

CODIFIED ORDINANCES OF SPRINGFIELD

PART ELEVEN--ZONING CODE

TITLE ONE - General Provisions

Chap. 1101 General.
Chap. 1102 Definitions.

**CHAPTER 1101
General**

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1101.01 TITLE.

This ordinance shall be known and may be cited as the "Zoning Code of the City of Springfield," except as referred to herein, where it shall be cited as the "Springfield Zoning Code."

1101.02 PURPOSE.

This ordinance is enacted for the general purpose of promoting the public health, safety, comfort and welfare of the residents of the City of Springfield; to protect the property rights of all individuals by assuring the compatibility of uses and practices within districts; to facilitate the provision of public utilities and public services; to lessen congestion on public streets, roads, and highways; to provide for the administration and enforcement of this ordinance, including the provision of penalties for its violation; and for any other purpose provided in this ordinance, The City of Springfield's Charter, the *Ohio Revised Code*, or under common law rulings.

1101.03 GENERAL EFFECT OF THIS CHAPTER.

Except as otherwise provided in this code, the use of property and structures shall be in accordance with the minimum standards established in this code.

- (a) No structure shall be erected, converted, enlarged, reconstructed or structurally altered to exceed the height limits, the area regulations, yard regulations, and off-street parking and loading requirements established for the district in which the structure is located.
- (b) The yards, parking and loading spaces, or lot area required for one structure or use under this code may not be used to meet the requirements for another structure or use.
- (c) Every use established or structure erected or structurally altered shall be located on a lot, and the number of uses and structures permitted on a lot shall be as follows:
 - (1) In the RS districts, there shall not be more than one (1) principal permitted use or building, or provisional use or building, nor a conditional use in conjunction with another principal use on a lot. There may, however, be more than one (1) conditional use or building and more than one (1) accessory use or structure on a lot.
 - (2) In all districts except the RS districts, there may be more than one (1) principal use, building, and accessory use and structure on a lot.
 - (3) Except for open off-street parking, an accessory use or structure shall not be located on a lot without a principal use to which it is accessory.
- (d) No use which is permitted as a conditional use under this code shall be established or enlarged except as permitted by the Board of Zoning Appeals.
- (e) No use or structure shall be permitted on a lot that is not specifically listed as permitted in this code. If a use or structure is not listed, the Board of Zoning Appeals may determine where such use or structure is permitted according to the provisions established in Chapter 1172.

1101.04 INTERPRETATION.

In their interpretation and application, the provisions of this ordinance shall be held to be minimum requirements, adopted for the promotion of the public health, safety, and the general welfare. Whenever the requirements of this ordinance conflict with the requirements of any other lawfully adopted rules, regulations, ordinances, or resolutions, the most restrictive, or that imposing the higher standards, shall govern.

1101.05 SEVERABILITY.

The provisions of this ordinance are severable, and the invalidity of any phrase, clause or part of this ordinance shall not affect the validity or effectiveness of the remainder of this ordinance.

1101.06 REPEAL OF CONFLICTING ORDINANCES.

Part Eleven of the City's Codified Ordinances in effect on the date immediately proceeding the effective date of this ordinance as stated in Section 1101.07 of this Springfield Zoning Code is hereby repealed. This ordinance shall not be construed to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture or punishment so incurred, or an right accrued or claim arising under the former ordinance, or in any way whatever affect any such offense or act so committed or so done, or any penalty, forfeiture or punishment so incurred or any right accrued or claim arising before the new ordinance takes effect, save only that the proceedings thereafter shall conform to the ordinance in force at the time of such proceeding, so far a practicable.

1101.07 EFFECTIVE DATE.

This ordinance shall become effective on August 1, 2001, and shall apply to all applications for building permits, zoning certificates, sign permits, development permits, certificates of appropriateness, variances, and conditional use permits filed with the City on and after July 15, 2001, or the deadline date for the appropriate board meeting, where such board approval is required.

**1101.08 TEMPORARY EMERGENCY RECOVERY USES FOLLOWING
A DISASTER.**

After an emergency, as that term is defined in Section 1102.02(e)(8) of the Codified Ordinances, has been declared in the City, temporary emergency recovery uses shall be permitted in all zones described in Title Two of this Chapter. No temporary emergency recovery use shall be commenced until after the Community Development Department has issued a permit document for the temporary emergency recovery use which shall contain all of the following:

- (a) The name and mailing address of the owner of the property on which the temporary emergency recovery use is to be permitted.
- (b) The name and mailing address of the applicant for the permit.
- (c) A description of the use to which the subject property was put immediately prior to the emergency event resulting in the declaration of an emergency, as that term is defined in Section 1102.02(e)(8) of the Codified Ordinances.
- (d) The time period during which the permit will be valid, and
- (e) A description of the temporary structure which is permitted.

The Community Development Director shall issue temporary emergency recovery use permits in all situations where the proposed use meets the definition of a temporary emergency recovery use, unless a moratorium has been declared on the issuance of such permits.

(Ord. 03-315. Passed 9-16-03.)

1101.09 EXEMPTIONS.

(a) Throughout the duration of any emergency, as that term is defined in Section 1102.02(e)(8) of the Codified Ordinances, which has been declared in the City, the provisions of this Zoning Code shall not be applicable to any City of Springfield temporary police, fire, emergency medical, emergency communications, or municipal utility facility.

(b) Throughout the duration of any emergency, as that term is defined in Section 1102.02(e)(8) of the Codified Ordinances, which has been declared in the City, the provisions of this Zoning Code shall not be applicable to any temporary police, fire, emergency medical, emergency communications, or public utility facility, other than a City of Springfield government facility that the City Manager finds will aid in the expeditious restoration of good order, safety, utility services, and preservation of public health and welfare in the area; provided, however, that this exemption will not create any nonconforming use status or rights for the temporary facility. This exemption shall apply to those uses which the City Manager certifies, in writing, as eligible for this exemption.

(Ord. 03-315. Passed 9-16-03.)