit;
- (2) Deny the parking lot permit; or
- (3) Refer the parking lot permit decision to the Board of Zoning Appeals.

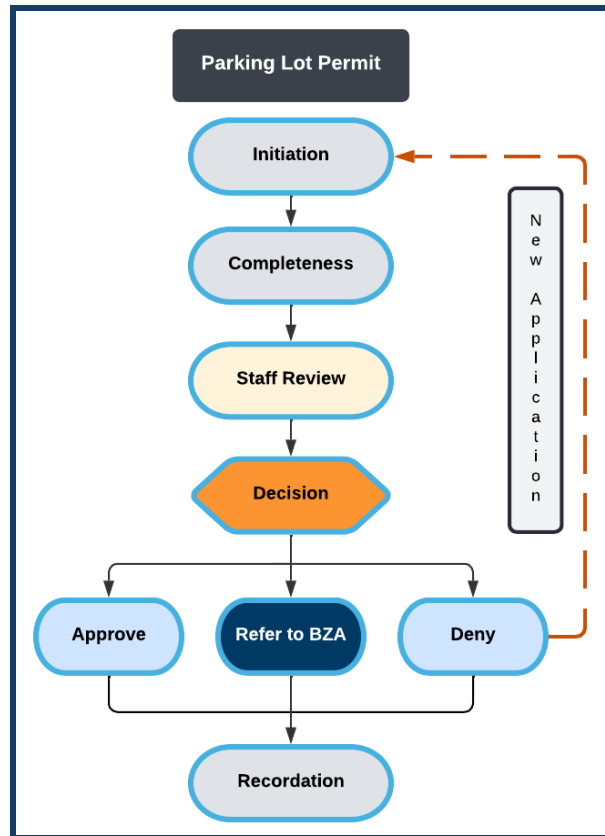


Figure 1129.04.1: Parking Lot Permit Flowchart

- (f) **Approval Criteria.** The Community Development Director shall approve the parking lot permit application if it complies with:
- (1) All applicable requirements of this Zoning Code;
  - (2) All applicable requirements of the Code of Ordinances, including the Building Code and Fire Code; and
  - (3) Any conditions of any currently applicable and unexpired rezoning, conditional use permit, development plan, variance, or appeal decisions that apply to the property. If any of these prior approvals have expired, the applicant must obtain a new approval before applying for a parking lot permit application.
- (g) **Subsequent Applications.** Not applicable.
- (h) **Appeals.** A parking lot permit decision by the Community Development Director may be appealed to the Board of Zoning Appeals as provided in Section 1130.04 .
- (i) **Scope of Approval**
- (1) **Generally**
    - A. A parking lot permit authorizes construction or expansion of a parking area as shown in the approved permit.
    - B. A parking lot permit does not authorize the occupancy of a building or structure.
    - C. A parking lot permit shall remain in effect as long as development is in full conformity with the provisions of this Zoning Code and with any conditions upon which the parking lot permit was issued. Upon the service of notice of any violation of such provisions or conditions, the parking lot permit shall become null and void, and a new parking lot permit shall be required for any further use of the parking area.
  - (2) **Construction Timing**
    - A. Upon approval of the parking lot permit application the owner/developer has (12) months to complete the construction of a parking area.
    - B. The owner/developer shall notify the Community Development Director of the completion of construction activities.
    - C. At that time the Community Development Director and the City Engineer will inspect the lot and determine whether it conforms to the approved plans.
    - D. If the parking area construction has been approved, the Community Development Director will issue a certificate of completion to the owner/developer of the parking area.

- (j) **Recordation.** The Community Development Department and applicant shall maintain a copy of the parking lot permit decision.

### 1129.05 Certificate of Appropriateness

- (a) **Applicability.** It shall be unlawful for any person to:
- (1) Carry out or allow any construction, reconstruction, alteration, restoration, rehabilitation, installation, or relocation of any portion of or any exterior feature of any contributing property in a designated historic district, or of any landmark or heritage property, or of any state or federally designated historic resource; or
  - (2) Construct or install any new structure within a designated historic district or in a designated historic landmark or heritage property, or in any state or federally designated historic resource, until after an application for a certificate of appropriateness of such work has been approved by the Springfield Landmarks Commission. Additionally, a building or demolition permit may not be granted for any contributing property within a historic district or in a designated historic landmark or heritage property, unless the Springfield Landmarks Commission issues a certificate of appropriateness. Neither shall anyone carry out or allow any material

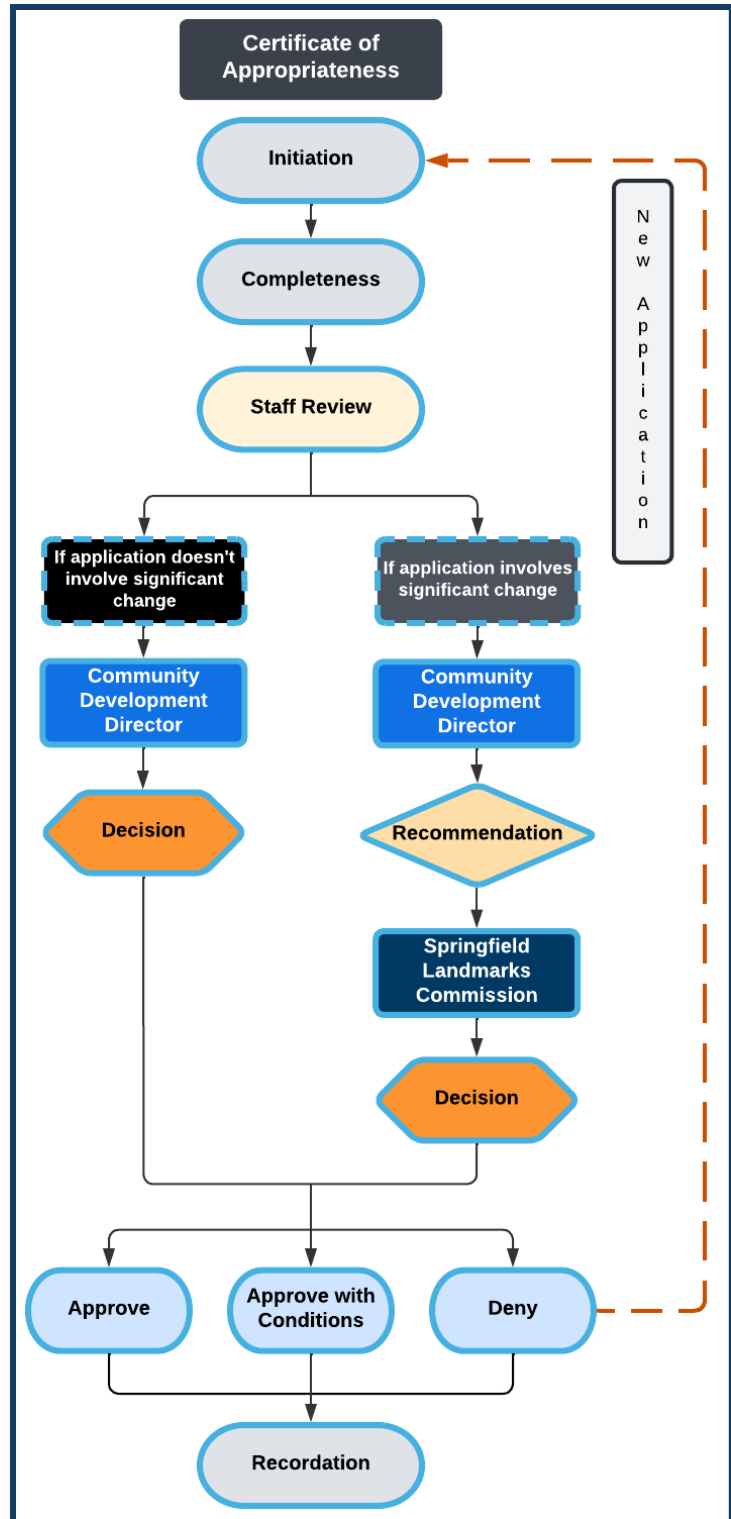


Figure 1129.05.1: Certificate of Appropriateness Flowchart

change in the light fixtures, signs, sidewalks, fences, steps, paving, or other exterior elements visible from any street, which affects the appearance and cohesiveness of any contributing property in a designated historic district, or of any landmark or heritage property, or of any state or federally designated historic resource, unless the Springfield Landmarks Commission issues a certificate of appropriateness.

- A. A certificate of appropriateness shall be required prior to beginning any work in any historic resource, excluding work claimed to be ordinary repair or maintenance. No building permit shall be issued for property that requires a certificate of appropriateness unless and until the Community Development Director certifies to the Building Official that such a certificate of appropriateness has been granted, advising as to any conditions attached to such a certificate.
- B. A review of the plans or proposed work shall be undertaken by the Community Development Director for submission of a recommendation to the Springfield Landmarks Commission, or by the Springfield Landmarks Commission directly, after the property owner files a completed application.
- C. Decisions of the Springfield Landmarks Commission and by the Community Development Director shall be in writing and shall state the findings of the Springfield Landmarks Commission.
- D. A certificate of appropriateness shall be valid for 12 months and shall expire thereafter.
- E. An applicant may resubmit an application for a certificate of appropriateness after 12 months from the date of a denial decision.
- F. Certificates of appropriateness may be issued for distinct and separate phases of an ongoing project.

**(b) Initiation.** A certificate of appropriateness shall be initiated by the owner or applicant of the subject property.

**(c) Completeness.** Generally, refer to Section 1127.02 .

**(d) Notice and Hearing(s).** Not applicable.

**(e) Action**

**(1) Generally**

- A. A certificate of appropriateness may be approved by either the Community Development Director or the Springfield Landmarks Commission.
- B. A certificate of appropriateness involving ordinary repairs, demolition alterations or additions may be approved by the Community Development Director.

- C. A certificate of appropriateness involving significant repairs, demolition alterations or additions shall be approved by the Springfield Landmarks Commission.
- (2) **Community Development Director Review and Decision.** If the Community Development Director, guided by the adopted design guidelines, and where applicable, criteria established by the Secretary of the Interior, determines that the application involves ordinary repair or maintenance, change, restoration, color or removal of any exterior architectural feature of a historic resource which does not involve significant change in the architectural or historic value, style, general design or appearance, shall review the certificate of appropriateness and shall act to:
- A. Approve the certificate of appropriateness;
  - B. Deny the certificate of appropriateness; or
  - C. Approve the certificate of appropriateness with conditions.
- (3) **Springfield Landmarks Commission Review and Decision**
- A. **Recommendation from the Community Development Director.** If the Community Development Director determines that the application involves a repair, demolition alteration, addition, change, restoration, or removal of an external architectural feature of a historic resource which involves a significant change in the architectural or historic value, style, general design, or appearance or for any other reason does not desire to act under the subsection above and is within a historic district or is a designated landmark or heritage property, the Community Development Director shall provide a recommendation to the Springfield Landmarks Commission to:
    - i. Approve the certificate of appropriateness;
    - ii. Deny the certificate of appropriateness; or
    - iii. Approve the certificate of appropriateness with conditions.
  - B. **Springfield Landmarks Commission Decision**
    - i. The Springfield Landmarks Commission shall conduct a public hearing on the certificate of appropriateness application and shall render its decision after the hearing is closed.
    - ii. The Springfield Landmarks Commission shall:
      - a. Approve the certificate of appropriateness;
      - b. Deny the certificate of appropriateness; or
      - c. Approve the certificate of appropriateness with conditions.

- (f) **Approval Criteria.** In determining the recommendation and action on an application for a certificate of appropriateness, the Community Development Director and the Springfield Landmarks Commission shall review and decide the appropriateness of the proposed repair, demolition alterations or additions, and its compliance with:
- (1) Any applicable City of Springfield Design Guidelines for designated local landmark and heritage properties;
  - (2) The Secretary of the Interior's Standards for Treatment of Historic Properties and Guidelines for Preservation, Rehabilitation and Reconstruction; and
  - (3) The applicant's conformity with any revisions, stipulations or requirements as the Springfield Landmarks Commission finds appropriate.
- (g) **Subsequent Applications.** Not applicable.
- (h) **Appeals**
- (1) A certificate of appropriateness decision by the Community Development Director may be appealed to the Springfield Landmarks Commission pursuant to this Section.
  - (2) A certificate of appropriateness decision by the Springfield Landmarks Commission may be appealed to the Board of Zoning Appeals as provided in Section 1130.03.
- (i) **Scope of Approval.** No building permit applications shall be accepted nor shall any permit be issued, and no work shall be performed until after approval of a certificate of appropriateness, and not until five business days have elapsed from its transmission to the Building Official, with any advice as to conditions which may have been attached to the certificate of appropriateness.
- (j) **Recordation.** The Community Development Department and applicant shall maintain a copy of the certificate of appropriateness decision.

### 1129.06 Communication Facility/Tower Permit

(a) Applicability

- (1) No wireless telecommunications facility shall be constructed within the City unless and until a communication facility/tower permit shall have been issued authorizing such construction unless the City Manager or designee has issued a written determination that the proposed Wireless Telecommunications Facility has no appreciable impact.
- (2) Any wireless communication facility lawfully constructed within the City prior to the adoption of this Zoning Code, is a nonconforming use, unless and until a communication facility/tower permit shall have been issued with respect to such wireless communication facility.
- (3) A communication facility/tower permit application shall not be required for location of a Wireless Telecommunication facility in the City's rights of way. Such facilities must conform to the City's ordinances rules and procedures governing the rights of way.

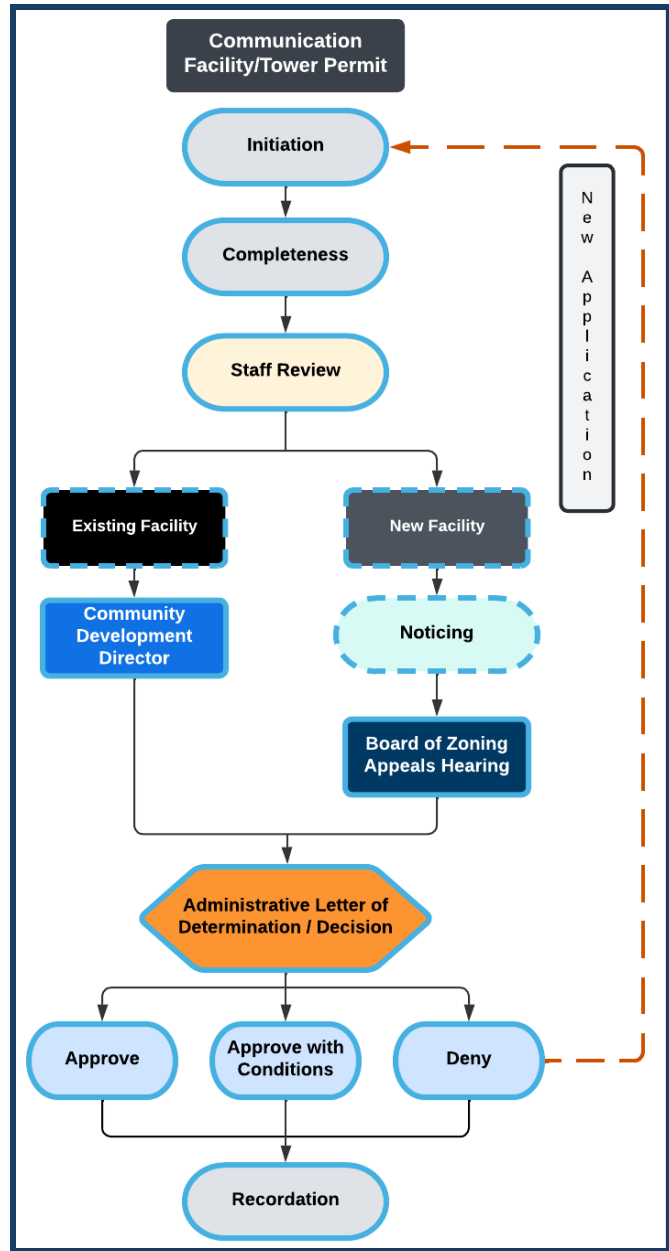


Figure 1129.06.1: Communication Facility/Tower Permit

(b) Initiation

- (1) A communication facility/tower permit application may be initiated by the owner or applicant of the subject property.

(2) A communication facility/tower permit application shall be submitted to the Community Development Department on such forms as the City Manager shall prescribe.

(c) Completeness

(1) Generally

A. A communication facility/tower permit application shall be signed on behalf of the applicant by the person preparing the same and with knowledge of the contents and representations made therein and attesting to the truth and completeness of the information. The landowner, if different than the applicant, shall also sign the application. At the discretion of the City, any false or misleading statement in the application may result in denial of the application without further consideration or opportunity for correction.

B. A communication facility/tower permit application not meeting the requirements stated in this Section or that are otherwise incomplete may be rejected by the City.

(2) **Contents.** A communication facility/tower permit application shall contain the following:

A. Conditional Use Permit Application;

B. Co-location of a wireless telecommunications facility on existing structure including:

i. Documentation that demonstrates the need for the wireless telecommunications facility to provide service primarily and essentially within the City. Such documentation shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites;

ii. A plot plan shall indicate all building and land uses within two hundred (200) feet of the proposed facility. Aerial photos and renderings may augment the plot plan.

iii. The location of the nearest residential structure;

iv. The location, size and height of all proposed and existing antennae and all appurtenant structures;

v. The number, type and design of the tower(s) and antenna(s) proposed and the basis for the calculations of the tower's capacity to accommodate multiple users. The applicant shall list the location of every tower, building, or structure within a reasonable proximity that could support the proposed antenna;

- vi. A description of the proposed antenna(s) and all related fixtures, structures, appurtenances and apparatus, including height above pre-existing grade, materials, color and lighting;
  - vii. A "Zone of Visibility Map" which shall be provided in order to determine locations from which the antenna may be seen;
  - viii. Pictorial representations of "before" and "after" views from key viewpoints both inside and outside of the City, as may be appropriate, including but not limited to state highways and other major roads; state and local parks; other public lands; historic districts; preserves and historic sites normally open to the public; and from any other location where the site is visible to a large number of visitors, travelers or residents. Guidance will be provided concerning the appropriate key sites at a pre-application conference, if requested by the applicant.
- C. Telecommunications Structures.** An applicant for a new telecommunication structure shall also submit,
- i. The type, locations and dimensions of all proposed and existing landscaping, and fencing;
  - ii. A comprehensive report inventorying existing towers and other suitable structures within four miles of the location of any proposed new tower, unless the applicant can show that some other distance is more reasonable;
  - iii. The make, model and manufacturer of the tower and antenna(s);
  - iv. An assessment of the visual impact of the tower base, guy wires and accessory buildings from abutting and adjacent properties and streets as relates to the need or appropriateness of screening.
  - v. Proof of the availability of the insurance required and the removal bond required.
- D.** If applicant petitions recognition of no appreciable impact, then a statement of no appreciable impact shall be submitted to the City Manager.
- E.** Technical Certification data according below.
- F.** Statement of demonstration of necessity according to conditions set forth below.
- (3) Technical Certifications.** A communication facility/tower permit application shall contain, the following, each certified by an engineer or other qualified professional as appropriate to that item:

- A. A topographic and geomorphologic study and analysis taking into account the subsurface and substrata, and the proposed drainage plan, assuring the stability of the proposed wireless telecommunications facilities on the proposed site.
  - B. The frequency, modulation and class of service of radio or other transmitting equipment;
  - C. The actual intended transmission and the maximum effective radiated power of the antenna(s);
  - D. The direction of maximum lobes and associated radiation of the antenna(s);
  - E. Certification that the NIER levels at the proposed site are within the threshold levels adopted by the FCC;
  - F. Certification that the proposed antenna(s) will not cause interference with other telecommunications devices; and
  - G. A copy of the FCC license applicable for the intended use of the wireless telecommunications facilities.
- (4) Required Demonstrations.** The application shall contain demonstrations that the granting of the application will further the objectives stated in this Section. Such demonstrations shall include:
- A. A demonstration the need for the wireless telecommunications facility to provide service primarily and essentially within the City. Such demonstration shall include propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites.
  - B. In the case of a new tower, a demonstration that the proposed facility has been sited and designed so as to employ the least visually and physically intrusive means that are not commercially impracticable under the facts and circumstances. Such report must include evidence that fair and thorough consideration was given to the following:
    - i. Sharing an existing tower or other facility with another provider;
    - ii. Locating the facility atop or within an existing structure;
    - iii. Locating the facility upon publicly owned land;
    - iv. Making any new tower accessible to co-location of additional antennas of other providers;
    - v. Locating the facility so as to minimize the impact upon the following types of Zoning Districts in the following order:
      - a. Historical Districts;



be on a weekend, but in case of poor weather on the initial date, the secondary date may be on a weekday.

**(5) Fees and Deposit**

- A.** At the time that a person submits an application for a conditional use permit for a new tower, such person shall pay a non-refundable application fee of \$5,000.00 to the City. If the application is for a conditional use permit for co-locating on an existing tower or other suitable structure, where no increase in height of the tower or structure is required, the non-refundable fee shall be \$2,000.00. At the time that a person submits an application for a determination of no appreciable impact, such person shall pay a non-refundable fee of \$1,000.00 to the City.
- B.** No application fee is required in order to rectify a conditional use permit for wireless telecommunications facilities, unless there has been a visible modification of the wireless telecommunications facility since the date of the issuance of the existing conditional use permit for which the conditions of the conditional use permit have not previously been modified. In the case of any modification, the fees provided in this Section shall apply.
- C.** In addition to the non-refundable application fee set forth in this Section, as required, an applicant shall deposit with the City funds sufficient to reimburse the City for all reasonable costs of consultant and expert evaluation and consultation to the City in connection with the review of any application, including the construction and modification of the site, once permitted. The initial deposit shall be \$8,500.00. The placement of the \$8,500.00 with the City shall precede the pre-application conference. The City will maintain a separate escrow account for all such funds. The City's consultants/experts shall invoice the City for services in reviewing the application, including the construction and modification of the site, once permitted. If at any time during the process this escrow account has a balance less than \$2,500.00, the applicant shall immediately, upon notification by the City, replenish the escrow account so that it has a balance of at least \$5,000.00. Such additional escrow funds shall be deposited with the City before any further action or consideration is taken on the application. If the amount held in escrow by the City is more than the amount of the actual invoicing at the conclusion of the project, the remaining balance shall be promptly refunded to the applicant.

**(d) Notice and Hearing(s).** Noticing and hearing requirements shall follow those prescribed in Section 1127.03 .

**(e) Action**

**(1) Community Development Director Review.**



- iii. The application shows compliance with the standards set forth in this Section; and
- iv. The application demonstrates compliance with other applicable provisions of the Zoning Code.

**B.** Or, if the communication facility/tower permit application is for the modification of an existing tower or base station that does not substantially change the physical dimensions of the tower or base station and involves a collocation of new transmission equipment or removal of transmission equipment or replacement of transmission equipment, then a communication facility/tower permit shall be granted for the collocation, removal, or replacement.

**(g) Subsequent Applications.** Not applicable.

**(h) Appeals.** Not applicable.

**(i) Scope of Approval**

**(1) Effect of Approved Communication Facility/Tower Permit.** An approved permit shall entitle the permit holder to construct a wireless telecommunication facility upon the issuance of a building permit obtained from the Building Official, and to operate the facility for a period of five years from the date of issuance, subject to compliance with the provisions below.

**(2) Continuing Obligations of Permit Holder.** The permit holder shall:

- A.** Maintain the facility in continuous operation. "Continuous operation" means that the facility has not been inactive for a period in excess of 60 consecutive calendar days, unless such inactivity has been caused by a supernatural event, or force majeure, and repair or reconstruction has commenced within such 60 day period;
- B.** Operate and maintain the facility in accordance with the terms of the application, and any applicable license issued by the FCC;
- C.** Maintain in full force and effect the liability and other insurance required under the terms of this Section;
- D.** Negotiate in good faith for the shared use of any tower by other wireless service providers in the future, and shall:
  - i. Respond within 60 days to a request for information from a potential shared-use applicant;
  - ii. Allow shared use of the new tower if another telecommunications provider agrees in writing to pay reasonable charges. The charges may include, but are not limited to a pro rata share of the cost of site selection, planning, project administration, land costs, site design, construction and maintenance

financing, return on equity less depreciation, and all of the costs of adapting the tower or equipment to accommodate a shared user without causing electromagnetic interference.

- E. Failure to abide by the conditions outlined above may be grounds for revocation of the communication facility/tower permit for the facility.

**(3) Required Insurance**

- A. A permit holder shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage, for the duration of the communication facility/tower permit in amounts as set forth below:
  - i. Commercial General Liability covering personal injuries, death and property damage: \$1,000,000 per occurrence; \$2,000,000 aggregate;
- B. The Commercial General Liability insurance policy shall specifically include the City and its officers, boards, employees, committee members, attorneys, agents and consultants as additional named insureds.
- C. The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the State and with a Best's rating of at least A.
- D. The insurance policies shall contain an endorsement obligating the insurance company to furnish the City with at least 30 days prior written notice in advance of the cancellation of the insurance.
- E. Renewal or replacement policies or certificates shall be delivered to the City at least 15 days before the expiration of the insurance that such policies are to renew or replace.
- F. Before construction is initiated, but in no case later than 15 days after the granting of the communication facility/tower permit, the permit holder shall deliver to the City a copy of each of the policies or certificates representing the insurance in the required amounts.

**(4) Facility Removal.** The City may require that a telecommunication facility be removed upon the occurrence of any of the following events:

- A. The facility was not constructed in accordance with any applicable permit;
- B. The facility has deteriorated from lack of maintenance or other cause so that it has become a danger to public safety;
- C. More than 90 days have elapsed since the expiration of the facility's communication facility/tower permit and no application for renewal is pending;

- D. The facility has been inactive for a period of at least 90 consecutive calendar days; or
  - E. The permit holder has not fulfilled the holder's continuing obligations of this Section.
- (5) Assurance of Removal
- A. In order to assure the prompt removal of a wireless communication facility when required by the City, the City shall require the permit holder to maintain in full force and effect a removal bond. A removal bond shall:
    - i. Be written by a surety company authorized to do business in the State;
    - ii. Be in an amount sufficient to pay the cost of removal of the facility, and not less than \$75,000;
    - iii. Provide that upon written notice from the City Manager to the surety company and the holder that the City has caused the removal of the facility, the surety shall pay to the order of the City the City's cost of removal of the facility, up to and including the maximum amount of the bond.
  - B. If the bond required is unavailable or insufficient to pay the City's cost of removal, the City may issue an assessment in the amount of its removal costs against the parcel or parcels of real estate upon which the facility was located, in accordance with law.
- (j) Recordation
- (1) The certified decision of the communication facility/tower permit application shall be recorded at the expense of the applicant with the Board of Zoning Appeals.
  - (2) A certified copy of the decision shall be maintained by the Community Development Department.
  - (3) The applicant shall retain a copy of the decision from the Community Development Department.

### 1129.07 Home Occupation Permit

(a) **Applicability.** The allowance of a home occupation as designated in Table 1110.03.1: Use Table, requires approval of a home occupation permit.

(b) **Initiation.** A home occupation permit shall be initiated by the owner or applicant of the subject property.

(c) **Completeness.** Refer to Section 1127.02 .

(d) **Notice and Hearing(s).** Not applicable.

(e) **Action.** The Community Development Director shall review the home occupation permit application and act to:

(1) Approve the home occupation permit; or

(2) Deny the home occupation permit.

(f) **Approval Criteria.** The Community Development Director shall approve the home occupation permit application if it complies with:

(1) All applicable requirements of this Zoning Code;

(2) All applicable requirements of the Code of Ordinances, including the Building Code and Fire Code; and

(3) Any conditions of any currently applicable and unexpired rezoning, conditional use permit, development plan, variance, or appeal decisions that apply to the property. If any of these prior approvals have expired, the applicant must obtain a new approval before applying for a home occupation permit application.

(g) **Subsequent Applications.** Not applicable.

(h) **Appeals.** A home occupation permit denial decision by the Community Development Director may be appealed to the Board of Zoning Appeals as provided in Section 1130.04.

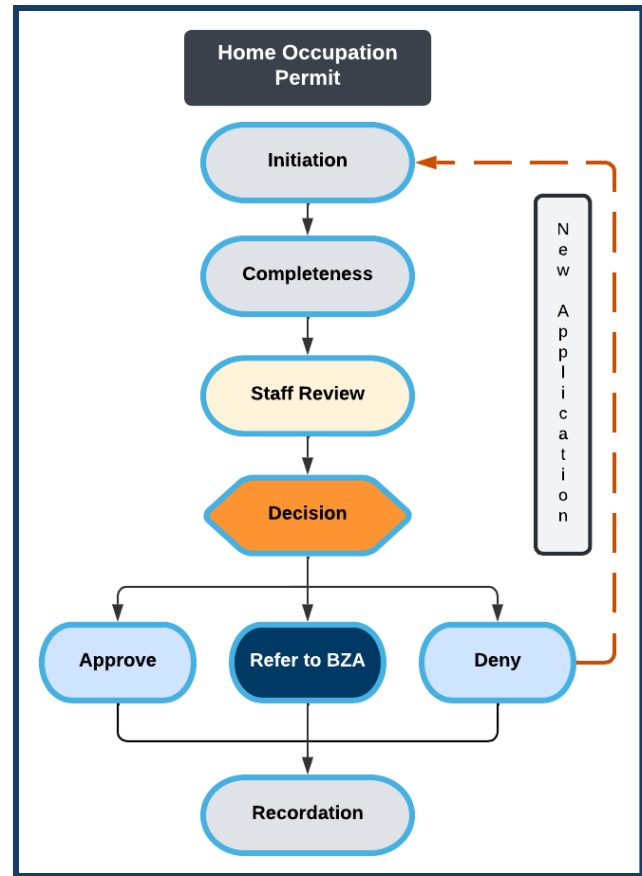


Figure 1129.07.1: Home Occupation Permit Flowchart

- (i) **Scope of Approval.** A home occupation permit authorizes the approved business within a residential use.
- (j) **Recordation.** The Community Development Department and applicant shall maintain a copy of the home occupation permit decision.

## CHAPTER 1130 - Relief Procedures

### 1130.01 Alternative Compliance

#### (a) Applicability

- (1) This Section establishes provisions for alternative compliance associated with the review and approval of a development plan, including improvements to existing structures or site features.
- (2) The purpose of alternative compliance is to ensure that:
  - A. A proposed development complies with the purpose and intent of this Zoning Code;
  - B. A proposed project meets requirements that are appropriate for lots or sites and site-specific development challenges by applying a flexible approval procedure. A development may be interpreted to include redevelopment of lots or sites with existing improvements and encumbrances that may pose unique challenges to complying with the requirements of this Zoning Code; and
  - C. To allow for different standards that are in agreement with the Clark County Comprehensive Plan and that produce a substantially equivalent effect as the requirements of this Zoning Code.
- (3) The applicable zoning district standards for a project shall not be reduced or varied using the alternative compliance process unless the standard is specifically cited as qualifying for alternative compliance in this Zoning Code.
- (4) Alternative compliance may be considered for the following standards:
  - A. Required zoning district setbacks may be modified by 10%;
  - B. Required maximum building and structure heights may be modified by 10%;
  - C. Required maximum sign dimensions, including but not limited to height, area, and setbacks may be modified by 20%; and

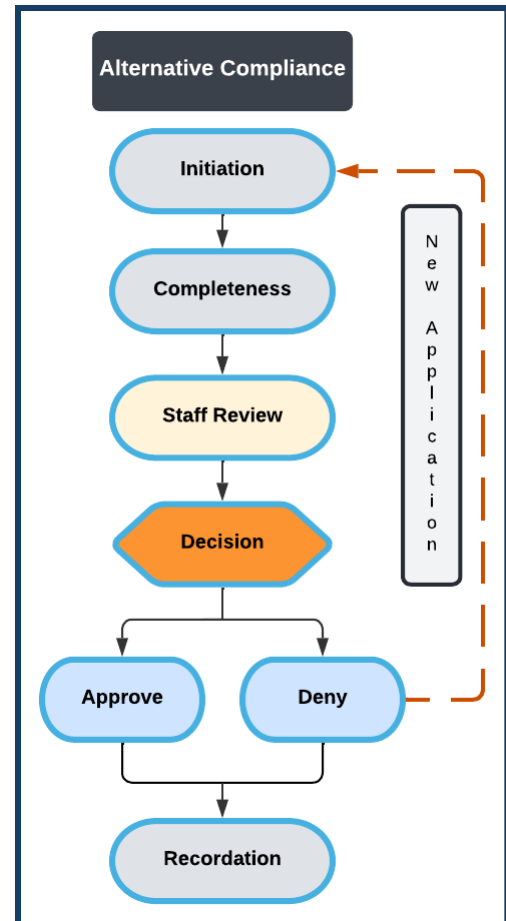


Figure 1130.01.1:  
Alternative Compliance Flowchart

- D.** The placement, arrangement, and substitution of required landscaping may be modified, including but not limited to plant materials, plant size, and planting space along street frontage.
- (5) Any alternative compliance request that exceeds the thresholds provided in this Section shall be considered a variance request and shall follow the requirements provided in Section 1130.02.
- (b) Initiation.** A request for alternative compliance, as specifically cited within this Zoning Code, may be submitted for review and approval along with the plan for a project, or along with the project's initial application (as applicable for the project).
- (c) Completeness**
- (1) Generally, refer to Section 1127.02 .
- (2) Additionally, alternative compliance requests must be clearly delineated graphically or in narrative format, as appropriate, on the plan (or on the project's initial application), including a reference to the specific section within this Zoning Code that allows consideration of an alternative compliance standard provided in TITLE Four - Site Development Standards.
- (d) Notice and Hearing(s).** Not Applicable.
- (e) Action.** The Community Development Director shall review the project site plan's alternative compliance request and shall act to:
- (1) Approve the alternative compliance request; or
- (2) Deny the alternative compliance request.
- (f) Approval Criteria.** The Community Development Director shall approve an alternative compliance request only if:
- (1) The alternative compliance request is consistent with the recommendations and policies of the Clark County Comprehensive Plan;
- (2) The alternative compliance request does not reduce a standard unless it is, to the greatest extent practical, equally mitigated or improved by increasing the standards of other requirements; and
- (3) The alternative compliance request does not modify the land uses allowed in the zoning district in which the subject property is located, or to add a land use not normally allowed in the zoning district.
- (g) Subsequent Applications.** Not applicable.

**(h) Appeals.** An alternative compliance denial decision by the Community Development Director may be appealed to the Board of Zoning Appeals as provided in Section 1130.04.

**(i) Scope of Approval**

**(1)** An approval letter shall be issued certifying the approved alternative compliance is compliant with the conditions of this Zoning Code which may permit the applicant to apply for other permits and plans.

**(2)** After the alternative compliance request is approved, the Community Development Director may apply the approval to a pending plan review. Once the alternative compliance request and the plan are approved, a building permit or certificate of occupancy consistent with any conditions of the alternative compliance and plan approval may be issued.

**(j) Recordation.** The applicant and the Community Development Director shall maintain a copy of the alternative compliance decision.

## 1130.02 Variance

### (a) Applicability

- (1) The Board of Zoning Appeals may authorize, in specific cases due to hardship, a variance from the terms of this Zoning Code.
- (2) Any person who deems their property to suffer such physical limitations of size, shape, slopes of ground or other physical conditions as to require a variance of the regulations of this Zoning Code in order to enable them to make reasonable use of their property.

(b) **Initiation.** An application for a variance shall be submitted to the Community Development Director by the applicant.

(c) **Completeness.** Generally, refer to Section 1127.02 .

### (d) Notice and Hearing(s)

- (1) Noticing shall comply with Section 1127.03 and state law, as applicable.
- (2) A public hearing is required and shall comply with Section 1127.03 .

### (e) Action

- (1) The Board of Zoning Appeals shall conduct a public meeting on the variance and shall render its decision after the meeting is closed.
- (2) The Board of Zoning Appeals may, in whole or in part:
  - A. Approve the variance; or
  - B. Deny the variance.

### (f) Approval Criteria

- (1) No variance from the strict application of any provision of this Springfield Zoning Code which permits the use of land which is prescribed or which will result in a use of land in an manner inconsistent with the basic character of the district in which

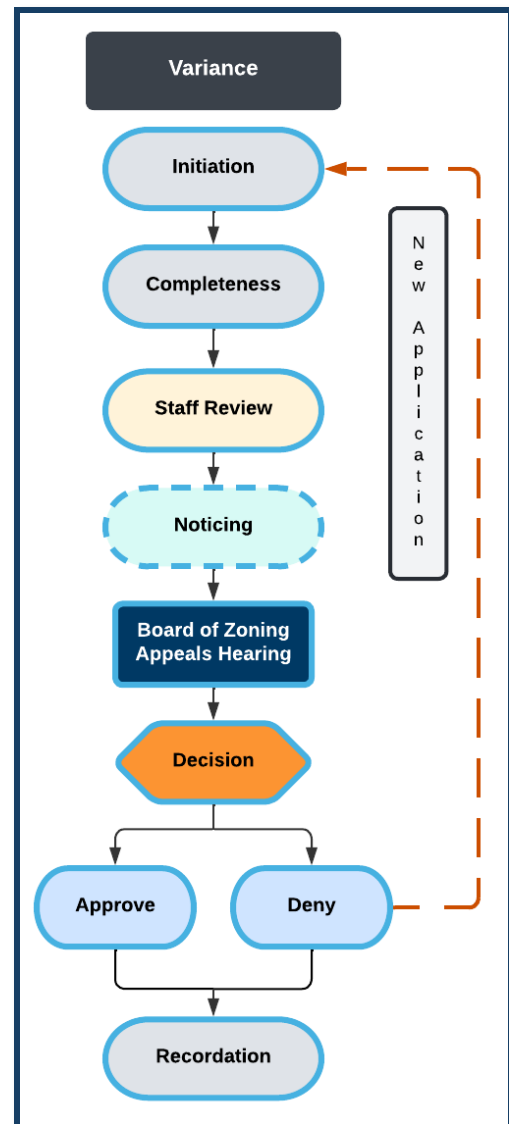


Figure 1130.02.1: Variance Flowchart

such land is located, shall be granted by the Board of Zoning Appeals unless it finds that strict application of this Springfield Zoning Code would result in unnecessary hardship. The Board of Zoning Appeals shall find unnecessary hardship only when all the following facts and conditions exist:

- A. The land in question cannot yield a reasonable return if used only for a purpose allowed in the district. To establish the inability of land to yield a reasonable return, the owner must demonstrate factually, by dollars and cents proof, an inability to realize a reasonable return under existing permissible uses in the district. An owner does not suffer hardship sufficient to warrant the granting of a variance simply because the land would be more valuable or yield more profits if the variance were granted. The requisite degree of hardship exists only when the only permissible uses are not economically feasible and strict application of the provisions or the Springfield Zoning Code deprive the owner of economically viable use of the land.
  - B. The plight of the owner is due to unique circumstances and not to other general conditions in the neighborhood which may reflect the unreasonableness of the Springfield Zoning Code itself.
  - C. The use to be authorized by the variance will not alter the essential character of the neighborhood.
- (2) No variance from the strict application of any provision of this Springfield Zoning Code that does not involve the use of land which is prescribed or which will result in a use of land in a manner inconsistent with the basic character of the district in which such land is located shall be granted by the board unless it finds that strict application of this Springfield Zoning Code would result in practical difficulties which will unreasonably deprive the owner of a permitted use of his property. Such area variances include, by way of example and not of limitation, relief from a set back requirement, height requirement, restrictions on the bulk of buildings, the extent of lot coverage or yard requirements. the Board of Zoning Appeals shall consider and weigh the following factors and such other factors as the Board of Zoning Appeals may determine have a bearing on finding whether strict application of any provision of this Springfield Zoning Code would result in practical difficulties which will unreasonably deprive the owner of a permitted use of their property; however, no one of such factors shall control in a determination of whether such practical difficulty exists:
- A. The property in question cannot yield a reasonable return and there can be no beneficial use of the property without the variance, the variance would relieve a clearly demonstrable situation where strict application of the provisions of this Zoning Code created a practical difficulty that will deprive the owner of

economically viable use of the land, as distinguished from a special privilege or convenience to the owner.

- B. The variance is not substantial.
  - C. The essential character of the neighborhood will not be substantially altered or suffer a substantial detriment as a result of the variance.
  - D. The variance will not adversely affect the delivery of governmental services such as police and fire protection, water and sewer services, and solid waste regulation and disposal.
  - E. The property owner purchased the property without knowledge of the zoning restrictions.
  - F. The property owner's predicament feasibly can be obviated through some method other than granting a variance.
  - G. The property possesses conditions involving irregular, narrow, shallow or steep lots, or other exceptional physical conditions and because of such exceptional physical conditions, strict application of a provision or provisions of this Zoning Code would be unreasonable.
  - H. The spirit and intent behind the zoning requirement will be observed and substantial justice done by granting the variance.
- (g) **Subsequent Applications.** If the variance request is denied, the applicant shall not submit a variance request of similarity on the same property for at least six months.
- (h) **Appeals.** Any decision by the Board of Zoning Appeals shall be a final appealable order and the applicant may seek judicial review of the action in any court of competent jurisdiction pursuant to general law.
- (i) **Scope of Approval.** After a final decision on the variance is rendered, the applicant and any party in interest may file any further permits or applications, undertake construction, or establish a use consistent with that decision.
- (j) **Recordation.** The Community Development Department shall maintain the variance decision in its files, and the applicant shall maintain an original signed copy of the variance decision.

### 1130.03 Appeals from Landmarks Commission

- (a) **Applicability.** Certificate of Appropriateness decisions made by the Springfield Landmarks Commission may be appealed to the Board of Zoning Appeals.
- (b) **Initiation.** To make an appeal, the aggrieved party shall file a notice of appeal within 30 days of the Springfield Landmarks Commission's final action.
- (c) **Completeness**
  - (1) Generally, refer to Section 1127.02 .
  - (2) In addition to the requirements of Section 1127.02 (c), the applicant shall provide the following information:
    - A. Summary of any reasons provided by the Springfield Landmarks Commission concerning the decision made in the case;
    - B. Reasons the applicant of the appeal contends that the Springfield Landmarks Commission erred in its decision;
    - C. Reasons the applicant of the appeal believes that the public health, safety, welfare, and morals would be better served if the Springfield Landmarks Commission's action were reversed; and
    - D. Any new and pertinent information bearing on the case which may not have been available or have been overlooked by the Springfield Landmarks Commission or which may have come to light following the meeting at which the Springfield Landmarks Commission made its decision.
- (d) **Notice and Hearing(s)**
  - (1) Noticing shall comply with S Section 1127.03 and state law, as applicable.
  - (2) A public hearing is required and shall comply with Section 1127.03 .
- (e) **Action.** The Board of Zoning Appeals shall act to:
  - (1) Reverse the Springfield Landmarks Commission's decision; or
  - (2) Affirm the Springfield Landmarks Commission's decision.
- (f) **Approval Criteria.** The Board of Zoning Appeals shall review all appeals to determine the reasonableness of the decision(s) made by the Springfield Landmarks Commission considering the following criteria for applications for Certificates of Appropriateness:
  - (1) The application fully complies with the purpose set forth in the Codified Ordinances for the Springfield Landmarks Commission;
  - (2) The application meets the Secretary of the Interior's Standards for Rehabilitation and the specific design guideline requirements in the Codified Ordinances;

(3) The application meets the general standards for review as outlined in this Section and in the Codified Ordinances.

(g) **Subsequent Applications.** Not applicable.

(h) **Appeals.** Not applicable.

(i) **Scope of Approval.** Depending on the appeal decision, the applicant may apply for any permits or approvals required for development, as provided in this Zoning Code.

(j) **Recordation.** The Community Development Department shall maintain the decision in its files, and the applicant shall maintain an original signed copy of the decision.

### 1130.04 Appeals from Administrative Decision

- (a) **Applicability.** Decisions made by the Community Development Director or any other City staff personnel may be appealed to the Board of Zoning Appeals.
- (b) **Initiation.** To make an appeal, the aggrieved party shall file a notice of appeal within 30 days of the Community Development Director's final action.
- (c) **Completeness**
  - (1) Generally, refer to Section 1127.02 .
  - (2) In addition to the requirements of Section 1127.02 (c), the applicant shall provide the following information:
    - A. Summary of any reasons provided by the Community Development Director concerning the decision made in the case;
    - B. Reasons the applicant of the appeal contends that the Community Development Director erred in its decision;
    - C. Reasons the applicant of the appeal believes that the public health, safety, welfare, and morals would be better served if the Community Development Director's action were reversed; and
    - D. Any new and pertinent information bearing on the case which may not have been available or have been overlooked by the Community Development Director or which may have come to light following the meeting at which the Community Development Director made its decision.
- (d) **Notice and Hearing(s)**
  - (1) Noticing shall comply with Section 1127.03 and state law, as applicable.
  - (2) A public hearing is required and shall comply with Section 1127.03 .
- (e) **Action.** The Board of Zoning Appeals shall act to:
  - (1) Reverse the Community Development Director's decision; or
  - (2) Affirm the Community Development Director's decision.
- (f) **Approval Criteria**
  - (1) The applicant bears the burden of proof to demonstrate to the Board of Zoning Appeals that the items provided below have led to error in judgment by the Community Development Director.
  - (2) The Board of Zoning Appeals shall consider the evidence submitted by the applicant, the report and decision of the Community Development Director and,

where the property is located within the City's corporate limits, any recommendations from City staff, and the following, as applicable:

- A. Consistency with the Comprehensive Plan,
  - B. Adverse impacts on neighboring properties, and
  - C. Health, safety, and welfare of the City.
- (3) If new information is placed before the Board of Zoning Appeals that, in the opinion of the Board of Zoning Appeals, would affect the Community Development Director's decision, the Board of Zoning Appeals may refer the case back to the Community Development Director for further study, including the new information, and recertification.
- (g) **Subsequent Applications.** Not applicable.
- (h) **Appeals.** Not applicable.
- (i) **Scope of Approval**
- (1) An approval letter shall be issued certifying the appeal decision is compliant with the conditions of this Zoning Code which may permit the applicant to apply for other permits and plans.
  - (2) Depending on the appeal decision, the applicant may apply for any permits or approvals required for development, as provided in this Zoning Code.
- (j) **Recordation.** The Community Development Department shall maintain the decision in its files, and the applicant shall maintain an original signed copy of the decision.

### 1130.05 Zoning Code/Map Interpretation

- (a) **Applicability.** The Board of Zoning Appeals may decide any question involving the interpretation of the Zoning Code text or map, as follows:
- (1) In case there is question as to the intended meaning of any provision of the Zoning Code text, the Board of Zoning Appeals may interpret its meaning as it applies to a particular property. Before reaching a decision in response to any request, the Board of Zoning Appeals shall obtain the opinion of the City Law Director.
  - (2) Where the street or lot layout actually on the ground, or as recorded differs from the street and lot lines as shown on the Zoning Map, the Board of Zoning Appeals, after notice of public hearing to the owners of the property, shall interpret the Zoning Map in such a way as to carry out the intent and purpose of this Zoning Code for the particular section or district in question. In case of any question as to the location of any boundary line between districts, an application for interpretation of the Zoning Map may be made to the Board of Zoning Appeals and a determination shall be

made by such Board of Zoning Appeals by following the procedure established in this Title.

(3) Where a specific use is proposed that is not listed or provided for in this Zoning Code, The Board of Zoning Appeals may make a determination that the proposed use is substantially similar to a specific use that is listed or provided for in the Zoning Code. If the Board of Zoning Appeals finds that a use is substantially similar to a specific use listed in this Zoning Code, the substantially similar use is deemed to be a substantially similar permitted use in those districts where the specific use is a permitted use, and a substantially similar conditional use in those districts where the specific use is a conditionally permitted use. In formulating a determination that a proposed use is a substantially similar use, the Board of Zoning Appeals shall include in its written findings the reasoning upon which the decision is based. The following standards shall be considered by the Board when making a determination that a use is substantially similar to a permitted or a conditional use within a specific district:

- A. The compatibility of the proposed use with the general use classification system as specified in this Zoning Code.
- B. The nature, predominant characteristics, and intensity of the proposed use in relation to those uses specified by this Zoning Code as being permitted, or in the case of a conditional use, conditionally permitted in that district.
- C. The size, dimensional requirements, parking requirements, traffic generation potential, and other regulatory considerations normally associated with uses as specified in this Zoning Code.
- D. Should a use be determined to be substantially similar to a specific permitted or conditionally permitted use provided for in this Zoning Code, it shall then be permitted in the same manner and under the same conditions and procedures as the use is permitted to which it has been found to be substantially similar. The Community Development Director shall maintain, as a public record, a listing of all uses which have been determined to be substantially similar. For each such use the record shall include the use as listed in the Zoning Code, the use unlisted in the Zoning Code about which the determination of substantial similarity was made, and the dates of any actions thereupon by the Board of Zoning Appeals. This record shall also contain the same information for all uses which have been determined not to be substantially similar. The Community Development Director shall consult this record in the process of issuing zoning permits.

**(b) Initiation.** An interpretation request shall be submitted by a property owner or applicant to the Community Development Director for the Board of Zoning Appeals review and determination.

- (c) **Completeness.** Generally, refer to Section 1127.02 .
- (d) **Notice and Hearing(s)**
  - (1) Noticing shall comply with Section 1127.03 and state law, as applicable.
  - (2) A public hearing is required and shall comply with Section 1127.03 .
- (e) **Action.** The Board of Zoning Appeals may, in its discretion, take any of the following actions:
  - (1) Review and evaluate the request;
  - (2) Consult with City staff or the Planning Board;
  - (3) Render an opinion; or
  - (4) Provide an interpretation in writing.
- (f) **Approval Criteria.** The Board of Zoning Appeals shall consider this Zoning Code, the Zoning Map, the Comprehensive Plan, and any other relevant information to make a final interpretation decision.
- (g) **Subsequent Applications.** Not applicable.
- (h) **Appeals.** Not applicable.
- (i) **Scope of Approval.** Depending on the interpretation decision, an applicant may apply for any permits or approvals required for development, as provided in this Zoning Code.
- (j) **Recordation**
  - (1) The certified interpretation decision shall be recorded with the Board of Zoning Appeals.
  - (2) A certified copy of the interpretation decision shall be maintained by the Community Development Department.

# TITLE SIX - NONCONFORMING STANDARDS

## CHAPTER 1131 - General Provisions

### 1131.01 Classification and Effect of Nonconforming Status

- (a) **Classification of Nonconformities.** Lots, uses of lands, structures, signs, or combinations thereof may exist which were lawfully established prior to the effective date or amendment of this Zoning Code, but that do not comply with the effective terms of this Zoning Code. Such legally established lots, uses of lands, structures, and signs shall be considered as nonconformities.
- (b) **Burden of Proof on Property Owner.** The burden of establishing that any use or building is lawfully nonconforming under the provisions of this Zoning Code shall, in all cases, be upon the owner of such nonconformity and not upon the City of Springfield.
- (c) **Effect of Nonconforming Status.** Legally established nonconformities shall be permitted to remain in place and continue their use, as applicable, but are prohibited from being altered, moved, extended, expanded, or replaced without the approval of the Board of Zoning Appeals, except where otherwise specifically provided for in this Zoning Code.
- (d) **New Nonconformities Restricted.** Nonconforming uses and buildings shall not be replaced with any other prohibited uses or buildings without the approval of the Board of Zoning Appeals, except where otherwise specifically provided for in this Zoning Code.

### 1131.02 Determination and Effect of Abandonment or Destruction

- (a) **Effect of Abandonment or Vacancy.** If any nonconforming building, feature, or use is abandoned, vacated, or voluntarily discontinued for 2 years or more, any future uses or any future alterations to such nonconformity shall be in conformity with all applicable standards of this Zoning Code, including the applicable zoning district.
- (b) **Restoration Following Damage or Destruction.** Nothing in this Zoning Code shall prevent the restoration of a nonconforming building, feature, or use that is destroyed or damaged, provided:
  - (1) That the extent of the damage or destruction is less than 60% of the reproduction value;

- (2) That the property owner(s) shall file with the Community Development Director a notice of intention to continue the nonconformity within 6 months of such damage or destruction; and
  - (3) That the restoration or construction is commenced within one year of the date that such notice is given to the Community Development Director.
- (c) **Failure to Provide Notice Following Damage or Destruction.** If a notice of intention to continue a damaged or destroyed nonconformity is not provided to the Community Development Director within 6 months of such damage or destruction, the nonconformity shall be deemed abandoned and shall not be restored except in compliance with this Zoning Code.
- (d) **Exception to Restoration Limit.** The Board of Zoning Appeals may review and decide upon the restoration of a nonconforming use damaged by fire, explosion, or Supernatural Event to the extent of more than 60% of its reproduction value.

### 1131.03 Repair and Maintenance

- (a) **Ordinary Repairs Allowed.** On any nonconforming structure or portion of a structure containing a nonconforming use, work may be done on ordinary repairs, or on repair or replacement of walls, fixtures, wiring, or plumbing, provided that the footprint and height of the structure as it existed, when it became nonconforming, shall not be increased.
- (b) **Major Repairs Allowed with Limitations.** Nothing within this Zoning Code shall be deemed to prevent the strengthening or restoring to safe condition of any building, or part thereof, declared to be unsafe by any official charged with protecting the public safety, upon order of such official. Where appropriate, a building permit for such activities shall be required.

### 1131.04 Restrictions on Alterations

- (a) **Required Yards and Setbacks.** Nonconforming buildings, features, and uses shall not be altered in a manner that reduces provided yards or setbacks below minimum requirements.
- (b) **Alterations to Nonconforming Uses**
- (1) Nonconforming uses shall not be enlarged, increased, or extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this Zoning Code. The Board of Zoning Appeals shall only grant such alteration to a nonconforming use upon finding that the manner of increase or improvement in the useable area of the nonconforming use will have minimal adverse impact upon adjacent properties and permitted land uses in the

surrounding neighborhood; or upon finding that the increase or improvement can be made compatible with the adjacent properties and the uses in the surrounding neighborhood upon compliance with specified conditions.

- (2) Nonconforming uses may be extended throughout any parts of an associated building that were arranged or designed for such use at the time of adoption or amendment of this Zoning Code. No such use shall be extended to occupy any land outside such building.
  - (3) Any structure or structure and land in combination in or on which a nonconforming use is replaced with a conforming use shall thereafter conform to the applicable regulations of this Zoning Code. The prior nonconforming use may not be resumed.
  - (4) Nonconforming uses that are altered shall be required to meet all setbacks of the applicable zoning district.
- (c) **Substitution of Nonconforming Uses.** If no structural alterations are made, any nonconforming use of a structure or of a structure and land in combination may, upon appeal to the Board of Zoning Appeals, be changed to another nonconforming use provided that the Board shall find that the proposed use is equally appropriate or more appropriate to the district than the existing nonconforming use. In permitting such a change, the Board of Zoning Appeals may require appropriate conditions and safeguards in accord with other provisions of this Zoning Code.
- (d) **Alterations to Nonconforming and Associated Buildings.** Buildings that are associated with a nonconforming use shall not be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to an allowed use, except as authorized by the Board of Zoning Appeals.
- (e) **New Construction Prohibited.** Construction of new buildings associated with nonconforming uses of land shall be prohibited.

### 1131.05 Accessory Buildings, Features, and Uses

- (a) **Applicability.** Accessory buildings, features, and uses that were legally established prior to the effective date of this Zoning Code which do not comply with applicable setback or coverage requirements shall still be considered in compliance with this Zoning Code.
- (b) **Compliance for New Modifications.** Any modifications of existing accessory buildings, features, and uses proposed after the effective date of this Zoning Code shall only be permitted in compliance with all applicable standards of this Zoning Code.

### 1131.06 New Residential Construction on Nonconforming Lots

- (a) **Construction Allowed.** Within a zoning district where one-unit or two-unit dwellings are permitted, a one-unit or two-unit dwelling and any allowed accessory buildings and features may be erected on a nonconforming single lot of record that is in separate ownership from any abutting lots, even where such lot does not meet minimum applicable lot area or lot width standards.
- (b) **Minimum Required Dimensional Standards.** Construction of dwellings on a nonconforming lot shall meet all applicable yard and setback standards, except where the infill development standards are utilized, or a variance has been approved.

### 1131.07 Restrictions on Alterations of Lots and Signs

- (a) **Alterations to Lot Area and Width.** Nonconforming lots shall not be subdivided or otherwise altered in a manner that reduces the provided lot area or lot width below the prescribed minimum requirements.
- (b) **Alterations to Signs.** The replacement or upgrading of defective parts of a nonconforming sign may not result in increasing the degree of nonconformity of such sign.

### 1131.08 Determination and Loss of Sign Legal Nonconformity

- (a) **Determination of Legal Nonconformity.** All signs legally existing before the effective date of the amendment of this resolution may be continued, even though such sign may not conform with the provisions (excluding safety, maintenance, and repair) of this resolution, provided, such signs are properly maintained and do not endanger the public health, safety, or general welfare.
- (b) **Loss of Legal Nonconforming Status.** A legal nonconforming sign will lose its designation of legal nonconformity if:
  - (1) The sign is relocated;
  - (2) The sign is replaced;
  - (3) The structure or size of the sign is altered in any way except towards compliance with this Zoning Code – exempting general maintenance, changeable marquees, or face and copy changes; or
  - (4) The sign is on a lot that discontinues active operation for a period of two or more years.
- (c) **Maintenance and Repair of Nonconforming Signs**
  - (1) Legal nonconforming signs are subject to all requirements of this Zoning Code regarding safety, maintenance, and repair. However, if the sign suffers damage to an extent greater than 60% of the estimated replacement value, unless such damage was

caused by vandalism, a Supernatural Event, or other causes outside the influence of the owner or user, the sign shall be replaced with a sign that complies with this Zoning Code.

- (2) The Community Development Director shall be authorized to determine whether a legal nonconforming sign is properly maintained and does not endanger the public or constitute a nuisance.

# TITLE SEVEN - ENFORCEMENT STANDARDS

## CHAPTER 1132 - General Provisions

### 1132.01 Enforcement Responsibility

The Community Development Director holds primary responsibility for enforcing all provisions of this Zoning Code. Other officers of the City, designated by the City Manager, share responsibility for enforcing provisions of this Zoning Code.

### 1132.02 Generally

- (a) **General Unlawful Activity.** Any building erected, constructed, altered, enlarged, converted, moved or used contrary to any of the provisions of this Zoning Code, and any use of any land or building which is conducted, operated or maintained contrary to any of the provisions of this Zoning Code shall be unlawful.
- (b) **Specific Violations.** Any of the following violates this Zoning Code and are subject to the penalties and enforcement protocol as provided in this Title.
  - (1) **Buildings or Structures.** To erect, construct, reconstruct, alter, repair, convert, or maintain a building or structure in a manner inconsistent with the requirements of this Zoning Code or a condition of approval.
  - (2) **Use of Land.** To use any land or premises in a manner inconsistent with the requirements of this Zoning Code or a condition of approval.
  - (3) **Establish Use, Structure, or Sign Without Permit or Approval.** To establish or place any use, structure, or sign upon land that is subject to this Zoning Code without all of the approvals required by this Zoning Code.
  - (4) **Development Without Permit or Approval.** To engage in any development, construction, remodeling, or other activity of any nature upon land that is subject to this Zoning Code without all of the approvals required by this Zoning Code.
  - (5) **Development, Use, or Sign Inconsistent with Permit.** To engage in any development, use, construction, remodeling, or other activity of any nature in any way inconsistent with the terms and conditions of any permit, approval, certificate, or other form of authorization required to engage in those activities.
  - (6) **Development, Use, or Sign Inconsistent with Conditions of Approval.** To violate, by act or omission, any term, condition, or qualification placed by an approval authority upon any permit or other form of authorization.

- (7) **Development or Sign Inconsistent with this Zoning Code.** To erect, construct, reconstruct, remodel, alter, maintain, move, or use any building, structure, or sign, or to engage in development in violation of any zoning, sign, or other regulation of this Zoning Code.
- (8) **Making Lots or Setbacks Nonconforming.** To reduce or diminish any lot area so that the lot size, setbacks, or open spaces are smaller than required by this Zoning Code.
- (9) **Increasing Intensity or Density of Use.** To increase the intensity or density of use of any land or structure, except in accordance with the procedural requirements and substantive standards of this Zoning Code.
- (10) **Removing or Defacing Required Notice.** To remove, deface, obscure, or otherwise interfere with any notice required by this Zoning Code.
- (11) **Failure to Remove Signs.** To fail to remove any sign installed, created, erected, or maintained in violation of this Zoning Code or for which the sign permit expired.

### 1132.03 Complaints Regarding Violations

Whenever a violation of this Zoning Code occurs or is alleged to have occurred, any person may file a complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Community Development Director. The Community Development Director shall properly record such complaint, investigate such complaint, and take action as provided by this Title.

### 1132.04 Entry and Inspection of Property

The Community Development Director is authorized to make inspections of properties and structures for the purpose of enforcing the provisions of this Zoning Code. Prior to seeking entry to any property or structure for such examination or survey, the Community Development Director shall attempt to obtain the permission of the owner or occupant to inspect the property or structure. If such permission is denied or cannot be obtained, the Community Development Director shall request the assistance of the City Law Director in securing a valid search warrant prior to entry.

## CHAPTER 1133 - Violation Noticing

### 1133.01 Notice of Violation

- (a) Whenever the Community Development Director determines that there is a violation of any provision of this Zoning Code, a warning shall be issued and shall serve as a notice of the violation. Such notice shall:

- (1) Be in writing;
  - (2) Identify the violation;
  - (3) Include a reference to the sections of this Zoning Code being violated;
  - (4) State the time by which the violation shall be corrected; and
  - (5) State the corrective action.
- (b) Service of notice of violation shall be as follows:
- (1) By personal delivery to the person or persons responsible, or by leaving the notice at the usual place of residence of the owner with a person of suitable age and discretion;
  - (2) By certified mail deposited in the United State Post Office addressed to the person or persons responsible at a last known address;
  - (3) If a certified mail envelope is returned with endorsement showing that the envelope is unclaimed, then service shall be sent by ordinary mail, and the mailing shall be evidenced by a certificate of mailing. Service shall be deemed complete when the fact of mailing is entered of record, provided the ordinary mail envelope is not returned by the postal authorities with an endorsement showing failure of delivery; or
  - (4) By posting a copy of the notice form in a conspicuous place on the premises found in violation.

## CHAPTER 1134 - Penalties, Fines, and Remedies

### 1134.01 Penalties and Fines

- (a) It shall be unlawful to erect, establish, locate, construct, reconstruct, enlarge, change, convert, move, repair, maintain or structurally alter any building, structure or land in violation of any provisions of this Zoning Code or any subsequent amendment.
- (b) Any person who violates this Zoning Code or fails to comply with any of its requirements shall upon conviction be guilty of a minor misdemeanor and be fined according to [CHAPTER 1324](#) of the Codified Ordinances.
- (c) Each day such violation continues after receipt of a violation notice shall be considered a separate offense.
- (d) The owner or tenant of any building, structure, premises or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in or maintains such violation may each be found guilty of a separate offense and suffer the penalties provided in this Title.

### 1134.02 Remedies

- (a) Nothing in this Zoning Code shall be deemed to abolish, impair or prevent other additional remedies as provided by law.
- (b) In the event of a violation of any provision or requirement of this Zoning Code, or in the case of an imminent threat of such a violation, the City Law Director, may, in addition to other recourses provided by law, institute mandamus, injunction, abatement or other appropriate actions to prevent, remove, enjoin or terminate such violation.

## **TITLE EIGHT - ADMINISTRATIVE BODIES**

### **CHAPTER 1135 - General Provisions**

#### **1135.01 Generally**

This Title introduces and establishes recommending and approval authorities, describes their composition, and summarizes their authority.

### **CHAPTER 1136 - Quasi-Legislative Bodies and Personnel**

#### **1136.01 City Commission**

See CHAPTER 111 of the Codified Ordinances.

#### **1136.02 Planning Board**

See CHAPTER 157 of the Codified Ordinances.

#### **1136.03 Regional Planning Board (CEDA)**

See CHAPTER 157 of the Codified Ordinances.

#### **1136.04 Board of Zoning Appeals**

This Section is reserved<sup>2</sup>.

#### **1136.05 Springfield Landmarks Commission**

See CHAPTER 1321 of the Codified Ordinances.

### **CHAPTER 1137 - City Administrative Bodies and Personnel**

#### **1137.01 Department of Community Development**

See CHAPTER 129 of the Codified Ordinances.

#### **1137.02 Community Development Director**

See CHAPTER 129 of the Codified Ordinances.

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<sup>2</sup> This section will reference the Board of Zoning Appeals chapter in the Codified Ordinances.

# TITLE NINE - DEFINITIONS

## CHAPTER 1138 - General Provisions

### 1138.01 General Interpretation Meanings

For the purpose of this Zoning Code, certain terms, words, and graphics are interpreted or defined as follows:

- (a) Words used in the present tense include the future tense.
- (b) The singular includes the plural.
- (c) The word “person” includes a corporation, trust, individual, or group of individuals.
- (d) The terms “shall” and “must” are always mandatory.
- (e) The term “may” is discretionary.
- (f) A reference to an official includes a designee of that official.
- (g) When the calculation of a number for a required standard results in a fraction, that fraction is rounded up to the next whole number.
- (h) When this Zoning Code requires a distance or spacing buffer from a property, lot, use, or other specified item (i.e., a use separation, sign spacing, etc.), the distance shall be measured extending from the subject property lot lines as indicated in Figure<sup>3</sup>.
- (i) All text in this Zoning Code is regulatory.

### 1138.02 Words and Terms Not Expressly Defined

Words and terms not expressly defined in this Zoning Code are to be construed according to the normally accepted meaning of those words or terms. Where no definition appears, then according to their customary usage in the practice of planning and engineering shall be used, as determined by the Community Development Director.

## CHAPTER 1139 - General Terms and Definitions

### 1139.01 General Definitions

- (a) A Terms
  - (1) Abandoned Sign

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<sup>3</sup> Graphic to be provided.

Any sign that remains in place more than 365 days after its associated use ceases operations or any sign that is not maintained in accordance with this Zoning Code.

**(2) Abandonment**

The voluntary cessation of a use or activity but excluding short-term interruptions to a use or activity during periods of remodeling, maintenance, improvements, vacation, seasonal closure, active listing of the property for a change in ownership or leasehold interests, or other similar interruptions.

**(3) Abut/Abutting**

Contiguous; having a boundary, wall or property line in common.

**(4) Access**

The place, means, or way by which pedestrians or vehicles have ingress and egress to a lot, structure or parking area.

**(5) Accessory Building**

A building or structure that is subordinate in use, area, extent, and purpose to a principal structure or a principal use located on the same lot, except as otherwise provided by this Zoning Code.

**(6) Accessory Use**

A use that is subordinate in use, area, extent, and purpose to a principal structure or a principal use located on the same lot, except as otherwise provided by this Zoning Code.

**(7) Addition**

Extension of a building or structure or increase in floor area or height of a building or structure.

**(8) Adjacent**

To be next to or adjoining.

**(9) Aisle**

A surface which is connected directly to a parking or loading space and designed to permit ingress or egress of a vehicle to or from the parking or loading space. (In no case can an aisle be a drive)

**(10) Alley**

Any public or private way whose primary function is to furnish secondary access to the side or rear of a lot having its principal access to a street.

**(11) Alteration**

A change in the appearance, character, construction, or use of a building or structure.

**(12) Alternative Compliance**

A modification of the strict terms of the relevant regulations through other preapproved standards provided in this Zoning Code and applied at the discretion of City staff, acting in an official and authorized capacity.

**(13) Animated Sign**

Any sign depicting movement or the illusion of movement through features such as, but not limited to, flashing lights, digital displays, moving parts, or visual effects created by mechanical, electrical, or digital means.

**(14) Appeal**

An application to a higher administrative body or court for a decision to be modified, reversed, or otherwise altered.

**(15) Applicant**

An individual or corporation, including any individual or corporation contracted or employed by such individual or corporation, who files a formal application with any governmental body.

**(16) Architectural Detailing**

Any construction appertaining to but not being an integral part of the building, structure, or sign and consisting of landscaping or structural features that embellish the site in general. Architectural detailing includes, but is not limited to, aesthetic embellishments such as flower plantings, wood carving, wrought or cast iron ornamentation, stone or brick ornamentation, or metal work decoration.

**(17) Arterial Street**

A street whose principal function is to provide for through traffic and is designed to carry large volumes of traffic.

**(18) Attached Awning/Canopy Sign**

An on-premise sign permanently painted, printed, attached, or otherwise applied to any facet of the covering or frame structure of an awning or attached structural canopy.

**(19) Attached Building**

A building attached to another building by a common wall, such wall being a solid wall with or without windows and doors, and/or a common roof with a common horizontal dimension of eight (8) feet or more.

**(20) Authorized Agent**

The individual or corporation who represents the property owner, resident, or applicant and has the legal authority to make decisions on their behalf.

**(21) Awning**

A sheet of canvas or similar material connected to a frame and projected from the exterior of a building for the purpose of redirecting rays of sunshine, protecting pedestrians from the natural elements, or increasing the aesthetic appearance of such building.

**(b) B Terms**

**(1) Balcony**

A covered or uncovered platform area projecting from the wall of a building, enclosed by a railing, accessible from above grade, and not attached to the ground.

**(2) Belt Course**

A horizontal, continuous row of stones, bricks, or similar architectural materials designed to visually separate floors from the exterior of a building.

**(3) Bench Billboard**

An off-premise sign on which poster panels, bulletins, and/or copy are mounted and which is designed to function and appear like a bench for seating.

**(4) Billboard**

A permanent off-premise freestanding sign or sign structure upon which a message is placed on a poster or panel and mounted on a pole or metal structure typically with a monopole structure constructed with tubular steel support, tubular steel framing, and a single display panel with a concrete foundation.

**(5) Block Face**

The collective façades of all buildings on one side of one block.

**(6) Board of Zoning Appeals**

The City of Springfield's appointed Board of Zoning Appeal responsible for making recommendations and decisions as provided in this Zoning Code, as amended.

**(7) Boundary**

A line marking the limits of an area and dividing one area from another.

**(8) Buffer**

Any area between parcels, lots, or different zoning districts set aside to mitigate the visual, light, or noise effects of one parcel, lot, or zoning district on an adjacent

parcel, lot, or zoning district. May be an earthen berm or any natural material like trees or shrubs or otherwise mandated by this document or the various jurisdictions.

**(9) Build**

To construct, assemble, erect, convert, structurally enlarge, or reconstruct a building or structure.

**(10) Buildable area**

The area of a lot remaining after the minimum yard requirements of the Zoning Code have been deducted.

**(11) Building Area**

The area of a building within its largest outside dimensions computed on a horizontal plane at the first floor level, exclusive of open porches, breezeways, terraces, and exterior stairways.

**(12) Building Height**

The vertical distance from the established grade to the roof line.

**(13) Building Line**

A line extending parallel to the lot line from the part of the building nearest to the lot line and defining the front, side, and rear yard. The building line may or may not coincide with the lot line.

**(14) Building**

A combination of materials to form a structure having a roof that is safe and stable and designed or intended for the support, enclosure, shelter or protection of persons, animals, or property. A building does not include a tent, trailer, trailer coach, or mobile home. Although one part of a structure may be separated from another part by a "Fire Wall," as defined by the Ohio Basic Building Code, both parts constitute one building as do structures which are joined together by structural members.

**(c) C Terms**

**(1) Canopy**

An overhead roof or structure over which a fabric or metal covering is attached for the purpose of redirecting rays of sunshine, protecting pedestrians from the natural elements, or increasing the aesthetic appearance of such building.

**(2) CEDA Planning Board**

A regional planning board established by exercise of the City Planning Board's powers for a territory within the corporate boundaries of the Springfield governed

by a Cooperative Economic Development Agreement entered into pursuant to Section 701.07 of the Ohio revised Code.

**(3) Certificate of Appropriateness**

An official certification allowing the construction of a new structure or the reconstruction, alteration, restoration, installation, or relocation of any portion of an existing structure on a property within a designated historic district and granted in accordance of this Zoning Code.

**(4) Certificate of Occupancy**

An official certification that a premise, use, building, or structure complies with the provisions of this Zoning Code and such other ordinances as may be applicable. Such a certificate is granted upon completion of new construction or for alterations or additions to existing structures.

**(5) City Clerk**

The City Clerk of the City of Springfield, Ohio.

**(6) City Commission**

The duly elected governing body of the City of Springfield, Ohio.

**(7) City Engineer**

The person hired or designated by the City Manager to supervise or oversee the engineering matters in the City of Springfield, Ohio, and to exercise the authority of the City Engineer. This term includes the City Engineer's designee.

**(8) City Planning Board**

The City of Springfield's appointed Planning Board.

**(9) Collector Street**

A street whose principal function is for carrying traffic from local streets to arterial streets.

**(10) Commercial District**

Those zoning districts where commercial land uses are the primary uses. Commercial zoning districts are those designated as C-NC, C-LC, C-HC, and C-DT, unless specified otherwise.

**(11) Common Open Space**

Common open space is an area of land, an area of water, or a combination of land and water which is for the benefit of or open to use by multiple tenants, occupants, or the public.

**(12) Community Development Department**

The City governmental department responsible for overseeing development in Springfield, Ohio.

**(13) Community Development Director**

The person hired or designated by the City Manager to supervise or oversee the City's Community Development Department, and to exercise the authority of the Community Development Director. This term includes the Community Development Director's designee.

**(14) Compatibility**

The ability of land a use to coexist with surrounding land uses in a stable fashion over time such that none of the uses are subjected to substantially adverse effects which outweigh the benefits to the community derived from the uses being permitted to exist in proximity to each other and which will not result in an existing lawful use becoming impractical as a result of its proximity to the proposed new use.

**(15) Conditional Use**

A principal or accessory use which is allowable when the provisions are met and when the facts and conditions specified elsewhere in this Code, as those upon which the exception is permitted, are found to exist by the Board of Zoning Appeals.

**(16) Coniferous Tree**

Any tree bearing needle-shaped or scalelike leaves, including forms with true cones such as pines.

**(17) Conversion**

Any change of one principal use to another principal use.

**(18) Cornice**

An ornamental molding attached to the top of a wall where the wall and roof connect.

**(19) Covenant**

A legally binding written promise or pledge to do or not to do a particular act.

**(20) Cross Access**

A service drive providing vehicular access between two or more contiguous sites so the driver need not enter the public street system.

**(21) Curb**

The lateral boundary – raised or otherwise – of a roadway intended for vehicular use, whether or not the public right-of-way continues laterally.

**(22) C-NC**

The acronym or abbreviated form of the Neighborhood Commercial district.

**(23) C-LC**

The acronym or abbreviated form of the Local Commercial district.

**(24) C-HC**

The acronym or abbreviated form of the Heavy Commercial district.

**(25) C-DT**

The acronym or abbreviated form of the Downtown district.

**(26) C-DT-C**

The acronym or abbreviated form of the Downtown Core subdistrict.

**(27) C-DT-E**

The acronym or abbreviated form of the Downtown Edge subdistrict.

**(d) D Terms**

**(1) Deck**

An uncovered platform area projecting from the wall of a building, accessible at or from above grade, and attached to the ground.

**(2) Deed Restriction**

A legal restriction on the use of property contained in the deed to the property.

**(3) Deed**

A legal document certifying the transfer, and any conditions attached thereof, of ownership of property.

**(4) Development Standards**

Standards controlling the size of structures and the relationships of structures and uses to each other and to open spaces and lot lines. Development standards include but are not limited to regulations controlling maximum height, minimum lot area, minimum lot frontage, minimum size of yards and setbacks, maximum lot coverage, and maximum density.

**(5) Development**

Any human-made changes to improved or unimproved property, including but not limited to construction, reconstruction, extraction, dredging, filling, grading, paving, excavating, drilling operations, or the storage of equipment and materials.

**(6) Developmentally Disabled**

A person certified by a medical doctor as having a physical or mental impairment which is expected to be of long-continued and indefinite duration, substantially impedes the ability to live independently, and is of a nature that the ability to live independently could be improved by more suitable housing conditions. Such disabilities are attributable to but not limited to a physical impairment; mental retardation, cerebral palsy, epilepsy, autism, or another similar neurological condition; dyslexia resulting from an above disability; or a mental or nervous disorder which disability originates before such individual attains age 18. Developmentally disabled does not include current, illegal use of or addiction to a controlled substance as defined in Section 102 of the Controlled Substances Act (21 U.S.C. 802).

**(7) Discontinuance**

The cessation of a nonconforming use.

**(8) District**

See *Zoning District*.

**(9) Double Frontage Lot**

A lot having frontage on two parallel or approximately parallel streets.

**(10) Driveway**

A surface designed to provide vehicular access to a parking area or to a loading space(s). A driveway is also the means for providing access to a garage or off-street parking for dwellings and residences. A driveway, as distinguished from an aisle, usually provides access to a parking area from another parking area or from a street.

**(11) Dwelling Unit**

Any habitable room or group of adjoining habitable rooms within a dwelling and forming a single unit with facilities which are used or intended to be used for living, sleeping, sanitation, cooking, and eating of meals.

**(12) Dwelling**

A building which is wholly or partially used or intended to be used for residential occupancy by a person for 30 or more consecutive days. A tent, recreational vehicle, motel, or hotel is not considered a dwelling.

(e) E Terms

(1) Earth Berm

A low, usually linear mound of earth covered with grass or other landscape materials used to define, screen, protect, and/or enhance the appearance of a particular space or area of land.

(2) Easement

A right given by the owner of land to another person for specific limited use of that land, such as but not limited to allowing access to another property or for utilities.

(3) Eaves

Any part of a roof that overhangs a wall.

(4) Elevation

The height above a specified grade.

(5) Enclosed

Surrounded by walls and/or fences. See "Unenclosed Structure."

(6) Enclosure

An area surrounded by fencing, screening, walls, or other protective structures.

(7) Enlargement/Expansion.

An increase in the volume of a building, an increase in the area of land or building occupied by a use, or an increase in the number of occupants or dwelling units.

(8) Evergreen

See "Deciduous."

(9) Excavation

The act or process of forming a cavity by cutting, digging, or scooping. Excavation does not include activities associated with agricultural uses.

(10) External Illumination

A light source that illuminates an object's exterior surface from a distance.

(11) Extraction

The withdrawal of natural resources such as but not limited to sand, gravel, or top soil as a business venture. Extraction does not include activities associated with an agricultural use or with the process of grading a lot preparatory to the construction of a building.

(f) F Terms

(1) Façade

The exterior face of a building that fronts a public street, public right-of-way, or open space.

(2) Fence

A permanent barrier that is not classified as screening, but offers privacy between uses. Fences are typically located on residential lots between two residential uses.

(3) Final Plan

A completed and full set of plans, drawings, data, and any and all other materials needed to evaluate and review a subdivision's conformance with local subdivision regulations and which follow the approved preliminary plan as well as conformance with other applicable regulations.

(4) Flag

A flat piece of cloth or similar material having one end of the cloth attached to a staff either directly or by a rope and all other ends free-flowing under natural conditions.

(5) Floor Area

The total area of all floors of a building or portion thereof measured to the outside surface of exterior walls or the centerline of walls to separate uses or attached buildings. It does not include garages, porches, balconies, and other appurtenances. Space in the basement and all other space is included as floor area if used for a principal or accessory use permitted in the zoning district in which the building is located.

(6) Flyway Barrier

A fence or wall used to force bees to fly upward when leaving the hive for the purpose of limiting contact with people.

(7) Footcandle

A unit of illuminance measurement. One lumen per square foot, unit of illuminance. It is the luminous flux per unit area in the Imperial system.

(8) Freestanding Canopy Sign

An on-premise sign that is permanently affixed to a freestanding canopy.

(9) Freestanding Sign

A sign anchored directly to the ground or supported by one or more posts, columns, or other vertical structures. All freestanding signs are classified as either Monument Signs or Pole Signs.

**(10) Front Lot Line**

A lot line separating the lot from the street. On corner lots, the front lot line is the shortest lot line abutting a street, except that if the lot is square or almost square (has dimensions between the ratios 3:2 and 3:3), then the front lot line may be along either street.

**(11) Front Yard Line**

A line parallel to the front lot line and as far forward from the front lot line as required by this Code, extending from one side lot line to an opposite side yard line.

**(12) Front Yard**

The required area between the front yard line and the street right-of-way line and extending across the entire lot. In the case of a double frontage lot, the front yard is along the local street and the rear yard is along the arterial street.

**(13) Frontage**

The distance along a street line from one intersecting street to another, or from one intersecting street to the end of a dead-end street or cul-de-sac.

**(g) G Terms**

**(1) General Incidental Sign**

A permanent on-premise sign that is freestanding or attached to a building that is in addition to the primary freestanding and attached sign types for the property, and that has a height and scale that is clearly subordinate to the primary sign types allowed for the property. Examples of general incidental signs include menu boards, flags, occupant directories, property or tenant identification names or numbers, wayfinding signs, directional signs, and signs warning the public against trespassing or danger from animals. The list of examples is not exhaustive and is provided to clarify the regulations and does not limit the content of general incidental signs.

**(2) Grade**

The top surface elevation of lawns, walks, driveways, or other improved surfaces after completion of construction, grading, and landscaping. For the purpose of determining height of a building, the grade is the average level of the perimeter of the exterior walls of the building.

**(3) Ground Area**

See "Floor Area."

- (4) Ground Floor/First Floor. The lower-most floor of a building in which the floor is at or above the grade.

**(h) H Terms**

**(1) Hazardous Sign**

A sign which, because of its construction or state of disrepair, may fall or cause injury to passersby, as determined by the Springfield Inspection Services Division, including a sign which because of its location, color, illumination, or animation interferes with, obstructs the view of, or is confused with any authorized traffic sign, signal, or device or interferes with, misleads, or confuses traffic.

**(2) Hearing**

A formal proceeding before an administrative body or court.

**(3) Hedge**

A boundary formed by a row of closely planted shrubs or bushes.

**(4) Height**

The vertical distance from a specified point to the existing grade directly below the specified point.

**(5) High-Rise**

A building with more than five stories entirely above grade.

**(6) Highway**

A rural and suburban thoroughfare with high vehicular speeds and capacities.

**(7) Homeowner's Association**

A private association, partnership, LLC, or any legal entity of homeowners established by a developer with local government approval, whose purpose it is to own, operate, and maintain various common properties, including but not limited to open space, private streets, and recreation facilities.

**(i) I Terms**

**(1) Illuminated Sign**

A sign in which a source of light other than sunlight is used to make the message readable.

**(2) Illumination**

The use of a lighting source to increase visibility in a given area.

(3) Incidental Sign

(4) Industrial District

Those zoning districts where industrial land uses are the primary uses. Industrial zoning districts are those designated as I-LI and I-HI, unless specified otherwise.

(5) Infill Development

The redevelopment of an existing built-out site or property.

(6) Interior Lot

A lot other than a corner lot or double frontage lot and bounded by a street on only one side.

(7) Internal Illumination

A light source that illuminates an object's exterior surface from within the sign.

(8) I-LI

The acronym or abbreviated form of the Light Industrial district.

(9) I-HI

The acronym or abbreviated form of the Heavy Industrial district.

(j) J Terms

(1) Junk

Those materials and products of older scrap copper; brass; rope; rags; batteries; paper; trash; rubber; debris; waste; junked, dismantled, scrapped or wrecked motor vehicle or associated parts; iron; steel; or other old or scrap materials..

(k) K Terms (Reserved)

(l) L Terms

(1) Landscaping

Any of the following or combination thereof: materials such as but not limited to grass, hardy ground covers, shrubs, vines, hedges, and trees; and non-living durable material commonly utilized in landscaping, such as but not limited to rocks, pebbles, sand, and other earth materials, but not including paving as a principal design element.

(2) Large Deciduous Tree

A deciduous tree classified as a large tree under this Zoning Code.

(3) Light Fixture

An assembly that houses any light bulb, lamp or lamps, or LED(s), including but not requiring housing; mounting brackets or pole sockets; a lamp holder; a ballast; a driver; a reflector or mirror; and a refractor or lens.

**(4) Limited Access Highway**

A public freeway or expressway designed for through traffic and to which abutting properties have no legal right to direct access.

**(5) Livestock**

See “*non-household animal*”.

**(6) Local Street**

A street used primarily for access to abutting property.

**(7) Lot Area**

The total area within the lot lines of a lot excluding any area located within a public or private street.

**(8) Lot Depth**

The horizontal distance between the midpoint of the front lot line and the midpoint of the rear lot line measured at a right angle to the front lot line.

**(9) Lot Frontage**

The continuous width of a lot measured along the front lot line, the front or rear lot line of a double frontage lot, or of a front or side lot line of a corner lot. The frontage is measured parallel to the centerline of the street(s) and never constitutes the end width of a dead end street.

**(10) Lot Line**

A line oriented in terms of stable points of reference which establish one boundary of a lot.

**(11) Lot of Record**

A lot which is part of a subdivision or a parcel of land which is described by metes and bounds, the map and/or description of which have been recorded in the office of the County Recorder or County Auditor.

**(12) Lot Width**

The distance parallel to the front property line, measured at the front setback line. Lot width on a curving front property line means the distance parallel to the tangent of the front property line at the building setback line. The lot width and the lot

frontage may have different lengths on an irregularly shaped lot as they are measured at different points on the lot.

**(13) Lot**

A lot of record or a lot that is leased which is occupied or intended to be occupied by a principal building or use and an accessory building or use and is of sufficient size to meet the minimum requirements for a principal use.

**(14) Low-Rise**

A building with a total of three or less stories entirely above grade.

**(m) M Terms**

**(1) Major Revisions**

Those revisions to an approved plan or permit that exceed the thresholds required to be considered minor revisions.

**(2) Marquee**

Any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of a building for the purpose of redirecting rays of sunshine, protecting pedestrians from the natural elements, or increasing the aesthetic appearance of such building.

**(3) Master Development Plan**

A comprehensive document outlining a future planned development, including but not limited to maps, drawings, narrative, tables, and other information about the proposed use of specific land and/or water.

**(4) Medium Deciduous Tree**

A deciduous tree classified as a medium tree under this Zoning Code.

**(5) Mid-Rise**

A building with a total of three to five stories entirely above grade.

**(6) Minor Revisions**

Those revisions to an approved plan or permit that are necessary in light of technical considerations discovered after the decision on the application, and that do not substantively change the character of the approval.

**(7) Mixed Use**

The blending of residential, commercial, cultural, institutional, and/ or industrial uses together in one building.

**(8) Monument Sign**

An on-premise, permanent freestanding sign mounted or appearing to be mounted directly in the ground or on a footer in the ground.

**(n) N Terms**

**(1) Native Plants/Species**

Any plant species listed as a native plant in the State of Ohio by the Ohio Department of Natural Resources.

**(2) Nonconforming Building/Structure**

A building or structure or portion thereof that was lawful at the time of its establishment but that does not now conform to the provisions of this Zoning Code relative to height, yards, or building coverage for the zoning district in which it is located by reason of the adoption of this Zoning Code, as amended.

**(3) Nonconforming Lot**

A lot that was lawful at the time of its establishment but does not now conform to the provisions of this Zoning Code relative to lot frontage, width or area for the district in which it is located by reason of the adoption of this Zoning Code, as amended.

**(4) Nonconforming Sign**

A sign, other than a prohibited sign, that does not comply with the regulations of the sign district in which it is located by reason of these or any other regulations adopted after the erection of the sign.

**(5) Nonconforming Use**

Any use that was lawful at the time of its establishment but that is not now allowed within the zoning district in which it is located or any way in which land or a building is used that is not in compliance with the provisions of this Zoning Code by reason of the adoption of this Zoning Code, as amended.

**(6) Non-Household Animal**

Any animal that is not a common domesticated household pet that needs adequate space, air, and facilities for safekeeping. Non-household animals include cows, horses, poultry, bees, sheep, goats, alpacas, llamas, pigs, and the like. A non-household animal does not include exotic animals (big game cats, elephants, rhinos, and other large mammals, alligators, crocodiles, venomous or poisonous reptiles). Exotic animals are prohibited unless specified otherwise. Common domesticated household pets include dogs, cats, fish, and parrots.

**(7) Nonresidential District**

Those zoning districts designated as C-NC, C-LC, C-HC, C-DT, I-LI, I-HI, P-PR, P-IE, and P-DM unless specified otherwise.

**(8) Notice**

Any legally required public notification for a certain development application as required by this Zoning Code.

**(o) O Terms**

**(1) Off Premises Sign**

A sign which directs attention to an off-site use or to products or services sold elsewhere.

**(2) Off-Street Loading Space**

An area logically and conveniently located and designed for bulk pickups and deliveries, scaled to the delivery vehicles expected to be used, and accessible to such vehicles when off-street parking spaces are occupied.

**(3) Open Space**

Any portion of a lot substantially open to the sky. The area may include natural environmental features, patios, water areas, swimming pools, tennis courts, and other recreational areas and facilities. Streets, parking areas, structures for habitation, and the like are not included.

**(4) Owner**

Any person who, alone or jointly or severally with others, has legal title to any land or structure, with or without accompanying actual possession thereof; has charge, care or control of any land or structure as owner or agent of the owner; or serves as executor, administrator, conservator, trustee, or guardian of the estate of the owner. Any person representing the actual owner shall be bound to comply with the provision of this Zoning Code and of rules and regulations adopted pursuant thereto, to the same extent as if they were the owner.

**(p) P Terms**

**(1) Parcel**

A unit of land as designated by the Clark County Auditor.

**(2) Parking Area**

An off-street facility providing vehicular parking spaces, along with adequate aisles and tree islands, for the parking of more than four motor vehicles.

**(3) Parking Lot Permit**

An official certification authorizing the owner of a lot to construct a new commercial parking area on a designated lot.

**(4) Parking Row**

A group of parking spaces that are parallel and adjacent to each other.

**(5) Parking Space**

An area exclusive of driveways, aisles, and tree islands intended for off-street vehicular parking. Such space is not intended for the storage or display of motor vehicles.

**(6) Performance Standard**

A minimum requirement or maximum allowable limit on the effects or characteristics of a use, written in the form of regulatory language.

**(7) Permitted/Allowed Sign**

A sign which is allowed in the zoning district in which it is located subject to compliance with the standards of this Zoning Code.

**(8) Permitted/Allowed Use**

A principal use which is allowed in the zoning district in which it is listed subject to compliance with the dimensional requirements and special requirements (if any) of the zoning district in which it is listed and general requirements of this Zoning Code.

**(9) Person**

Any individual or group of individuals, corporation, partnership, association, or any entity, including state and local governments and agencies.

**(10) Planned Development**

A type of development which is planned to integrate residential, commercial, industrial, or any other land use.

**(11) Planning Board**

See the "*City Planning Board*".

**(12) Planter Boxes**

The element of the public frontage, which accommodates street trees or other plants whether continuous or individual.

**(13) Planting Area**

An unpaved pervious area used or intended to be used for the placement of a tree or other plant materials.

**(14) Pole Sign**

An on-premise, permanent freestanding sign mounted directly in the ground by a pole(s) or columnal support structure(s) providing open-air between the base of the sign and the ground.

**(15) Porch**

A covered entrance to a building consisting of a platform area, with open or partially enclosed sides.

**(16) Pre-Application Conference**

A meeting with applicable City staff Development (Planning, Engineering, Fire, Building, etc.) that occurs before an application submittal. This term is abbreviated in this Zoning Code as *PAC*.

**(17) Preliminary Master Development Plan**

A Master Development Plan proposed by the applicant and made a part of the application, as required by this Zoning Code, to be submitted to the Planning Board for their consideration.

**(18) Premises**

A general term meaning part or all of any lot, parcel, or tract or part or all of any building or structure or group of buildings or structures located thereon.

**(19) Principal Building**

A building which contains the principal use.

**(20) Principal Use**

The primary use(s) of land or a structure as distinguished from an accessory use, e.g., a house is a principal use in a residential area and a garage or pool is an accessory use.

**(21) Private Street**

A right-of-way or easement in private ownership, not dedicated or maintained as a public street, and which affords the principal means of access to two or more lots or to condominium units.

**(22) Prohibited Sign**

Any sign which is forbidden from being erected or displayed.

**(23) Projecting Sign**

An on-premise sign permanently affixed to and projects from the wall of a building and is generally perpendicular to the building façade.

**(24) Projection**

Any part of a building such as architectural features which protrude into the required yard or yards.

**(25) Property Line.**

See *Lot Line*.

**(26) Property**

A piece of real property or land.

**(27) Public and Institutional District**

Those zoning districts where public and institutional land uses are the primary uses. Public and Institutional zoning districts are those designated as P-PR, P-IE, and P-DM, unless specified otherwise.

**(28) P-DM**

The acronym or abbreviated form of the Downtown Medical district.

**(29) P-PR**

The acronym or abbreviated form of the Parks and Recreation district.

**(30) P-IE**

The acronym or abbreviated form of the Institutional and Educational district.

**(q) Q Terms**

**(1) Qualified Professional**

A licensed or state/nationally registered design, building, engineering, construction, architectural, or planning professional or any person involved with the development process who maintains an accredited collegiate degree in the construction, development, planning, engineering, or architectural field.

**(r) R Terms**

**(1) Rear Lot Line**

The lot line opposite and most distant from the front lot line.

**(2) Rear Yard Line**

A line parallel to the rear lot line and as far forward from the rear lot line as required by this Zoning Code, extending from one side lot line to an opposite side yard line. See "Rear Lot Line."

**(3) Rear Yard**

The required area between the rear yard line and the rear lot line and extending from one side yard line to an opposite side yard line.

**(4) Recommended Tree List**

The recommended tree list of the City of Springfield, Ohio.

**(5) Reconstruct**

To rebuild a structure that has been destroyed or demolished. For purposes of this definition, reconstruct does not apply to the removal and replacement of all or part of a building or structure in the same configuration.

**(6) Record Plan**

A drawing or set of drawings of an approved final subdivision prepared for appropriate signatures and recording in the County Recorder's office and for distribution to applicable agencies.

**(7) Remodel/Repair**

Any improvement to a building which is not a structural enlargement or reconstruction.

**(8) Residential District**

Those zoning districts where commercial land uses are the primary uses. Residential zoning districts are those designated as R-AG, R-LD, and R-HD, unless specified otherwise.

**(9) Right-of-Way**

A strip of land taken or dedicated for use as a public way. As a roadway, it normally incorporates the curbs, tree lawns, sidewalks, lighting and drainage facilities, and may include special features (required by the topography or treatment) such as grade separation, landscaped areas, viaducts and bridges.

**(10) Road**

A local, rural, or suburban thoroughfare of low-to-moderate vehicular speed and capacity.

**(11) Roof Line**

The deck line of a mansard roof, the ridge of a saddle, hip, gable, gambrel, or ogee roof; or the highest point of the coping of a flat roof for a multi-family dwelling or a nonresidential use or the midpoint of a mansard roof; the midpoint between the ridge and eaves of a saddle, hip, gable, gambrel, or ogee roof; or the highest point of the coping of a flat roof for a single or two family dwelling.

**(12) Roof**

The outside surface attached to the top of a building.

**(13) R-AG**

The acronym or abbreviated form of the Agricultural district.

**(14) R-LD**

The acronym or abbreviated form of the Low Density Residential district.

**(15) R-HD**

The acronym or abbreviated form of the High Density Residential district.

**(s) S Terms**

**(1) Scenic Area**

An area presenting a view of natural and human-made elements of the visual environment with the characteristics of offering strikingly distinct and a pleasing and memorable visual experience.

**(2) Screening**

A barrier of permanent material of sufficient height and density so that the objects being screened are not visible from any point on the property line when viewed from the ground level.

**(3) Seasonal Decoration**

A display pertaining to celebration of a holiday or commemoration of a historic event or personage, observed during a particular season of the year. A seasonal decoration is not a sign.

**(4) Setback Line**

A line established by this Zoning Code that is parallel with and measured from the lot line and defines the limits of a yard within which no building or structure may be located above ground, except as may be provided by this Zoning Code. The area between the setback line and the lot line is referred to in this Zoning Code as the required yard.

**(5) Setback**

A line, generally parallel with and measured from the property line, defining the limits of a yard in which no building, other than accessory buildings nor structure may be located above ground, except as may be provided in this Zoning Code. See "Yard" for additional clarity.

**(6) Side Lot Line**

Any lot line which meets the end of a front lot line and any lot line which is not a front lot line or rear lot line.

**(7) Side Yard Line**

A line parallel to the side lot line and as far from the side lot line as required by this Zoning Code, extending from the front yard line to the rear yard line.

**(8) Side Yard**

The required area (yard) between the primary building and the adjacent side property line, and extending entirely from a front yard to the rear yard.

**(9) Sidewalk**

That portion of the street right-of-way outside the vehicular traveled surface which is improved for the use of pedestrian traffic.

**(10) Sight Visibility Triangle**

The triangular-shaped area at the intersection of two points that must be kept clear to ensure visibility for pedestrians and motorists at the intersection.

**(11) Sign Face**

The surface of the sign upon which is affixed reading material, letters, numerals, pictorial representations, emblems, trademarks, inscriptions and/or patterns.

**(12) Sign Permit**

An official certification authorizing an individual or corporation to erect, alter, or relocate a sign.

**(13) Sign**

A visual display of an object or device that includes elements such as colors, lights, motion, symbols, images, icons, shapes, letters, numerals, figures, characters, or combines any of those elements, that is intended to communicate, advertise, identify, announce, direct, inform, or attract attention and that is visible from a public right-of-way. The term "sign" includes a structure used to support or display a sign. The term "Sign" does not include public art, sculptured landscaping, seasonal decorations, directional symbols on paved surfaces or messages painted on or otherwise permanently attached to the body of a motor vehicle or a trailer designed to transport freight.

**(14) Small Deciduous Tree**

A deciduous tree classified as a small tree under Chapter 1117 of this Zoning Code.

**(15) Speaker Board**

A professionally constructed and installed sign made of a durable, weather-resistant product such as metal or high-density plastic and may include a two-way speaker system for ordering from a vehicle in a drive thru lane provided the volume of the speaker does not exceed ambient noise conditions as measured at the property line.

**(16) Special Vehicle**

A vehicle more than seven and one-half feet in height or more than 20 feet in length which is or may be transported or drawn upon a highway, street, or body of water. Such vehicles include but are not limited to a truck, trailer, tractor, wagon, or watercraft exceeding these dimensions. Such vehicles do not include temporary construction trailers when associated with an active construction project on the premises.

**(17) Springfield Landmarks Commission**

The City of Springfield's appointed Landmarks Commission responsible for making recommendations and decisions as provided in this Zoning Code, as amended.

**(18) Stacking Lane**

A 9-foot-wide lane containing multiple stacking spaces.

**(19) Stacking Space**

An asphalt, concrete or similar permanent dust free surface which is designed to accommodate a motor vehicle waiting for entry to an automobile and truck oriented use, which is located in such a way that a parking space or access to a parking space is not obstructed, and which is at least nine feet in width and 19 feet in length.

**(20) Stoop**

A roofless structure extending from the public right-of-way to an elevated entryway or ground floor of an associated building or structure.

**(21) Storage Area**

A space used for the incidental storage of items related to the principal use of a building or structure.

**(22) Story**

The habitable portion of building included between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a building included between the upper surface of the topmost floor and the ceiling or roof above. If the finished floor level directly above a usable or unused under-floor space is more than six feet above grade as defined herein for more than 50% of the total perimeter or is more than 12 feet above grade as defined

herein at any point, such usable or unused under-floor space shall be considered as a story.

**(23) Street Grade**

The elevation of a public roadway established by construction or usage and measured at the centerline of the roadway.

**(24) Street**

A way that is open to the public for use of vehicular traffic as a matter of right, and has a driving surface which either meets the City's specifications or is acceptable to the City Engineer for vehicular traffic. A street may exist as a public street if it is owned or controlled by the City or as a private street if it is owned and maintained by persons other than the City. This definition includes the term avenue, boulevard, circle, drive, highway, lane, parkway, road, thoroughfare, or any other similar term.

**(25) Structural Enlargement**

Any change in the configuration of the exterior walls, foundation or the roof of a building which results in an increase in the area, height or volume of the building.

**(26) Structure**

Anything constructed or erected, the use of which requires location on the ground or attachment to something having a location on the ground.

**(27) Subdivision Entry Sign**

A permanent off-premise freestanding sign of the monument sign variety located at the entry of a platted subdivision from a local, collector, or arterial street.

**(28) Substantial Construction**

Substantial construction is achieved at the point in development when all required permits necessary to build a Planned Development phase have been obtained and actual construction of public improvements, or stormwater management systems on the Planned Development phase is either complete or in active progress.

**(29) Supernatural Event**

A severe, unanticipated, or uncontrollable natural event for which no human is responsible including but not limited to earthquakes, tornadoes, blizzards, windstorms, wild fires, and the like.

**(30) Suspended Sign**

A sign suspended from the underside of a canopy, awning, ceiling, marquee, roof overhang, a covered porch, or walkway.

**(t) T Terms**

**(1) Temporary Sign Permit**

An official certification authorizing an individual or corporation to erect, alter, or relocate a temporary sign.

**(2) Temporary Sign**

A sign not permanently affixed to the ground or a building and not intended for display in perpetuity. Banners, portable signs, trailer signs, and other similar nonpermanent signs are regulated as temporary signs.

**(3) Temporary Structure/Building**

Any building or structure which is placed on a lot without a permanent foundation for a limited time.

**(4) Temporary Use**

A use granted on a discretionary, conditional, and temporary basis which authorizes a land use in a zoning district for up to 180 calendar days in which that use is not normally permitted. All requirements of a Temporary Use are in addition to and supplement Zoning Code requirements.

**(5) Total Lot Building Coverage**

The percentage of the lot area covered by the total building area.

**(6) Tract**

A lot, usually intended for subdivision or agricultural use.

**(7) Traffic Island**

A raised area located in a public street and separating opposing or conflicting streams of traffic.

**(8) Type A Screening**

An evergreen planting screen of pyramidal arbor vitae with plantings being at least three feet high, spaced four feet on center at the time of planting.

**(9) Type B Screening**

A solid opaque wall comprised of masonry (brick, stone, etc.), concrete block, or precast concrete panels.

**(10) Type C Screening**

A wrought-iron or tubular steel fence with masonry columns at 20 feet on center with a mix of shrubs and trees located between masonry columns.

**(11) Type D Screening**

An earthen berm at least 20 feet wide with a maximum slope height exceeding at least six feet and covered with grass, shrubs, and trees planted at the base between slopes.

**(12) Type E Screening**

An alternate screening composition equivalent to Type A Screening, Type B Screening, Type C Screening, and Type D Screening that provides an exceptional screening aesthetic, meets sound structural practices and engineering design criteria, and meets the intent and function of this Chapter at the discretion of the Planning Board.

**(u) U Terms**

**(1) Undeveloped Area**

The area within a planned development where agriculture or recreation uses in open areas may be continued.

**(2) Use**

The purpose for which land or a building or structure is designed, arranged, intended, or maintained or for which it is or may be used or occupied. This definition does not alter or affect the definition of nonconforming use.

**(v) V Terms**

**(1) Variance**

A modification of the strict terms of the relevant regulations where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of the regulations would result in "unnecessary and undue hardship" or a "practical difficulty." The authority to grant variances is vested in the Board of Zoning Appeals.

**(2) Vehicle Storage Area**

A space used for storage of a special vehicle and at least equal in size to the outer perimeter of the special vehicle.

**(w) W Terms**

**(1) Walkway**

A public way that is at least three (3) feet or more in width for pedestrian use, whether within a street or not. *See "Sidewalk."*

**(2) Wall**

A continuous vertical structure enclosing or dividing an area of land or supporting a building or structure.

**(3) Wall Sign**

An on-premise sign permanently affixed on an exterior building wall.

**(4) Window Sign**

An on-premise sign permanently affixed to a window.

**(x) X Terms (Reserved)**

**(y) Y Terms**

**(1) Yard**

An area on a lot required to be unoccupied by structures above grade except for projections and the specific minor uses or structures allowed in such area under the provisions of this Zoning Code. A yard extends from the grade upward.

**(z) Z Terms**

**(1) Zero Lot Line Dwelling/Development**

Any dwelling or development with one or more building walls located on a lot line that is not on a street or alley right-of-way line.

**(2) Zoning Certificate**

A document issued by the Community Development Director which indicates that the proposed use of land meets the requirements of this Zoning Code.

**(3) Zoning District**

A portion of the territory of the City within which certain uniform regulations and requirements or various regulatory combinations apply under the provisions of this Zoning Code, as amended.

**(4) Zoning Map**

The map delineating the boundaries of zoning districts which, along with the zoning text, comprises the Zoning Code.