

**Resolution No. 2025-015**  
**A RESOLUTION INITIATING AMENDMENT**  
**TO THE SYCAMORE TOWNSHIP ZONING RESOLUTION**

**WHEREAS**, the Board of Trustees of Sycamore Township, on July 23, 1998, pursuant to Chapter 519 of the Ohio Revised Code, adopted the Sycamore Township Zoning Resolution ("Zoning Resolution") in the interest of the public peace, health, welfare, and safety of the Township; and

**WHEREAS**, Ohio Revised Code § 519.12(A) provides that amendments to the Zoning Resolution and map may be initiated by the passage of a resolution by the Board of Township Trustees; and

**WHEREAS**, Ohio Revised Code § 519.23 provides that no building shall be located, erected, constructed, reconstructed, enlarged, changed, maintained, or used, and no land shall be used in violation of any resolution, amendment, or supplement to such resolution; and

**WHEREAS**, the Board finds it necessary to amend the Sycamore Township Zoning Resolution as it relates to outdoor storage in residential districts, medical office, commercial office, recycling centers, transfer stations, drop-off centers, substance use disorder treatment centers, and signs to benefit the health, safety, and welfare of the residents of Sycamore Township; and

**WHEREAS** the Board finds it necessary to amend the Sycamore Township Zoning Resolution as it relates to setting Conditional Use requirements for Cannabis Dispensaries to benefit the health, safety, and welfare of the residents of Sycamore Township.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Township Trustees of Sycamore Township, State of Ohio:

**Section 1.** The Board of Trustees, in accordance with Ohio Revised Code, § 519(A)(2), hereby initiates a text amendment to the Zoning Resolution as set forth in Exhibit A.

**Section 2.** The township zoning administrator is hereby directed to certify and deliver a copy of this resolution and related text changes to the Sycamore Township Zoning Commission ("Zoning Commission").

**Section 3.** At the next meeting after certification, the Zoning Commission may transmit a copy of the certification of the resolution, together with the related text changes, to the Hamilton County Regional Planning Commission.

**Section 4.** The Zoning Commission shall set a date for public hearing not less than (20) days nor more than (40) days from the date of certification and shall provide proper notice for this public hearing as required by Ohio Revised Code §§ 519.12(A)(2) and (D).

**Section 5.** The Zoning Commission, within thirty (30) days after the public hearing, shall recommend the approval or denial of the proposed amendment, or the approval of some modification of it, and submit that recommendation, together with the resolution and the text and map pertaining to the proposed amendment, to the Board of Trustees.

**Section 6.** Upon receipt of the recommendation and materials from the Zoning Commission, the Board of Trustees shall set a time for a public hearing on the proposed amendment not more than thirty (30) days from the date of the receipt of the recommendation of the Zoning Commission. Proper notice of the hearing must also be sent by the Board of Trustees as required by Ohio Revised Code §§ 519.12(E)(3) and (G).

**Section 7.** The Board of Trustees shall then hold a public hearing and shall adopt or deny the recommendations of the Zoning Commission or adopt some modification of it within twenty (20) days. In the event the Board of Trustees denies or modifies the recommendation of the Zoning Commission, the unanimous vote of the Board shall be required.

**Section 8.** Should the Board of Trustees adopt the text amendment, the zoning amendment shall become effective thirty (30) days after the date of its adoption.

**Section 9.** It is hereby found and determined that all formal actions of the Board of Trustees concerning and relating to the passage of this Resolution were taken in meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

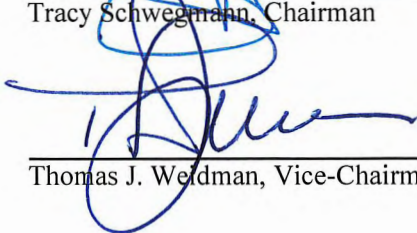
**Section 10.** The Board of Trustees, upon at least a majority vote, dispense with any requirement that this Resolution be read on two separate days, and hereby authorize the adoption of this Resolution upon its first reading.

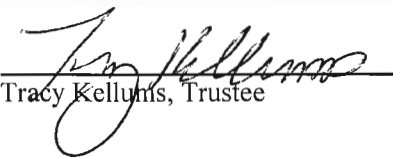
**VOTE RECORD:**

Ms. Schwegmann Aye Mr. Weidman Aye Mr. Kellums Aye

passed at the meeting of the Board of Trustees this 11 Day of Feb. 2025.

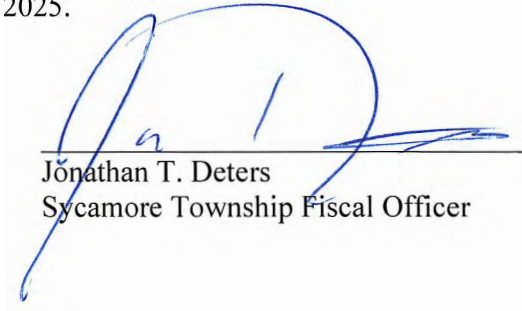
  
Tracy Schwegmann, Chairman

  
Thomas J. Weidman, Vice-Chairman

  
Tracy Kellums, Trustee

**AUTHENTICATION**

This is to certify that this Resolution was duly passed, and filed with the Sycamore Township Fiscal Officer, on this 11 day of Feb. 2025.



Jonathan T. Deters  
Sycamore Township Fiscal Officer

Approved as to form:



Lawrence E. Barbieri, Law Director

## **CHAPTER 4 RESIDENTIAL DISTRICTS**

### **4-1 GENERAL PROVISIONS**

#### **4-1.1 Statement of Intent**

The Residential Districts are intended to provide a range of housing choices to meet the needs of Sycamore Township's residents, and, to offer a balance of housing types and densities, while promoting harmonious development of residential communities in the Township and to help implement housing policies and other plans adopted by the Township.

#### **4-1.2 Accessory Uses and Structures**

Accessory uses and structures shall be permitted in the A-A, A, A35, A-2, B, B-2, C, and D Districts subject to the provisions of Chapter 10.

#### **4-1.3 Conditional Uses**

Conditional uses in Residential districts are listed in the Table in Section 3-2. Further information on the criteria, standards, and procedures for conditional uses are contained in Chapter 17.

#### **4-1.4 Signs**

Signs that are permitted in the A-A, A, A35, A-2, B, B-2, C, and D districts are subject to the provisions of Chapter 13.

#### **4-1.5 Lot Area, Lot Width, Building Height and Yard Standards**

All uses and structures permitted in the A-A, A, A35, A-2, B, B-2, C, and D districts shall comply with the following provisions and the lot area, lot width, building height and yard requirements set forth in the Tables in Section 4-6 and 4-7 found at the end of this Chapter.

- (a) Front Yard Setback Alignment with Adjacent Lots. Alignment setbacks and/or front yard depths are not required to exceed the average minimum depths of the existing front yards on the lots adjacent to them on each side, if the lots are within the same block and within one hundred (100) feet of each other.
- (b) Front Yard Requirements on Corner Lots. Lots that have a double frontage are required to have a front yard on both streets. These lots located at the intersection of two or more streets are referred to as corner lots. However, the buildable width of a lot of record shall not be reduced to less than forty (40) feet. No accessory building shall project beyond the front yard line on either street.

Additional height and yard requirements and exceptions are contained in Section 3-5.

#### **4-1.6 Parking Standards**

All uses and structures permitted in the A-A, A, A35, A-2, B, B-2, C, and D districts shall comply with the parking requirements set forth in Chapter 12.

#### **4-1.7 Buffer Yards and Resource Protection.**

All uses and structures in the A-A, A, A35, A-2, B, B-2, C, and D Districts shall comply with the provisions of Chapters 14, 15 and any other appropriate Chapter.

#### **4-1.8 Outdoor Storage**

The outdoor storage of any equipment, goods, material (usable or waste), garbage/rubbish, or yardwaste of any kind, shall be prohibited in any front yard, side yard, or rear yard of all Residential Districts (A-A, A, A35, A-2, B, B-2, C, and D districts) unless such items are stored in a fully enclosed and properly-sited accessory structure.

## CHAPTER 13 SIGNS

### 13-1 PURPOSE

The purpose of this Chapter is to regulate and encourage the orderly development of signs so as to protect the public health, safety, welfare, and morals of the Township while recognizing the need for adequate business identification, informational and advertising communication and the value of visual attractiveness.

### 13-2 SCOPE

The regulations of this Chapter shall govern and control the erection, enlargement, expansion, alteration, operation, maintenance and relocation of any sign that is visible from any street, sidewalk or public or private common open space. These regulations shall also govern the removal of signs determined to be physically unsafe or which create a safety hazard to the public. The regulations of this Chapter dictate the types, location and physical standards of signs that are permissible for specified uses, subject to the sign permit procedures of this Chapter. The regulations of this Chapter shall be in addition to any provisions of Chapter 5516 of the Ohio Revised Code and the Ohio Basic Building Code (OBBC) applicable to the construction and maintenance of signs.

### 13-3 DEFINITION OF TERMS

Words, terms, or phrases, not otherwise defined in this section, shall have, for the purpose of this Resolution, the meaning or meanings attributed to them in English usage current at the time of adoption of this Resolution, and words used in the present tense shall include the future. The word "shall" is mandatory and not permissive. For the purposes of this Chapter, signs and their features and characteristics shall be defined and classified as follows:

A. FREESTANDING SIGNS	
Pole Sign	A permanent freestanding sign supported by one (1) or more uprights, poles or braces placed in or upon the ground surface and not attached to any building. Such sign may also be commonly known as a pylon sign.
Ground Sign	A permanent freestanding sign other than a pole or pylon sign, not attached to a building, which is placed upon or supported by the ground independently of any other structure. Such sign may also be known as a monument sign.
B. BUILDING SIGNS	
<u>Building Sign</u>	<u>All awning signs, marquee signs, projecting signs, wall signs, or window signs.</u>
Awning sign	A building sign that is mounted or painted on or attached to an awning and does not project vertically above or horizontally beyond the physical dimensions of such awning.
Marquee Sign	A building sign attached to a marquee, canopy or awning projecting from or supported by the building at main entrances.
Projecting Sign	A building sign which projects more than 18 inches from and is supported by a wall of a building and does not extend beyond the minimum required setback line or into and over street right-of-way, and not less than 8.5 feet at its lowest point, above sidewalk or ground level.
Wall Sign (Facia Sign)	A building sign which is attached directly to a building wall and which does not extend more than eighteen (18) inches from nor above the roof line or beyond the limits of the outside wall, with the exposed face of the sign in a plane parallel to the building wall.
Window Sign	A building sign affixed to, in contact with, or inside a window; installed for purposes of viewing from outside the premises. This does not include merchandise located in a window.

D. MISCELLANEOUS SIGN TERMS, CONT.	
Changeable Copy Sign	A <u>non-digital</u> sign designed so that the characters, letters or illustrations can be <u>manually</u> changed or rearranged without altering the face or the surface of the sign; also known as a reader board.
Clear Sight Triangle	The triangular area formed by a diagonal line connecting two points located on intersecting lines of a right-of-way, easement of access, or pavement edge of an access drive, each point being 20 feet from the intersecting lines. See Chapter 14, Section 14-9, Figure 14D.
Clearance ( <i>of a Sign</i> )	The smallest average vertical distance between the grade of where the sign is attached and the lowest point of any sign, including framework and embellishments, extending over that grade. ( <i>Compare "Height"</i> )
Development or Business, New	A business or development that begins commercial activity at a new location or that changes its name.
Directional or Informational Sign	An on-premises sign designed to guide vehicular and/or pedestrian traffic by using such words as "Entrance", "Exit", "Parking", "One-Way", or similar directional instruction, and which may include the identification of the building or use but does not include any advertising message.
<u>EMC Sign (Electronic Message Center)</u>	<u>Any sign that incorporates the use of digital video boards, lights, neon, liquid crystal display, LED, or other lighting devices that display a message or pattern to be viewed.</u>
Facade	That portion of an enclosed building facing the street or that wall of a building through which there is primary access for customers. Where more than one business occupies the same building the facade for each business shall be that portion of the building occupied by the business which faces the street or which provides the primary access.
Face Change	The removal or replacement of an existing <u>surface-display-sign face</u> panel where the remaining structural frame is not changed. The changing of the copy or poster on bulletin boards and billboards is not considered a face change.
Flashing Sign	A sign that uses an intermittent, moving or flashing light source to attract attention.
Frontage, Building	Total lineal feet of enclosed building length along the facade that fronts the principal dedicated street, or the facade that contains the main entrance to the building.
Frontage, Street or Lot	Total lineal feet of right-of-way or easement of access along the front yard of a lot.
Frontage, Principle	The street which the developer selects to be the main entrance.
Frontage, Secondary	The street which the developer selects to be the secondary access to the development.
Gas Pump Signs	Informational matter appearing on gasoline pumps as purchased or installed.
Government Sign	Any temporary or permanent sign erected and maintained for any official governmental purpose.
Height ( <i>of a Sign</i> )	The vertical distance measured from the highest point of the sign, including decorative embellishments, to the average surface grade where the sign is attached. ( <i>Compare: "Clearance"</i> )
Historical Marker	A type of memorial sign limited in content to the identification of an historical building or structure or the site of an historical event.
Identification Sign	A sign giving the name, trademark or other readily recognized symbol or address, or any combination thereof, of a building, business, development or establishment on the premises where it is located.
Illuminated Sign	A sign either internally or externally illuminated.
Joint Identification Sign	A sign which serves as common or collective identification for a group of businesses operating on the same building lot. Such signs may name the businesses included but carry no other advertising.
Logo	A business trademark or symbol.
Maintenance	The cleaning, painting, repair, or replacement of defective parts of a sign in a manner that does not alter the basic copy, design or structure of the sign.



<b>D. MISCELLANEOUS SIGN TERMS, CONT.</b>	
Marquee	Any fixed hood (other than a canopy or awning), which is supported solely by the building to which it is attached, consisting of metal or other incombustible material and which included a sign or advertising announcement. The location of marquees shall be restricted to the main entrance to a building.
Memorial Plaque	A plaque designating names of buildings and/or date of erection and other items such as architect, contractor, or others involved in the building's creation, cut into or attached to a building surface.
<u>Outdoor Drive-Through Restaurant Order Station Menu Board</u>	<u>A ground sign located only in an outdoor restaurant drive-through order lane.</u>
Nonconforming Sign	Any sign which was lawfully erected in compliance with applicable regulations in force at the time and maintained prior to the effective date of this Zoning Resolution, and which fails to conform to all applicable standards and restrictions of this Resolution.
Off-Premises Directional Sign	A sign designed to guide vehicular and/or pedestrian traffic to places of worship, to businesses, to places that provide commodities, services, entertainment or attractions at a location other than the premises on which the sign is erected.
Off-Premises (Off-Site) Advertising Sign	An advertising sign, whose message relates to a business, service, commodity, or profession being conducted, sold or offered at a location other than the premises on which the sign is erected.
Official Flag or Emblem	A flag or emblem of a government or of a membership organization.
On-Premises (On-Site) Sign	A sign which directs attention to a business, commodity, service, entertainment or attraction sold or offered on the premises on which the sign is erected.
Portable Sign	A sign not permanently anchored or secured to either a building or the ground, but usually anchored or secured to a trailer, vehicle (where the primary purpose is to advertise) or frame capable of being moved from place to place.
Premises	Any tract or tracts of land which comprise a single, integrated development or use of such land. For the purpose of this Chapter 13, an out parcel along the perimeter of a shopping center or similar multi-tenant use, which contains a freestanding building and a parking area separate from the shopping center as indicated on an approved site plan shall be considered a premises separate from the premises of the shopping center.
Roof Sign	A sign that is mounted or painted on the roof of a building, or that is wholly dependent upon a building for support and that projects above the highest point of a building with a flat roof, the eave line of a building with gambrel, gable or hip roof or the deck line of a building with a mansard roof.
Public Service Sign or Device	A sign or device displaying only the time, temperature, stock market quotations or civic messages by means of a lamp bank.
Sign	Any object, device, or structure, or part thereof, situated outdoors or indoors and intended to be visible from the exterior of the structure 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, figures, designs, symbols, fixtures, colors, illumination, or projected images. Signs do not include the flag or emblem of any nation, organization or nations, state, township, city, or any fraternal, religious or civic organizations; works of art which in no way identify a product or business logo.
<u>Sign Face</u>	<u>The boxed extent area that features any sign cabinet extent, logo, copy, text, numbers, graphics, figures, shapes, airspace (blank area), surface, and/or images used to create a sign. Structural members outside the boxed area bearing no sign copy shall not be included.</u>
Sign Graphics	Any lettering, numerals, figures, designs, symbols or other drawing or images used to create a sign.
Sign Structure or Support	Any structure that supports or is capable of supporting a sign, including decorative cover. <u>A sign cabinet is a sign structure.</u>
Snipe Sign	A sign for which a permit has not been obtained which is attached to a public utility pole, light pole, service pole or supports for another sign.
<u>Surface Display Area</u>	<u>All solid surface areas of a sign, excluding air space. Structural members bearing no sign copy shall not be included</u>

D. MISCELLANEOUS SIGN TERMS, CONT.	
T-Frame Sign	A sign whose structure or frame is in the form of a "T" upon which one or more sign faces may be hung or otherwise attached.
Variable Message Sign	<del>A sign containing a computer generated message such as a public service, time, temperature or date, where different copy changes of a public service or commercial nature are shown on the same lamp bank or message facility. See EMC Sign.</del>
Vending Machine Sign	Any sign fastened to or painted on a vending machine which directly relates to the product contained in the machine.
Vehicular Sign	Signs on parked vehicles or boats visible from the public right-of-way where the primary purpose of the vehicle or boat is to advertise a product or to direct people to a business or activity located on the same or nearby property. For the purpose of this ordinance vehicular signs shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.
Visible	Capable of being seen, whether or not legible, without visual aid by a person of normal acuity.
Warning Sign	A sign limited in content to messages conveying warning, caution or danger.

## 13-4 ZONING CERTIFICATE AND PERMITS

### 13-4.1 Zoning Certificate Required

Unless expressly exempted in Section 13-4.2, no sign shall be erected, enlarged, expanded, altered (including face changes), relocated or reconstructed on private or public property unless a Sign Zoning Certificate evidencing the compliance of such sign with the provisions of this Chapter 13 shall have first been issued by the Zoning Administrator. The replacement of an existing EMC sign requires a zoning certificate and is not routine maintenance.

### 13-4.2 Exemptions

The following signs and sign-related activities shall be exempt from the provisions of this Chapter 13 and shall not require a zoning certificate:

- Routine Maintenance. Routine sign maintenance including cleaning, re-painting, replacing lamps and ballast and electrical components and changing of lettering or parts of signs designed to be regularly changed.
- Signs Permitted in all Districts. Signs permitted in all districts as listed in Section 13-9.
- Poster Changes. Off-site advertising signs shall be allowed changes in the poster advertisement or reader board. Further modifications may be subject to the provisions of Sec. 13-4.3.
- Manual Copy Changes. The change of a message relating to on site or off site changeable copy signs such as those displaying gasoline prices, sale items, special events or lottery information. A manual copy change is performed by a person and is not an EMC Sign.

### 13-4.3 Nonconforming or Noncomplying Signs

Signs existing on or before the effective date of this resolution that do not conform to the standards in this Chapter are considered nonconforming and shall be subject to the following provisions. If the size of an existing sign face or the size of the overall structure is increased; the structure is relocated; the structure is replaced; the structure is abandoned, does not advertise an occupied building, or the structure is damaged requiring replacement of any part of the structure or attached cabinet then said sign shall be ordered removed or brought into full compliance with this Chapter by the Zoning Administrator. New EMC signs shall not be permitted on nonconforming or noncomplying signs.



## 13-5 GENERAL STANDARDS

Unless expressly exempted by Section 13-4.2 above, all signs within the Township shall conform to the following general standards.

### 13-5.1 Type

Except as otherwise noted or permitted, all freestanding signs are to be ground signs as defined by Section 13-3 and as further regulated in Section 13.

#### 13-5.1.1 Illumination

- (a) Location and Design of Light Source. Whenever an external artificial light source is used to illuminate a sign, such source shall be so designed, located, shielded and directed so as not to be directly visible from any public street or residence. If ground lighting is used to illuminate a sign, the receptacle or device shall not protrude more than twelve (12) inches and must be fully screened from view by landscaping material.
- (b) Level of Illumination. In no event shall the illumination of any off-site advertising sign exceed 50 foot candles at the sign face.
- ~~(e)~~ (c) Flashing Lights Prohibited. Except when expressly permitted by this Chapter, no flashing, moving, laser generated, strobe, blinking or intermittent lights shall be permitted on or as part of any sign. ~~This does not pertain to electronic message signs unless they negatively affect traffic safety.~~
- ~~(e)~~ (d) EMC Signs. EMC signs are prohibited in all Sycamore Township Zoning Districts unless specifically and expressly permitted by this Chapter.

### 13-5.2 Height

#### (a) Height of Building Signs.

- (1) Building Signs shall be located within the limits of the outside wall of the building.
- (2) Marquee, canopy or projecting signs shall be located at a minimum height of 8.5 feet above grade.

In order to encourage uniform design, wall signs on the same facade shall maintain the same height above grade except where there are: facade or elevation changes; anchor tenants; multiple lines of copy; variations in the size of upper and lower case letters; or similar circumstances in which exceptions are required.

#### (b) Height of Freestanding Signs.

- (1) Freestanding signs in the Residential district are permitted at a maximum height of 6 feet.
- (2) Freestanding signs in the (E) Retail district are permitted at a maximum height of eight (8) feet. One (1) additional foot of height is permitted for every three (3) feet beyond the required setback up to a maximum sign height of 15 feet, or as further regulated in Section 13-12.3.
- (3) Freestanding signs in the (O) Office districts are permitted at a maximum height of six (6) feet. One (1) additional foot of height is permitted for every five (5) feet beyond the required setback up to a maximum sign height of 15 feet.
- (4) Freestanding signs in the (F) Light Industrial district are permitted at a maximum height of six (6) feet. One (1) additional foot of height is permitted for every five (5) feet beyond the required setback up to a maximum sign height of 15 feet.
- (5) Freestanding signs in the (I) Institutional district are permitted at a maximum height of six (6) feet. One (1) additional foot of height is permitted for every five (5) feet beyond the required setback up to a maximum sign height of 15 feet.
- (6) Freestanding signs are permitted within the Clear Sight Triangle at a maximum height of three (3) feet or as provided in section 13-5.5.
- (7) Directional signs are permitted in all districts to a maximum height of five (5) feet and a maximum area of six (6) square feet

### 13-5.3 Minimum Setback

All signs shall be setback a minimum of 10 feet (5 feet for directional signs) from the right-of-way, easement of access, or edge of pavement, whichever is the greater setback, and 5 feet from all other property lines. A side lot setback adjoining a residential district shall be setback a minimum of 50 feet from the adjoining residential district. With the exception of directional signs, all signs must be located outside of any clear sight triangle as described in Section 13-3.

#### **13-5.4 Obstruction of Access ways**

No sign or sign structure shall obstruct free ingress to or egress from a fire escape, door, window or other required access way.

#### **13-5.5 Traffic Safety**

- (a) Confusion with Traffic Signals. No sign shall be maintained at any location where by reason of its position, size, shape, content, color, or illumination it may obstruct, impair, obscure, interfere with the view of, or be confused with, any traffic control sign, or device, or where it may interfere with, mislead or confuse traffic regardless whether or not it meets other size, location and setback requirements of this Section 13-5.

#### **13-5.6 Signs in Rights-of-Way**

No sign except government signs authorized by this Chapter shall be placed in or extend into or over any public property or right-of-way.

#### **13-5.7 Sign Identification**

All signs shall be plainly marked with the name of the person, firm or corporation hanging or erecting the sign.

#### **13-5.8 Sign Maintenance**

The owner of an on-site or off-site sign shall be liable to maintain such sign, including its illumination sources, in compliance with this Chapter and all applicable laws, in a safe and secure condition, and in a neat and orderly condition and good-working order at all times, and to prevent the development of any rust, corrosion, rotting or other deterioration in the physical appearance or safety of such sign. The replacement of an existing EMC sign requires a zoning certificate and is not routine maintenance.

#### **13-5.9 Sign Allotment, Maximum Size and Location**

Freestanding signs shall be located within 30 feet of the street frontage from which the allotment is computed.

Building signs shall be located within the area which the allotment is computed.

#### **13-5.10 Architectural Features**

Sign architectural or design features which are integrated into the sign structure may not exceed 50 percent of the sign surface area.

#### **13-5.11 Sign Base**

All freestanding signs are to be constructed with a base made up of stone, brick, or other architecturally compatible base material. The sign is to be connected to the base. The sign base may be up to three (3) feet in height. The sign base shall be made of a material that is compatible with the principal structure on the lot which the sign is located.

## 13-6 SIGN MEASUREMENT

(See diagrams in Figure 13-6A)

### 13-6.1 Area of a Freestanding Sign

The area of a freestanding sign shall be determined by boxing the extent of the sign face of the sign, which includes any sign cabinet extent, logo, copy, text, numbers, graphics, figures, shapes, airspace (blank area), surface, and/or images within a single squared box using a length (L) x height (H) measurement, regardless of the shape of the sign face, computing the visible surface display area, that is, all solid surface areas excluding air space and architectural and design features. In the case of V-Shaped Signs, if the angle separating two faces of a V-Shaped Sign is more than 45 degrees or 10 feet, the sign faces visible from one point are added cumulatively as one sign face.

### 13-6.2 Area of Building Signs

The area of a building sign shall be determined by computing the visible surface display area, that is the words, numbers, and/or graphics which are totally enclosed by a frame or graphic design. In the case of words containing lower case letters mounted individually to the wall of the building, the area of the sign is the square footage area that is measured by taking the height of the lower case letters multiplied by the total word length and adding the height of the uppercase letters multiplied by the letter(s) length.

The area of a building sign shall be determined by boxing the extent of the sign face of the sign, which includes any sign cabinet extent, logo, copy, text, numbers, graphics, figures, shapes, airspace (blank area), surface, and/or images within a single squared box using a length (L) x height (H) measurement, regardless of the shape of the sign face. Building signs, separated by 12 inches or more, shall be viewed as multiple signs.

### 13-6.3 Exceptions

In a residential development where the sign identifying the name of the development is attached to a wall or fence, the area of the sign shall be calculated as a building sign per subsection (2) of Section 13-6.2.

FIGURE 13-6A: SIGN FACE AREA MEASUREMENT  
POLE OR PYLON SIGN



CONTINUED:  
SIGN FACE AREA MEASUREMENT  
GROUND SIGN

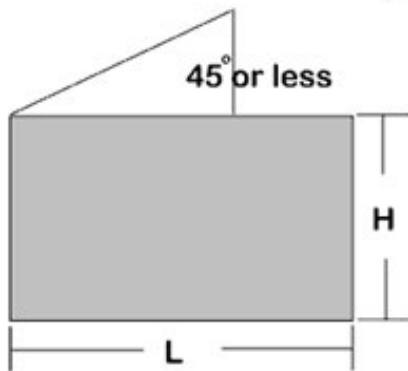


Height (H)

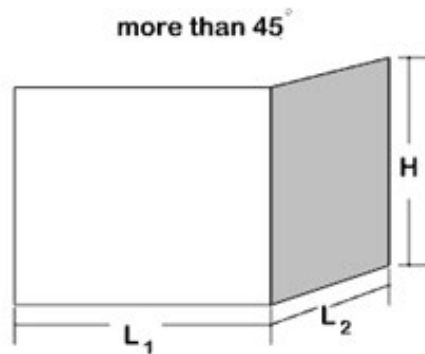
Sign Face Area  
Contained In  
Boxed Area



V-SHAPED SIGN



$$\text{SIGN FACE AREA} = (L) \times (H)$$

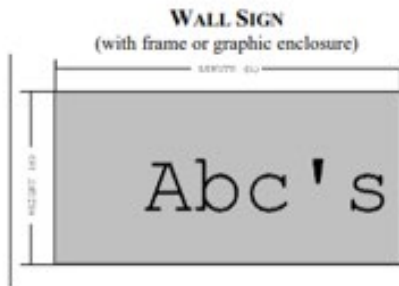


$$\text{SIGN FACE AREA} = (L_1 + L_2) \times H$$

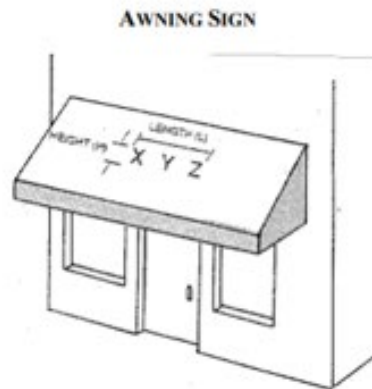
(considered as one face)



FIGURE 13-6A (CONTINUED)  
SIGN FACE AREA MEASUREMENT



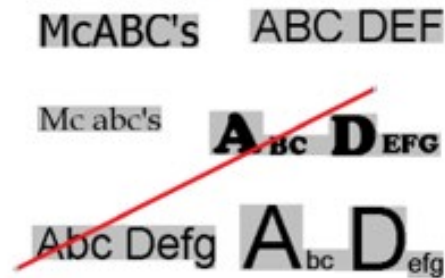
$$\text{SIGN FACE AREA} = (L) \times (H)$$



$$\text{SIGN FACE AREA} = (L) \times (H)$$



WALL SIGNS  
(LETTERS MOUNTED INDIVIDUALLY WITHOUT ANY FRAME OR GRAPHIC ENCLOSURE)



$$\text{SIGN FACE AREA} = (L) \times (H)$$



### 13-7 SIGNS SPECIFICALLY PROHIBITED IN ALL ZONING DISTRICTS

The following signs, in addition to all other signs not expressly permitted by this Chapter 13, are prohibited in all zoning districts and shall not be erected, or maintained:

- (a) Roof Signs.
- ~~(b)~~ Signs that move or give the appearance of moving, including pennants, streamers, flags in excess of sixty (60) square feet, other than government flags and other signs, unless otherwise approved as part of Localized Alternative Sign Regulations pursuant to Section 13-15. ~~(This section does not prohibit variable message signs or signs designed with periodic rotation).~~
- ~~(c)~~ EMC Signs. EMC signs are prohibited in all Sycamore Township Zoning Districts unless specifically and expressly permitted by this Chapter.
- ~~(d)~~ Flashing Signs. Signs containing any flashing or running lights or lights creating an illusion of movement, ~~excluding holiday decorations and time and temperature devices which display time and temperature messages only.~~
- ~~(e)~~ Signs which imitate or are easily confused with official traffic signs and use words such as "stop", "look", "danger", "go slow", "caution", or "warning," except where such words are part of the name of a business or are accessory to parking lots.
- ~~(f)~~ Signs which are structurally unsafe or hazardous.
- ~~(g)~~ Portable signs, except as permitted temporarily in Section 13-12.2.
- ~~(h)~~ Snipe signs.
- ~~(i)~~ Bench signs.

### 13-8 PERMITTED SIGNS

No Sign Zoning Certificate shall be issued unless; the type of proposed sign is permitted in the zoning district in which the sign is to be located as indicated in this chapter, the sign meets the general standards in Section 13-5, the standards for off-site advertising signs set forth in Section 13-16 and the sign does not, by itself or cumulatively with other existing or planned signs, exceed these regulations:

### 13-9 SIGNS PERMITTED IN ALL ZONING DISTRICTS AND EXEMPT FROM ZONING CERTIFICATES

The following signs are permitted in all zoning districts without a fee and without issuance of a zoning certificate subject to the requirements stated herein. All signs in this section, unless otherwise stated below, shall be setback a minimum of 10 feet from the right-of-way, easement of access, or edge of pavement, whichever is the greater setback, and 5 feet from all other property lines.

- (a) Identification signs, including house numbers legible from the street, and nameplates (fraternal, social, apartment and professional) identifying the occupant or address of a parcel of land, and not exceeding two (2) square feet in ~~display-surface-sign face~~ area.
- (b) Memorial plaques and historic markers, including those containing the names of buildings and dates of construction and not exceeding three (3) square feet in ~~display-surface-sign face~~-area.
- (c) For sale signs attached to vehicles.
- (d) Flags bearing the official design of a nation, state, township, municipality, institution or organization and not exceeding 60 square feet.
- (e) Traffic, or other government signs, also private traffic control signs which conform to the requirements of the Ohio Manual of Uniform Traffic Control Devices.
- (f) Institutional bulletin boards located on the premises of the institution to which the sign pertains and not exceeding 20 square feet in ~~surface-display-area-sign face~~ per side, maximum of 2 sides with a maximum height of 6 feet.
- (g) Public Park signs.
- (h) Non-illuminated signs proclaiming religious or other noncommercial messages not exceeding twelve (12) square feet in ~~surface display-area-sign face~~ and 5 (five) feet in height in any residential district nor thirty-two (32) square feet in any other zoning district.
- (i) One temporary construction sign per public street frontage subject to the following:
  - (1) Total ~~surface-display-area-sign face~~ shall not exceed twelve (12) square feet in area and 6 (six) feet in height in a Residential District and thirty-two (32) square feet in area and 8 (eight) feet in height in all other Districts.

- (2) Placement shall be wholly within the property boundaries to which the sign pertains and must be setback at least 10 feet from the right of way.
- (3) The sign shall not be erected prior to issuance of a zoning certificate for the proposed construction, and shall be removed upon any final inspection from Sycamore Township.
- (j) Trespassing, safety or caution signs, not exceeding two (2) square feet in area.
- (k) On-Premises directional and informational signs not exceeding six (6) square feet and four feet in height for pedestrians and vehicles using such words as "Entrance," "Exit," "Parking," "One-Way" but not including any advertising message (Such signs shall be setback a minimum of five (5) feet from the right-of-way, easement of access, or edge of pavement, whichever is the greater setback).
- (l) Gasoline pump signs appearing on legally installed pumps as purchased.
- (m) On-premises yard sale or garage sale signs not exceeding six (6) square feet provided they are erected no more than seven (7) days prior to the sale nor displayed for more than seven (7) consecutive days.
- (n) Political campaign signs shall be exempt from the provisions of the Sycamore Township Zoning Resolution.
- (o) Church / School Festival signs shall not to exceed 32 square feet in area and 6 (six) feet in height. Such signs are to be removed within 1 week of the completion of the event.

### **13-9.1 Real Estate Signs**

Non-illuminated real estate signs advertising the sale or lease of a property or building where the sign is located, not exceeding one per street frontage and twelve (12) square feet of ~~surface display area sign face~~ in any residential district nor thirty-two (32) square feet in any other zoning district. One Freestanding sign and one building sign are permitted per property.

- (a) For Sale Signs in the Office, Retail, and or Industrial Districts. Signs advertising the sale of a property or building where the sign is located must be removed within 21 days of the property closing.
- (b) For Lease Signs in Office, Retail, and or Industrial Districts. Signs advertising the lease of a property or building where the sign is located must be removed when the occupancy of the building reaches 95%. Rent rolls or other real estate documents are to be presented to the Township Zoning Inspector to verify occupancy percentage.

### **13-9.2 Commercial Vehicle Signage**

Commercial vehicles which advertise business located on or off the premises must be parked behind the principal building if the square footage of the sign exceeds 15 square feet

## **13-10 SIGNS PERMITTED IN RESIDENTIAL DISTRICTS**

The following regulations apply to those properties located in the A-A, A, A-2, A35, B, B-2, C, and D Residential Districts. Any sign not expressly permitted by Section 13-9 or by these district regulations is prohibited.

### **13-10.1 Temporary Signs**

One (1) temporary sign shall be permitted on each lot. Such signs may have a sign face area not to exceed 24 square feet. The maximum time that such a sign can be displayed is 60 days per calendar year. The sign must be affixed to the main structure on the lot for which the sign is intended. Signs in the residential district must not be illuminated.

### **13-10.2 Permanent Signs**

- (a) Home Occupation. One (1) non-illuminated name plate not exceeding two (2) square feet in ~~surface display area sign face~~ and attached flat against a building wall shall be permitted.
- (b) Multi-Family Residential Uses
  - (1) Building Signs. One wall sign not exceeding 8 square feet of ~~sign face surface~~ area for each 50 feet of building frontage shall be permitted provided that no such use may have permanent signs with total ~~surface sign face~~ area exceeding 32 square feet for each principal lot frontage.

- (2) Freestanding Signs. One (1) entry wall / sign is permitted at a community entrance and may not exceed 56 square feet in area and six (6) feet in height. Any entry sign must be setback at least ten (10) feet of any public right of way or access road.
- (c) Single Family Residential Uses
  - (1) Freestanding Signs  
One (1) entry wall / sign is permitted at a community entrance and may not exceed 56 square feet in sign face area and six (6) feet in height. Any entry sign must be setback at least 10 feet of any public right of way or access road.
- (d) Other Permissible Uses  
Freestanding Signs
  - (1) Lots having at least 100 feet of frontage may have one freestanding sign not to exceed 32 square feet of ~~sign surface~~ face area and 6 feet in height.
  - (2) Building Signs. One building sign not exceeding 32 square feet of ~~sign~~ surface-face area.

### 13-10.3 Outdoor Advertising Signs

Outdoor Advertising Signs or Billboards are prohibited in Residential Districts.

## 13-11 SIGNS PERMITTED IN THE “O” OFFICE DISTRICT

These regulations apply to those properties located in the O Office District. Any sign not expressly permitted by Section 13-9 or by these district regulations is prohibited.

### 13-11.1 Temporary Signs

One (1) temporary sign may be permitted on each lot when approved by the Township. Such signs may have a maximum total sign surface face area of 32 sq ft. The sign may be displayed for up to 60 calendar days per year. If the temporary sign is removed for more than 2 hours, then a new temporary sign permit is required. The sign must be affixed to the main structure on the lot for which the sign is intended.

### 13-11.2 Free Standing Signs

- a) An office use with at least 50 feet of road frontage shall be permitted one (1) freestanding sign not to exceed 24 sq ft of sign face area.
- b) Office uses with at least 100 feet of road frontage shall be permitted one (1) freestanding sign not to exceed 64 sq ft of sign surface-face area.
- c) Office uses located on corner lots may have a second freestanding sign at a second point of ingress / egress not to exceed 24 sq ft in sign surface face area.
- d) An office park containing three (3) or more buildings shall be permitted one joint identification sign for each principal entrance on a public street, not exceeding 2 faces, neither of which may exceed 60 square feet of surface-sign face area and a maximum height of eight (8) feet.

### 13-11.3 Building Signs

- ~~a. For each office building one half (.5) square foot of sign surface area shall be permitted for each foot of building frontage, measured along the primary point of access. Two signs are permitted per building up to a maximum of 100 sq ft total sign surface area.~~
- ~~a. Any property or business shall be permitted one (1) square foot of sign face area for each foot of Building Frontage facing the public street on which the principal access is located. No more than two (2) signs per building or structure are allowed with the maximum total sign area not to exceed 150 square feet per building or structure.~~
- ~~b. One-story office buildings consisting of three (3) or more tenants shall be permitted one (1) sign per tenant storefront with a sign face ratio of one (1) square foot of sign face area for each foot of building frontage that faces the center parking lot, or that faces any public road where the principal access is located, not to exceed 100 square feet for any sign.~~



### 13-11.4 Outdoor Advertising Signs

Outdoor advertising signs or Billboards are permitted in the O Office District subject to the provisions in Section 13-16.

## 13-12 SIGNS PERMITTED IN THE "E" RETAIL DISTRICT.

The following regulations shall apply to those properties located in the E Retail District. Any sign not expressly permitted by Section 13-9 or by these district regulations is prohibited.

### 13-12.1 Temporary Signs

One (1) temporary sign may be permitted on each lot when approved by the Township. Such signs may have a total maximum sign surface-face area of 50 sq ft. The sign may be displayed for up to 60 calendar days per year. If the temporary sign is removed for more than two (2) hours, then a new temporary sign permit is required. The sign must be affixed to the main structure on the lot for which the sign is intended.

### 13-12.2 Portable or Movable Signs

Any freestanding sign, including but not limited to "A" frame, or inverted "T" shaped structures, including those signs mounted on wheeled trailers, shall be permitted for retail uses only in accordance with the following provisions:

- (a) Portable signs are permitted for grand openings, advertising charitable or community-related events and the like. Being temporary in nature, such portable signs may be permitted for a period not to exceed twenty (20) days in a calendar year per establishment.
- (b) All illuminated portable signs shall comply with the requirements of Section 13-5.1 and the National Electric Code.
- (c) No portable sign shall be located closer than one-half the setback distance from the building setback, to the street right-of-way line.
- (d) No portable sign shall exceed 60 square feet in surface-display-area sign face area.
- (e) Only one (1) portable sign shall be permitted per property.

### 13-12.3 Freestanding Signs

- (a) Businesses having less than 50 feet of lot frontage shall not have a freestanding sign.
- (b) Businesses having street frontage of more than 50 feet shall be permitted one (1) freestanding sign not to exceed 64 sq ft of sign surface face area.
- (c) Businesses and Shopping Centers having more than 50 feet of frontage and over 80,000 sq ft (gross) building area are permitted up to 100 sq ft of sign surface face area at a maximum height of 20 feet. Businesses and shopping centers (over 80,000 gross square feet) with 2 (two) points of ingress and egress on to a public road with 100 feet or more of secondary road frontage shall be permitted a second freestanding sign, not to exceed 64 sq ft in sign face area and 8 feet in height.
- (d) Shopping Centers with 5 or more stores and a gross area of 22,000 square feet or less shall be permitted one freestanding sign not to exceed 80 square feet in sign face area and 15 feet in height.
- (e) Shopping Centers with 5 or more stores and a gross area between 22,001 square feet and 79,999 square feet shall be permitted one freestanding sign not to exceed 15 feet in height and 90 sq ft in sign face area.
- (f) Except as noted above, businesses with a secondary point of access are permitted a second freestanding sign located at that point of access not to exceed 32 square feet in sign face area and five (5) feet in height.
- (g) Outdoor Restaurant Drive-Through Order Station Menu Boards: A ground sign. A Restaurant Drive-Through Menu Board's (RDTMB) sign face may be 100% digital (EMC) and shall only have one sign face. In the setting of a drive-through with multiple vehicular order lanes, for each ordering lane, up to two RDTMBs are permitted, per lane (e.g., for a pre-order RDTMB and for the main RDTMB). A masonry base, up to three feet in height is required for each RDTMB. The total allowable sign square footage for up to two RDTMBs per ordering lane shall not exceed 55 square feet. However, no single RDTMB shall exceed 40 square feet or seven feet in height.

For each ordering lane, an ordering canopy may also be constructed, which incorporates an RDTMB to display the order information. RDTMBs and ordering canopies described in the subsection shall be limited to vehicular drive-through lanes only.

This section shall not be construed to suggest that EMC signage, not associated with the express purpose of serving an outdoor drive-through order station, is permitted for ground-mounted monument signage near the road.

(h) Gas Station EMC Gasoline Price Signs (Gas EMC Sign): A Gas EMC Sign shall only be allowed for a conforming ground sign. A non-conforming ground or pylon sign shall not incorporate a Gas EMC Sign. A Gas EMC Sign shall never be incorporated or affixed to a building or canopy structure. Only one monument sign per real property shall incorporate a Gas EMC Sign. A Gas EMC Sign shall remain static and not flash or rotate prices. On one conforming ground sign, a Gas EMC Sign may incorporate two separate EMC pricing slots (e.g., to show the cost of regular gas and diesel gas). If a conforming ground sign incorporates two EMC, each slot shall not exceed 42" x18". A conforming Gas EMC Sign may have two sides.

~~(e) —~~

~~(e) Except as noted above, businesses with a secondary point of access are permitted a second freestanding sign located at that point of access not to exceed 32 square feet in sign surface area and five (5) feet in height.~~

#### **13-12.4 Building Signs**

- (a) Any property or business shall be permitted one (1) square foot of Building sign ~~surface-face~~ area for each foot of Building Frontage facing the public street on which the principal access is located. No more than two (2) signs per building or structure are allowed with the maximum total sign ~~surface-face~~ area not to exceed 150 square feet per building or structure.
- (b) Shopping Centers consisting of three (3) or more stores shall be permitted one (1) sign per storefront at a ratio of one (1) square foot of sign ~~surface-face~~ area for each foot of building frontage that faces the center parking lot or that faces any public road where the principal access is located, not to exceed 100 square feet for any sign.

#### **13-12.5 Outdoor Advertising Signs**

Outdoor advertising signs or Billboards are permitted in the E Retail District subject to the provisions of Section 13-16.

### **13-13 SIGNS PERMITTED IN THE "F" LIGHT INDUSTRIAL DISTRICTS**

The following regulations apply to those properties located in the F Light Industrial District. Any sign not expressly by permitted by Section 13-9 or by these district regulations is prohibited.

#### **13-13.1 Temporary Signs**

One (1) temporary sign may be permitted on each lot when approved by the Township. Such signs may have a total maximum sign ~~surface-face~~ area of 50 sq ft. The sign may be displayed for up to 60 calendar days per year. If the temporary sign is removed for more than 2 hours, then a new temporary sign permit is required. The sign must be affixed to the main structure on the lot for which the sign is intended.

#### **13-13.2 Freestanding Signs**

- (a) Establishments having less than 50 feet of street frontage may not have a freestanding sign.
- (b) Industries having street frontage of more than 50 feet shall be permitted one (1) freestanding sign not to exceed 64 sq ft of sign ~~surface-face~~ area.
- (c) Industries having more than 50 feet of frontage and over 80,000 sq ft (gross) building area are permitted up to 100 sq ft of sign ~~surface-face~~ area at a maximum height of 20 feet.

#### **13-13.3 Building Signs**

- (a) Any property or business shall be permitted one (1) square foot of building sign ~~surface-face~~ area for each foot of building frontage facing the public street on which the principal access is located, up to a maximum of two (2) building signs and a total sign ~~surface-face~~ area of 100 sq ft for all building signs.

#### **13-13.4 Outdoor Advertising Signs**

Outdoor Advertising signs or Billboards are permitted in the F Light Industrial District pursuant to the provisions of Section 13-16.



## **13-15 LOCALIZED ALTERNATIVE SIGN REGULATIONS**

### **13-15.1 Submission of Regulations**

A shopping center, office park, industrial park or institutional campus, such as universities or medical centers, having multiple buildings, may establish localized alternative sign regulations pertaining only to a particular center, district or campus, as an alternative to the sign regulations that would otherwise be required under this Chapter 13, if approved as a PUD-1 pursuant to the provisions of Chapter 18. If, and to the extent that localized alternative sign regulations are approved as a PUD-1, such local sign regulations shall govern. The underlying signage permitted in the specified zoning district shall serve as a guideline and limitation to the amount of signage allowed under a Localized Alternative Sign Regulation.

### **13-15.2 Conditions for Approval**

No localized alternative sign regulations shall be approved as a PUD-1 unless the regulations are binding upon all real property and premises in the area (e.g., shopping center, medical center, university campus) to which the regulations are intended to apply.

### **13-15.3 Application Procedure**

Persons desiring to obtain approval of localized alternative sign regulations pursuant to this Section shall submit proposed regulations to the Administrative Official, together with any additional material requested by the Administrative Official. The Administrative Official shall review the regulations and pursuant to the provisions of Chapter 18, shall recommend to the Sycamore Township Zoning Commission approval, approval with modifications, or disapproval of such regulations.

### **13-15.4 Private Signage Agreements**

Nothing in this Chapter 13 shall prevent any persons from establishing, by deed restrictions or private agreement, sign regulations which are more stringent than those set forth in this Chapter.

### **13-15.5 Changes to Approved Localized Alternative Sign Regulations**

Alternative localized sign regulations which have been approved as a PUD-1 pursuant to Chapter 18 may be amended or varied only pursuant to the procedures and standards in Chapter 18 for the original approval.

## **13-16 BILLBOARDS (OUTDOOR ADVERTISING SIGNS)**

### **13-16.1 Zoning Certificate Required**

Unless expressly exempted, no off-site advertising sign shall be erected, constructed, permanently enlarged, expanded, materially altered, relocated or reconstructed unless a Sign Zoning Certificate evidencing the compliance of such sign with the provisions of this Chapter shall have first been issued by the Zoning Inspector.

### **13-16.2 Exemptions**

The following sign-related activities shall be exempt from the provisions of this Chapter and shall not require a zoning certificate:

- (a) Nonconforming. Off-site advertising signs existing on or before the effective date of this Resolution shall be allowed changes in the poster advertisement or reader boards. Further modifications may be subject to the provisions of Sec. 13-4.3.
- (b) Routine Maintenance. Routine sign maintenance including cleaning, re-painting, replacing lamps and ballast and electrical components and changing of lettering or parts of signs designed to be regularly changed.

### **13-16.3 State Permit**

In addition to the Zoning Certificate and permits required pursuant to this Section, a state permit issued by the State Director of Transportation may also be required prior to issuance of any Final Zoning Inspection Certificate for outdoor advertising signs located within 660 feet of streets that are part of the interstate or primary highway systems pursuant to Chapter 5516 of the Ohio Revised Code.

## Chapter 3

Use (See definitions in Chapter 2 for further clarification)	AA-C	D		O	E	F						CUP	DD	OO	EE	FF
INDUSTRIAL USES																
<b>Light Industry</b>																
Low intensity (Max ISR = .50)				PUD-1	PUD-1	P								S-PUD	S-PUD	S-PUD
Moderate intensity (Max ISR = .65)						PUD-1										S-PUD
High intensity (ISR over .65)						PUD-2										S-PUD
Note: The following light industrial uses are permissible in the zone districts indicated above with the zoning certificate specified for the applicable level of intensity (except as noted below):																
1. Automobile Body Shop																
2. Heliport																
3. Laundry, Dry Clean, Linen, Diaper Service (plant on premises)																
4. Manufacturing, Light (per definition of Light Industrial in Chapter 2)																
5. Outside Storage																
6. Package Delivery Service, Truck Terminal, Taxicab Barn																
7. Research Lab with hazardous materials																
8. Warehouse, Display Room for Wholesale Activities																
<b>Substance Use Disorder Treatment Facility</b>																
Low intensity (Max ISR = .50)						P									S-PUD	
Moderate intensity (Max ISR = .65)						PUD-1									S-PUD	
High intensity (ISR over .65)						PUD-2									S-PUD	
<b>Mini-Storage Facility</b>																
Low intensity (Max ISR = .50)					C	P									S-PUD	S-PUD
Moderate intensity (Max ISR = .65)					C	PUD-1									S-PUD	S-PUD
High intensity (ISR over .65)					C	PUD-2									S-PUD	S-PUD
<b>Recycling Facility</b>																
Low Intensity (Max. ISR = .40)				PUD-1	PUD-1	PUD-1								S-PUD	S-PUD	S-PUD
Moderate intensity (Max ISR = .50)						PUD-2										S-PUD
High intensity (ISR over .50)																
<b>Transfer Station</b>																
Low intensity (Max. ISR = .40)				PUD-1	PUD-1	PUD-1								S-PUD	S-PUD	S-PUD
Moderate intensity (Max ISR = .50)						PUD-2										S-PUD
High intensity (ISR over .50)																
<b>Drop-off Center</b>																
Low intensity (Max. ISR = .40)				PUD-1	PUD-1	PUD-1								S-PUD	S-PUD	S-PUD
Moderate intensity (Max ISR = .50)						PUD-2										S-PUD
High intensity (ISR over .50)																
Telecommunication Tower (per procedures in ORC 519.211)	C	C	C	E X E M P T								SPUD	SPUD	E X E M P T		
Warehouse as Accessory Use				C	C									S-PUD	S-PUD	S-PUD
Adult Entertainment Uses						C										

## Chapter 3

Use (See definitions in Chapter 2 for further clarification)	Permissible Uses by District														
AA-C	D		O	E	F						CU P	DD	OO	EE	FF
COMMERCIAL USES															
Office															
Low intensity (Max ISR = .50)															
Moderate intensity (Max ISR = .65)															
High intensity (ISR over .65)															
Note:															
The following office uses are permissible in the zone districts indicated above with the zoning certificate specified for the applicable level of intensity (except as noted below*):															
1. Accounting Services															
2. Architectural Services															
3. Banking/Financial Institution															
4. Banking with Drive-In or Drive-Through Facility															
5. Dental Laboratories															
6. Funeral Home or Mortuary															
7. Legal Services															
9. *Medical Office/ <u>Clinics</u> (In the D District, this use is not permissible at any intensity)															
10. Motels and Hotels															
11. Optical Laboratories															
12. Professional Consulting Services															
13. <del>Psychological Counseling</del>															
44. <del>13.</del> Real Estate and Securities Brokering															
45- 14. *Restaurant/Bar within an office <u>use</u> (In the O District, this use is permissible only if approved as a Conditional Use)															
46-15. Medical Laboratories															
47- <del>16.</del> Tax Preparation Services															
Retail Business															
Low intensity (Max ISR = .50)															
Moderate intensity (Max ISR = .65)															
High intensity (ISR over .65)															
Note:															
The following retail business uses are permissible in the zone districts indicated above with the zoning certificate specified for the applicable level of intensity:															
1. Amusement Park															
2. Art Gallery, Antique Store, Interior Decorator Service															
3. Automobile and Truck Rental															
4. Automobile Sales (Accessory Service)															
5. Automobile Service (mechanical)															
6. Batting Cage															
7. Barber Shops & Beauty Salon															
8. Billiard Parlor or Pool Room															
9. Bowling Alley															
10. Building Materials, Sales & Distribution															
11. Car Wash, Full Service															
12. Car Wash, Self Service															
13. Convenience Store (with gas pumps)															
14. Delicatessens, Bakery Goods, Meat, Fruit & Vegetable Markets															
15. Drag Strips, Raceways															
16. Drive-In or Drive-Through Facility															
17. Durable Goods, Furniture & Appliances, Sales & Rental															
18. Dry Cleaning															
19. Health & Fitness Facility															
20. Gasoline Service Station (with repair)															
21. Golf Driving Range															
22. Grocery Store															
23. Gun Firing Range															
24. <u>Internet-Cafe</u>															
25. Laundry															
26. Machinery, Boat, Truck, Farm & Construction Equipment Sales, Rental & Service															
27. Miniature Golf Course															
28. Motorcycle, Sales & Service															
29. Photo Lab, Picture, TV, or Sound Studio															
30. Racquet Facilities (Tennis or Other Indoor Clubs)															
31. Restaurant/Bar															
32. Restaurant drive-in															
33. Retail Sales & Service															
34. Service Establishments: <u>Dry</u> Cleaning or Laundry Pick-up Stations, Print Shops, Tailoring, Shoe or Hat Repair															
35. Shopping Center															
36. Skating Facility															
37. Studio: <u>Art</u> , Dance, Gymnastics, Music															
38. Swimming pools, Tennis or Racquet Clubs, and Similar Recreation Facilities Open <u>To</u> The Public For A Fee															
39. Tailoring															
40. Theater, Motion Picture or Live Performance															
Cannabis Dispensary															

## CHAPTER 2 DEFINITIONS

### 2-1 DEFINITIONS GENERALLY

For the purposes of this Resolution, certain terms and words are defined and are used in this Resolution in that defined context. Any words not herein defined shall be construed as defined in the Hamilton County Building Code and in normal dictionary usage.

### 2-2 ADDITIONAL DEFINITIONS

Additional definitions relating to specific portions of this Resolution are found in Chapter 13 (Signs).

### 2-3 DEFINITIONS

For the purposes of this Resolution, the following terms shall have the following meanings:

#### A ➤

ABUTTING. Having a common border with, or being separated from such common border by, an alley or easement.

ACCESSORY APARTMENT. A single dwelling unit apartment intended for use as a complete independent living facility that is in the same structure as, under the same ownership as, and subordinate to a residence constructed as a single-family residence, and with one of the two dwelling units occupied as the principal residence of the owner.

ACCESSORY USE OR STRUCTURE. An accessory structure or use: (1) is subordinate to and serves a principal building or a principal use; (2) is subordinate in area, extent and purpose to the principal structure or principal use served; (3) contributes to the comfort, convenience or necessity of the occupants, business or industry of the principal structure or principal use served; and (4) is located on the same lot as the principal structure or principal use served, except as otherwise expressly authorized by the provisions of this Resolution. An accessory structure attached to a principal building and that is located six feet (6) or less, and attached to the existing roofline of the principle shall be considered part of the principal building.

ADJUSTMENT (OF PLANS). A change in the development plan wherein written conditions or recorded easements are not modified and the revised (adjusted) plan is in substantial conformity with the intent of the previously approved plan (PUD's, S-PUD's, SPI's and ZCP's).

ADMINISTRATIVE OFFICIAL. Primary responsibility for administering the duties of the Sycamore Township Zoning Commission as required by this Resolution may be assigned to one or more individuals by the administrative head of the Sycamore Township Zoning Commission. The staff person or persons to whom such administrative functions are assigned shall be referred to in this resolution as the "Administrative Official." (See responsibilities in Section 19-6)

ADULT USE CANNABIS. Or "cannabis" or "marijuana" means marijuana as defined in Section 3719.01 of the Ohio Revised Code.

AGGRIEVED PARTY OR PERSON. Any owner of a legal or equitable interest in property on which development proposed under these regulations has been denied approval, or any person whose legal right has been invaded or infringed or whose pecuniary interest is directly affected, as distinct from any damages to the rest of the community, by a government act complained of.

AGRICULTURE, RURAL. (1) Farming, ranching or pasturage; (2) Agriculture, aquaculture and fishing lakes, horticulture, ornamental horticulture, floriculture, viticulture and wine-making, olericulture, pomiculture; (3) Production or cultivation of land for mushrooms, timber, nursery stock, sod, tobacco, field crops, and without limitation, other such agricultural and horticultural commodities; (4) Dairying, and dairy production; (5) Animal or poultry husbandry, and the production of poultry and poultry products, livestock, equine or forbearing animals, and

**BUFFER BOUNDARY.** A linear area adjacent to the side and/or rear property line that is set aside to separate, screen, and soften the detrimental impacts of different uses or intensities upon one another and upon the surrounding neighborhood.

**BUFFER, STREETSCAPE.** A linear area adjacent to the front property line extending from side lot-line to side lot-line that is set aside to shield or enhance views into the parking lot, establish coordination among diverse buildings, setbacks and uses, to define the street and access points, to retain the quality of the environment by providing appropriate vertical mass in keeping with dimensions of horizontal voids, and to diminish the presence of wires/poles, lights and other clutter along the public right-of-way.

**BUILDABLE AREA.** Space remaining on a lot after the minimum zoning requirements for yards, setbacks, coverage and allowances for panhandles, easements and restrictions have been met.

**BUILDING.** A temporary or permanent structure having a roof supported by walls and which can be used for the shelter, housing, or enclosure of persons, animals, motor vehicles, boats and other goods.

**BUILDING HEIGHT OF.** The vertical distance from the average grade to the highest point of the coping of a flat roof or to the deck line of a mansard roof, or to the mean height level between eaves and ridge for gable, hip and gambrel roofs excluding elevator shafts, chimneys and other structures.

**BUILDING LINE.** The line indicating the minimum horizontal distance required between the street right-of-way line and the building or any projection thereof other than a step or uncovered porch.

**BUILDING, PRINCIPAL.** A building containing the principal use of the lot.

**BULK.** The three dimensional space occupied by a structure or building, defined by its height, width, and depth.

## **C ➤**

**CALIPER.** A measurement of the size of a tree equal to the diameter of its trunk measured four (4) inches above natural grade for trees having calipers less than or equal to six (6) inches diameter; and measured as the diameter at breast height (DBH of 4 ½ feet above grade) for tree calipers greater than six (6) inches diameter.

**CAMPGROUND.** Any land or open-air location where one or more persons erect or occupy a temporary shelter, such as a tent or recreational vehicle, providing outdoor recreational facilities, for a temporary period of time; includes camps and summer camps.

**CANDLEPOWER.** The total luminous intensity of a light source expressed in foot-candles measured at ground level. Maximum (peak) candlepower is the largest amount of foot-candles emitted by any lamp, light source, or luminaries.

**CANNABIS DISPENSARY.** An establishment where marijuana products are obtained from a licensed cultivator or processing establishment, and subsequently sold to consumers in a retail setting, in accordance with the marijuana licensing laws in Chapter 3780 of the Ohio Revised Code. Cannabis cultivation and processing do not occur at a cannabis dispensary.

**CELLAR.** A story having more than one-half (½) of its height below grade. A cellar is counted as a story for the purpose of height regulation only if used for purposes other than storage, utilities or the quarters of a janitor or watchman employed on the premises.

**CEMETERY.** An area of land set apart for the sole purpose of the burial of bodies of dead persons or animals, and for the erection of customary markers, monuments, and mausoleums.

**CHURCH / PLACE OF WORSHIP.** A building used principally for religious worship.



CLINIC, MEDICAL, DENTAL, OR OPTICAL. ~~A use or structure intended or used primarily for the testing and treatment of human medical, dental, or optical disorders, but not including overnight boarding of patients. See Medical Office~~

CLUB. A building or portion thereof or premises owned or operated by a corporation, association, or group of persons for a social, educational, recreational, charitable, political, patriotic or athletic purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

CLUB, PRIVATE. Lands and facilities operated by or for a group or association of persons, and their guests, which are not available for unrestricted public access or use.

COLLEGE OR UNIVERSITY. An institution of higher education authorized by the State to offer baccalaureate or graduate degrees.

COMMERCIAL ACTIVITY. An occupation, employment or enterprise which is carried on for profit by the owner, lessee or licensee, except for activities carried on by a not-for-profit organization which utilizes the proceeds of such activities solely for the purposes for which it is organized.

COMMERCIAL, OFFICE. A use or structure where business or professional services are made available to the public, including but not limited to financial institutions, tax preparation, accounting, architectural, legal services, ~~medical laboratories, optical laboratories, dental laboratories, psychological counseling,~~ real estate and securities brokering, professional consulting services, and hotels and motels, but not including the cutting or styling of hair, or recreational facilities or amusements. ~~Medical, dental, optical laboratories or other similar medical auxiliary uses that do not attract regular patient visits are considered a commercial office use.~~

COMMERCIAL, RETAIL BUSINESS (SALES AND SERVICES). A building, property, or activity, the principal use or purpose of which is the sale of goods, products, or merchandise directly to the consumer. In addition, it shall include the provision of personal services, including but not limited to barber shops, beauty parlors, laundry and dry cleaning establishments, tailoring shops, shoe repair shops and the like.

COMPOST BIN. A fixed or moveable structure made up of fencing or other material for the purpose of containing and cultivating compost.

CONDITIONAL USE. A use permissible within a district other than a principally permitted use, requiring application for a Conditional Use Certificate and approval by the Board of Zoning Appeals as stated in Chapter 17.

CONSTRUCTION DEBRIS. Those materials resulting from the alteration, construction, destruction, rehabilitation, or repair of any manmade physical structure, including but not limited to houses, buildings, industrial or commercial facilities, or roadways and as regulated in the Ohio Revised Code.

CONTINUING CARE RETIREMENT FACILITY. A housing development that is planned, designed, and operated to provide a full range of accommodations and services for older adults, including independent living, congregate housing (self-contained apartments), and medical care.

CORRECTIONAL FACILITY. A facility for the confinement of persons held in lawful custody.

CULTURAL FACILITY. Establishments providing cultural, historic, or educational services to the public and which are not operated for profit. Typical uses include museums, outdoor drama theaters (not drive-ins), botanical gardens, and zoos.

## **D ➤**

DAY CARE, ADULT. A place that provides community-based programs designed to meet the health, social, and related needs of functionally impaired adults during daytime hours. ~~This definition shall not include a Substance Use Disorder Treatment Facility.~~

**DORMITORY.** A building used as a group living quarters for a student body or religious order as an accessory use for a college, university, boarding school, orphanage, convent, monastery or other similar institutional use.

**DRAINAGE WAY.** A minor watercourse identified by the presence of an intermittent or perennial waterway or by the presence of the following seasonally saturated soil types as identified by a soil survey prepared by the U.S. Department of Agricultural, Soil Conservation Service: Ave Silt Loam; Avonburo Silt Loam, Dana Silt Loam; Fincastle Silt Loam; Henshaw Silt Loam; Markland Silt Clay Loam; Patton Silt Clay Loam; Raub Silt Loam; Rossmore Silt Loam; Wakeland Loam; Xenia Silt Loam, and also including any area of less than one-quarter acre which meets the definition of a wetland as defined herein, except for size.

**DRIPLINE.** The perimeter of the circular area surrounding the trunk of a tree measured as one (1) foot of radius from the centerline of the trunk for each one (1) inch caliper or a vertical line extending from the outermost branches of a tree to the ground.

**DRIVE, ACCESS.** The connecting access linkage between any roadway and off-street parking area having no parking along the drive.

**DRIVE, ENTRY.** That part of an access drive leading to a vehicular use area that encompasses the first thirty feet from the right-of-way or easement of the street and a parking setback of eight feet from the curb or pavement of the drive.

**DRIVE, PRIVATE.** A shared means of vehicular ingress and egress located within an easement of access serving two (2) to six (6) lots, not dedicated to the Township by recorded instrument, that is maintained by the party or parties using such private drive for private access.

**DRIVEWAY.** A private way, other than a street or alley, to one lot of record for the use of vehicles and pedestrians.

**DRIVE-IN OR DRIVE-THROUGH FACILITY.** An establishment or facility that by design of physical facilities or by service or packaging procedures encourages or permits customers to receive a service or obtain a product or to be entertained while remaining in a motor vehicle on the premises.

**DRUG TREATMENT CENTER.** See [Substance Use Disorder Treatment Facility](#)

**DWELLING.** Any structure or portion thereof which is designed or used for residential purposes

**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, recreational vehicle or other temporary or transient structure or facility. A Dwelling unit shall include a Modular Industrialized Unit but shall not include a Manufactured HUD Unit, a Mobile home or recreational vehicle and camping equipment.

## **E ➤**

**EASEMENT.** A recorded right or privilege of a person, other than the owner or tenant, to use land for a specific purpose.

**EASEMENT OF ACCESS.** An easement for immediate or future use, to provide vehicular access and accommodation for utilities, from a street to a lot, a principal building or an accessory building.

**EDUCATIONAL FACILITIES (PUBLIC AND PRIVATE).** Any building used for education or instruction on an elementary or secondary level, approved under the regulations of the State

**EQUINE.** A horse, pony, mule or ass.

**EFFECTIVE DATE.** The date that amendments to this zoning resolution were effective.

EFFECTIVE DATE, INITIAL. The date that this zoning resolution was first established and in effect as specified in Section 1- 8 of this resolution.

## F ➤

FAMILY. A person or group of persons occupying a premises and living as a single housekeeping unit, including a "family home" as herein defined, but as distinguished from a group occupying a boarding house, fraternity/sorority house, hotel or other type of contractual living quarters. This definition shall not include a Substance Use Disorder Treatment Facility.

FAMILY HOME. A residential facility shared by at least six (6) but not more than eight (8) mentally retarded or developmentally disabled individuals plus paid professional support staff provided by a sponsoring agency either living with the residents on a 24-hour basis or present on shifts, who live together as a single housekeeping unit in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents in order to enable them to live as independently as possible in a residential environment. This definition shall not include an alcoholism or drug treatment center, a work-release facility for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration. This definition shall not include a Substance Use Disorder Treatment Facility, a halfway house, or other housing facility serving as an alternative to incarceration.

FARM MARKET. The use of any land for a roadside produce stand where fifty percent (50%) or more of the gross income received from the market is derived from produce raised on farms owned or operated by the market operator in a normal crop year and provided that the structure shall not exceed 800 square feet and such structure and parking areas shall be at least sixty (60) feet from every property line of adjacent parcels in residence districts; and that a sign advertising such products shall not exceed twelve (12) square feet in area.

FESTIVAL, TEMPORARY. A time of celebration, characterized by a program of cultural events or entertainment, which takes place for a specified, temporary duration.

FINANCIAL INSTITUTION. A building, property or activity, the principal use or purpose of which is the provision of financial services, including but not limited to banks, facilities for automated teller machines ("ATMs"), credit unions, savings and loan institutions and mortgage companies. "Financial Institution" shall not include any use or other type of institution which is otherwise listed in the Table of Permissible Uses for each category of zoning district or districts under this Resolution.

FLOODPLAIN. A floodplain is an area contiguous to a lake, pond, or streambed whose elevation is greater than the normal waterpool elevation but equal to or lower than the projected 100-year flood elevation. An inland depressional floodplain is a floodplain not associated with a stream system to which surrounding lands drain causing periodic inundation by storm waters. See definition of Special Flood Hazard Area.

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.

FLOOD FRINGE. The area of the base floodplain outside the floodway.

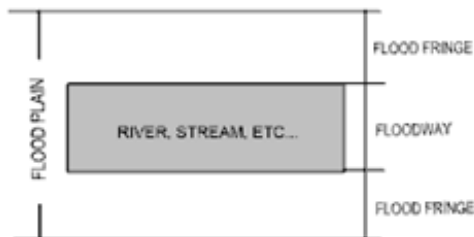


Figure: FLOODWAY, FLOOD FRINGE, & FLOODPLAIN



**FLOOR.** The top surface of an enclosed area in a building (including the basement), such as the top of the slab in concrete slab construction or the top of the wood flooring in wood frame construction.

**FLOOR AREA, GROSS.** The sum of the horizontal areas of each floor of the building, measured from the exterior walls or from the centerline of party walls, including the floor area of accessory buildings and structures.

**FLOOR AREA, NET.** The sum of the horizontal areas of each floor of the building, measured from the exterior walls or from the centerline of party walls, including the floor area of accessory buildings and structures. The term does not include any area used exclusively for the parking of motor vehicles or for building or equipment access, such as stairs, elevator shafts, and maintenance crawl space or areas occupied by mechanical equipment, toilet or rest rooms.

**FOOT-CANDLE.** A unit of illumination produced on a surface, all points of which are one (1) foot from a uniform point source of one (1) standard candle.

**FOREST.** An area with a minimum of 5 acres of continuous woods having a minimum 120 feet width, with at least 7% of the land area containing trees with a diameter breast height of four inches or more. (Source: Forest Tax Law of Ohio)

**FRONTAGE, BUILDING.** The length of an enclosed building facing a public or private street.

**FRONTAGE, STREET OR LOT.** The portion of a lot along the right-of-way line of any adjoining improved, unlimited access public thoroughfare.

## G ➤

**GARAGE, PRIVATE.** An accessory building or an accessory portion of the principal building, including a carport, which is intended for and used for storing the privately owned motor vehicles, boats and trailers of the family or families resident upon the premises, and in which no business, service or industry connected directly or indirectly with motor vehicles, boats and trailers is carried on.

**GARAGE, STORAGE.** Any building or premises used for storage of motor-driven vehicles pursuant to previous arrangements and not to transients, and at which automobile fuels and oils are not sold, and motor-driven vehicles are not equipped, repaired, hired or sold.

**GOVERNMENT FACILITY.** Any building or structure used by government for administrative or service purposes, but not including buildings devoted solely to the storage and maintenance of equipment and materials. Includes but not limited to police and fire stations, government buildings, and similar uses and facilities.

**GRADE.** A reference plane representing the average of finished ground level adjoining the building at all exterior walls. When the finished ground level slopes away from the exterior walls, the reference plane shall be established by the lowest points within the area between the building and the lot line or, when the lot line is more than six (6) feet (1829 mm) from the building, between the building and a point six (6) feet (1829 mm) from the building.

**GRANNY COTTAGE.** Temporary detached living quarters on a single-family lot subordinate in size, location, and appearance to the primary residence and providing complete housekeeping facilities for the exclusive use of the occupants. The owner of the principal residence and lot must live in one of the dwelling units on the lot and at least one occupant of the principal residence and one of the unit must be related by blood, marriage, adoption or other legal relationship.

**GREENHOUSE.** A glassed or translucent enclosure used for the cultivation or protection of plants.

**GROUP HOME.** A residential facility shared by nine (9) to sixteen (16) handicapped individuals plus paid professional support staff provided by a sponsoring agency either living with the residents on a 24-hour basis or present on shifts, who live together as a single housekeeping unit in a long-term, family-like environment in which staff persons provide care, education, and participation in community activities for the residents in order to enable them to live as independently as possible in a residential environment. This definition shall not include a Substance Use Disorder Treatment Facility, a halfway house, or other housing facility serving as an alternative to incarceration. The

~~definition shall not include an alcoholism or drug treatment center, a work release facility for convicts or ex-convicts, or other housing facilities serving as an alternative to incarceration.~~

## H ➤

HALFWAY HOUSE. ~~A facility for individuals after release from incarceration or for the rehabilitation of prison parolees. This definition shall not include a Substance Use Disorder Treatment Facility, a Family Home or a Group Home. An establishment whose primary purpose is the rehabilitation of persons. Such services include drug and alcohol rehabilitation, assistance to emotionally and mentally disturbed persons, and rehabilitation for prison parolees and juveniles.~~

HANDICAP. With respect to a person, a physical or mental impairment which substantially limits one or more major life activities, a record of such an impairment, or being regarded as having such an impairment. This definition does not include current illegal use of, ~~or addiction to,~~ a controlled substance. As used in this definition, the following terms and phrases have the following meanings:

- (a) "physical or mental impairment". Any physiological disorder or condition, cosmetic disfigurement or anatomical loss affecting one or more of the following body systems: neurological; musculoskeletal; special sense organs; respiratory, including speech organs; cardiovascular; reproductive; digestive, genitourinary, hemic and lymphatic; skin; and endocrine; or

Any mental or psychological disorder such as mental retardation, organic brain syndrome, emotional or mental illness, and specific disabilities. The term "physical or mental impairment" includes but is not limited to such diseases and conditions as orthopedic, visual, speech and hearing impairments, cerebral palsy, autism, epilepsy, muscular dystrophy, multiple sclerosis, cancer, heart disease, diabetes, human immunodeficiency virus infection, mental retardation, emotional illness, drug addiction (other than addiction caused by current illegal use of a controlled substance) and alcoholism.

- (b) "major life activities". Functions such as caring for one's self, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning and working.
- (c) "has a record of such an impairment". A history of, or has been misclassified as having, a mental or physical impairment that substantially limits one or more major life activities.
- (d) "is regarded as having an impairment".
1. A physical or mental impairment that does not substantially limit one or more major life activities but that is treated by another person as constituting such a limitation;
  2. A physical or mental impairment that substantially limits one or more major life activities only as a result of the attitudes of others toward such impairment; or
  3. Having none of the impairments defined in Paragraph (a) of this definition but is treated by another person as having such an impairment.

HELIPORT. A facility or structure that is intended or used for the landing and take-off of rotary-wing aircraft, but not including the regular repair or maintenance of such aircraft or the sale of goods or materials to users of such aircraft.

HOBBY BREEDER. One who breeds occasional litters of dogs, cats, or other household pets for recreation and the primary purpose of, but not limited to, improving the physical and mental soundness of the breed and who may prove their breeding program by exhibiting in conformation, hunting, performance, or other tests.

HOME OCCUPATION. Any occupation or profession conducted entirely within a dwelling and carried on by the inhabitants thereof, and which is an accessory use clearly incidental and secondary to the use of the structure for dwelling purposes in connection with which there is no product display that will indicate from the exterior that the building is being utilized for any purpose other than that of a dwelling. Home occupations shall not include any retail or wholesale business of any kind or any similar intensity of activities regardless of remuneration involving in-person transactions on the premises.



**HOSPITAL.** An state-licensed institution providing health services and medical or surgical care to persons, primarily temporary in-patients, with illness, disease, injury, deformity, or other physical or mental condition, and including as an integral part of the institution related facilities such as laboratories, out-patient facilities or training facilities. "Hospital" does not include institutions for the permanent care of, or occupation by, the poor, infirm, incurable or insane.

**HOTEL OR MOTEL.** A building containing more than four individual rooms for the purpose of providing, for periods not exceeding thirty days, overnight lodging facilities to the general public for compensation with or without meals, and which has common facilities for reservations and cleaning services, combined utilities, and on-site management and reception.

## **I ➤**

**IMPERVIOUS SURFACE.** Any hard-surfaced, man-made area that does not readily absorb or retain water, including but not limited to building roofs, parking and driveway areas, sidewalks and paved recreational facilities.

**IMPERVIOUS SURFACE RATIO (ISR).** The total area of impervious surfaces divided by the net area (excluding right-of-way) of the lot.

**INDUSTRIALIZED UNIT (MODULAR).** A modular structure which complies with the standards and specifications for Industrial Units of Closed Construction, as provided for by the Ohio Basic Building Code as amended and as authorized by the Board of Building Standards pursuant to Ohio Revised Code Section 3781.01 et seq. as amended and to which is affixed a permit, sticker, plate or other recognized, official identification indicating such compliance. The structure is composed of components substantially assembled in an off-site manufacturing plant and transported to the building site for final assembly on a permanent foundation.

**INDUSTRIAL USE.** The assembly, fabrication or processing of goods and materials; or any operation or facility including buildings, equipment structures, or stationary items used for industrial purposes.

**INDUSTRIAL, LIGHT.** The assembly, fabrication, or processing of goods and materials using processes that ordinarily do not create noise, smoke, fumes, odors, glare, or health or safety hazards outside of the building or lot which such assembly, fabrication, or processing takes place, where such processes are housed entirely within a building, or where the area occupied by outdoor storage of goods and materials used in such processes does not exceed twenty-five percent (25%) of the floor area of all buildings on the property. "Light industrial" shall not include hazardous materials treatment and storage facilities, agricultural industries, plating or enameling, pilot plants, prototype production plants, abattoirs, tanning and fur finishing, or petroleum and gas refining, or any use which is otherwise listed specifically in the Table of Permissible Uses for each category of zoning district or districts under this Resolution.

**INSTITUTIONAL USE.** A building, structure or land used for educational, religious, human care or similar types of public or quasi-public purposes. This category shall include but not be limited to schools, universities, churches and other places of worship, cemeteries, correctional facilities, halfway houses, nursing and convalescent homes, day care centers, continuous care retirement facility and hospitals.

**INTERIOR PARKING-LOT LANDSCAPING.** An area set aside. Usually as an island in a parking lot, to provide environmental relief. The interior buffer will help to define spaces and indicate directions for pedestrian and vehicular circulation.

### **INTERNET CAFE**

An Internet Café or cybercafé is a place which provides internet access to the public, usually for a fee. These businesses usually provide snacks and drinks, hence the *café* in the name. The fee for using a computer is usually charged as a time-based rate. Does not include viewing or ability to view pornographic or sexually oriented materials.

### **INTERNET SWEEPSTAKES CAFE**

An internet sweepstakes café or sweepstakes café promotes the sale of prepaid internet time cards or

LOT, DEVELOPED. A lot with at least one building, structure, or improvement that is subject to real property taxation or that is subject to the tax on manufactured homes under Section 4503.06 of the Revised Code.

LOT, DOUBLE FRONTAGE. A lot with opposite ends abutting on public or private streets.

LOT, INTERIOR. Any lot other than a corner lot.

LOT, PANHANDLE. A lot also known as a “rear lot” or a “flag lot” which utilizes a narrow strip of land or stem, not a building site, to provide access to, or legal frontage on, a public street, or a private street. The panhandle of such lot is not considered a building site, nor is the area of such included in calculating the lot area.

LOT, REVERSE. A lot intended to have its rear yard abutting any road frontage.

LOT LINES. The lines bounding a lot.

LOT LINE, FRONT. In the case of an interior lot, the line separating the lot from the street.

LOT LINE, REAR. The lot line(s) generally opposite the front lot line.

LOT LINE, SIDE. Any lot line not a front lot line or a rear lot line. A side lot line separating a lot from another lot or lots shall be called an interior side lot line.

LOT OF RECORD. A lot which is part of a subdivision, the map or metes and bounds description of which has been recorded in the office of the Recorder of Hamilton County; or a parcel of land, the deed to which was of record on or prior to adoption of zoning. For the purpose of these regulations, any improvement plan of a subdivision which has been approved by official action of the Zoning Commission of Sycamore Township shall have the same status as if the subdivision plan was officially recorded in the office of the Recorder of Hamilton County.

LOT WIDTH. The distance between the side lot lines measured along the right-of-way, or access easement.

LUMINARIES. A complete lighting unit consisting of a light source and all necessary mechanical, electrical, and decorative parts.

## **M ➤**

MANUFACTURED HOME. A factory-built dwelling, other than an industrialized unit (modular home), that is manufactured or constructed in an off-site manufacturing facility, transportable in one or more sections, which in the traveling mode is at least eight (8) body feet in width and at least forty (40) body feet in length, or, when erected on site is at least 320 square feet, which bears a seal certifying that it was built in compliance with the standards established by the Federal Manufacturing Housing Construction and Safety Standards Act of 1974, 42 U.S.C. Section 5401 et seq., and which is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to required utilities, and includes the plumbing, heating, air conditioning, and electrical systems contained therein.

MARINA. A boat basin and recreational facility, located on waterfront property, providing moorings for boats, and one or more of the following facilities; boat launching ramps, boat livery, boat sales, maintenance shops, marine supply store, and fuel dock.

MEDICAL, OFFICE. A use located in a building or portion thereof where human patients are accepted for examination, diagnosing, testing, or treatment by members of state-licensed medical, optical, mental/health psychological counseling, dental/oral, or other healing arts providers in a group or individual practice. Such uses shall not be lodged overnight with the sole exception of state-licensed single-night sleep study providers. Medical, dental, optical laboratories or other similar medical auxiliary uses that attract regular patient visits are considered medical office use.

**MINI-STORAGE FACILITY.** A building or group of buildings in a controlled access compound that contains equal or varying sizes of individual, compartmentalized, and controlled access stalls or lockers for the storage of residential or commercial customer's goods or wares. Such facilities do not include sales, service, nor storage of hazardous materials.

**MOBILE HOME.** A transportable factory-built dwelling, other than a manufactured home or a modular home, which will permit the use and occupancy thereof for human habitation, when connected to utilities, whether resting on wheels, jacks, blocks, or other foundation and used or so construed as to permit its being used as conveyance upon the public streets and highways. Most significantly the term mobile home designates those units not in compliance with Federal Manufactured Housing Construction and Safety Standards Act of 1974 (42 U.S.C. 5401 et. seq.)

**MOBILE HOME PARK.** An area of land for the parking of Mobile Homes and/or Manufactured HUD Units which complies with the rules of the Ohio Department of Health, Public Health Council for Manufactured Home Parks, as adopted pursuant to Chapter 3733 of the Ohio Revised Code, and such other requirements as are imposed by the Hamilton County Health Department.

**MODIFICATION (OF STANDARDS).** A change in a specification or requirement where strict adherence to a written regulation due to unusual site conditions serves no meaningful purpose or makes it physically impossible to achieve compliance.

**MODULAR HOME.** See Industrialized Unit.

## N ➤

**NATURAL RESOURCES.** All natural areas of lakes, ponds, wetlands, floodplains, drainage ways, forests, and steep slopes as defined in this Chapter or in Chapter 14.

**NONCOMPLYING STRUCTURE.** Any structure lawfully existing on the initial effective date of this Resolution, or any amendment thereto which is in noncompliance with the standards and regulations of this Resolution or any amendment thereto.

**NONCONFORMING USE.** Any use lawfully being made of any land, building, or structure on the initial effective date of this Resolution or any amendment thereto which is not permitted as-of-right and not permissible as a Conditional Use or as a Planned Unit Development under this Resolution or any amendment thereto in the District in which it is situated.

**NURSERY.** A place where the primary activity is the growing of plants, trees and shrubs for sale.

**NURSING OR CONVALESCENT HOME.** A home, institution, building or residence, public or private, whether operated for profit or not, presently licensed pursuant to the Ohio Statutes, which provides maintenance, personal care or nursing to ill, physically infirm, convalescing, or aged persons who are not related by blood or marriage to the operator. The definition of nursing or convalescent home does not include hospitals, clinics or similar institutions which are devoted primarily to the diagnosis and treatment of the sick or injured. This definition shall not include a Substance Use Disorder Treatment Facility.

## O ➤

**OPEN SPACE.** Land used for recreation, resource protection, hillside, floodway, lake, pond, amenity and/or buffers. In no event shall any area of a lot constituting neither the minimum lot area of said lot nor any part of an existing or future road or right-of-way be counted as constituting open space.

**OWNER.** Any full owner, joint owner, tenant in common, tenant in partnership, joint tenant or tenant by the entirety with legal or equitable title to the whole or to part of a structure or land.



**RESEARCH LABORATORY.** A place equipped for experimentation, testing and analysis, and observation and study for scientific research.

**RESIDENTIAL FACILITY.** A home or facility in which a person with a mental illness, mental retardation or developmental disability resides, except a home subject to Chapter 3721 of the Ohio Revised Code or the home of a relative or legal guardian in which a person with a mental illness, mental retardation or developmental disability resides. This definition shall not include a Substance Use Disorder Treatment Facility.

**RESIDENTIAL USE.** A home, abode, dwelling unit or place, where a family or individual(s) live; where such a place has areas for living and eating within the structure. This category includes but is not limited to single-family detached units, single-family detached units in PUD's (clustered, patio-dwelling, and zero lot-line), multi-family units, and manufactured or mobile homes as well as uses such as bed & breakfast facilities, granny cottages, group homes, and day care /Type A. This definition shall not include a Substance Use Disorder Treatment Facility.

**RESIDENTIAL, MULTI-FAMILY.** Two or more attached dwelling units sharing one or more common walls between any two units and/or stacked one above another. This category shall include but not be limited to two-family, three-family, apartments, townhouses, dormitories, fraternities and sororities, and boarding houses.

**RESIDENTIAL, PATIO.** A single-family detached or semi-detached unit, enclosed by a solid wall located at the lot line. The wall may be broken only by a driveway or a pedestrian access, in order to create a private yard between the dwelling and the wall. All such walls shall be a minimum of six (6) feet in height.

**RESIDENTIAL, SINGLE-FAMILY CLUSTERED.** A building intended or used primarily for residential purposes to be occupied by one family, and located in a grouping of structures that are arranged closer to one another than District setback requirements would normally allow to provide open space, and/or conservation of natural features and which are built as part of a Planned Unit Development at a net density permitted in the underlying zone districts.

**RESIDENTIAL, SINGLE FAMILY DETACHED.** A dwelling designed for and occupied by not more than one family as that term is defined in this Chapter and surrounded by open space or yards and which has no roof, wall or floor in common with any other dwelling unit.

**RESIDENTIAL, TWO-FAMILY.** A structure on a single lot containing two dwelling units, each of which is totally separated from the other by an unpierced wall extending from ground to roof or an unpierced ceiling and floor extending from exterior wall to exterior wall, except for a common stairwell exterior to both dwelling units.

**RESIDENTIAL, THREE-FAMILY.** A building consisting of three (3) dwelling units whether one above the other or side by side share a common entrance or entrance way, or have separate entrances or entrance ways, in a single building occupying one (1) lot.

**RESIDENTIAL, TOWNHOUSE.** A one-family dwelling in a row of at least three such units in which each unit has its own front and rear access to the outside, no unit is located over another unit, and each unit is separated from any other unit by one or more common fire resistant walls.

**RESIDENTIAL, ZERO LOT-LINE.** A building or portion thereof designed for residential purposes. The dwelling unit is a single-family detached unit that is placed against one of the side lot lines to allow more open and yard space.

**RESTAURANT.** An establishment where prepared and ready-to-consume food is available to the general public for consumption on or off the premises.

**RIGHT-OF-WAY (R.O.W.).** A strip of land dedicated by recorded instrument occupied or intended to be occupied by a public street or railroad and within which may be located electric transmission lines, gas pipe lines, water mains, sanitary sewers or storm sewers.



**STEEP SLOPES.** Land area where the inclination of the land's surface from the horizontal is twenty percent (20%) or greater.

**STORY.** That portion of a building, other than a cellar as defined herein, included between the surface of any floor and the surface of the floor next above it or, if there be no floor above it, then the space between the floor and the ceiling next above it.

**STORY, HALF.** A space under a sloping roof which has the line of intersection of roof decking and wall face not more than three (3) feet above the top level, and in which space not more than two-thirds (2/3) of the floor area is finished off for use.

**STREAM.** A shallow watercourse that flows year round generally less than 40 feet wide.

**STREET, MAJOR ARTERIAL.** A street which serves the major activity centers, high traffic volume corridors, and the longer trip desires. With major arterials, service to the adjacent land is subordinate to the provision of travel service.

**STREET, COLLECTOR.** A street which provides both land access and traffic circulation within residential, commercial, and industrial areas. It differs from an arterial in that collector streets may penetrate these areas and arterials usually do not. Collector streets distribute traffic from arterial streets and channel traffic from local streets.

**STREET, MINOR ARTERIAL.** Public streets having the primary purpose of collecting traffic from intersecting local streets and distributing this volume to the nearest arterial. A secondary purpose is to carry moderate volumes of through traffic. Access to abutting land uses is a secondary function which, with proper land planning, may be limited so long as the abutting land use is not materially and adversely affected by such limitation.

**STREET, LOCAL.** Streets having the primary purpose of providing access to individual properties that abut them. Local streets serve residential, commercial, and industrial land uses providing links for short-distance trips and access to the collector and arterial system on a local level. Frontage roads may also be considered local streets.

**STREET, PRIVATE.** A shared means of vehicular ingress and egress located within an easement of access serving more than six (6) lots, not dedicated to the Township by recorded instrument, that is maintained by the party or parties using such private street for private access. Private streets are permitted within a 30 foot easement and must be constructed to County Engineer standards, except for width.

**STREET, PUBLIC.** A publicly dedicated or owned right-of-way constructed to 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 property.

**STRUCTURAL ALTERATION.** Any change in the supporting members of a building, such as bearing walls or partitions, columns, beams or girders, or any increase in the area of cubical contents of the building.

**STRUCTURE.** Anything constructed or erected, the use of which requires location on the ground or attached to something having a location on the ground, including, but without limiting the generality of the foregoing, advertising signs, billboards, area improved for parking, backstops for tennis courts and pergolas.

**STRUCTURE, PRINCIPAL.** A structure containing the principal use of the lot.

**SUBSTANCE USE DISORDER TREATMENT FACILITY:** A specialized inpatient or outpatient facility that is state-licensed and has as its primary function the diagnosing, treating, and rehabilitation of patients with substance use disorders. This use is not a hospital, a family home, a group home, a nursing home, or a residential use of any kind. A mental health/ psychological counseling office that actively administers controlled substance cessation medications in person, at the office, is a Substance Use Disorder Treatment Facility.

	CONDITIONAL USES BY DISTRICT*								Specific Criteria for Conditional Uses
SPECIFIC USES	AA-C	D		O	E	F			(Numbers as per Sec. 17-7)
<b>RESIDENTIAL USES:</b>									
Accessory Apartment	C								13, 16a, 17, 25
Bed and Breakfast	C	C							6, 8, 13, 16b, 19, 24
Day Care, Type A		C							5, 7, 8, 9, 14, 16a, 18, 19, 25
Granny Cottage	C	C							14, 16a, 29, 30, 31
Group Home	C	C							6, 11, 13, 14, 16a, 19, 20, 22
<b>COMMERCIAL USES:</b>									
Office (excluding medical) - low intensity (Max ISR = .50)		C							6, 7, 8, 14, 15 b&c, 16d, 19, 25
Restaurant or Bar as accessory to office use				C					15, 16a, 17,
<u>Cannabis Dispensary</u>				<u>C</u>	<u>C</u>	<u>C</u>			<u>15a&amp;c, 16d, 36, 37</u>
<b>INDUSTRIAL USES:</b>									
Mini-Storage Facility					C				5, 7, 15c, 16c, 21
Adult Entertainment Facility						C			See Section 17-12 for criteria.
Warehouse as accessory use				C	C				5, 8, 12, 16a, 17, 19
<b>INSTITUTIONAL USES:</b>									
Church (ISR Max .45)	C								6, 8, 12, 14, 15b, c, 16 d, 18, 19, 33, 34, 35
Cemetery	C								2, 3, 7, 15 a&c, 16c, 19
Correctional Facility, Halfway House						C			2, 7, 9, 15 b&c, 16c, 17, (19), 20, 21, 22, 25
Day Care Center, Child		C							8, 9, 12, 15 a&c, 16b, 18, 19
Hospital		C							5, 6, 7, 8, 9, 15 b&c, 16c, 19, 25
School	C	C							12, 15 a&c, 16c, 19
University or College	C								4, 12, 15 a&c, 16c, 19
<b>PUBLIC SERVICE USES:</b>									
Government Facility	C	C							5, 6, 8, 9, 15 a&c, 16c, 19
Library	C	C							5, 7, 8, 15 a&c, 16b, 19, 25

SPECIFIC USES	CONDITIONAL USES BY DISTRICT*									Specific Criteria for Conditional Uses
	AA-C	D		O	E	F				(Numbers as per Sec. 17-7)
Park and Ride Facility	C	C								5, 7, 8, 9, 12, 15 a&c, 16b, 19, 25
<b>RECREATIONAL, CULTURAL &amp; ENTERTAINMENT USES:</b>										
Cultural Facility										
Botanical Garden	C									5, 6, 8, 16c, 19
Museum	C									4, 7, 8, 12, 15 b&c, 16c, 19, 25
Outdoor drama theaters (not drive-in's)	C									1, 4, 8, 12, 15 a&c, 16c, 19, 22
Zoo	C									2, 7, 8, 12, 15 a&c, 16c, 19, 21, 22, 23, 25, 26, 27b
Recreation, Community Facility - Private										
Athletic/Play Field	C	C								8, 12, 15a, 16c, 19, 21, 22, 23, 25
Club, Private	C	C								6, 7, 8, 14, 15 b&c, 16c, 19, 25
Golf Course	C	C								2, 5, 6, 8, 16c, 19, 24
Recreation Center, Internal	C									8, 12, 14, 15a, 16b, 19
Summer Camp	C									2, 9, 12, 16c, 19, 21, 26, 32
Swim/Tennis Facility	C	C								4, 8, 9, 12, 14, 15 b & c, 16c, 17, 18, 19, 21, 25
<b>*Zone Districts:</b>										
AA-C = AA, A, A-1, B, B-1, & C Residential Districts						F = Light Industrial District				
D = Multi-Family Residential Districts										
O = Office District										
E = Retail Business District										

## 17-7 SPECIFIC CRITERIA PERTAINING TO CONDITIONAL USES

In addition to the general considerations contained in Section 17-6, each conditional use is subject to one or more specific criteria as identified in the Table in Section 17-12. The following list contains all the specific criteria with each preceded by a number for reference in the Table in Section 17-12.

....

(36) A development agreement shall be signed and executed by the Sycamore Township CIC (Community Improvement Corporation).

(37) There shall not be a Cannabis Dispensary within three (3) miles of another Cannabis Dispensary. The measurement shall be from the closest boundary of the parcels.