

Article 15: Definitions

15.01 PURPOSE

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

15.02 GENERAL RULES FOR INTERPRETATION

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

(A) Meanings and Intent

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

(B) Headings, Illustrations, and Text

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

(C) Lists and Examples

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

(D) References to Other Regulations or Publications

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

(E) Delegation of Authority

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

(F) Technical and Non-technical Terms

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

(G) Public Officials and Agencies

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

(H) Mandatory and Discretionary Terms

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

(I) Conjunctions

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

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

(J) Tenses and Plurals

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

(K) Terms Not Defined

If a term used in this resolution is not defined in this article, the Zoning Inspector shall have the authority to provide a definition based upon the definitions used in accepted sources, including but not limited to, A Planners Dictionary, A Glossary of Zoning, Development, and Planning Terms, and A Survey of Zoning Definitions, published by the American Planning Association. The Zoning Inspector may also rely on Webster's Dictionary or a similar source for the definition of terms.

15.03 DEFINITIONS AND REFERENCES¹²¹

ABUTTING OR ADJACENT

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

ACCESSIBILITY RAMPS

ACCESSORY BUILDING, STRUCTURE, OR USE

See definitions under "building, accessory" "structure, accessory" or "use, accessory."

ACCESSORY DWELLING UNITS

Detached living quarters located on a lot with an existing principal dwelling where the accessory dwelling unit is designed for the use of persons employed on the premises or for the temporary use of guests of the occupants of the principal dwelling. Such guesthouse or accessory dwellings are not rented, leased, or otherwise transferred to an individual or organization as a separate dwelling.

ACTIVE PARKS AND RECREATION

Any park or recreational facility owned by Boardman Township, Mahoning County, State of Ohio, or a non-profit organization, that requires grading of the land, construction of facilities, lighting, or is developed for athletic fields, tennis courts, swimming pools, skate parks, disc golf, and other similar outdoor facilities.

ADULT ARCADE

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

¹²¹ This is a partial list of definitions that we will add upon as we draft more articles. For the purposes of this review, this list includes basic definitions of all uses and site development standards.

ADULT BOOKSTORE OR ADULT VIDEO STORE

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

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

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

ADULT CABARET

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

- Persons who appear in a state of nudity or semi-nudity;
- Live performances that are characterized by the exposure of specified anatomical areas or specified sexual activities; or

Films, motion pictures, video cassettes, slides, or other photographic reproductions that are distinguished or characterized by their emphasis upon the exhibition or description of specified sexual activities or specified anatomical areas.

ADULT ENTERTAINMENT ESTABLISHMENT

An adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, sexual encounter establishment, or a nude or semi-nude model studio. An establishment in which a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated by the ORC, is not defined as an adult entertainment establishment.

ADULT MOTION PICTURE THEATER

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

ADULT THEATER

A theater, concert hall, auditorium, or similar commercial establishment which regularly features persons who appear in a state of nudity or live performances which are characterized by the exposure of specified sexual activities or specified anatomical areas.

AGRICULTURAL USES AND AGRICULTURE

Agricultural uses and agriculture shall be as defined in the ORC.

AIR-ACTIVATED GRAPHICS

A sign, all or any part of, which is designed to be moved by action of forced air so as to make the sign appear to be animated or otherwise have motion.

ALTERATION

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

AMATEUR RADIO ANTENNAS

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

ANTENNA

Any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, and satellite dishes, and omni-directional antennas, such as whip antennas.

APPEAL

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

APPLICANT

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

APPLICATION

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

ASSEMBLY HALLS AND CONFERENCE CENTERS

Facilities or buildings available for lease by private parties that may include kitchen facilities for the preparation or catering of food, the sale of alcoholic beverages for on-premises consumption during scheduled events not open to the public, and/or outdoor gardens, decks, or reception facilities.

AUTHORIZED AGENT

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

AUTOMATED TELLER MACHINE (ATM)

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

AUTOMOTIVE REPAIR (HEAVY)

Any general repair, rebuilding, reconditioning, body or fender work, framework, painting or the replacement of parts to motor vehicles.

AUTOMOTIVE SERVICE (MINOR REPAIR)

Any structure or premises used for dispensing or sale of automotive vehicle fuels or lubricants, including lubrication of motor vehicles and replacements or installation of minor parts and accessories, but not including major repair work such as motor replacement, body and fender repair, or spray painting. Such uses shall also include establishments that sell parts or tires for vehicles as a retail establishment, regardless if the parts are installed on-site.

AWNING

A shelter projecting from and supported by the exterior wall of a building constructed of non-rigid materials on a supporting framework. See also definition of "canopy" and "arcade."



Figure <>: Examples of traditional awnings

BANKS AND FINANCIAL INSTITUTIONS

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

BANNER

See definition of "sign, banner."

BASEMENT

That portion of a building which is partly or wholly below grade but so located that the vertical distance from the average grade to the floor is greater than the vertical distance from the average grade to the ceiling.

BASKETBALL HOOPS

BED AND BREAKFAST ESTABLISHMENT

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

BERM

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

BIKE AND SKATEBOARD RAMPS

BOARD OF TRUSTEES

The Boardman Township, Mahoning County, Ohio, Board of Township Trustees

BOARD OF ZONING APPEALS (BZA)

The Boardman Township, Mahoning County, Ohio, Board of Zoning Appeals

BUFFER OR BUFFERYARD

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

BUILDING

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

BUILDING FRONTEAGE

See definition of "frontage, building."

BUILDING HEIGHT

The vertical distance of a building as measured pursuant to Section [4.09\(A\)\(5\): Height Measurement and Exceptions](#).

BUILDING LINE (FRONT FAÇADE)

A line that runs parallel and adjacent to the primary front building façade. See definition of "façade, primary."

BUILDING, ACCESSORY

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

BUILDING, NONCONFORMING

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

BUILDING, PRINCIPAL

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

CANOPY

A permanent structure made of cloth, metal or other material attached or unattached to a building for the purpose of providing shelter to patrons or automobiles, or as a decorative feature on a building wall. A canopy is not a completely enclosed structure but typically is supported by features other than the building façade (e.g., structural legs, building extensions, etc.). See also definition of "awning."



Figure <> Example of a canopy and related sign

CEMETERIES

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

CHURCHES AND PLACES OF WORSHIP

A building used principally for religious worship. The word "churches and places of worship" or "church" shall not include or mean an undertaker's chapel or a funeral home. Such places shall exist as public buildings, and as such, shall meet state and local building codes.

COLLOCATION

Locating wireless telecommunication antenna(s) and associated equipment from more than one provider on a single wireless telecommunication-communication tower.

COMMERCIAL ENTERTAINMENT OR RECREATION (OUTDOORS)

Land or facilities operated as a business and which are open to the general public for a fee that shall include, but is not limited to: pay-to-play athletic fields, golf courses, outdoor swimming pools, amusement parks, racetracks (animal racing only) and other similar businesses. Commercial recreation facilities shall not include "active parks and recreation" uses that are owned either publically or by a non-profit organization, and opened to the general public.

COMMERCIAL ENTERTAINMENT OR RECREATION (INDOORS)

Land or facilities operated as a business and which are open to the general public for a fee that shall include, but is not limited to: roller blade rental, billiard parlors, ice skating rinks, indoor swimming pools, indoor soccer arenas, bingo parlors, and other similar businesses.

COMMERCIAL MESSAGE OR SPEECH

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

COMMON AREAS

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

COMMUNITY CENTERS

A building used for the meeting, recreation, or social activity designed to accommodate and serve the residents of a subdivision or development to which the use is associated with and that may be privately owned or jointly owned by property owners.

COMMUNITY GARDEN

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

COUNTY

Mahoning County, Ohio

CUL-DE-SAC

A street having only one outlet for vehicular traffic (to another street) and where the other terminus is either a turnaround or is a dead-end or stub street to an adjacent, undeveloped property.

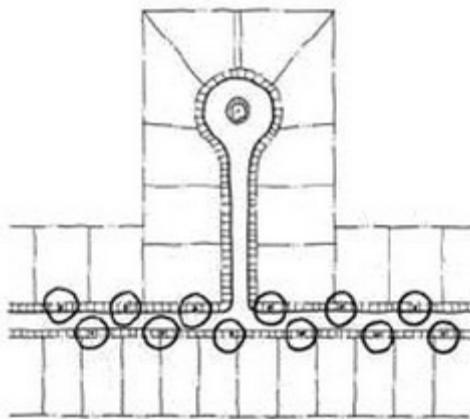


Figure 15.03-A: Illustration of a cul-de-sac street

CULTURAL INSTITUTIONS

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

DAY CARE CENTERS (ADULT OR CHILD)

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

DBH

See "diameter-at-breast height"

DECK

A flat surface attached to a building that does not have walls or a roof and that is elevated above the ground, at its highest point, by at least 18 inches. Decks are not used as habitable space.

DENSITY

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

DENSITY, GROSS

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

DETACHED ACCESSORY BUILDINGS OR STRUCTURES

Accessory buildings or structures that are detached from the principal building or structure including, but not limited to, garages, gazebos, permanent outdoor kitchens (if they require a water, sewer, or building permit), storage sheds, and other structures.

DEVELOPMENT

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

DEVELOPMENT REVIEW

The procedure for evaluating an application and making a recommendation or decision as outlined in [Article 3: Review Procedures](#).

DIAMETER-AT-BREAST HEIGHT (DBH)

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

DISTRICT

See definition of "zoning district."

DRIVE-THROUGH FACILITIES

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

DRIVeway

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

Dwelling

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

Dwelling Unit

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

Dwelling, Multi-Family

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

Dwelling, Single-Family

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

Dwellings, Multi-Family (6 or Less Units)

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

Dwellings, Multi-Family (More than 6 Units)

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

EASEMENT

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

EDUCATIONAL FACILITIES (PRIMARY AND SECONDARY)

A public or private facility that provides a curriculum of primary, elementary, secondary or college preparatory academic instruction, including, but not limited to, kindergartens, elementary schools, junior high schools, and high schools. This definition shall not be deemed to include colleges, trade or business schools, or other post-secondary education facilities. See also "educational facilities, higher."

EDUCATIONAL FACILITIES, HIGHER

Any private or public secondary educational institution that includes, but is not limited to: colleges and universities, trade schools, business schools, seminaries, or any other institution providing collegiate level curriculum.

ELECTRONIC MESSAGE CENTER

A sign designed so that the characters, letter or illustrations can be changed or rearranged automatically on a lampbank or through mechanical means (e.g. electronic or digital signs).

ESCORT

A person who, for any form of consideration, agrees or offers to act as a companion, guide, or date for another person, or who agrees or offers to privately model lingerie or to privately perform a striptease for another person.

ESCORT AGENCY

A person or business association who furnishes, offers to furnish, or advertises to furnish escorts as one its primary business purposes for a fee, tip, or other consideration.

ESSENTIAL SERVICES

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

EXPANSION

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

EYEBROW (STREET OR ROAD)

An eyebrow is a rounded expansion of a street beyond the normal curb line.

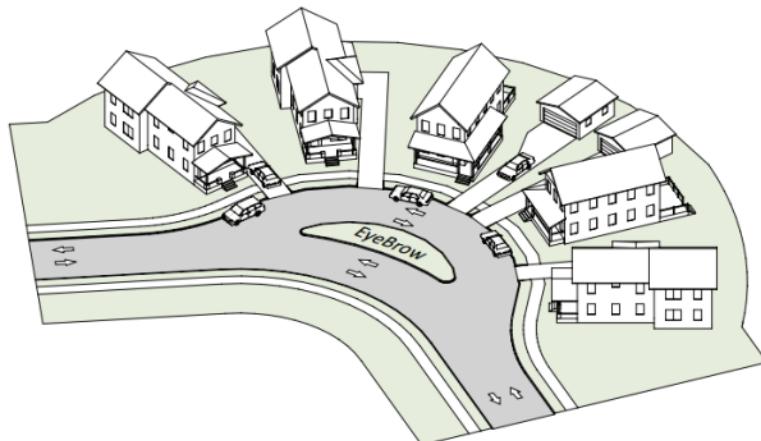


Figure 15.03-B: Illustration of an eyebrow street configuration

FACADE

The exterior wall on the front, side, or rear elevation of the building regardless of whether the building side faces a street.

FAÇADE, FRONT

The façade of a building that contains the primary entrance of the building.

FAÇADE, PRIMARY

For the purpose of the sign regulations, a primary façade shall be deemed a façade that faces directly onto a public street. See Section <> (Sign Computations) for the rules on measuring the primary façade.

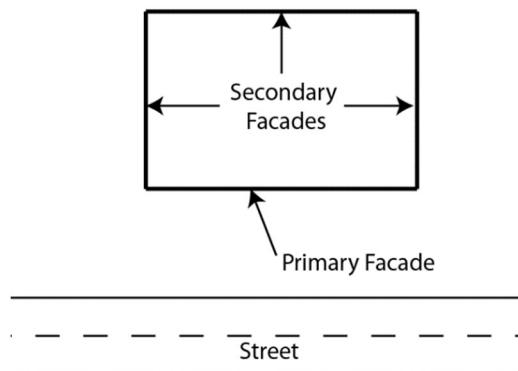


Figure <>: Illustration of the primary façade versus the secondary facades

FAÇADE, SECONDARY

For the purpose of the sign regulations, a secondary façade shall be deemed a façade that does not face directly onto a public street. See Figure <>.

FARM MARKET

The use of any land or a structure for the sale of produce in accordance with the provisions of Section <> (Accessory Uses).

FENCE

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

FLAG

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

FOOTCANDLE

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

FOOTPRINT

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

FRONTAGE, BUILDING

The length of the facade of an enclosed building facing a public or private street. See Figure <>.

FRONTAGE, STREET

The distance for which the front boundary line of the lot and the street line are coincident.

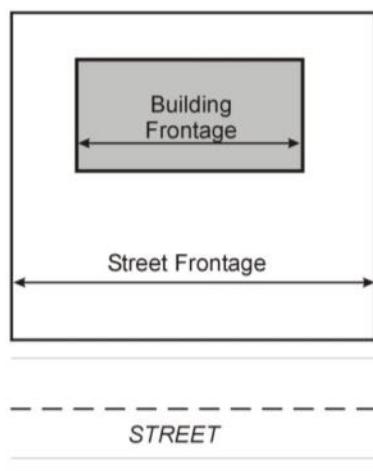


Figure <>: An illustration of street frontage versus building frontage

FUEL STATIONS

An establishment that sells unleaded and diesel gasoline or any other fuel used for in vehicles.

FUNERAL HOMES OR MORTUARIES

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

GARAGE

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

GAS AND OIL WELLS

A hole bored into the earth that produces natural gases and oils that are brought to the surface for further refining and distribution.

GENERAL OFFICES (ADMINISTRATIVE, PROFESSIONAL, BUSINESS)

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

GLARE

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

GOVERNMENT OFFICES AND BUILDINGS

Buildings or office space utilized for the provision of services by Boardman Township, an Ohio municipality, Mahoning County, the State of Ohio, or the Federal Government.

GRADE

The average level of the finished surface of the ground adjacent to the sign, building, or other structure being measured.

GRASS

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

GROUND COVER

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

HEDGE

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

HOME OCCUPATIONS

An occupation or profession which is incidental to and carried on entirely within a dwelling unit excluding an attached garage or patio area, by resident occupants of the dwelling unit and which occupation is clearly incidental to and accessory to the residential use of the property.

HOSPITALS

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

HOTEL AND MOTELS

A building in which lodging, with or without meals, is offered for compensation and in which there are more than five sleeping rooms. Hotels and motels may include typical accessory uses within the principal building including, but not limited to, swimming pools, bars, and restaurants.

HOUSEKEEPING UNIT

One or more related or non-related persons lawfully occupying a dwelling unit and living together as a single group on a permanent basis, and doing their own cooking and sleeping on the premises as distinguished from a group temporarily occupying a bed and breakfast establishment, hotel, motel, or group home.

IMPERVIOUS SURFACE

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

INDUSTRIAL SERVICE USES

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

INDUSTRIAL USES, HEAVY

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

INDUSTRIAL USES, LIGHT

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

KENNELS (COMMERCIAL) AND ANIMAL DAY CARES

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

KNUCKLE (STREET OR ROAD)

A knuckle street configuration is when a turnaround (typically seen at the termination of a cul-de-sac) is located at the intersection of two streets, allowing large street frontage for a limited number of lots. A knuckle differs from a cul-de-sac in that there is no straight portion of a street connecting the turnaround to the adjacent intersection.

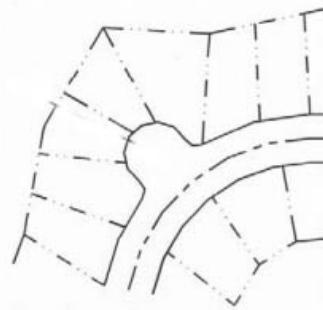


Figure 15.03-C: Illustration of a knuckle street configuration

LANDSCAPE MATERIAL

Landscaping consists of:

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

LANDSCAPING

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

LIGHT TRESPASS

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

LIGHT, CUTOFF

An artificial outdoor light source designed to ensure that no light is directly emitted above a horizontal line parallel to the ground as regulated and illustrated in Section 7.01: Exterior Lighting.

LIGHT, NON-CUTOFF

An artificial outdoor light source designed to allow light to be directly emitted above a horizontal line parallel to the ground as regulated and illustrated in Section 7.01: Exterior Lighting

LOADING SPACE

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

LOT

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

LOT AREA

The total area within the lot lines of a lot as measured in accordance with Section 4.09(A): Measurements, Computations, and Exceptions.

LOT COVERAGE¹²²

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

LOT LINE, FRONT

The front lot line, which is coterminous with the street right-of-way. A front lot line is generally parallel to or less than 45 degrees to the rear lot line. The front lot line is generally opposite the rear lot line except as may be identified in Section 4.09(A): Measurements, Computations, and Exceptions. See Figure <>.

LOT LINE, REAR

A lot line opposite a front yard. A rear lot line is generally parallel to or less than 45 degrees to the front street right-of-way line. See Figure <> and Section 4.09(A): Measurements, Computations, and Exceptions.

LOT LINE, SIDE

A lot line generally extending perpendicular to the front and rear lot lines. The side lot line extends between the front lot line and the rear lot line. See Section 4.09(A): Measurements, Computations, and Exceptions.

LOT LINES

The property lines bounding the lot.

LOT, CORNER

A lot abutting upon two or more streets at their intersection or upon two parts of the same street, and in either case forming an interior angle of less than 135 degrees. See Section 4.09(A): Measurements, Computations, and Exceptions.

LOT, CUL-DE-SAC OR CURVED STREET

A lot with frontage along a curved street or cul-de-sac. See Section 4.09(A): Measurements, Computations, and Exceptions.

¹²² This will only be included if the township decides to regulate lot coverage.

LOT, DOUBLE FRONTEAGE (THROUGH)

A lot having a frontage on two non-intersecting streets, as distinguished from a corner lot. See Section [4.09\(A\): Measurements, Computations, and Exceptions](#).

LOT, FLAG OR PANHANDLE

A lot that has limited frontage on a public street and where access to the public street is through a narrow strip of land that is commonly referred to as a panhandle. See Section [4.09\(A\): Measurements, Computations, and Exceptions](#).

LOT, INTERIOR

A lot that has a single street frontage, a rear lot line, and at least two side lot lines. See Section [4.09\(A\): Measurements, Computations, and Exceptions](#).

LOT, NONCONFORMING

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

MAXIMUM EXTENT FEASIBLE

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

MEDICAL/DENTAL OFFICES OR CLINICS

Office or clinic uses concerned with the diagnosis, treatment, and care of human beings. This definition does not include hospitals, skilled nursing facilities, or personal care facilities

MICROBREWERY, MICRODISTILLERY, OR MICROWINERY

An establishment with a primarily use as a bar or tavern where beer, liquor, wine, or other alcoholic beverage is manufactured on the premises in a limited quantity subordinate to the primary table service restaurant use. The gross floor area utilized in a microbrewery, microdistillery or microwinery for the production of beer, liquor, wine, or other alcoholic beverage shall be no greater than the gross floor area utilized for the associated bar or tavern. A microbrewery, microdistillery or microwinery may include some off-site distribution of its alcoholic beverages consistent with state law. A tasting room or taproom may exist in a microbrewery, microdistillery or microwinery where patrons may sample the manufacturer's products.

MIXED USE BUILDINGS

A building that contains a commercial or office use and an attached residential use within a single building as provided for in this resolution.

MONOPOLE

A single, slender and typically cylindrical, vertical structure to which antennas or antenna support structures are affixed.

MULTI-TENANT DEVELOPMENTS

A principal building with multiple uses of a similar use classification (e.g., commercial, industrial, etc.) but that has multiple tenant spaces and/or multiple use types. A strip mall or strip center with a mixture of retail uses such as restaurants, retail stores, and personal service establishments is an example of a multi-tenant building. Such use does not include any use within the residential use classification.

NONCOMMERCIAL MESSAGE OR SPEECH

Any sign, wording, logo or other representation that is not classified or defined as "commercial message or speech."

NONCONFORMITY

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

NUDE OR SEMI-NUDE MODEL STUDIO

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

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

NUDITY, NUDE, OR STATE OF NUDITY

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

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

NURSERIES OR GREENHOUSES

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

NURSERY SCHOOLS OR DAY CARE CENTERS (CHILDREN OR ADULTS)

OAC

The Ohio Administrative Code, as amended

ORC

The Ohio Revised Code, as amended

ORC SECTION 5119.34(B)(1)(B) RESIDENTIAL FACILITY

As currently defined by ORC § 5119.34(B)(1)(b), a licensed publicly or privately operated home or facility that provides accommodations, supervision, and personal care services to any of the following: (i) one or two unrelated persons with mental illness; (ii) one or two unrelated adults who are receiving residential state supplement payments; or (iii) three to sixteen unrelated adults. (All terms herein are as defined by said statute). This definition shall be deemed amended as said statute is hereinafter amended.

ORC SECTION 5123.19(A)(5) RESIDENTIAL FACILITY

As currently defined by ORC § 5123.19(A)(5), a licensed home or facility, including an ICF/IID, in which an individual with mental retardation or a developmental disability resides. (All terms herein are as defined by said statute). This definition shall be deemed amended as said statute is hereinafter amended.

OUTDOOR DINING

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

OUTDOOR DISPLAYS AND SALES

The placement of products or materials for sale outside of a retail or wholesale sales establishment.

OUTDOOR LIGHTING

Any source of light that is installed or mounted outside of an enclosed building or structure, but not including streetlights installed or maintained along public streets by a government agency or public utility. See Section 7.01: Exterior Lighting.

OUTDOOR STORAGE AND BULK SALES

The keeping, storage, or sales of any goods, material, merchandise, or vehicles in the same place for more than 24 hours in an area that is not fully enclosed by a structure. This may include areas established for the sale of large and/or bulk items.

OUTDOOR VENDING MACHINES AND DROP-OFF BOXES

Vending machines are small machines that are capable of accepting money in return for the automatic dispensing of goods (e.g., drink machines, snack machines, video machines). Drop-off boxes are small collection facilities where recyclable materials, clothing, or household goods are accepted from the public (e.g., neighborhood recycling stations and thrift store collection boxes).

OWNER

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

PARAPET OR PARAPET WALL

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

PARCEL

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

PARKING AISLE

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

PARKING GARAGES

Structures used to provide parking spaces along with adequate drives and aisle, for maneuvering, so as to provide access for entrance and exit for the parking of more than two vehicles. This may be permitted as a principal use of the lot in accordance with [Article <> \(Principal Uses\)](#) or as an accessory to a principal use as established in [Article <> \(Parking\)](#).

PARKING LOTS

A surface area designed for the parking of vehicles that includes parking spaces and any driveways or access drives specifically related to the parking spaces.

PARKING SPACE

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

PASSIVE PARKS, RECREATION, AND OPEN SPACE

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

PERMANENTLY SITED MANUFACTURED HOUSING

A building unit or assembly of closed construction as defined in the ORC,

PERSON

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

PERSONAL CARE

In addition to room and board, personal services such as help in walking and getting in and out of bed; assistance with bathing, dressing, and feeding; preparation of a special diet; and supervision over medications which can be self-administered.

PERSONAL CARE FACILITY

A long-term or short-term residential facility that provides personal care. Such facility shall not mean the same as "institutions for human medical care," "adult family homes or small residential facilities," or "adult homes or large residential facilities."

PERSONAL SERVICE ESTABLISHMENTS

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

PLANNED UNIT DEVELOPMENT (PUD)

A development that is planned for a single use, or to integrate a variety of uses with collateral uses, in which lot size, setback lines, yard areas, and building types may be varied and modified to achieve particular design objectives and make provision for open spaces, common areas, utilities, public improvements, and collateral uses. See [Article <>](#).

PLANNING COMMISSION

The Mahoning County, Ohio, Planning Commission

PLAYSETS, TREEHOUSES, AND TRAMPOLINES

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

PORCHES AND DECKS

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

PORTABLE STORAGE UNITS

A portable structure or container that allows for storage of goods or materials, on or off-site and which is not permanently affixed to a foundation and that is related to the construction, renovation, or rehabilitation of the building on which the site is located.

PUBLIC HEARING

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

QUASI-PUBLIC, FRATERNAL, OR SERVICE FACILITIES

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

QUORUM

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

RAISING OF SMALL LIVESTOCK

The non-commercial raising and caring of female chickens, rabbits, or small livestock of a similar size, on a residential lot, as an accessory use.

REAL ESTATE SALES/MODEL HOMES

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

RESEARCH AND DEVELOPMENT FACILITIES

An establishment or facility for carrying on investigation in the natural, physical, or social sciences, or engineering and development as an extension of investigation with the objective of creating end products. Such establishment shall not include the manufacturing or assembly of products beyond the development of prototype systems or products. All activities shall take place within an enclosed building.

RESTAURANTS AND TAVERNS

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

RETAIL AND SERVICE COMMERCIAL USES

Establishments primarily engaged in the sale of goods, materials, and general services to the public. Examples of this use type may include, but are not limited to, bookstores, antique stores, bakeries, grocery stores, and other similar uses.

RIGHT-OF-WAY

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

ROOF LINE

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

SATELLITE DISHES

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

SCREEN OR SCREENING

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

SEASONAL AGRICULTURAL SALES

A temporary structure or vehicle used in the sale of agricultural products such as fruits, vegetables, and juices where such facilities may sell agricultural products not grown on site. Seasonal sales, including the sale of such items as trees, pumpkins, seasonal produce, and similar agricultural products, which may be permitted on a temporary basis pursuant to Section 6.02: Temporary Uses and Structures.

SEASONAL COVER

A temporary shelter for items including, but not limited to, firewood, equipment, motor vehicles, recreational vehicles, and similar items, where such items are stored or parked for a temporary period of time or season.

SELF-STORAGE FACILITIES (INDOORS)

A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, or controlled-access stalls or lockers for the dead storage of a customer's goods or wares. The stalls or lockers used for storage shall only be accessible internally within the building and there shall be no storage of goods or wares outside.

SELF-STORAGE FACILITIES (OUTDOORS)

A building or group of buildings in a controlled-access and fenced compound that contains varying sizes of individual, compartmentalized, or controlled-access stalls or lockers for the dead storage of a customer's goods or wares. The stalls or lockers used for storage may be accessible from outside and the use may include the outdoor storage of goods and wares in an orderly manner.

SEMINUDE OR STATE OF SEMI-NUDITY

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

SETBACK

The minimum distance a building or structure must be built from a lot line or road right-of-way as defined further in Section [4.09\(A\): Measurements, Computations, and Exceptions](#).

SETBACK LINE

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

SETBACK, FRONT

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

SETBACK, REAR

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

SETBACK, SIDE

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

SEXUAL ENCOUNTER ESTABLISHMENT

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

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

An establishment where a medical practitioner, psychologist, psychiatrist, or similar professional person licensed by the state engages in medically approved and recognized therapy, including, but not limited to, massage therapy, as regulated by the ORC, is not a "sexual encounter establishment."

SHRUB

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

SIDEWALK

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

SIGN

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

SIGN AREA

The entire display area of a sign including the advertising surface located on one or more sign faces and any framing, trim and molding, but not including the supporting structure as measured pursuant to Section 12.07: Sign .

SIGN FACE

The area or display surface used for the message.

SIGN HEIGHT

The vertical distance to top of sign structure as measured pursuant to Section 12.07: Sign .

SIGN, ABANDONED

An abandoned sign is a sign which no longer identifies or advertises a bona fide business, lessor, service, owner, product or activity, and/or for which no legal owner can be found.

SIGN, A-FRAME

A freestanding sign which is ordinarily in the shape of an "A" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure. See also the definition of T-frame signs.

SIGN, ANIMATED OR MOVING

Any sign or part of a sign which changes physical position by any movement or rotation or which gives visual impression of such movement or rotation. This definition does not include signs classified as "electronic message centers."

SIGN, BALLOON

A sign that is an air inflated object, which may be of various shapes, made of flexible fabric, resting on the ground or a structure, and equipped with a portable blower motor that provides a constant flow of air into the device. Balloon signs are restrained, attached or held in place by a cord, rope, cable, or similar method. See also the definition for air-activated graphics.

SIGN, BANNER

A temporary sign composed of cloth, canvas, plastic, fabric or similar lightweight, non-rigid material that can be mounted to a structure with cord, rope, cable, or a similar method or that may be supported by stakes in the ground.

SIGN, BLADE OR FEATHER

A temporary sign that is constructed of cloth, canvas, plastic fabric or similar lightweight, non-rigid material and that is supported by a single vertical pole mounted into the ground or on a portable structure.

SIGN, CANOPY

Any sign that is a part of or attached to a canopy or awning.

SIGN, CHANGEABLE COPY

A sign designed so that the characters, letter or illustrations can be changed or rearranged manually or electronically without altering the sign display surface. May also be known as readerboards. See also the definition of "electronic message center."

SIGN, DEVELOPMENT/SUBDIVISION

A sign identifying a recognized subdivision, condominium complex, or development.

SIGN, DRIVE-THROUGH

Any signage allocated along a drive-through lane that is oriented toward the customer or user in the drive-through lane.

SIGN, DRIVEWAY

A small permanent sign located near driveway access points and/or at the intersection of internal access drives.

SIGN, FLASHING

Any sign which contains an intermittent or flashing light source, or which includes the illusion of intermittent or flashing light by means of animation or any externally mounted intermittent light source. This definition does not include signs classified as "electronic message centers."

SIGN, FREESTANDING

Any sign supported upon the ground by a monument, pedestal, pole, bracing, or other permanent measure and not attached to any building. See also the definition of "ground-mounted monument sign" and "pole sign."

SIGN, ILLEGAL

A sign which does not meet the requirements of this chapter and which has not received legal nonconforming status.

SIGN, ILLUMINATED

A sign with an artificial light source incorporated internally or externally for the purpose of illuminating the sign.

SIGN, INCIDENTAL

A sign typically erected to identify entrances, exits, restrooms, hours of operation, operational instructions, public utility locations, etc. These examples are not given by way of limitation; an incidental sign can contain any message, in accordance with Section <>.

SIGN, MANUAL CHANGEABLE COPY

A sign or portion of a sign where it is possible to change the copy on a frequent basis but where such sign change must be manually made and is not made electronically.

SIGN, MONUMENT

A permanent freestanding sign other than a pole sign, not attached to a building, which is placed upon or supported by the ground independently of any other structure, typically on a monument or pedestal structure.

SIGN, NONCONFORMING

Any sign which was erected legally prior to the adoption of this code, but which does not comply with subsequently enacted sign restrictions and regulations or a sign which does not conform to the sign code requirements.

SIGN, PERMANENT

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

SIGN, POLE

A permanent freestanding sign supported by one or more uprights, poles or braces placed in or upon the ground surface and not attached to any building.

SIGN, PORTABLE

Any sign that is designed to be or capable of being moved or transported, and not permanently affixed or attached to any building, structure, or grounds. A vehicle not used regularly in the operation of a business shall be considered a portable sign.

SIGN, PROJECTING

A sign that is affixed perpendicular to a building or wall and extends more than eighteen inches beyond the face of such building or wall and the lowest point of which sign is not less than ten feet above the sidewalk or ground level. A projecting sign shall also include a sign hung perpendicular to the building façade to the bottom of an arcade.

SIGN, ROOF

A sign erected or maintained in whole or in part upon, against or directly above the roof or parapet line of a building.

SIGN, SIDEWALK

A temporary sign that may be placed on the sidewalk, in the public right-of-way, during business hours in accordance with this section and all other applicable ordinances and resolutions.

SIGN, TEMPORARY

A SIGN THAT IS NEITHER PERMANENTLY ANCHORED TO THE GROUND, NOR PERMANENTLY AFFIXED TO A STRUCTURE, NOR MOUNTED ON A CHASSIS, AND INTENDED FOR A LIMITED PERIOD OF DISPLAY.

SIGN, T-FRAME

A freestanding sign which is ordinarily in the shape of an upside down "T" or some variation thereof, which is readily moveable, and is not permanently attached to the ground or any structure. See also the definition for A-frame signs.

SIGN, WALL

A sign attached directly to an exterior wall of a building and which does not extend more than eighteen 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. Murals and other painted signs are considered wall signs pursuant to this section.

SIGN, WINDOW

A sign attached to, in contact with, placed upon or painted on the window or door of a building which is intended for viewing from the outside of such building. This does not include merchandise located in a window.

SKILLED NURSING

In addition to room and board, those nursing services and procedures employed in caring for the persons who require training, judgment, technical knowledge, and/or skills beyond those which the untrained person possesses. It involves administering medications and carrying out procedures in accordance with the orders, instructions, and prescriptions of the attending physician or surgeon.

SKILLED NURSING FACILITY

A residential facility that provides skilled nursing. Such facility shall not mean the same as "institutions for human medical care," "adult family homes or small residential facilities," or "adult homes or large residential facilities."

SMALL WIND ENERGY CONVERSION SYSTEM (SWECS)

A wind energy conversion system consisting of a wind turbine, tower, and associated control or conversion electronics that generates power for an individual property for the purpose of reducing on-site energy consumption with a rated nameplate capacity of 100kW or less. This includes, but is not limited to, storage, electrical collection and supply equipment, and transformers. Excess electrical power generated, and not presently needed for onsite use, may be utilized by the applicable utility company.

SOLAR PANELS

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

SPECIFIED ANATOMICAL AREAS

Human genitals

SPECIFIED SEXUAL ACTIVITIES

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

STACKING SPACE OR LANE

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

STATE

The State of Ohio

STORY

The portion of a building included between the surface of any floor and the surface of the next floor above it or if there is no floor above it than the space between the floor and the ceiling next above it.

STREET

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

STREET FRONTRAGE

See definition of "frontage, street."

STRUCTURE

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

STRUCTURE, ACCESSORY

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

STRUCTURE, NONCONFORMING

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

SUBSTANTIAL ENLARGEMENT (ADULT ENTERTAINMENT ESTABLISHMENTS)

The substantial enlargement of an adult entertainment establishment means the increase in floor areas occupied by the business by more than 25 percent, as the floor areas exist on the date this amendment takes effect.

SWIMMING POOL AND HOT TUB

A structure, whether above or below grade level, designed to hold water more than 18 inches deep with a total surface area exceeding 100 square feet, that is designed to be used for personal recreation (private swimming pool) or as a recreational amenity to a larger development (community swimming pool).

TELECOMMUNICATIONS

The technology permitting the passage of information from the sender to one or more receivers in a usable form by means of an electromagnetic system and includes the term "personal wireless services".

TEMPORARY SPECIAL EVENTS

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

TEMPORARY STRUCTURE FOR PUBLIC OR INSTITUTIONAL USES

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

TEMPORARY STRUCTURES FOR CONSTRUCTION PURPOSES

Temporary facilities used for the collection of trash and solid waste on a construction site or temporary trailers or offices used in conjunction with a construction project.

THEATERS

A building or part thereof used for housing dramatic presentations, stage entertainments, motion-picture shows, or other similar entertainment.

TOWER

Any ground or roof mounted pole, spire, structure, or combination thereof taller than 15 feet, including support lines, cables, wires, braces, and masts, intended primarily for the purpose of mounting an antenna, meteorological device, or similar apparatus above grade.

TREE, DECIDUOUS

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

TREE, EVERGREEN

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

TREE, ORNAMENTAL

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

TREE, UNDERSTORY

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

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

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

UNENCLOSED PATIO

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

USE

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

USE, ACCESSORY

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

USE, CONDITIONAL

A use permitted within a district only with a conditional use permit approval from the BZA. See [3.05: Variance or Conditional Use](#).

USE, NONCONFORMING

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

USE, PRINCIPAL

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

USE, TEMPORARY

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

VEHICLE SALES AND LEASING

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

VEHICLE WASHING ESTABLISHMENTS

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

VEHICULAR USE AREA

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

VETERINARIAN OFFICES, ANIMAL HOSPITALS, OR ANIMAL GROOMING (No BOARDING)

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

WALL

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

WALL, RETAINING

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

WAREHOUSES

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

WHOLESALE BUSINESSES

A business where the primary enterprise is the sale of merchandise to retail and service commercial uses, office uses, or institutional uses, or to other wholesalers, but not to the general public. Wholesale commercial uses may also mean acting as an agent or broker in the buying or selling of merchandise.

WIRELESS TELECOMMUNICATION ANTENNA

An antenna designed to transmit or receive telecommunications as authorized by the Federal Communications Commission ("FCC"), excluding amateur radio operator antennas.

WIRELESS TELECOMMUNICATION FACILITY

A facility consisting of the equipment and structures involved in receiving telecommunications or radio signals from a mobile radio communications source and transmitting those signals to a central switching computer which connects the mobile unit with the land based telephone lines for the provision of personal wireless services.

WIRELESS TELECOMMUNICATION TOWER

A tower including but not limited to self-supporting lattice or monopole, which elevates the wireless telecommunication antenna and may include accessory transmission and receiving equipment.

YARD

An open space on the same lot with a building, unoccupied, and unobstructed by any portion of a structure from the ground upward, except as otherwise provided herein.

YARD, FRONT

A yard extending across the full width of a lot and being the distance between the street right-of-way and the nearest wall of the principal building. See Section [4.09\(A\): Measurements, Computations, and Exceptions](#).

YARD, REAR

A yard extending across the full width of a lot between the side lot lines and being the distance between the rear lot line and the nearest wall of the principal building. See Section [4.09\(A\): Measurements, Computations, and Exceptions](#).

YARD, SIDE

A yard between the principal building and the side lot line, extending from the front yard to the rear yard. See Section [4.09\(A\): Measurements, Computations, and Exceptions](#).

ZONING CERTIFICATE

A permit where the Zoning Inspector has the authority to make a decision on the application in accordance with Section [3.07: Zoning Certificate](#).

ZONING DISTRICT

A section or sections of the unincorporated territory of Boardman Township for which regulations governing the use of buildings and premises, the height of buildings, development standards, yards, lot areas, and other standards are uniform. This may also be called a base zoning district.

ZONING DISTRICT, NONRESIDENTIAL

The term "nonresidential zoning district" shall include the GB, RB, NMB, P-I, and I zoning districts.

ZONING DISTRICT, RESIDENTIAL

The term "residential zoning district" shall include the R-1A, R1-B, R-1C, R-2, and R-3 zoning districts.

ZONING INSPECTOR

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

ZONING MAP

The "Zoning District of Boardman Township, Mahoning County, Ohio", as amended

ZONING MAP AMENDMENT

An amendment or change to the Official Zoning Map of Boardman Township, reviewed and approved by the Board of Trustees in accordance with Section [3.04: Zoning Text or Map Amendment](#).

ZONING TEXT AMENDMENT

An amendment or change to the text of the Boardman Township Zoning Resolution reviewed and approved by the Board of Trustees in accordance with Section [3.04: Zoning Text or Map Amendment](#).