

# Article 16: Definitions

## Section 16.01 Purpose

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It is the purpose of this article to define words, terms, and phrases contained in this resolution.

## Section 16.02 General Rules for Interpretation

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The following rules shall apply for construing or interpreting the terms and provisions of this resolution.

**(A) MEANINGS AND INTENT**

All provisions, terms, phrases, and expressions contained in this resolution shall be interpreted in accordance with the general purposes set forth in [Section 1.01: Purpose](#), and the specific purpose statements set forth throughout this resolution. When a specific section of this resolution gives a different meaning than the general definition provided in this article, the specific section's meaning and application of the term shall control.

**(B) HEADINGS, ILLUSTRATIONS, AND TEXT**

In the event of a conflict or inconsistency between the text of this resolution and any heading, caption, figure, illustration, table, or map, the text shall control. Graphics and other illustrations are provided for informational purposes only and should not be relied upon as a complete and accurate description of all applicable regulations or requirements.

**(C) LISTS AND EXAMPLES**

Unless otherwise specifically indicated, lists of items or examples that use terms like “for example,” “including,” and “such as,” or similar language are intended to provide examples and are not exhaustive lists of all possibilities.

**(D) REFERENCES TO OTHER REGULATIONS OR PUBLICATIONS**

Whenever reference is made to a resolution, statute, regulation, or document, it shall be construed as a reference to the most recent edition of such regulation, resolution, statute, regulation, or document, unless otherwise specifically stated.

**(E) DELEGATION OF AUTHORITY**

Any act authorized by this resolution to be carried out by a specific official of the township may be carried out by a designee of such official.

**(F) TECHNICAL AND NON-TECHNICAL TERMS**

Words and phrases shall be construed according to the common and approved usage of the language, but technical words and phrases that may have acquired a peculiar and appropriate meaning in law shall be construed and understood according to such meaning.

**(G) PUBLIC OFFICIALS AND AGENCIES**

All public officials, bodies, and agencies to which references are made are those of Springfield Township, Summit County, Ohio, unless otherwise indicated.

**(H) MANDATORY AND DISCRETIONARY TERMS**

The words “shall,” “must,” and “will” are mandatory in nature, establishing an obligation or duty to comply with the particular provision. The words “may” and “should” are permissive in nature.

**(I) CONJUNCTIONS**

Unless the context clearly suggests the contrary, conjunctions shall be interpreted as follows:

- (1)** “And” indicates that all connected items, conditions, provisions or events apply; and
- (2)** “Or” indicates that one or more of the connected items, conditions, provisions, or events apply.

**(J) TENSES AND PLURALS**

Words used in the present tense include the future tense. Words used in the singular number include the plural number and the plural number includes the singular number, unless the context of the particular usage clearly indicates otherwise. Words used in the masculine gender include the feminine gender, and vice versa.

**(K) TERMS NOT DEFINED**

If a term used in this resolution is not defined in this article, the Zoning Administrator shall have the authority to provide a definition based upon the definitions used in accepted sources, including but not limited to A Planners Dictionary, A Glossary of Zoning, Development, and Planning Terms, and A Survey of Zoning Definitions, published by the American Planning Association.

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## **Section 16.03 Definitions**

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**ABUTTING OR ADJACENT**

The land, lot, or property adjoining the property in question along a lot line or separated only by an alley, easement, or street.

**ACCESSORY BUILDING, STRUCTURE, OR USE**

See definitions under “building, accessory” “structure, accessory” or “use, accessory.”

**ACCESSORY RETAIL SALES**

Retail sales of products manufactured or assembled on the same site where the sale of products is accessory to the principal manufacturing or assembly use.

**ACTIVE PARKS AND RECREATION**

Any park or recreational facility that requires grading of the land, construction of facilities, lighting, or is developed for ball fields, tennis courts, swimming pools, skate parks, disc golf, and other similar outdoor facilities with the exception of bike and hike trails and golf courses.

**ADULT ARCADE**

Any place to which the public is permitted or invited in which coin-operated, slug-operated, or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are regularly maintained to show images to five or fewer persons per machine at any one time, and in which the images so displayed are distinguished or characterized by their emphasis upon matter exhibiting or describing specified sexual activities or specified anatomical areas.

**ADULT BOOKSTORE, ADULT NOVELTY STORE, OR ADULT VIDEO STORE**

A commercial establishment that, for any form of consideration, has as a significant or substantial portion of its stock-in-trade in, derives a significant or substantial portion of its revenues from, devotes a significant or substantial portion of its interior business or advertising to, or maintains a substantial section of its sales or display space for the sale or rental of any of the following:

- Books, magazines, periodicals, or other printed matter, or photographs, films, motion pictures, video cassettes, compact discs, slides, or other visual representations, that are characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas; and/or
- Instruments, devices, or paraphernalia that are designed for use or marketed primarily for stimulation of human genital organs or for sadomasochistic use or abuse of self or others.

Adult bookstore, adult novelty store, or adult video store includes a commercial establishment as defined in Section 2907.38 of the Ohio Revised Code. An establishment may have other principal business purposes that do not involve the offering for sale, rental, or viewing of materials exhibiting or describing specified sexual activities or specified anatomical areas and still be categorized as an adult bookstore, adult novelty store, or adult video store. The existence of other principal business purposes does not exempt an establishment from being categorized as an adult bookstore, adult novelty store, or adult video store so long as one of its principal business purposes is offering for sale or rental, for some form of consideration, such materials that exhibit or describe specified sexual activities or specified anatomical areas.

**ADULT CABARET**

A nightclub, bar, juice bar, restaurant, bottle club, or similar commercial establishment, whether or not alcoholic beverages are served, that regularly features any of the following:

- Persons who appear in a state of nudity or semi-nudity;
- Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities; or
- Films, motion pictures, video cassettes, slides, or other photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

**ADULT ENTERTAINMENT**

The sale, rental, or exhibition, for any form of consideration, of books, films, video cassettes, magazines, periodicals, or live performances that are characterized by an emphasis on the exposure or display of specified anatomical areas or specified sexual activity.

**ADULT ENTERTAINMENT ESTABLISHMENT**

An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, nude or seminude model studio, or sexual encounter establishment. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to section 4731.15 of the Revised Code, is not an “adult entertainment establishment.”

**ADULT FAMILY HOMES**

A residence or facility, as defined and regulated in Chapter 3722 of the Ohio Revised Code, which provides accommodations for three to five unrelated adults and provides supervision and personal care services to at least three of the unrelated adults. See also definition of “small residential facilities.”

**ADULT MEDIA OR MATERIAL**

Any of the following, whether new or used:

- Books, magazines, periodicals or other printed material, or digitally stored materials that are distinguished or characterized by an emphasis on the exposure, depiction or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
- Films, motion pictures, video or audio cassettes, slides, computer displays or other visual representations or recordings of any kind that are distinguished or characterized by an emphasis on the exposure, depiction or description of specified anatomical areas or the conduct or simulation of specified sexual activities.
- Instruments, novelties, devices, or paraphernalia that are designed for use in connection with specified sexual activities, or that depict or describe specified anatomical areas.

**ADULT MOTION PICTURE THEATER**

A commercial establishment where films, motion pictures, video cassettes, slides, or similar photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas are regularly shown for any form of consideration.

**ADULT THEATER**

A theater, concert hall, auditorium, or similar commercial establishment that, for any form of consideration, regularly features persons who appear in a state of nudity or semi-nudity or live performances that are characterized by their emphasis upon the exposure of specified anatomical areas or specified sexual activities.

**AGRICULTURAL USES**

See "agriculture."

**AGRICULTURE**

Agriculture includes farming; ranching; aquaculture; apiculture; horticulture; viticulture; animal husbandry, including, but not limited to, the care and raising of livestock, equine, and fur-bearing animals; poultry husbandry and the production of poultry and poultry products; dairy production; the production of field crops, tobacco, fruits, vegetables, nursery stock, ornamental shrubs, ornamental trees, flowers, sod, or mushrooms; timber; pasturage; any combination of the foregoing; the processing, drying, storage, and marketing of agricultural products when those activities are conducted in conjunction with, but are secondary to, such husbandry or production.

**ALLEY**

Any public way affording a secondary means of access to abutting property, and not intended for general traffic circulation.

**ALTERATION**

Any change, addition, or modification in construction, type of occupancy, increase in floor space, the consummated act of which may be referred to herein as "altered" or "reconstructed."

**AMATEUR RADIO TRANSMITTER OR ANTENNA**

Any transmitter, antenna, tower, or other apparatus designed for communications through amateur radio, also referred to as ham radio.

**ANTENNA (WIRELESS TELECOMMUNICATION FACILITIES)**

Any panel, whip, dish, or other apparatus designed for communications through the sending and/or receiving of electromagnetic waves, excluding any support structure other than brackets/platforms.

**ANTENNA SUPPORT STRUCTURE**

Any building or other structure, other than a tower, which can be used for location of wireless telecommunications facilities and antenna.

**APPEAL**

An appeal of an administrative decision made by the Zoning Administrator, considered by the BZA, in accordance with [Section 3.08: Appeals](#).

**APPLICANT**

A person who is authorized by the provisions of this resolution to file an application.

**APPLICATION**

The completed form or forms and all accompanying documents, exhibits, and fees required of an applicant by the appropriate township department, board, or commission as part of the review for an application.

**AUTHORIZED AGENT**

A person with express written consent to act upon another person's behalf.

**AUTOMATED TELLER MACHINE (ATM)**

An automated device that provides bank and financial institutional customers with cash withdrawal and other financial services without the need for a bank teller.

**AWNING**

A roof like cover that is temporary or permanent in nature, and that projects from the wall of a building for the purpose of shielding an area of a structure and constructed of a rigid supporting framework with a canvas, vinyl or fabric covering.

**BANKS AND FINANCIAL INSTITUTIONS**

Establishments engaged in deposit banking. Banks or financial institutions may include, but are not limited to, commercial banks, loan or mortgage companies, stockbrokers, savings institutions, credit unions, and other similar uses.

**BANNER**

Any sign of lightweight fabric or similar material that is mounted to a building or other structure at one or more edges.

**BAR, TAVERN, OR RESTAURANT**

- A bar or tavern is an establishment providing or dispensing, for on-site consumption, any fermented malt beverage, malt beverage, special malt, vinous, or spirituous liquors. The sale of food products including, but not limited to, sandwiches and light snacks may be a secondary use to the service of the aforementioned drinks.
- A restaurant is an establishment with table service whose principal business is the selling of unpackaged food and beverages to the customer in a ready to consume state, in individual servings, or in non-disposable containers, provided that no drive-through window is permitted.

**BASEMENT**

That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling. A basement shall not be counted as a story, except as provided in for in the definition of "story" and "story, half."

**BED AND BREAKFAST ESTABLISHMENTS**

Any place of lodging that provides four or fewer rooms for rent on a temporary basis, is the owner's personal residence, is occupied by the owner at the time of rental, and where meals may be served to guests.

**BERM**

In the context of landscaping, bufferyard, or screening requirements, shall mean a mound of earth typically used to shield, screen, and buffer undesirable views and to separate potentially incompatible uses. See also the definition of "mound."

**BILLBOARD**

See definition for "sign, outdoor advertising"

**BLOCK**

The property abutting one side of a street and lying between the two nearest intersecting streets, (crossing or terminating) or between the nearest such street and railroad right-of-way, unsubdivided acreage, river or live stream; or between any of the foregoing and any other barrier to the continuity of development, or corporate lines of the township.

**BOARD OF TRUSTEES**

The Springfield Township, Summit County, Ohio, Board of Township Trustees

**BOARD OF ZONING APPEALS**

The Springfield Township, Summit County, Ohio, Board of Zoning Appeals

**BOTTOMLESS (ADULT ENTERTAINMENT ESTABLISHMENTS)**

Less than full opaque covering of male or female genitals, pubic area, or buttocks.

**BUFFER OR BUFFERYARD**

An area of natural or planted vegetation adjoining or surrounding a land use and unoccupied in its entirety by any building structure, paving or portion of such land use, for the purposes of separating, screening, and softening the effects of the land use, no part of which buffer is used for active recreation or parking, or interior access drives. A buffer may include a wall, fence, or berm as provided in accordance with the provisions of [Article 12: Landscaping and Buffering](#).

**BUILDING**

Any structure, either temporary or permanent, that has a roof supported by columns or walls, and intended for the shelter, or enclosure of persons, animals, or property of any kind.

**BUILDING FRONTAGE**

See definition of "frontage, building."

**BUILDING HEIGHT**

The vertical distance of a building as measured pursuant to [Section 5.05\(A\)\(4\): Height Measurement and Exceptions](#).

**BUILDING LINE (FRONT FAÇADE)**

A line that runs parallel and adjacent to the primary building façade.

**BUILDING SUPPLY OR FARM SALES ESTABLISHMENTS**

A building and/or lot used for the wholesale or retail sales of building, contractor, or agricultural related materials.

**BUILDING, ACCESSORY**

A building on the same lot with, and of a nature customarily incident and subordinate to, that of the principal building.

**BUILDING, NONCONFORMING**

A building that lawfully occupied a lot at the effective date of this resolution, or amendments thereto, and that does not currently conform to the regulations of the applicable zoning district.

**BUILDING, PRINCIPAL**

The building containing the main or principal uses on the lot.

**BZA**

The Board of Zoning Appeals.

**CAMPGROUNDS**

Temporary or permanent buildings, tents, or other structures established or maintained as a temporary living quarters, operated continuously for a period of five days or more for recreation, religious, education or vacation purposes.

**CANOPY**

A free standing permanent roof-like shelter not attached to or requiring support from an adjacent structure.

**CEMETERIES**

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.

**CERTIFICATE OF CONFORMANCE**

A certificate of conformance is a certificate that demonstrates approval of a change in occupancy or use of a building or structure and demonstrates that the use is in compliance with this zoning resolution. See [Section 3.05: Certificate of Conformance](#).

**CHURCHES AND PLACES OF WORSHIP**

A building, together with its accessory buildings and uses, where persons regularly assemble for religious worship and which building, together with its accessory buildings and uses, is maintained and controlled by a religious body organized to facilitate public worship.

**CLUB**

A building or portion thereof or premises owned or operated by a corporation, association, or group of persons for the promulgation of sports, arts, sciences, literature, politics, or the like, but not operated for profit which is customarily carried on as a business.

**CO-LOCATE OR CO-LOCATION**

The use of a wireless telecommunications facility by more than one wireless telecommunications provider.

**COMMERCIAL ENTERTAINMENT OR RECREATION (INDOORS)**

Any commercial activity that is related to the entertainment or sports industry, except adult entertainment establishments, that may include, but is not limited to motion picture theaters, indoor pools, bowling alleys, skating rinks, indoor tennis courts, and similar activities.

**COMMERCIAL ENTERTAINMENT OR RECREATION (OUTDOORS)**

Any outdoor commercial activity that is related to the entertainment or sports industry such as outdoor commercial swimming pools (subject to the community pool provisions), miniature golf, golf courses, driving ranges, skiing facilities, and similar activities. See also the definitions for “active parks and recreation,” “commercial entertainment or recreation (indoors),” and “passive parks, recreation, and open space.”

**COMMERCIAL MESSAGE**

Any sign, wording, logo or other representation that, directly or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

**COMMON AREAS**

Parcels of land, together with the improvements thereon, the use and enjoyment of which shall be shared by the owners and occupants of the individual building sites within a development.

**COMMON DRIVE**

A driveway shared by multiple buildings, tenants or uses.

**COMMUNITY GARDEN**

A single piece of land that is gardened collectively, as an accessory use, by a group of people that may include individual garden plots designated for individual gardens.

**COMPLETED APPLICATION**

An application that has been determined to be complete in accordance with [Section 3.03\(B\)\(3\): Complete Application Determination](#).

**COMPREHENSIVE PLAN OR COMPREHENSIVE LAND USE PLAN**

The most recently adopted version of the Springfield Township Comprehensive Land Use Plan.

**CONSERVATION SUBDIVISIONS**

The division of a tract of land into two or more lots, building sites, or other divisions along with additional land area set aside as open space for conservation, agricultural, recreational, or other rural purposes in accordance with [Section 5.04\(D\): Conservation Subdivisions and Conservations Subdivisions with Attached Dwellings](#). Such development shall be limited to single-family detached dwellings.

**CONSERVATION SUBDIVISIONS WITH ATTACHED DWELLINGS**

The division of a tract of land into two or more lots, building sites, or other divisions along with additional land area set aside as open space for conservation, agricultural, recreational, or other rural purposes in accordance with [Section 5.04\(D\): Conservation Subdivisions and Conservations Subdivisions with Attached Dwellings](#). Such development may include attached dwellings.

**CONSTRUCTION DUMPSTER**

A container used for the temporary storage of rubbish or materials related to the related construction site or project.

**CONSTRUCTION TRAILER**

A mobile home, trailer, or similar temporary structure that is used as an office or for storage in conjunction with a construction project.

**COUNTY**

Summit County, Ohio

**CUL-DE-SAC**

A dead-end street which includes a turn around space.

**CULTURAL INSTITUTIONS**

Public or private facilities used for display, performance, or enjoyment of heritage, history, or the arts. This use includes, but is not limited to, museums, libraries, art performance venues, cultural centers, and interpretative sites but does not include movie theaters.

**DAY CARE CENTERS (ADULT OR CHILD)**

A facility operated for the purpose of providing care, protection, and guidance to individuals during part of a 24-hour day. This term includes nursery schools, preschools, adult day care centers, child day care centers, or other similar uses. Day care center does not include public or private educational facilities or any facility offering care to individuals for a full 24-hour period. See also definition for “Type-B Family Day Care Home”

**DBH**

See “diameter-at-breast height”

**DENSITY**

The quotient of the total number of dwelling units as divided by total area of the site. Unless otherwise specified in this resolution, density shall mean gross density as defined in “density, gross.”

**DENSITY, GROSS**

Unless otherwise defined, gross density shall be the total number of dwelling units divided by the gross area of a site (including streets, easements, rights-of-way, open space set-asides, and/or other public dedications established as part of the development.).

**DENSITY, NET**

The total number of dwelling units divided by the gross area of the site minus any land used for streets, easements, rights-of-way, open space set-asides, and/or other public dedications.

**DEVELOPMENT**

Any manmade change to improved or unimproved land, including but not limited to the construction of buildings or other structure, mining, dredging, filling, grading, paving, excavation, or drilling.

**DIAMETER-AT-BREAST HEIGHT (DBH)**

DBH is used to measure the caliper of a tree trunk at the specific height of 4.5 feet above the ground.

**DISTINGUISHED OR CHARACTERIZED BY THEIR EMPHASIS UPON (AS RELATED TO “ADULT ENTERTAINMENT ESTABLISHMENTS.”)**

The dominant or principal character and theme of the object described by this phrase. For instance, when the phrase refers to films “that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas,” the films so described are those whose dominant or principal character and theme are the exhibition or description of specified sexual activities or specified anatomical areas.

**DISTRIBUTION FACILITIES**

Facilities in enclosed buildings primarily engaged in the sale or distribution of goods and materials in large quantity to retailers or other businesses for resale to individual or business customers. This shall not include heavy manufacturing, resource extraction, bulk storage of hazardous materials, or scrap or salvage operations.

**DISTRICT**

See definition of “zoning district.”

**DRIVE-THROUGH FACILITIES**

An establishment that encourages or permits customers to receive services, or obtain goods while remaining in their motor vehicles.

**DRIVEWAY**

A private way, other than a street or alley, that provides access to one lot of record for the use of vehicles and pedestrians unless approval has been granted for a shared driveway in which case, the driveway may serve multiple uses.

**DROP-OFF BOX**

A small collection facility where recyclable materials, clothing, or household goods are purchased or accepted from the public. Typical uses include neighborhood recycling stations and thrift store collection trucks.

**DWELLING**

A building or portion thereof used exclusively for residential purposes, including single-family, two-family, and multi-family dwellings, but not including hotels, motels, tents, recreational vehicle, cabins, or boarding or lodging houses.

**DWELLING UNIT**

A single unit of one or more rooms providing complete, independent living facilities for one or more persons including permanent provisions for living, sleeping, eating, cooking, and sanitation but not including a tent, cabin, hotel, motel recreational vehicle, or other temporary or transient structure or facility. A dwelling unit shall not include a mobile home or recreational vehicle, camping equipment, or a manufactured home except for permanently sited manufactured homes that conform to the requirements for such uses.

**DWELLING, ATTACHED**

A building or portion thereof designed for or used exclusively for residential purposes by three or more families or housekeeping units. Attached dwelling shall include apartment buildings, condominiums, elderly housing, and buildings where three or more dwellings are attached by common walls or floors within a single structure.

**DWELLING, SINGLE-FAMILY**

A building designed for or used exclusively for residential purposes by one family or housekeeping unit.

**DWELLING, TWO-FAMILY**

A building or portion thereof design for or used exclusively for residential purposes by 2 families or housekeeping units.

**EASEMENT**

Authorization by a property owner for the use by another, for a specified purpose, of any designated part of his or her property.

**EDUCATIONAL FACILITIES (PRIMARY AND SECONDARY)**

Buildings or structures used to teach students primarily under the age of 19. Educational facilities may include primary schools, elementary schools, middle schools, or high schools. Educational facilities shall not include, colleges, vocational schools, and other similar uses.

**EDUCATIONAL FACILITIES, HIGHER**

Buildings or structures used to teach students at a level beyond primary schools, elementary schools, middle schools, and high schools. Higher educational facilities shall include, but not be limited to, colleges, vocational schools, universities, training centers and other similar uses.

**ELECTRONIC MESSAGE CENTER**

A sign whose alphabetic, pictographic, or symbolic information content can be changed or altered on a fixed display surface composed of electrically illuminated or mechanically driven changeable segments.

**ENGINEER**

Any engineer licensed by the State of Ohio

**ENTERTAINMENT DEVICE**

Any mechanical, electronic, video, or digital device that is capable of accepting anything of value, directly or indirectly, from or on behalf of the person, for the purpose of playing a game, viewing a video display, hearing an audio transmission, or reading entries or outcomes from any other kind of device. An “entertainment device” does not include any vending machines, juke boxes, audio books, video players, or any other device that gives anything of value where the only value given, directly or indirectly, is a video or audio transmission.

**ENTERTAINMENT DEVICE ARCADES**

Establishments where four or more entertainment devices are kept for use by the public or by persons other than the owner of the devices, where persons give anything of value to access the use of the entertainment devices or the premises, and the person may be given anything of value by the operator, whether the giving occurs on or off the premises or at the same time or a later time. Entertainment device arcades may include or be referenced to as internet cafes, cybercafes or lounges, internet sweepstakes, video sweepstakes, video gaming arcades, electronic gaming operations, or other similar establishments.

**ENTRANCE MONUMENT**

A fence, wall, or sign located at the entrance of a subdivision or development that identifies the name of the subdivision or development.

**ESSENTIAL SERVICES**

The location, erection, construction, reconstruction, change, alteration, maintenance, removal, use or enlargement by public utilities, county, or other governmental agencies of streets, roads, underground, surface or overhead gas, electrical, steam, fuel or water transmission or distribution systems, collection, supply or disposal systems; including towers, poles, wires, mains, drains, sewers, pipes, conduits, cables, fire alarm and police call boxes, traffic signals, hydrants and similar accessories and the use of land in connection therewith, for the furnishing of adequate service by such utilities or governmental departments for the public health, safety and general welfare.

**EXCAVATION**

The process of altering the natural grade/elevation by cutting, filling, or moving the earth, or any activity by which soil or rock is cut, dug, quarried, uncovered, removed, displaced, or relocated.

**EXPANSION**

An increase in the size of an existing structure or use, including physical size of the land, building, parking, or other improvements or structures.

**FAÇADE**

The exterior wall of a building parallel to the frontage line or the street that fronts the parcel on which the building is located. Facades may be on the front, side, or rear elevation of the building regardless of whether the building side faces a street.

**FENCE**

An artificially constructed barrier of wood, masonry, stone, wire, metal, or other manufactured material or combination of materials erected to enclose, screen, or separate areas.

**FLAG**

Any fabric or other flexible material attached to or designed to be flown from a flagpole or similar device.

**FLOOD**

The following terms used in this Resolution are defined as set forth in the regulations governing the National Flood Insurance Program (44 CFR Section 59.1). Wherever there exists a conflict between the following definitions, the federal definitions shall apply.

- Base Flood: The flood having a one percent chance of being equaled or exceeded in any given year.
- Floodplain: The land area susceptible to inundation by water as a result of a flood and for the purposes of this Resolution shall mean the 100-year and 500-year floodplain as determined by the Federal Emergency Management Agency.
- Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than a designated height.

**FLOODPLAIN**

See definition of “flood.”

**FLOODWAY**

See definition of “flood.”

**FLOOR AREA**

Unless otherwise stated, floor area is the sum of the gross horizontal areas of all the several floors of a building or buildings, including interior balconies and mezzanines. All horizontal measurements are to be made between the exterior faces of walls including the walls of roofed porches having more than one wall.

**FOOTCANDLE**

A unit of illumination produced on a surface, all points of which are one foot from a uniform point source of one candle.

**FOOTPRINT**

The area of a building measured from the exterior surface of the exterior walls at grade level.

**FOUNDRY**

An industrial establishment that manufactures metal castings.

**FRONTAGE, BUILDING**

The length of the facade of an enclosed building facing a public or private street. See [Figure 16.03-1](#).

**FRONTAGE, STREET**

The distance for which the front boundary line of the lot and the street line are coincident. See [Figure 16.03-1](#).

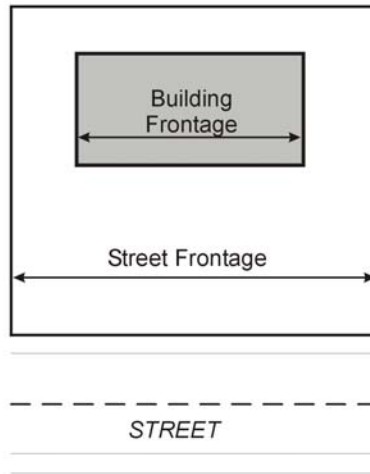


Figure 16.03-1: An illustration of street frontage versus building frontage

**FUNERAL HOMES**

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

**GARAGE**

An accessory building primarily intended for and used for the enclosed storage or shelter of private motor vehicles of the owner or occupant of the principal building.

**GAS AND OIL WELLS**

A well, bored into the earth, that produces natural gases and oils that are captured at the surface for further refining and distribution.

**GASOLINE STATIONS**

Establishments that sell unleaded and diesel gasoline along with other automotive fuels.

**GENERAL OFFICES (ADMINISTRATIVE, PROFESSIONAL, BUSINESS)**

Establishments providing executive, management, administrative, or professional services including, but not limited to, real estate, architecture, legal, travel, employment, advertising, design, engineering, accounting, and similar uses.

**GLARE**

Direct light that causes annoyance, discomfort or loss in visual performance and visibility.

**GOLF COURSE**

A tract of land laid out with at least nine holes for playing a game of golf with improved tees, greens, fairways, and hazards.

**GRADE**

The average of the finished ground level at the center of all walls of a building. In case walls are parallel to and within five feet of a sidewalk, the above ground level shall be measured at the sidewalk, unless otherwise defined herein.

**GRASS**

A species of perennial grass grown as permanent lawns or for landscape purposes, as distinguished from those species grown for agricultural or commercial seed purposes.

**GRAVEL SURFACE PARKING LOTS**

An area designated for the parking or temporary storage of vehicles that is surfaced with gravel or other types of crushed stone to create a temporary parking surface.

**GROUND COVER**

A plant growing less than two feet in height at maturity that is grown for ornamental purposes. Ground covers are used as an alternative to grasses. On slopes, ground covers control erosion while eliminating the maintenance of mowing on hillsides. Ground covers also provide permanent covering of open ground to prevent erosion and/or create visual appeal.

**HEDGE**

A line of closely spaced shrubs and tree species, planted and trained in such a way as to form a barrier, screen, or to mark the boundary of an area.

**HOME OCCUPATION**

An occupation or profession for financial gain or profit which is incidental to and carried on entirely within a dwelling unit located on a lot, exclusive of attached garage or patio areas, by resident occupants of the dwelling unit and which occupation is clearly incidental to and accessory to the residential use of the property.

**HOSPITALS**

A facility providing physical or mental health services, inpatient or over-night accommodations, and medical or surgical care of the sick or injured.

**HOTEL AND MOTELS**

A building in which lodging, with or without meals, is offered for compensation and in which there are more than five sleeping rooms.

**HOUSEKEEPING UNIT**

One or more persons occupying a dwelling unit and living as a single group, and doing their own cooking on the premises as distinguished from a group occupying a bed and breakfast establishment, hotel, or motel.

**IMPERVIOUS SURFACE**

Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to buildings, roofs, parking and driveways, sidewalks, and pavement.

**INDOOR FOOD SALES**

The sale of food and non-alcoholic beverages as an accessory use to another nonresidential use including restaurants, cafeterias, and food or beverage kiosks, where the sale of food and beverages is clearly incidental to the principal use.

**INDUSTRIAL SERVICE USES**

Establishments primarily engaged in rendering services to office, business, or industrial establishments on a fee or contract basis, such as advertising and mailing; building maintenance; employment services; management and consulting services; protective services; office equipment rental and leasing; commercial research; development and testing; photo finishing; machine repair, and personal supply services.

**INDUSTRIAL USES, HEAVY**

Uses engaged in the basic processing and manufacturing of materials or products predominately from extracted or raw materials, or a use engaged in storage of, or manufacturing processes using flammable or explosive materials, or storage or manufacturing processes that potentially involve hazardous conditions. "Heavy industrial uses" shall also mean those uses engaged in the operation, parking, and maintenance of vehicles, cleaning of equipment or work processes involving solvents, recycling establishments, public works yards, and container storage.

**INDUSTRIAL USES, LIGHT**

The manufacturing, processing, or assembly of products within a fully enclosed structure where noise, odor, light, or vibrations is not noticeable from the adjacent properties.

**INSTITUTIONAL HOUSING**

Housing for the elderly or infirm in which three or more unrelated individuals may live on a short-term or long-term basis and where both food and care are provided for compensation. Institutional housing includes, but is not limited to elderly housing, nursing homes, assisted living facilities, and hospices. Institutional housing shall not include hospitals, medical offices/clinics, or similar institutions devoted primarily to the diagnosis and treatment of the sick or injured.

**INSTRUCTIONAL STUDIOS**

An establishments that provides educational programs, workshops, or classes in art or health and fitness, including but not limited to, art studios, dance studios, photography studios, health centers, etc.

**JUNK**

Scrap or abandoned metal, paper, building materials and equipment, bottles, glass, appliances, furniture, rags, rubber, inoperable vehicles, and parts thereof.

**KEEPING OF CHICKENS**

The non-commercial raising and caring of female chickens on a residential lot as an accessory use.

**KENNEL, COMMERCIAL AND ANIMAL DAY CARE**

Any lot or premises on which four or more dogs, cats or other household animals (not owned by the owner or operator of the establishment) are bred, boarded, cared for, or trained for commercial purposes.

**LABORATORIES**

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.

**LANDSCAPE MATERIAL**

Landscaping consists of:

- Material such as, but not limited to, living trees, shrubs, vines, lawn grass, ground cover, and landscape water features; and
- Non-living durable material commonly used in landscaping including, but not limited to, rocks, pebbles, sand, decorative walls and fences, brick pavers and earthen mounds, but excluding pavements for vehicular use.

**LANDSCAPING**

The improvement of a lot, parcel, tract of land, or portion thereof, with grass, shrubs, and trees. Landscaping may include pedestrian walks, flower beds, trees, shrubs, and ornamental objects such as fountains, statuary, and other similar natural and artificial objects.

**LIGHT TRESPASS**

Light emitted by a lighting fixture that falls beyond the boundaries of the property on which the fixture is installed.

**LIGHT, CUTOFF**

An artificial outdoor light source designed to ensure that no light is directly emitted above a horizontal line parallel to the ground as regulated and illustrated in [Article 8: Outdoor Lighting Standards](#).

**LIGHT, NON-CUTOFF**

An artificial outdoor light source designed to allow light to be directly emitted above a horizontal line parallel to the ground as regulated and illustrated in [Article 8: Outdoor Lighting Standards](#).

**LOADING SPACE**

An off-street space on the same lot with a building, or a group of such buildings and accessory buildings, or utilized for the principal use and accessory use.

**LOT**

A parcel of land that is part of a plat, legally recorded in the Recorder's Office of Summit County, Ohio, occupied or intended to be occupied by a principal use or structure, together with any accessory structures or uses and such accessways, parking area, yards, and open spaces required in this resolution.

**LOT AREA**

The total area within the lot lines of a lot, excluding any street right-of-way or other legal public dedication.

**LOT COVERAGE**

That portion of a lot that is covered by the principal and accessory building, structures, and surfaces that prevent the passage or absorption of stormwater including paving and driveways (impervious surfaces).

**LOT LINE, FRONT**

The front property line, which is coterminous with the street right-of-way. A front lot line is generally parallel to or less than 45 degrees to the rear lot line. The front lot line is generally opposite the rear lot line except as may be identified in [Section 5.05\(A\)\(2\): Setbacks and Yards](#). See also See [Figure 16.03-2](#).

**LOT LINE, REAR**

A lot line opposite a front yard. A rear lot line is generally parallel to or less than 45 degrees to the front street right-of-way line. See [Figure 16.03-2](#) and [Section 5.05\(A\)\(2\): Setbacks and Yards](#).

### LOT LINE, SIDE

A lot line generally extending perpendicular to the front and rear lot lines. The side lot line extends between the front lot line and the rear lot line. See [Figure 16.03-2](#) and [Section 5.05\(A\)\(2\): Setbacks and Yards](#).

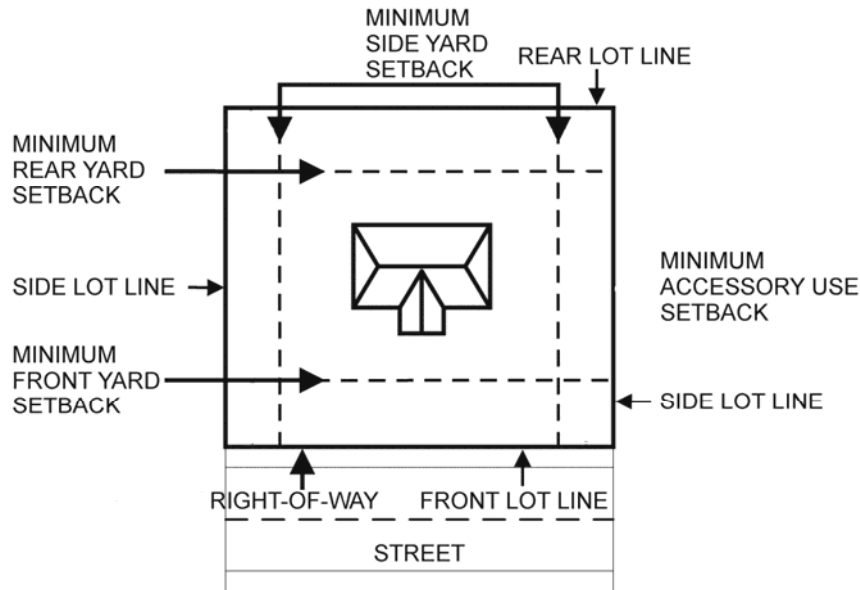


Figure 16.03-2: Image of typical lot lines on an interior lot

### LOT LINES

The property lines bounding the lot.

### LOT OF RECORD

A parcel of land, the dimensions of which are shown on a document or map filed with the Summit County Recorder of Deeds, and which actually exists as so shown, or any part of such parcel held in a record ownership separate from that of the remainder thereof.

### LOT WIDTH

The horizontal distance between the side lot lines measured at the two points where the building line, or setback line, intersects the side lot lines. When the minimum setback line is not perpendicular to the side lot lines, lot width shall be measured at the midpoint of the minimum setback line. See [Figure 16.03-3](#).

### LOT, CORNER

A lot abutting upon two or more streets at their intersection or upon two parts of the same street, and in either case forming an interior angle of less than 135 degrees. See [Figure 16.03-3](#).

### LOT, CUL-DE-SAC OR CURVED STREET

A lot with frontage along a curved street or cul-de-sac. See [Figure 5.05-8](#).

### LOT, DOUBLE FRONTAGE

A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot. See [Figure 16.03-3](#).

### LOT, INTERIOR

A lot that has a single street frontage, a rear lot line, and at least two side lot lines. See [Figure 16.03-3](#).

**LOT, NONCONFORMING**

A vacant lot that does not meet the minimum lot width, street frontage, and/or lot area requirements of the applicable zoning district.

**LOT, PANHANDLE**

A lot not fronting or abutting a public street and where access to the public street is limited to a narrow strip of land. See [Figure 16.03-3](#).

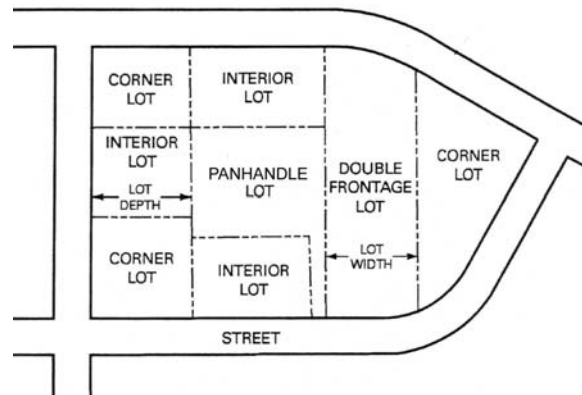


Figure 16.03-3: Illustration of lot configurations and types

**MAIN USE**

See definition of “Principal Use” under the broader definition of “use.”

**MAXIMUM EXTENT FEASIBLE**

That no feasible and prudent alternative exists, and all possible efforts to comply with the regulation or minimize the potential harm or adverse impacts have been undertaken. Economic considerations may be taken into consideration.

**MEDICAL AND DENTAL OFFICES OR CLINICS**

Office or clinic uses concerned with the diagnosis, treatment, and care of human beings related to medicine or dental. This definition does not include hospitals or convalescent homes.

**MIXED USE DEVELOPMENT**

A lot or building that contains a mixture of uses that are permitted in the applicable zoning district. Attached residential dwellings in accordance with [Section 5.04\(FF\): Mixed Use Development](#).

**MONOPOLE**

A support structure constructed of a single, self-supporting hollow metal tube securely anchored to a foundation.

**MOTOR VEHICLE/FARM IMPLEMENT SALES AND RENTAL**

A building, lot, or both used for the display, sale, or rental of new or used motor vehicles or farm implements that are in operable condition, and where repair service may be an incidental accessory use.

**MOUND**

A mound or berm formed as a result of man-made grading and/or excavation.

**NAMEPLATE**

A sign indicating only the name and/or address of the person, business, or activity occupying the lot or the buildings.

**NONCONFORMITY**

A use, lot, structure, building, sign, or lighting that does not comply with the provisions of this zoning resolution. See also the definitions for “use, nonconforming,” “lot of record,” “building, nonconforming,” and “structure, nonconforming.”

**NUDE OR SEMINUDE MODEL STUDIO**

Any place where a person, who regularly appears in a state of nudity or semi-nudity, is provided for money or any other form of consideration to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons. A modeling class or studio is not a nude or seminude model studio and is not subject to this chapter if it is operated in any of the following ways:

- By a college or university supported entirely or partly by taxation;
- By a private college or university that maintains and operates educational programs, the credits for which are transferable to a college or university supported entirely or partly by taxation;
- In a structure that has no sign visible from the exterior of the structure and no other advertising indicating that a person appearing in a state of nudity or semi-nudity is available for viewing, if in order to participate in a class in the structure, a student must enroll at least three days in advance of the class and if not more than one nude or seminude model is on the premises at any one time.

**NUDITY, NUDE, OR STATE OF NUDITY**

The showing of the human male or female genitals, pubic area, vulva, anus, anal cleft, or cleavage with less than a fully opaque covering; or the showing of the female breasts with less than a fully opaque covering of any part of the nipple.

- Regularly features or regularly shown means a consistent or substantial course of conduct, such that the films or performances exhibited constitute a substantial portion of the films or performances offered as a part of the ongoing business of the adult entertainment establishment.

**NURSERIES AND GREENHOUSES**

An establishment used for the growing, storage, and sale of legal garden plants, shrubs, trees, or vines for retail or wholesale sales.

**OFFICIAL ZONING MAP**

The Official Zoning Map of Springfield Township, Summit County, Ohio.

**ORC**

The Ohio Revised Code

**ORDINARY HIGH WATER MARK**

The point on the bank or shore up to which the presence and action of water is so continuous or frequent as to leave a distinct mark by erosion, destruction of terrestrial vegetation, or other easily recognized characteristic.

**OUTDOOR DINING AREAS**

Areas on sidewalks (public or private), patios, or other unenclosed areas, excluding vehicular use areas) that are designated for outdoor seating where patrons may be served food and beverage for on-site dining.

**OUTDOOR DISPLAY AND SALES**

The placement of products or materials for sale outside of a retail or wholesale sales establishment. See [Section 5.04\(R\): Outdoor Display and Sales](#).

**OUTDOOR LIGHTING**

Any source of light that is installed or mounted outside of an enclosed building or structure, but not including streetlights installed or maintained along public streets by a government agency or public utility. See [Article 8: Outdoor Lighting Standards](#).

**OUTDOOR STORAGE**

The keeping, in an unroofed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours. See [Section 5.04\(S\): Outdoor Storage](#).

**OUTDOOR WOOD FURNACE**

Any equipment, device, appliance or apparatus, or any part thereof, which is installed, affixed or situated outdoors for the primary purpose of combustion of fuel to produce heat or energy used as a component of a heating system providing heat for any interior space or water source. An outdoor wood furnace may also be referred to as an outdoor wood boiler or outdoor wood-fired hydronic heater.

**OWNER**

A person recorded as such on official records and including duly authorized agent or notary, a purchaser, devisee, judiciary; and person having a vested or contingent interest in the property in question.

**PARAPET OR PARAPET WALL**

That portion of a building wall that rises above the roof level.

**PARCEL**

A distinct portion or tract of land as is recorded and distinguished in the Summit County Auditor's Property Tax Atlas. See also definition of "lot."

**PARKING AISLE**

The driveway or access drive by which a car enters and departs a parking space.

**PARKING LOT**

A surface level facility providing vehicular parking spaces along with adequate drives and aisle, for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles.

**PARKING SPACE**

A designated parking areas designed for one vehicle that is exclusive of drives, aisles or entrances giving access thereto.

**PARKING STRUCTURE**

A structure (e.g., parking garage) providing vehicular parking spaces along with adequate drives and aisle, for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles.

**PASSENGER TRANSPORTATION TERMINAL**

A facility that is point or place whereby a transport conveyance (e.g., bus, van, car, railroad, etc.) disperses or receives passengers.

**PASSIVE PARKS, RECREATION, AND OPEN SPACE**

Any park or recreational facility where there is no grading of the land, the construction of facilities, lighting, or development of ball fields with the exception that passive parks, recreational facilities, and conservation areas may include the development of trails and sidewalks.

**PERMANENTLY SITED MANUFACTURED HOME**

A building unit or assembly of closed construction that is fabricated in an off-site facility and constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban Development. Pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974, "88 Stat. 700, 42 U.S.C.A 5401, 5403, and that has a permanent label or tag affixed to it, as specified in 42 U.S.C.A. 5415, certifying compliance with all applicable federal construction and safety standards and which meet the following requirements for a permanently sited manufactured home:

- The structure is affixed to a permanent foundation and is connected to appropriate facilities;
- The structure, excluding any addition, has a width of at least 22 feet at one point, a length of at least 22 feet at one point, and a total living area, excluding garages, porches, or attachments, of at least 900 square feet;
- The structure has a minimum 3:12 residential roof pitch, conventional residential siding, and a 6-inch minimum eave overhang, including appropriate guttering;
- The structure was manufactured after January 1, 1995; and
- The structure is not located in a manufactured home park as defined in Section 3733.01 of the Ohio Revised Code.

**PERSON**

Any individual, corporation, government agency, government official, business trust, partnership, association, two or more persons having a joint interest, or any other legal entity.

**PERSONAL SERVICE ESTABLISHMENTS**

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, health and fitness studios, music schools, informational and instructional services, tanning salons, and portrait studios.

**PLANNING COMMISSION**

The Summit County, Ohio, Planning Commission

**PORCHES OR DECKS**

An enclosed or unenclosed surface area attached to a building, that is not used for livable space but that is elevated above the ground, at its highest point, by at least 18 inches.

**PRIVATE OR COMMUNITY SWIMMING POOL**

A structure, whether above or below grade level, designed to hold water more than 24 inches deep with a total surface area exceeding 100 square feet, that is designed to be used for personal recreation (private swimming pool) or as a recreational amenity to a larger development (community swimming pool).

**PUBLIC HEARING**

A meeting open to the public advertised in advance in the local printed media, or as otherwise required by statute, concerning proposed resolutions, amendments or other official township business which require public participation and input.

**PUBLIC SAFETY AND SERVICE FACILITIES**

Facilities operated by public agencies for the protection of the public, or the provision of governmental services, that may include, but are not limited to, fire stations and other firefighting facilities, sheriff and police stations, public works departments, township or county offices, and emergency medical service facilities.

**QUORUM**

The minimum number of board members that must be present in order to conduct official business or take official action.

**RADIO AND TELEVISION STATIONS (NO TOWERS OR SATELLITES)**

Facilities used to produce, operate, or develop radio or television programs for distribution through various telecommunication formats but that do not include on-site towers or satellites.

**RAISING OF CROPS**

The use of land for field and orchard uses including production of field crops, flowers and seeds, fruits, grains, melons, ornamental crops, tree nuts, trees and sod, vegetables. Also includes associated crop preparation services and harvesting activities, such as mechanical soil preparation, irrigation system construction, spraying, crop processing, and sales in the field not involving a permanent structure.

**REAL ESTATE SALES/MODEL HOMES**

A dwelling unit temporarily converted into a sales and display office or a temporary sales office established in a development or subdivision for the purpose of providing an example of the units in the development.

**RECESSED CEILING FIXTURE**

An outdoor lighting fixture recessed into a canopy ceiling so that the bottom of the fixture is flush with the ceiling.

**REINFORCED TURF**

Grass grown on a special membrane that is laid over a prepared bedding layer that includes a sub-base designed specifically to support the temporary parking of motor vehicles while having the appearance of a turf lawn.

**RESEARCH AND DEVELOPMENT FACILITIES**

An establishment or facility for carrying on investigation in the natural, physical, or social sciences, or engineering and development as an extension of investigation with the objective of creating end products.

**RETAIL COMMERCIAL USES**

Establishments primarily engaged in the sale of goods and materials to the general public. Retail commercial uses may include, but are not limited to, bookstores, antique stores, convenience stores, bakeries, grocery stores, and other similar uses.

**RIGHT-OF-WAY**

An area or strip of land, either public or private, on which an irrevocable right- of-passage has been recorded for the use of vehicles or pedestrians or both.

**ROADSIDE STAND**

The use of any land or a structure for the sale of produce in accordance with the provisions of [Section 7.01: Accessory Use Regulations](#).

**ROOF LINE**

The top edge of the roof or the top of the parapet, whichever forms the top line of the building silhouette.

**SALES OFFICES AND SHOWROOMS**

Office or retail space designed to provide an area to demonstrate or show certain goods and materials that are large-scale or not necessarily a component of typical retail commercial uses including, but not limited to, kitchen showrooms, plumbing supply sales, appliance showrooms, office furniture supplies, etc.

**SATELLITE DISH**

A parabolic dish antenna including its structural supports, used for reception of various satellite television programming signals.

**SCREEN OR SCREENING**

A visual shield between uses accomplished by the use of berms, landscaping, walls or other aesthetic means.

**SEASONAL AGRICULTURAL SALES**

A temporary structure or vehicle used in the sale of agricultural products such as fruits, vegetables, and juices where such facilities may sell agricultural products not grown on site. Seasonal sales, including the sale of such items as Christmas trees, pumpkins, seasonal produce, and similar agricultural products, which may be permitted on a temporary basis pursuant to [Section 7.02: Temporary Uses and Structures](#).

**SEASONAL COVER**

A temporary shelter for motor vehicles or recreational vehicles while such vehicles are stored or parked through the winter.

**SELF-STORAGE FACILITIES**

A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, or controlled-access stalls or lockers for the dead storage of a customer's goods or wares.

**SEMINUDE OR STATE OF SEMI-NUDITY**

A state of dress in which opaque clothing covers not more than the genitals, pubic region, and nipple of the female breast, as well as portions of the body covered by supporting straps or devices.

**SERVICE COMMERCIAL USES**

Establishments that primarily engage in rendering services to businesses including, but not limited to, printers, equipment rental, protective services, mailing, photo finishing, and other similar uses.

**SETBACK**

The minimum distance a building or structure must be built from a property line or road right-of-way as defined further in [Section 5.05\(A\): Measurements, Computations, and Exceptions](#).

**SETBACK LINE**

The line created when applying the required setback distance to a lot.

**SETBACK, FRONT**

The minimum distance required between a building, structure, or improvement and the front lot line.

**SETBACK, REAR**

The minimum distance required between a building, structure, or improvement and the rear lot line.

**SETBACK, RIPARIAN**

The area set back from the ordinary high water mark on each bank of a stream to protect the riparian area and stream from impacts of development, and streamside residents from impacts of flooding and land loss through erosion.

**SETBACK, SIDE**

The minimum distance required between a building, structure, or improvement and a lot that that is shared with another lot where such lot line is defined as a side lot line.

**SEXUAL ENCOUNTER ESTABLISHMENT**

A business or commercial establishment that, as one of its principal business purposes, offers for any form of consideration a place where either of the following occur:

- Two or more persons may congregate, associate, or consort for the purpose of engaging in specified sexual activities.
- Two or more persons appear nude or seminude for the purpose of displaying their nude or seminude bodies for their receipt of consideration or compensation in any type or form.

An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated pursuant to Section 4731.15 of the Ohio Revised Code, is not a “sexual encounter establishment.”

**SHRUB**

A woody plant, smaller than a tree, consisting of several small stems emerging from the ground, or small branches near the ground. Shrubs may be deciduous or evergreen.

**SIDEWALK**

A pedestrian walkway within a right-of-way of a public street but not on the street surface.

**SIGN**

Any object, device, display or structure or part thereof situated outdoors or adjacent the interior of a window or doorway which is used to advertise, identify, display, direct or attract attention to an object, person, institution, organization, business, product, service, event or location by any means including words, letters, pictures, logos, figures, designs, symbols, fixtures, colors, illumination or projected images.

**SIGN AREA**

The entire display area of a sign including the advertising surface located on one or more sign faces and any framing, trim and molding, but not including the supporting structure as measured pursuant to [Article 13: Signs](#).

**SIGN FACE**

The area or display surface used for the message. See [Section 13.03\(A\): Sign Face or Area](#).

**SIGN HEIGHT**

The vertical distance measured from the lowest adjacent grade to the highest point of the sign or sign structure. See [Section 13.03\(D\): Sign Height](#).

**SIGN, ABANDONED**

A sign or sign structure which no longer correctly directs any activity conducted or product available on the premises where such sign is displayed.

**SIGN, A-FRAME**

A sign consisting of two hinged boards that hang front and back, with the hinge at the top or along the side.

**SIGN, ANIMATED OR MOVING**

Any sign or part of a sign which changes physical position by any movement or rotation or which gives visual impression of such movement or rotation.

**SIGN, AWNING OR CANOPY**

Any sign that is painted on, part of or attached to an awning, canopy, or other fabric, plastic, or structural protective cover over a door, entrance, window, or outdoor service area identifying the name of the owner and business, industry, or pursuit conducted within the premises.

**SIGN, CHANGEABLE COPY**

A sign such as a bulletin board, announcement board, or electronic message center, where the message or graphics is not permanently affixed to the structure, framing, or background and may be periodically replaced or covered over by electronic or mechanical devices.

**SIGN, DIRECTIONAL GROUND**

A permanent sign located on private property, at or near the public right-of-way, directing or guiding vehicles from the street onto private property.

**SIGN, EXEMPT**

Signs exempted from normal permit requirements.

**SIGN, FLASHING**

Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or any externally mounted intermittent light source.

**SIGN, FREESTANDING POLE**

A sign that is supported from the ground by poles or other types of individual supports.

**SIGN, GROUND-MOUNTED**

Any permanent or temporary sign placed on the ground or attached to a supporting structure (not on poles or pylons) and not attached to any building.

**SIGN, ILLEGAL**

Any sign which is contrary to the requirements of this resolution and which does not satisfy the nonconforming specifications stated in this resolution.

**SIGN, MENU BOARD**

Any signage pertaining to items, goods, or services offered by a drive-through business.

**SIGN, NONCOMMERCIAL SPEECH SIGN**

A sign that does not contain any "commercial speech."

**SIGN, NONCONFORMING**

Any sign lawfully existing on the effective date of a resolution, which does not conform to all the standards and regulations of the current resolution.

**SIGN, OFF-PREMISES**

Any sign, including billboards, that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.

**SIGN, ON-PREMISES**

A sign, which advertises or otherwise directs attention to an activity on the same lot where the sign is located.

**SIGN, OUTDOOR ADVERTISING**

Any sign that advertises or otherwise directs attention to an activity not on the same lot where the sign is located.

**SIGN, PERMANENT**

A sign permitted by this resolution to be located on the premises for an unlimited period of time and designed to be permanently attached to a structure or the ground.

**SIGN, PORTABLE**

A sign not permanently affixed to the ground, building, or other structure, which may be moved from place to place, including, but not limited to, signs designed to be transported by means of wheels, and signs attached to or painted on a vehicle parked and visible from the public right-of-way, unless such vehicle is used in the day to day operations of a business.

**SIGN, PROJECTING**

A sign attached to a building and extending perpendicular from the building wall.

**SIGN, ROOF**

Any sign erected, constructed, mounted, or maintained upon or over the roof or parapet wall of a building and having its principal support on the roof or walls of the building.

**SIGN, SANDWICH BOARD**

See “sign, a-frame.”

**SIGN, TEMPORARY**

A sign that is designed to be used only temporarily and is not permanently, or intended to be permanently, attached to a building, attached to a structure or installed in the ground.

**SIGN, WALL**

A sign fastened to the wall of a building or structure (such as a fence or wall) in such a manner that the wall becomes the supporting structure for or forms the background surface of the sign and which does not project more than 18 inches from such building or structure. On a wall sign, the exposed face of the sign is in a plane parallel to the plane of said wall or structure.

**SIGN, WINDOW**

A sign that is applied or attached to the glass of a window or door, or located inside a building within three feet of a window so that the sign is visible and capable of being read from the outside of the building.

**SMALL RESIDENTIAL FACILITIES**

A home or facility, as defined and regulated in Section 5123.19 of the ORC, in which a mentally retarded or developmentally disabled person resides, except the home of a relative or legal guardian in which a mentally retarded or developmentally disabled person resides, a respite care home certified under Section 5126.05 of the Ohio Revised Code, a county home or district home operated pursuant to Chapter 5155 of the Ohio Revised Code, or a dwelling in which the only mentally retarded or developmentally disabled residents are in an independent living arrangement or are being provided supported living.

- A small residential facility shall be furthermore defined as a “residential facility” where there is supervision in a family setting of 6 to 8 persons.
- See also “adult family home.”

**SMALL WIND ENERGY CONSERVATION SYSTEMS**

An engine or motor having a drive shaft driven by the impulse air to create power for the site where such system is located. For the purposes of this resolution, a small wind energy conservation system is one that is rated at 100 Kilowatts of power or less.

**SNOW FENCE**

A temporary fence designed to prevent or minimize the drifting of snow across certain areas of a lot.

**SOIL REMOVAL OR MINERAL EXTRACTION**

The extraction of sand, gravel, rock, soil or other material from the land and either the removing thereof from the site or processing the extracted materials. The only exclusion from this definition shall be removal of materials associated with construction of a building (e.g. removal of soil and rock for footings and basements), provided such removal is an approved item in the building permit.

Extraction means any artificial or mechanical act by which earth, sand, rock or any other similar material is dug into, cut, quarried, uncovered, removed, displaced, relocated or moved and shall include the conditions resulting therefrom, including but not limited to gravel pits and not including the impacts of such operation.

**SOLAR PANELS**

Structures designed to utilize solar energy as an alternate for, or supplement to, a conventional energy system.

**SPECIFIED ANATOMICAL AREA**

Means the cleft of the buttocks, anus, male or female genitals, or the female breast. Specified anatomical areas also means less than completely and opaquely covered human genitals, pubic region, buttock and female breasts below a point immediately above the top of the areola; and/or human male genitals in a discernibly turgid state even if completely and opaquely covered.

**SPECIFIED SEXUAL ACTIVITIES**

Human genitals in a state of sexual stimulation or arousal: acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus, or fellatio; and/or fondling or other erotic touching of human genitals, pubic regions, buttocks, or female breasts.

**STACKING SPACE OR LANE**

A lane or area that is specifically designated for cars to “stack” in while utilizing drive-up or drive-through services at uses that may include, but are not limited to, car washes, restaurants, and financial institutions.

**STAND-ALONE BASKETBALL HOOPS**

Basketball hoop structures that are not attached to a structure and may be moved from point to point.

**STATE**

The State of Ohio

**STORY**

Part of a building, except a mezzanine as defined herein, included between the surface of one floor and the surface of the next floor, or if there is no floor above, then the ceiling next above. If the floor level directly above a basement is more than six feet above grade, such basement shall be considered a story.

**STORY, HALF**

An uppermost story lying under a sloping roof having an area of at least 200 square feet with a clear height of seven feet six inches (7'6"). For the purpose of this resolution, the usable floor area is only that area having at least four feet clear height between floor and ceiling.

**STREAM**

A flowing body of water with a current, confined within a bed and stream banks. See also the Summit County Riparian Setback Ordinance.

**STREET FRONTAGE**

See definition of “frontage, street.”

**STREET, PRIVATE**

A street or roadway that has not been dedicated for public use, or accepted by the Springfield Township Board of Trustees and is not maintained by the township. Additionally, a private street must meet the specifications for public streets as established by and approved under the Summit County Subdivision Regulations.

**STREET, PUBLIC**

A publicly dedicated or owned right-of-way constructed to Summit County Engineer standards intended or used, for vehicular and pedestrian movement, and, except where limited or controlled access, affording the principal means of access to abutting properties.

**STRUCTURAL ALTERATION**

Any change, other than incidental repairs, which would prolong or modify the life of the supporting members of a building, such as bearing walls, columns, beams, girders or foundations.

**STRUCTURAL LAWN**

An area of land intended to be used for temporary or seasonal parking with structural plastic or concrete pavement materials under the surface, allowing for the growth of grass through the pavement material, having the appearance of a vegetated lawn.

**STRUCTURE**

Anything constructed or erected, the use of which requires location on the ground or attachment to something having location on the ground. All buildings are considered structures.

**STRUCTURE, ACCESSORY**

A structure (including buildings but not fences) that is accessory and incidental to the principal building.

**STRUCTURE, NONCONFORMING**

A structure where the use is permitted in the applicable zoning district but the structure does not meet the setbacks, development standards, site development standards, or other dimensional or numerical standards for the applicable district.

**TELECOMMUNICATIONS**

The technology that enables information to be exchanged through the transmission of voice, video or data signals by means of electrical or electromagnetic systems.

**TEMPORARY SPECIAL EVENTS**

A temporary use on private property that is not usual or customary for that property and the zoning district in which the subject property is located (e.g., festivals, circuses, and other temporary events).

**TEMPORARY STORAGE IN A PORTABLE CONTAINER**

A portable structure or container that allows for storage of goods or materials, on or off-site and which is not permanently affixed to a foundation.

**TEMPORARY STRUCTURE FOR PUBLIC OR INSTITUTIONAL USES**

A temporary structure that is related and incidental to a use within the institutional use classification that may include temporary classrooms or storage facilities.

**TEMPORARY ZONING CERTIFICATE**

A certificate reviewed and approved, approved with conditions, or denied by the Zoning Administrator in accordance with [Section 3.04: Zoning Certificate](#).

**TENNIS COURT OR OTHER GAME COURT**

An area designated and designed for the playing of tennis, basketball, handball, racquetball, or other similar sport or game.

**TENT**

Any structure used for living or sleeping purposes, or for sheltering a public gathering constructed wholly or in part from canvas, tarpaulin, or other similar materials and shall include: shelter providing for circuses, carnivals, side shows, revival meetings, camp meetings and all similar meetings or exhibitions in temporary structures.

**TOWNSHIP**

Springfield Township, Summit County, Ohio

**TREE HOUSES, PLAY SETS, OR TRAMPOLINES**

Recreational equipment for children that may include, but is not limited to, small structures in trees, swings, slides, monkey bars, trampolines, and play enclosures.

**TREE, DECIDUOUS**

Generally, a tree that loses all of its leaves for part of the year. Sometimes called a broad-leaf tree or a hardwood tree.

**TREE, EVERGREEN**

A tree with foliage that is not dropped, or that remains green throughout the year.

**TREE, ORNAMENTAL**

A small to medium tree with an expected height of 20 feet at maturity and that is planted for aesthetic purposes such as colorful flowers, interesting bark, or fall foliage.

**TREE, UNDERSTORY**

A tree that would occupy the understory of a forest in a natural ecological situation. These types of trees are often referred to as ornamental trees. Examples include redbud, hazel, alder, holly, hornbeam, dogwood, witch-hazel, etc.

**TRUCK SERVICES/TRUCK STOP FACILITIES**

A facility intended to provide services to the trucking industry including, but not limited to, convenience stores, gasoline sales, overnight parking, restaurants, and minor repair services (no collision or body work), and truck scales.

**TRUCK/TRANSFER FACILITIES**

A stand-alone facility where goods and materials are not manufactured or sold but may be transferred between trucks and/or rail cars or where trailers may be loaded or unloaded from trucks or trains. This definition does not include the loading or unloading of goods or materials onto rail cars or trucks at the point of manufacturing, assembly, or where the goods are to ultimately be sold

**TYPE-B DAY CARE HOMES (1-6 CHILDREN)**

A permanent residence of the provider in which child day care is provided for one to six children at one time and in which no more than three children are under two years of age at one time. In counting children for the purposes of this definition, any children under six years of age who are related to the provider and who are on the premises of the Type-B day care home shall be counted. Type-B day care homes do not include homes where all of the children being cared for are siblings and the residence is the home of the siblings. Type-B day cares homes do not include any child day camp as defined in ORC Section 5104.01.

**UNENCLOSED PATIOS**

Uncovered, non-enclosed outdoor hard surfaced areas that are no higher than 18 inches above the ground.

**USE**

A purpose for which land, a building, lot, sign, or other structure is arranged, intended, designed, occupied or maintained.

**USE, ACCESSORY**

A use or building on the same lot with, and of a nature customarily incident and subordinate to, those of the main use or building.

**USE, CONDITIONAL**

A use permitted within a district only with a conditional use permit approval from the BZA. See [Section 3.07: Variance or Conditional Use](#).

**USE, NONCONFORMING**

A use that lawfully occupied a building or land at the effective date of this resolution, or amendments thereto, and that does not conform to the use regulations of the applicable zoning district.

**USE, PRINCIPAL**

The principal use to which the premises are devoted and the primary purpose for which the premises exist.

**USE, TEMPORARY**

A use or building permitted to exist during periods of construction of the main building or use, or for special events, but not inhabitable.

**VARIANCE**

A deviation from the requirements of this resolution that is approved, approved with condition, or denied by the BZA in accordance with [Section 3.07: Variance or Conditional Use](#).

**VEHICLE**

Any contrivance that is used in the public or private transportation of one or more persons, is used in the transportation of goods over public or private property on roadways, or is used in a commercial or agricultural enterprise. A contrivance that is designed to be pushed, pulled, or towed by any self-propelled vehicle is considered a vehicle.

**VEHICLE REPAIR GARAGES (MAJOR REPAIR)**

A facility that provides major engine overhauls and collision repair services, including body frame straightening and repair, replacement of damaged parts, and painting.

**VEHICLE SERVICE USES (MINOR REPAIR)**

A building, structure, or land used for the general repair and maintenance of automobiles, motorcycles, trucks, trailers, or similar vehicles including, but not limited to, muffler, oil change and lubrication, tire service and sales, installation of accessory, or engine repair. All activities shall take place within an enclosed building.

**VEHICLE WASHING ESTABLISHMENTS**

The use of a site for washing and cleaning of passenger vehicles, recreational vehicles, or other light duty equipment.

**VEHICLE, INOPERABLE**

Any transportation device that is unfit for use for any of the following reasons:

- Not currently licensed for use on the roads in the State of Ohio; and
- Not roadworthy or in a state of disrepair.

**VEHICLE, JUNK**

A vehicle as defined in Section 4513.63 of the Ohio Revised Code.

**VEHICLE, RECREATIONAL**

Vehicular-type portable structure without permanent foundation that can be towed, hauled, or driven, which may be designed as temporary living accommodations, and is used for recreational, camping, and travel use. Recreational vehicles may include, but are not limited to the following:

- **Travel Trailer:** A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational and vacation uses, permanently identified "travel trailer" by the manufacturer.
- **Motorized Home:** A portable dwelling designed and constructed as an integral part of a self-mounted vehicle on wheels and designed for travel and vacation uses.
- **Pick-up Camper:** A structure designed primarily to be mounted on a pick-up truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational and vacation uses.
- **Boats and Boat Trailers:** Includes floats and rafts, plus the normal equipment to transport the same on the highway.
- **Fold-Out Tent Trailers/Pop-up Campers:** A canvas folding structure mounted on wheels and designed for travel and vacation uses.

**VEHICULAR USE AREA**

Any paved ground surface area, except public rights-of-way, used by any type of vehicle, whether moving or at rest for the following purposes, but not limited to driving, parking, loading, unloading, storage or display.

**VETERINARIAN OFFICES AND ANIMAL HOSPITALS**

Facilities used for the care, grooming, diagnosis and treatment of sick, ailing, infirm or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations in a wholly enclosed building on the premises only for treatment, observation and/or recuperation.

**WALL**

An architectural partition with a height and length greater than its thickness; used to divide or enclose an area or to support another structure

**WALL, RETAINING**

A retaining wall is a structure that holds back soil or rock from a building, structure or area. Retaining walls prevent downslope movement or erosion and provide support for vertical or near-vertical grade changes.

**WAREHOUSES**

Structures used for the storage or distribution of goods where there is no sale of items to retailers or the general public unless permitted as an accessory use to the warehouse.

**WETLANDS**

An area of land whose soil is saturated with moisture either permanently or seasonally. For the purposes of this resolution, wetlands shall be those areas designated as such on the National Wetlands Inventory, as established by the U.S. Fish and Wildlife Service.

**WIRELESS TELECOMMUNICATIONS ANTENNA**

The physical device through which electromagnetic, wireless telecommunications signals authorized by the Federal Communications Commission are transmitted or received. Antennas used by amateur radio operators are excluded from this definition.

**WIRELESS TELECOMMUNICATIONS FACILITIES**

Facilities consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land-based telephone lines.

**WIRELESS TELECOMMUNICATIONS TOWER**

A structure intended to support equipment used to transmit and/or receive telecommunications signals including monopoles, guyed and lattice construction steel structures.

**YARD**

An open space on the same lot with a building, unoccupied and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein. In measuring a yard for the purpose of determining the width of a side yard, the depth of a front yard or the depth of a rear yard, the minimum horizontal distance between the lot line and the nearest portion of the main building shall be used.

**YARD, FRONT**

Unless otherwise stated, a yard extending across the front of a lot between the side lot lines and being the minimum horizontal distance between the street line and the main building or any projection thereof, other than the projection of the usual steps or entranceway. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).

**YARD, REAR**

Unless otherwise stated, a yard extending across the rear of a lot between the side lot lines and being the minimum horizontal distance between the rear lot line and the main building or any projection thereof, other than steps, unenclosed balconies or unenclosed porches. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).

**YARD, SIDE**

Unless otherwise stated, a yard between the main building and the side lot line of the lot extending from the front yard to the rear yard. See [Section 5.05: Area, Setback, and Other Site Development Standards](#).

**ZONING COMMISSION**

The Springfield Township, Summit County, Ohio, Zoning Commission

**ZONING ADMINISTRATOR**

The Zoning Administrator, his/her assistants, or any other person designated by the Board of Trustees to perform the statutory duties of the Zoning Inspector.

**ZONING CERTIFICATE**

A certificate reviewed and approved, approved with conditions, or denied by the Zoning Administrator in accordance with [Section 3.04: Zoning Certificate](#).

**ZONING DISTRICT**

A section or sections of the unincorporated territory of Springfield Township for which regulations governing the use of buildings and premises, the height of buildings, development standards, yards, lot areas, and other standards are uniform.

**ZONING DISTRICTS, NONRESIDENTIAL**

Nonresidential zoning districts shall be the C-1, C-2, C-3, O-R, I-1, or I-2 districts.

**ZONING DISTRICTS, PLANNED DEVELOPMENT**

Planned development zoning districts shall be the RPD, MUPD, and PIPD districts.

**ZONING DISTRICTS, RESIDENTIAL**

Residential zoning districts shall be the O-C, R-1, R-2, and R-3 districts.

**ZONING INSPECTOR**

See “zoning administrator.”

**ZONING MAP**

The Official Zoning Map of Springfield Township

**ZONING MAP AMENDMENT**

An amendment or change to the Official Zoning Map of Springfield Township, reviewed and decided upon by the Board of Trustees in accordance with [Section 3.06: Zoning Text or Map Amendment](#).

**ZONING TEXT AMENDMENT**

An amendment or change to the text of the Springfield Township Zoning Resolution reviewed and decided upon by the Board of Trustees in accordance with [Section 3.06: Zoning Text or Map Amendment](#).