

**1240.06 DEFINITIONS.**

As used in this Zoning Code:

(1) "Abandoned sign" means a sign or structure which no longer identifies or advertises a business, service, owner, product or activity. A sign shall be considered abandoned after a period of six months from the closing of the business.

(2) "Accessory use" means either a subordinate use of a building, other structure or lot, or a subordinate building or other structure:

- A. Whose use is clearly incidental to the use of the principal building, other structure or use of land;
- B. Which is customary in connection with the principal building, other structure or use of land; and
- C. Which is located on the same lot with the principal building, other structure or use of land.

(3) "Accessory use/structure" includes, but is not limited to, the following:

A. Private greenhouses, gazebos, free standing canopies, kennels, decks, terraces, wind turbine tower, anemometer tower, wind turbine, anemometer;

B. Garages, barns, sheds, ~~tool rooms~~ stool rooms or other similar buildings or structures for domestic or agricultural storage;

C. Structures for the keeping of domestic animals for personal enjoyment, household use or cultivation of the soil, but not including a commercial stable or kennel;

D. Storage of merchandise normally carried in stock on the same lot with any retail, service or commercial use, unless such storage is excluded by the district regulations;

E. Storage of goods used in or produced by manufacturing activities, on the same lot with such activities, unless such storage is excluded by the district regulations; and

F. The removal for sale of sod, loam, clay, sand, gravel or stone in connection with the construction of a building or other structure on the same lot.

(4) "Adjoining" means having a common border with, or being separated from such a common border by a right-of-way, alley, or easement.

(5) "Adult entertainment facility" means a facility having a significant portion of its function as adult entertainment, which includes the following categories:

A. "Adult bookstore" means an establishment having as a substantial or significant portion of its stock in trade, books, magazines and other periodicals which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas, as herein defined, or an establishment with a segment or section devoted to the sale or display of such materials.

B. "Adult entertainment business" means an establishment involved in the sale of services or products characterized by the exposure or presentation of specified anatomical areas or physical contact of live males or females, and which is characterized by salacious conduct appealing to prurient interest for observation or participation in by patrons. Services or products included within the scope of adult entertainment businesses are photography, dancing, reading, massaging and similar functions which utilize activities as specified above.

C. "Adult mini-motion picture theater" means a facility with a capacity for less than fifty persons, used for presenting materials distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas for observation by patrons therein.

D. "Massage establishment" means any establishment having a fixed place of business where massages are administered for pay, including, but not limited to, massage parlors, health clubs, sauna baths and steam baths. This definition shall not be construed to include hospitals, nursing home medical clinics or the offices of a physician, surgeon, chiropractor, osteopath or physical therapist duly licensed by the State, nor barber shops or beauty salons in which massages are administered only to the scalp, face, neck or shoulders. This definition shall not be construed to include a volunteer fire department, a volunteer rescue squad or a nonprofit organization operating a community center, swimming pool, tennis court or other educational, cultural, recreational and athletic facilities and facilities for the welfare of the residents of the area.

E. "Specified anatomical areas" means:

1. Less than completely or opaquely covered human genitals, pubic region, buttock and female breasts below a point immediately above the top of the areola; or

2. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

F. "Specified sexual activities" means:

1. Human genitals in a state of sexual stimulation or arousal;
2. Acts, real or simulated, of human masturbation, sexual intercourse, sodomy, cunnilingus or fellatio;

or

3. Fondling or other erotic touching of human genitals, pubic region, buttocks or female breasts.

(6) "Adult day care center" means a facility which provides care for elderly and/or functionally impaired adults in a protective setting for a portion of a 24-hour day.

(7) "Advertising sign" means a sign that directs attention to a business, commodity, service or entertainment conducted, sold or offered elsewhere than upon the premises.

(8) "Agriculture" means farming, dairying, pasturage, agriculture, horticulture, viticulture, animal and poultry husbandry and the sale of agricultural products.

(9) "Aisle" means that portion of the circulation area within a parking lot that provides access to parking spaces or a delivery zone.

(10) "Alley" means a public thoroughfare less than twenty feet wide.

(11) "Alteration" means any change addition or modification in construction, appearance, occupancy or use.

(12) "Anemometer." An instrument that measures the force and direction of the wind.

(13) "Anemometer tower." A structure, including all accessory facilities, temporarily erected, on which an anemometer is mounted for the purposes of documenting whether a site has wind resources sufficient for the operation of wind generation.

(14) "Animal grooming facility" means a facility which provides bathing and trimming services for small animals on a commercial basis.

(15) "Animated sign" means a sign or display manifesting either kinetic or illusionary motion occasioned by natural, manual, mechanical, electrical or other means. (See also and note difference from "Changeable sign.") Animated signs include the following types:

A. Naturally energized: Signs whose motion is activated by wind or other atmospheric impingement. Wind-driven signs include flags, banners, pennants, streamers, spinners, metallic disks, or other similar devices designed to move in the wind.

B. Mechanically energized: Signs manifesting a repetitious pre-programmed physical movement or rotation in either one or a series of planes activated by means of mechanically based drives.

C. Electrically energized: Illuminated signs whose motion or visual impression of motion is activated primarily by electrical means. Electrically energized animated signs are of two types:

1. Flashing signs: Illuminated signs exhibiting a preprogrammed repetitious cyclical interruption of illumination from one or more sources in which the duration of the period of illumination (on phase) is either the same as or less than the duration of the period of darkness (off phase), and in which the intensity of illumination varies from zero (off) to 100 percent (on) during the programmed cycle.

2. Illusionary movement signs: Illuminated signs exhibiting the illusion of movement by means of a pre-programmed repetitious sequential switching action in which illuminated elements of the sign are turned on or off to visually simulate the impression of motion characteristic of chasing, winning, blinking, oscillating, twinkling, scintillating, or expanding and contracting light patterns.

(16) "Apartment house" means a building or portion thereof used or intended to be used as the home of three or more families or householders living independently of each other.

(17) "Arbor" means a bower of vines or branches or of lattice work covered with shrubs or vines.

(18) "Architectural review committee" means the duly appointed Architectural Review Committee of the City of Northwood, as set forth in Chapter 1247.

(19) "Assisted living center" means a multiple-family residential development for elderly persons needing little or no personal assistance, which provides independent living dwelling units for the exclusive use of the occupants, whether or not group meals or other convenience services for the elderly are provided.

(20) "Auto wrecking yard" means a lot where motor vehicles are disassembled, dismantled, junked, or wrecked or where inoperative motor vehicles or used parts of motor vehicles are stored.

(21) "Automotive repair" means the repair, rebuilding or reconditioning of motor vehicles or parts thereof, including collision service, painting, and steam cleaning of vehicles.

(22) "Average finished grade level" means the average of the grade of the ground at all corners of a building or other structure.

(23) "Awning" means any structure made of cloth, wood, or metal which has a metal or wooden frame, is attached to a building and projects from that building.

(24) "Bakery" means a store engaged in the sale at retail of bread, cakes, cookies and other similar products including the baking of such items on premises.

(25) "Bank" means commercial banks, savings and loan associations, and other similar financial institutions, but not including pawn shops.

(26) "Banner" means a temporary sign made of paper, lightweight fabric, or similar material that is mounted to a pole, window, building, or other structure. National flags, state or municipal flags, or the official flag of any institution or business shall not be considered banners.

(27) "Banquet or meeting hall" means any place of business maintained, in whole or in part, for public rental for the purpose of private party events, whether family, group, or corporate in nature, where access by the general public is restricted, and with or without the sale, serving, or consumption of alcoholic beverages. Additionally, it may have a dance floor.

(28) "Bar or cocktail lounge" means any premises wherein alcoholic beverages are sold at retail for consumption on the premises and minors are excluded therefrom by law. It shall not mean a premises wherein such beverages are sold in conjunction with the sale of food for consumption on the premises and the sale of said beverages comprises less than twenty-five percent of the gross receipts.

(29) "Big box retail" means a singular retail or wholesale user that occupies not less than 50,000 square feet of gross floor area, and typically requires high parking to building area ratios.

~~(2930)~~ "Billboard sign" means a large, free-standing advertising structure located along a main public street or road designed to attract the attention of passing motorists to a business or product located or available on a different site.

~~(301)~~ "Billiard or pool hall" means any place of business containing three or more billiard tables, pool tables, or similar game tables.

~~(342)~~ "Board" means the Board of Zoning Appeals of the City, as set forth in Chapter 1246.

~~(323)~~ "Boarding house" means an establishment with lodgings for five or more persons, where meals are regularly served for compensation and where food is placed upon the table family-style, without service or ordering of individual portions from a menu. "Boarding house" also includes rooming houses and fraternity or sorority houses.

~~(334)~~ "Buffer lot" means a lot on a plat across the end of the street proposed to be extended by future platting or a lot along the length of a street where only part of the width has been dedicated, which is retained by the owner but conditionally dedicated on the plat for street purposes when the street is extended or widened.

~~(345)~~ "Building" means any structure which is permanently affixed to the land, has one or more floors and a roof, and is bounded by either open space or lot lines. The term "building" does not include such structures as billboards, radio towers, etc., nor structures with interior surfaces not normally accessible for human use, such as gas holders, oil tanks, water tanks, grain elevators, coal bunkers, oil cracking towers and other similar structures. A building may consist of a one-family dwelling, a two-family dwelling, a row of garden apartments with individual entrances, an apartment house, a single store or a row of stores, depending on the location of the lot lines, or a factory. "Building" means a combination of materials to form a structure adapted to permanent or continuous occupancy for public, institutional, residential, business, or storage purposes. The term "building" shall be construed as if followed by the words "or part thereof."

~~(356)~~ "Building face" means the outside flat surface of a building or structure. A building face does not include awnings, canopies, sills, or other projections of a similar nature.

~~(367)~~ "Building height" means the vertical distance measured from the average finished grade level to, in the case of flat roofs, the level of the highest point of the roof or, in the case of pitched roofs, to the mean level between the eaves and the highest point of the roof.

~~(378)~~ "Building setback line" means a line established on a parcel for the purpose of prohibiting construction of a building between such line and an easement, right-of-way, or other public area in the interest of protecting the general welfare.

~~(389)~~ "Business sign" means a sign that directs attention to the business or profession conducted or to the principal products sold upon the premises. The definition of "sign" also applies to "business sign."

~~(3940)~~ "Camper" means a structure designed with sufficient equipment primarily to render it suitable for use as a temporary dwelling for travel, recreational or vacation uses.

A. "Folding camper" means a folding or collapsing structure of low silhouette, mounted on wheels and designed for travel, recreational, or vacation uses.

B. "Pickup camper" means a structure designed primarily to be mounted on a pickup or truck chassis and with sufficient equipment to render it suitable for use as a temporary dwelling for travel, recreational, or vacation uses.

(401) "Canopy" means any structure made of cloth, wood, or metal which has a metal or wood frame, is attached to a building and projects from the building by a frame supported by the ground.

(412) "Canopy, free-standing" means any structure made of cloth, wood, or metal which has a wood or metal frame and is not attached to a building nor projects from a building.

(423) "Car wash" means a building or portion thereof, containing facilities for washing vehicles using a steam device, brushes, chain conveyor, blower, or other mechanical devices.

(434) "Caterers" means the preparation and delivery of food and beverages for off-site consumption without provision for on-site pickup or consumption.

(445) "Changeable-Sign" means a sign, or portion thereof with letters, numbers, or ~~illustrations~~ illustrations that can be periodically changed or rearranged without altering the face or surface of the sign. A changeable copy sign displays message and/or graphics with electronic or mechanical means, is not animated, and remains unchanged for at least eight seconds with a face change taking no longer than two seconds.

(465) "Child-care facility" means a building or structure where care, protection, and supervision are provided on a regular schedule at least twice a week, to at least seven children.

(467) "Clear fall zone" means an area surrounding the wind turbine unit into which the turbine and/or turbine components might fall due to inclement weather, poor maintenance, faulty construction methods, or any other condition causing turbine failure that shall remain unobstructed and confined within the property lines of the primary parcel where the turbine is located, the purpose being that if the turbine should fail or otherwise become damaged, the falling structure will be confined to the primary parcel and will not fall onto dwellings, accessory buildings, and will not intrude onto a neighboring property.

(478) "Clinic" means any building or other structure devoted to the diagnosis, treatment, and care of outpatients.

(489) "Club" means a building or portion thereof owned or operated by a corporation, association, person, or persons for a social, educational, or recreational purpose, but not primarily for profit or to render a service which is customarily carried on as a business.

(4950) "Collector streets" are streets intended to move traffic from a local road to an arterial. Higher intensity land uses such as multi-family residential and local retail establishments often abut collector streets.

(501) "Commercial entertainment" means any profit making activity that is generally related to the entertainment field such as motion picture theaters, comedy clubs, theaters, and similar small scale entertainment facilities. Commercial entertainment facilities shall not include businesses defined as adult entertainment businesses.

(502) "Commercial parking garage" means any building which:

A. Is used for the storage of motor vehicles and may include the accessory sale of gasoline and motor oil wholly within the building;

B. Is not accessory to any other use on the same or any other lot; and

C. Contains space rented to the public by the hour, day, week, month, or year.

(513) "Commercial parking garage" does not include:

A. An establishment used for automobile repairs, except minor repairs that are solely incidental to the storage of motor vehicles; or

B. An establishment used exclusively for the storage of commercial or public utility motor vehicles or for the dead storage of motor vehicles.

(524) ~~A.~~ "Commercial parking lot" means any lot which:

~~1A.~~ Is used for the storage of motor vehicles;

~~2B.~~ Is not accessory to any other use on the same or any other lot; and

~~3C.~~ Contains space rented to the public by the hour, day, week, month, or year.

~~B.(55)~~ "Commercial parking lot" does not include:

~~1A.~~ An establishment used for automobile repairs, except minor repairs that are solely incidental to the storage of motor vehicles; or

~~2B~~. An establishment used exclusively for the storage of commercial or public utility motor vehicles or for the dead storage of motor vehicles.

~~(536)~~ “Commercial school” means schools operated for profit such as business schools, training schools for trade, real estate, training, and similar schools but not including elementary, intermediate, or high schools for education of children.

~~(547)~~ “Comprehensive Plan” means the Comprehensive Plan made and adopted by the Planning Commission in compliance with Ohio R.C. 711.09, indicating the general locations recommended for streets, parks, public buildings, zoning districts, and all other public improvements.

~~(558)~~ “Conditional use” means a use not otherwise allowed in the district which may be permitted by the Planning Commission only upon approval of a specific request which includes review of a detailed site plan and only for those uses identified in the respective districts as being permitted as a conditional use.

~~(569)~~ “Condominium developments” means and includes the land, together with all buildings, improvements, and structures thereon, all easements, rights, and appurtenances belonging thereon and all articles of personal property, which have been submitted pursuant to the provisions of Ohio R.C. Chapter 5311.

~~(5760)~~ “Construction sign” means a temporary sign which designates the contractor or subcontractor engaged in the construction or repair of the building or buildings on each lot, parcel, or property, upon which such sign is erected.

~~(5861)~~ “Convalescent center” means a facility which is publicly or privately operated and intended for long-term patient care due to illness or infirmity, including the elderly and developmentally disabled, normally employing the services of skilled and licensed practitioners, excluding hospitals.

~~(5962)~~ “Corner lot” means any lot at the junction of, and abutting on, two or more intersecting streets. A lot abutting on a curved street or streets shall be considered a corner lot if straight lines drawn from the foremost points of the side lot lines to the foremost points of the lot meet at an interior angle of less than 135 degrees.

~~(603)~~ “Cowling” means a streamline removable metal that covers the wind turbine’s nacelle.

~~(614)~~ “Crematory” means a furnace for cremating corpses or a building containing such a furnace.

~~(625)~~ “Cul-de-sac” means a short street having one end open to traffic and being terminated by a vehicle turnaround.

~~(636)~~ “Curb cut” means the providing of vehicular ingress and/or egress between a property and an abutting public street.

~~(647)~~ “Dance hall” means any room, place, or space open to the general public in which is carried on dancing wherein the public may participate, whether or not a charge for admission for dancing is made.

~~(658)~~ “Demolition” means the razing or destruction, whether entirely or in part, of a building including demolition by neglect.

~~(669)~~ “Design standards” means the building construction and building rehabilitation criteria as stipulated within the Central Business District.

~~(6770)~~ “Development sign” means a temporary sign used to indicate or identify a proposed future development upon real property.

~~(6871)~~ “District” refers to the zoning districts established in Section 1248.01.

~~(6972)~~ “Drawing” means a preliminary drawing prepared by a registered surveyor or civil engineer.

~~(703)~~ “Dumpster or trash receptacle” means a container used for the temporary storage of rubbish pending collection having the capacity of at least one cubic yard.

~~(714)~~ “Dwelling” refers to a building or portion thereof used exclusively for residential purposes, including one-family, two-family and multifamily dwellings. The term “dwelling” shall include those buildings involving industrialized units, but not including mobile homes, manufactured homes, recreational vehicles, hotels and boarding and lodging houses.

~~(725)~~ “Dwelling bulk” refers to the minimum total floor area of a dwelling unit exclusive of floor area devoted to the basement, an attached garage, open or enclosed porches and the like.

~~(736)~~ “Dwelling unit” means one or more rooms physically arranged to create an independent housekeeping establishment for occupancy by one family, with separate toilets and facilities for cooking and sleeping.

~~(747)~~ “Easement” means a grant by the property owner of the use of a strip of land by the public, a corporation or any person for a specific purpose.

- (758) “Facade” means the entire area of a building facing or side extending from the roof or parapet to the ground and from one corner of the building to another but does not include any structural or nonstructural elements which extend beyond the roof of a building.
- (769) “Family” means one or more persons occupying a dwelling unit and living as a single housekeeping unit, provided that a group of four or more persons who are not within the second degree of kinship shall not be deemed to constitute a family.
- (7780) “Fireworks” means any combustible or explosive compositions, or any substance or combination of substances or articles prepared for producing a visible or an audible effect by combustion explosion, deflagration or detonation.
- (7881) “Floodplain” means the 100-year regulatory floodplain defined by the National Flood Insurance Program (NFIP), as administered by the Federal Emergency Management Agency (FEMA). Floodplain boundaries are illustrated on a Flood Hazard Boundary Map (FHBM) and/or a Flood Insurance Rate Map (FIRM).
- (7982) “Floor area” of a building means the sum of the gross horizontal areas of the several floors of the building, measured from the exterior faces of the exterior walls or from the centerline of walls separating two buildings. “Floor area” does not include basement space, elevator and stair bulkhead, attic space or uncovered steps.
- (830) “Florist” means a retail business whose principal activity is the selling of plants which are not grown on the site and conducting business within an enclosed building.
- (844) “Front lot line” means the lot line separating an interior lot from the street right-of-way upon which it abuts, or the lot lines of a corner lot that abut upon a street right-of-way. Unless the context clearly shows otherwise, “front lot line” means the street right-of-way line.
- (825) “Funeral home” means an establishment where the dead are prepared for burial or cremation and where wakes or funerals may be held. A funeral home or mortuary establishment shall not include a crematory.
- (836) “Garage, estate or yard sale sign” means any sign advertising the sale of personal property from the owner’s premises in a residentially zoned district not exceeding four square feet in area.
- (847) “Gasoline filling station” means any building, structure, or lot used only for the sale of motor vehicle fuels, oils, and lubricants and automobile accessories directly to the consumer and may include minor repairs and servicing incidental to such use, provided that the same are conducted without unreasonable or objectionable noises, fumes, dust, or odors. Storage tanks shall be located completely within lot lines and underground. Such use shall not be construed as including the business of permitting the standing or parking of motor vehicles or accessory units, whether or not for charge, for longer periods of time than are reasonably related to the permitted use, nor any business or use related to the leasing, renting or dispatching of any motor vehicles or accessory units or to the switching or handling of freight or the interchange of component units.
- (858) “Grocery store” means a store where most of the floor area is devoted to the sale of food products for home preparation and consumption, which typically also offer other home care and personal care products, and which are substantially larger and carry a broader range of merchandise than convenience stores.
- (869) “Ground sign” means a sign firmly affixed to the ground with zero clearance beneath the sign.
- (8790) “Halfway house” means a licensed home for inmates on release from more restrictive custodial confinement, or wherein inmates are placed in lieu of such more restrictive custodial confinement, and wherein supervision, rehabilitation, and counseling are provided so as to mainstream residents back into society, and to enable them to live independently. Such placement is pursuant to the authority of the State Department of Corrections.
- (8891) “Hardware store” means retail and/or service for hardware, building materials, tools, equipment, plumbing fixtures, tiles, paint, windows, etc.
- (8992) “Home occupation” means any occupational activity carried out by a member or members of an immediate family residing on the premises.
- (9093) “Hospital” means any building or structure containing beds for at least four patients and which is devoted to the diagnosis, treatment, or other care of human ailments.
- (9194) “Hotel” means a building or any part of a building that contains living and sleeping accommodations for transient occupancy and which has a common entrance or entrances.

- | (9295) "Illegal sign" means any sign other than:
  - A. A sign allowed by this chapter and not requiring a permit;
  - B. A sign allowed by this chapter requiring a permit and for which a valid permit has been issued; or
  - C. A sign not allowed by this chapter, but which has been legalized by a variance and proper permit.
- | (936) "Impervious surface" means any material, such as concrete, asphalt, brick or metal, which impedes the percolation of water into the ground.
- | (947) "Improvement" means any one or more of the following: street pavements, with or without curb or gutter; sidewalks; crosswalks; water mains; sanitary and/or storm sewers; monuments; street trees; or any other item specified in Section 1222.05.
- | (958) "Industrialized dwelling unit" means an assembly of materials or products comprising all or part of a total structure that, when constructed, is self-sufficient or substantially self-sufficient, and, when installed, constitutes a dwelling unit, except for necessary preparations for its placement. Industrialized units include units commonly called modular or pre-fabricated units, but do not include mobile homes or manufactured homes, as separately defined. Industrialized units must be certified by the State of Ohio.
- | (969) "Industrialized Unit" means a building unit or assembly of closed construction fabricated in an off-site facility, that is substantially self-sufficient as a unit or as part of a greater structure, and that requires transportation to the site of intended use. "Industrialized Unit" includes units installed on the site as independent units, as part of a group of units, or incorporated with standard construction methods to form a completed structural entity. "Industrialized Unit" does not include a manufactured home or mobile home as defined in this zoning code.
- | (97100) "Interior lot" means any lot, other than a corner lot, with frontage on only one street.
- | (98101) "Junk yard" means any property, building or part thereof where waste and discarded or salvaged materials such as scrap metals, used building materials, used lumber, used glass, paper, rags, cordage, barrels etc., are sold, bought, exchanged, baled, packed, sorted, disassembled or handled, including auto wrecking yards and house wrecking yards. This definition does not include establishments for the sale of used furniture, used household goods in working order or used cars in operable condition.
- | (99102) "Kennel" means a structure that houses four or more animals over four months of age for compensation or not, and shall not exceed fifty square feet in size. A kennel is considered an accessory structure and shall comply with district regulations.
- | (400103) "Landscaping" means the treatment of the ground surface with live plant materials such as, but not limited to, grass, ground cover, trees, shrubs, vines, and other live plant material. In addition, a landscape design may include other decorative natural materials, such as wood chips, boulders, or mulch.
- | (1044) "Landscaping plan" means a plan, prepared to scale, showing accurately and with complete dimensioning, the proposed treatment of the ground surface with live plant materials for a specific parcel of land.
- | (1025) "Laundromat" means a business that provides home-type washing, drying, and/or ironing machines for hire to be used by customers on the premises or operated for the benefit of retail customers who in and call for laundry.
- | (1036) "Library or museum" means a public or quasi-public facility including aquariums, arboretums, art exhibitions, botanical-gardens, historic sites and exhibits, libraries, museums, and planetariums, which are generally non-commercial in nature.
- | (1047) "Local streets" means streets designed to primarily serve lower density residential development.
- | (1058) "Lot" means a piece, parcel, tract, or plot of land in any form of ownership that may include one or more lots of record occupied by a principal building and accessory buildings, or used for a principal use and uses accessory thereto, and including such open spaces as are required by this Zoning Code. "Lot" means a designated parcel of land in a plat intended as a unit for transfer or ownership, or to be occupied by a building and accessory buildings, together with such open spaces as are required by law, and having its principal frontage upon a public street.
- | (1069) "Lot coverage" means the part of percent of the lot occupied by building including accessory buildings.
- | (407110) "Lot depth" means the horizontal distance between the front and rear lot lines, measured along the median between the side lot lines.
- | (408111) "Lot frontage" means the horizontal distance between side lot lines, measured at the right-of-way line.

(409112) “Lot width” means the horizontal distance between side lot lines, measured at the required front setback line.

(1103) “Manufactured home” means a factory-built, single-family structure that is transportable in one or more sections, is built on a permanent chassis and is used as a place of occupancy which is not constructed with a permanent hitch or other device allowing transport of the unit other than for the purpose of delivery to a permanent site and which does not have wheels or axles permanently attached to its body or frame. It is a building unit or assembly of closed construction that is fabricated in an off-site facility, designed for assembly at the building site, and bearing certification that it is built in conformance with the federal manufactured housing construction and safety standards established by the Secretary of the U.S. Department of Housing and Urban Development pursuant to the “Manufactured Housing Construction and Safety Act of 1974.”

(1144) “Manufactured home parkPark” means a parcel of land under single ownership that has been planned and improved for the placement of manufactured homes and mobile homes for dwelling purposes.

(1144.1) “Medical marijuana” has the same meaning as provided in R.C. § 3796.01(A)(2) which is marijuana that is cultivated, processed, dispensed, tested, possessed, or used for a medical purpose.

A. The cultivation, processing, or retail dispensing of medical marijuana, even under a license issued under R.C. Chapter 3796, is prohibited within the City of Northwood.

(1125) “Mini-warehouse.” See “self-service storage facility.”

(1136) “Minor streetStreet” means a street other than a major thoroughfare.

(1147) “Mixed use” means a building, structure, or lot(s) containing a mixture of commercial, office, and/or residential uses.

(1158) “Mobile home” means a transportable, factory-built home, designed to be used as a year-round residential dwelling and built before the enactment of the Federal Manufactured Home Construction and Safety Standards Act of 1974, which became effective June 15, 1976. Mobile homes are permitted only within manufactured home park districts. (See also “Manufactured home.”)

(1169) “Monuments” shall be defined as follows:

A. “Type A monument” means a cylindrical concrete marker six inches in diameter and thirty inches in length with a one-fourth inch iron rod cast at the central axis of the cylinder. Such marker shall be placed in a vertical position with its top level with the surface of the surrounding ground.

B. “Type B monument” means a cylindrical concrete marker as described under Type A, except that a machine-type iron bolt (without nut), one inch in diameter by twelve inches in length, shall be placed in a vertical position with the head of the bolt upward and level with the surface of the pavement. A point shall be marked on the head of the bolt to show the exact point referred to on the final plat.

(12047) “Motel” means a building or group of buildings having units containing sleeping accommodations which are primarily available for temporary occupancy by motor vehicle transients.

(418121) “Movie theater” means a facility that provides fixed seating for customers to view motion pictures, including accessory snack and/or food and beverage services.

(419122) “Multiple dwelling,” “multiple-family dwelling,” or “multifamily dwelling” means a dwelling designed for or occupied as the home of two or more families or households living independently of each other, including duplexes and triplexes, whether one story or more, tenement houses, interconnected terraces, apartment houses, and apartment hotels.

(1203) “Nacelle” means a separate streamline metal enclosure that covers the essential mechanical components of the wind turbine.

(1244) “Nonconforming lot” means an existing lot that does not meet the lot size requirements for the zoning district in which it is located.

(1225) “Nonconforming sign” means any advertising structure or sign which was erected and maintained prior to such time as it came within the purview of this Zoning Code, and any amendments thereto, and which fails to conform to all applicable regulations and restrictions of the Zoning Code, or a nonconforming sign for which a special permit has been issued.

(1236) “Nonconforming structure” means a structure lawfully existing at the effective date of this Zoning Code that could not be built under the requirements of this Zoning Code because of restrictions on area, lot coverage, height, yard requirements or similar requirements.

(1247) “Nonconforming use” means any use, whether of a building, other structure or a lot, which does not conform to any of the applicable use regulations for the district in which such use is located.

(12~~58~~) "Northwood" means the municipal corporation of Northwood and the geographic area within the boundaries thereof, as now constituted or hereafter enlarged or altered.

(12~~69~~) "Nuisance" means junk, garbage, refuse, debris, disabled vehicle, or noxious vegetation; is offensive to the senses, violates public nuisance ordinance or obstructs reasonable and comfortable use of one's property; may cause injury to the property of another, and/or endanger life and health.

(~~427~~130) "Nursing home" means a state licensed long-term facility providing room and board and supervised personal care by facility staff on a 24-hour basis for seven or more aged, infirm, or persons recovering from illness which is regulated under Act 368 of 1978.

(1~~28~~31) "Offices" means places of business limited to activities such as lawyers, doctors, engineers, architects, real estate, insurance agencies and similar non-retail or wholesale activities.

(~~428~~132) "Off-premise sign" means a sign or structure advertising an establishment, merchandise, service, or entertainment which is not sold, produced, manufactured, or furnished on the lot on which said sign would be located.

(~~429~~133) "Off-street loading space" means any space available for the loading or unloading of goods that is at least fifteen-feet wide, thirty-feet long and, where such space is enclosed, fourteen-feet high. Such space shall have direct usable access to a street or alley. Where such loading space has been provided, any additional loading space lying alongside, contiguous to, and not separated from such first loading space need not be wider than twelve feet.

(13~~04~~) "Off-street parking space" means off-street space available for the parking of one motor vehicle and having an area of not less than 200 square feet and a minimum width of ten feet, exclusive of passageways, driveways, and other maneuvering areas appurtenant thereto and giving access thereto. Such space shall have direct access to a street or alley.

(13~~15~~) "On-premises electronic message center" means a large, free standing digital message center used for the purpose of promoting goods and services of the business located on the parcel where the message center is located may be permitted to be displayed, provided: the business is directly adjacent to the Interstate Highway (I-75 or I-280) on a parcel it owns or building it leases; and, the business is located in M-2 Industrial District along I-75 or C Commercial District along I-280.

(13~~26~~) "Original/normal grade" means the preexisting average finished grade level before any changes and improvements.

(13~~37~~) "Outdoor advertising" means any outdoor sign, with the exception of on-premises electronic message centers, shall be considered outdoor advertising.

(13~~48~~) "Outdoor retail sales" means the display and sale of products and services primarily outside of a building or structure, including but not limited to vehicles, garden supplies, gas, tires and motor oil, food and beverages, boats or recreational vehicles, farm equipment, mobile and manufactured housing, and building or landscaping materials. The term also includes seasonal sales of products such as firewood, mulch, or garden supplies.

(13~~59~~) "Outdoor storage" means the storage of goods and materials outside of any building or structure, but not including storage of a temporary or emergency nature.

(~~436~~140) "Overlay district" means an area where certain additional requirements are superimposed upon a base zoning district or an underlying district and where the requirements of the base of the underlying district may or may not be altered.

(~~437~~141) "Parcel" means a unit of land as shown on the tax duplicate.

(~~438~~142) "Performance bond" means an agreement made by a subdivider or developer with the City for the amount of the estimated construction cost guaranteeing the completion of physical improvements according to plans and specifications within the time prescribed by the subdivider's or developer's agreement.

(~~439~~143) "Performing arts center" means a gallery, theater, or similar use which promotes educational and aesthetic interests with a community.

(14~~04~~) "Permanent sign" means a sign which is so constructed as to be a lasting and enduring sign, remaining unchanged, or intended to remain unchanged, in character, condition, beyond normal wear and position.

(14~~15~~) "Personal service establishment" means an establishment providing nonmedical services to individuals as a primary use, such as barber and beauty shops, clothing rental, florists, dry cleaning pickup stores, home electronics and small appliance repair, interior decorators, laundromats, locksmiths.

[photographic studios](#), shoe repair shops, tanning salons, and tailors.

(~~42146~~) "Pervious surface" means porous materials that allow percolation of water into the soil.

(~~437~~) "Pharmacy" means a professional pharmacy conducted within and for the convenience of occupants and patrons of a medical building or buildings, which limits the sale of articles to drugs, prescription medicines, surgical and medical supplies, and other health regulated articles.

(~~448~~) "Photographic studio" means an establishment providing retail sales, repair service, and/or film processing and developing services.

(~~459~~) "Place of worship" means a building or property used principally for religious worship, not to include group homes, schools, and not used for a permanent or temporary dwelling; church or religious institution.

(~~46150~~) "Planned unit development" means a development that is under unified control and is planned and developed as a whole or in a series of phases. The development plan need not comply with lot area, lot coverage, density, or setback regulations required by this chapter.

(~~47151~~) "Planning Commission" means the duly appointed, official Planning Commission of the City of Northwood.

(~~48152~~) "Plat" means a map of a tract or parcel of land, as described in these regulations, on which the subdivider's plan of property subdivision is illustrated and presented to the Planning Commission for approval, and if approved, may be recorded.

(~~49153~~) "Pole sign" means a freestanding sign supported by one or more pole structures that are anchored in the ground and that are independent from any building or other structure.

(~~50154~~) "Political sign" means a temporary sign indicating and/or supporting the candidacy of a person for office or urging action on any other matter on the ballot of a primary, general, and/or special election.

(~~1545~~) "Pond" means a body of water with an outlet twenty-four inches above the average bottom of the pond.

(~~1526~~) "Portable sign" means any sign not permanently attached to the ground or a permanent structure, or a sign designed to be transported, including, but not limited to, signs designed to be transported by means of wheels; and signs attached to or painted on vehicles parked and visible from the public right-of-way, unless such vehicle is used in the normal day-to-day operations of the business.

(~~1537~~) "Portable waste container" means a temporary unit/facility used for the purpose of human waste containment.

(~~1548~~) "Principal building" means a building in which the primary use of the lot on which the building is located is conducted.

(~~1559~~) "Principal use" means the main use of land or structures, as distinguished from a secondary or accessory use.

(~~56160~~) "Print shop" means a retail establishment that provides duplicating services, including the collating of booklets and reports, using photocopy, blueprint, and offset printing equipment.

(~~57161~~) "Private wind turbine generation" means wind turbine generation used primarily to generate electricity or produce mechanical energy for use on the property where located and generate 25kw or less of electricity. Sale of electric power via net metering is allowed.

(~~58162~~) "Professional Engineer" means a registered engineer authorized to practice civil engineering as defined in Ohio R.C. Chapter 4733.

(~~59163~~) "Professional office" means architect, attorney, chiropractor, professional engineer, drafting office, collection agency, dentist, doctor, insurance office, private detective, real estate agency, social worker, or similar use.

(~~60164~~) "Professional Surveyor" means a registered surveyor authorized to practice surveying, as defined by Ohio R.C. Chapter 4733.

(~~1645~~) "Projection sign" means a sign that is attached to a building and which projects out from the building wall so that the sign is generally at right angles to the building wall.

(~~1626~~) "Public service facility" means the erection, construction, alteration, operation, or maintenance of buildings, power plants or substations, water treatment plants or pumping stations, sewage disposal or pumping plants and other similar public service structures by a public utility, by a railroad, whether publicly or privately owned, or by a municipal or other governmental agency, including the furnishing of electrical, gas, communication, and public water and sewage services, and rail transport, bus stations, and mail facilities.

(1637) "Public utility" is as defined in Ohio R.C. 4905.02 and 4905.03.

(1648) "Public utility or commercial wind turbine generation" means wind turbine generation used primarily to generate wholesale electricity or produce wholesale mechanical energy to supply electricity to consumers within the City.

(1659) "Quarry" means any land from which rock, stone, gravel, sand, earth or mineral is removed or excavated, or excavated for the purpose of disposition away from the immediate premises. However, such excavation shall not include excavation necessary for the actual foundations of any building or structure for which a zoning certificate has been issued.

(466170) "Real estate sign" means any sign advertising the sale, lease, rental, or development of rear property line.

(467171) "Rear lot line" means that lot line which is opposite and furthest removed from the front lot line.

(468172) "Recreational facility" means commercial or non-commercial facility that offers non-passive recreational services to a group of people or the general public, included in this definition are outdoor recreational facilities, such as golf courses, driving ranges, tennis courts, and swimming pools, and indoor recreational facilities in which all activities are conducted indoors. This definition could also include a combination of indoor and outdoor recreational services.

(469173) "Residence" or "residential" means a building or any part of a building that contains dwelling units for permanent occupancy. "Residence," therefore, includes all one-family, two-family and multifamily dwellings; however, "residence" does not include:

A. Transient accommodations, as in transient hotels, motels, tourist cabins and trailer camps;

B. That part of a building that is used for any nonresidential use, except accessory uses for residences, in a building containing both residences and other uses; and

C. Institutional uses, as in rest homes, nursing homes, homes for the aged, orphanages and other institutional residential uses.

(1704) "Restaurant" means an establishment that serves food and beverages primarily to persons seated within the building. This includes cafes, tea rooms and outdoor cafes.

(1745) "Restaurant drive-in" means a retail outlet where food or beverages are sold to a substantial extent for consumption by customers in parked motor vehicles.

(1726) "Restaurant, fast-food" means an establishment that offers quick food service, which is accomplished through a limited menu of items already prepared and held for service, or prepared, fried or grilled quickly, or heated in a device such as a microwave oven. Orders are not generally taken at the customer's table, and food is generally served in disposable wrapping or containers.

(1737) "Retail establishments" means any business selling goods, wares, or merchandise to the consumer for direct consumption and not for resale.

(1738) "Right-of-way" means a strip of land occupied, or intended to be occupied, by a street, sidewalks, a road, a utility line, street trees or other similar use. The use of the term "right-of-way" shall mean that such areas designated on a plat are separate and distinct from the lots or parcels adjoining such rights of way and are not included in the area of such lots. Rights-of-way intended for streets, sidewalks, utilities, street trees, or other use involving public maintenance shall be dedicated to the public and indicated as such on the plat.

(1749) "Roof sign" means a sign erected upon and located completely above the roof of a building.

(475180) "Sandwich board sign" means a temporary A-frame sign, usually composed of PVC plastic or wood. This type of sign is only permitted in the Central Business District.

(476181) "School" means any building, public or private, which gives regular instruction in the several branches of learning at least five days a week for a normal school year. "School" includes an elementary, junior and senior high school, a college and a university. "School" does not include an establishment giving limited or special instruction, such as a business, vocational, trade, art, music, dancing, or riding school.

(477182) "Self-service storage facility" means a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or for contractors' supplies.

(478183) "Semi-truck trailer" means an open or closed trailer that requires a semi-truck or similar vehicle to transport said trailer.

(479184) "Setback" means the distance required to obtain minimum front, side, or rear yard open space provisions of this Zoning Code. Setbacks from the public street shall be measured from the outside edge of the existing or proposed future right-of-way; whichever is greater.

(480185) "Side lot line" means any lot line that is not a front lot line or a rear lot line.

(1846) "Sidewalk" means a paved surface or leveled area separated from the street and used as a pedestrian walkway.

(1827) "Sign" means any structure or part thereof, or any device attached to a structure or painted, projected, imaged or represented on a structure, on which lettered, figured or pictorial matter is displayed or used for bringing the subject thereof to the attention of the public. "Sign" does not include any flag, badge or insignia of any government or governmental agency, or any traffic control device or structure. The area of a sign shall be deemed to be the entire area within a single continuous perimeter enclosing the extreme limits of such sign and not passing through or between adjacent words or elements of the same. However, the perimeter does not include any border or structural elements lying outside and not forming an integral part of the display. Signs that direct attention to a business, profession, commodity or services that are not related to the premises where such a sign is located are defined as advertising signs and are subject to regulations specific to such signs. No sign shall be permitted in the right-of-way.

(483188) "Site plan" means a plan, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses, and principal site development features proposes for a specific parcel(s) of land.

(1894) "Storm water drainage" means the removal of surface water from lands by drains, grading, or other means. Drainage includes the control of runoff to minimize erosion and sedimentation during and after development and includes the means necessary for water supply preservation or prevention or alleviation of flooding.

(485190) "Story" means that part of the building between the surface of a floor and the ceiling immediately above.

(486191) "Street" means a right-of-way, dedicated to public use, that affords the principal means of vehicular and pedestrian access to abutting property.

(487192) "Structural alteration" means any change in or addition to the supporting members of a structure.

(488193) "Structure" means any combination of materials forming any construction, the-use of which requires a more or less permanent location on the ground or attachment to something having a permanent location on the ground. As defined herein, "structure" includes mobile or manufactured homes, walls, fences, signs, and billboards.

(489194) "Subdivider" means the owner of land who is effecting the subdivision of land.

(1905) "Subdivision" means:

A. The division of any parcel of land shown as a unit or as contiguous units on the last preceding tax roll (that existed at the effective date of Ordinance 74-39) into two or more parcels, sites or lots, any one of which is less than five acres, for the purpose, whether immediate or future, of transfer or ownership; however, the division or partition of land into parcels of more than five acres not involving any new streets or easements of access, and the sale or exchange of parcels between adjoining lot owners, where such sale or exchange does not create additional building sites, shall be exempted; or

B. The improvement of one or more parcels of land for residential, commercial, or industrial structures or groups of structures involving the division or allocation of land for the opening, widening, or extension of any street except private streets serving industrial owners, occupants, or lease holders, or as easements for the extension and maintenance of public sewers water, storm drainage, or other public facilities.

The term division of land referred to in paragraph (19593)A. A. hereof shall include any land contracts and partial releases of mortgage deeds.

(1946) "Subdivision Regulations" or "these Regulations" means Ordinance 2002-45, passed August 22, 2002, and codified herein as Chapter 1222 of Title Two - Planning - of Part Twelve - the Planning and Zoning Code.

(1927) "Swimming pool" means a privately-owned receptacle for water intended for the use of human beings for recreational purposes, being of open construction, without a fixed cover or shelter, providing for water of a depth for more than twenty-four inches and being either a permanent and fixed installation, or if of a temporary, assembled nature, customarily kept assembled and filled for more than one day at a time in a fixed location.

(1938) "Tavern" means an establishment serving alcoholic beverages in which the principal business is the sale of such beverages at retail for consumption on the premises and where sandwiches and snacks are available for consumption on the premises.

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- (1949) "Telecommunications tower" means a structure intended to support equipment used to transmit and/or received telecommunications signals including monopoles, guyed and lattice construction steel structures.
- (~~195200~~) "Temporary fixture" means an object that can be driven, pulled, pushed, or slid from the property.
- (~~196201~~) "Temporary sign" means a sign intended to be displayed for a short period of time and which is not permanently affixed, including all devices such as banners, pennants, flags, searchlights, twirling, or sandwich-type signs, sidewalk or curb signs.
- (~~197202~~) "Terrace" means a raised platform supported on one or more sides by a wall or a bank of earth.
- (~~198203~~) "Tourist cabins" means a group of buildings, including either separate cabins or a row of cabins, containing living and sleeping accommodations for transient occupancy and having individual entrances.
- (~~199204~~) "Tracing" means a translucent drawing on linen, ~~mylar~~ Mylar, cronaflex or the like, from which a print can be taken directly.
- (2005) "Trailer" means a vehicle or enclosure used for purposes of living, sleeping, business or storage or for the transportation of persons or property, having no foundation other than wheels, blocks, skids, jacks, horses or skirting, and which has been, or reasonably may be, equipped with wheels or other devices for transporting the enclosure from place to place, whether by its own motive power or other means. "Trailer" includes a camp car, a house car, a house trailer or a trailer coach. The term shall also be construed to include recreational equipment, boats, a mobile home, a mobile home park, and a mobile home subdivision.
- (2046) "Trailer camp" and "trailer park" mean a lot where two or more trailers are parked or which is used or reserved for the purposes of supplying to the public a parking space for two or more trailers.
- (2027) "Trellis" means a frame of lattice work used as a screen or as a support for climbing plants. A trellis is not to be used as a fence or attached to a fence to increase height.
- (2038) "Use" means:
- A. Any purpose for which buildings, other structures or land may be arranged, designed, intended, maintained, or occupied;
  - B. Any occupation, business, activity or operation carried on or intended to be carried on in a building or other structure or on land; or
  - C. A name of a building, other structure or lot which indicates the purpose for which it is arranged, designed, intended, maintained, or occupied.
- (2049) "Used car lot" means any lot in which two or more motor vehicles in operating condition are offered for sale or displayed to the public.
- (~~205210~~) "Utility trailer" means any vehicular portable structure designed and constructed to be used to transport materials and/or tools or similar apparatus for the purpose of providing said items at construction sites or similar locations.
- (~~206211~~) "Variance" means a modification of the strict terms of the relevant regulations of this chapter where such modification will not be contrary to the public interest and where owing to conditions peculiar to the property and not the result of the action of the applicant, a literal enforcement of this chapter would result in practical difficulties. Variances can only be granted by the Board of Zoning Appeals as provided under Chapter 1246, unless otherwise specified by this chapter.
- (~~207212~~) "Veterinary animal hospital or clinic" means a place used for the care, grooming, diagnosis, and treatment of sick, ailing, infirm, or injured animals, and those who are in need of medical or surgical attention, and may include overnight accommodations on the premises for treatment, observation, and/or recuperation. It may also include boarding that is incidental to the primary activity.
- (~~208213~~) "Wall sign" means any sign attached parallel to and within one foot of, painted on the wall surface of, or erected and confined within the limits of an outside wall of any building or structure which is supported by such wall or building, and which displays only on sign surface.
- (~~209214~~) "Wall surface" means the exterior of the wall or all walls of a building extending in one direction.
- (2105) "Water features" means any structure or item that contains water less than 24 inches in depth and which is used for landscaping purposes only. Water features shall not exceed 30 square feet in area.
- (2146) "Wind turbine" means a mechanical device that is mounted to a tower, pylon, pole, or other structure, including all accessory facilities, upon which any, all, or some combination of the following items are included:

A. A wind vane, blade, or series of wind vanes or blades or other devices mounted on a rotor for the purpose of converting wind into electrical or mechanical energy.

B. A shaft, gear, or coupling device used to connect the rotor to a generator, alternator, or other electrical or mechanical energy-producing device.

C. A generator, alternator, or other device used to convert energy created by the rotation of the rotor into electrical or mechanical energy.

(2127) “Wind turbine owner” means the person, persons, or company who owns the wind turbine complete structure.

(213218) “Wind turbine tower” means the tower, pylon, pole, or support structure to which the turbine and rotor are mounted.

(2149) “Wind turbine tower height” means the distance from the rotor blade or vane at its highest point to the top surface of the original/normal grade adjacent to the wind turbine tower foundation.

(215220) “Yard” means that portion of an open area on a lot which extends open and unobstructed from its lowest level to the sky along the lot line and from that lot line for a depth or width specified by the regulations of the district in which the lot is located. (See Appendix A, Typical Lot and Corner Lot diagrams.) Specifically:

A. “Front yard” means a yard extending along the full length of the front lot line between the side lot lines.

B. “Rear yard” means a yard extending along the full length of the rear lot line between the side lot lines. In such a lot where the side lot lines meet to the rear of the lot, or where the rear lot line is less than ten feet, the minimum rear yard shall be computed from the point of intersection of the side lot lines on an imaginary line that is at equal angles from each side lot line. In the case of a corner lot, the rear lot line is opposite and most distant from the front lot line of least dimension.

C. “Side yard” means a yard extending along one side lot line from the required front yard, or from the front lot line if there is no required front yard, to the required rear yard.

(216221) “Zero lot line” means a common lot line on which one exterior wall of a structure may be constructed on a side property line.

(217222) “Zoning Code” means Ordinance 2002-45, passed August 22, 2002, as amended, codified herein as Title Four of Part Twelve - The Planning and Zoning Code.

(218223) “Zoning District” means an area or section of the City within which the zoning regulations governing the use of buildings and premises, the height of buildings, the size of yards, the requirements for off-street parking and the intensity of use are uniform. Districts include Agricultural, Residential, Commercial, Public, and Industrial.

(Ord. 2002-45. Passed 8-22-02; Ord. 2007-9. Passed 3-22-07; Ord. 2007-40. Passed 12-6-07; Ord. 2009-14. Passed 5-28-09; Ord. 2014-26. Passed 11-20-14; Ord. 2015-14. Passed 7-13-15; Ord. 2017-36. Passed 11-30-17.)